

**CITY OF GOODYEAR
COUNCIL ACTION REPORT (CAR)**

SUBJECT: Application for a new Series 12 liquor license for Chef Ben Sushi & Asian Express	STAFF PRESENTER: Maureen Scott, City Clerk
	CASE NUMBER: None
	OTHER PRESENTER: None

PROPOSED ACTION:

Approve a request from Shirley Lew, agent for Wasabi Express, Inc., doing business as Chef Ben Sushi & Asian Express, for a new Series 12 liquor license #1207B038, located at 13824 W. McDowell Rd., Suite 107, Goodyear, Arizona 85395 (Generally located near the northeast corner of Litchfield Road and McDowell Road).

BACKGROUND AND PREVIOUS ACTIONS:

Ms. Lew has applied for a new Series 12 liquor license for Chef Ben Sushi & Asian Express. The restaurant is currently open for business and they would like to enhance their customer experience by offering the sale of alcoholic beverages.

The City Clerk's Office received this application from the Arizona Department of Liquor Licenses and Control on May 24, 2017.

Chef Ben Sushi & Asian Express is not a franchise restaurant, and they have been open for business since November 2011. The completed application is on file in the City Clerk's Office.

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:

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.

There will be a manager on site at all times. The manager has completed liquor law training as required by the State of Arizona. All servers will be trained in responsible alcohol sales and service. All guests who appear to be underage will be required to show valid I.D.

Although there are no schools located within 300 feet of this business, Series 12 (Restaurant) liquor licenses are exempt from the rule restricting alcohol sales for businesses located within 300 feet of a school.

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.

RECOMMENDATION:

Staff recommends approval of the Series 12 liquor license.

ATTACHMENTS:

Attachment A

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

Attachment A

Liquor License Application

Received: May 24, 2017

Applicant: Shirley Lew

Business Name: Chef Ben Sushi & Asian Express

License No.: 1207B038

Department	Comments
Police	None
Fire	None
Code	None
Development Services	None

Goodyear Liquor License Locations within One Mile

Applebee's Restaurant (Series 12)	13832 W McDowell Rd	Goodyear AZ
Black Angus Restaurant (Series 12)	13766 W McDowell Rd	Goodyear AZ
Buffalo Wild Wings (Series 12)	13311 W McDowell Rd	Goodyear AZ
Chili's Grill & Bar (Series 12)	1371 N Litchfield Rd	Goodyear AZ
Chipotle Mexican Grill (Series 12)	1560 N Litchfield Rd	Goodyear AZ
Dino's Greek & Italian Grill (Series 12)	1550 N Dysart Rd	Goodyear AZ
Gus's New York Pizza (Series 12)	13824 W McDowell Rd	Goodyear AZ
Hayashi Hibachi (Series 12)	1480 N Litchfield Rd	Goodyear AZ
Macayos Restaurant (Series 12)	1474 N Litchfield Rd	Goodyear AZ
Majerle's Sports Grill (Series 12)	13375 W McDowell Rd	Goodyear AZ
McLane Beverage Distributor (Series 4)	14149 W McDowell Rd	Goodyear AZ
Nakama Sushi Restaurant (Series 12)	13215 W McDowell Rd	Goodyear AZ
Pf Chang's (Series 12)	14681 W McDowell Rd	Goodyear AZ
Palm Valley Golf Club (Series 6)	2211 N Litchfield Rd	Goodyear AZ
Raul & Theresa's (Series 12)	1363 N Litchfield Rd	Goodyear AZ
Ramano's Macaroni Grill (Series 12)	1828 N Litchfield Rd	Goodyear AZ
Red Robin (Series 12)	14551 W McDowell Rd	Goodyear AZ
Rudy's Country Store & BBQ (Series 07)	845 N Litchfield Rd	Goodyear AZ
Sala Thai Restaurant (Series 12)	432 Litchfield Rd	Goodyear AZ
Sal's Tuscan Grill (Series 12)	13291 W McDowell Rd	Goodyear AZ
Tomo Japanese Cuisine (Series 12)	1550 N Dysart Rd	Goodyear AZ
Total Wine & More (Series 9)	1415 N Litchfield Rd	Goodyear AZ

Series 4 (Wholesaler)

Series 6 (Bar)

Series 7 (Beer & Wine Bar)

Series 9 (Liquor Store)

Series 12 (Restaurant)