



MEMORANDUM Transportation & Development – PZ Memo No. 12-088

DATE: SEPTEMBER 11, 2012

TO: PLANNING AND ZONING COMMISSION

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

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

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 Staff recommends 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 will be 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.

RECOMMENDED ACTION

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

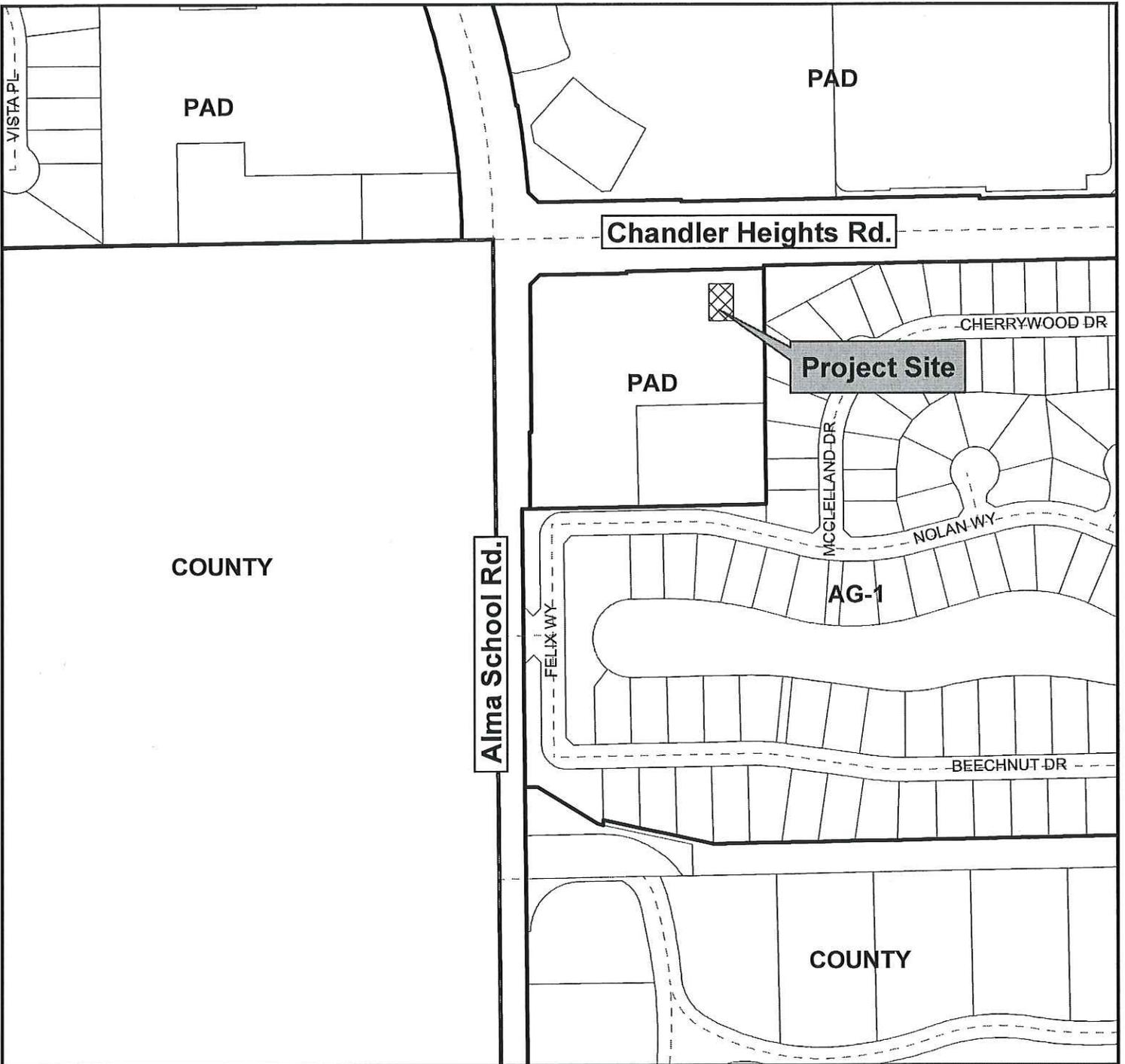
1. Expansion, modification, or relocation beyond the approved exhibits (Site Plan, Floor Plan, and Narrative) shall void the Use Permit and require new liquor Use Permit re-application and approval.
2. The liquor Use Permit is granted for a Series 12 (Restaurant License) only, and any change of licenses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

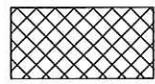
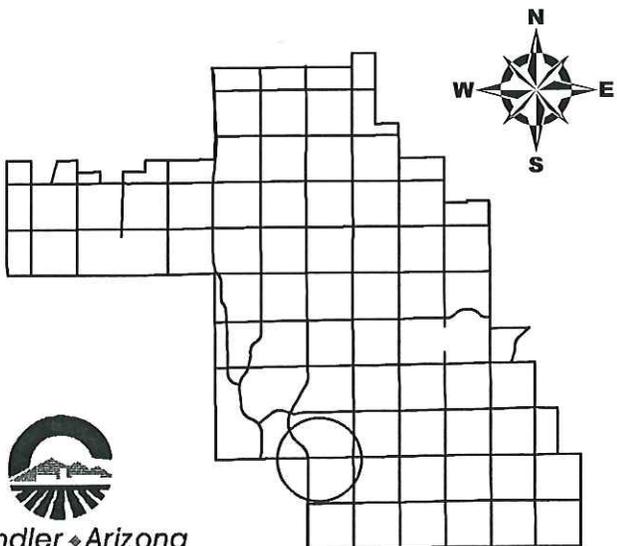
Motion to recommend approval of liquor Use Permit case LUP12-0020 BAY LEAF CAFE, subject to the conditions recommended by Planning Staff.

Attachments

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



Vicinity Map



LUP12-0020

**Bay Leaf Cafe
Liquor Use Permit**



Chandler Heights Rd.

Project Site

Alma School Rd.

COUNTY

Vicinity Map



LUP12-0020

**Bay Leaf Cafe
Liquor Use Permit**

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.

S.K. Singh
Satyendra K Singh

VP-Bay Leaf Café

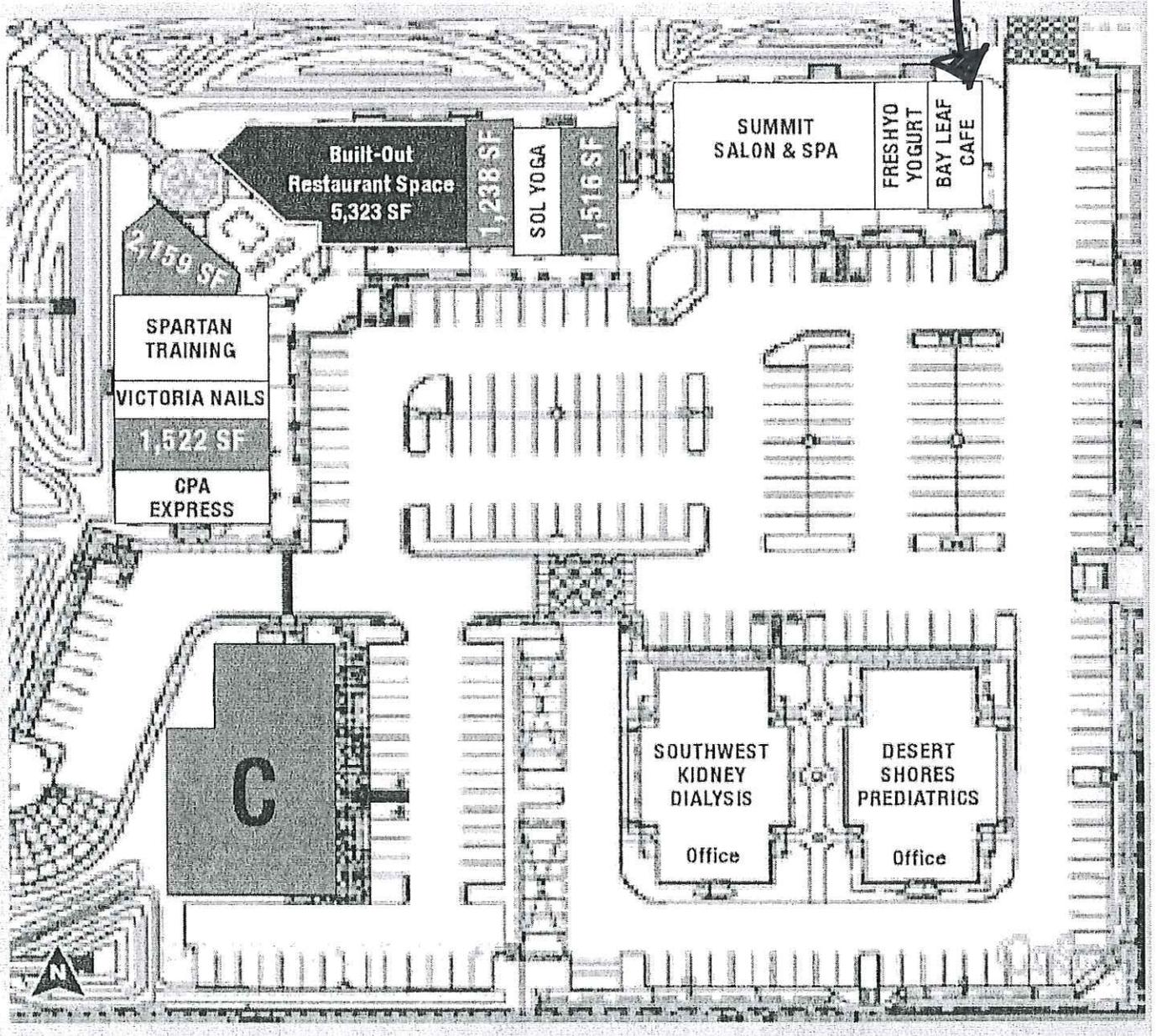
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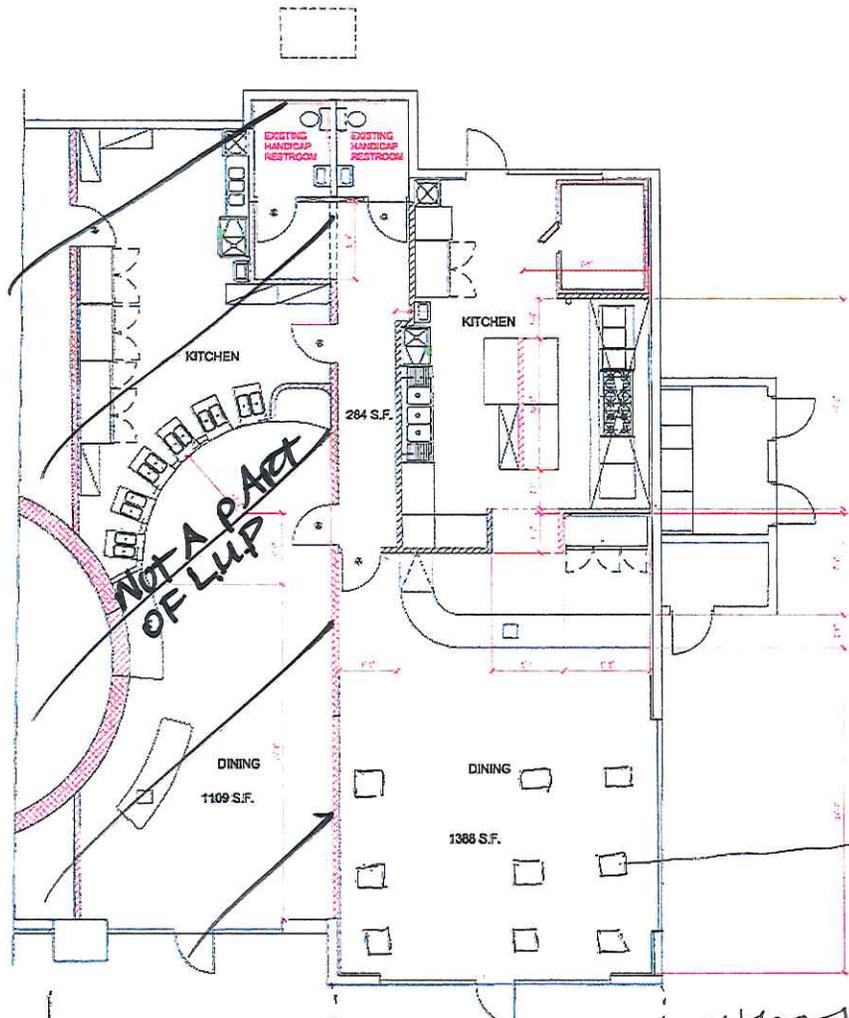
Chandler AZ 85286

Date . 8/16/12

Exhibit A:

subject site

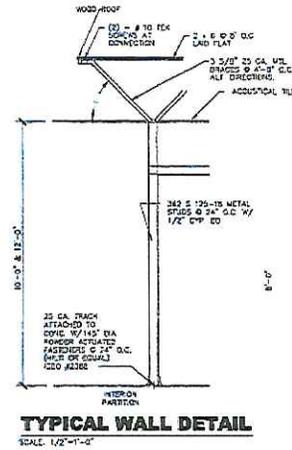




DIMENSION PLAN
SCALE: 1/8"=1'-0"

- 1. 2'-0" x 2'-0" S.C. WOOD VENEER FIBERGLASS DOOR W/ GLASS
 - 2. 2'-0" x 2'-0" S.C. WOOD VENEER FIBERGLASS DOOR W/ GLASS
 - 3. 2'-0" x 2'-0" ALUMINUM GLASS DIVIDER W/ GLASS
 - 4. 2'-0" x 2'-0" EXISTING S.C. WOOD VENEER FIBERGLASS DOOR
 - 5. 2'-0" x 2'-0" EXISTING S.C. WOOD VENEER FIBERGLASS DOOR W/ GLASS
- HANDICAP RESTROOM SHALL BE CONFORMED TO CODE

- EXISTING WALLS (NO CHANGE)
- NEW WALL (SEE DETAIL)
- EXISTING DIVIDING WALL



SEPARATE PERMITS SHALL BE REQUIRED FROM THE FIRE DEPARTMENT FOR:
1. MODIFICATION OF THE SPRINKLER SYSTEM
2. MODIFICATIONS TO ANY FIRE EVACUATION ALARM SYSTEMS

-freshyo yogurt
Not a part

Bay Leaf Cafe

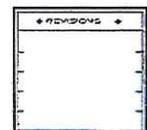
FRED STERN & ASSOCIATES

100.33 W. WASHINGTON ST.
AVONDALE, AZ 85325
TEL: (602) 228-2404
FAX: (602) 411-3822

THIS DRAWING IS A PART OF A CONTRACT AND IS NOT TO BE REPRODUCED OR COPIED WITHOUT THE WRITTEN PERMISSION OF FRED STERN & ASSOCIATES. ANY REVISIONS TO THIS DRAWING SHALL BE INDICATED BY A REVISION TABLE AND SHALL BE APPROVED BY THE ARCHITECT.

BAY LEAF CAFE & FRESHYO YOGURT RESTAURANT
955 W. CHANDLER HEIGHTS RD.
SUITE #1 & 2
CHANDLER, AZ 85248

DIMENSION PLAN



PROJECT DATE

JOB NO.

A1