Staff Summary Report

Tempe

Council Meeting Date: 12/17/03 **Agenda Item Number:** 3

SUBJECT: This is the first public hearing for Firestone Tires for an Amended General Plan of Development for University & McClintock Crossing Commercial Center and Final Plan of Development for Firestone Tires with including a use permit located at 1775 East University Drive.

DOCUMENT NAME: 20031217d2k02 **PLANNED DEVELOPMENT (0406)**

SUPPORTING DOCS: Yes

COMMENTS: This is the first public hearing for **FIRESTONE TIRES** (The Focus Group, LLC, David Church, property owner) **#SGF-2003.95** for an Amended General Plan of Development for University & McClintock Crossing consisting of 29,016 s.f., on 4.86 net acres, and a Final Plan of Development for Firestone Tires consisting of 7,610 s.f. on 2.11 net acres and a use permit, located at 1775 East University Drive, including the following:

Use Permit:
Allow a tire and auto service store in the PCC-1 Zoning District.

PREPARED BY: DeeDee (D^2) Kimbrell, Planner II (480-350-8438)

REVIEWED BY: Steve Venker, Planning & Zoning Manager (480-350-8920)

LEGAL REVIEW BY: N/A

FISCAL NOTE: N/A

RECOMMENDATION: Staff – Approval of General and Final Plan of Development
– Denial of sign request
Public – None to date
Planning Commission – Approval (6-0 vote)

ADDITIONAL INFO: The four parcel commercial center is currently housing McDonald's restaurant, 7-Eleven convenience store with gas pumps, and a Wienerschnitzel hot dog restaurant currently under construction. This is the last vacant parcel within this commercial center to be developed. Firestone Tires will be the first phase of the two phase development for this parcel. With the proposed development of Firestone Tires (Phase I) and future retail building (Phase 2), this commercial center will be completed.

The General Plan of Development designates this site for single story retail land use. This proposal appears to be consistent with previously recorded development plans, both in land use and site plan. Also requested with this Final Plan of Development are three (3) freestanding tenant identification signs (two along University Drive and one along McClintock Drive) in lieu of the freestanding center identification sign otherwise required in the PCC-1 Zoning District. Staff supports the Amended General Plan of Development and Final Plan of Development for Firestone Tires, subject to conditions. On November 25, 2003, Planning Commission approved this request by a 6-0 vote on their consent agenda. Staff does not support the sign request. To date, no public input has been received.

ATTACHMENTS:

1. List of Attachments
2. History & Facts

3-4. Description

4. Comments / Reason(s) for Approval

5-6. Conditions of Approval

A. Location Map
B. Amended General and Final Plan of Development
C. Final Plan of Development
D. Floor Plan
E. Elevations
F. Conceptual Landscape Plan
G. Letter of Explanation/Intent
H. Previously Recorded Plan (8/27/03)

HISTORY & FACTS:

January 28, 1958.	This site was annexed into the City from the County as Rl-6. Rezoning of this parcel from Rl-6 to industrial predates City's record keeping.
May 15, 1996.	Design Review Board approved the Commons Apartments for building elevations, site and landscape plan, subject to conditions.
June 6, 1996.	City Council approved a General Plan 2000 Amendment, Resolution No. 96.22, from Mixed Use to Residential on 22.25 net acres and from Mixed Use to Retail on 4.87 net acres.
June 6, 1996.	City Council approved a zoning change, Ordinance No. 808.9605, from I-2 General Industrial District to R-3 Multi-family Residential on 22.25 net acres and to PCC-1 Planned Commercial Center on 4.87 net acres.
June 6, 1996.	City Council approved a Site Plan for Jefferson Commons Apartments consisting of 288 units on 22.25 net acres including four variances.
June 6, 1996.	City Council approved a General Plan of Development for Jefferson Commons Shopping Center (now University & McClintock Crossing) consisting of 4.87 net acres including a Use Permit for a convenience store with gasoline pumps and two variances.
March 27, 1997.	City Council approved a one-year time extension of condition #5 for Jefferson Common apartments and for the commercial center (Now University and McClintock Crossings).
December 18, 1997.	City Council approved an Amended General Plan of Development for University & McClintock Crossing Commercial Center and a Final Plan of Development for Phase I (Parcel 1) and Phase II (Parcel 3), including 2 variances.
April 30, 1998.	City Council approved a Final Subdivision Plat consisting of 4 parcels, subject to 5 conditions.
March 18, 1999.	Council approved an Amended General and Final Plan of Development for a one-story 22,140 s.f. retail/restaurant building at McClintock Crossings located at the SWC of University and McClintock. (Plan was not recorded)
June 8, 2000.	City Council approved the request by McClintock Crossing for re-approval of an Amended General & Final Plan of Development for Parcel 4 consisting of 2,250 s.f. of restaurant and 19,890 s.f. of retail on 2.15 net acres located at 1775 East University Drive. (Plan was not recorded)
December 19, 2002.	City Council approved the request by Wienerschnitzel for a 3rd Amended General Plan of Development for University & McClintock Crossing and a Final Plan of Development for Wienerschnitzel Hot Dog Restaurant consisting of 2,880 s.f. building including a use permit for a 600 s.f. outdoor dining patio.
November 25, 2003.	Planning Commission approved the request by Firestone Tires for an Amended General Plan of Development for University & McClintock Crossing consisting of 29,016 s.f., on 4.86 net acres, and a Final Plan of Development for Firestone Tires consisting of 7,610 s.f. on 2.11 net acres and a use permit, located at 1775 East University Drive. (6-0 vote)

DESCRIPTION: Owner – The Focus Group, David Church
Applicant – Sender Associates, Darin Sender
Architect - Mark Abel Architects P.C., Mark Abel
Attorney – Sender Associates, Darin Sender
Existing zoning – PCC-1

University & McClintock Crossing – Amended General Plan of Development

Total site area – 4.86 net acres
Total bldg. area – 29,016 s.f.
Bldg. Coverage – 14%
Landscape coverage – 27%
Total parking required – 171 spaces
Total parking provided – 182 spaces
Total bicycle parking required – 24 spaces
Total bicycle parking provided – 26 spaces

Parcel 1: (Phase 1) 7-11 Convenience store w/ gas pumps

Site area – 1.15 net acres
Bldg. area (including canopy) – 7,232 s.f.
Bldg. coverage – 14.39%
Landscape coverage – 38%
Parking required– 13 spaces
Parking provided – 13 spaces
Bicycle parking required – 8 spaces
Bicycle parking provided – 8 spaces

Parcel 2 (Phase 3) Wienerschnitzel Restaurant

Site area – .87 net acres
Bldg. area – 2,880 s.f.
Bldg. coverage – 8%
Landscape coverage – 18%
Parking required – 42 spaces
Parking provided – 44 spaces
Bicycle parking required – 6 spaces
Bicycle parking provided – 6 spaces

Parcel 3 (Phase 2) McDonald's

Site area – .70 net acres
Bldg. area – 3,150 s.f.
Bldg. coverage – 10.3%
Landscape coverage – 26%
Parking required – 42 spaces
Parking provided – 42 spaces
Bicycle parking required – 6 spaces
Bicycle parking provided – 8 spaces

Parcel 4 (Phase 4) Firestone Tires/Retail

Site area – 2.15 net acres
Bldg. area – Firestone Tires 7,610 s.f.
– Future building 12,240 s.f.
Bldg. coverage – 21%
Landscape coverage – 23%
Parking required – 74 spaces
Parking provided – 83 spaces
Bicycle parking required – 4 spaces
Bicycle parking provided – 4 spaces

COMMENTS: The applicant is requesting an Amended General Plan of Development for University & McClintock Crossing and a Final Plan of Development for Firestone Tires consisting of 7,610 s.f. building with a future retail building located southeast of the parcel. Included with this request is a use permit to allow a tire and auto service store in the PCC-1 Zoning District. The four parcel commercial center is currently housing McDonald's restaurant and 7-Eleven convenience store with gas pumps, and a Wienerschnitzel hot dog restaurant currently under construction. This is the last parcel to be developed within the center.

Also requested with this Final Plan of Development are three (3) freestanding tenant identification signs (two along University Drive and one along McClintock Drive) in lieu of the freestanding center identification sign otherwise allowed in the PCC-1 Zoning District. Staff does not support the request for three (3) freestanding tenant signs. McClintock Crossing commercial center already exceeds the number of tenant identification signage allowed per street frontage (one freestanding identification sign per street frontage of the entire site is permitted). The site currently has two (2) freestanding tenant identification signs along University Drive and two (2) along McClintock Drive. Staff would support one (1) additional center identification sign along University Drive and none along McClintock Drive, thereby using an existing tenant sign for the center identification along McClintock Drive.

This proposal appears to be consistent with previously recorded development plans, both in land use and the site plan. The site plan has been modify slightly to provide two (2) buildings instead of three (3) on Parcel 4. The overall lot coverage and building size for Parcel 4 has been reduced from 22,825 to 19,850 s.f. to allow more landscaping and retention. This use should not attract traffic in excess of that anticipated for this type of project. All buildings will be required to maintain architectural compatibility throughout the site plan. The proposed use permit appears to pass the ordinance test. Staff supports the Amended General Plan of Development and the Final Plan of Development and use permit for Firestone Tires, subject to conditions. However, staff does not support the request for three (3) freestanding tenant signs. To date, no public input has been received.

REASON(S) FOR APPROVAL:

1. The proposed Amended General Plan of Development for University & McClintock Crossing and the Final Plan of Development for Firestone Tires appear to be consistent with previously recorded development plans.

2. The proposed Amended General Plan of Development for University & McClintock Crossing and the Final Plan of Development for Firestone Tires appear to function efficiently and should not create any detrimental effects to the adjacent properties/neighbors.

CONDITION(S) OF APPROVAL:

1. a. The Public Works Department shall approve all roadway, alley, and utility easement dedications, driveways, storm water retention, and street drainage plans, water and sewer construction drawings, refuse pickup, and off-site improvements.

   b. Off-site improvements to bring roadways to current standards include:
      (1) Water lines and fire hydrants
      (2) Sewer lines
      (3) Storm drains.
      (4) Roadway improvements including streetlights, curb, gutter, bikepath, sidewalk, bus shelter, and related amenities.

   c. Fees to be paid with the development of this project include:
      (1) Water and sewer development fees.
      (2) Water and/or sewer participation charges.
      (3) Inspection and testing fees.

   d. All applicable off-site plans shall be approved prior to recordation of Final Subdivision Plat.

2. a. All street dedications shall be made within six (6) months of Council approval.

   b. Public improvements must be installed prior to the issuance of any occupancy permits. Any phasing shall be approved by the Public Works Department.

   c. All new and existing, as well as on-site and off-site, utility lines (other than transmission lines) shall be placed underground prior to the issuance of an occupancy permit for this (re)development in accordance with the Code of the City of Tempe - Section 25.120.

3. The applicant/owner(s) shall provide a continuing care condition, covenant and restriction for all of the project's landscaping, required by Ordinance or located in any common area on site. The CC&R's shall be in a form satisfactory to the Development Services Director and City Attorney.

4. No variances may be created by future property lines without the prior approval of the City of Tempe.

5. A valid building permit shall be obtained and substantial construction commenced **on or before January 8, 2005** or the use permit shall be deemed null and void.

6. The Amended General Plan of Development for University & McClintock Crossing and the Final Plan of Development for Firestone Tires shall be put into proper engineered format with appropriate signature blanks and recorded with the Maricopa County Recorder's Office through the City of Tempe's Development Services Department **on or before January 8, 2005.** Failure to record the plan within one year of Council approval shall make the plan null and void.

7. The Amended General Plan of Development for University & McClintock Crossing and the Final Plan of Development for Firestone Tires shall be recorded prior to the issuance of permits, and shall show cross access to be maintained throughout this site over the driving aisles. No changes or modifications to the driving aisles will be allowed without the prior approval of the Engineering Department.

8. The applicant/owner shall comply with all applicable state and federal laws regarding archeological artifacts on this site.

9. The use permit is non-transferable and is issued to the owner(s) of Firestone Tires, The Focus Group only.

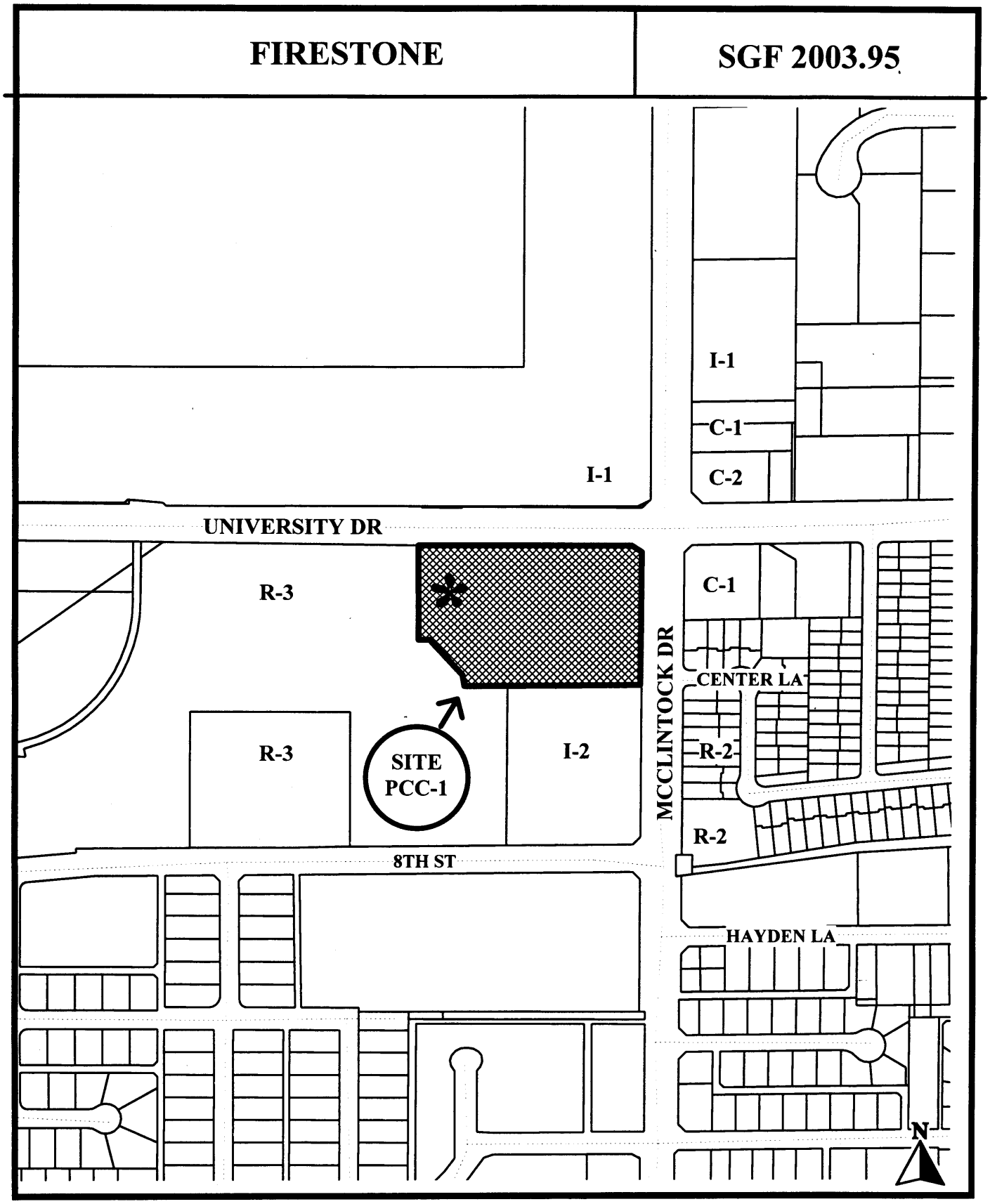
10. Any intensification or expansion of the use shall require the applicant to return to the City Council for further review.

11. The applicant/owner shall resolve all lighting and security details with the Planning and Crime Prevention Staff prior to the issuance of a building permit.

12. This proposal shall be approved by the Design Review Board prior to City Council approval.

13. Eliminate one of the proposed freestanding tenant identification signs along University Drive and the proposed freestanding tenant identification sign along McClintock Drive.

Tempe



Location

A

4th AMENDED GENERAL AND FINAL PLAN OF DEVELOPMENT FOR UNIVERSITY & McCLINTOCK CROSSING

WITH

PLAN OF DEVELOPMENT FOR PARCEL 4, PHASE 4, FIRESTONE TIRES

A PORTION OF THE NORTHEAST QUARTER, SECTION 23, TOWNAHIP 1 NORTH,
RANGE 4 EAST, GILA AND SALT RIVER BASE MERIDIAN, MARICOPA COUNTY ARIZONA

DEVELOPMENT DATA

ORIGINAL DEVELOPER:	STANFORD INC. BY PINNACLE DIVERSIFIED 2800 N. 44TH ST., SUITE 450, PHOENIX, AZ 602-955-4000
ADDRESS:	SWC UNIVERSITY DRIVE & McCLINTOCK DRIVE TEMPE, ARIZONA
ZONING:	PCC-1
OCCUPANCY GROUP	B-2 BUSINESS
SITE AREA(GROSS):	±212,632 S.F.(±4.88 ACRES)
SITE AREA(NET):	±212,432 S.F.(±4.88 ACRES)
BUILDING AREA:	29,016 S.F. (3,136 S.F. + 2,880 S.F. +3,150 S.F. +7,610 S.F. + (FUTURE 12,240 S.F.)
BUILDING COVERAGE:	±14% (29,016 S.F./212,432)
LANDSCAPE ON SITE:	57,550 S.F. (±27%)
PARKING REQUIRED:	171 SPACES
PARKING PROVIDED:	182 SPACES
BICYCLE PKG. REQUIRED:	24 SPACES
BICYCLE PKG. PROVIDED:	28 SPACES

PARCEL 1 - PHASE 1 7-11 CONVENIENCE STORE

SITE AREA(NET):	50,250 S.F. (±1.15 ACRES)
BUILDING AREA:	3,136 S.F.
BUILDING:	4,096 S.F.
CANOPY:	7,232 S.F.
BUILDING COVERAGE:	±14.38% (7,232 S.F./50,250 S.F.)
LANDSCAPE ON SITE:	10,212 S.F. (30%)
PARKING REQ'D:	13 SPACES (3,136 S.F./250)
PARKING PROVIDED:	13 SPACES
BICYCLE PARKING REQ'D:	8 SPACES
BICYCLE PKG PROVIDED:	8 SPACES

PARCEL 2 - PHASE 3 WIENERSCHNITZEL

SITE AREA(NET):	37,802 S.F. (±.87 ACRES)
BUILDING AREA:	2,880 S.F.
BUILDING COVERAGE:	±8%
LANDSCAPE ON SITE:	8,832 S.F. (24%)
PARKING REQ'D:	42 SPACES (2,880/75) +(4) OUTSIDE SEATING
PARKING PROVIDED:	44 SPACES
BICYCLE PARKING REQ'D:	6 SPACES
BICYCLE PKG. PROVIDED:	6 SPACES

PARCEL 3 - PHASE 2 McDONALD'S

SITE AREA(NET):	±30,547 S.F. (±.70 ACRES)
BUILDING AREA:	3,150 S.F.
BUILDING COVERAGE:	±10.3%
LANDSCAPE ON SITE:	±8000 S.F. (26%)
PARKING REQ'D:	42 SPACES (3,150 S.F./75)
PARKING PROVIDED:	42 SPACES
BICYCLE PARKING REQ'D:	6 SPACES
BICYCLE PKG. PROVIDED:	6 SPACES

PARCEL 4 - PHASE 4 FIRESTONE TIRES

SITE AREA (NET):	±83,835 S.F.
BLD'G AREA, FIRESTONE:	7,610 S.F.
BLD'G. AREA, FUTURE:	12,240 S.F.
	19,850 S.F.
BUILDING COVERAGE:	21% (18,850 S.F./83,835 S.F.)
LANDSCAPE ON SITE:	21,406 S.F. (23%)
PARKING REQUIRED:	
FIRESTONE:	25 SPACES (7,610/300)
FUTURE:	49 SPACES (12,240/250)
TOTAL REQUIRED:	74 SPACES
PARKING PROVIDED:	83 SPACES
BICYCLE PARKING REQ'D:	4 SPACES
BICYCLE PKG. PROVIDED:	4 SPACES

USE PERMIT AND VARIANCES

SGF-2002.82

PROPOSED USE PERMIT REQUEST:

Use Permit for an outdoor dining and smoking patio.

REQUEST PER SECTION 5-301.2.b OF THE CITY OF TEMPE ZONING ORDINANCE.

Request for a freestanding tenant identification sign in lieu of freestanding center identification sign.

SGF-98.34 JEFFERSON COMMONS SHOPPING CENTER

USE PERMIT
Allow a 4,500 s.f. convenience store with gas pumps on pad a in the pcc-1 zoning district.

VARIANCES
A. Waive requirement that landscaping for future phases be installed in Phase 1 with the exception of street frontages along McClintock and University.
b. Waive required 8' masonry wall between c-store/gas facility and remainder of center.

CASE NO. SGF-97.80

1st Amended General Plan of Development and Final Plan of Development for Parcel 1, Phase 1, (7-Eleven) and Parcel 3, Phase 2, (McDonald's) University and McClintock Crossing.
Variances:
1. Reduce minimum required side and rear yard setback from 40' to 10' for property lines adjacent to Multi-family (R-3) to the West and Industrial (I-2) to the South. Also reduce the required side and rear yard setback from 40' to 0' for property/lease lines within the shopping center.
2. Waive the required 6' landscape strip for Parcel 1 along the South and West property lines for the convenience store and gas pumps.

CASE NO. BA-000227

Variances:
a) Variance to increase the maximum allowable sign area for an individual tenant of a center/complex from 58.67 s.f. to 80 s.f.;
b) Variance to increase the maximum allowable height for the price portion of a service station identification/price sign from five (5) feet to 8.83 feet in height;
c) Variance to allow advertising copy on two (2) freestanding tenant identification/price signs;
d) Variance to allow an individual tenant of a center/complex two (2) freestanding tenant identification signs;
e) Variance to allow two (2) freestanding signs on each street frontage for South McClintock Drive and East University Drive.

CASE NO. BA-000180

Variances:
a) Variance to allow a freestanding tenant identification sign in the PCC-1 Zoning District.
b) Variance to increase the maximum allowable sign area for a freestanding menu board sign from 20 s.f. to 42.32 s.f.
c) Variance to waive the required monument type base of masonry construction for a freestanding menu board sign.
d) Variance to increase the maximum allowable sign area from 80 s.f. to 108 s.f..

CONDITIONS OF APPROVAL - SGF-2003.XX

CONDITIONS OF APPROVAL - SGF-2002.82

1. a. The Public Works Department shall approve all roadway, alley, and utility easement dedications, driveways, storm water retention, and street drainage plans, water and sewer construction drawings refuse pickup, and off-site improvements.

b. Off-site improvements to bring roadways to current standards include:
(1) Water lines and fire hydrants
(2) Sewer lines
(3) Storm drains
(4) Roadway improvements including street lights, curb, gutter, bike path, sidewalk, bus shelter, and related amenities.

c. Fees to be paid with the development of this project include:
(1) Water and sewer development fees
(2) Water and/or sewer participation charges
(3) Inspection and testing fees

d. All applicable off-site plans shall be approved prior to recordation of Final Subdivision Plat.

2. a. All street dedications shall be made within six (6) months of Council approval.

b. Public improvements must be installed prior to the issuance of any occupancy permits. Any phasing shall be approved by the Public Works Department.

c. All new and existing, as well as on-site and off-site, utility lines (other than transmission lines) shall be placed underground prior to the issuance of an occupancy permit for this (re)development in accordance with the code of the City of Tempe - Section 25.120.

3. The applicant/owner(s) shall provide a continuing care condition, covenant and restriction for all of the project's landscaping, required by Ordinance or located in any common area on site. The CC&R's shall be in a form satisfactory to the Development Services Director and City Attorney.

4. No variances may be created by future property lines without the prior approval of the City of Tempe.

5. A valid building permit shall be obtained and substantial construction commenced on or before December 18, 2003.

6. The Amended General Plan of Development for University & McClintock Crossing and the Final Plan of Development for Wienerschnitzel Hot Dog Restaurant shall be put into proper engineered format with appropriate signature blanks and recorded with the Maricopa County Recorder's Office through the city of Tempe's Development Services Department on or before December 18, 2003. Failure to record the plan within one year of Council approval shall make the plan null and void.

7. The Amended General Plan of Development for University & McClintock Crossing and the Final Plan of Development for Wienerschnitzel Hot Dog Restaurant shall be recorded prior to the issuance of permits, and shall show cross access to be maintained throughout this site over the driving aisles. No changes or modifications to the driving aisles will be allowed without prior approval of the Engineering Department.

8. The applicant/owner shall comply with all applicable state and federal laws regarding archaeological artifacts on this site.

9. The use permit is non-transferable and is issued to the owner(s) of Wienerschnitzel Hot Dog Restaurant, James Foster only.

10. Any intensification or expansion of the use shall require the applicant to return to the City Council for further review.

11. The applicant/owner shall resolve all lighting and security details with the Planning and Crime Prevention Staff prior to the issuance of a building permit.

12. This proposal shall be approved by the Design Review Board.

13. The applicant/owner shall pave the driveway along the east property line of Parcel 2 Phase 3 and extend the pavement to the east to meet the existing temporary asphalt.

BENCHMARK

BRASS CAP IN HANDHOLE AT THE INTERSECTION OF UNIVERSITY DRIVE AND McCLINTOCK DRIVE.

ELEVATION = 1174.38 FEET (CITY OF TEMPE DATUM)

BASIS OF BEARING

BASIS OF BEARING IS MONUMENT LINE OF McCLINTOCK DRIVE. S00°51'00"W

OWNER/DEVELOPERS PARCEL-4

OWNER:
THE FOCUS GROUP, L.L.C.
453 8TH AVENUE
SAN DIEGO, CALIFORNIA 92101
TEL: 619.239.0133
FAX: 619.239.0144
CONTACT: DAVID CHURCH

ARCHITECT:
MARK ABEL ARCHITECTS, P.C.
4500 S. LAKESHORE DR. SUITE 580
TEMPE, ARIZONA 85282
TEL: 480.838.3374
FAX: 480.838.1694
CONTACT: MARK ABEL

ATTORNEY:
SENDER & ASSOCIATES, Chtd.
398 S. MILL AVE. SUITE 301
TEMPE, ARIZONA 85281
TEL: 480.966.6735
FAX: 480.968.8016
CONTACT: DARIN A. SENDER

CIVIL:
KNUDSEN SMITH ENGINEERING, INC.
7902 N. BLACK CANYON HWY. SUITE 101
PHOENIX, ARIZONA 85051
TEL: 602.347.7447
FAX: 602.249.1310
CONTACT: DENNIS KNUDSEN

APPROVALS

APPROVED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF TEMPE, ARIZONA THIS ____ DAY OF ____________, 2003.

BY: ____________ MAYOR ________ DATE

ATTEST: ____________ CITY CLERK ________ DATE

BY: ____________ CITY ENGINEER ________ DATE

BY: ____________ DEVELOPMENT SERVICES ________ DATE

OWNER CERTIFICATION

THIS IS TO CERTIFY WE HAVE REVIEWED THIS PLAN AND HEREBY APPROVE THE DEVELOPMENT AS SHOWN.

SIGNED THIS ____ DAY OF ____________ 2003
OWNER,
DAVID CHURCH

BY: ____________
DAVID CHURCH

ACKNOWLEDGEMENT

STATE OF ARIZONA }
} S.S.
COUNTY OF MARICOPA }

ON THIS ______ DAY OF ____________, 2003, BEFORE ME, THE UNDERSIGNED ____________ PERSONALLY APPEARED WHO ACKNOWLEDGED HIMSELF TO BE THE OWNER, AND AUTHORIZED TO DO SO, EXECUTED THE FOREGOING INSTRUMENT FOR THE PURPOSES THEREIN CONTAINED.

IN WITNESS THEREOF, I HAVE HEREUNTO SET MY HAND AND OFFICIAL SEAL.

BY: ____________

MY COMMISSION EXPIRES ____________

SURVEYOR CERTIFICATION PARCEL-4

I, ____________ HEREBY CERTIFY THAT I AM A REGISTERED LAND SURVEYOR IN THE STATE OF ARIZONA, THAT THE LEGAL DESCRIPTION FOR PARCEL 4 WAS PERFORMED UNDER MY SUPERVISION DURING THE MONTH OF ____________ 2003, THAT THE SURVEY IS CORRECT AND ACCURATE TO THE BEST OF MY KNOWLEDGE AND BELIEF, THAT THE BOUNDARY MONUMENTS SHOWN ACTUALLY EXIST AS SHOWN AND ARE SUFFICIENT TO ENABLE THE SURVEY TO BE RETRACED.

LEGAL DESCRIPTION

LEGAL DESCRIPTION - APN [illegible]

Lot 1, UNIVERSITY & McCLINTOCK CROSSING RETAIL CENTER, according to book 475 of Maps, page 28, records of Maricopa County, Arizona.

LEGAL DESCRIPTION - APN [illegible]

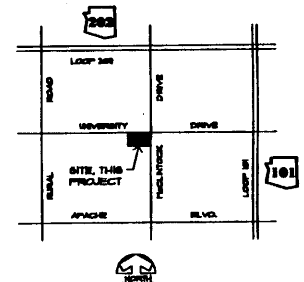
Lot 2, UNIVERSITY & McCLINTOCK CROSSING RETAIL CENTER, according to book 475 of Maps, page 28, records of Maricopa County, Arizona.

LEGAL DESCRIPTION - APN [illegible]

Lot 3, UNIVERSITY & McCLINTOCK CROSSING RETAIL CENTER, according to book 475 of Maps, page 28, records of Maricopa County, Arizona.

LEGAL DESCRIPTION - APN [illegible]

Lot 4, UNIVERSITY & McCLINTOCK CROSSING RETAIL CENTER, according to book 475 of Maps, page 28, records of Maricopa County, Arizona.



VICINITY MAP

THE FOCUS GROUP, LLC

UNIVERSITY & McCLINTOCK CROSSING
S.W.C. UNIVERSITY & McCLINTOCK DR.
TEMPE, ARIZONA

COVER SHEET

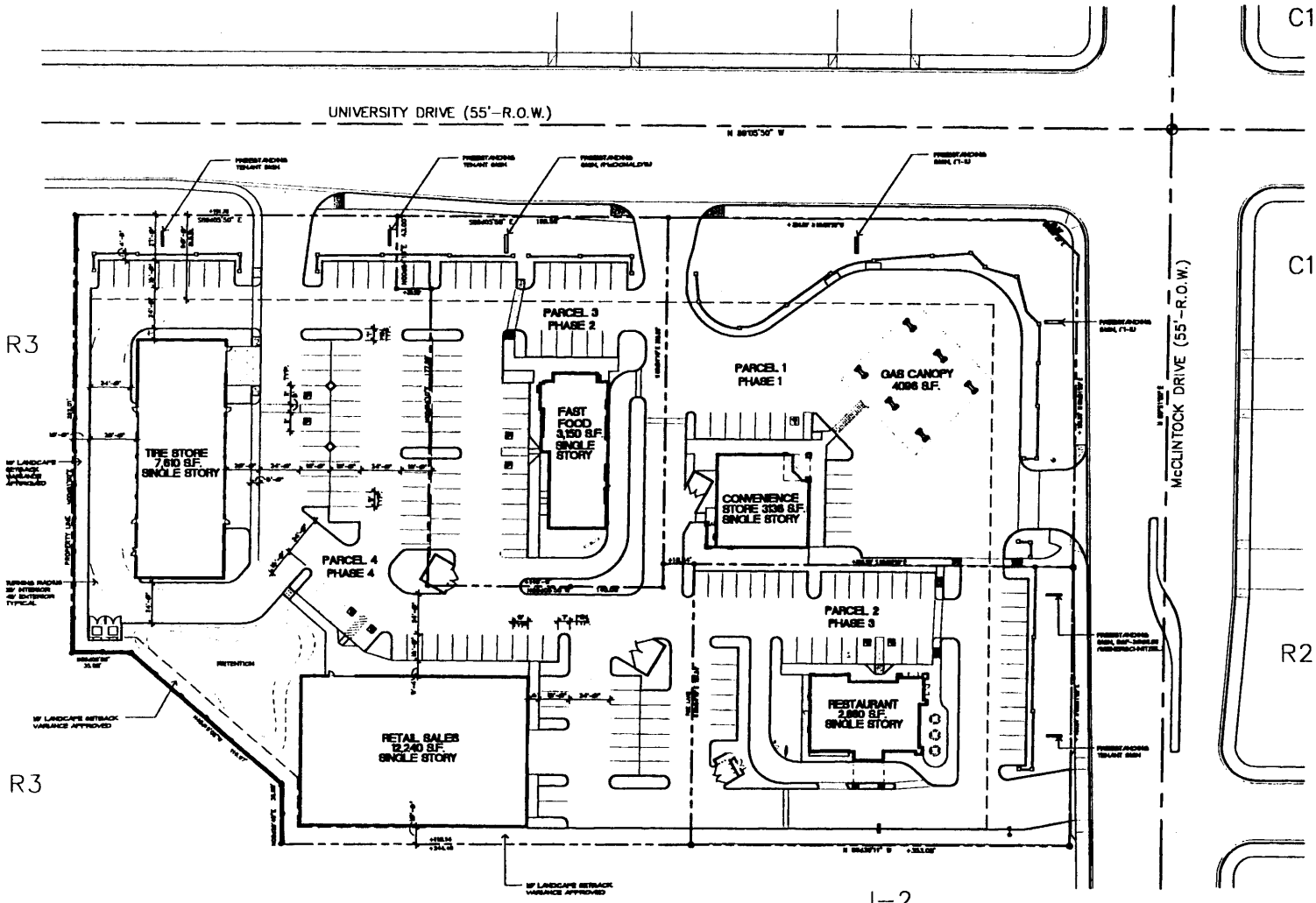
0314
10 / 28 / 03

1 OF 3

DS030XXX SGF-2003.XX REC03XXX

MARK ABEL ARCHITECTS, P.C.
4500 SOUTH LAKESHORE : SUITE 580 TEMPE, ARIZ. 85282 (480) 838-3374 FAX (480) 838-1694

B



4th AMENDED GENERAL PLAN OF DEVELOPMENT

THE FOCUS GROUP, LLC

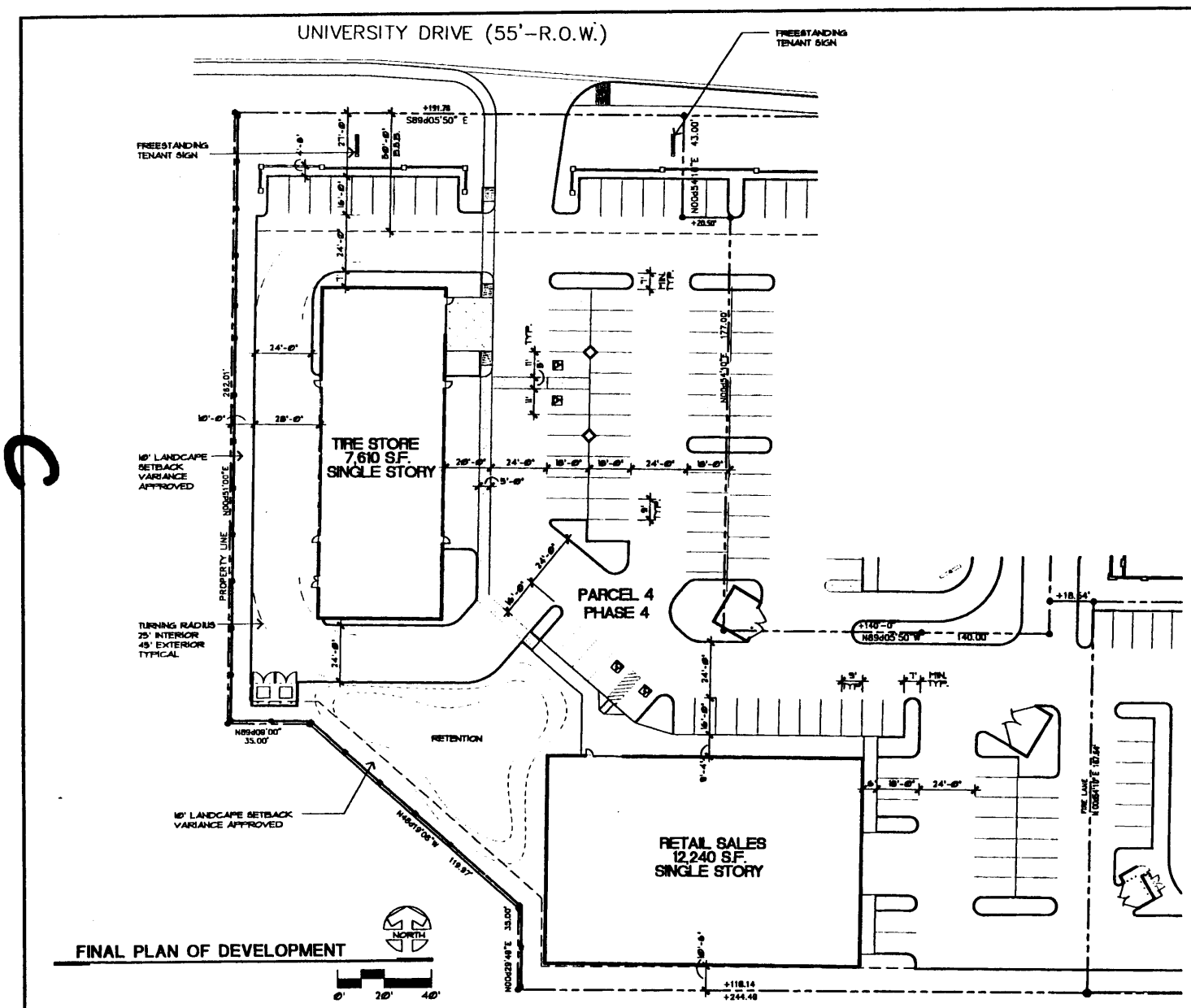
UNIVERSITY & McCLINTOCK CROSSING
S.W.C. UNIVERSITY & McCLINTOCK DR.
TEMPE, ARIZONA

REVISIONS

TITLE	RETAIL CENTER PLAN
JOB NO.	0314
DATE	10 / 28 / 03
SHEET NO.	2 OF 3

DS030XXX SGF-2003.XX REC03XXX

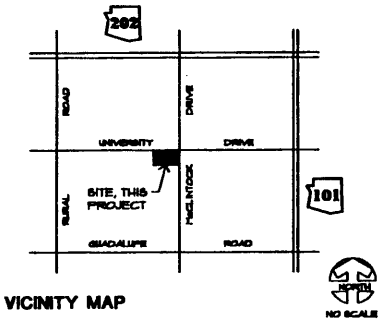
MARK AREL ARCHITECTS, P.C.
4500 SOUTH LAKESHORE DR SUITE 580 TEMPE, ARIZ. 85282 (480) 838-337 AX (480) 838-1694



FINAL PLAN OF DEVELOPMENT

PROJECT DATA:

PROJECT TITLE:	FIRESTONE & FUTURE RETAIL	
LOCATION:	1715 EAST UNIVERSITY DRIVE TEMPE, ARIZONA	
ZONING:	PCC-1	
CODE:	97 U.B.C.	
CONST. TYPE:	III - N (SPRINKLED)	
OCCUPANCY:	S-3 (TIRE STORE) M (RETAIL SALES)	
OCCUPANCY LOAD:	FIRESTONE: 7,610 S.F. / 100	= 76
	SHOPS: 12,240 S.F. / 30	= 408
	TOTAL	= 597
AREA:	LOT:	93,835 SQ. FT.
	TIRE STORE:	7,610 SQ. FT.
	FUTURE RETAIL:	12,240 SQ. FT.
LOT COVERAGE:	21 % (19,850 S.F. / 93,835 S.F.)	
LANDSCAPE:	23 % (21,406 S.F. / 93,835 S.F.)	
BUILDING HEIGHT:	MAXIMUM ALLOWED:	30'-0"
	TOTAL PROPOSED:	30'-0"
PARKING:	TIRE STORE: 7,610 SQ. FT. / 300	= 25
	FUTURE RETAIL: 12,240 SQ. FT. / 250	= 49
	TOTAL REQUIRED:	74 SPACES
	TOTAL PROVIDED:	83 SPACES
	BICYCLE PARKING:	4 SPACES



VICINITY MAP

THE FOCUS GROUP, LLC

UNIVERSITY & McCLINTOCK CROSSING
S.W.C. UNIVERSITY & McCLINTOCK DR.
TEMPE, ARIZONA

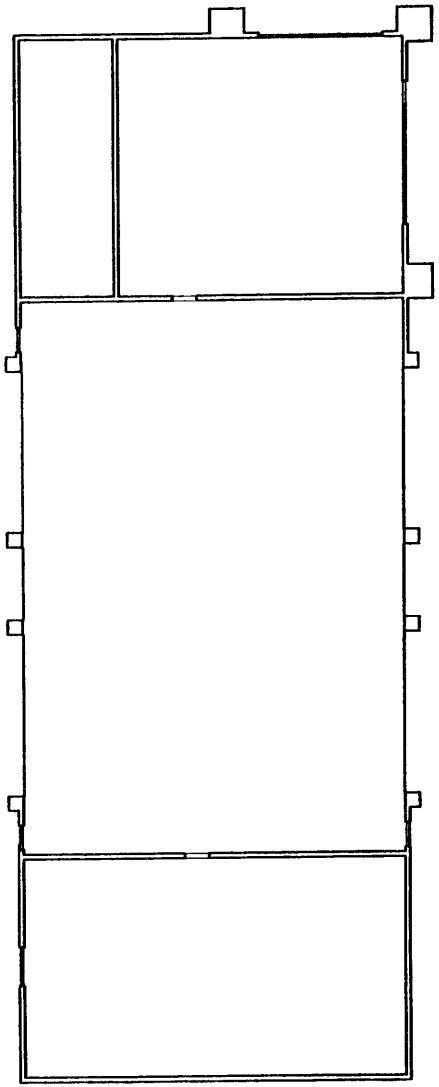
SITE PLAN

0314
10 / 28 / 03

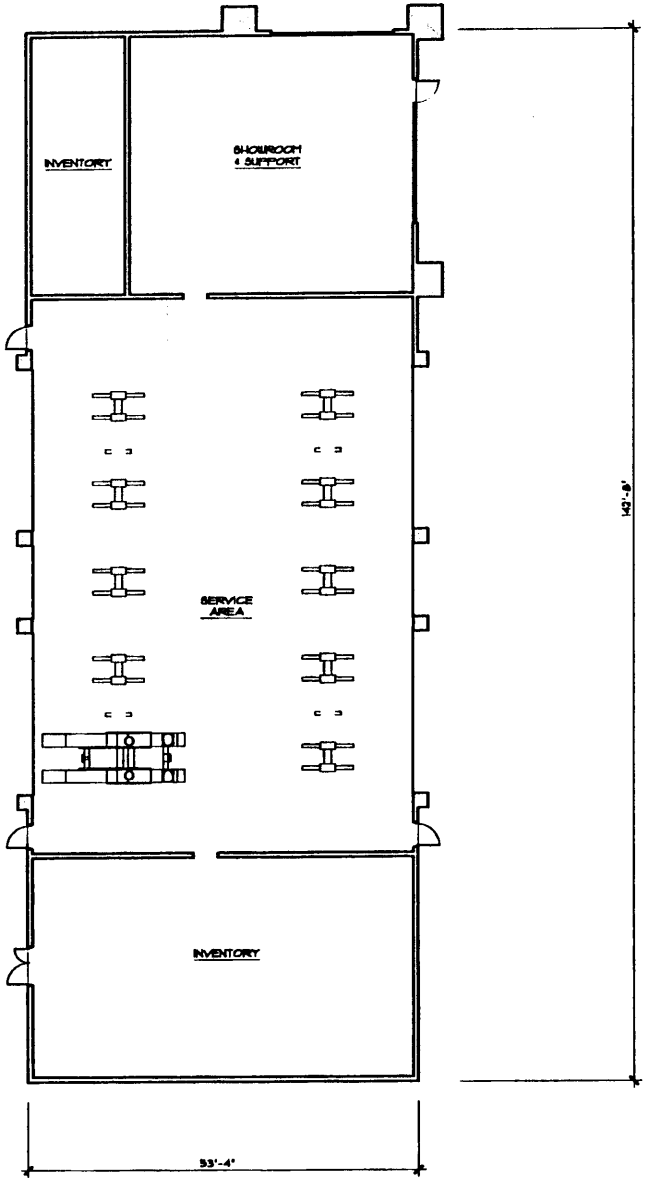
3 OF 3

DS030XXX SGF-2003.XX REC03XXX

MARK ABEL ARCHITECTS, P.C.
4500 SOUTH LAKESHORE | SUITE 580 TEMPE, ARIZ. 85282 (480) 838-3 FAX (480) 838-1694



CEILING PLAN



FLOOR PLAN

NORTH

1/8" = 1'-0"

THE FOCUS GROUP, LLC

FIRESTONE at McCLINTOCK CROSSING
1775 EAST UNIVERSITY DRIVE
TEMPE, ARIZONA

REVISIONS:

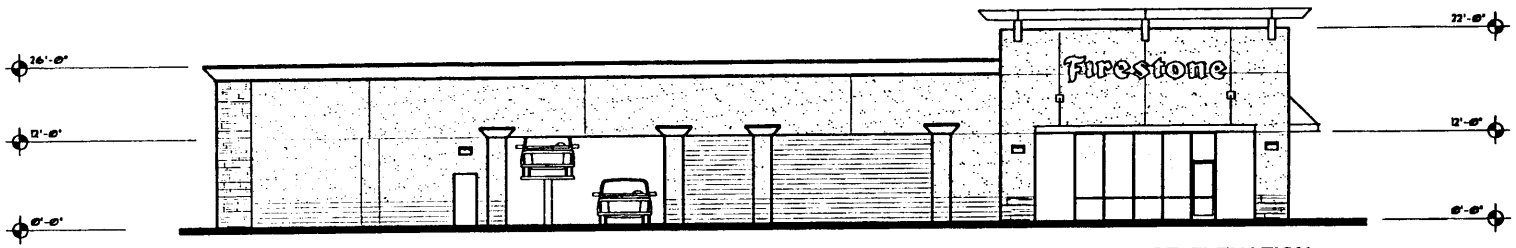
TITLE: FLOOR PLAN & CEILING PLAN

JOB NO. 0314

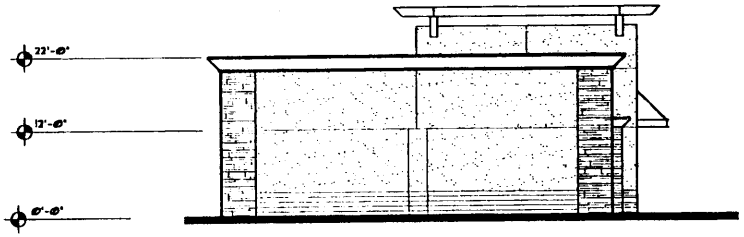
DATE: 10 / 28 / 03

SHEET NO.: DR-A2

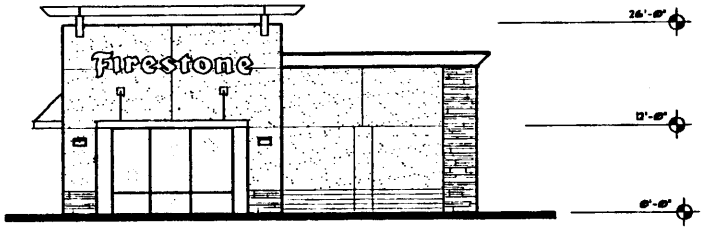
MARK AREL ARCHITECTS, P.C.
4500 SOUTH LAKESHORE L /E SUITE 580 TEMPE, ARIZ. 85282 (480) \ -3374 FAX (480) 838-1894



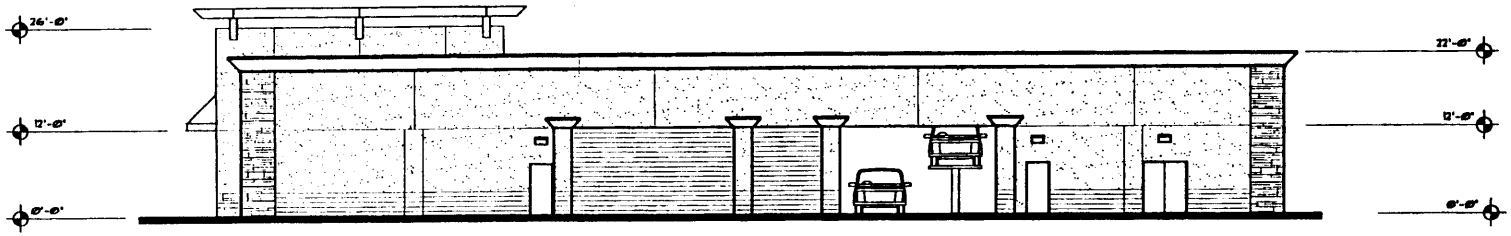
EAST ELEVATION



SOUTH ELEVATION



NORTH ELEVATION



WEST ELEVATION

BUILDING ELEVATIONS

COLOR SCHEDULE

S-1	FIBERGLASS CANOPY & WALLPACKS PANTONE FINISH, PANTONE CENTER SEAGRASS SEAGRASS FINISH - SA-30 VALSPAR
S-2	FIELD GREEN, EF PAINTED FINISH PANTONE CENTER SEAGRASS FRAME - TRIM - CORNER/GRADE TRIPLE
S-3	SEAGRASS FINISH PANTONE BLACK MEDIUM COLOR SUPERLITE VARYGEN BLACK
S-4	SEAGRASS ACCENT BAND PANTONE CENTER SEAGRASS SEAGRASS FINISH - SC-70 - AMERIGRAM
S-5	DECORATIVE GRIDS DULUX TO MATCH PANTONE CENTER LEXINGTON SA-307 VALSPAR (NEW?)
S-6	ALUMINUM STOREFRONT SYSTEM PANTONE CENTER SEAGRASS CLEAR ALUMINUM FINISH (NEW?)
S-7	FIBERGLASS ROLLING DOORS CARBON COLOR PAINTED FINISH PANTONE FINISH BLACK
S-8	WALL MOUNTED LIGHT FIXTURES PANTONE CENTER SEAGRASS CLEAR ALUMINUM FINISH (NEW?)

THE FOCUS GROUP, LLC

FIRESTONE at McCLINTOCK CROSSING
1775 EAST UNIVERSITY DRIVE
TEMPE, ARIZONA

REVISIONS

TITLE: BUILDING ELEVATIONS

JOB NO. 0314

DATE: 10 / 28 / 03

SHEET NO.: DR-A3

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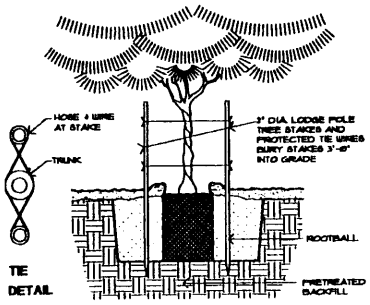
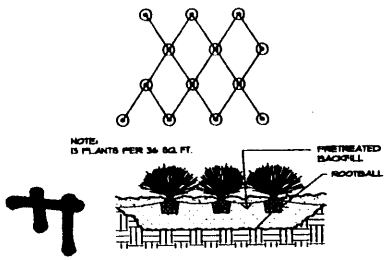
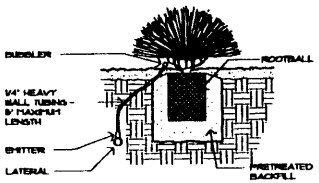


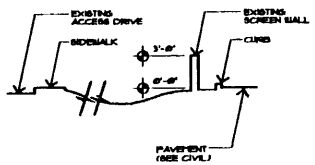
TREE PLANTING



GROUNDCOVER PLANTING

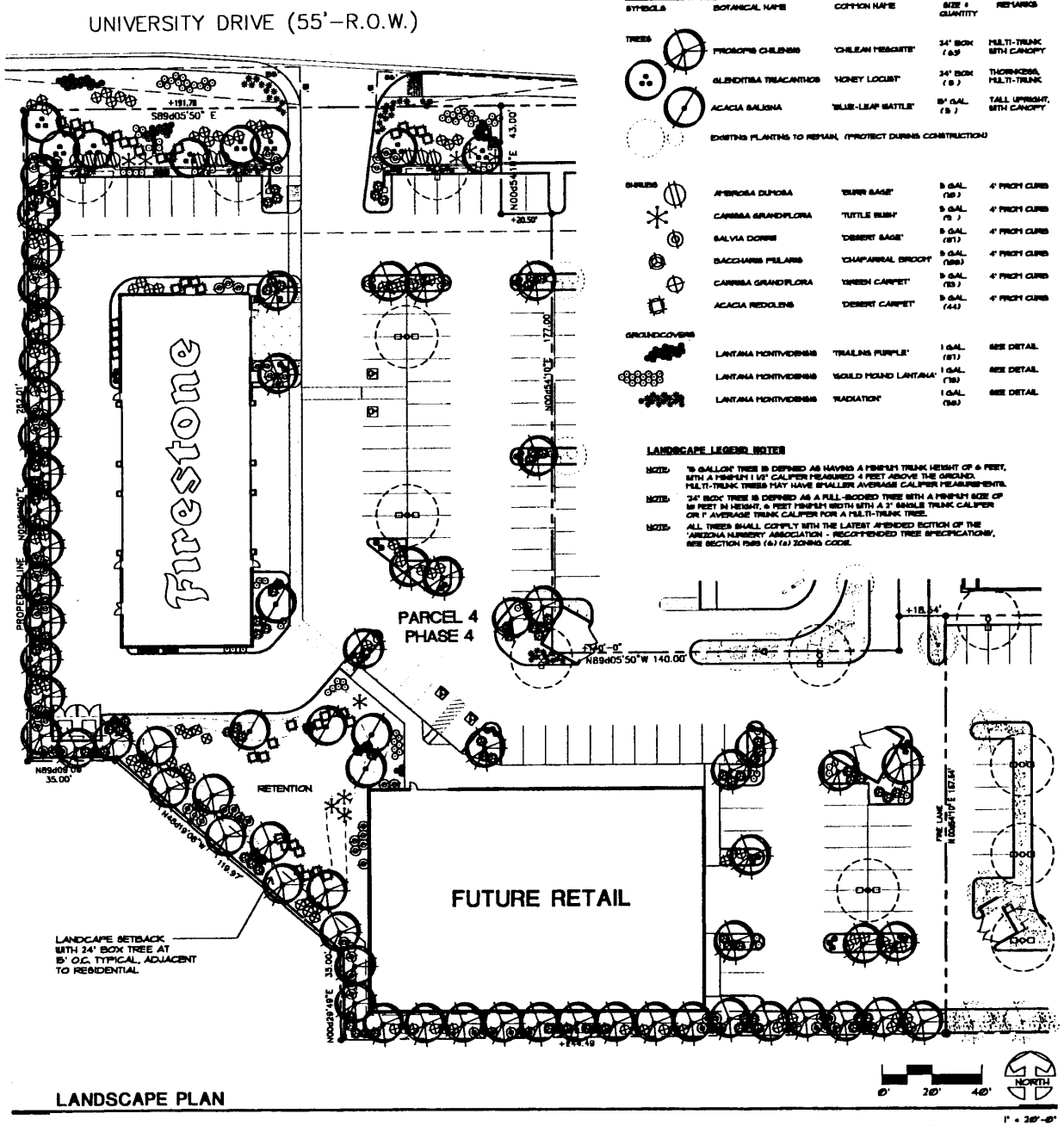


SHRUB PLANTING



TYPICAL SWALE SECTION

NO SCALE



LANDSCAPE PLAN

LANDSCAPE LEGEND

SYMBOLS	BOTANICAL NAME	COMMON NAME	SIZE & QUANTITY	REMARKS
TREES	PROSOPIS CHILENSIS	'CHILEAN MESQUITE'	24" BOX (63)	MULTI-TRUNK WITH CANOPY
	GLEDITSIA TRIACANTHOS	'HONEY LOCUST'	24" BOX (8)	THORNLESS, MULTI-TRUNK
	ACACIA SALIGNA	'BLUE-LEAF WATTLE'	15" GAL. (5)	TALL UPRIGHT, WITH CANOPY
	EXISTING PLANTING TO REMAIN, (PROTECT DURING CONSTRUCTION)			
SHRUBS	AMBROSIA DUMOSA	'BURR SAGE'	5 GAL. (10)	4' FROM CURB
	CARISSA GRANDIFLORA	'TUTTLE BUSH'	5 GAL. (5)	4' FROM CURB
	SALVIA DORRII	'DESERT SAGE'	5 GAL. (87)	4' FROM CURB
	BACCHARIS PILULARIS	'CHAPARRAL BROOM'	5 GAL. (188)	4' FROM CURB
	CARISSA GRANDIFLORA	'GREEN CARPET'	5 GAL. (53)	4' FROM CURB
	ACACIA REDOLENS	'DESERT CARPET'	5 GAL. (44)	4' FROM CURB
GROUNDCOVERS	LANTANA MONTEVIDENSIS	'TRAILING PURPLE'	1 GAL. (87)	SEE DETAIL
	LANTANA MONTEVIDENSIS	'GOLD MOUND LANTANA'	1 GAL. (18)	SEE DETAIL
	LANTANA MONTEVIDENSIS	'RADIATION'	1 GAL. (56)	SEE DETAIL

LANDSCAPE LEGEND NOTES

NOTE: '15 GALLON' TREE IS DEFINED AS HAVING A MINIMUM TRUNK HEIGHT OF 6 FEET, WITH A MINIMUM 1 1/2" CALIPER MEASURED 4 FEET ABOVE THE GROUND. MULTI-TRUNK TREES MAY HAVE SMALLER AVERAGE CALIPER MEASUREMENTS.

NOTE: '24" BOX' TREE IS DEFINED AS A FULL-BODIED TREE WITH A MINIMUM SIZE OF 10 FEET IN HEIGHT, 6 FEET MINIMUM WIDTH WITH A 3" SINGLE TRUNK CALIPER OR 1" AVERAGE TRUNK CALIPER FOR A MULTI-TRUNK TREE.

NOTE: ALL TREES SHALL COMPLY WITH THE LATEST APPENDED EDITION OF THE 'ARIZONA NURSERY ASSOCIATION - RECOMMENDED TREE SPECIFICATIONS', SEE SECTION 1503 (A) (6) ZONING CODE.

GENERAL LANDSCAPE AND IRRIGATION NOTES:

1. FINAL BUILDING FINISH CANNOT BE OBTAINED UNTIL REVISION OF APPROVED LANDSCAPE IS PROVIDED FOR THE LANDSCAPING WITHIN THE RIGHT-OF-WAY.
2. NO PLANT SUBSTITUTIONS, TYPE, SIZE, OR QUANTITY DEVIATIONS FROM THE APPROVED LANDSCAPE AND IRRIGATION PLANS WITHOUT PRIOR APPROVAL FROM THE CITY LANDSCAPE ARCHITECT.
3. ALL RIGHT-OF-WAY PLANT MATERIAL TO BE IN COMPLIANCE WITH THE DEPARTMENT OF WATER RESOURCES LOW WATER USE PLANT LIST.
4. ALL WORK SHALL CONFORM TO ALL APPLICABLE CODES AND ORDINANCES, TYPICAL.
5. INDICATED IRRIGATION PLAN IS SCHEMATIC PROVIDE LARGEST SUPPLY LINES PRACTICAL FOR ALL PLANTER PLANTING AREAS.
6. CONTRACTOR SHALL FURNISH ALL MATERIALS, EQUIPMENT, LABOR, AND SUPERVISION AND MACHINERY TO INSTALL ALL LANDSCAPE MATERIALS, IRRIGATION SYSTEM AND RELATED WORK INDICATED AND SPECIFIED.
7. ALL MATERIALS SHALL BE INSTALLED FOR NEAT, FINISHED RECEPTIONS AND SPECIFICATIONS.
8. ALL PLANT SHALL BE HARDY TO THIS REGION UNDER CLIMATE CONDITIONS SIMILAR TO THAT OF THE PROJECT. ALL PLANT MATERIAL AND SPECIFICATIONS TO CONFORM TO THE ARIZONA NURSERYMEN ASSOCIATION STANDARDS.
9. SUBMIT WRITTEN GUARANTEES, VIA-SUBLT PLANS, AND CERTIFIED MAINTENANCE INSTRUCTIONS ON THE CARE AND USE OF PLANTS AND IRRIGATION SYSTEM.
10. CONTRACTOR SHALL VERIFY ALL SITE CONDITIONS PRIOR TO COMMENCEMENT OF ANY WORK.
11. GUARANTEE IN WRITING ALL PLANT MATERIALS TO BE IN GOOD HEALTHY CONDITION FOR THE FOLLOWING TIME PERIODS BEYOND PROJECT COMPLETION: TREES - 1 YR. / SHRUBS - 90 DAYS / GROUNDCOVERS - 90 DAYS.
12. GUARANTEE IN WRITING IRRIGATION SYSTEM AGAINST DEFECTS AND WORKMANSHIP FOR ONE YEAR BEYOND PROJECT COMPLETION.
13. ALL PIPING SHALL BE PVC WITH STANDARD WEIGHT PVC FITTINGS WHEN TYPICAL.
14. ELECTRICAL CONTROL AND GROUND WIRE SHALL BE UP WARM AND GRAYING. CABLE NO. 14 OR LARGER LOW VOLTAGE WIRE CONNECTIONS SHALL BE SOCKET TYPE WIRE CONNECTION WITH WATERPROOF SEALER.
15. INSTALL IRRIGATION SYSTEM COMPONENTS AT THE FOLLOWING SPACING (SEE DETAILS):
   SPRAYS - 10' / LATERAL LINES - 12' / ELEVATION BELOW DRIVES - 24' / ELEVATED AT WALLS - 12' / BUBBLERS SHALL BE PLACE ONE PER TREE OF FOREIGN GREENING LINE CONTROL PRESSURE AS POSSIBLE.
16. SPACE SYSTEMS EVENLY AROUND PERIMETER EDGE WHERE PLANTS THAN 8 SYSTEM IS SCHEDULED FOR A SINGLE PLANT. SET SYSTEMS 2 1/2" ABOVE FINISHED GRADE, TYPICAL.
17. FLUSH ALL DRIP SYSTEM THROUGH PLANT CAP.
18. BALANCE IRRIGATION SYSTEM AS REQUIRED FOR PROPER SHAD AND ALL WATER COVERAGE.
19. INSTALL ALL VALVES AND PRESSURE REGULATORS IN PLANTER VALVE BOX WITH LOCKABLE COVER. SET VALVE IN PLAN BRANCH FOR PROPER SUPPORT.
20. ALL SEEDED AND SODDED GRASSES SHALL BE PROPERLY FERTILIZED AND REFORMED BY USE OF 'GRAND-UP' HERBICIDE, APPLIED IN STRICT ACCORDANCE WITH MANUF. SPECIFICATIONS.
21. BACKFILL ALL PLANT PITS WITH A MIXTURE OF 33 PARTS NATIVE SOIL AND 1 PART WITHERSPEED SEED MULCH, TYPICAL.
22. FINISHED GRADE OF ALL PLANTING BEDS AND GRASSED AREAS SHALL BE 2" BELOW ADJACENT PAVING ELEVATIONS.
23. SEAND ALL TREES CLOSE OVERALL, TYPICAL.
24. REMOVE ALL DEAD MATERIALS AS DEEMED AND LEGALLY DISPOSE OF SAME, OFF-SITE.
25. DEDICATED GRANITE FINISH AT ALL PLANTING AREAS TO BE 18" FROM SCREENED ROCK, 'DESERT GOLD' COLOR, FINISH DEPTH 3", SCREED SECTION SHAPE AND SUPPLIED WITH ALONG MALLA SALINA, AND CIGNA.
26. PARKING LOT TREES MUST HAVE A MINIMUM CLEAR CANOPY DISTANCE OF 6'.
27. VEGETATED GROUNDCOVERS SHALL BE 50% OF ALL LANDSCAPE AND RETENTION AREAS.
28. PAINTED PRESSURE BUBBLER PROVIDED TO BE PAINTED SAME COLOR AS BUILDING.
29. EXISTING TREES AND SHRUBS IN RIGHT-OF-WAY TO REMAIN OR BE RELOCATED BY CONTRACTOR. ANY PLANT MATERIAL DAMAGED OR OBSERVED WILL BE REPLACED IN KIND BY THE CONTRACTOR.
30. ALL ANY TREATED IRRIGATION PRESSURE REGULATORS, CONNECTIONS TO ANY ANY TREATED IRRIGATION PRESSURE REGULATORS, CONNECTIONS TO PLANT MATERIALS, AND PROVIDE THE IRRIGATION FROM PROJECT TO IRRIGATION RIGHT-OF-WAY.
31. NO PORTION OF BUILDING AREA TO BE LIVING PLANTS - PARKING AREAS OF SHRUBS, GROUNDCOVERS AND TREES AT NO OF PARKING SPACES, PARKING 2' FOR CLEAR NO PLANTING AREAS PARKING LOT LIGHT FIXTURE STANDARDS, SHOWS INDICATED.
32. BUILDING ADDRESS NUMBER LOCATION, SEE BUILDING ELEVATIONS.

CITY OF TEMPE NOTES:

A. SIGNED SIGN SHALL BE PROVIDED IN ACCORDANCE WITH THE CITY OF TEMPE LANDSCAPE ORDINANCE STANDARDS.
B. ALL PARKING LOT PLANTING ISLANDS SHALL BEGINNING FOR 5 GAL. TREE, AND 5/5 GAL. SHRUBS PER SINGLE SIZE OF PARKING.
C. ALL PLANT MATERIAL WITHIN THE CITY OF TEMPE SIGHT DISTANCE SHALL BE SELECTED FROM THE CITY OF TEMPE APPROVED SIGHT DISTANCE TRIANGLE LIST.
D. ALL LANDSCAPE AREAS WILL BE FRAMED WITH MINIMUM 6" WIDTH CONCRETE CURB.
E. TREES SHALL NOT BE LOCATED AS TO INTERFERE WITH PARKING LOT LIGHT FIXTURES.
F. NO BUBBLER HEADS WILL BE LOCATED IN PARKING LOT AREAS.
G. ALL RIGHT-OF-WAY PLANTING WITHIN THE SITE DESIGN SHALL BE EMBEDDED INTO CONCRETE, AT 3/4 DEPTH OF EACH STRIPE.

THE FOCUS GROUP, LLC

UNIVERSITY & McCLINTOCK CROSSING
S.W.C. UNIVERSITY & McCLINTOCK DR.
TEMPE, ARIZONA

REVISIONS

TITLE: PRELIMINARY LANDSCAPE PLAN

JOB NO. 0313

DATE: 10 / 28 / 03

SHEET NO. DR-L1

NOV 04 2003

MARK AFEL ARCHITECTS, P.C.
4500 SOUTH LAKESHORE DRIVE, SUITE 580 TEMPE, ARIZ. 85282 (480) 838 .74 FAX (480) 838-1694

·PROJECT DATA ·

·APPLICATION	Fourth Amended General Plan of Development (University and McClintock Crossing) with Final Plan of Development for Parcel 4 (Phase 4) – Firestone Automotive; Use Permit for Automotive Use; and Three (3) Freestanding Tenant Identification Signs with the Final Plan of Development (Two along University Drive and One along McClintock Drive) in lieu of the Freestanding Center Identification Signs Otherwise Required in the PCC-1 District.
·LOCATION	1775 East University Drive. (Southwest corner of McClintock and University Drives)
·SITE AREA	93,835 S.F. or 2.15 Net Acres.
·EXISTING ZONING	Site: PCC-1 North: I-1 across University Drive South: I-2 East: PCC-1 & R-2 further east West: R-3
·SURROUNDING LAND USES	Site: Vacant North: McDonald's Restaurant, 7-Eleven AM/PM Gas Station; APS Solar Power Station across University Drive South: Boat Dealership East: Commercial and High Density Residential West: Apartments
·LEGAL REPRESENTATIVE	Sender Associates, Chartered Darin A. Sender 398 South Mill Avenue, Suite 301 Tempe, Arizona 85281 (480) 966-6735 (480) 966-8016 fax darin@senderlaw.com
·PROPERTY OWNER	The Focus Group, equitable owner David Church 453 6th Avenue San Diego, California 92101
·ARCHITECT	Mark E. Abel, AIA Mark Abel Architects P.C. 4500 South Lakeshore Drive, Suite 580 Tempe, Arizona 85282 (480) 838-3374 (480) 838-1694 fax

·PROJECT NARRATIVE ·

I. HISTORY OF BUSINESS

Bridgestone/Firestone, Inc.

The Firestone Tire & Rubber Company began in August 1900 in Akron, Ohio. From the start, Firestone worked to improve quality and meet the needs of their customers. Firestone was purchased by Bridgestone in 1988, transforming the corporation into a global competitor. The operation in America was consolidated 2 years later into a unified name called Bridgestone/Firestone, Inc.

Firestone is committed to being a good corporate citizen nationally, regionally and locally. Their corporate philosophy is to build not just better products, but better communities.

The current Firestone has been in business at the southeast corner of Apache Boulevard and McClintock Drive for many years. Due to the City's proposed light rail development along Apache Boulevard Firestone must relocate. To that end, Firestone is proposing to begin anew at this location at the southwest corner of University and McClintock Drives. This site will allow Firestone to maintain and operate their business within the relative same market area of Tempe, while minimizing any potential customer confusion.

II. INTRODUCTION / REQUESTS

This application requests approval of a Final Plan of Development for Parcel 4 (Phase 4) and a Fourth Amended Plan of Development for the University and McClintock Crossing Commercial Center located at the southwest corner of McClintock and University Drives, (the "Site"). The current proposal includes a 7,610 s.f. Firestone building to be used as a tire and automotive service business. Adequate ingress and egress to the Site is assured through the four shared driveways and reciprocal cross-access easement for the entire commercial center found within the existing Covenants, Conditions and Restrictions (CC&Rs), thus allowing ease of access to both arterial streets.

This application also requests the following, in addition to the Development site plan approvals.

1. Use Permit for the Firestone automotive use within the PCC-1 zoning district; and
2. Request for three (3) freestanding tenant identification signs with the Final Plan of Development (two along University Drive and one along McClintock Drive) in lieu of freestanding center identification signs otherwise required in the PCC-1 district for Firestone and a future building within Phase 4.

III. PROPOSED LAND USE

The four parcel commercial center is currently home to a McDonald's drive-through restaurant, a 7-Eleven AM/PM gas station, and a Wienerschnitzel hot dog restaurant currently under construction. This is the last vacant parcel remaining within this commercial center and is suitable for the proposed development. The General Plan of Development originally designated this Site for similar retail type land uses, which is compatible with the proposed businesses. The new site layout has been designed to follow as closely as possible the original site design for Parcel 4. However, the number of buildings on this Parcel has been reduced from three to two buildings allowing for more retention and landscaping areas.

USE PERMIT - FIRESTONE TIRE AND AUTO SERVICE

Firestone is proposing a tire and auto service store. This store will be substantially similar to the existing Firestone located at Apache and McClintock which generally assists its customers only with tire, chassis and engine repair. The Use Permit criteria listed in Part 1, Section 1-411, B of the Ordinance state the following factors shall be considered when reviewing such a request.

1. *Any significant increase in vehicular or pedestrian traffic in adjacent areas.*

Superior interior site circulation has been designed into the overall commercial center from its inception. Adequate ingress and egress to the Site will be assured through the shared driveways along the adjacent arterial street. The drive aisles will also provide unimpeded access between this Site and all four phases within the commercial center. Another important feature of the Site includes generous separation of pedestrian and automobile traffic with an integrated pedestrian flow using marked walkways. The drive-through lane for Firestone also provides ease of circulation for the business, while minimizing any adverse impacts with the flow of traffic or pedestrians traversing from University Drive through the commercial center. Adequate fire access has also been addressed on the Site. Fire hydrants and access lanes will be located pursuant to the City of Tempe Fire Department requirements.

2. *Nuisance arising from the emission of odor, dust, gas, noise, vibration, smoke, heat, or glare at a level exceeding that of ambient conditions.*

The proposed use requested in this application will have no adverse noise, glare, vibration, dust, and/or odor impacts on the surrounding area. The Firestone is strategically located with the overhead bay doors not fronting on or visible from very busy adjacent public streets. Additionally, the most adjacent use to the bay doors is a parking lot for the apartment complex to the west. Further west of the parking lot are the apartments themselves, setback approximately 170' from the Firestone building. Enhanced landscaping and an existing 8' screen wall will also provide a suitable buffer, noise and visual relief from the bay doors. These physical buffers and generous building separations coupled with a medium-intensity use all insure no significant nuisances from odor, dust, gas, noise, vibration, smoke, heat, or glare at a level exceeding that of ambient conditions will occur.

3. *Contribution to the deterioration of the neighborhood or to the downgrading of property values which is in conflict with the goals, objectives or policies for rehabilitation, redevelopment or conservation as set forth in the city's adopted plans or general plan.*

The Site has been designed with highest standards possible to mitigate any potential or perceived impacts to the surrounding area. We have maximized every feasible opportunity for buffering and screening with a mixture of landscape and hardscape, provided adequate and safe ingress and egress points, and provided safe and functional on-site cross access points. In addition, we have identified pedestrian connections and links, enhanced the architectural design, and provided a safe and non-invasive lighting design. Some of the beneficial economic effects include the full development of this commercial corner, providing convenience opportunities, enhancing sales tax revenue, and eliminating sales tax leakage. As a result, the requested Firestone for the Site will not be detrimental to the surrounding area.

4. *Compatibility with existing surrounding structures and uses.*

The proposed site and building design has been configured with the highest standards possible in mind, and under the requirements of the City of Tempe's design polices. Adequate interior site circulation was addressed with the original Plan of Development for the commercial center. The entire commercial center benefits from generous separation of pedestrian and automobile traffic with integrated pedestrian flow using marked walkways incorporated throughout. Parking, refuse and service areas have also been integrated on the Site serving the City of Tempe requirements and matching closely the previous Plan of Development. Lastly, the Site has been designed to meet many of the City of Tempe's CPTED requirements. Thus, we have maximized and enhanced every opportunity for the Site and minimized any perceived negative impacts.

5. *Adequate control of disruptive behavior both inside and outside the premises which may create a nuisance to the surrounding area or general public.*

The proposed Firestone will not create disruptive behavior. The Firestone Company is committed to being a good corporate citizen and neighbor. As a result, the requested land uses for the Site will not be disruptive to the surrounding area.

FREESTANDING TENANT IDENTIFICATION SIGNS

We are requesting three (3) freestanding tenant identification signs with the Final Plan of Development, two along University Drive and one along McClintock Drive in lieu of the freestanding center identification signs otherwise required in the PCC-1 district. These freestanding tenant identification signs will be designed to complement the existing 7-Eleven, McDonald's and Wienerschnitzel freestanding tenant identification signs and allow for a vibrant sustainable commercial center. Other signage proposed for this Site will complement the design, areas and size of existing signage within the commercial center and will be included with the Design Review Board application for this project.

IV. OVERALL DESIGN CONCEPT

Harmony, appropriateness, longevity and ease of maintenance have been the highest priorities in selecting all materials and colors for each of the proposed uses. The overall design of both buildings will be compatible in form, color, materials and style with the existing commercial center. The Firestone building adjacent to University Drive will add architectural character to the area, thus completing the streetscape. All signage and building materials will complement the other designs within the center without copying their exact forms or color palettes.

V. CONCLUSION

We hereby respectfully request your consideration and approval of the Final Plan of Development for Parcel 4 (Phase 4) – Firestone, Use Permit for Firestone automotive and three (3) freestanding tenant identification signs.

The Site's location on two arterial streets and our close attention to site and building designs will insure only positive impacts. It is our primary desire to provide a safe, clean, functional business at this location and to continue Firestone's responsible membership within the City of Tempe. We look forward to continuing our positive involvement within the community through the development of this remaining vacant corner at University and McClintock Drives. We therefore respectfully request your consideration and approval of these requests.

AMENDED GENERAL AND FINAL PLAN OF DEVELOPMENT FOR UNIVERSITY & McCLINTOCK CROSSING
WITH
FINAL PLAN OF DEVELOPMENT FOR PARCEL 2, PHASE 3
(WIENERSCHNITZEL RESTAURANT)
A PORTION OF THE NORTHEAST QUARTER OF SECTION 23, TOWNSHIP 1 NORTH, RANGE 4 EAST OF THE GILA AND SALT RIVER BASE AND MERIDIAN, MARICOPA COUNTY ARIZONA

LEGAL DESCRIPTION

LEGAL DESCRIPTION - APN: 132-80-031

Lot 1, UNIVERSITY & McCLINTOCK CROSSING RETAIL CENTER, according to book 475 of Maps, page 26, records of Maricopa County, Arizona.

LEGAL DESCRIPTION - APN: 132-80-032

Lot 2, UNIVERSITY & McCLINTOCK CROSSING RETAIL CENTER, according to book 475 of Maps, page 26, records of Maricopa County, Arizona.

LEGAL DESCRIPTION - APN: 132-80-033

Lot 3, UNIVERSITY & McCLINTOCK CROSSING RETAIL CENTER, according to book 475 of Maps, page 26, records of Maricopa County, Arizona.

LEGAL DESCRIPTION - APN: 132-80-034

Lot 4, UNIVERSITY & McCLINTOCK CROSSING RETAIL CENTER, according to book 475 of Maps, page 26, records of Maricopa County, Arizona.

DEVELOPMENT PROGRAM

ORIGINAL DEVELOPER:	STANFORD INC. BY PINNACLE DIVERSIFIED 2999 N. 44TH ST., SUITE 450, PHOENIX, AZ 602-955-4000
ADDRESS:	SWC UNIVERSITY DRIVE & McCLINTOCK TEMPE, ARIZONA
ZONING:	PCC-1
OCCUPANCY GROUP	B-2 BUSINESS
SITE AREA(GROSS):	±212,632 S.F.(±4.88 ACRES)
SITE AREA(NET):	±212,432 S.F.(±4.86 ACRES)
BUILDING AREA:	31,991 S.F. (3,136 S.F. + 2,880 S.F. +3,150 S.F. +22,825 S.F.)
BUILDING COVERAGE:	±15% (31,991 S.F./212,432)
LANDSCAPE ON SITE:	82,023 S.F. (±39%)
PARKING REQUIRED:	206 SPACES
PARKING PROVIDED:	208 SPACES
BICYCLE PKG. REQUIRED:	37 SPACES
BICYCLE PKG. PROVIDED:	37 SPACES

PARCEL 1 - PHASE 1 7-11 CONVENIENCE STORE

SITE AREA(NET):	50,230 S.F. (±1.15 ACRES)
BUILDING AREA: BUILDING: CANOPY:	3,136 S.F. 4,096 S.F. 7,232 S.F.
BUILDING COVERAGE:	±14.38% (7,232 S.F./50,230 S.F.)
LANDSCAPE ON SITE:	19,212 S.F. (38%)
PARKING REQ'D:	13 SPACES (3,136 S.F./250)
PARKING PROVIDED:	13 SPACES
BICYCLE PARKING REQ'D:	8 SPACES
BICYCLE PKG PROVIDED:	8 SPACES

PARCEL 2 - PHASE 3 WIENERSCHNITZEL

SITE AREA(NET):	37,802 S.F. (±.87 ACRES)
BUILDING AREA:	2,880 S.F.
BUILDING COVERAGE:	8%
LANDSCAPE ON SITE:	8,932 S.F. (24%)
PARKING REQ'D:	42 SPACES (2,880/75) +(4) OUTSIDE SEATING
PARKING PROVIDED:	44 SPACES
BICYCLE PARKING REQ'D:	8 SPACES
BICYCLE PKG. PROVIDED:	8 SPACES

PARCEL 3 - PHASE 2 McDONALD'S

SITE AREA(NET):	±30,547 S.F. (±.70 ACRES)
BUILDING AREA:	3,150 S.F.
BUILDING COVERAGE:	±10.3%
LANDSCAPE ON SITE:	±8000 S.F. (26%)
PARKING REQ'D:	42 SPACES (3,150 S.F./75)
PARKING PROVIDED:	42 SPACES
BICYCLE PARKING REQ'D:	8 SPACES
BICYCLE PKG. PROVIDED:	8 SPACES

PARCEL 4 - PHASE 4

SITE AREA (NET):	±93,835 S.F.
BUILDING AREA: OPTIONAL BLDG.:	19,225 S.F. 3,600 S.F. 22,825 S.F.
BUILDING COVERAGE:	24% (22,825 S.F./93,835 S.F.)
LANDSCAPE ON SITE:	48,181 S.F. (51%)
PARKING REQ'D:	91 SPACES(22,825/250)
PARKING PROVIDED:	107 SPACES
BICYCLE PARKING REQ'D:	15 SPACES
BICYCLE PKG. PROVIDED:	15 SPACES

USE PERMIT AND VARIANCES

SGF-2002.82

PROPOSED USE PERMIT REQUEST:

Use Permit for an outdoor dining and smoking patio.

REQUEST PER SECTION 3-301.2.b OF THE CITY OF TEMPE ZONING ORDINANCE.

Request for a freestanding tenant identification sign in lieu of freestanding center identification sign.

SGF-96.34 JEFFERSON COMMONS SHOPPING CENTER

USE PERMIT
Allow a 4,500 s.f. convenience store with gas pumps on pad a in the pcc-1 zoning district.

VARIANCES
A. Waive requirement that landscaping for future phases be installed in Phase 1 with the exception of street frontages along McClintock and University.
b. Waive required 8' masonry wall between c-store/gas facility and remainder of center.

CASE NO. SGF-97.80

1st Amended General Plan of Development and Final Plan of Development for Parcel 1, Phase 1, (7-Eleven) and Parcel 3, Phase 2, (McDonald's) University and McClintock Crossing.
Variances:
1. Reduce minimum required side and rear yard setback from 40' to 10' for property lines adjacent to Multi-family (R-3) to the West and Industrial (I-2) to the South. Also reduce the required side and rear yard setback from 40' to 0' for property/lease lines within the shopping center.
2. Waive the required 8' landscape strip for Parcel 1 along the South and West property lines for the convenience store and gas pumps.

CASE NO. BA-960227

Variances:
a) Variance to increase the maximum allowable sign area for an individual tenant of a center/complex from 58.87 s.f. to 80 s.f.;
b) Variance to increase the maximum allowable height for the price portion of a service station identification/price sign from five (5) feet to 6.63 feet in height;
c) Variance to allow advertising copy on two (2) freestanding tenant identification/price signs;
d) Variance to allow an individual tenant of a center/complex two (2) freestanding tenant identification signs;
e) Variance to allow two (2) freestanding signs on each street frontage for South McClintock Drive and East University Drive.

CASE NO. BA-000190

Variances:
a) Variance to allow a freestanding tenant identification sign in the PCC-1 Zoning District.
b) Variance to increase the maximum allowable sign area for a freestanding menu board sign from 30 s.f. to 42.32 s.f.
c) Variance to waive the required monument type base of masonry construction for a freestanding menu board sign.
d) Variance to increase the maximum allowable sign area from 60 s.f. to 108 s.f..

APPROVALS

APPROVED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF TEMPE, ARIZONA THIS ___ DAY OF ___, 2002.

BY: [signature] MAYOR 8/21/03 DATE

ATTEST: [signature] CITY CLERK 8/21/03 DATE

BY: [signature] CITY ENGINEER 8/4/03 DATE

BY: [signature] DEVELOPMENT SERVICES 8/25/03 DATE

CORPORATE SEAL

CONDITIONS OF APPROVAL - SGF-2002.82

1. a. The Public Works Department shall approve all roadway, alley, and utility easement dedications, driveways, storm water retention, and street drainage plans, water and sewer construction drawings refuse pickup, and off-site improvements.

b. Off-site improvements to bring roadways to current standards include:
(1) Water lines and fire hydrants
(2) Sewer lines
(3) Storm drains
(4) Roadway improvements including street lights, curb, gutter, bike path, sidewalk, bus shelter, and related amenities.

c. Fees to be paid with the development of this project include :
(1) Water and sewer development fees
(2) Water and/or sewer participation charges
(3) Inspection and testing fees

d. All applicable off-site plans shall be approved prior to recordation of Final Subdivision Plat.

2. a. All street dedications shall be made within six (6) months of Council approval.

b. Public improvements must be installed prior to the issuance of any occupancy permits. Any phasing shall be approved by the Public Works Department.

c. All new and existing, as well as on-site and off-site, utility lines (other than transmission lines) shall be placed underground prior to the issuance of an occupancy permit for this (re)development in accordance with the code of the City of Tempe - Section 25.120.

3. The applicant/owner(s) shall provide a continuing care condition, covenant and restriction for all of the project's landscaping, required by Ordinance or located in any common area on site. The CC&R's shall be in a form satisfactory to the Development Services Director and City Attorney.

4. No variances may be created by future property lines without the prior approval of the City of Tempe.

5. A valid building permit shall be obtained and substantial construction commenced on or before December 19, 2003.

6. The Amended General Plan of Development for University & McClintock Crossing and the Final Plan of Development for Wienerschnitzel Hot Dog Restaurant shall be put into proper engineered format with appropriate signature blanks and recorded with the Maricopa County Recorder's Office through the city of Tempe's Development Services Department on or before December 19, 2003. Failure to record the plan within one year of Council approval shall make the plan null and void.

7. The Amended General Plan of Development for University & McClintock Crossing and the Final Plan of Development for Wienerschnitzel Hot Dog Restaurant shall be recorded prior to the issuance of permits, and shall show cross access to be maintained throughout this site over the driving aisles. No changes or modifications to the driving aisles will be allowed without prior approval of the Engineering Department.

8. The applicant/owner shall comply with all applicable state and federal laws regarding archeological artifacts on this site.

9. The use permit is non-transferable and is issued to the owner(s) of Wienerschnitzel Hot Dog Restaurant, James Foster only.

10. Any intensification or expansion of the use shall require the applicant to return to the City Council for further review.

11. The applicant/owner shall resolve all lighting and security details with the Planning and Crime Prevention Staff prior to the issuance of a building permit.

12. This proposal shall be approved by the Design Review Board.

13. The applicant/owner shall pave the driveway along the west property line of Parcel 2 Phase 3 and extend the pavement to the east to meet the existing temporary asphalt.

BENCHMARK

BRASS CAP IN HANDHOLE AT THE INTERSECTION OF UNIVERSITY DRIVE AND McCLINTOCK DRIVE.

ELEVATION = 1174.39 FEET (CITY OF TEMPE DATUM)

BASIS OF BEARING

BASIS OF BEARING IS MONUMENT LINE OF McCLINTOCK DRIVE.
S00°31'00"W

OWNER/DEVELOPERS — PARCEL-2

OWNER:
JAMES W. FOSTER
1929 EAST EDGEWATER DRIVE
TEMPE, ARIZONA 85283
TEL: 909.235.7777

ARCHITECTS:
ARCHITEKTON
398 S. MILL AVE. SUITE 301
TEL: 480.894.4637
FAX: 480.894.4638
CONTACT: SCOTT MARSHALL

CIVIL:
SOUTHGATE ASSOCIATES, LTD.
4385 N. 75TH ST. SUITE 100
SCOTTSDALE, ARIZONA 85251
TEL: 480.970.8862
FAX: 480.970.3984
CONTACT: TOM SOUTHGATE

LANDSCAPE:
T.J. McQUEEN & ASSOC.
1121 E. MISSOURI SUITE #218
PHOENIX, ARIZONA, 85014
TEL: 602-265-0320
FAX: 602-266-8619
CONTACT: TIM McQUEEN

ATTORNEY:
SENDER & ASSOCIATES, CHtd.
398 S. MILL AVE. SUITE 301
TEMPE, ARIZONA 85281
TEL: 480.966.6375
FAX: 480.966.8016
CONTACT: DARIN A. SENDER

STATEMENT OF OWNER

THIS IS TO CERTIFY WE HAVE REVIEWED THIS PLAN AND HEREBY APPROVE THE DEVELOPMENT AS SHOWN.

SIGNED THIS 11th DAY OF August 2003
OWNER,
JAMES W. FOSTER

BY: [signature]
JAMES W. FOSTER

ACKNOWLEDGEMENT

STATE OF ARIZONA } S.S.
COUNTY OF MARICOPA }

ON THE 11th DAY OF August 2003, BEFORE ME, THE UNDERSIGNED James William Foster PERSONALLY APPEARED WHO ACKNOWLEDGED HIMSELF TO BE THE OWNER, AND AUTHORIZED TO DO SO, EXECUTED THE FOREGOING INSTRUMENT FOR THE PURPOSES THEREIN CONTAINED.

IN WITNESS THEREOF, I HAVE HEREUNTO SET MY HAND AND OFFICIAL SEAL.

BY: Sharee A. Rice

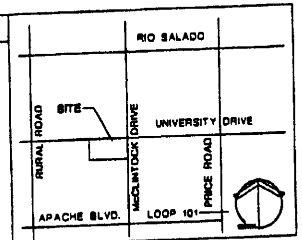
MY COMMISSION EXPIRES: June 27, 2004

CERTIFICATION — PARCEL-2

I, THOMAS L. ROPE, HEREBY CERTIFY THAT I AM A REGISTERED LAND SURVEYOR IN THE STATE OF ARIZONA, THAT THE LEGAL DESCRIPTION FOR PARCEL 2 WAS PERFORMED UNDER MY SUPERVISION DURING THE MONTH OF NOVEMBER 2002, THAT THE SURVEY IS CORRECT AND ACCURATE TO THE BEST OF MY KNOWLEDGE AND BELIEF, THAT THE BOUNDARY MONUMENTS SHOWN ACTUALLY EXIST AS SHOWN AND ARE SUFFICIENT TO ENABLE THE SURVEY TO BE RETRACED.

[Registered Land Surveyor seal — signature]

VICINITY MAP



VICINITY MAP

DSO20873 SGF-2002.82 REC02078

BOOK 649 PAGE 30
OFFICIAL RECORDS OF MARICOPA COUNTY RECORDER HELEN PURCELL
2003-1191766

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DSO20873 SGF-2002.82 REC02078

804 S. McCLINTOCK DRIVE
TEMPE, ARIZONA

WIENERSCHNITZEL

ARCHI

WIENERSCHNITZEL CUSTOM C-91 FRANCHISEE: JIM FOSTER

02147

1/3

TITLE SHEET

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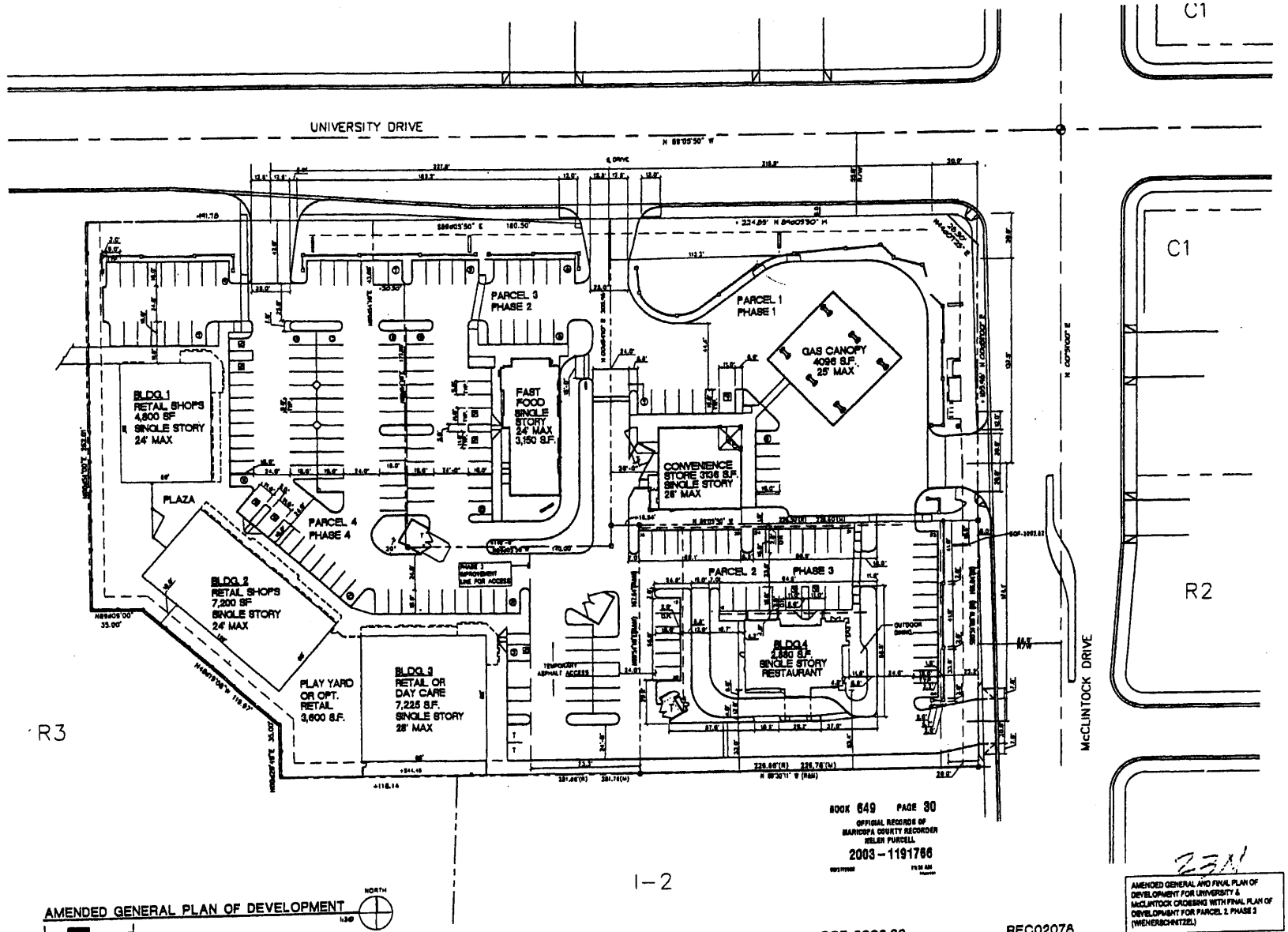


BOOK 649 PAGE 30
OFFICIAL RECORDS OF
MARICOPA COUNTY RECORDER
HELEN PURCELL
2003-1191766

AMENDED GENERAL PLAN OF DEVELOPMENT

DSO20873 SGF-2002.82 REC02078

AMENDED GENERAL AND FINAL PLAN OF DEVELOPMENT FOR UNIVERSITY & McCLINTOCK CROSSING WITH FINAL PLAN OF DEVELOPMENT FOR PARCEL 2, PHASE 3 (WIENERSCHNITZEL)

WIENERSCHNITZEL
CUSTOM C-51
FRANCHISEE:
JIM FOSTER

804 S. McCLINTOCK DRIVE
TEMPE, ARIZONA

WIENERSCHNITZEL

REC02078

SGF-2002.82

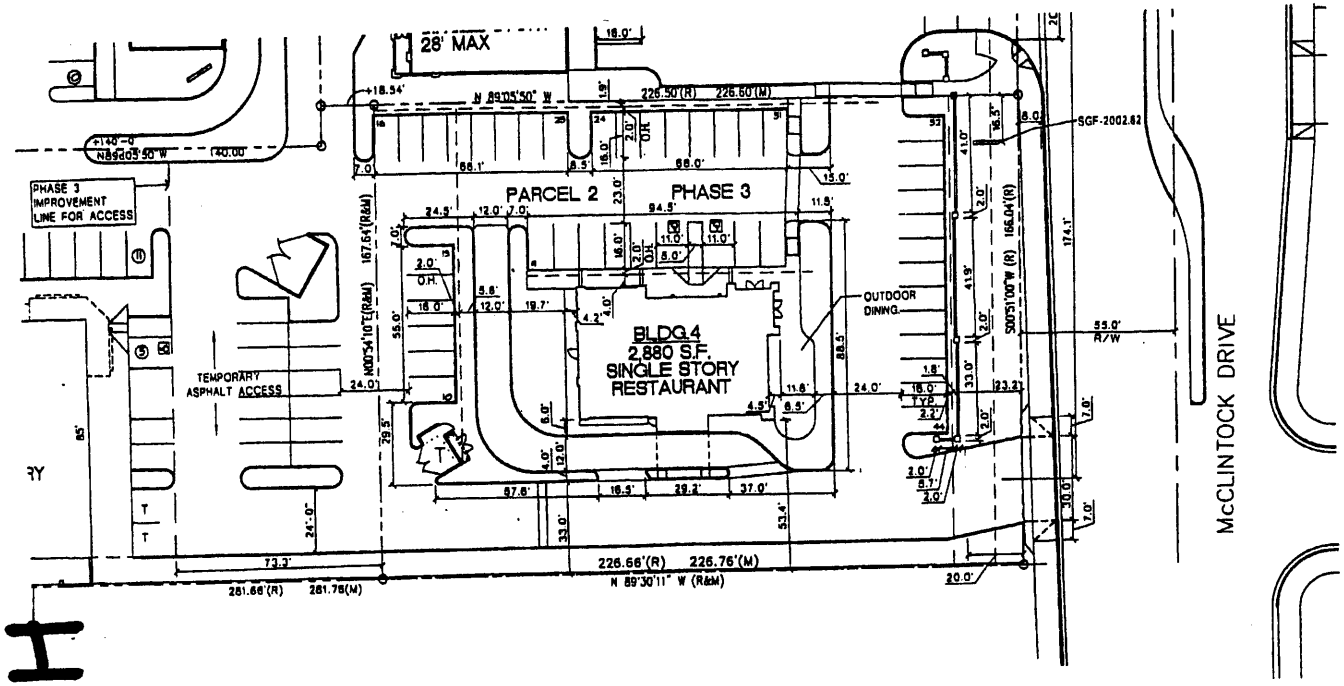
DSO20873

ARCHITECT

02147

2/3

GENERAL AND FINAL DEVELOPMENT PLAN



FINAL PLAN OF DEVELOPMENT

NORTH

PROJECT INFORMATION

PROJECT SCOPE: CONSTRUCT NEW 2,880 S.F. WIENERSCHNITZEL RESTAURANT FACILITY.

SITE AREA BREAKDOWN

DESCRIPTION	AC.	AREA	%
SITE (NET)	0.87	37,802 S.F.	100%
PAVING, SIDEWALKS, TRASH		34,563 S.F.	75%
ON-SITE LANDSCAPE		8,932 S.F.	24%
BUILDING		2,880 S.F.	8%
OTHER			

LOT ZONING: CURRENT ZONING IS PCC-1

BUILDING INFORMATION: BUILDING AREA: 2,880 S.F. (SINGLE STORY)

CONSTRUCTION TYPE: V-N (SPRINKLERED)
OCCUPANCY: A-3

TOP OF ROOF: 24'-10"

PARKING REQUIRED: 2,880/75 S.F.= 38.4 SPACES
OUTSIDE SEATING: = 4 SPACES
TOTAL PARKING SPACES REQUIRED: 42.4

PARKING PROVIDED: 44 SPACES

BICYCLE PARKING REQ'D: 2,880 S.F./1000 S.F.=3 SPACES
PROVIDED (DOUBLED FOR ASU COMM. AREA: 6 SPACES

LEGAL DESCRIPTION

PARCEL 1 - APN 135-05-002

Lot 2, UNIVERSITY & McCLINTOCK CROSSING RETAIL CENTER, according to book 475 of Maps, page 26, records of Maricopa County, Arizona.

BOOK 649 PAGE 30
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2003-1191766

AMENDED GENERAL AND FINAL PLAN OF DEVELOPMENT FOR UNIVERSITY & McCLINTOCK CROSSING WITH FINAL PLAN OF DEVELOPMENT FOR PARCEL 2, PHASE 3 (WIENERSCHNITZEL)

DSO20873 SGF-2002.82 REC02078

WIENERSCHNITZEL
CUSTOM C-91
FRANCHISEE:
JIM FOSTER

804 S. McCLINTOCK DRIVE
TEMPE, ARIZONA

WIENERSCHNITZEL

ARCHI

02147

3-3

FINAL PLAN OF DEVELOPMENT

DSO20873 SGF-2002.82 REC02078