

Uptown Sector Development Plan Text Amendment Revised Analysis, Finding and Conditions

REVISED Analysis and Suggested Revisions (staff report pages 16 – 19)

B) SUGGESTED REVISIONS & CLARIFICATIONS

1. Lines 4 & 5 (become 4, 5 and 6):

4 an approved Site Development Plan which has: (i) a Floor Area Ratio
5 of ~~5~~ [+0.5+] or greater and (ii) at least 50% of the parking [~~is~~] within a
6 structure, which may include a freestanding parking structure,

This revision is a minor clarification.

2. Lines 7 through 9:

7 parking on the roof of a building, or parking below a building [-] [+ , and (iii) must have [~~their~~]
8 primary vehicular access to and from a collector street, or a street having a greater
9 capacity.+] (moved here from Lines 10 and 11, creating a new Lines 8 and 9)

Primary vehicular access from at least a collector street is another requirement and should be listed alongside requirements (i) and (ii).

3. New Lines 9 (continued) through 14:

9 [+and (iv) for any Building or Establishment, any part of the occupiable area of which
10 is within ¼ mile of the centerline of Louisiana or Menaul Boulevard, one façade and
11 one major public entrance of the Building or Establishment shall be separated from
12 either Louisiana Boulevard, Menaul Boulevard, or any other bounding arterial street only
13 by landscaping (hard & soft), sidewalks and/or plaza space as set forth in Chapter IV, H.
14 and Chapter V, N. of the Uptown Sector Development Plan (USDP).+]

The intent of the recommended language from the Transit Department would result in one side or entrance of a >90,000 sq. ft. building being closer to a Transit Corridor street. This would promote transit and walkability, and help create compliance with Activity Center policies that call for Major Activity Centers to be accessible by all modes of travel and connect to Transit. Planning staff recommends changes that preserve the intent while allowing for increased flexibility in terms of design and layout.

4. Renumber Lines 8 & 9 as 15 & 16:

8 (renumber as 15) [~~One level~~] Buildings for a single user or Establishment in excess of 90,000 square feet
9 (renumber as 16) are not permitted in the [+SU-3 for+] MU-UPT Buffer Zone [+ . +] and must have their primary vehicular access to and from a collector street, or a street having a greater capacity.

The prohibition in the SU-3 for MU-UPT Buffer Zone should stand alone as conceptually distinct; no buildings exceeding 90,000 sf should be allowed in the Buffer zone, which is meant to be a transition between the SU-3 for MU-UPT area and surrounding neighborhoods. Vehicular access requirements are now earlier in the language.

5. Lines 17 through 23 (renumbered as such):

17 [+Prior to+] ~~making~~ [+submitting an application for+] [+a Site Development Plan, +]

18 [application], applicants for a [one level] building for any single user or Establishment greater
19 than 90,000 square feet shall [~~-, prior to making a Site Development Plan application,~~] give
20 notice of such proposed action in accordance with Section VII B(13) hereof. [~~Approval, or~~
21 ~~amendments, of Site Development Plans for one level Buildings for a~~
22 ~~single user or Establishment greater than 90,000 square feet shall be~~
23 ~~by the Planning Commission.~~]

The suggested phrasing makes the paragraph read more smoothly. [Note: Prior language about “schematic or preliminary” information to be provided to neighbors is not in the applicant’s revised request, which is analyzed here]. The intent of the USDP Review and Approval Process (Chapter VII) is to allow for coordinated and expedited development and redevelopment in the area. Single level retail facilities exceeding 90,000 square feet should be afforded the same expedited process as other development and redevelopment in the Plan area. The existing process includes neighborhood notification and the opportunity for comment at a public Development Review Board (DRB) meeting. Appeal of ant DRB decision is still possible by any aggrieved party.

C) SUMMARY- SUGGESTED REVISIONS TO PROPOSED TEXT AMENDMENT

1 E. Building Size: The maximum square footage allowable for any one
2 level of a Building for any single user or Establishment shall not exceed
3 90,000 square feet, unless the Building or Establishment is subject to
4 an approved Site Development Plan which has: (i) a Floor Area Ratio
5 of 5 [+0.5+] or greater and (ii) at least 50% of the parking [~~is~~] within a
6 structure, which may include a freestanding parking structure,
7 parking on the roof of a building, or parking below a building [~~-~~]
8 [~~+, and (iii) must have [their] primary vehicular access to and from a collector~~
9 ~~street, or a street having a greater capacity, and (iv) for any Building or Establishment,~~
10 ~~any part of the occupiable area of which is within ¼ mile of the centerline~~
11 ~~of Louisiana or Menaul Boulevard, one major façade and one major public entrance~~
12 ~~of the Building or Establishment shall be separated from 12 either Louisiana Boulevard,~~
13 ~~Menaul Boulevard, or any other bounding arterial street only by~~
14 ~~landscaping (hard & soft), sidewalks and/or plaza space as set forth in Chapter IV, H.1.a~~
14 ~~of the Uptown Sector Development Plan (USDP).+][+]~~

15 [~~One level~~] Buildings for a single user or Establishment in excess of 90,000 square feet
16 are not permitted in the [~~+SU-3 for+~~] MU-UPT Buffer Zone [~~+. +~~] and must have their primary
17 vehicular access to and from a collector street, or a street having a greater capacity.
17 [~~+Prior to+~~] making [~~+submitting an application for a Site Development Plan, +~~]
18 [~~application~~], applicants for a [one level] building for any single user or Establishment greater than
19 than 90,000 square feet shall [~~-, prior to making a Site Development Plan application,~~] give
20 notice of such proposed action in accordance with Section VII B(13) hereof. [~~Approval, or~~
22 ~~amendments, of Site Development Plans for one level Buildings for a~~
23 ~~single user or Establishment greater than 90,000 square feet shall be~~
24 ~~by the Planning Commission.~~]

REVISED FINDING – 11EPC-40003, March 10, 2011 – Uptown Sector Development Plan Text Amendment

12. The request generally furthers the overarching purpose and Goal of the Uptown Sector Development Plan (USDP). The proposed text amendments would facilitate infill redevelopment of the Uptown area (purpose), and would provide opportunities for the public and contribute to economic growth in Uptown (Goal). [USDP, pgs. 11-12] The zoning in the USDP is less prescriptive and more flexible than zoning outside the Plan area to help encourage infill development and redevelopment in the Uptown Area. [R-2009-001] The Review and Approval Process (Chapter VII) is intended to allow for coordinated and expedited development and redevelopment in the area.

***REVISED* CONDITIONS OF APPROVAL- 11EPC-40003, March 10, 2011- Uptown Sector Development Plan Text Amendment**

1. Lines 4 through 6 of the proposed text amendments shall be revised as follows:
 - 4 an approved Site Development Plan which has: (i) a Floor Area Ratio
 - 5 of ~~5~~ [+0.5+] or greater and (ii) at least 50% of the parking [~~is~~] within a
 - 6 structure, which may include a freestanding parking structure,
2. Lines 7 through 9 of the proposed text amendments shall be revised as follows:
 - 7 parking on the roof of a building, or parking below a building [-] [+ , and (iii) must have
 - 8 ~~their~~ primary vehicular access to and from a collector street, or a street having a greater
 - 9 capacity.] (moved here from Lines 10 and 11, creating a new Lines 8 and 9)
3. Lines 9 through 14 of the proposed text amendments shall read as follows:
 - 9 [+and (iv) for any Building or Establishment, any part of the occupiable area of which
 - 10 is within ¼ mile of the centerline of Louisiana or Menaul Boulevard, one major façade and
 - 11 one major public entrance of the Building or Establishment shall be separated from
 - 12 either Louisiana Boulevard, Menaul Boulevard, or any other bounding arterial street only
 - 13 by landscaping (hard & soft), sidewalks and/or plaza space as set forth in Chapter IV, H.1.a
 - 14 of the Uptown Sector Development Plan (USDP).+]
4. Lines 8 & 9 of the proposed text amendments shall be renumbered and revised as follows:
 - 8 (renumber as 15) One level Buildings for a single user or Establishment in excess of 90,000 square feet
 - 9 (renumber as 16) are not permitted in the [~~+SU-3 for+~~] MU-UPT Buffer Zone [~~+ . +]~~ and must have their primary vehicular access to and from a collector street, or a street having a greater capacity.
5. Delete the final sentence of the proposed text amendment:

~~[Approval, or amendments, of Site Development Plans for one level Buildings for a single user or Establishment greater than 90,000 square feet shall be by the Planning Commission.]~~

6. The following new subsection shall be added to Chapter IV, Mixed Use Zone: Section F, Floor Area Ratio (FAR):

[+4. For sites that have a one-level building in excess of 90,000 sf for any single-user or Establishment, the minimum FAR shall be 0.5.+]

7. A new Section N shall be added to Chapter V, Zoning & Design Regulation:

[+N. Single-Level Retail Facilities (SLRFs) Exceeding 90,000 sq. ft. in Uptown

Single-Level Retail Facilities exceeding 90,000 sq. ft. are only allowed in the SU-3 for MU-UPT zoned area. SLRFs exceeding 90,000 sq. ft. in Uptown are subject to the following, additional regulations specific to Uptown:

1. Loading docks and facilities shall be screened from public view and, where parking is provided beneath a building, shall be integrated with the parking structure.
2. All buildings greater than 90,000 sf shall provide pedestrian plaza space in the amount of 400 square feet for every 20,000 square feet of building space. A minimum of 50% of the required public space shall be provided in the form of aggregate space that encourages its use and serves as a focal point for the development. The aggregate space required shall:
 - a. Be linked to the main entrance of the principal structure and the public sidewalk or internal driveway;
 - b. Include adequate seating areas. Benches, steps and planter ledges can be counted for seating space;
 - c. Have a portion (generally at least 40%) of the square footage of the plaza area landscaped with plant materials, including trees;
 - d. Be designed for security and be visible from the public right of way as much as possible;
 - e. Have pedestrian scale lighting and pedestrian amenities such as trash receptacles, kiosks, etc.
3. Maintenance Agreement for Vacant or Abandoned Site. SLRFs exceeding 90,000 sq. ft. shall be maintained during periods of abandonment or vacancies at the same level as when occupied. The owner of a site shall sign a maintenance agreement with the City that ensures the site will be maintained when vacant t the following minimal standards, among others deemed appropriate by the Planning Director. This maintenance agreement shall be provided upon application and address the following:
 - a. The landscaping shall be watered, pruned and weeded.
 - b. The parking areas shall be cleaned of dirt and litter.
 - c. The building facades shall be kept in good repair, cracked windows shall be replaced and graffiti removed.
 - d. Outdoor security lighting shall be maintained and operated.
 - e. Hydrology systems shall be kept in good working order.+]