

# 52  
FEB 22 2007



**Chandler • Arizona**  
*Where Values Make The Difference*

**MEMORANDUM Management Services Department – Council Memo No. MR07-086**

DATE: FEBRUARY 22, 2007

TO: MAYOR AND COUNCIL

THRU: <sup>RD</sup> W. MARK PENTZ, CITY MANAGER  
<sup>RD</sup> RICH DLUGAS, ASSISTANT CITY MANAGER  
PATRICIA A. WALKER, MANAGEMENT SERVICES DIRECTOR *Patricia Walker*

FROM: SANDI RODENBECK, CUSTOMER SERVICE MANAGER

SUBJECT: SERIES 7 BEER AND WINE BAR LIQUOR LICENSE  
APPLICATION FOR LORI A. TAPIA, AGENT ALAS DE ORO LLC  
DBA IBIZA BLUE RESTAURANTE  
**A PERSON TO PERSON TRANSFER**

**RECOMMENDATION**

Staff recommends Council forward a recommendation for disapproval of State Liquor License No. 07070374, and further, that the City of Chandler Series 7, Beer and Wine Bar Liquor License No. 110732 L07, for Lori A. Tapia, Agent, Alas De Oro LLC, dba Ibiza Blue Restaurante at 1964 N. Alma School Rd., Ste. 1-4 be denied.

**BACKGROUND**

This application represents a change of ownership for Mariscos Mi Lindo Mazatlan. On October 13, 2005, Mariscos Mi Lindo Mazatlan was approved for a Series 7 Liquor License; however, the corresponding Use Permit had a one-year stipulation that is due to expire. This applicant's new Use Permit through Planning and Development is also scheduled for this meeting.

**DISCUSSION**

The following application for the transfer of a liquor license was posted and published for hearing on January 11, 2007, at which time it was continued to February 8, 2007, when it was further continued until February 22, 2007:

Series 7, Beer and Wine Bar Liquor License, for Lori A. Tapia, Agent, Alas De Oro LLC, dba Ibiza Blue Restaurante, at 1964 N. Alma School Rd., Ste. 1-4.

**Consideration may be given only to the applicant's personal qualifications and not to the location.**

Although the Police Department initially reported no objections to the issuance of this license, noise problems subsequent to that initial report have recently resulted in citations for disturbing the peace being issued on two separate occasions. These citations have been issued during the interim license period allowed by the State Department of Liquor Licenses and Control and demonstrate that the applicant has been unable to effectively control the noise problem that has created a negative effect on the surrounding neighborhood. This shows that the applicant does not have the capability, qualifications and reliability to operate a liquor establishment.

No written protests pursuant to A.R.S. 4-201(B) have been received. All licenses, permits, and fees have been paid, and the applicant is in compliance with the City's Tax Code. With a Series 7, the business may sell beer and wine only for on-premise or off-premise consumption.

**PROPOSED MOTION**

Move for recommendation to the State Department of Liquor Licenses and Control for disapproval of a Series 7, Beer and Wine Bar Liquor License, for Alas De Oro LLC, dba Ibiza Blue Restaurante, 1964 N. Alma School Rd., Ste. 1-4, and denial of the City of Chandler Liquor License based on a lack of satisfactory showing of the capability, qualifications and reliability of the applicant due to the inability to resolve noise related issues during the interim license period, therefore, showing inability to manage a liquor establishment.

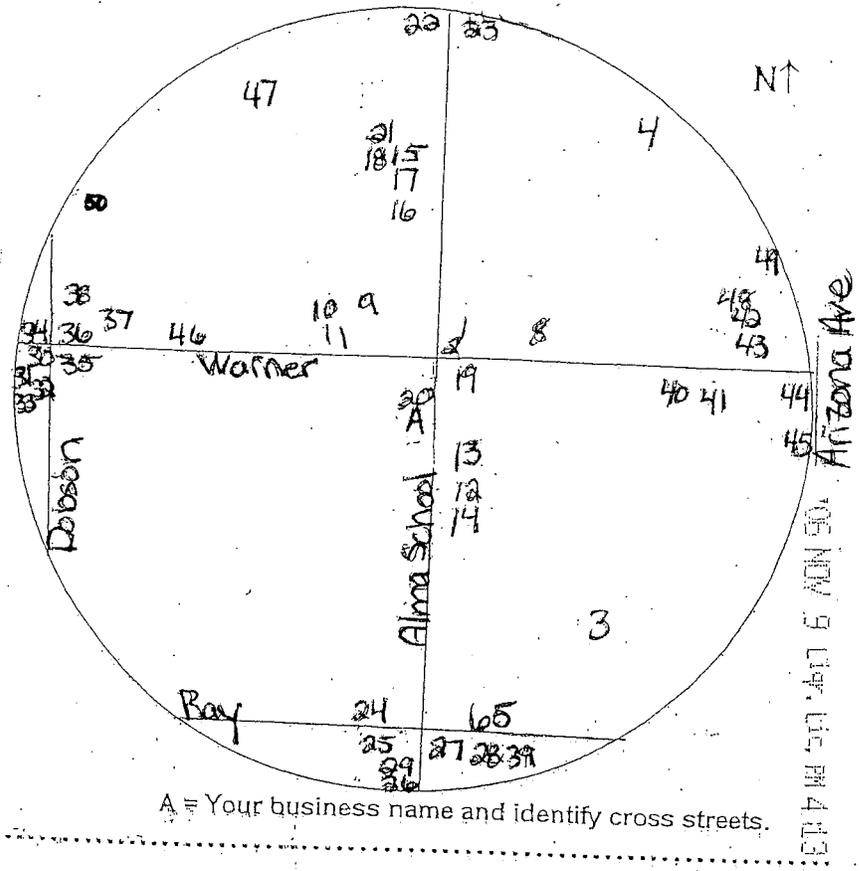
  
mf

Attachments: Geographical Map - A  
Site Layout - B

SECTION 16 Geographical Data: A SAMPLE FOR THIS SECTION IS PROVIDED ON THE NEXT PAGE:

List below the exact names of all churches, schools, and spirituous liquor outlets within a one mile radius of your proposed location. Ref. A.R.S. 4-201 (B)

- 1. See Attached List
- 2. \_\_\_\_\_
- 3. \_\_\_\_\_
- 4. \_\_\_\_\_
- 5. \_\_\_\_\_
- 6. \_\_\_\_\_
- 7. \_\_\_\_\_
- 8. \_\_\_\_\_
- 9. \_\_\_\_\_
- 10. \_\_\_\_\_
- 11. \_\_\_\_\_
- 12. \_\_\_\_\_
- 13. \_\_\_\_\_
- 14. \_\_\_\_\_
- 15. \_\_\_\_\_



A = Your business name and identify cross streets.

ATTACH ADDITIONAL SHEET(S) IF NECESSARY

SECTION 17 Signature Block:

I, LORITANIA A declare that: 1) I am the APPLICANT (Owner, Agent, Partner, Stockholder (10% or more), Member, Officer (10% or more ownership), or Club Member making this application; 2) I have read the application and the contents and all statements are true, correct and complete; 3) that this application is not being made to defraud or injure any creditor, taxing authority, regulatory authority, or transferor; 4) that no other person, firm, or corporation, except as indicated, has an interest in the spirituous liquor license for which these statements are made; and 5) that to the best of my knowledge and belief, none of the owners, partners, members, officers, directors or stockholders listed have been convicted of a felony in the past five (5) years.

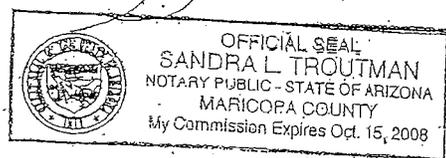
[Signature]  
 (Signature)

State of Arizona County of Maricopa

The foregoing instrument was acknowledged before me this 8<sup>th</sup> day of November 2006.  
 Day Month Year

[Signature]  
 (Signature of NOTARY PUBLIC)

My commission expires on: Oct. 15, 2008



1. Fry's Food & Drug Store
2. Chili's
3. Knox Elementary
4. Serrine Elementary
5. Epiphany Lutheran Church
6. Greater Phoenix Chinese Church
7. Genesis Fellowship
8. Naples Ristorante
9. Frank & Charlie's
10. Gallagher's
11. Tao Garden
12. Sun Chinese Dining
13. Circle K
14. Iguana Mack's
15. Garcia's
16. Citrus Café
17. Ninja Restaurant
18. Von Hansen's
19. Texaco
20. Zorba's
21. Jeepney Bistro (pending)
22. Shangri-La
23. Fry's Food & Drug Store
24. China King
25. Famous Sam's
26. Mucho Taco Mexican Food
27. Water and Ice
28. Carniceria El Rincon de Mexico
29. American Legion
30. 7 Eleven
31. Shimogamo
32. Nazdrowie
33. C-Fu Gourmet
34. Mobil Oil
35. Walgreen's
36. CVS/pharmacy #5315
37. Lee Lee Oriental Supermart
38. Phoenix Palace Buffet
39. Tacos Y Mariscos La Sirenita
40. Draft House
41. Francisco's Pueblo Café
42. Combo's Club
43. Tom Ryan's
44. Neapolis
45. Fair Lanes
46. Montessori Day School
47. Pomeroy Elementary
48. Chandler Preparatory Academy
49. El Dorado
50. Desert Community Christian Church

**SECTION 14 Restaurant, or Hotel-Motel Applicants:**

1. Is there a valid restaurant or hotel-motel liquor license at the proposed location?  YES  NO If yes, give licensee's name:

Villala-Guzman Jose and license #: 07070374  
Last First Middle

2. If the answer to Question 1 is YES, you may qualify for an Interim Permit to operate while your application is pending; consult A.R.S. Section 4-203.01; and complete Section 5 of this application.

3. All restaurant applicants must complete a Restaurant Operation Plan (Form LIC0114) provided by the Department of Liquor.

4. Do you understand that 40% of your gross revenue must be from food sales?  YES  NO

**SECTION 15 Diagram of Premises: (Blueprints not accepted, diagram must be on this form)**

1. Check ALL boxes that apply to your licensed premises:

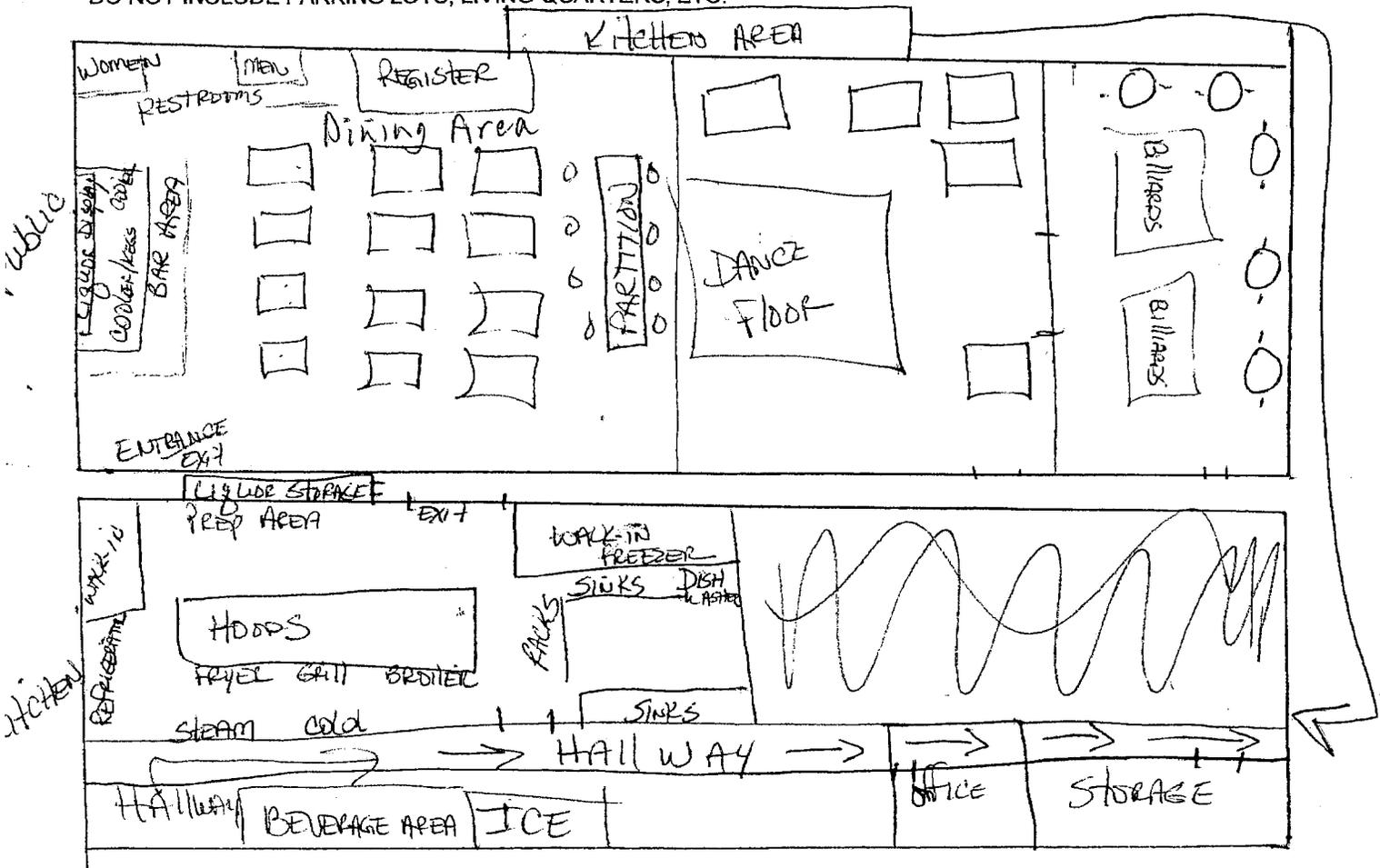
- Entrances/Exits
- Drive-in windows
- Service windows
- Liquor storage areas
- Patio enclosures
- Under construction: estimated completion date \_\_\_\_\_

2. Restaurants and Hotel/Motel applicants must explicitly depict kitchen equipment and dining facilities.

3. The diagram below is the only area where spirituous liquor is to be sold, served, consumed, dispensed, possessed, or stored. Give the square footage or outside dimensions of the licensed premises.

6200 sq ft.

DO NOT INCLUDE PARKING LOTS, LIVING QUARTERS, ETC.



**YOU MUST NOTIFY THE DEPARTMENT OF LIQUOR OF ANY CHANGES OF BOUNDARIES, ENTRANCES, EXITS, OR SERVICE WINDOWS MADE AFTER SUBMISSION OF THIS DIAGRAM.**