



**MEMORANDUM                      Transportation & Development – CC Memo No. 12-025**

**DATE:**            MARCH 8, 2012

**TO:**                MAYOR AND CITY COUNCIL

**THRU:**            RICH DLUGAS, CITY MANAGER <sup>RD</sup>  
                         PATRICK MCDERMOTT, ASSISTANT CITY MANAGER  
                         R.J. ZEDER, TRANSPORTATION & DEVELOPMENT DIRECTOR <sup>JZ</sup>  
                         JEFF KURTZ, PLANNING ADMINISTRATOR <sup>JK</sup>  
                         KEVIN MAYO, PLANNING MANAGER <sup>KM</sup>

**FROM:**            BILL DERMODY, SENIOR CITY PLANNER ~~BD~~ : **BD**

**SUBJECT:**        LUP12-0004 CIRCLE K STORE

**Request:**            Use Permit approval to sell beer & wine for off-premise consumption only at a convenience store (Series 10 Liquor License)

**Location:**            Southwest corner of Elliot Road and Arizona Avenue

**Applicant:**            Circle K Stores, Inc.

**Owner:**              Arizona Elliot Holdings, LLC

**Zoning:**              Planned Area Development (PAD)

**RECOMMENDATION**

Planning Commission and Staff, finding consistency with the General Plan, recommend approval.

**BACKGROUND**

The request is for Use Permit approval to sell alcohol for off-premise consumption from a planned fuel station convenience store in conjunction with a Series 10 Wine & Beer Store License. The currently vacant site is located at the southwest corner of Elliot Road and Arizona Avenue. In January 2012, the site received zoning approval and Preliminary Development Plan (PDP) approval for a 6.6-acre multi-use development, including the fuel station and convenience

store, a car wash, a self-storage complex, and two fast-food pads. The car wash, fuel station, and convenience store are anticipated to be developed in 2012 as Phase I.

To the west are townhomes, to the southwest is an apartment complex, and to the south along Arizona Avenue is a truck rental facility. The intersection's other corners are either existing commercial (northwest corner) or planned commercial uses (northeast and southeast corners). The northwest corner's retail center has several businesses with alcohol sales, including two restaurants (Series 12 License), a bar (Series 6 License), and a convenience store (Series 10 License).

The 4,450 square foot convenience store will sell beer and wine seven (7) days a week during the hours permitted by the State of Arizona (currently 6 a.m. to 2 a.m.). A separate Use Permit application has been submitted that, if approved, would allow for the store to be open 24 hours, though alcohol sales would still be limited to those allowed by state law. A Series 10 Wine & Beer Store License allows for off-premise consumption only.

Planning Commission and Staff recommend the standard condition regarding maintaining the site in a "clean and orderly manner" to ensure that no littering occur on the vacant portion of the site or adjacent to the store.

#### **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 February 27, 2012 at the Downtown Community Center. No neighbors attended.
- One neighbor called in opposition to the request because he believes there are too many places in the area already to buy alcohol, and that it will have a negative effect on crime in the nearby apartment complexes. He requests that Circle K provide 24 hour security if they are approved to sell alcohol.

#### **PLANNING COMMISSION VOTE REPORT**

Motion to approve:

In Favor: 7    Opposed: 0

#### **RECOMMENDED ACTION**

Planning Commission and Staff, upon finding consistency with the General Plan, recommend approval of LUP12-0004 CIRCLE K STORE subject to the following conditions:

1. The Use Permit granted is for a Series 10 License only, and any change of license shall require reapplication and new Use Permit approval.
2. The Use Permit is non-transferable to any other location.

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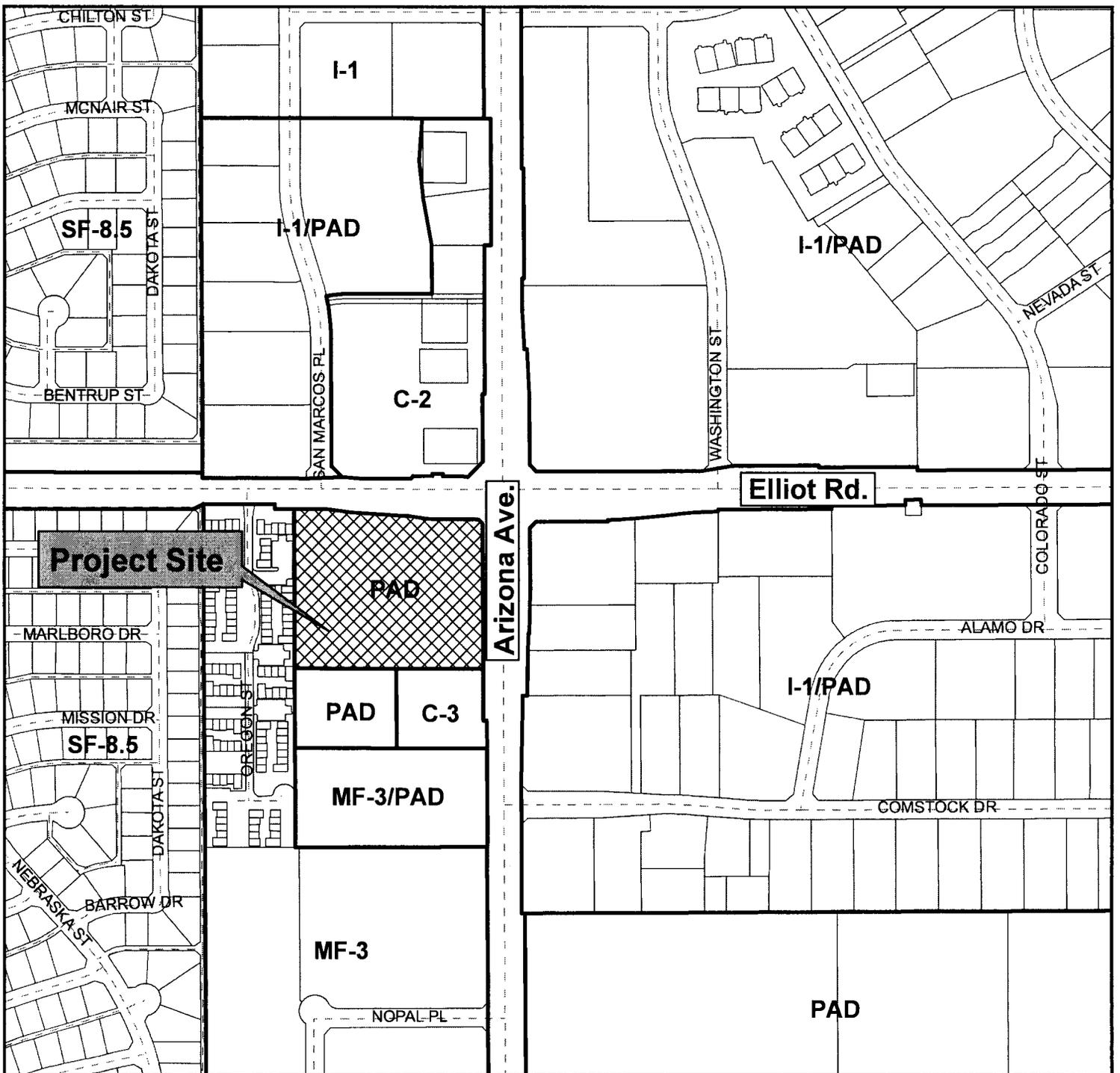
3. Expansion beyond the approved Floor Plan and Narrative shall void the Use Permit and require new Use Permit application and approval.
4. The site shall be maintained in a clean and orderly manner.

**PROPOSED MOTION**

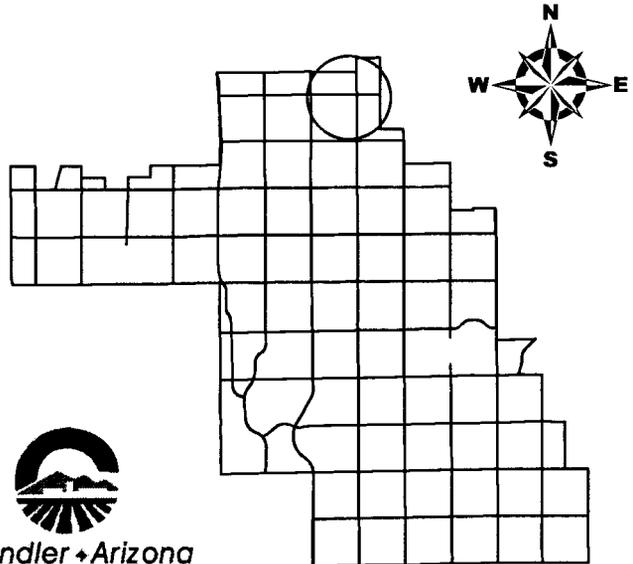
Move to approve LUP12-0004 CIRCLE K STORE Use Permit for liquor sales subject to the conditions recommended by Planning Commission and Staff.

**Attachments**

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



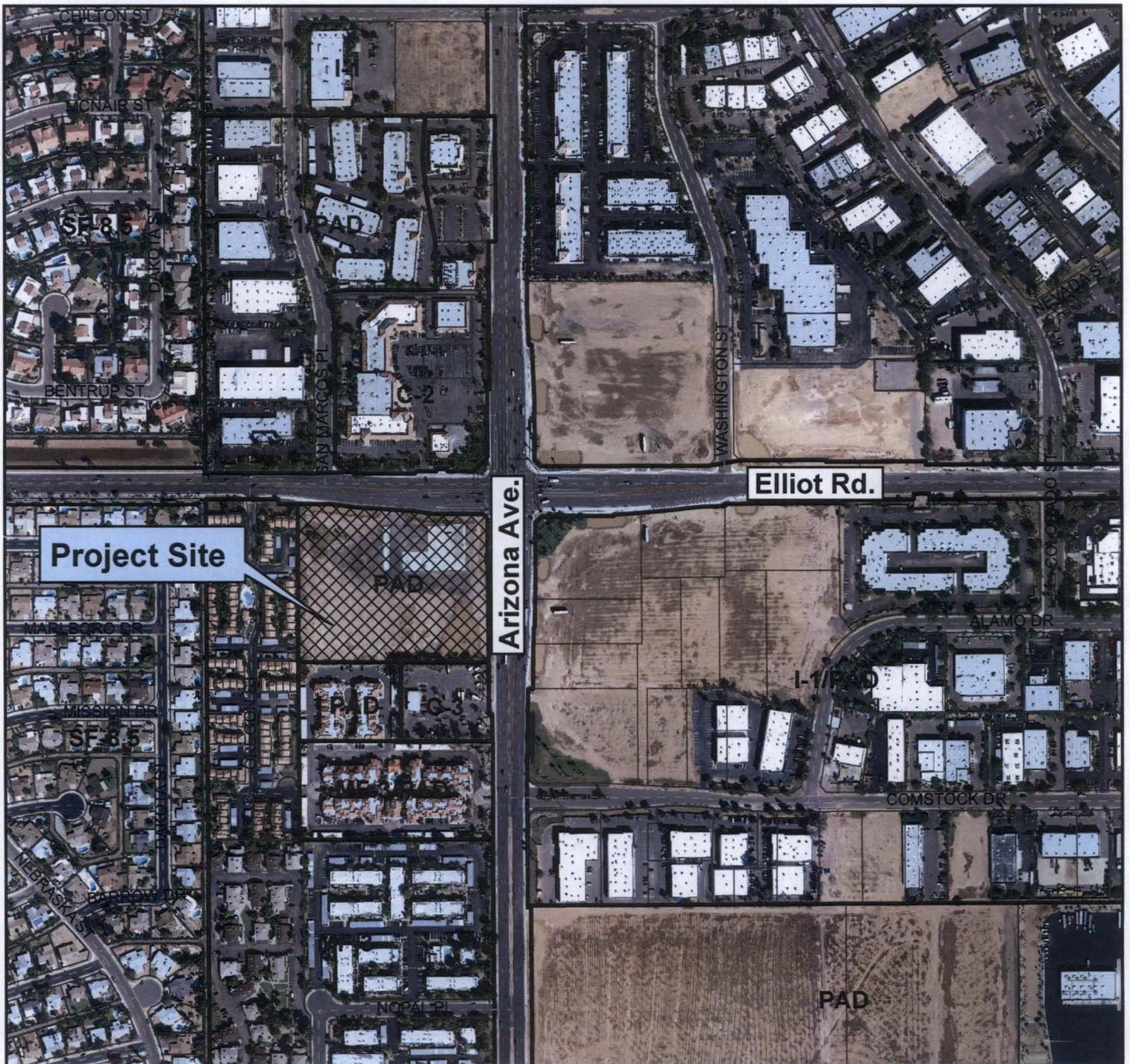
## Vicinity Map



LUP12-0004

**Circle K Store  
SWC Arizona & Elliot**





**Project Site**

**Arizona Ave.**

**Elliot Rd.**

**Vicinity Map**



**LUP12-0004**

**Circle K Store  
SWC Arizona & Elliot**



## **LIQUOR USE PERMIT NARRATIVE**

### **Proposed Circle K Store SWC Arizona Avenue & Elliot Road Chandler, Arizona**

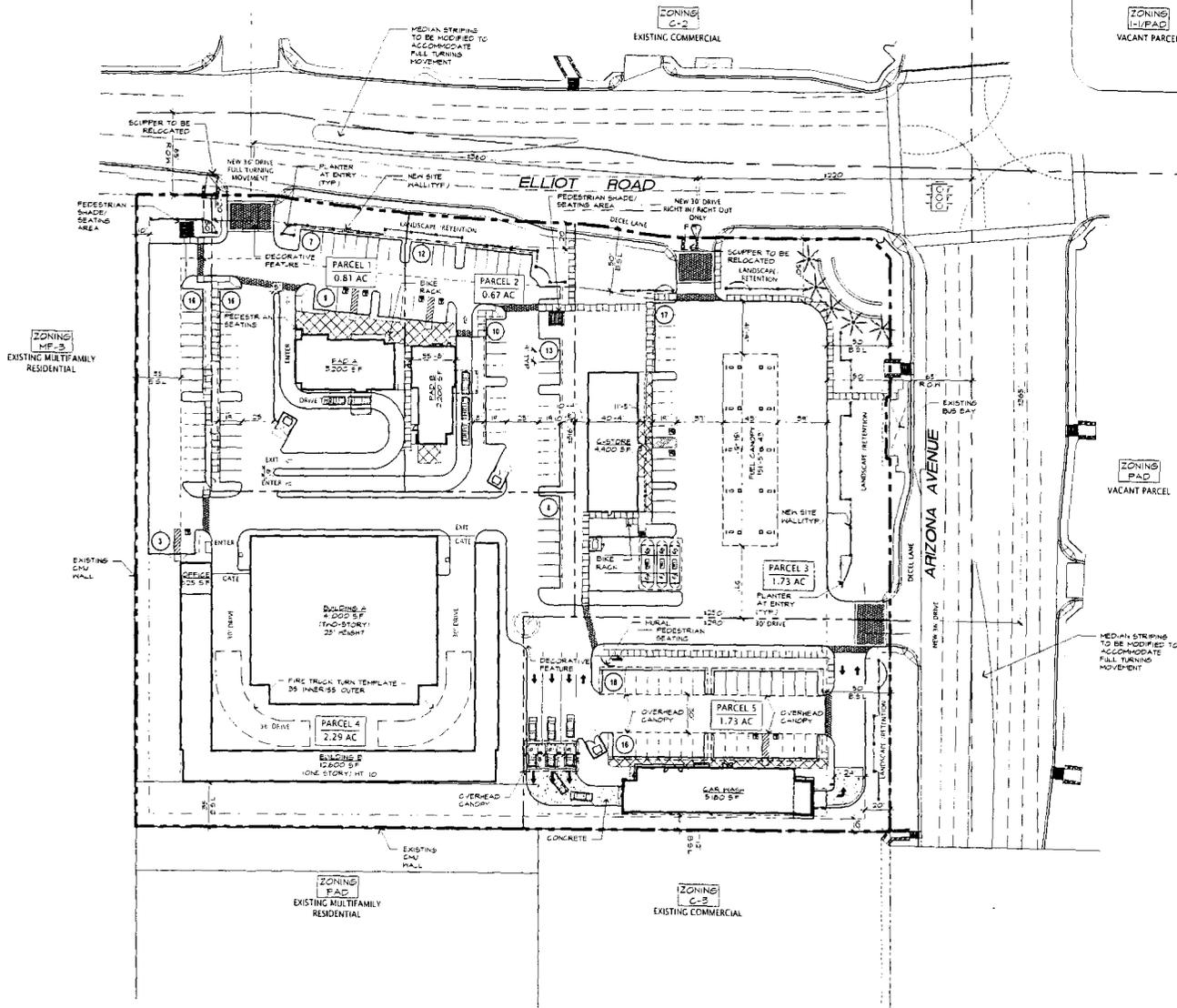
**Request:** A Liquor Use Permit for a Series 10 license for a new retail convenience grocery store

**Narrative:** Circle K Stores, Inc. is acquiring a portion of a 6.62 net acre tract at the southwest corner of Arizona Avenue and Elliot Road, Chandler, Arizona. The proposed Circle K store will be located upon an approximately 75,204 square foot parcel at the immediate intersection. The retail convenience store development will include an approximately 4,450 square foot convenience store building, a fuel canopy featuring 10 MPD's and associated parking for the facility. The Site Plan for the proposed retail convenience grocery store facility is attached to this application.

The larger parcel containing the convenience store parcel was recently approved for rezoning to PAD with a preliminary development plan as Case #DVR11-0017 Arizona –Elliot Commerce Center. The larger commercial development is intended to be developed as a neighborhood commercial retail center designed to provide goods and services to the community. While the retail center will have common access ways and a comprehensive architectural design, it is intended that each parcel within the larger tract be developed by separate end-users.

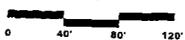
The proposed Circle K Store building will be 4,450 square foot in area and provide customer access to in the interior of the building through a single entrance on the east side of the building, facing Arizona Avenue. The interior design of the building features an open and inviting floor plan, along with an elevated check stand for employees to observe customer activities within the building as well as on the parking lot. Liquor products (beer and wine only under this Series 10 license) are generally located in the northwest corner of the building and behind the check stand, as shown on the included floor plan. The interior of the building and the liquor merchandise/storage area are monitored by numerous digital security cameras for the safety and security of customers and employees. The facility will be open 24 hours per day, 7 days per week, however, liquor products will only be sold during those hours prescribed by state law.

Based upon the conditions imposed through the PAD/PDP zoning stipulations, the location of the proposed project at the intersection of two (2) major arterial streets, and the separation of the commercial use from residential land uses, the requested Liquor Use Permit for a Series 10 license is appropriate for this location. The facility has been designed to provide a safe and secure environment for the merchandising and sale of liquor products and all employees at the facility will have completed the required liquor training, as prescribed by the Arizona Department of Liquor Licenses and Control, as well as additional training provide specifically by Circle K Stores to their employees.

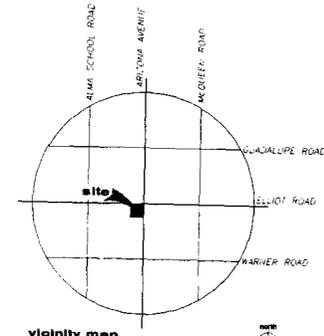


**PRELIMINARY SITE PLAN**

SCALE: 1" = 40'-0"



THIS SITE PLAN HAS BEEN PREPARED IN ACCORDANCE WITH THE CITY OF PHOENIX, ARIZONA, PLANNING DEPARTMENT'S DESIGN STANDARDS SPECIFICATIONS. THE DRAWING IS TO BE USED FOR INFORMATION PURPOSES ONLY. IT IS NOT TO BE USED FOR ANY LEGALLY-BINDING DOCUMENTATION.



**project directory**

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**site data**

EXISTING ZONING: A6-1  
 PROPOSED ZONING: PAD  
 GROSS SITE AREA: 8.21 ACRES  
 NET SITE AREA: 6.62 ACRES

PROPOSED USE: RETAIL / RESTAURANT / GAS SERVICE

BUILDING AREA:  
 PAD A: 3,200 SF  
 PAD B: 3,200 SF  
 C-STORE WITH CANOPY: 10,900 SF  
 CAR WASH: 5,100 SF  
 STORAGE: 53,600 SF

TOTAL BUILDING AREA: 75,000 SF  
 SITE COVERAGE: 18.4 %

TOTAL PARKING REQUIRED: 112 SPACES  
 PAD A RESTAURANT (3,200 SF) P5A: (1,920 SF)/150: 34 SPACES  
 PAD B RESTAURANT (3,200 SF) P5A: (1,920 SF)/150: 34 SPACES  
 C-STORE (14,400 SF)/1200: 16 SPACES  
 CAR WASH (5,100 SF)/1200: 7 SPACES  
 STORAGE (53,600 SF) - PER STAFF: 3 SPACES

TOTAL PARKING PROVIDED: 144 SPACES

ACCESSIBLE SPACES REQUIRED: 4 SPACES  
 ACCESSIBLE SPACES PROVIDED: 4 SPACES

**PRELIMINARY**  
 SHEET: 01-23-12

**NEW COMMERCIAL DEVELOPMENT**  
 Design: NGU  
 Drawn: BF  
 Check: NGU  
**SP-1**  
 of  
 Job: 10180  
 8140 ARIZONA AVENUE AND ELLIOT ROAD  
 CHANDLER, ARIZONA



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