



Chandler • Arizona
Where Values Make The Difference



MEMORANDUM Transportation & Development – PZ Memo No. 11-003

DATE: JANUARY 10, 2011

TO: PLANNING AND ZONING COMMISSION

THRU: R.J. ZEDER, TRANSPORTATION & DEVELOPMENT DIRECTOR *RJZ*
 JEFF KURTZ, PLANNING ADMINISTRATOR *JK*
 KEVIN MAYO, PLANNING MANAGER *KM*

FROM: BILL DERMODY, SENIOR CITY PLANNER *BD*

SUBJECT: LUP10-0042 IRONWOOD COMMERCIAL/ARCO AM-PM

Request: Extension of Use Permit approval to sell beer & wine for off-premise consumption only at a convenience store (Series 10 Liquor License)

Location: Southwest corner of Chandler Heights Road and Arizona Avenue

Applicants: Al-Hage, Inc./Burch & Cracchiolo

Owner: Three Js Arizona Avenue & Chandler Heights, LLC

Zoning: Planned Area Development (C-3)

RECOMMENDATION

Staff, finding consistency with the General Plan, recommends approval with a time limit of two (2) years.

BACKGROUND

The request is for Use Permit approval to sell alcohol for off-premise consumption from a planned fuel station convenience store in conjunction with a Series 10 Wine & Beer Store License. The currently vacant site is located at the southwest corner of Chandler Heights Road and Arizona Avenue. In May 2010, the site received zoning approval for the fuel station use along with Preliminary Development Plan (PDP) approval for Phase I site layout, architecture, and landscaping. Phase I construction, anticipated later this year, involves the fuel station and convenience store, to be located on the northern half of the approximately 3.8-acre vacant site, as well as perimeter landscaping for the entire site.

The site is currently vacant and is bordered to the west by a post office. To the south is the Ironwood Vistas gated single-family home subdivision. To the north across Chandler Heights Road is the Fulton Ranch Marketplace retail and office development. The southeast corner of the intersection across Arizona Avenue is zoned conceptually for commercial uses, not including a fuel station, with an overlay on its eastern portion for potential multi-family uses. The intersection's northeast corner is approved for the Shops at Chandler Heights retail development that is stalled in the construction phase and includes a planned fuel station and car wash.

The 3,000 square foot convenience store will be open 24 hours per day every day, though alcohol sales will only occur during the hours permitted by the State of Arizona (currently 6 a.m. to 2 a.m.). Alcohol will be stored in the coolers.

There are two other Liquor Use Permit approvals active at this intersection: a Series 9 (Liquor Store License – all spirituous liquor) at CVS Pharmacy and a Series 10 (Wine & Beer Store License) at Fresh & Easy. Both approvals are for stores on the northwest corner of the intersection and for off-premises consumption.

Staff recommends a time limit of two (2) years to allow continued evaluation of compatibility with the nearby neighborhood. A two (2) year time limit, rather than only (1) year, allows for a substantial track record to be developed after construction, which may take up to a year from now to complete. Staff also recommends the standard condition regarding maintaining the site in a “clean and orderly manner” to ensure that no littering occur on the vacant southern portion of the site.

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.
- A neighborhood meeting was held January 6, 2011 at the Snedigar Recreation Center. One neighbor attended in opposition for several reasons, including the existing and potential liquor-selling establishments at this intersection and the proximity of Hamilton High School (approximately 1.2 miles to the north).
- As of this writing, Staff is not aware of any opposition to the request besides that of the neighborhood meeting attendee.

RECOMMENDED ACTION

Staff, upon finding consistency with the General Plan, recommends approval of LUP10-0042 IRONWOOD COMMERCIAL/ARCO AM-PM subject to the following conditions:

1. The Use Permit granted is for a Series 10 License only, and any change of license shall require reapplication and new Use Permit approval.
2. The Use Permit is non-transferable to any other location.

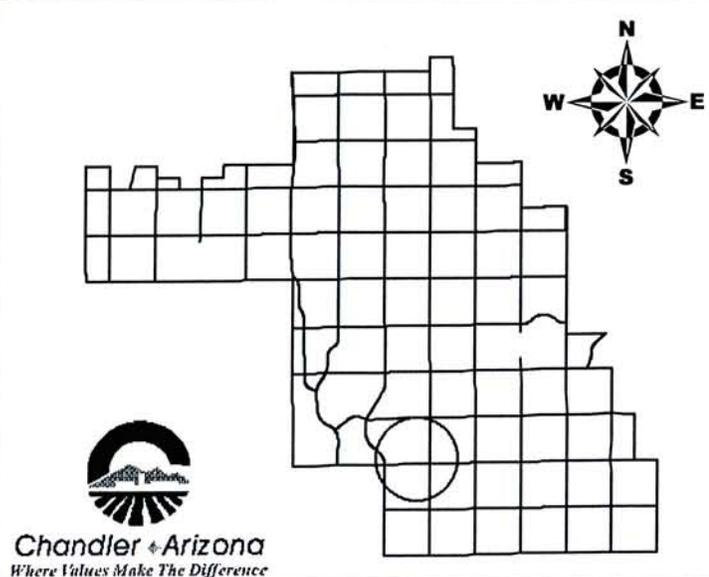
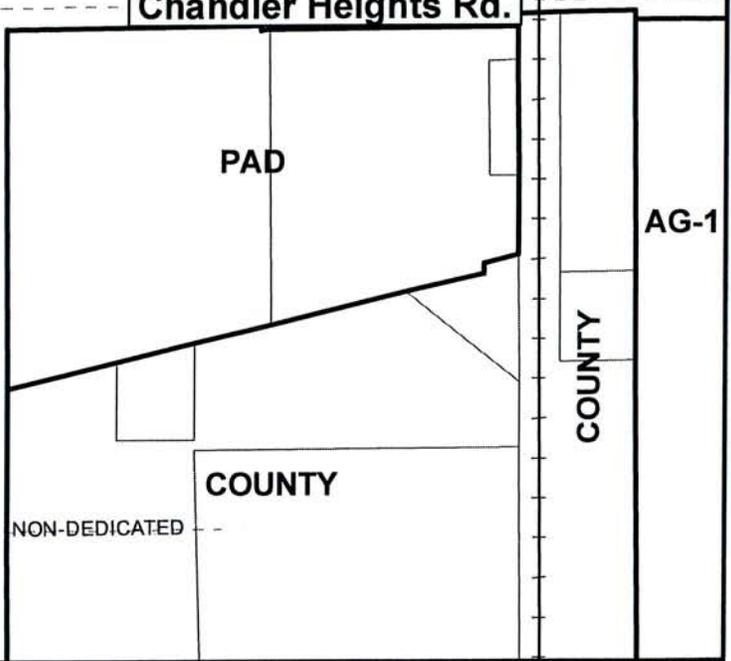
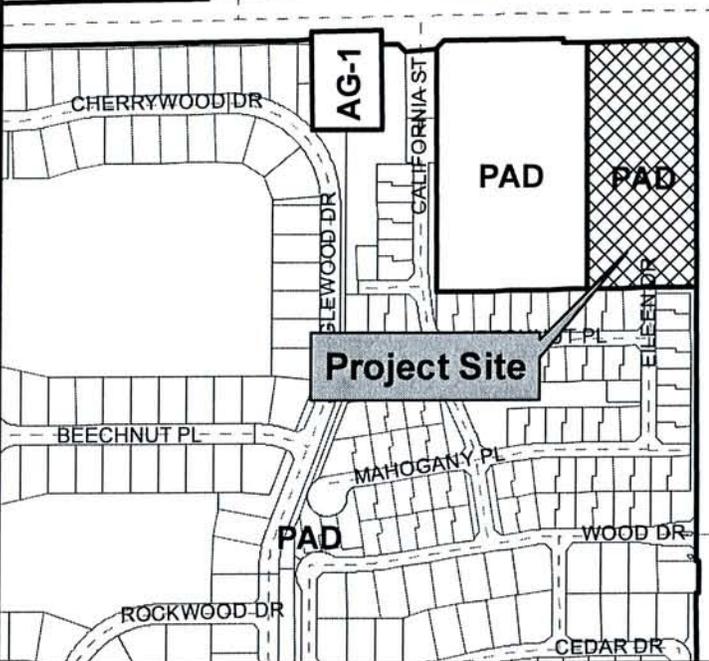
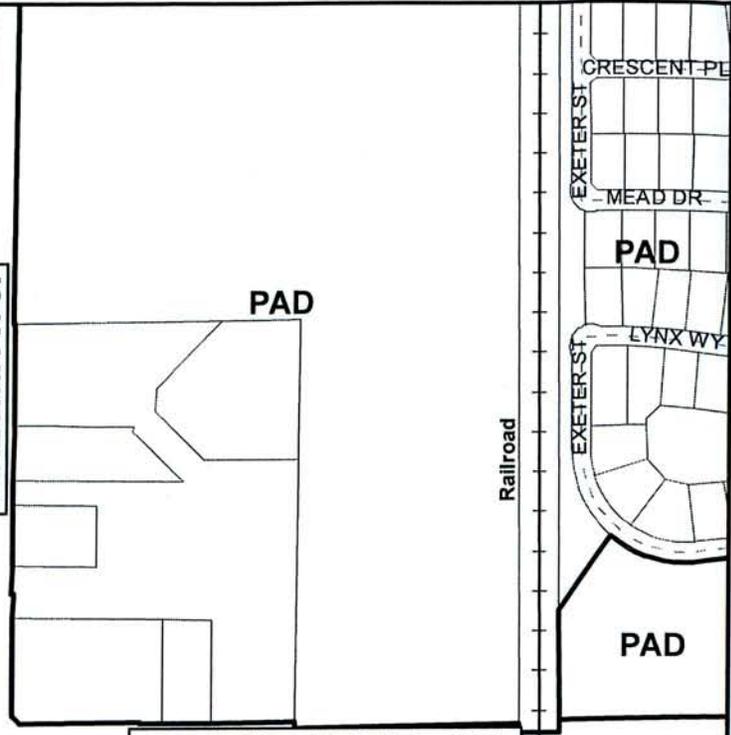
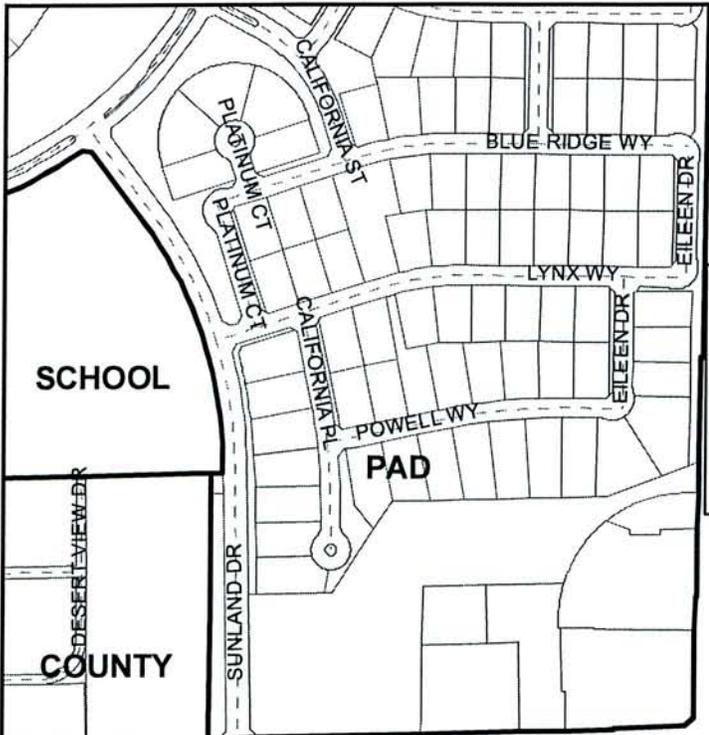
3. Expansion beyond the approved Floor Plan and Narrative shall void the Use Permit and require new Use Permit application and approval.
4. The site shall be maintained in a clean and orderly manner.
5. The Use Permit shall remain in effect for two (2) years from the effective date of City Council approval. Continuation of the Use Permit beyond the expiration date shall require re-application to and approval by the City of Chandler.

PROPOSED MOTION

Move to recommend approval of LUP10-0042 IRONWOOD COMMERCIAL/ARCO AM-PM
Use Permit for liquor sales subject to the conditions recommended by Staff.

Attachments

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



Vicinity Map

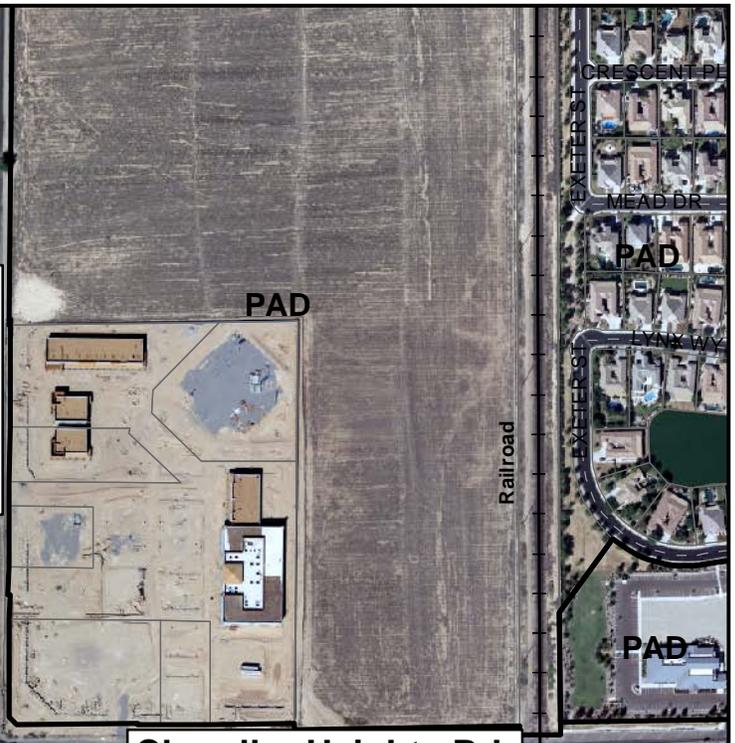
LUP10-0042

ARCO AM-PM
Liquor Use Permit

CITY OF CHANDLER 11/8/2010



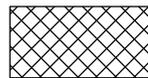
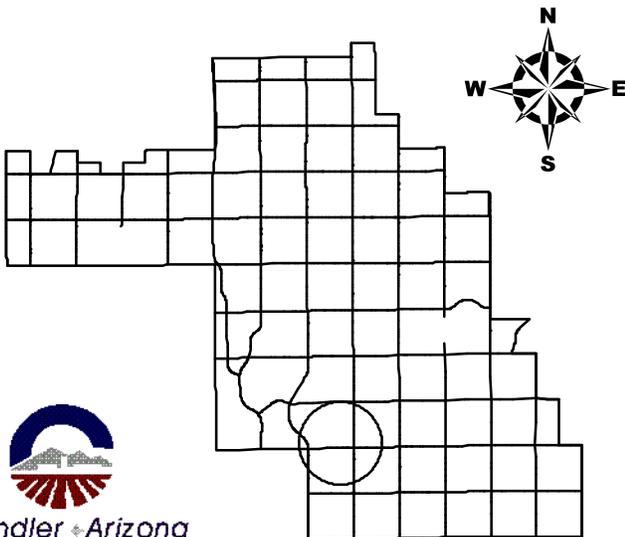
Arizona Ave.



Chandler Heights Rd.

Project Site

Vicinity Map



LUP10-0042

**ARCO AM-PM
Liquor Use Permit**



SWC ARIZONA AVENUE AND CHANDLER HEIGHTS ROAD
Liquor Use Permit (Case No. LUP10-0042)

12/23/10

The Owner, Three J's Arizona Avenue and Chandler Heights, LLC, and Applicant, Al Hage, Inc., a franchisee of BP ARCO, submit this Use Permit application to allow beer and wine sales at the proposed convenience store within Ironwood Commercial I, a portion of the Ocotillo Crossing Commercial PAD. The Ironwood Commercial I corner, which is located at an arterial-arterial intersection and is separated from the nearest neighborhood by substantial distance and walls, was recently the subject of an Amended PAD and PDP that provided for the development of a convenience store with fuel sales and a self-service drive-thru car wash which was approved on May 27, 2010. Since the Amended PAD was approved, Three J's has proceeded with development and building plans and is continuing to move forward. As a part of bringing this project to life, Al Hage, Inc. will simultaneously process an application with the Arizona Department of Liquor for a Series 10 (beer/wine) liquor license as this Liquor Use Permit Application is being considered.

A Series 10 liquor license allows for the sale of beer and wine only, for consumption off-site of the licensed premises. It is considered a "package" beer/wine sales liquor license. As a part of the original Ocotillo Crossing Commercial PAD, this property at the southwest corner of Arizona Avenue and Chandler Heights Road, has long been designated for commercial use. See vicinity map and site plan attached.

Article XXI, Section 35-2100 of the City of Chandler Land Use and Zoning Code, requires a Liquor Use Permit to sell liquor, wine and beer in all the commercial and industrial zoning districts. The approval of this Use Permit will allow the Ironwood Commercial development to have a Series 10 license which allows sales of beer and wine products. All sales of liquor will be in sealed packages for consumption off-site.

The site comprises approximately 1.73 acres. The convenience store will be approximately 3,038 square feet with an attached car wash and fueling area with canopy. In the store, customers can shop for a variety of convenience items, beer and wine, as well as some fresh foods. With generous lighting both inside and out, the store will be a welcoming place for residents of the surrounding neighborhoods as well as people who travel on Arizona Avenue and/or Chandler Heights Road as a part of their daily commute. Al Hage, Inc. and its owners have many years of experience owning and operating convenience stores, as the franchisee of several large fuel companies. Al Hage, Inc. has been in business for twenty-five years and has an excellent record with the Arizona Department of Liquor during that time for the liquor licenses it holds in the State of Arizona.

The store will be open seven days a week, twenty-four hours per day, although beer and wine will only be sold during lawful selling hours. The store will employ approximately fifteen individuals, with two to three cashiers and one "greeter" on-site as needed. The greeters provide customer service, as well as being available to discourage shop lifting and loitering in and around the store. Store employees are given training prior to being allowed to sell beer and wine and their training is updated throughout their employment. Al Hage, Inc. policies and procedures require that all purchasers of liquor provide proof of legal age before being allowed to complete a liquor purchase. Al Hage, Inc. representatives do not believe that beer and wine sales at this location will be a detriment to the peace in the area or impose a drain on police resources.

The commercial land use is in conformance with the General Plan, Planned Area Development (PAD) zoning and policies that are in place for this Chandler property. Beer and wine sales will complement the other items offered in the store and will be compatible with other activities at this intersection. The offering of beer and wine sales will allow this store to provide the traditional array of convenience items to their customers and to operate and compete successfully at this location. It will have no negative impacts on the surrounding area.

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ARCO

ampm

IRONWOOD COMMERCIAL
 ARCO AM-PM 2900
 SWC ARIZONA AVENUE &
 CHANDLER HEIGHTS ROAD
 CHANDLER, ARIZONA 85249

DATE: 11/11/10
 DRAWN BY: T.J.M.
 CHECKED BY: T.J.M.
 SCALE: AS SHOWN

SHOT TITLE: LANDSCAPE PLAN

La.01

DATE: 7-30-10

**CITY OF CHANDLER
 LANDSCAPE NOTES:**

ALL PLANT MATERIALS ARE GUARANTEED FOR A PERIOD OF SIXTY (60) DAYS FROM THE DATE OF FINAL APPROVAL BY THE CITY. ANY PLANT MATERIALS WHICH ARE NOT APPROVED BY THE CITY PRIOR TO OCTOBER 1 OF THE CALENDAR YEAR OF WHICH THEY ARE INSTALLED, SHALL BE FURTHER GUARANTEED UNTIL MAY 20 OF THE FOLLOWING CALENDAR YEAR.

TREES, SHRUBS, GROUND COVER AND TURF WHICH HAVE TO BE REPLACED UNDER TERMS OF THE GUARANTEE, SHALL BE GUARANTEED FOR AN ADDITIONAL 60 DAYS FROM THE DATE OF REPLACEMENT.

ALL PLANT MATERIALS MUST BE MAINTAINED IN HEALTH AND VIGOR AND BE ALLOWED TO ATTAIN NATURAL SIZE AND SHAPE IN ACCORDANCE WITH THE ORIGINALLY APPROVED LANDSCAPE PLAN.

PARKING LOT TREES ARE TO HAVE A MINIMUM CLEAR CANOPY DISTANCE OF FIVE (5) FEET.

THE FINISH GRADE TOP OF GRANITE IS TO BE 1 1/2" BELOW THE TOP OF SIDEWALKS OR ANY OTHER PAVED SURFACE.

ALL SITE IMPROVEMENTS, INCLUDING LANDSCAPE AND SITE CLEANUP MUST BE COMPLETED PRIOR TO CERTIFICATE OF OCCUPANCY FOR ANY BUILDING WITHIN A PHASE.

FINISH GRADE OF LANDSCAPE AREAS (TOP OF TURF OR D.C.) MUST BE GRADED TO 1-1/2" BELOW CONCRETE OR OTHER PAVED SURFACES.

ALL TREES SHALL COMPLY WITH THE LATEST AMENDED EDITION OF THE ARIZONA NURSERY ASSOCIATION-RECOMMENDED TREE SPECIFICATIONS. SEE SECTION 1903(A) (A) ZONING CODE.

THERE SHALL BE NO OBSTRUCTION OF SITE SIGNAGE BY LANDSCAPE PLANT MATERIAL, AND THAT SUCH MUST BE RELOCATED, CORRECTED BEFORE THE FIELD INSPECTOR WILL ACCEPT/PASS THE SIGN IN THE FIELD OR ISSUE AN CERTIFICATE OF OCCUPANCY FOR A PROJECT.

DOUBLE ROW PLANTERS ISLANDS [9' X 38'] MUST CONTAIN A MIN. OF 2 TREES AND 10 (5 GALLON) SHRUBS AND 1 ADDITIONAL SHRUB FOR EVERY 25 FEET

PARKING LOT TREES MUST HAVE A MIN. CLEAR CANOPY DISTANCE OF 5' SEE SECTION 1903 (A) (C) (4) ZONING CODE

TREES MUST BE PLACED MIN. OF 5' FROM SIDEWALKS. PUBLIC ACCESS WAYS SHRUBS MUST BE AT MATURITY, 3' FROM ALL SIDES OF A F.H INDICATES HYDRATE LOCATIONS.

ALL SITE IMPROVEMENTS, INCLUDING LANDSCAPE AND SITE CLEAN UP MUST BE COMPLETED PRIOR TO CERTIFICATE OF OCCUPANCY FOR ANY BUILDING WITHIN A PHASE

ALL LANDSCAPING SHALL BE MAINTAINED BY THE LANDOWNER OR THE LESSOR CONTRACTOR MUST SUBMIT A DECOMPOSED GRANITE SAMPLE 1 CITY LANDSCAPE ARCHITECT PRIOR TO ORDERING.

PRIOR TO ANY LANDSCAPE OR IRRIGATION CONSTRUCTION IN THE PUBLIC RIGHT-OF-WAY, THE CONTRACTOR/DEVELOPER SHALL NOTIFY THE CITY LANDSCAPE ARCHITECT AT 480-782-3062 AT LEAST 48 HOURS IN ADVANCE OF INSTALLATION WORK.

ALL ROCK GROUNDCOVER AREAS SHALL BE SPRAYED WITH PRE-EMERGENT HERBICIDE BY A LICENSED APPLICATOR AS PART OF INSTALLATION AS FOLLOWS (MINIMUM OF THREE (3) APPLICATIONS ARE REQUIRED):

- PRIOR TO THE APPLICATION OF GRANITE:
- AFTER GRANITE APPLICATION: 1/2 GALLON PER ACRE

LANDSCAPE LEGEND

SYMBOL	DESCRIPTION	DEPTH	HEIGHT	WIDTH	DIAMETER
	INDIAN OAK (2 1/2" DIA) 10' TALL	10"	30'	10"	10"
	INDIAN OAK (2 1/2" DIA) 15' TALL	10"	15'	10"	10"
	INDIAN OAK (2 1/2" DIA) 20' TALL	10"	20'	10"	10"
	INDIAN OAK (2 1/2" DIA) 25' TALL	10"	25'	10"	10"
	INDIAN OAK (2 1/2" DIA) 30' TALL	10"	30'	10"	10"
	INDIAN OAK (2 1/2" DIA) 35' TALL	10"	35'	10"	10"
	INDIAN OAK (2 1/2" DIA) 40' TALL	10"	40'	10"	10"
	INDIAN OAK (2 1/2" DIA) 45' TALL	10"	45'	10"	10"
	INDIAN OAK (2 1/2" DIA) 50' TALL	10"	50'	10"	10"
	INDIAN OAK (2 1/2" DIA) 55' TALL	10"	55'	10"	10"
	INDIAN OAK (2 1/2" DIA) 60' TALL	10"	60'	10"	10"
	INDIAN OAK (2 1/2" DIA) 65' TALL	10"	65'	10"	10"
	INDIAN OAK (2 1/2" DIA) 70' TALL	10"	70'	10"	10"
	INDIAN OAK (2 1/2" DIA) 75' TALL	10"	75'	10"	10"
	INDIAN OAK (2 1/2" DIA) 80' TALL	10"	80'	10"	10"
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	INDIAN OAK (2 1/2" DIA) 90' TALL	10"	90'	10"	10"
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	INDIAN OAK (2 1/2" DIA) 635' TALL	10"	635'	10"	10"
	INDIAN OAK (2 1/2" DIA) 640' TALL	10"	640'	10"	10"
	INDIAN OAK (2 1/2" DIA) 645' TALL	10"	645'	10"	10"
	INDIAN OAK (2 1/2" DIA) 650' TALL	10"	650'	10"	10"
	INDIAN OAK (2 1/2" DIA) 655' TALL	10"	655'	10"	10"
	INDIAN OAK (2 1/2" DIA) 660' TALL	10"	660'	10"	10"
	INDIAN OAK (2 1/2" DIA) 665' TALL	10"	665'	10"	10"
	INDIAN OAK (2 1/2" DIA) 670' TALL	10"	670'	10"	10"
	INDIAN OAK (2 1/2" DIA) 675' TALL	10"	675'		

