

# A GENERAL PLAN AREA DEVELOPMENT

FOR  
(Apache Park Development)  
WITH  
FINAL PLANNED AREA DEVELOPMENT FOR PARCEL 1,  
PHASE 1 (RETAIL/OFFICE)

**n/d/a**  
nagaki design associates  
ARBOR COURT  
5125 North 16th Street, Suite A-111  
Phoenix, Arizona 85016  
602-604-8886 602-604-8965 fax

Sec. 23, Tn. 1 North, Range 4 East of the Gila, and Salt River Base, and Meridian

## LEGAL DESCRIPTION

(PARCEL 1)

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, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE CENTER OF SAID SECTION 23, THENCE NORTH 00°00'00" WEST, ALONG THE WEST LINE OF THE NORTHEAST QUARTER OF SAID SECTION 23, A DISTANCE OF 300.00 FEET;  
THENCE NORTH 88°00'00" EAST, 30 FEET TO A POINT ON THE EAST RIGHT-OF-WAY LINE OF DORSEY LANE AND THE POINT OF BEGINNING;  
THENCE CONTINUING NORTH 88°00'00" EAST, PARALLEL WITH THE SOUTH LINE OF THE NORTHEAST QUARTER OF SAID SECTION 23, A DISTANCE OF 210.23 FEET;  
THENCE SOUTH 00°00'00" WEST, 145.01 FEET;  
THENCE SOUTH 88°00'00" WEST, PARALLEL TO THE LAST SAID SOUTH LINE, A DISTANCE OF 48.00 FEET;  
THENCE SOUTH 88°00'00" WEST, A DISTANCE OF 18.51 FEET;  
THENCE SOUTH 88°00'00" WEST, PARALLEL TO THE LAST SAID SOUTH LINE, A DISTANCE OF 144.50 FEET TO A POINT ON THE EAST RIGHT-OF-WAY LINE OF DORSEY LANE;  
THENCE NORTH 00°00'00" WEST, ALONG THE LAST SAID EAST RIGHT-OF-WAY LINE, A DISTANCE OF 153.70 FEET TO THE POINT OF BEGINNING.

(PARCEL 2)

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, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE CENTER OF SAID SECTION 23, THENCE NORTH 89°30'00" EAST, ALONG THE SOUTH LINE OF THE NORTHEAST QUARTER OF SAID SECTION 23, A DISTANCE OF 174.50 FEET; THENCE NORTH 00°00'00" WEST, A DISTANCE OF 50.00 FEET TO A POINT ON THE NORTH RIGHT-OF-WAY LINE OF APACHE TRAIL AND THE POINT OF BEGINNING; THENCE SOUTH 88°00'00" WEST, ALONG SAID NORTH RIGHT-OF-WAY LINE, A DISTANCE OF 124.50 FEET; THENCE NORTH 45°00'15" WEST, A DISTANCE OF 28.28 FEET TO A POINT ON THE EAST RIGHT-OF-WAY LINE OF DORSEY LANE; THENCE NORTH 00°00'00" WEST, ALONG SAID EAST RIGHT-OF-WAY LINE, A DISTANCE OF 159.30 FEET; THENCE NORTH 88°00'00" EAST, PARALLEL WITH THE SOUTH LINE OF THE NORTHEAST QUARTER OF SAID SECTION 23, A DISTANCE OF 144.50 FEET; THENCE SOUTH 00°00'00" EAST, PARALLEL WITH THE WEST LINE OF THE NORTHEAST QUARTER OF SAID SECTION 23, A DISTANCE OF 146.30 FEET TO THE POINT OF BEGINNING.

(PARCEL 3)

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, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

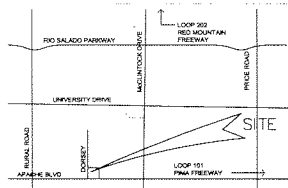
COMMENCING AT THE CENTER OF SAID SECTION 23, THENCE NORTH 88°00'00" EAST, ALONG THE SOUTH LINE OF THE NORTHEAST QUARTER OF SAID SECTION 23, A DISTANCE OF 347.87 FEET;  
THENCE NORTH 00°00'00" EAST, 50 FEET TO A POINT ON THE NORTH RIGHT-OF-WAY LINE OF APACHE BOULEVARD AND THE POINT OF BEGINNING;  
THENCE SOUTH 88°00'00" WEST, ALONG SAID SOUTH LINE OF THE NORTHEAST QUARTER, A DISTANCE OF 173.85 FEET;  
THENCE NORTH 00°00'00" WEST, PARALLEL WITH THE WEST LINE OF THE NORTHEAST QUARTER OF SAID SECTION 23, A DISTANCE OF 146.30 FEET;  
THENCE NORTH 88°00'00" EAST, A DISTANCE OF 18.51 FEET;  
THENCE NORTH 88°00'00" EAST, PARALLEL WITH SAID SOUTH LINE OF THE NORTHEAST QUARTER, A DISTANCE OF 159.00 FEET;  
THENCE SOUTH 00°00'00" WEST, 153.00 FEET TO THE POINT OF BEGINNING.

(PARCEL 4)

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, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE CENTER OF SAID SECTION 23, THENCE NORTH 00°00'00" WEST, ALONG THE WEST LINE OF THE NORTHEAST QUARTER OF SAID SECTION 23, A DISTANCE OF 300.00 FEET;  
THENCE CONTINUING NORTH 88°00'00" EAST, PARALLEL WITH THE SOUTH LINE OF THE NORTHEAST QUARTER OF SAID SECTION 23, A DISTANCE OF 210.23 FEET TO THE POINT OF BEGINNING;  
THENCE CONTINUING NORTH 88°00'00" EAST, ALONG SAID PARALLEL LINE, A DISTANCE OF 111.00 FEET; THENCE SOUTH 00°00'00" WEST, A DISTANCE OF 145.01 FEET;  
THENCE SOUTH 88°00'00" WEST, PARALLEL WITH THE SOUTH LINE OF THE NORTHEAST QUARTER OF SAID SECTION 23, A DISTANCE OF 111.00 FEET; THENCE NORTH 00°00'00" EAST, A DISTANCE OF 145.01 FEET TO THE POINT OF BEGINNING.

## VICINITY MAP



## DEVELOPMENT PROGRAM

OWNER: APACHE PARK DEVELOPMENT, L.L.C.  
738 S. PERRY LANE, TEMPE, ARIZONA  
85281-1210

ADDRESS: 1310 EAST APACHE BOULEVARD  
TEMPE, ARIZONA

ZONING: C-2

OCCUPANCY GROUP: A - (RESTAURANT), B - (OFFICE), M - (RETAIL), S-3 - (CAR WASH)

SITE AREA (GROSS): ± 212,632 S.F. (± 4.88 ACRES)  
SITE AREA (NET): ± 98,070.6 S.F. (± 2.25 ACRES)

BUILDING AREA: 18,470 S.F. (10,140 S.F. + 4,800 S.F. + 3,530 S.F.)

BUILDING COVERAGE: ± 17.5% (17,190 S.F. / 98,070.6 S.F.)

LANDSCAPE ON SITE: 30,238.8 S.F. (30,238.8/98,070.6 S.F. = ± 30.8%)

PARKING REQUIRED: 97 SPACES

PARKING PROVIDED: 111 SPACES

BUILDING CODE: UNIFORM BUILDING CODE, 1994 AND TEMPE AMENDMENTS  
NEC 1993  
UPC 1991  
UMC 1991  
UFC 1988

FIRE PROTECTION: BUILDING FIRE PROTECTION SYSTEMS TO BE PROVIDED PER NFPA #13 AND C.O. TEMPE, AS TO BE PROVIDED.

PARCEL 1: - PHASE 1  
SITE AREA (NET): 31,996.9 S.F. (± 7.3 ACRES)

BUILDING AREA: 8,860 S.F.  
BUILDING: (1ST) 1,280 S.F.  
(2ND) 10,140 S.F.

BUILDING COVERAGE: ± 27.7% (8,860 S.F. / 31,996.9 S.F.)

LANDSCAPE ON SITE: 8,778.9 S.F. (27.4%)

PARKING REQ'D: 41 SPACES (10,140 S.F. / 250)

PARKING PROVIDED: 41 SPACES

PARCEL 2: - PHASE 2  
SITE AREA (NET): 20,399.7 S.F. (± 4.7 ACRES)

BUILDING AREA: 4,800 S.F.

BUILDING COVERAGE: ± 23.5%

LANDSCAPE ON SITE: 8,140.9 S.F. (28.8%)

PARKING REQ'D: 42 SPACES (2,400 S.F. / 75 + 2,400 S.F. / 250)

PARKING PROVIDED: 18 SPACES

PARCEL 3: - PHASE 3  
SITE AREA (NET): ± 28,275.8 S.F. (± 65 ACRES)

BUILDING AREA: 3,530 S.F.

BUILDING COVERAGE: ± 12.5%

LANDSCAPE ON SITE: ± 8,140.9 S.F. (28.8%)

PARKING REQ'D: 14 SPACES (3,350 S.F. / 250)

PARKING PROVIDED: 14

PARCEL 4: PHASE 2  
SITE AREA (NET): ± 17,403.5 S.F.

BUILDING AREA: 0

BUILDING COVERAGE: 0

LANDSCAPE ON SITE: 4,349.9 S.F. (51%)

PARKING REQ'D: 0 SPACES

PARKING PROVIDED: 38 SPACES

## PROPOSED USE PERMIT AND VARIANCES

APACHE PARK DEVELOPMENT  
USE PERMIT:  
ALLOWED GENERAL OFFICE, RETAIL, RESTAURANT (WITHOUT ENTERTAINMENT) AND A CAR WASH IN THE C-2 DISTRICT

EXPLANATION:  
THE PROPOSED USES FOR THE SITE ARE COMMERCIAL BASED AND PROVIDE SERVICES WHICH ARE CURRENTLY NOT BEING PROVIDED AND/OR ARE COMPATIBLE WITH THE SURROUNDING BUSINESS. THESE USES CREATE NO UNUSUAL AMOUNT OF TRAFFIC AND WILL CREATE POSSIBLE ENERGY IN THIS REDEVELOPMENT DISTRICT. BEING A PART OF A REDEVELOPMENT DISTRICT, THIS DEVELOPMENT IS CONSISTENT WITH THE IDEALS OF BRING VIBRANT AND SUCCESSFUL NEW BUSINESS TO THE BOULEVARD.

VARIANCES:  
A. TO WAIVE THE REQUIRED BUILDING SETBACK FROM 10' TO 5' IN PHASES 2 & 3 ALONG THE STREET FRONTS OF APACHE BOULEVARD AND DORSEY AVE.  
UNIVERSITY.  
B. TO ALLOW REQUIRED PARKING FOR PHASE 2, PARCEL 2 TO BE PROVIDED ON A NON CONTIGUOUS SITE.

EXPLANATION:  
THESE TWO VARIANCES ARISE FROM FACILITATING THE CITY'S DESIRE TO CREATE A PEDESTRIAN ENVIRONMENT ON THE BOULEVARD. THIS CAN BE ACHIEVED BY PLACING THE BUILDINGS ADJACENT TO THE STREET WITH THE REGULAR TRAFFIC IN THE REAR. TO ACCOMPLISH THIS GOAL, IT WAS NECESSARY TO PLACE THE BUILDINGS JUST BEHIND THE EXISTING SIDEWALKS AND THUS THE REQUEST FOR SET BACK REDUCTION. IN ORDER THAT AND ALSO TRYING TO MAINTAIN THE ALIGNMENT OF THE ACCESS DRIVE OFF OF APACHE WITH CEDAR. THE CORNER PAD WAS LIMITED IN ITS SIZE. TRYING TO CREATE A STANDARD BUILDING CONFIGURATION WITH THE TYPES OF USES THAT THE CITY DESIRES FOR THIS LOCATION. (SOME OF THE REQUIRED PARKING HAD TO BE PLACED ON ANOTHER PHASE. EVEN THOUGH THE SITE ON WHICH THIS PARKING IS PROVIDED IS VERY CLOSE, IN STRICT INTERPRETATION IT IS NOT CONTIGUOUS AND THUS THE SECOND REQUEST TO ALLOW PARKING ON A NON CONTIGUOUS SITE.

## CONDITIONS OF APPROVAL

- 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.
  - Off-site improvements to bring roadways to current standards include:
    - Water lines and fire hydrants
    - Sewer lines
    - Storm drains
    - Roadway improvements including street lights, curb, gutter, bike paths, sidewalk, bus shelter, and related amenities.
  - Fees to be paid with the development of this project include:
    - Water and sewer development fees.
    - Water and or sewer participation charges.
    - Inspection and testing fees.
    - All applicable off-site plans shall be approved prior to recordation of Final Subdivision Plat.
- All street dedications shall be made within six (6) months of Council approval.
  - Public improvements must be installed prior to the issuance of any occupancy permits. Any phasing shall be approved by the Public Works Department.
  - 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.
- The approval of C&R's in a form acceptable to the City Attorney and the Development Services Director must take place prior to the issuance of Certificate of Occupancy. These C&R's should provide that a single entity will ultimately be responsible for the maintaining all landscaping, both required by Ordinance and in the construction plan on site, according to the landscape plan approved by the City, and that such provision may not be amended without prior approval by the City Attorney and the Development Services Director.
- No variances may be created by future property lines without the prior approval of the City of Tempe.
- A valid building permit shall be obtained and substantial construction commenced within one year of the date of Council approval or the variance(s) and use permit(s) shall be deemed null and void.
- The P.A.D. cover sheet shall be modified to revise title block and reflect bicycle parking calculations requirement and provisions for each parcel, prior to recordation.
- This plan 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.
- The developer shall provide the City with satisfactory evidence of cross access onto adjacent property to the east, prior to the issuance of a building permit.
- A Final Subdivision Plat and Final PAD for Phase One and any future phases must be approved by the City Council and recorded prior to the issuance of construction permits for this project.
- \*The Phase One project shall adhere to all Design Review Board conditions of 6/2/99.
- The applicant shall resolve all lighting and security details with the Police Department prior to the issuance of a building permit.
- The PAD document shall be revised to include conditions for this action prior to recordation.
- All future phases must receive Design Review Board and Final Planned Area Development approval and be recorded prior to issuance of permits for such phases.

\* Condition #10 modified between 1st and 2nd hearing as a result of DRB action on 6/2/99.

## OWNER AND CONSULTANTS

OWNER:  
Apache Park Development, L.L.C.  
738 S. Perry Lane  
Tempe, Arizona 85281  
TEL: (602) 966-1210  
FAX: (602) 966-2066

ARCHITECTS:  
Nagaki Design Associates, Inc.  
9125 North 16th Street, Suite A-111  
Phoenix, Arizona 85016  
TEL: (602) 966-8886  
FAX: (602) 966-8965  
CONTACT: Larry Nagaki

LANDSCAPE:  
McDonough Group  
6205 East Thomas Road  
Scottsdale, Arizona 85251  
TEL: (602) 966-8464  
FAX: (602) 966-1580  
CONTACT: Tim McDonough

CIVIL:  
Allen Consulting Engineers  
177 W. Juana, Suite 212  
Mesa, Arizona 85210  
TEL: (602) 844-1966  
FAX: (602) 464-5711  
CONTACT: Gary Allen

STATEMENT OF OWNER:  
THIS IS TO CERTIFY THAT WE HAVE REVIEWED THIS PLAN AND HEREBY APPROVE THE DEVELOPMENT AS SHOWN.

SIGNED THIS 31 DAY OF January 2000

OWNER:  
Apache Park Development, L.L.C., a Arizona Limited Liability Corporation

BY: Sam Hanna  
Sam Hanna

ITS: Pres.

## ACKNOWLEDGMENTS

STATE OF ARIZONA )  
COUNTY OF MARICOPA ) SS

ON THIS 31 DAY OF January 2000  
BEFORE ME, THE UNDERSIGNED OFFICER, PERSONALLY APPEARED  
WHO ACKNOWLEDGED HIMSELF TO BE OF  
A COOPERATION, AS OWNER AND ACKNOWLEDGED THAT HE, AS  
SUCH OFFICER, BEING AUTHORIZED SO TO DO, EXECUTED THE FOREGOING  
INSTRUMENT FOR THE PURPOSES THEREIN CONTAINED.

IN WITNESS WHEREOF, I HERETO SET MY HAND AND OFFICIAL SEAL  
BY: Gregory L. Allen  
MY COMMISSION EXPIRES: May 21, 2003

## CERTIFICATION

I, Gregory L. Allen, HEREBY CERTIFY THAT I AM A  
REGISTERED LAND SURVEYOR IN THE STATE OF ARIZONA, THAT THESE  
LEGAL DESCRIPTIONS WERE PERFORMED  
UNDER MY SUPERVISION DURING THE MONTH OF February 2000  
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 RE-TRACED.

Gregory L. Allen  
REGISTERED LAND SURVEYOR  
ARIZONA REGISTRATION NO. 16097

MUNICIPAL APPROVAL:  
APPROVED BY THE MAYOR AND CITY COUNCIL  
OF THE CITY OF TEMPE, ARIZONA, THIS  
15th DAY OF January 1999.

BY: Ray G. Williams 3/22/00  
MAYOR DATE

BY: Ray G. Williams 3/22/00  
CITY CLERK DATE

BY: Gregory L. Allen 3/22/00  
CITY ENGINEER DATE

BY: Gregory L. Allen 3/22/00  
DEVELOPMENT SERVICES DIRECTOR DATE



BOOK 528 PAGE 31  
OFFICIAL RECORDS OF  
MARICOPA COUNTY RECORDER  
HELEN PURCELL

00-0238882  
03/30/00 01:38

APACHE  
PARK  
DEVELOPMENT

1310 East Apache Blvd.  
Tempe, Arizona

Project Number: 99003.01  
CONSTRUCTION ISSUE  
Issued Package/Date

General Plan of Development 02/23/99

Cover

nda

nagaki design associates  
ARBOR COURT  
5125 North 16th Street, Suite A-111  
Phoenix, Arizona 85016  
602-604-8886 602-604-8965 fax

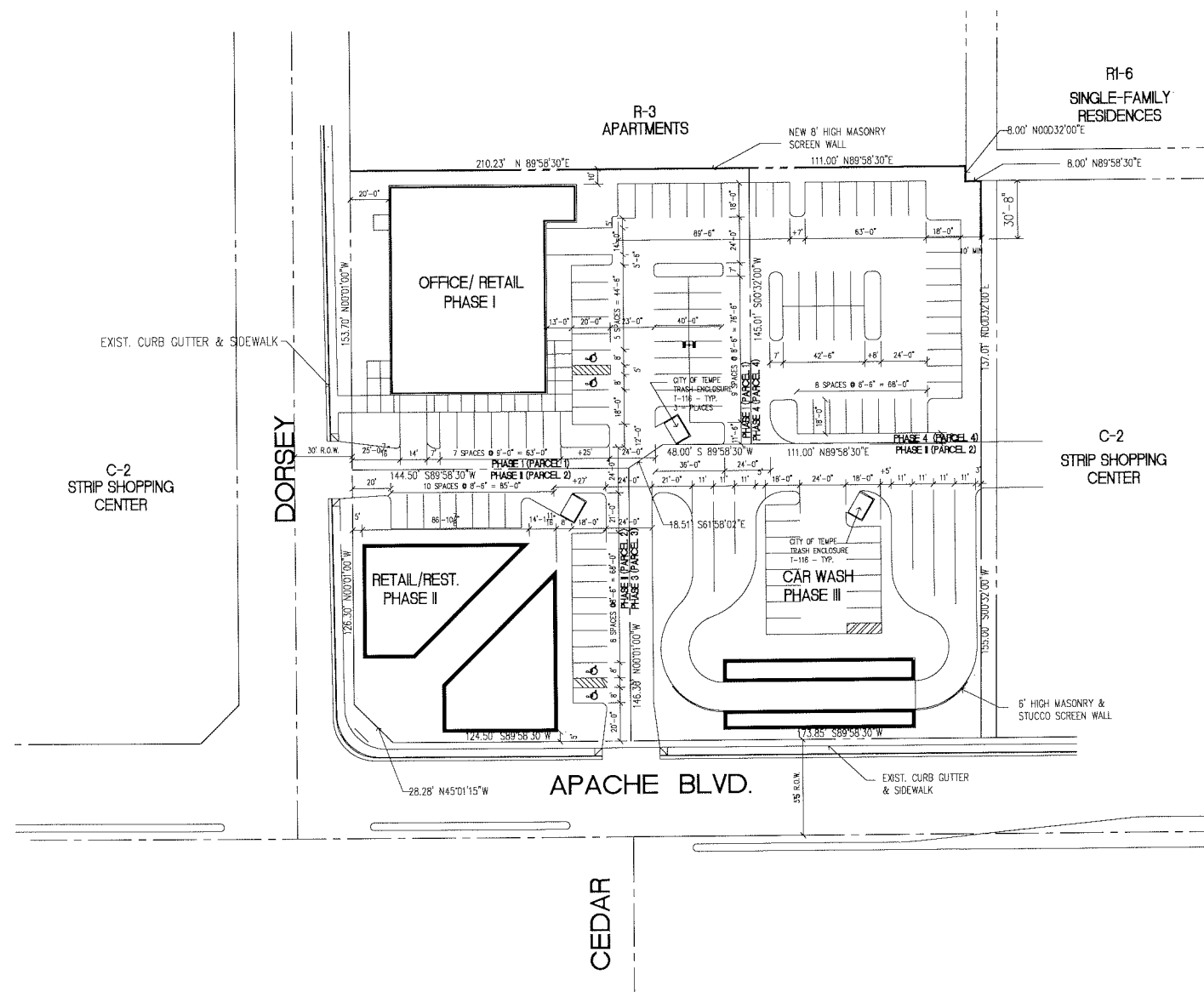
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APACHE  
PARK  
DEVELOPMENT

1310 East Apache Boulevard  
Tempe, Arizona

99005.01  
CONSTRUCTION ISSUE  
Issued Package/Date

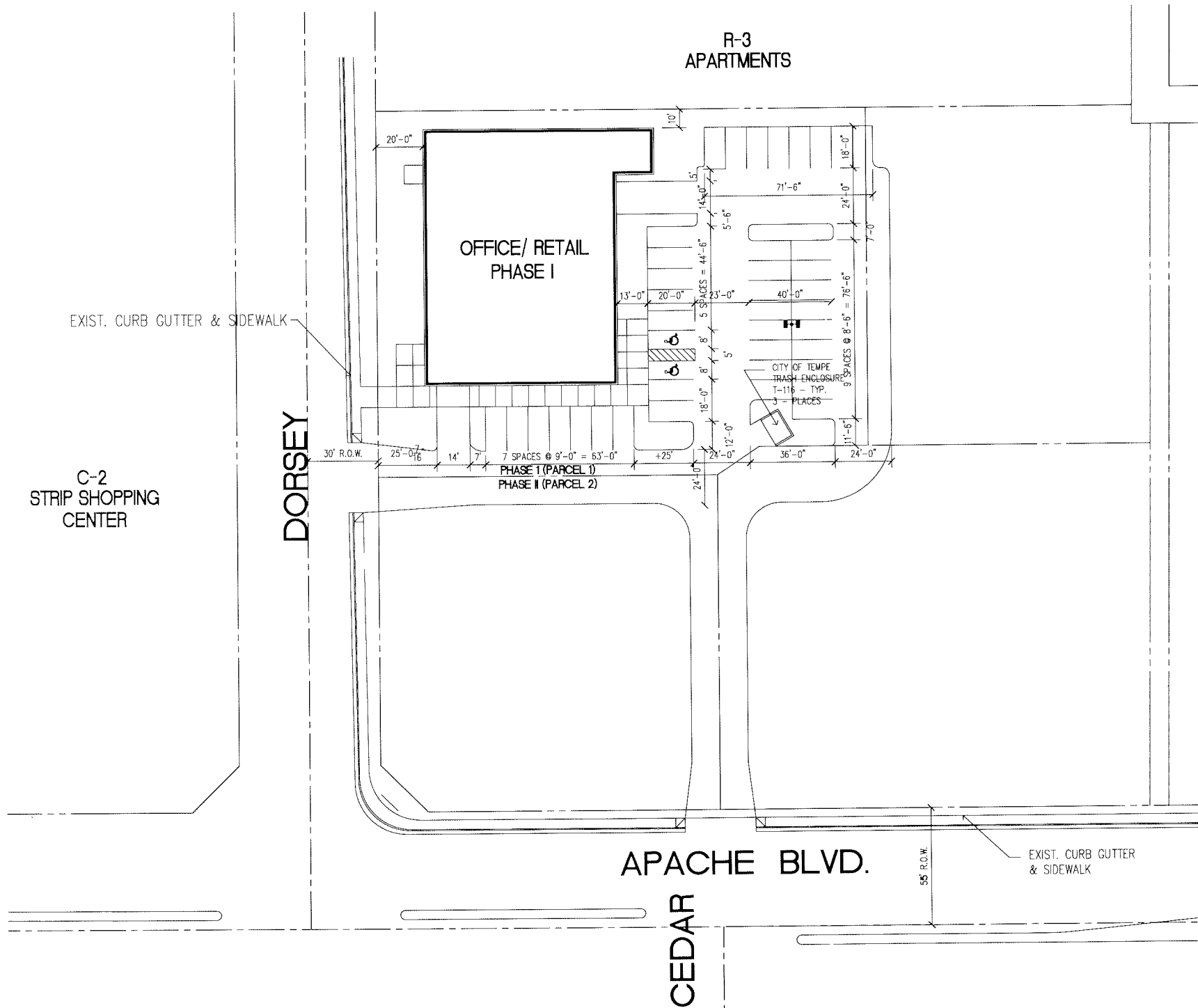
Preliminary Site Plan 02/19/99



SITE PLAN  
SCALE: 1" = 30'-0"



SA-1



Phase I  
SITE PLAN  
SCALE: 1" = 20'-0"



**nda**  
naga design associates  
ARBOR COURT  
5125 North 16th Street, Suite A-111  
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602-604-8886 602-604-8965 fax

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JH

APACHE  
PARK  
DEVELOPMENT

1310 East Apache Boulevard  
Tempe, Arizona

99005.01  
CONSTRUCTION ISSUE  
Issued Package/Date

Preliminary Site Plan 02/19/99

DATE	DESCRIPTION	BY	CHKD
02/19/99	PRELIMINARY SITE PLAN	JH	
03/30/00	CONSTRUCTION ISSUE	JH	

SA-1 (Phase I)