



Chandler · Arizona
Where Values Make The Difference

#96

SEP 15 2016

Chandler



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MEMORANDUM

Planning Division – CC Memo No. 16-057d

DATE: SEPTEMBER 15, 2016

TO: MAYOR AND COUNCIL

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

FROM: ERIK SWANSON, SENIOR CITY PLANNER *ES*

SUBJECT: LUP16-0013 QUIKTRIP

Request: Liquor Use Permit approval to sell beer and wine as permitted under a Series 10 Beer and Wine Store License for off-premise consumption at a new convenience store

Location: Northeast corner of Gilbert and Queen Creek roads

Applicant: Charles Huellmantel, Huellmantel and Affiliates

The request was continued from the July 28, 2016, City Council meeting to allow the development team to meet with the leadership team of the adjacent church to the north. Unfortunately an agreement could not be made between the parties and the stated opposition remains.

RECOMMENDATION

Upon finding the request to be consistent with the General Plan, Planning Commission and Planning Staff recommend approval subject to conditions.

BACKGROUND

The subject site is located at the northeast corner of Gilbert and Queen Creek roads. Adjacent along the eastern property line are three residential homes as part of a five lot residential cluster that is currently in the jurisdiction of the County. Directly north is the southwest corner of The Grove church campus. West and south are the arterial streets. The total site area is approximately 4.5 acres, with the proposed development occupying the southern 2.78 acres. The site is currently undeveloped.

The request is for a Liquor Use Permit approval to sell beer and wine as permitted under a Series 10 Beer and Wine Store License for off-premise consumption at a new convenience store. The

Series 10 Beer and Wine Store license allows for the sale of beer and wine only. The subject site has yet to be constructed, but upon approval anticipates being fully constructed and open within one-year of Council approval. The building is approximately 5,858 square feet, and will provide approximately 200 square feet of display coolers for beer and wine.

PUBLIC / NEIGHBORHOOD NOTIFICATION

- This request was noticed in accordance with the requirements of the Chandler Zoning Code.
- A neighborhood meeting was held on Monday, May 9, 2016; six neighbors attended and offered support.
- As of the writing of this memo, Planning Staff has received one letter from the adjacent church leadership team, stating opposition to the request to sell alcohol. The letter states that the separation requirement between a church and liquor sales is not being met. State statute requires a separation of 300' from building to building and not property to property; the buildings are approximately 400' feet apart. Planning Staff is unaware of any other opposition to the request.
- Planning Staff has received five letters in support of the Liquor Use Permit from the adjacent neighbors east of the site.

PLANNING COMMISSION VOTE REPORT

Motion to Approve:

In Favor: 5 Opposed: 0 Absent: 1 (Donaldson)

A representative from The Grove church spoke at the hearing on the request for rezoning. While the representative did not speak directly about the Liquor Use Permit application, the concern expressed was directly related to liquor sales. The representative stated that QT has been a good neighbor and has let the church utilize their vacant lot to allow for overflow parking, but that the church has a concern with the convenience store selling alcohol in such close proximity to the church. Two neighbors spoke and three neighbors submitted cards in support of the rezoning request.

RECOMMENDED ACTION

Planning Commission and Planning Staff recommend City Council approve the Liquor Use Permit, subject to the following conditions:

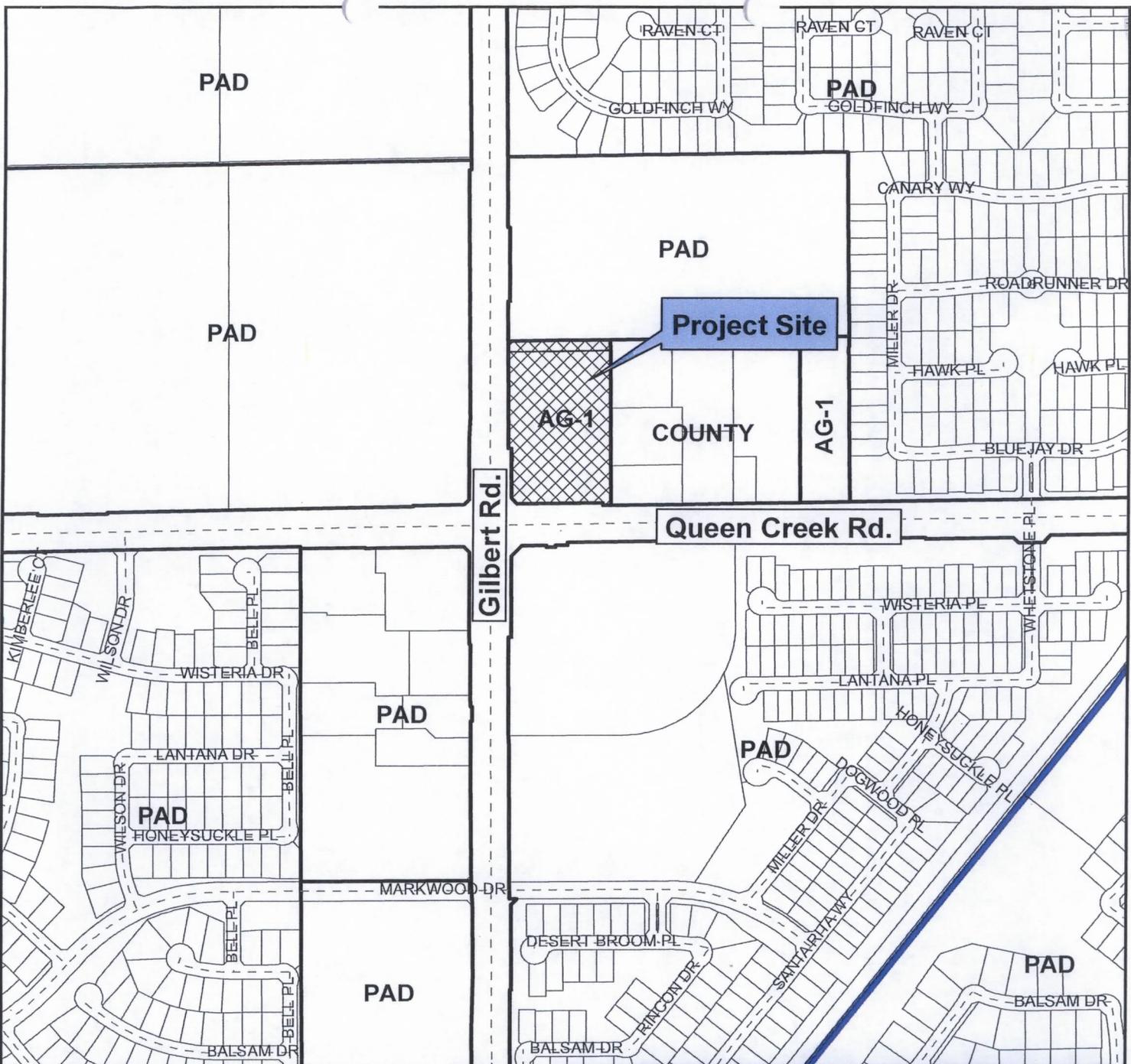
1. The Liquor Use Permit is granted for a Series 10 Beer and Wine Store License only, and any change of license shall require reapplication and new Liquor Use Permit approval.
2. The Liquor Use Permit is non-transferable to other store locations.
3. Expansion or modification beyond the approved exhibits (Site Plan and Floor Plan) shall void the Liquor Use Permit and require new Liquor Use Permit application and approval.
4. The site shall be maintained in a clean and orderly manner.

PROPOSED MOTION

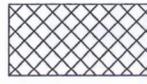
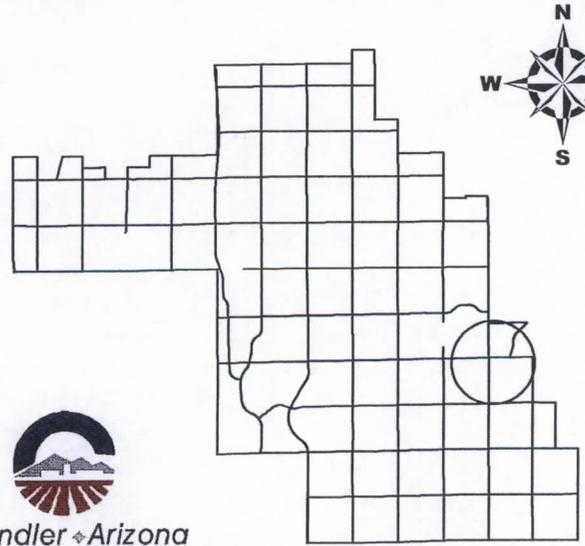
Move City Council approve Liquor Use Permit LUP16-0013 QUIKTRIP, to sell beer and wine as permitted under a Series 10 Beer and Wine Store License for off-premise consumption at a new convenience store, subject to the conditions as recommended by Planning Commission and Planning Staff.

Attachments

1. Vicinity Maps
2. Site Plan
3. Floor Plan
4. Letter of Opposition
5. Letters of Support



Vicinity Map

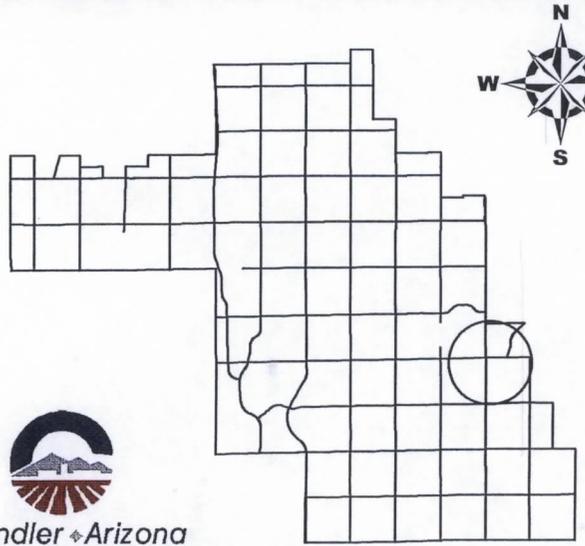


LUP16-0013

QuikTrip



Vicinity Map



LUP16-0013

QuikTrip





Planning and Zoning
City of Chandler
Mail Stop 505
P.O. Box 4008
Chandler, AZ 85244-4008

August 11, 2016

To Mr. Erik Swanson for the City of Chandler Planning & Zoning Committee:

In response to your email, yes, The Grove, its leaders and board members, are absolutely opposed to the sale of alcohol on the parcel adjacent to our church.

We have a multitude of concerns. The greatest concern is that each week we have more than a thousand children, students, and college students on our campus who would be in dangerous proximity to where alcohol is being purchased and consumed; and at risk to the predators who loiter at these kinds of establishments to prey on children and girls. We have grave concern for their safety. For example, we have a children's playground just a few dozen feet from this proposed convince/liquor store that QT nor Chandler Planning and Development has taken into consideration.

And yes, we are also highly opposed to the Rezoning of this parcel from "Agricultural"; we have Chandler's only working pistachio grove that would be encroached on by fuel tanks and fuel pumps; and we are opposed to this site being rezoned for the purpose of a high-traffic gas station / liquor store.

As other members of P&D have already expressed to you, we do not need another gas station on this corner or in this part of Chandler. Circle K already sits catty-corner to this location on the West side of Gilbert Road and a Shell gas station is on the East side just one half mile North.

I would ask that you share this and our other letters of concern with Ms. Reed, the Planning Commission members, and with the City Council members.

Respectfully,

Dr. Palmer Chinchon
Lead Pastor

May 2, 2016

Office of the Mayor & City Council
Mail Stop 603
P.O. Box 4008
Chandler, AZ 85244-4008

Mr. Mayor and City Council Members,

I am writing today to express my support for the requested liquor license for the proposed QuikTrip at the northeast corner of Gilbert and Queen Creek Roads. I am a property owner and longtime resident directly adjacent to the proposed QuikTrip, and I look forward to having QuikTrip as my next door neighbor.

QuikTrip has worked with us over the past few years to ensure that they are a good neighbor, and I know that QuikTrip is a capable, qualified and reliable operator of a business with a liquor license. Furthermore, I believe the public convenience is best served by the addition of a QuikTrip with a liquor license at this location.

I believe a QuikTrip at this location is the right use for such an important commercial corner, and I support QuikTrip's request for a liquor license. I encourage you to vote yes on QuikTrip's request for a Liquor Use Permit.

Sincerely,



Opal Pratt

May 2, 2016

Office of the Mayor & City Council
Mail Stop 603
P.O. Box 4008
Chandler, AZ 85244-4008

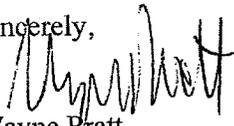
Mr. Mayor and City Council Members,

Please accept this letter of support for QuikTrip's Liquor Use Permit request for their property on the northeast corner of Queen Creek & Gilbert. I live on the east side of the currently vacant lot where QuikTrip would like to build their store.

QuikTrip is a well-respected business that has proven itself capable of operating an establishment that sells alcoholic beverages, and I believe that they will be a good neighbor and are qualified to carry a liquor license for this store.

I support QuikTrip's proposed store and the requested Liquor Use Permit. I urge you to vote yes on QuikTrip's request.

Sincerely,



Wayne Pratt

May 3, 2016

City of Chandler
Office of the Mayor & City Council
Mail Stop 603
P.O. Box 4008
Chandler, AZ 85244-4008

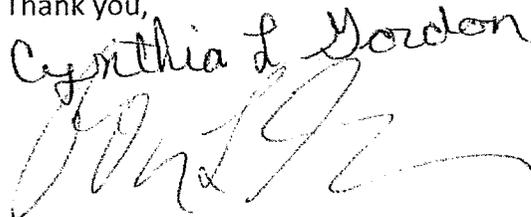
Regarding: 20221 S Gilbert Road, Chandler, AZ 85286

Mayor and City Council Members,

We own the property at 13704 E Queen Creek Rd in Chandler, Arizona. We are writing to inform you that we support the liquor license proposal for the QuikTrip on the northeast corner of Gilbert and Queen Creek Roads. Although our property is not directly adjacent to the QuikTrip lot, our family owns the property that touches that lot. In the time since the QuikTrip store was first proposed and we were notified, their team has been accommodating and interested in making us as comfortable with the building as possible. QuikTrip has agreed to construct an eight-foot fence along the eastern border of their property, which will shield my family from any inconveniences that the store might create. Additionally, they worked with my brother, Steve to move the dumpster location to reduce any noise issues.

We believe that QuikTrip has had years of successful experience with liquor licenses and we do not believe that this store location will be any different. We believe that the QuikTrip team is reliable, capable and qualified to carry a liquor license for this store. Overall, we think that the QuikTrip store proposed has been well planned and we believe that QuikTrip will be a good neighbor. As residents, we urge you to approve the QuikTrip liquor license for the corner.

Thank you,

Handwritten signature of Cynthia L. Gordon in black ink.

Richard & Cynthia Gordon

April 30, 2016

City of Chandler
Office of the Mayor & City Council
Mail Stop 603
P.O. Box 4008
Chandler, AZ 85244-4008

Regarding: 20221 South Gilbert Road, Chandler, AZ 85286

Mayor and City Council Members,

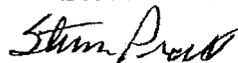
I am the property owner of 13650 East Queen Creek Road in Chandler, Arizona, directly east of the possible QuikTrip site on the corner of Queen Creek Road and Gilbert Road. I am writing this letter to inform you that as a neighbor and resident of Chandler, I support the liquor license proposal for the QuikTrip store on the corner.

I have been in direct correspondence and negotiations with QuikTrip regarding this site and I have found them to be respectful, thoughtful and good neighbors. Although neither I nor my family consume alcoholic beverages, I believe that QuikTrip is responsible, capable and qualified to hold a liquor license. As you are aware, they have years of experience and many stores that are outstanding examples of responsible liquor license use. Additionally, they have agreed to build an eight-foot wall separating my small subdivision from their parcel which I believe will separate my family and me from any negative side effects such as noise and light that a convenience store produces. They have acted in good faith and have been respectful prospective neighbors.

Please consider this letter an official letter of support for the approval of the liquor license for the QuikTrip store. As the closest property owner to the proposed store, I believe that they are a capable, qualified and reliable business I urge the city to approve their application. Our neighborhood would benefit from the development of a vacant lot into a prosperous and sought after QuikTrip and would benefit from the services a QuikTrip will provide.

Thank you,

Steve Pratt



Christine Pratt



City of Chandler
Office of the Mayor and City Council
Mail Stop 603
P.O. Box 4008
Chandler, AZ 85224-4008

Regarding: 20221 South Gilbert Road, Chandler, AZ 85286

Mayor and City Council

I own and live on the property at 13652 E. Queen Creek Road, directly east of the possible QuikTrip site on the corner of Queen Creek Road and Gilbert Road. I am writing this letter to inform you that as a neighbor, I support the proposal for the liquor license for the requested QuikTrip store and the corner.

My family has been in direct correspondence and negotiations with QuikTrip regarding this site and I have found them to be respectful, thoughtful and good neighbors. Of all convenience store options, I find that QuikTrip is the most responsible, capable and qualified to hold a liquor license. As you are aware, they have years of experience and many stores that are outstanding examples of responsible liquor license use. Additionally, they have agreed to build an eight-foot wall separating my small subdivision from their parcel which I believe will separate my family and me from any negative side effects such as noise and light that a convenience store produces. They have acted in good faith and have been respectful prospective neighbors.

Please consider this letter an official letter of support for the approval of the liquor license for the QuikTrip store. As a neighbor, I believe that they are a capable, qualified and reliable business and I urge the city approve their application. Our neighborhood would benefit from the development of a vacant lot into a prosperous and sought after QuikTrip and would benefit from the services a QuikTrip will provide.

Thank You,

A handwritten signature in cursive script, appearing to read "Patsy Baker" followed by a second signature that appears to be "Randy Baker".

Patsy and Randy Baker