



Chandler · Arizona
Where Values Make The Difference



MEMORANDUM **Planning Division - PZ Memo No. 14-087**

DATE: OCTOBER 15, 2014

TO: PLANNING AND ZONING COMMISSION

THRU: JEFF KURTZ, PLANNING ADMINISTRATOR
 KEVIN MAYO, PLANNING MANAGER *DDCT for KM*

FROM: ERIK SWANSON, SENIOR CITY PLANNER *ES*

SUBJECT: LUP14-0016 CIRCLE K STORE

Request: Use Permit approval to sell and serve liquor as permitted under a Series 10 Beer and Wine Store Liquor License for off-premise consumption within a new fuel station convenience store

Location: North of the northeast corner of Dobson and Elliot roads

Applicant: David Cisiewski; Law Office of David Cisiewski, PLLC

RECOMMENDATION

Planning Staff, upon finding consistency with the General Plan and Community Commercial (C-2) zoning, recommends approval with conditions.

BACKGROUND

The subject site is located north of the northeast corner of Dobson and Elliot roads. Adjacent to the subject site is a recently constructed TruWest Bank, and a Dunkin Donuts. North and east of the site is vacant land zoned for C-2 uses, with the Woodglen Unit Five single-family residential subdivision north of the vacant property.

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 roughly 4,700 sq. ft. convenience store will sell beer and wine seven days a week, during the hours allowed by state law.

Alcohol will be stored and sold in a few areas of the store, which includes a limited storage area behind the cashier, store displays, and cooler areas. The liquor storage and sales area will be under security camera surveillance for the safety of customers and employees.

A Use Permit is currently under review requesting fuel sales on the subject site. Upon approval of the Use Permit for the fuel station construction is anticipated to start shortly thereafter.

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 similar type retailers.

PUBLIC/NEIGHBORHOOD NOTIFICATION

- This request was noticed in accordance with the requirements of the Chandler Zoning Code.
- A neighborhood meeting was held on Monday July 28, 2014; three neighbors attended the meeting and were supportive.

At the time of this writing, Planning Staff has not received any telephone calls or letters opposed to this application.

RECOMMENDED ACTION

Planning Staff, upon finding consistency with the General Plan, recommends approval of LUP14-0016 CIRCLE K STORE, Use Permit approval to sell and serve liquor as permitted under a Series 10 Beer and Wine Store Liquor License, subject to the following conditions:

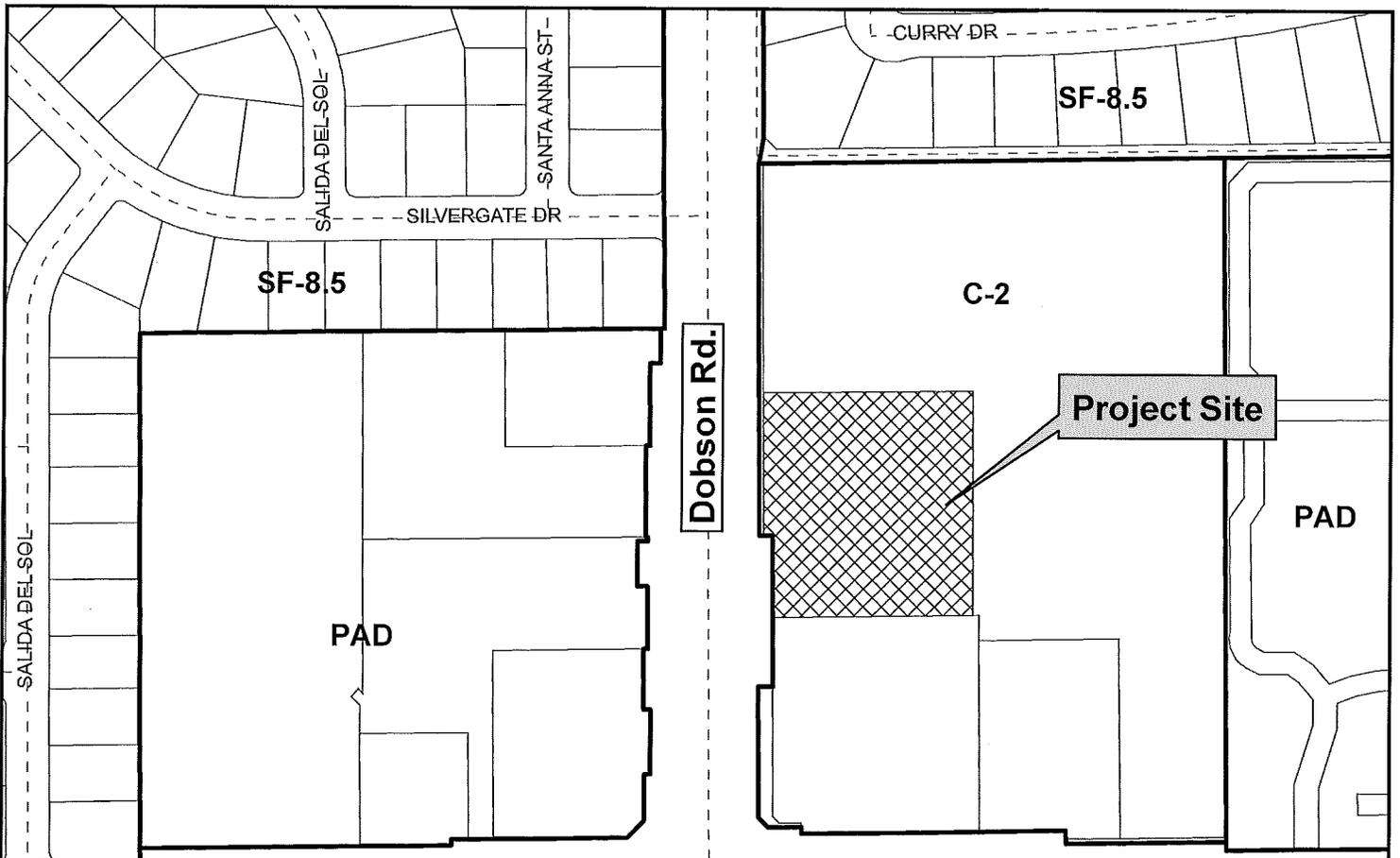
1. The Use Permit granted is for a Series 10 License only, and any change of license shall require reapplication and new Use Permit approval.
2. The Use Permit is non-transferable to any other location.
3. Expansion or modification beyond the approved exhibits (Site Plan, Floor Plan, and Narrative) shall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

PROPOSED MOTION

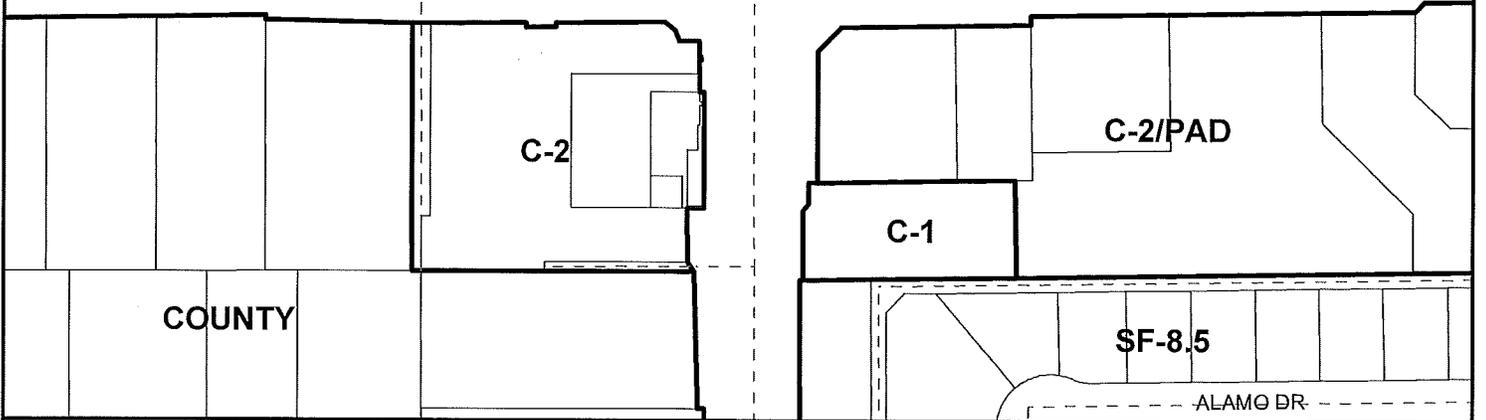
Motion to recommend approval of LUP14-0016 CIRCLE K STORE, Use Permit approval to sell and serve liquor as permitted under a Series 10 Beer and Wine Store Liquor License, subject to the conditions recommended by Planning Staff.

Attachments

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

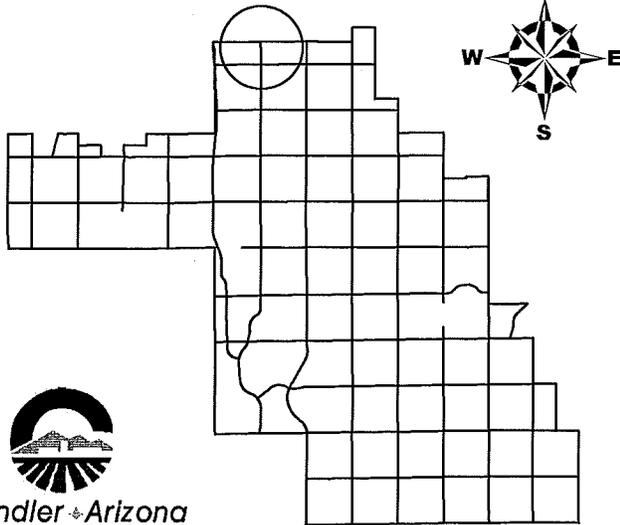


Elliot Rd.



COUNTY

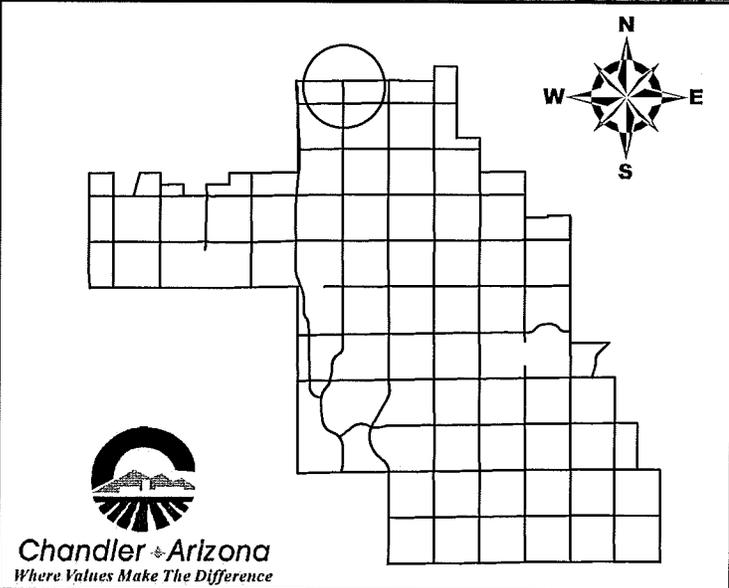
Vicinity Map



LUP14-0016

Circle K Store
Liquor Use Permit





Vicinity Map



LUP14-0016

**Circle K Store
Liquor Use Permit**



LIQUOR USE PERMIT NARRATIVE

Proposed Circle K Store

**North of the Northeast Corner of Dobson & Elliot
Chandler, Arizona**

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

Narrative: Circle K Stores, Inc. has acquired an approximately 63,058 square foot parcel north of the northeast corner of Dobson Road and Elliot Road, Chandler, Arizona. The retail convenience store development will include an approximately 4,722 square foot convenience store building, a fuel canopy featuring 8 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 is zoned C-2 and is concurrently being developed for a bank and other retail/office uses. The site plan for this Circle K Store has been developed in accordance with the requirements of the C-2 zoning district. The larger commercial development is intended to be developed as a neighborhood commercial retail center designed to provide goods and services to the community.

The proposed Circle K Store building will be 4,722 square feet in area and provide customer access to the interior of the building through a single entrance on the west side of the building, facing Dobson Road. The interior design of the building features an open and inviting floor plan, along with a centrally-located 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 southeast 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 vested C-2 zoning, the location of the proposed project near 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 provided specifically by Circle K Stores to their employees.