



EMERALD POINT

A PLANNED AREA DEVELOPMENT

Case ZON13-03

Land Use and Development Standards

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A Planned Area Development (PAD) is intended to be a stand-alone document of zoning regulations for a particular project. Provisions not specifically regulated by the PAD are governed by the zoning ordinance. A PAD may include substantial background information to help illustrate the intent of the development. The purpose and intent statements are not requirements that will be enforced by the City. The PAD only modifies zoning ordinance regulations and does not modify other City Codes or requirements.

Principals & Development Team

DEVELOPER/OWNER:

Emrland LLLP

1785 W. State Route 89A, Suite 3-I
Sedona, AZ 86336

Contact: *Ronald N. Rovey*

E-mail: ronrovey@gmail.com

P: 928.282-1155

APPLICANT/LAND USE ATTORNEY:

Earl, Curley & Lagarde, P.C.

3101 N. Central Avenue, Suite 1000
Phoenix, AZ 85012

Attorney: *Michael J. Curley*

Project Manager: *Ricardo Toris*

E-mail: mcurley@ecllaw.com

P: 602.265.0094

F: 602.265.2195

EC&L
EARL, CURLEY & LAGARDE, P.C.
ATTORNEYS AT LAW

ARCHITECT & DESIGN TEAM:

Greey Pickett

7051 E. 5th Avenue, Suite 200
Scottsdale, AZ 85251

Contact: *Wendell Pickett*

P: 480.609.0009

F: 480.609.0068

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A. EXECUTIVE SUMMARY

The purpose of the proposed Planned Area Development (“PAD”) is to create specific standards to guide the development of the approximate 33 acre parcel located at the southwest corner of Glendale Avenue and the Agua Fria Freeway (“Loop 101”). The subject property extends from Glendale Avenue on the north to Maryland Avenue on the south and situated between 99th Avenue and the Loop 101 Freeway. The uniquely situated property enjoys approximately 1/2 mile of freeway frontage along the Loop 101 Freeway. The rezoning request will involve approximately 33 acres and will rezone the property from the current A-1 (Agricultural) to Planned Area Development (PAD) to allow for the development of an urban mixed-use development which implements the greater vision of the City of Glendale’s vision for development along the Loop 101 Freeway corridor. The resulting project will be called **Emerald Point** PAD.

There has been tremendous growth in the West Valley Communities of West Phoenix, Avondale, Buckeye, Glendale, Goodyear, Litchfield Park, Peoria, Surprise, and Tolleson and, much has changed since 2000. The area has evolved from mostly suburban neighborhoods with corresponding suburban style retail centers and employers to a dynamic area featuring major retail/entertainment venues in Westgate City Center, University of Phoenix Stadium, Jobing.com Arena, Peoria Sports Complex (Spring Training Facility for Seattle Mariners & San Diego Padres), Surprise Stadium (Spring Training Facility for Kansas City Royals and Texas Rangers), and the new Camelback Ranch - Glendale spring training ballpark for the Los Angeles Dodgers and Chicago White Sox teams, near 107th Avenue and Camelback Road.



Two requests are being filed concurrently. The first request is for a Minor General Plan Amendment (“GPA”). The Minor General Plan amendment seeks to change PC

(Planned Commercial) and BP (Business Park) land use designations to “CCC” (Corporate Commerce Center). The companion rezoning request seeks to rezone the property from A-1 (agricultural) to PAD (Planned Area Development) to allow the property the opportunity to develop with employment, office, hotel, retail and/or multi-family residential uses within the context of common circulation, landscape and design themes.

Emerald Point is primarily designed as a mixed-use project, however, in order to provide the greatest potential to capture employers in the **Emerald Point** PAD, the PAD specifically allows employment and retail uses the opportunity to expand into all or part of the planned employment and retail or residential parcels in lieu of the planned retail or residential uses. It is recognized that some commercial users may either need more acreage than what is identified as the desired CCC mix of uses (55% office, 30% retail, 15% housing). This flexible land use approach is proposed to maximize **Emerald Point** and the City of Glendale competitive position in the market place. Major employers with specific needs seek properties which have existing development rights, rather than those properties where development rights can only be achieved through a rezoning process. To these major employers, rezoning is perceived as time consuming and an uncertain process and they therefore gravitate to sites which already have zoning entitlements.

The proposed potential mix of uses for **Emerald Point** could include office space for all types of tenants from “Class A” corporate headquarters to smaller, single use tenants who are looking for freeway accessibility and visibility; lodging opportunities to capitalize on the nearby shopping and entertainment area of Jobbing.com arena, Westgate, and the University of Phoenix Stadium; retail commercial to support the proposed office, businesses, travel industry in the surrounding area, as well as the urban style multi-family residential and nearby residents. This application will limit the amount of multi-family acreage to a maximum of 15 acres. The employment/office and/or multi-family residential components of the development will generate the need for amenities such as restaurants, retail shops, and support services.

B. SITE LOCATION and CONTEXT

1. Site, Location and Acreage

The property is an irregular shaped undeveloped site currently in agricultural use. The site consists of approximately 33 gross acres and is bounded by Glendale Avenue on the north, Loop 101 (Agua Fria Freeway) on the east, Maryland Avenue on the south, and 99th Avenue on the west. This property is one of the last properties with freeway frontage along the Loop 101 corridor that has not been zoned.

The site enjoys excellent regional access due to its strategic location just off the Loop 101 Freeway and north of the I-10 Freeway. As previously noted, the subject property also has immediate access to major arterials in Glendale Avenue and 99th Avenue. The site's strategic setting at the gateway to the City's Municipal Airport along with the near-by adjacent freeway corridors and arterial roadways gives the master plan the unique opportunity to attract the wide spectrum of uses previously noted: corporate headquarters, major businesses, professional offices, multi-family residential, retail uses, commerce park uses and even wholesaling opportunities to serve both local and regional needs. Eye catching design, architectural and on and off site signage will draw attention to ***Emerald Point***.

Access to the property is from 99th Avenue and Glendale Avenue. HOV ramps are under construction at Maryland Avenue and Loop 101 Freeway. Freeway access is provided via interchanges at Glendale Avenue, Northern Avenue, Bethany Home Road and Camelback Road.

2. Topography and Natural Features

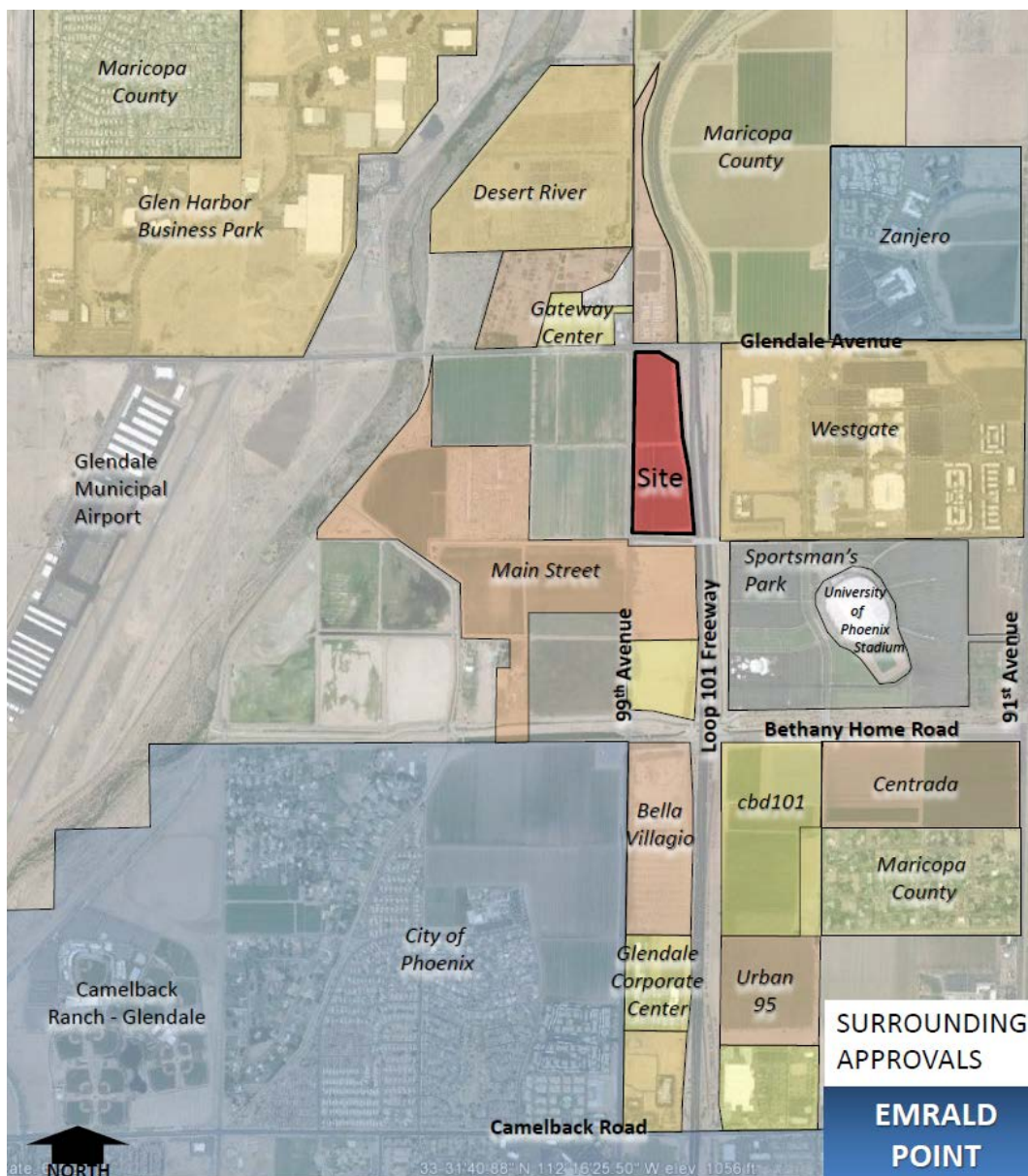
The existing property topography is relatively flat with a slight slope from the northeast to southwest and with no natural features. The property has several small irrigation ditches and dirt roads within and surrounding the overall property that are currently serving the current farming operations on the property. These irrigation ditches and farm roads will be removed at the time of development for that particular phase.

3. Surrounding Context

As noted above, the subject property is located on the west side of the Loop 101 Freeway at the southeast corner of Glendale Avenue and Loop 101 Freeway. Glendale Avenue serves as a gateway to the City of Glendale Municipal Airport which is located approximately 1-1/4 miles to the west of the property. The uniquely shaped property is directly south of the City's Park-n-Ride and enjoys the close proximity of the University of Phoenix football stadium, Jobing.com arena, Westgate City Center and Camelback Ranch – Glendale spring training ballpark. Westgate City Center is a mixed-use development which includes entertainment, shopping,

restaurants, offices, residential uses, Jobing.com arena and the recently opened Tanger Outlet mall. A freeway interchanges exists at Glendale Avenue. Glendale Avenue consists of 3 lanes east bound and 2 lanes west bound. Dual left turn (north bound) lanes exist onto the Loop 101 Freeway. The property's eastern boundary is the Loop 101 Aqua Fria Freeway and the west boundary is 99th Avenue. 99th Avenue is a four lane (2 lanes in each direction) arterial road with north bound left and right turn lanes. Across 99th Avenue is vacant undeveloped land under agricultural use.

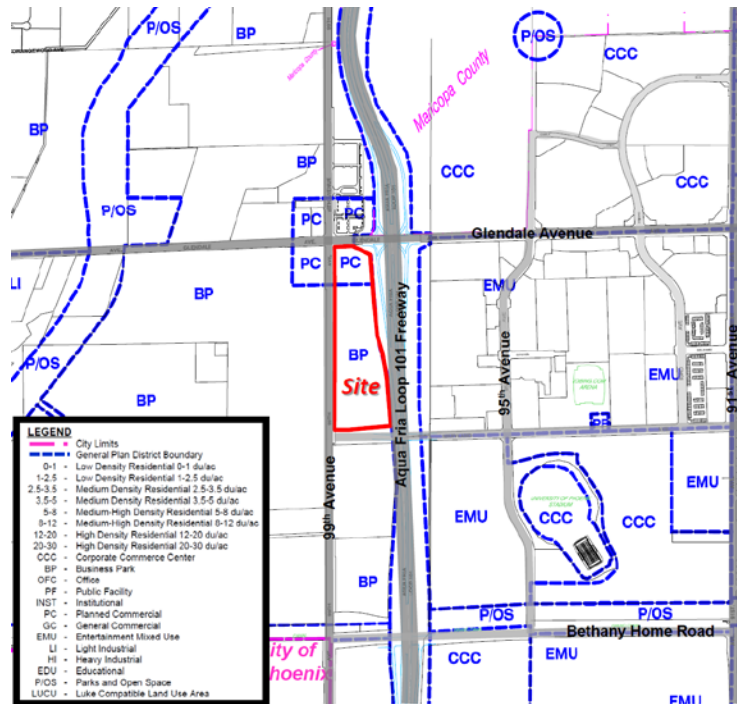
Along the Loop 101 corridor from the I-10 Freeway north to Northern Avenue there have been a large number of projects which have been approved by the Cities of Phoenix, Peoria, and the City of Glendale which have allowed greater densities and heights.



C. MINOR GENERAL PLAN AMENDMENT REQUEST

As previously mentioned, two requests are being filed concurrently. The first request is for a Minor General Plan Amendment (“GPA”) which seeks to change PC (Planned Commercial) on the northern ¼ portion of the property and BP (Business Park) land use designations on the remainder of the property to “CCC” (Corporate Commerce Center).

The intent of the Minor General Plan Amendment (under separate filing) and this companion rezoning is to allow this property the ability to bring together employment, office, variety of retail commercial, hotel uses and/or a multi-family residential element in a cohesively planned setting. The unique site location provides this site with the opportunity to attract businesses, corporate offices, hotels, multi-family residential as well as to serve the needs of the traveling public.



Existing General Plan and Subject Site

The General Plan Land Use Designations, Land Uses and existing Zoning for the properties surrounding the subject site are as follows:

Surrounding General Plan Land Use Designation:	
On site	PC (Planned Commercial) and BP (Business Park)
North	PC (Planned Commercial)
South	BP (Business Park)
East	EMU (Entertainment Mixed Use)
West	PC and BP (Planned Commercial and Business Park)

Surrounding Land Uses and Zoning		
	Land Use	Zoning
On site	Vacant undeveloped land in agricultural use.	A-1 (Agricultural)
North	City of Glendale Park-n-Ride.	PAD (Planned Area Development)
South	Beyond Maryland Avenue, vacant undeveloped land.	PAD (Planned Area Development)
East	Beyond Loop101 Freeway, commercial-Westgate/Tanger Outlet Mall.	PAD (Planned Area Development)
West	Vacant undeveloped land in agricultural use.	A-1 (Agricultural)

The intent of the General Plan Amendment is to provide a more compatible land use designation of “CCC” to allow the implementation of the companion rezoning case. This category is the best category to enable uses such as employment, office, retail, hotel uses, or multi-family residential.

The proposed amendment will be compatible with the existing Westgate City Center to the east and is compatible with the approved surrounding approvals. Additionally, the sites proximity to Glendale Avenue, 99th Avenue, Maryland Avenue and the adjacent freeway makes the proposed CCC land use designation a more consistent and compatible land use for the area. Furthermore, the CCC designation creates a transition between the adjacent existing freeway and planned BP land uses and the City’s Municipal Airport to the west. The proposed CCC designation is an ideal use in this area and provides a practical and useful land use solution to a vacant site.

As proposed, the “CCC” designation helps create additional employment, retail and housing opportunities for the area residents. The increased income generated by the new jobs should increase expendable income which translates into retail sales tax when employees shop at local retail stores. There is a tax base and economic benefit derived by this amendment.

The proposed amendments will better meet the Goals and Objectives set forth in the General Plan. The General Plan Goals being met are as follows:

- **Land Use Goal 1 – Relate residential areas with work places.**

Emerald Point is a project which provides the opportunity for office, retail and/or high quality rental housing options to this area. The site's location will not have any adverse impacts on lower density developments since there is no single family housing adjacent to the site. The site is adjacent to the Loop 101 freeway. Additionally, the site location is also an ideal location for multi-family residential since the City's Park-n-Ride facility provides these future residents an alternative to driving by using the transit system already in place.

- **Land Use Goal 2 – Promote sound growth management methods.**

This minor amendment and the companion rezoning request will allow for a development which can provide jobs, housing, shopping and open space. Retail uses result in a significant revenue gain for the City of Glendale and reduced vehicle trips for residents living in this part of the City. The northern portion of the site is already designated for commercial development and this request simply allows flexibility within the boundaries of this mixed use property. The planned retail area allows for a combination of sit down restaurants and neighborhood retail and other small ancillary services to provide amenities for employment and the surrounding area.

- **Land Use Goal 3 – Create transition and buffer areas.**

This amendment and the companion rezoning request will establish a land use that is compatible with the existing surrounding entertainment mixed-use land uses and adjacent freeway and one that creates a transition to the Glendale Municipal Airport. When the site is developed the buildings will help provide a noise buffer for the development to the west. The proposed applications will allow the ability for a development which is consistent with the surrounding area and can provide jobs, housing, shopping and open space.

- **Land Use Goal 4 – Ensure compatibility between land uses and transportation.**

The proposed Minor General Plan Amendment and companion PAD zoning request at this location is compatible with the existing and emerging development in the immediate area that includes an existing Westgate City Center (a mixed use entertainment, retail, office and residential development), the Loop 101 to the east, and the City's municipal airport across the New River wash. In this setting, the minor amendment to the General Plan to allow a small retail center on the north end of the property and retail, hotel, office, commerce, or multi-family opportunities on the balance of the property is a logical land transitional use adjacent to a freeway frontage.

- **Circulation Goal 7 – Integrate land use and transportation.**

The proposed PAD uses are a good land use solution. Most viable commercial, employment and/or multi-family sites are those located at the intersection of major transportation routes; such as, arterial streets or an arterial and a freeway interchange. These locations increase visibility and traffic flow critical for successful retail businesses and allow convenient access to/from office or commerce parks. This PAD designation is proposed along a stretch of the Loop 101 corridor that provides superior visibility and access. This is one of the last remaining unzoned properties along the freeway corridor

and will provide the opportunity for an employment, office neighborhood/convenience-oriented retail, and/or multi-family.

- **Redevelopment Goal 2 – Consider infill development a top priority.**

The change in land use designations at this location is an overall improvement to the existing land use map because it provides another quality multi-family opportunity or opportunity for a retail, hotel, and/or office development which will accommodate a range of neighborhood convenience needs on an infill lot. This amendment also constitutes an overall improvement to the Plan, because it helps provides a commercial employment opportunity for small businesses to start or expand in an infill site.

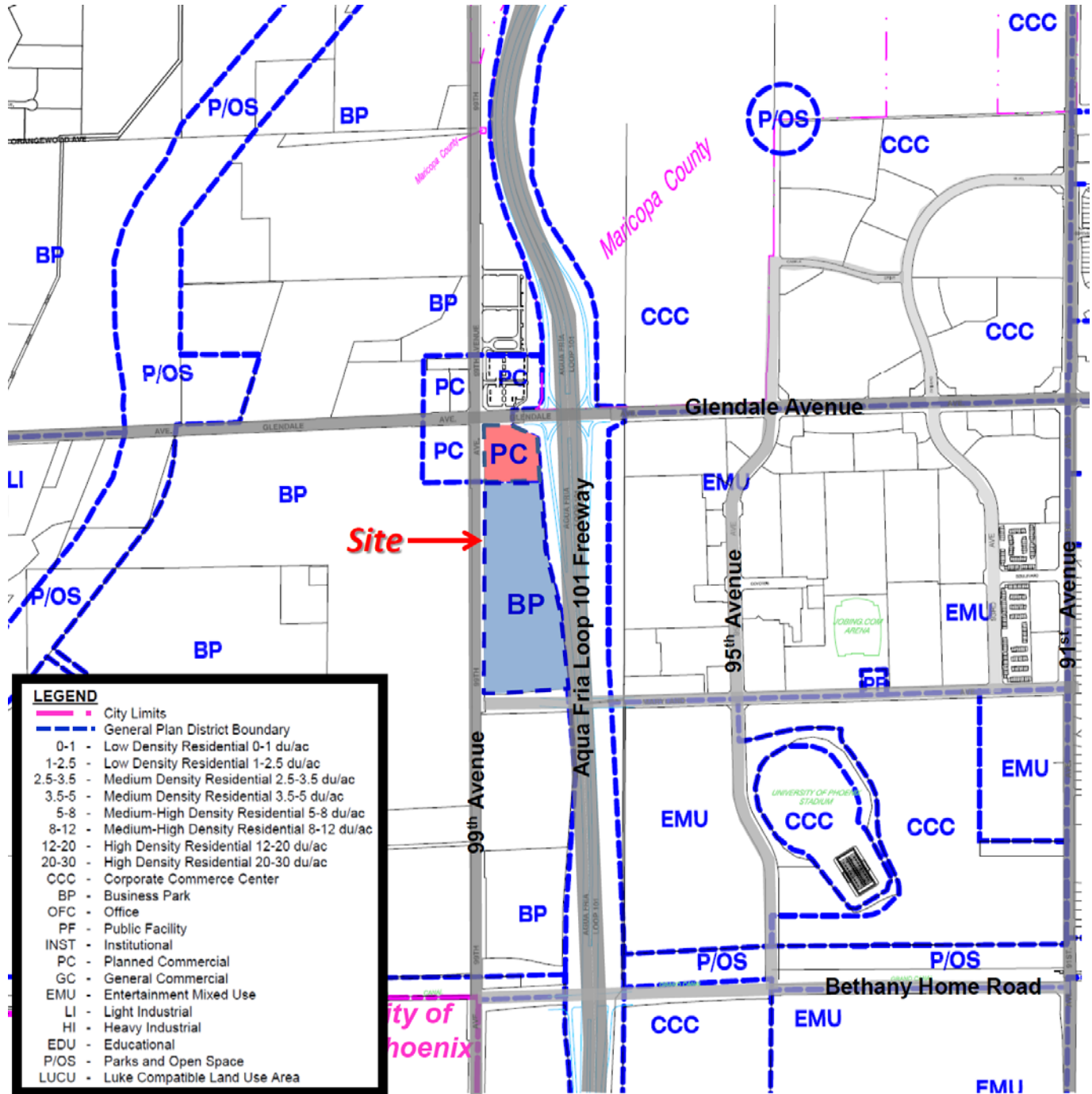
- **Economic Development Goal 2 – Encourage business growth for in-City job opportunities.**

*As previously mentioned, the potential mix of uses in the zoning request could include office space for all types of tenants from “Class A” to smaller, single use tenants who are looking for freeway accessibility and visibility; lodging opportunities to capitalize on the near-by shopping and entertainment area; commerce park users; retail commercial to support the proposed office, businesses, travel industry in the surrounding area, as well as the urban style multi-family residential. The **Emerald Point** PAD could help increase jobs ratio desired by the City. It is recognized that the City vision is to encourage new employment uses. In order to maximize the potential to capture employers looking to locate in the West Valley the PAD specifically allows various employment type uses. This flexible approach is necessary to keep the **Emerald Point** project competitive in a market place where employers with specific parcel needs seek properties with existing development rights, rather than those properties where development rights can only be achieved through a rezoning process. To these employers, rezoning can be perceived as an uncertain and time consuming which might cause potential employment to gravitate to sites with existing development rights. All of the proposed PAD uses encourage new business opportunities and the potential for existing businesses to remain in the area within the City of Glendale.*

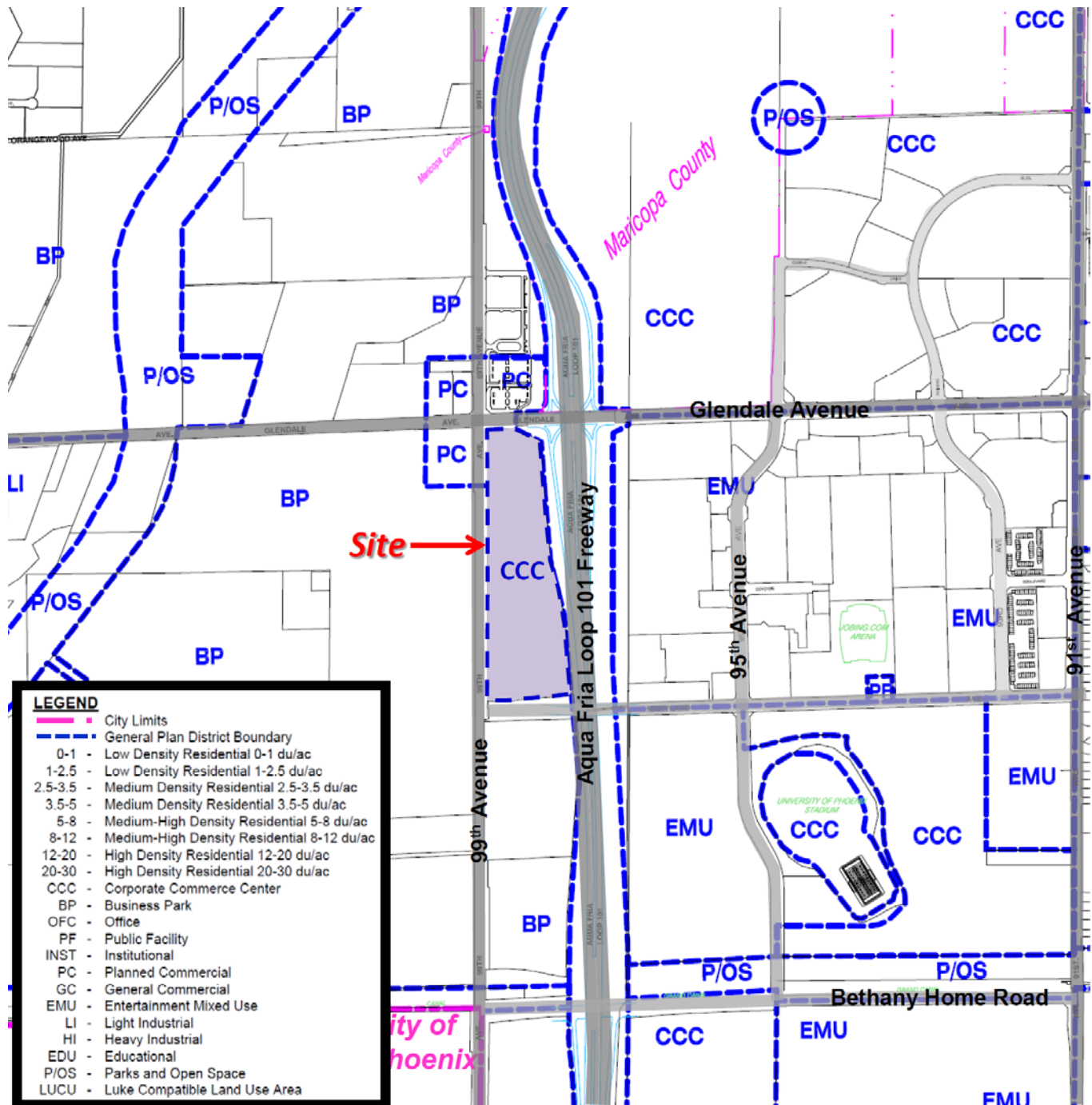
The proposed amendment achieves each of these Goals while improving the land use mix in the area. As stated previously, the site is an ideal location for office, employment, hotel, retail, and/or multi-family residential development due to parcel size, its proximity to the adjacent freeway and area commercial services as well as access to Glendale Avenue and 99th Avenue, which are identified as arterial streets. This development will provide a logical land use for this small, underutilized parcel. Therefore, the identified reasons provide support for the requested Minor GPA to the CCC designation.

Based upon the analysis provided above, we believe the proposed minor amendment is consistent with the overall intent and goals of the General Plan and will be beneficial to the surrounding area. The proposed amendment does not adversely impact any portion of the planning area but does the opposite. The proposed amendment provides a better land use designation within the area and provides an appropriate office, employment, commerce, commercial and/or multi-family residential land use designation which can

be supported by the surrounding land uses. The proposed request does not adversely impact or affect the livability of the area primarily because of the lack of development in the area.



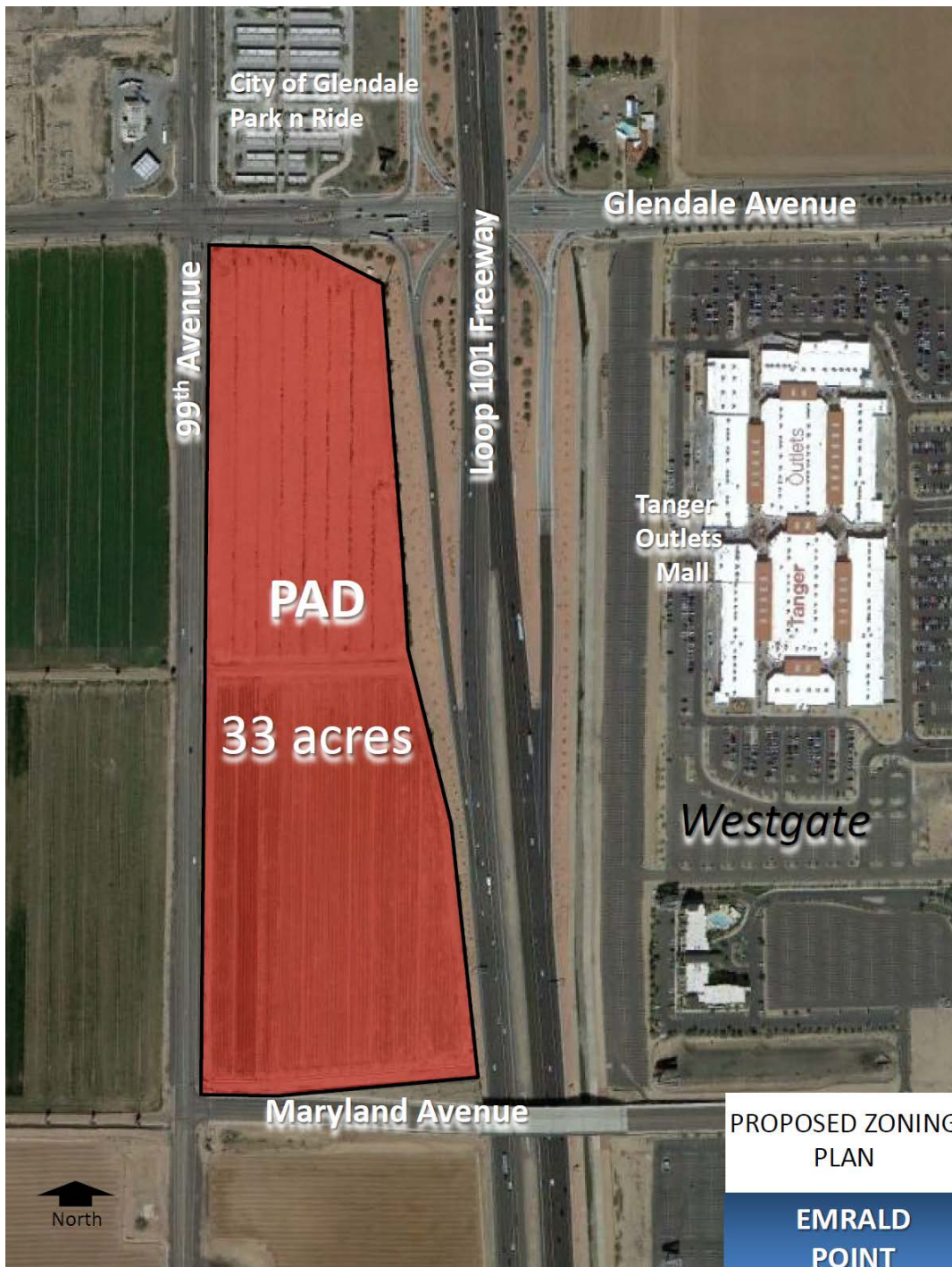
*Existing General Plan Land Use Map
(Land Use: Planned Commercial and Business Park)*



*Proposed General Plan Land Use Designation
(Land Use: Corporate Commerce Center)*

D. REZONING REQUEST

The site is currently zoned A-1 (Agricultural) zoning district. The rezoning request seeks to rezone approximately 33-acres from A-1 to PAD (Planned Area Development) to allow the property the opportunity to develop with office, commerce park uses, employment, retail, hotel, and/or multi-family residential uses within the context of common circulation, landscape and design themes.



Despite the sluggish economy, it is very important to understand that there is still significant activity in the marketplace particularly along the freeway corridors. Our office has worked extensively in Glendale, Avondale, Goodyear, Buckeye, and Phoenix and all of these cities have had significant development along the freeway corridors. Activity is occurring in the marketplace, but the zoning must be in place for a city to capture employment users.

The Economic Development Directors of Chandler, Phoenix or Glendale, make three major points regarding employers relocating to the Valley. The first is that there are companies looking to locate in the Valley. Secondly, freeway-oriented sites are often the most attractive sites to these users. The last point is that unzoned property usually won't even be considered by any major employers, corporate headquarters or company relocates. The reasons for this is: 1) because there is uncertainty related to the rezoning process; 2) the fact that zoning a property typically takes approximately six months; and, 3) there are hundreds and hundreds of acres of already-zoned properties in nearby cities which can be developed immediately.

While there is currently vacant land along the Loop 101 Freeway, much of this land along the Loop 101 corridor from the I-10 Freeway north to Northern Avenue has been approved and planned for high intensity mixed-use development projects. The approvals by the City of Phoenix and the City of Glendale have granted greater densities and heights along the Loop 101 Freeway. Those approved building heights and intensities are greater than what is being sought in this PAD project.

The existing Agricultural zoning district on the property is no longer the appropriate zoning district because the parcel is next to the City's Park-N-Ride facility, Westgate entertainment mixed use development, and the adjacent freeway. With the approval of the General Plan Amendment to "CCC", the proposed rezoning to PAD will be in conformance with the General Plan designation on the property. The same reasons outlined for the GPA are applicable to the rezoning request. The site provides an appropriate transition between the area's land uses and will lend itself to increasing quality employment, commerce park users, retail, hotel, and/or multi-family opportunities as desired per the General Plan.

In order to provide the greatest potential for success, the **Emerald Point PAD** allows the development of the property to be all employment, Commerce Park, office, retail, hotel, and/or multi-family residential uses or in any combination thereof and furthermore provides the flexibility to locate the uses throughout the property. This flexible land use approach is not new to the City and is desirable to keep the **Emerald Point** project competitive in a market place where users seek properties with existing development rights, rather than those properties where development rights can only be achieved through a rezoning process. Rezoning can be perceived as an uncertain process and can encourage potential employment and other uses to gravitate to sites outside the City where existing development rights are in place allowing their use.

The PAD appropriately identifies those uses that can fit well with the existing adjacent uses and constraints. Multi-Family residents are often attracted to urban environments such as these because they prefer active 24 hour settings and want to live close to work with a full range of nearby open space, hospitality, retail, and travel amenities. Additionally, the adjacency of the City's Park-n-Ride gives the residents an alternative to driving each day and instead provides them an opportunity to use the existing transit system to commute to other parts of the Valley.

Emerald Point PAD is at its core a campus that will also attract other complimentary uses and provide the kinds of amenities and diversity of uses that are envisioned along the Loop 101 Freeway corridor and at the gateway into the City's Municipal Airport with an eye toward future growth industries that will need well-educated workforce. **Emerald Point** is a planned, unique, urban-style mixed-use development that will provide opportunities for various land uses through common and compatible design features. The development plan includes employment, office space for all types of tenants with particular emphasis on attracting corporate headquarters, "Class A" office users, regional operation centers, communications, data analysis, biological/energy/healthcare industries, medical services, professional occupations, insurance companies, financial, research and development, investment brokers, real estate, medical offices, pedestrian-oriented commercial, and flex-office/industrial, office/showroom, hotel uses, a spectrum of local, community and regional retail shopping opportunities, restaurants, theaters, entertainment venues along with high density residential elements in a master planned setting.

This proposal embraces the City's primary emphasis to attract a broad range of employment uses. The internal network of buildings, vehicles and pedestrian destinations will be linked together to establish a unique setting. Given its strategic location, the **Emerald Point** is well positioned to present a high quality retail, hotel, commerce park, multi-family residential, and/or office environment with innovative site designs, buildings, landscape buffers along the arterial streets, clear and prominent entries, pedestrian pathways linking all these uses and architectural focal points.

There have been very few multi-family developments that have been built within the immediate area, which furthers amplifies the need for this type of quality urban residential use. High-Density urban living uses are an important element in attaining the proper balance of land uses within the City in general. **Emerald Point** allows for land uses that are intended to capitalize on the nearby Loop 101 Freeway, the City's Park-N-Ride facility, Westgate entertainment mixed use development, and the variety of existing and planned retail centers in the area.

The ability for multi-family will also enhance the opportunities for high-quality employment for professionals, technical experts and highly skilled labor surrounding this area of the City by introducing additional housing diversity for employers with at least one high-end apartment community. The larger employment area has lacked diversity of housing opportunities that is important to attracting major employers. Not all employees desire to live in a single family home. Home ownership rates in the US (and

Arizona) are declining. Many young professionals prefer to rent an apartment over home ownership. Residents of the community will provide needed support to surrounding existing and future planned retail establishments. Additionally, we have found multi-family residents will frequently purchase a home in the area surrounding the multi-family community. We believe this amendment will help to provide another important residential life-style opportunity for residents wishing to live near one of the City's economic engines. As previously noted, the subject property also has immediate access to major arterials in Glendale Avenue, 99th Avenue, Bethany Home Road and Camelback Road. The site's critical setting near the entertainment/business corridor and the adjacent freeway corridor and arterial roadways gives the proposed master plan the unique opportunity to attract a wide spectrum of residents who seek excellent freeway access and nearby employment, commercial services and good public transportation. Internal pedestrian walkways/links will connect to walkways along 99th Avenue, Glendale Avenue and Maryland Avenue which will provide pedestrian connections to the City's Park-n-Ride, Westgate and the Sports and Entertainment district. The urban style residential component is an important element to attaining and maintaining the proper balance between employment and commercial uses for this area of the City.

The proposed PAD zoning for this site is an ideal solution for this parcel because of its adjacency to the freeway and the near-by Westgate entertainment and shopping district. The large Freeway buffer and the perimeter arterial street rights-of-way provide substantial buffering to the adjacent commercial and mixed-use project to the east, north, west and south and provides a compatible land use solution and a transition from the adjacent freeway and surrounding uses. Each use not only supports adjacent uses, but together they provide services that complement each other and the greater area. As previously mentioned, various performance and design standards have been incorporated in the regulatory section of the PAD to ensure compatibility within the site and with the surrounding properties.

This request seeks to rezone this parcel to allow compatible land uses which are complementary to other uses in the surrounding area. The site access and existing site constraints, coupled with the size of the parcel, severely limits the types of uses and development that can realistically occur under the existing A-1 zoning. The proposed land uses for the PAD are listed below.

E. LAND USE

The intent of this PAD Zoning District is to accommodate office, retail, hotel, and/or multi-family residential uses in any combination on this property. The purpose of this PAD district is to allow for a development which may combine multi-family residential and/or non-residential land uses in whatever combination and wherever on the property is desired or to allow the development of the property under a single land use. The following uses are permitted within the **Emerald Point PAD**.

1. Regulatory Provisions

The **Emerald Point** PAD has been prepared pursuant to Section 5.900 of the Zoning Ordinance of the City of Glendale in order to establish the regulatory framework for this master plan that will emerge and develop over the next decade. This PAD is intended to be a stand-alone document comprised of zoning regulations, including permitted uses, development standards and design guidelines for the entire 33 acre project located at the southwest corner of Loop 101 Freeway and Glendale Avenue. The PAD includes substantial background information to help illustrate the intent of the development. All images including the site plan are conceptual representations of the character and quality of the development. These photos/examples shall set the standard for quality and architecture against which the ultimate design and development will be judged. Plans and documents with specific designs will be processed through the City of Glendale Design Review process in accordance with Section 3.600. Provisions not specifically regulated by the **Emerald Point** PAD are governed by the City's zoning ordinance. This PAD only modifies zoning ordinance regulations and does not modify other City Codes or requirements.

2. Zoning Ordinance Applicability

Unless a use or standard for development is specifically re-stated herein, the Zoning Ordinance of the City of Glendale, Arizona as adopted and periodically amended, is applicable to the **Emerald Point** PAD. It is the intent of this PAD to establish the permitted uses, development standards and amend various provisions that will govern this development. In the event of a conflict between a use, a development standard, or described development procedure between the City of Glendale Zoning Ordinance and the PAD, the PAD shall govern. Similarly, where the PAD narrative is silent on a requirement, the applicable Zoning Ordinance provision shall control.

F. LIST OF USES

The intent of this PAD Zoning District is to allow the property the opportunity to develop with office, commerce park uses, employment, retail, hotel, and/or multi-family residential uses in any combination on this property within the context of common circulation, landscape and design themes. The purpose of this PAD district is to allow for a development which may combine multi-family residential and/or non-residential land uses in whatever combination and wherever on the property is desired or to allow the development of the property under a single land use.

The following list of uses is intended to define the authorized Permitted Uses, Uses Subject to Conditions, Uses Subject to Conditional Use Permit, and Accessory Uses within the **Emerald Point** PAD. The Master Developer or any property owner within the **Emerald Point** PAD may request an interpretation of analogous use to the defined list below or the referenced Sections of the Zoning Ordinance from the City of Glendale Planning Director. The Planning Director or his designee may administratively approve a use analogous to those listed below or the referenced Sections.

Below is a description of the types of permitted uses within the **Emerald Point PAD**.

1. Permitted Principal Use:

Uses specifically permitted below or uses analogous to those specifically permitted as may be determined by the City of Glendale Planning Director or his designee.

2. Permitted Accessory Use:

Uses permitted as accessory to a Permitted Principal Use.

3. Permitted Use Subject to Performance Conditions:

Uses specifically permitted subject to Performance Conditions as established by specific footnote number of the **Emerald Point PAD**. Performance Conditions are specific for each individual use as defined within this PAD.

4. Use Permitted Required:

Uses that are permitted within the **Emerald Point PAD** subject to the issuance of a Use Permit by the City of Glendale Planning Commission pursuant to the procedures and requirements as set forth in Section 3.900 of the City of Glendale Zoning Ordinance.

The following uses are allowed within the **Emerald Point PAD**:

Land Use	Permitted Principal Use	Permitted Accessory Use	Use Subject to Performance Conditions	Use Permit Required
<i>Adjusters, Insurance</i>	•			
<i>Agriculture Grazing, including crop production</i>	•			
<i>Ambulance Service Office</i>	•			
<i>Antiques, Crafts & Collectibles Sales (Retail or Wholesale)</i>	•			
<i>Animal Grooming</i>	•			
<i>Appliance, furniture and household equipment rentals</i>	•			
<i>Apparel and accessories stores</i>	•			
<i>Architects' Supplies</i>	•			
<i>Art Gallery, New & Used Art</i>	•			
<i>Artist's Material & Supplies (Retail or Wholesale)</i>	•			
<i>Artist Studio, including live/work</i>	•			
<i>Assembly Halls & Auditoriums</i>	•			
<i>Assembly of finished products or subassemblies so long as the primary use of the property is not the basic processing and compounding of raw materials, or food products</i>	•			
<i>Assisted Living Facility</i>	•			
<i>Athletic Club</i>	•			
<i>Auctioneers' Auditorium, for Antiques, Fine Arts & Furniture</i>	•			
<i>Automobile Parts & Supplies (Retail or Wholesale)</i>			•	

Land Use	Permitted Principal Use	Permitted Accessory Use	Use Subject to Performance Conditions	Use Permit Required
<i>Automobile Retail Sales, New & Used, Leasing and Rental</i>	•			
<i>Automobile Service Station</i>				•
<i>Automatic Teller Machine</i>		•		
<i>Awnings, Fabrication & Sales</i>			•	
<i>Bakers, Bakeries & Baked Goods, Retail, Manufacturing, Wholesale & Storage</i>	•			
<i>Banks, Trust Companies, and other financial institutions</i>	•			
<i>Bank Branch Office</i>	•			
<i>Bar, Lounge, or Tavern</i>	•			
<i>Bathroom Accessories, Display and Retail Sales Only</i>	•			
<i>Barber or Beauty Salon, Shop or Spa (w/Massage services as an accessory use)</i>	•			
<i>Beauty Shops Equipment (Retail or Wholesale)</i>	•			
<i>Bicycles, New and Used, Retail Sales and Repairs</i>	•			
<i>Biomedical and Medical Research Office and/or Laboratory</i>	•			
<i>Blueprinting</i>	•			
<i>Boats, New & Used Sales and Service</i>				•
<i>Bonding Companies</i>	•			
<i>Bookbinders, Commercial</i>	•			
<i>Book, Stationary & Greeting Cards</i>	•			

Land Use	Permitted Principal Use	Permitted Accessory Use	Use Subject to Performance Conditions	Use Permit Required
<i>Booksellers and Rentals, except adult bookstores</i>	•			
<i>Bowling Alleys</i>	•			
<i>Braces, Orthopedic, Sales Retail</i>	•			
<i>Brokerage House</i>	•			
<i>Building and Loan Association</i>	•			
<i>Building Materials, Retails Sales Only</i>				•
<i>Burglar Alarm Equipment Sales and Service</i>	•			
<i>Burglar Alarm Monitoring Service</i>	•			
<i>Business Machine, Distribution & Retail Sales, Repair & Service, storage & Wholesale</i>	•			
<i>Camera Store</i>	•			
<i>Candy Store</i>	•			
<i>Canvas Goods Sales, Retail</i>	•			
<i>Carpet, Rug & Furniture Cleaners</i>	•			
<i>Car Wash</i>				•
<i>Caterers</i>	•			
<i>Charitable Institutions, Office Only.</i>	•			
<i>Churches or similar places of worship</i>	•			
<i>Cigar or Tobacco Stores (Retail or Wholesale) including lounge</i>	•			
<i>Civic Uses</i>	•			
<i>Cleaners</i>	•			
<i>Clinic, Medical or Dental Offices</i>	•			
<i>Clothing Alteration</i>	•			

Land Use	Permitted Principal Use	Permitted Accessory Use	Use Subject to Performance Conditions	Use Permit Required
<i>Clothing Manufacturing (Retail & Wholesale Sales)</i>	•			
<i>Clothing, Retail, Wholesale & Distribution</i>	•			
<i>Coffee (Retail, Wholesale or Storage)</i>	•			
<i>Coin Dealers</i>	•			
<i>Commercial School, outdoor activities as an accessory use subject to conditions</i>	•			
<i>Compressed Natural Gas (CNG) Retail Sales, as an accessory use to automobile service station and automobile sales, new & Used, leasing and/or rental</i>			•	
<i>Confectioners (Retail or Wholesale)</i>	•			
<i>Conference Center</i>	•			
<i>Congregate Care Facilities</i>	•			
<i>Contractors Equipment and Supplies, Retail Sales</i>	•			
<i>Convenience Store, with Gas Station</i>				•
<i>Convenience Store with Gasoline Pumps & Automated closed Car Wash as accessory</i>				•
<i>Copy Center</i>	•			
<i>Corporate suites (furnished residential apartments leased for less than thirty days)</i>	•			
<i>Crockery Sales, Retail</i>	•			
<i>Cultural Institutions</i>	•			

Land Use	Permitted Principal Use	Permitted Accessory Use	Use Subject to Performance Conditions	Use Permit Required
<i>Curio Shops (Retail or Wholesale)</i>	•			
<i>Dancing, Theatrical or Music Studio</i>	•			
<i>Data Centers and Call Centers</i>	•			
<i>Daycare</i>	•			
<i>Day Spa</i>	•			
<i>Delicatessens & Catering Establishment</i>	•			
<i>Delivery Service Office</i>	•			
<i>Dental / Medical Clinic or Laboratories</i>	•			
<i>Dental Supplies (Retail or Wholesale)</i>	•			
<i>Department Stores</i>	•			
<i>Dependent Care Center</i>	•			
<i>Desks, Sales, Retail</i>	•			
<i>Detective Agencies</i>	•			
<i>Draperies, Sales or Manufacturing</i>	•			
<i>Drawing Materials (Retail or Wholesale)</i>	•			
<i>Dressmakers, Custom</i>	•			
<i>Drive-Up Facilities for Permitted Uses, Freestanding or Kiosk</i>				•
<i>Driving School, Auto</i>	•			
<i>Drugs, Wholesale Storage</i>	•			
<i>Drugstore</i>	•			
<i>Dry Cleaners & Laundry</i>	•			
<i>Dry Goods, Retail, Wholesale & Storage</i>	•			
<i>Dwelling, Multifamily</i>	•			
<i>Electric Equipment, Retail Sales & Repair</i>	•			

Land Use	Permitted Principal Use	Permitted Accessory Use	Use Subject to Performance Conditions	Use Permit Required
<i>Electrical Appliances, Retail Sales and Service</i>	•			
<i>Emergency Medical Care Facility (24 Hour Service)</i>	•			
<i>Employment Agencies, not including Day Labor Hiring and Transportation Centers</i>	•			
<i>Engravers</i>	•			
<i>Fabrication & Assembly of Finished products or subassemblies, so long as the primary use of the product is not the basic processing and compounding of raw materials, or food products</i>	•			
<i>Facilities & Storage incidental to a construction project when located on the project site.</i>	•			
<i>Family Game Center, Indoor</i>	•			
<i>Farmers Market</i>	•			
<i>Feed, Retail & Sales Office</i>	•			
<i>Financial Institutions, including drive-thru service</i>	•			
<i>Fire Protection Equipment & Supplies, Retail Sales & Service</i>	•			
<i>Floor Coverings (Retail & Wholesale)</i>	•			
<i>Florist (Retail & Wholesale)</i>	•			

Land Use	Permitted Principal Use	Permitted Accessory Use	Use Subject to Performance Conditions	Use Permit Required
<i>Frozen Foods, Wholesale Storage & Distribution</i>	•			
<i>Furniture, Repairing & Refinishing</i>			•	
<i>Furniture (Retail & Wholesale)</i>	•			
<i>Galleries & Studios</i>	•			
<i>Gas Regulating Equipment, Sales & Service</i>	•			
<i>Gift, Novelty & Souvenir Store</i>	•			
<i>Glass Shops, Custom</i>	•			
<i>Guns, Retail Sales and/or Repairs</i>			•	
<i>Grocery</i>	•			
<i>Gymnasium, Private or Commercial</i>	•			
<i>Hardware Store</i>	•			
<i>Health/Fitness Club</i>	•			
<i>Health and Support Service</i>	•			
<i>Health Food Products, Retail Sales</i>	•			
<i>Heating and Ventilating Sales, retail</i>	•			
<i>Hemstitching</i>	•			
<i>Hobby, Stamp and Coin Shop</i>	•			
<i>Home Furnishings (Retail & Wholesale)</i>	•			
<i>Home Office</i>	•			
<i>Hospital</i>	•			
<i>Hospital Service Organizations</i>	•			
<i>Hospital with Recreational Vehicle Parking</i>	•			
<i>Hotel equipment, Supplies & Retail Sales</i>	•			

Land Use	Permitted Principal Use	Permitted Accessory Use	Use Subject to Performance Conditions	Use Permit Required
<i>Hotel or Motel</i>	•			
<i>Hotel / Condominium</i>	•			
<i>Household or office furniture, furnishings, home electronics and appliances store</i>	•			
<i>Ice Cream Store</i>	•			
<i>Imported Goods Sales (Retail or Wholesale)</i>	•			
<i>Independent Living Facility</i>	•			
<i>Indexing Systems and Supplies, Retail Sales</i>	•			
<i>Indian Goods, Retail Sales</i>	•			
<i>Indoor Recreational Facilities</i>	•			
<i>Interior Decorators, Display, Retail Sales and Fabrication, Custom</i>	•			
<i>Intermediate Care Facility</i>	•			
<i>Jewelers, Manufacturing</i>	•			
<i>Jewelers (Retail or Wholesale)</i>	•			
<i>Laboratory, Testing & Research</i>	•			
<i>Laundries as an accessory to Hospital, Hotel, Motel, Condominium, Multifamily Residential</i>		•		
<i>Laundry Equipment & Supplies</i>	•			
<i>Lawn Furniture, New, Sales</i>	•			
<i>Leather Goods: Repairing, Sales, Custom or Handcraft Manufacturing</i>	•			
<i>Limiting manufacturing and assembly of finished products or subassemblies</i>	•			
<i>Lithographers</i>	•			

Land Use	Permitted Principal Use	Permitted Accessory Use	Use Subject to Performance Conditions	Use Permit Required
<i>Liquor, Retail, Wholesale & Storage (No Drive-thru permitted)</i>	•			
<i>Liquor, Package Retail Sales(No Drive-thru permitted)</i>	•			
<i>Live Entertainment, Indoor</i>	•		•	
<i>Live Entertainment, Outdoor</i>	•		•	
<i>Live-Work Units</i>			•	
<i>Locker, Food Storage</i>	•			
<i>Locksmith Repair Shop</i>	•			
<i>Lodges or Fraternal Associations</i>	•			
<i>Machinery Dealers, Retail Sales and Showrooms</i>	•			
<i>Machinery Rental</i>	•			
<i>Manufacturing</i>	•		•	
<i>Massage Therapy</i>	•			
<i>Medical Supplies, Retail Sales and Rentals</i>	•			
<i>Messenger Delivery Service</i>	•			
<i>Microbrewery, Pub</i>	•			
<i>Millinery and Artificial Flower Making</i>	•			
<i>Milling Equipment, Showrooms, Retails Sales</i>			•	
<i>Mineral Water Distillation and Bottling</i>			•	
<i>Mobile Diagnostic Unit as an accessory to a Hospital, Emergency Department Facility, Clinic or Medical Office Use.</i>		•		
<i>Monuments, Retail Sales and Display</i>	•			
<i>Movie/Motion Picture Equipment, Retail Sales & Display</i>	•			

Land Use	Permitted Principal Use	Permitted Accessory Use	Use Subject to Performance Conditions	Use Permit Required
<i>Movie/Motion Picture Theaters</i>	•			
<i>Motorcycles, Repairing and Sales</i>			•	
<i>Musical Instruments Repairing and Retail sales (new and used)</i>	•			
<i>Music Store (new and used)</i>	•			
<i>Music Studios</i>	•			
<i>Newsstand</i>	•			
<i>News Dealers</i>	•			
<i>News Service</i>	•			
<i>Newspaper Printing</i>	•			
<i>Night Club</i>			•	
<i>Novelties, Wholesale</i>	•			
<i>Offices, Medical, General, Business, Professional & Administrative</i>	•			
<i>Offices with Conference, Reception or Health/Recreation Facilities</i>	•			
<i>Office Service: Stenographic, Letter Prep, Addressing & Mailing</i>	•			
<i>Optical goods, Manufacturing and Sales</i>	•			
<i>Orthopedic Appliances, Manufacturing and Sales</i>	•			
<i>Outdoor dining & alcoholic beverage consumption & sales</i>	•			
<i>Outside Retail Food Sales</i>	•			
<i>Outdoor Food preparation</i>	•			
<i>Outdoor Grocery Sales</i>	•			
<i>Outdoor sales & display as accessory to Retail use.</i>		•		

Land Use	Permitted Principal Use	Permitted Accessory Use	Use Subject to Performance Conditions	Use Permit Required
<i>Outdoor recreational facilities and sports courts as an accessory use to hotel, motel & residential.</i>	•			
<i>Outpatient Treatment Facility</i>	•			
<i>Outdoor Garden Center as accessory to Retail use.</i>		•		
<i>Outdoor Storage</i>			•	
<i>Painters' Equipment and Supplies Shops, Wholesale and Storage</i>			•	
<i>Parking Lots or Garage/Structure</i>	•			
<i>Patron Dancing</i>		•	•	
<i>Pet Care facilities</i>	•			
<i>Pet Store</i>	•			
<i>Personal Care Home</i>	•			
<i>Personal Services, such as beauty shops and barbers shops</i>	•			
<i>Pharmacy, with Drive-Thru</i>	•			
<i>Photographic Studio, Developing and Printing</i>	•			
<i>Photographic Developing and Printing</i>	•			
<i>Photo-Engraving Company</i>	•			
<i>Physical Therapy Equipment, Retail and Wholesale</i>	•			
<i>Plant Nurseries, Indoor</i>	•			
<i>Plastic Products, Retail and Wholesale</i>	•			
<i>Playground Equipment Sales</i>	•			
<i>Plumbing Fixtures and Supplies, Display and Retail Sales</i>	•			

Land Use	Permitted Principal Use	Permitted Accessory Use	Use Subject to Performance Conditions	Use Permit Required
<i>Pool and Billiard Halls</i>	•			
<i>Poster Illustration, Studio</i>	•			
<i>Pottery and Ceramics, Wholesale</i>			•	
<i>Printers</i>	•			
<i>Private Schools</i>	•			
<i>Private Clubs & Lounges</i>	•			
<i>Professional offices or studios, including the teaching of fine arts.</i>	•			
<i>Propane Retail Sales (accessory to service stations or convenience store)</i>	•		•	
<i>Quarters for Caretakers or Watchmen</i>	•			
<i>Radio, Telephone and Television Sales and Service</i>	•			
<i>Radio and Television Broadcasting Stations</i>	•			
<i>Recording Studio</i>	•			
<i>Recreation and Social Clubs</i>	•			
<i>Reducing Salons</i>	•			
<i>Refrigeration Equipment, Repairs and Sales</i>			•	
<i>Research laboratories for scientific research, investigation, testing or experimentation which may include prototype product development</i>	•			
<i>Residential-Multifamily Loft</i>	•			
<i>Residential-Multifamily Condominium</i>	•			

Land Use	Permitted Principal Use	Permitted Accessory Use	Use Subject to Performance Conditions	Use Permit Required
<i>Residential-Multi-family, including Accessory uses that are incident to the principle use of the property such as fences, walls, garages, and swimming pools</i>	•			
<i>Residential - Time Share Units</i>	•		•	
<i>Resort Hotel</i>	•			
<i>Restaurant, Cafeterias, Bars, Lounge, Taverns, Delicatessens, self-service and takeout restaurants, including outdoor dining</i>	•			
<i>Restaurants, including restaurants integrated into employment structures</i>	•			
<i>Restaurant with Drive-Thru Facilities</i>				•
<i>Restaurant Equipment, Supplies and Retail Sales</i>	•			
<i>Retail sales, new & used</i>	•			
<i>Retail store integrated into office building</i>	•			
<i>Riding Equipment Sales</i>	•			
<i>Saddlery Shops, Custom, Handmade</i>	•			
<i>Safes, Repairing and Sales</i>	•			
<i>Schools (Business, Charter, Professional, Public, Tech., Higher Ed)</i>	•			
<i>School Equipment and Supplies Wholesale</i>	•			
<i>Scientific or Research Laboratories, including incidental pilot plants in connect therewith</i>	•			

Land Use	Permitted Principal Use	Permitted Accessory Use	Use Subject to Performance Conditions	Use Permit Required
<i>Seasonal sales and special events, subject to standards in Sections 7.501 and 7.503.</i>	•			
<i>Sewing Machines, Commercial and Industrial Type, Retail Sales and Repairing</i>	•			
<i>Shoe Sales & Alteration Service</i>	•			
<i>Single retail use that is greater than seventy-five thousand (75,000) square-feet of gross floor area.</i>				•
<i>Sign Painters Shops, Not Neon Sign Fabrication</i>	•			
<i>Sign Shops</i>	•			
<i>Skating Rinks, Indoor</i>	•			
<i>Sound Systems and Equipment Sales</i>	•			
<i>Sound Systems, Rentals and Repairs</i>	•			
<i>Special School or Training Institution</i>	•			
<i>Specialty store for the limited fabrication, instruction in and or sale of works of arts</i>	•			
<i>Spices, Wholesale and Storage</i>	•			
<i>Sporting Goods Store (Retail or Wholesale)</i>	•			
<i>Surgical Supplies, Retail and Wholesale</i>	•			
<i>Surplus Stores</i>	•			
<i>Swimming Pool Supplies Retail</i>	•			

Land Use	Permitted Principal Use	Permitted Accessory Use	Use Subject to Performance Conditions	Use Permit Required
<i>Tanning Salon, Nail Salon, Barber/Beauty Parlor (Massage Therapy as Accessory)</i>	•			
<i>Telephone Companies, Facilities and Offices</i>	•			
<i>Theater/music venue</i>	•			
<i>Ticket and Travel Agency</i>	•			
<i>Timeshare, Resort</i>	•			
<i>Tire Repairing Equipment and Supplies</i>				•
<i>Title Insurance</i>	•			
<i>Tools, Retail. Wholesale and Distribution</i>	•			
<i>Urgent Care Centers</i>	•			
<i>Valet Parking Service</i>	•			
<i>Variety store</i>	•			
<i>Veterinary Clinic/Hospital</i>	•			
<i>Veterinarians' Supplies, Retail and Wholesale</i>	•			
<i>Video Rental Store</i>	•			
<i>Video store, new and used</i>	•			
<i>Warehousing uses when associated with another permitted use.</i>	•			
<i>Watch and Clock Repair</i>	•			
<i>Water and Ice Store</i>	•			
<i>Water Softening Equipment, Service and Repairs</i>	•			
<i>Wholesaling</i>	•			
<i>Wholesaling and Distribution uses when associated with another permitted use</i>	•			
<i>Window Cleaners' Service</i>	•			

Land Use	Permitted Principal Use	Permitted Accessory Use	Use Subject to Performance Conditions	Use Permit Required
<i>Window Display Installations, Studio and Shops</i>	•			
<i>Window Glass Installation Shops</i>	•			
<i>Wine, Retail, Wholesale and Storage</i>	•			
<i>Wireless Communication Facilities</i>		•		

Any uses similar to and not more detrimental than the uses permitted herein shall be subject to Planning Director interpretive administrative approval.

G. PERFORMANCE CONDITIONS

The Uses Subject to Performance Conditions as defined above, List of Uses, identify the proposed uses allowed within the **Emerald Point** PUD subject to additional development performance standards to minimize of potential impacts to the community from hazards, nuisance and other negative factors. To ensure that land uses are not operated in such a manner as to cause a detrimental impact on adjacent properties or ambient community environment; and to preserve and enhance the lifestyle of existing and future residents through the protection of public health, safety, and general welfare, the following restriction shall apply to all applicable use within the **Emerald Point** PUD.

<i>Automobile Parts & Supplies (Retail or Wholesale):</i>	All work must be within an enclosed building. No exterior storage is permitted unless fully screened with a solid fence or continuous plantings as approved by the Planning Division. Such storage shall be no higher than twelve feet.
<i>Awnings, Fabrication & Sales</i>	All work must be within an enclosed building. No exterior storage is permitted unless fully screened with a solid fence or continuous plantings as approved by the Planning Division. Such storage shall be no higher than twelve feet.

<i>Boats, New & Used Sales and Service</i>	All General Repair, Body Shops and/or Painting work must be within an enclosed area. No exterior storage is permitted unless fully screened with a solid fence or continuous plantings as approved by the Planning Division. Such storage shall be no higher than twelve feet.
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<i>Compressed Natural Gas (CNG) Retail Sales, as an accessory use to automobile service station and automobile sales, new & Used, leasing and/or rental:</i>	
a.	Natural gas fueling equipment may be sheltered by an enclosure constructed of non-combustible or limited combustible materials that has at least one side predominantly open and a roof designed for ventilation and dispersal of escaped gas. This facility shall be considered outdoors for PAD purposes. If the fueling equipment is not sheltered by such a structure, the equipment shall be screened with a masonry block wall which is architecturally compatible with the buildings on the site; the wall shall be predominantly open on one side.

<i>Furniture, Repairing & Refinishing:</i>	All General Repair, Refinishing and/or Painting work must be within an enclosed area. No exterior storage is permitted unless fully screened with a solid fence or continuous plantings as approved by the Planning Division. Such storage shall be no higher than twelve feet.
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<i>Guns, Retail Sales and/or Repairs:</i>	
a.	The quantities, arrangement, and distance requirement for the storage of propellant power, primers, and percussion caps shall be in accordance with the Fire Code.
b.	A permit to load ammunition shall be obtained from the Fire Department.
c.	In addition to the requirements of subsection a and b above, the loading of specialty or custom ammunition shall be subject to obtaining a Use Permit.

<i>Live Entertainment, Indoor:</i>	
a.	Hours of operation shall not occur between the hours of 2:00 a.m. and 7:00 a.m. (19 hours per day – permitted indoor use).
b.	Any door or other opening affiliated with a structure where this use is conducted shall not be constructed within 150 feet of any existing residential zoned property.

<i>Live Entertainment, Outdoor:</i>	
a.	Hours of operation shall not occur between the hours of 1:00 a.m. and 7:00 a.m.
b.	Amplified sound shall not occur between the hours of 10:00 p.m. and 7:00 a.m.
c.	The maximum permissible amplified sound level (generated from an amplified sound system) shall not exceed 55 dBA at any established property line that

	defines the Emerald Point PAD. Noise shall be measured with a sound level meter meeting the standards of the American Noise Standards Institute, ANSI SI.4-1961 "American Standard Specification for General Purpose Sound Level Meters." The instrument shall be set to the A-weighted response scale. Measurements shall be conducted in accordance with ANSI SI.2-1962 "American Standard Meter for the Physical Measurement of Sound".
d.	Outdoor lighting fixtures shall incorporate light cut off shielding as necessary to direct light downward and away from residential zoned property. Lighting may need to be controlled and mitigated through the use of mature landscape buffers or other shielding techniques as approved by the Planning Division.

Live-Work Units:

a.	Limited to Professional offices and personal services, excluding nail salons.
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Manufacturing:

a.	All manufacturing shall take place in a closed building.
b.	Loading docks or bays shall be oriented away from any existing residential use, excluding high-rise residential developments and hotels and motels and multifamily residential.
c.	Loading docks or bays shall not be permitted within 75 feet of a public street.
d.	Outdoor storage shall not be permitted within 75 feet of a public street. Outdoor storage must be fully screened from view with a solid masonry wall that is constructed to a height sufficient to screen storage of material and/or equipment affiliated with the manufacturing use.

Milling Equipment, Showrooms, Retail Sales:

All work must be within an enclosed building. No exterior storage is permitted unless fully screened with a solid fence or continuous plantings as approved by the Planning Division. Such storage shall be no higher than twelve feet.

Mineral Water Distillation and Bottling:

All work must be within an enclosed building. No exterior storage is permitted unless fully screened with a solid fence or continuous plantings as approved by the Planning Division. Such storage shall be no higher than twelve feet.

Motorcycles, Repairing and Sales:

All General Repair and/or Painting work must be within an enclosed area. No exterior Storage is permitted unless fully screened.

Night Club:

a.	Any bar or nightclub shall not be located within 150 feet of any existing
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	residential zoned property, excluding PADs, high-rise residential developments and hotels and motels and multifamily residential zoned property.
b.	The maximum permissible amplified sound level (generated from an amplified sound system) shall not exceed 55 dBA at any established property line that defines the Emerald Point PAD. Noise shall be measured with a sound level meter meeting the standards of the American Noise Standards Institute, ANSI S1.4-1961 "American Standard Specification for General Purpose Sound Level Meters." The instrument shall be set to the A-weight response scale. Measurements shall be conducted in accordance with ANSI S1.2-1962 "American Standard Meter for the Physical Measurement of Sound".

Outdoor Sales:	All outdoor sales and displays shall comply with the "Performance Standards" Section for General Commercial zoning district of the Zoning Ordinance.
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Outdoor Storage:	No exterior storage is permitted unless fully screened with a solid fence or continuous plantings as approved by the Planning Division. Such storage shall be no higher than twelve feet.
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Painters' Equipment and Supplies Shops, Wholesale and Storage:	All work must be within an enclosed building. No exterior storage is permitted unless fully screened with a solid fence or continuous plantings as approved by the Planning Division. Such storage shall be no higher than twelve feet.
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Patron Dancing:	Accessory to Restaurant, Bar, Lounge, Nightclub, Tavern, Dance Hall, Cinema/Movie Theater, Concert Hall, Private Club & Lounges or Hotel.
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Pottery and Ceramics, Wholesale:	All work must be within an enclosed building. No exterior storage is permitted unless fully screened with a solid fence or continuous plantings as approved by the Planning Division. Such storage shall be no higher than twelve feet.
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Propane Retail Sales:	
a.	Comply with City of Glendale Fire Code.
b.	Site plan approval in accordance with the Design Review Approval Section of the Zoning Ordinance through the Planning Division for the purpose of assuring continuous pedestrian access to buildings and minimizing view from public streets.
c.	The public's view of the rack of propane containers shall be screened with devices such as planters, building columns, façade elements or walls as determined through the site plan review process.

d.	The propane shall be sold only in sealed steel containers with a maximum volume of 20 lbs. (4.8 gallons propane). The containers shall be in racks with an aggregate capacity of not more than 12 containers at each location.
e.	The rack of containers shall be mounted or anchored to the ground or building, the rack shall not block the view into a store window and in all events may not be more than 41 inches high.
f.	Each 20 lb. (4.8 gallon propane) container shall be fitted with a propane service valve (Type I) for safety purposes.
g.	Review by the Fire Department and compliance with all pertinent requirements of the Glendale Fire Code, the National Fire Protection Association Standard No. 58 as required by the Fire Department, and other codes and regulations.
h.	Signage shall be limited to product identification on each 20 lb. (4.8 gallon propane) container and to six (6) square feet of identification signs on the storage rack.

***Refrigeration Equipment,
Repairs and Sales:***

All work must be within an enclosed building. No exterior storage is permitted unless fully screened with a solid fence or continuous plantings as approved by the Planning Division. Such storage shall be no higher than twelve feet.

Residential - Time Share Units:

Time share, Individually-owned residential units (attached or detached) which allow someone to own a full-service permanent residence or vacation home as a fractional share of a whole. The individual owner only owns a fractional share of the air space confined within the boundaries of the home and/or designated yard area. All property outside these boundaries is held in an unsubdivided ownership interest by a corporation established at the time of the condominium's creation.

Veterinary Clinic/Hospital:

a.	The keeping or boarding of animals must occur within an enclosed building at all times.
b.	The average noise level, measured at the property line, shall not exceed fifty-five DB (one LDN) when measured on an "A weighted" sound level meter and according to the procedures of the Environmental Protection Agency.

H. PROHIBITED USES

- Adult oriented land uses.
- Check Cashing Facilities.
- Drive-thru Liquor Stores.
- Fortune-tellers/Palm Readers.
- Pawn Shops.
- Piercing studio and/or Tattoo shops/parlor.
- Thrift Store.

I. DEVELOPMENT STANDARDS

The purpose and intent of these provisions defined within the **Emerald Point** PAD is to promote the development of unique, urban-style mixed-use development that will provide opportunities for the spectrum of land uses referenced herein through common and compatible design features. The **Emerald Point** PAD will fully comply with the Design Review criteria set forth in Section 3.600 of the Glendale Zoning Ordinance or as amended herein. This PAD also provides additional supplement design principles which are included in the development and landscape standards.

The specific site plan for employment, retail and residential uses are not shown at the time of this PAD application. The attached “Conceptual Birdseye Perspective” and the 2 “Representative examples of the Site Plan” are illustrations of how the ultimate site plan may be developed. It is anticipated that the project will be developed in phases. Each phase will be subject to the City’s normal Design Review process. At the time of the Design Review process for that phase the applicant must also show how the balance of the site might be developed in conjunction with that phase that is the subject of the Design Review proposal. The purpose of showing the balance of the site is to ensure that the project can be developed and integrated together as one functioning development. Staff does have the ability to waive the Master Plan for the balance of the property that is not subject to the Design Review request if they deem it unnecessary.

As previously mentioned the property is an irregular shaped property with no residential homes immediately adjacent to the site and situated between the Loop 101 Freeway right-of-way and 99th Avenue. The requested development standards are intended to allow this property the ability to bring together employment, office, variety of retail commercial, hotel uses and/or a multi-family residential element in a cohesively planned urban setting.

The freeway and 99th Avenue create an unusually narrow property that requires deviation from some of the traditional development standards. Since no residential homes exist next to this site the need for large building setbacks are not necessary to provide compatibility between uses. The existing streets and freeway acts as separation between existing and proposed uses and provides large building setbacks from any adjacent development. The constraints of the existing streets and the narrowness of the property make it more difficult to develop this site in the traditional manner. Additional density in highly urbanized areas, near employment and retail centers on major freeway, is typical, appropriate, and desirable.

This PAD proposes a 90-foot height limit over the entire site. Height adjacent to the freeway provides an opportunity for buildings to act as a noise barriers to the development across the wash. The requested height also provides the ability to raise executive level floors and to allow for greater flexibility in the selection of structural systems and telecommunications infrastructure required by today’s office users. In order to allow the ability to accommodate office, retail, hotel, and/or multi-family residential uses this PAD proposes amended Development Standards as listed below.

Development Standards	
Min. Area	N/A for Non-Residential 43,560 for Multi-Family Residential
Min. Width	N/A
Min. Depth	N/A
Max. Density/Gross Ac.	30 du/ac for Residential
Max. F.A.R	.5 or less
Min. % Open Space*	10% for Non-Residential 20% for Multi-Family Residential
Front Setback (99th Avenue)	20-feet
Street Side Setback (Glendale Avenue and Maryland Avenue)	Glendale Avenue - 30-feet Maryland Avenue - 20-feet
Rear Setback (Loop 101 Freeway)	0-feet
Distance Between Structures	Building Separation shall be per the Unified Building Code.
% Coverage	See F.A.R for Non-residential 55% for Multi-Family Residential
Building Height (1)	90-feet <i>(1) Any proposed structure shall comply with the requirements of Federal Aviation Regulation (FAR) Part 77. If any structure requires submittal of Form 7460 to the Federal Aviation Administration (FAA), the FAA's 7460 Case Determination must be submitted to the Planning Division prior to issuance of Site Plan approval inclusive of that structure. An FAA Case Determination of "No Hazard to Air Navigation" is required in order for the City to issue Final Site approval inclusive of that structure.</i>

* Open Space is defined as: An area that is intended to provide light and air and is designed for either environmental, scenic, or recreational purposes. Open space includes, but is not limited to lawns, decorative planting, walkways, active and passive recreation areas, playgrounds, fountains, swimming pools, wooded areas, water courses, perimeter landscaping, plazas and rooftop amenities.



EMERALD POINT
SEC Glendale Avenue & 99th Avenue
Conceptual Birdseye Perspective



Representative example of Site Plan



Representative example of Site Plan

J. DESIGN GUIDELINES

Emerald Point shall be designed with 4-sided architecture so that it will offer pleasing views and vistas not only for tenants and owners within the project but for potential owners and customers on the Freeway and arterial streets. At **Emerald Point**, walls and windows will be considered in terms of multiple “front elevations”. Street level of all buildings will be developed to consider the pedestrian experience and vitality of the project. The grading and landscaping will aid in transitioning uses from the buildings into the pedestrian experience. The Design functions have been created to develop this relationship between the project’s urban environment and the internal pedestrian environment.

It’s very important that the design and layout of the project creates a comfortable and user friendly environment. In our sun driven climate, designing shade elements plays a key role, either with positioning of the buildings themselves, canopy extensions or strategically located vegetation. The result is to use design creativity to make this urban oasis thrive. **Emerald Point** will also promote diversity and stratification in its architectural styles as a means to push visual interest across the project. This project will promote the creation of public and semi-public spaces that will encourage a sense of community and promote the Urban Oasis.

Emerald Point will strive to create its own unique neighborhood with a dense and dramatic type of development, organized around varying building sizes, articulations and dramatic choices in building materials all of which will set **Emerald Point** distinctively apart from other developments.

The provisions of this section seek to create a foundation for design that will ensure development of an attractive, high quality mixture of architectural styles. Buildings will feature creative applications of materials, colors and textures. The design of each building within the overall development will be complementary so as to create a harmonious blend of styles. This will be accomplished through the use of compatible materials and colors while creating a strong individual design identity consistent with each building’s individual use and purpose. The design guidelines and standards proposed herein are intended to provide guidelines to reflect the desired character for the overall project. All employment/office, retail and multi-residence uses are subject to Design Review approval as outlined in the “Design Review” Section of the Zoning Ordinance.

This PAD shall conform to the following design guidelines indicated below.

ARCHITETURAL DESIGN PARAMETERS:

Multi-Family Residential	This designated portion of this project will conform to the City of Glendale’s Multiple Residence Housing Design Guidelines, except as modified by this PAD.
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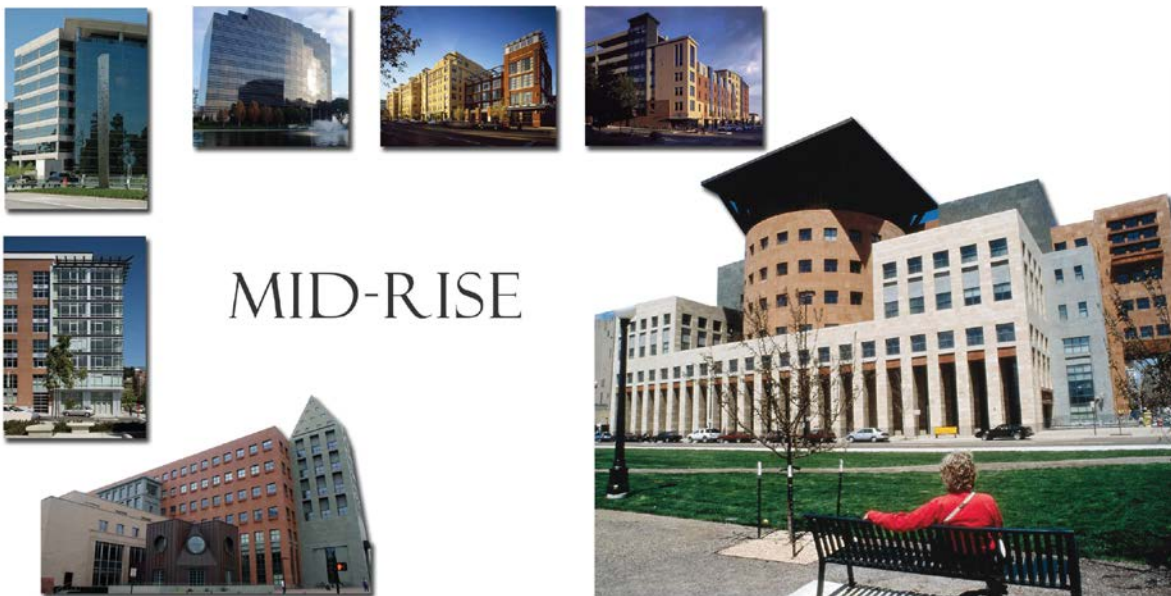
Building Articulation	<p>The visual impact of a building depends not only on its size, but also on the relationship between its height, length, and width including such features as prominent entries, windows, color and materials. Articulation of the façade on all four building sides.</p> <p>Building wall articulation shall be required on buildings with appropriate details and elements to recognize the pedestrian scale environment and a sense of place. Acceptable modes of articulation may include per building facade:</p> <ul style="list-style-type: none">• Changes in the horizontal wall plane.• Changes in the vertical wall plane.• Variation in the roof lines and form.• Introduction of significant signage elements.• Use of balconies.• Use of ground level arcaded and covered areas.• Use of protected and recessed entries.• Use of vertical elements on or in front of expansive blank walls.• Use of pronounced wall plane offsets and projects.• Use of vertical accents and focal points.• Change in use of materials or color to provide a clear distinction between roof, body and base of a building.• Variation in storefront windows and material differentiation.• Changes in predominant material use.• Other form of building façade articulation as approved by Planning Division.
Roofs	<p>Any pitched roof structure shall use concrete tiles or “pre-finished” metal roofing or other acceptable material as approved by Planning Division. Flat roofs shall be non-reflective material (minimum SRI of 78 for non occupiable roof patios).</p> <p>Variation in roof lines, architectural elements, change in materials, parapets and/or other significant roof or canopy form, or other form of architectural treatment as approved by the Planning Division is encouraged to reduce the scale of buildings. Roof size, shape, material, color and slope should be coordinated with the scale and theme of the building. Parapets will be used for concealing flat roof. Three dimensional cornice treatment (where appropriate) or other similar detail that enhance the building architecture is encouraged.</p> <p>All roof mounted mechanical, elevator equipment and satellite dishes will be screened from the public right-of-way view.</p>

Entrances	<p>All buildings shall have clearly defined entrance(s) incorporating a minimum of 3 elements:</p> <ul style="list-style-type: none">• Arches• Overhangs• Canopies or porticos• Recesses/projections• Raised parapets• Peaked roof forms• Signage• Entrances framed by outdoor pedestrian features or enhanced landscaping• Architectural features such as tile work and moldings integrated into the building structure to frame the entryway.• Other acceptable architectural element as approved by the Planning Division.
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Materials	<p>There will be a mix of architectural materials throughout the project. Modern sophisticated office buildings may be developed next to more rustic and urban buildings.</p> <p>Approved exterior wall materials include the following list, unless otherwise approved by the Planning Division:</p> <ul style="list-style-type: none">• Common clay brick• Granite• Marble, or other natural stone• Tile cladding• Concrete masonry unit (provided that surfaces are integrally colored, painted, stained or have attractive exposed aggregate which must be approved as to color and texture)• Architectural metal• Stucco or plaster (synthetic systems simulating stucco or plaster are permitted)• Concrete, pre-cast or poured in place• Glass• Metal panels and/or trim• Metal and composite panels• Metals (polished and rusted)• Perforated metals and meshes• Stucco• Glass• Stone• Masonry• Green-Screen or Green walls including trellises to reduce excessive radiant heat in pedestrian areas.
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Paving Materials Design	<p>Pedestrian crossing area shall have a different color, texture or material to define these areas with one of the following methods:</p> <ul style="list-style-type: none"> • Stamped concrete • Interlocking concrete pavers • Stained concrete • Integral colored concrete. • Or other acceptable method as approved by the Planning Division. • All materials within the Pedestrian crossing shall meet ADA requirements and may not create a significant noise issue with vehicle traffic.
Lighting Design	<p>All lighting shall comply with Section 26.5 Outdoor Lighting Controls of the City of Glendale's Municipal Code.</p> <p>All lighting on the site must be completely shielded. Parking lot fixtures and wall lights shall not exceed 25-feet in height.</p>

The below representations illustrate and establish a level of quality which will be the benchmark against which future site plan and elevation submittals will be judged by City Staff. While the applicant may submit elevations which differ in character from the representations shown in this PAD, the intent of these exhibits is to establish a level of quality for the proposed development; The Staff shall ensure that the level of quality shown in these exhibits are commensurate in quality with the actual elevations, materials, colors which are ultimately provided with each Design Review application.





Representative examples of architectural characters and materials.

LANDSCAPE AND DESIGN:

These landscape guidelines are intended to provide the framework for the development of the overall landscape character for **Emerald Point**. The guidelines include all areas of the site including perimeter treatments, open spaces and parking areas. The objective of these guidelines is to unify the project.

Specific Perimeter Treatments

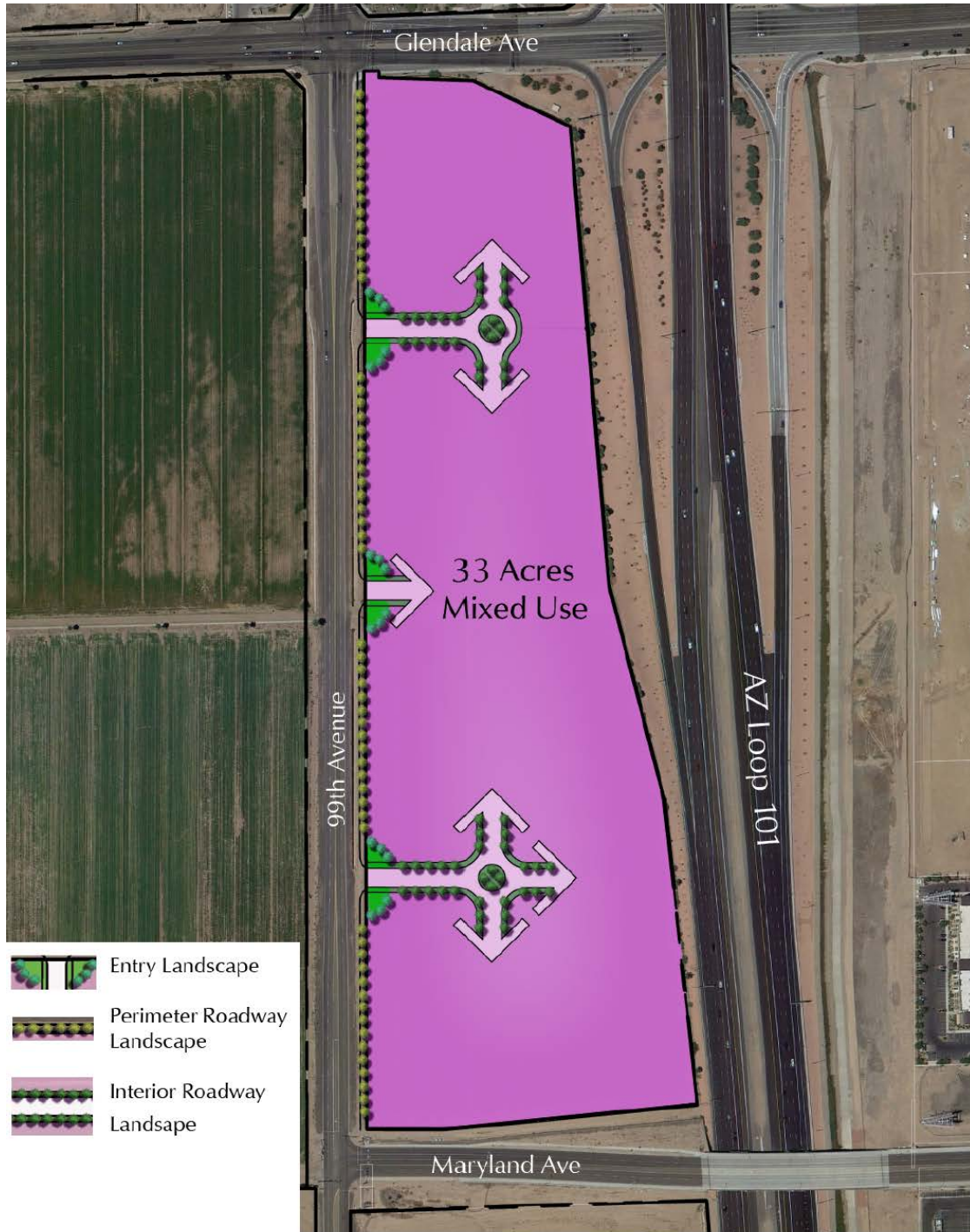
The perimeter shall be developed to have a consistent look. The perimeter shall have a themed street tree landscape appearance. The perimeter of the site shall incorporate the use of flowering desert shrubs and groundcovers that will provide a sense of identity and be compatible with the environmental conditions of the area. Drought tolerant shade trees, ground cover and architecturally themed perimeter screen walls shall be incorporated along all site edges.

Site Entrances

The entries into the site shall be clearly identified as project entry points with the use of enhanced landscape materials. These shall include increased plant massing, themed plant species as well as architecturally themed monument signage and site walls. These may include palms, with shrub accent and groundcover plantings site walls and directional signage.

Hardscape

A mixture of different hardscape and paving materials shall be integrated into the site to emphasize key focus areas. These areas may include major vehicular entrances, pedestrian crossings, and/or pedestrian plazas. It is encouraged that a special feature, such as a water feature, water fountain, public art or other focal feature be used in the center of the project's roundabouts. Architecturally themed signage, screen walls and decorative elements shall be selected to integrate with the overall character of the development.



EMERALD POINT
SEC Glendale Avenue & 99th Avenue
Conceptual Landscape Master Plan



K. SIGNS

Signs shall conform to all provisions defined by Sections 7.100 through Section 7.110 of the City of Glendale Zoning Ordinance, as amended over time.

The main objective of the signage program for **Emerald Point** is to build in criteria for high quality signage consistent with this urban style mixed use project and yet also allow for flexibility to respond to changing conditions and newer designs over the many years of build-out. The PAD will also create the avenue to encourage creative development with signage that is vibrant, charismatic and potentially unique. A general framework is provided in this PAD to ensure that the designs are appropriate for the project as a whole. Signage should not only include text that identifies the name of the business, but also incorporates the use of graphics and forms that provide identity, where appropriate, for commercial clients.

Signage will be a vital and integral tool in creating and framing the environment for **Emerald Point**. The proposed signage is a tool that will not only enhance the experience of the overall project but also play a key sustainability role. A unique signature signage package is proposed that integrates business identification, on and off-site advertising, art, graphics and freestanding signs to tie into the building architectural landscape of **Emerald Point**. It will provide excellent freeway visibility, gives unique opportunity for corporate headquarters, major businesses, manufacturing corporate offices, entertainment related uses, manufacturing, the signage necessary to provide identity, name recognition, corporate branding and visual advertisement. Digital Billboard Signs will also be an important part of this signage hierarchy to generate interest and excitement for future businesses and the master plan itself.

The proposed high-end design standards for the office buildings, support retail pads, flex-office/industrial, office and urban components and streetscape will help to create a lasting impression for business executives, employees, visitors and urban residents.

At the perimeter of the site, signs shall be designed to be easily read from both adjacent freeways and arterial streets. Signs along the 101 freeway may advertise both on-site and off-site uses and shall therefore conform to the requirements of Section 7.110 of the Glendale Zoning Ordinance (as currently in effect), except where modified by the regulations contained herein.

It is the intent of the PAD to create an attractive, high quality, mixed-use development that will incorporate a variety of architectural styles. These styles may and should vary while maintaining some common threads that will create compatibility between building and land uses. This should also be applied to the signage program of that individual project. As individual projects are developed within **Emerald Point**, depending on the market demand, signage programs will be designed specifically for each site as part of the architectural review submittal, as it is done currently.

All signs shall be regulated by the Signage Design Guidelines set forth in this PAD under the governance of the Master Developer and/or its Assignee and the construction rules as adopted by the City of Glendale. All signs may face the freeway. Specific signage for individual building(s) and final sign locations will be part of the Design Review process.

This section shall not apply to signs erected or maintained by a governmental body including, but not limited to, traffic signs, warning signs, railroad crossing signs, and signs of a noncommercial nature required by public laws, ordinances, or statutes.

Allowable Signs

These provisions are also meant to ensure an overall consistency in signage that protects the properties within the development and the unique identities of the uses and tenants.

The following signs, as well as signs otherwise permitted by the City of Glendale, shall be permitted in this PAD.

- Banners - site, street and project
- Building or Tenant Wall Signs
- Digital Billboard
- Electronic (Digital) Message Displays
- Hotel Identification
- Painted Wall Signs (murals)
- Project Identification
- Project Monument Signs
- Roof Signs
- Window Graphic Signs

Photo Example of Sign Types

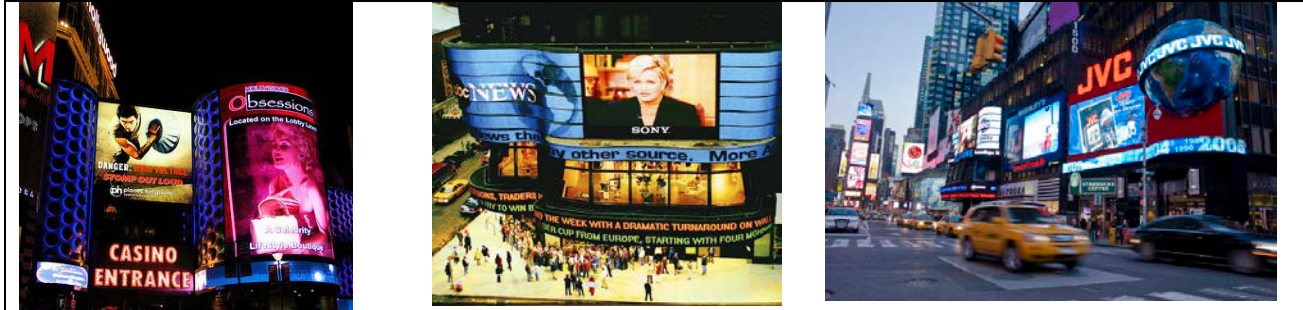
Banners - site, street and project



Digital Billboard



Electronic (Digital) Message Displays



Painted Wall Signs (murals)



Project Identification





Project Monument Signs



Roof Signs



Window Graphic Signs



Building or Tenant Wall Signs facing the Freeway

- Building sign size will be determined by lineal footage criteria (2 s.f. per lineal foot of frontage not to exceed 200 s.f. per sign) are permitted on all applicable elevations.
- Tenant signs may be identified at each primary entrance that provides pedestrian access to the main lobby.
- Tenant sign size will be determined by lineal footage criteria (2 s.f. per lineal foot of frontage not to exceed 200 s.f. per sign) or exceed the total aggregate per business.
- The sign should be limited to the company or corporate names.
- Upper stories may be used to identify the tenant or building. Signs are permitted on all applicable elevations with sign sizes differing depending on exposure and legibility.
- The signs should not exceed six (6) feet in height and total not more than 300 square foot per sign, unless approved by the Emerald Point Master development. All wall signs can utilize internally illuminated or non-illuminated pan channel, reverse channel or cut-out dimension letters. Illumination can be neon or LED. Logo types can be fabricated using free-formed cabinets that are illuminated with florescent or other forms of internal illumination.

Hotel Identification

- Signs may be positioned at the building entry or façade.
- Sign size will be determined by lineal footage criteria (3 s.f. per lineal foot of frontage not to exceed 300 s.f. per sign) or exceed the total aggregate per business.
- Auxiliary signs such as Spa, Ballroom, Meeting Room, Main Entrance signs, etc. can also be mounted to outside of building.
- Upper stories may be used to identify the structure/hotel. Signs are permitted on all applicable elevations with sign sizes differing depending on exposure and legibility. The signs should not exceed six (6) feet in height and total not more than 450 square foot per sign, unless approved by the Emerald Point Master development.
- All Hotel wall signs can utilize internally illuminated or non-illuminated pan channel, reverse channel or cut-out dimension letters. Illumination can be neon or LED. Logo types can be fabricated using free-formed cabinets that are illuminated with florescent or other forms of internal illumination.

L. INFRASTRUCTURE

Transportation:

Emerald Point is located at a major intersection of two significant arterials; Glendale Avenue and 99th Avenue. When combined with freeway access, this development is very accessible for the general public and potential residents. Great accessibility will prove to be an asset to the success of **Emerald Point**.

A traffic statement has been submitted for review under separate cover.

Grading and Drainage:

Will be submitted as part of the Design Review submittal.

Water and Waste Water:

Water and wastewater infrastructure requirements will be determined at the time of the Design Review, when the final land-uses and urban design of the property in question have been clearly identified and proposed water demands and wastewater generation and infrastructure locations have been clearly established. The project site may be served by the existing City of Glendale water and wastewater systems pending capacity review and approval. Infrastructure improvements may be required to provide service. The improvements will be designed and constructed in accordance with City Design Standards and Policies.

M. PHASING

Emerald Point PAD will be phased in over a period of time-Forecasting the pace and composition of phases is a difficult proposition. Market conditions will dictate which portions of the development will be developed first. However, all needed off-site and on-site improvements will be constructed at the time each parcel is developed with a specific user. When a parcel is developed it will include needed street improvements to provide proper access to a street, water and sewer connections into the City system, on-site storm water retention, and perimeter streetscape improvements adjacent to the parcel. Therefore, development will occur depending upon timing of the ultimate end users, market conditions, and available financing.



N. CONCLUSION

The proposed General Plan Amendment and companion PAD Zoning are appropriate land use solutions for this site. This is one of the last remaining parcels along the Loop 101 Freeway corridor that remains unzoned and therefore a General Plan Amendment and PAD zoning district is a favorable zoning option. The Minor General Plan Amendments and companion rezoning request will allow this site the ability to provide, either employment, office, variety of retail commercial, hotel uses and/or a multi-family residential element in a master planned setting.

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