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Where Values Make The Difference

MEMORANDUM **Transportation & Development - PZ Memo No. 11-043**

DATE: MAY 3, 2011

TO: PLANNING AND ZONING COMMISSION

THRU: R.J. ZEDER, TRANSPORTATION & DEVELOPMENT DIRECTOR
JEFF KURTZ, PLANNING ADMINISTRATOR
KEVIN MAYO, PLANNING MANAGER KM

FROM: ERIK SWANSON, CITY PLANNER ES

SUBJECT: LUP10-0045 WINGSTOP

Request: Use Permit extension approval to sell alcohol as permitted with a Series 12 (Restaurant) liquor license for an existing restaurant and outdoor patio

Location: 5905 W. Chandler Blvd., Ste. 1
East of the southeast corner of Chandler Blvd. and Kyrene Road

Applicant: Nicholas Guttilla,
Guttilla Murphy Anderson

RECOMMENDATION

The request is for Use Permit extension approval to sell alcohol as permitted with a Series 12 (Restaurant) liquor license for an existing restaurant and outdoor patio. Staff, upon finding consistency with the General Plan and Planned Area Development zoning, recommends approval with conditions.

BACKGROUND

The subject site is located east of the southeast corner of Chandler Boulevard and Kyrene Road, within the Kyrene Crossing shopping center. The subject site is located at the eastern portion of the site within a section of inline shops. North, across Chandler Boulevard are the Village at Gila Springs multi-family residential development and the Artisan Village at Gila Springs residential and commercial development. Directly east and south is the Sorrento single-family residential neighborhood. West, across Kyrene Road is the Kyrene Village shopping center.

The subject site received Use Permit approval in 2008 with a three year timing condition. The timing condition was added due to a neighbor expressing concerns about the outdoor patio being roughly 60 feet from the nearest residential property line, and 120 feet to the nearest home. To date, Staff is unaware of any concerns with the outdoor patio and is recommending approval without any timing condition. The outdoor patio is a non-smoking patio. A stipulation was added in 2008 prohibiting televisions, speakers, and music outside the restaurant; the condition remains.

Wingstop is a small company that specializes in chicken wings. Service hours are 11 a.m. to 12 a.m. seven days a week. The interior is approximately 1,266 square feet and provides seating for approximately 34 patrons. The exterior patio is approximately 490 square feet in size, and provides seating for approximately 30 patrons. There will be no live music or entertainment.

A Series 12 Restaurant License allows the sale of all liquor and requires a minimum of 40% of total sales to be in food and non-alcoholic beverages. The applicant plans to serve beer and wine only.

PUBLIC/NEIGHBORHOOD NOTIFICATION

This request was noticed in accordance with the requirements of the Chandler Zoning Code.

- A neighborhood meeting was held on Thursday, April 21, 2011. No neighbors were in attendance.

At the time of this writing, Staff has received no telephone calls or letters opposed to this application.

RECOMMENDED ACTION

Staff, upon finding consistency with the General Plan, recommends approval of LUP10-0045 WINGSTOP, subject to the following conditions:

1. 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.

2. The Use Permit is non-transferable to other store locations.

3. Use Permit approval does not constitute Final Development Plan approval; compliance with the details required by all applicable codes and conditions of the City of Chandler and this Use Permit shall apply.

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

5. Televisions, speakers, and music are prohibited outside of the restaurant.

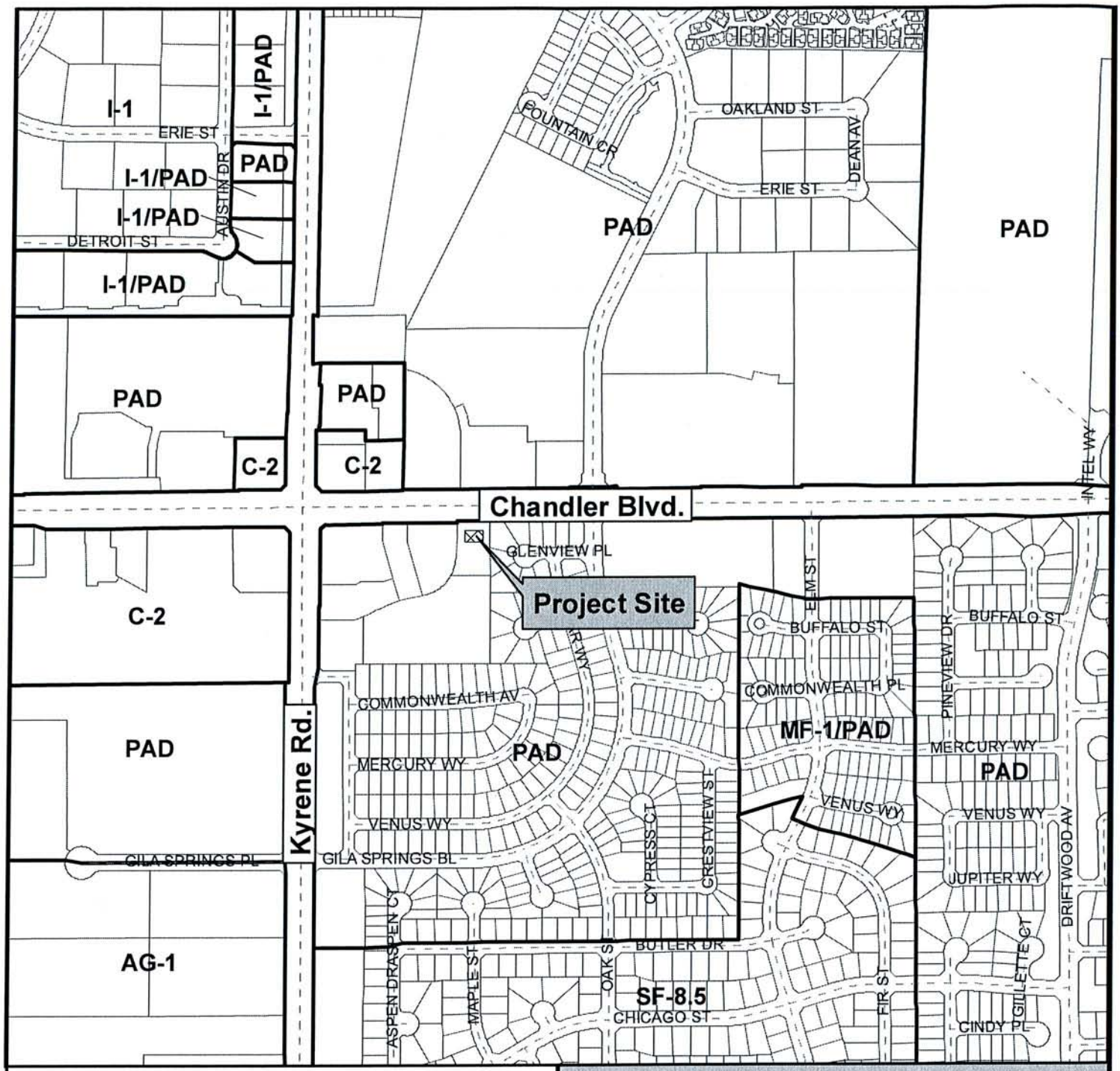
6. The Use Permit is granted for a Series 12 license only, and any change of license shall require reapplication and new Use Permit approval.

PROPOSED MOTION

Motion to recommend approval of LUP10-0045 WINGSTOP, Use Permit extension approval to sell alcohol as permitted with a Series 12 (Restaurant) liquor license for an existing restaurant and outdoor patio; subject to the conditions recommended by Staff.

Attachments

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



Vicinity Map

LUP10-0045

Wingstop
Liquor Use Permit

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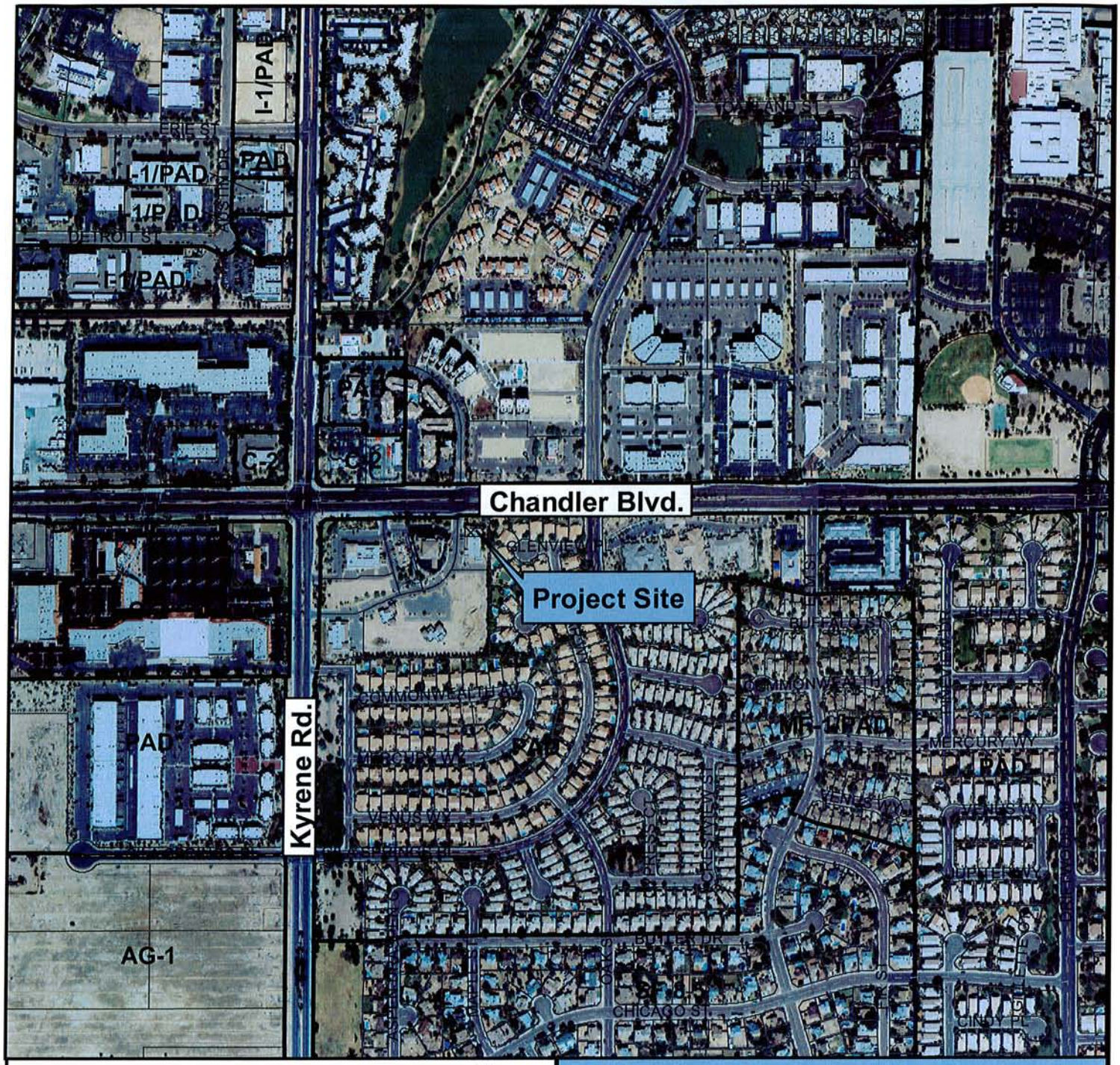
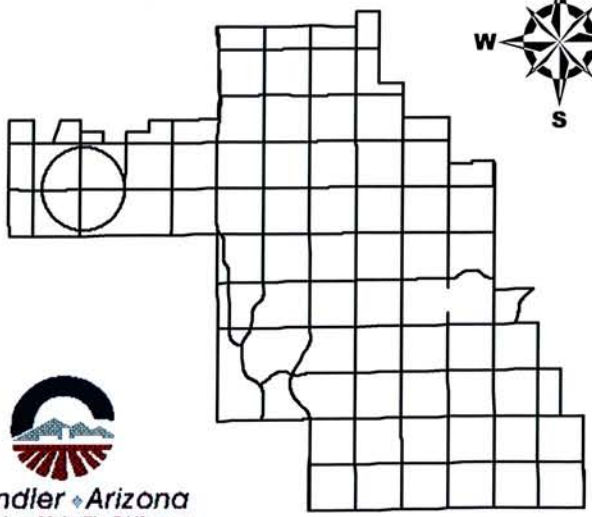
CITY OF CHANDLER 12/13/2010



Vicinity Map



LUP10-0045

Wingstop
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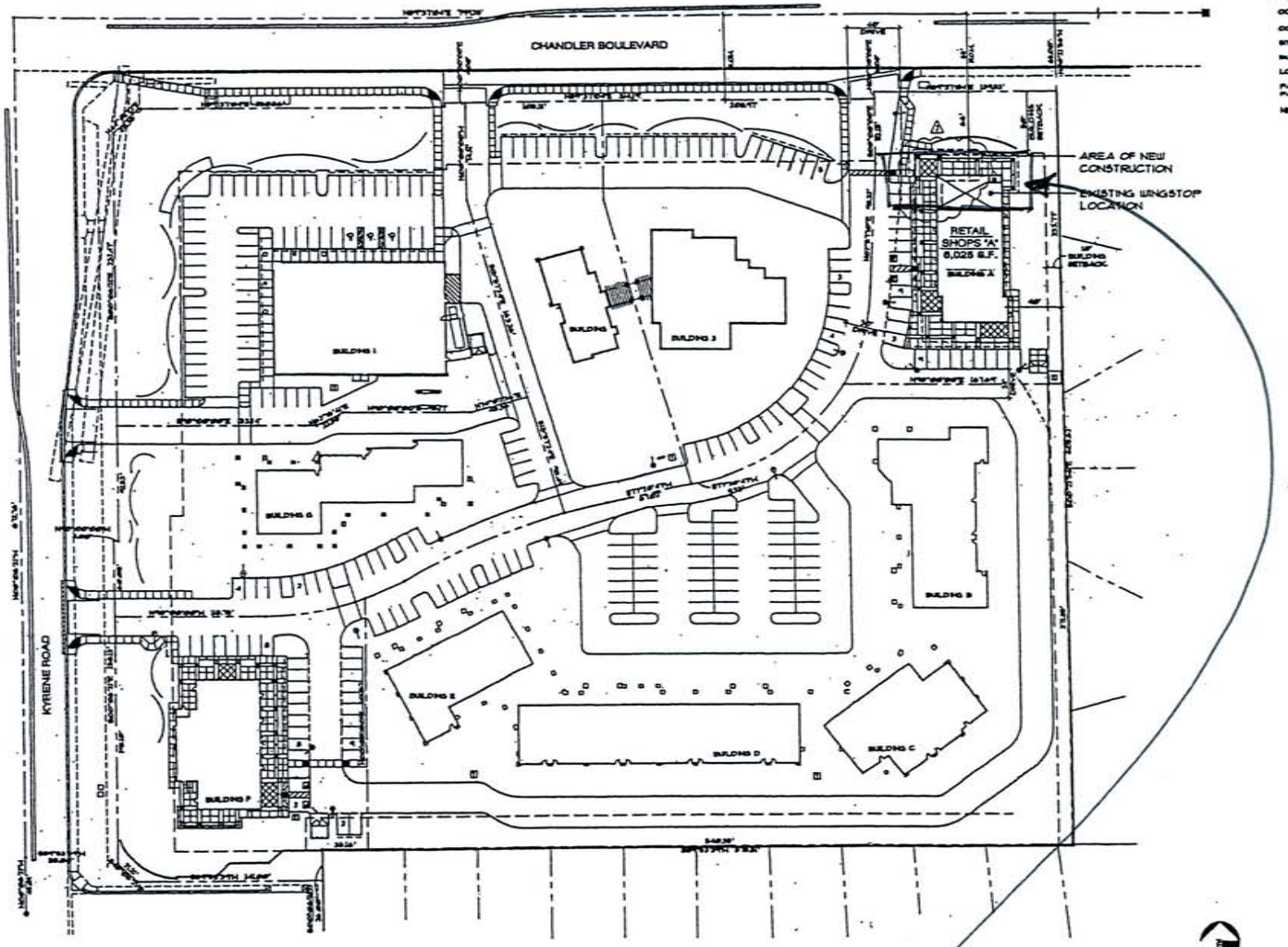
CITY OF CHANDLER 12/13/2010



A SITE PLAN (EXISTING)
SCALE: N.T.S.

SITE DATA:

PARCEL NUMBER:	[illegible]
PROJECT DESCRIPTION:	[illegible] SF, MULTI-TENANT RETAIL BUILDING ON EXISTING PAD SITE
BUILDING ADDRESS:	[illegible] N. CHANDLER BLVD.
ZONING:	PAD
OCCUPANCY:	GROUP M & GROUP B
CONSTRUCTION TYPE:	VB (SPRINKLED)
SITE AREA:	GROSS AREA: NET AREA = [illegible] SF, OR [illegible] ACRES [illegible]
BUILDING AREA:	[illegible] SF, (RETAIL) + [illegible] SF, (CANOPY) = [illegible] SF.
LOT COVERAGE:	[illegible]
PARKING REQUIRED:	[illegible] SF, (1/3 STALLS PER 1,000 SF) = [illegible] SPACES
PARKING PROVIDED:	[illegible] ACCESSIBLE STALLS WITH [illegible] STALLS + [illegible] SHARED STALLS - SEE MASTER SITE PARKING CALC. BELOW
NEW ADDITION:	[illegible] SF.

MASTER SITE PARKING CALC.

PARKING REQUIRED:

BUILDING AREA \ [illegible] = [illegible]	
BUILDING 1	[illegible] SPACES
BUILDING 2	[illegible] SPACES
BUILDING 3	[illegible] SPACES
BUILDING A	[illegible] SPACES
BUILDING B	[illegible] SPACES
BUILDING C	[illegible] SPACES
BUILDING D	[illegible] SPACES
BUILDING E	[illegible] SPACES
BUILDING F	[illegible] SPACES
BUILDING G	[illegible] SPACES
TOTAL REQUIRED	[illegible] SPACES

PARKING PROVIDED:

BUILDING 1	[illegible] SPACES
BUILDING 2	[illegible] SPACES
BUILDING 3	[illegible] SPACES
BUILDING A	[illegible] SPACES
BUILDING B	[illegible] SPACES (4 COVERED)
BUILDING C	[illegible] SPACES (26 COVERED)
BUILDING D	[illegible] SPACES (26 COVERED)
BUILDING E	[illegible] SPACES (8 COVERED)
BUILDING F	[illegible] SPACES
BUILDING G	[illegible] SPACES
TOTAL PROVIDED	433 SPACES

SCALE: 1" = [illegible]'-0"

SUBJECT SITE

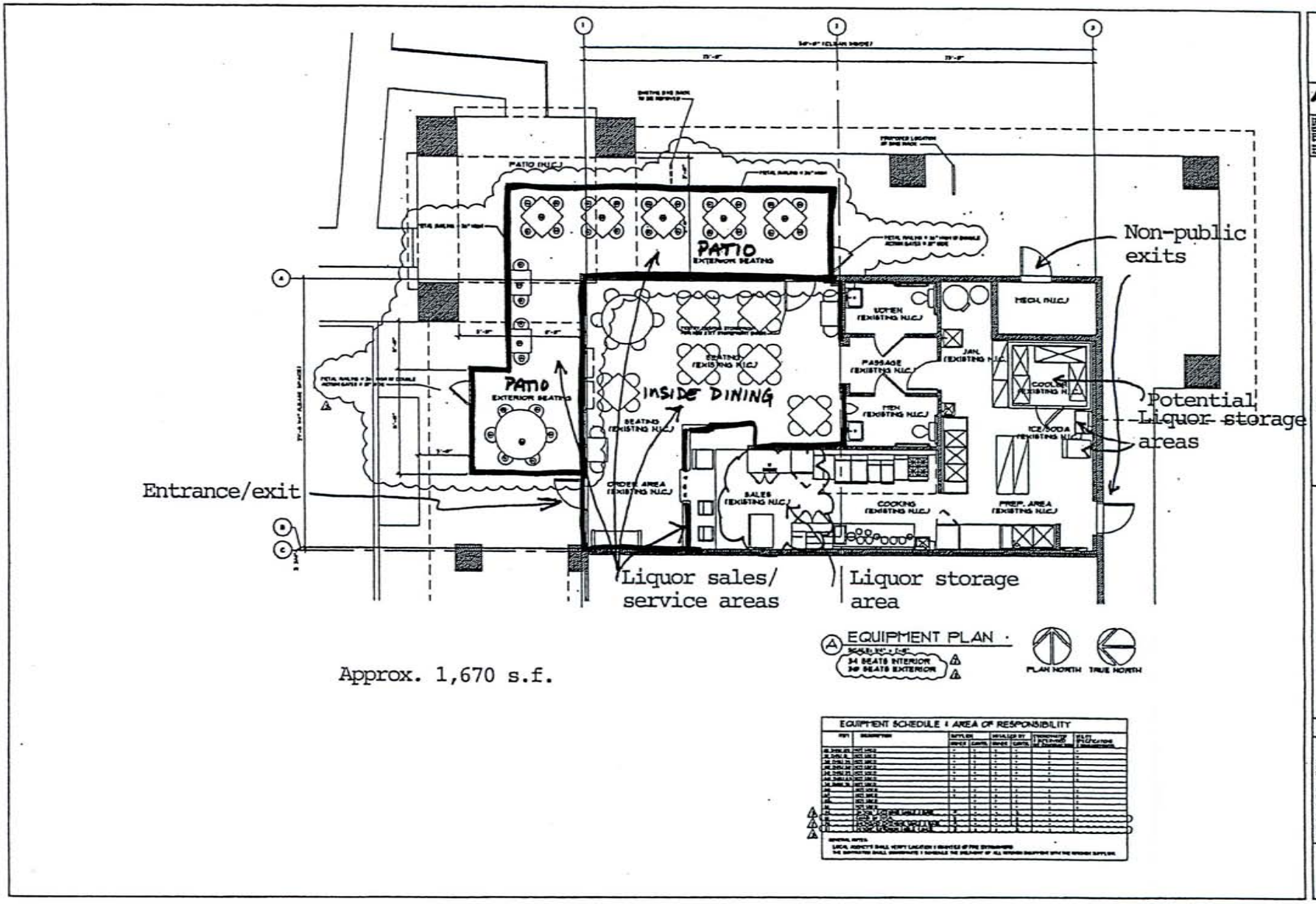
WINGSTOP RESTAURANT
KYRENE CROSSING PAD 'A'
[illegible] W. CHANDLER BLVD., SUITE 1
CHANDLER, ARIZONA 85226

Wingstop Restaurants, Inc.
1101 E. Arapaho Rd.,Ste.150 • Richardson, Tx. 75081
972-686-6500 Phone • 972-686-6502 Fax

PROJECT NUMBER: GL# [illegible]

ISSUE DATE:
1 ISSUED FOR OWNER / AGENCY REVIEW & BIDDING MARCH [illegible], 2007
2 ISSUED FOR L.L. / AGENCY REVIEW & COMMENT JUNE [illegible], 2007

SHEET NUMBER:
SP.1



Approx. 1,670 s.f.

FLOOR PLAN

GUTTILLA MURPHY ANDERSON

CITY NORTH
5415 E. HIGH STREET, SUITE 200
PHOENIX, ARIZONA 85054
(480) 304-8300
FAX (480) 304-8301

Our No. 1090-010

November 29, 2010

VIA OVERNIGHT DELIVERY

Erik Swanson
City of Chandler
215 W. Buffalo
Chandler, AZ 85225

Re: JT Wing6, LLC d/b/a Wingstop - 5905 W. Chandler Blvd #1, Chandler
Liquor Use Permit narrative

Dear Mr. Swanson:

Wingstop is a Texas company specializing in restaurants that serve chicken wings. JT Wing 6, LLC is a franchisee for the Wingstop restaurant located at 5905 W. Chandler Blvd #1. The subject location is in the Kyrene Crossing shopping center located at the southeast corner of Chandler Blvd. and Kyrene Road, and when it was a corporate store, the location was licensed under liquor license #12076680 by the Arizona Department of Liquor Licenses and Control. The franchisee was issued liquor license #12077527 on June 5, 2008.

Service hours at the restaurant are approximately 11:00 am to 12:00 am, seven days per week. A three-foot high wrought iron metal fence railing secures the patio serving area. There is no smoking allowed inside the restaurant or on the patio. The eastern edge of the patio is approximately 70 feet from the east property line. The nearest residence is approximately 50 feet beyond the eastern property line.

UP06-0032 was issued to Wingstop Beverages III, Inc. for this restaurant in 2006 and UP07-0082 was issued to Wingstop Beverages III, Inc. in 2007. In 2008, JT Wing6, LLC was advised by the Chandler Planning Department that the existing use permit, UP07-0082 would remain in place until the 2010 renewal. The business model has not changed. JT Wing6, LLC is applying for the renewal use permit in its own name.

Please call me or my paralegal, Pam Sines, if you have any questions.

Very truly yours,

Nicholas C. Guttilla

/pjs
Enclosures
cc: Tracy Henry, Agent
100046