

SEP 20 2007



**Chandler • Arizona**  
*Where Values Make The Difference*

**MEMORANDUM**

**Planning & Development - CC Memo No. 07-217**

**DATE:** SEPTEMBER 6, 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:** ERIK SWANSON, CITY PLANNER

**SUBJECT:** UP07-0035 FRESH & EASY MARKET – RAY & KYRENE ROADS

**Request:** Use Permit approval to sell beer & wine for off-premise consumption only within a new grocery store (Series 10 Liquor License)

**Location:** 5805 W. Ray Road  
East of the southeast corner of Ray and Kyrene Roads, within the Laguna Village shopping center

**Applicant:** Amy Nations, AZLIC

**RECOMMENDATION**

The request is for Use Permit approval to sell beer & wine for off-premise consumption only within a new grocery store (Series 10 Liquor License). Planning Commission and Staff, upon finding consistency with the General Plan and Planned Area Development (PAD) zoning, recommend approval with conditions.

**BACKGROUND**

The subject site is located east of the southeast corner of Ray and Kyrene Roads, within the Laguna Village shopping center. The subject grocery store will be a new building within the existing shopping center. North, across Ray Road is the Warner Ranch single-family residential neighborhood. East, across Day Street is the Village Court at Gila Springs single-family residential neighborhood. South of the subject site is a vacant building previously occupied by Madstone Theater. Beyond the vacant building is the Viewcrest single-family residential neighborhood. West of the subject site, within the shopping center are parking spaces.

The Laguna Village commercial shopping center received PDP approval in 1986. As part of the approved site plan, a pad was proposed at the subject site location. The vacant pad was never developed and has been utilized for parking spaces until a tenant develops the vacant pad. Since the pad was shown on the original PDP, when the time came for development of the vacant pad, the architecture would be done on an administrative level. The building architecture and layout has met the design criteria established by the original PDP, and was administratively approved.

The subject site will be approximately 14,000 square feet. The grocery store will be open from 8 a.m. to 10 p.m. daily, and will employ approximately five full-time and three part-time persons. With approval of the Use Permit the grocery store will be able to provide shoppers with a selection of beer and wine for off-premise consumption only. The liquor storage of this facility is approximately 80 linear feet. The grocery store is proposed to be open by March of 2008.

#### **PUBLIC/NEIGHBORHOOD NOTIFICATION**

This request was noticed in accordance with the requirements of the Chandler Zoning Code.

- A neighborhood meeting was held on Tuesday May 15, 2007 at the Downtown Community Center. No neighbors were in attendance.

Staff has received three phone calls regarding the proposal; two were in support, and one was opposed.

#### **PLANNING COMMISSION VOTE REPORT**

Motion to Approve:

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

#### **RECOMMENDED ACTION**

Planning Commission and Staff, upon finding consistency with the General Plan, 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 license only, and any change of license shall require reapplication and new Use Permit approval.
3. The Use Permit is non-transferable to other store locations.

#### **PROPOSED MOTION**

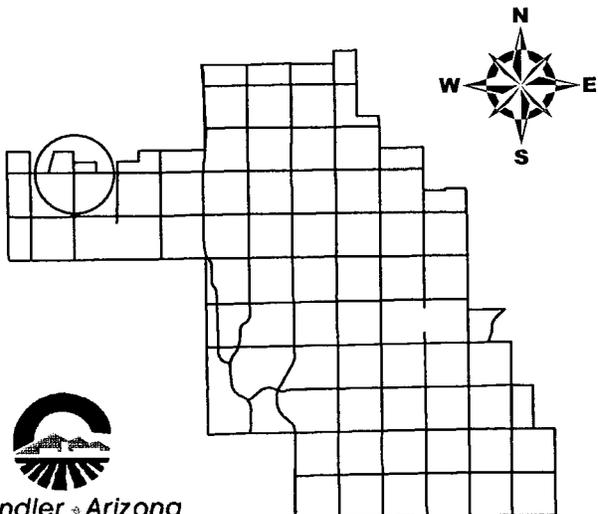
Move to approve UP07-0035 FRESH & EASY MARKET – RAY & KYRENE ROADS, subject to the conditions recommended by Planning Commission and Staff.

#### **Attachments:**

1. Vicinity Map
2. Approved 1986 Site Plan
3. Floor Plan
4. Applicant Narrative



## Vicinity Map



UP07-0035

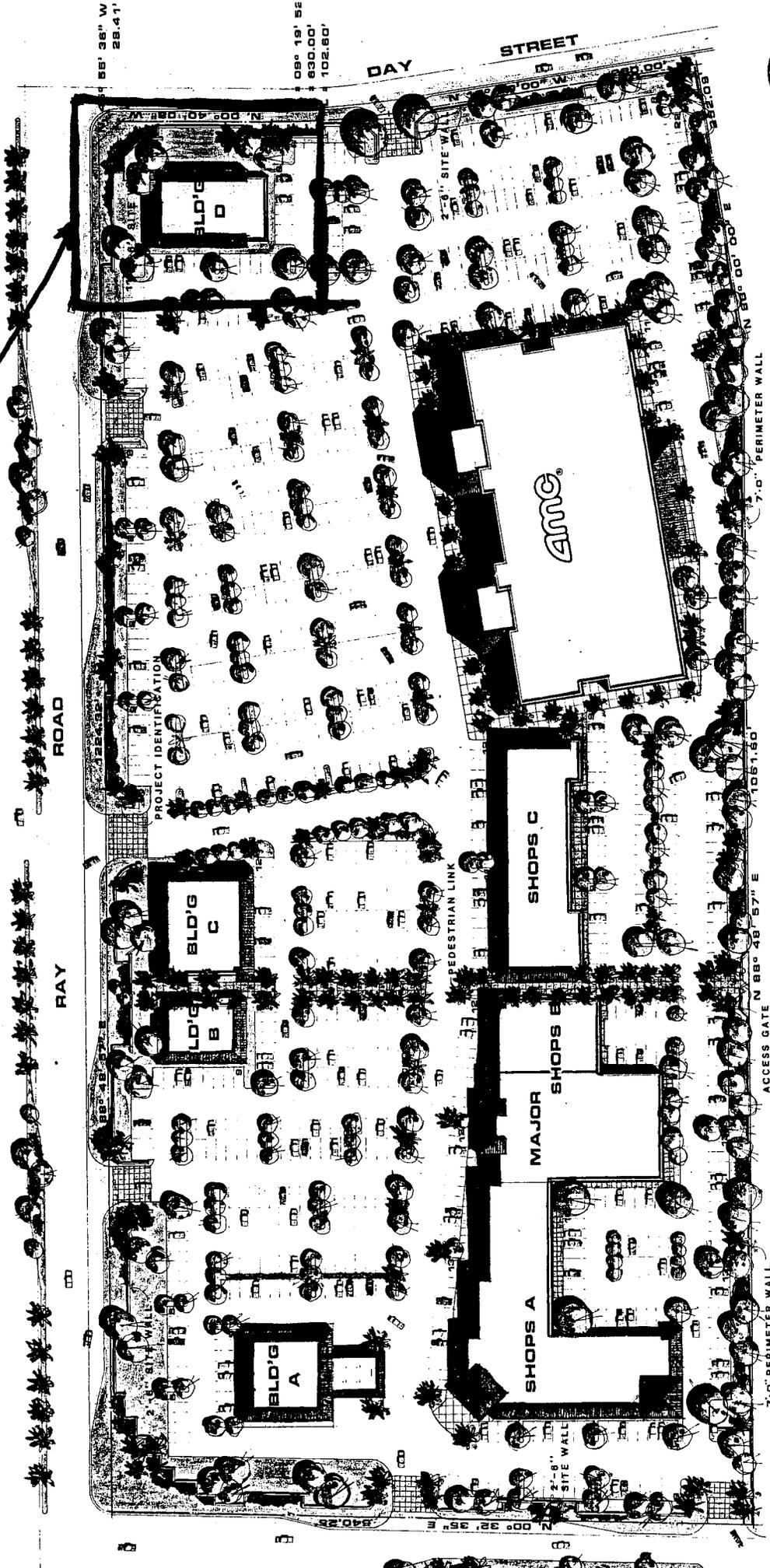
**Fresh and Easy Neighborhood  
Market  
Liquor Use Permit**



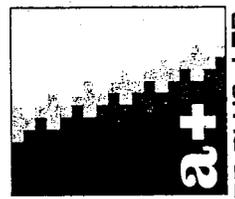
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CITY OF CHANDLER 08/29/2007

**SUBJECT SITE**



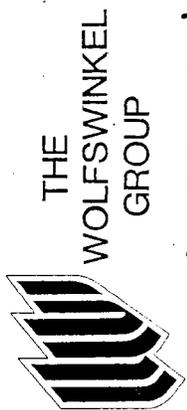
**SITE PLAN**



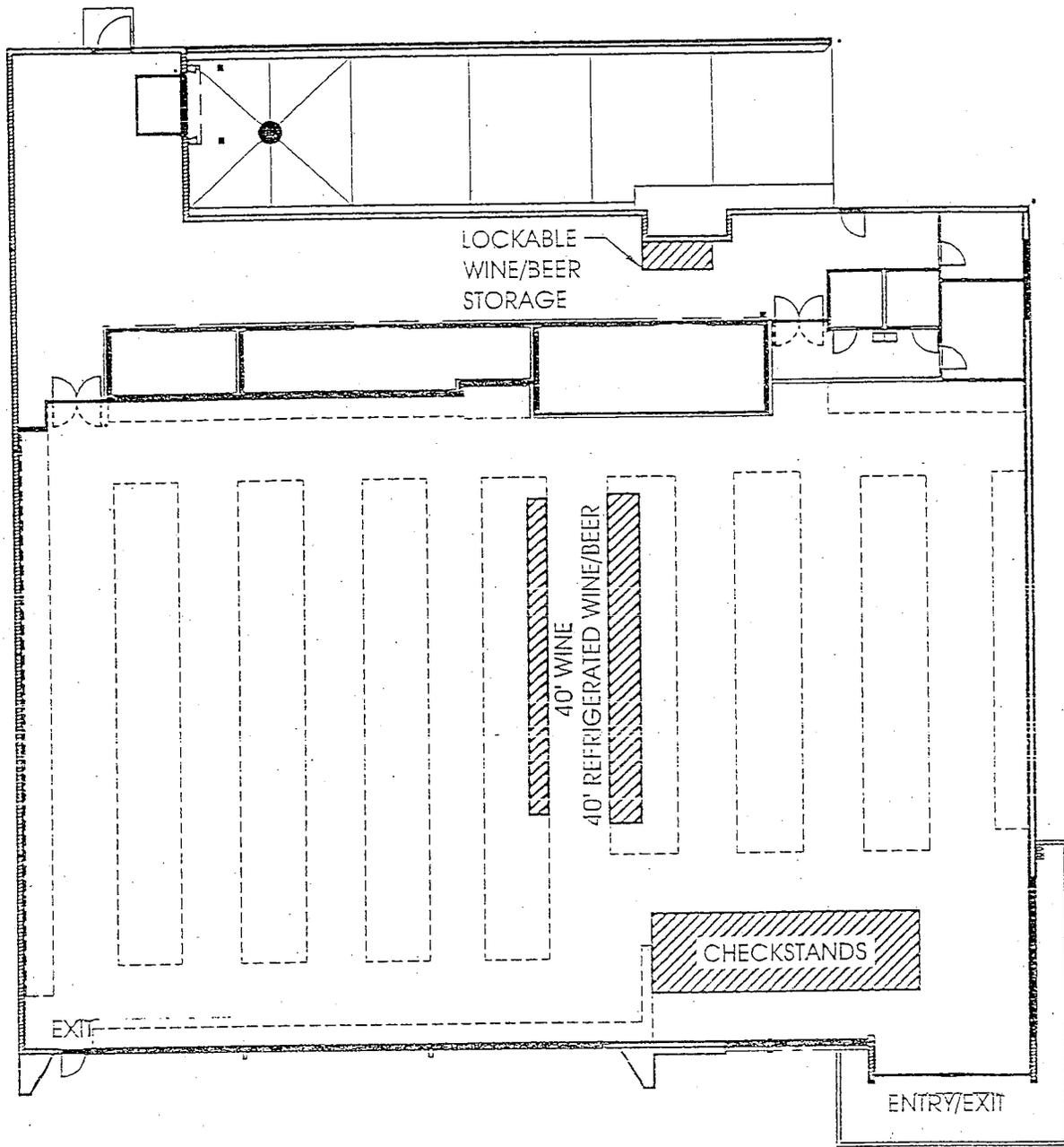
ARCHITECTURE PLUS, LTD.

PROJECT DATA		PARKING REQUIREMENTS	
SQUARE FOOTAGE		BANK 4900 S.F. (1/150)	33 SPACES
BLD'G A BANK	4900 S.F.	RESTAURANTS 9500 S.F. (1/50)	127 SPACES
BLD'G B RESTAURANT	3500 S.F.	(RESTAURANT SUPPORT)(1/200)	16 SPACES
BLD'G C RETAIL	7000 S.F.	RETAIL 63242 S.F. (1/250)	254 SPACES
BLD'G D RESTAURANT	6000 S.F.	THEATRE 3118 SEATS	624 SPACES
SHOPS A RETAIL	20950 S.F.	(1/5 SEATS)	
MAJOR RETAIL	15000 S.F.	TOTAL REQ'D	1054 SPACES
SHOPS B RETAIL	6392 S.F.	TOTAL PROVIDED	1069 SPACES
SHOPS C RETAIL	13900 S.F.	LAND	17.02 AC 741,400 S.F.
THEATRE	57137 S.F.	BUILDING	134,779 S.F.
TOTAL	134,779 S.F.	BUILDING COVERAGE	18.2 %
		PARKING PROVIDED	1069 SPACES
		PARKING RATIO	8/1000 S.F.

ARIZONA  
BUILDING &  
DEVELOPMENT



APPROVED 1986 SITE PLAN



14 000 SQUARE FEET

BEER/WINE FIXTURE PLAN EXHIBIT

N.T.S.

KURT D. REED ASSOCIATES, INC.  
 7400 EAST McDONALD DRIVE, • SUITE 101 • SCOTTSDALE, AZ. 85250  
 Phone:(480) 941-1440 Fax:(480) 948-1055 www.kdra.com

TESCO	
Project No:	042314PAB
Date:	31 AUG 06
Drawn:	JRS
Checked:	K.D.R.
Sheet No:	EX1

P.O. Box 2502  
Chandler, Arizona 85244  
(480) 730-2675 Phone (480) 730-2676 Fax



ARIZONA LIQUOR  
INDUSTRY CONSULTANTS

City of Chandler  
Planning and Development Division  
215 E. Buffalo Street  
Chandler, Arizona 85225

April 3, 2007

To Whom It May Concern:

We are respectfully requesting a series 10 Off-Sale Beer & Wine liquor use permit for Fresh & Easy Neighborhood Market Inc.

Tesco is a 14,000 square foot full service grocery store. It will be located in a new building at the southwest corner of Ray Road and Day Road 5805 W. Ray Road Pad A in Chandler. The new building will have 83 parking places.

We will be open for business from 8am to 10pm 7 days a week and will employ 5 full time and 3 part time persons.

Please call us with any questions you may have.

Sincerely,

A handwritten signature in cursive script that reads "Amy Nations". The signature is written in black ink and is positioned above the printed name.

Amy Nations  
Arizona Liquor Industry Consultants