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26
APR 23 2009

MEMORANDUM

Planning and Development – CC Memo No. 09-037

DATE: APRIL 2, 2009

TO: MAYOR AND CITY COUNCIL

THRU: W. MARK PENTZ, CITY MANAGER
JEFF KURTZ, ACTING PLANNING & DEVELOPMENT DIRECTOR
KEVIN MAYO, ACTING PLANNING MANAGER

FROM: BILL DERMODY, SENIOR CITY PLANNER

SUBJECT: UP08-0069 BARRIO FIESTA OF MANILA

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

Location: 941 W Elliot Rd.

Applicant: Nelson Reyes

RECOMMENDATION

The request is for a Use Permit to sell liquor for on-premise consumption only within an existing restaurant (Series 12 Restaurant License). Planning Commission and Staff, finding consistency with the General Plan, recommend approval for an additional three (3) years subject to conditions.

BACKGROUND

The subject business occupies suites #11 through #14 in the northeast portion of the Alma Elliot Square shopping center located at the southeast corner of Alma School and Elliot Roads. The restaurant is approximately 4580 square feet, including a bar and a dance floor in the southern suite with recorded music to accompany the dancing on weekend evenings. The restaurant is open Tuesday through Thursday plus Sunday from 11 a.m. to 9 p.m., and 11 a.m. to 2 a.m. on Friday and Saturday. The three northernmost suites function as a full-service restaurant. The establishment received a one (1) year Use Permit approval in December 2007 in order to monitor any effects generated by the music and dancing.

The shopping center includes two active liquor Use Permits: a Series 9 Liquor Store Use Permit for Fry's Grocery Store and a Series 10 Beer & Wine Store Use Permit for the Blue Diamond Fuel Station.

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.
- A neighborhood meeting was held on March 16, 2009 at the Barrio Fiesta of Manila restaurant. No citizens attended.
- The Police Department has been informed of the application and has not responded with any issues or concerns.
- At the time of this writing, Staff is not aware of any opposition to this request.

PLANNING COMMISSION VOTE REPORT

Motion to approve.

In Favor: 7 Opposed: 0

RECOMMENDED ACTION

Planning Commission and Staff, upon finding consistency with the General Plan and Community Commercial (C-2) zoning, recommend approval of UP08-0069 BARRIO FIESTA OF MANILA subject to the following conditions:

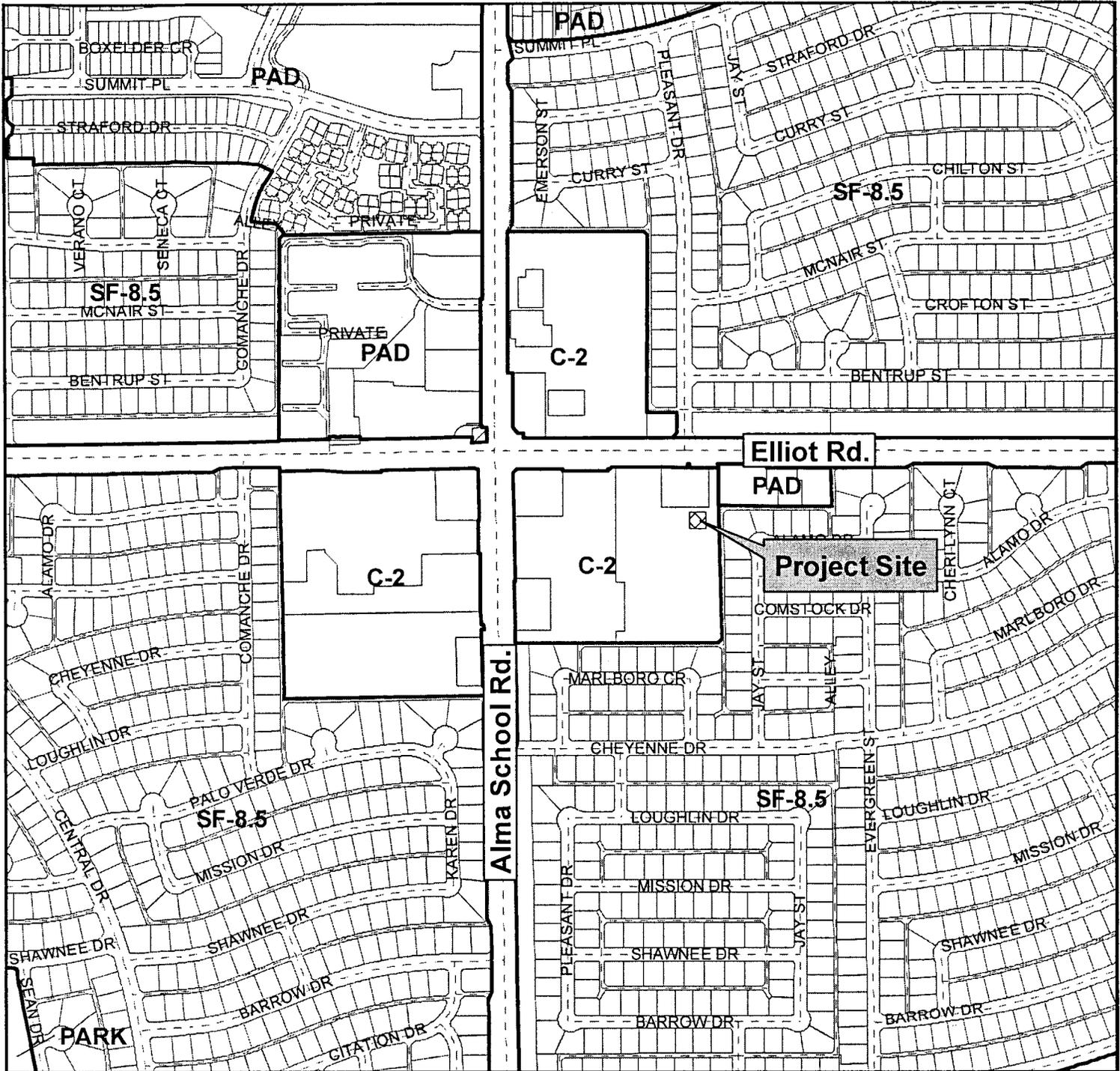
1. The Use Permit granted is for a Series 12 license only, and any change of license shall require reapplication and new Use Permit approval.
2. Music volume levels shall be controlled so as to not present a nuisance to area residences.
3. The Use Permit is non-transferable to any other location.
4. 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.
5. 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.
6. The Use Permit shall remain in effect for three (3) years from the effective date of City Council approval. Continuation of the Use Permit beyond the expiration date shall require re-application to and approval by the City of Chandler.

PROPOSED MOTION

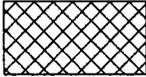
Move to approve UP08-0069 BARRIO FIESTA OF MANILA for liquor sales subject to the conditions recommended by Planning Commission and Staff.

Attachments

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



Vicinity Map

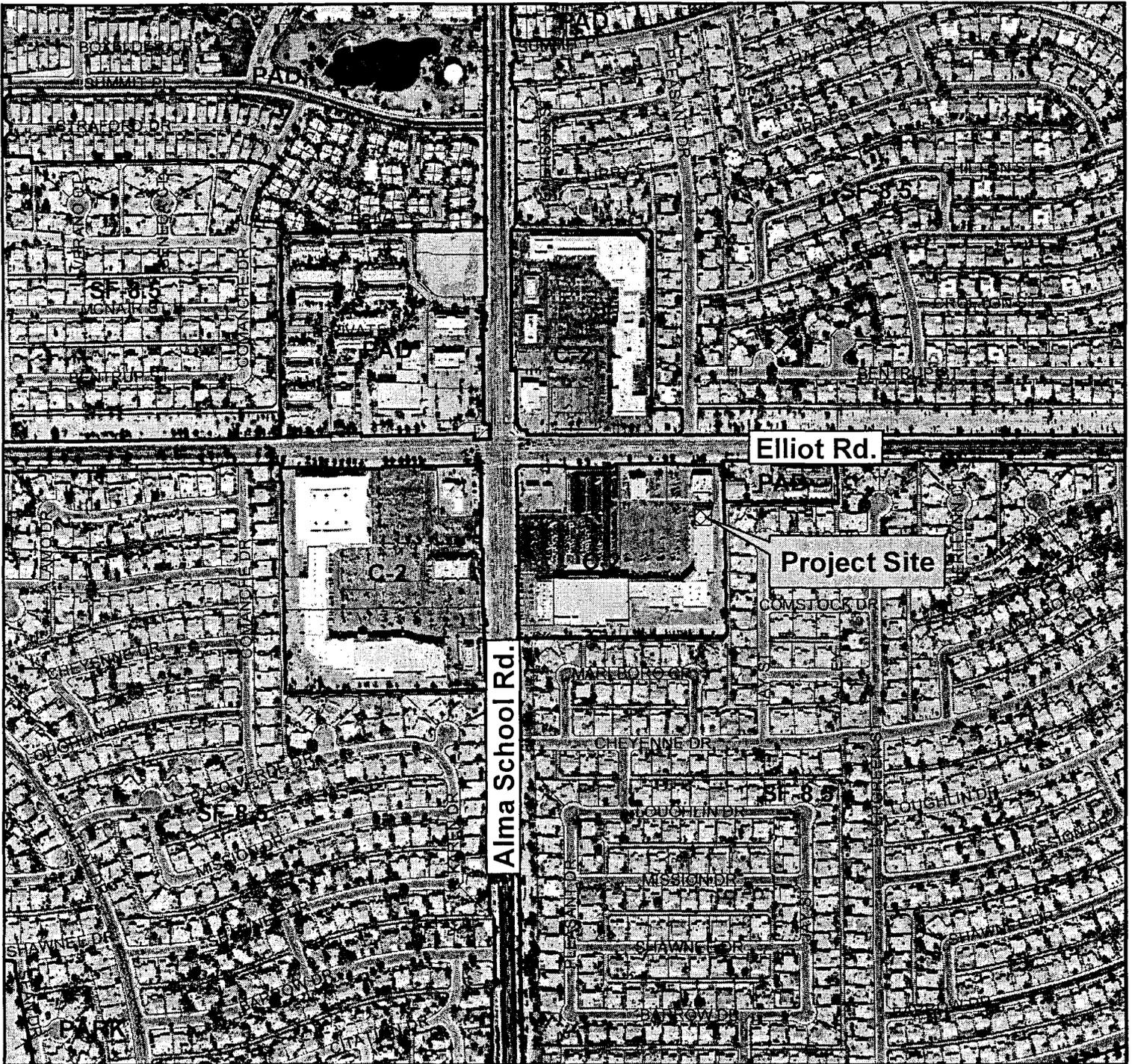


UP08-0069

**Barrio Fiesta of Manila
Liquor Use Permit**



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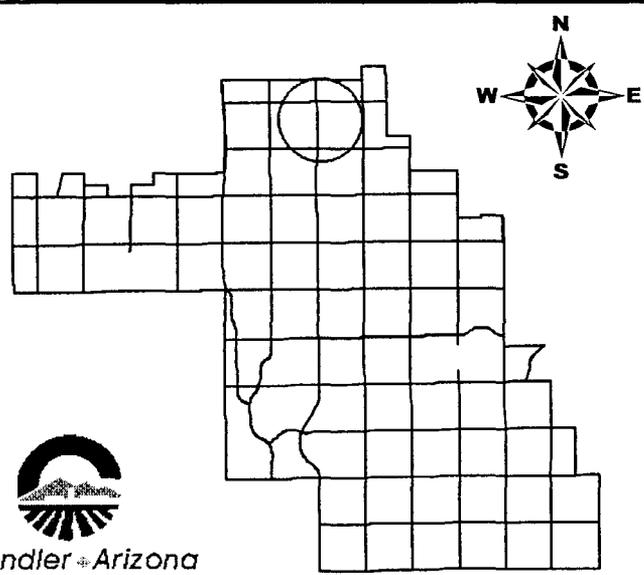


Elliot Rd.

Project Site

Alma School Rd.

Vicinity Map



UP08-0069

**Barrio Fiesta of Manila
Liquor Use Permit**



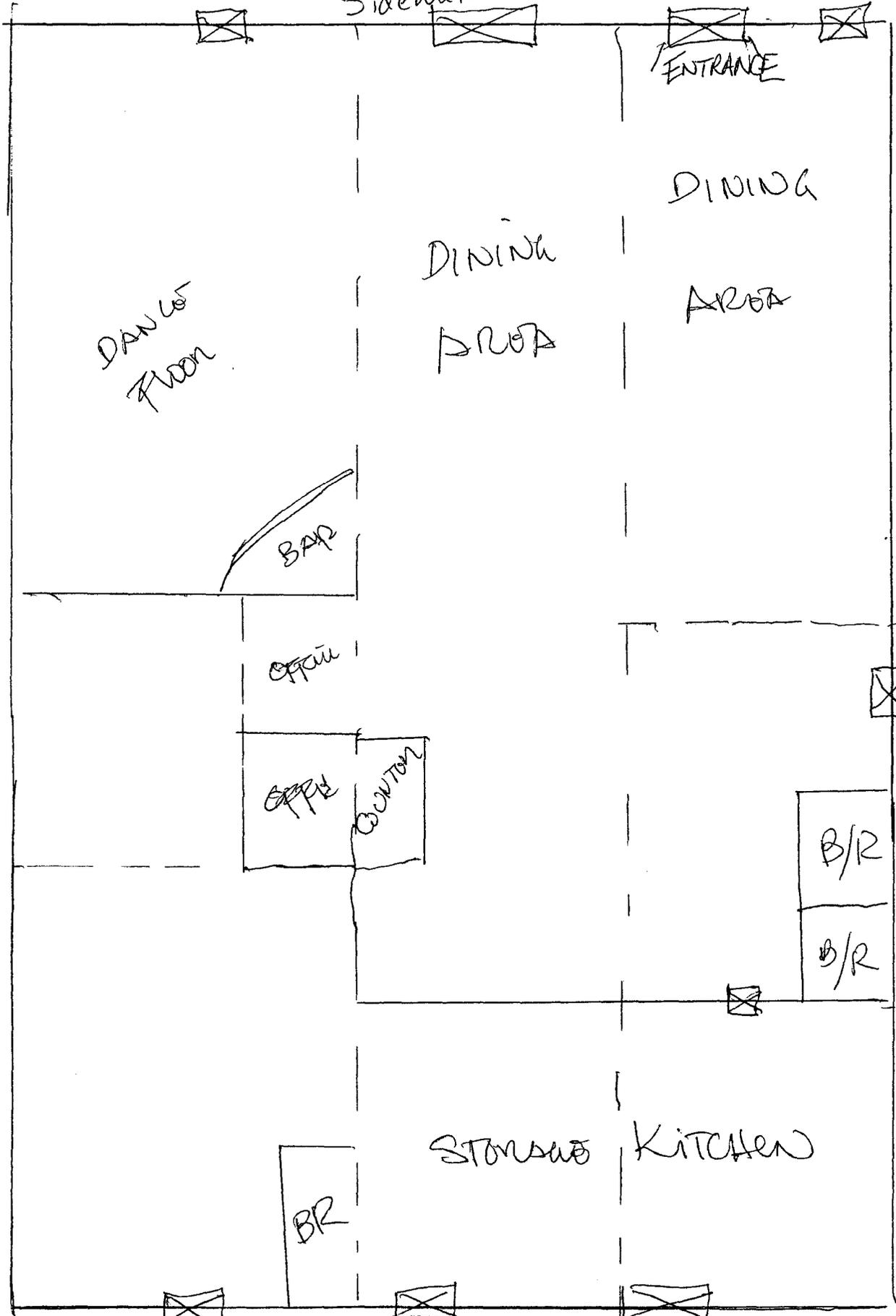
Chandler, Arizona
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CITY OF CHANDLER 12/16/2008

BARRIO FUESTA
OF MEXICO

FRONT
sidewalk

N →



DANCE
FLOOR

BAR

DINING
AREA

ENTRANCE
DINING
AREA

OFFICE

OFFICE

COUNTER

B/R

B/R

BR

STORAGE KITCHEN

BACK

BARRIO FIESTA of MANILA RESTAURANT
941 W. Elliot Rd Chandler AZ 85225

To Planning Department,

Barrio fiesta is located at 941 W. Elliot Rd. Chandler AZ 85225.

Our normal Business Hours are from 11:00AM – 9:00 PM closed on Mondays.

We serve Filipino and Oriental foods, we serve beer and wine too.

Our restaurant also have in house music and ballroom dancing on weekends from 7:00 pm to midnight.

We our located on a strip mall of Frys Market.

For the past years of business we were known for our godd service and authentic Filipino fine dining in the area.

We do hope that even this economic crisis we can still serve the customers on our outmost authentic foods.

Thank you very much for your support.

Respectfully yours,

Nelson Reyes
Owner

