

**WORKSHOP MINUTES
PLANNING COMMISSION
GLENDALE CITY HALL
CONFERENCE ROOM 2-A
5850 WEST GLENDALE AVENUE
THURSDAY, AUGUST 4, 2016
5:15 PM**

CALL TO ORDER

The meeting was called to order at approximately 5:15 pm.

ROLL CALL

Commissioners Present: Commissioners Al Lenox (via telephone), Rick Harper, Gary Hirsch, Jack Gallegos, David Moreno, Vice Chairperson Arthur Dobbelaere and Chairperson Steve Johnston were in attendance.

City Staff Present: Tabitha Perry, Assistant Planning Director, Jon Froke, AICP, Planning Director, James Gruber, Deputy City Attorney, Carol Hu, Planner, Susan Matousek, Revenue Administrator, and Diana Figueroa, Recording Secretary.

Guest Attending: Cecilia Chang, The Independent Newspaper.

ITEM:

1. DOWNTOWN ENTERTAINMENT DISTRICT

A request by the City of Glendale to discuss the potential creation of a Downtown Entertainment District.

Mr. Jon Froke, Planning Director, provided a brief presentation on this item. Ms. Susan Matousek, Revenue Administrator, provided information on the State law allowing for an exemption to the 300-foot rule within a designated Entertainment District that is created by a city. She also provided details on the criteria staff uses when recommending approval or denial to Mayor and Council and then on to the Arizona Department of Liquor Licenses and Control.

Commissioner Gallegos asked for an example using a wine festival. Ms. Matousek stated it had been many years since the city has had a wine festival. However, if they had one, they would have to designate an area for the sale and consumption of the wine.

Mr. Froke stated that at the May 3, 2016 City Council workshop, city staff presented the concept of creating a Downtown Entertainment District. It was suggested by Council that the Planning Commission should be given an opportunity to review the proposal and provide input.

Downtown Glendale attracts thousands of visitors each year as a result of our signature festivals, independent restaurants, and unique shops. However, the vacancy rates in the greater downtown area are higher than those citywide, with the most significant gap in the retail sector. Mr. Froke stated there are 26 known churches and schools located in the historic downtown area and there is

continued interest in locating these uses in the area. He indicated that Glendale may have no more than two districts and each must be no more than a square mile in total area and no less than 1/8 mile wide at any point and contain significant number of entertainment venues. Additionally, Ms. Matousek stated that State law prohibits issuing certain types of liquor licenses within 300 feet of a church or school. However, State law allows for an exemption to the 300-foot rule within a designated Entertainment District that is created by a city.

Mr. Froke noted that other communities such as Mesa, Peoria, Tucson, Lake Havasu, and Phoenix have adopted Entertainment Districts within their cities to help attract economic development to areas targeted for dining, entertainment, shopping and tourism uses demonstrating successful coexistence of school, church and entertainment uses.

Mr. Froke explained that the creation of an Entertainment District must be adopted by resolution of the City Council. To inform the Council's decision, staff is conducting comprehensive public outreach to gauge public opinion on the potential creation of the district. He noted that Council is expected to consider the adoption of an Entertainment District in the fall of 2016 and if approved, applicants located in the district could then request an exemption to the 300-foot rule.

Chairperson Johnston noted that Westgate was already an Entertainment District. Mr. Froke stated it was, however, it does not have an Arizona Revised Statute type Entertainment District. He added that they had also looked at Bell Road and Westgate as other options but chose Downtown Glendale.

Commissioner Gallegos remarked that the city can have two Entertainment Districts, but Westgate was not one of them. Mr. Froke stated he was correct. He added the criteria were based on population.

Commissioner Hirsch commented that he had read about this and wondered how it got to the press before it got to the Planning Commission.

Commissioner Gallegos inquired if the city were to develop the Entertainment District and did not use the whole mile, could they come back and add to it at a later time. Mr. Froke stated that it could possibly be modified, however, it would have to go before the Mayor and Council.

Commissioner Moreno asked what kind of input, if any, the Planning Commission would have on this matter including adding stipulations.

Commissioner Hirsch remarked he was not in favor of billboards in the Entertainment District.

Commissioner Moreno asked if billboards were currently allowed in the Entertainment District in question. Mr. James Gruber, Assistant City Attorney, stated his understanding was that the Entertainment District was strictly defined in statute in Section 207 and it applies to the granting of liquor licenses and does not confer any extra rights that were not already there.

Mr. Froke stated that if the Commission did not want to encourage billboards in the downtown area that would be fine.

Commissioner Hirsch asked if they could get an opinion or clarification on the expandability if the city were to adopt this under this square mile, if this was set or could it be altered by the surrounding neighborhood. They agreed to look into it.

Commissioner Hirsch stated that when looking at the map, he wondered why a nearby shopping center located at the southwest corner of 43rd and Glendale Avenues was not included. Mr. Froke explained that this was the sixth version of this map and does not remember why it was ultimately excluded. However, staff can take another look. Commissioner Hirsch said he was just wondering since that shopping center had struggled and this might be a great help. Mr. Froke agreed to look into it and get back to the Commission.

Commissioner Hirsch asked for information on any citizen participation that has occurred. Mr. Froke explained that they have an on-line survey that is available now. He said there was a meeting scheduled for later this month and all are welcome to attend. He added that letters of notification went out to many of the property owners, merchants, churches, and schools regarding this endeavor. Ms. Matousek stated that letters went out to 49 affected churches and schools notifying them as well as a follow-up phone call. Additionally, postcards were mailed out to all the businesses within the Centerline which were about 400 businesses. She added that postcards will also be going out to surrounding residents. Staff is also having on-going meetings with community leaders.

In conclusion, staff is seeking input and guidance from the Commission regarding the creation of the Downtown Entertainment District. He asked if there was general support for the creation of the district that would allow City Council, on a case-by-case basis to consider an exemption to the 300-foot rule which would allow certain liquor licenses to be issued within 300 feet of a church or school.

The Planning Commission was in agreement to move forward with this item.

REPORTS AND COMMENTS

Ms. Tabitha Perry, Assistant Planning Director, provided an update on Commissioner Hirsch' inquiry regarding information on billboards.

Mr. Froke explained they have the frame work of what they want to bring forth to the Commission, however, it's not complete and not ready for a workshop. He will be working on a schedule of when to bring it back and distribute the information to the Commission.

Ms. Perry asked if they would still be providing the information prior to workshop as requested. Mr. Froke responded yes. Everyone agreed.

Mr. James Gruber, Assistant City Attorney, added that the legal opinion request that pertained to billboards was a little complicated because the memos are attorney opinions and are considered attorney client privilege between the city attorney's office and Mayor and Council. Therefore, they will need to discuss this further with City Council in a session scheduled later this month.

Commissioner Hirsch thanked them both for the added work on his request.

Ms. Perry stated the second item was regarding Withdraws and Continuances at Public Hearings. She explained that after doing some research, moving forward, and based on how it was written on the agenda, if a case is withdrawn, there was no guarantee that it would be called back. If the case was set for continuance, it will have the next hearing date set. Additionally, staff will advise the Commission why the applicant chose to withdraw an item if a reason was provided.

ADJOURNMENT

With no further business, Commissioner Harper made a motion to adjourn the meeting. Commissioner Moreno seconded the motion, which was approved unanimously.

The meeting adjourned at 5:46 p.m.