

#54
JUN 26 2008



Chandler • Arizona
Where Values Make The Difference

MEMORANDUM

Planning and Development – CC Memo No. 08-117

DATE: JUNE 5, 2008

TO: MAYOR AND CITY COUNCIL

THRU: W. MARK PENTZ, CITY MANAGER
DOUG BALLARD, PLANNING & DEVELOPMENT DIRECTOR
JEFF KURTZ, ASSISTANT PLANNING & DEVELOPMENT DIRECTOR
KEVIN MAYO, ACTING PLANNING MANAGER

FROM: BILL DERMODY, SENIOR CITY PLANNER

SUBJECT: UP07-0073 WAL-MART NEIGHBORHOOD MARKET

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

Location: Northwest corner of Chandler Boulevard and Cooper Road

Applicant: Pew & Lake PLC, Sean Lake

RECOMMENDATION

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

BACKGROUND

The subject business is an approximately 40,000 square foot grocery store within the Cooper Park Marketplace, a planned 19-acre retail and office development at the northwest corner of Chandler Boulevard and Cooper Road. The development received Preliminary Development Plan (PDP) approval in 2006 and zoning approval in 1987. The request would allow sales of wine and beer for off-premise consumption only in the original unbroken packaging.

The store will initially be open daily from 5 to 12 a.m., with the potential of later expanding to a 24-hour operation. Alcohol products will occupy a single aisle within the store. The store is expected to begin construction in early 2009.

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 not responded with any issues or concerns.
- Two neighborhood meetings were held at the Downtown Chandler Community Center on October 23, 2007 and May 13, 2008. No citizens attended either meeting.
- At the time of this writing, Staff is not aware of any opposition regarding this proposal. One neighbor wrote an e-mail in support of the application.

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 Planned Area Development (PAD) zoning, recommend approval of UP07-0073 WAL-MART NEIGHBORHOOD MARKET subject to the following conditions:

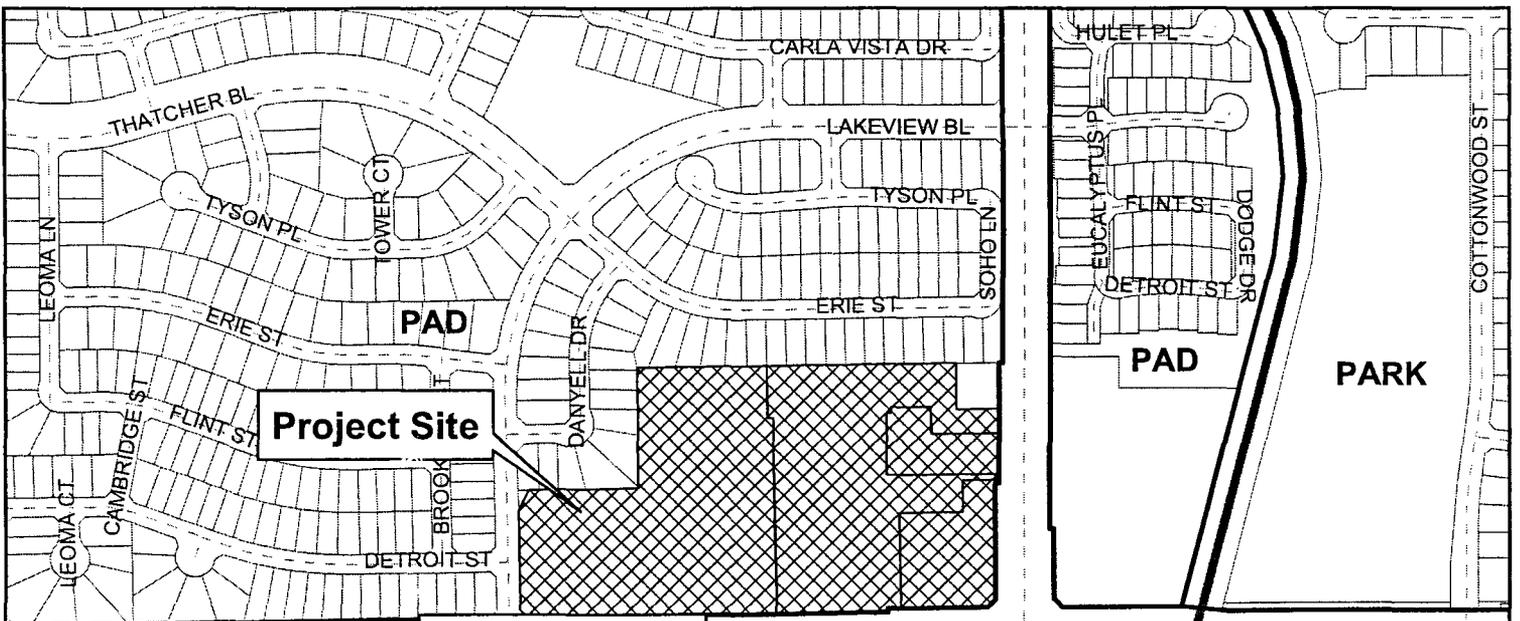
1. Substantial conformance with approved exhibits (Site Plan, Floor Plan, Narrative) except as modified by condition herein.
2. Expansion or modification beyond the approved exhibits shall void the Use Permit and require new Use Permit application and approval.
3. The Use Permit is non-transferable to any other location.

PROPOSED MOTION

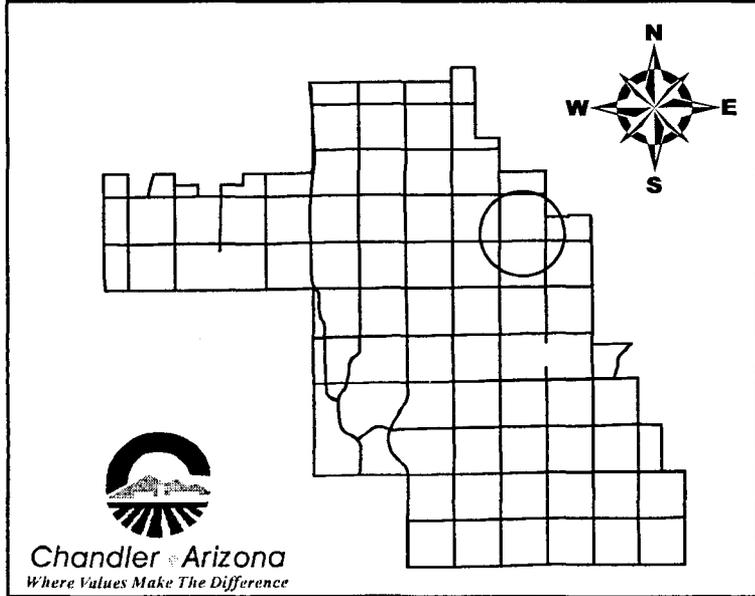
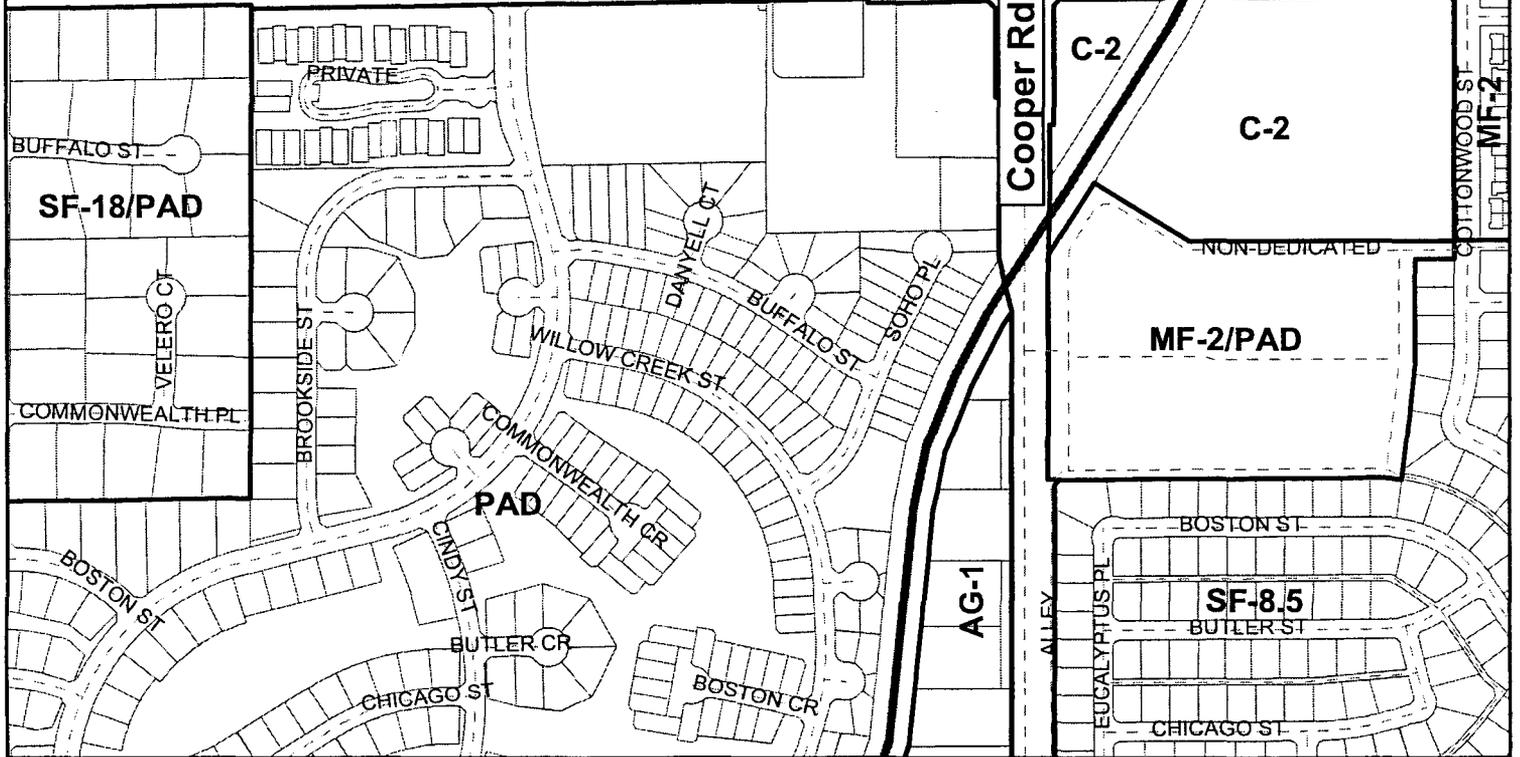
Move to approve UP07-0073 WAL-MART NEIGHBORHOOD MARKET Use Permit for liquor sales subject to the conditions recommended by Planning Commission and Staff.

Attachments

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



Chandler Blvd.



Vicinity Map

 **UP07-0073**

**Wal-Mart
Liquor Use Permit**

CITY OF CHANDLER 2/5/2007

**Project Narrative for Use Permit Request
Wal-Mart Neighborhood Market Liquor Sales
Northwest Corner of Chandler and Cooper
July 23, 2007
Revised: October 8, 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 northwest corner of Chandler and Cooper 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 Neighborhood Market 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 northwestern 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

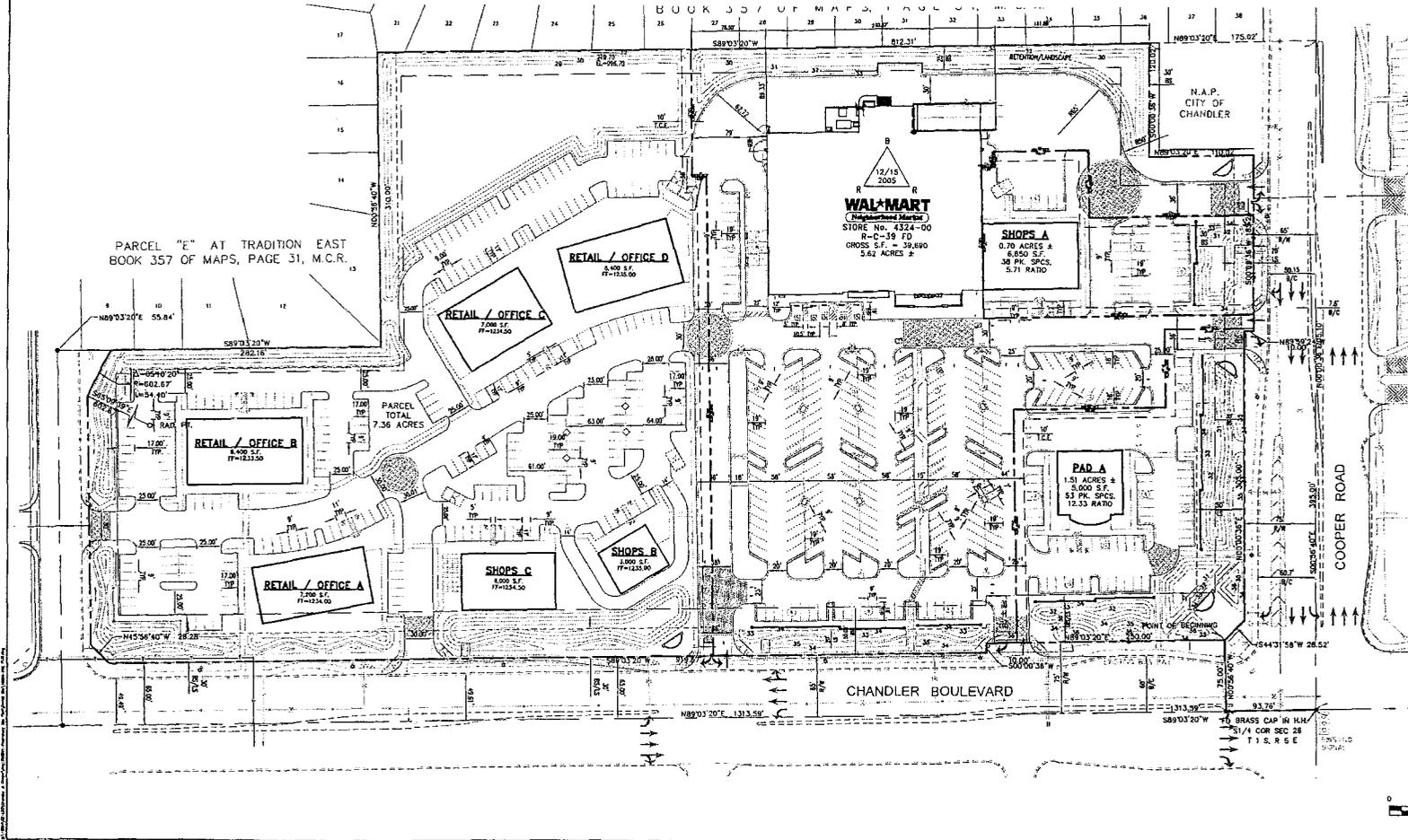
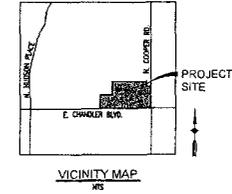
The City of Chandler Late Hour Business Compatibility Policy does not apply to this proposed Neighborhood Market because the commercial zoning was established prior to the establishment of the Late Hour Business Compatibility Policy. Thus, the proposed Wal-Mart Neighborhood Market is not subject to the 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.

NOTES

1. THE IMPROVEMENTS SHOWN ON THIS PLAT WILL NOT BE FULLY APPROVED BY THE CITY AND THE CERTIFICATE OF OCCUPANCY OR ACCEPTANCE WILL NOT BE ISSUED UNTIL THE OVERHEAD UTILITY LINE UNDERGROUNDING REQUIREMENT HAS BEEN SATISFIED.
2. THE IMPROVEMENTS SHOWN ON THIS SET OF PLANS WILL NOT BE FULLY APPROVED BY THE CITY AND THE CERTIFICATE OF OCCUPANCY WILL NOT BE ISSUED UNTIL THE IRRIGATION FACILITY UNDERGROUNDING REQUIREMENT HAS BEEN SATISFIED.
3. THE FINAL PLAT FOR THIS SUBDIVISION WILL NOT BE APPROVAL OR RECORDED UNTIL A REQUIRED WATER USE AGREEMENT IS EXECUTED BY THE DEVELOPER AND APPROVED BY THE CITY.

PRELIMINARY PLAT FOR COOPER PARK MARKET PLACE @ N.W.C. OF COOPER RD AND CHANDLER BLVD

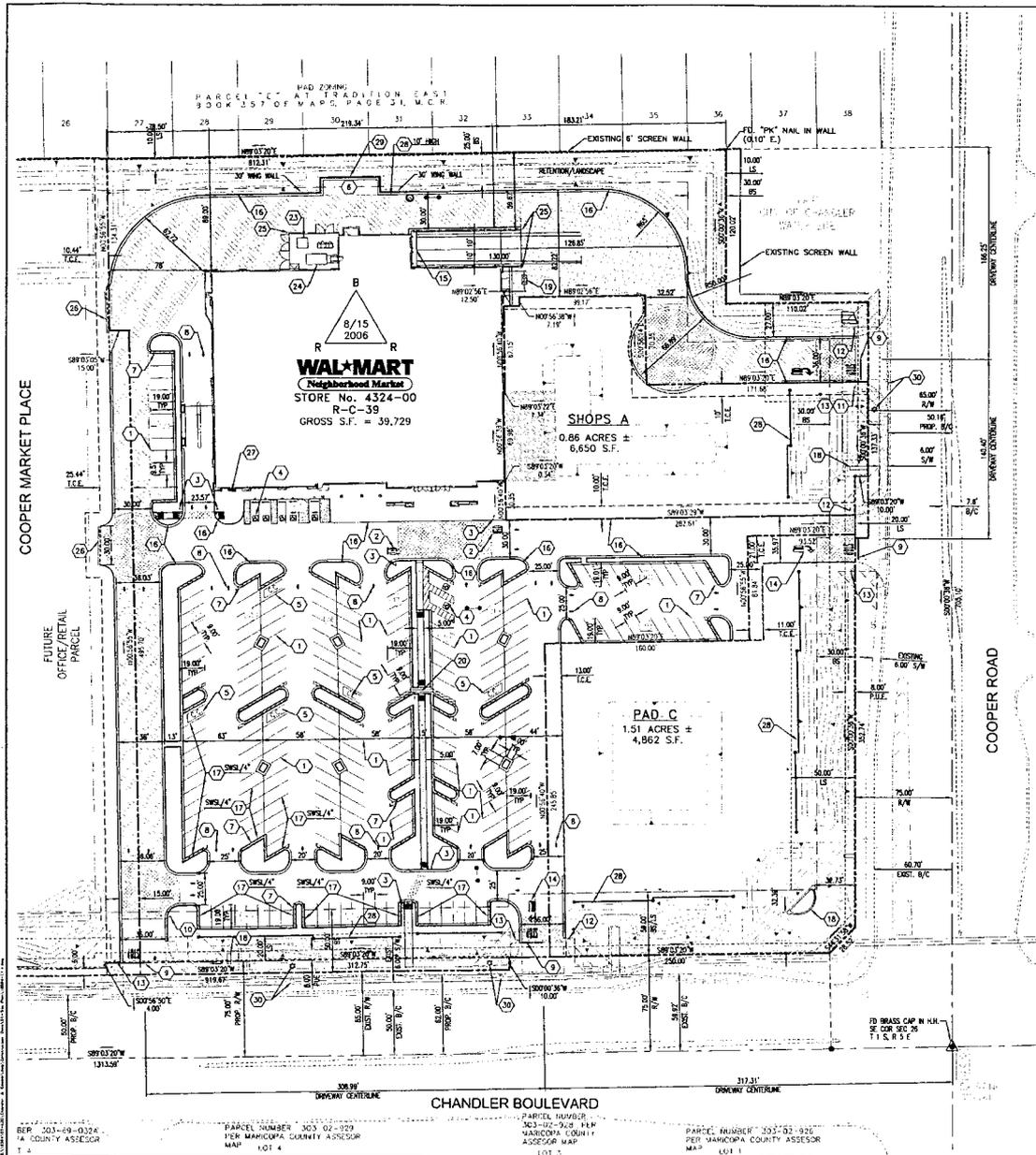
SOUTHEAST QUARTER OF SECTION 26, TOWNSHIP 1 SOUTH,
RANGE 5 EAST OF THE GILA AND SALT RIVER MERIDIAN
MARICOPA COUNTY, ARIZONA



PRELIMINARY PLAT
 NWC OF CHANDLER BOULEVARD & COOPER ROAD
 CHANDLER, ARIZONA
 DATE P.L.D. 10/24/11 PREP. PLAT 4/11/11 DESIGNED 3/11/11 APPROVED 1/11/11
 SD PROJECT NO. 18524-01.01 PRINT DATE: 02/10/15 DRAWING FILE PLAT SHEET 9 OF 9

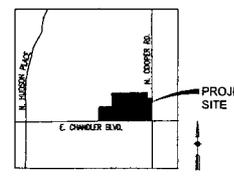
Stanley Consultants Inc.
 18524-01.01
 A Stanley Group Company
 Engineering, Surveying, Architecture

WAL-MART
 Neighborhood Market
 R-C-39-FD
 STORE No. 4324-00



CONSTRUCTION NOTES

- (1) PAINT STRIPING, 4" SINGLE YELLOW SOLID LINE (SYSL/4"). SEE DETAIL, SHEET C1.5.
- (2) "YIELD" PAINTED YELLOW ON PAVEMENT TYPICAL, SEE DETAIL, SHEET C1.4.
- (3) PEDESTRIAN CROSSWALK SIGN, WA-2 AND WA-2-7 TYPICAL AT PEDESTRIAN CROSSWALK 4' WOOD ON PAV. SEE DETAIL, SHEET C1.7.
- (4) ACCESSIBLE PARKING TYPICAL, SEE DETAIL, SHEET C1.5.
- (5) CART CORRAL TYPICAL, SEE DETAIL, SHEET C1.5.
- (6) PALLET/PALETTING STORAGE AREA, SEE ARCHITECTURAL PLANS.
- (7) 2'-0" LOADING ZONE AT ALL CURBED PARKING SPACES, 4" PAINTED YELLOW STRIPING AT 7'-0" O.C. PERPENDICULAR TO PARKING SPACE, SEE DETAIL, SHEET C1.5.
- (8) PAINTED DIRECTIONAL ARROW TYPICAL, SEE DETAIL, SHEET C1.4.
- (9) STOP SIGN AND "STOP" PAINTED YELLOW ON PAVEMENT TYPICAL, SEE DETAIL, SEE SHEET C1.4.
- (10) TRUCK ENTRANCE SIGN, SEE DETAIL, SHEET C1.7.
- (11) TRUCK EXIT SIGN, SEE DETAIL, SHEET C1.7.
- (12) NO TRUCK ENTRANCE SIGN, SEE DETAIL, SHEET C1.7.
- (13) STOP SIGN, SEE DETAIL, SHEET C1.4.
- (14) RIGHT TURN ONLY ARROW, PAINTED YELLOW ON PAVEMENT, SEE DETAIL, SHEET C1.4.
- (15) TRUCK DOCK ALIGNMENT STRIPES, PROVIDE 3 SYSL/4" WIDE STRIPE SPACED 10' O.C. 1' LONG LONG CENTERED ON DOCK DOORS.
- (16) 4" WIDE FINE LINE STRIPING PAINTED WHITE RED BY "NO PARKING FINE LINE" WITH 4" HIGH WHITE LETTERING AT 25' O.C. SEE DETAIL, SHEET C1.6.
- (17) ASSOCIATE PARKING, 4" SINGLE WHITE SOLID LINE (SWSL/4")-40 STALLS.
- (18) WAL-MART NEIGHBORHOOD MARKET MOVEMENT SIGN, BY OTHERS, SEE ARCHITECTURAL PLANS.
- (19) GREASE & OIL SEPARATOR, SEE ARCHITECTURAL PLANS.
- (20) CART CROSSWALK AND SIGNS SEE DETAIL, SHEET C1.7.
- (21) NOT USED.
- (22) PEDESTRIAN CROSSWALK WITH 4" WIDE PAINTED WHITE STRIPING PARALLEL WITH DIRECTION OF TRAFFIC AT 2'-0" UNLESS NOTED OTHERWISE, SEE DETAIL, SHEET C1.7.
- (23) CONCRETE TRANSFORMER PAD, CONFORM TO CODEBOOK WITH POWER COMPANY FOR DETAIL.
- (24) CONCRETE COMPACTOR PAD, FULLY SCREENED, REFER TO ARCHITECTURAL PLANS FOR EXACT LOCATION AND SIZE.
- (25) 4" PIPE BOLLARD, SEE DETAIL, SHEET C1.5N.
- (26) HARBORAGE PER ILL. STD. DET. 130, TYPE B WITH AN 18"X18" OR LARGER END OF ROAD MARKER, MATCH DET. 130 (ELECTRIC RED BARRING PANEL) SPACED 5' SPACED 5' ON CENTER ALONG THE HARBORAGE IS REQUIRED, SEE DETAIL C1.7.
- (27) SIGN, REFER TO ARCHITECTURAL PLANS FOR DETAIL.
- (28) SCREEN WALL, SEE LANDSCAPE PLANS FOR DETAIL.
- (29) RETAINING WALL, SEE GRADING AND DRAINAGE PLANS.
- (30) CONTRACTOR TO COORDINATE RELOCATION OF THE LIGHT POLES BY SMP.



VICINITY MAP
N.T.S.

PARKING DATA

(ALL CALCULATIONS BASED ON GROSS SQUARE FOOTAGE OF BUILDING)

WAL-MART PREPARED PARKING (5 STALLS/1000 SF)	199 STALLS
CODE REQUIRED PARKING SPACES (4 STALL/1000 SF)	158 STALLS
PARKING PROVIDED	
WAL-MART NEIGHBORHOOD MARKET STANDARD STALLS	207 STALLS
ASSOCIATE STALLS	7 STALLS
TOTAL (65.39 STALLS/1000 SF)	214 STALLS

PARKING NOTES:

- PARKING CONFORMS TO WAL-MART MANUAL STANDARDS & CITY OF CHANDLER.
1. 8'0" PARKING, 8' WIDTH, 10' DEPTH PERP. TO AISLE.
 2. 8'0" PARKING, 8' WIDTH, 10' DEPTH PERP. TO AISLE (TYPICAL).
 3. ONE WAY AISLE: 20' WIDTH.
 4. TWO WAY AISLE: 25' WIDTH.
 5. 6'0" MIDDLE WIDTH (INTERLOCK TO INTERLOCK) BY ONE WAY AISLE: 5'0" DEPTH.
 6. MIDDLE AISLE FOR CITY OF CHANDLER IS 3:1:1 TOWERS. (SOURCE: 2000 GENUS & AEC, 2005 ESTIMATES & PROJECTIONS)

SITE DATA

SITE LOCATION	NORTHWEST CORNER OF CHANDLER BLVD. AND COOPER RD.
WAL-MART LOT	3.55 ACRES ±
TOTAL AREA	5.55 ACRES ±
SHOPS A	0.86 ACRES ±
PAD C	1.51 ACRES ±
TOTAL DEVELOPMENT AREA	7.92 ACRES ±

CURRENT ZONING CLASSIFICATION: PDC
LOCAL JURISDICTION: CITY OF CHANDLER

LANDSCAPE REQUIREMENTS
25% OF PARKING LOT SURFACE AREA AND 10% BUFFER AROUND PROPERTY

LANDSCAPE PROVIDED
14.57% OF PARKING LOT SURFACE AREA

BUILDING DATA

GROSS BUILDING AREA	39,729 GSF ±
BUILDING SETBACKS REQUIRED:	
50' FRONT STREET	
30' SIDE STREET	
25' REAR SETBACK	
20' EXISTING RESIDENTIAL	
17' INTERIOR SIDE	

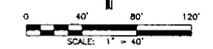
PAINT STRIPING LEGEND

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

NOTE:
1. ALL DIMENSIONS ARE MEASURED TO THE FACE OF CURBS OR FACE OF BUILDING UNLESS NOTED OTHERWISE.

LEGEND

--- PROPERTY LINE	(1)	CONSTRUCTION NOTE
--- RIGHT OF WAY LINE	(2)	PARKING ROW NOTE
--- BUILDING SETBACK LINE	(3)	DIRECTIONAL ARROW
--- LANDSCAPE SETBACK LINE	(4)	CART CORRAL (TOTAL 6)
--- TEMPORARY CONSTRUCTION EASEMENT	(5)	SIGNAL RAMP
--- TEMPORARY CONSTRUCTION EASEMENT	(6)	2' LOADING ZONE
--- ROAD CENTER LINE	(7)	SIGN
--- STANDING DUTY ASPHALT	(8)	DOWNWALL
--- HEAVY DUTY ASPHALT	(9)	EXISTING STREET LIGHT
--- HEAVY DUTY CONCRETE	(10)	PROPOSED STREET LIGHT
--- STAMPED CONCRETE	(11)	
--- BUILDING SETBACK/LANDSCAPE SETBACK	(12)	
--- RIGHT OF WAY	(13)	
--- TYPICAL	(14)	
--- BACK OF CURB	(15)	
--- TEMPORARY CONSTRUCTION EASEMENT	(16)	
--- T.C.E.	(17)	
--- LANDSCAPE ISLANDS	(18)	



CHANDLER BOULEVARD

PARCEL NUMBER: 303-02-029
15K MARICOPA COUNTY ASSESSOR
MAP LOT 4

PARCEL NUMBER: 303-02-026
15K MARICOPA COUNTY ASSESSOR
MAP LOT 1

Stanley Consultants Inc.

CIVIL IMPROVEMENT PLANS
SITE PLAN, SIGNING & STRIPING PLAN
NWC OF CHANDLER BOULEVARD & COOPER ROAD

WAL-MART Neighborhood Market
R-C-39
STORE No. 4324-00

DATE: 05/21/07
PROJECT NO. 15584
SHEET: 4 OF 35

