

City Plan Commission Public Hearing

December 16, 2014



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MAIN STREET / CENTRAL - REZONING INITIATIVE

JACOBS
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AN IRVING-CLOUD COMPANY

Richardson, Texas

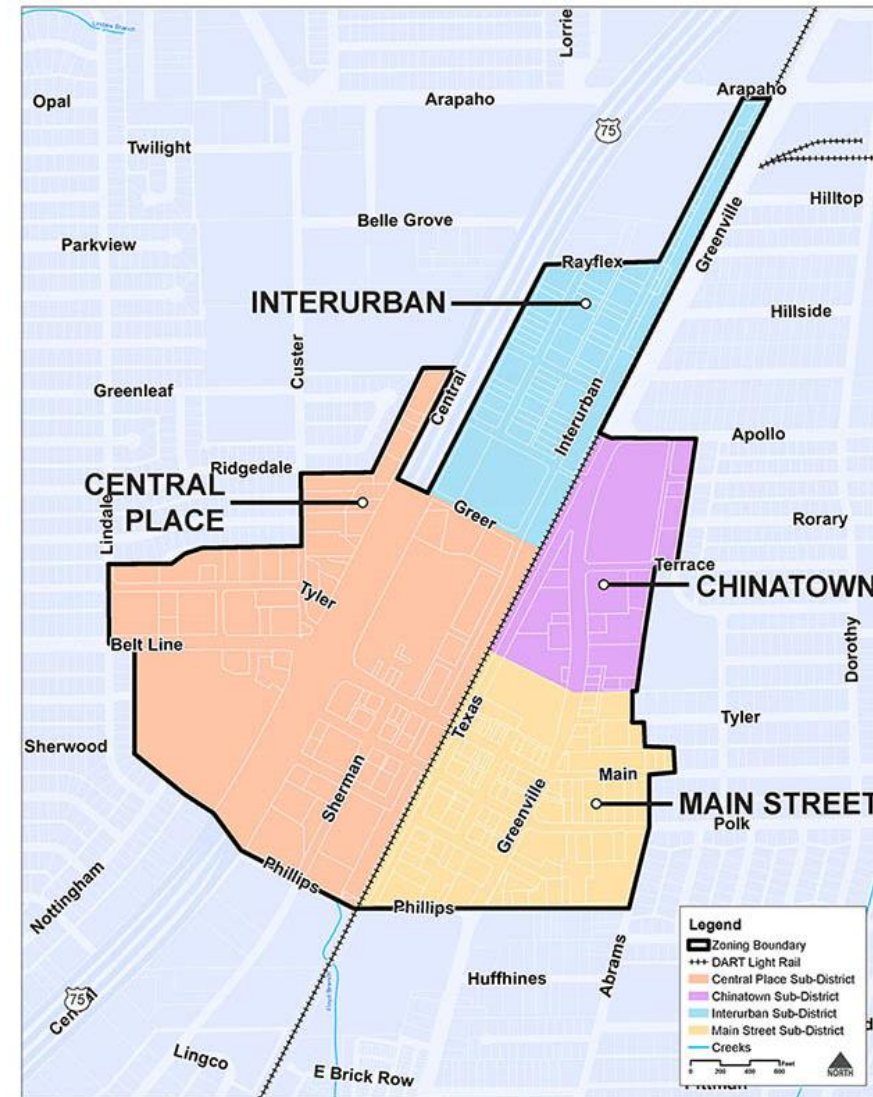
Agenda

- Rezoning Initiative Area Overview
- Summary of Issues / Responses
- Next Steps

Rezoning Initiative Area Overview

Rezoning Initiative Area Overview

- Focus of the initiative was on implementing the vision
- Efforts focused on 4 sub-districts
 - Council rationale and consensus
 - Robust interest
 - Multiple catalyst sites
 - Current project momentum
 - Build on existing successes
 - Manageable area
- Modified boundaries of Central Place and Interurban sub-districts per Council's direction



Summary of Issues / Responses

Overview

- Agenda materials:
 - Complete summary of issues and responses raised at the CPC public hearing on December 2, 2014
 - Additional Code amendments as identified Team
- Issues categorized as
 - Area Specific, Building Heights, Code Wording, Eminent Domain, Ground Floor Area, Land Use, Lighting and Other Issues
- Presentation – Summary of the remaining substantive code issues raised; each issue is followed in italic text by a response from Team

Area Specific Issues

Why are existing single family residences within the area bounded by Phillips St., Texas St., Kaufman St., and Greenville Ave. being treated differently than other existing residential neighborhoods with respect to uses and height transitions?

- *Existing zoning is multi-family zoning (A-950-M) - not single family.*
- *Existing land uses include single family, multi-family, parking lot, and vacant land.*
- *Surrounding zoning is multi-family (A-950-M) and commercial (C-M); land uses are predominantly commercial and institutional.*
- *This area in the Code does not benefit from the same protections built in the Code for existing single family residential zoned areas due to existing zoning.*
- *Council's direction specifically applied to where the project area being rezoned is adjacent to existing single family zoned areas.*
- *Council's direction not applicable due to this area's existing A-950-M zoning.*

Area Specific Issues

Request removal of area bounded by Phillips St., Texas St., Kaufman St., and Greenville Ave. from the proposed rezoning.

- *Area identified by City Council for enhancement/redevelopment in the 2009 Comprehensive Plan, included in the 2012 phase I vision study, and again in 2014 with this rezoning initiative.*
- *Existing zoning (A-950-M) not consistent with the longer term vision for urban form development at supportive densities.*
- *If the area is removed - long-term vision for the Main Street Sub-district is compromised.*
- *Vacant properties within the area make it prime for investment and development.*
- *If the area remains within the Code - control still remains with the property owner*
 - *whether they choose to sell or not, or*
 - *if they continue to use the property as a single family residence or not.*

Area Specific Issues

- *Land use protections should be provided in the Code regarding how the property is used and developed for the benefit of the whole area for the longer term, should the property owner change their mind.*
- *Existing single family residences with homestead exemptions are designated in the Code as legal conforming properties so that the properties are not subject to nonconforming use/structure regulations – allows for continued potential investment in property.*

Area Specific Issues

Request area north of Belt Line Rd./Main St. and west of Central Expressway be removed from the rezoning.

- *Area identified by City Council for enhancement/redevelopment in the 2009 Comprehensive Plan, included in the 2012 phase I vision study, and again in 2014 with this rezoning initiative.*
- *Phase I study and market analysis identified that properties within this area and throughout the Main Street/Central corridor are*
 - *Underperforming, and*
 - *Land values are exceeding improvement values...*
 - *Areas prime for investment and redevelopment.*
- *Removal would compromise the long term vision for the Central Place Sub-district.*
- *Code provides for greater development predictability (compared to existing zoning) which benefits properties within the study area and neighboring areas.*

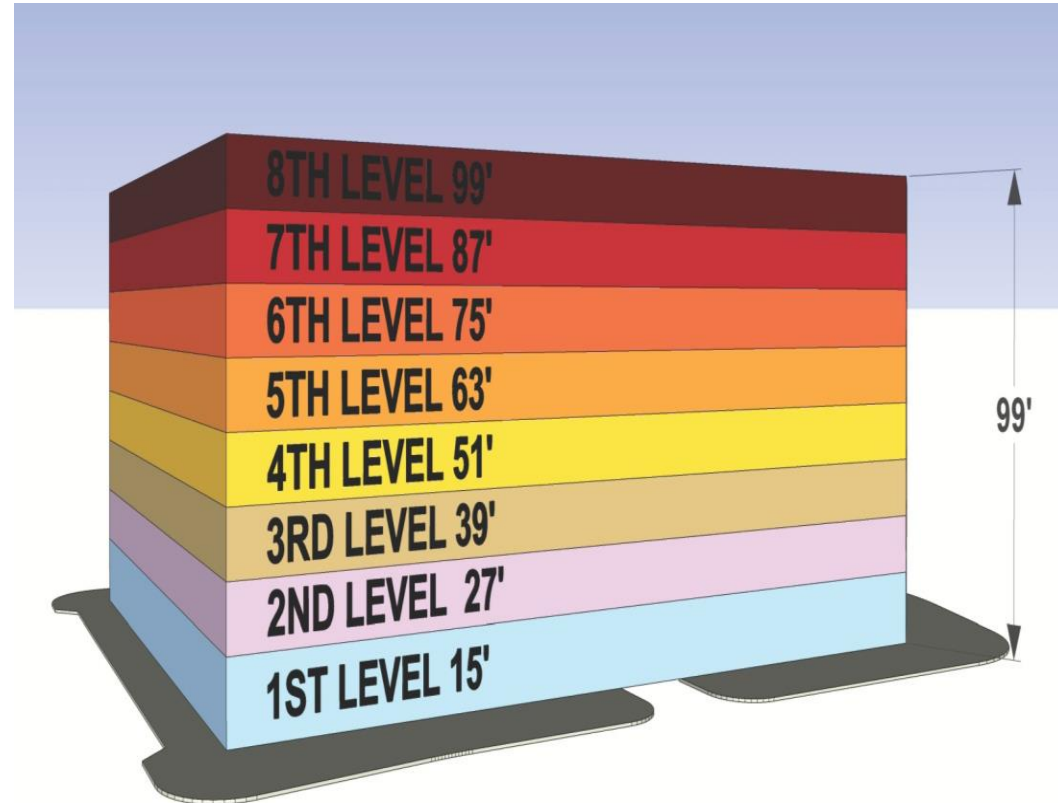
Building Height Issues

Proposed building heights differ significantly compared to viewshed analysis; e.g., 46-foot building height is too tall adjacent to single family neighborhoods.

- *Code has been revised consistent with viewshed analysis.*
- *Code explicitly addresses parapet heights, other architectural elements and roof-top mechanical equipment.*
- *CPC/Council concurred with allowing greater building height to address those building elements.*

Building Heights (all sub-districts)

Building Stories	Minimum Maximum Building Height (in feet)	Maximum Height with Parapet/ Architectural Feature
1 story	34 15	21
2 stories	46 27	33
3 stories	61 39	45
4 stories	76 51	57
5 stories	91 63	69
6 stories	106 75	81
7 stories	121 87	93
8 stories	136 99	105
9 stories	151 111	117
10 stories	166 123	129
11 stories	181 135	141
12 stories	196 147	153
13 stories	211 159	165
14 stories	226 171	177
15 stories	241 183	189
16 stories	256 195	201
17 stories	271 207	213
18 stories	286 219	225
19 stories	301 231	237
20 stories	316 243	249



Building Height Issues

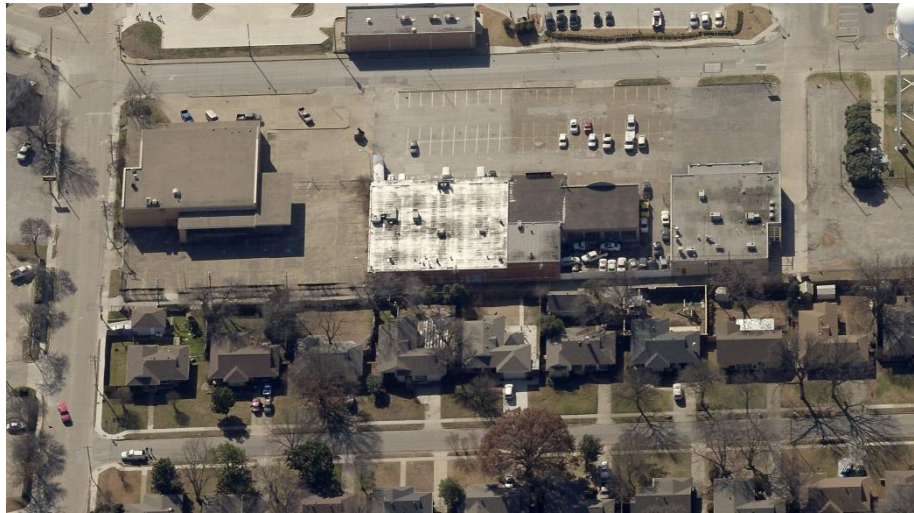
The following properties should be limited to two stories due to areas where adjacent to existing single family residential neighborhoods.

- Between Lindale Ln. and Inge Dr., north side of Belt Line Rd./Main St.
- Between Polk St. and Phillips St., west side of Abrams St.

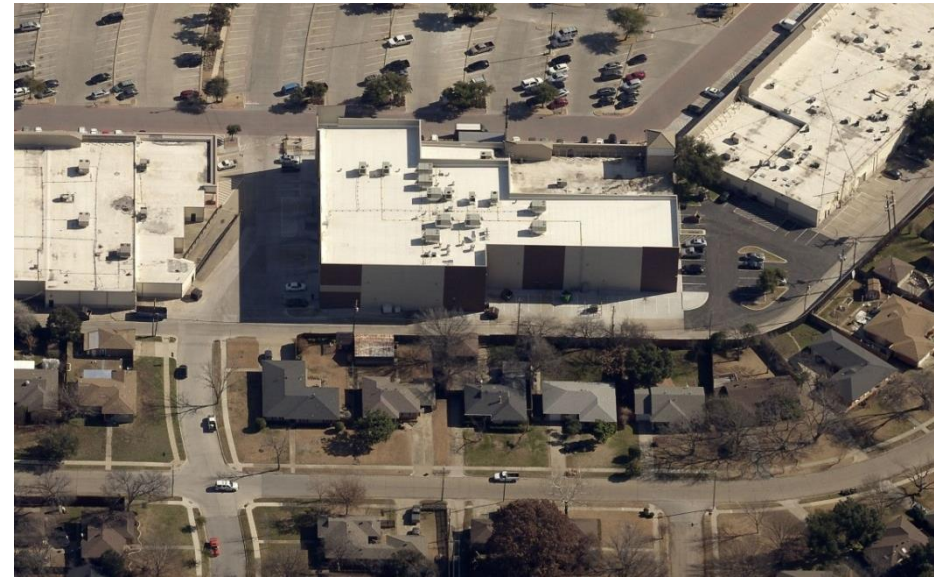
- *Regulating plan currently shows three stories, consistent with direction received from CPC/Council.*
- *Methodology that the Team shared with CPC/Council in October, and per their direction:*

Building Height Issues

- *Where properties are immediately adjacent to (i.e. share a property line) or are separated by an alley from existing single family residential, the Code would limit building heights to two stories (27 ft. + 6 ft. = 33 ft.).*



Retail/automotive on Lockwood – rear wall = approx. 20 feet



Alamo Draft House – rear wall = 45'1" feet

Building Height Issues

- *Where properties were separated from adjacent single family neighborhoods by a street, we would limit building heights to three stories since the street provides a separation (exception: Custer Rd. at Westwood Dr.)*



Lindale Ln. at Belt Rd./Main St. looking north



Polk St. at Abrams St. looking north



LaSalle St. at Terrace St. looking north

Building Height Issues – Polk St. at Abrams Rd.



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Building Height Issues

What is the height of Afrah's new building.

- *33'-2" per approved building elevations; however, 35'-2" allowed in the PD zoning district for the building.*
- *Market building to the west (not constructed yet) allowed at a height of 39'-4" in the PD zoning district.*

Proposed Code allows 3 stories/max. 45 ft. (39 ft. + 6 ft) at this location.

Height of Afrah's consistent max. 2-story building as proposed in Code (27 ft. + 6 ft).



Building Height Issues

Screening of 6-foot tall roof top units needs to be revisited; many equipment units are taller than that.

Code has been revised to:

- *Exempt roof-top mechanical equipment and screening device for calculating buildings heights;*
- *Eliminated minor modification process initially established to simplify screening requirements; and*
- *Prohibit parapet and other architectural elements from screening mechanical equipment taller than 6 feet in height.*

Eminent Domain Issues

Explain eminent domain

- *Cities are precluded by state law to use eminent domain for economic development purposes;*
- *Cities may use eminent domain if it is demonstrated that the property acquisition serves a public purpose (e.g. roadway improvements, municipal buildings).*
- *Federal law requires cities to fairly compensate for the property acquisition.*

Land Use Issues

Why are Special Permits for certain uses not applied uniformly across all the sub-districts, particularly directed at electronic cigarette establishments.

- *Code has been corrected to require a Special Permit for electronic cigarette establishments within all sub-districts; Team had an error in the Code (Central Place Sub-district).*
- *As to why some uses require a Special Permit and others do not:*
 - *Code recognizes that a use is appropriate within the sub-district; however...*
 - *Use may not be appropriate for all properties within the sub-district thus the Special Permit requirement which allows for a case by case, site by site, review.*

Other Issues

Provide explanation regarding if the City adopts this Code, then how do changes come about to the land.

Changes to the land depend upon the actions of the current property owner(s):

- *Can continue to use property as is but is subject to nonconforming provisions in the Code (if determined to be nonconforming).*
- *Can choose to make improvements to the property themselves.*
- *Can choose to partner with a development company to make improvements to the property.*
- *Can sell the property to developer or another land owner who may make improvements to the property.*

Bottom line – whether building expansion and/or redevelopment of property, changes to property will have to follow new development standards and land uses in the Code

On-site Open Space Requirements

Revisited the applicability of the minimum 8% public open space/15% private open space requirements to review implications to properties, including potential resulting nonconforming status. (Team identified change.)

Code has been modified within all four sub-districts to reflect the following:

- *Open space requirement shall apply to new development or complete redevelopment scenario*
- *Open space requirement does not apply to adaptive reuse sites thus protecting sites from becoming nonconforming*
- *Single family uses (attached and detached) shall be exempt from open space requirements (already in initial Code version), as well live/work units (new provision)*
- *Lots one acre or smaller shall be exempt from open space requirements; parent tracts subdivided resulting a lot (or lots) one acre and smaller shall not be eligible for the open space exemption.*
- *Development plan demonstrating how open space requirement met for entire parent tract may be approved; includes phasing requirements in Code*

Next Steps

Next Steps

- Commission will be making recommendation to the City Council
- Earliest possible City Council hearing date: January 5, 2015
 - Due to public notification requirements
 - Available meeting dates

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