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FEB 12 2015



MEMORANDUM **Planning Division - CC Memo No. 15-019**

DATE: FEBRUARY 12, 2015

TO: MAYOR AND COUNCIL

THRU: RICH DLUGAS, CITY MANAGER *RD*
 MARSHA REED, ASSISTANT CITY MANAGER *MR*
 JEFF KURTZ, PLANNING ADMINISTRATOR *JK*
 KEVIN MAYO, PLANNING MANAGER *KM*

FROM: SUSAN FIALA, CITY PLANNER *SF*

SUBJECT: LUP14-0020 AMERICA'S TACO SHOP

Request: Liquor Use Permit approval to continue to sell and serve liquor as permitted under a Series 12 Restaurant License for on-premise consumption indoors and within the patio and continue occasional live music indoors and within the patio at an existing restaurant

Location: 3235 West Ray Road, Suite 1, southwest corner of Ray Road and the Loop 101

Applicant: Michael Moore

RECOMMENDATION

Planning Commission and Planning Staff, finding consistency with the General Plan, recommend approval subject to conditions.

BACKGROUND

America's Taco Shop is an existing restaurant located at 3235 W. Ray Rd., Suite 1, southwest corner of Ray Road and the Loop 101 within The Park at San Tan. The Park at San Tan includes Alliance Bank, several restaurants, a salon, and office buildings. D'Arcy Ranch single family subdivision is located west and Parkside East single family subdivision is northwest, across Ray Road.

The request is for Liquor Use Permit approval to continue to sell and serve liquor as permitted under a Series 12 Restaurant License for on-premise consumption indoors and within the patio and continue occasional live music indoors and within the patio. The restaurant received Liquor Use Permit approval in September 2013, with a time condition of one year. The current request is for an extension of the Liquor Use Permit without any further time condition.

The restaurant's operational plan remains the same. The restaurant is open from 9 a.m. until 8 p.m., seven days a week. Acoustic music may occasionally occur from 4 p.m. until closing, on Thursdays, Fridays, Saturdays, and major Holidays.

A Series 12 Restaurant License allows the on-site sale of beer, wine, and spirits for on-premise consumption. Under a typical Series 12 license the establishment must derive at least 40 percent of its gross revenue from the sale of food and non-alcoholic beverages. See attached menu.

DISCUSSION

Planning Staff supports the request, finding that the restaurant with occasional live music indoors and within the patio is appropriate at this location if the live acoustic music continues to be controlled so as to not unreasonably disturb the surrounding businesses and residents. There have been no complaints filed with the Police Department or opposition during the neighborhood notification and public notification processes. Planning Staff is not recommending a time condition on this Liquor Use Permit due to the success of the business's operation.

PUBLIC / NEIGHBORHOOD NOTIFICATION

- This request was noticed in accordance with the requirements of the Chandler Zoning Code.
- A neighborhood meeting was held on December 23, 2014. No one other than the applicant attended.
- As of this writing, Planning Staff has not received any phone calls or letters in opposition to the request.

PLANNING COMMISSION VOTE REPORT

Motion to Approve:

In Favor: 4 Opposed: 0 Absent: 3 (Baron, Donaldson, Foley)

RECOMMENDED ACTION

Planning Commission and Planning Staff, upon finding consistency with the General Plan, recommend approval of LUP14-0020 AMERICA'S TACO SHOP, subject to the following conditions:

1. The Liquor Use Permit granted is for a Series 12 license only, and any change of license shall require reapplication and new Liquor Use Permit approval.
2. The Liquor Use Permit is non-transferable to any other location.
3. Expansion or modification beyond the approved exhibits (Site Plan, Floor Plan, and Narrative) shall void the Liquor Use Permit and require new Liquor Use Permit application and approval.
4. The patio shall be maintained in a clean and orderly manner.
5. Live music within the outdoor patio area shall not occur past 8 p.m. and shall be limited to acoustic music without amplification.

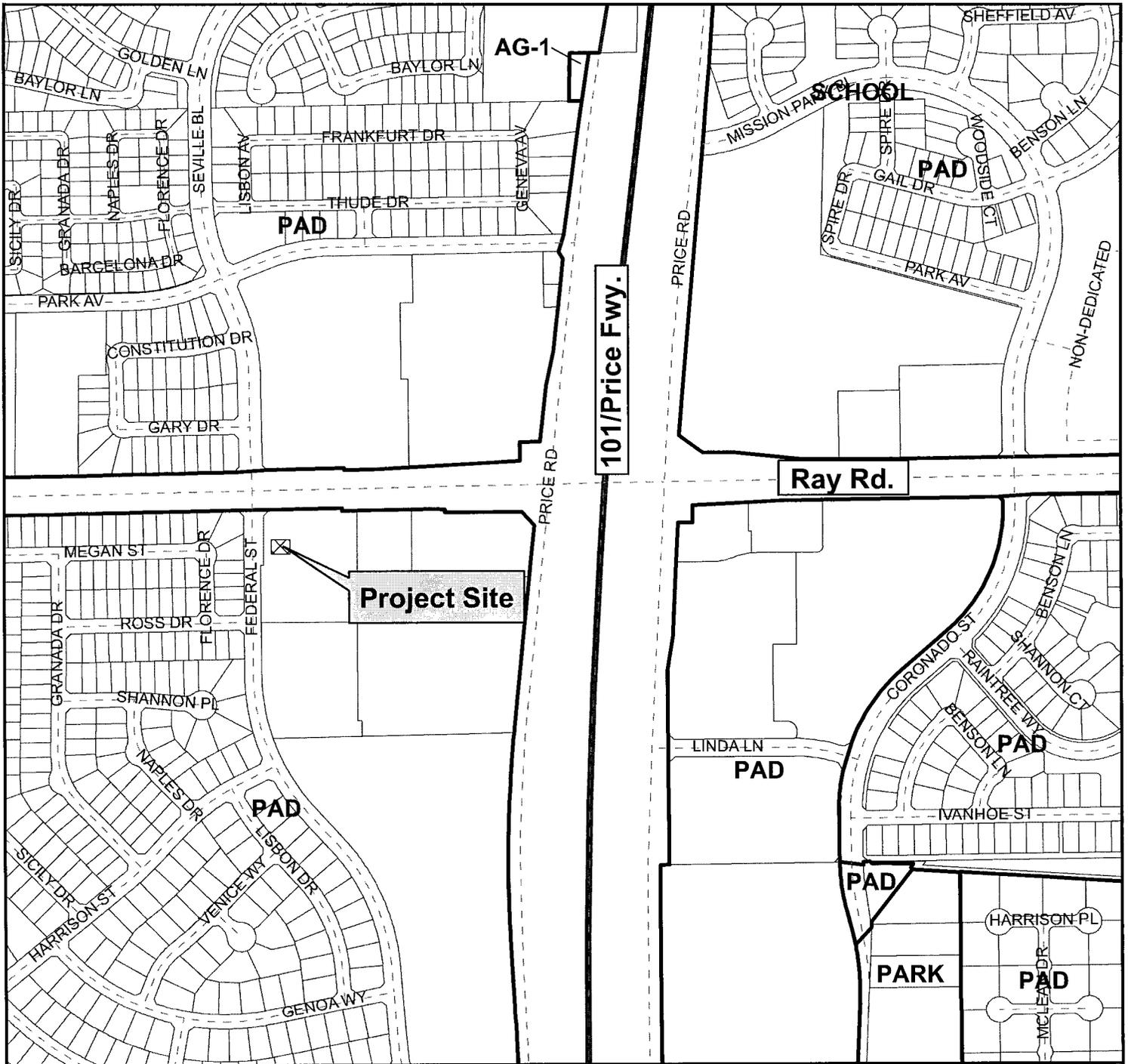
6. The house speaker system shall not be utilized to amplify live music.
7. Music shall be controlled so as to not unreasonably disturb area residents and businesses and shall not exceed the ambient noise level as measured at the commercial property line.
8. No noise shall be emitted from the live music occurring outdoors that exceeds the general level of noise emitted by uses outside the premises of the business and further will not disturb adjacent businesses and residential areas.
9. The site shall be maintained in a clean and orderly manner.
10. The establishment shall provide a contact phone number of a responsible person (owner and/or manager) to interested neighbors to resolve noise complaints quickly and directly.

PROPOSED MOTION

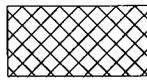
Move to approve Liquor Use Permit, LUP14-0020 AMERICA'S TACO SHOP, subject to the conditions recommended by Planning Commission and Planning Staff.

Attachments

1. Vicinity Maps
2. Site Plan
3. Floor and Patio Plans
4. Narrative
5. Menu

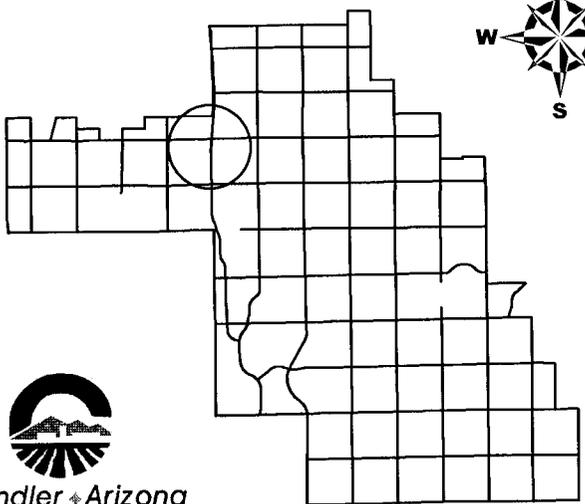
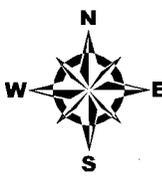


Vicinity Map

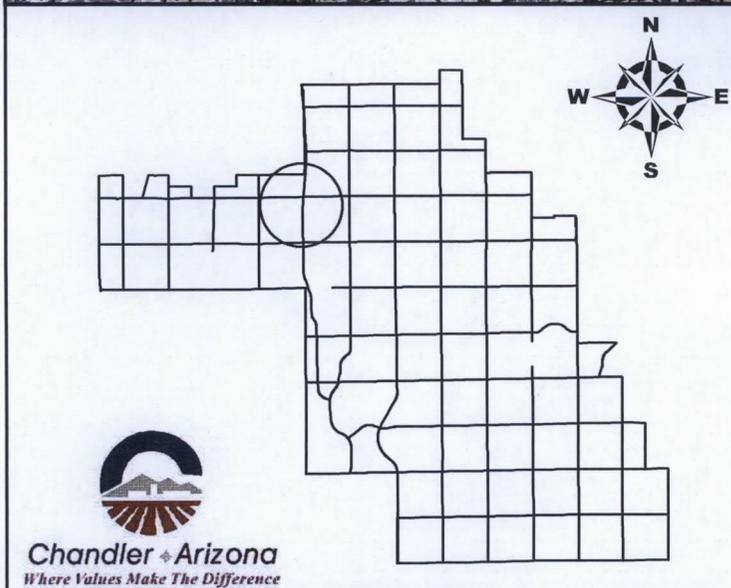
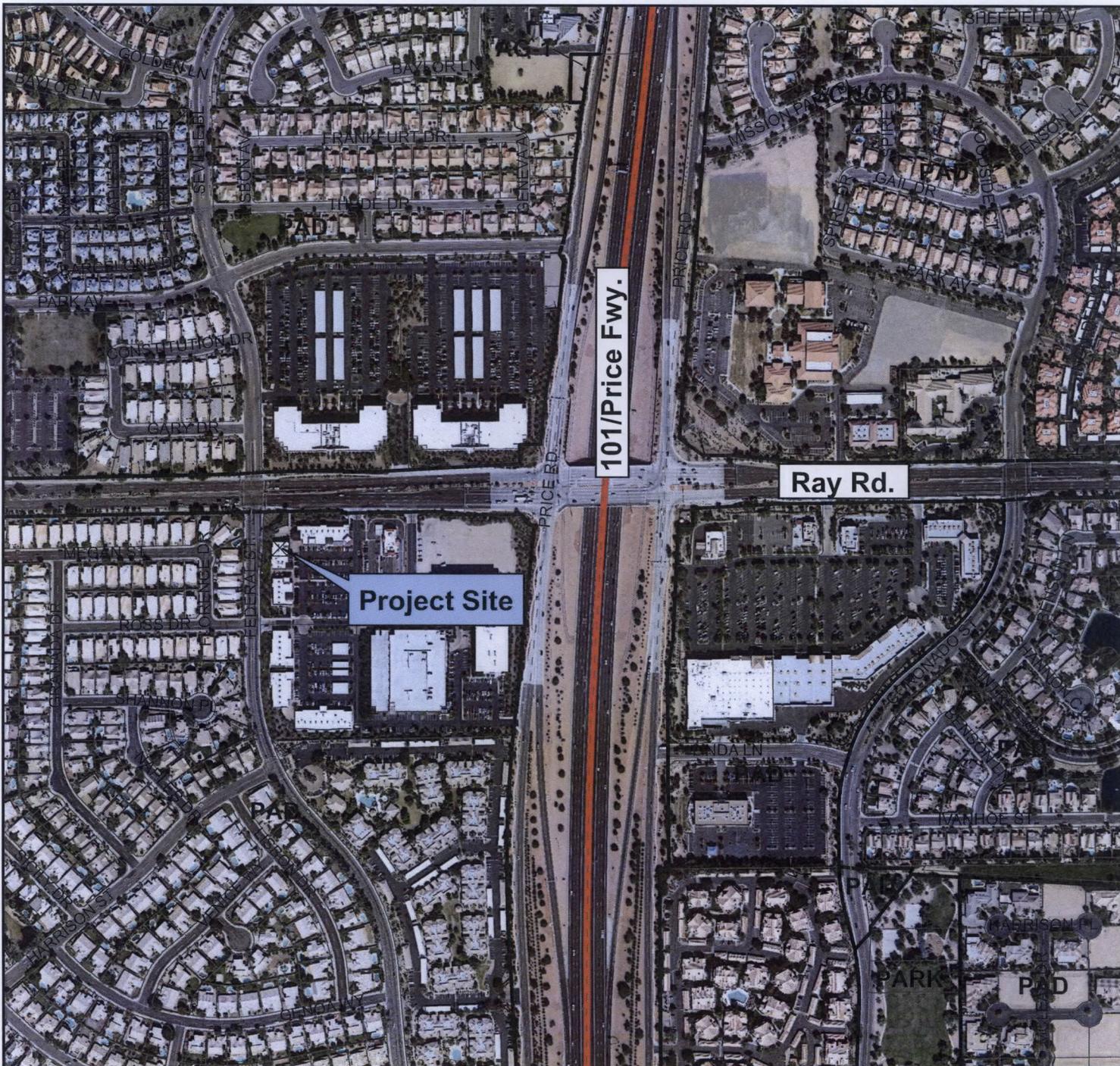


LUP14-0020

**America's Taco Shop
Liquor Use Permit**



Chandler Arizona
Where Values Make The Difference



Vicinity Map



LUP14-0020

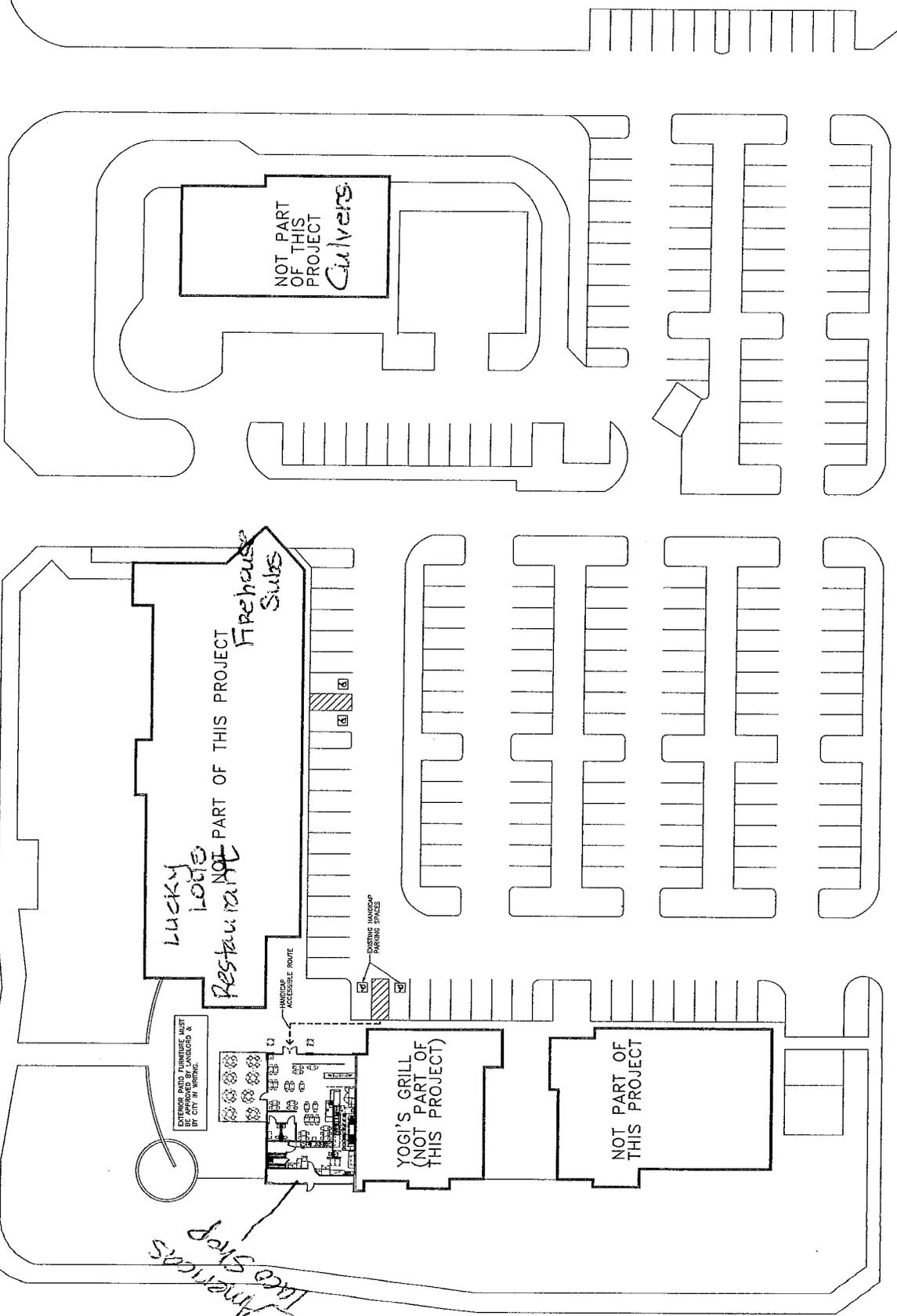
**America's Taco Shop
Liquor Use Permit**



SITE PLAN (REFERENCE ONLY)
SCALE: NOT TO SCALE

W. RAY RD.

N. FEDERAL ST.



NEPTUNE DESIGN GROUP
 6911 E. VIA DE VENTURA
 SCOTTSDALE, AZ 85258
 P 480-362-4481 F 480-452-0122
 www.neptune.com

Kahala
 8911 E. VIA DE VENTURA DRIVE
 SCOTTSDALE, AZ 85258
 480-362-4800 PHONE
 480-362-0799 FAX

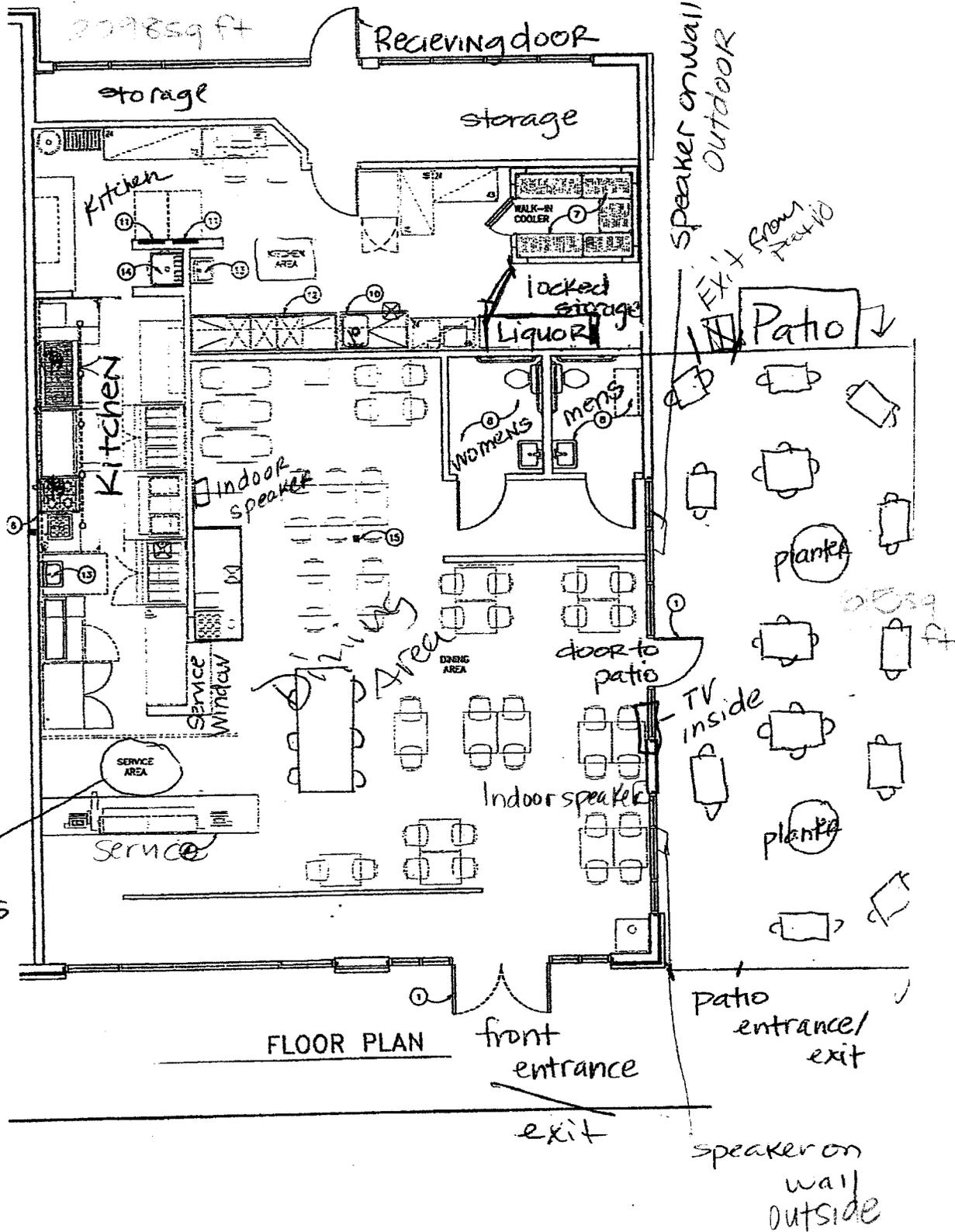
STF. 1
 3235 WEST RAY RD.
 CHANDLER, AZ 85226

America's
 TACO SHOP

REVISION
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FOR REFERENCE ONLY

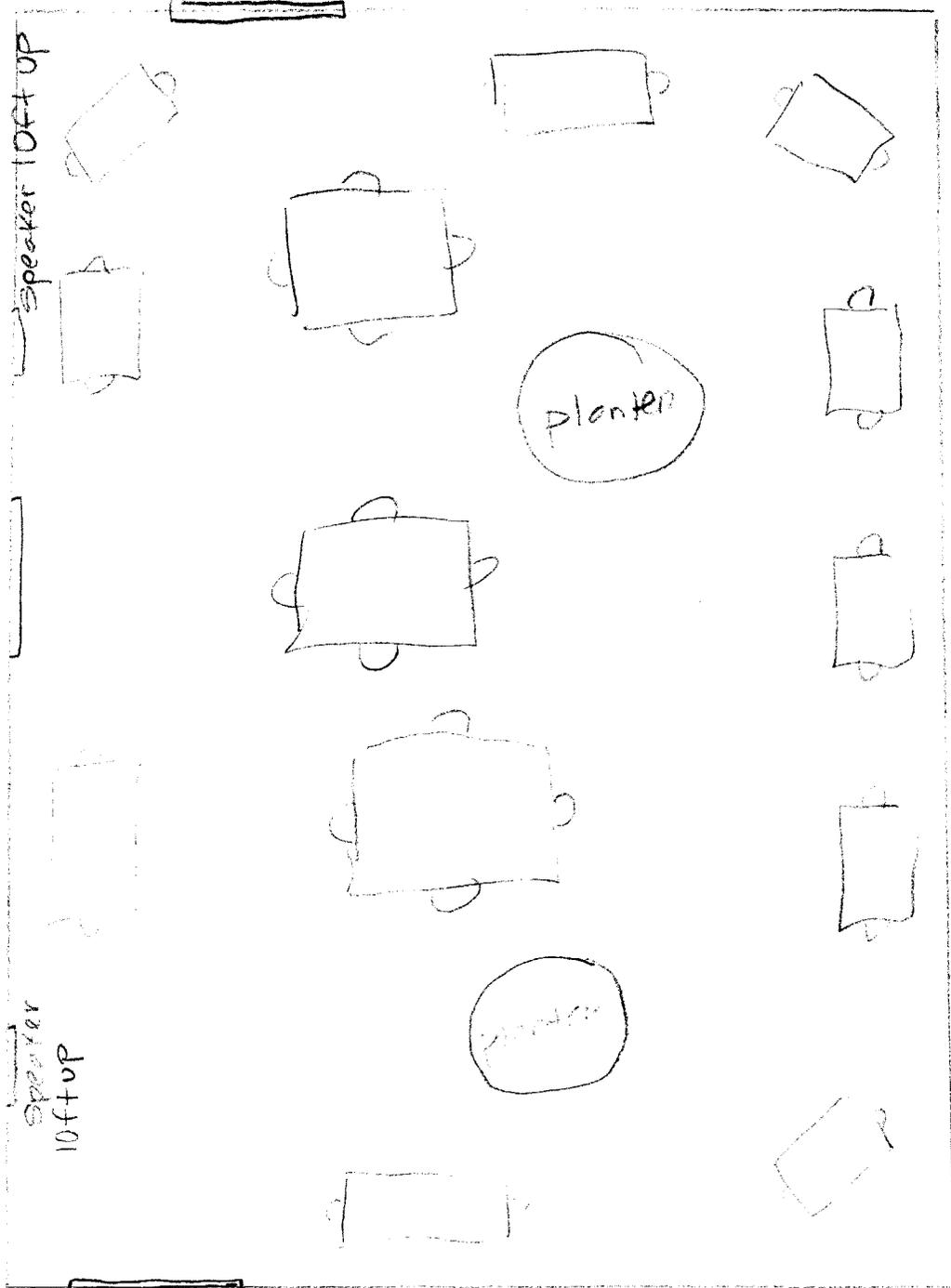
SHEET NAME NUMBER
 A1.1



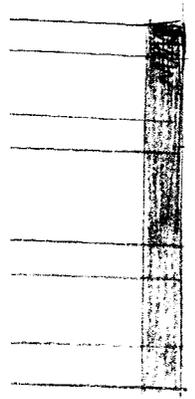
* alcohol will be served here at registers

FLOOR PLAN

patio entrance
and exit



door from
inside to patio



Brown metal
composite railing
example

patio entrance
and exit



November 20, 2014

To Whom it may concern:

We are requesting renewal of our Liquor Use Permit to allow liquor sales as permitted under a Series 12 liquor license for America's Taco Shop located at 3235 W. Ray Road in Suite 1, Chandler, AZ 85226. The property is located in The Park at San Tan, on the southwest corner of Ray Road and Loop 101 Price Freeway. The business is a quick casual Mexican restaurant. We have 12-15 employees working for us. Our menu includes Burritos, Tacos, Quesadillas, and Salads. We will serve beer and margaritas. The restaurant is approximately 2098 square feet in size on the interior with a 615 square foot gated outdoor uncovered dining area. The gate is constructed of a brown metal composite and is approximately 3 feet high. There is a door to the patio from inside the restaurant, and there are two gate doors on the outside. Refer to the diagram to see the locations. The new improvements that have been done inside are as follows: New service countertop, new hood and vent system, new Char-broiler/griddle, storage room build for liquor storage and wall painting. There are a total of 86 seats; 54 indoors and 32 outdoors. The business is open Monday-Sunday, from 9:00AM-8:00PM. There is one 32 inch television, and one 55 inch television located inside that will have only news/sports on them, with no audio. There are two 12X6 inch speakers located on the inside of the restaurant, as well as two on the outdoor wall facing patio. All items are noted on the diagram. The music, both inside and out, will only be background and not audible to neighbors. On occasion, we will have acoustic music on Thursday, Fridays, Saturdays, and major Holidays. The anticipated hours would range from 4:00PM-8:00PM. The music would comprise of one to no more than three persons, and one amplifier maximum. We will continue to respect the noise levels as it pertains to our residential and business neighbors. We have had no verbal or written noise complaints since opening in August 2013. There are two low-light sconces placed by building management on the outside wall of patio. The patio complies with Smoke Free Arizona Law.

Regards,

A handwritten signature in black ink, appearing to read "Michael Moore", with a large, stylized flourish extending to the right.

Michael Moore

480-326-0527



**Fresh • Made Daily
Catering Available!**

Taco Tuesday
\$2 Tacos All Day

Happy Hour
Monday-Friday 4-7pm

SIDES

Chips & Salsa Regular or Spicy	Reg. 1.69	Lg. 2.29
Chips & Guacamole	Reg. 2.99	Lg. 5.99
Guacamole Trio Chips, Salsa, Guacamole	Reg. 3.99	Lg. 6.99
Cuatro Chips, Salsa, Guacamole, Homemade Beans	Reg. 4.99	Lg. 7.99
Guacamole	Reg. 1.99	Lg. 4.69
Homemade Peruano Beans	Reg. 1.29	Lg. 1.99
Whole Roasted Jalapeño	Reg. .49	
America's Corn Sweet ear of corn, lightly brushed with mayo and covered with cotija cheese on a stick, served with guacamaya sauce and lime	Reg. 2.59	

DRINKS

Homemade Agua Fresca		
Horchata or Jamaica Cold, traditional Mexican beverage	Reg. 2.39	Lg. 2.99
Cochata Iced Coffee & Horchata	Reg. 2.39	Lg. 2.99
Fountain Soda, Fresh Brewed Iced Tea	Reg. 1.89	Lg. 2.29
Coca-Cola® de Mexico Mexican Soda	2.99	
Bottled Water	1.99	
Coffee	1.69	

Also Available

**Beer, Homemade Rumchata,
3 Amigos Margaritas**

www.AmericasTacoShop.com

Find us on Facebook & Twitter!

/AmericasTacoShopChandler

@americastaco

Carne Asada

Premium steak thinly sliced in a citrus based marinade and chargrilled over open flames

Al Pastor

Slowly roasted, citrus spiced marinated pork thinly sliced and topped with fresh pineapple

Chargrilled Chicken

Chicken breast in a citrus based marinade and chargrilled over open flames

BREAKFAST BURRITOS

SERVED ALL DAY

Chorizo Flour tortilla, chorizo and potatoes scrambled with eggs, homemade beans, jack cheese, fire roasted tomato salsa	Reg. 4.99	Lg. 5.99
Carne Asada Flour tortilla, carne asada scrambled with eggs, jack cheese, onions, tomatoes, jalapeños	Reg. 5.29	Lg. 6.29
Ranchero Flour tortilla, eggs, jack cheese, onions, tomatoes, jalapeños	Reg. 3.99	Lg. 4.99

BURRITOS

Carne Asada Flour tortilla, carne asada, guacamole, sautéed onions, pico de gallo	Reg. 6.29	Lg. 7.99
Al Pastor Flour tortilla, al pastor, guacamole, lettuce, tomato sauce, cilantro, pineapple	Reg. 5.99	Lg. 7.99
Chargrilled Chicken Flour tortilla, diced chicken breast, guacamole, sautéed onions, tomatillo salsa, pico de gallo	Reg. 5.99	Lg. 7.99
Bean & Cheese Flour tortilla, homemade beans (no lard), jack cheese	Reg. 3.79	Lg. 5.79

TRY IT TERRY'S WAY (add diced onions & Tapatio*) **.25¢**

TACOS

Carne Asada Corn tortilla, carne asada, guacamole, sautéed onions, lettuce	1 for 2.59
Al Pastor Corn tortilla, al pastor, guacamole, cabbage, tomato sauce, cilantro, pineapple	1 for 2.39
Chargrilled Chicken Corn tortilla, diced chicken breast, guacamole, lettuce, sautéed onions, tomato sauce, cilantro	1 for 2.39

VAMPIROS

Carne Asada Grilled crisp corn tortilla, carne asada, jack cheese, guacamole, sautéed onions, lettuce	3.99
Al Pastor Grilled crisp corn tortilla, al pastor, jack cheese, guacamole, lettuce, tomato sauce, cilantro, pineapple	3.79
Chargrilled Chicken Grilled crisp corn tortilla, diced chicken breast, jack cheese, guacamole, sautéed onions, lettuce, tomato sauce, cilantro	3.79

COMBINATIONS

1	Taco Trio - Carne Asada, Al Pastor and Chargrilled Chicken Tacos	7.19
2	Bean & Cheese Burrito and Chargrilled Chicken Taco	5.99
3	Chargrilled Chicken Quesadilla and Al Pastor Taco	7.19
4	America's Favorite for Two (2) Carne Asada Tacos, (2) Bean & Cheese Burritos, Reg. Chips & Salsa, (2) Reg. Fountain Sodas	16.99

TRY ANY ITEM AMERICA'S WAY (add diced roasted jalapeños) **.25¢**

QUESADILLAS

Carne Asada Flour tortilla, carne asada, jack cheese, guacamole, sautéed onions, lettuce	Reg. 5.29	Lg. 7.99
Al Pastor Flour tortilla, al pastor, jack cheese, guacamole, lettuce, tomato sauce, cilantro, pineapple	Reg. 4.99	Lg. 7.99
Chargrilled Chicken Flour tortilla, diced chicken breast, jack cheese, guacamole, sautéed onions, lettuce, tomato sauce, cilantro	Reg. 4.99	Lg. 7.99
Vegetarian Flour tortilla, jack cheese, guacamole, lettuce, sautéed onions	Reg. 3.69	Lg. 5.69

TORTAS

Carne Asada Toasted telera bread, carne asada, mayo, guacamole, lettuce, sliced tomato, jalapeños	6.79
Al Pastor Toasted telera bread, al pastor, mayo, guacamole, lettuce, tomato sauce, cilantro, pineapple	6.49
Chargrilled Chicken Toasted telera bread, diced chicken breast, mayo, guacamole, lettuce, tomato sauce, sliced tomato, jalapeños, cilantro	6.49

SALADS

Carne Asada Lettuce, carne asada, guacamole, jack cheese, pico de gallo	6.79
Al Pastor Lettuce, al pastor, guacamole, jack cheese, cilantro, pineapple	6.39
Chargrilled Chicken Lettuce, diced chicken breast, guacamole, jack cheese, pico de gallo, cilantro	6.39

SHRIMP CEVICHE
(Freshly Served Friday & Saturday)



**3235 W Ray Rd., Suite 1
Chandler, AZ 85226
(480) 821 - 7944**