

23

FEB 10 2011



MEMORANDUM **Transportation & Development – CC Memo No. 11-010**

DATE: JANUARY 24, 2011

TO: MAYOR AND CITY COUNCIL

THRU: RICH DLUGAS, ACTING CITY MANAGER *RD*
 PATRICK MCDERMOTT, ASSISTANT CITY MANAGER *pm*
 R.J. ZEDER, TRANSPORTATION & DEVELOPMENT DIRECTOR *RJZ*
 JEFF KURTZ, PLANNING ADMINISTRATOR *JK*
 KEVIN MAYO, PLANNING MANAGER *KM*

FROM: BILL DERMODY, SENIOR CITY PLANNER *BD*

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

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

Location: Southwest corner of Chandler Heights Road and Arizona Avenue

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

Owner: Three Js Arizona Avenue & Chandler Heights, LLC

Zoning: Planned Area Development (C-3)

RECOMMENDATION

Planning Commission and Staff, finding consistency with the General Plan, recommend approval.

BACKGROUND

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

convenience store to be located on the northern half of the approximately 3.8-acre vacant site, as well as perimeter landscaping for the entire site.

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

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

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

Planning Commission and Staff recommend the standard condition regarding maintaining the site in a “clean and orderly manner” to ensure that no littering occur on the vacant southern portion of the site.

PUBLIC/NEIGHBORHOOD NOTIFICATION

- This request was noticed in accordance with the requirements of the Chandler Zoning Code.
- The Police Department has been informed of the application and has not responded with any issues or concerns.
- A neighborhood meeting was held January 6, 2011 at the Snedigar Recreation Center. One neighbor attended in opposition for several reasons, including the existing and potential liquor-selling establishments at this intersection and the proximity of Hamilton High School (approximately 1.2 miles to the north).
- As of this writing, Staff is not aware of any opposition to the request besides that of the neighborhood meeting attendee.

PLANNING COMMISSION VOTE REPORT

Motion to Approve:

In Favor: 6 Opposed: 0

Planning Commission deleted a condition initially recommended by Staff that would have limited the use permit approval to two (2) years, finding that the other conditions and existing city laws adequately address potential concerns regarding litter and loitering. The general lack of neighborhood concern was also cited.

RECOMMENDED ACTION

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

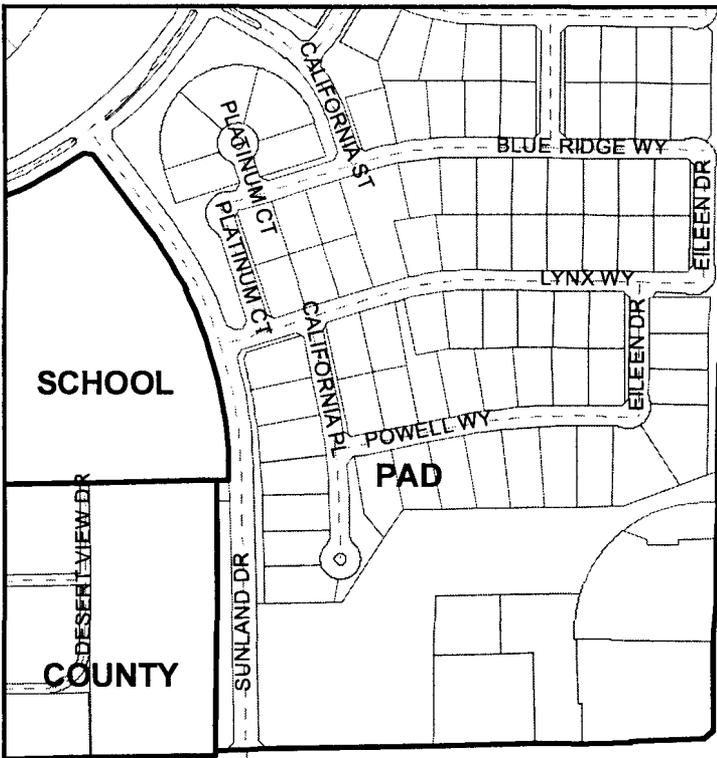
1. The Use Permit granted is for a Series 10 License only, and any change of license shall require reapplication and new Use Permit approval.
2. The Use Permit is non-transferable to any other location.
3. Expansion beyond the approved Floor Plan and Narrative shall void the Use Permit and require new Use Permit application and approval.
4. The site shall be maintained in a clean and orderly manner.

PROPOSED MOTION

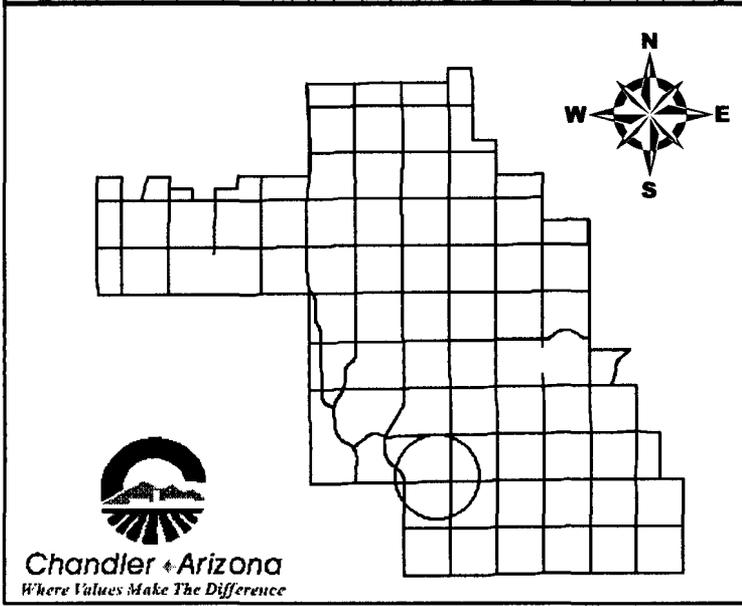
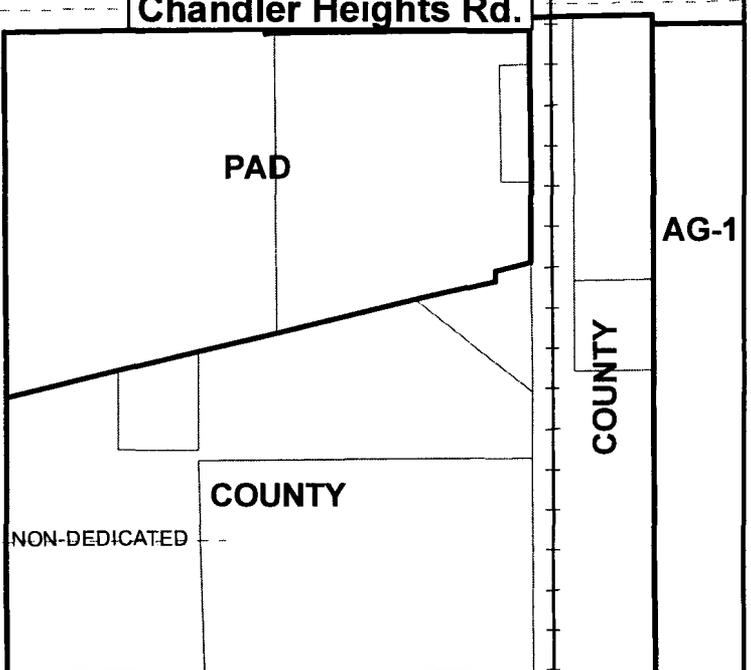
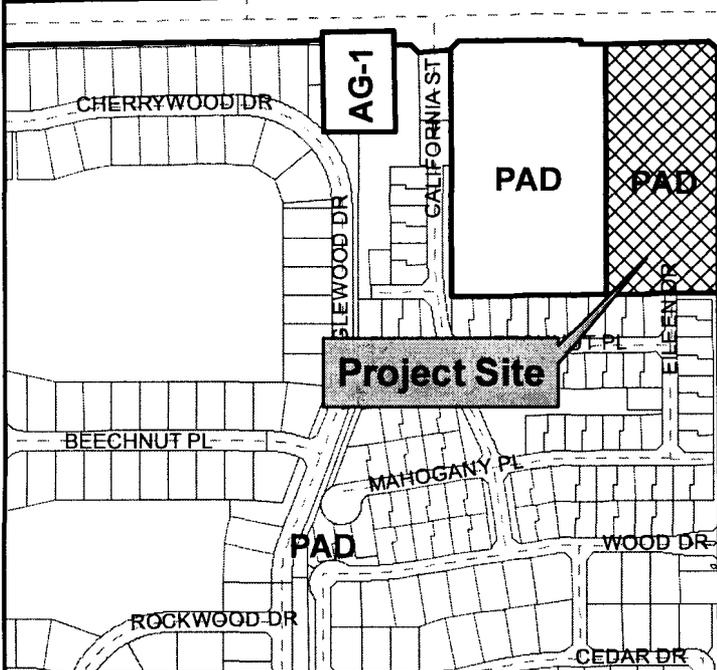
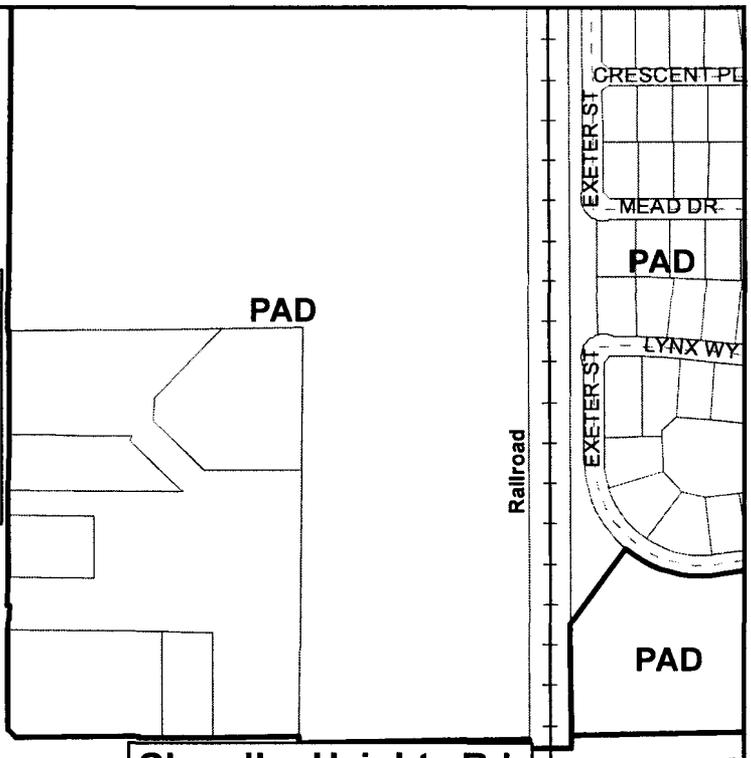
Move to approve LUP10-0042 IRONWOOD COMMERCIAL/ARCO AM-PM Use Permit for liquor sales subject to the conditions recommended by Planning Commission and Staff.

Attachments

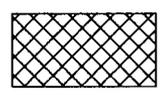
1. Vicinity Maps
2. Narrative
3. Site Plans
4. Floor Plan



Arizona Ave.



Vicinity Map

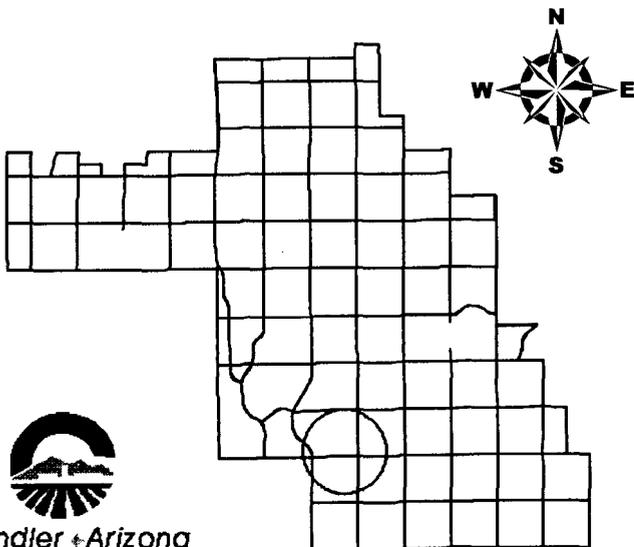


LUP10-0042

**ARCO AM-PM
Liquor Use Permit**



Vicinity Map



LUP10-0042

**ARCO AM-PM
Liquor Use Permitt**



Chandler Arizona
Where Values Make The Difference

CITY OF CHANDLER 11/8/2010

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

12/23/10

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

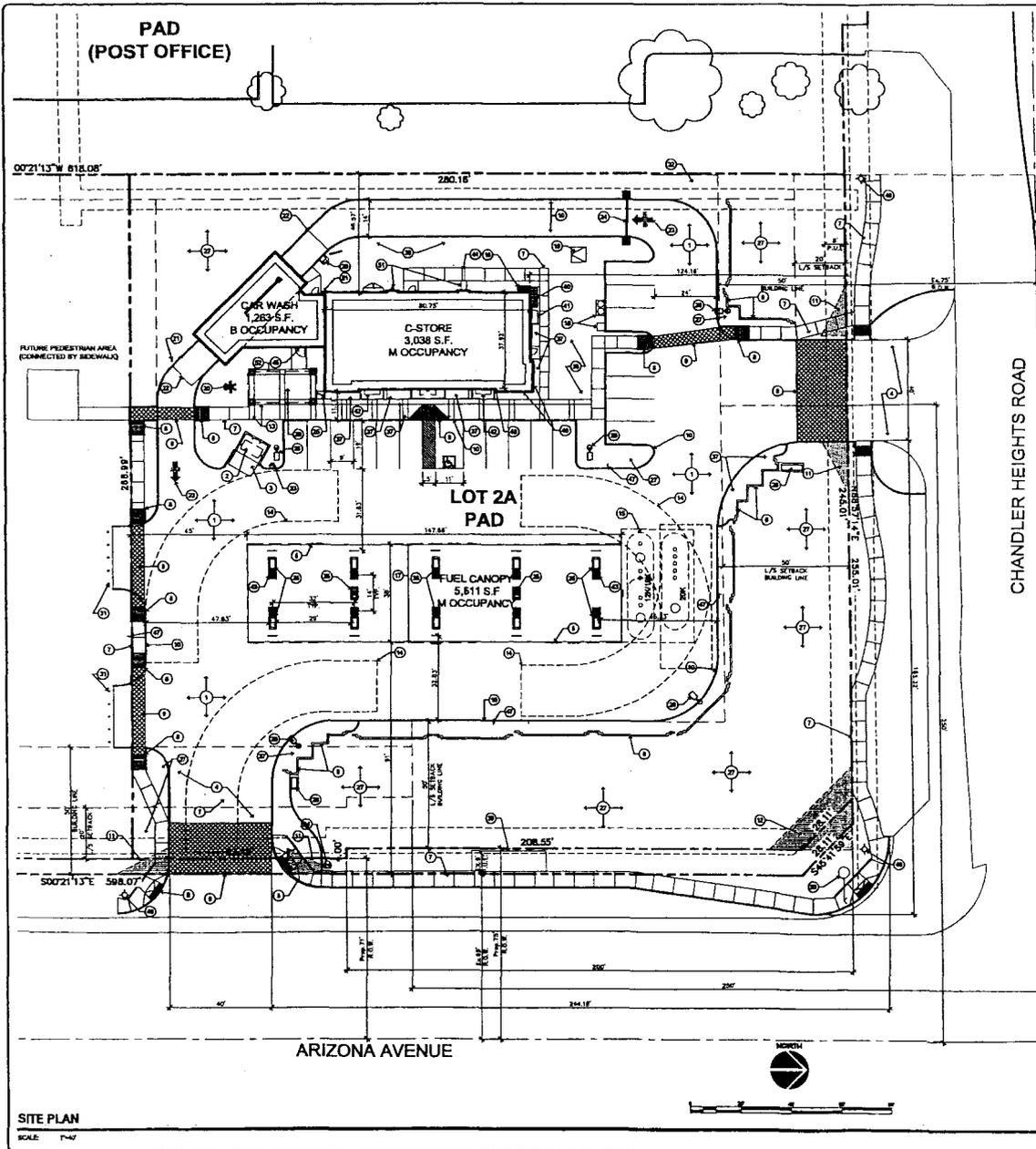
A Series 10 liquor license allows for the sale of beer and wine only, for consumption off-site of the licensed premises. It is considered a "package" beer/wine sales liquor license. As a part of the original Ocotillo Crossing Commercial PAD, this property at the southwest corner of Arizona Avenue and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

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

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

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

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



SITE PLAN
SCALE: 1/4" = 1'-0"

- 1 ASPHALT CONCRETE PAVING - SEE CIVL
- 2 REFURB ENCLASURE PER CITY OF CHANDLER - SEE DETAIL 0A1-2
- 3 1" CONCRETE SLAB AT REFURB APRON - SEE DETAIL 0A1-2
- 4 PROPOSED DRIVEWAY PER MAG STANDARD DETAIL 201
- 5 FUEL CANOPY CONCRETE SLAB
- 6 3" OF MASONRY BORED WALL - SEE DETAIL 3.8 0A1-3
- 7 CONCRETE SIDEWALK (MINIMUM 5" FT) SEE DETAIL 0A1-3
- 8 SIDEWALK RAMP SEE DETAIL 0A1-1
- 9 ALTERNATE PAVING MATERIAL AT PEDESTRIAN CROSSING: BOMANITE CAST IN PLACE, INTEGRAL COLOR (RED CLAY) DECORATIVE CONCRETE PAVING
- 10 IF CONCRETE CURBS
- 11 8" X 12" VERTICAL TRIANGLE (17 x 30)
- 12 8" X 12" VERTICAL TRIANGLE (17 x 30)
- 13 ALTERNATE PAVING MATERIAL AT PEDESTRIAN CROSSING: BOMANITE CAST IN PLACE, INTEGRAL COLOR (RED CLAY) DECORATIVE CONCRETE PAVING
- 14 FINE AND REFURB TRUCK TURNING PAD OF ASPHALT CONCRETE
- 15 UNDERGROUND FUEL TANKS
- 16 FUEL VENT RISERS (PROCESSED)
- 17 FUEL CANOPY OUTLINE ABOVE
- 18 WATER, AIR AND VACUUM STATIONS SEE DETAIL 17 & 18A1-3
- 19 TRANSFORMER PAD
- 20 CARWASH COIN BOX
- 21 CARWASH DRIVER COUNTDOWN
- 22 CONCRETE SLAB AT CARWASH ENTRY AND EXIT SEE DETAIL 0A1-2
- 23 PAINTED TRAFFIC ARROWS - SEE DETAIL 18A1-3
- 24 STEEL HEIGHT CLEARANCE BARR - SEE DETAIL 0A1-3
- 25 BICYCLE RACK - SEE DETAIL 18A1-3
- 26 LIGHT POLES - SEE ELECTRICAL
- 27 LANDSCAPE / RETENTION AREA - SEE CIVL DRAWINGS
- 28 IF TALL MAXIMUM HEIGHT SIGN
- 29 OUTDOOR PEDESTRIAN GATHERING SPACE
- 30 PEDESTRIAN ORIENTED ART
- 31 TEMPORARY BARRICADE PER MAG STD. DETAIL, US TYPE 8
- 32 REMOVE FUTURE ACCESS (E.L.C.)
- 33 RELOCATE FUTURE DEPARTMENT CONNECTION WITH SIGNAGE PER CITY OF CHANDLER DETAIL 1804
- 34 FINE HYDRANT - SEE CIVL
- 35 NEW TWO BORED P.C. LIMIT
- 36 NEW FUEL DISPENSER - TYP.
- 37 GROUND LEVEL PLANTER
- 38 LANDSCAPE AREA
- 39 BUS BAY PAD PER CITY OF CHANDLER STD. DETAIL C-207
- 40 PROPANE DISPLAY BY OTHERS
- 41 ICE PRESSER BY OTHERS
- 42 BENCH HEATING - SEE DETAIL 30A1-3
- 43 HOSE RINSE IN LOCKABLE RECESSED ENCLASURE
- 44 LEAVE OUT IN SIDEWALK W/ STEEL COVER SEE DETAIL 17A1-1
- 45 LOCATION OF FINE RISER ROOM SIGN PER CITY OF CHANDLER DETAIL 1804
- 46 LOCATION OF BUILDING ADDRESS SIGNAGE
- 47 FINE LANE SIGN - SEE DETAIL 30A1-1
- 48 LOCATION OF FINE DEPARTMENT KEY BOX
- 49 PROPOSED STREETLIGHT - SEE STREETLIGHT PLAN
- 50 PROPOSED TRAFFIC SIGNAL POLE - SEE TRAFFIC SIGNAL PLAN
- 51 CONCRETE BUSHING BLOCK
- 52 STER. BRACE CANOPY - SEE SHBT A-1

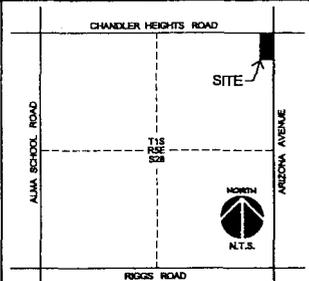
KEY NOTES

LOCATED IN THE NORTHEAST QUARTER OF SECTION 20, TOWNSHIP 1 SOUTH, RANGE 8 EAST OF THE 6TH AND 54TH RIVERS BOUND AND HENRIETTA, MARICOPA COUNTY, ARIZONA AND DESCRIBED AS FOLLOWS:

LOT NO. 34: THE NORTH 25.00 FEET OF LOT 2, COOTYLED CROSSING, ACCORDING TO THE PLAT OF RECORD IN THE OFFICE OF THE COUNTY RECORDER OF MARICOPA COUNTY, ARIZONA, IN BOOK 985, PAGE 47.

LOT NO. 35: THE SOUTH 25.00 FEET OF LOT 2, COOTYLED CROSSING, ACCORDING TO THE PLAT OF RECORD IN THE OFFICE OF THE COUNTY RECORDER OF MARICOPA COUNTY, ARIZONA, IN BOOK 985, PAGE 47.

LEGAL DESCRIPTION



INDEX MAP

SCALE: NTS

| JURISDICTION | CITY OF CHANDLER | PAD - CIVIL | CONCRETE |
|---------------------------|------------------|-------------|----------|
| FARCEL NUMBER(S) | 309-42-803 | | |
| GROSS SITE AREA | 189,784 S.F. | 3.80 AC. | |
| NET SITE AREA UNDEVELOPED | 90,487 S.F. | 2.08 AC. | |
| NET SITE AREA DEVELOPED | 74,799 S.F. | 1.72 AC. | |
| TOTAL BUILDING AREA | 8,912 S.F. | | |
| % OF COVERAGE | 13.25 % | | |

PARKING TOTALS

| REQUIRED | 13 SPACES |
|---|-----------|
| PROVIDED | 18 SPACES |
| *Parking requirement based on Field List: 1 space per 250 S.F. (Exclude Canopies and Fuel Canopy) | |
| ADA ACCESSIBLE REQUIRED @ 1/2% | 1 SPACES |
| PROVIDED | 1 SPACES |

BUILDING DATA

| CONVENIENCE STORE WITH FUEL CANOPY AND CARWASH | |
|--|------------|
| TOTAL GROSS FLOOR AREA | 1,170 S.F. |
| CONVENIENCE STORE | 2,026 S.F. |
| CARWASH | 1,263 S.F. |
| FUEL CANOPY | 8,912 S.F. |

DEVELOPMENT DATA

ALL BUILDINGS (EXCEPT GROUP 1, DIVISION 3 AND GROUP 4 OCCUPANCIES) SHALL BE PROVIDED WITH AN APPROVED AUTOMATIC FIRE SPRINKLER SYSTEM INSTALLED IN ACCORDANCE WITH FIRE CODE, NFPA 13, AND CITY OF CHANDLER FIRE CODE AMENDMENTS.

FIRE PROTECTION SYSTEMS SHALL BE INSTALLED OR MODIFIED BY A CONTRACTOR LICENSED TO PERFORM SUCH WORK BY THE STATE OF ARIZONA, AND WHO ALSO HOLDS A CURRENT VALID PERMIT FROM THE CITY OF CHANDLER FIRE DEPARTMENT TO CONDUCT SUCH WORK WITHIN THE CITY OF CHANDLER.

FIRE DEPARTMENT CONNECTIONS (FDC) FOR FIRE CODE, BUILDING CODE AND NFPA 13 FOR SPRINKLER SYSTEMS SHALL BE 2 AND 1/2" FEMALE BRNVELLS WITH NATIONAL STANDARD THREADED FITS. FDC SHALL BE LOCATED AT THE PRIMARY ENTRANCES TO THE SITE. FIRE HYDRANT AND FDC SHALL BE ON THE SAME SIDE OF THE DRIVE ENTRANCE TO PREVENT OBSTRUCTION. FDC FOR NFPA 130 AND FOR SPRINKLER SYSTEMS SHALL BE SINGLE BRNVELLS WITH 1/2" NATIONAL STANDARD THREADED.

ALL FIRE DEPARTMENT HOSE STATIONS AND STANDPIPE HOSE CONNECTIONS FOR FIRE DEPARTMENT USE SHALL BE 2 AND 1/2" NATIONAL STANDARD THREADED. NO HOSE SHALL BE ATTACHED TO THE FIRE DEPARTMENT HOSE STATIONS.

AUTOMATIC SPRINKLER SYSTEMS SHALL BE SUPERVISED BY AN APPROVED CENTRAL MONITORING OR REMOTE SIGNAL STATION EITHER ON AN ADDRESS SIGNAL, SHALL BE BOUND AT A CONSTANTLY ATTENDED LOCATION WHEN THE NUMBER OF SPRINKLER HEADS IS 20 OR MORE IN GROUP 1, DIVISION 1 OCCUPANCIES OR 100 OR MORE SPRINKLER HEADS IN OTHER OCCUPANCIES.

FIRE DEPARTMENT VEHICLE ACCESS ROADWAYS SHALL BE PROVIDED AND MAINTAINED THROUGHOUT CONSTRUCTION. TEMPORARY ACCESS ROAD SHALL BE A MINIMUM 10' CLEAR WITH WITH A 6" COMPACTED OR GRANULAR, HOT TACKLED ACCESS FIRE ACCESS ROAD. REQUIRED WATER FLOW SHALL BE PROVIDED AND MAINTAINED THROUGHOUT CONSTRUCTION PRIOR TO ANY CONSTRUCTION BEING BROUGHT ON SITE. ALL HYDRANTS SHALL BE APPROVED AND FUNCTIONAL. PERMANENT FIRE VEHICLE ACCESS ROADWAYS SHALL BE 30' CLEAR WITH ALL WEATHER SURFACE.

THE SET OF EXISTING APPROVED ROADWAYS SHALL BE MAINTAINED ON-SITE AND MADE AVAILABLE TO CITY INSPECTORS ON DEMAND.

THE CONTRACTOR SHALL PROVIDE THE CITY INSPECTOR WITH A COPY OF THE "CONTRACTOR'S MATERIAL AND TEST CERTIFICATE FOR MOISTURE GRADUAL PAVEMENT" IN ACCORDANCE WITH NFPA 12, AND THE "CONTRACTOR'S MATERIAL AND TEST CERTIFICATE FOR UNDERGROUND PIPING" IN ACCORDANCE WITH NFPA 34 AND THE "CERTIFICATE OF COMPLIANCE FOR FIRE ALARMS SYSTEMS" IN ACCORDANCE WITH NFPA 72, UPON SUCCESSFUL COMPLETION OF THE SYSTEM TEST AND PRIOR TO CITY ACCEPTANCE OF THE SYSTEM.

FIRE DEPARTMENT GENERAL NOTES

ARCHICON, L.C.
ARCHITECTS & ENGINEERS
4011 NORTH CENTRAL AVENUE
SUITE 1000
PHOENIX, ARIZONA 85018
(602) 258-0200
FAX (602) 293-4080
WWW.ARCHICON.COM

ARCO
N.T.S.
CityPlan

IRONWOOD COMMERCIAL
ARCO AM-PM 2900
5100 ARIZONA AVENUE &
CHANDLER HEIGHTS ROAD
CHANDLER, ARIZONA 85246

| NO. | REVISION | DATE |
|-----|------------------|------------|
| 1 | ISSUE FOR PERMIT | 11/15/2010 |
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SHEET 102
SITE PLAN
PROJECT INFORMATION



A1-0

DATE: 11/15/2010
CITY SUBMITTAL SET

