

# 1ST AMENDED PLANNED AREA DEVELOPMENT OVERLAY FOR APACHE SQUARE

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

## OWNER AUTHORIZATION:

APACHE SOUTH, LLC  
 BY: [Signature] 1-22-2025  
 (SIGNATURE) (DATE)  
 ITS: Morgan  
 (REPRESENTATIVE ROLE)

## OWNER:

APACHE SOUTH LLC  
 13556 N 96TH PL  
 SCOTTSDALE, AZ 85260

## DEVELOPER:

KB DEVCO, LLC  
 13556 N 96TH PL  
 SCOTTSDALE, AZ 85260

## ACKNOWLEDGEMENT:

ON THIS 22nd DAY OF JANUARY, 2025 BEFORE ME, THE UNDERSIGNED, PERSONALLY APPEARED [Signature], WHO ACKNOWLEDGED THEMSELVES TO BE THE PERSON WHOSE NAME IS SUBSCRIBED TO THE INSTRUMENT WITHIN, AND WHO EXECUTED THE FOREGOING INSTRUMENT FOR THE PURPOSES THEREIN CONTAINED.

IN WITNESS WHEREOF; I HEREUNTO SET MY HAND AND OFFICIAL SEAL

BY: [Signature] 9/20/2024  
 (NOTARY PUBLIC) (MY COMMISSION EXPIRES)  


## LEGAL DESCRIPTION

THAT PARCEL OF LAND DESCRIBED IN THE SPECIAL WARRANTY DEED RECORDED IN RECORDING NUMBER 2022-0529345, RECORDS OF MARICOPA COUNTY, ARIZONA, BEING LOCATED IN A PORTION OF THE SOUTHEAST QUARTER OF SECTION 23, TOWNSHIP 1 NORTH, RANGE EAST OF THE GILA AND SALT RIVER BASE AND MERIDIAN, MARICOPA COUNTY, ARIZONA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHEAST CORNER OF SAID SECTION 23, MONUMENTED WITH A BRASS CAP IN HANDHOLE, WHICH BEARS SOUTH 00 DEGREES 07 MINUTES 00 SECONDS EAST 2644.92 FEET FROM THE CALCULATED EAST QUARTER CORNER OF SAID SECTION 23, AS SHOWN ON THE RECORD OF SURVEY RECORDED IN BOOK 1690 OF MAPS, PAGE 49, RECORDS OF MARICOPA COUNTY, ARIZONA;  
 THENCE ALONG THE EAST LINE OF THE SOUTHEAST QUARTER OF SAID SECTION 23, NORTH 00 DEGREES 07 MINUTES 00 SECONDS WEST 2269.92 FEET TO A POINT ON A LINE 375.00 FEET SOUTH OF AND PARALLEL WITH THE NORTH LINE OF THE SOUTHEAST QUARTER OF SAID SECTION 23;  
 THENCE ALONG SAID PARALLEL LINE, SOUTH 89 DEGREES 56 MINUTES 47 SECONDS WEST 55.00 FEET, TO A POINT ON A LINE 55.00 FEET WEST OF AND PARALLEL WITH SAID EAST LINE, SAID POINT BEING MONUMENTED WITH PK NAIL AND WASHER L.S. 31020 AS SHOWN ON SAID RECORD OF SURVEY, SAID POINT ALSO BEING THE POINT OF BEGINNING;  
 THENCE CONTINUING ALONG SAID PARALLEL LINE, SOUTH 89 DEGREES 56 MINUTES 47 SECONDS WEST 275.00 FEET TO THE SOUTHWEST CORNER OF SAID PARCEL OF LAND, SAID POINT BEING ON A LINE 330.00 FEET WEST OF AND PARALLEL WITH SAID EAST LINE, SAID POINT BEING MONUMENTED WITH A PK NAIL AND WASHER L.S. 31020 AS SHOWN ON SAID RECORD OF SURVEY;  
 THENCE ALONG SAID PARALLEL LINE, BEING THE WEST LINE OF SAID PARCEL OF LAND, NORTH 00 DEGREES 07 MINUTES 00 SECONDS WEST 320.00 FEET TO THE NORTHWEST CORNER OF SAID PARCEL OF LAND, SAID POINT BEING ON A LINE 55.00 FEET SOUTH OF AND PARALLEL WITH THE NORTH LINE OF THE SOUTHEAST QUARTER OF SAID SECTION 23;  
 THENCE ALONG THE NORTH LINE OF SAID PARCEL OF LAND THE FOLLOWING 7 COURSES AND DISTANCES;  
 THENCE ALONG SAID PARALLEL LINE, NORTH 89 DEGREES 56 MINUTES 47 SECONDS EAST 10.15 FEET TO THE BEGINNING OF A NON-TANGENT CURVE TO THE RIGHT THE CENTER OF WHICH BEARS SOUTH 02 DEGREES 57 MINUTES 22 SECONDS WEST 4141.50 FEET;  
 THENCE ALONG SAID NON-TANGENT TO THE RIGHT, BEING THE SOUTH RIGHT OF WAY LINE OF APACHE BOULEVARD PER THE JUDGEMENT RECORDED IN THE RECORDING NUMBER 2005-1103801, RECORDS OF MARICOPA COUNTY, ARIZONA, THROUGH A CENTRAL ANGLE OF 02 DEGREES 12 MINUTES 32 SECONDS, AN ARC LENGTH OF 159.66 FEET;  
 THENCE CONTINUING ALONG SAID SOUTH RIGHT OF WAY LINE, SOUTH 00 DEGREES 03 MINUTES 14 SECONDS EAST 1.51 FEET;  
 THENCE CONTINUING ALONG SAID SOUTH RIGHT OF WAY LINE, SOUTH 83 DEGREES 42 MINUTES 52 SECONDS EAST 88.09 FEET;  
 THENCE CONTINUING ALONG SAID SOUTH RIGHT OF WAY LINE, SOUTH 42 DEGREES 13 MINUTES 29 SECONDS EAST 21.23 FEET;  
 THENCE CONTINUING ALONG SAID SOUTH RIGHT OF WAY LINE, SOUTH 00 DEGREES 01 MINUTES 13 SECONDS WEST 3.19 FEET;  
 THENCE CONTINUING ALONG SAID SOUTH RIGHT OF WAY LINE, SOUTH 89 DEGREES 58 MINUTES 47 SECONDS EAST 3.85 FEET TO A POINT ON A LINE 55.00 FEET WEST OF AND PARALLEL WITH THE EAST LINE OF THE SOUTHEAST QUARTER OF SAID SECTION 23;  
 THENCE ALONG SAID PARALLEL LINE, BEING THE EAST LINE OF SAID PARCEL OF LAND, SOUTH 00 DEGREES 07 MINUTES 00 SECONDS EAST 278.38 FEET TO THE POINT OF BEGINNING.  
 COMPRISING 1.952 ACRES OR 85,015 SQUARE FEET, SUBJECT TO ALL EASEMENTS OF RECORD.

## APPROVAL:

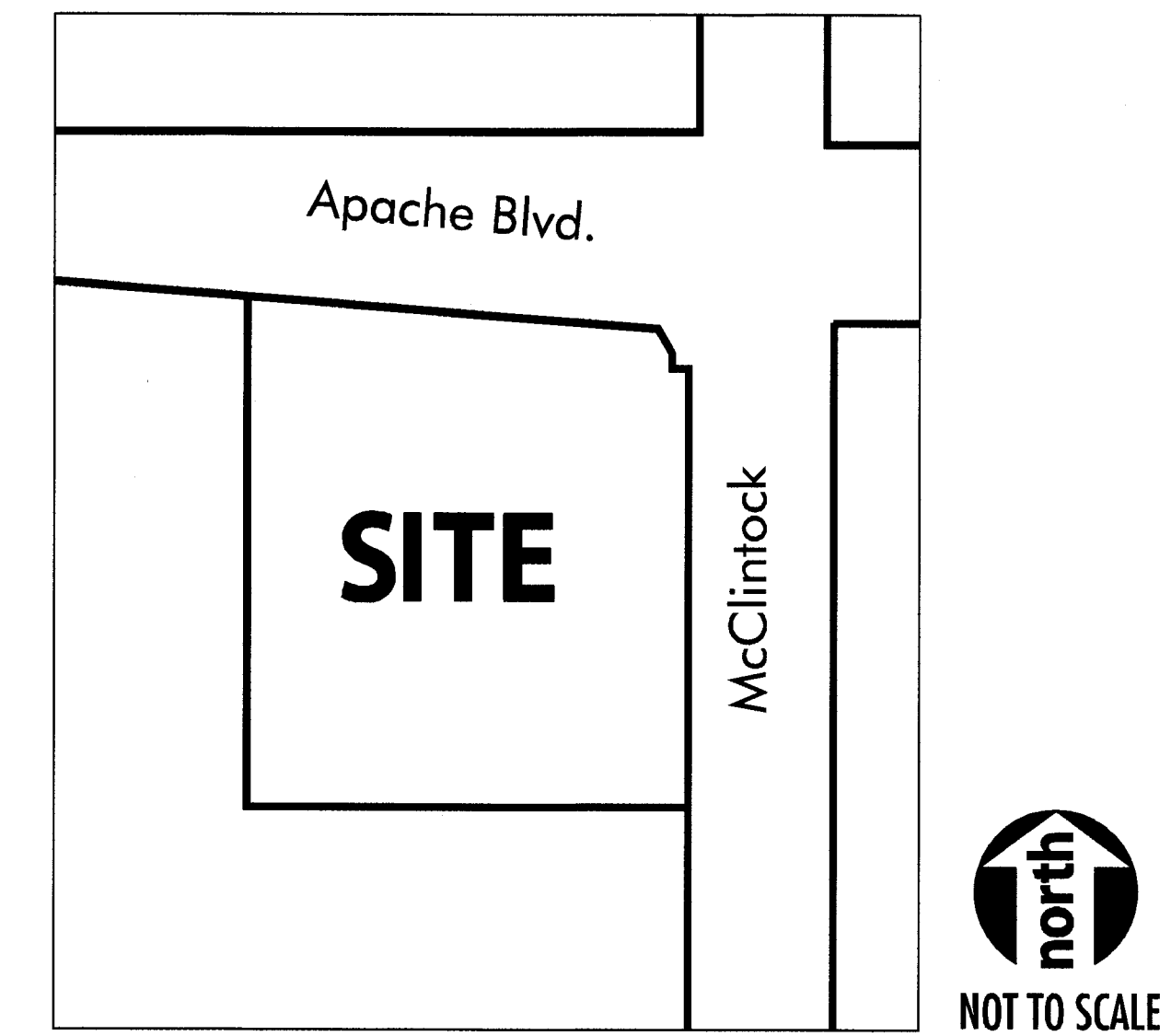
APPROVED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF TEMPE ON THIS 19TH DAY OF DECEMBER, 2024.

## PROJECT DATA

DEVELOPMENT STANDARDS	MU-4 TOD PAD PROVIDED
GENERAL PLAN LAND USE	MIXED-USE
GENERAL PLAN DENSITY	HIGH DENSITY - URBAN CORE (MORE THAN 65 DU/AC)
SITE AREA	85,015 SF / 1.95 AC
DENSITY	139 DU/AC
DWELLING QUANTITY	272
BEDROOM QUANTITY	363
BUILDING HEIGHT	92'-0"
BUILDING LOT COVERAGE	85%
LANDSCAPE AREA	26.83% (22,808 SF)
	GROUND LEVEL: 5% (4,250 SF)
	4TH FLOOR: 20.33% (17,283 SF)
	ROOFTOP: 1.5% (1,275 SF)
BUILDING SETBACKS	
FRONT ( APACHE BLVD.)	0'-0" MIN/20' MAX <sup>1</sup> (20' PARKING)
STREET SIDE ( McCLINTOCK DR.)	0'-0" MIN/20' MAX <sup>1</sup> (20' PARKING)
SIDE (WEST)	14'-0"
SIDE (SOUTH)	5'-0"
VEHICLE PARKING QUANTITY	353
BICYCLE PARKING QUANTITY	274
USES	
RETAIL/RESTAURANT/OFFICE	3,915 GSF / 3,775 NSF
RESTAURANT (OUTDOOR)	1,300 SF
MULTI-FAMILY RESIDENTIAL	194,154 GSF / 184,927 NSF
LIVE-WORK UNITS (OFFICE)	810 GSF / 753 NSF
AMENITY - CLUB ROOM/FITNESS	2,200 GSF / 2,124 NSF
LEASING OFFICE	1,900 GSF / 1,854 NSF
TOTAL SQUARE FOOTAGE	204,279 GSF / 184,927 NSF

1. MAX SETBACK APPLICABLE TO 50% OF GROUND FLOOR STREET FACING FACADE PURSUANT TO ZDC SECTION 5-612.D.1

## SITE VICINITY MAP:



## PREVIOUS APPROVAL:

PAD230007 APPROVED BY CITY COUNCIL / ON SEPTEMBER 28, 2023

## CONDITIONS OF APPROVAL: PAD230023

1. BUILDING PERMIT APPLICATION SHALL BE MADE WITHIN TWO YEARS OF THE DATE OF CITY COUNCIL APPROVAL, OR THE ZONING OF THE PROPERTY MAY REVERT TO THAT IN PLACE AT THE TIME OF APPLICATION. ANY REVERSION IS SUBJECT TO A PUBLIC HEARING PROCESS AS A ZONING MAP AMENDMENT.
2. THE PROPERTY OWNER(S) SHALL SIGN A WAIVER OF RIGHTS AND REMEDIES FORM. BY SIGNING THE FORM, THE OWNER(S) VOLUNTARILY WAIVE(S) ANY RIGHT TO CLAIM COMPENSATION FOR DIMINUTION OF PROPERTY VALUE UNDER A.R.S. §12-1134 THAT MAY NOW OR IN THE FUTURE EXIST, AS A RESULT OF THE CITY'S APPROVAL OF THIS APPLICATION, INCLUDING ANY CONDITIONS, STIPULATIONS AND/OR MODIFICATIONS IMPOSED AS A CONDITION OF APPROVAL. THE SIGNED FORM SHALL BE SUBMITTED TO THE COMMUNITY DEVELOPMENT DEPARTMENT NO LATER THAN 30 DAYS FROM THE DATE OF CITY COUNCIL APPROVAL, OR THE GENERAL PLAN AMENDMENT, ZONING MAP AMENDMENT, AND PLANNED AREA DEVELOPMENT OVERLAY APPROVAL SHALL BE NULL AND VOID.
3. THE 1ST AMENDED PLANNED AREA DEVELOPMENT OVERLAY FOR APACHE SQUARE SHALL BE PUT INTO PROPER ENGINEERED FORMAT WITH APPROPRIATE SIGNATURE BLANKS AND KEPT ON FILE WITH THE CITY OF TEMPE'S COMMUNITY DEVELOPMENT DEPARTMENT WITHIN 180 DAYS OF THE DATE OF CITY COUNCIL APPROVAL AND PRIOR TO ISSUANCE OF BUILDING PERMITS. THE 1ST AMENDED PLANNED AREA DEVELOPMENT OVERLAY SHALL BE UPDATED TO ACCOUNT FOR DEVELOPMENT PLAN REVIEW CONDITION OF APPROVAL #2.

## GENERAL NOTE:

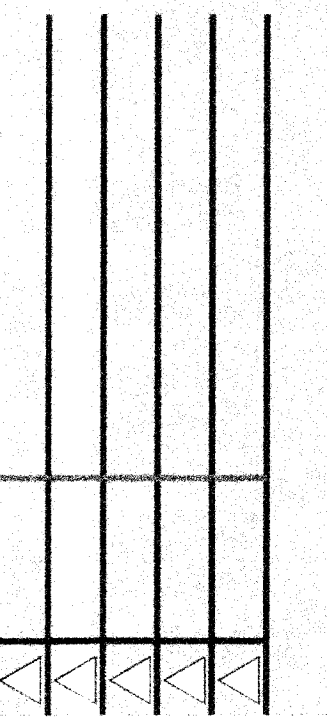
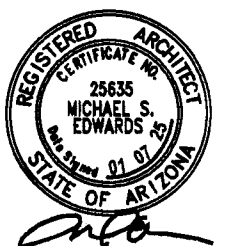
ZUP230015 - APPROVED AUGUST 22, 2023  
 USE PERMIT TO REDUCE THE REQUIRED 60% GROUND FLOOR USE REQUIREMENT OF SECTION 5-606(C) GROUND FLOOR USES IN STATION AREAS (ALONG McCLINTOCK DRIVE ONLY).

ADM240021 - APPROVED AUGUST 30, 2024  
 TIME EXTENSION FOR ZUP230015

REC23174

PAD230023

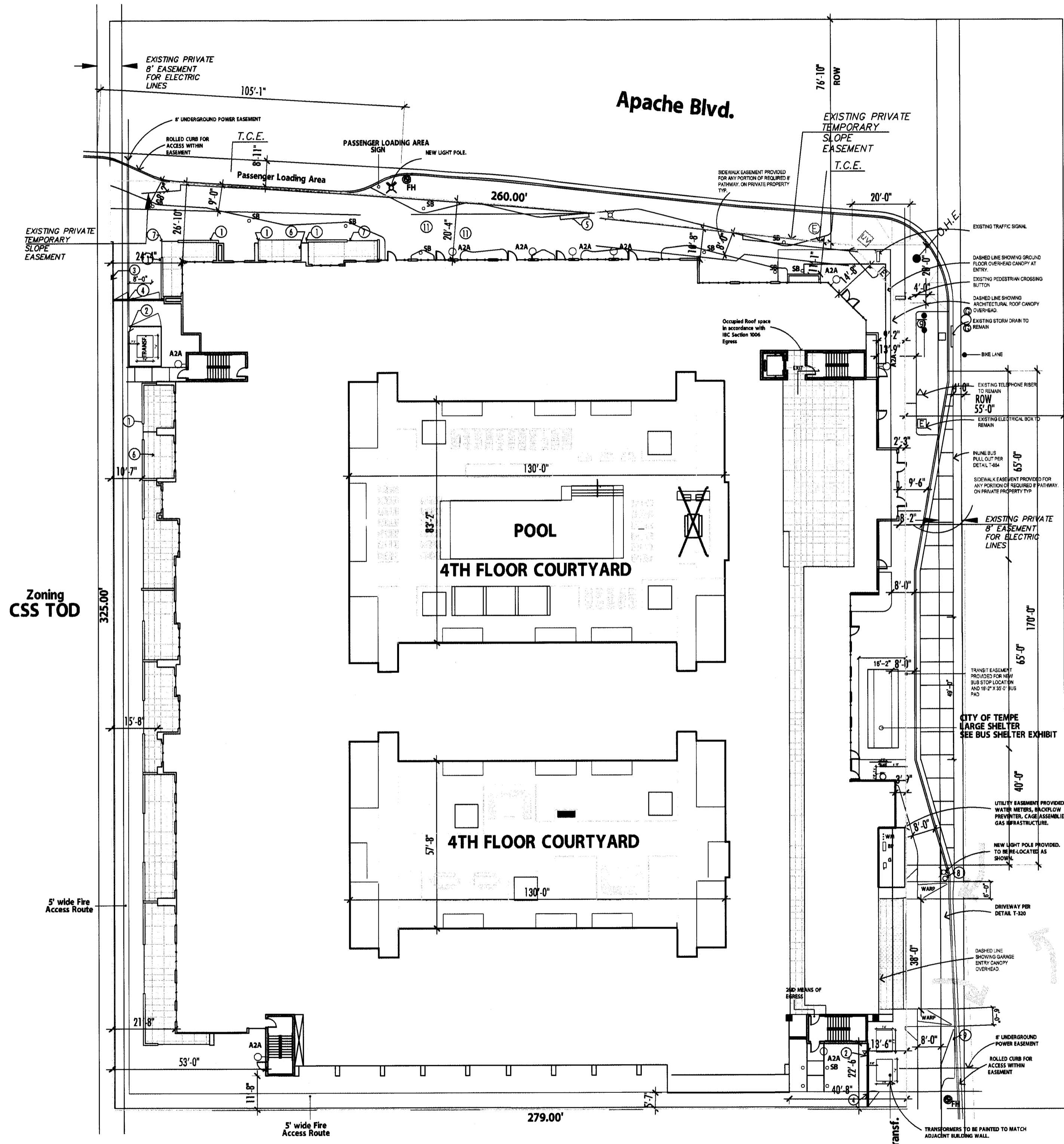
DS221379



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 DRAWN BY \_\_\_\_\_  
 CHECKED BY \_\_\_\_\_  
 PROJECT NO. \_\_\_\_\_  
 CADD FILE \_\_\_\_\_

PAD-01

# 1ST AMENDED PLANNED AREA DEVELOPMENT OVERLAY FOR APACHE SQUARE SITE PLAN



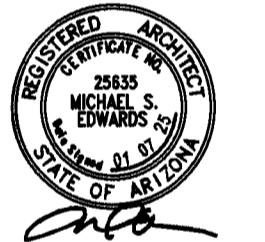
N.T.S.

DEVELOPMENT STANDARDS	EXISTING MU-4 PAD TOD (STATION AREA)	PROPOSED MU-4 PAD TOD (STATION AREA)
GENERAL PLAN LAND USE	MIXED-USE	MIXED-USE
GENERAL PLAN DENSITY	HIGH DENSITY - URBAN CORE (> 65 DU/AC)	HIGH DENSITY - URBAN CORE (MORE THAN 65 DU/AC)
SITE AREA	85,015 SF / 1.95 AC	85,015 SF / 1.95 AC
DENSITY	86.00 DU/AC	139 DU/AC
DWELLING QUANTITY	167 UNITS	272 UNITS
BEDROOMS	227	363
BUILDING HEIGHT	70'-0"	92'-0"
BUILDING LOT COVERAGE	85%	85%
SITE LANDSCAPE COVERAGE	15%	26.83% (22,808 SF)
		GROUND LEVEL: 5% (4,250 SF)
		4TH FLOOR: 20.33% (17,283 SF)
		ROOFTOP: 1.5% (1,275 SF)
BUILDING SETBACKS		
FRONT ( APACHE BLVD.)	0'-0" MIN/20' MAX' (20' PARKING)	0'-0" MIN/20' MAX' (20' PARKING)
SIDE STREET ( McCLINTOCK DR.)	0'-0" MIN/20' MAX' (20' PARKING)	0'-0" MIN/20' MAX' (20' PARKING)
SIDE (WEST)	14'-0"	14'-0"
REAR (SOUTH)	14'-0"	5'-0"
VEHICLE PARKING QUANTITY	353	353
STUDIO	74.25 (99 UNITS X .75/BEDROOM)	
1-BED UNIT	72.00 (96 UNITS, INC. 2 L/W X .75/BEDROOM)	
2-BED UNIT	94.50 (63 UNITS X .75/BEDROOM)	
3-BED UNIT	31.50 (14 UNITS .75/BEDROOM)	
GUEST	54.40 (272 UNITS X .2/UNIT)	
RETAIL/RESTAURANT/OFFICE (3,775 SF)	25.16 SPACES (1/75 50% OF FLOOR AREA WAIVED)	
RETAIL/RESTAURANT (OUTDOOR) (1,300 SF)	0 SPACES (NO STANDARD)	
LIVE WORK UNITS (OFFICE AREA) (753 SF)	1.26 SPACES (1/300) - (50% OF FLOOR AREA WAIVED)	
BICYCLE PARKING QUANTITY	274	274
STUDIO	74.25 (99 UNITS X .75/UNIT)	
1-BED UNIT	72.00 (96 UNITS, INC. 2 L/W X .75/UNIT)	
2-BED UNIT	47.25 ( 63 UNITS X .75/UNIT)	
3-BED UNIT	14 (14 X 1/UNIT)	
GUEST	54.40 (272 UNITS X .2/UNIT)	
RETAIL/RESTAURANT/OFFICE (3,775 SF)	7.55 SPACES (1/500)	
RETAIL/ RESTAURANT (OUTDOOR) (1,300 SF)	.5 (EXCLUDE FIRST 300SF 1/2,000 SF)	
LIVE WORK UNITS (OFFICE AREA) (753 SF)	4 SPACES (1/8,000 SF, 4 MIN)	
USES		
RETAIL/RESTAURANT/OFFICE		3,915 GSF / 3,775 NSF
RESTAURANT (OUTDOOR)		1,300 SF
MULTI-FAMILY RESIDENTIAL		194,154 GSF / 184,927 NSF
LIVE-WORK UNITS (OFFICE)		810 GSF / 753 NSF
AMENITY - CLUB ROOM/FITNESS		2,200 GSF / 2,124 NSF
LEASING OFFICE		1,900 GSF / 1,854 NSF
TOTAL SQUARE FOOTAGE		204,279 GSF / 184,927 NSF

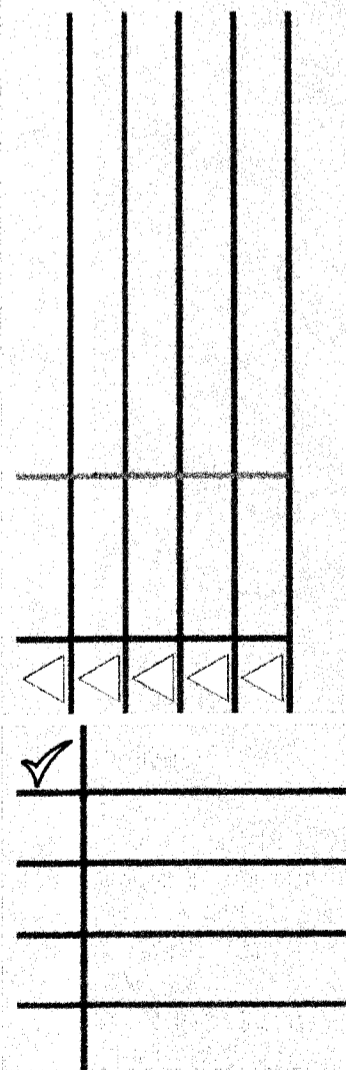
1. MAX SETBACK APPLICABLE TO 50% OF GROUND FLOOR STREET FACING FACADE PURSUANT TO ZDC SECTION 5-612.D.1

REC23174

PAD230023



DS221379



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PAD-02