

PLANNED AREA DEVELOPMENT OVERLAY FOR MODERA RIO SALADO

A PORTION OF NORTHEAST SECTION 16, TOWNSHIP 1 NORTH, RANGE 4 EAST, MARICOPA COUNTY ARIZONA

OWNER AUTHORIZATION

HARDY RIO DEVELOPMENT COMPANY, LLC

BY: Dax Howard 3/20/23
SIGNATURE DATE

ITS: MANAGER/OWNER

ACKNOWLEDGEMENT

ON THIS 20th DAY OF MARCH, 2023, BEFORE ME, DAX A. HOWARD, THE UNDERSIGNED, PERSONALLY APPEARED TYLER WILSON, WHO ACKNOWLEDGED HIMSELF 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: Dayle A. Moses 4/16/2025
NOTARY PUBLIC MY COMMISSION EXPIRES



LEGAL DESCRIPTION

PARCEL NO. 1: (TAX PARCEL NO. 124-24-022 AND TAX PARCEL NO. 124-24-023)
LOTS 18E AND 19E, OF STATE PLAT NO. 12 AMENDED, ACCORDING TO THE PLAT OF RECORD IN THE OFFICE OF THE COUNTY RECORDER OF MARICOPA COUNTY, ARIZONA, RECORDED IN BOOK 69 OF MAPS, PAGE 38; EXCEPT 1/16TH OF ALL GAS, OIL, METAL AND MINERAL RIGHTS AS RESERVED TO THE STATE OF ARIZONA IN THE PATENT RECORDED JULY 8, 1965 IN DOCKET 5625, PAGE 408 (FOR LOT 18E) AND RECORDED MAY 25, 1964 IN DOCKET 5063, PAGE 189 (FOR LOT 19E), RECORDS OF MARICOPA COUNTY, ARIZONA.

PARCEL NO. 2: (TAX PARCEL NO. 124-24-027N)
LOT 39, OF STATE PLAT NO. 12 AMENDED, ACCORDING TO THE PLAT OF RECORD IN THE OFFICE OF THE COUNTY RECORDER OF MARICOPA COUNTY, ARIZONA IN BOOK 69 OF MAPS, PAGE 38 LOCATED IN SECTION 16, TOWNSHIP 1 NORTH, RANGE 4 EAST OF THE GILA AND SALT RIVER MERIDIAN, MARICOPA COUNTY, ARIZONA AND ALL THAT PORTION OF ABANDONED STREET RIGHT OF WAY OF SECOND AVENUE AS ABANDONED BY THE CITY OF TEMPE IN ORDINANCE NO. 1107 RECORDED IN DOCUMENT NO. 1984-477486, LYING NORTH OF AND ADJACENT TO THE NORTH LINE OF SAID LOT 39, AND BETWEEN THE NORTHERLY PROLONGATION OF THE EAST AND WEST LINES OF SAID LOT 39. EXCEPT 1/16 OF ALL GAS, OIL, METALS AND MINERAL RIGHTS RESERVED BY THE STATE OF ARIZONA IN THE PATENT TO SAID LAND.

PARCEL NO. 3: (TAX PARCEL NO. 124-24-025)
THAT PORTION OF THE SOUTH HALF OF THE NORTHEAST QUARTER OF SECTION 16, TOWNSHIP 1 NORTH, RANGE 4 EAST OF THE GILA AND SALT RIVER MERIDIAN, MARICOPA COUNTY, ARIZONA, LYING SOUTHERLY OF THE SOUTHERLY RIGHT OF WAY LINE OF WEST RIO SALADO PARKWAY, NORTH OF THE NORTH RIGHT OF WAY LINE OF ABANDONED SECOND AVENUE AS ABANDONED BY THE CITY OF TEMPE IN ORDINANCE NO. 1107 RECORDED IN DOCUMENT NO. 1984-477486, EAST OF THE NORTH PROLONGATION OF THE WEST LINE OF LOT 39 OF STATE PLAT NO. 12 AMENDED RECORDED IN BOOK 69 OF MAPS, PAGE 38 AND WEST OF THE WEST BOUNDARY LINE OF CRESCENT RIO A SUBDIVISION RECORDED IN BOOK 1337 OF MAPS, PAGE 11 AND ITS NORTHERLY PROLONGATION TO THE SOUTH LINE OF THE RIO SALADO PARKWAY.

PARCEL NO. 4: (TAX PARCEL NO. 124-24-024)
LOT 20E, OF STATE PLAT NO. 12 AMENDED, ACCORDING TO THE PLAT OF RECORD IN THE OFFICE OF THE COUNTY RECORDER OF MARICOPA COUNTY, ARIZONA IN BOOK 69 OF MAPS, PAGE 38, LOCATED IN SECTION 16, TOWNSHIP 1 NORTH, RANGE 4 EAST OF THE GILA AND SALT RIVER MERIDIAN, MARICOPA COUNTY, ARIZONA. EXCEPT 1/16TH OF ALL GAS, OIL, METAL AND MINERAL RIGHTS AS RESERVED TO THE STATE OF ARIZONA IN THE PATENT TO SAID LAND.

APPROVAL

APPROVED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF TEMPE ON THIS 1ST DAY OF DECEMBER, 2022

DS 220539

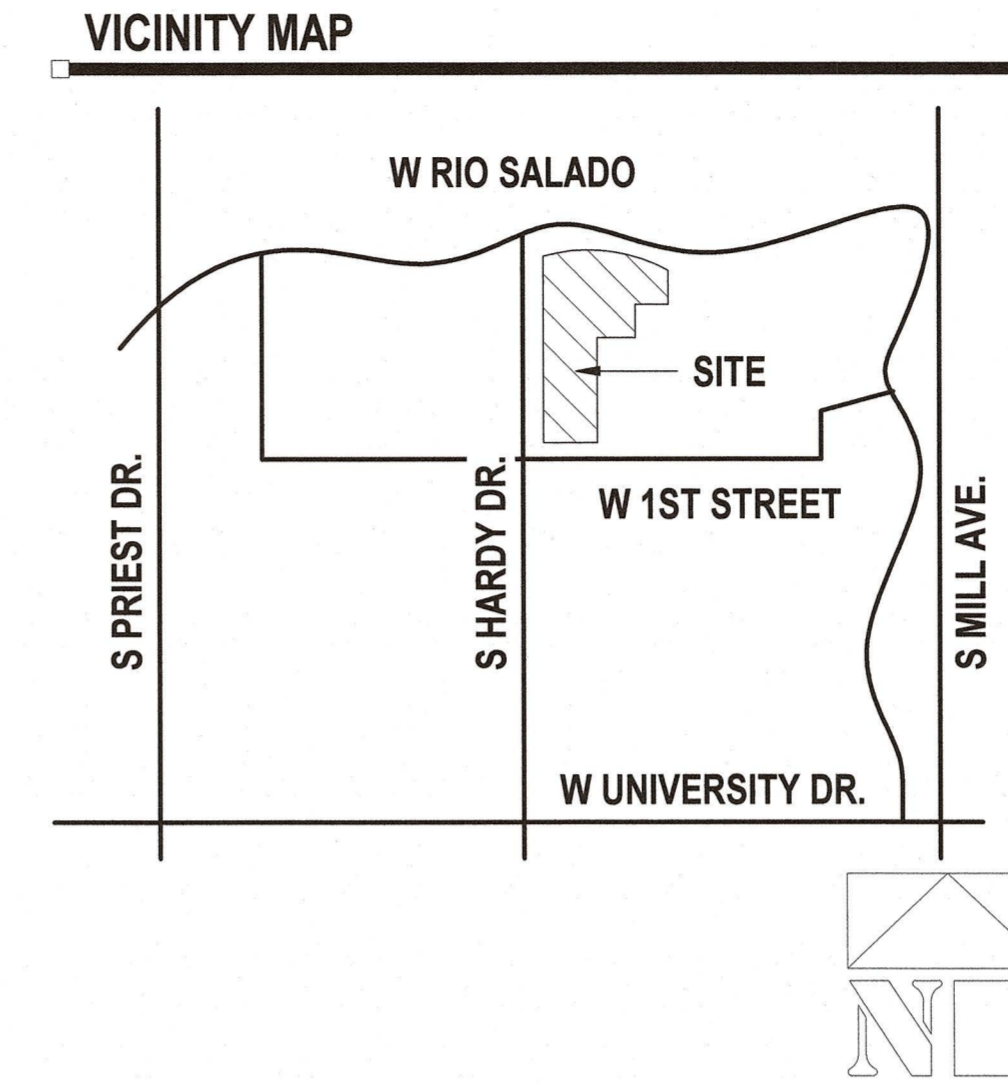
OWNERS

HARDY RIO DEVELOPMENT COMPANY, LLC
11811 N TATUM BLVD., SUITE 1051
PHOENIX, AZ 85028

DEVELOPER

HARDY RIO DEVELOPMENT COMPANY, LLC
11811 N. TATUM BLVD. #1051
PHOENIX, AZ 85028

SITE VICINITY MAP



DEVELOPMENT STANDARDS	MU-4 PAD PROVIDED
GENERAL PLAN LAND USE	MIXED USE
GENERAL PLAN DENSITY	Medium to High (up to 65 DU / AC)
SITE AREA (in square feet and acres)	214,341 SF NET / 4.92 ACRES
DWELLING QUANTITY	219,543 SF GROSS / 5.04 ACRES
QUANTITY OF BEDROOMS	528
DENSITY:	63 DU/ACRE
BUILDING HEIGHT:	99'
BUILDING LOT COVERAGE:	50%
SITE LANDSCAPE COVERAGE:	20%
BUILDING SETBACKS:	
FRONT (W. 1st Street)	0'
SIDE (EAST LOT)	60'
REAR (Rio Salado Parkway)	90'
WEST (S. Hardy Drive)	13'
PARKING	20'
VEHICLE PARKING QUANTITY:	
Studio Units (24 units)	17 SPACES (0.7 spaces per unit)
1 Bedroom Units (104 units)	73 SPACES (0.7 spaces per unit)
2 Bedroom Units (173 units)	242 SPACES (1.4 spaces per unit)
3 Bedroom Units (18 units)	38 SPACES (2.1 spaces per unit)
Guest (319 units)	64 SPACES (0.2 spaces per unit)
Restaurant (3,428 SF)	46 SPACES (1 space per 75 square feet)
Outdoor Dining (1,500 SF - 300 = 1,200 SF)	8 SPACES (1 space per 150 square feet)
TOTAL PROVIDED VEHICLE PARKING:	488 SPACES
	(154 Surface Level parking spaces provided)
	(334 Garage parking spaces provided)
BICYCLE PARKING QUANTITY	
Studio Units (24 units)	18 SPACES (0.75 spaces per unit)
1 Bedroom Units (104 units)	78 SPACES (0.75 spaces per unit)
2 Bedroom Units (173 units)	130 SPACES (0.75 spaces per unit)
3 Bedroom Units (18 units)	18 SPACES (1.0 spaces per unit)
Guest (319 units)	63 SPACES (0.2 spaces per unit)
Restaurant (3,428 SF)	7 SPACES (1 space per 500 square feet)
Outdoor Dining (1,500 SF - 300 SF = 1,200 SF)	1 SPACE (1 space per 2000 square feet)
TOTAL BICYCLE PARKING:	316 SPACES
	(18 Spaces - exterior ground mounted racks)
	(298 Spaces - interior rack mounted areas)
USES:	
RESIDENTIAL (NET GROSS)	306,296 NSF 393,095 GSF
RESTAURANT (NET GROSS)	3,388 NSF 3,428 GSF
OUTDOOR DINING (GROSS)	1,200 NSF 1,200 GSF
TOTAL AREA (NET GROSS)	310,884 NSF 397,723 GSF

CONDITIONS OF APPROVAL PAD22009:

- A BUILDING PERMIT APPLICATION SHALL BE MADE WITHIN TWO YEARS OF THE DATE OF THE 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.
- 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 NO LATER THAN 30 DAYS FROM THE DATE OF CITY COUNCIL APPROVAL, OR THE GENERAL PLAN AMENDMENTS, ZONING MAP AMENDMENT AND PLANNED AREA DEVELOPMENT APPROVALS SHALL BE NULL AND VOID.
- THE PLANNED AREA DEVELOPMENT OVERLAY FOR MODERA RIO SALADO 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 SIXTY(60) DAYS OF THE DATE OF CITY COUNCIL APPROVAL AND PRIOR TO ISSUANCE OF BUILDING PERMITS.
- THE DEVELOPER SHALL GRANT AND RECORD AN AVIGATION EASEMENT TO THE CITY OF PHOENIX AVIATION DEPARTMENT FOR THE SITE, PER THE CONSENT AND FORM PRESCRIBED BY THE CITY ATTORNEY, PRIOR TO FINAL BUILDING PERMIT ISSUANCE.
- IF REQUIRED BY THE FEDERAL AVIATION ADMINISTRATION (FAA), THE DEVELOPER SHALL PROVIDE DOCUMENTATION TO THE CITY PRIOR TO BUILDING PERMIT ISSUANCE, THAT FORM 7460-1 HAS BEEN FILED FOR THE DEVELOPMENT AND THAT THE DEVELOPMENT HAS RECEIVED A "NO HAZARD DETERMINATION" FROM THE FAA. IF TEMPORARY EQUIPMENT USED DURING CONSTRUCTION EXCEEDS THE HEIGHT OF THE PERMANENT STRUCTURE, A SEPARATE FORM 7460-1 SHALL BE SUBMITTED TO THE FAA AND A "NO HAZARD DETERMINATION" OBTAINED BEFORE THE CONSTRUCTION START DATE.
- THE DEVELOPER SHALL RECORD A NOTICE TO PROSPECTIVE PURCHASERS OF PROXIMITY TO AIRPORT IN ORDER TO DISCLOSE THE EXISTENCE AND OPERATIONAL CHARACTERISTICS OF PHOENIX SKY HARBOR INTERNATIONAL AIRPORT TO FUTURE OWNERS OR TENANTS OF THE PROPERTY.
- THE DEVELOPER SHALL ENSURE THAT A REPRESENTATION IS INCLUDED IN THE RESIDENTIAL LEASE OWNER'S PROPERTY DISCLOSURE STATEMENT, OR IF NO DISCLOSURE STATEMENT IS PROVIDED TO THE TENANT, THAT PROSPECTIVE TENANT IS NOTIFIED IN WRITING OF THE PROXIMITY OF THE DEVELOPMENT TO THE AIRPORT, PER THE CONTENT AND FORM APPROVED BY THE CITY ATTORNEY, IN ORDER TO DISCLOSE THE EXISTENCE AND OPERATIONAL CHARACTERISTICS OF PHOENIX SKY HARBOR INTERNATIONAL AIRPORT.

GENERAL NOTES:

See Modera Rio Salado parking analysis dated October 12, 2022

PAD 220009

REC 22061

REC 22061

PAD 220009

DS 220539

**MODERA
RIO SALADO**
835 W RIO SALADO PKWY
TEMPE, ARIZONA 85281



DESIGN REVIEW

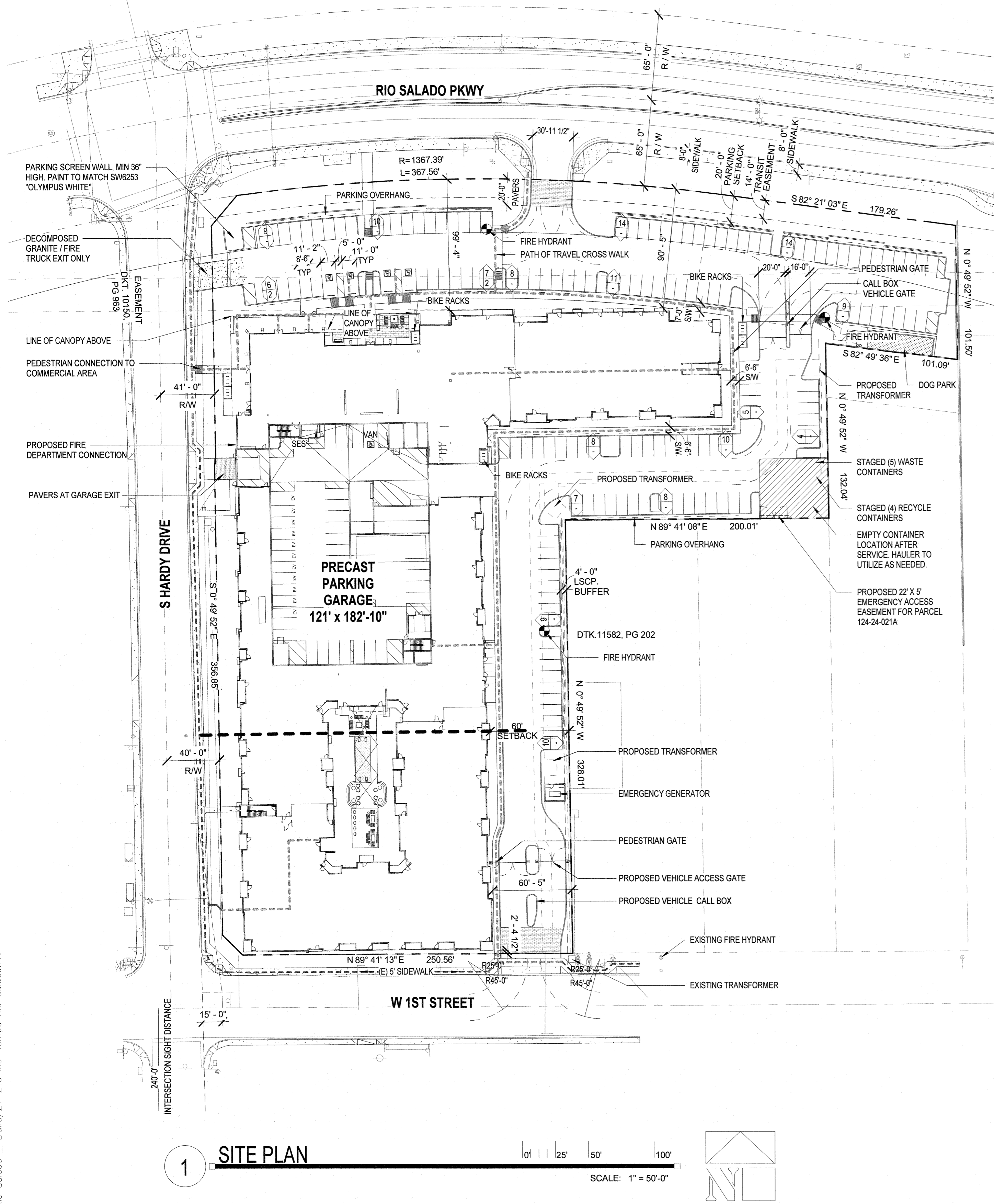
DA 11/28/2022 ORB 21-219
TE: #:

DR1.07

PAD OVERLAY COVER SHEET

PLANNED AREA DEVELOPMENT OVERLAY FOR MODERA RIO SALADO - SITE PLAN

2/23/2023 9:58:28 AM
Autodesk Docs://21-219 Modera Rio Salado - Build/21-219 MC Tempe Rio Salado.rvt



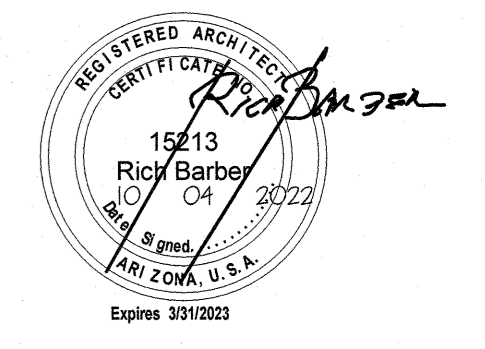
DEVELOPMENT STANDARDS	EXISTING GID TABLE 4-204	PROPOSED MU-4 RSOD PAD
GENERAL PLAN LAND USE	MIXED USE	MIXED USE
GENERAL PLAN DENSITY	MEDIUM TO HIGH (up to 65/DU/AC)	HIGH DENSITY (up to 65 DU/AC)
SITE AREA		214,341 SF NET / 4.92 ACRES 219,543 SF GROSS / 5.0...
UNIT TYPES		
Studio		24 Units
1 Bedroom		104 Units
2 Bedroom		173 Units
3 Bedroom		18 Units
DWELLING QUANTITY		319 Units
DENSITY		63 DU/AC
BUILDING HEIGHT	35'	99'
BUILDING LOT COVERAGE	NS	50%
SITE LANDSCAPE COVERAGE	10%	20%
BUILDING SETBACKS		
Front (W. 1st Street)	25'	0'
Side (East Lot)	0'	60'
Rear (Rio Salado Parkway)	25'	90'
Street Side (S. Hardy Drive)	25'	14' (13' @ NW CORNER OF SITE)
Parking	20'	20'
VEHICLE PARKING REQUIRED	689	488
Studio Units (24)	24 spaces (1 space per unit)	17 spaces (0.7 spaces per unit)
1 Bedroom Units (104)	154 spaces (1.5 spaces per unit)	73 spaces (0.7 space per unit)
2 Bedroom Units (173)	346 spaces (2 spaces per unit)	242 spaces (1.4 space per unit)
3 Bedroom Units (18)	45 spaces (2.5 spaces per unit)	38 spaces (2.1 space per unit)
Guest Parking	64 spaces (0.2 spaces per unit)	64 spaces (0.2 spaces per unit)
Restaurant (3,428 NET SF)	46 spaces (1 space per 75 square feet)	46 spaces (1 space per 75 square feet)
Outdoor Dining (1,500 SF - 300 sf = 1,200 SF)	8 spaces (1 space per 150 square feet)	8 spaces (1 space per 150 square feet)
BICYCLE PARKING REQUIRED	316	316
Studio Units (24)	= 18 spaces (0.75 spaces per unit)	
1 Bedroom Units (104)	= 78 spaces (0.75 spaces per unit)	
2 Bedroom Units (173)	= 130 spaces (0.75 spaces per unit)	
3 Bedroom Units (18)	= 18 spaces (1.0 spaces per unit)	
Guest Parking	= 64 spaces (0.2 spaces per unit)	
Restaurant (3,428 NET SF)	= 7 spaces (1 space per 500 square feet)	
Outdoor Dining (1,500 SF - 300 = 1,200 SF)	= 1 space (1 space per 2000 square feet)	
USES		
Residential (Net Gross)		306,296 NSF 393,095 GSF
Restaurant (Net Gross)		3,388 NSF 3,428 GSF
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TOTAL USES (Net Gross)		310,884 NSF 397,723 GSF

REC 22061

PAD 220009

DS 220539

MODERA RIO SALADO
835 W RIO SALADO PKWY
TEMPE, ARIZONA 85281



DESIGN REVIEW

DA 11/28/2022 ORB 21-219
TE: #:

DR1.08

PAD OVERLAY SITE PLAN

DS 220539

PAD 220009

REC 22061