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E.
MAY 19 2010

MEMORANDUM **Planning & Development - PZ Memo No. 10-051**

DATE: MAY 13, 2010

TO: PLANNING AND ZONING COMMISSION

THRU: PATRICK MCDERMOTT, ASSISTANT CITY MANAGER *pm*
 JEFF KURTZ, ASSISTANT PLANNING & DEVELOPMENT DIRECTOR *JK*
 KEVIN MAYO, PLANNING MANAGER *KM*

FROM: ERIK SWANSON, CITY PLANNER *ES*

SUBJECT: LUP10-017 D'VINE GOURMET

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

Location: 1075 E. Riggs Road, Ste. #5
 East of the southeast corner of Riggs and McQueen Roads

Applicant: Denise McCreery, Owner

RECOMMENDATION

The request is for Use Permit approval for a Series 7 (Beer and Wine) liquor license for on-premise retail sales 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 part of an inline shops space located east of the southeast corner of Riggs and McQueen Roads. The inline shops space is part of a larger commercial development that includes a second inline shops space directly west of the subject site and a Walgreen's pharmacy at the intersection corner. The Walgreen's recently received Use Permit approval for a Series 10 liquor license. Directly south and east adjacent to the site, is the Springfield single-family residential subdivision. North is Riggs Road.

The subject site was zoned as part of the Springfield development in 1995, and received Preliminary Development Plan approval in 2000. The business has operated at this location since the early part of the year. The business specializes in wine related gifts such as jellies,

jams, and gift baskets. The suite is approximately 1,470 square feet. As part of the operations there is approximately 45 square feet of retail space for the sale of beer and wine. The business is open 11 a.m. to 6 p.m. Monday through Saturday, and will operate with up to four employees depending on the season.

A Series 7 liquor license allows the business to provide beer and wine sales for on-premise consumption as well as on and off-premise sales. The business has no desire at this point in time to provide on-premise consumption, but rather will use the Series 7 license for the sale of gift baskets that may include wine and beer.

PUBLIC/NEIGHBORHOOD NOTIFICATION

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

- A neighborhood meeting is scheduled for Friday May 14th, 2010. Staff will update the Commission at the public hearing on the outcome of the neighborhood meeting.

At the time of this writing, Staff has received no telephone calls or letters opposed to this application. Staff has received one phone call in support of the request.

RECOMMENDED ACTION

Staff, upon finding consistency with the General Plan, recommends approval of LUP10-0017 D'VINE GOURMET, subject to the following conditions:

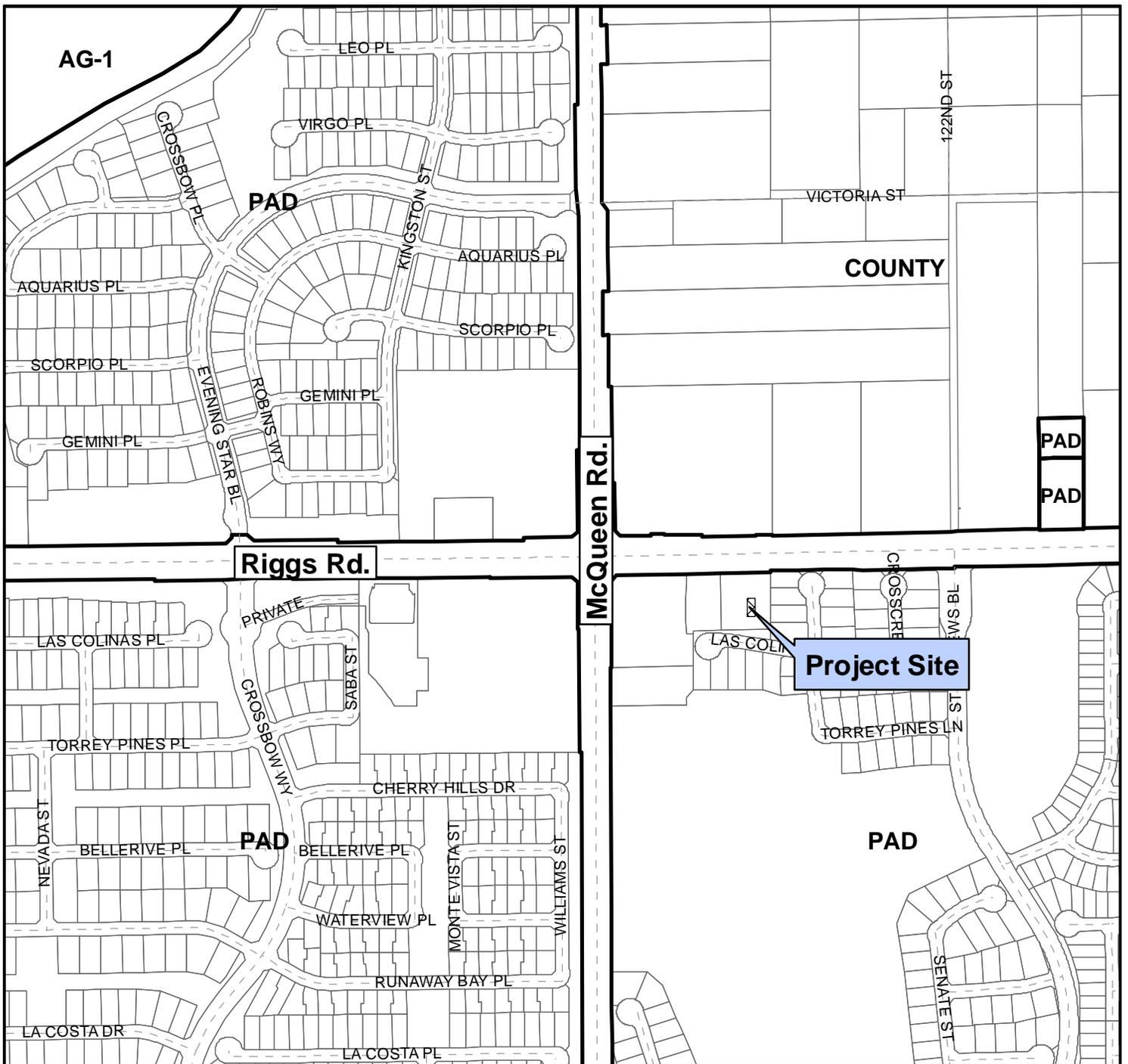
1. The Use Permit is for a Series 7 liquor license only, and any change in type of license shall require reapplication and new Use Permit approval.
2. Expansion or modification beyond the approved exhibits (Floor Plan and Narrative) shall void the Use Permit and require new Use Permit application and approval.
3. The Use Permit is non-transferable to any other store location.
4. The site shall be maintained in a clean and orderly manner.

PROPOSED MOTION

Motion to recommend approval of LUP10-0017 D'VINE GOURMET, Use Permit for a Series 7 liquor license, subject to the conditions recommended by Staff.

Attachments

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

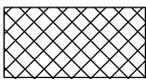
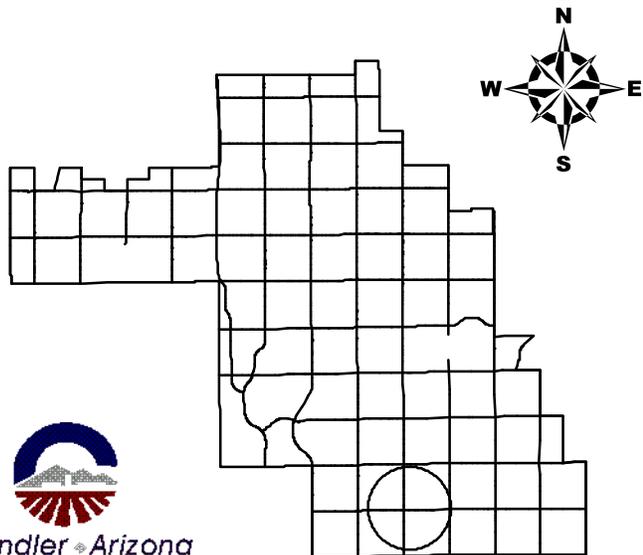


McQueen Rd.

Riggs Rd.

Project Site

Vicinity Map



LUP10-0017

**D'Vine Gourmet
Liquor Use Permit**



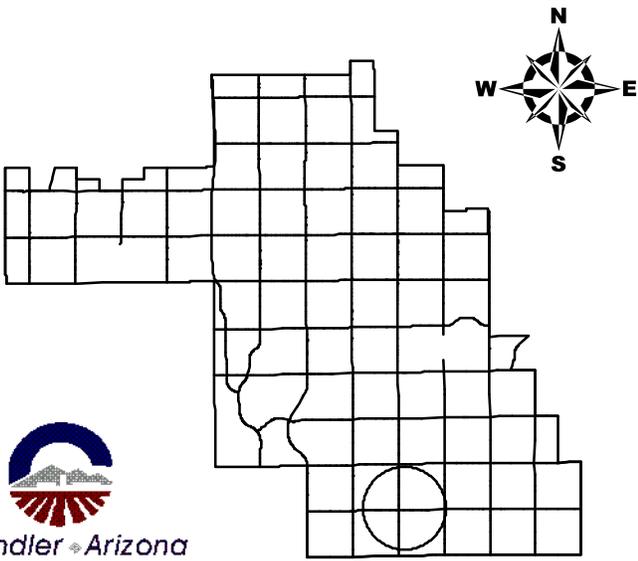


McQueen Rd.

Riggs Rd.

Project Site

Vicinity Map

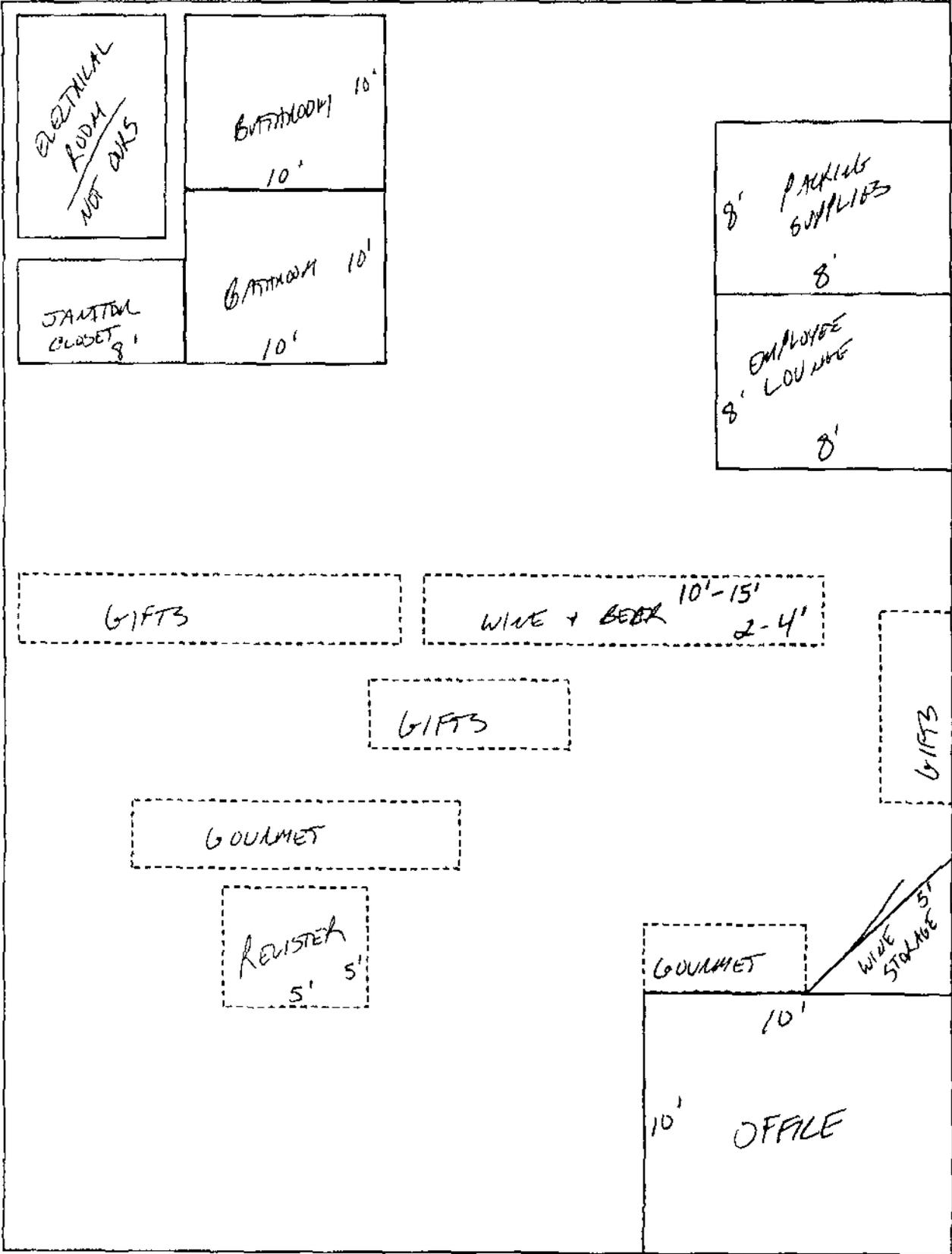


LUP10-0017

**D'Vine Gourmet
Liquor Use Permit**



BACK EXIT



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11

FRONT DOOR

D'VINE GOURMET
1075 E. LIGGS RD.
FLOOR PLAN



Wine & spirit jams, jellies, candies and condiments • Gourmet gift baskets • Corporate Gifts • Worldwide delivery

Business Description: gourmet food and gift store
Address: 1075 E. Riggs Rd., Ste. 5, Chandler, AZ 85249
Project/Business Name: D'Vine Gourmet
License Series: 7 BWBAR, License #07070298
Liquor Use: Beer and wine, stored cold and at room temp, no intent to serve on-premise at this time
Hours of Operation: Tues thru Sat 11-3, Thurs 1-6
Hours will increase to Tues thru Sat 11-6 in the fall
Closed Sunday and Monday
Employees: 1-4 depending on season, all over 21

No music, dancing, pool tables, outside dining, etc.; retail sales only

No site changes/improvements planned for this use; retail sales only

No landscaping, patio, menu, etc.; retail sales only

License Contact: Denise McCreery, Owner
D'Vine Gourmet
(480) 275-5320
(520) 440-6994 cell