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F.

MAR 17 2010

MEMORANDUM **Planning & Development - PZ Memo No. 10-016**

DATE: MARCH 11, 2010

TO: PLANNING AND ZONING COMMISSION

THRU: PATRICK MCDERMOTT, ASSISTANT CITY MANAGER *[Signature]*
 JEFF KURTZ, ASSISTANT PLANNING & DEVELOPMENT DIRECTOR *[Signature]*
 KEVIN MAYO, PLANNING MANAGER *[Signature]*

FROM: ERIK SWANSON, CITY PLANNER *[Signature]*

SUBJECT: LUP10-0011 COST PLUS WORLD MARKET

Request: Use Permit approval for a Series 7 (Beer and Wine Bar) liquor license for on-premise sampling within an existing retail store

Location: 865 N. 54th Street

Applicant: Andrea Lewkowitz

RECOMMENDATION

The request is for Use Permit approval for a Series 7 (Beer and Wine Bar) liquor license for on-premise sampling, within an existing retail store. Staff, upon finding consistency with the General Plan and PAD zoning, recommends approval with conditions.

BACKGROUND

The subject site is located in the Chandler Pavilions regional shopping center, and is part of a group of three larger retail shops. Directly south is a Petsmart; west a small restaurant; north a Pei Wei restaurant; and east, vacant land zoned for multi-family residential.

Cost Plus World Market has operated at this location since 2000, with a Series 10 liquor license. A Series 10 liquor license allows the sale of beer and wine only, and sampling approximately 12 times a year. The Series 7 liquor license allows for the sale of beer and wine, as well as serving of beer and wine by individual portions for on-premise sampling to store patrons without any restrictions on the number of times per year.

As part of Cost Plus' operation they would like to have the opportunity to allow for seasonal and promotional tasting of beer and wine. Sampling will occur one to two times per week for up to four hours, with customers receiving a maximum of 12 ounces of beer, or 6 ounces of wine per day. All serving employees will be trained in accordance with state law. Alcoholic purchases shall not be consumed on-premises.

The beer and wine section is located at the rear of the store, and occupies approximately 1,147 square feet; the display area will not change in size. In order to provide sampling, a small liquor cart will be located in the warehouse portion of the store, and will be wheeled out at specific sampling times.

PUBLIC/NEIGHBORHOOD NOTIFICATION

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

- A neighborhood meeting was held on Thursday, March 4, 2010. No neighbors were in attendance.

At the time of this writing, Staff has received no telephone calls or letters opposed to this application.

RECOMMENDED ACTION

Staff, upon finding consistency with the General Plan, recommends approval of LUP10-0011 COST PLUS WORLD MARKET, subject to the following conditions:

1. The Use Permit is for a Series 7 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 (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.

PROPOSED MOTION

Motion to recommend approval of LUP10-0011 COST PLUS WORLD MARKET, subject to the conditions recommended by Staff.

Attachments

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

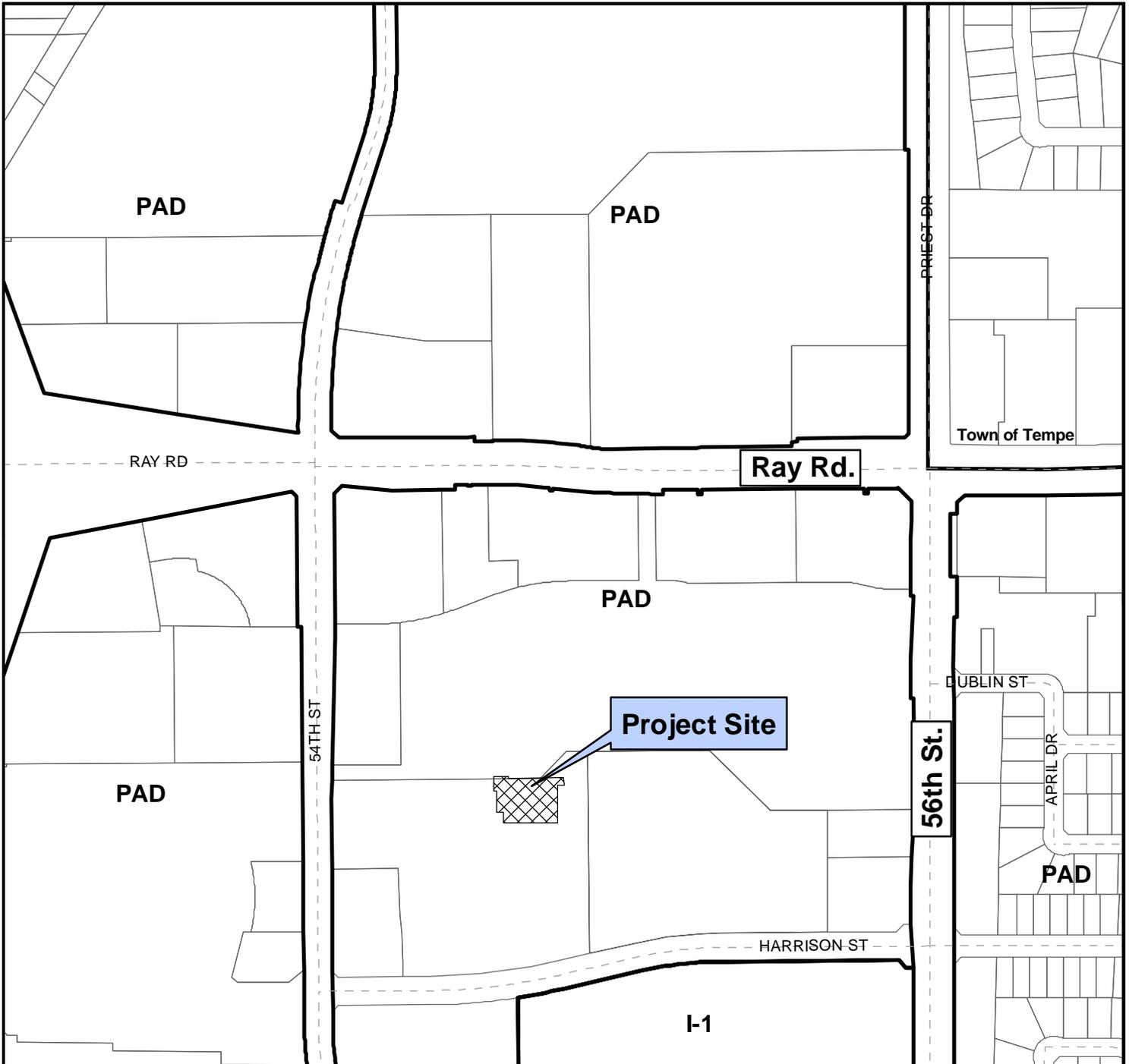
Cost Plus World Market
Application for Use Permit for series 7 liquor license

In connection with its application for a Use Permit for a series 7 liquor license, Cost Plus World Market submits the following information:

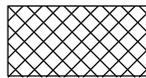
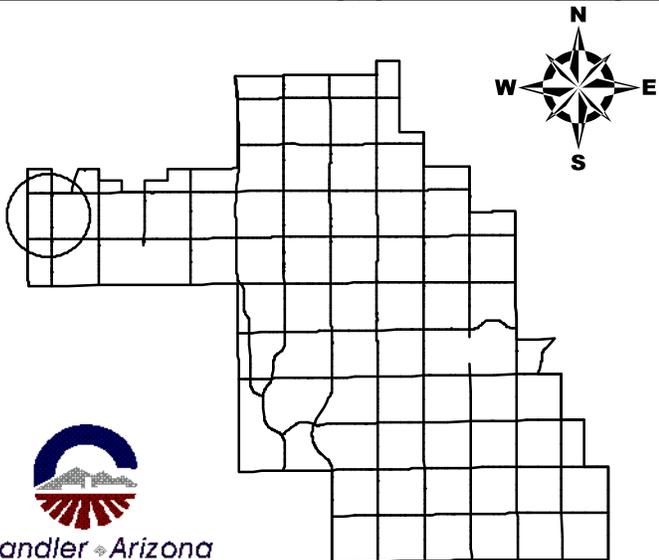
Cost Plus World Market is a national retail store specializing in international products, including gourmet food items and specialty beer and wines. The store located at 865 North 54th Street (Chandler Pavilions) has operated with a series 10 liquor license since 2001 without incident. The series 10 license allows for sales of beer and wine for off-premises consumption only; sampling can be conducted on the premises only by a producer or wholesaler and is limited to 12 times per year.

Cost Plus applied for a series 7 liquor license to allow its employees to offer samples of the store's unique beer and wine products (many of which are exclusive to Cost Plus) to customers interested in purchasing them. If the license is granted, the store will adopt the same or more restrictive policies for sampling than currently imposed on producers and wholesalers under A.R.S. §4-243(B)(3) and A.A.C. R19-1-228, including the following. (1) all employees who serve samples will be trained in Arizona's liquor law; (2) sampling will be available only to customers over 21 who request it; and (3) no customer will be allowed more than 12 ounces of beer or 6 ounces of wine per day.

The store's regular hours are Monday through Friday 10am-9pm, Saturday 9am-9pm and Sunday 10am-7pm. A change in the license will not affect the store's focus or current operations.



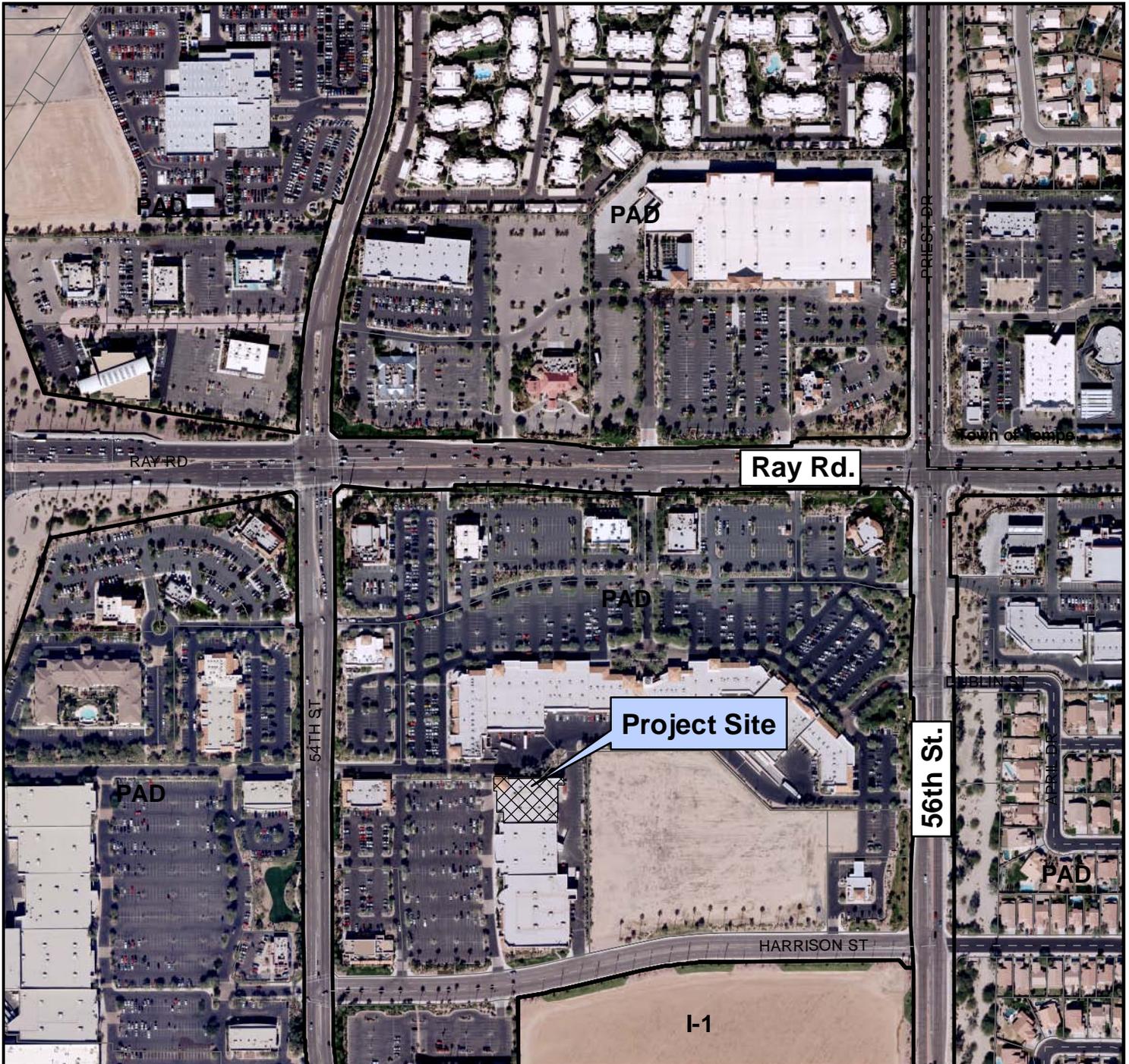
Vicinity Map



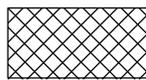
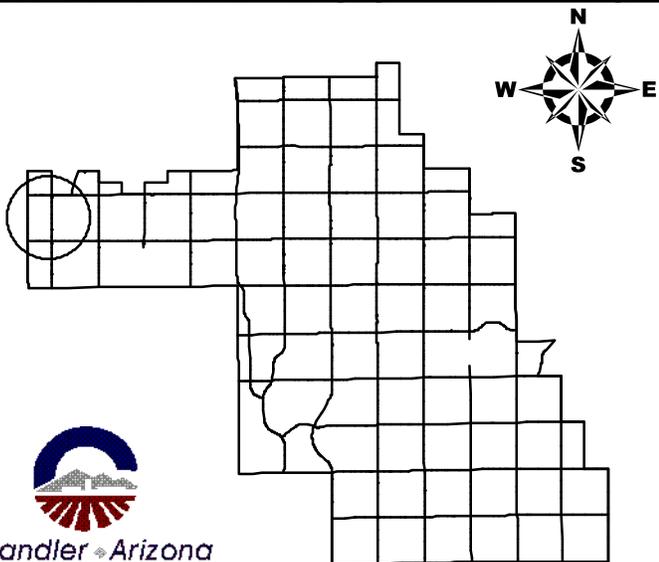
LUP10-0011

**Cost Plus World Market
Liquor Use Permit**





Vicinity Map



LUP10-0011

**Cost Plus World Market
Liquor Use Permit**

