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MEMORANDUM

Planning & Development - PZ Memo No. 10-058

DATE: MAY 27, 2010

TO: PLANNING AND ZONING COMMISSION

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

FROM: ERIK SWANSON, CITY PLANNER 

SUBJECT: LUP10-0016 CVS #5038

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

Location: 2010 S. Dobson Road
Southwest corner of Dobson and Germann 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 Chuparasas 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 has not 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 LUP10-0016 CVS #5038, subject to the following conditions:

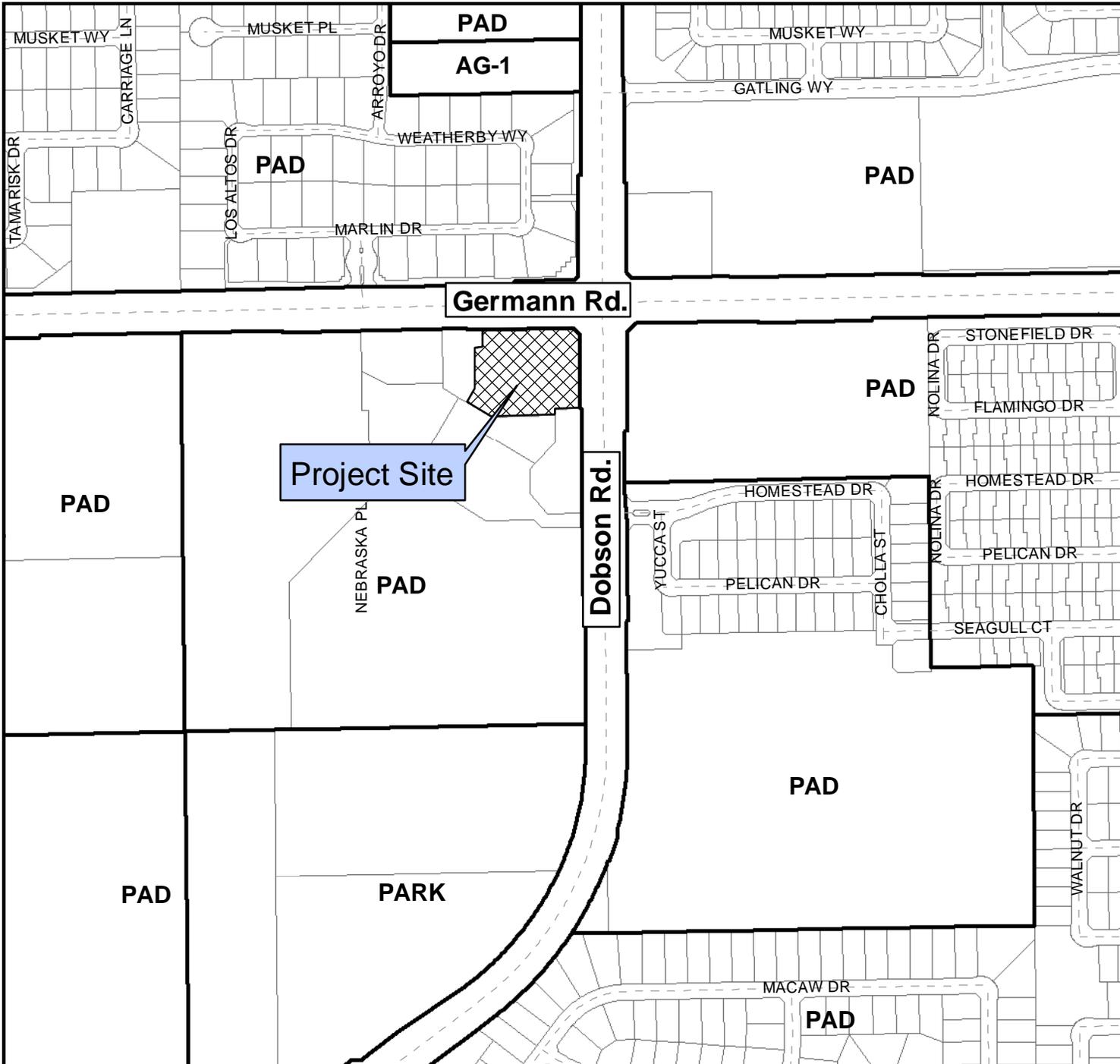
1. The Use Permit is for a Series 9 liquor license only, and any change in type of license shall require reapplication and new Use Permit approval.
2. Expansion or modification beyond the approved exhibits (Floor Plan and Narrative) shall void the Use Permit and require new Use Permit application and 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

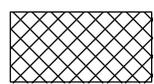
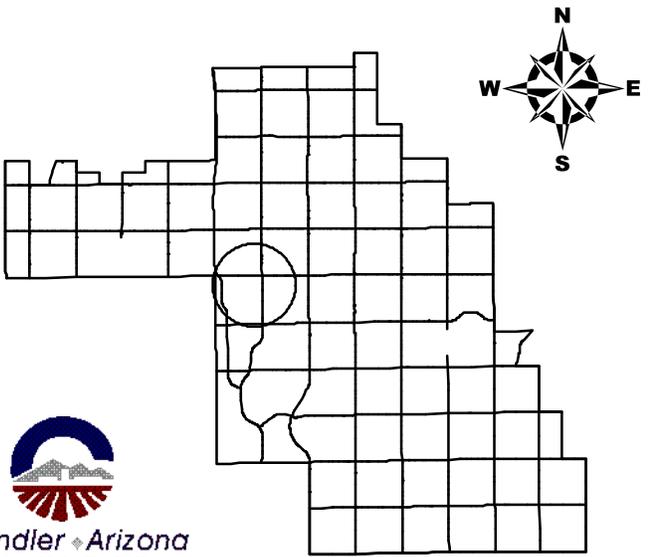
Motion to recommend approval of LUP10-0016 CVS #5038, Use Permit approval for a Series 9 liquor license, subject to the conditions recommended by Staff.

Attachments

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



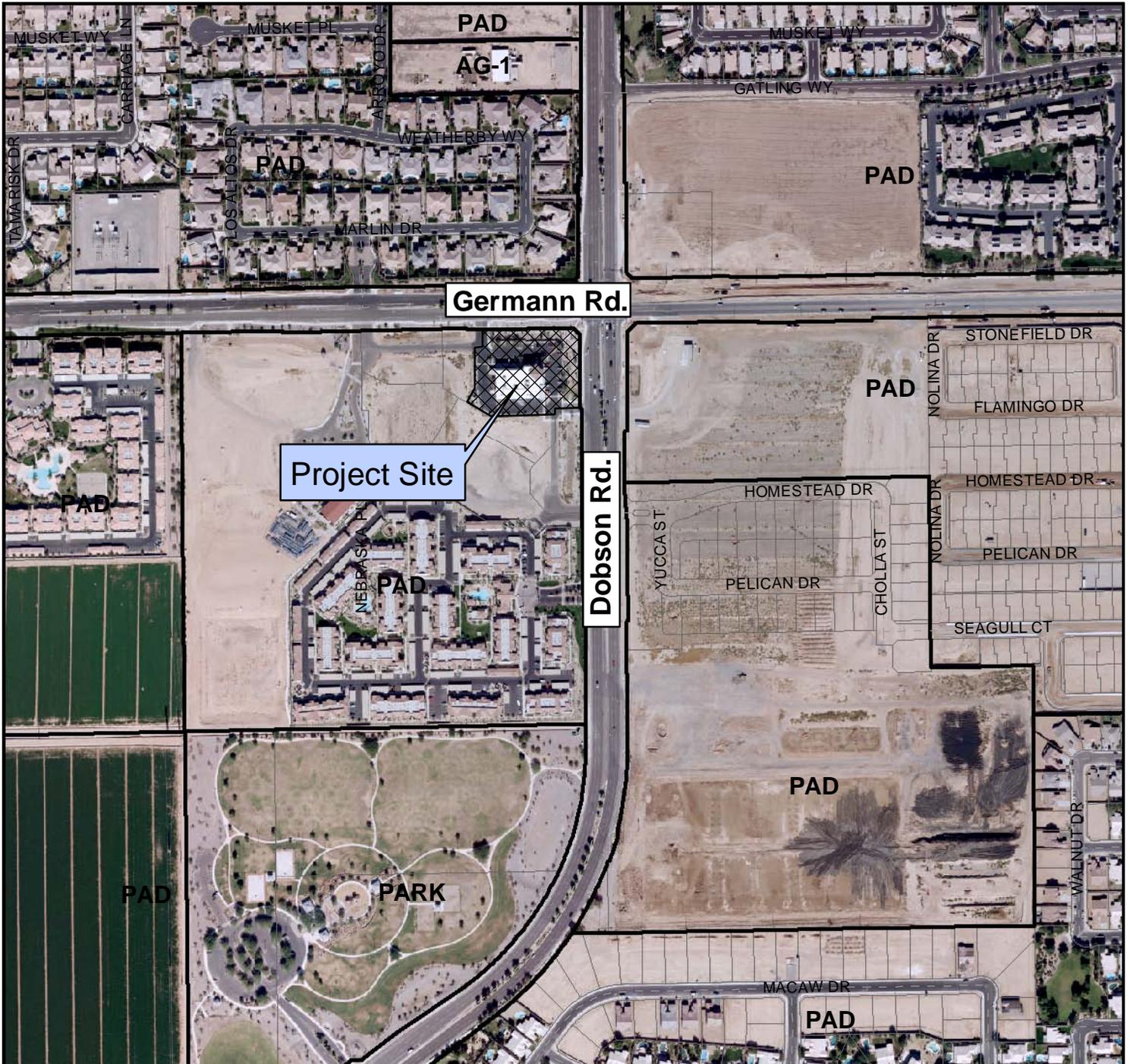
Vicinity Map



LUP10-0016

**CVS/Pharmacy #5038
Liquor Use Permit**



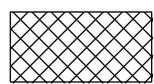
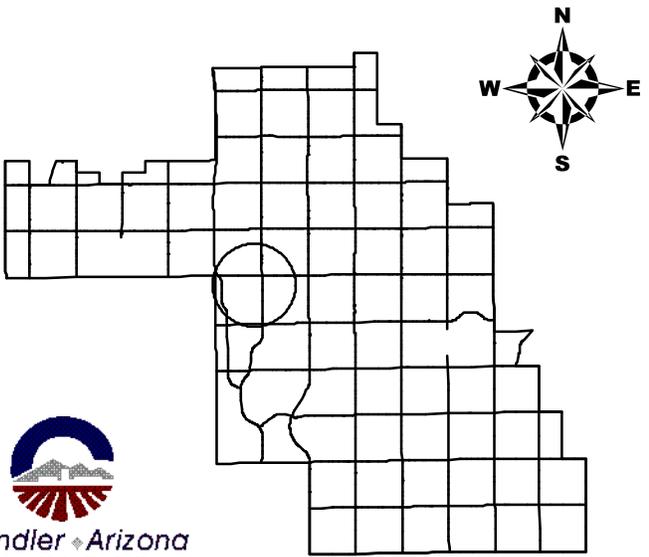


Germann Rd.

Dobson Rd.

Project Site

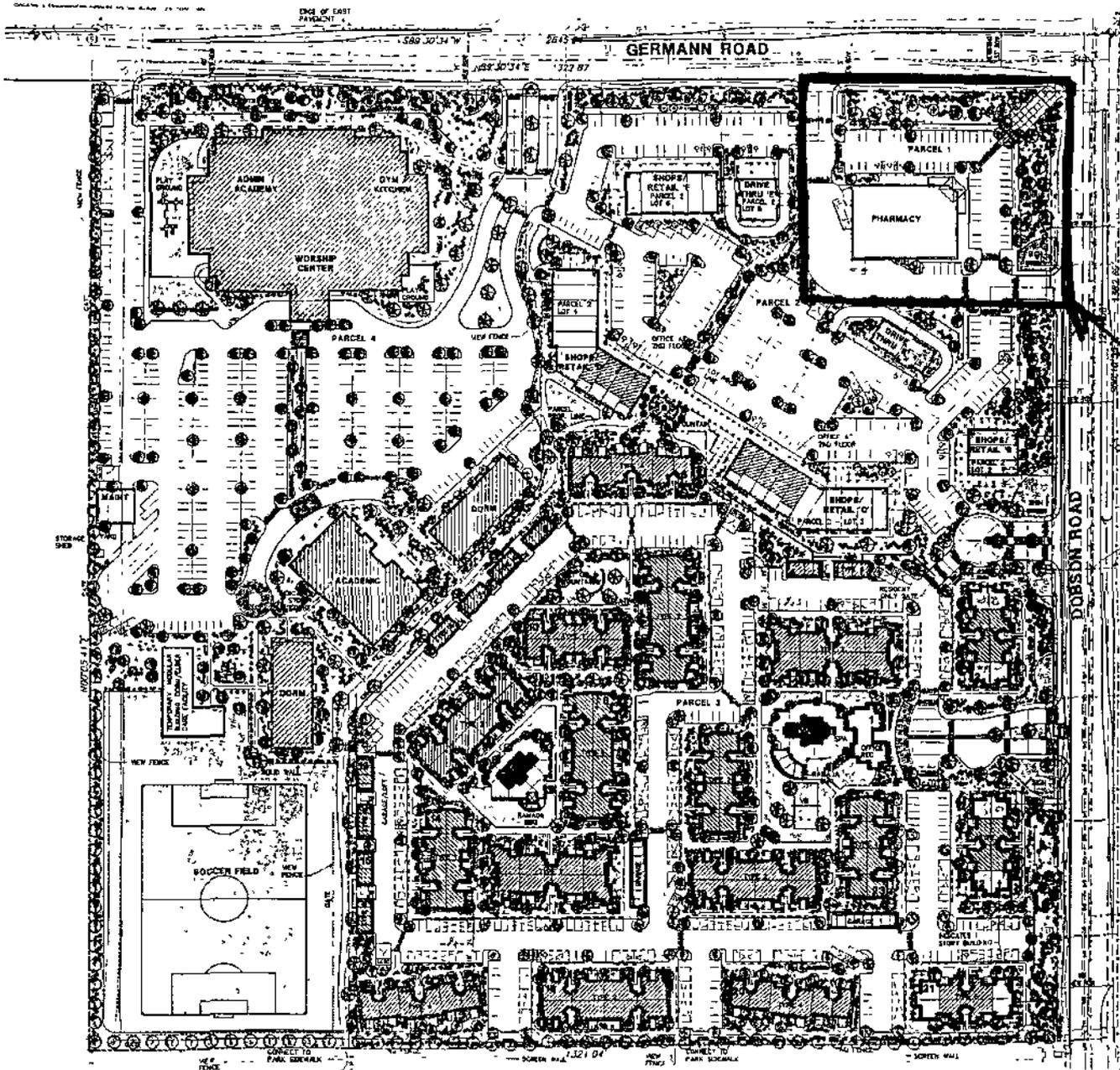
Vicinity Map



LUP10-0016

**CVS/Pharmacy #5038
Liquor Use Permit**





DEVELOPMENT DATA

PARCEL 1 (PHARMACY)

GROSS AREA	3.08 ACRES
NET AREA OF EXIST ROW	2.79 ACRES
NET AREA	1.89 ACRES
PHARMACY	13,000 S.F.
LOT COVERAGE	12 %
PARKING REQUIRED (5/1,000 S.F.)	65 SPACES
PARKING PROVIDED	65 SPACES

PARCEL 2 (RETAIL OFFICE DRIVE-THRU)

GROSS AREA	7.67 ACRES
NET AREA OF EXIST ROW	7.38 ACRES
NET AREA	6.44 ACRES
RETAIL	35,600 S.F.
OFFICE	8,000 S.F.
DRIVE THRU	6,390 S.F.
	49,990 S.F.
LOT COVERAGE	18 %
PARKING REQUIRED (5/1,000 S.F. AT RETAIL AND 1/150 S.F. AT OFFICE)	264 SPACES
PARKING PROVIDED	268 SPACES

PARCEL 3 (MULTI-FAMILY)

GROSS AREA	15.08 ACRES
NET AREA	14.1 ACRES
UNIT MIX	
LOT	10
1 BEDROOM	100
2 BEDROOM	132
3 BEDROOM	16
	258
PARKING REQUIRED	
LOFT	10x15 = 15
1 BEDROOM	100x15 = 150
2 BEDROOM	152x2 = 254
3 BEDROOM	136x2 = 32
GUEST	250x0.25 = 65
	526
PARKING PROVIDED	
OPEN SPACES	185
COVERED SPACES	258
GARAGE	56
(VARIANCE REQUESTED)	499

PARCEL 4 (CHURCH)

GROSS AREA	14.18 ACRES
NET AREA OF EXIST ROW	13.75 ACRES
NET AREA	13.30 ACRES
CHURCH	90,000 S.F.
ACADEMIC	33,000 S.F.
DORM	31,500 S.F.
MAINT	2,250 S.F.
	156,750 S.F.
LOT COVERAGE	17 %
PARKING PROVIDED	378 SPACES

CHUPAROSAS
CHANDLER, ARIZONA

WHITNEYBELL ARCHITECTS INC
407 East Mesa Avenue
Phoenix Arizona 85012-7726
(602)263-1978



1.10
0109

DATE: 01/11/01
PROJECT: 01-11-01
SITE PLAN
PRELIMINARY

PRELIMINARY SITE PLAN

SITE PLAN

CVS/pharmacy
SWC Germann and Dobson Roads
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 Germann and Dobson Roads. In 2005, 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 Germann and Dobson Roads. The store is part of the larger planned commercial development at this location. This site was zoned PAD in 2003 with commercial uses designated at this site. To the center's north is a residential subdivision that existed when the use permit was originally approved. The residential development and CVS/pharmacy have enjoyed a compatible relationship without incident since the store opened in 2005. Other surrounding uses include a variety of existing commercial uses to the northeast, and vacant land to the 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.