

**Desert River 2  
Planned Area Development Amendment  
(for Lots 1 through 4)**

**(NWC of 99<sup>th</sup> Avenue & Desert River Boulevard)**

**24.24 Acres**

**Glendale, AZ**

Prepared by:

**Empire Residential Communities Fund IV, LLC**

**(ERCIV)**

6617 N. Scottsdale Road

Scottsdale, AZ 85250

**Desert River (ZON07-20 approved October 1, 2008)**

**Desert River 2 (GPA20-07, ZON20-12 approved October 1, 2020)**

**Desert River 2 Revision, September 24, 2022 (ZON22-24)**

**Date: December 8<sup>th</sup>, 2022**

## Planned Area Development

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### Exhibits

Exhibit A	Vicinity Map
Exhibit B	Existing Land Use Map
Exhibit C	Existing Zoning
Exhibit D	Proposed Zoning
Exhibit E	Development Plan

## 1.0 Introduction

**Property:** The real property which is the subject of this application is located in Section 5, Township 2 North, Range 1 East of the Gila & Salt River Base & Meridian, Maricopa County, Arizona. Desert River 2, the “property”, is broken down into 6 lots of 65.58 acres of the original Desert River project on approximately 110-acres located North of the northwest corner of 99<sup>th</sup> Avenue & Desert River Boulevard. Since the original Desert River 2 submission, lots 5 and 6 have started construction and Desert River 2 PAD Revision is to cover only lots 1 through 4 and 24.24 acres (See **Exhibit A**, Vicinity Map).

**Planning & Development History:** Lots 1 through 4 are currently vacant and undeveloped; and is presently designated on the General Plan as Regional Mixed Use in the City of Glendale, Arizona (See **Exhibit B**, Existing General Plan Land Use Map). The property is currently zoned Desert River Planned Area Development dated October 1, 2020 in the City of Glendale with an intended use of Multi-Family, Commercial, Retail, Medical & Office (See **Exhibit C**, Existing Zoning).

**Purpose of Requests:** For several years we have marketed the whole Desert River II site as multi-family, commercial, retail, medical & office and have successfully sold and development has started on Lots 5 & 6 for multi-family (See **Exhibit E**, Development Plan). In addition, we have also completed the backbone infrastructure required to serve this entire development. However, due to the continued change in market demands since the approval in 2020, opening the Desert River area for even more specific uses such as age restricted, assisted living, senior living/active adult (55 years and older), treatment facilities, memory care, indoor new and used auto dealership and indoor auto service is needed. The Applicant is requesting a slight modification to the permitted uses on the site to allow for more of a variety of land uses (See **Exhibit D**, Proposed Zoning). All revised or added text has been put in bold and underline for ease of review and consideration.

**Citizen Participation Plan:** As part of the Glendale Citizen Participation Ordinance, a Citizen Participation Plan has been submitted and a final report will be provided in accordance with that plan. The report provides the results of the citizens participation effort as it was outlined in the Citizen Participation Plan submitted with this application. As part of the plan effort will take place including notification by mail to surrounding neighbors and interested parties. For additional information on the Citizen Participation effort, a copy of the Final Citizen Participation report is on file with the City.

## 2.0 Planned Area Development (PAD) Plan

This request is to modify/clarify the original Permitted Uses and Permitted Uses Subject to Conditions originally approved to allow more use options and to provide clarity and ease the development reviews going forward. These changes

will enhance the site development opportunities and will slightly reduce the traffic impacts in the area.

**Parking:** This development will default to the most current parking standards as required by the City of Glendale; with exception of any self-storage facility which would typically require 1 space per 2,000 sf. However, based on other similar developments approved in Glendale and documentation from other jurisdictions and traffic studies we request that the parking be determined by number of units, which is more appropriate for this type of business. Studies supported 1 space per 100 units for self-storage.

All other development standards as originally approved in the Desert River II PAD on October 1, 2020 will apply.

### 3.0 Development Standards

The following proposed modifications are outlined below and in bold underline:

#### **Permitted, Conditional and Accessory Uses**

The land use and Permitted, Conditional and Accessory Uses provide flexibility for future locations of the employment, retail and multi-family uses based on demand within the marketplace.

The development standard and use of this PAD would default to most current B-P Business Park of the City of Glendale Zoning Ordinance regarding all permitted, conditional and accessory uses except where noted below:

- 1) PERMITTED USES
  - a. Professional, administrative, financial, clerical or business offices
  - b. Urgent care centers
  - c. Business support services
  - d. Personal services businesses, such as beauty shops and barbershops, excluding check cashing centers thrift stores, tattoo and body piercing establishments
  - e. Financial institutions\*, real estate and insurance offices
  - f. Medical and dental offices and clinics
  - g. Commercial, trade, business schools, colleges or universities
  - h. Business trade schools, provided that all facilities are within fully enclosed structures
  - i. Medical, dental and clinical laboratories
  - j. Medical laboratories for research and product development
  - k. Hotels and motels which may include conference centers
  - l. Health and fitness clubs
  - m. Health spas
  - n. Full-service restaurants with outdoor dining and catering
  - o. Full-service restaurants and catering
  - p. Retail stores
    - 1) General merchandising including variety and specialty store

- 2) Home improvement
- 3) Apparel and accessories
- 4) Home and office furnishings
- 5) Hardware stores
- 6) Food
- 7) Specialty defined as giftshops, bookstores, florists
- 8) Antiques, crafts, collectibles
- 9) Art galleries and art studios, including production studios
- 10) Bakeries, retail only
- 11) Drugstores
- 12) Hardware
- 13) Retail grocery
- 14) Residential units, when located above the first floor
- 15) Repair services for small appliances, bicycles, watches, musical instruments
- 16) Churches
- 17) Veterinary Clinics
- 18) Indoor motion pictures theaters
- q. Childcare center
- r. Laundry, cleaning, and dyeing establishments, limited to:
  - 1) Maximum of one thousand (1,000) square feet of floor area to be occupied by or devoted to machinery to be uses for laundry, cleaning, dyeing and finishing work
  - 2) Retail service to individual customers only and no wholesaling of any commodity or service shall be permitted
- s. Indoor recreation facilities, excluding paintball facilities
- t. Retail showrooms and design and furnishing centers
- u. Wholesale sales and distribution of finished goods
- v. Music and dance schools
- w. Outdoor activities/displays related to a primary use such as outdoor patios and sales events
- x. Coffee shops
- y. Commercial off-street parking not accessory to a permitted use
- z. Libraries and museums
- aa. Motion picture production, radio and television broadcast studios, recording studios, but not including transmitter components and towers
- bb. Data center, call centers and data recovery centers
- cc. Public and semi-public buildings and facilities
- dd. Hospital

## 2) PERMITTED USES SUBJECT TO CONDITIONS

- a. Seasonal sales and special events
- b. Fast food restaurants with drive-in or drive-thru facilities not visible from 99<sup>th</sup> Ave/101 Freeway
- c. Financial institution drive-thru service windows not visible from 99<sup>th</sup> Ave/101 Freeway
- d. Wireless communication facilities
  - 1) Building-mounted antennas and rooftop mounted antennas
  - 2) Alternative tower structure mounted antennas that utilize an existing light pole or electric utility pole. The related equipment

shelter must be located on property developed for non-residential use in public right-of-way subject to approval of City Engineer

- e. Retail stores integrated into office building
- f. Restaurants, integrated into ground level of multi-story office structures, excluding drive-in and drive-thru facilities
- g. Multi-family Area A only(See Exhibit M, Multi-Family Use Exhibit in originally approved PAD)
  - 1) 15 du/ac and three stories minimum required.
  - 2) 30 du/ac maximum permitted.
  - 3) Higher density and five stories or more are encouraged.
- h. Self-storage facilities for storage purposes located internal to site and not on the frontage **within 250 feet of 99<sup>th</sup> Avenue and Desert River Boulevard**, must be indoor, airconditioned with a minimum of three stories.
- i. Coffee shops with dive thru free-standing kiosks not visible from 99<sup>th</sup> Ave/101 Freeway
- j. Carwash located internal to site and not on the frontage.
- k. **Senior living/active adult (55 years and older), age restricted, memory care, treatment facilities & assisted living located internal to site and not on the frontage within 250 feet of 99<sup>th</sup> Avenue and Desert River Boulevard to be three stories minimum.**
- l. **An enclosed indoor auto service center located internal to site and not on the frontage within 250 feet of 99<sup>th</sup> Avenue and Desert River Boulevard.**
- m. **Indoor New and Used Auto Sales.**

### 3) USES SUBJECT TO A CONDITIONAL USE PERMIT

- a. Public and semi-public buildings and facilities
- b. Drive-thru service window visible from 99th Avenue/101 Freeway if site plan requires this need
- c. Cocktail lounges and nightclubs
- d. Wireless communication facilities-new monopole or changes to existing tower
- e. Wireless communication facilities-alternative design tower
- f. Wireless communication facilities-alternative tower structure
- g. Wireless communication facilities-new monopole or changes to existing tower
- h. Retail gasoline sales and convenience stores located internal to site and not on the frontage

## 4.0 Amendments

It is not the applicant's intent to deviate from the Development Plan however, to allow the flexibility to respond to the market. The City and the applicant acknowledge that amendments to the PAD may be necessary from time to time to reflect changes in market conditions and development financing and/or to meet the new requirements of one or more of the potential users or builders of any part of the Property. When the parties agree that changes or

required by applicable law or by state or federal statute, effectuate minor changes or adjustments through administrative amendments. These changes may be approved by the City's Planning Department, which, after execution, shall be attached to the PAD as an addendum and become a part thereof. No such minor amendments shall require prior notice or hearing. All major changes or amendments shall be reviewed by the Planning Commission and by City Council.

Recognizing the unique nature of the project, the City's Planning Department may decide if a change is major or minor. The following changes are deemed minor:

- Any interpretation of the list of permitted, excepted, conditional or accessory uses of the Property set forth in the PAD;
- Changes in the Phasing Plan;
- An increase in the square footage of commercial / mixed-use for the Property by a maximum of 10% except as otherwise allowed by the PAD;
- Modifications in the location of trails and/or pedestrian paths, so long as the modifications meet the general intent of the plan;
- Modifications or adjustments to roadway alignments, so long as there is not a net reduction in open space area for the overall Land Use Area;
- Such other adjustments and / or modifications to the development standards within the PAD that do not impact the general health, safety and welfare of the residents of the City;
- Any other matters the Planning Director deems to be minor.

The following is deemed a major change:

- Any change not considered a minor amendment as set forth above shall require an amendment pursuant to the City's Zoning Ordinance.

The parties shall cooperate in good faith to agree upon and use reasonable best efforts to process any minor or major amendments to the PAD.

## **5.0 PAD Required Findings and Conclusion**

**This proposal is consistent in substance and location with the development objectives of the General Plan and any adopted specific area plans.**

*The application is a minor modification to the existing zoning of the property to provide more unique development opportunities that enhance the City of Glendale and provides an even more mixed/commercial use.*

**Build a strong employment base that provides a variety of high paying jobs for Glendale residents.**

*The Property continues to offer an employment and commercial mixed-use development with jobs and retail amenities. Locating a significant employment and commercial development close to freeways and major arterials is a sound*

*growth management decision. The location will help serve residential communities as they develop in the surrounding areas.*

**The proposal meets or exceeds the City's Design Expectations regarding site planning, architecture, landscaping, building materials and colors, and screening of mechanical equipment.**

*The Project continues to meet the intent of the City's Design and Development requirements in providing a higher standard commercial design through quality, marketable, and sustainable development. All individual commercial pads will require Design Review to ensure quality and consistent development.*

**Encourage high quality development that supports new employment opportunities and enhances the character of the area.**

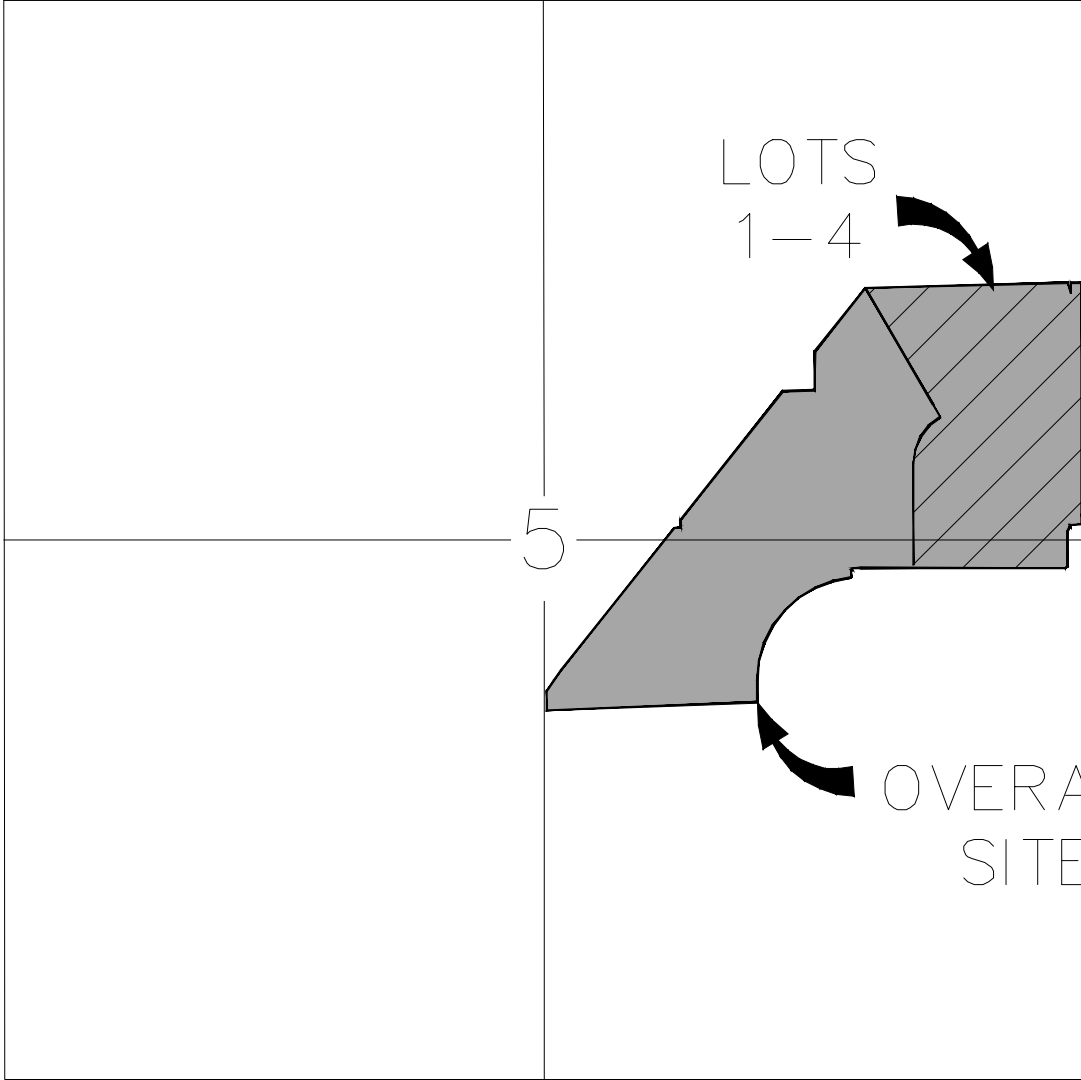
*A primary purpose of the PAD is to establish a foundation to encourage, assure and maintain high-quality development for a mixture of land uses at Desert River 2. Desert River 2 will continue to restrict certain uses, encourage construction of attractive employment and retail improvements at appropriate locations and implement rigorous housekeeping and maintenance standards. Desert River 2 will establish itself as an attractive location for employers looking for quality retail amenities in close proximity to the workplace.*

**EXHIBIT A  
VICINITY MAP**

NORTHERN AVENUE

107TH AVENUE

99TH AVENUE



LOTS  
1-4

OVERALL  
SITE

5  
5  
GLENDALE AVENUE

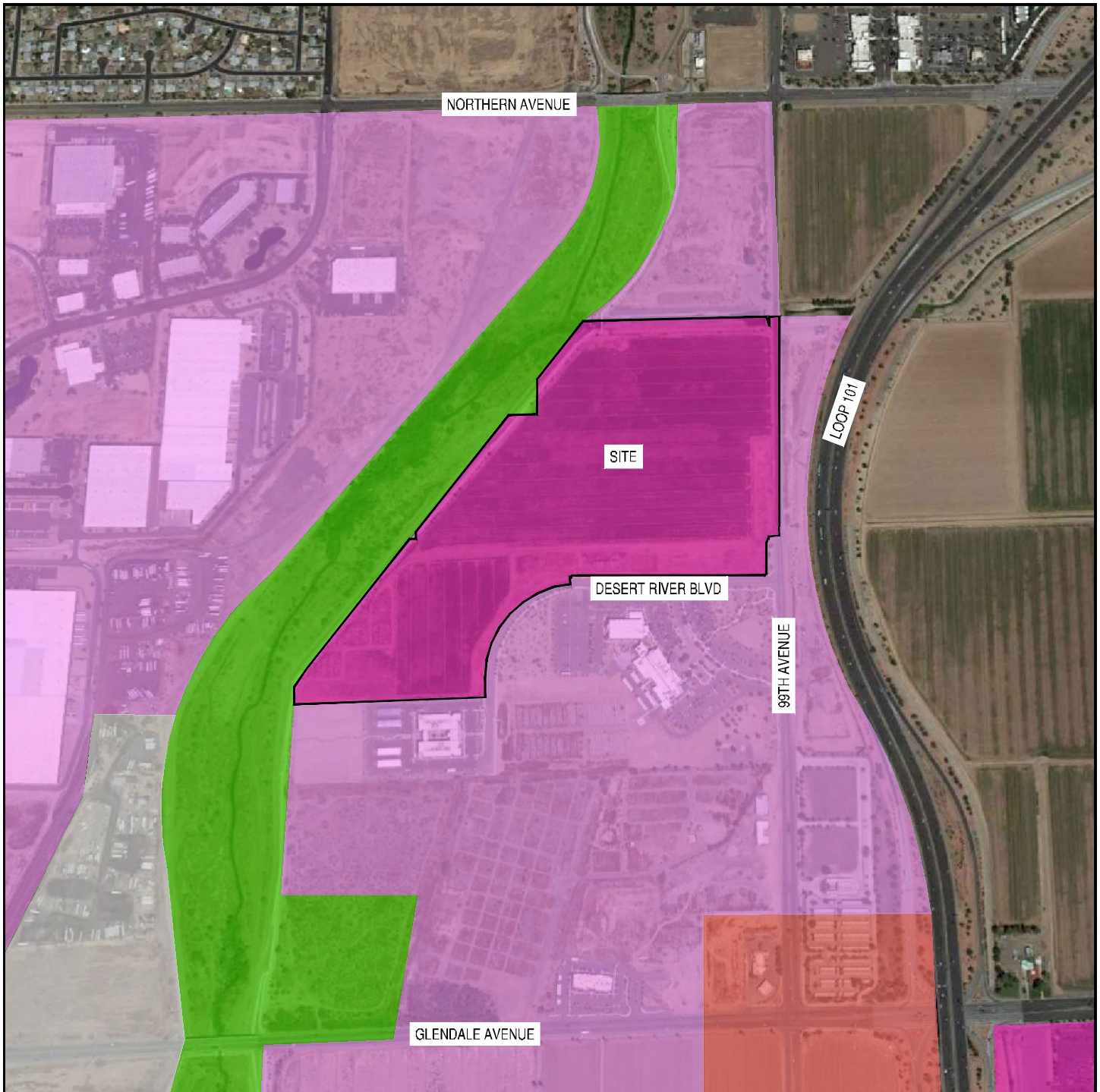


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**EXHIBIT A: VICINITY MAP**  
**DESERT RIVER 2**  
GLENDALE, ARIZONA

JOB #	4-038
DATE	NOV. 2022
SCALE	N.T.S.
SHT	1 OF 1

**EXHIBIT B**  
**EXISTING LAND USE MAP**



LEGEND

- |   |                         |  |                      |
|---|-------------------------|--|----------------------|
|  | PLANNED COMMERCIAL      |  | PARKS AND OPEN SPACE |
|  | BUSINESS PARK           |  | INDUSTRIAL           |
|  | ENTERTAINMENT MIXED USE |  | REGIONAL MIXED USE   |



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**EXHIBIT B: EXISTING LAND USE**  
**DESERT RIVER 2**  
 GLENDALE, ARIZONA

JOB #	4-038
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**EXHIBIT C**  
**EXISTING ZONING**



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**EXHIBIT C: EXISTING ZONING**  
**DESERT RIVER 2**  
 GLENDALE, ARIZONA

JOB #	4-038
DATE	NOV. 2022
SCALE	N.T.S.
SHT	1 OF 1

**EXHIBIT D**  
**PROPOSED ZONING**

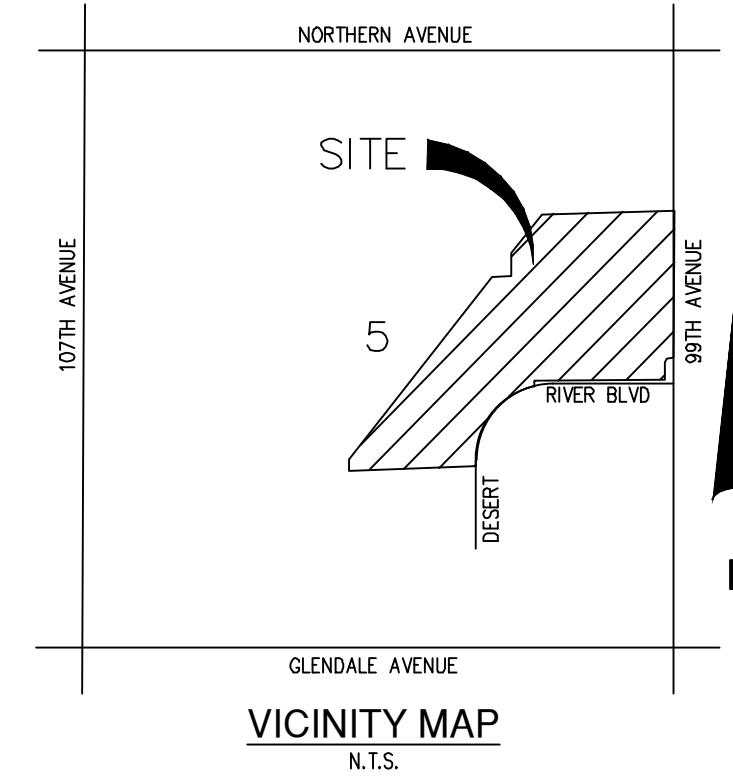


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**EXHIBIT D: PROPOSED ZONING**  
**DESERT RIVER 2**  
GLENDALE, ARIZONA

JOB #	4-038
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SCALE	N.T.S.
SHT	1 OF 1

**EXHIBIT E**  
**DEVELOPMENT PLAN**

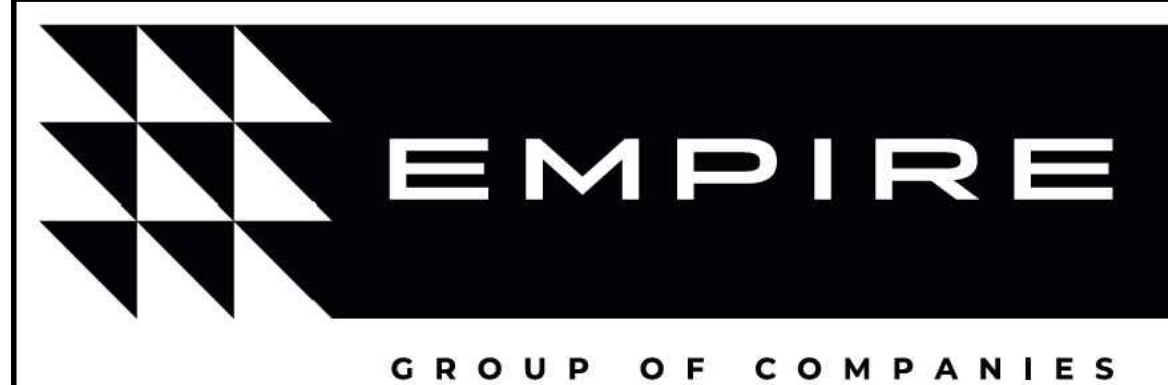
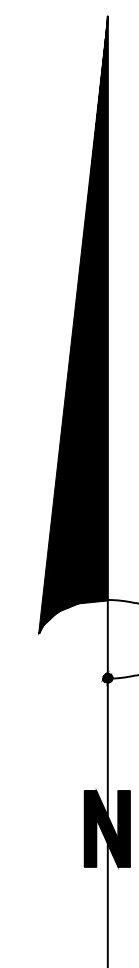


SITE DATA		
GROSS AREA	2,848,858.04 SF	65.40 AC
NET AREA	2,756,793.38 SF	63.29 AC
LOT SUMMARY		
LOT TOTAL	6	
TOTAL LOT AREA	2,651,330.54 SF	60.87 AC
AVG. LOT AREA	441,888.42 SF	10.14 AC
MIN. LOT AREA	180,135.64 SF	4.14 AC
MAX LOT AREA	811,735.87 SF	18.63 AC
LOT %	93.07%	
PROPOSED DENSITY	0.09 DU/AC	
RIGHT-OF-WAY SUMMARY		
RIGHT-OF-WAY AREA	197,527.50 SF	4.53 AC
RIGHT-OF-WAY %	6.93%	
RIGHT-OF-WAY LOCAL AREA	105,462.84 SF	2.42 AC
RIGHT-OF-WAY OFFSITE AREA	92,064.65 SF	2.11 AC

LOT AREA		
LOT #	AREA (SF)	AREA (AC)
1	256,444	5.8871
2	328,857	7.5495
3	180,136	4.1353
4	286,658	6.5808
5	811,736	18.6349
6	787,499	18.0785

NOTES:  
THIS IS FOR CONCEPTUAL PURPOSES ONLY

NO FEWER THAN TWO SEPARATE AND APPROVED FIRE ACCESS ROADS TO EACH LOT SHALL BE REQUIRED. EXACT LOCATIONS TO BE DETERMINED DURING SITE PLANNING



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DESERT RIVER 2  
EXHIBIT E: DEVELOPMENT PLAN

GLENDALE, ARIZONA

MARICOPA COUNTY

SCALE 1"=120"

JOB No. 4-038

DATE: NOV. 2022

OPT. 4

SHEET 1 OF 1