

**PZ MEMO 00-117**

**DATE: MAY 31, 2000**

**TO: PLANNING AND ZONING COMMISSION**

**THRU: DOUG BALLARD, PLANNING AND DEVELOPMENT DIRECTOR**

**FROM: HANK PLUSTER, PLANNING SERVICES MANAGER**

**SUBJECT: ZCA00-0002 ZONING CODE AMENDMENT**

**Request: City Initiative to amend the Zoning Code establishing a new zoning district to be known as “City Center District”**

**SUMMARY/RECOMMENDATION**

A new zoning classification is necessary to accommodate, and appropriately regulate, new as well as existing development for the portion of the downtown area surrounding the A.J. Chandler Park square. Staff recommends approval of the City Center District (CCD) as set forth in the attached draft.

**BACKGROUND**

Much of the City Center directly opposite the A.J. Chandler Park square has been zoned (C-2) Community Commercial since the mid-1970's. The (C-2) district is a traditional classification which allows certain commercial uses, and requires certain development standards, which are not entirely appropriate for a downtown setting. For example, (C-2) allows automotive repair, drive-thru uses, and public assembly such as lodges and churches, none of which are conducive to creating a pedestrian-oriented downtown featuring specialty retail, indoor/outdoor restaurants, cultural and entertainment uses. In addition, (C-2) specifies certain street setbacks and off-street parking standards, which virtually no existing building or use can meet. And as a conventional classification, the (C-2) district does not require conformance or consistency with the early Twentieth Century Commercial architectural character of the downtown square.

The effort here is to create the new zoning classification based upon sound planning practice, downtown property-owner/merchant input, and public hearing review by Planning Commission and City Council. Following formal adoption of the new district, it will then be necessary to rezone the various properties in the City Center area from (C-2) to the new (CCD). The specific boundaries of the (CCD) are illustrated on the map following the draft language.

## **DISCUSSION**

As set forth in the attached draft, the proposed City Center District (CCD) is organized in a format similar to the other zoning classifications currently found in the Zoning Code:

Section 1.	Purpose
Section 2.	Applicability
Section 3.	Permitted Uses
Section 4.	Uses Requiring Use Permit Approval
Section 5.	Site Development Standards
Section 6.	Architectural Plan Review

As indicated in Section 2 (Applicability), the CCD has a specific set of boundary lines, and is not intended to be expanded once it is adopted and initiated. In other words, it is not a district to which other property-owners outside of the City Center would be applying. Of course, the City could initiate a change to expand the district based upon some future circumstance(s), but a more likely scenario would be to adopt other new classifications for downtown properties outside of the City Center that do not relate to the A.J. Chandler Park square, yet have another set of needs that are not entirely met by current traditional classifications.

Uses permitted by right include specialty retail, specialty food prep, second story offices, restaurants/cafes (excluding drive-thrus), personal services, financial institutions, art galleries, studios, and museums. Uses permitted by Use Permit include public assembly, commercial recreation, live entertainment, liquor uses, ground floor offices, upper story residential, and other uses found by Council to be compatible and consistent with the General Plan.

Site Development standards allow zero (0) setbacks from front, side, and rear property lines, maximum building heights of 45 feet (30 ft. maximum at the property lines), and exemption from parking requirements for existing uses (any expansions or new construction is subject to parking standards, although the Zoning Administrator would have discretion in its enforcement based upon a submitted parking study). Signage would be subject to the standards and requirements of the downtown sign criteria already set forth in the Sign Code (Chapter 39-9.18 of the City Code).

Perhaps the most key feature of the (CCD) is the creation of an Architectural Review Committee (ARC), governing design approval of any new construction, facade renovation, or expansions beyond 20% of an existing floor area (repair and minor alterations are excluded). The Committee would be composed of five (5) members as follows:

- 1 member from Planning Commission
- 1 member from the Planning & Development Department (Staff)

- 3 public members, at least one of whom would be an owner of a business or property in the CCD, and at least one of whom would be an architect, historian, or other person qualified by design background

Decision by the ARC would be final, although within 30 days the applicant, Planning Director, or Council member may appeal such decision to the Mayor and Council as a whole.

Staff will make a complete presentation of the CCD and its particulars, at the June 7<sup>th</sup> Commission meeting.

### **PUBLIC NOTICE**

Planning Staff has conducted briefing sessions with the Downtown Chandler Community Partnership (DCCP) during the course of preparing this district. Once written and reviewed internally by City Staff including the City Attorney's Office, Staff sent the entire draft including map to all owners of property and businesses within the proposed CCD, for review and comment, two weeks prior to conducting a community meeting on May 4<sup>th</sup>, at which time the district was presented and additional input was received. Based upon that input, Staff added Section 2(c) to the text, specifying that existing uses may remain in operation, and shifted the boundaries to include the westerly portion of the block bounded by San Marcos Place, Boston Street, California Street, and Commonwealth Avenue. Those in attendance (about 40) expressed support for the new district, and urged that it move forward as soon as possible.

This amendment was also advertised in the Arizona Republic on May 27, 2000, including the entire text with map as set forth in the attached, in a 1/8-page display ad.

### **RECOMMENDATION**

Upon finding consistency with General Plan provisions and sound planning practice, Staff recommends approval of the City Center District (CCD) as set forth in the attached draft.

### **PROPOSED MOTION**

I move to recommend approval of Zoning Case ZCA00-0002, Zoning Code Amendment, establishing a new zoning district to be known as "City Center District (CCD)" as recommended by Staff set forth in the attached.

Attachments: City Center District (draft language)  
City Center District (map)