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JUL 31 2008



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Where Values Make The Difference

MEMORANDUM **Planning and Development – CC Memo No. 08-127**

DATE: JULY 17, 2008

TO: MAYOR AND CITY COUNCIL

THRU: W. MARK PENTZ, CITY MANAGER 
DOUG BALLARD, PLANNING & DEVELOPMENT DIRECTOR 
JEFF KURTZ, ASSISTANT PLANNING & DEVELOPMENT DIRECTOR 
KEVIN MAYO, ACTING PLANNING MANAGER 

FROM: BILL DERMODY, SENIOR CITY PLANNER 

SUBJECT: UP08-0029 ESPINOZA'S MARKET

Request: Use Permit approval to sell beer & wine within a neighborhood market for off-premise consumption only (Series 10 Liquor License)

Location: 3863 W. Chandler Boulevard, one block east of McClintock Drive

Applicant: Larry Espinoza

RECOMMENDATION

The request is for Use Permit approval to sell beer & wine only as permitted under a Series 10 Beer & Wine Store License within a neighborhood market for off-premise consumption only. Planning Commission and Staff, finding consistency with the General Plan and Community Commercial (C-2) zoning, recommend approval subject to conditions.

BACKGROUND

The subject business is an approximately 3,000 square foot neighborhood market located one block east of McClintock Drive on the south side of Chandler Boulevard. The request would allow sales of wine and beer for off-premise consumption only in the original unbroken packaging. The requested Series 10 license replaces a Series 9 Liquor Store license (all spirituous liquor), in place since 1981 that is being sold to another business located elsewhere in the Valley.

The site includes the subject business, a restaurant under the same ownership, and a parking lot. The site is bordered by a Calle Entrada on the west and single-family residences to the south and east. The store is open 8 a.m. to 9 p.m. Monday through Saturday and 8 a.m. to 7 p.m. on

Sundays. Beer is stored in a cooler and wine is stored behind the counter. The neighboring restaurant does not currently sell alcohol.

The site has site maintenance issues not directly related to the Use Permit request that involve damaged roofing/parapets. At the time of this writing, the applicant is actively working to resolve all of the site maintenance issues. Previous issues that have since been resolved include a low block wall partially located in the right-of-way, patio shade structures that do not meet minimum setbacks, and illegal banner signage.

PUBLIC/NEIGHBORHOOD NOTIFICATION

- This request was noticed in accordance with the requirements of the Chandler Zoning Code.
- The Police Department has been informed of the application and has not responded with any issues or concerns.
- A neighborhood meeting was held June 30, 2008 at the Chandler Sunset Branch Library. One citizen attended to express support for the request.
- At the time of this writing, Staff is not aware of any opposition regarding this proposal.

PLANNING COMMISSION VOTE REPORT

Motion to approve.

In Favor: 6 Opposed: 0 Absent: 1 (Creedon)

RECOMMENDED ACTION

Planning Commission and Staff, upon finding consistency with the General Plan and Community Commercial (C-2) zoning, recommend approval of UP08-0029 ESPINOZA'S MARKET subject to the following conditions:

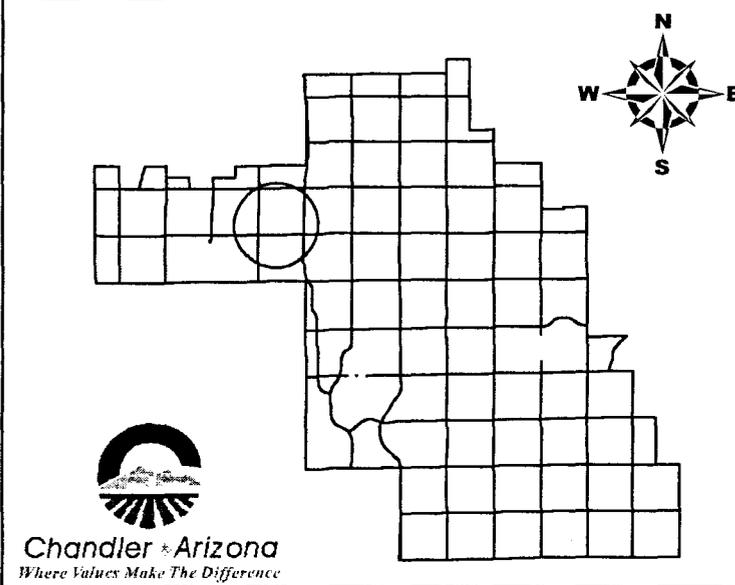
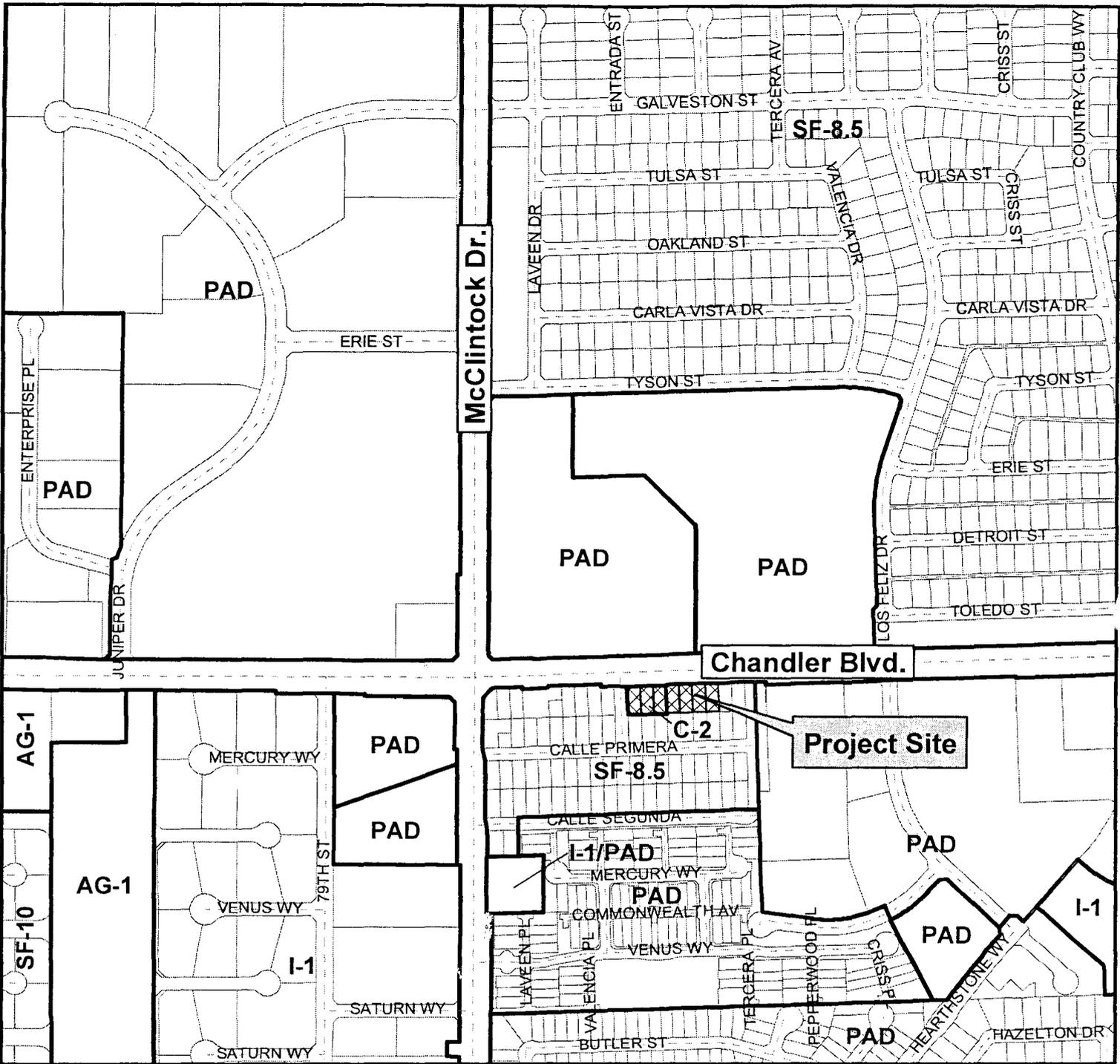
1. Substantial conformance with approved exhibits (Site Plan, Floor Plan, Narrative) except as modified by condition herein.
2. Expansion or modification beyond the approved exhibits shall void the Use Permit and require new Use Permit application and approval.
3. The Use Permit is non-transferable to any other location.
4. The site shall be maintained in a clean and orderly manner.

PROPOSED MOTION

Move to approve UP08-0029 ESPINOZA'S MARKET Use Permit for liquor sales subject to the conditions recommended by Planning Commission and Staff.

Attachments

1. Vicinity Maps
2. Narrative
3. Aerial Photo closeup
4. Floor Plan
5. Inventory of area liquor licenses



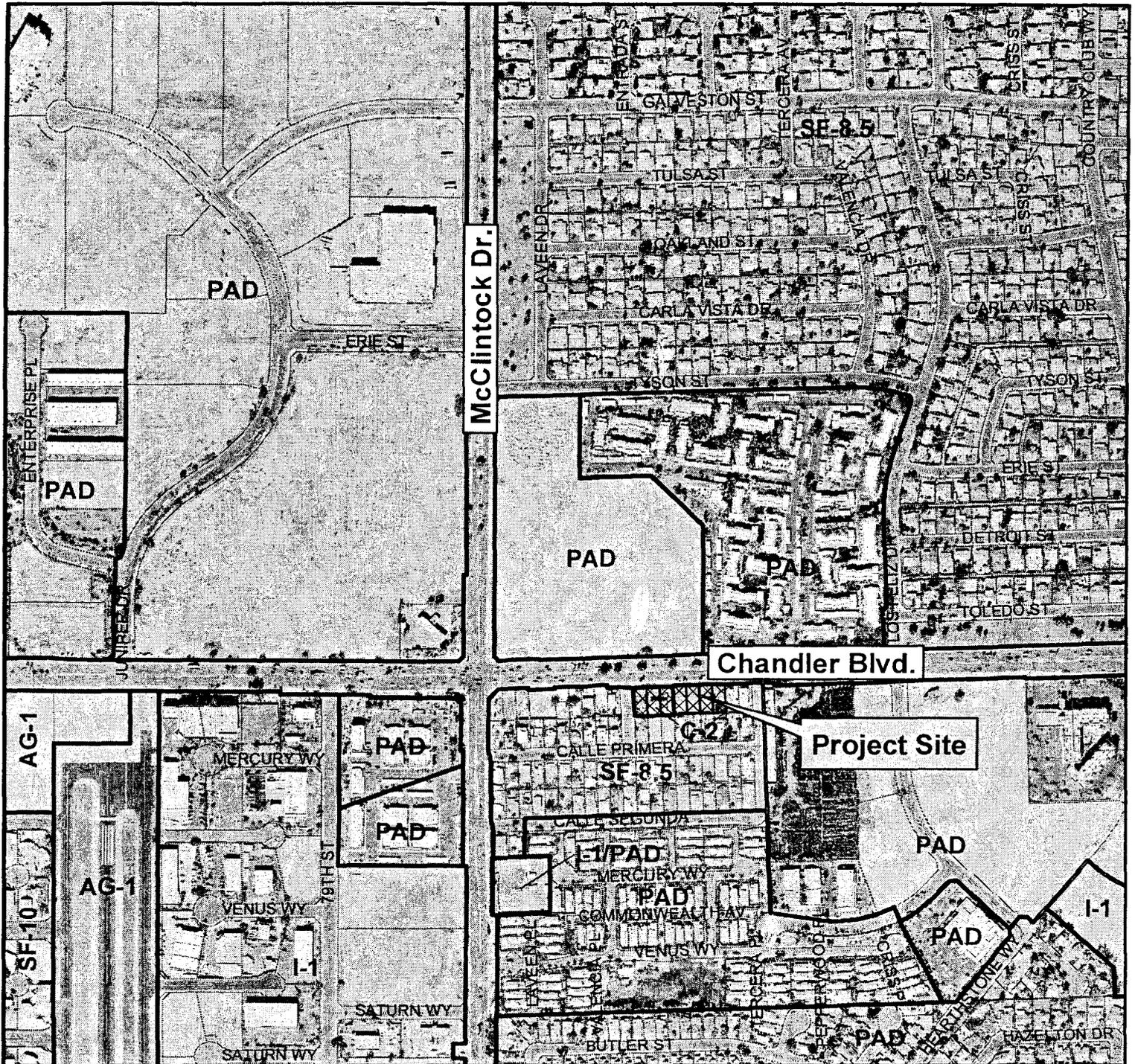
Vicinity Map



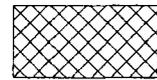
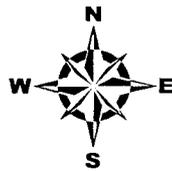
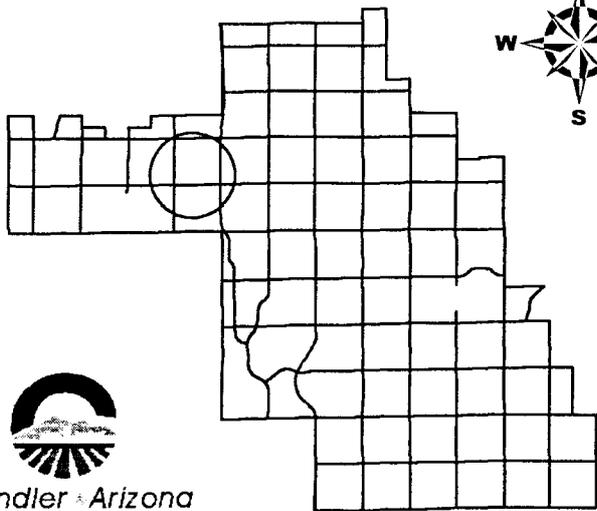
UP08-0029

Espinoza's Market
Liquor Use Permit

CITY OF CHANDLER 5/13/2008



Vicinity Map



UP08-0029

Espinoza's Market
Liquor Use Permit

City of Chandler – Liquor Use Permit Application – Written Statement

Business Requesting Permit: Espinoza's Food Center
3863 Chandler Boulevard
Chandler, Arizona 85226

Series Liquor License Requested: 10 – Off-Sale Retailer, Wine and Beer

Type of Liquor to Be Stored and Sold: Wine and Beer

Days/Hours of Operation: Monday thru Saturday, 8:00 a.m. – 9:00 p.m.
Sunday, 8:00 a.m. – 7:00 p.m.

Number of Employees: 3

On-site Entertainment Provided: None

Building Square Footage: Approximately 2,200

Property/Lot Size: .88 acres

Property Description: The subject property is a rectangular strip of land located on the south side of Chandler Boulevard, approximately one block east of McClintock Road. The food market is located at the southwestern corner of the property. Immediately adjacent to western end of the food market is Espo's Mexican Food, a Mexican food restaurant with common ownership. There is ample customer parking serving both the food market and the restaurant on the eastern portion of the property. Two entry/exit drives provide access to that parking lot from Chandler Boulevard. A side employee parking lot is accessible from Calle Entrada on the western boundary of the property.

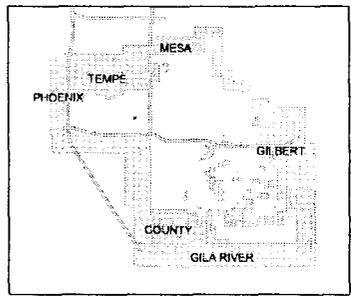
Property Owner: David C. Espinoza, Applicant

Additional Information: Espinoza's Food Center is a small food market that sells a variety of foods and convenience store items. Applicant previously sold liquor at the food market pursuant to a #9 Liquor License. That license was sold and Applicant is reapplying for a #10 Liquor License. Espinoza's Food Center is a family-owned and operated business that has been at its present location since its opening 36 years ago. The business has consistently and responsibly served the local community and has been well-received by both its residential and commercial neighbors. Applicant David Espinoza was born in Arizona and has lived in Chandler for over 50 years.

Point of Contact: Larry Espinoza
(480) 353-0729



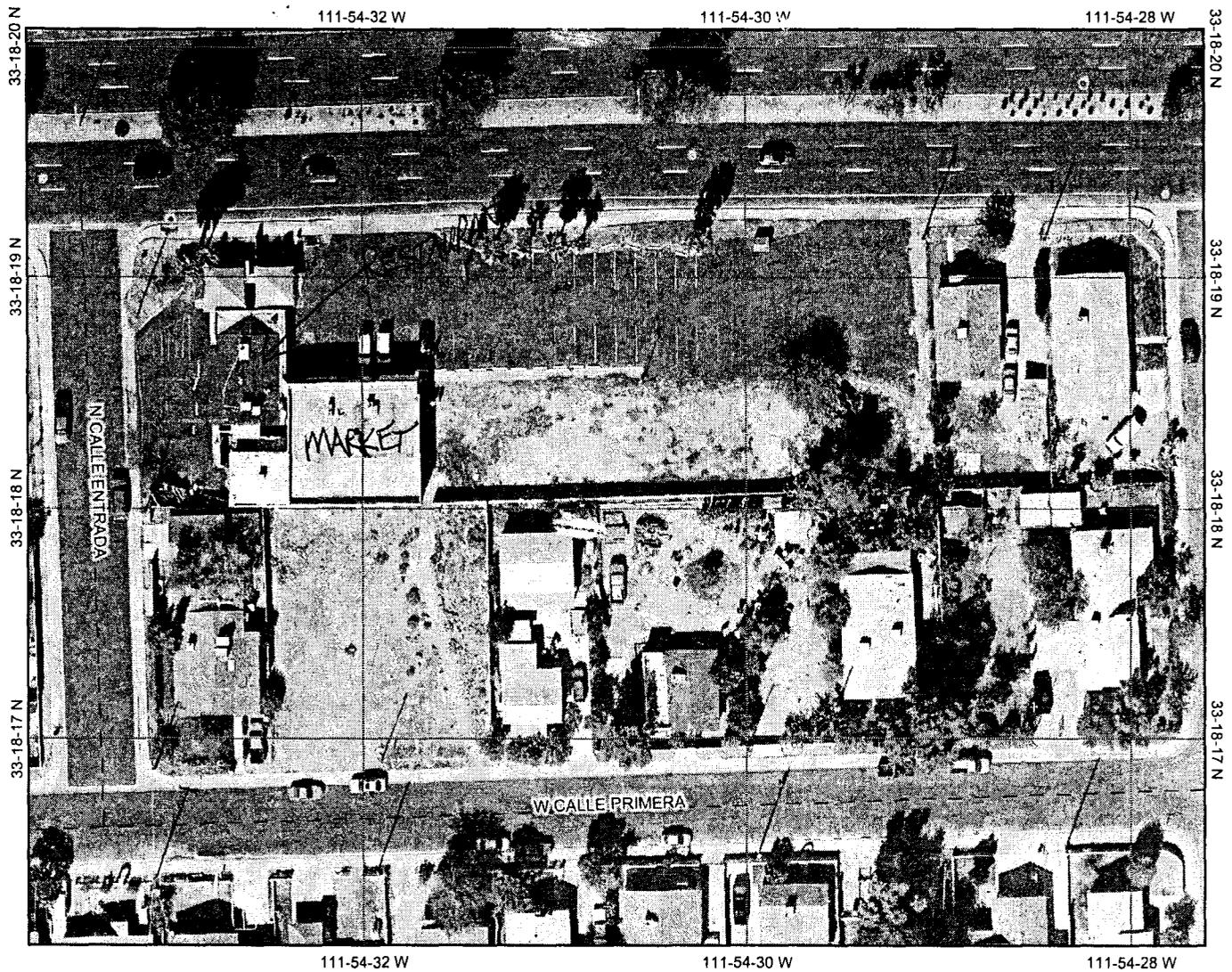
ESPINOZA'S MARKET



Legend

- ▲ Street Centerline
- ▲ Aerial Photo 11/2006

Scale: 1:856



Map center: 702488, 838508



The City of Chandler I.T. Division makes no warranties, written or implied, regarding the information on this map. This map is an user generated static output from the City of Chandler GIS Portal Site and is for general reference only. Data layers that appear on this map may or may not be accurate, current, or otherwise reliable.

ESPINOZA'S FOOD CENTER - FLOOR PLAN

GENERAL COOLER

GENERAL COOLER

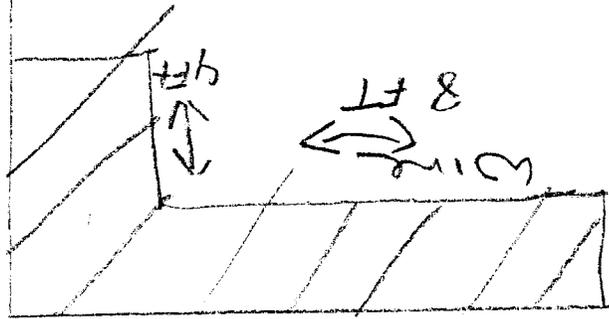
1/6 X 8"
Beer Cooler

FOOD SHELVES

FOOD SHELVES

COUNTER/REGISTER

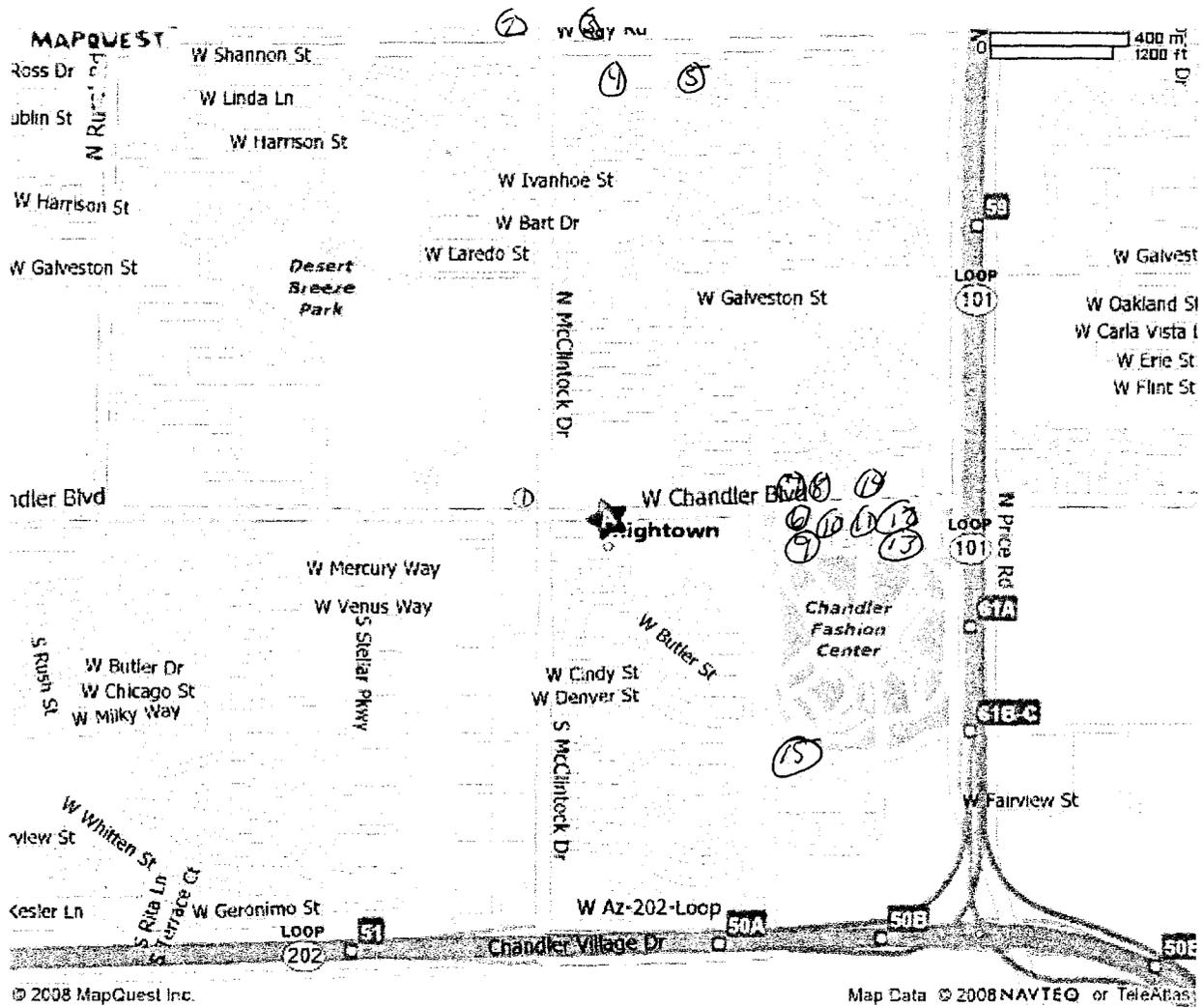
Front Door



EXIT

MAPQUEST

A: 3863 W Chandler Blvd, Chandler, AZ 85226-3804



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- ② Albertsons
- ③ Zipp's bar / grill
- ④ mobil
- ⑤ AMF bowling lanes
- ⑥ Elephant bar
- ⑦ Abuelos
- ⑧ Red Robin
- ⑨ Firebirds bar / grill
- ⑩ PF Chengs
- ⑪ The Keg bar / grill
- ⑫ Chillies
- ⑬ All star sports grill
- ⑭ Red fish
- ⑮ Logans