

AGENDA ITEM #: _____

DATE: August 22, 2016

COAC #: 16-5880

**CITY OF GOODYEAR
CITY COUNCIL ACTION FORM**

SUBJECT: Application for a new Series 12 liquor license for Lucky Buddha Asian Restaurant

STAFF PRESENTER: Maureen Scott, City Clerk

CASE NUMBER: N/A

OTHER PRESENTER: N/A

RECOMMENDATION:

Approve a request from Wanlin Liao, agent for Lucky Buddha Asian Restaurant, LLC, for a new Series 12 liquor license, #1207A698, located at 14270 W. Indian School Road, Suite C1, Goodyear, Arizona (Generally located near the northwest corner of Litchfield Road and Indian School Road).

PURPOSE:

Ms. Liao has applied for a new Series 12 liquor license for Lucky Buddha Asian Restaurant. The restaurant is currently open for business, and they would like to enhance their customer experience by offering the sale of alcoholic beverages.

BACKGROUND AND PREVIOUS ACTIONS:

The City Clerk's Office received this application from the Arizona Department of Liquor Licenses and Control on July 8, 2016.

Lucky Buddha Asian Restaurant is not a franchise restaurant. The completed application is on file in the City Clerk's Office.

Lucky Buddha Asian Restaurant took over operation of this location from Beijing Chinese Cuisine on June 1, 2016 and opened for business on June 5, 2016. They are continuing operations and alcohol sales as permitted through the interim permit process, which is a conditional permit obtained through the State Liquor Board, and authorizes the holder to sell alcoholic beverages that would be permitted to be sold under the privileges of the license for which the application has been filed. An interim permit may be issued to the applicant for a license of the same series at the same premises for a period not to exceed 105 days.

CURRENT POLICY:

A Series 12 License is for a restaurant and is non-transferable. It allows the holder of the license to sell and serve all types of spirituous liquor solely for consumption on the premises of an establishment which derives at least forty percent of its gross revenue from the sale of food.

The City Council's recommendation of approval, disapproval or no recommendation will be forwarded to the Department of Liquor Licenses and Control ("Department") for their consideration. If the City Council recommendation is for approval, no hearing is required unless the Director of the Department, the State Liquor Board ("Board"), or any aggrieved party requests a hearing on the grounds that the public convenience and the best interest of the community will not be substantially served if a license is issued. If no hearing is requested, the Director may approve the license. If the City Council recommendation is for disapproval of an application, a statement of the specific reasons along with a summary of the testimony or other evidence supporting the recommendation for disapproval shall be attached to the order of disapproval and submitted to the Director and a public hearing will be held.

If the City Council recommendation is no recommendation, the Director may cancel the hearing and issue the license unless the Board, or any aggrieved party, protests and requests a hearing. If the reason for the protest is clearly removed or deemed satisfied by the Director, the Board shall cancel the hearing and the Department may issue the license.

PUBLIC PARTICIPATION:

The application has been properly posted on the property for the State mandated 20-day period. Any petitions or protests pursuant to A.R.S. 4-201(b) received during the 20-day posting period will be added to this report.

STAFF ANALYSIS:

The applicant has completed liquor law training as required by the State of Arizona. There will be a manager who is certified in the sale of alcohol on site at all times, and staff will be trained in responsible alcohol sales and service. All guests who appear to be underage will be required to show valid identification to prevent the sale of alcohol to minors.

Primrose School at Palm Valley is located within 300 feet of this location, however, the 300 foot rule only applies to retail licenses for Series 6 (Bar), Series 7 (Beer & Wine Bar), Series 9 (Liquor Store), and Series 10 (Beer & Wine Store). Licenses for Series 12 (Restaurant) are exempt from the 300 foot rule.

The application has been routed to Police, Fire, Code Enforcement, and Community Development, and any comments are listed on Attachment A.

FISCAL ANALYSIS:

The applicant has paid the \$635.00 application fee per the Goodyear Municipal User Fee Schedule. This business will contribute to the tax base of the community.

ATTACHMENTS:

Attachment A

1. Map with one-mile radius
2. Restaurant menu

Attachment A

Liquor License Application

Received: July 8, 2016

Applicant: Wanlin Liao

Business Name: Lucky Buddha Asian Restaurant

License No.: 1207A698

Department	Comments
Police	None
Fire	None
Code	None
Development Services	None

Goodyear Liquor License Locations within One Mile

Palm Valley Classic Car Spa (Series 10)	14031 W Indian School Rd	Goodyear AZ 85338
Palm Valley Golf Club (Series 6)	2211 N Litchfield Rd	Goodyear AZ 85395
Clubhouse Grill (Series 6)	14175 W. Indian School Rd, #C1	Goodyear AZ 85395
Bruno's Pizza (Series 12)	14130 W Indian School Rd	Goodyear AZ 85338
Wal-Mart Neighborhood Mkt (Series 9)	14200 W Indian School Rd	Goodyear AZ 85338
Walgreens (Series 9)	3361 N Litchfield Rd	Goodyear AZ 85395
Ada's Fish Fry (Series 12)	14270 W Indian School Rd #380	Goodyear AZ 85395
Royal Jasmine Thai Restaurant (Series 12)	14960 W Indian School Rd #B200	Goodyear AZ 85395
Bella Luna Ristorante (Series 12)	14175 W Indian School Rd Ste A-4	Goodyear AZ 85338
Safeway (Series 9)	14175 W Indian School Rd	Goodyear AZ 85338

Series 6 (Bar)

Series 9 (Liquor Store)

Series 10 (Beer & Wine Store)

Series 12 (Restaurant)

Location Map with one-mile radius

