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OCT 25 2007



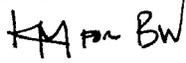
Chandler • Arizona
Where Values Make The Difference

MEMORANDUM

Planning & Development - CC Memo No. 07-249

DATE: COTOBER 4, 2007

TO: MAYOR AND CITY COUNCIL

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

FROM: ERIK SWANSON, CITY PLANNER 

SUBJECT: UP07-0081 BEVMO!

Request: Use Permit extension approval to sell alcohol (Series 6 Bar License) for a liquor store that will have a sampling bar (wine, beer, liquor).

Location: 7230 W. Ray Road, Suite 4 Chandler Pavilions

Applicant: Amy Nations, AZLIC

RECOMMENDATION

Planning Commission and Staff, upon finding consistency with the General Plan and Planned Area Development (PAD) zoning, recommend approval with conditions.

BACKGROUND

Beverages and More! is located in the Chandler Pavilions Unit 5, east of 54th Street and north of Ray Road, located to the north of Red Lobster. The uses surrounding the proposed location include a Jason's Deli and a mattress store.

Beverages and More! (BEVMO!) is a liquor store that specializes in specialty wine, beer, spirits, gourmet foods and accessories. BEVMO! offers over 3000 brands of wines, 600 brands of beers, 1200 brands of spirits and 1000 different gourmet food items. There are currently 53 stores in operation in California. This particular location was the first for Arizona and employ's approximately 15 local residents.

Corporate policy prohibits the selling of cigarette's, the use of pinball and video games, pool tables, selling of pornographic videos and magazines, lottery tickets, pay telephones, newspaper stands and any other items that could potentially cause loitering.

The subject site was granted Use Permit approval with a one-year timing condition in 2006. BEVMO! is requesting the Use Permit extension to allow for the serving of alcohol samples located in a small serving area located between the two store exits. The Use Permit allows for on-site consumption for the purposes of sampling wine, beer and spirits. Patrons will have to pay per sample, and the sampling will be limited to comply with State liquor laws. Patrons will not be allowed to consume from an open beverage container. Alcoholic purchases shall not be consumed on-premises.

PUBLIC/NEIGHBORHOOD NOTIFICATION

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

- The Police Department has been informed of the application and has responded with no issues or concerns.
- A neighborhood meeting was held on Wednesday September 26, 2007 at the Downtown Community Center. No neighbors were in attendance.

As if the writing of this memo, Staff has received no calls or letters of opposition to the Use Permit request.

PLANNING COMMISSION VOTE REPORT

Motion to Approve:

In Favor: 4 Opposed: 0 Absent: 2 (Creedon, Rivers)

RECOMMENDED ACTION

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

1. The Use Permit is for a Series 6 liquor license only, and any change in type of license shall require reapplication and new Use Permit approval.
2. 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.
3. The Use Permit is non-transferable to any other store location.
4. The site shall be kept in a clean and orderly manner.

PROPOSED MOTION

Move to approve UP07-0081 BEVMO!, Use Permit for liquor sales, subject to the conditions recommended by Planning Commission and Staff.

Attachments

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

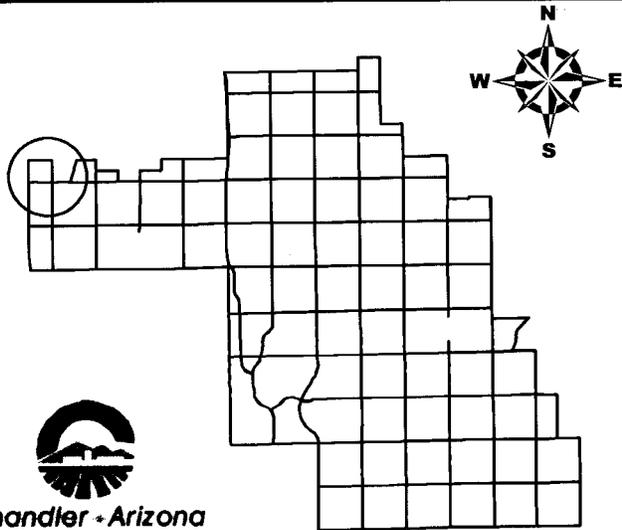


Project Site

Ray Rd.

56th St.

Vicinity Map



UP007-0081

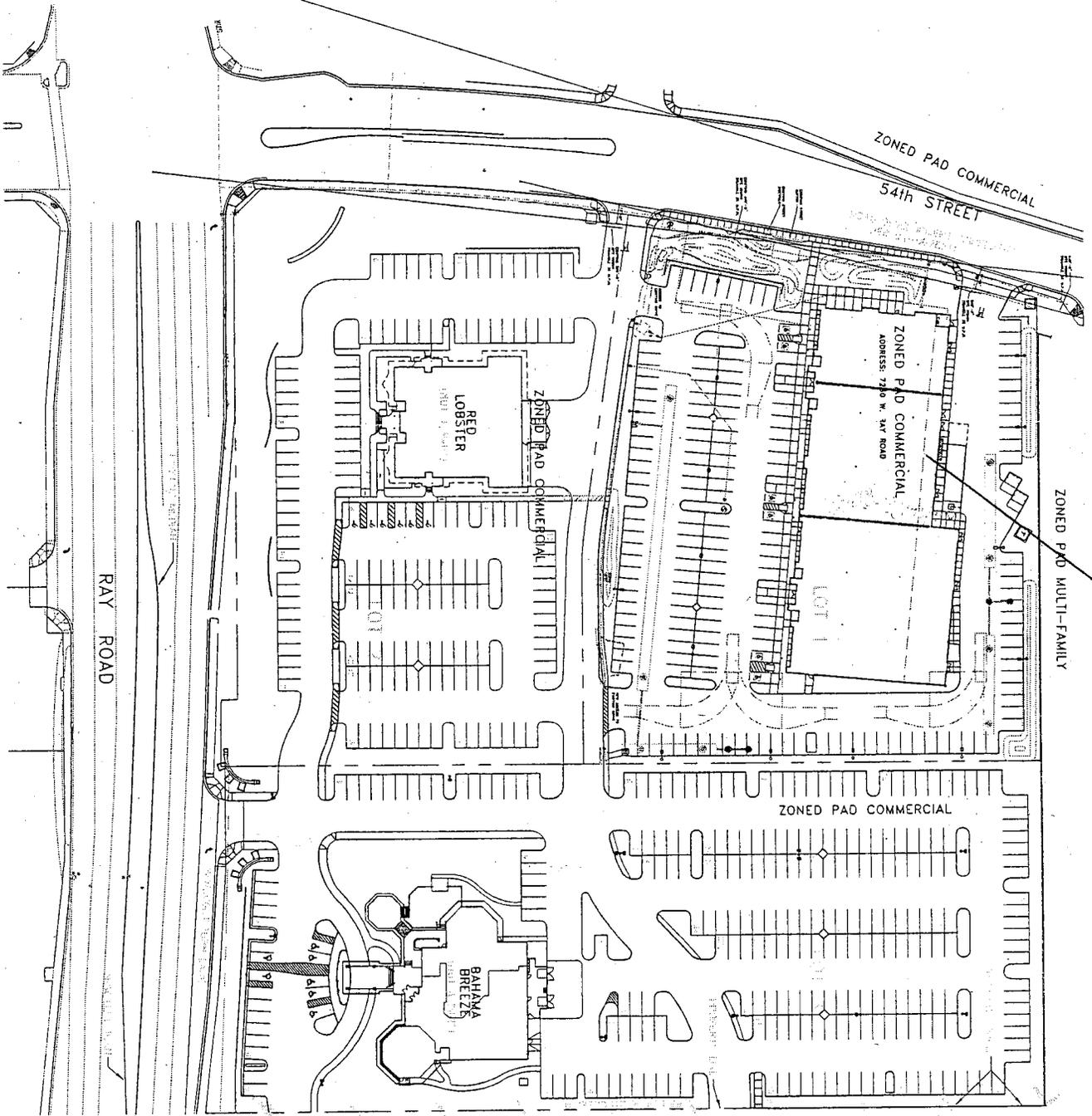
BevMo!
Liquor Use Permit



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CITY OF CHANDLER 8/15/2007

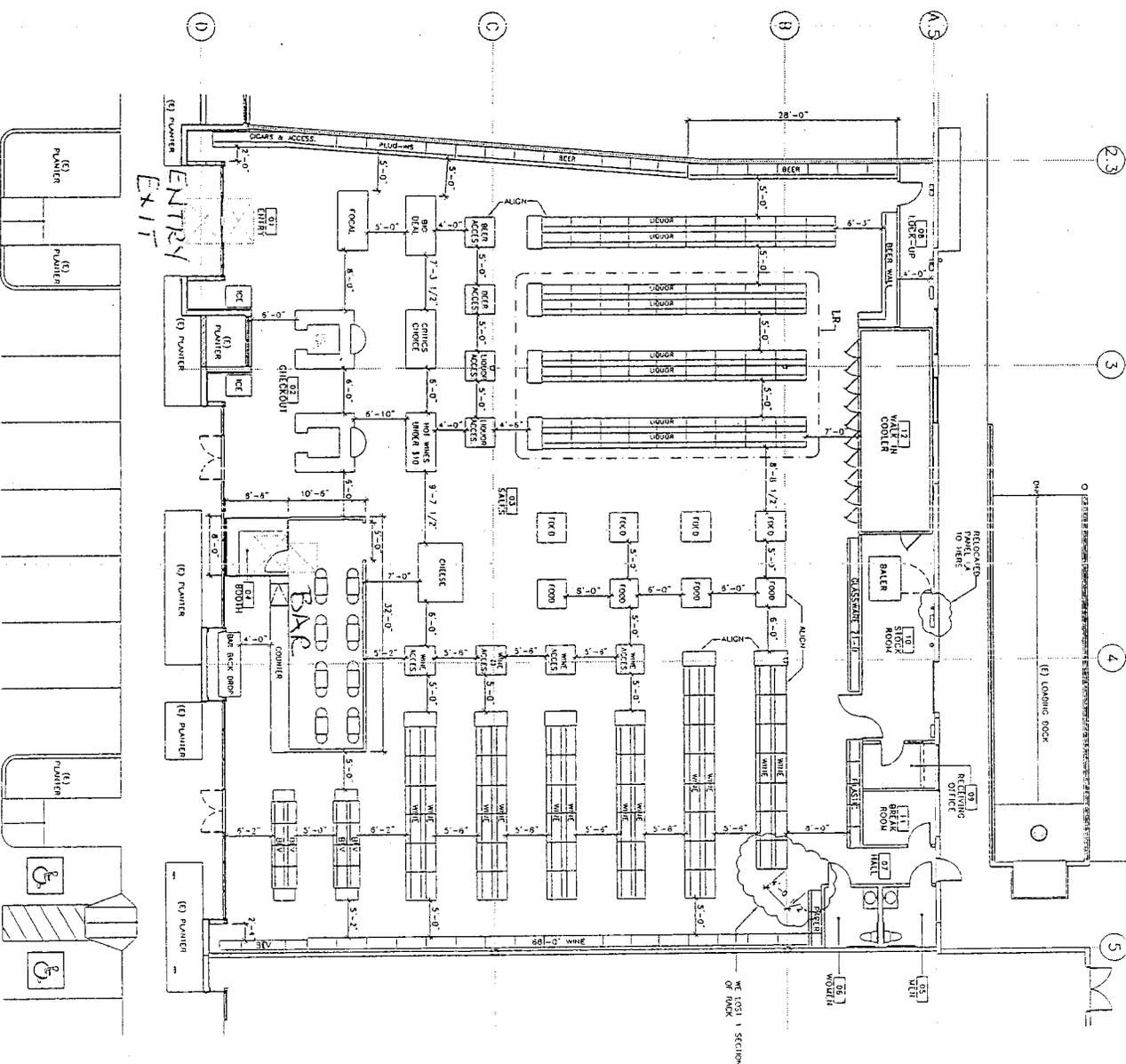
N



SUBJECT
SITE

FLOOR PLAN

10,983 SQUARE FEET



1
2

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



ARIZONA LIQUOR INDUSTRY CONSULTANTS

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

August 9, 2007

To Whom It May Concern:

We would like to request a series 6 use permit for our Arizona business located at 7230 W. Ray Road Suite 4 in Chandler. In addition, we would like to request a three year use permit as opposed to a one year use permit. Since opening our Chandler location, there have been no liquor law violations or neighborhood complaints.

Beverages & More! (BevMo!) is a specialty retailer selling beer, wine, spirits, gourmet food and related items, such as glassware, accessories, etc., which are not easily found elsewhere. We offer over 3000 brands of premium wines, 1000 different gourmet food items, 600 brands of specialty beers and 1200 brands of specialty spirits.

Beverages and More! will employ approximately 15 local residents and contribute significant tax revenues to the City of Chandler.

Beverages and More! currently operates 53 stores in California.

That Beverages and More! Is committed to the responsible marketing of alcoholic beverage products is demonstrated by:

- 1) Hours of operation being limited to Monday through Friday 10am to 9pm, Saturday 9am to 9pm and Sunday 10am to 7pm except for a short time during holiday periods where our hours are extended slightly;
- 2) Corporate policy prohibitions against selling cigarettes and products of abuse (such as 40ozs. Of malt liquor, low-priced screw-top beverages (Ripple, MD 20/20) fortified wines and pints or half-pints of spirits); and
- 3) Corporate policy prohibitions against video or pinball games, sales of pornographic videos and magazines, pay telephones, lottery tickets, newspaper stands and other items that would encourage loitering or minors patronizing the store (unlike many convenience stores).

- 4) Corporate policy prohibitions against hiring anyone under the age of 21 to work in our stores.

Following meetings with the Investigating Supervisor at the Arizona Department of Liquor Licenses and Control, we came to the understanding that a series 6 liquor license would be the best fit for our type of business.

We will have a small bar inside the establishment for sample tasting only. The customer will have to pay per sample and will have different size sampling available. We will allow our patrons to sample all liquors in our inventory. There will also be sampling of food items. The sampling will be limited to comply with state liquor laws. Our establishment is not going to be one that people will sit in the bar and stay and no one under the age of 21 may enter the tasting area. Our main business is package sales.

Our business will not have any pool tables or video games of any sort. We card anyone looking under 35 years of age and also utilize our Viage machines for scanning ids. We will not accept any out of state ids.

We have hired Arizona Liquor Industry Consultants to conduct mystery shops to ensure our employee's are adhering to company policies and state laws. They will also conduct state certified training classes for all our employees.

Please contact us with any questions you may have.

Respectfully Submitted,

Randy D. Nations
Randy D. Nations
Agent

A large, stylized handwritten signature in black ink that reads "Randy D. Nations" and is written over the typed name and title.