



**Chandler · Arizona**  
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#47

SEP 27 2012  
Chandler



**MEMORANDUM**

**Transportation & Development – CC Memo No. 12-119**

**DATE:** SEPTEMBER 20, 2012

**TO:** MAYOR AND CITY COUNCIL

**THRU:** RICH DLUGAS, CITY MANAGER *RD*  
PATRICK MCDERMOTT, ASSISTANT CITY MANAGER  
R.J. ZEDER, TRANSPORTATION & DEVELOPMENT DIRECTOR  
JEFF KURTZ, PLANNING ADMINISTRATOR  
KEVIN MAYO, PLANNING MANAGER *Kevin Mayo*

**FROM:** JODIE M. NOVAK, MEP, SENIOR CITY PLANNER *Jodie M. Novak*

**SUBJECT:** LUP12-0020 BAY LEAF CAFE

**Request:** Use Permit to sell liquor as permitted under a Series 12 Restaurant License for on-premise consumption indoors and within an outdoor patio at an existing restaurant

**Location:** Southeast corner of Alma School and Chandler Heights Roads

**Applicant:** Satyendra Singh

**Project Info:** Approximately a 1,450 square foot restaurant with outdoor dining

**RECOMMENDATION**

Upon finding the request to be consistent with the General Plan, Planning Commission and Planning Staff recommend approval of the requested liquor Use Permit for the sale of liquor as permitted by a Series 12 Restaurant License with conditions.

**BACKGROUND**

The application requests liquor Use Permit approval to sell liquor as permitted by a Series 12 Restaurant License within an existing restaurant and outdoor patio area. A Series 12 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 and non-alcoholic beverages.

This new restaurant is located within The Summit at Chandler Heights commercial center and occupies a tenant space in an inline shops building. Adjacent businesses include Freshyo Yogurt and a Summit Salon & Spa. Bay Leaf Cafe is approximately 1,450 square feet. The restaurant is closed on Mondays and open Tuesday through Saturday 11 a.m. to 9:30 p.m. and Sundays 11 a.m. to 8:30 p.m. There are approximately 40 seats inside. Currently, there are about 20 seats outside for dining. The business does request liquor service and consumption outside the dining area which needs to be cordoned-off per State requirements. This Liquor Use Permit does include a request for approval for liquor on an outdoor dining area. Staff is working with the applicant on the location of the cordoned-off area; a general location is shown on the floor plan. There is no live entertainment proposed.

**PUBLIC / NEIGHBORHOOD NOTIFICATION**

- The request was noticed in accordance with the requirements of the Chandler Zoning Code.
- The applicant's neighborhood meeting was held on September 3, 2012. No one attended other than the applicant.
- The Police Department has been informed of the application and responded with no concerns.
- At the time of the memo, Planning Staff is not aware of any concerns or opposition to this request.

**PLANNING COMMISSION VOTE REPORT**

Motion to Approve.

In Favor: 7      Opposed: 0

**RECOMMENDED ACTION**

Planning Commission and Planning Staff, upon finding consistency with the General Plan, recommend approval of Liquor Use Permit LUP12-0020 BAY LEAF CAFE, subject to the following conditions:

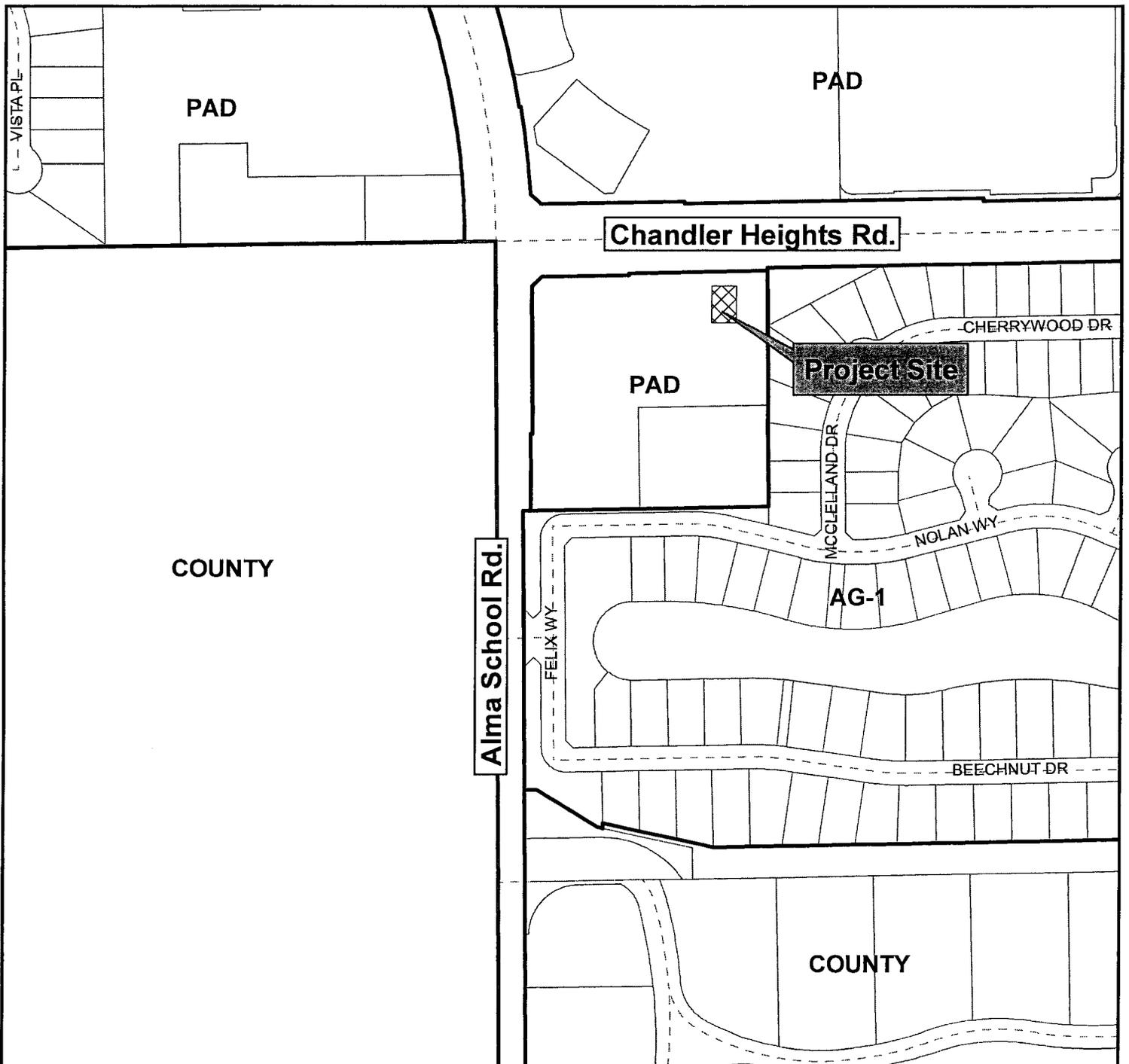
1. Expansion, modification, or relocation beyond the approved exhibits (Site Plan, Floor Plan, and Narrative) shall void the Use Permit and require new liquor Use Permit re-application and approval.
2. The liquor Use Permit is granted for a Series 12 (Restaurant License) only, and any change of licenses shall require re-application and new liquor Use Permit approval.
3. The liquor Use Permit is non-transferable to other restaurant locations.
4. The site shall be maintained in a clean and orderly manner.

**PROPOSED MOTION**

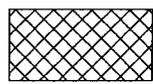
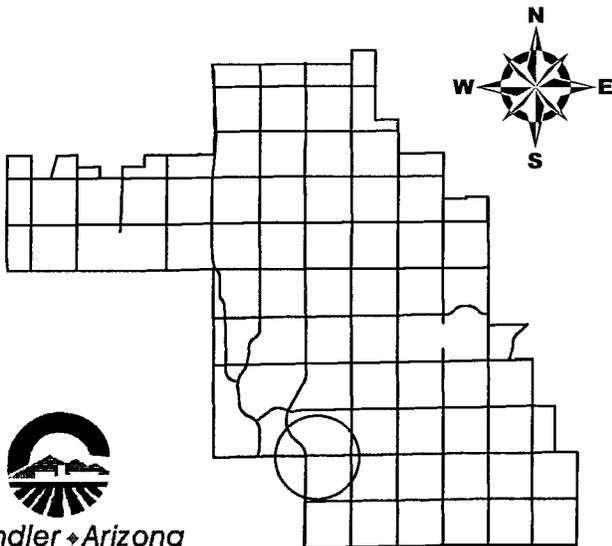
Move to approve liquor Use Permit case LUP12-0020 BAY LEAF CAFE, subject to the conditions recommended by Planning Commission and Planning Staff.

**Attachments**

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

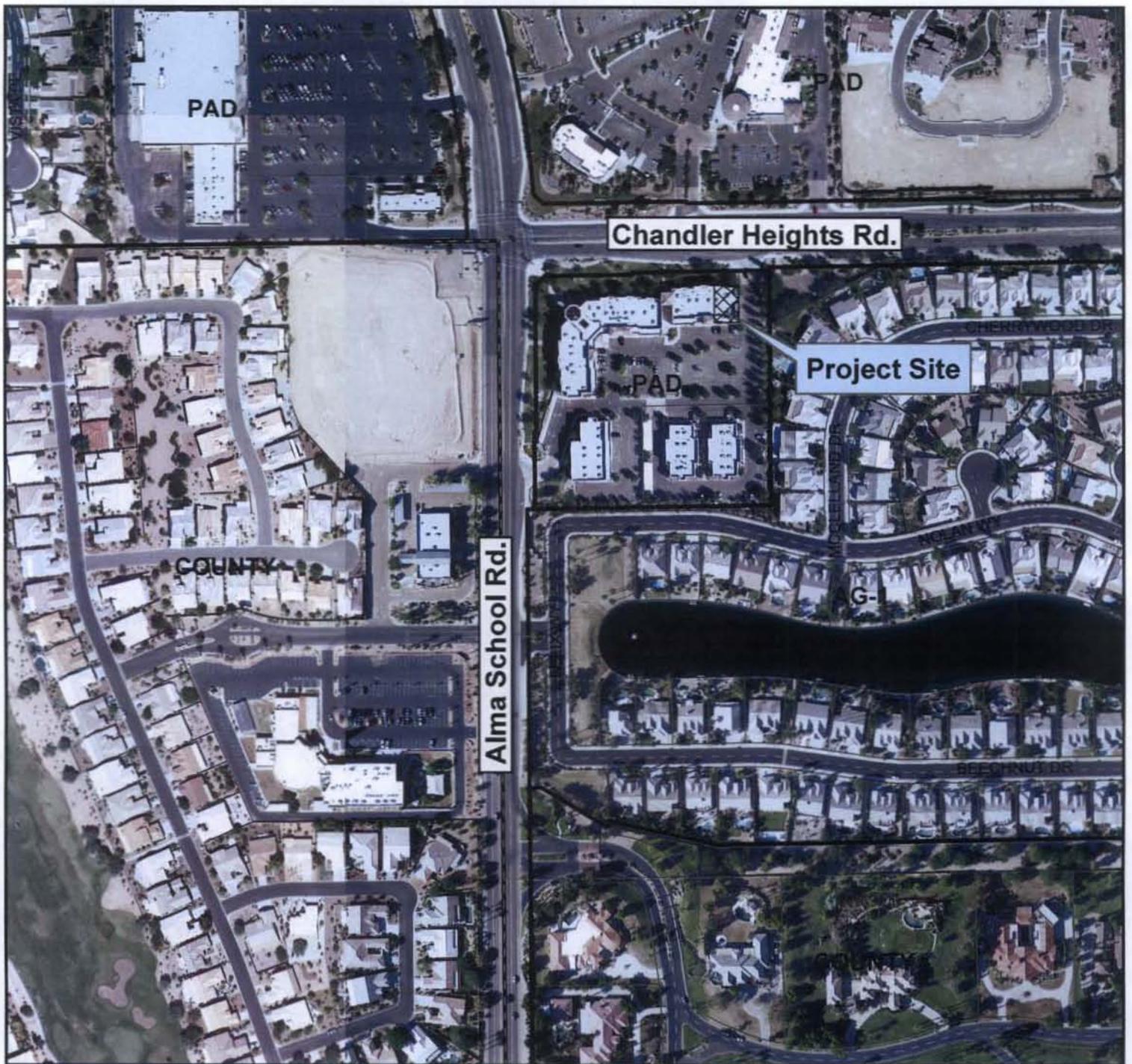


**Vicinity Map**



LUP12-0020

**Bay Leaf Cafe  
Liquor Use Permit**



## Vicinity Map



LUP12-0020

**Bay Leaf Cafe  
Liquor Use Permit**

CITY OF CHANDLER 7/27/2012



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## Liquor License Proposal

Bay Leaf Café LLC dba Bay Leaf Café India Cuisine is requesting to grant liquor license Type-12 to sell and consume beer/wine/spirits within its premise at

955 W Chandler Heights Rd Suite#1 Chandler AZ 85248

SW Corner of Alma School Rd and Chandler Heights Rd inside Summit at Ocotillo shopping complex.

phone- 480-802-6634

Hrs of Operation-

Tues-Sat 11am-9.30 pm

Sunday- 11am-8.30pm

Monday-Closed

# of employees- 8

Dancing-NO

Entertainment-NO

Music-Yes

TV-Yes

Square footage-1450 sft

Patio

Entrance- one door at front to be used for both entrance or exit

Type of business-Indian cuisine offering dine in and take out of various cuisine from India.

### Statement of Music provided at Bay Leaf Café

- Music-Bay Leaf Café provides music to its customers via in ceiling speakers in dining area and near the door entrance outside ceiling walls. Music is played thru audio receivers placed in back room and play either local radio stations or Hindi music thru cd players.
- There are no live performances, musicians involved.
- There are no amplifiers involved except the in built amplifier in receiver in order to distribute music across 6 in ceiling speakers.

*SK Singh*  
Satyendra K Singh

VP-Bay Leaf Café

3660 S Nash Wasy

Chandler AZ 85286

Date . 8/16/12

Exhibit A:

*subject site*

