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MEMORANDUM

Planning & Development - PZ Memo No. 10-057

DATE: MAY 27, 2010

TO: PLANNING AND ZONING COMMISSION

THRU: PATRICK MCDERMOTT, ASSISTANT CITY MANAGER *PM*
JEFF KURTZ, ASSISTANT PLANNING & DEVELOPMENT DIRECTOR *JK*
KEVIN MAYO, PLANNING MANAGER *KM*

FROM: ERIK SWANSON, CITY PLANNER *ES*

SUBJECT: LUP10-0015 CVS #3965

Request: Use Permit approval for a Series 9 (all spirituous liquor) liquor license for off-premise consumption

Location: 5975 W. Chandler Boulevard,
Southeast corner of Chandler Boulevard and Kyrene Roads

Applicant: Adam Baugh, Withey, Morris, PLC

RECOMMENDATION

The request is for Use Permit approval for a Series 9 (all spirituous liquor) liquor license for off-premise consumption. Staff, upon finding consistency with the General Plan and Planned Area Development zoning, recommends approval with conditions.

BACKGROUND

The subject site is located at the southwest corner of Dobson and Germann Roads, within the Chuparosas commercial center. The subject site sits at the intersection corner within a larger commercial shopping center to the south and west. The surrounding commercial center is not yet developed.

The subject site received Use Permit approval for a Series 10 (beer and wine) liquor license in 2005. Due to a change in business operations and customer demand, CVS seeks to change their existing Series 10 liquor license to a Series 9. A Series 9 liquor license allows for the sale of all spirituous liquor.

The subject site is approximately 13,000 square feet; the liquor sales area will be located to the rear of the store inside and around the walk in cooler. The liquor sales area occupies approximately 16 linear feet. CVS is open from 7 a.m. to 10 p.m. seven days a week, and employs 12-15 people.

PUBLIC/NEIGHBORHOOD NOTIFICATION

This request was noticed in accordance with the requirements of the Chandler Zoning Code.

- Notices were mailed to all property owners within a six hundred foot radius and all Registered Neighborhood Organizations (RNOs) within ¼ mile.
- A neighborhood meeting was held on Monday, May 3, 2010. No neighbors were in attendance.

At the time of this writing, Staff has received no telephone calls or letters opposed to this application.

RECOMMENDED ACTION

Staff, upon finding consistency with the General Plan and PAD zoning, recommends approval of LUP10-0015 CVS #3965, subject to the following conditions:

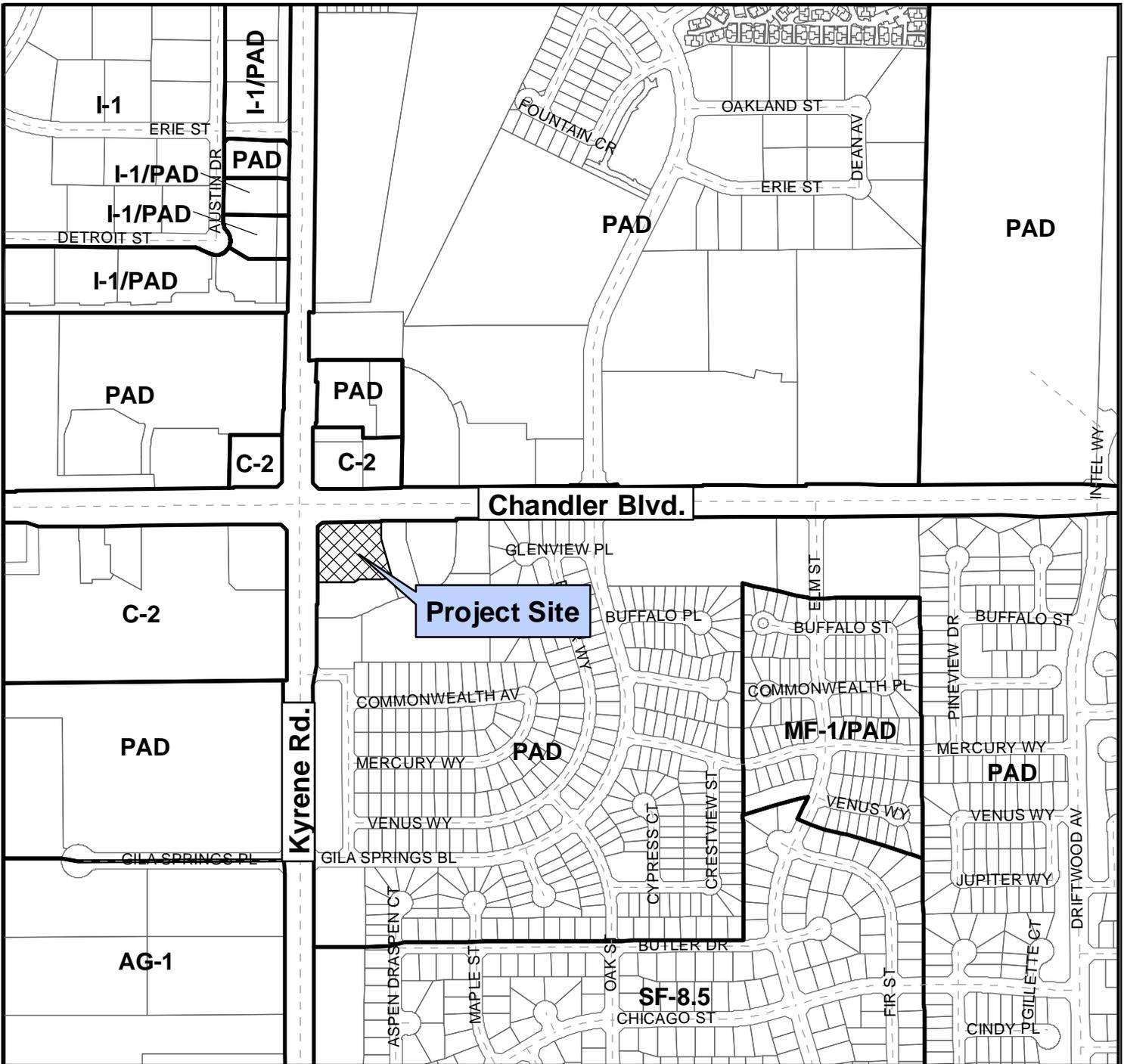
1. The Use Permit is for a Series 9 liquor license only, and any change in type of license shall require reapplication and new Use Permit approval.
2. Expansion or modification beyond the approved exhibits (Floor Plan and Narrative) shall void the Use Permit and require new Use Permit application and approval.
3. The Use Permit is non-transferable to any other store location.
4. The site shall be maintained in a clean and orderly manner.

PROPOSED MOTION

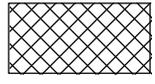
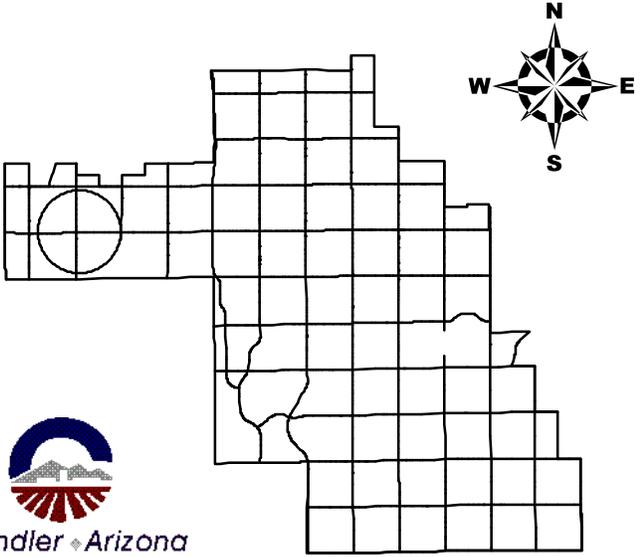
Motion to recommend approval of LUP10-0015 CVS #3965, Use Permit approval for a Series 9 liquor license, subject to the conditions recommended by Staff.

Attachments

1. Vicinity Maps
2. Site Plan
3. Floor Plan
4. Applicant Narrative



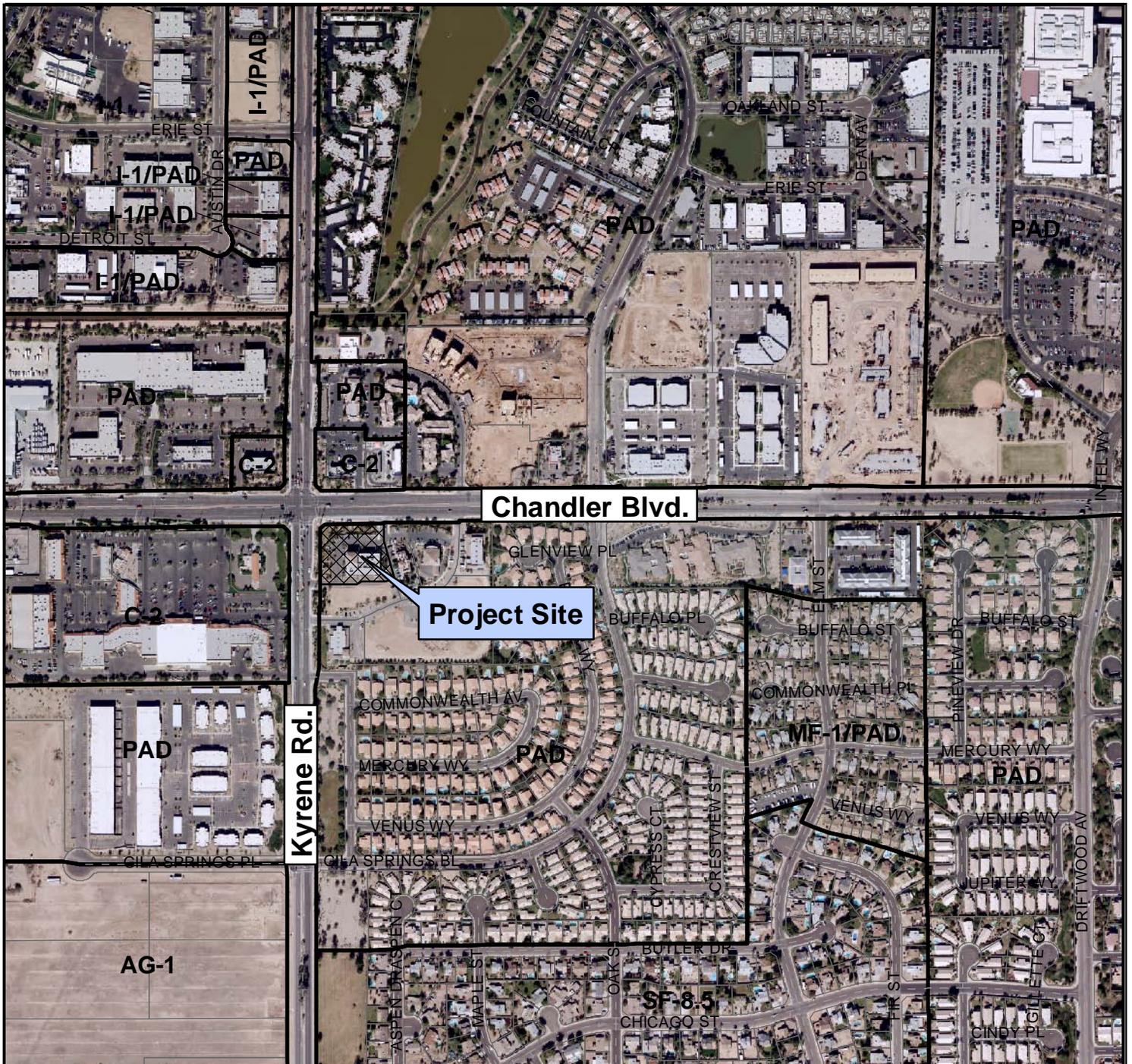
Vicinity Map



LUP10-0015

**CVS/Pharmacy #3965
Liquor Use Permit**





Chandler Blvd.

Kyrene Rd.

Project Site

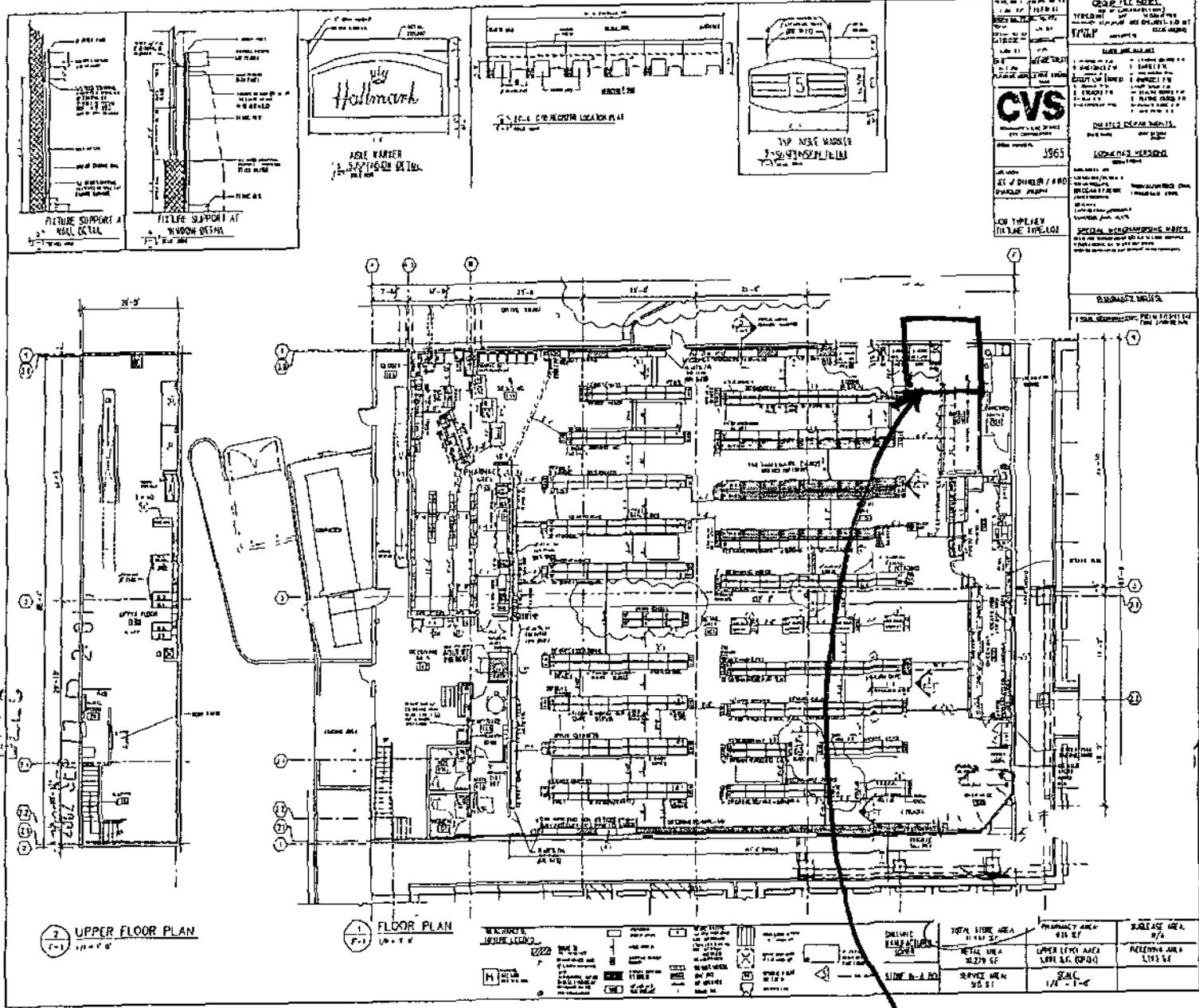
Vicinity Map



LUP10-0015

**CVS/Pharmacy #3965
Liquor Use Permit**





CVS
 PHARMACY
 3965
 1100 N. MARKET ST.
 PITTSBURGH, PA 15202
 TEL: (412) 381-1123
 FAX: (412) 381-1123

Carter Burgess
 ARCHITECTS & ENGINEERS
 3201 W. SCHUBERT BLVD.
 SUITE 200
 FORT WORTH, TX 76107-4008
 TEL: (817) 332-8552
 FAX: (817) 332-8530

CONTRACT

CVS/
 pharmacy
 TYPE XII - LEFT
 PHARMACY (CMU)
 STORE NUMBER 3965
 SIC # 591200 / STORE
 STAKEHOLDER

DEVELOPER
 THE DISTRICT COMPANY
 1100 N. MARKET ST.
 PITTSBURGH, PA 15202
 TEL: (412) 381-1123
 FAX: (412) 381-1123

REVISIONS
 REVISIONS FROM REVISED 4/18/92
 DRAWING DATED 7/10/92

11/01/0000 PWD
 PLANNING ARCH JEM
 DRAWING BY CAM
 DATE: 08/11/92
 JOB NUMBER: 396500
 TITLE:

FINAL MERCHANDISE PLAN
 SHEET NUMBER
 F-1
 COMMENTS
 NOT TO BE USED FOR CONSTRUCTION

LIQUOR SALES AREA

FLOOR PLAN

CVS/pharmacy
SWC Chandler Boulevard and Kyrene Road
Series 9 Liquor License
Narrative

March 12, 2010

Request:

This application requests approval of a Use Permit to sell liquor for off-premise consumption only (Series 9 - Liquor Store) at the CVS/pharmacy located at the southwest corner of Kyrene and Chandler Roads. In 2002, the City of Chandler approved a use permit to sell liquor for off premise consumption. Since that time, the store has operated with a Beer and Wine license without incident (Series 10 license).

In response to customer demand, CVS/pharmacy desires to provide spirituous liquor for off-premise consumption in order to compliment the current beer and wine retail options. The ability to provide their customers with a convenient and competitive one-stop shopping experience is of utmost importance to CVS/pharmacy.

CVS/pharmacy has applied for a Series 9 License which allows a retail store to sell beer, wine, and spirituous liquor in the original unbroken package, to be taken away from the retailer's premises and consumed off the premises. The new Use Permit, if approved, will not result in any changes to the existing store operations or manner of sales. The use permit will simply allow a greater variety of options. CVS/pharmacy will maintain strict compliance with store policies and applicable laws to ensure the store and the surrounding developments continue to enjoy a good relationship.

Property:

The CVS/pharmacy is located at the southwest corner of Kyrene and Chandler Roads. The store is part of the larger planned commercial development at this location. This site was zoned PAD in 2001 with commercial uses designated at this site. The center is surrounded by commercial zoning and uses to the north, south, east, and west.

Store Hours/Employees:

The CVS/pharmacy is approximately 13,000 square-feet. Typical store hours are 8:00 a.m. to 10:00 p.m. seven days a week and hire approximately 12-15 employees. Alcohol display areas will be located in aisles toward the back of the store inside and around the walk in cooler. According to management, the

amount of alcohol sold varies from store to store depending upon the store's location.

Notification:

In compliance with the City's notification requirements, all property owners located within 600' of the project boundaries will be notified of the application. Attached is a map highlighting the properties which are located within the 600' boundary and the associated mailing information.