

and multi-family uses. Olde Towne Market Square (Wall Street shops) is part of Site 8. It also contains a parking lot and several vacant lots. All parcels on the block are zoned C-2 and are subject to strict enforcement of the Zoning Code's parking requirements, which apply to all building additions and use intensifications, but not to existing uses or new uses of the same intensity.

The proposal is to relax the parking requirements for Site 8 by adding a PAD overlay that gives discretion to Staff regarding the level of enforcement. More specifically, the following language would be applied to Site 8 properties:

Parking: Any building or use lawfully existing at the effective date of this ordinance, including any renovation or remodeling that does not expand the total gross floor area of an existing building, shall be exempt from the parking schedule set forth in section 35-1804 of the City Code. However, any new construction of a building, or any new addition to an existing building subsequent to the effective date of this ordinance, shall be subject to said parking schedule, provided however, that the Zoning Administrator may exercise discretion in the strict enforcement of the number of parking spaces required, wherein the development submits a parking study demonstrating how such parking demand shall be handled by existing facilities and provisions.

The above language is borrowed directly from the City Center District (CCD) regulations applied to land surrounding A.J. Chandler Park. Currently, only CCD-zoned properties have such flexibility with regard to administrative reviews.

A recent use intensification at 250 S. Arizona Avenue (Cloud 9 Karaoke) and a planned building addition at 260 S. Arizona Avenue (Gangplank) would be the first beneficiaries of the proposed zoning overlay. Cloud 9 acquired temporary rights to off-site spaces to allow their occupancy, while Gangplank's forthcoming building permits will be issued contingent on either the overlay being approved or some other off-site parking being acquired. Neither project has room on-site to provide additional parking—a common situation in Site 8 where most of the lots are rather small and already built up.

Notably, the zoning overlay does not automatically waive parking requirements. Rather, the authority to relax parking requirements would rest with the Zoning Administrator. It is anticipated that most or all affected development activity would receive waivers over the next few years. However, there may come a time in the future that existing parking in the area cannot handle additional demand, and Site 8 developments would then have to provide their own parking. Also, a major development may be proposed that, due to its size or intensity, warrants dedicated parking.

Within one block of Site 8, there are approximately 743 off-street public parking spaces (see attached map) available on nights and weekends. There are also, of course, on-street parking spaces available nearby. The vast majority of the off-street public spaces are located north of Site 8 and would be shared with CCD properties and other businesses, so the stated number somewhat exaggerates anticipated availability, but those facilities are rarely at capacity and could easily accommodate additional demand at this time.

The proposal is consistent with the South Arizona Avenue Corridor Area Plan (SAZACAP). The SAZACAP identifies all of Site 8 for the Cultural and Entertainment land use category, which calls for the most intense types of cultural, commercial, entertainment, and office development, with a possibility of ancillary high-density residential uses. Land use is not affected by the proposed rezoning.

The SAZACAP calls for new development, generally, to integrate off-street parking into their plans. It also notes that each land use's parking needs have to be carefully evaluated in the context of surrounding land uses and shared parking potential. The proposed zoning overlay does not conflict with these provisions. The zoning overlay is intended to facilitate re-development of existing buildings and smaller new infill developments, not larger tear-down and build-up developments that are the primary focus of the area plan. The area plan recognizes that larger new developments would likely overburden existing parking provisions. However, the subject proposal would grant flexibility to allow more minor developments to occur without first pursuing individual PAD zonings.

DISCUSSION

The proposed zoning overlay would facilitate minor business expansions and intensifications on a unique mixed-use block with a hodgepodge of small, privately owned lots. The variety of owners involved and the current economic climate make it unlikely in the short- to medium-term that sufficient land could be assembled to pursue a larger development that provides its own parking. The proposed overlay recognizes sufficient area parking and does nothing to significantly impede future development that is in full accordance with the SAZACAP land use recommendations. The expansion and intensification of businesses in Site 8 is anticipated to be a benefit to the block and surrounding area. Additionally, a block-wide overlay such as proposed is much more efficient than individual rezoning requests with regard to time and effort expended.

PUBLIC/NEIGHBORHOOD NOTIFICATION

- This request was noticed in accordance with the requirements of the Chandler Zoning Code. The normal requirement for a 4'x8' orange sign was waived by the Zoning Administrator as allowed by code.
- A meeting for Site 8 property owners only was held on February 23, 2011. Nine citizens attended to ask general questions. All three single-family homeowners on the block attended the meeting.
- A neighborhood meeting for the broader neighborhood (with standard notification) was held March 21, 2011 at the Downtown Community Center. No neighbors outside of Site 8 attended. Three Site 8 property owners attended out of general interest.
- As of this writing, Staff is not aware of any opposition.

PLANNING COMMISSION VOTE REPORT

Motion to Approve:

In Favor: 7 Opposed: 0

RECOMMENDED ACTION

Planning Commission and Staff, upon finding consistency with the General Plan, recommend approval of rezoning in case DVR11-0002 SITE 8 PARKING from C-2 to C-2/PAD subject to the following condition:

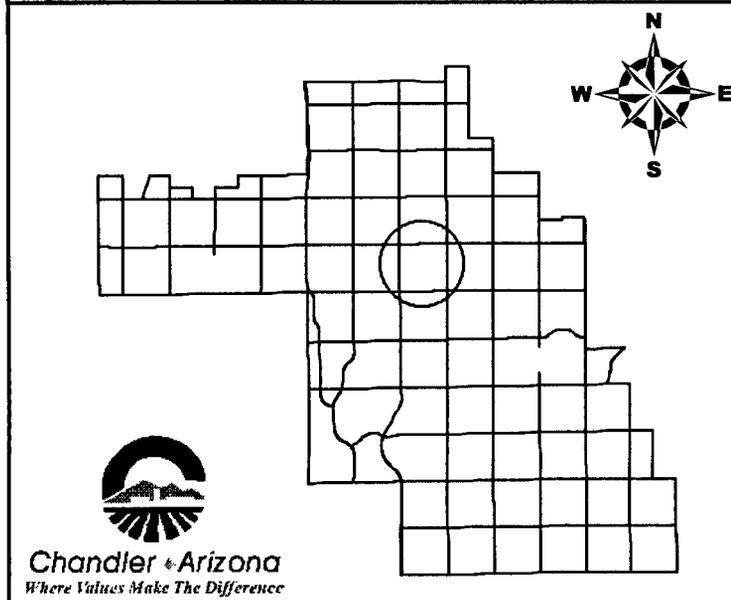
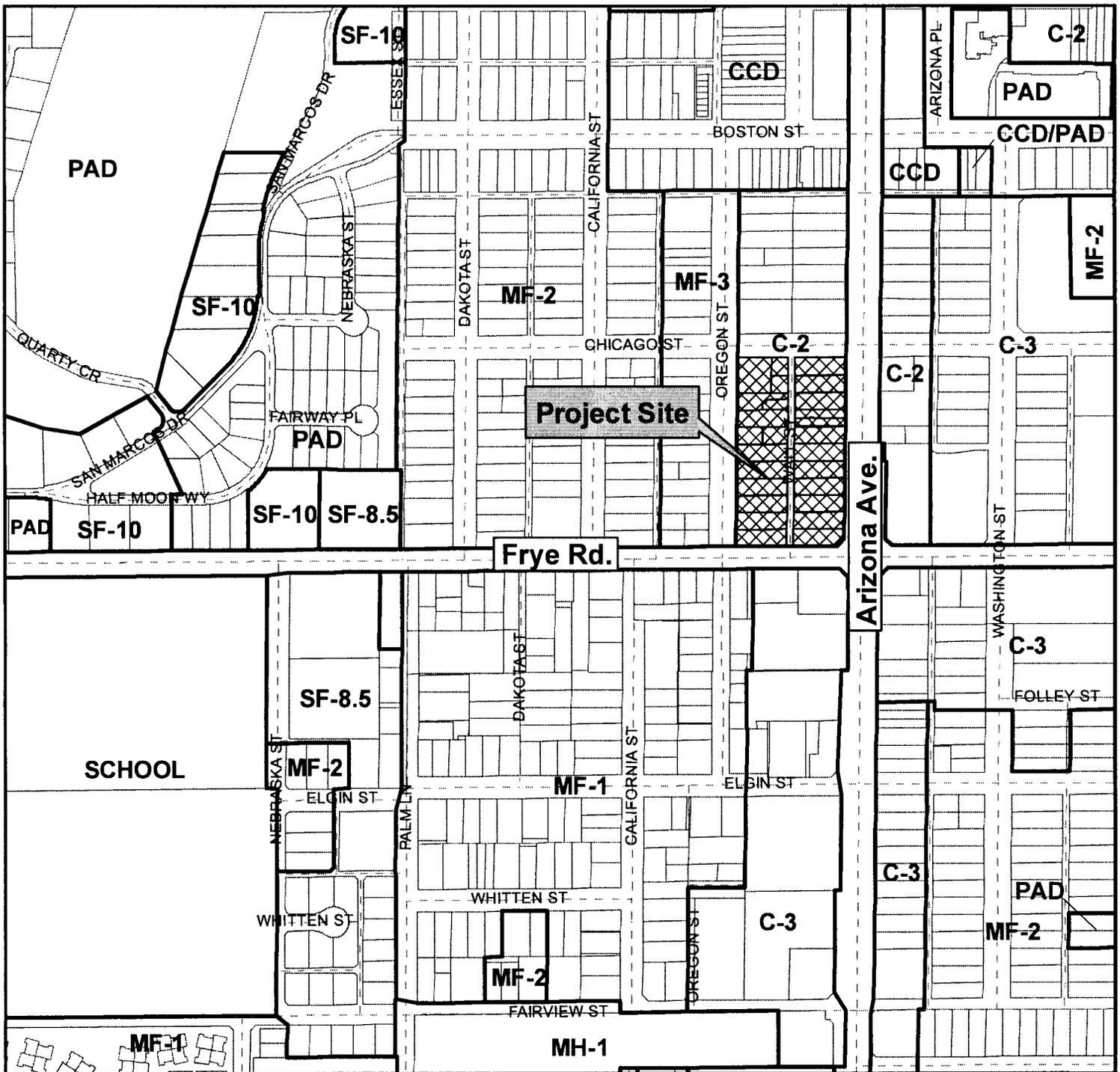
1. The PAD overlay shall adopt Paragraph F of City Code Chapter 35, Section 3204 (City Center District Site Development Standards) as the parking regulations for Site 8.

PROPOSED MOTION

Move to introduce and tentatively adopt Ordinance No. 4310 approving rezoning DVR11-0002 SITE 8 PARKING subject to the condition recommended by Planning Commission and Staff.

Attachments

1. Vicinity Maps
2. Parking Overview Map
3. Draft Ordinance No. 4310



Vicinity Map



DVR11-0002

Site 8 Parking

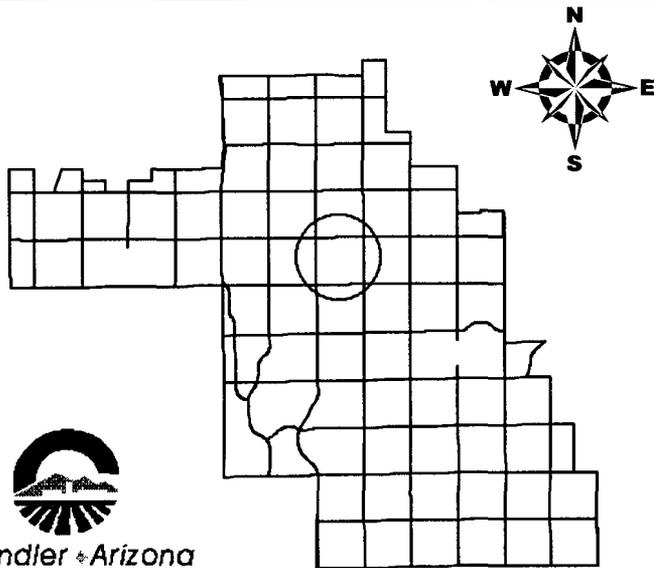


Project Site

Frye Rd.

Arizona Ave.

Vicinity Map



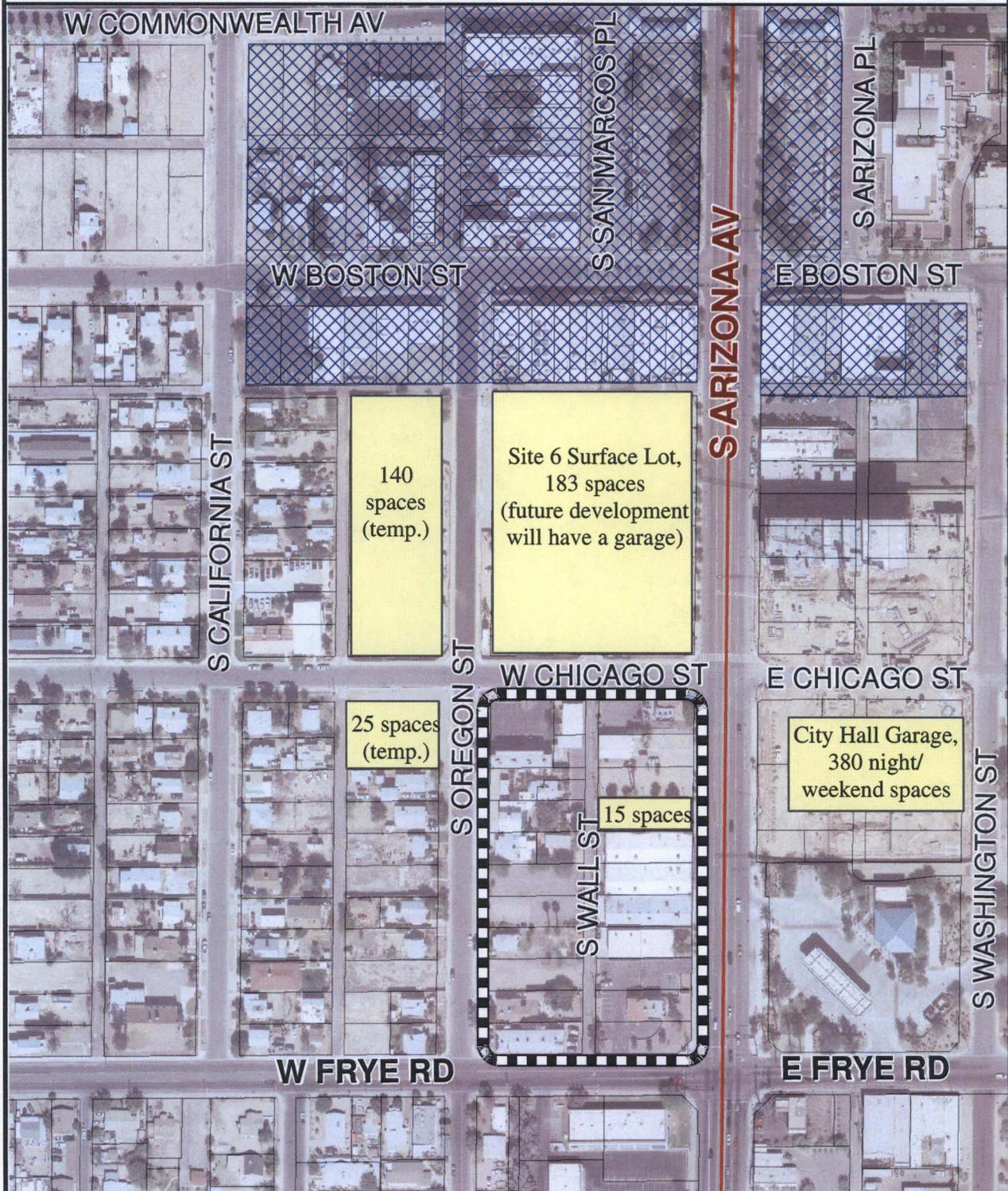
DVR11-0002

Site 8 Parking



Chandler Arizona
Where Values Make The Difference

Site 8 Area Parking Overview



= Site 8



= CCD Zoning District



= Public Parking (off-street)



March 17, 2011

ORDINANCE NO. 4310

AN ORDINANCE OF THE CITY OF CHANDLER, ARIZONA, AMENDING THE ZONING CODE AND MAP ATTACHED THERETO, BY REZONING THE PARCELS WITHIN "SITE 8" FROM COMMUNITY COMMERCIAL DISTRICT (C-2) TO C-2 WITH A PLANNED AREA DEVELOPMENT OVERLAY (C-2/PAD) (DVR11-0002 SITE 8 PARKING) LOCATED WITHIN THE CORPORATE LIMITS OF THE CITY OF CHANDLER, ARIZONA.

WHEREAS, application for rezoning involving certain property within the corporate limits of Chandler, Arizona, has been filed in accordance with Article XXVI of the Chandler Zoning Code; and

WHEREAS, the application has been published in a local newspaper with general circulation in the City of Chandler, giving fifteen (15) days notice of time, place and date of public hearing; and

WHEREAS, a public hearing was held by the Planning and Zoning Commission as required by the Zoning Code

NOW, THEREFORE, BE IT ORDAINED by the City Council of the City of Chandler, Arizona, as follows:

SECTION I. Legal Description of Property:

See Attachment 'A'.

Said parcel is hereby rezoned from Community Commercial District (C-2) to C-2 with a Planned Area Development overlay (C-2/PAD), subject to the following condition:

1. The PAD overlay shall adopt Paragraph F of City Code Chapter 35, Section 3204 (City Center District Site Development Standards) as the parking regulations for Site 8.

SECTION II. Except where provided, nothing contained herein shall be construed to be an abridgment of any other ordinance of the City of Chandler.

SECTION III. The Planning & Development Department of the City of Chandler is hereby directed to enter such changes and amendments as may be necessary upon the Zoning Map of said Zoning Code in compliance with this ordinance.

Attachment 'A'

LEGAL DESCRIPTION
FOR SITE 8

That portion of the Southeast quarter of the Northeast quarter of Section 33, Township 1 South, Range 5 East of the Gila and Salt River Base and Meridian, Maricopa County, Arizona, described as follows:

The East 410.00 feet of the South 621.27 feet of the Southeast quarter of the Northeast quarter of said Section 33.

Contains an area of 254,720.70 Square Feet or 5.84 Acres, more or less.