

RESOLUTION NO. R17-43

A RESOLUTION OF THE COUNCIL OF THE CITY OF
GLENDALE, MARICOPA COUNTY, ARIZONA, CREATING
AN ENTERTAINMENT DISTRICT IN ACCORDANCE WITH
ARIZONA REVISED STATUTES SECTION 4-207(C)(4).

WHEREAS, A.R.S. § 4-207 restricts the granting of certain types of liquor licenses to establishments that are located within 300 horizontal feet of existing churches or schools; and,

WHEREAS, A.R.S. § 4-207 allows the governing body of a city or town, on a case-by-case basis, to approve an exemption from the separation requirements for a church or a public or private school located in an area that is designated an entertainment district by the governing body of that city or town; and,

WHEREAS, A.R.S. § 4-207 specifies the number of entertainment districts a city or town may designate based on population; and,

WHEREAS, A.R.S. § 4-207 defines an entertainment district as a contiguous area that is designated by a resolution adopted by the governing body of a city or town that consists of no more than one square mile, that is no less than one-eighth of a mile in width, and that contains a significant number of entertainment, artistic and cultural venues, including music halls, concert facilities, theaters, arenas, stadiums, museums, studios, galleries, restaurants, bars and other related facilities; and,

WHEREAS, existing law allows places of worship and schools to be located within most zoning districts without restriction; and,

WHEREAS, the Glendale community participated in a community visioning process for the downtown Glendale area known as Centerline and recommended strategies for supporting redevelopment of this area include, among other things, the application of mixed-use development with a balance of uses for vitality, variety, and sustainability including nightlife; and,

WHEREAS, the city of Glendale conducted a public outreach effort regarding the potential formation of an entertainment district that resulted in feedback outlining general support with suggestions for maintaining the existing character of the area while creating the ability to attract new uses to revitalize Centerline; and,

WHEREAS, the City Council has determined that the creation of an entertainment district that would allow entertainment uses to coexist in the context of the downtown environment along with schools and churches has the potential to support economic development in the downtown redevelopment area and is in the best interest of the city.

BE IT RESOLVED BY THE COUNCIL OF THE CITY OF GLENDALE as follows:

SECTION 1. That the City Council of the City of Glendale accepts and adopts the Centerline Entertainment District as shown and defined in Exhibit A.

SECTION 2. That the City Council of the City of Glendale will consider requests for exemptions from the separation requirements of A.R.S. § 4-207 (A) within the Centerline Entertainment District against the following time, place, and manner criteria:

- A. Zoning and Land Use. The proposed use complies with all applicable zoning requirements, including zoning specific to the Glendale Centerline Overlay District, and, if applicable, a conditional use permit was granted for the proposed use.
- B. Effects. The proposed use is not materially detrimental to and will not adversely affect (1) any church or charter school that is within 300 feet of the proposed use, (2) the persons residing, working or visiting the entertainment district or surrounding neighborhoods, or (3) the surrounding properties, neighborhoods, and the city. Adverse effects may result from several sources, including but not limited to the traffic, parking, safety, pedestrian accommodation and accessibility, hours of operation, noise or odor of the proposed use.
- C. Character. The proposed use complements and enhances the surrounding area, and does not adversely affect the character of the Glendale Centerline, including but not limited to the family-friendly character of the area.

SECTION 3. Severability. In the event any part, portion or paragraph of this Resolution is found to be invalid by any court of competent jurisdiction, the invalidity of such part, portion, or paragraph will not affect any other valid part, portion, or paragraph of this Resolution and effectiveness thereof;

SECTION 4. That this Resolution becomes effective in the manner provided by law.

PASSED, ADOPTED AND APPROVED by the Mayor and Council of the City of Glendale, Maricopa County, Arizona, this 13th day of June, 2017.

Mayor Jerry P. Weiers

ATTEST:

Julie K. Bower, City Clerk (SEAL)

APPROVED AS TO FORM:

Michael D. Bailey, City Attorney

REVIEWED BY:

Kevin R. Phelps, City Manager



Exhibit A - Centerline Entertainment District

 District Boundary

