

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

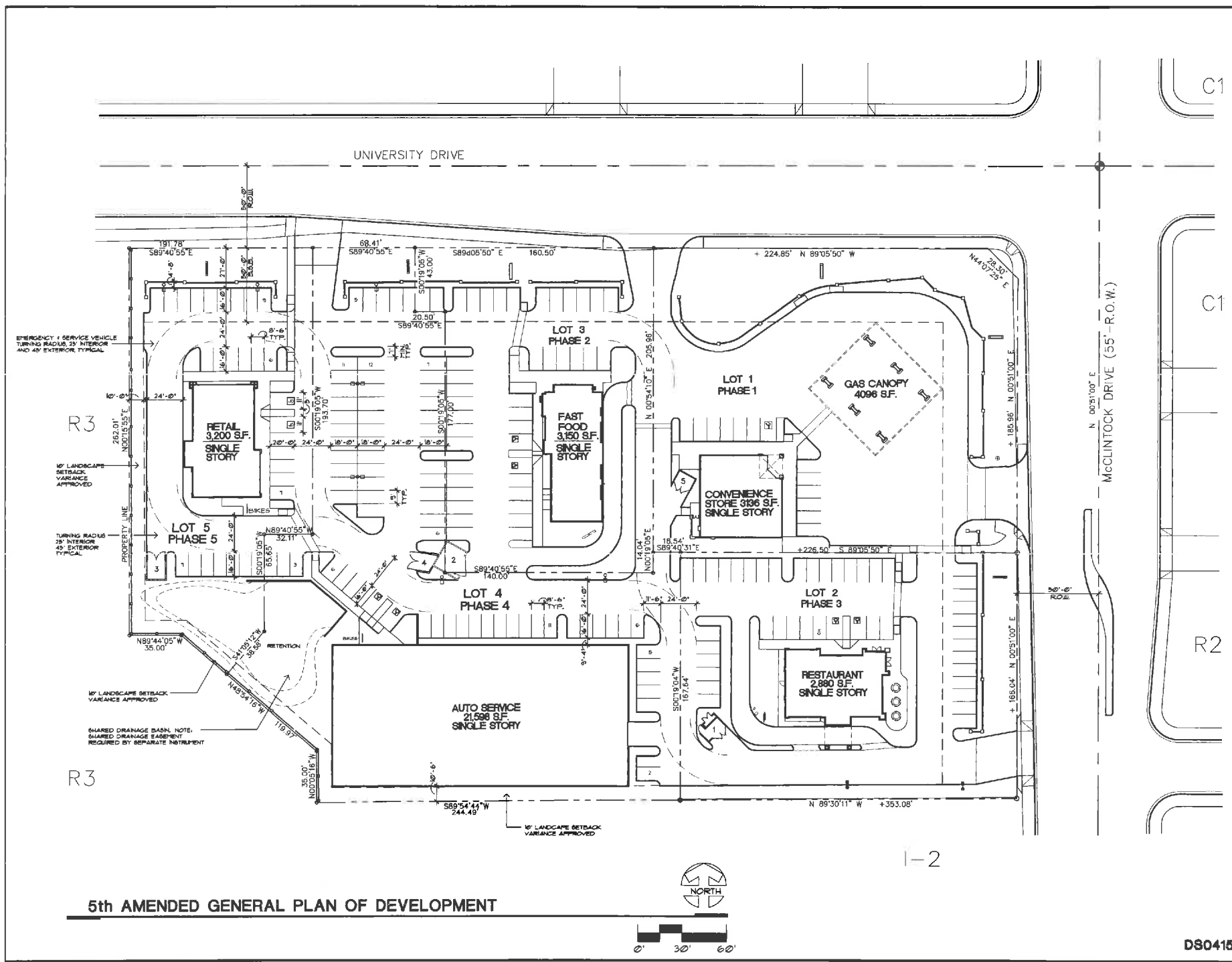
WITH A FINAL PLAN OF DEVELOPMENT FOR LOT 4, PHASE 4, AUTO WERKS

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

BOOK 782 PAGE 45
OFFICIAL RECORDS OF
MARICOPA COUNTY REGORDER
HELEN PURCELL
2005 - 1485925
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408.008

DEVELOPMENT DATA	USE PERMIT AND VARIANCES	CONDITIONS OF APPROVAL - SGF-2004.83	OWNER/DEVELOPERS	LOT - 4	LEGAL DESCRIPTION									
<p>ORIGINAL DEVELOPER: STANFORD INC. BY PINNACLE DIVERSIFIED 2999 N. 44TH ST., SUITE 450, PHOENIX, AZ 602-955-4000</p> <p>ADDRESS: SWC UNIVERSITY DRIVE & McCLINTOCK DRIVE TEMPE, ARIZONA</p> <p>GENERAL PLAN: COMMERCIAL WITH MEDIUM TO HIGH DENSITY UP TO 25 DUA</p> <p>ZONING: PCC-1</p> <p>OCCUPANCY GROUP: B-2 BUSINESS</p> <p>SITE AREA(GROSS): ±212,632 S.F.(±4.88 ACRES) SITE AREA(NET): ±211,299 S.F.(±4.85 ACRES)</p> <p>BUILDING AREA: 33,864 S.F. (3,136 S.F. + 2,880 S.F. + 3,150 S.F. + 21,698 S.F. + (FUTURE 3,200 S.F.))</p> <p>BUILDING COVERAGE: ±19% (31,579 S.F./211,299) LANDSCAPE REQUIRED: 16% LANDSCAPE PROVIDED: 59,609 S.F. (±28%) PARKING REQUIRED: 182 SPACES PARKING PROVIDED: 199 SPACES BICYCLE PKG. REQUIRED: 30 SPACES BICYCLE PKG. PROVIDED: 32 SPACES</p> <p>LOT 1 - PHASE 1 7-11 CONVENIENCE STORE</p> <p>SITE AREA(NET): 50,253.56 S.F. (±1.15 ACRES)</p> <p>BUILDING AREA: 3,136 S.F. BUILDING: 4,096 S.F. CANOPY: 7,232 S.F.</p> <p>BUILDING COVERAGE: ±14.39 LANDSCAPE REQUIRED: 15% LANDSCAPE PROVIDED: 19,212 S.F. (38.23%) PARKING REQUIRED: 13 SPACES (3,136 S.F./250) PARKING PROVIDED: 13 SPACES BICYCLE PARKING REQ'D: 8 SPACES BICYCLE PKG PROVIDED: 8 SPACES</p> <p>LOT 2 - PHASE 3 WIENERSCHNITZEL</p> <p>SITE AREA(NET): 37,809.54 S.F. (±.87 ACRES) BUILDING AREA: 2,880 S.F.</p> <p>BUILDING COVERAGE: ±8.29% LANDSCAPE REQUIRED: 16% LANDSCAPE PROVIDED: 8,932 S.F. (23.62%) PARKING REQUIRED: 73 SPACES (2,880/75) + (4) OUTSIDE SEATING PARKING PROVIDED: 44 SPACES BICYCLE PARKING REQ'D: 6 SPACES BICYCLE PKG. PROVIDED: 6 SPACES</p> <p>LOT 3 - PHASE 2 McDONALD'S</p> <p>SITE AREA(NET): ±31,681.75 S.F. (±.73 ACRES) BUILDING AREA: 3,150 S.F. BUILDING COVERAGE: ±9.94% LANDSCAPE REQUIRED: 15% LANDSCAPE PROVIDED: ±9,000 S.F. (28.25%) PARKING REQUIRED: 42 SPACES (3,150 S.F./75) PARKING PROVIDED: 42 SPACES BICYCLE PARKING REQ'D: 6 SPACES BICYCLE PKG. PROVIDED: 6 SPACES</p> <p>LOT 4 - PHASE 4 AUTO WERKS</p> <p>SITE AREA (NET): ±61,890.73 S.F. (1.42 ACRES) BUILDING AREA: GROUND FLOOR: 19,200 S.F. MEZZANINE: 2,398 S.F. BUILDING COVERAGE: ±31.02% LANDSCAPE REQUIRED: 15% LANDSCAPE PROVIDED: 10,851 S.F. (17.53%) PARKING REQUIRED: 72 SPACES (21,598 S.F./300) PARKING PROVIDED: 72 SPACES BICYCLE PARKING REQ'D: 4 SPACES BICYCLE PKG. PROVIDED: 4 SPACES</p> <p>LOT 5 - PHASE 5 (FUTURE RETAIL)</p> <p>SITE AREA (NET): ±30,809.25 S.F. (0.71 ACRES) BUILDING AREA: 3,200 S.F. BUILDING COVERAGE: ±10.39% LANDSCAPE REQUIRED: 15% LANDSCAPE PROVIDED: 12,614 S.F. (40.94%) PARKING REQUIRED: 13 SPACES (3,200 S.F./250)</p>	<p>SGF-2002.82</p> <p>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.</p> <p>SGF-96.34 JEFFERSON COMMONS SHOPPING CENTER</p> <p>USE PERMIT Allow a 4,500 s.f. convenience store with gas pumps on pod a in the pcc-1 zoning district.</p> <p>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 6' masonry wall between c-store/gas facility and remainder of center.</p> <p>SGF-97-97.80</p> <p>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.</p> <p>BA-980227</p> <p>Variances: a) Variance to increase the maximum allowable sign area for an individual tenant of a center/complex from 56.67 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 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.</p> <p>BA-000190</p> <p>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 109 s.f..</p> <p>SBD-2004.84</p> <p>For an Amended Subdivision Plan of Lot 4 into two (2) new lots on 1.42 net acres.</p> <p>SGF-2004.83</p> <p>For an Amended General Plan of Development for University & McClintock Crossing consisting of 33,864 s.f. on 4.88 net acres and an Amended Final Plan of Development for Auto Werks Parcel 4, Phase 4, consisting of 21,598 s.f. on 1.42 net acres.</p> <p>Use Permit: Allow an automotive service use in the PCC-1, Planned Commercial Center Zoning District. Variance: Increase the maximum allowable lot coverage for Lot 4 from 25% to 31 % in the PCC-1, Planned Commercial Center Zoning District.</p>	<p>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, bikeway, sidewalks, 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.</p> <p>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 development in accordance with the Code of the City of Tempe - Section 25.120.</p> <p>3. The applicant/owner(s) shall provide an amended continuing care covenant, and restriction for all of the University & McClintock Crossing landscape areas, required by Ordinance or located in any common area of the center. The CC&R's shall be in a form satisfactory to the Development Services Director and City Attorney.</p> <p>4. No variances may be created by future property lines without the prior approval of the City of Tempe.</p> <p>5. A valid building permit shall be obtained and substantial construction commenced on or before January 6, 2006 or the use permit and variance shall be deemed null and void.</p> <p>6. Condition Deleted.</p> <p>7. The applicant must process and record a Final Subdivision Plat prior to the issuance of permits.</p> <p>8. The Amended General Plan of Development for University & McClintock Crossing and the Final Plan of Development for Auto Werks 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.</p> <p>9. The applicant/owner shall comply with all applicable state and federal laws regarding archeological artifacts on this site.</p> <p>10. The use permit is non-transferable and is issued to the owner(s) of Auto Werks only.</p> <p>11. Any intensification or expansion of the use shall require the applicant to return to the City Council for further review.</p> <p>12. The applicant/owner shall resolve all lighting and security details with the Planning and Crime Prevention Staff prior to issuance of a building permit.</p> <p>13. This proposal shall be approved by the Design Review Board prior to City Council approval.</p> <p>14. Signs will be subject to a separate application and approval process. Eliminate one of the proposed freestanding tenant identification signs along University Drive and the proposed freestanding tenant identification sign along McClintock Drive. (Modified by Commission)</p> <p>15. Reduce the size of the proposed building by eliminating the future tenant space (approximately 2,000 s.f.) on the east end of the building. Also reducing lot coverage from 21% to 26%. Modify the variance to increase lot coverage allowed accordingly. (Deleted by Commission)</p>	<p>OWNER: TEMPE FIRESTONE GROUP, L.L.C. 433 6TH AVENUE SAN DIEGO, CALIFORNIA 92101 TEL: 619.239.0133 FAX: 619.239.0144 CONTACT: STEVE GRADY</p> <p>ATTORNEY: SENDER ASSOCIATES, CHD. 464 S. FARMER AVE, SUITE 102 TEMPE, ARIZONA 85281 TEL: 480.966.6735 FAX: 480.966.8016 CONTACT: DENNIS M. NEWCOMBE</p> <p>ARCHITECT: MARK ABEL ARCHITECTS, P.C. 21 EAST SIXTH STREET SUITE 320 TEMPE, ARIZONA 85281 TEL: 480.838.3374 FAX: 480.838.1694 CONTACT: MARK ABEL</p> <p>CIVIL: KNUDSEN SMITH ENGINEERING, INC. 7902 N. BLACK CANYON HWY. SUITE 101 PHOENIX, ARIZONA 85051 TEL: 602.547.7447 FAX: 602.249.1310 CONTACT: DENNIS KNUDSEN</p>	<p>APPROVALS</p> <p>APPROVED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF TEMPE, ARIZONA THIS 10th DAY OF January 2005.</p> <p>BY: <i>[Signature]</i> DATE: 9/28/05 ATTEST: <i>[Signature]</i> DATE: 9/28/05 CITY CLERK</p> <p>BY: <i>[Signature]</i> DATE: 9/28/05 CITY ENGINEER</p> <p>BY: <i>[Signature]</i> DATE: 9/28/05 DEVELOPMENT SERVICES</p> <p>OWNER CERTIFICATION</p> <p>THIS IS TO CERTIFY WE HAVE REVIEWED THIS PLAN AND HEREBY APPROVE THE DEVELOPMENT AS SHOWN.</p> <p>SIGNED THIS 10th DAY OF September 2005 OWNER: <i>[Signature]</i> STEVE GRADY, Manager</p> <p>BY: <i>[Signature]</i> STEVE GRADY, Manager</p> <p>ACKNOWLEDGEMENT</p> <p>STATE OF ARIZONA COUNTY OF MARICOPA</p> <p>ON THIS 10th DAY OF September 2005, I, <i>[Signature]</i>, PERSONALLY APPEARED WHO ACKNOWLEDGED HIMSELF TO BE THE OWNER, AND AUTHORIZED TO DO SO, EXECUTED THE FOREGOING INSTRUMENT FOR THE PURPOSES THEREIN CONTAINED.</p> <p>IN WITNESS WHEREOF I HAVE HERETO SET MY HAND AND OFFICIAL SEAL BY: <i>[Signature]</i> DATE: 9/28/05 MY COMMISSION EXPIRES: March 16, 2008</p>	<p>VICINITY MAP</p> <p>THE FOCUS GROUP, LLC</p> <p>UNIVERSITY & McCLINTOCK CROSSING S.W.C. UNIVERSITY & McCLINTOCK DR. TEMPE, ARIZONA</p> <p>REVISIONS</p> <table border="1"> <tr><td>12/12/04</td><td>CITY</td></tr> <tr><td>12/16/04</td><td>CITY</td></tr> <tr><td>3/18/05</td><td>CITY</td></tr> <tr><td>6/5/05</td><td>CITY</td></tr> </table> <p>ISSUE</p> <p>DATE: 8/24/04 SHEET NO. 1 OF 3</p>	12/12/04	CITY	12/16/04	CITY	3/18/05	CITY	6/5/05	CITY	<p>LEGAL DESCRIPTION - APN: 132-60-031 Lot 1, UNIVERSITY & McCLINTOCK CROSSING RETAIL CENTER, according to book 475 of Maps, page 26, records of Maricopa County, Arizona.</p> <p>LEGAL DESCRIPTION - APN: 132-60-032 Lot 2, UNIVERSITY & McCLINTOCK CROSSING RETAIL CENTER, according to book 475 of Maps, page 26, records of Maricopa County, Arizona.</p> <p>LEGAL DESCRIPTION - APN: 132-60-033 Lot 3, UNIVERSITY & McCLINTOCK CROSSING RETAIL CENTER, according to book 475 of Maps, page 26, records of Maricopa County, Arizona.</p> <p>LEGAL DESCRIPTION - APN: 132-60-034 Lot 4, UNIVERSITY & McCLINTOCK CROSSING RETAIL CENTER, according to book 475 of Maps, page 26, records of Maricopa County, Arizona.</p> <p>LEGAL DESCRIPTION - APN: 132-60-035 Lot 5, UNIVERSITY & McCLINTOCK CROSSING RETAIL CENTER, according to book 475 of Maps, page 26, records of Maricopa County, Arizona.</p>
12/12/04	CITY													
12/16/04	CITY													
3/18/05	CITY													
6/5/05	CITY													

MARK ABEL ARCHITECTS P.C.
 21 EAST SIXTH STREET SUITE 320 TEMPE, ARIZONA 85281 (480) 838-3374 FAX (480) 838-1694
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 SGF-2004.83
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5th AMENDED GENERAL PLAN OF DEVELOPMENT

BOOK 782 PAGE 45
 OFFICIAL RECORDS OF
 MARICOPA COUNTY RECORDER
 HELEN PURCELL
 2005 - 1485925
10/25/2005 02:27 PM

PROJECT DATA

PROJECT TITLE: UNIVERSITY & McCLINTOCK CROSSING
 LOCATION: S.W.C. UNIVERSITY & McCLINTOCK DR. TEMPE, ARIZONA
 ZONING: POC-1
 CODES: R4 U.M.C. / R5 N.E.C. / R7 U.F.C. / R1 U.M.C. / R1 U.P.C.



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

REVISION	DATE
10/12/04 CITY	
12/10/04 CITY	
3/18/05 CITY	
8/25/05 CITY	
7/28/05 CITY	

JOB NO. 0427
 DATE: 8/24/04
 SHEET NO.: 2 OF 3

