



Chandler • Arizona
Where Values Make The Difference

MEMORANDUM Planning & Development - CC Memo No. 07-231

DATE: OCTOBER 18, 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: JODIE M. NOVAK, MEP, SENIOR CITY PLANNER

SUBJECT: UP07-0072 WAL-MART (ALMA SCHOOL & WARNER ROADS)

Request: Use Permit approval to allow liquor sales under a Series 9 Liquor Store license for the sale of all spirituous liquors for off-premise consumption

Location: East of the northeast corner of Alma School and Warner Roads

Applicant: Sean Lake, Pew & Lake

RECOMMENDATION

The application requests Use Permit approval to sell all spirituous liquor under a Series 9 Liquor Store license for off-premise consumption at an existing retailer. Planning Commission and Staff, finding consistency with the General Plan and Planned Area Development (PAD) zoning, recommend approval.

BACKGROUND

The application requests Use Permit approval to sell liquor as permitted under a Series 9 Liquor Store license. A Series 9 license, which is considered a "liquor store license," allows the on-site sale of beer, wine, and spirits for off-premise consumption. The retail store is located within an existing retail shopping center at the northeast corner of Alma School and Warner Roads. The store is adjacent to other retail businesses and north of the store is a residential area.

The existing store is a 24-hour business, which is allowed by right given the use commenced prior to the City's adoption of the late-hour business policy. The store will provide for the sale of

liquor only during the permitted hours of liquor sales in accordance with the Arizona Revised Statutes. This store is a Supercenter with a grocery and a retail portion. The liquor sales and display area is located within the grocery sales area near the rear of the building. There is no liquor located near the front registers or checkout aisles.

Staff is of the opinion 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.

PUBLIC / NEIGHBORHOOD NOTIFICATION

- The 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 September 13, 2007. No one attended.
- As of the date of this memo, Staff has received no telephone calls or letters from residents opposed to this Use Permit.

PLANNING COMMISSION VOTE REPORT

Motion to Approve. In Favor: 6 Opposed: 0

RECOMMENDED ACTION

Planning Commission and Staff, upon finding consistency with the General Plan and PAD zoning, recommend approval of the Use Permit UP07-0072 WAL-MART (ALMA SCHOOL & WARNER ROADS), subject to the following conditions:

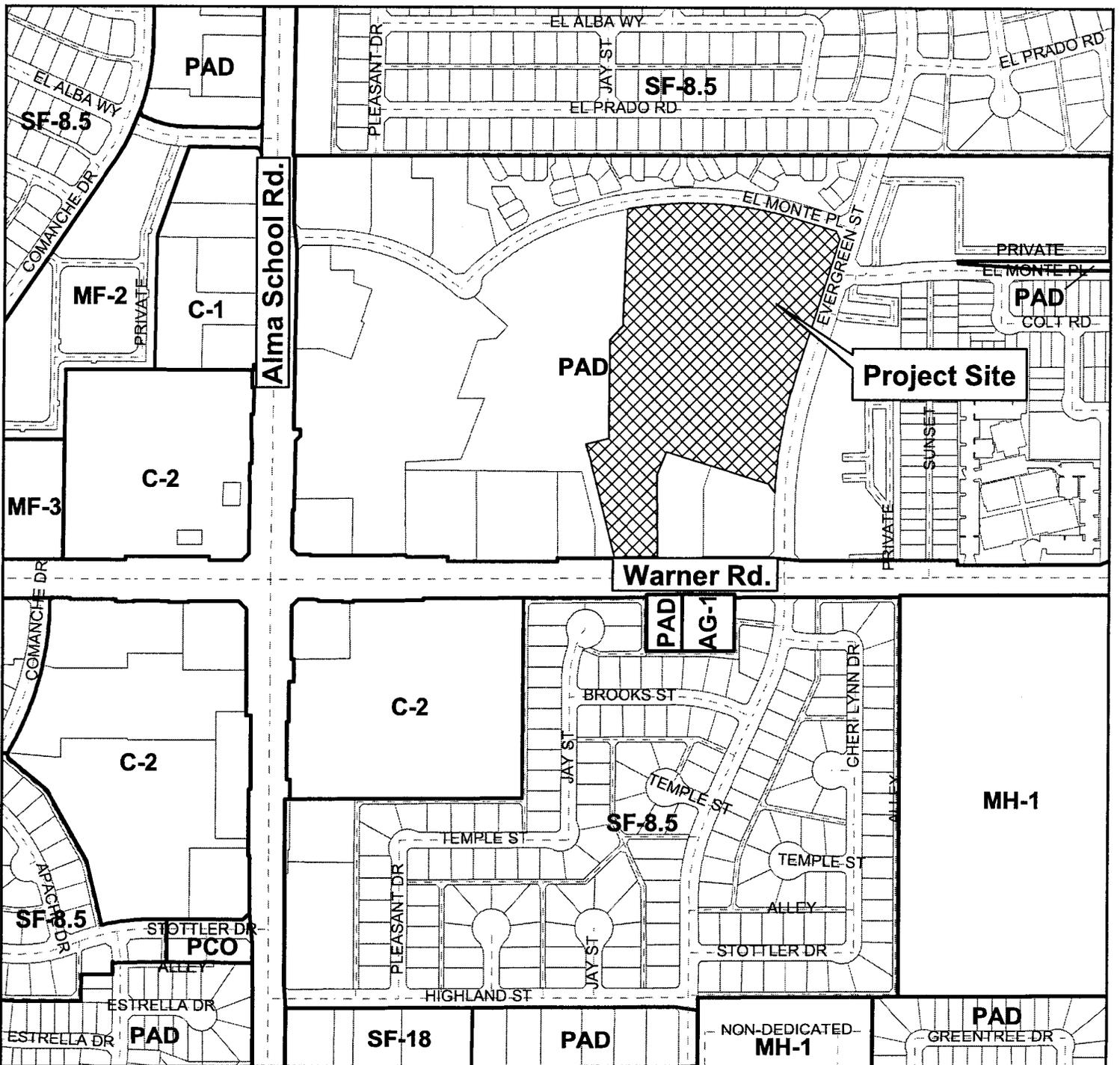
1. The Use Permit is for a Series 9 liquor license only, and any change in type of license shall require reapplication and new Use Permit approval.
2. Expansion beyond the approved Floor Plan shall void the Use Permit and require new Use Permit application and approval.
3. The Use Permit is non-transferable to any other store location.
4. The site shall be maintained in a clean and orderly manner.

PROPOSED MOTION

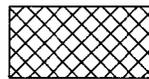
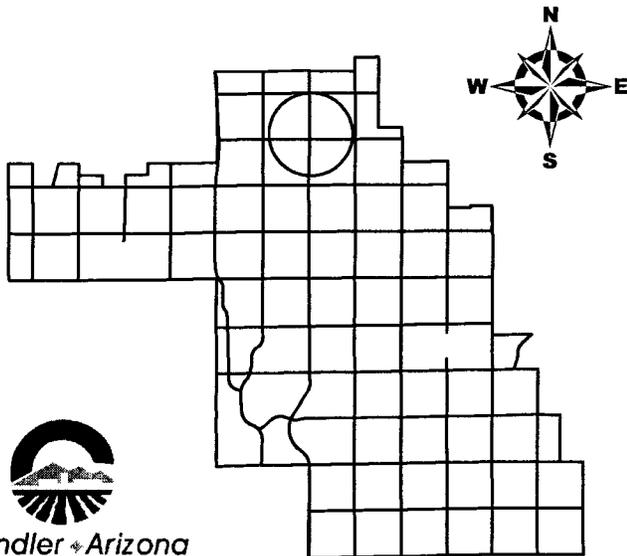
Move to approve Use Permit case UP07-0072 WAL-MART (ALMA SCHOOL & WARNER ROADS), subject to the conditions recommended by Planning Commission and Staff.

Attachments

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



Vicinity Map



UP07-0072

**Wal-Mart
Liquor Use Permit**

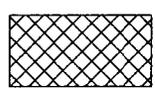
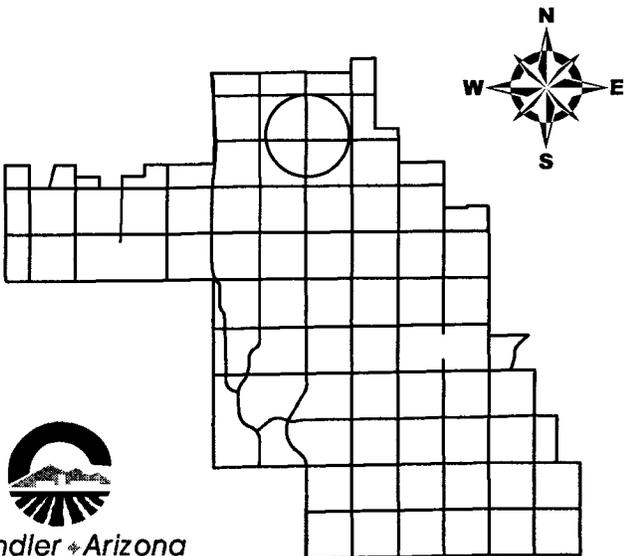


Warner Rd.

Project Site

Alma School Rd.

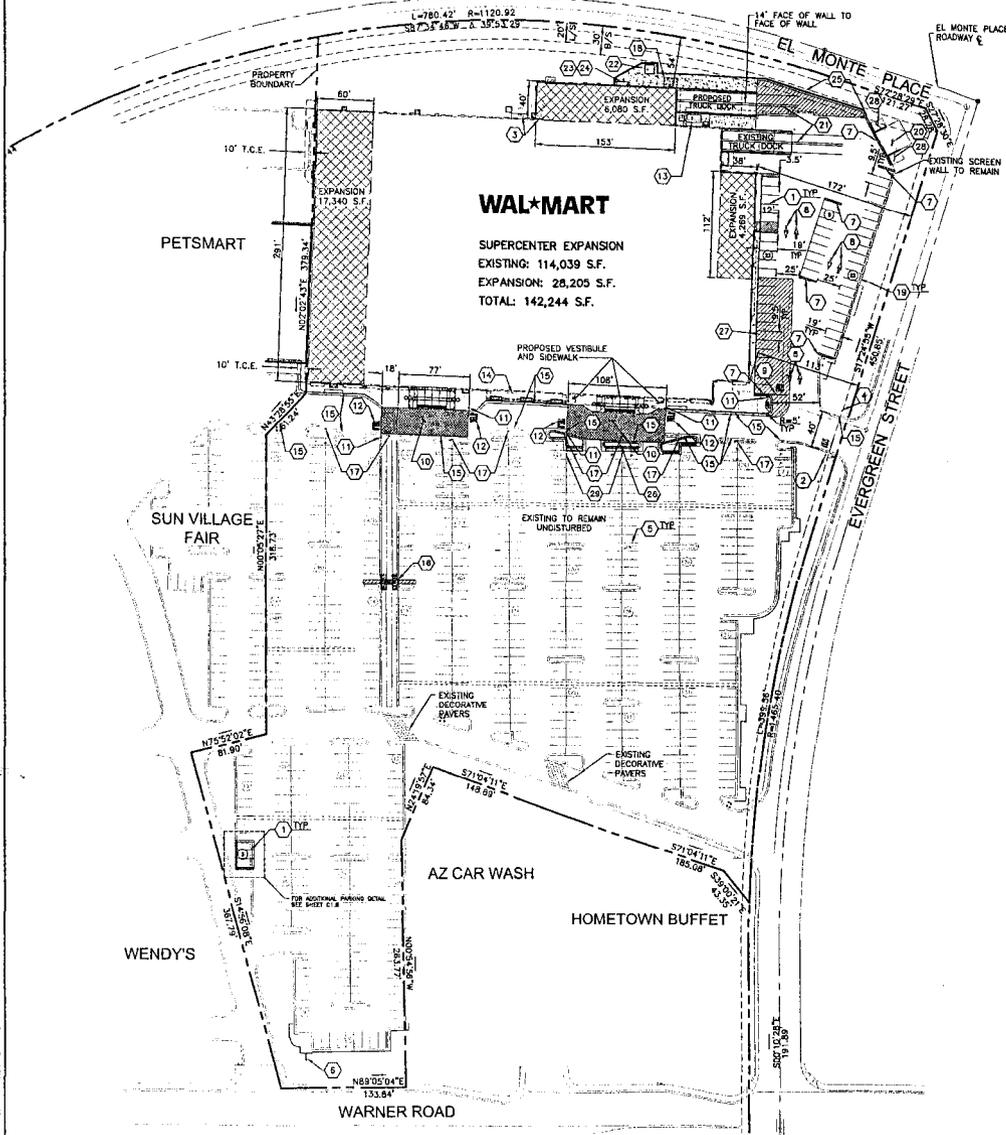
Vicinity Map



UP07-0072

**Wal-Mart
Liquor Use Permit**

ZONING: PAD



WAL*MART

SUPERCENTER EXPANSION
 EXISTING: 114,039 S.F.
 EXPANSION: 28,205 S.F.
 TOTAL: 142,244 S.F.

CONSTRUCTION NOTES

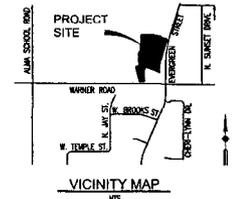
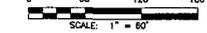
- 1 4" PAINT STRIPING (SYS/4") PER WAL-MART STANDARDS.
- 2 EXISTING STOP SIGN TO REMAIN.
- 3 EXISTING CONCRETE TRANSFORMER & SWITCHGEAR PADS. CONTRACTOR TO COORDINATE WITH POWER COMPANY TO RELOCATE.
- 4 TRUCK ENTRANCE & EXIT SIGN INSTALLED PER WAL-MART STD. DET. SEE SHEET C1.7.
- 5 EXIST CHART CORRAL TO REMAIN (TYPICAL).
- 6 EXISTING MONUMENT SIGN TO REMAIN.
- 7 2'-0" LOADING ZONE AT ALL CURBED PARKING SPACES & WHORSE INDICATED PER WAL-MART STD. DET. SEE SHEET C1.7.
- 8 PAINTED DIRECTIONAL ARROW (TYPICAL) PER WAL-MART STD. DET. SEE SHEET C1.7.
- 9 STOP BAR AND "STOP" MARKING (TYPICAL) PER WAL-MART STD. DET. SEE SHEET C1.7.
- 10 PEDESTRIAN CROSSWALK WITH 2'x2' DIMENSION STAMPED RECREATIVE CONCRETE. COLOR: NC #356 (BALDURY BROWN).
- 11 PEDESTRIAN CROSSING SIGN W/1-2 AND W/1-2A AT PEDESTRIAN CROSSWALKS. INSTALLED PER WAL-MART STD. DET. SEE SHEET C1.7.
- 12 "YIELD" PAINTED YELLOW ON PAVEMENT TYPICAL. SEE SHEET C1.7.
- 13 EXISTING TRASH COMPACTOR.
- 14 EXISTING BIKE RACK.
- 15 FIRE LAKE MARKING.
- 16 CHART CROSSING, SEE SHEET C1.7.
- 17 ASLE INDICATOR SIGNS.
- 18 JOB CRANE AREA: 10' X 15' STIPED (SYS/4").
- 19 PRECAST SAFETY CURB PER W.A.C. STD. DET. 150 (8-10). SEE SHEET C1.7.
- 20 SALE & PALLET AREA, W/ENCE AND 10' SLIDE GATE. SEE ARCHITECTURAL PLANS.
- 21 PROVIDE 3 SYS/4" WIDE SPACED 10' O.C. X 130' LONG CENTERED ON BOOK DOORS.
- 22 PROPOSED TRANSFORMER PAD LOCATION, SEE ARCHITECTURAL PLANS.
- 23 PROPOSED SWITCHGEAR PAD LOCATION, SEE ARCHITECTURAL PLANS.
- 24 PROPOSED C/A CABINET LOCATION, SEE ARCHITECTURAL PLANS.
- 25 PROPOSED REPAIRING & SCREEN WALL. SEE SHEET C1.11.
- 26 RELOCATE SIGN AND BOLLARD.
- 27 GREASE INTERCEPTOR, SEE ARCHITECTURAL PLANS.
- 28 ENVIRONMENTAL STORAGE AREA, SEE ARCHITECTURAL PLANS FOR DETAILS.
- 29 ACCESSIBLE SIGN PER CITY OF CHANDLER STD. DETAIL, SEE SHEET C1.7.

LEGEND

- PROPERTY LINE
- RIGHT OF WAY LINE
- BUILDING SETBACK LINE
- LANDSCAPE SETBACK LINE
- TEMPORARY CONSTRUCTION EASEMENT
- TEMPORARY CLERG
- ROAD CENTER LINE
- STANDARD DUTY ASPHALT
- HEAVY DUTY ASPHALT
- EXPANSION AREA
- BS/LS BUILDING SETBACK/LANDSCAPE SETBACK
- R/W RIGHT OF WAY
- TOP DRIVE
- B/C BACK OF CURB
- T.C.E. TEMPORARY CONSTRUCTION EASEMENT
- (1) CONSTRUCTION NOTE
- (2) PROPOSED PARKING COUNT NOTE
- (3) EXISTING PARKING COUNT NOTE
- (4) DIRECTIONAL ARROW
- (5) CHART CORRAL
- (6) SIDEWALK RAMP
- (7) LOADING ZONE
- (8) SIGN
- (9) GSF GROSS SQUARE FEET
- (10) EXIST LIGHT POLE
- (11) PROPOSED LIGHT POLE
- (12) PROPOSED LIGHT POLE

PAINT STRIPING LEGEND

- SYS/4" - SINGLE WHITE SOLID LINE / 4" WIDE
- SYS/4" - SINGLE YELLOW SOLID LINE / 4" WIDE EACH



SITE DATA

SITE LOCATION: NORTHEAST CORNER OF ALMA SCHOOL RD. AND WARNER RD.
 WAL-MART LOT: 12.5814 ACRES ±
 TOTAL AREA: 12.5814 ACRES ±

CURRENT ZONING CLASSIFICATION: P.A.D.
 LOCAL JURISDICTION: CITY OF CHANDLER
 LANDSCAPE REQUIREMENTS: TOP OF PARKING LOT SURFACE AREA AND 10' BUFFER AROUND PROPERTY

BUILDING DATA

EXISTING BUILDING AREA: 114,039 S.F.
 EXPANSION BUILDING AREA: 28,205 S.F.
 TOTAL BUILDING AREA: 142,244 S.F.

BUILDING SETBACKS REQUIRED:
 30' FRONT STREET
 30' REAR SETBACK TO BUILDING
 30' SIDE STREET
 12' INTERIOR SIDE

PARKING DATA

EXISTING BUILDING STANDARD STALLS: 114,039 S.F.
 ACCESSIBLE STALLS: 700 STALLS
 TOTAL (1.51 STALLS/1000 GSF): 770 STALLS

EXPANSION BUILDING STANDARD STALLS: 28,205 S.F.
 ACCESSIBLE STALLS: 84 STALLS
 TOTAL (1.51 STALLS/1000 GSF): 364 STALLS

TOTAL WAL-MART BUILDING AREA: 142,244 S.F.
 STANDARD STALLS: 792 STALLS
 ACCESSIBLE STALLS: 784 STALLS
 TOTAL (1.51 STALLS/1000 GSF): 1576 STALLS

CHART CORRALS (NOT INCLUDED IN TOTAL): 10 STALLS
 WAL-MART PREFERRED PARKING (3 STALLS/1000 GSF): 712 STALLS
 CODE REQUIRED PARKING SPACES (4 STALLS/1000 GSF): 570 STALLS

(SHOPPING CENTERS TEN(10) GROSS ACRES OR LARGER IN SIZE)

PARKING NOTES:

1. 50' PERMETER PARKING, 6.5' WIDTH, 18' DEPTH PERP. TO AISLE (TYPICAL)
2. ONE WAY AISLE: 20' WIDTH
3. TWO WAY AISLE: 25' WIDTH
4. MEAN AGE OF 31.1 YEARS. (SOURCE: 2000 CENSUS & ACS, 2005 ESTIMATES & PROJECTIONS)

NOTES:

- ALL SITE IMPROVEMENTS, INCLUDING LANDSCAPE AND SITE CLEANUP, MUST BE COMPLETED PRIOR TO CERTIFICATE OF OCCUPANCY FOR ANY BUILDING WITHIN A PHASE.
- ALL ROOF MOUNTED MECHANICAL EQUIPMENT SHALL BE FULLY SCREENED BY PARAPET WALLS EQUAL TO, OR GREATER THAN, THE HIGHEST POINT ON THE MECHANICAL EQUIPMENT.
- SOLID MASONRY WALLS AND GATES EQUAL TO, OR GREATER THAN, THE HIGHEST POINT ON THE MECHANICAL EQUIPMENT SHALL SCREEN ALL GROUND MOUNTED MECHANICAL EQUIPMENT.
- ALL EXTERNAL LIGHTING SHALL BE LOCATED AND DESIGNED TO PREVENT RAYS FROM BEING DIRECTED OFF OF THE PROPERTY ON WHICH THE LIGHTING IS LOCATED.
- SIGNS REQUIRE A SEPARATE PERMIT.



CIVIL IMPROVEMENT PLANS
 SITE, SIGNING & STRIPING PLAN
 800 WEST WARNER ROAD

WAL*MART
 SUPERCENTER EXPANSION
 STORE No. 1512-03

DATE: 08.08.09
 PROJECT NO.: 1512-03
 SHEET: 0 OF 19
 APPROVED: CHS
 DATE: 08.08.09
 PROJECT NO.: 1512-03

**Project Narrative for Use Permit Request
Wal-Mart Supercenter Liquor Sales
Northeast Corner of Alma School Road and Warner Road
July 23, 2007
Revised: August 15, 2007**

I. Request

Pew and Lake, PLC, on behalf of Wal-Mart Stores, Inc respectfully requests a Liquor Use Permit to allow the sale of liquor, wine and beer at the Wal-Mart Supercenter located at the northeast corner of Alma School and Warner in Chandler.

According to Article XXI, Section 35-2100 of the City of Chandler Zoning Ordinance, a Use Permit is required for liquor, wine and beer sales in all commercial and industrial zoning districts. The approval of this Use Permit will allow the Wal-Mart Supercenter to operate a Series 9 liquor license, which allows the sale of all spirituous liquor. The subject property is currently zoned for commercial uses and all site plans, landscape plans and elevations have already been approved by the City of Chandler.

II. Operation and Location of Liquor Sales

The existing Supercenter is open twenty-four hours a day, seven days a week. The liquor sales and display area is located in the grocery sales area which is generally located in the northeastern portion of the store towards the rear of the building. The floor plan submitted with this request indicates the location of the liquor display and storage area.

Like typical grocery stores, the liquor products are chosen by the customers from their storage and display location and brought to the front of the store where the checkout isles and cash registers are located. The liquor itself is not located near the checkout isles or cash registers. This storage and display location is typical of most Wal-Mart Supercenter stores throughout the state.

The sale of liquor, wine and beer at this location should have no negative impacts on the surrounding area. Additionally, the Wal-Mart Supercenter offers liquor, wine and beer at all of its other locations in the state so not offering sales at this location would be unusual and inconvenient for its customers. Lastly, the Wal-Mart Supercenter will offer the sale of liquor, wine and beer only during the permitted hours of liquor sales as set forth by the Arizona Revised Statutes Title 4; Article 4-244 pertaining to unlawful acts of liquor sales

III. Late Hour Business Policy Compatibility Applicability

This Wal-Mart Supercenter is currently existing and operating and the City of Chandler Late Hour Business Compatibility Policy does not apply to this store because the Late Hour Business Compatibility Policy Applicability Section states that:

“This policy does not apply to any existing late hour businesses already operating prior to the effective date of the policy, nor does it apply to any zoning approval or Use Permit approval as may have been granted for commercial use(s) prior to the effective date of this policy.”

Thus, the currently existing Wal-Mart Supercenter is not subject to the provisions of the City of Chandler Late Hour Business Compatibility Policy. We respectfully request a review and recommendation for approval of liquor, wine and beer sales at the subject Wal-Mart Supercenter and look forward to receiving feedback from staff throughout this process.