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MEMORANDUM **Transportation & Development – PZ Memo No. 13-062**

DATE: AUGUST 21, 2013

TO: PLANNING AND ZONING COMMISSION

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

FROM: SUSAN FIALA, CITY PLANNER SAF

SUBJECT: LUP13-0011 99 CENT ONLY STORE

Request: Use Permit approval to sell beer and wine for off-premise consumption only under a Series 10 Beer & Wine Store License

Location: 1996 North Alma School Road, southwest corner of Warner and Alma School roads

Applicant: Arizona Liquor Industry Consultants, Amy Nations

RECOMMENDATION

Planning Staff, finding consistency with the General Plan and the Community Commercial (C-2) zoning, recommends approval subject to conditions.

BACKGROUND

The subject business is located at 1996 N. Alma School Rd., southwest corner of Warner and Alma School roads in the Warner Plaza. The 99 Cent Only Store has been in operation since approximately 2002. Warner Plaza businesses include: Big Lots, Chase Bank, and Carl's Jr. and others. The intersection's other corners are commercial shopping centers that include a Fry's, Wal-Mart, Ace Hardware, and other businesses. The southeast corner is developed with a Shell gas station and the Chandler Preparatory Academy.

The request is for Liquor Use Permit approval to sell beer and wine as permitted under a Series 10 Beer and Wine Store License, no other spirituous liquors, only in the original unbroken package to be taken away from the premises of the retailer and consumed off premises. The applicant states the liquor will be sold at room temperature and off the shelf; not in refrigerated coolers. The business is open from 8 a.m. until 10 p.m., seven days a week. 99 Cent Only Store

employs approximately 28 full-time and part-time staff. The store contains around 19,291 square feet of floor area.

DISCUSSION

Planning Staff supports the request, finding 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.

Planning Staff recommends approval with no time limit to maintain consistency with other Series 10 Liquor Use Permits approved for other similar type retailers with no time limit condition given the establishments had no outstanding concerns, opposition, or violations.

There have been concerns raised during the public notification process concerning the selling of liquor at a 99 Cent Only Store and the location of liquor consumption following the purchase.

PUBLIC / NEIGHBORHOOD NOTIFICATION

- This request was noticed in accordance with the requirements of the Chandler Zoning Code.
- A neighborhood meeting was held on July 31, 2013. No one attended other than the applicant.
- The Police Department has been informed of the application and has no issues or concerns.
- As of this writing, Planning Staff has received a phone call from a neighbor who has concerns about liquor sold at a 99 Cent Only Store in terms of how the selling will be monitored and where the liquor will be consumed.

RECOMMENDED ACTION

Planning Staff, upon finding consistency with the General Plan and zoning, recommends approval of LUP13-0011 99 CENT ONLY STORE, 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. Expansion or modification beyond the approved exhibits (Floor Plan and Narrative) shall void the Use Permit and require a new Liquor Use Permit application and approval.

3. The Use Permit is non-transferable to any other location.

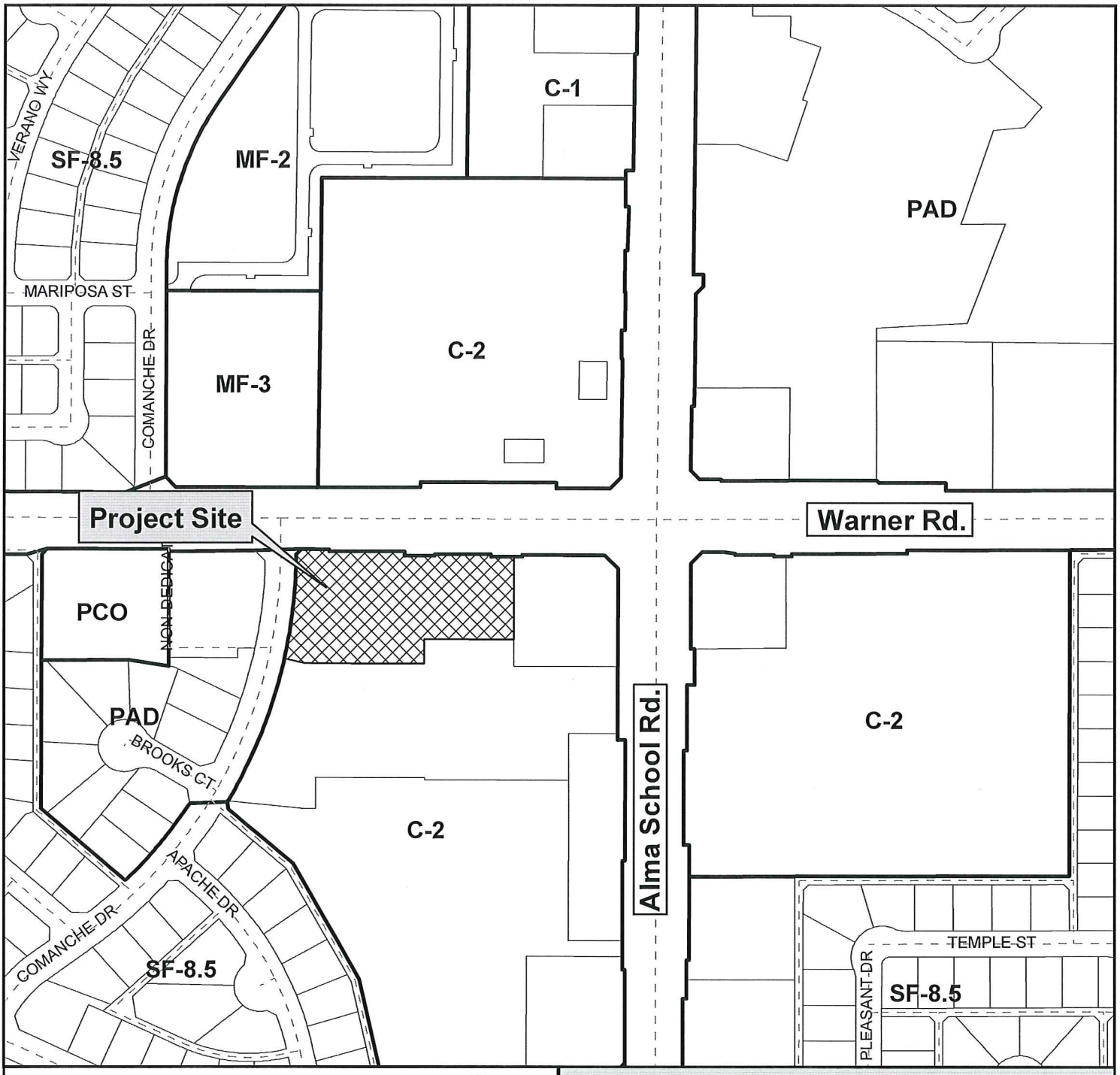
4. The site shall be maintained in a clean and orderly manner.

PROPOSED MOTION

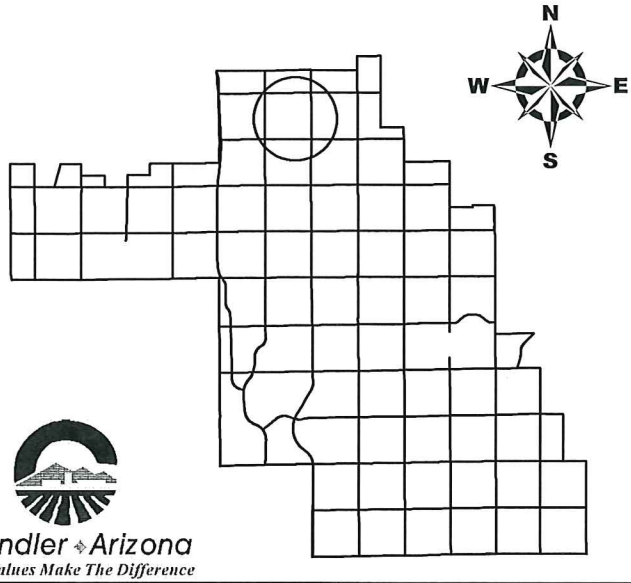
Move to recommend approval of Liquor Use Permit, LUP13-0011 99 CENT ONLY STORE, subject to the conditions recommended by Planning Staff.

Attachments

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



Vicinity Map



ZUP13-0011

99 Cent Only Store#167

Chandler Arizona
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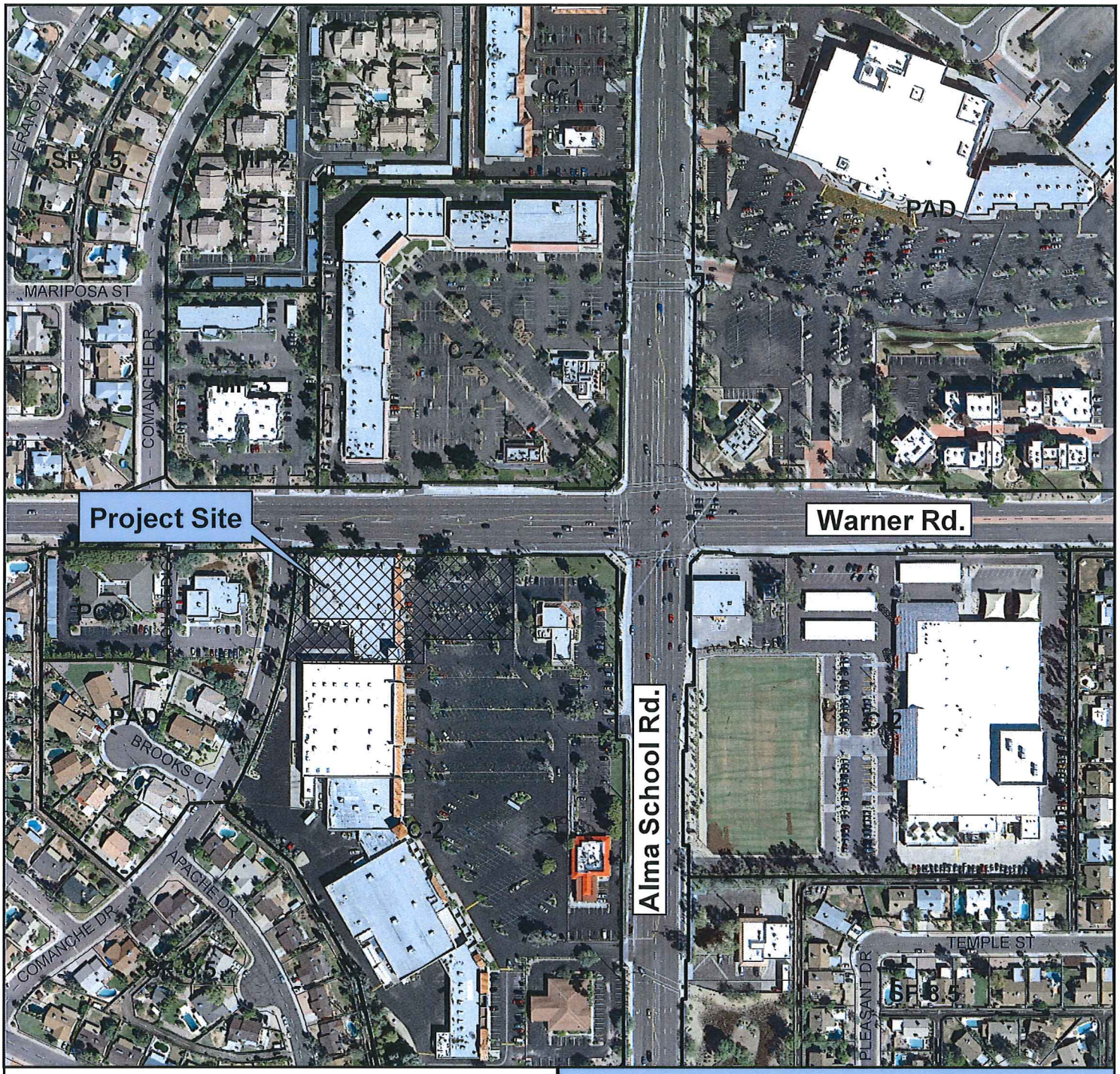
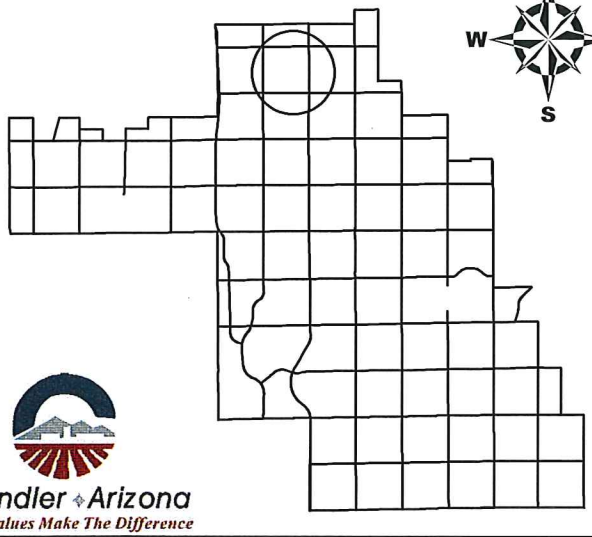
CITY OF CHANDLER 7/3/2013





Chandler ◆ Arizona
Where Values Make The Difference

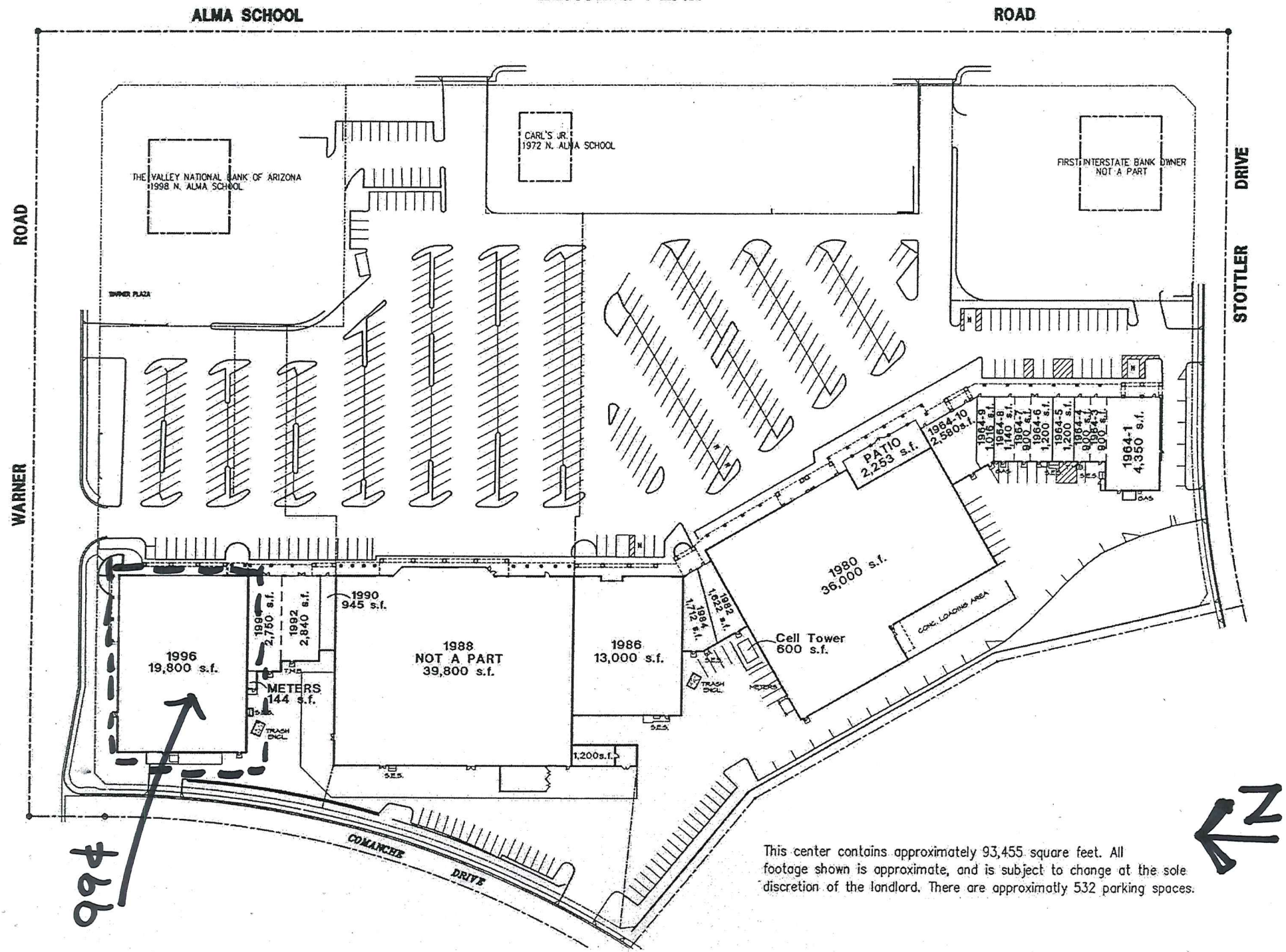
Vicinity Map

ZUP13-0011

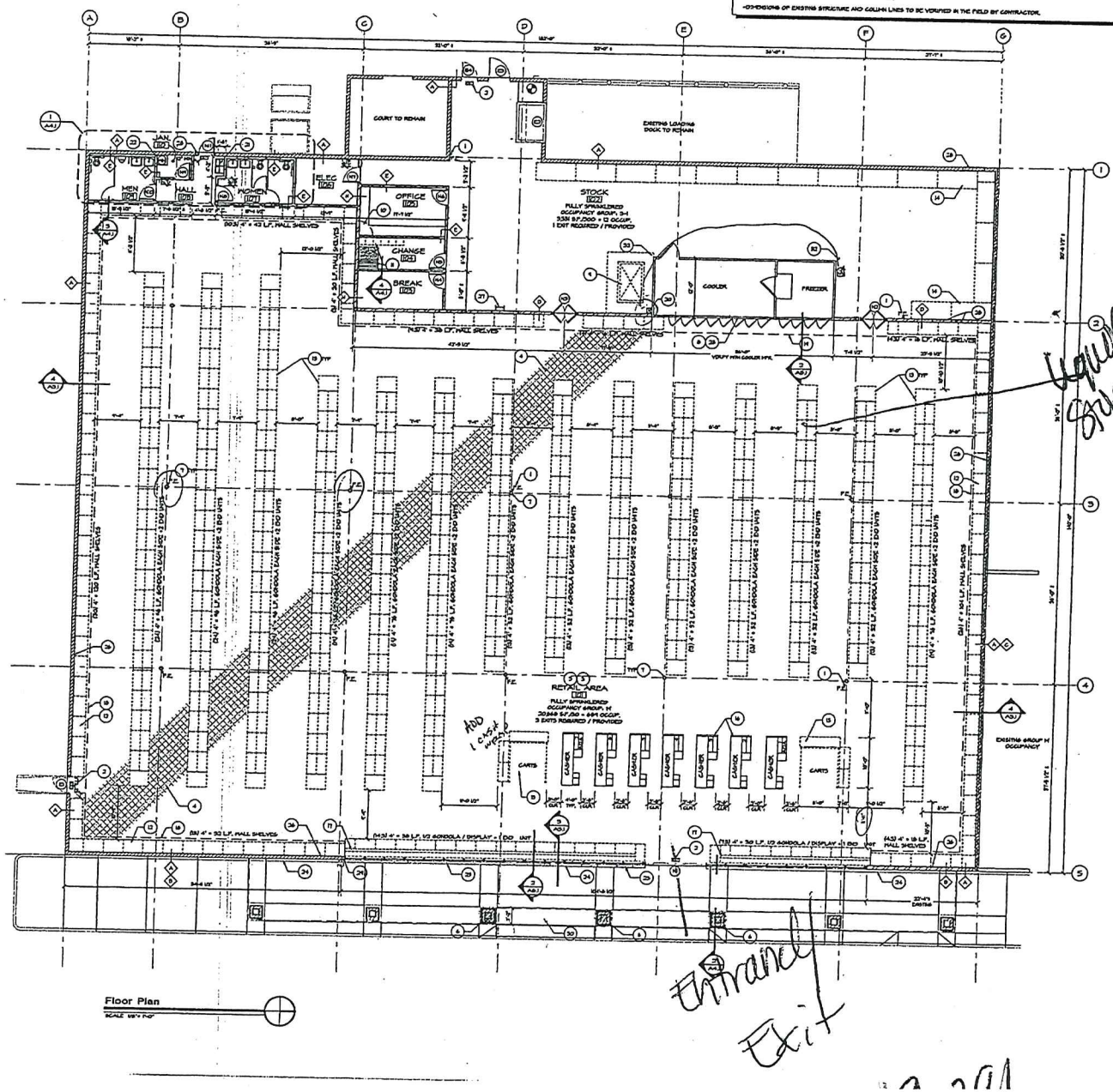
99 Cent Only Store#167

CITY OF CHANDLER 7/3/2013

WARNER PLAZA
LEASING PLAN



This center contains approximately 93,455 square feet. All footage shown is approximate, and is subject to change at the sole discretion of the landlord. There are approximatly 532 parking spaces.



Floor Plan
SCALE: 1/8"=1'-0"

FLOOR PLAN GENERAL NOTES

-REST ROOMS MUST HAVE MECHANICAL VENTILATION SYSTEM CAPABLE OF PROVIDING AIR CHANGE EVERY 15 MINUTES. REST ROOMS MUST TO COMPLY WITH ALL NECESSARY CODES AND CONSTRUCTED COMPLIANT WITH ADA ACCESSIBILITY REQUIREMENTS.

-ALL FOOD GOODS IN STORE TO BE PRE-PACKAGED.

-DIMENSIONS OF EXISTING STRUCTURE AND COLUMN LINES TO BE VERIFIED IN THE FIELD BY CONTRACTOR.

FLOOR PLAN KEY NOTES

	DESCRIPTION
1.	6 POUND CLASS A,B,C RATED FIRE EXTINGUISHER FOR FIRE CODE STANDARD 10-1A. SURFACE MOUNTED IN COMPLIANCE WITH ADA STANDARDS. (4 TOTAL)
2.	PROVIDE ILLUMINATED EXIT SIGN WITH SELF CONTAINED EMERGENCY POWER BATTERY PACK (1 CIRCUIT AND (2) LAMPS, LOCATED AT ALL REQUIRED EXITS AS SHOWN.
3.	PREPARE SMOOTH, FLAT FLOOR SURFACE AS NEEDED FOR INSTALLATION OF NEW VCT FLOORING. VERIFY TERMINATION OF FLOORING AT ALL DISPLAY SHELVES, GONDOLAS AND OTHER MISC. FURNITURE.
4.	PROVIDE NEW VCT FLOORING PATTERN PER 99 CENT ONLY STORES STANDARD, 12" SQUARE TILE AT 45° WITH (2) WHITE AND (1) BLUE. REFER TO FINISH MATERIAL SCHEDULE SHEET A0.1.
5.	NEW T-BAR CEILING WITH NEW 2'X4'. LIGHTING. REFER TO ELECTRICAL LIGHTING PLANS AND R.C.P. FOR MORE INFO.
6.	NEW TILE MANSART AT COLUMN BASE. REFER TO DETAIL 1/A3.1 OR 8/A3.1 FOR MORE INFORMATION.
7.	EXISTING STRUCTURAL COLUMN TO BE PAINTED 99 CENT ONLY STORES STANDARD WHITE FROM FLOOR TO CEILING GRID. COVER COLUMN WITH STAINLESS STEEL UP TO 4'-0" H.
8.	PRE-FAB WALK-IN COOLER BOX BY KOOLSTAR TO BE INSTALLED PER DETAIL 5/A3.1. VERIFY LOCATION OF FREEZER WITH TENANT. PROVIDE ALL UTILITIES AS NEEDED -COORDINATE PRIOR TO INSTALLATION. REFER TO MECHANICAL, PLUMBING AND ELECTRICAL SHEETS.
9.	NEW BAILER. COORDINATE EXACT REQUIREMENTS WITH SUPPLIER AND PROVIDE UTILITIES AS NEEDED.
10.	PROVIDE DESK AND SHELVES WITH QUARTER ROUND WALL MOUNTED T.V. SHELF (MAX.). VERIFY WITH OWNER PRIOR TO INSTALL.
11.	PROVIDE NEW 24" LOCKER LOCKERS WITH MIN 1 ADA ACCESSIBLE AND ADA ACCESSIBLE BENCH FOR OWNERS APPROVAL.
12.	FIXTURE INSTALLER TO ERECT NEW PRE-FAB METAL WALL SHELVES 74" H AND ALL ACCESSORIES BY LONDON OR APPROVED EQUAL. USE ANCHOR EXPANSION BOLTS OR TOGGLE BOLTS. TO FASTEN U/A CLEATS AT TOP AND BOTTOM OF WALL SHELVES TO STUD OR HOLLOW C/U CELLS. PROVIDED BY TENANT
13.	FIXTURE INSTALLER TO ERECT NEW PRE-FAB METAL GONDOLAS 4'-0" H DOUBLE FACED MAXI SALES GONDOLAS BY LONDON, OR APPROVED EQUAL PROVIDED BY TENANT
14.	FIXTURE INSTALLER TO ERECT PALLET RACKS 7'-0" H MAX. PROVIDE A MIN. OF 3 TOTAL SHELVES CONSTRUCTED WITH MELAMINE PER HEALTH DEPARTMENT STANDARDS. PROVIDED BY TENANT - UNDER SEPARATE CONTRACT.
15.	FIXTURE INSTALLER TO ERECT 2'X3' CART CORRAL PROVIDED BY TENANT. PROVIDE CEILING ESCUTCHEON ABOVE CEILING GRID AT EACH CART CORRAL. REFER TO ELECTRICAL DRAWINGS.
16.	FIXTURE INSTALLER TO ERECT CASH WRAPS WITH 23 1/2"HIT 1/2" WHITE EDGE BANDED MELAMINE BOUND CASH REGISTER PROVIDED BY TENANT. REFER TO 3/A4.2 FOR MORE INFO. COORDINATE WITH ELEC.
17.	INSTALL MELAMORE HOOOOH DISPLAY SHELVES. REFER TO DETAIL 3 SHEET A8.1
18.	CUSTOM VALANCE CONTINUOUS AROUND STORE PERIMETER AND ABOVE DOORS. COORDINATE COLORS WITH 99 CENT ONLY STORES. PROVIDE CONTINUOUS BLOCKING IN WALL ABOVE ALL DOOR OPENING FOR VALANCE ANCHORING. PROVIDE ELECTRICAL SERVICE AS REQUIRED, REFER TO DETAIL 4/A8.2.
19.	INSTALL METAL MANSARD TO SPAN COOLER/FREEZER BOX OPENING - SEE DETAIL 2/A8.2.
20.	PROVIDE NEW FLOOR SINK AND WASTE PIPING FOR COOLER BOX. VERIFY EXACT LOCATION. REFER TO PLUMB. PLANS FOR ADDITIONAL INFORMATION.
21.	NEW HI-LO ELECTRIC DRINKING FOUNTAIN (H.L.C.) INSTALLED PER ADA REQUIREMENTS.
22.	SUSPENDED WATER HEATER AND HOT SINK. SEE DETAIL D/A4.1. LIGHTING OVER SINK MUST BE SHATTER PROOF.
23.	PROVIDE 3 SIGN J-BOXES ABOVE COOLER BOX OPENING WITH 20 AMP PLUMB EACH. VERIFY WITH OWNER.
24.	EXISTING CONC. CURB TO REMAIN.
25.	PROVIDE NEW C.I.P. CONC. CURB AT NEW STOREFRONT AS REQUIRED FOR NEW DESIGN. FINISH TO MATCH EXISTING.
26.	PROVIDE NEW PARKING AT INTERIOR OF MASONRY TO MATCH EXISTING SIZE TO PROVIDE SMOOTH, SEAMLESS TRANSITION. FINISH PER SCHEDULE SHEET A0.1.
27.	PROVIDE NEW WALL MOUNTED STANDARD DUTY CHANNEL RAILS FIXED ACCESS ALUMINUM LADDER, AND SAFETY POST, GYGOTTES MODEL 300, OR EQUAL. REFER TO DETAIL 6/A4.1
28.	IN-FILL PORTION OF WALL PER NEW DESIGN. FINISH TO MATCH EXISTING. REFER TO SCHEDULE SHEET A0.1.
29.	NEW FOOTING AND COLUM REFER TO STRUCTURAL. FINISH TO MATCH EXISTING.
30.	NEW WESTERN I-KOTE STUCCO SYSTEM OVER WOOD FRAMED SOFFIT @ NEW ENTRY. BOTTOM AT 9'-0" ±
31.	CONTRACTOR TO INVESTIGATE EXISTING DOCK RAMP, LIFT AND RAILS AND REPAIR/REPLACE AS NEEDED.
32.	NEW BOLLARD POST AT NEW WALK-IN COOLER LOCATION. SEE DETAIL 13/A3.1.

WALL TYPE LEGEND

SYMBOL	DESCRIPTION (*REFER TO FINISH SCHEDULE FOR MORE INFO.)
A	EXISTING FULL HEIGHT MASONRY WALL WITH PATCH AND FILL IN MISSING AND PROVIDE SMOOTH INTERIOR FINISH.
B	EXISTING METAL STUD FRAMED EXTERIOR FULL HEIGHT WALL. PATCH 5/8" GYPSUM WALL BOARD AND PROVIDE SMOOTH INTERIOR FINISH +PAINT.
C	EXISTING 2-HOUR AREA SEPARATION WALL PER UBC. CONTRACTOR TO FIELD VERIFY.
D	EXISTING 6" STL. STUD @ 16" O.C. WALL WITH 3/8 GYP. BD. ALL HEIGHT TO BOTTOM OF ROOF DECK.
E	NEW 3 5/8" STL 20 GA STL. STUD @ 16" O.C. WALL WITH 5/8 GYP. BD. EA. SIDE. TOP AT 9'-0" OR 6" ABOVE SUSPENDED CEILING AS OCCURS.
F	DEMO EXISTING WALL ASSEMBLY SYSTEM.
G	DEMO EXISTING PORTION OF WALL FOR NEW OPENING PER NEW DESIGN. REFER TO FLOOR PLAN.
H	NEW 6" STL 22 GA. STL. STUD @ 16" O.C. WALL WITH 5/8 GYP. BD. FULL HEIGHT TO BOTTOM OF ROOF DECK.

NOTES
1. GENERAL CONTRACTOR TO PROVIDE SUFFICIENT SUPPORT AND 20 GA. STL. BLOCKING FOR ALL WALL AND PARTITION MOUNTED ELEMENTS, INCLUDING BUT NOT LIMITED TO TOILET PARTITIONS, GRAB BARS, MIRRORS, CASEWORK, EQUIPMENT, WALL SHELVING, ETC. VERIFY LOCATIONS AND CONDITIONS.
2. ALL WALL MOUNTED SHELVING SHALL BE MOUNTED TO C/U WALL AND NOT HAT CHANNELS WITH EXPANSION BOLTS OR TOGGLE BOLTS IN IN HOLLOW CELL OR STL STUD.

301017
99cent Only Stores" -Chandler
Perlman ARCHITECTS
PERLMAN ARCHITECTS OF ARIZONA, INC.
6045 N. SCOTTSDALE ROAD
SUITE 105
SCOTTSDALE, ARIZONA 85253
480.951.5900 480.951.3045 fax

Seal

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Rev	Date	By	Description

99¢ Only Stores
Tenant Improvement
SWC Alma School & Ray Road
908 North Alma School
Chandler, Arizona 85224

99¢ only STORES

Drawn/Checked By
KDD / KWP

Date
January 4, 2002

Project Number
301017

Sheet Number
Floor Plan
A2.3

P.O. Box 2502
Chandler, Arizona 85244
(480) 730-2675 Phone (480) 730-2676 Fax

ARIZONA LIQUOR
INDUSTRY CONSULTANTS

City of Chandler Transportation and Development Department
Planning Division
215 East Buffalo Street
Chandler, AZ 85225

March 7, 2013

To Whom It May Concern:

We would like to respectfully request a Liquor Use Permit for a Series 10 off sale liquor license located at 99 Cents Only Store #167 1996 N Alma School Rd, Chandler. It's a general merchandise store.

99 Cents Only Store #167 is a 19,291 square foot store.

The regular business hours will be from 8am to 10 pm, 7 days a week. It will employ 28 full and part time employees. The plans are to sell beer & wine at room temperature right from the shelf, which will discourage immediate consumption. Our establishment's commitment to the neighborhood will have a well-lit parking lot, graffiti free, maintained on a daily basis. We pride ourselves in keeping a clean and safe environment for our patrons.

Sincerely,

Amy Nations

99 Cent Only Store

Warner Plaza Tenants

Chandler Preparatory Academy, Alma School Road frontage

Looking east, from parking lot of Warner Plaza to Chase Bank and Shell Gas Station