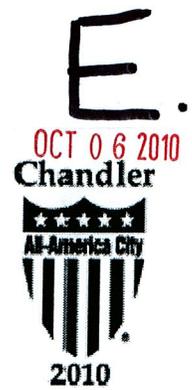




Chandler · Arizona
Where Values Make The Difference



MEMORANDUM

Transportation & Development - PZ Memo No. 10-099

DATE: SEPTEMBER 22, 2010

TO: PLANNING AND ZONING COMMISSION

THRU: R.J. ZEDER, TRANSPORTATION & DEVELOPMENT DIRECTOR
JEFF KURTZ, PLANNING ADMINISTRATOR
KEVIN MAYO, PLANNING MANAGER *KM*

FROM: ERIK SWANSON, CITY PLANNER *ES*

SUBJECT: LUP10-0033 CVS #7075

Request: Use Permit approval for a Series 9 (all spirituous liquor) liquor license

Location: 2995 E. Chandler Heights Road,
Southwest corner of Chandler Heights and Gilbert 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 only. 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 Chandler Heights and Gilbert Roads. The subject site is part of the Shoppes at Riggs Ranch commercial shopping center, and was zoned and approved for development in 2004. The subject site received Use Permit approval for a Series 10 (beer and wine) liquor license in 2006, and has operated with the Series 10 since.

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. CVS is open from 8 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 Wednesday, August 25, 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 LUP10-0033 CVS #7075 subject to the following conditions:

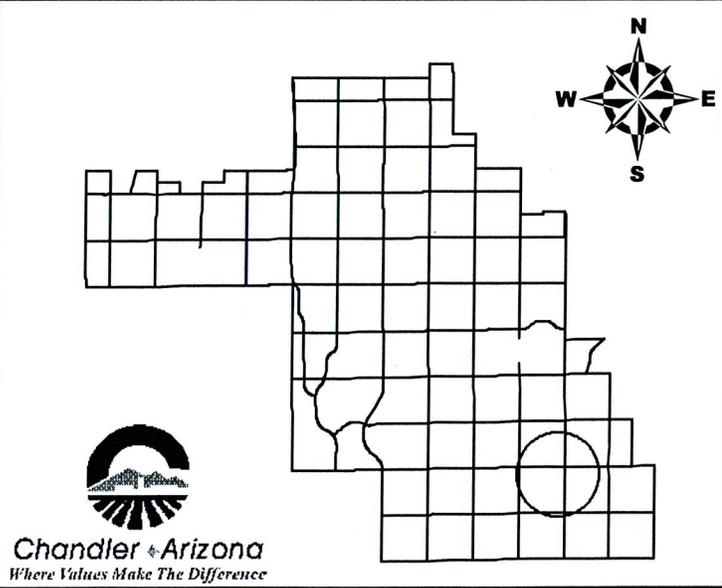
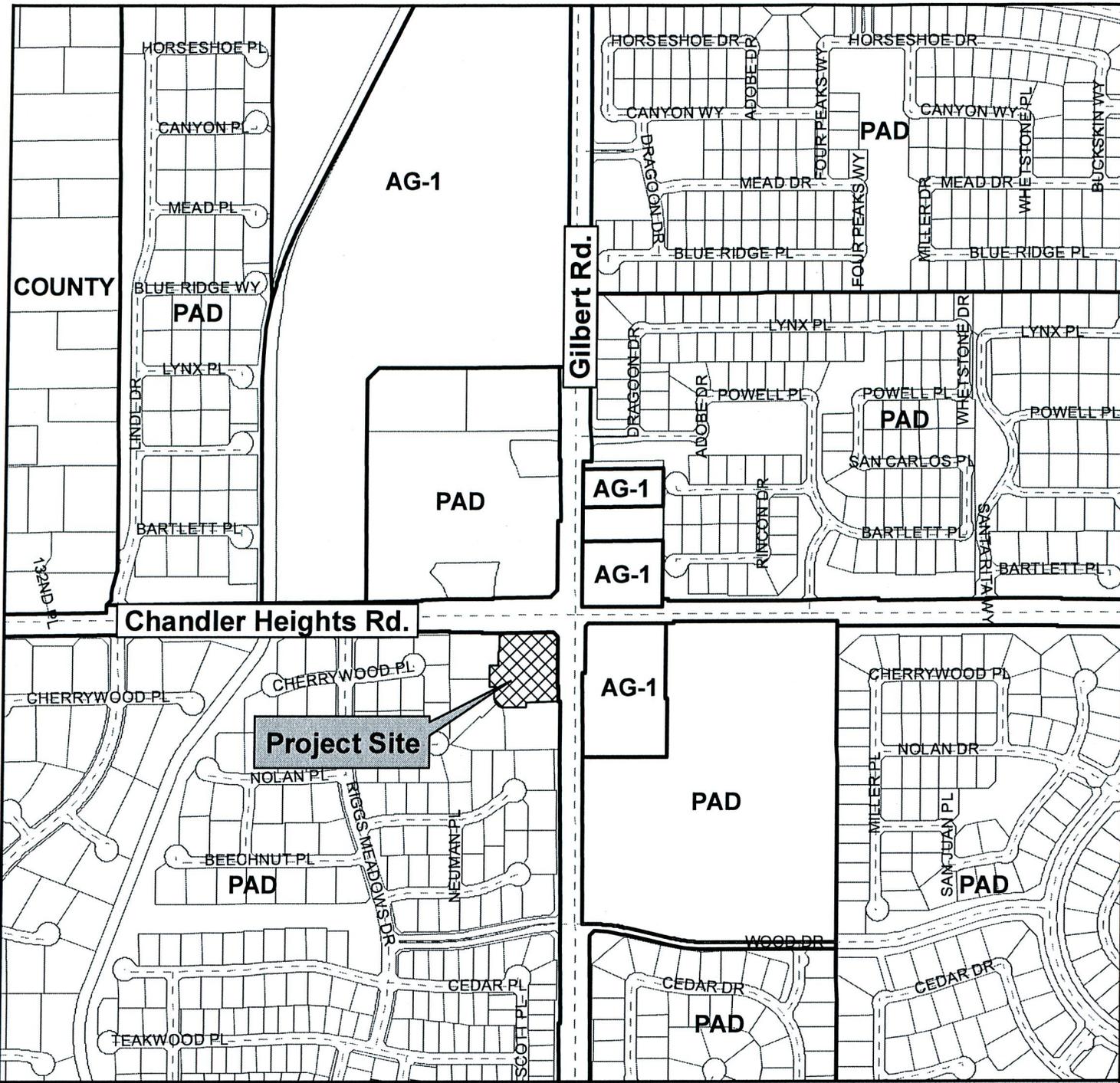
1. The Use Permit is for a Series 9 liquor license only, and any change in type of license shall require reapplication and new Use Permit approval.
2. Expansion or modification beyond the approved exhibits (Floor Plan and Narrative) shall void the Use Permit and require new Use Permit application and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

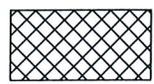
Motion to recommend approval of LUP10-0033 CVS #7075, for a Series 9 liquor license, subject to the conditions recommended by Staff.

Attachments

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



Vicinity Map



LUP10-0033

**CVS/Pharmacy #7075
Liquor Use Permit**

COUNTY

AG-1

PAD

PAD

Gilbert Rd.

AG-1

AG-1

PAD

PAD

Chandler Heights Rd.

Project Site

AG-1

PAD

CHERRYWOOD PL

NOLAN DR

PAD

WOOD DR

CEDAR DR

PAD

CEDAR DR

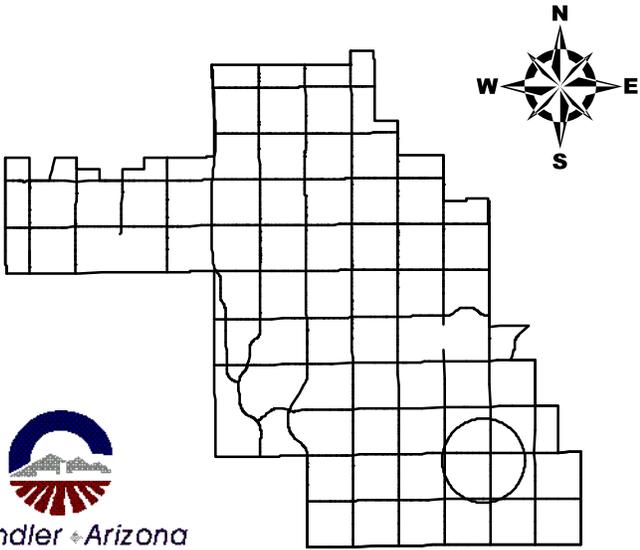


Chandler Heights Rd.

Gilbert Rd.

Project Site

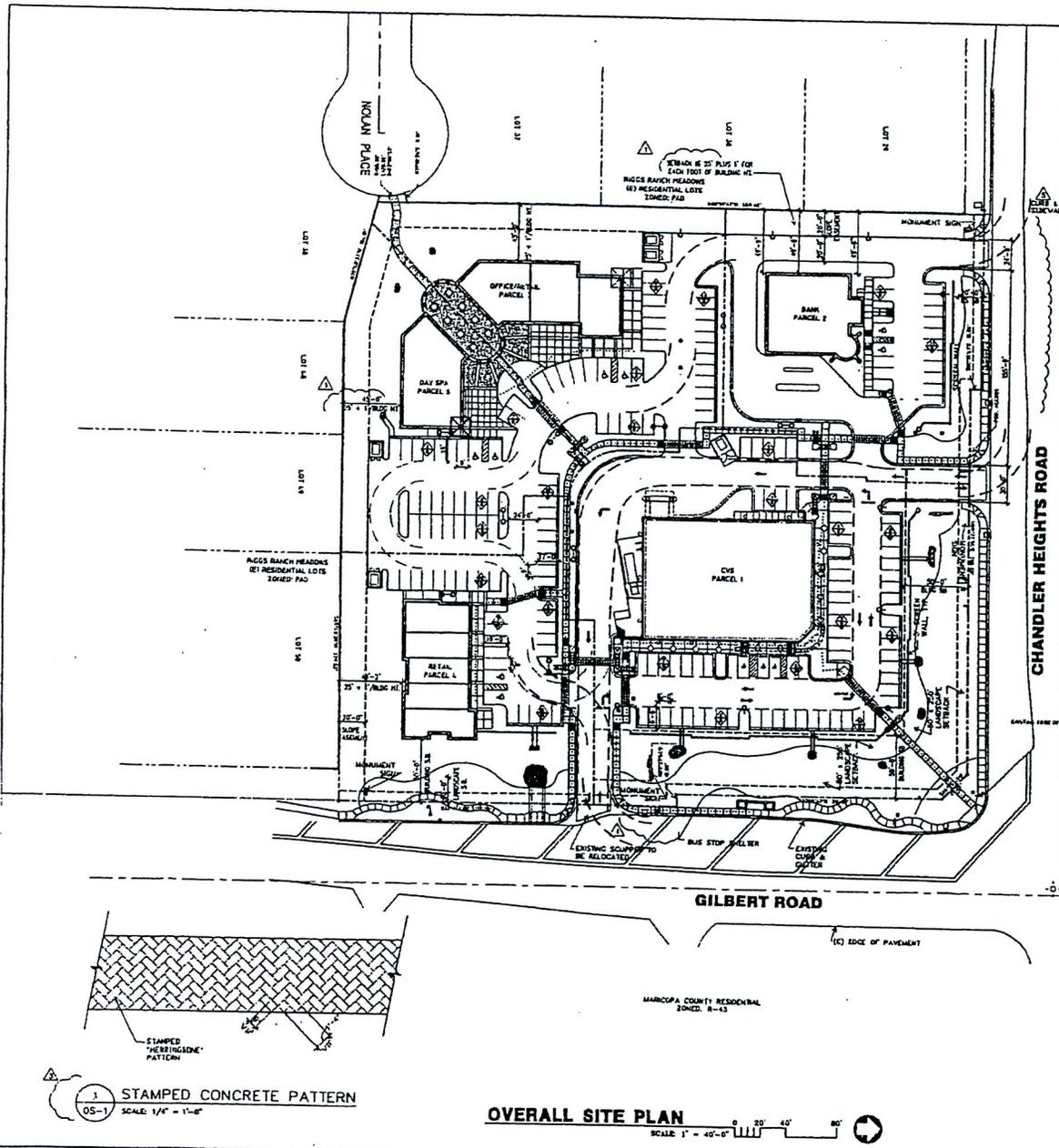
Vicinity Map



LUP10-0033

**CVS/Pharmacy #7075
Liquor Use Permit**





DEVELOPMENT DATA

TOTAL SITE:
 TOTAL SITE AREA: 5.38 ACRES
 TOTAL BUILDING: 35,213 S.F.
 PARKING REQUIRED (5.5/1,000 S.F.): 181 SPACES
 PARKING PROVIDED: 187 SPACES (INCLUDES 11 HC SPACES)

PARCEL 1 (PHARMACY):
 NET AREA: 1.88 ACRES (82,430 S.F.)
 BUILDING AREA: 13,013 S.F.
 PARKING REQUIRED (5.5/1,000 S.F.): 79 SPACES
 PARKING PROVIDED: 71 SPACES (INCLUDES 3 HC SPACES)

PARCEL 2 (BANK):
 NET AREA: 0.84 ACRES (40,781 S.F.)
 BUILDING AREA: 4,825 S.F.
 PARKING REQUIRED (5.5/1,000 S.F.): 28 SPACES
 PARKING PROVIDED: 20 SPACES (INCLUDES 2 HC SPACES)

PARCEL 3 (SPECIALTY RETAIL - OFFICE):
 NET AREA: 0.90 ACRES (39,150 S.F.)
 BUILDING AREA: 8,150 S.F.
 PARKING REQUIRED (5.5/1,000 S.F.): 24 SPACES
 PARKING PROVIDED: 32 SPACES (INCLUDES 2 HC SPACES)

PARCEL 4 (RETAIL):
 NET AREA: 0.86 ACRES (42,027 S.F.)
 BUILDING AREA: 6,000 S.F.
 PARKING REQUIRED (5.5/1,000 S.F.): 33 SPACES
 PARKING PROVIDED: 35 SPACES (INCLUDES 2 HC SPACES)

PARCEL 5 (DAY SPA):
 NET AREA: 0.74 ACRES (32,251 S.F.)
 BUILDING AREA: 4,000 S.F.
 PARKING REQUIRED (5.5/1,000 S.F.): 22 SPACES
 PARKING PROVIDED: 29 SPACES (INCLUDES 2 HC SPACES)

LEGEND:
 [Symbol] PARKING COUNT - UNCOVERED
 [Symbol] PARKING COUNT - COVERED

[Symbol] REFUSE ENCLOSURE

[Symbol] SITE ELEMENT

[Symbol] CURB RAMP

[Symbol] STAMPED CONCRETE PATTERN - SEE DETAIL THIS SHEET

[Symbol] SITE LIGHTING

[Symbol] FD TURNING RADIUS 35' INSIDE, 55' OUTSIDE

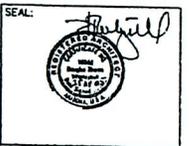
[Symbol] CARRIAGE TRACK TURNING RADIUS 24' INSIDE, 42' OUTSIDE

[Symbol] ACCESSIBILITY ROUTE - SEE SHEET A-7.1 FOR ACCESSIBILITY REQUIREMENTS

- STANDARD NOTES PROVIDED BY CITY OF CHANDLER:**
- 1) ALL SITE IMPROVEMENTS, INCLUDING LANDSCAPE AND SITE CLEANUP, MUST BE COMPLETED PRIOR TO CERTIFICATE OF OCCUPANCY FOR ANY BUILDING WITHIN A PHASE.
 - 2) ALL ROOF MOUNTED MECHANICAL EQUIPMENT SHALL BE FULLY SCREENED BY PARAPET WALLS EQUAL TO, OR GREATER THAN, THE HIGHEST POINT ON THE MECHANICAL EQUIPMENT.
 - 3) SOLID MASONRY WALLS AND GATES EQUAL TO, OR GREATER THAN, THE HIGHEST POINT ON THE MECHANICAL EQUIPMENT SHALL SCREEN ALL GROUND MOUNTED MECHANICAL EQUIPMENT.
 - 4) ALL EXTERNAL LIGHTING SHALL BE LOCATED AND DESIGNED TO PREVENT RAYS FROM BEING DIRECTED OFF THE PROPERTY UPON WHICH THE LIGHTING IS LOCATED.
 - 5) SIGNS REQUIRE SEPARATE PERMIT.
 - 6) THE CVS AND ANOTHER BUILDING ON THIS CENTER SHALL RECEIVE A CERTIFICATE OF OCCUPANCY AT THE SAME TIME.
 - 7) THE FIRE DOUBLE DETECTOR FD402 SHALL BE PAINTED FOREST GREEN. THE FDC SHALL BE PAINTED FOREST GREEN EXCEPT FOR THE ADDRESS SIGN ON THE UNIT WHICH IS RED WITH WHITE LETTERS.
 - 8) TRANSFORMER SHALL BE PAINTED TO MATCH THE BUILDING COLOR. CVS AND BANK BUILDINGS TO BE PHASE I. OTHER PHASING HAS NOT YET BEEN DETERMINED.
 - 9) TRANSFORMER SHALL BE PAINTED TO MATCH THE BUILDING COLOR. CVS AND BANK BUILDINGS TO BE PHASE I. OTHER PHASING HAS NOT YET BEEN DETERMINED.



CONSULTANT:



CVS/
pharmacy
 ARIZONA 13K - LEFT
 STORE NUMBER: 7075
 SNC - CHANDLER HIS. RD. & GILBERT RD.
 CHANDLER, ARIZONA
 DEAL TYPE: NEW

DEVELOPER:
 ARMSTRONG DEVELOPMENT
 1230 W. WASHINGTON ST.
 SUITE 214
 TEMPE, ARIZONA, 8527
 TEL (602) 728-3000
 FAX (602) 728-3001

REVISIONS:

| | |
|----------|-------------------------|
| [Symbol] | CITY COMMENTS 10-10-04 |
| [Symbol] | OWNER COMMENTS 12-13-04 |
| [Symbol] | CITY COMMENTS 3-13-05 |
| [Symbol] | CITY COMMENTS 4-30-05 |

DRAWING BY: AM
 DATE: 14 OCTOBER 2004
 JOB NUMBER: 0363

TITLE:
OVERALL SITE PLAN

SHEET NUMBER:
OS-1

COMMENTS:
 SUBMITTAL FOR PERMIT

SITE PLAN

CVS/pharmacy
SWC Gilbert and Chandler Heights Roads
Series 9 Liquor License
Narrative

July 6, 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 Gilbert and Chandler Heights Roads. In February 2006, 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 residential development continue to enjoy a good relationship.

Property:

The CVS/pharmacy is located at the southwest corner of Gilbert and Chandler Heights Roads. The store is part of the larger commercial development at this location. This site was zoned PAD in 2004 with CVS planned for the arterial corner.

The subject site is bordered to the north by a 22-acre commercial retail site. To the south and west is Riggs Ranch Meadows, a single-family subdivision. East of Gilbert Road is vacant land planned for the Amberwood Heights residential subdivision. North and east of the intersection is the Reid's Ranch residential subdivision which is partially constructed. The residential development and CVS/pharmacy have enjoyed a compatible relationship without incident since its inception in 2006.

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.