D.

MAY 1 9 2010

Chandler • Arizona
Where Values Make The Difference

MEMORANDUM **Planning & Development - PZ Memo No. 10-054**

DATE: MAY 10, 2010

TO: PLANNING AND ZONING COMMISSION

THRU: PATRICK MCDERMOTT, ASSISTANT CITY MANAGER
JEFF KURTZ, ASSISTANT PLANNING & DEVELOPMENT DIRECTOR
KEVIN MAYO, PLANNING MANAGER KM

FROM: JODIE M. NOVAK, MEP, SENIOR CITY PLANNER

SUBJECT: LUP10-0010 UNO STOP MARKET & RESTAURANT

Request: Use Permit approval to allow liquor sales as permitted under a Series 12 Restaurant License for the sale of all spirituous liquors for on-premise consumption only within a new restaurant and outdoor patio area

Location: 30 West Galveston Street, northwest corner of Arizona Avenue and Galveston Street

Applicant: Theresa Morse

RECOMMENDATION

The application requests Use Permit approval to sell all spirituous liquor as permitted under a Series 12 Restaurant License for on-premise consumption only within a new restaurant and outdoor patio area. Staff, finding consistency with the General Plan and C-3 (Regional Commercial District) zoning, recommends approval.

BACKGROUND

The application requests Use Permit approval to sell liquor as permitted under a Series 12 Restaurant License for on-premise consumption. A Series 12 license, which is considered a "restaurant license," allows the on-site sale of beer, wine, and spirits for on-site consumption. Under a Series 12 license, the establishment must derive at least forty (40) percent of its gross revenue from the sale of food.

A previous liquor Use Permit was approved in December 2007; however the Use Permit never commenced, as the business did not open, therefore the Use Permit expired in accordance with Zoning Code requiring commencement of Use Permit within 1 year of Council approval. A condition of the Use Permit included adding additional landscaping to provide more shade and

add the missing trees required to be installed per construction plans for Checker Auto. The landscaping was completed in 2008. In addition, a condition was included requiring the patio fencing be painted to match the low screen wall's paint color. The fence was erected in a standard black color. The fence may be powder-coated and painting over that will become a maintenance matter with paint chipping off. The property owner is not opposed to painting the fence to match the low wall if it is again requested. Staff is not opposed to the black fence color that exists today.

The Uno Stop Market & Restaurant recently opened for business. The restaurant and market occupy an inline shops building constructed in 2007 within Plaza Del Arco. The building is located west of the existing Checker Auto Parts store at the northwest corner of Arizona Avenue and Galveston Street. North of the site is an office building occupied by CSA (Community Services of Arizona), which provides assistance to economically disadvantaged Arizonans. Northwest of the site is an existing building occupied by New Vistas Academy elementary school. South of the site, across Galveston Street, are single-family residential homes. State law requires a minimum separation of 300-feet from schools for certain liquor licenses such as convenience stores, bars, and liquor stores; however, the Series 12 Restaurant License is exempt from this separation requirement.

The building is approximately 6,400 square feet in size and accommodates three tenants. The new restaurant business is approximately 3,000 square feet in size with a patio that is approximately 260 square feet in size. The restaurant food service area is a narrow kitchen area along the southern and middle tenant spaces' interior. The market is located in the middle suite adjacent to a new self-service launderette, Lee Laundry.

The restaurant and market is a 'one-stop shop' concept offering grocery and household items, as well as having a restaurant and meat counter. The restaurant and meat counter offer Mexican style foods. The restaurant is open for breakfast, lunch, and dinner. The request for liquor sales is specifically for the restaurant area and an adjacent outdoor patio only. There will be no sales or consumption of liquor permitted in the market area.

The restaurant's hours are 10:30 a.m. to 9 p.m. seven days a week. The restaurant closes before the market, which is open 6 a.m. to midnight seven days a week. The restaurant is at the store's back area and accessed through the market. The outdoor patio is located on the building's south side facing Galveston Street. A low screen wall borders the patio area.

Staff is of the opinion that the sale of alcohol as a retail commodity ancillary or incidental to the sale of other retail products occurring in a commercially zoned area does not establish a land use conflict. The sale of alcohol from a land use compatibility analysis is a typical retail transaction in commercial districts throughout the City.

The landscaping south of the patio is not being maintained in regards to grasses/weeds coming up through the gravel, some trees needs pruning. A condition is recommended to maintain the landscaping area.

PUBLIC / NEIGHBORHOOD NOTIFICATION

- The request was noticed in accordance with the requirements of the Chandler Zoning Code.
- A neighborhood meeting was held on May 3, 2010. No one attended other than the applicant.
- The Police Department has been informed of the application and has responded with no issues or concerns.

RECOMMENDED ACTION

Staff, upon finding consistency with the General Plan and C-3 zoning, recommends approval of the Use Permit LUP10-0010 UNO STOP MARKET & RESTAURANT, subject to the following conditions:

1. The Use Permit is for a Series 12 liquor license only, and any change in type of license shall require reapplication and new Use Permit approval.

2. Expansion beyond the approved Floor Plan, Site Plan, and Narrative shall void the Use Permit and require new Use Permit application and approval.

3. The Use Permit is non-transferable to any other store location.

4. The site shall be maintained in a clean and orderly manner.

5. The patio shall be maintained in a clean and orderly manner.

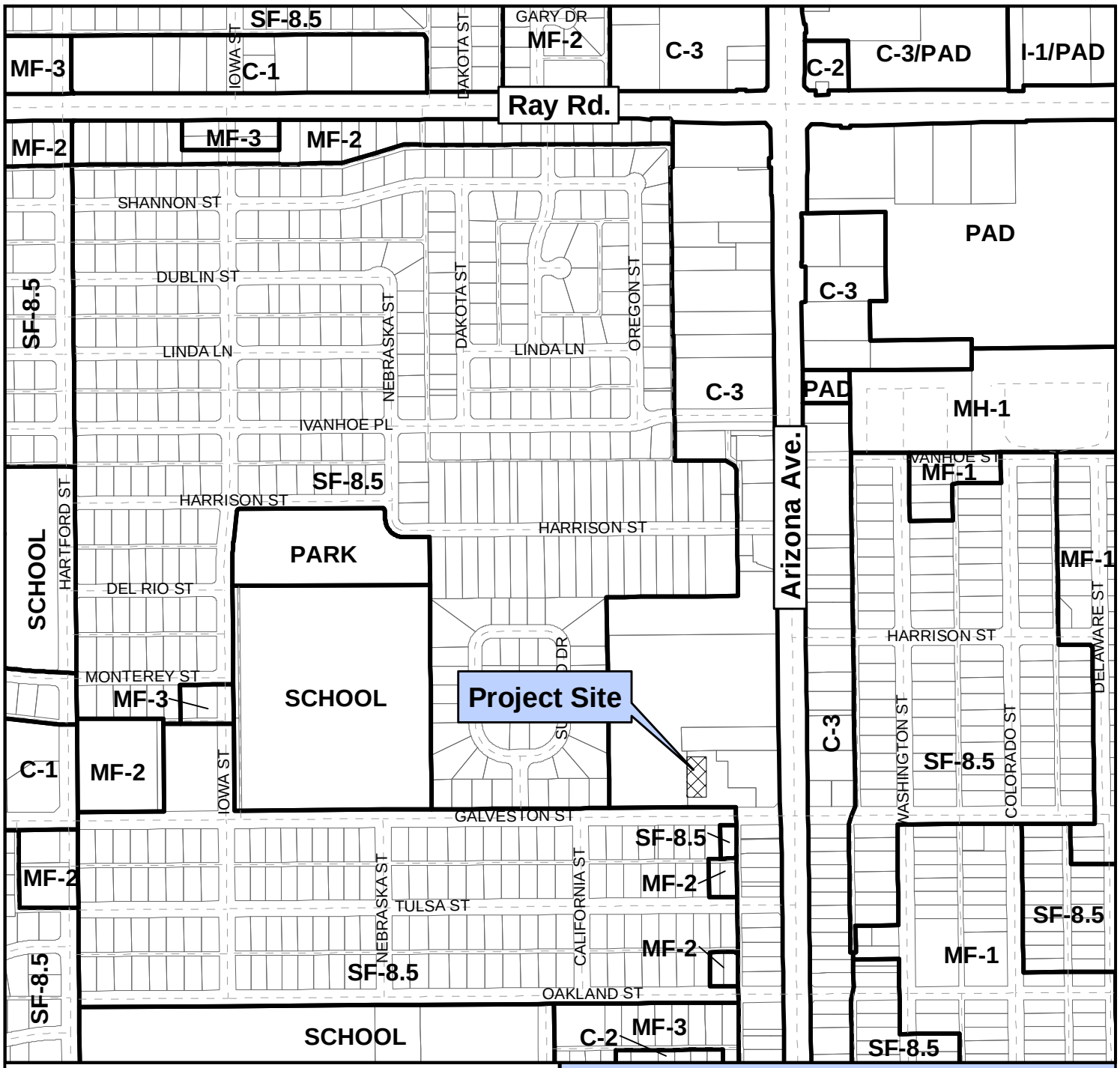
6. The landscaping south of the patio area shall be maintained in a weed/grass free manner, and trees and shrubs shall be maintained including pruning and/or trimming appropriate to the tree and shrub species.

PROPOSED MOTION

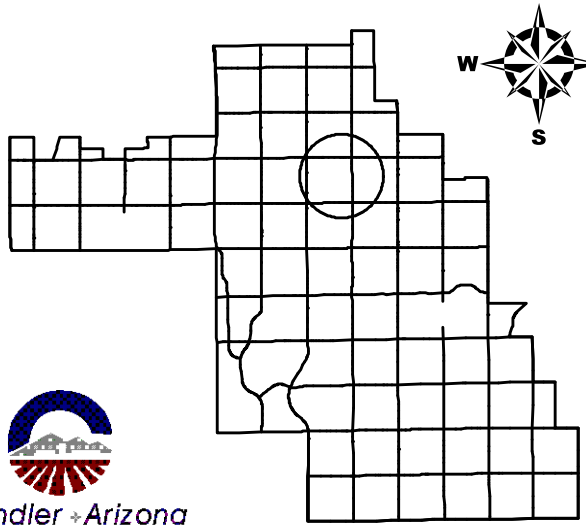
Move to approve Liquor Use Permit case LUP10-0010 UNO STOP MARKET & RESTAURANT subject to the conditions recommended by Staff.

Attachments

1. Vicinity Maps
2. Site Plan
3. Floor Plans
4. Applicant Narrative
5. Menu
6. Photos



Vicinity Map

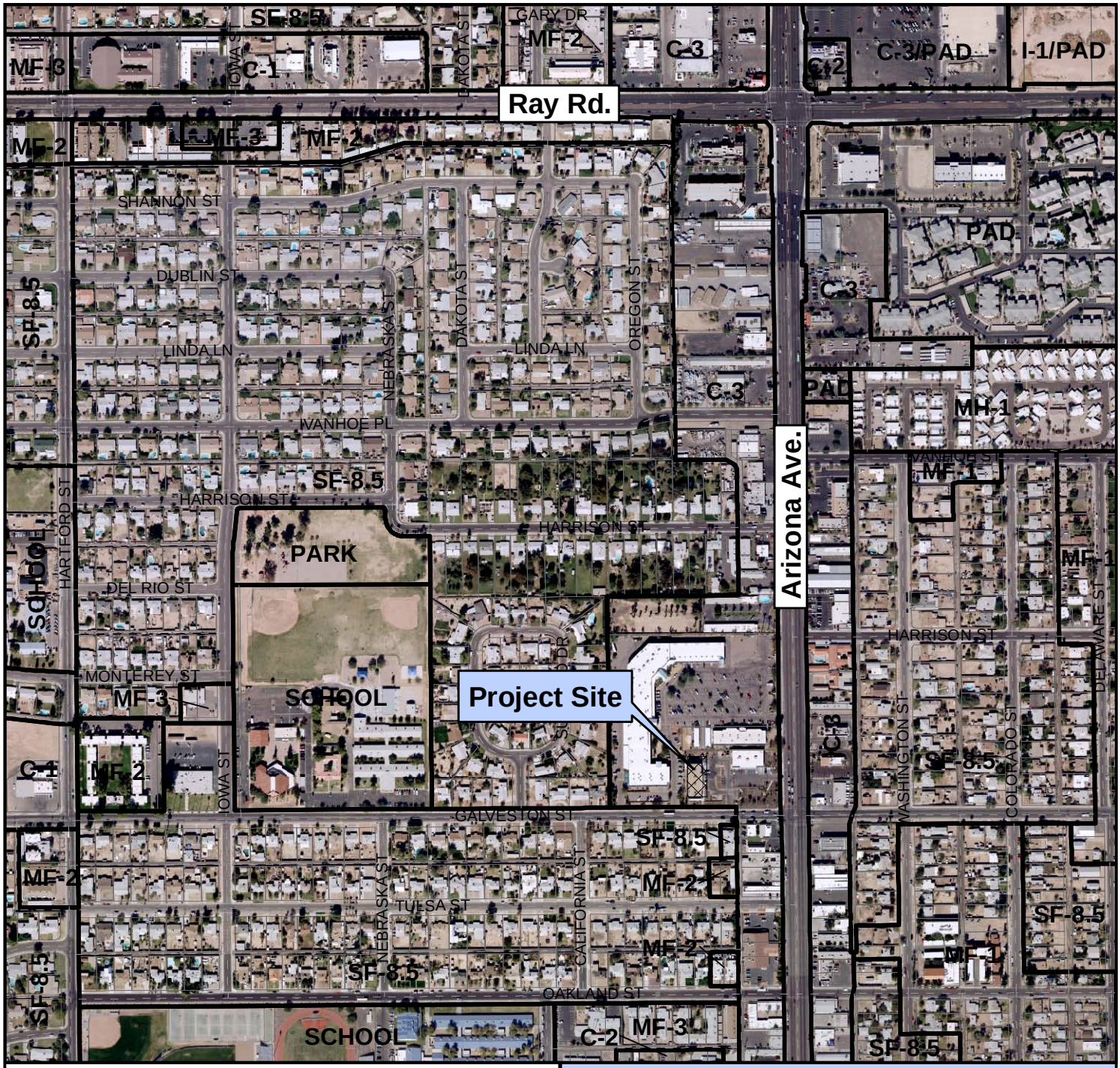


Chandler Arizona
Where Values Make The Difference

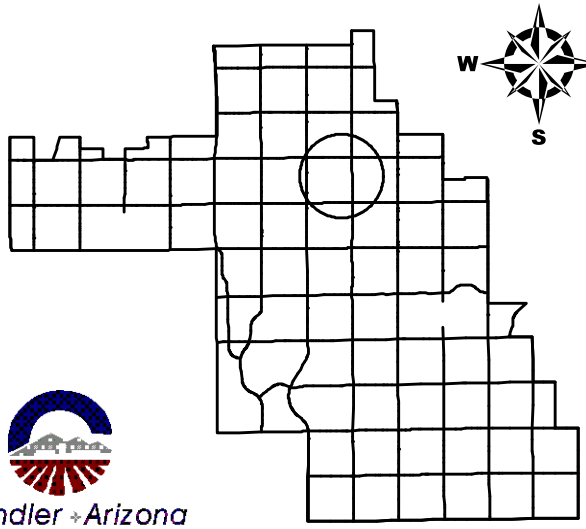
LUP10-0010

Uno Stop Market and Restaurant
Liquor Use Permit

CITY OF CHANDLER 2/4/2010



Vicinity Map

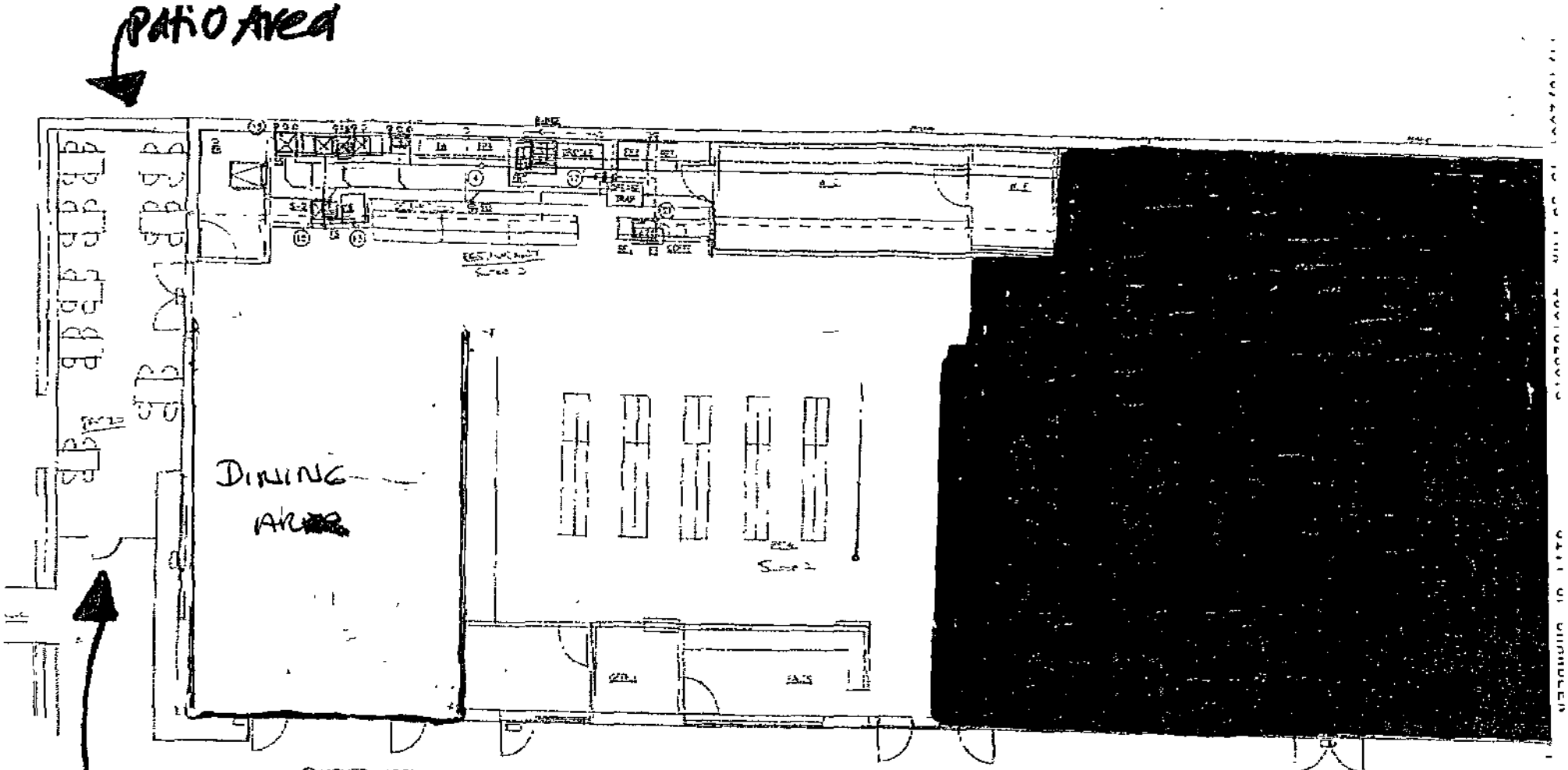


Chandler Arizona
Where Values Make The Difference

LUP10-0010

Uno Stop Market and Restaurant
Liquor Use Permit

CITY OF CHANDLER 2/4/2010



KEYED NOTES

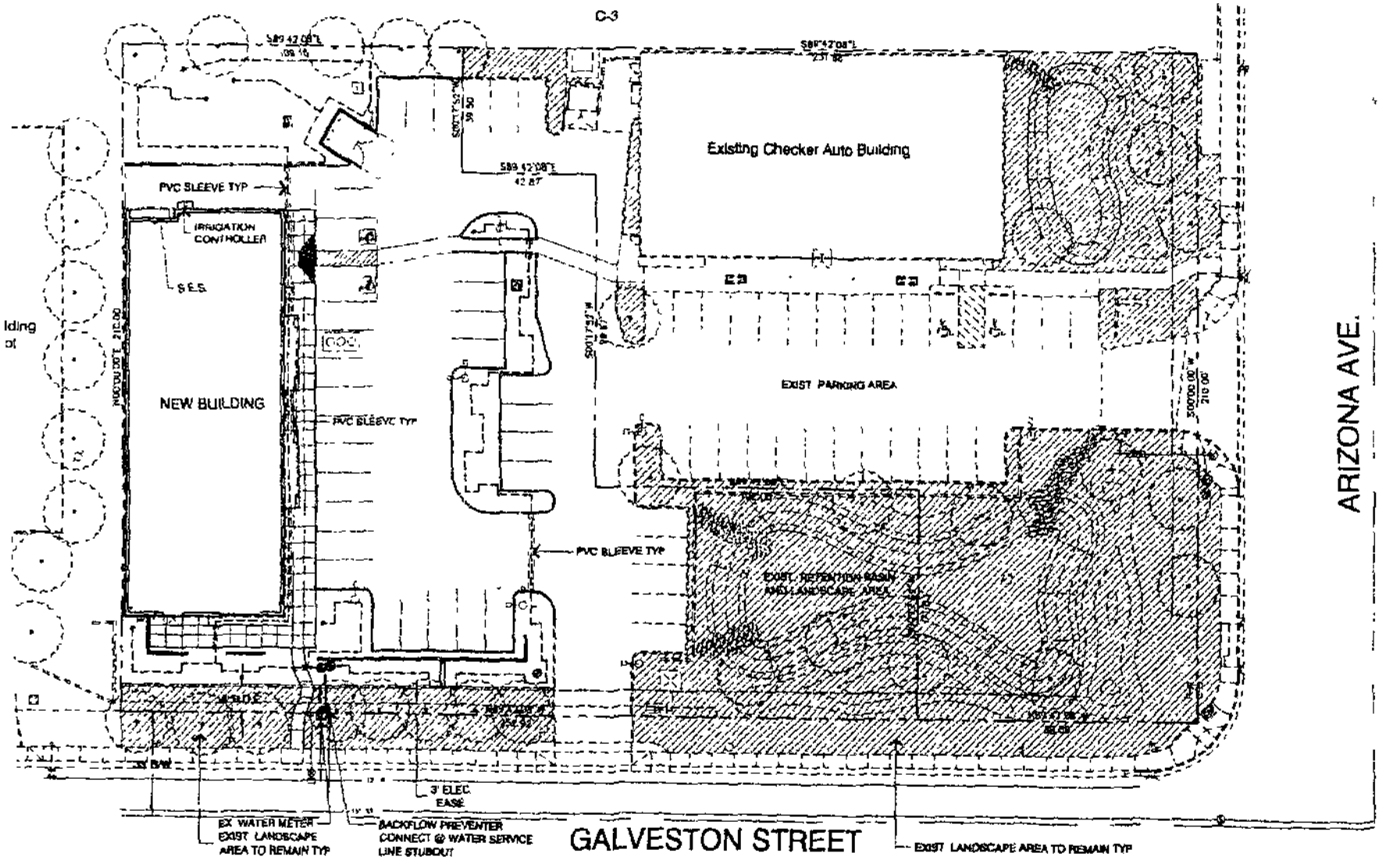
1. 1-3/4" COLD AND HOT WATER LINE UP TO 2" HEADER TO SUPPLY ALL CLOTHES WASHERS. CONTRACTOR SHALL INSTALL PIPE "O" WATER HAMMER ARRESTER SWING BETWEEN TWO LAST CONNECTIONS TO FIXTURES.
2. 1-1/2" COLD AND HOT WATER LINE UP TO 2" HEADER TO SUPPLY ALL CLOTHES WASHERS. CONTRACTOR SHALL INSTALL PIPE "O" WATER HAMMER ARRESTER SWING BETWEEN TWO LAST CONNECTIONS TO FIXTURES.
3. WALL CLEANOUT REFER TO DETAIL 3-P-2.
4. 1/2" CW LINE TO EVAP. COOLER.
5. TENANT IS RESPONSIBLE FOR EQUIPMENT. WATER HEATER IS SIZED FOR BUILDING STUDY AND STORAGE TANK AT 40 GALL.
6. PROPOSED LOCATION FOR GAS METER.
7. REFER TO DETAIL 1-P-2.
8. FOR HOT WATER RETURN CONNECTION TO CIRCULATION PUMP REFER TO DETAIL 4-P-2. FOR CIRCULATION PUMP SIZE AND TYPE REFER TO SCHEDULE 1A P-2.

GENERAL NOTES

1. CONTRACTOR SHALL FIELD VERIFY EXACT LOCATION OF EXISTING PLUMBING (GAS, VENT, AND CW PIPING).
2. COORDINATE EXACT ROUTING OF HOT/COLD WATER, VENT AND GAS PIPING WITH ALL TRADES. ROUTING SHOWN IS [illegible]

u #2

C-3



SITE PLAN
old, original site plan

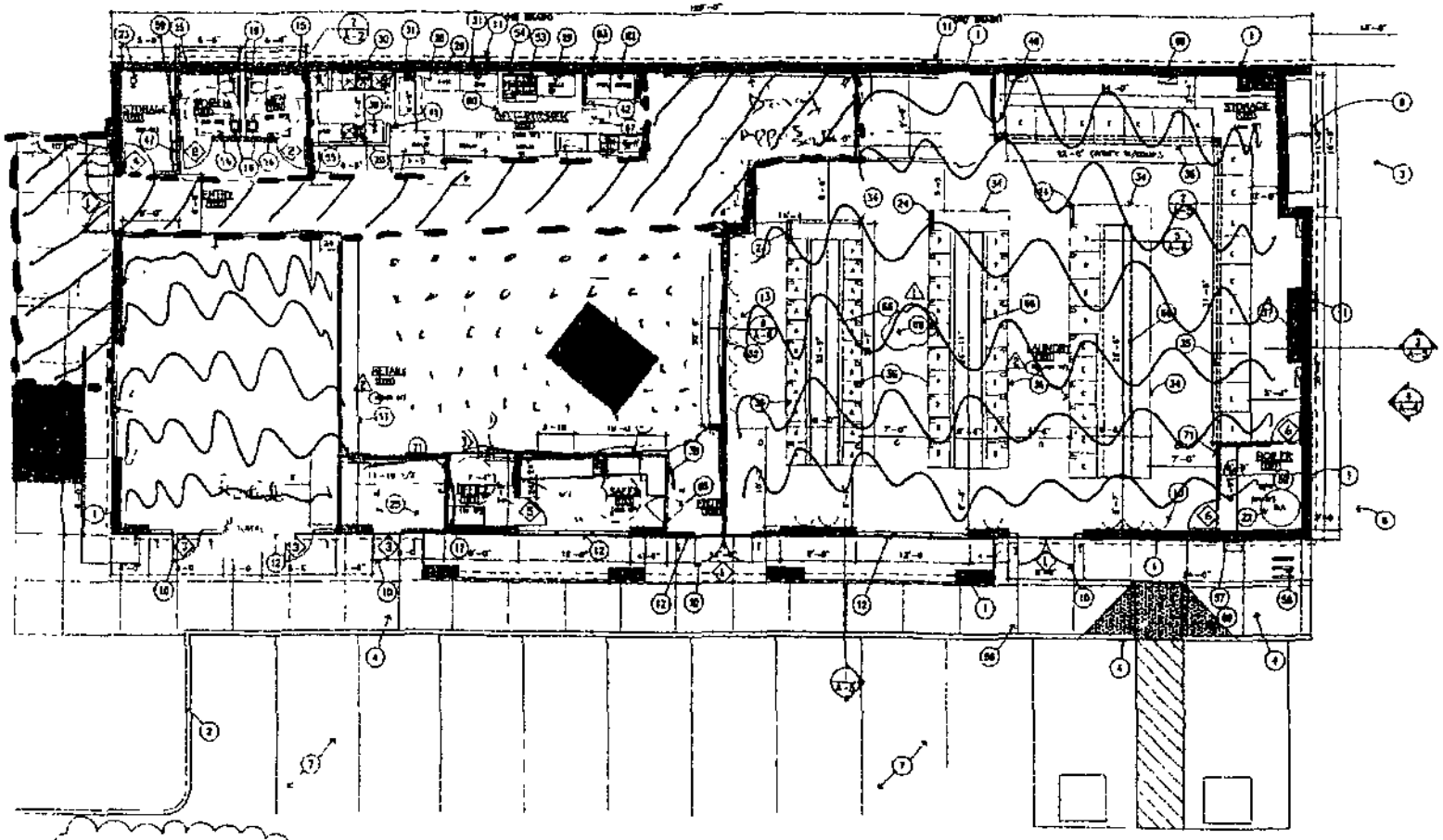
LEGEND:

= DEFINED RESTAURANT AREA WHERE ALCOHOL WILL BE CONSUMED/SEPARATED FROM MKT

= NOT PART OF LICENSED PREMISES

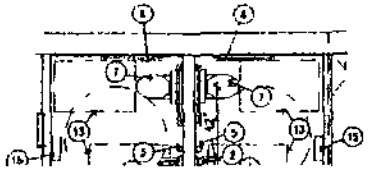
• • • UNO STOP MARKET AREA – NO ALCOHOL SALES

Floor PLAN



FLOOR PLAN
SCALE 1/8"=1'-0"

INSTALL ADDRESS OVER MAIN ENTRY DOOR



RESTROOM KEY NOTES

1. NEW DOOR W/LEVER TYPE PRIVACY HARDWARE SEE DOOR SCHEDULE
2. NEW ELECTRIC INSTA-HOT WATER HEATER, SEE PLUMBING & ELECTRICAL DWGS
3. NEW 6" COVED INTEGRAL EPOXY BASE
4. NEW LAVATORY, PROVIDE NEW ARMAFLEX INSULATION KIT TO ALL EXPOSED PIPING, SEE PLUMBING DWGS. & DETAIL 4/A-2
5. NEW SOAP DISPENSER AT 4'-0" A.F.F.

NOTE:
ALL GLASS WITHIN 24" OF DOOR OPENINGS SHALL COMPLY WITH 2003 IBC SEC. 2406.3 FOR HAZARDOUS LOCATIONS, INDICATED BY A "T" MARK

"T" = TEMPERED GLASS

WASHER/DRYER LOADING

KEY BOX REQUIREMENTS
KEY BOX IS REQUIRED WHEN THE FIRE SPRINKLER RISER CONTROL AND/OR A FIRE ALARM SYSTEM IS LOCATED INSIDE THE BUILDING
KEY BOX TO BE LOCATED AT THE FRONT ENTRANCE TO THE FACILITY
THE TOP OF THE KEY BOX IS TO BE LOCATED NO MORE THAN 6 FEET UP ON THE WALL
KEY BOX IS TO BE VISIBLE
RED STICKER TO BE LOCATED ON BOXES THAT KEY FITS

PLAN KEY

1. NEW EXTERIOR "NUO" SIGN DETAIL 5/A-4
2. 6" CONCRETE CURB
3. 6 FT HIGH CHAIN LINK
4. SIDEWALK & CURB
5. CONC. CONTROL JOINT
6. NEW 4" CONC. DH
7. ASPHALT PAVING (PH
8. PIPE BOLLARD SEE
9. ELECTRICAL S.E.S.
10. NEW GLASS & ALUM.
11. ROOF DRAIN POP-UP
12. NEW GLASS & ALUM
13. COVED BASE
14. 5-1 DIA. CLEAR AC
15. 30" x 48" ADA APPR
16. LAVATORY SINK SEE
17. PLAS. LAM COUNTER
18. NEW 3 FT. WIDE LAV
19. NEW TOILET – SEE
20. NEW FLOOR SINK –
21. MOP SINK, SEE PLUM
22. GAS BOILER, SEE PL
23. FIRE SPRINKLER RISE
24. ELECTRICAL PANELS
25. GLASS & ALUM. STO
26. WALL MOUNTED MENU
27. REFRIG. SANDWICH
28. 6-POT FOCO BURNER
29. 48" WIDE GAS GRIDD
30. 3-COMP SINK, SEE
31. S.S. HAND SINK, SEE
32. NEW LOW WALL, @
33. DISPLAY SHELVING BY
34. PLASTIC LAM FOLDING
35. GAS DRYERS, SEE AR
36. WASHING MACHINES,
37. WIRE RACK STORAGE
38. CASH/CHANGE MACHI
39. ICE MACHINE W/FRONT PLAN, SHEET A-6 A
40. WALK-IN COOLER BY
41. FIRE EXTINGUISHER, P
42. TYPE "K" FIRE EXTING
43. REFRIG. DELI DISPLAY
44. SODA MACHINE BY S
45. COFFE MACHINE, SEE
46. MICROWAVE OVEN, SEE
47. 4'x8' PANEL AT 48'-4"
48. COMBUSTION AIR VENT
49. HAND WASH SINK, SEE
50. 24"W x 36"H BUSING
51. 24" WIDE PLAS LAM.
52. P.O.S. SYSTEM, PROVI
53. 4-BURNER GAS STOVE
54. GAS FRYER, SEE EQUIP
55. S.S. PREP SINK, SEE
56. ACCESSIBLE RAMP SEE
57. JAMB BOXES
58. BICYCLE RACK, PER CO
59. ROOF ACCESS LADDER
60. TYPE I HOOD, ABOVE
61. WALK-IN FREEZER, BY
62. REACH-IN REFRIG. SE
63. REACH-IN FREEZER, S
64. NEW GAS METER, SEE
65. NEW PLAS. LAM. COUN
66. BLOCK OUT FOR FIBER SLOPE 1/4" PER FT.
67. TRENCH DRAIN SEE PL

PROJECT NARRATIVE

For its Project Narrative, in accordance with the requirements of the City of Chandler Liquor Use Permit Application, Uno Stop Market L.L.C. dba Uno Stop Market & Restaurant states as follows:

Uno Stop Market & Restaurant is submitting this Use Permit application to allow for alcohol consumption on the premises of the restaurant located at 30 West Galveston Chandler, Arizona. Uno Stop Market & Restaurant is a unique concept, which will provide both shopping and restaurant services under one roof.

Uno Stop Market & Restaurant occupies one of the three suites within this strip mall. This business was approved for a use permit however the restaurant did not open and use the 'Use Permit' within the City timeline. Consequently, Uno Stop Market & Restaurant is re-submitting an application for a Use Permit at this same site. The series #12 restaurant liquor license has been issued by the Arizona Department of Liquor to Uno Stop Market & Restaurant The liquor license allows for onsite consumption but no package to go sales This type of license does not have minimum distance requirements from churches or schools The consumption of alcoholic beverages at this site will not negatively impact the other proposed businesses within this strip mall or the surrounding businesses. Currently, the proposed tenants in the remaining suites of this strip mall are laundry facilities and office space.

As previously mentioned, Uno Stop Market & Restaurant will not have any packaged to go alcohol sales. Therefore, it will not have a negative impact on the surrounding businesses with regard to high volume of traffic or trash. The consumption of alcoholic beverages on premises will complement the food service provided by the restaurant. A small outdoor patio is on the south end of the business for food and alcohol consumption. The patio is contiguous with the restaurant and is enclosed with iron fencing, stucco block walls, a gate and the use of landscaping to produce a safe, inviting and aesthetically appealing dining area

Uno Stop Market & Restaurant will not disrupt existing balance of daytime and nighttime uses Located on the northwest corner of Galveston and Arizona Avenue, the restaurant is in operation from 9am to 9pm seven days a week. The restaurant will not begin selling any alcoholic beverages on Sunday until 10:00 am as prescribed by State law. A copy of the current menu is attached.

During the day, the flow of customers within this strip mall will be orderly and will not negatively impact other businesses in the surrounding area. All business transactions will occur on the east side of the building. The nighttime flow of customers will cause no interference with other business activity occurring in the area since the

majority of businesses are closed. The issuance of a Use Permit will not disrupt the existing balance of daytime and nighttime uses

This business will not disrupt pedestrian-oriented activities. As mentioned above, Uno Stop Market & Restaurant is located on the northwest corner of Galveston and Arizona Avenue. It is set apart from adjacent businesses and has separate parking for its tenants. Additionally, there is no accessibility to the building from the west and thus Uno Stop Market & Restaurant will not affect vehicular or pedestrian traffic in the adjacent parking lots.

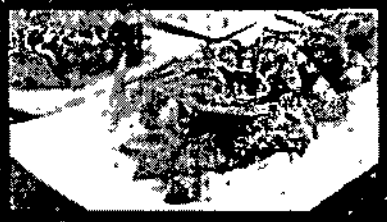
UNOSTOP

Teriyaki Grill • Market • Laundry

Teriyaki Bowl
(CHOICE OF WHITE or PROTEIN RICE)
CHICKEN / BEEF / VEGI / TOFU **$3.49**

OR

SHRIMP / SALMON / UNAGI **$4.99**



Teriyaki Platter
(CHOICE OF WHITE or PROTEIN RICE)
CHICKEN / BEEF / VEGI / TOFU **$4.99**

OR

SHRIMP / SALMON / UNAGI **$6.49**

Seafood Spicy Noodle Soup **$4.99**

Fried Rice
CHICKEN / BEEF / VEGI / TOFU **$3.49**
OR SHRIMP **$3.99**

Salad **$2.99**
HOUSE SALAD
(CHOICE OF GINGER or RANCH DRESSING)
COMBO SALAD

Edamame **$1.99**

NW Corner of Arizona Ave. & Galveston | 30 W. Galveston, Chandler, AZ | Open Hour 10:30am - 9:00pm 480-814-1483

WiFi

UNOSTOP

Teriyaki Grill • Market • Laundry

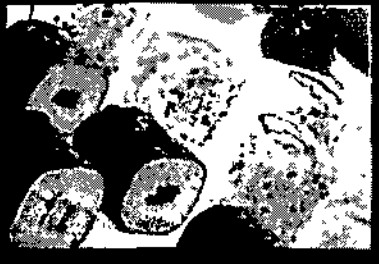
ROLLS

$3.99 CALIFORNIA / CUCUMBER / ASPARAGUS / ANCHOVY / SPAM ROLL / TUNA SALAD / SPICY TUNA

$7.99 CATERPILLAR / SHRIMP & AVOCADO

$8.99 UNAGI & SHRIMP

$3.99
Make Your Own Roll
- Choice of rice or tortilla



All Day Every Day
HAPPY HOUR PRICE!

$2.00

16 OZ DRAFT BUD, BUD LIGHT OR
12 OZ DOMESTIC BOTTLE BEER

WINGS $6.99
(Choice of Hot, Teriyaki & Barbecue Sauce)

NW Corner of Arizona Ave. & Galveston | 30 W. Galveston, Chandler, AZ | Open Hour 10:30am | 9:00pm - 480-814-1483

WiFi

South Elevation along Galveston St.

South Elevation along Galveston St.

Patio on south side, east elevation view

East Elevation

East Elevation