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#54
FEB 12 2009

MEMORANDUM Management Services Department - Council Memo No. MR09-069

DATE: FEBRUARY 12, 2009

TO: MAYOR AND COUNCIL

THRU: W. MARK PENTZ, CITY MANAGER
RICH DLUGAS, ASSISTANT CITY MANAGER *RD*
DENNIS STRACHOTA, MANAGEMENT SERVICES DIRECTOR
DAWN LANG, ASSISTANT DIRECTOR FOR FINANCE *DL*

FROM: SANDI RODENBECK, TAX AND LICENSE MANAGER *SR*

SUBJECT: NEW LICENSE SERIES 12 RESTAURANT LIQUOR LICENSE APPLICATION
ANDREA DAHLMAN LEWKOWITZ, AGENT
N AND D RESTAURANTS INC
DBA OLIVE GARDEN ITALIAN RESTAURANT #1747

RECOMMENDATION

Staff recommends Council forward a recommendation for approval of State Liquor License No. 12077868, and further, that approval be given for the City of Chandler Series 12, Restaurant Liquor License No. 123100 L12, for Andrea Dahlman Lewkowicz, Agent, N and D Restaurants Inc., dba Olive Garden Italian Restaurant #1747 at 2930 E. Germann Rd.

BACKGROUND

This application reflects a change in ownership. Planning and Development advises that a new Use Permit is not required since this will be a continuation of the location's previous use as Olive Garden.

DISCUSSION

The following application for a liquor license has been posted and published for hearing on February 12, 2009:

New License, Series 12, Restaurant Liquor License for
Andrea Dahlman Lewkowicz, Agent, N and D Restaurants Inc.,
dba Olive Garden Italian Restaurant #1747, at 2930 E. Germann Rd.

Consideration may be given to the applicant's personal qualifications and to the location.

The Police Department reports no objections to the issuance of this license, and 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 12, Restaurant Liquor License, the business may sell all liquors for on-premise consumption only, with a minimum of 40% of the gross receipts from the sale of food.

PROPOSED MOTION

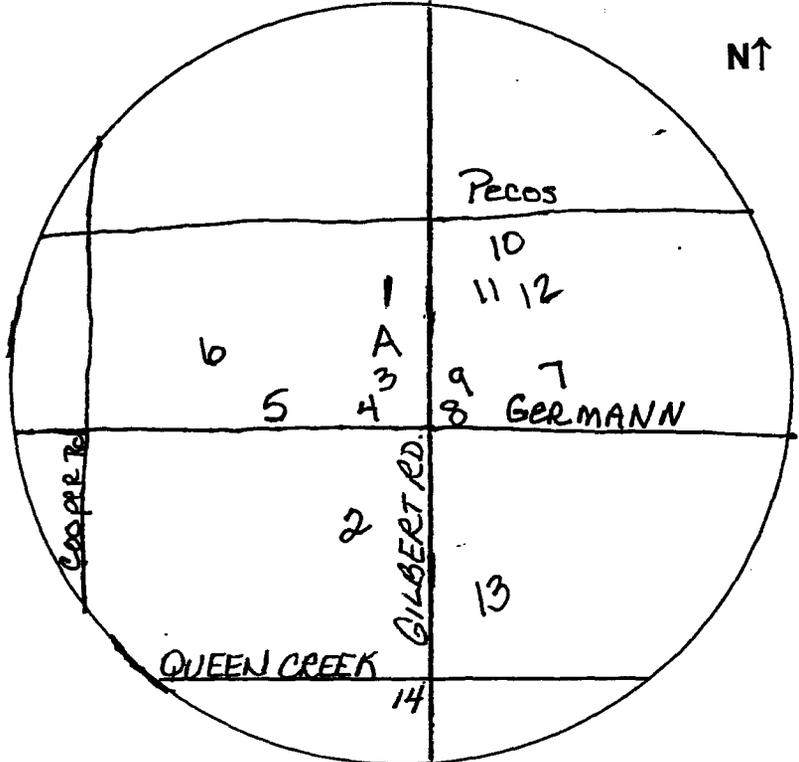
Move for recommendation to the State Department of Liquor Licenses and Control for approval of a Series 12, Restaurant Liquor License for N and D Restaurants Inc., dba Olive Garden Italian Restaurant #1747, 2930 E. Germann Rd., and approval of the City of Chandler Liquor License.

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. TGI Friday's
- 2. NATIVE NEW YORKER
- 3. Longhorn Steakhouse
- 4. Bravi
- 5. Rubio's
- 6. Wal-Mart
- 7. Target (Gilbert)
- 8. Texas Roadhouse (Gilbert)
- 9. Chili's (Gilbert)
- 10. Chipolte (Gilbert)
- 11. Red Lobster (Gilbert)
- 12. Applebee's (Gilbert)
- 13. Grove Bible Church (Gilbert)
- 14. Circle K
- 15. _____



A = Your business name and identify cross streets.

ATTACH ADDITIONAL SHEET(S) IF NECESSARY

SECTION 17 Signature Block:

8

Andrea Dahlman Lewkowitz

I, Andrea Dahlman Lewkowitz declare that: 1) I am the APPLICANT (Owner, Agent, Partner, Stockholder (Print name of APPLICANT/AGENT listed in Section 4 Question 1) (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.

X [Signature]
(Signature)

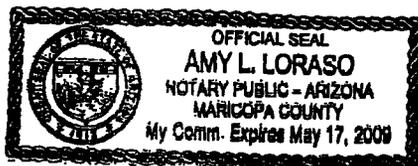
State of ARIZONA County of MARICOPA

The foregoing instrument was acknowledged before me this

10 day of December, 2008
Day Month Year

My commission expires on: May 17, 2009

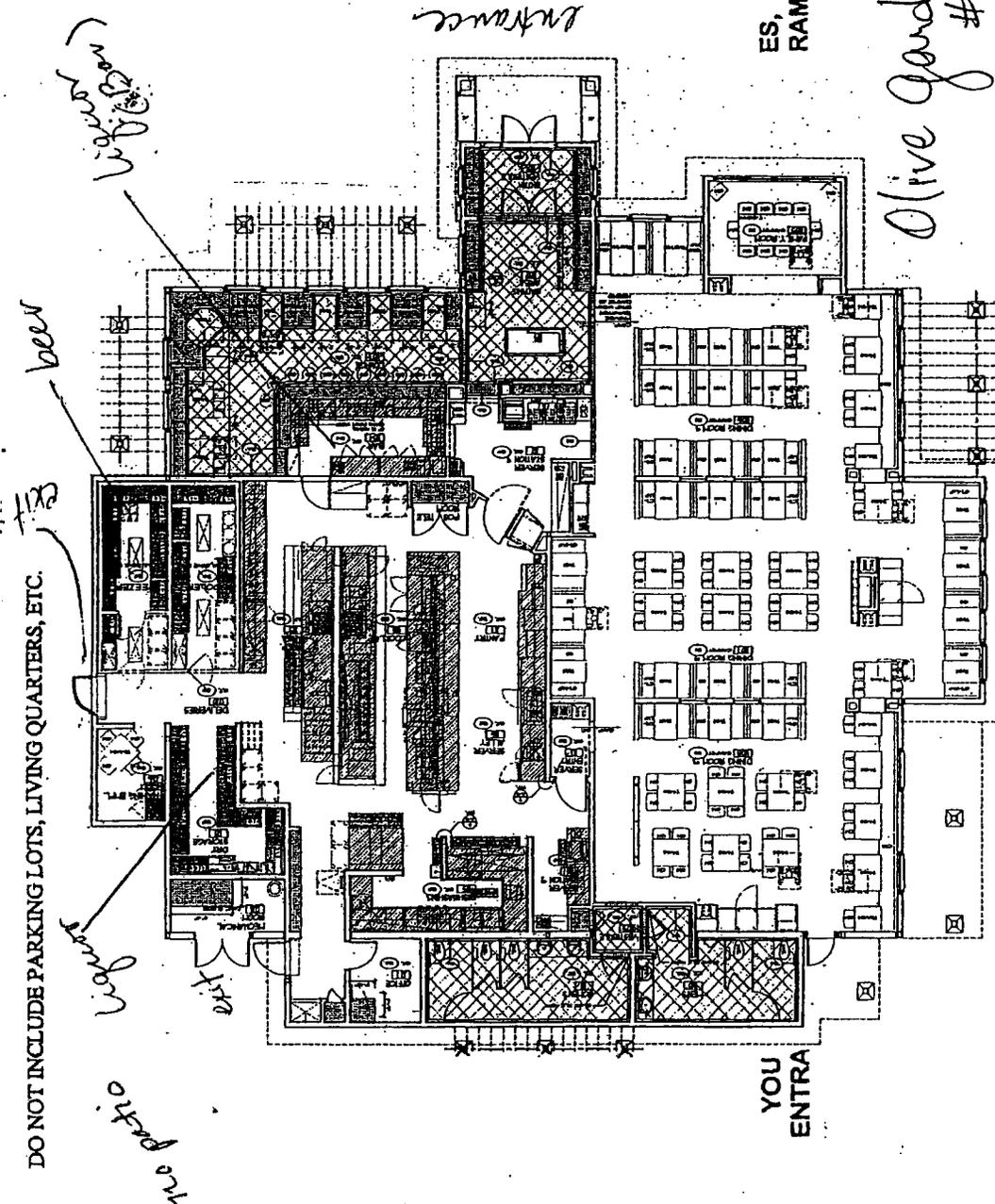
[Signature]
(Signature of NOTARY PUBLIC)
Amy J. Garcia



7,495 square feet

Olive Garden #1747

DO NOT INCLUDE PARKING LOTS, LIVING QUARTERS, ETC.



ES.
RAM.

YOU
ENTRA

Entrance

Olive Garden Entrance

beer

#3

bar

tea patio