

#46

SEP 26 2013



**MEMORANDUM**                      **Transportation and Development – CC Memo No. 13-106**

**DATE:**            SEPTEMBER 26, 2013

**TO:**                MAYOR AND COUNCIL

**THRU:**            RICH DLUGAS, CITY MANAGER *RD*  
                          MARSHA REED, ASSISTANT CITY MANAGER *MR*  
                          R.J. ZEDER, TRANSPORTATION & DEVELOPMENT DIRECTOR *RJ*  
                          JEFF KURTZ, PLANNING ADMINISTRATOR *JK FOR*  
                          KEVIN MAYO, PLANNING MANAGER *KM*

**FROM:**            SUSAN FIALA, CITY PLANNER *SF*

**SUBJECT:**        LUP13-0010 DOLLAR GENERAL STORE

- Request:            Liquor Use Permit approval to sell beer and wine for off-premise consumption only under a Series 10 Beer & Wine Store License
- Location:           400 West Ray Road, north of Ray Road and west of Arizona Avenue
- Applicant:           Burch & Cracchiolo, P.A., Clare Abel

**RECOMMENDATION**

Upon finding the request to be consistent with the General Plan and Neighborhood Commercial (C-1) zoning, Planning Commission and Planning Staff recommend approval, subject to conditions.

**BACKGROUND**

The subject business is located at 400 W. Ray Rd., north of Ray Road and west of Arizona Avenue. Dollar General Store has been in operation at this location since approximately 2005. Sonic Drive-In is west of the property. The Olsen Addition and Thunderbird Estates single-family subdivisions are east and north of the business, respectively. Several four-plex multiple family developments are south of the business, across Ray Road.

The request is for Liquor Use Permit approval to sell beer and wine for off-premise consumption only as permitted under a Series 10 Beer & Wine Store License. The liquor will be sold at room temperature; not in refrigerated coolers.

Dollar General Store's hours of operation are from 8 a.m. until 10 p.m., seven days a week. Liquor will only be sold during lawful selling hours, which begin at 10 a.m. on Sunday. The business employs approximately 8 to 10 associates.

**DISCUSSION**

Planning Staff supports the request, finding that the sale of alcohol as a retail commodity ancillary or incidental to the sale of other retail products occurring in a commercially zoned area does not establish a land use conflict. The sale of alcohol from a land use compatibility analysis is a typical retail transaction in commercial districts throughout the City.

Planning Staff recommends approval with no time limit to maintain consistency with other Series 10 Liquor Use Permits approved for other similar type retailers with no time limit condition given the establishments had no outstanding concerns, opposition, or violations.

**PUBLIC / NEIGHBORHOOD NOTIFICATION**

- This request was noticed in accordance with the requirements of the Chandler Zoning Code.
- A neighborhood meeting was held on August 15, 2013. No one other than the applicant attended.
- The Police Department has been informed of the application and has no issues or concerns.
- As of this writing, Planning Staff has not received any concerns or opposition.

**PLANNING COMMISSION VOTE REPORT**

Motion to Approve.

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

**RECOMMENDED ACTION**

Planning Commission and Planning Staff, upon finding consistency with the General Plan and zoning, recommend approval of LUP13-0010 DOLLAR GENERAL 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. Expansion or modification beyond the approved exhibits (Floor Plan and Narrative) shall void the Use Permit and require a new Liquor 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.
5. Site landscaping shall be brought back up to the level consistent with or better than at time of planting.

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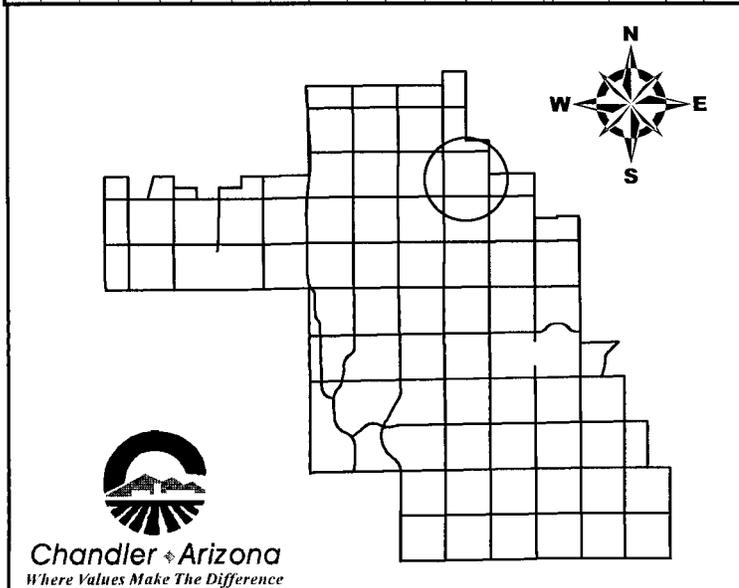
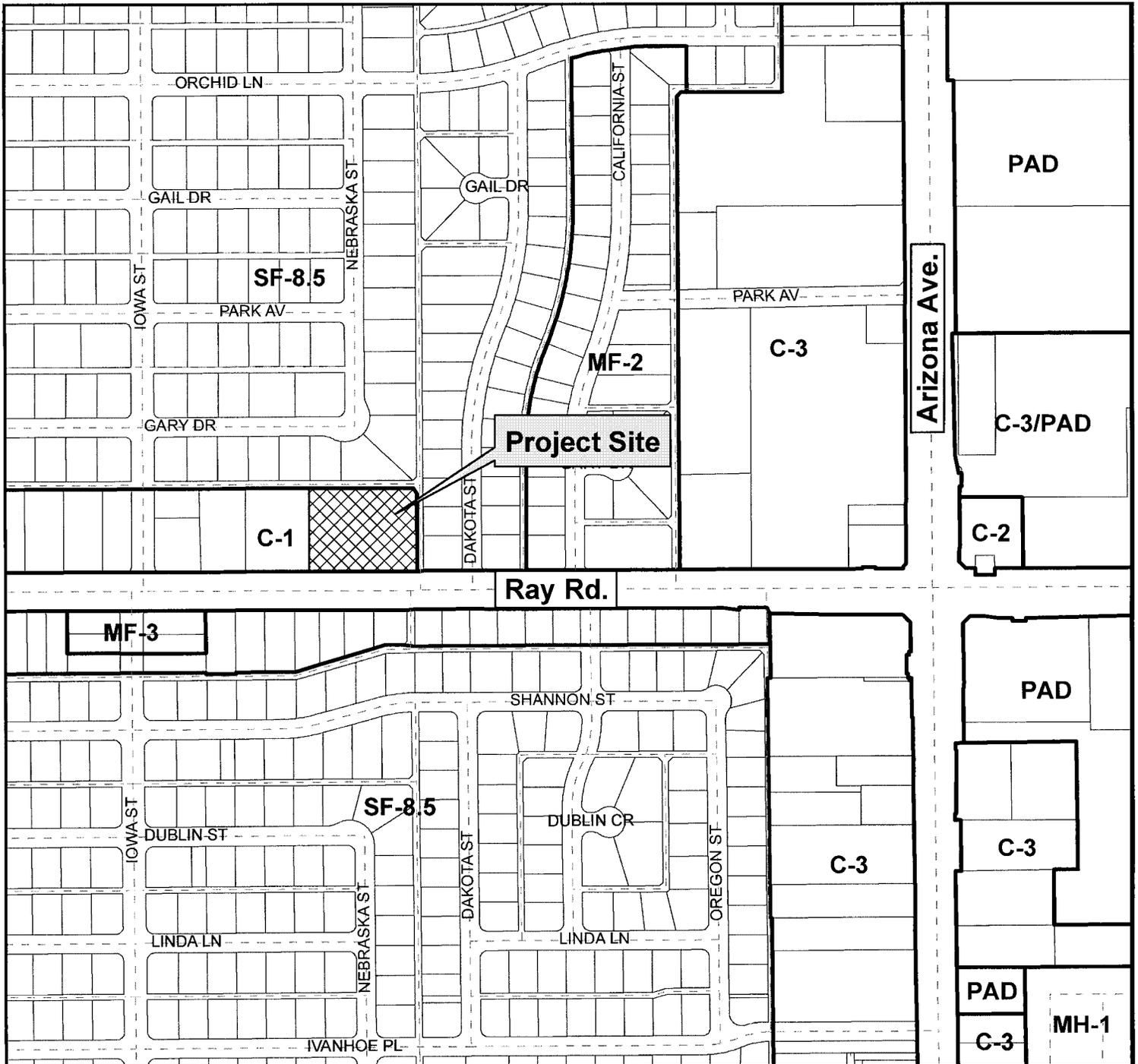
September 26, 2013

**PROPOSED MOTION**

Motion to approve Liquor Use Permit, LUP13-0010 DOLLAR GENERAL STORE, subject to the conditions recommended by Planning Commission and Planning Staff.

**Attachments**

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



## Vicinity Map

LUP13-0010

Dollar General  
Liquor Use Permit

CITY OF CHANDLER 6/25/2013

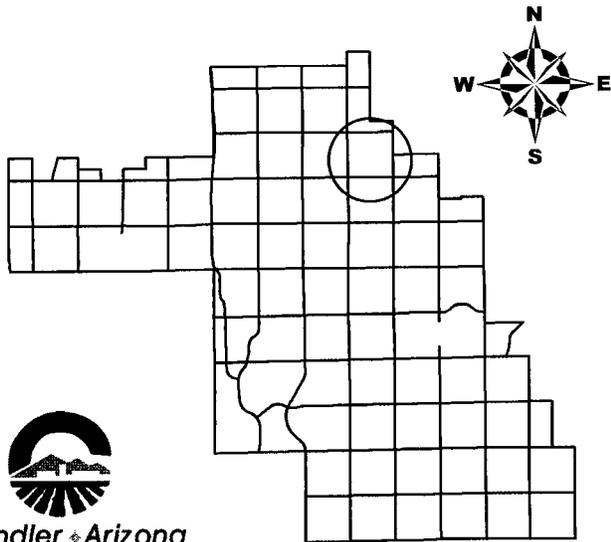


Project Site

Ray Rd.

Arizona Ave.

## Vicinity Map



LUP13-0010

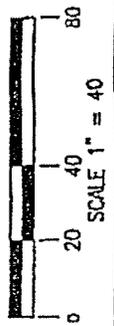
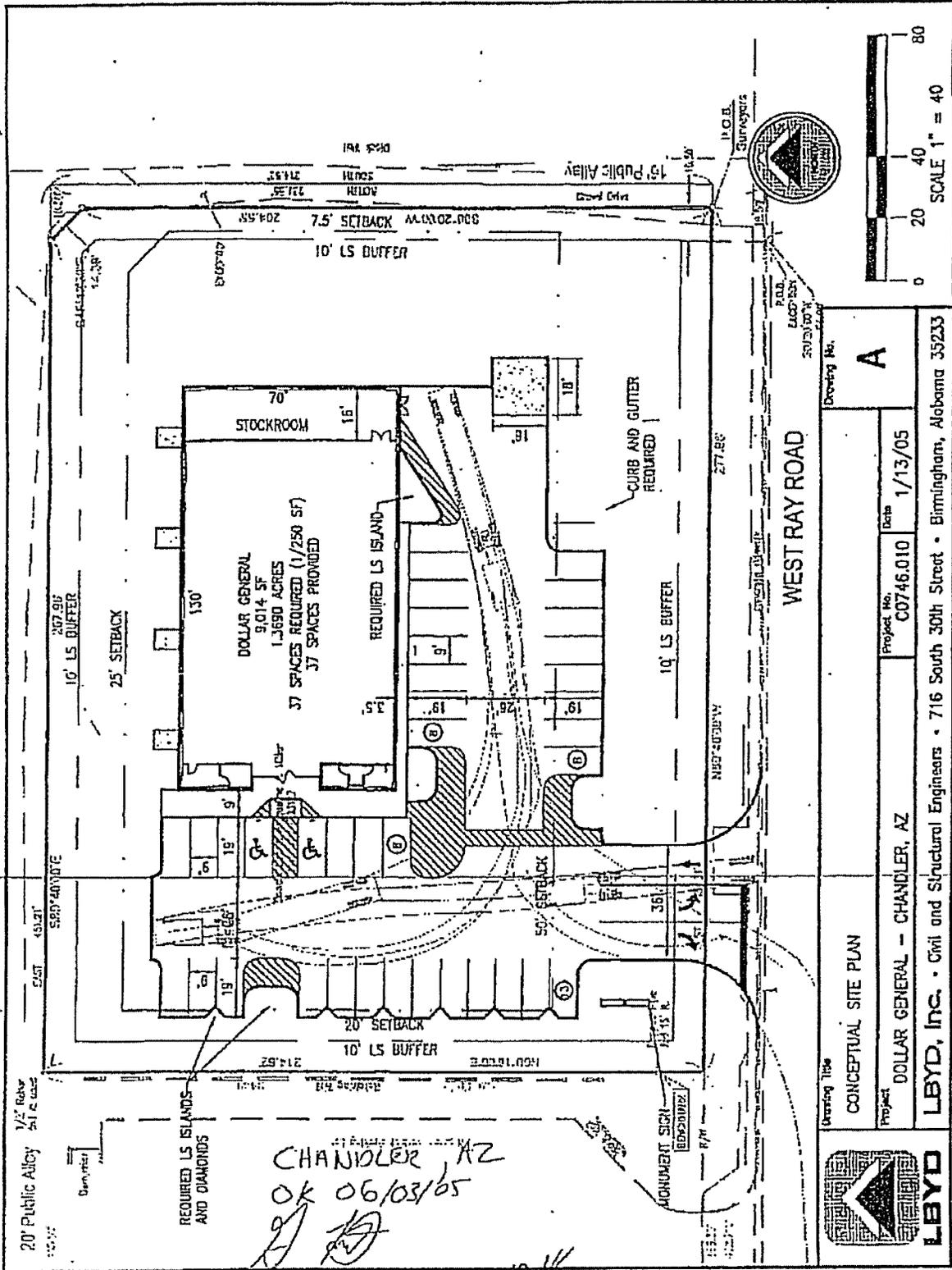
**Dollar General  
Liquor Use Permit**



Chandler + Arizona  
*Where Values Make The Difference*

CITY OF CHANDLER 6/25/2013

Exhibit "B"

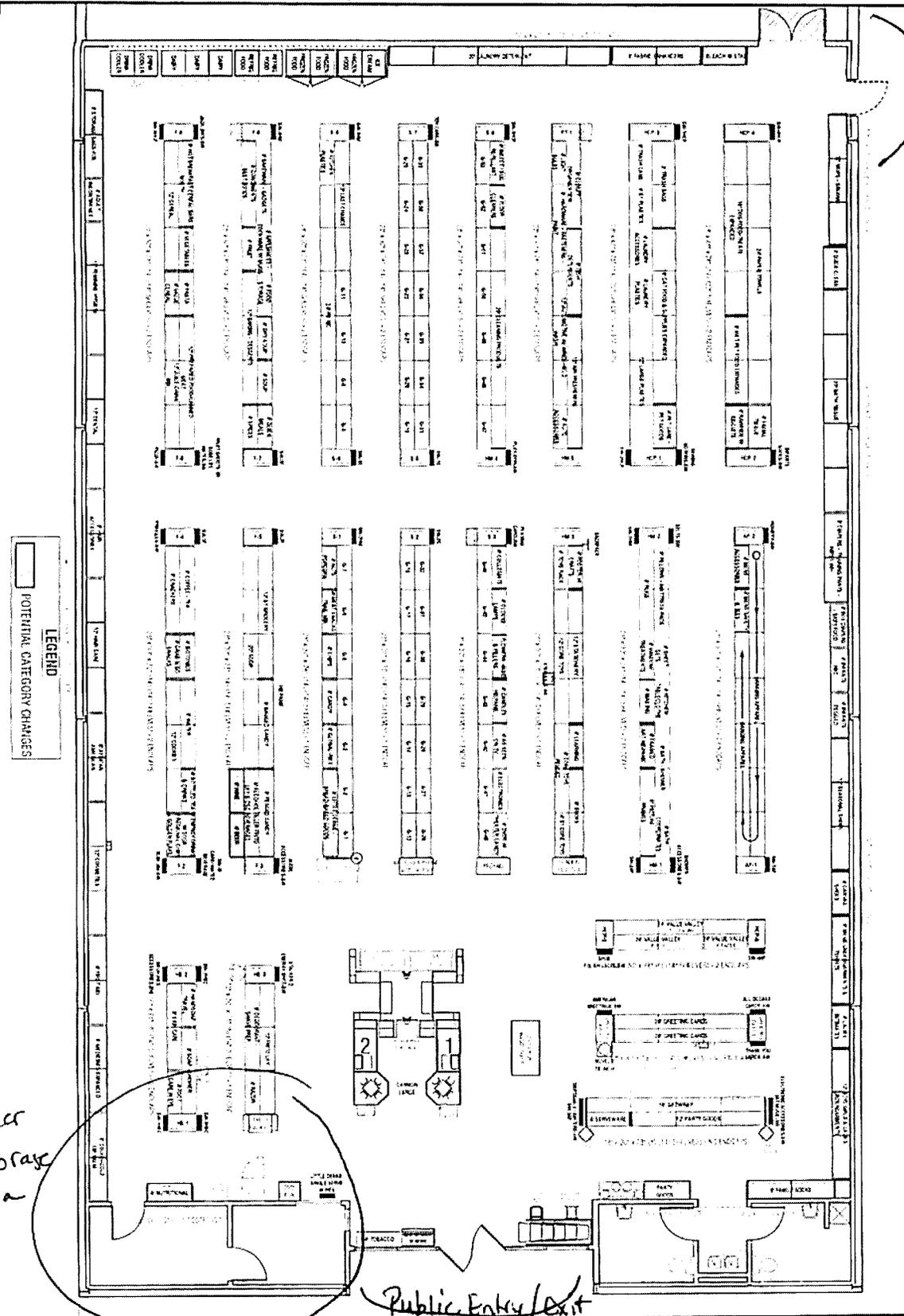


Drawing Title		Drawing No.	
CONCEPTUAL SITE PLAN		A	
Project	Project No.	Date	
DOLLAR GENERAL - CHANDLER, AZ	C0746.010	1/13/05	
LBYPD, INC. • Civil and Structural Engineers • 716 South 30th Street • Birmingham, Alabama 35233			



CHANDLER, AZ  
 OK 06/03/05  
 [Signature]  
 BTS RSR (0) 01014 R 1/15

em. player exit  
fire exit ad.



**DOLLAR GENERAL**

PRELIMINARY

DATE: 11/11/09

NOTE: THE FUTURE & MERCHANDISE PLAN IS SUBJECT TO CHANGE. THE STORE DOES NOT REPRESENT A COMMITMENT BY DOLLAR GENERAL TO THE LAST BEST DATE.

STORE PLANNING HOTLINE (615) 855-5385

PROJECT # 10200

ADDRESS: 400 W. RAY ROAD

CITY: 129 CHANCELER AZ 85275

VERSION # 006

REGION # 0071

OBJECTIVE # 005

REMARKS: 212

**DOLLAR GENERAL  
400 WEST RAY ROAD, #10200  
LIQUOR USE PERMIT**

**6/24/13**

On behalf of Dollar General Stores, owner of Dollar General Store #10,200 located at 400 W. Ray Road, we are requesting a Liquor Use Permit to allow beer and wine sales at its store in conjunction with an application for a Series 10 license or a liquor store license. A Series 10 license allows sales of beer and wine in sealed packages for consumption off of the retail premises. It is a limited package sale license that suits smaller grocery stores. The Aerial can be found at **Exhibit 1**.

Dollar General Stores are a small general merchandise stores that stand for convenience, quality brands and low prices. The Dollar General Store is open at this location. Dollar General operates as a traditional general store offering some grocery items in addition to general merchandise. Items are limited to life's simple necessities with the average Dollar General shopper spending less than 10 minute in the store. Stores are typically no more than 10,000 square feet in size.

Dollar General was founded in 1955 by J.L and Rich Turner in Scottsville, Tennessee. The original concept was that nothing in the store would be sold for more than one dollar. The business expanded with more than 10,000 stores in 40 states, including 64 stores in Arizona. While pricing has change over the years, the concept has not been altered. Dollar General Stores still offer life's most frequently purchased items at low prices. Goods are sold at set price points from a few pennies to \$50-\$60. At the present time, Dollar General is moving to expand the product line it offers in Arizona by including certain grocery, beer and wine products. While some of these products will be new to Arizona, they are already offered in other states and other Dollar General stores. The Liquor Use Permit will allow Dollar General to offer consistent products throughout its stores.

Dollar General is a responsible corporate citizen with a deep commitment to the community through grants provided by the Dollar General Literacy Foundation. In 2012 Dollar General awarded \$2 million in literacy grants to 564 schools in its markets and has awarded more than \$74 million in literacy grants since 1987. Dollar General has a strong system in place with experience in the sale and management of liquor in its stores. The addition of these products will enhance the product line it offers and will not be detrimental to the community or the neighborhoods.

Dollar General is proposing to add certain beer and wine to their store products. The store will continue to offer customers a clean and well-lit environment to do some limited shopping within their own neighborhood. The Site Plan can be found at **Exhibit 2** and the Floor Plan can be found at **Exhibit 3**.

Dollar General offers its customers with an opportunity to take care of their immediate grocery and sundry needs in their own neighborhood. Each Dollar General Store, depending on size and customer needs, **employs between 8-10 associates**, dedicated to customer service in a clean, friendly environment. Hours of operation are 8 a.m. to 10 p.m. Monday through Sunday although liquor will only be sold during lawful selling hours (which begin at 10 a.m. on Sunday).

Dollar General's policies for its stores strictly prohibit on-premises consumption of alcohol. No entertainment is provided on-site and no sales of pornographic materials are allowed on the premises. Customers who will shop at the Dollar General typically either live in the area as permanent residents or seasonal visitors, work in the nearby businesses, or travel along Ray Road as a part of their commute.

At Dollar General, beer and wine will be marketed only during lawful selling hours. Employees are given training prior to being allowed to sell alcohol. This training includes a special course specifically discussing sales of alcohol and requirements for such sales and is in addition to the State-required training course for management. Bi-monthly staff meetings include reminders of the requirements for sales of beer and wine. Dollar General Stores currently sells liquor in 4,000 stores across 25 states in the U.S.

Allowing beer and wine sales at the Dollar General Store, in addition to the sales of other groceries and dry goods, will not cause traffic problems. This location is heavily traveled by residents. Customers patronizing the Dollar General store will ordinarily be doing other shopping and the presence of beer and wine sales may reduce the number of stops they have to make to complete their errands.

We do not believe that the addition of the sale of liquor will be a detriment to the peace in the area or impose a drain on police resources. Dollar General believes that beer and wine sales at this Dollar General Store are compatible with other activity within the area and that such sales are a part of the primary purpose of the facility -- one-stop convenience for the public. The subject location is appropriate for a full-service grocery with accessory beer and wine sales, and such sales are consistent with the use approved for that location.

In summary, the facts and circumstances support approval of the Liquor Use Permit:

1. Dollar General has a comprehensive training program for all employees, which includes mandatory alcohol management training. Employees must obtain training prior to working at the store. Periodic refreshers are included as a part of continuing employee training.
2. Dollar General has an exemplary record in its use of its existing liquor licenses within the United States.

3. The Liquor Use Permit will not have a negative impact on the surrounding area.

Dollar General respectfully requests approval of the Liquor Use Permit for the Dollar General Store at 400 W. Ray Road. The Dollar General Store is already a well-established store in the neighborhood. Dollar General will continue to be a vital part of this area with the addition of these products on a smaller, neighborhood scale which will be used by permanent and seasonal residents in the area, employees who work at businesses in the area and by the traveling public passing the store many times a day. The approval of the License Use Permit is consistent and compatible with the full-service concept of the store and will allow Dollar General to further meet the public convenience and necessity.

Thank you.