

#31
MAR 13 2008



Chandler • Arizona
Where Values Make The Difference

MEMORANDUM

Planning and Development – CC Memo No. 08-047

DATE: FEBRUARY 21, 2008

TO: MAYOR AND CITY COUNCIL

THRU: W. MARK PENTZ, CITY MANAGER
DOUG BALLARD, PLANNING & DEVELOPMENT DIRECTOR
JEFF KURTZ, ASSISTANT PLANNING & DEVELOPMENT DIRECTOR
BOB WEWORSKI, PLANNING MANAGER

FROM: BILL DERMODY, SENIOR CITY PLANNER

SUBJECT: UP07-0109 CURRY HOUSE

Request: Use Permit approval to sell liquor for on-premise consumption only within a restaurant (Series 12 Restaurant License)

Location: 2051 W. Warner Road, Suite 7
Southwest corner of Warner and Dobson Roads

Applicant: Boyapati Family

Owner: A. Redmond and Mary Anne Doms

RECOMMENDATION

The request is for Use Permit approval to sell liquor for on-premise consumption only within a restaurant located at 2051 W. Warner Road (Series 12 Restaurant License). Planning Commission and Staff, finding consistency with the General Plan, recommend approval subject to conditions.

BACKGROUND

The subject business occupies a suite on the southern end of the Citrus Plaza shopping center at the southwest corner of Warner and Dobson Roads. The approximate 6-acre shopping center is surrounded by a multi-family development. The suite has been a restaurant since at least 1995 and has hosted alcohol service for most of that time under a Series 12 Restaurant License for various tenants. The previous tenant, a Polish restaurant (Na Zdrowie), had a time limit of one year placed on their Use Permit due primarily to the inclusion of a dance floor—the Use Permit expired in 2005 and was not renewed.

The subject restaurant has operated since 2007 without alcohol sales and plans no changes in its business operations upon receiving Use Permit approval. The business is open until 10:00 p.m. seven days a week and has no live entertainment or dancing. The 3,000 square foot restaurant has an indoor seating capacity of 65 and no outdoor patios.

Besides the subject request, two restaurants and a convenience store also sell alcohol in the shopping center under Series 12 (restaurants) and Series 10 (convenience store) licenses. The intersection's other corners include a gas station, two pharmacies, a grocery store, and several restaurants that sell alcohol.

A Series 12 Restaurant License allows the on-site sale of beer, wine, and spirits for on-premise consumption. Under a typical Series 12 license the establishment must derive at least 40 percent of its gross revenue from the sale of food and non-alcoholic beverages.

PUBLIC/NEIGHBORHOOD NOTIFICATION

- This request was noticed in accordance with the requirements of the Chandler Zoning Code.
- The Police Department has been informed of the application and has not responded with any issues or concerns.
- A neighborhood meeting is to be held on February 18, 2008 at the restaurant. No citizens attended.
- Staff has received phone calls from four neighbors regarding the application. One neighbor expressed support for a family restaurant with alcohol service within walking distance of her home. Three other neighbors expressed opposition because there is already enough crime and alcohol in the area, and one more alcohol use will make the situation worse.

PLANNING COMMISSION VOTE REPORT

Motion to approve.

In Favor: 5 Opposed: 0 Absent: 2 (Gulsvig, Kelley)

RECOMMENDED ACTION

Planning Commission and Staff, upon finding consistency with the General Plan and Community Commercial (C-2) zoning, recommend approval of UP07-0109 CURRY HOUSE subject to the following conditions:

1. The Use Permit granted is for a Series 12 license only, and any change of license shall require reapplication and new Use Permit approval.
2. The Use Permit is non-transferable to any other location.
3. Expansion or modification beyond the approved exhibits (Site Plan, Floor Plan and Narrative) shall void the Use Permit and require new Use Permit application and approval.

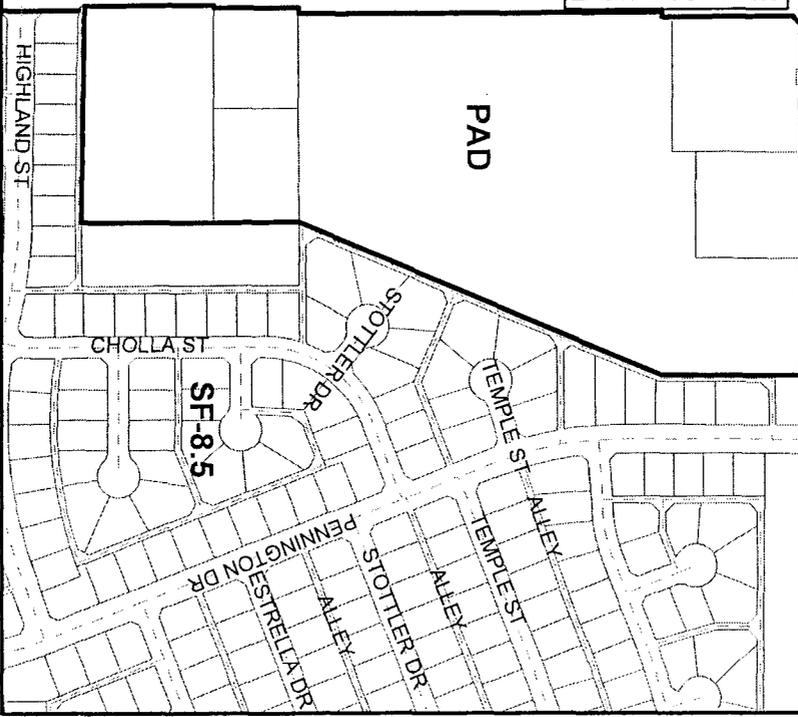
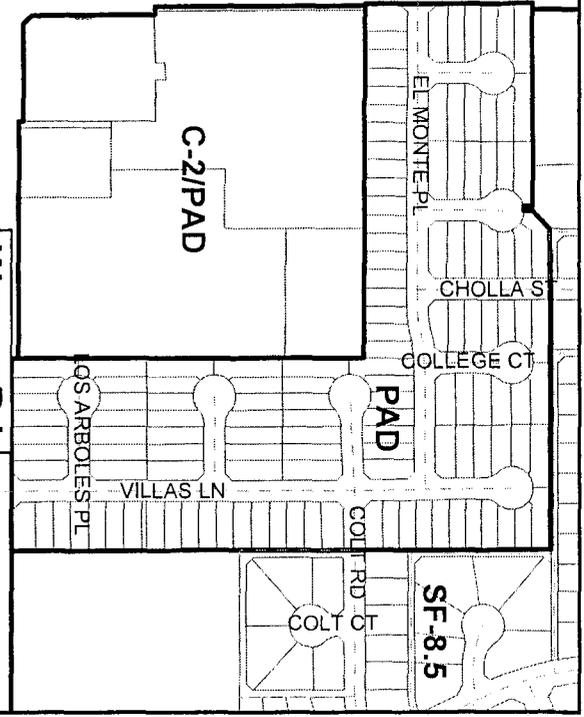
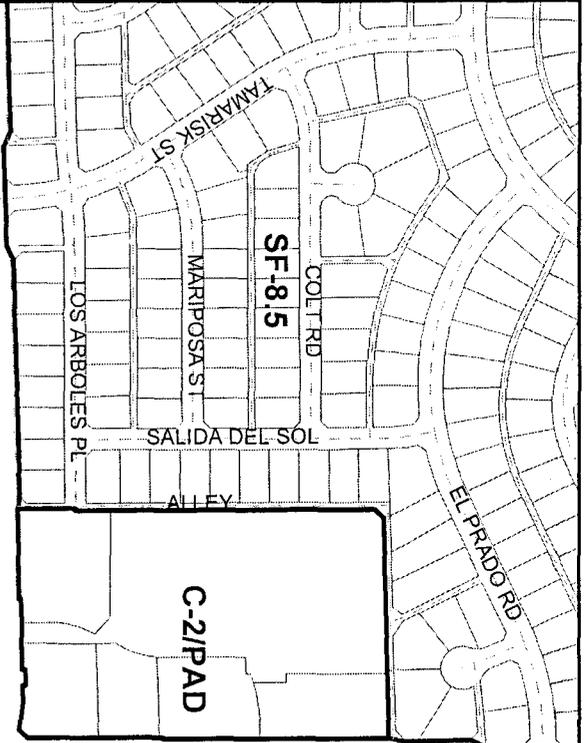
4. Any substantial change in the floor plan to include such items as, but not limited to, additional bar serving area or the addition of entertainment related uses shall require reapplication and approval of the Use Permit.
5. No alcohol shall be carried outside of the building into the parking lot or off-premises.
6. The area adjacent to the establishment shall be maintained in a clean and orderly manner.

PROPOSED MOTION

Move to approve UP07-0109 CURRY HOUSE Use Permit for liquor sales subject to the conditions recommended by Planning Commission and Staff.

Attachments

1. Vicinity Map
2. Site Plan
3. Floor Plan
4. Applicant Narrative

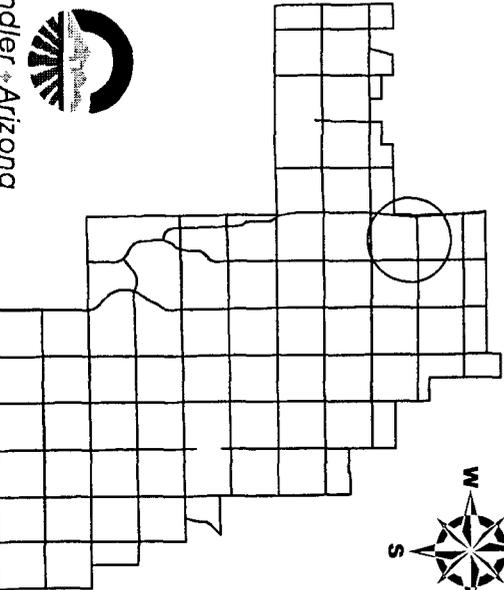


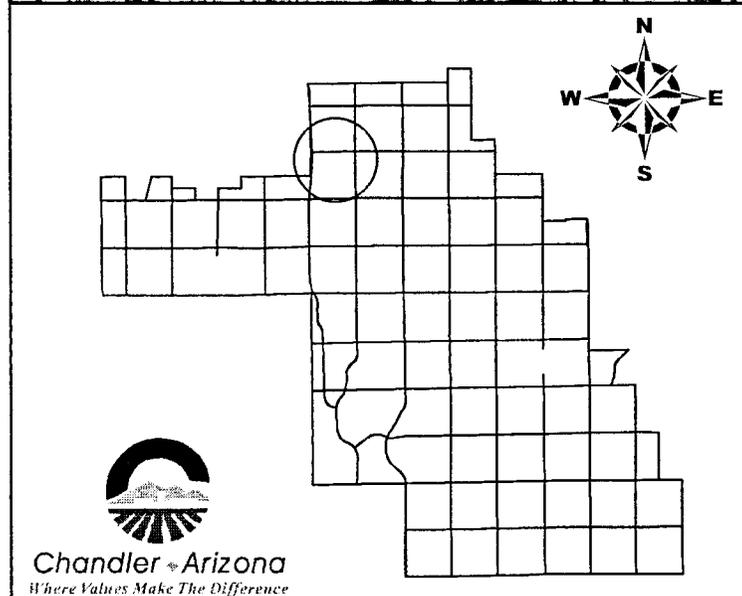
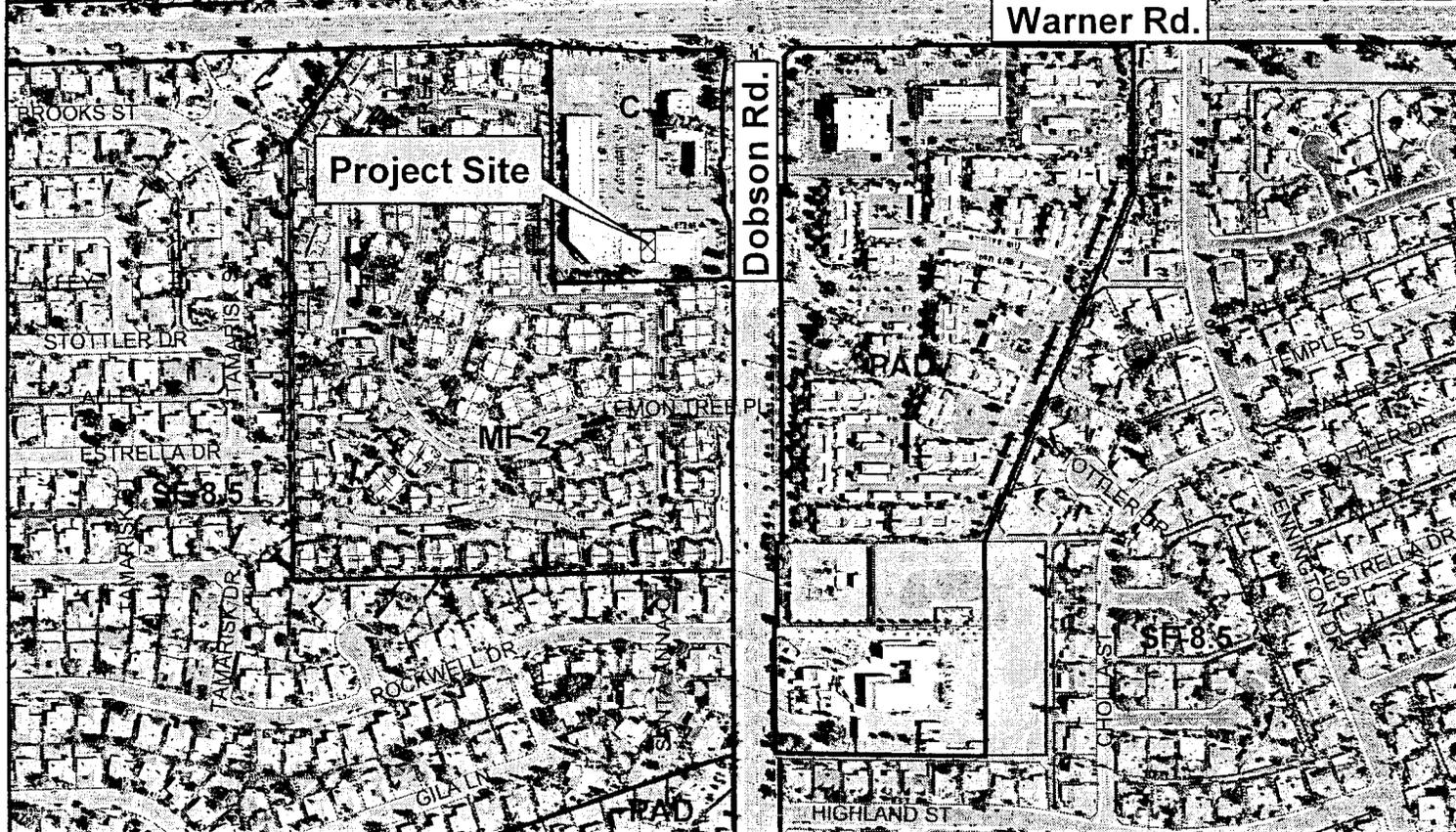
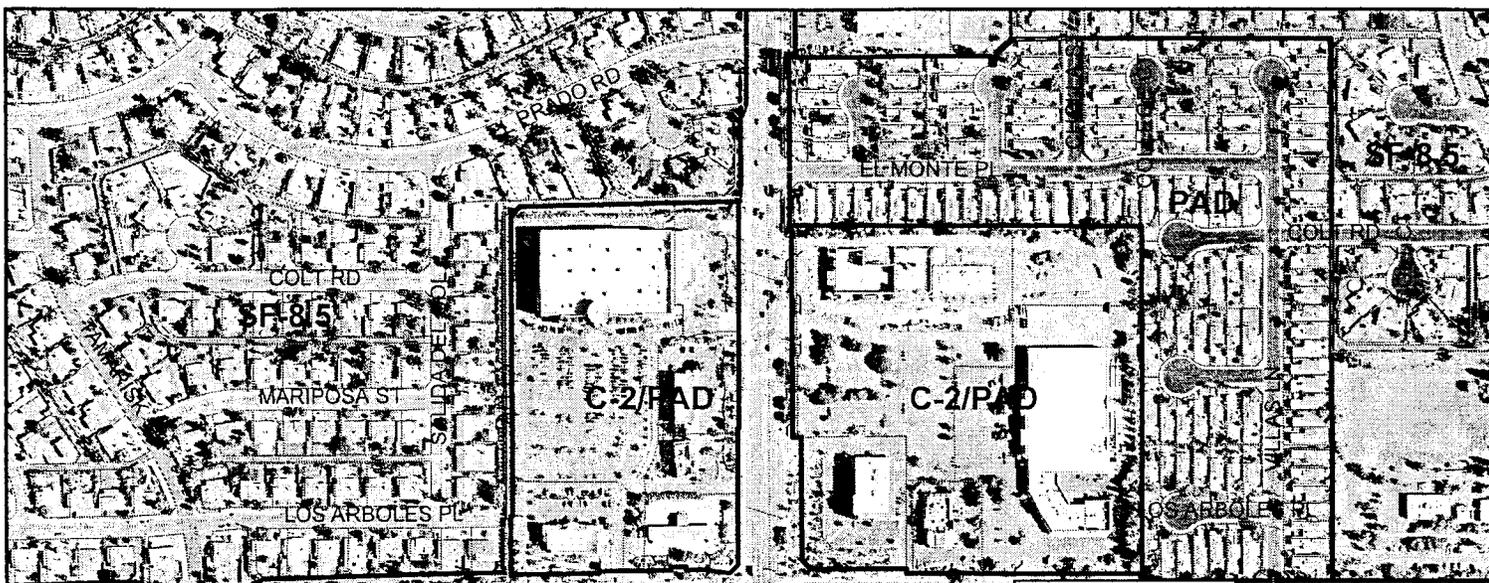
Vicinity Map



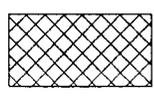
UP07-0109

Curry House
Liquor Use Permit



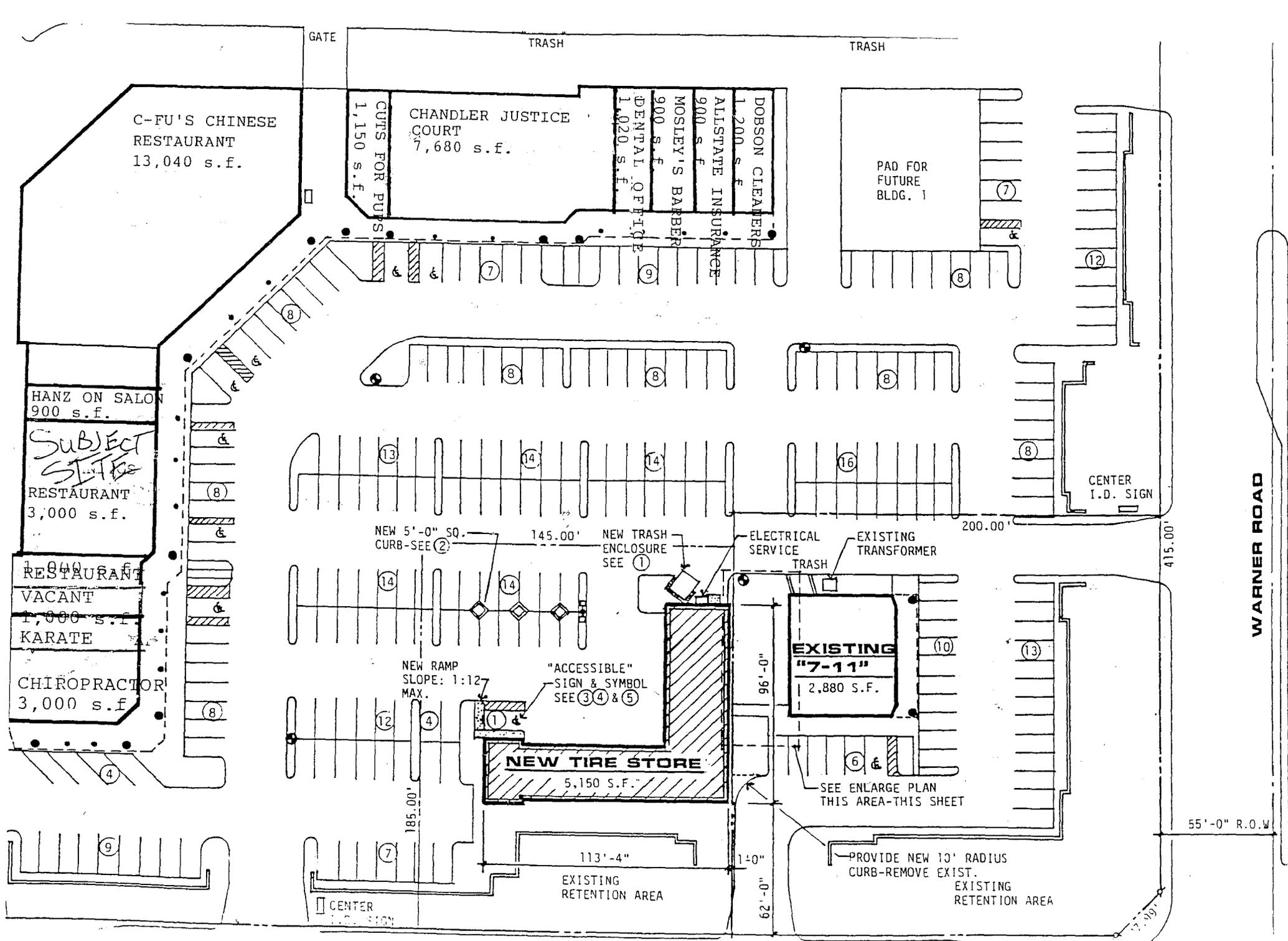


Vicinity Map



UP07-0109

Curry House
Liquor Use Permit



C-FU'S CHINESE RESTAURANT
13,040 s.f.

CUTS FOR PUPS
1,150 s.f.

CHANDLER JUSTICE COURT
7,680 s.f.

DOBSON CLEANERS
1,200 s.f.
ALISTATE INSURANCE
900 s.f.
MOSLEY'S BARBER
900 s.f.
DENTAL OFFICE
1,020 s.f.

PAD FOR FUTURE BLDG. 1

HANZ ON SALON
900 s.f.

Subject Site
RESTAURANT
3,000 s.f.

RESTAURANT
VACANT
1,000 s.f.
KARATE

CHIROPRACTOR
3,000 s.f.

NEW TIRE STORE
5,150 s.f.

EXISTING "7-11"
2,880 s.f.

EXISTING RETENTION AREA

EXISTING RETENTION AREA

WARNER ROAD

55'-0" R.O.W

GATE

TRASH

TRASH

NEW 5'-0" SQ. CURB-SEE 2

NEW TRASH ENCLOSURE SEE 1

ELECTRICAL SERVICE TRASH

EXISTING TRANSFORMER

NEW RAMP SLOPE: 1:12 MAX.

"ACCESSIBLE" SIGN & SYMBOL SEE 3, 4 & 5

SEE ENLARGE PLAN THIS AREA-THIS SHEET

PROVIDE NEW 10' RADIUS CURB-REMOVE EXIST.

CENTER I.D. SIGN

CENTER I.D. SIGN

145.00'

200.00'

415.00'

185.00'

10'-0" .96

62'-0"

17'-0"

113'-4"

7

9

8

12

8

8

8

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16

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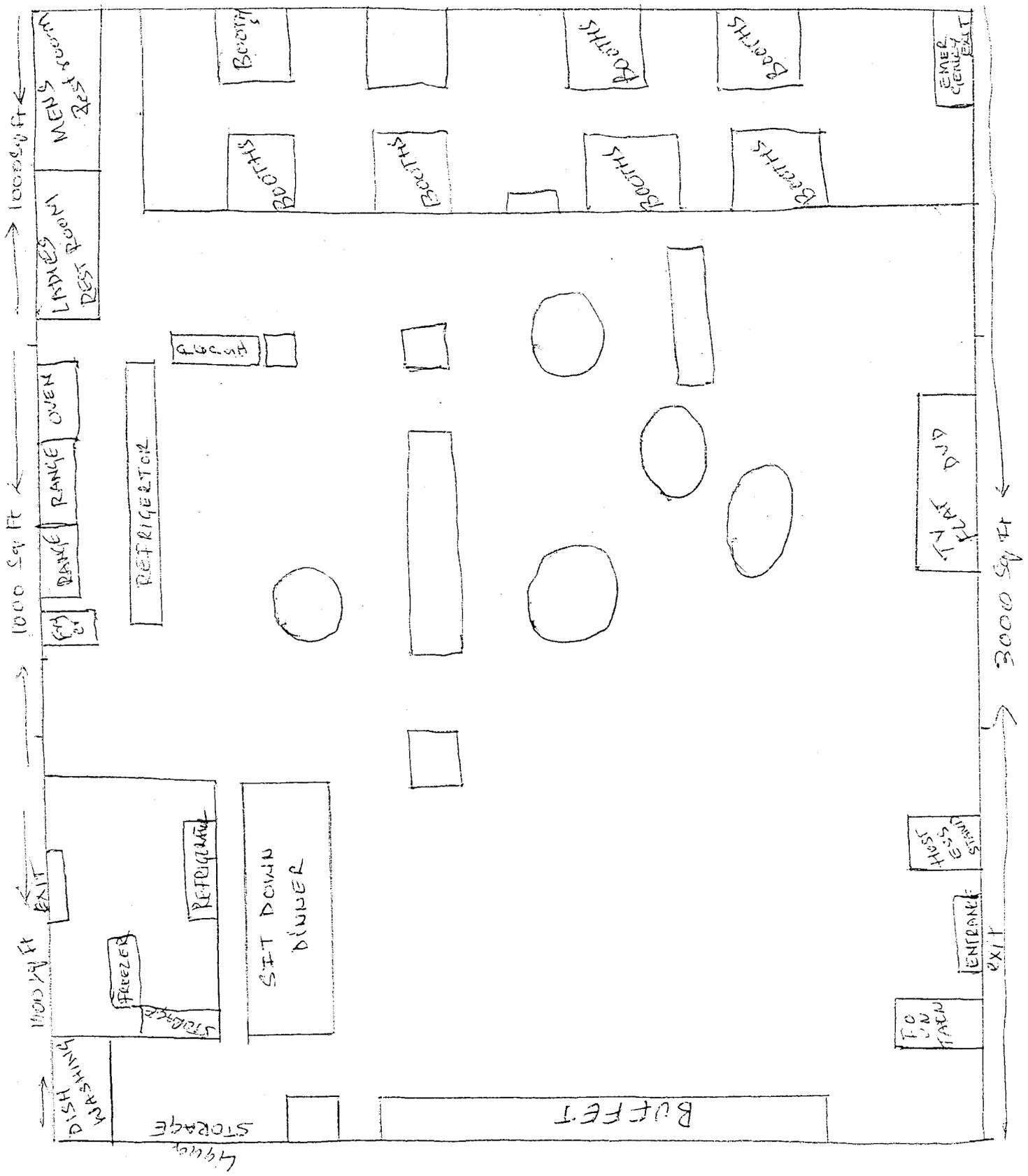
1

6

9

7

17'-0"



October 15, 2007

City of Chandler Planning and Development
215 E. Buffalo Street
Chandler, Arizona 85225

Use Permit Narrative

We are respectfully requesting a Series 12 Restaurant liquor use permit for Curry House located at 2051 W. Warner Rd. Ste 7, Chandler, AZ 85224 in the Citrus Plaza.

Curry House is a 3,000 square foot restaurant that will sell beer, wine and possibly hard liquor. We have 65 seats and do not have a patio.

We will be open for business from 11:30 am to 2:30 and 5:00 pm to 10:00 pm 7 days a week. We will have two employees.

Sincerely,



Lokesh Boyapati