

#39
MAY 12 2016



MEMORANDUM **Planning Division – CC Memo No. 16-043**

DATE: MAY 12, 2016

TO: MAYOR AND COUNCIL

THRU: MARSHA REED, CITY MANAGER *MR*
 JEFF KURTZ, PLANNING ADMINISTRATOR *JK*
 KEVIN MAYO, PLANNING MANAGER *KM*

FROM: LAUREN SCHUMANN, CITY PLANNER *LS*

SUBJECT: LUP16-0002 COST PLUS WORLD MARKET

Request: Liquor Use Permit approval to sell beer and wine under a Series 10 Beer and Wine License for off-premise consumption with in-store sampling within a new store

Location: 860 N. 54th Street
 South of the southwest corner of Ray Road and 54th Street

Applicant: Andrea Lewkowitz, Lewkowitz Law Office, PLC

RECOMMENDATION

Upon finding the request to be consistent with the General Plan, Planning Commission and Planning Staff recommend City Council approve the Liquor Use Permit subject to conditions.

BACKGROUND

The subject site is located east of I-10 in the Chandler Pavilions regional shopping center, and is part of a group of six larger retail shops. Directly south is Bed Bath & Beyond and a vacant suite to the north.

Cost Plus World Market has operated across 54th Street since 2001, and plans to relocate to the west side of 54th Street into a vacant 18,315 square-foot suite. Cost Plus is a national retail store specializing in imported home goods, as well as gourmet food items, specialty beer, and wine selections. The request is for a Liquor Use Permit to sell beer and wine under a Series 10 Beer and Wine License for off-premise consumption with in-store sampling. Sampling will be conducted by employees trained in responsible alcohol sales and service to customers 21 and over. Each customer may only sample up to three ounces of beer or cooler-type products and one and one-half ounces of wine, per brand, per day.

Alcoholic purchases shall not be consumed on-premise. The store's regular hours will be Monday through Friday 10 a.m. to 9 p.m., Saturday 9 a.m. to 9 p.m., and Sunday 10 a.m. to 7 p.m.

PUBLIC / NEIGHBORHOOD NOTIFICATION

- This request was noticed in accordance with the requirements of the Chandler Zoning Code.
- A neighborhood notice letter was mailed in lieu of a meeting due to no residential within the notification area.
- As of the writing of this memo, Planning Staff is not aware of any opposition or concerns with this request.

PLANNING COMMISSION VOTE REPORT

Motion to Approve.

In Favor: 5 Opposed: 0 Absent: 2 (Baron, Pridemore)

RECOMMENDED ACTION

Upon finding consistency with the General Plan, Planning Commission and Planning Staff recommend City Council approve the Liquor Use Permit, LUP16-0002 COST PLUS WORLD MARKET, subject to the following conditions:

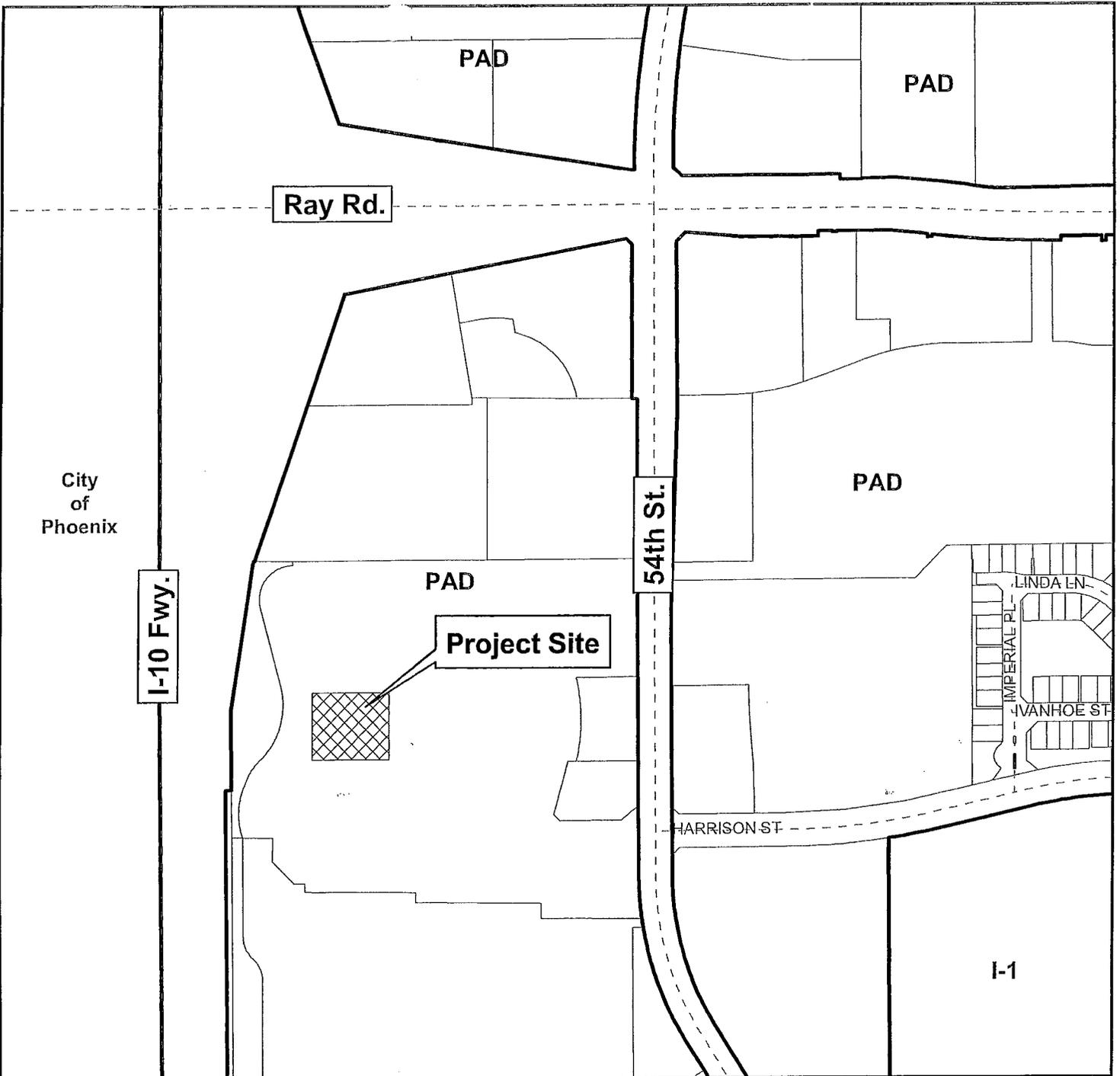
1. The Liquor Use Permit is granted for a Series 10 license with sampling, and any change of license shall require reapplication and new Liquor Use Permit approval.
2. Expansion or modification beyond the approved exhibits (Site Plan, Floor Plan and Narrative) shall void the Liquor Use Permit and require new Liquor Use Permit application and approval.
3. The Liquor Use Permit is non-transferable to other store locations.

PROPOSED MOTION

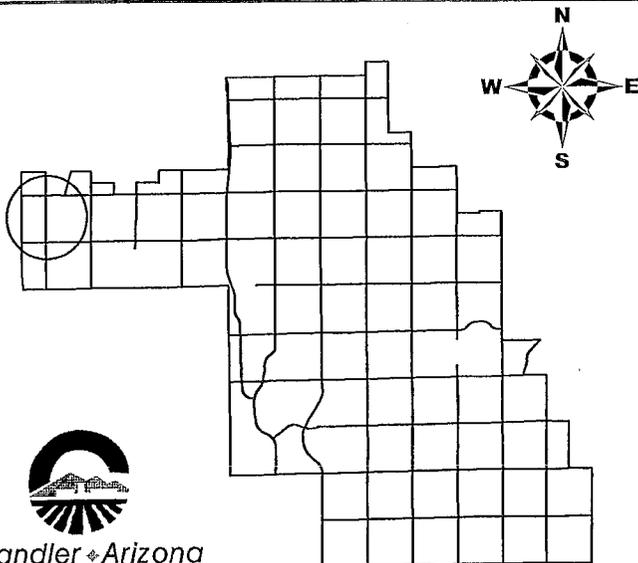
Move City Council approve Liquor Use Permit case LUP16-0002 COST PLUS WORLD MARKET, subject to the conditions as recommended by Planning Commission and Planning Staff.

Attachments

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

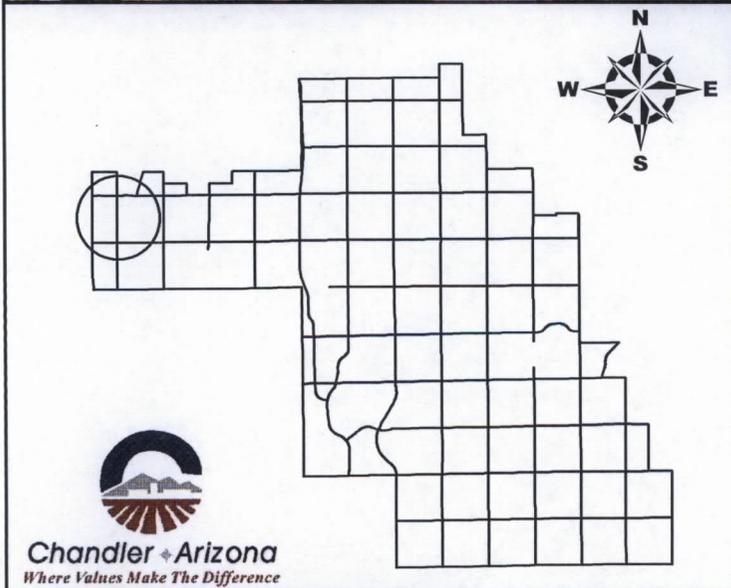


Vicinity Map



LUP16-0002

**Cost Plus World Market
Liquor Use Permit**



Vicinity Map



LUP16-0002

**Cost Plus World Market
Liquor Use Permit**





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www.lewkowitzlaw.com

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H.J. Lewkowitz

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December 29, 2015

City of Chandler, Planning Division
215 E. Buffalo St.
Chandler, AZ 85226

Re: Liquor Use Permit
Cost Plus World Market, 860 N. 54th Street

Cost Plus, Inc. *dba* Cost Plus World Market submits the following information in support of its application for a liquor use permit. Cost Plus intends to relocate its store currently located at 865 N. 54th Street to a new store at 860 N. 54th Street, and will apply for a series 10S Beer and Wine Store liquor license.

Cost Plus is a national retail store specializing in imported home products and furnishings, as well as gourmet food items, and specialty beer and wine selections. It currently operates 15 stores in Arizona with series 10S liquor licenses: Series 10 licenses allow beer and wine sales for off-premises consumption; the "S" designation indicates sampling privileges, which allow the licensee to offer limited on-premises beer and wine samples to customers 21 and over. Although sampling can take place any time during legal liquor service hours, each customer may only sample up to three ounces of beer or cooler-type products and one and one-half ounces of wine per brand, per day. Cost Plus has successfully operated the store at 865 North 54th Street with off-premises beer and wine sales since 2001, and on-premises sampling since 2010.

The new store will occupy 18,315 square feet near the north end of the Chandler Pavilions Shopping Center in the space previously occupied by Pacific Sales Kitchen, Bath & Electronics. The store's regular hours are consistent with the neighboring businesses: Monday through Friday 10am-9pm, Saturday 9am-9pm, and Sunday 10am-7pm. Alcohol sales and sampling will be conducted by trained employees according to all applicable federal, state and local laws.

Sincerely,


Andrea D. Lewkowitz

Encl.: Site Plan, Floor Plan



PROJECT SUMMARY

MAJORS A-E	PADS A AND C
NET SITE AREA	16,522 (A.C.)
BUILDING AREA	(EXCLUDES FUTURE PAD B)
MAJOR A	: 25,000 S.F.
MAJOR B	: 25,000 S.F.
MAJOR C	: 25,000 S.F.
MAJOR D	: 31,000 S.F.
MAJOR E	: 9,000 S.F.
PAD A	(5,000 S.F.)
PAD B	(5,000 S.F.)
PAD C	(5,000 S.F.)
TOTAL	: 171,688 S.F.

PARKING:
 TOTAL REQUIRED RETAIL (164,000 @ 1200) : 136 SPACES
 TOTAL PROVIDED : 136 SPACES
 ACCESSIBILITY : 20
 CONTRACT : 34 (44)

OWNER:
 OPUS WEST CORPORATION
 1000 N. 40th Street
 PHOENIX, AZ 85018
 CONTACT - DAVE O'DONNELL

APPLICANT:
 BUTLER DESIGN GROUP ARCHITECTS & PLANNERS
 5112 N. 40th Street Suite 202
 PHOENIX, AZ 85018
 CONTACT - PETER ROUSHER

SETBACKS:
 NORTH SETBACK 50 FT.
 EAST SETBACK 25 FT.
 SOUTH SETBACK 25 FT.
 WEST SETBACK 25 FT.
 (SET AT TIME OF FINAL ZONING)

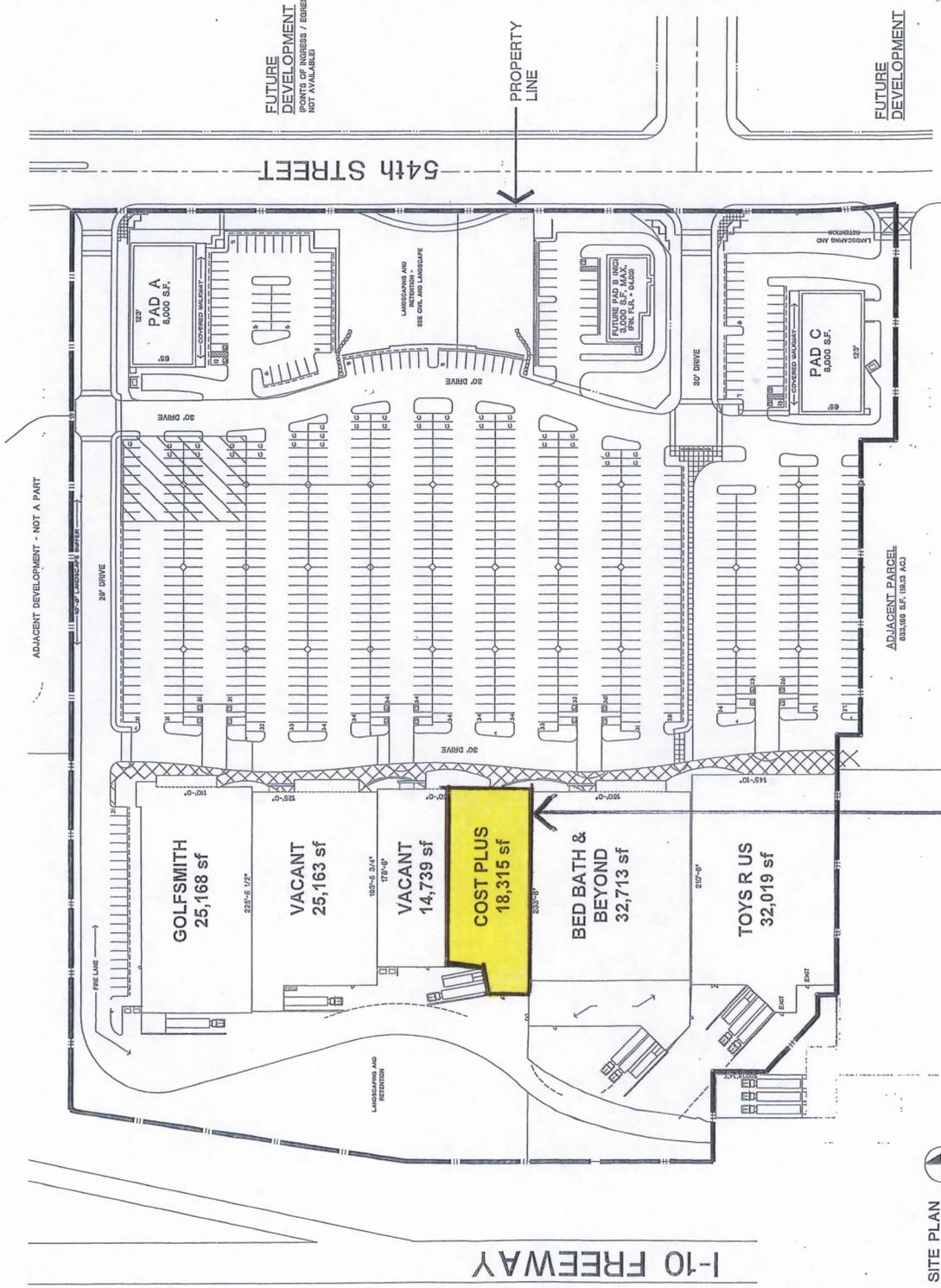
ZONING:
 P.A.D.

CODE:
 1894 UNIFORM BUILDING CODE
 CONSTRUCTION TYPE - GROUP M
 AREA ALLOWANCE - UNLIMITED (602.2)
 LOT COVERAGE - UNLIMITED (602.2)
 SETBACKS - UNLIMITED (602.2)
 EXISTING - MAX. 200' TRAVEL DISTANCE.



DATE: 2/10/95 95113000B173 JOB: 95113

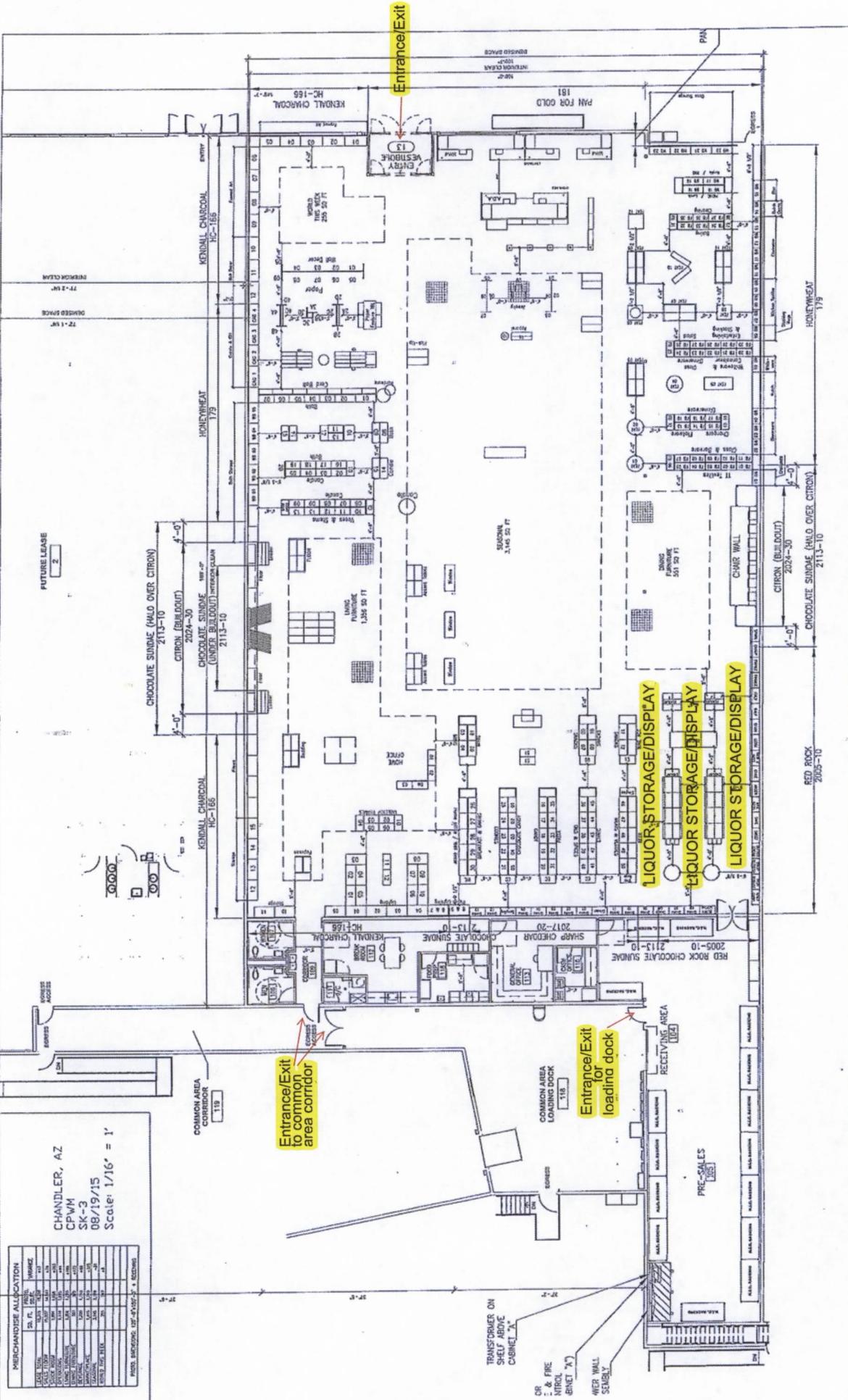
Butler Design Group
 Architects & Planners
 5112 North 40th Street
 Phoenix, Arizona 85018
 phone 602-857-8500
 fax 602-857-7722



Subject Site



FLOOR PLAN



CHANDLER, AZ
 CPWM
 SK-3
 08/19/15
 Scale: 1/16" = 1'

MERCHANDISE ALLOCATION	
ITEM	AMOUNT
LIQUOR	1000
CHOCOLATE	500
CITRON	200
RED ROCK	150
SHARP	100
COMMON AREA	50
RECEIVING AREA	50
STAIRS	50
RESTROOMS	50
OFFICE	50
LABORATORY	50
STORAGE	50
MECHANICAL	50
UTILITY	50
ENTRANCE	50
EXIT	50
TOTAL	2500

Entrance/Exit
 to common
 area corridor

Entrance/Exit
 for
 loading dock

LIQUOR STORAGE/DISPLAY

LIQUOR STORAGE/DISPLAY

LIQUOR STORAGE/DISPLAY

CHOCOLATE SUNDAE (HALO OVER CITRON)
 2113-10

CITRON (BUBBLES)
 2024-30

CHOCOLATE SUNDAE (HALO OVER CITRON)
 2113-10

RED ROCK
 2005-10

CHOCOLATE SUNDAE (HALO OVER CITRON)
 2113-10

HONEYWHEAT
 179

Entrance/Exit

FUTURE LEASE
 2

TRANSFORMER ON
 SHELF ABOVE
 CABINET 'A'

OR
 FIRE
 MURAL
 BINET 'A'

OVER WALL
 SUBJECT