



Chandler • Arizona
Where Values Make The Difference

MEMORANDUM Planning & Development - CC Memo No. 07-232

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: UP07-0074 WAL-MART NEIGHBORHOOD MARKET (WARNER & MCQUEEN ROADS)

Request: Use Permit approval to allow liquor sales under a Series 10 Beer and Wine Store license for the sale of beer and wine only for off-premise consumption

Location: Southwest corner of McQueen and Warner Roads

Applicant: Sean Lake, Pew & Lake

RECOMMENDATION

The application requests Use Permit approval to sell beer and wine only under a Series 10 Beer and Wine Store license for off-premise consumption at a new grocery store. Planning Commission and Staff, finding consistency with the General Plan and C-2 (Community Commercial District) zoning, recommend approval.

BACKGROUND

The application requests Use Permit approval to sell liquor as permitted under a Series 10 Beer and Wine Store license for off-premise consumption. A Series 10 license, which is considered a "Beer and Wine Store license," allows the on-site sale of only beer and wine. The grocery store is planned at the southwest corner of Warner and McQueen Roads. The property is zoned for commercial development. There is a vacant parcel at the immediate corner owned by Exxon/Mobile Corporation, which is not a part of the planned grocery store's development. The property is adjacent to a residential townhouse development to the south and an office development to the west. All four corners of the Warner and McQueen Roads intersection is zoned and planned for commercial development.

The planned grocery store will be open seven days a week from 5 to 12 a.m. each day with the potential to expand the hours of operation to 24 hours, seven days a week. A late hour business is allowed by right given that the site's commercial zoning for commercial uses 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. The liquor sales and display area is located 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.

Building and civil plans have been submitted to the City for review. The development expects to commence construction Winter 2008.

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 18, 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 C-2 zoning, recommend approval of the Use Permit UP07-0074 WAL-MART NEIGHBORHOOD MARKET (WARNER & MCQUEEN ROADS), subject to the following conditions:

1. The Use Permit is for a Series 10 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.

CC Memo No. 07-232

October 18, 2007

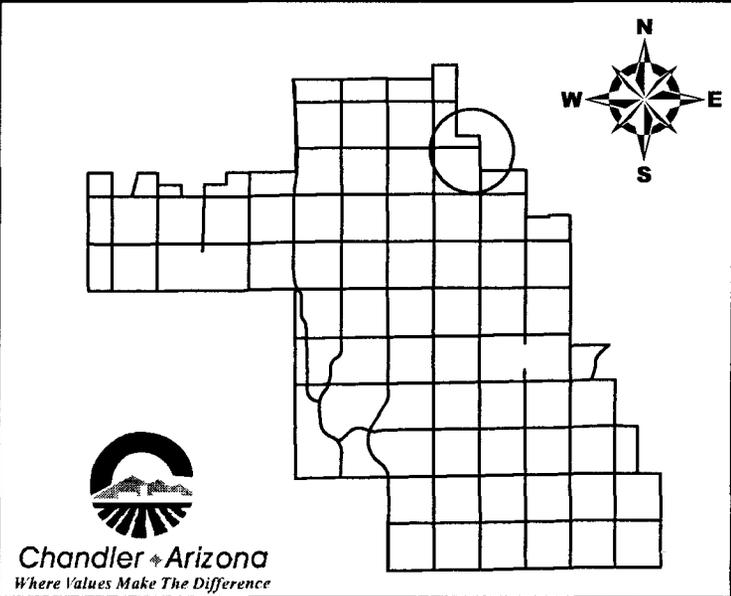
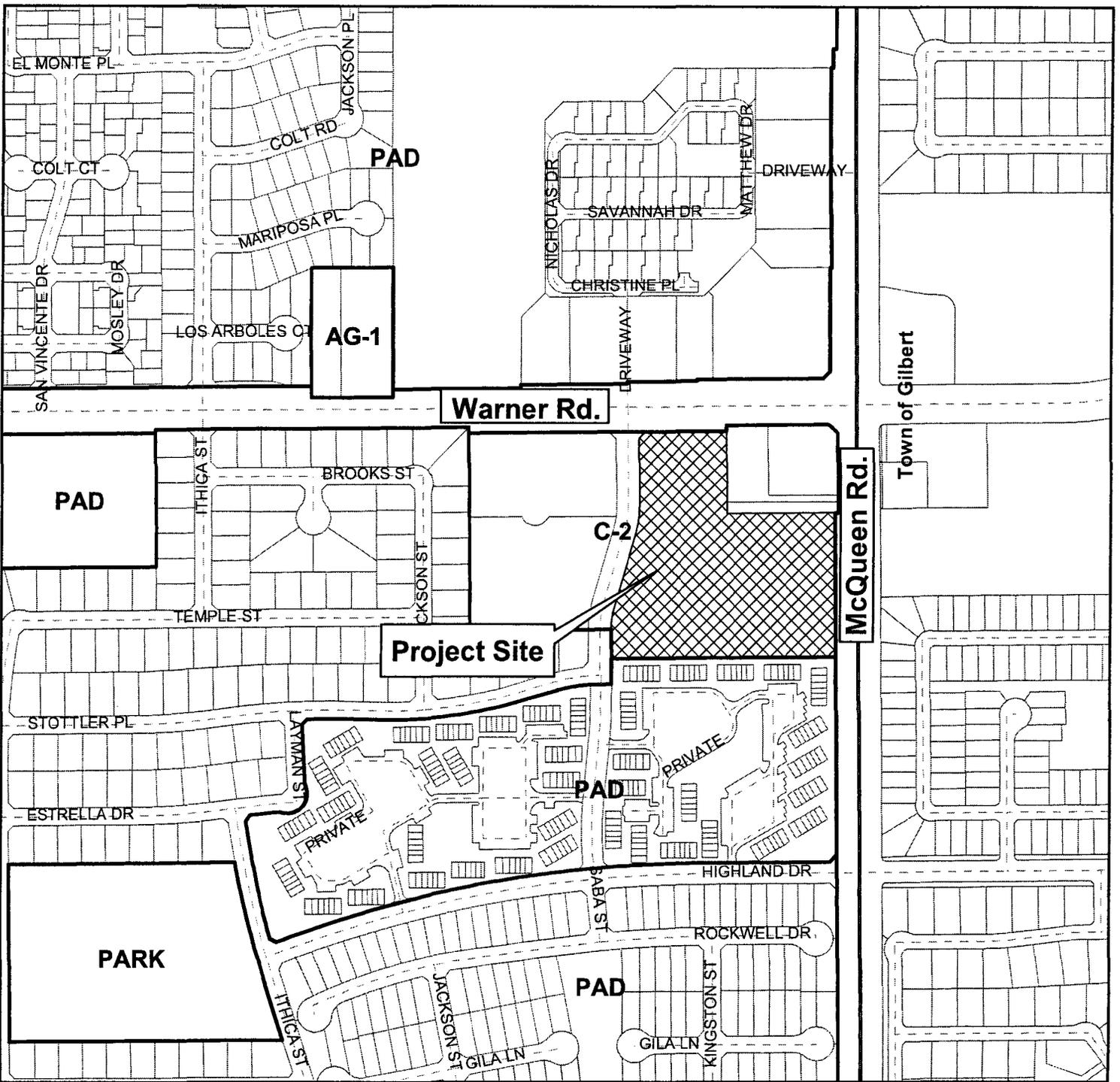
Page 3 of 3

PROPOSED MOTION

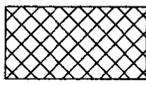
Move to approve Use Permit case UP07-0074 WAL-MART NEIGHBORHOOD MARKET (WARNER & MCQUEEN ROADS), subject to the conditions recommended by Planning Commission and Staff.

Attachments

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



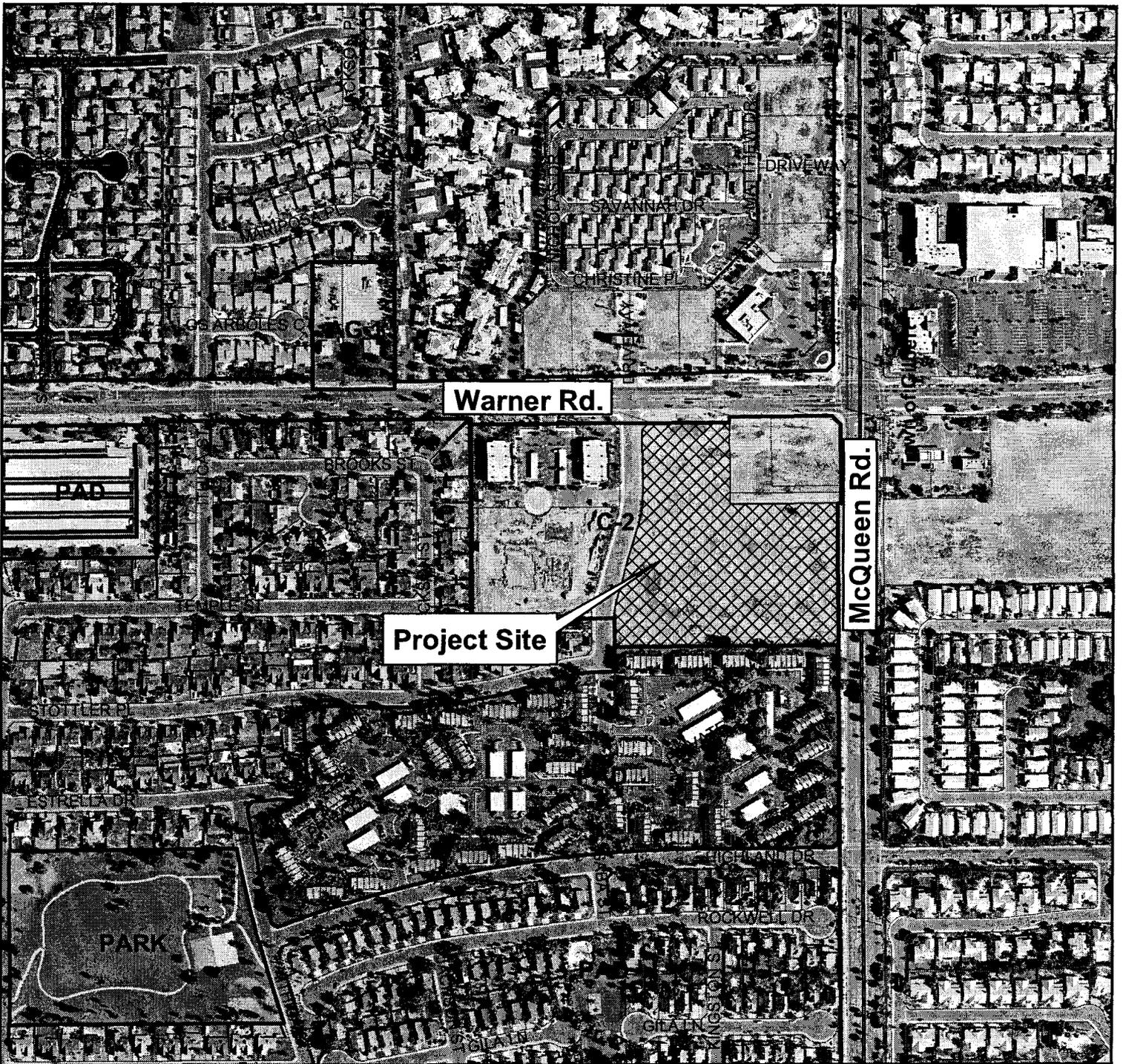
Vicinity Map



UP07-0074

Wal-Mart Neighborhood Market
Liquor Use Permit

CITY OF CHANDLER 7/24/2007

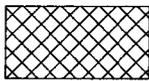
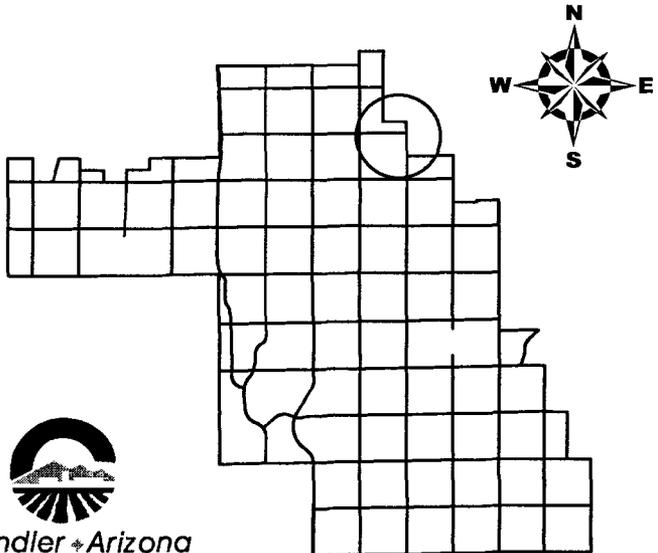


Warner Rd.

McQueen Rd.

Project Site

Vicinity Map



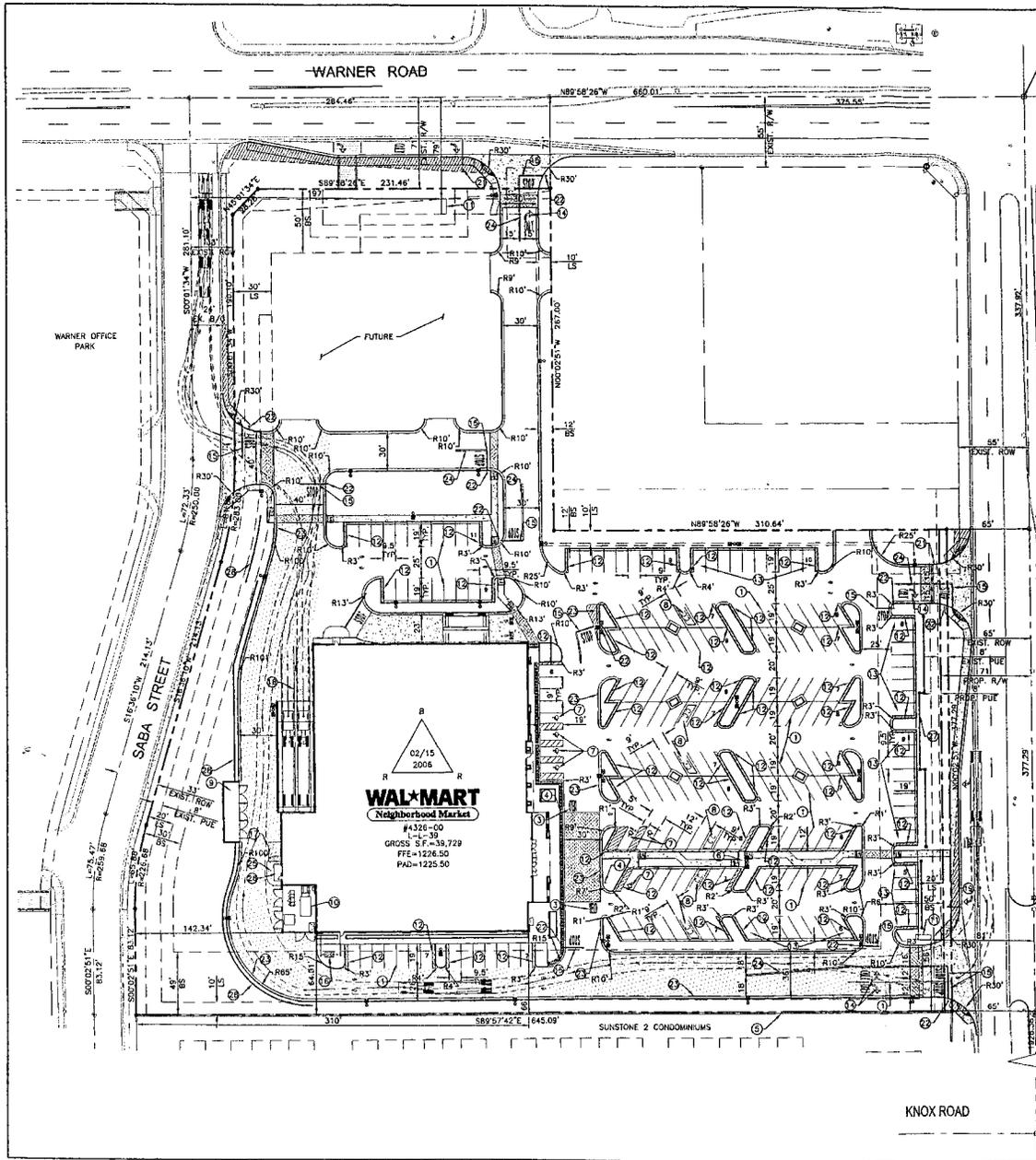
UP07-0074

**Wal-Mart Neighborhood Market
Liquor Use Permit**



Chandler • Arizona
Where Values Make The Difference

CITY OF CHANDLER 7/24/2007



SITE DATA

SITE LOCATION: SOUTHWEST CORNER OF WARNER & McQUEEN ROAD
 6.88 AC
 ZONING CLASSIFICATION: COMMUNITY COMMERCIAL DISTRICT (C-2)
 CITY OF CHANDLER

LOCAL JURISDICTION: CITY OF CHANDLER

MAX. ALLOWABLE: 30'
 NEIGHBORHOOD MARKET: 24'

BUILDING SETBACKS:
 FRONT: 50'
 SIDE: 12'
 REAR: N/A
 RESIDENTIAL: 45'

PARKING SETBACKS:
 FRONT: 20'
 SIDE: 10'

BUILDING LOT COVERAGE: 55%
 NEIGHBORHOOD MARKET: 10%

PARKING DATA

WAL-MART BLDG. 39,729 S.F.
 STANDARD SPACES 212 SPACES
 ACCESSIBLE SPACES 7 SPACES

TOTAL PARKING 219 SPACES
 RATIO 0.51/1,000 S.F.
 REQUIRED PARKING (5.5/1000 S.F.) 219 SPACES

NOTE: ALL CALCULATIONS BASED ON TOTAL GROSS SQUARE FOOTAGE OF BUILDING.

PAINT STRIPING LEGEND

SYSL/4" - SINGLE YELLOW SOLID LINE/ 4" WIDE
 SWSL/4" - SINGLE WHITE SOLID LINE/ 4" WIDE
 DYSL/4" - DOUBLE YELLOW SOLID LINE/ 4" WIDE

NOTE: ALL DIMENSIONS ARE MEASURED TO FACE OF CURB OR FACE OF BUILDING UNLESS OTHERWISE NOTED.

LEGEND

- STANDARD DUTY ASPHALT PAVING. SEE DETAIL DWG C.X.X.
- HEAVY DUTY ASPHALT PAVING. SEE DETAIL DWG C.X.X.
- STANDARD DUTY CONCRETE PAVING. SEE DETAIL DWG C.X.X.
- DECORATIVE CONCRETE PAVING. SEE DETAIL DWG C.X.X.

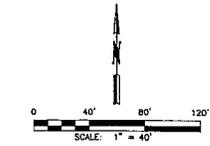
- CONSTRUCTION NOTES**
- 1 PAINT STRIPING, SYSL/4". SEE DETAIL DWG C2.2.
 - 2 INSTALL 6" DIA. PIPE BOLLARD UNLESS NOTED OTHERWISE. SEE DETAIL DWG C2.2.
 - 3 "YIELD" PAINTED YELLOW ON PAVEMENT, TYPICAL. SEE DETAIL DWG C2.3.
 - 4 INSTALL PEDESTRIAN CROSSING SIGN, W-11A-2 AND W11A-2P, TYPICAL AT PEDESTRIAN CROSSWALK AS NOTED ON PLANS. SEE DETAIL DWG C2.4.
 - 5 EXISTING 6" HIGH SCREEN WALL TO REMAIN.
 - 6 CART CROSSING. SEE DETAIL DWG C2.4.
 - 7 ACCESSIBLE PARKING SPACE, TYPICAL. SEE DETAIL DWG C2.2 & C2.4. FOR SPACE SIZE, SIGN AND SYMBOL.
 - 8 INSTALL CART CORRAL, TYPICAL. SEE DETAIL DWG C2.2.
 - 9 PALLET/BALE STORAGE AREA. REF. ARCH. PLANS.
 - 10 CONCRETE COMPACTOR AND TRANSFORMER PAD, FULLY SCREENED. REF. ARCH. PLANS. EXACT LOCATION AND SLOPE PER ARCH. PLANS.
 - 11 WAL-MART NEIGHBORHOOD MARKET MONUMENT SIGN, BY OTHERS REF. ARCH. PLANS.
 - 12 2'-0" LOADING ZONE AT ALL CURBED PARKING SPACES. 4" PAINTED YELLOW STRIPING AT 2'-0" O.C. PERPENDICULAR TO PARKING SPACE. SEE DETAIL DWG C2.2.
 - 13 ASSOCIATE PARKING, SWSL/4". NUMBER OF STALLS PER PLAN.
 - 14 YELLOW PAINTED DIRECTIONAL ARROWS, TYPICAL. SEE DETAIL DWG C2.3.
 - 15 STOP BAR AND "STOP" PAINTED YELLOW ON PAVEMENT, TYPICAL. SEE DETAIL DWG C2.3.
 - 16 GREASE INTERCEPTOR REF. ARCH. PLANS.
 - 17 10' X 15' STRIPED AREA PAINTED SYSL/4" AT 45°
 - 18 2'-0" O.C. AT #5 CRANE LOCATION. REF. ARCH. PLANS FOR EXACT JOB CRANE LOCATION.
 - 19 2'-SYSL/4" X 130' LONG, 10' O.C. TRUCK ALIGNMENT STRIPES CENTERED ON DOCK DOORS.
 - 20 INSTALL TRUCK ENTRANCE SIGN. SEE DETAIL DWG C2.4.
 - 21 INSTALL TRUCK EXIT SIGN. SEE DETAIL DWG C2.4.
 - 22 INSTALL NO TRUCK ENTRANCE SIGN. SEE DETAIL DWG C2.4.
 - 23 INSTALL STOP SIGN (R1-1). SEE DETAIL DWG C2.3 & C2.4.
 - 24 6" WIDE FIRE LANE STRIPING PAINTED TRAFFIC RED W/7/10 PARKING FIRE LANE WITH 4" HIGH WHITE LETTERING AT 25' O.C. SEE DETAIL DWG C2.3.
 - 25 PAINT STRIPING DYSL/4".
 - 26 RAMPED PAVEMENT AT VESTIBULE TO BE FLUSH WITH TOP OF SIDEWALK AT 5.0% MAXIMUM. REF. ARCH. PLANS.
 - 27 EXIT PORCH, REF. ARCH. PLANS FOR EXACT SIZE AND LOCATION FOR STAIRS, STAIRS, AND/OR RAMPS THAT MAY BE REQUIRED. RAMP PAVEMENT FLUSH WITH THE TOP OF STOOD.
 - 28 3' HIGH SCREEN WALL. SEE DETAIL DWG C3.7.
 - 29 6' HIGH SCREEN WALL. SEE DETAIL DWG C3.7.

1841 East Chandler Blvd., Suite 400
 Phoenix, Arizona 85021
 A Stanley Design Company
 and a member of the Stanley Group
Stanley Consultants Inc.

WAL-MART
 Neighborhood Market
 L-L-39
 STORE No. 4326-00

SITE PLAN
 SWC OF McQUEEN ROAD AND WARNER ROAD
 CHD FILE: 188822-1-04
 DESIGNED: SAM
 PRINT DATE: 7/15/07
 SHEET: 4 OF 31

1-800-STAKE-IT
 263-1100
 (CALL THE NUMBER FIRST BEFORE YOU DIAL)
 (OR 1-800-367-8282)



P.O.C. SEC. 22, T.15, N.35E. FOUND IN BRASS CAP IN HANDHOLD

E. 1/4 COR. SEC. 22, T.15, S.5E. FOUND IN BRASS CAP IN HANDHOLD

**Project Narrative for Use Permit Request
Wal-Mart Neighborhood Market Liquor Sales
Southwest Corner of Warner Road and McQueen
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 wine and beer only at the Wal-Mart Neighborhood Market located at the southwest corner of Warner and McQueen 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 10 liquor license, which allows the sale of wine and beer only. 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 proposed Neighborhood Market will initially be open seven days a week from 5am to 12am each day with the potential of expanding the hours of operation to 24hrs a day seven days a week. The liquor sales and display area 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 Neighborhood Market stores throughout the state.

The sale of wine and beer at this location should have no negative impacts on the surrounding area. Additionally, the Wal-Mart Neighborhood Market offers 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 Neighborhood Market will offer the sale of 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 Compatibility Policy Applicability

The City of Chandler Late Hour Business Compatibility Policy does not apply to this proposed Neighborhood Market because the commercial zoning was established prior to the Late Hour Business Compatibility Policy. Thus, the proposed Wal-Mart Neighborhood Market 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 wine and beer sales at the subject Wal-Mart Neighborhood Market and look forward to receiving feedback from staff throughout this process.