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m.

JUL 15 2009

MEMORANDUM

Planning & Development - PZ Memo No. 09-072

DATE: JULY 10, 2009

TO: PLANNING AND ZONING COMMISSION

THRU: 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. Staff, upon finding consistency with the General Plan and PAD zoning, recommends 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.

- Notices were mailed to all property owners within a six hundred foot radius and all Registered Neighborhood Organizations (RNOs) within ¼ mile.
- A description of the Use Permit request was advertised in the newspaper.
- An orange 11" X 17" placard public hearing sign was posted on the property.
- 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.

RECOMMENDED ACTION

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

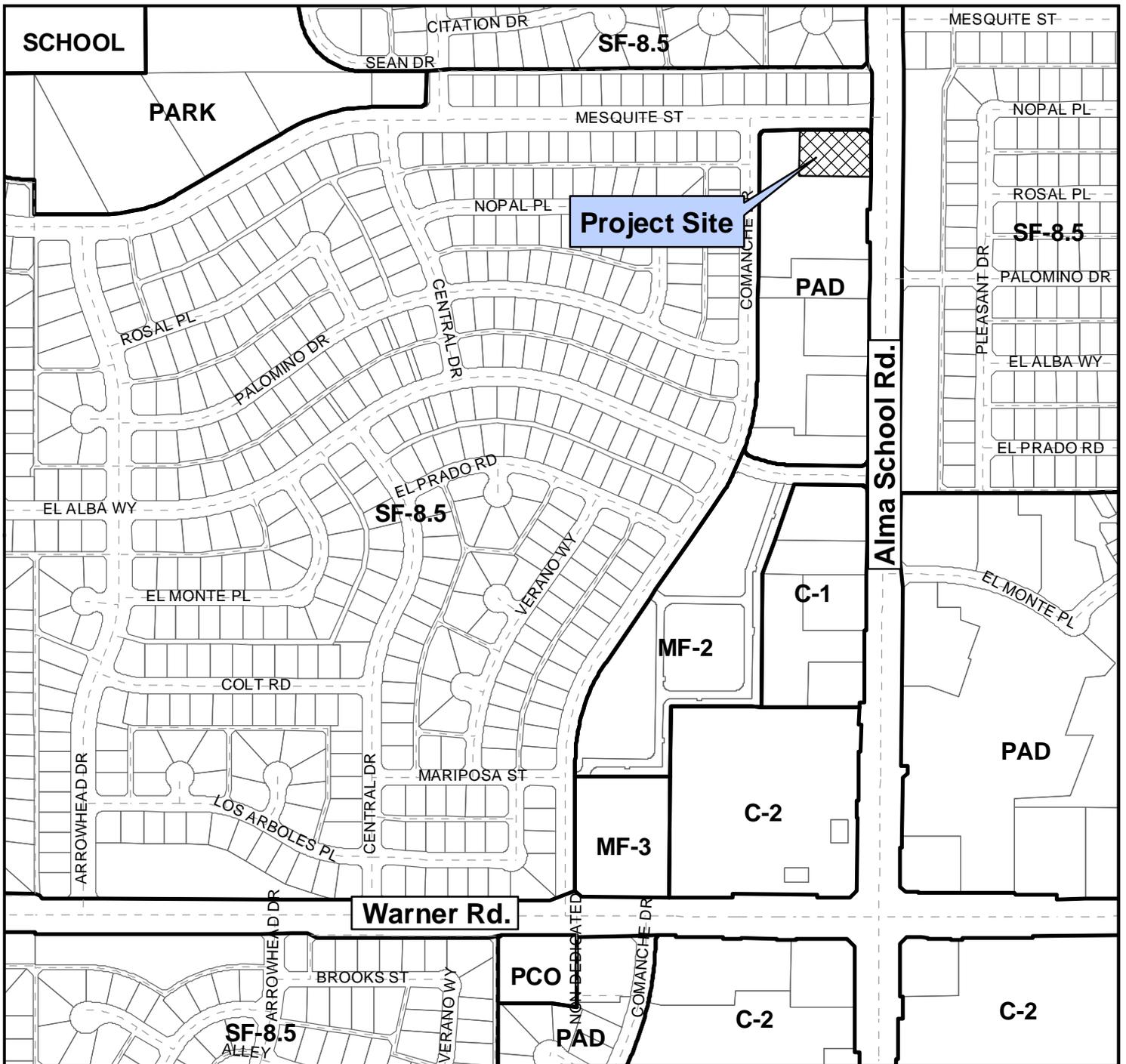
1. The Use Permit is granted for a Series 12 license only, and any change of license shall require reapplication and new Use Permit approval.
2. Expansion or modification beyond the approved exhibits (Site Plan, Floor Plan and Narrative) shall void the Use Permit and require new Use Permit application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

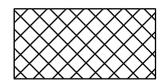
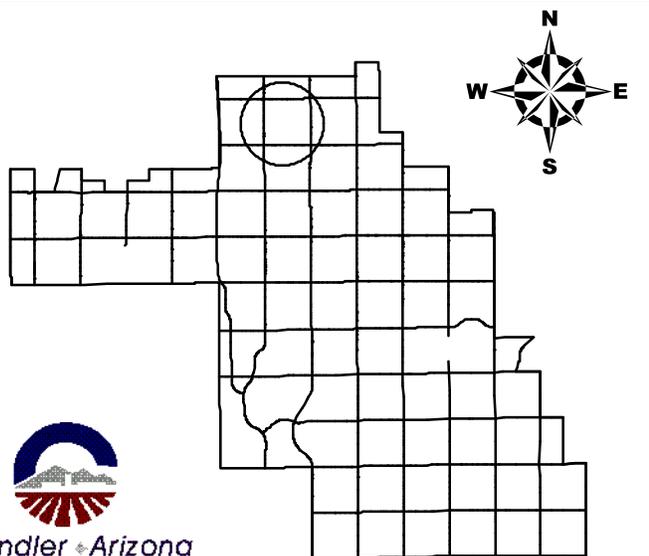
Motion to recommend approval of UP09-0032 KILEY'S GRILL, subject to the conditions recommended by Staff.

Attachments

1. Vicinity Map
2. Floor Plan



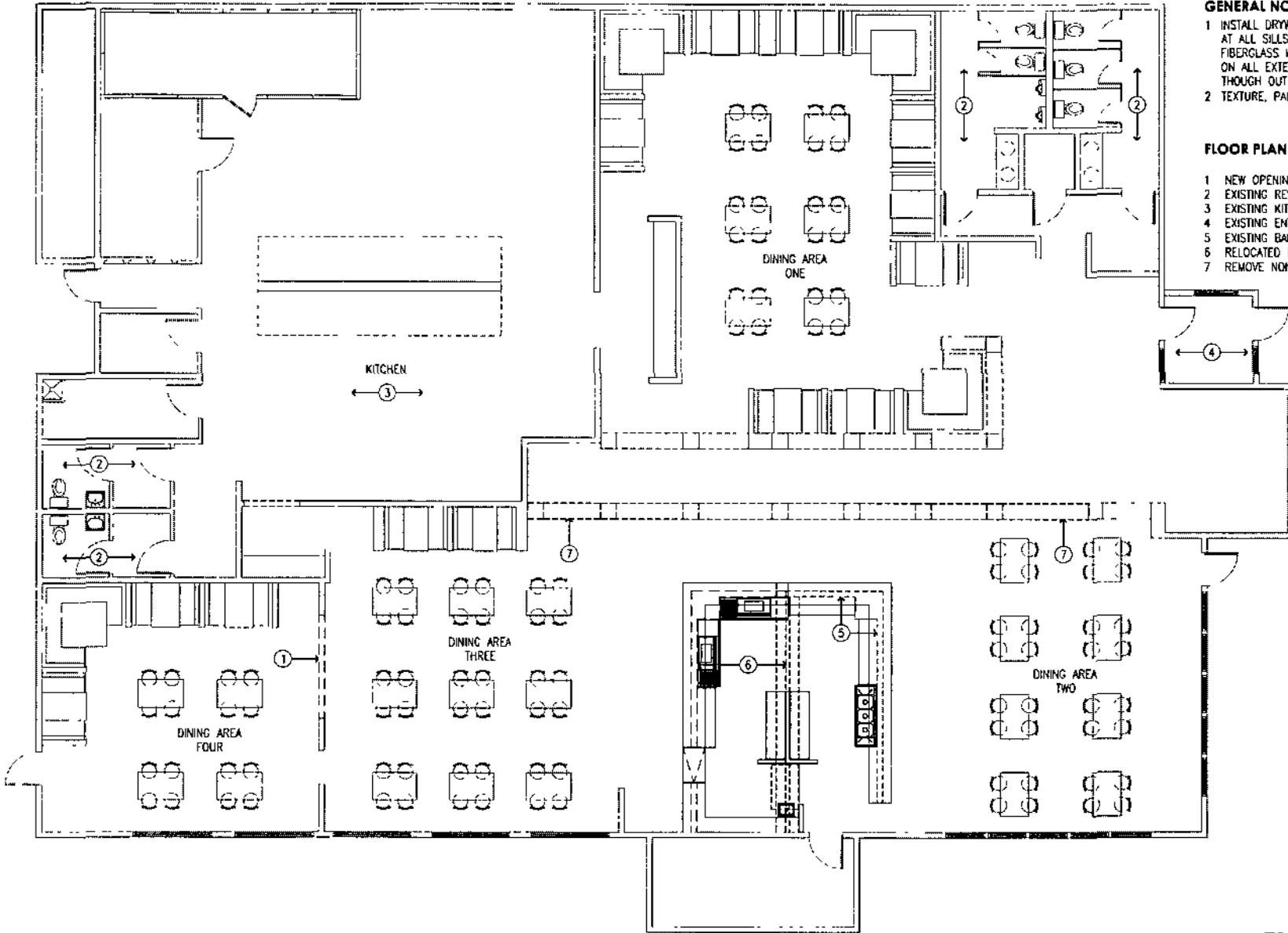
Vicinity Map



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 THOUGH 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"