

# 46

JUL 30 2009



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**MEMORANDUM**

**Planning & Development - CC Memo No. 09-078**

**DATE:** JULY 16, 2009

**TO:** MAYOR AND CITY COUNCIL

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

**FROM:** ERIK SWANSON, CITY PLANNER 

**SUBJECT:** UP09-0032 KILEY'S GRILL

**Request:** Use Permit approval for a Series 12 (Restaurant) liquor license for on-premise consumption only within an existing restaurant

**Location:** 2394 N. Alma School Road,  
Approximately ½ mile north of the northwest corner of Alma School and Warner Roads

**Applicant:** Andrea Lewkowitz, Lewkowitz Law Office PLC

**RECOMMENDATION**

The request is for Use Permit approval for a Series 12 (Restaurant) liquor license for on-premise consumption within a restaurant. Planning Commission and Staff, upon finding consistency with the General Plan and PAD zoning, recommend approval with conditions.

**BACKGROUND**

The subject site is located approximately ½ mile north of the northwest corner of Alma School and Warner Roads, and occupies the vacated Garcia's Restaurant. Due to a zoning condition specific to the Garcia's Restaurant, a new Use Permit is necessary to serve alcohol to restaurant patrons.

The subject site is part of a larger commercial shopping center, and is surrounded by commercial businesses to the west and south. North, across Mesquite Street is a realty office. East, across Alma School Road is the Mastercraft East single-family subdivision.

The restaurant will be occupying the Garcia's restaurant that has sat vacant for approximately 20 months. The building is approximately 8,052 square feet and can accommodate up to 252 patrons. The bar area is approximately 300 square feet, the dining areas approximately 3,193 square feet, and the kitchen preparation areas approximately 2,000 square feet. The restaurant will be open Sunday thru Wednesday from 7 a.m. to 12 a.m. and Thursday thru Saturday from 7 a.m. to 2 a.m. The restaurant will employ approximately 40-50.

A Series 12 Restaurant License allows the on-site sale of beer, wine, and spirits for on-site consumption only. 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 Thursday, July 9, 2009. No neighbors were in attendance.

At the time of this writing, Staff has received no telephone calls or letters opposed to this application. Staff has received one phone call from a nearby resident in support of the request.

**PLANNING COMMISSION VOTE REPORT**

Motion to Approve:

In Favor: 6    Opposed: 0    Absent: 1 (Hartke)

**RECOMMENDED ACTION**

Planning Commission and Staff, upon finding consistency with the General Plan, recommend approval of UP09-0032 KILEY'S GRILL, subject to the following conditions:

1. The Use Permit is granted for a Series 12 license only, and any change of license shall require reapplication and new Use Permit approval.
2. 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.
3. The Use Permit is non-transferable to other store locations.
4. The site shall be maintained in a clean and orderly manner.

**PROPOSED MOTION**

Move to approve UP09-0032 KILEY'S GRILL, subject to the conditions recommended by Planning Commission and Staff.

**Attachments**

1. Vicinity Map
2. Floor Plan



**Vicinity Map**

 **UP09-0032**

**Kiley's Grill  
Liquor Use Permit**

**CITY OF CHANDLER 6/24/2009**



Project Site

Warner Rd.

Alma School Rd.

**Vicinity Map**



UP09-0032

**Kiley's Grill  
Liquor Use Permit**

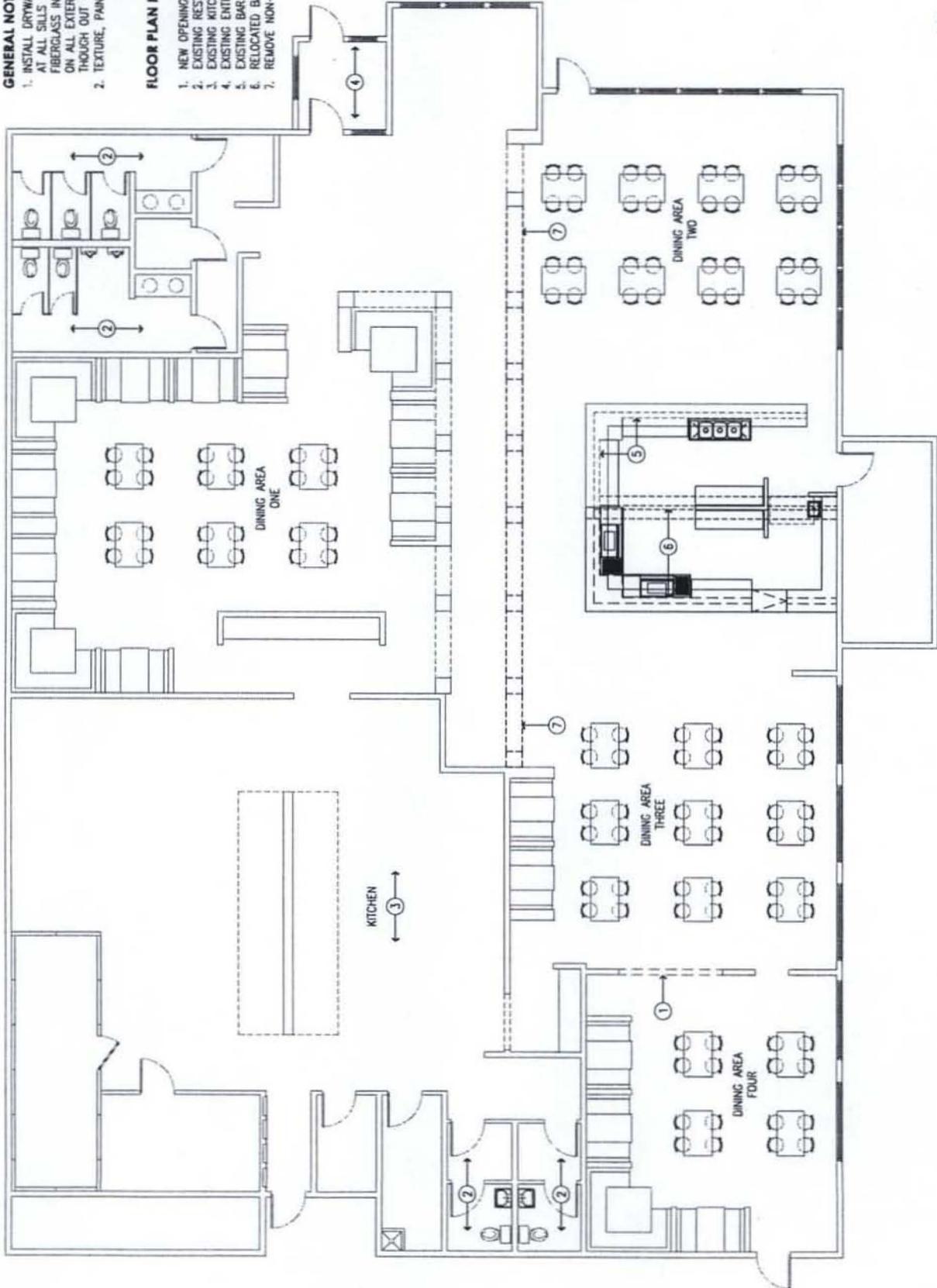


**GENERAL NOTES:**

1. INSTALL DRYWALL ON ALL EXTERIOR WALLS TO DECK AND AT ALL SILLS AND HEADERS ABOVE WINDOW. INSTALL FIBERGLASS INSULATION WHERE NON EXISTS CURRENTLY ON ALL EXTERIOR WALL. R-30 BELOW ROOF DECK THROUGH OUT - FIELD VERIFY.
2. TEXTURE, PAINT AND INSTALL 4" BASE ON ALL WALLS.

**FLOOR PLAN NOTES:**

1. NEW OPENING IN NON-BEARING WALL. 9'X3'6" @ 48" A.F.F.
2. EXISTING RESTROOM TO REMAIN.
3. EXISTING KITCHEN TO REMAIN.
4. EXISTING ENTRY TO REMAIN.
5. EXISTING BAR.
6. RELOCATED BAR. SEE ENLARGED PLAN.
7. REMOVE NON-BEARING COLUMNS AND ARCHES.



**Floor Plan**

SCALE: 1/8"=1'-0"

