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APR 12 2007



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MEMORANDUM

Planning & Development - CC Memo No. 07-062

DATE: MARCH 22, 2007

TO: MAYOR AND CITY COUNCIL

THRU: W. MARK PENTZ, CITY MANAGER 
DOUG BALLARD, PLANNING & DEVELOPMENT DIRECTOR 
JEFF KURTZ, ASSISTANT PLANNING & DEVELOPMENT DIRECTOR 
BOB WEWORSKI, PLANNING MANAGER 

FROM: KEVIN MAYO, SENIOR CITY PLANNER 

SUBJECT: UP06-0058 CIRCLE K AT CARMEL VILLAGE PLAZA

Request: Use Permit approval for a Series 10 liquor license

Location: Southwest corner of Gilbert and Queen Creek Roads

Project Info: Approximately 2-acres of a 12.48-acre site, 4,400 square-foot convenience store

Applicant: Philip Schanberger
RHL Design Group

RECOMMENDATION

The request is for Use Permit approval to sell liquor (beer & wine) for off-premise consumption only (Series 10 License) within a future convenience store. Upon finding consistency with the General Plan, Planning Commission and Staff recommend approval.

BACKGROUND

The request is for Use Permit approval to sell liquor (beer & wine) for off-premise consumption only (Series 10 License) within a future convenience store on approximately 2-acres of a 12.48-acre site located at the southwest corner of Gilbert and Queen Creek Roads. A Series 10 license, also known as a "beer and wine only" license, allows a store to sell beer and wine (no other spirituous liquors) only in the original unbroken package to be taken away from the premises of the retailer and consumed off premises.

The subject site received PAD zoning for commercial uses in April 2006, as part of the larger Carmel Village development. The sale of gasoline was not specified as a permitted use at that time, thus requiring the accompanying requested zoning amendment and Preliminary Development Plan for the Circle K development.

The subject site is surrounded to the west by the residential subdivision Abralee Meadow, currently under construction. The site is bordered to the north by Queen Creek Road. Vacant land zoned AG-1, planned for light industrial and office uses under the Airpark Area Plan, is located north of Queen Creek Road. Gilbert Road is located on the site's east side. East of Gilbert Road is the future Layton Lakes development. Markwood Drive is located on the site's south side, with the Santana Ridge Apartments development, currently under construction, located south of Markwood Drive.

The applicant represents the convenience store and gas station to be open 24-hours a day, seven days a week. Each work shift will include 2-4 employees depending upon the time of day. The future convenience store will be approximately 4,400 square-feet. For reference, no vehicular repair service is proposed at this location. The attached floor plan identifies areas of liquor storage.

PUBLIC/NEIGHBORHOOD NOTIFICATION

- This request was noticed in accordance with the requirements of the Chandler Zoning Code.
- Notices were mailed to all property owners within a six hundred foot radius and all Registered Neighborhood Organizations (RNOs) within ¼ mile.
- A description of the Use Permit request was advertised in the newspaper.
- An orange 11" X 17" placard public hearing sign was posted on the property.
- A neighborhood meeting was held on March 1, 2007. No neighbors were in attendance.

At the time of this writing, Staff has received no telephone calls or letters from residents opposed to this application.

PLANNING COMMISSION VOTE REPORT

Motion to approve:

In Favor: 4 Opposed: 0 Absent: 3 (Anderson, Creedon, Gulsvig)

RECOMMENDED ACTION

Upon finding consistency with the General Plan, Planning Commission and Staff recommend approval of the Use Permit subject to the following conditions:

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

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PROPOSED MOTION

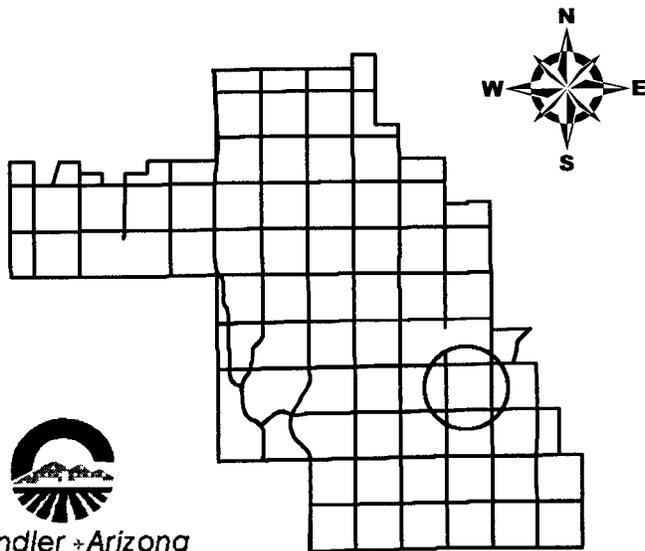
Motion to approve the Use Permit UP06-0058 CIRCLE K AT CARMEL VILLAGE PLAZA, subject to the conditions recommended by Planning Commission and Staff.

Attachments:

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



Vicinity Map



UP06-0058

**Circle K at Carmel Village Plaza
Liquor Use Permit**



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CITY OF CHANDLER 9/25/2006



Friday, September 8, 2006

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Architect

Brian F. Zita
Co-President
Architect

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**City of Chandler
Planning and Development Department
Current Planning Division**

215 E. Buffalo Street
Chandler, AZ 85225
Phone 480.782.3000
Fax 480.782.3075

Subject: Circle K @ Carmel Village Plaza
SWC of Gilbert Rd. and Queen Creek Rd.
Chandler, Arizona

**Re: Beer and Wine Conditional Use Permit
Project Narrative**

To Whom It May Concern:

Per the submittal guidelines for a **Conditional Use Permit to allow the sale of Beer and Wine for Off-site consumption (Series 10 License)**, the following is a brief narrative of the project referenced above:

Entitlements: Circle K requests the approval for a Conditional Use Permit application to permit the Convenience Store location referenced above to sell beer and wine for off-site consumption.

Description of Proposed Use: Circle K Company proposes to develop a **4400** square foot one-story convenience store and a **7887** square foot fuel canopy with **12** fuel dispensers. The proposed use is retail and includes the sale of beer and wine for off-sale consumption. No repair service is proposed at this location. Hours of operation will be 24-hours a day, seven days a week. Each work shift will include 2-4 employees depending on the time of day.

Established 1966

General Plan, Zoning Requirements and Preliminary Site Plan: The proposed use (retail sales/convenience store/gas sales) is consistent with the Airpark Area Plan and the General Plan Land Use Designation of Community Commercial and the zoning for the property.

We trust that the above narrative adequately describes the proposed Circle K project and that the requirements and guidelines of the previously approved PAD for the Carmel Village Plaza have been met

Please, if you have any comments or need any additional information do not hesitate to call me at 480.945.6040.

Respectfully,
RHL DESIGN GROUP, INC.

Philip Schanberger
Project Manager

- Offices*
- ANAHEIM, CA
- BELLEVUE, WA
- CAMAS, WA
- MARTINEZ, CA
- PETALUMA, CA
- ROSEVILLE, CA
- SCOTTSDALE, AZ