

## **A G E N D A**

### **LEWISVILLE CITY COUNCIL MEETING OCTOBER 30, 2017**

**CITY COUNCIL CONFERENCE ROOM  
LEWISVILLE CITY HALL  
151 WEST CHURCH STREET  
LEWISVILLE, TEXAS 75057**

**CALLED SPECIAL SESSION – 5:30 P.M.**

Call to Order and Announce a Quorum is Present.

#### **REGULAR SESSION:**

1. **Consideration of Issues Related to Old Town Center District Parking.**

#### **ADMINISTRATIVE COMMENTS:**

Staff presented recommendations concerning parking in the Old Town Center District at the May 16, 2016 City Council Workshop. Based on City Council input, staff developed a public parking ordinance. Prior to finalization of the parking ordinance, the Main-Mill Association communicated that it is no longer supportive of the ordinance. The Main-Mill Association has submitted a letter stating its concerns.

#### **RECOMMENDATION:**

That the City Council provide direction related to public parking in the Old Town Center District.

**PRESENTATION:** David Salmon, City Engineer  
Russ Kerbow, Police Chief

#### **WORKSHOP SESSION:**

1. Discussion of Strategies for Old Town Code Enforcement
2. Discussion of IH-35E Overlay District

**AGENDA  
LEWISVILLE CITY COUNCIL  
CALLED SPECIAL SESSION  
OCTOBER 30, 2017**

**CLOSED SESSION:** In Accordance with Texas Government Code, Subchapter D,

1. Section 551.072 (Real Estate): Property Acquisition
2. Section 551.087 (Economic Development): Deliberation Regarding Economic Development Negotiations

**ADJOURNMENT**

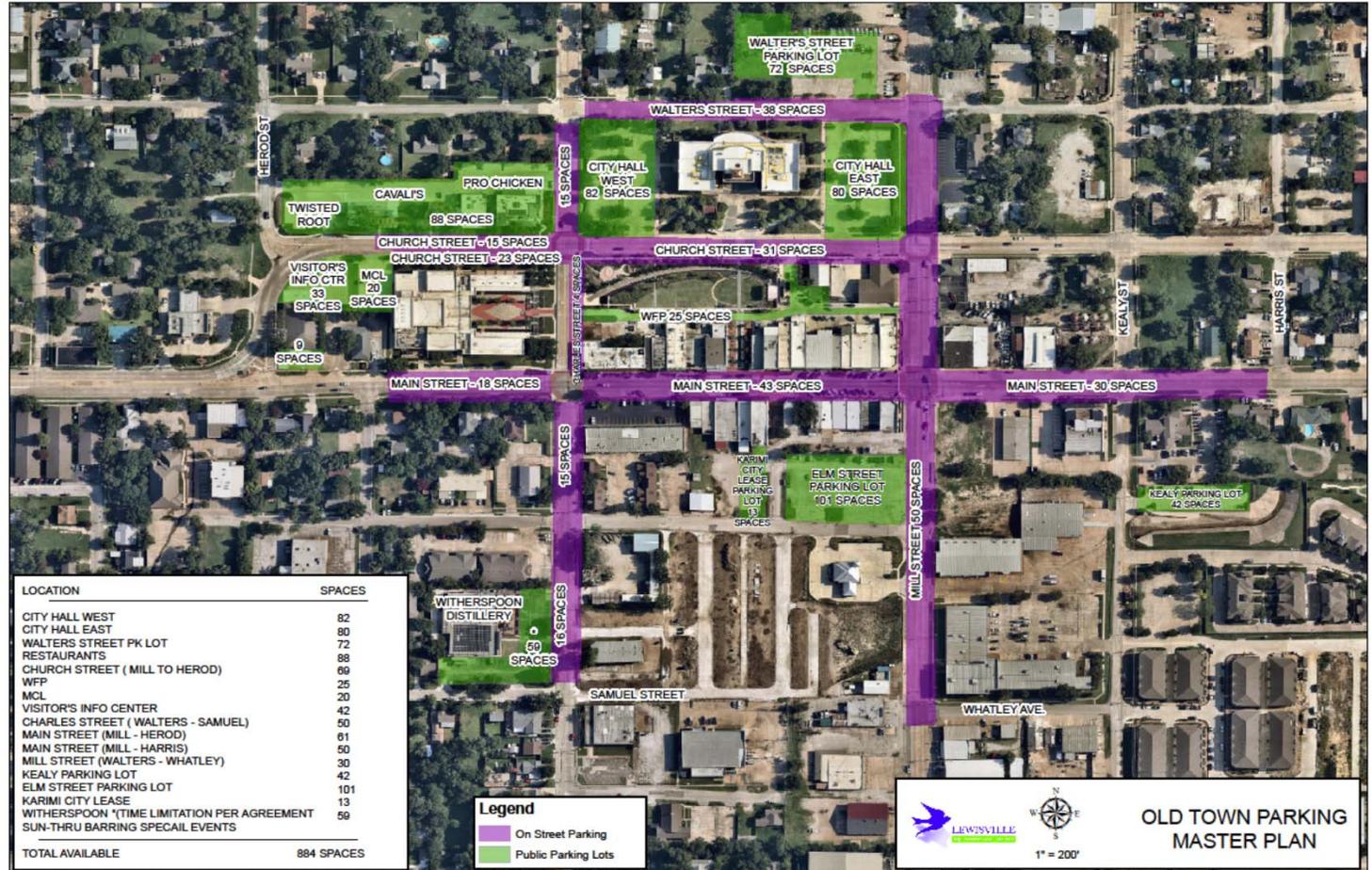
NOTICE OF ASSISTANCE AT THE PUBLIC MEETINGS

The City will provide appropriate auxiliary aids and services, including sign language interpreters and assisted listening devices, whenever necessary to ensure effective communication with members of the public who have hearing, sight or speech impairments, unless doing so would result in a fundamental alteration of its programs or an undue financial burden. A person who requires an accommodation or auxiliary aid or service to participate in a City program, service or activity, should contact the sponsoring Department, or the Human Resource Department at 972-219-3450 or by Fax at 972-219-5005 as far in advance as possible but no later than 48 hours before the scheduled event.

The City Council reserves the right to adjourn into closed session at any time during the course of this meeting to discuss any of the matters listed above, as authorized by Texas Government Code Section 551.071 (Consultation with Attorney), 551.072 (Deliberations about Real Property), 551.073 (Deliberations about Gifts and Donations), 551.074 (Personnel Matters), 551.076 (Deliberations about Security Devices) and 551.087 (Economic Development).

# Old Town Parking - Recommendations

# Old Town Master Parking Map



# Main & Mill Association Request Letter



20 October 2017

Dear Donna Barron & Mayor Rudy Durham,

I am writing this letter on behalf of the Main and Mill Business Association ("M&MBA").

Over the past 18 months, the property & business owners located adjacent to Wayne Ferguson Plaza have communicated that there are issues with parking, receiving deliveries & loading. The property & business owners face numerous difficulties daily that effect their businesses and use of the property. Attached are images that reflect issues faced with accessing the rear of our buildings as well as the long term & permit parking. These challenges that are dealt with day in & day out. In an on-going effort to reach a resolution best suited for all parties we have spent time meeting with staff & property/ business owners and would like to express the following points as we move forward.

This past April, the M&MBA board sent a survey to each property owner along the North side of Main St. and requested that they rank in order their preference of how best to utilize the alleyway parking. The majority of property owners expressed interest in allocating one parking spot per property with the minority expressing a preference of two-hour parking limits with a select few parking spots having a 20 minute designation (see attached).

After much communication with city staff & council and in recognizing the type of district we are designated & striving to achieve, a vibrant destination for dining, shopping & entertaining, we propose that all parties consider a valid compromise & support of the following:

- An enforceable two hour parking limit along Main Street from Charles to Mill Street and rear alleyway adjacent to Wayne Ferguson Plaza with a total of four 20 minute parking spaces allocated for quick deliveries, loading and customer pick up/drop offs (see map)
- Two to Three designated loading zone along alleyway in what is now the permitted parallel spaces adjacent to the north fence running along side Beside the Bride, easement access along back of stage & west alley access behind 181 W. Main Street. (see map)
- Loading & unloading zone along Main Street (see map)

The M&MBA would like to continue to work closely with City Staff to ensure a resolution that is best suited for visitors, businesses, property owners and the central business district. We will be available prior to and during the special meeting being held on Monday, 30 October 2017 to answer any questions you may have.

Regards,

Caroline Berned  
Amanda Ferguson  
Jack Miller  
Bill Peck

M&M Assoc. Board

P.O. Box 428, Lewisville, Tx 75057 | [mainandmillhistoricdistrict@gmail.com](mailto:mainandmillhistoricdistrict@gmail.com)

## Main & Mill Association Requests

1. An enforceable two hour parking limit along Main Street from Charles to Mill Street and rear alleyway adjacent to Wayne Ferguson Plaza with a total of four 20 minute parking spaces allocated for quick deliveries, loading and customer pick up/drop offs
2. Two to Three designated loading zone along alleyway in what is now the permitted parallel spaces adjacent to the north fence running along side Beside the Bride, easement access along back of stage & west alley access behind 181 W. Main Street.
3. Loading & unloading zone along Main Street

**Staff proposal addresses all three requests.**

# Chapter 15, Parking Regulations

## Modify Article IV – Parking Regulations to add:

### 15-128 – Two-hour parking on specific streets

Adds the north alley of W. Main St. south of the Wayne Ferguson Plaza to the list of enforcement locations when signs are present for two-hour parking, Monday – Saturday, 8:00 am to 6:00 pm. *(Future consideration to add portions of East Main St. & Mill Street prior to completion of streetscape improvements.)*

### 15-128.5 – Twenty minute parking in marked spaces

Allows the City to create a “twenty-minute limit” on parking in certain spaces along Main Street & North Alley when marked, from Monday through Saturday, 8:00 am to 6:00 pm

### 15-129.5 – Overnight parking prohibited

Prohibits overnight parking from 7:00 pm to 7:00 am in city-owned public parking lots when signs are posted.

# Chapter 15, Parking Regulations

## 15-132 – Parking within designated spaces

Parking must be within the marking of the parking space so that vehicles or trailers do not block sidewalks, a lane of traffic including a bike lane, a driveway or encroach on any other parking space.

## 15-135.5 – Loading zones

Creates twenty-minute limit on marked and/or signed loading zones in the north alley of Main St. and provides for loading & unloading of vehicles within the travel lanes on Main St. with conditions and time restrictions. *(A similar provision will need to be considered for East Main & Mill Streets once the streetscape improvements are near completion.)*

# Proposed Commercial Loading



# Enforcement

**15-138 - Enforcement of offenses under chapter 681 (privileged parking) of the Texas Transportation Code by certain appointed persons.**

Creates a civilian 'Parking Control Officer' position

Creates a special 'Hearing Officer' to administratively adjudicate parking violations under this section, City Secretary's office tracks all files and notices connected with this process.

# Enforcement

**15-138 - Enforcement of offenses under chapter 681 (privileged parking) of the Texas Transportation Code by certain appointed persons (continued)**

A person found to be in violation of the aforementioned parking violations may appeal the hearing officer's decision to Municipal Court

The Parking Control Officer or a police officer may impound a vehicle with repeated violations or immobilize said vehicle (boot) with additional penalties involved if a person tampers with the boot.

# Enforcement

## 2-201 & 15-139 – Fees

Imposes a civil penalty for violations from \$1 - \$200, unless a violation of privileged parking (handicapped parking) then fine is \$1 - \$500.

Questions?



20 October 2017

Dear Donna Barron & Mayor Rudy Durham,

I, Amanda Ferguson, am writing this letter on behalf of the Main and Mill Business Association ("M&MBA").

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This past April, the M&MBA board sent a survey to each property owner along the North side of Main Street and requested that they rank, in order, their preference of how best to utilize the alleyway parking. The majority of property owners expressed interest in allocating one parking spot per property with the minority expressing a preference of two-hour parking limits with a select few parking spots having a 20 minute designation (see attached).

After much communication with city staff & council and in recognizing the type of district we are designated & striving to achieve; a vibrant destination for dining, shopping & entertaining; we propose that all parties consider a valid compromise & support of the following:

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The M&MA would like to continue to work closely with City Staff to ensure a resolution that is best suited for visitors, businesses, property owners and the central business district. We will be available prior to and during the special meeting being held on Monday, 30 October 2017 to answer any questions you may have.

Regards,

Caroline Berned  
Jack Miller  
Amanda Ferguson

M&M Assoc. Board

PROPOSED 20 MINUTE PARKING & LOADING ZONES



■ proposed 20 min customer pick up parking spots

■ proposed designated 20 min loading zones

## LOADING, UNLOADING & ACCESS ISSUES



Each image that follows is a separate occurrence of deliveries that block traffic in the alleyway for extended periods of time that took place the week of Saturday, 7 October to Friday, 13 October.



# LOADING, UNLOADING & ACCESS ISSUES



LOADING, UNLOADING & ACCESS ISSUES



## LOADING, UNLOADING & ACCESS ISSUES



during public events in the plaza property owners are faced with challenges such as this....

# OLD TOWN TOD

## ASSESSMENT



# Why an Assessment?

1. Code Enforcement and proactive zoning enforcement
2. Conflicting views of enforcement authority
3. Identify nonconformities - parcel by parcel
4. Create a strategy for accomplishing our long term goals

# MAP OF ASSESSED AREA

## 165 parcels

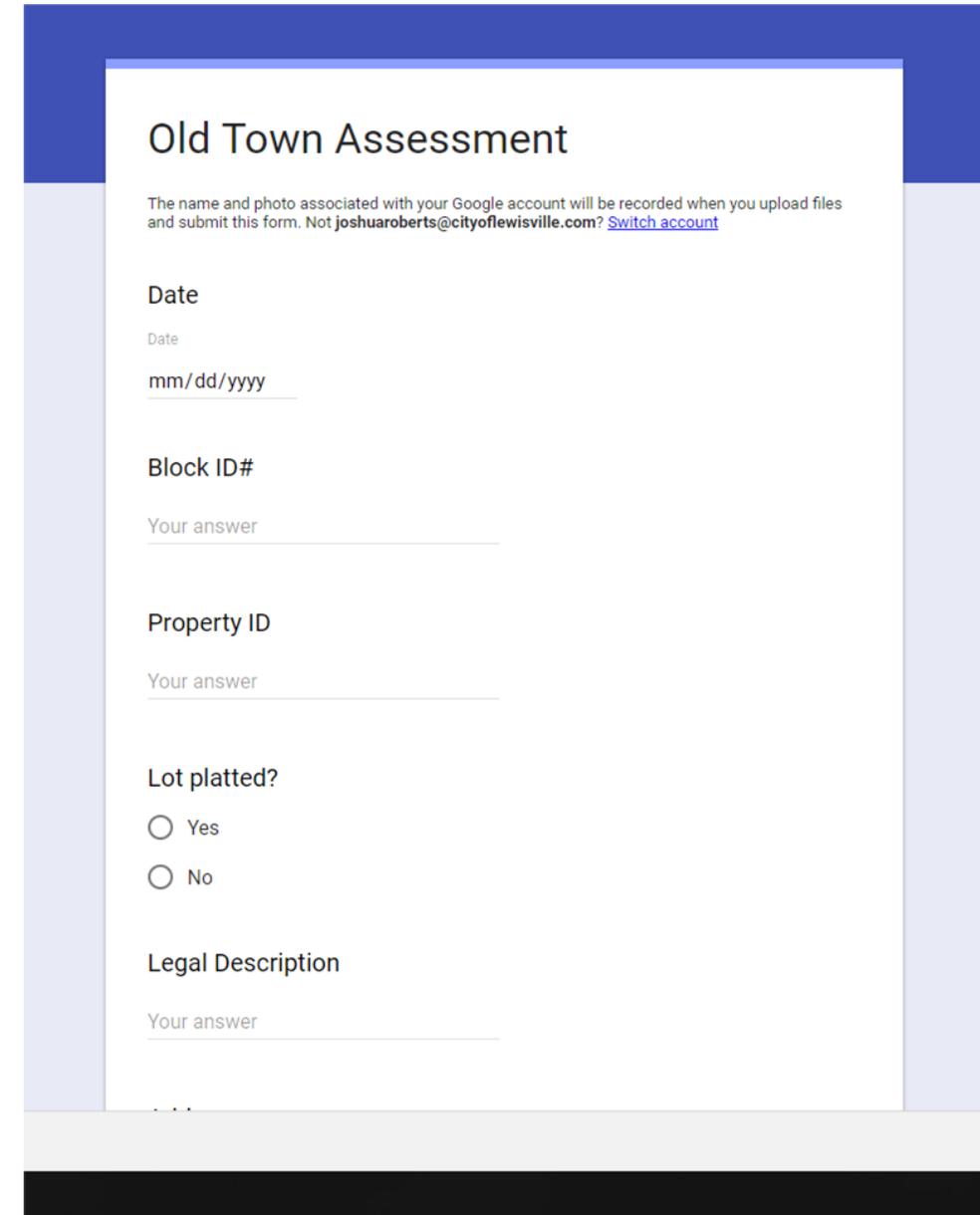


# ASSESSMENT PROCESS

- Date of Assessment
- Block ID #
- Property ID
- Platting history
- Legal description
- Address
- Business Name
- Occupancy
- Owner Information
- Zoning
- SUP required and/or obtained
- Identified nonconformity
- Building condition notes
- Parking lot existence/condition
- Landscaping existence/condition
- Existing site plan
- Electronic location of site plan
- Business registration
- Most recent Fire Inspection Date
- Current Use
- Photos
- Prior Code History, if any
- Proximity to Train Station
- Number of Accessory Structures
- Other Notes

# DATA COLLECTION

Utilized Google products to centralize database of assessment info, and analyze aggregate data. Then used GIS to be able to view information in map form.



The screenshot shows a Google Form titled "Old Town Assessment". At the top, there is a disclaimer: "The name and photo associated with your Google account will be recorded when you upload files and submit this form. Not [joshuaroberts@cityoflewisville.com](mailto:joshuaroberts@cityoflewisville.com)? [Switch account](#)".

The form contains the following fields:

- Date**: A text input field with a date picker icon and the placeholder text "mm/dd/yyyy".
- Block ID#**: A text input field with the placeholder text "Your answer".
- Property ID**: A text input field with the placeholder text "Your answer".
- Lot platted?**: A radio button question with two options: "Yes" and "No".
- Legal Description**: A text input field with the placeholder text "Your answer".

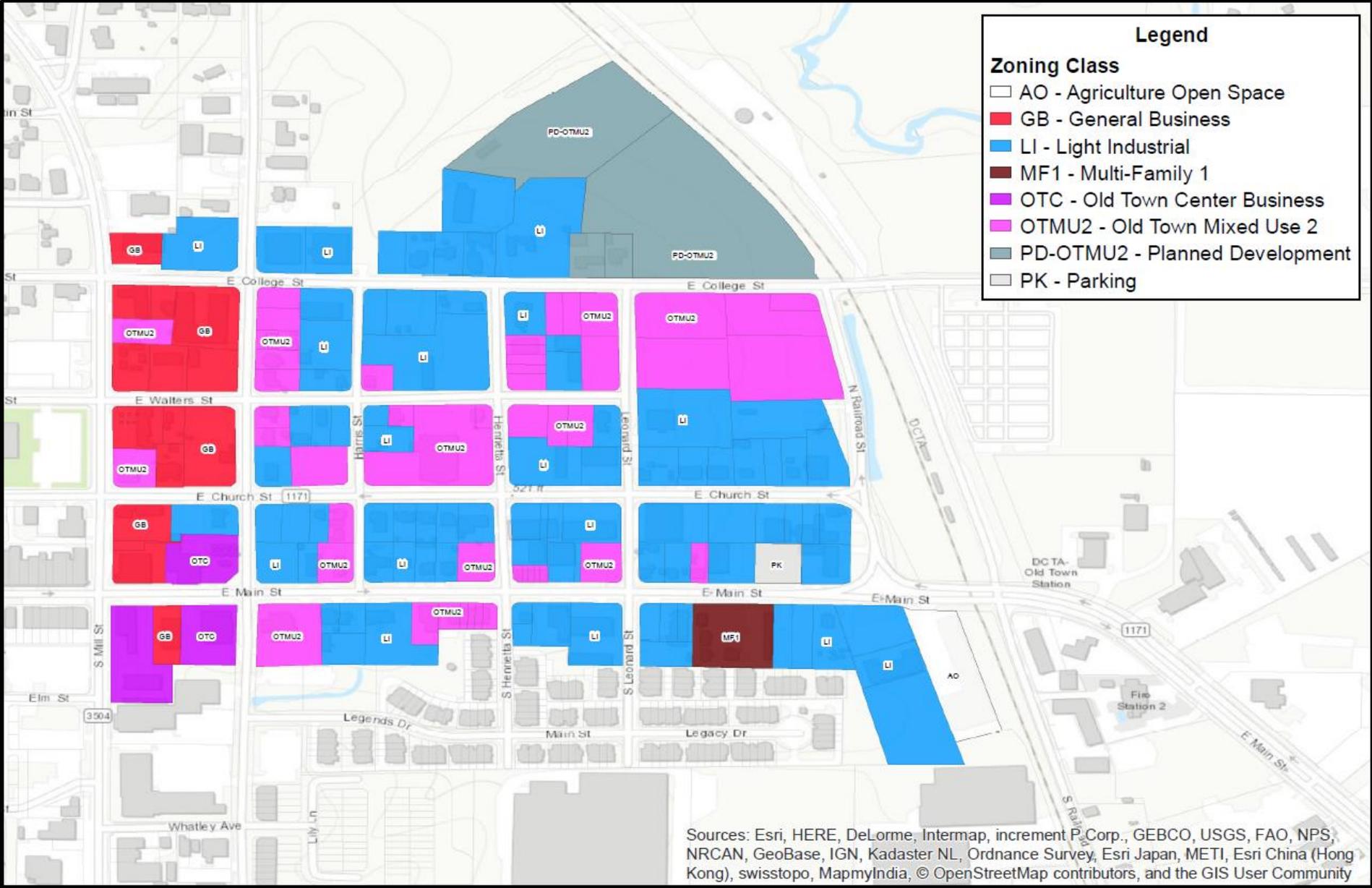
# WHAT WE LEARNED

1. Voluntary rezoning is slow.
2. Lacking historical data makes enforcement difficult.
  - a. Nonconformities
  - b. Beats
  - c. Documentation
  - d. Aerial maps
3. Outdoor storage; Auto-related uses; and Industrial uses.
4. Market could take care of itself.

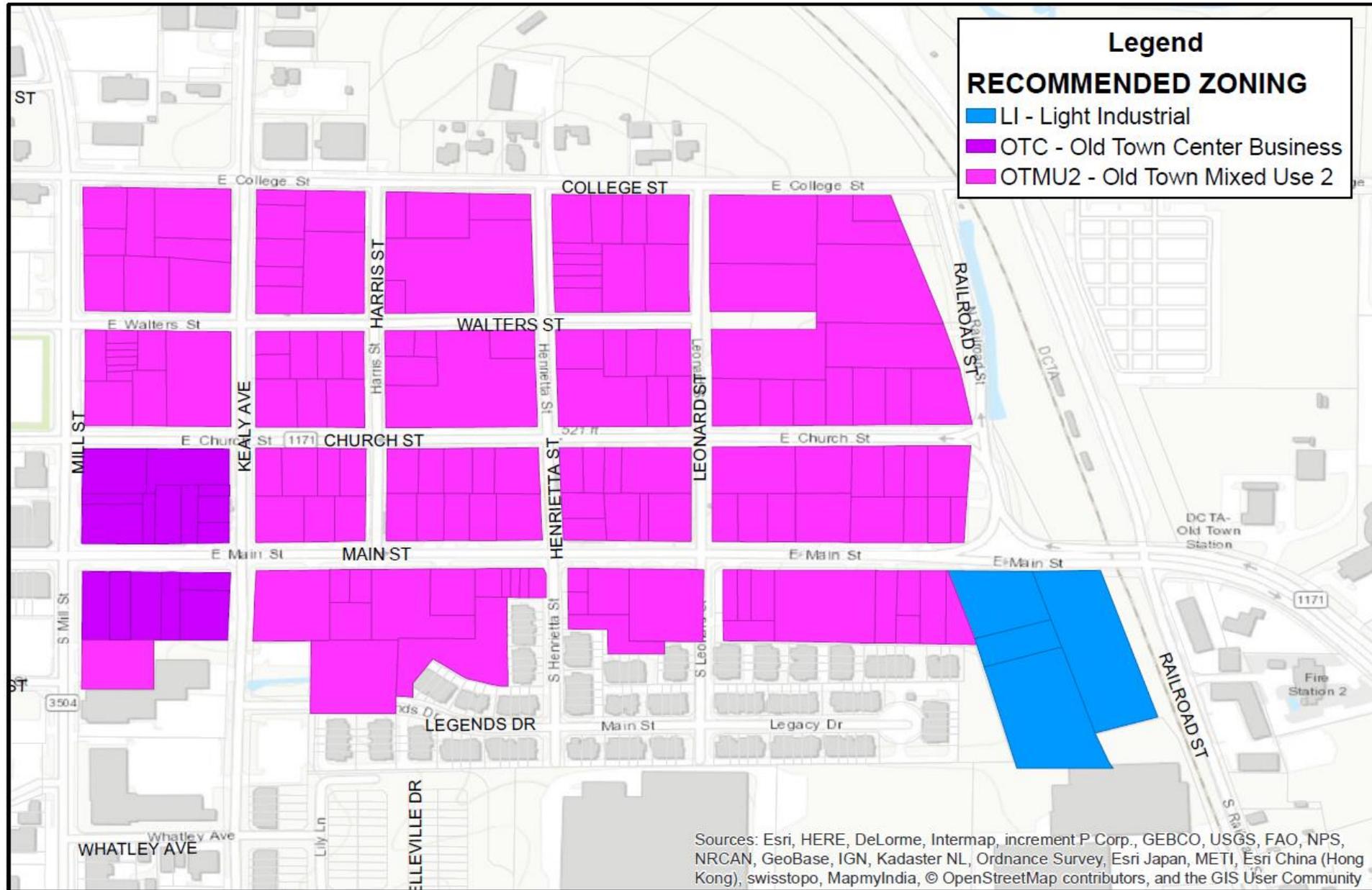
# Planned v. Actual Zoning



# CURRENT ZONING (2017)



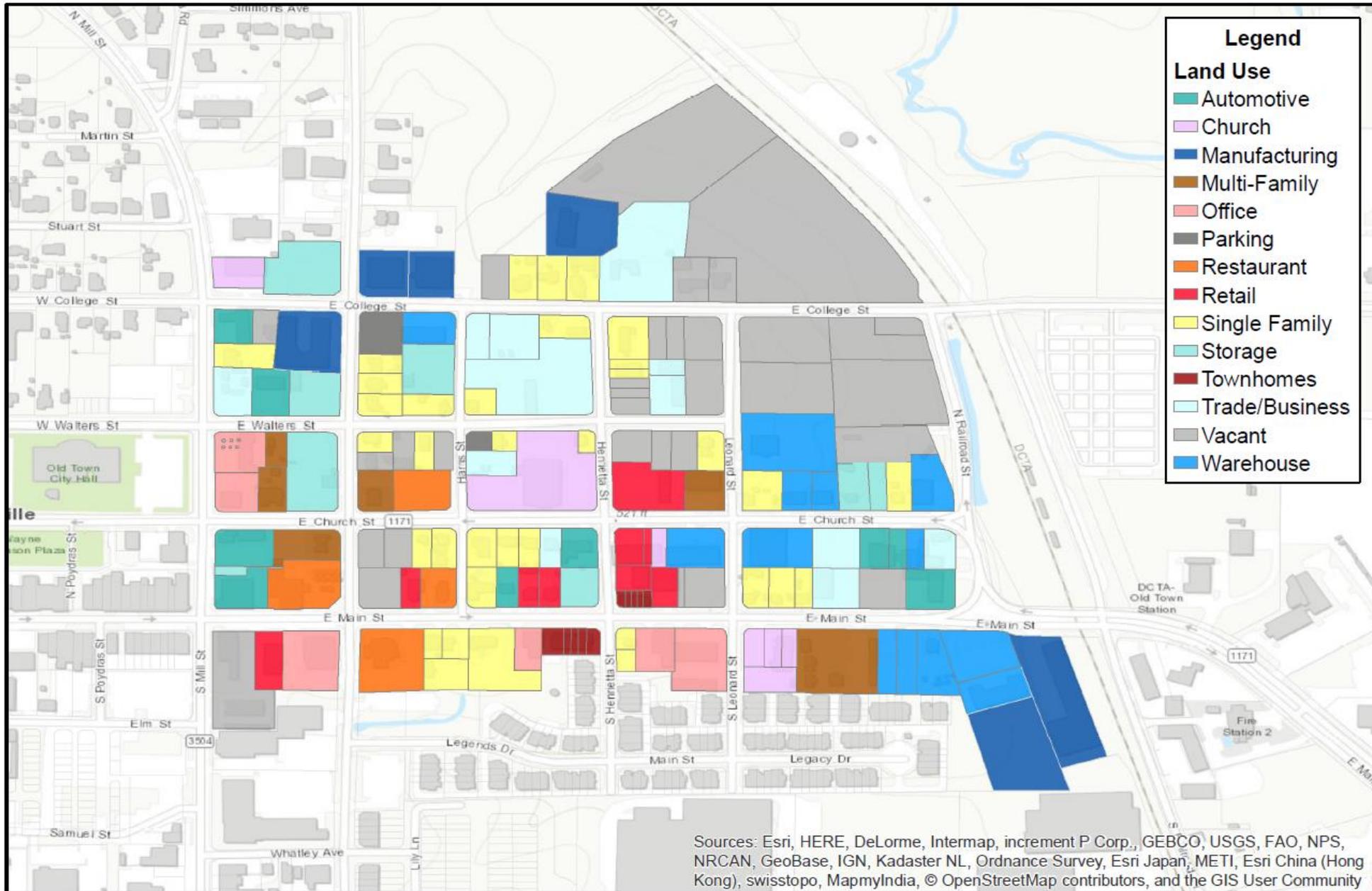
# RECOMMENDED ZONING (2003)



# Planned v. Actual Land Uses



# CURRENT LAND USES (2017)



# OLD TOWN TOD PLAN ADOPTED BY COUNCIL (2017)



# Certificates of Occupancy





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# CERTIFICATE OF OCCUPANCY

DEPARTMENT OF INSPECTIONS & PERMITTING • BUILDING INSPECTIONS

This building, or the described portion of the building, has been inspected for compliance with the requirements of the International Building Code for the group and division of occupancy and the use for which the proposed occupancy is classified.

ISSUE DATE	4/22/2016	USE CLASSIFICATION	A - ASSEMBLY
PERMIT NUMBER	2016-01001209	OCCUPANCY TYPE	ASSEMBLY GROUP A-2
PROPERTY OWNER	OLD TOWN DEVELOPMENT LEWISVILLE LLC	OCCUPANT LOAD	243
TENANT	PROHIBITION CHICKEN - 119389	PROPERTY ZONING	PU
ADDRESS	201 W CHURCH ST	CONSTRUCTION TYPE	TYPE III-B
SQUARE FOOTAGE	6475.00		
COMMENTS			

GEORGE BABINEAUX II – Assistant Building Official

TIM IPPOLITO – Fire Marshal

PRINTED ON: August 24 2017



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INSPECTION NUMBER  
2017-00001815

## CERTIFICATE OF INSPECTION

Fire Prevention

A Division of Development Services  
PO Box 239002 • Lewisville, TX 75029-9002  
972.219.3442 • 972.219.3473  
TJ 972.219.3772  
www.cityoflewisville.com

City of Lewisville Fire Prevention Officer MEREDITH MOTE performed the Annual Fire Inspection for the following structure(s) on 05/24/2017:

BUSINESS NAME: THE PERC ADDRESS: 115 W MAIN ST

### RETENTION OF THE CERTIFICATE OF INSPECTION

Certificate of Inspection shall at all times be kept on the premises designated herein, and be subject to an inspection by the Fire Prevention Division, Fire Department or other authorized persons.

Each owner, manager, or occupant shall, within forty-five (45) days after inspection, deliver to the city the permit fee. Failure by the owner, manager, or occupant to pay the certificate of inspection permit fee by reason of refusal or delay in tendering the fee within the prescribed time, shall, upon conviction in a court of competent jurisdiction, be guilty of a misdemeanor and each day that such owner, manager or occupancy shall fail to obtain said permit shall constitute a separate offense.

Chapter 5, Article III, Section 5-94, Appendix H  
City of Lewisville Codes & Ordinances

### INSPECTION PURPOSE

The purpose of the inspection is to review the compliance of the structure and organization with local, state and federal fire codes, laws and standards. In addition, we attempt to identify hazards that firefighting personnel may encounter while performing their duties and to ensure the safety of the public.

### INSPECTION AUTHORITY

- International Fire Code, 2015 Edition
- Chapter 5 – Codes & Ordinances of the City of Lewisville, Texas



Thank you for maintaining a safe occupancy. No fire code violations were identified during this inspection. We appreciate your time and effort in keeping the public safe.

### ACKNOWLEDGEMENT

A verbal explanation of this inspection was received by KELLY CADE.

F-ANN

PRINTED ON: 10/24/2017 8:04:53 AM



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SQUARE FOOTAGE	6475.00		
COMMENTS			

GEORGE BABINEAUX II - Assistant Building Official

TIM IPPOLITO - Fire Marshal

PRINTED ON: August 24 2017



# Certificate of Occupancy

Town of Prosper, Texas

Department of Building Inspection

*This certificate issued pursuant to the requirements of Section 110 of the 2003 International Building Code certifying that at the time of issuance this structure was in compliance with the various ordinances of the town regulating building construction or use for the following:*

**Use Classification:** Self Storage Facility

**Permit No.:** NCO09-0642

**Type Construction:** II B

**Group:** S

**Company Name:** U-Haul of North Texas

**Total Building Occupancy:** N/A

**Building Address:** 1566 W. US Highway 380

**Locality:** Prosper, TX, 75078

**Building Official:**

Wayne K. Snell, Jr.

**Date:** August 28, 2009

*This Certificate of Occupancy is to be placed on display in an area visible to the public. This Certificate of Occupancy is valid until suspended or revoked for non-compliance with the rules and regulations of the Town of Prosper.*

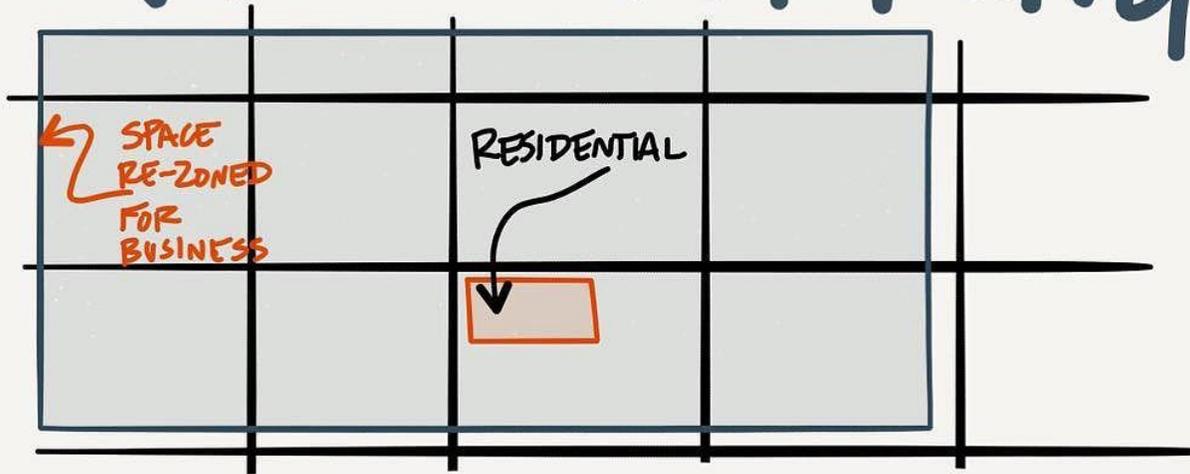
## POST IN A CONSPICUOUS PLACE

**Special conditions:** Any change of ownership requires new Certificate of Occupancy **Nonconforming structure:** building constructed prior to Annexation. **Nonconforming use:** business established prior to annexation.

# Issues with Nonconformity



# NON CONFORMING



# USES

IF AREA IS RE-ZONED, PRIOR ORIGINAL USE IS ALLOWED AND OLD CODES MAINTAINED SO LONG AS USE DOESN'T CHANGE.

## Nonconforming Uses

A use that is no longer in conformance with current-day zoning or general development ordinances, but which was legally established and in conformance with the regulations existing at the time the use began.

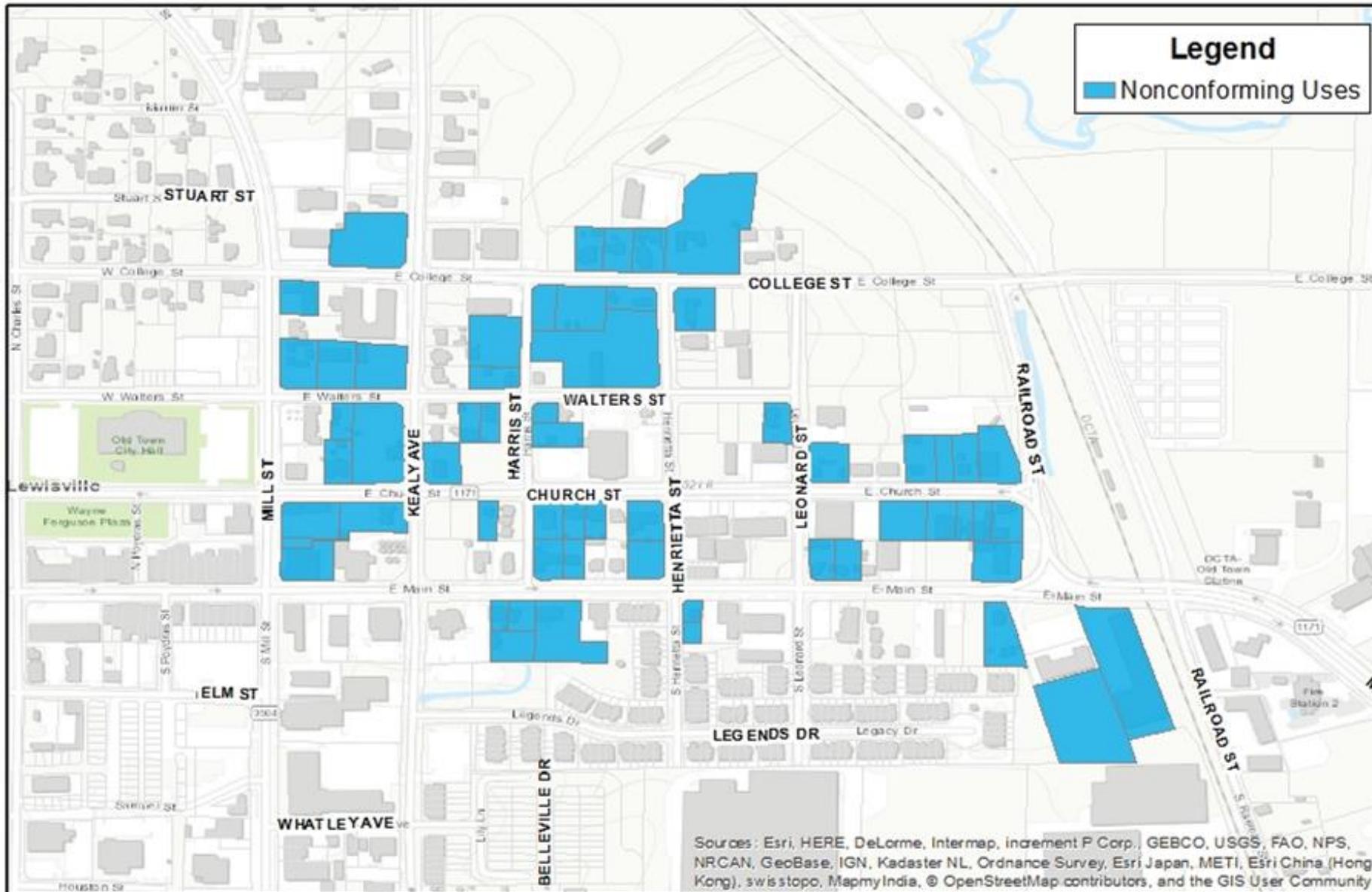
**Continued Use:** Owner may continue to operate a nonconforming use unless they (1) abandon the use for three months or more; or (2) change use to a conforming use.

**Reinstatement of Nonconforming Rights**

**Expansion/enlargement** is prohibited outside current footprint on site or outside walls of existing building.

Cannot change a nonconforming use to another nonconforming use.

# Nonconforming Uses





# Nonconforming Structures

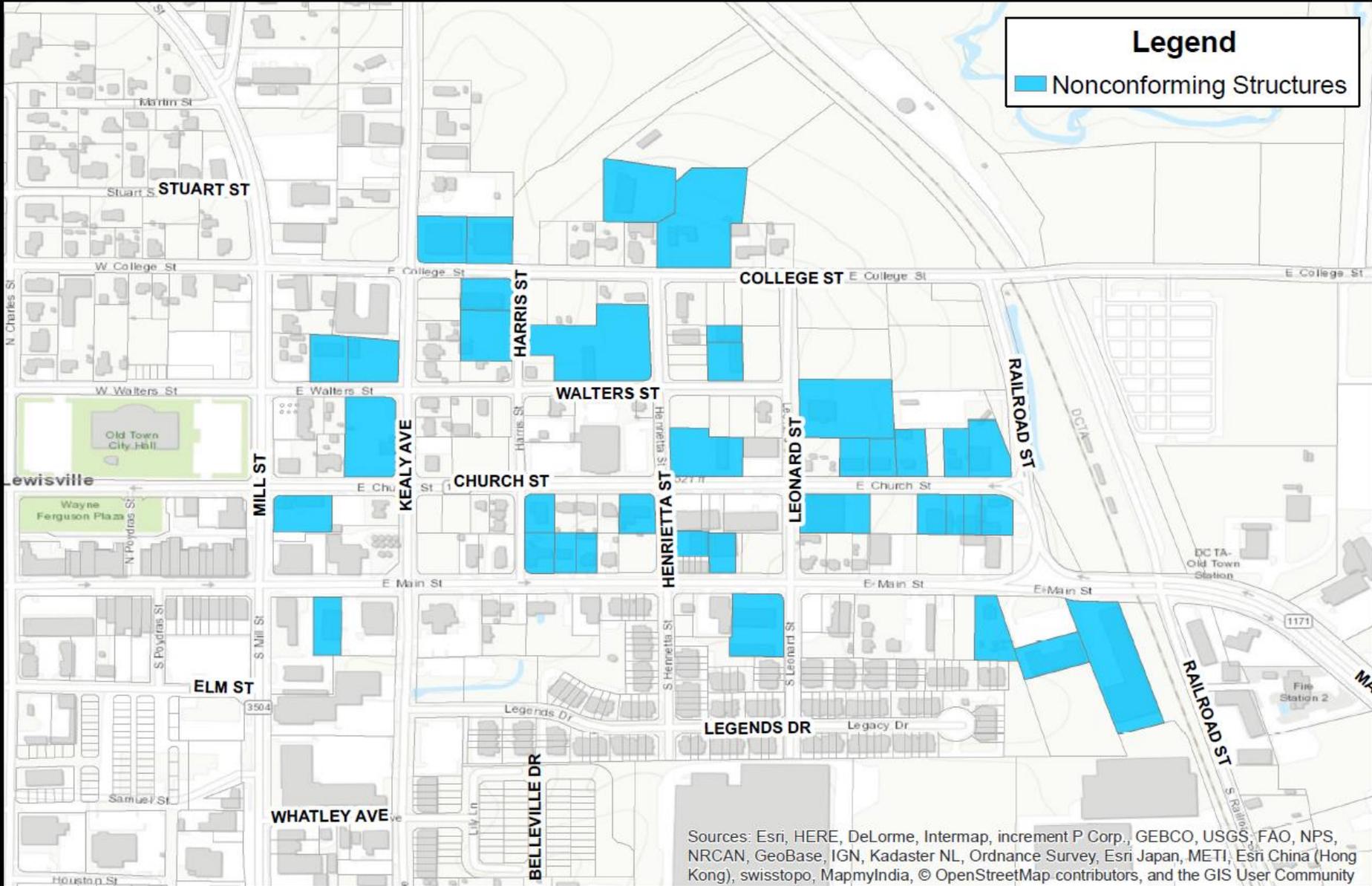
A structure or building that is not in conformance with current zoning or general development ordinances, but which was legally established and in conformance with the regulations existing at the time the use began.

Remodel/Expansion allowed if in compliance with current regulations and site plan process.

Right to rebuild: If destroyed by natural causes, can rebuild if damage is <50% of value of structure. If >50% of value, Board of Adjustment can authorize if they make certain findings. Lose rights to rebuild if structure was destroyed by intentional acts of the owner.

If structure is abandoned for more than 1 year, must be brought into compliance prior to being re-occupied.

# Nonconforming Structures

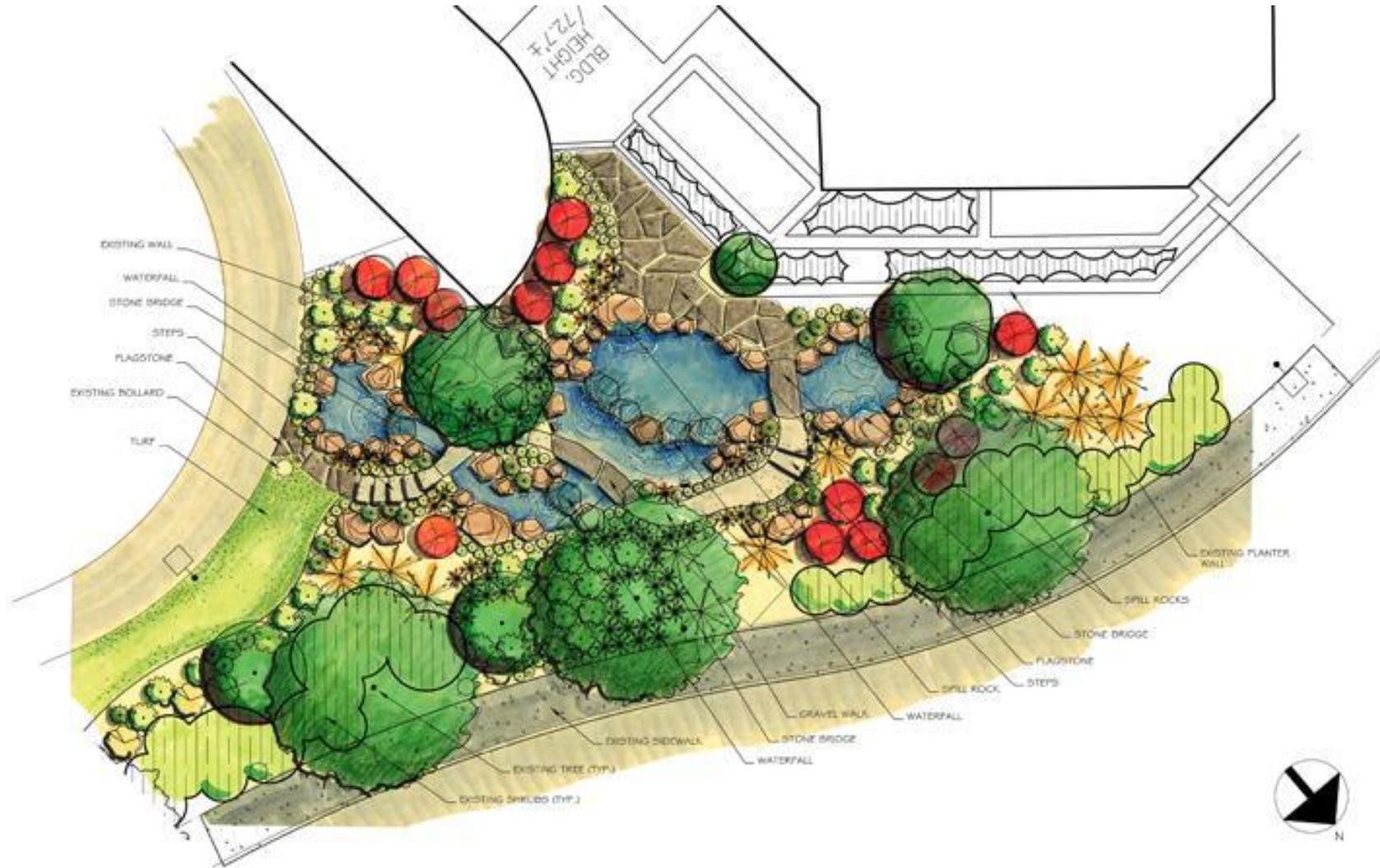


# Nonconforming Sites

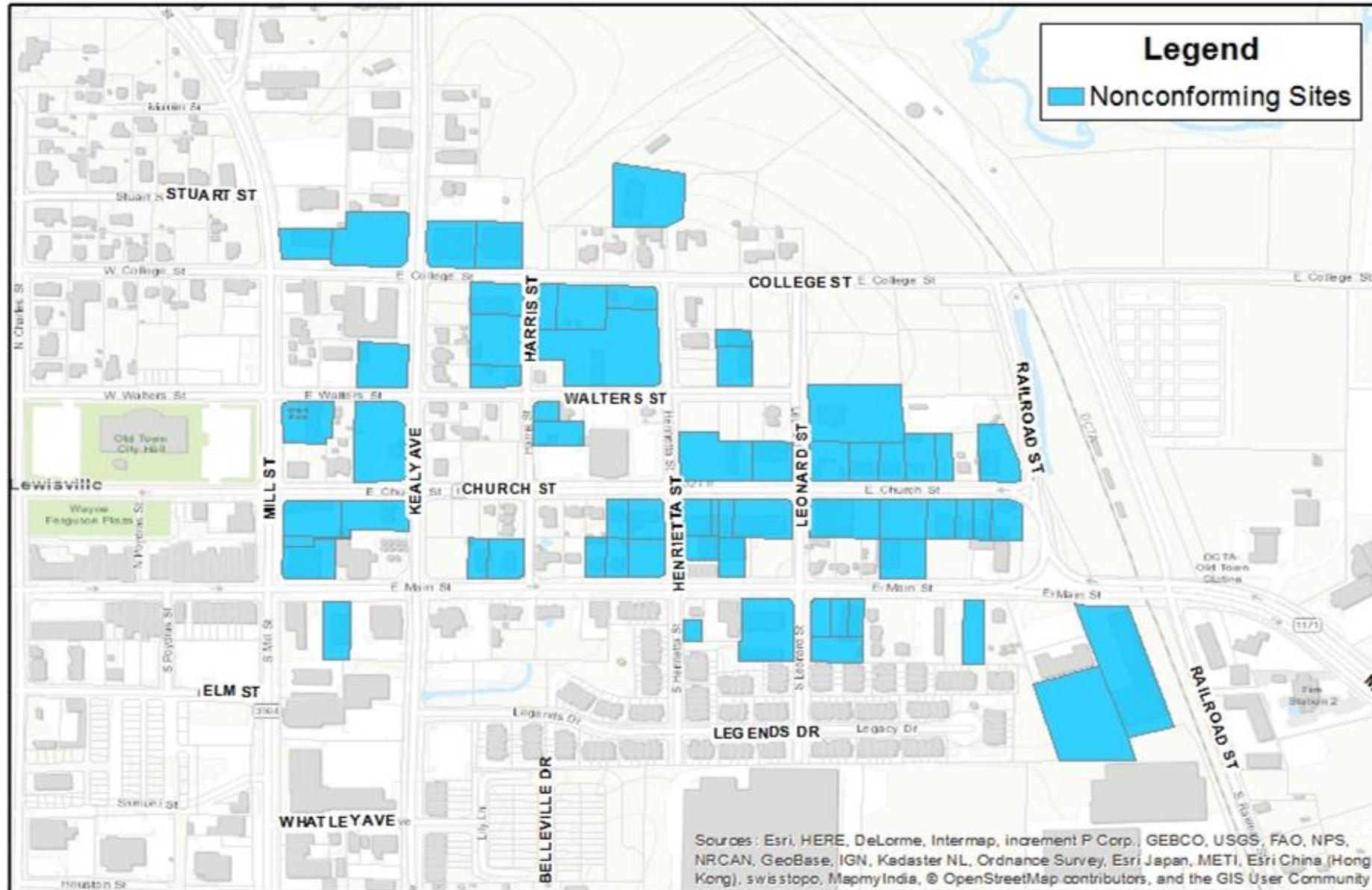
A site that is no longer in conformance with current-day zoning or general development ordinances, but which was legally established and in conformance with the regulations existing at the time the site was developed.

Examples of nonconformities: Landscaping, screening, and parking.

Must come into conformance when site is being redeveloped and engineering site plan is triggered.

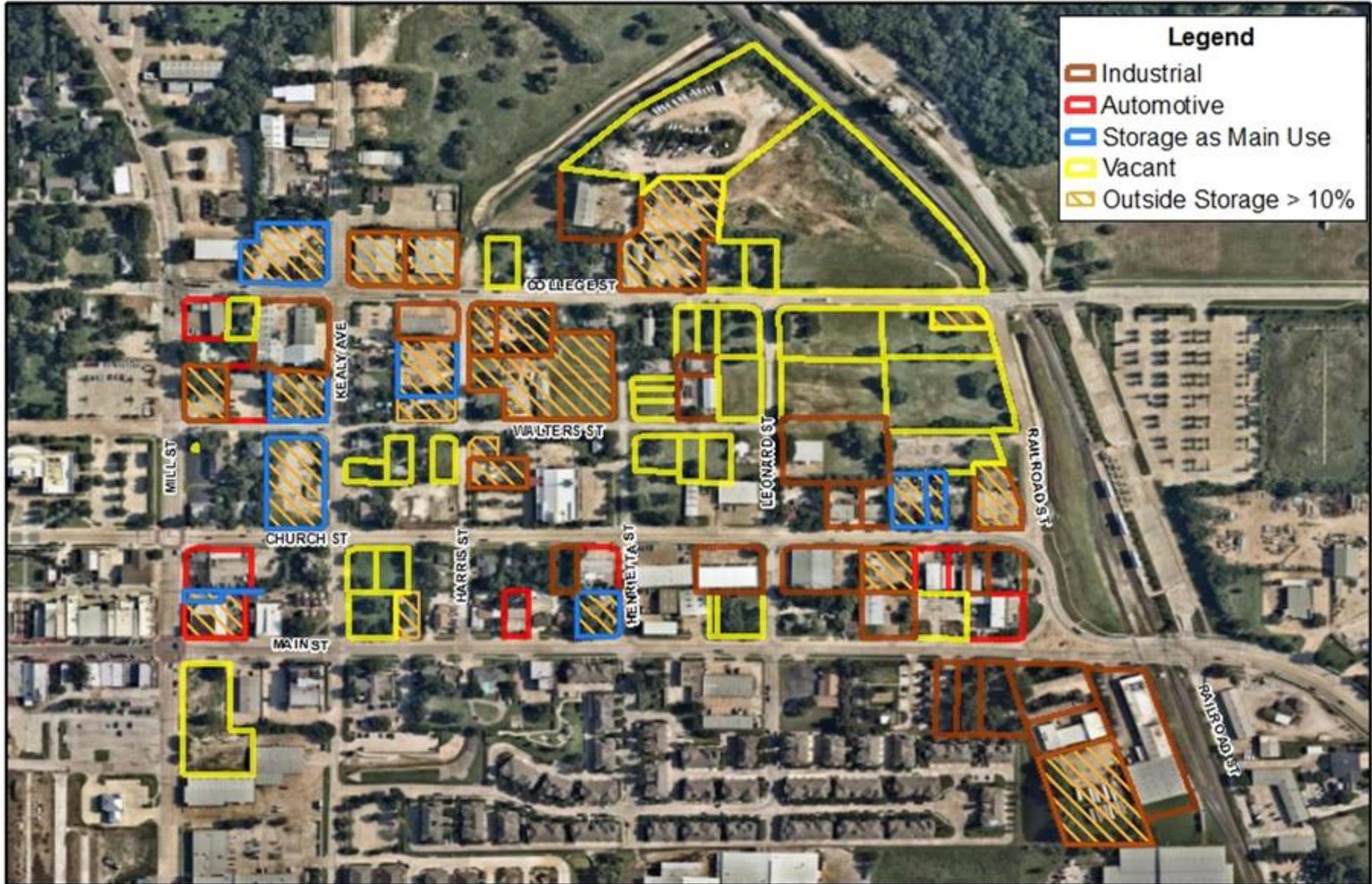


# Nonconforming Sites



# Specific Contrary Uses

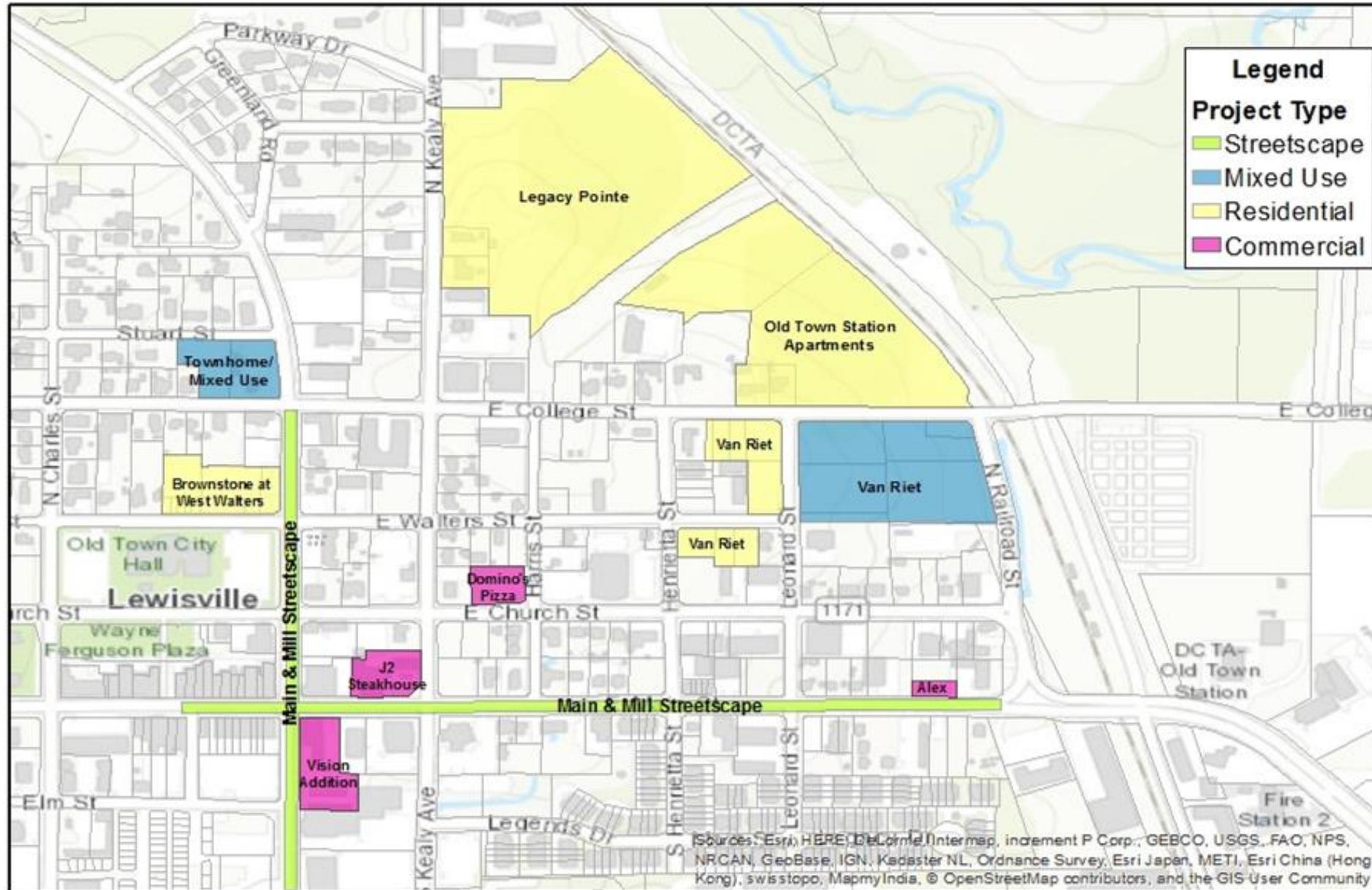




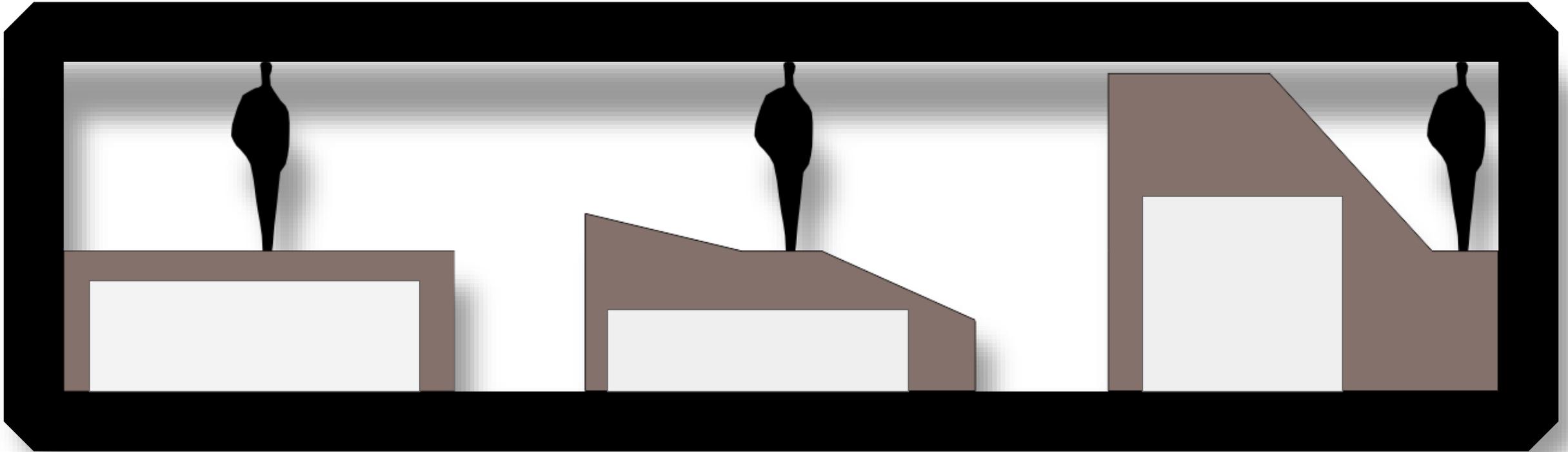
# Projects on the Horizon



# Future Projects



# OPTIONS FOR OLD TOWN ENFORCEMENT





# Options

1. Continue public improvements in Old Town. Work on right-of-way landscaping, roadway improvements, continue land banking and work with developers to develop consistent with our vision.
2. Outreach and Education to properties in the TOD area to try to build partners that also share our vision.
3. Incentivize Old Town relocations elsewhere in our City through economic development.
4. Create area(s) in city limits where targeted uses (i.e. auto related uses) may relocate by right rather than by SUP.
5. Require all non-residential buildings in Old Town to get a certificate of occupancy within the next year.
6. Add detailed nonconformity analysis on all new business registrations
7. Rezone Old Town to match our land use plan (this would still allow nonconforming uses, but provide greater predictability for future development).
8. Amortize commercial outdoor storage as main use (3 years must come into full compliance).
9. Amortize commercial outdoor storage >10 percent (10 years must come into full compliance).

# Old Town Central Business District: First Floor Uses

## Options we are studying:

1. No office on first floor
2. No high density office on first floor
3. Set a percentage of office allowed on first floor within district.



# Questions?

# IH-35E Corridor Overlay District Ordinance

Lewisville, Texas

City Council Worksession - October 30, 2017



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# Goals of the I-35E Corridor Redevelopment Plan (2014)

- ▶ Create sustainable developments along the IH-35E corridor
  - ▶ High quality high value at the time of construction
  - ▶ Keep value/quality over time
  - ▶ Timeless aesthetic quality
  - ▶ Low maintenance
  - ▶ Economic Development/growth in tax base
  - ▶ Adaptive Reuse

## Goals of the I-35E Corridor Redevelopment Plan (2014)

- ▶ City to encourage market-evolution of uses
- ▶ This enables greater tax base value capture via incentives and public-private initiatives to invest in needed new infrastructure for walkable, transit-oriented mixed use neighborhoods
- ▶ This place making strategy creates a more competitive growth strategy for Lewisville
- ▶ Key is adjacency predictability as redevelopment occurs via specific sector plan, better transportation design and form-based code to implement

# Current Conditions

- ▶ Auto-oriented development and auto-service uses
- ▶ Highly visible sites
- ▶ Obsolete buildings and sites
- ▶ Visual clutter along highway
- ▶ Lack of transitions between commercial and adjoining neighborhoods
- ▶ Over supply of commercially zoned properties



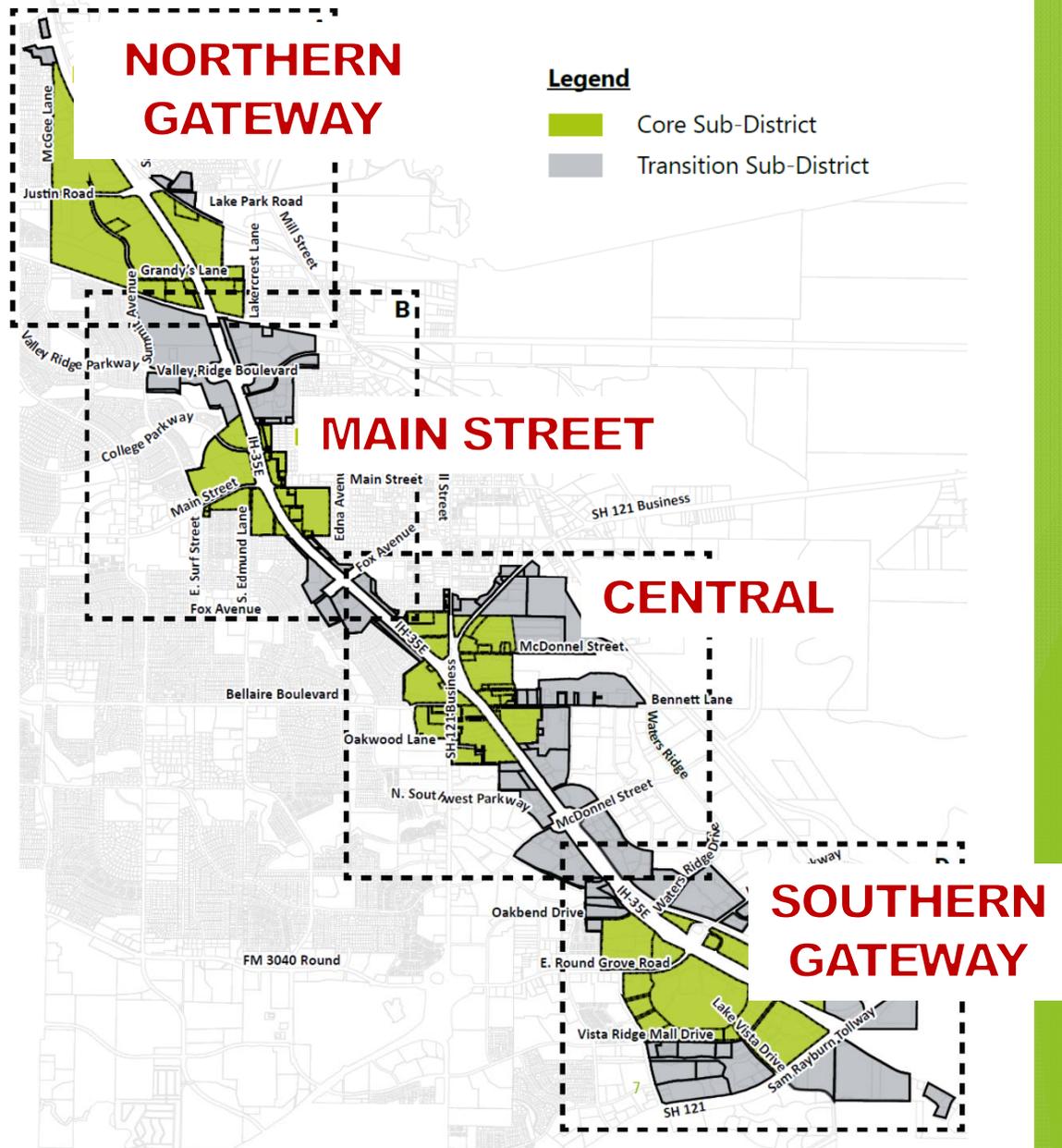
# Review of Overlay Ordinance Highlights

- ▶ Overview of the Vision
- ▶ Role of the Illustrative Plans and Framework Plans
- ▶ Applicability:
  - ▶ Non-Conforming Sites
- ▶ Process and Administration
- ▶ Development Standards
  - ▶ Core
  - ▶ Transition
- ▶ Comparison of Core and Transition Sub-Districts

# Overview of the Vision

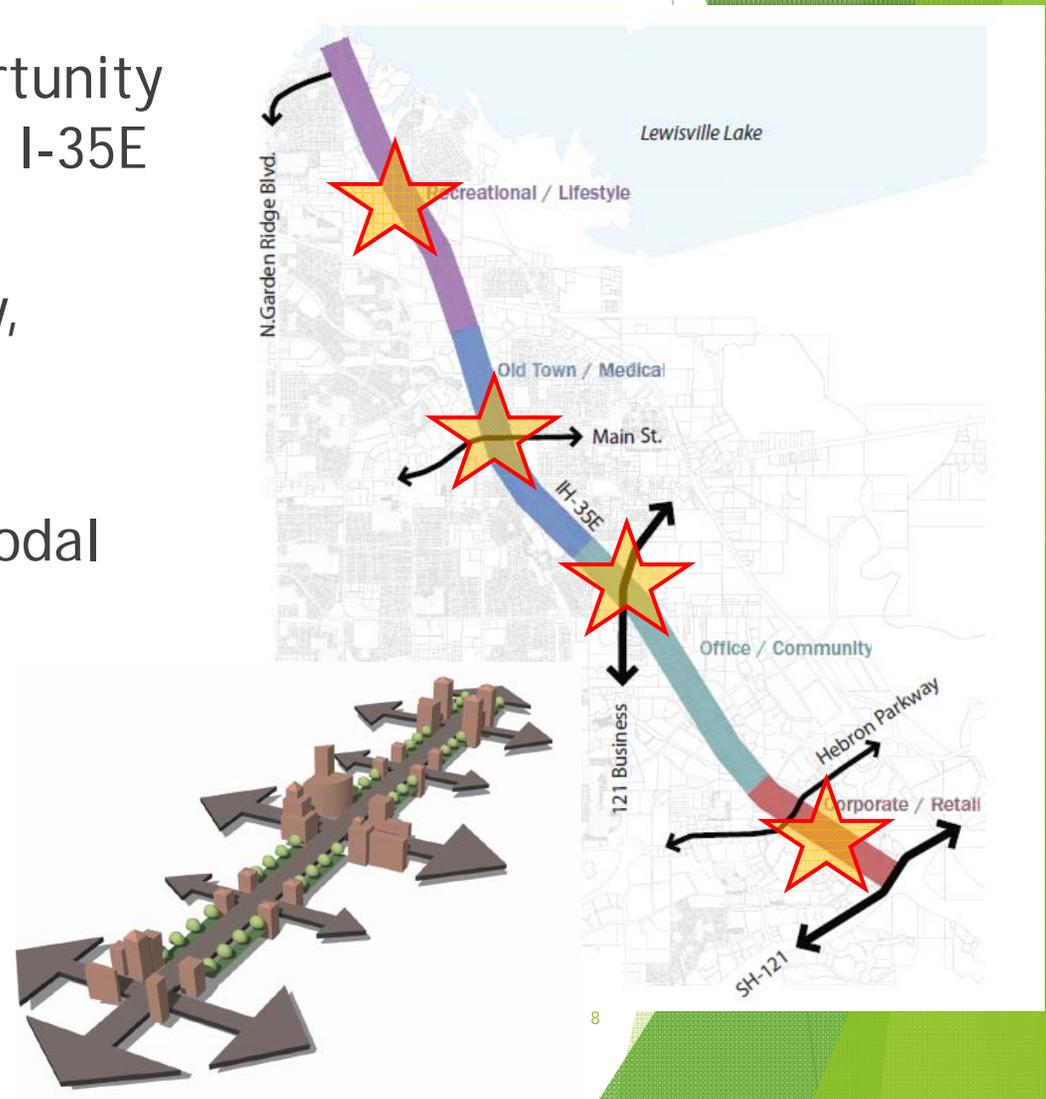
# Sub-Districts

- ▶ Core Sub-districts
  - ▶ Northern Gateway
  - ▶ Main Street
  - ▶ Central
  - ▶ Southern Gateway
- ▶ Transition Sub-district



# Core Sub-districts

- ▶ Higher priority and opportunity “nodes” identified in the I-35E Redevelopment Plan
- ▶ Allow for higher intensity, walkable, mixed use redevelopment
- ▶ Interconnected, multi-modal transportation network



# Transition Sub-district

- ▶ Areas in between the “nodes”
- ▶ Most of the existing development will likely remain for the next 10+ years
- ▶ Allow for modest rehab of older sites and structures with focus on reducing clutter and improving corridor aesthetics through:
  - ▶ Better streetscaping (cross walks, street lighting, sidewalks/trails, way-finding, etc.)
  - ▶ More landscaping (surface parking lots and along Frontage roads and arterial/collector roadways)
  - ▶ Façade improvements
- ▶ Align with ED Incentive Policy and objectives for streetscaping and façade improvement projects

# Illustrative and Framework Plans

## Illustrative Plans: Non-Regulatory (Core Sub-districts)

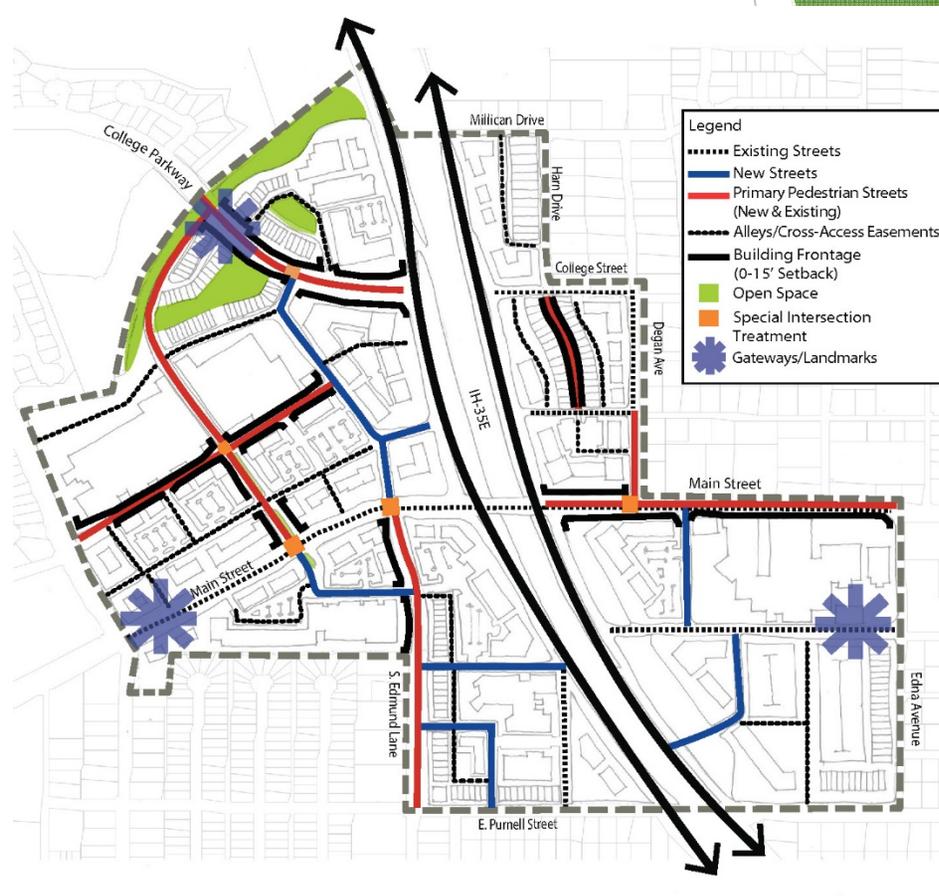
- ▶ Adopted as the ultimate vision for the corridor through the I-35E Corridor Redevelopment Plan
- ▶ Intended to guide elected officials, developers, and city staff on the character and form of redevelopment desired
- ▶ Not regulatory  
(Appendix     )



Main Street Core District  
Illustrative Plan

# Framework Plans: Regulatory (Core Sub-Districts)

- ▶ Establishes:
  - ▶ Alignment of new streets and blocks
  - ▶ Primary Pedestrian Streets
  - ▶ Major open space locations
  - ▶ Special intersections
- ▶ To ensure continuity of streets and frontages as redevelopment occurs incrementally



# Applicability & Development Review Process

# Applicability

- ▶ Addresses non-conforming sites and buildings by determining extent to which different sections apply based on the scope of proposed development or redevelopment.
- ▶ New construction - All sections of the Overlay Ordinance apply
- ▶ Redevelopment - depending on the scope and investment involved (consistent with the current approach to incremental redevelopment)

# Applicability Matrix

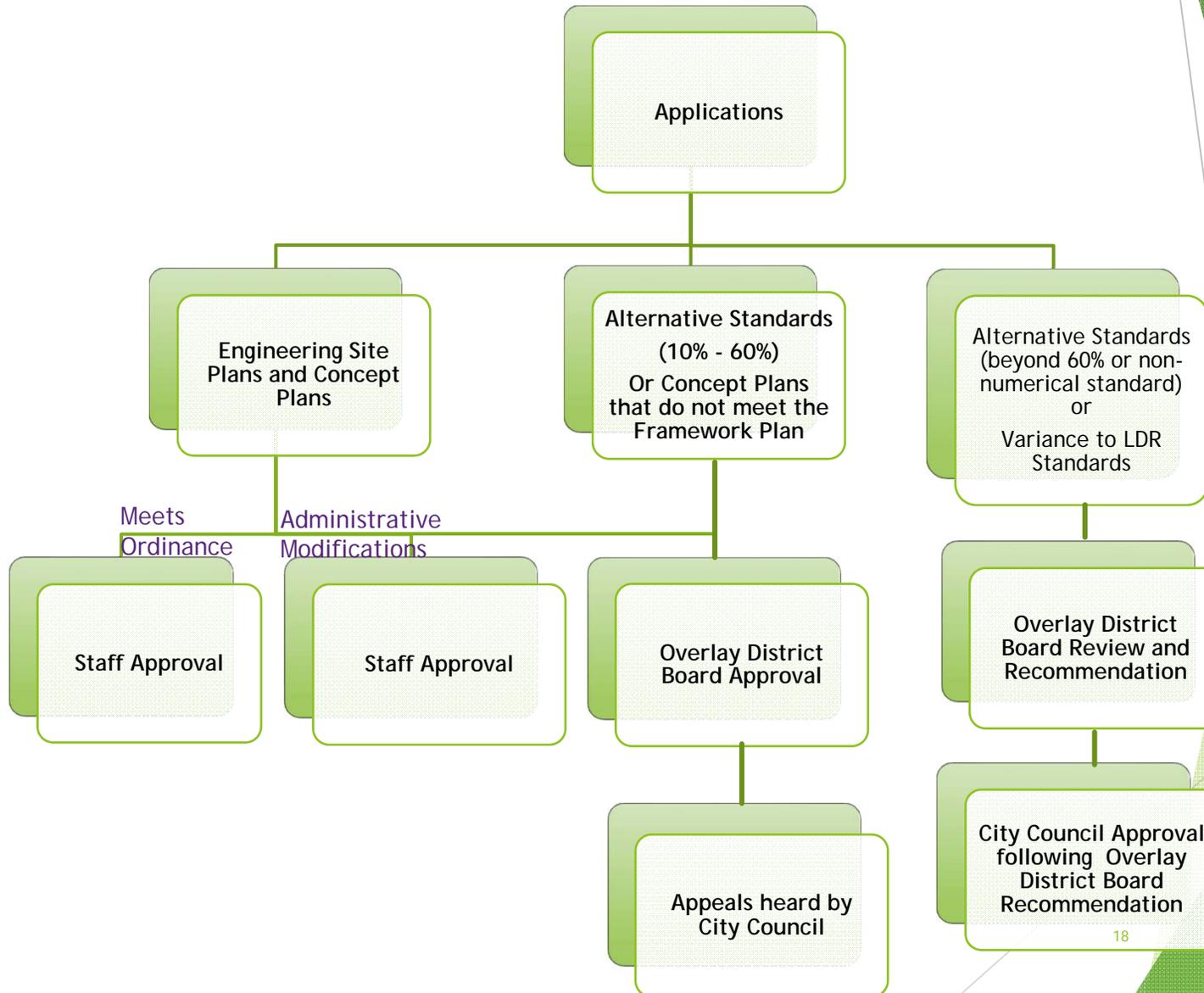
Type of Application	Ordinance Does NOT apply	Entire Ordinance Applies	Some Sections Apply
New Development		<input checked="" type="checkbox"/>	
Change of use/expansion of existing use (with NO increase in building area) (new use shall comply with the underlying zoning district)			<input checked="" type="checkbox"/>
Interior remodel with no change in any street facing façade, no increase of any existing nonconformity or no increase of building area	<input checked="" type="checkbox"/>		
Façade changes or improvements to existing buildings (regardless of value of improvements proposed)			<input checked="" type="checkbox"/>

# Applicability Matrix

Type of Application	Ordinance Does NOT apply	Entire Ordinance Applies	Some Sections Apply
Expansion of Building Area			
0% - 49% increase in building area (regardless of value)		Applies to expansions only 	
50% or more increase in building area AND LESS THAN <u>BOTH</u> <ul style="list-style-type: none"> <li>50% increase in assessed value of improvements;</li> <li>Total value of improvements is <u>\$100,000</u></li> </ul>		Applies to expansions only 	
50% or more increase in building area AND MORE THAN <u>EITHER</u> <ul style="list-style-type: none"> <li>50% increase in assessed value of improvements;</li> <li>Total value of improvements is <u>\$100,000</u></li> </ul>		Applies to entire site 	
Expansion of surface parking lot (not in conjunction with a building or use expansion)			

# Development Review Process

# Process Flow Chart



# Process Overview

- ▶ Engineering Site Plan (ESP) or Concept Plan is required
- ▶ Concept Plan shall be required prior to ESP for all properties larger than 5 acres or sites that are part of a larger development (such as outparcels or pad sites).
- ▶ A new concept plan shall not be required if a previous concept plan for the property has been approved through a separate PD Ordinance.
- ▶ Any change in a previously approved concept plan shall meet this overlay ordinance or the PD ordinance under which it was originally approved.

# Approval Authority

- ▶ Staff Approval - If the application (ESP or Concept Plan) meets the Overlay Ordinance and Framework Plan
- ▶ Administrative Modification: Staff approval of modifications to numerical standards in the Ordinance based on specific criteria (within 10% of any numerical standard in the ordinance or as otherwise noted in the ordinance):
  - ▶ To accommodate a site specific condition, including but not limited to, topography, vegetation, easements, utilities, existing improvements in good repair;
  - ▶ To provide pedestrian, bicycle, or transit improvements; or
  - ▶ To accommodate a phased redevelopment of a site.

# Approval Authority

- ▶ Overlay District Board Approval - If the application (ESP or Concept Plan) is requesting Alternative Standards that include:
  - ▶ Modifying any standards in the Overlay Ordinance beyond the Administrative Modification thresholds (between 10% and 60% of any numerical standard in the ordinance)
  - ▶ Concept Plans that DO NOT meet the Framework Plans
  - ▶ Shall NOT include changes in use, density, or height permitted
  - ▶ Shall NOT include any waiver of the ordinance requirements
- ▶ Current P&Z Commission to be the Overlay District Board

# Approval Authority

## Overlay Board Recommendation and City Council Approval

- ▶ If the application (ESP or Concept Plan) is requesting Alternative Standards that are:
  - ▶ Modifying any standards in the Overlay Ordinance beyond 60% of any numerical standard in the ordinance
  - ▶ Modifications to non-numerical standards
  - ▶ Changes to uses and density permitted
- ▶ Variances to the LDR
- ▶ Appeals of Overlay District Board decisions

# Development Standards

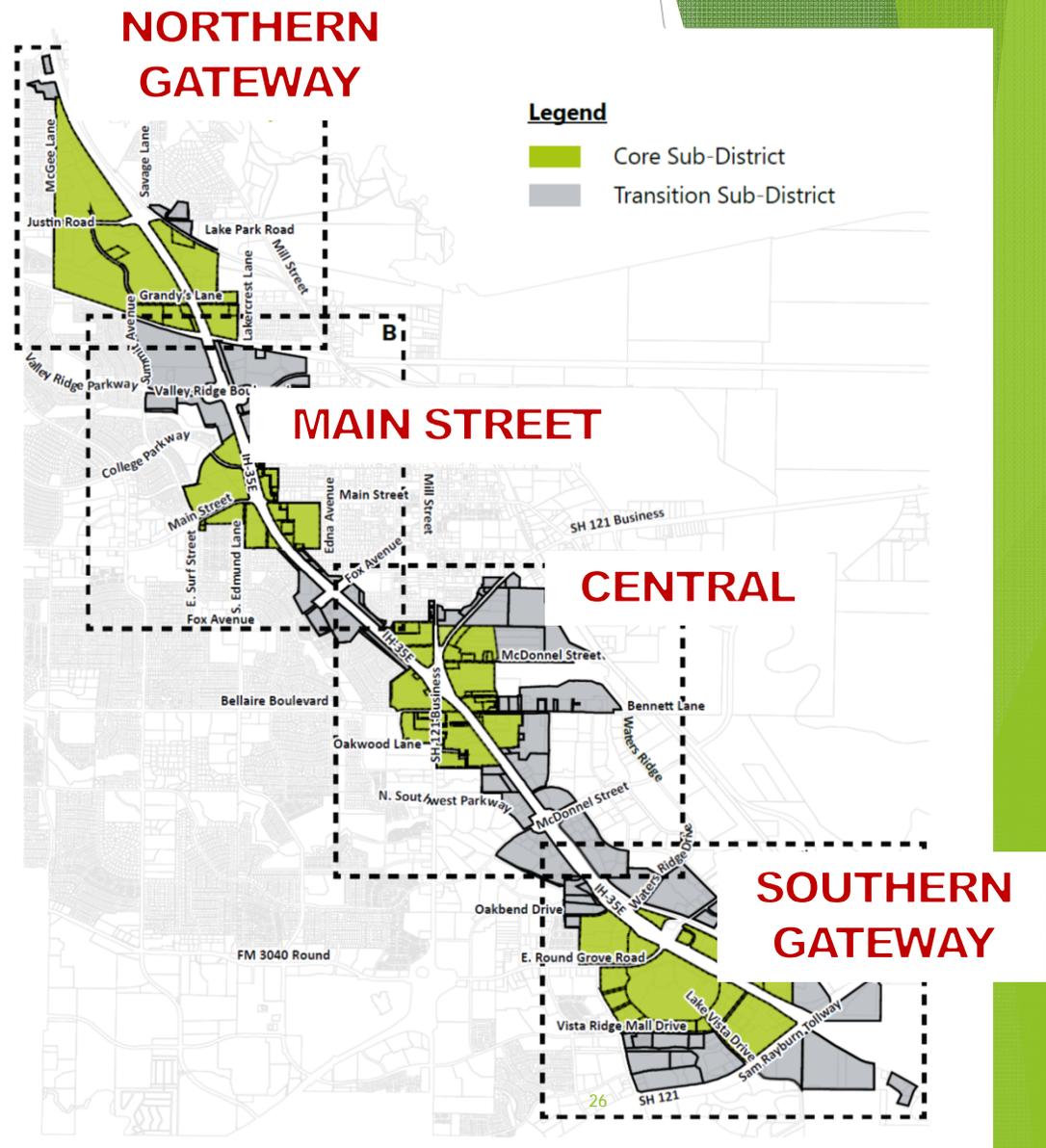
# Development Standards

- ▶ Specific to each Sub-district to ensure the distinct outcomes based on the redevelopment vision while providing flexibility to developers
  - ▶ Building Envelope Standards
  - ▶ Architectural Standards
  - ▶ Landscape Standards
  - ▶ Streetscape Standards
  - ▶ Screening

# Development Standards: Core Sub-District

# Core Sub-Districts

- ▶ Northern Gateway
- ▶ Main Street
- ▶ Central
- ▶ Southern Gateway



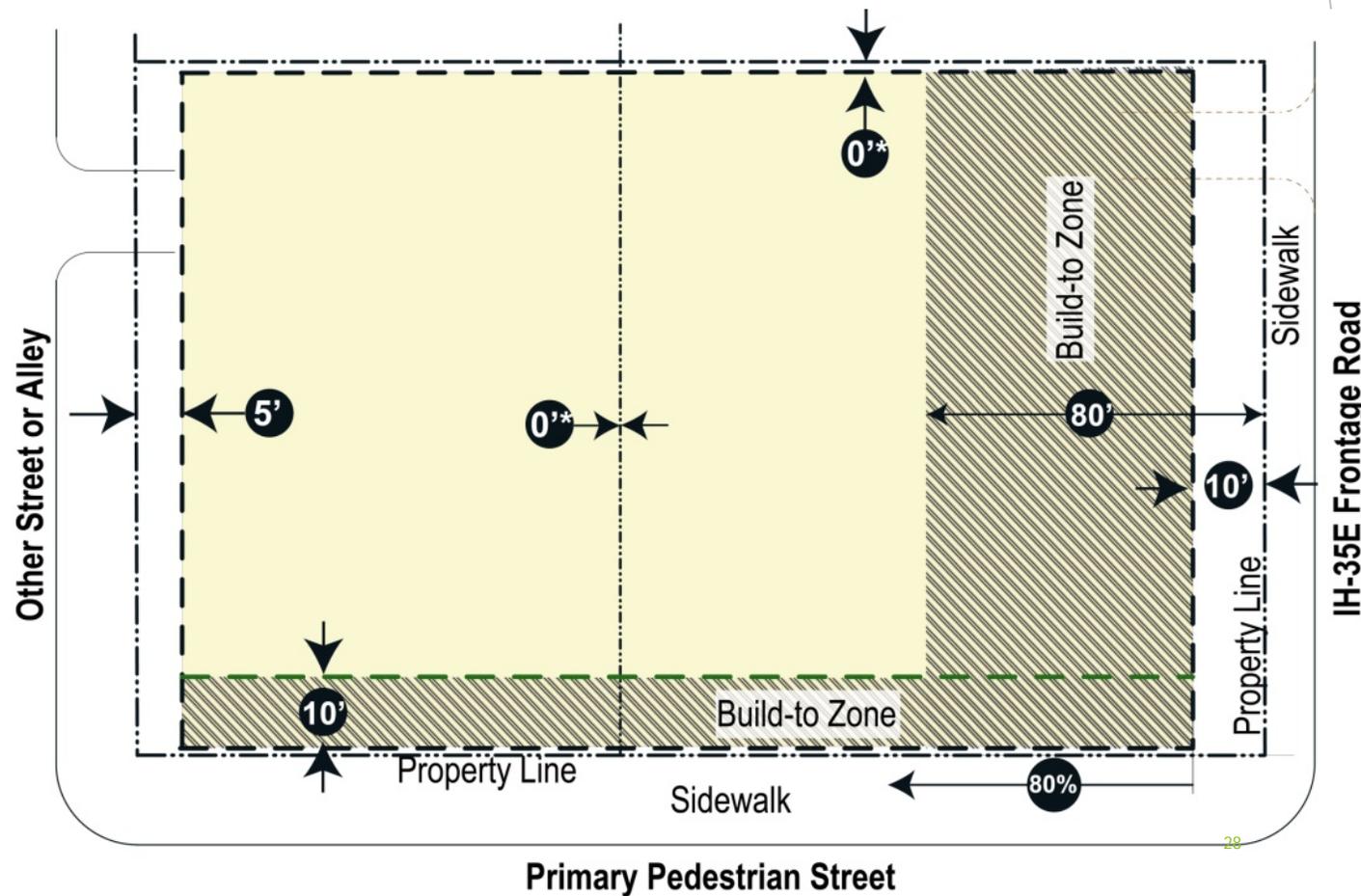
# Core Sub-districts: Development Character

- ▶ Walkable, Mixed Use (higher intensity and compact)
- ▶ Smaller blocks
- ▶ Buildings closer to the street and sidewalks along key corridors (primary pedestrian streets)
- ▶ Wide sidewalks with amenities
- ▶ Parking located behind or on the side of buildings
- ▶ Reduced parking/shared parking encouraged
- ▶ Soften edge along IH-35E Frontage
- ▶ Create a sense of place or arrival at the Core Sub-districts



# Building Envelope Standards

## ► Building Placement



# Building Envelope Standards

## ► Building Placement

Table 2. Building Placement and Frontage Build-out Standards				
	Build-to Zones		Building Frontage Build-out (min.)	Off-street Parking permitted between building and Street
	Minimum (feet)	Maximum (feet)		
Front (by Street Type)				
Primary Pedestrian Street	0	10	80%	No
IH-35E Frontage Road	10	80*	0% <sup>#</sup>	Yes*
Arterial roadway	10	80*	0% <sup>#</sup>	Yes*
Collector or Local Street (4 or 2 lane)	10	80	None Req'd	Yes
Other or Alley	10	None	None Req'd	Yes
Side (interior) **	0	None		
Rear (non-alley) **	0	None		

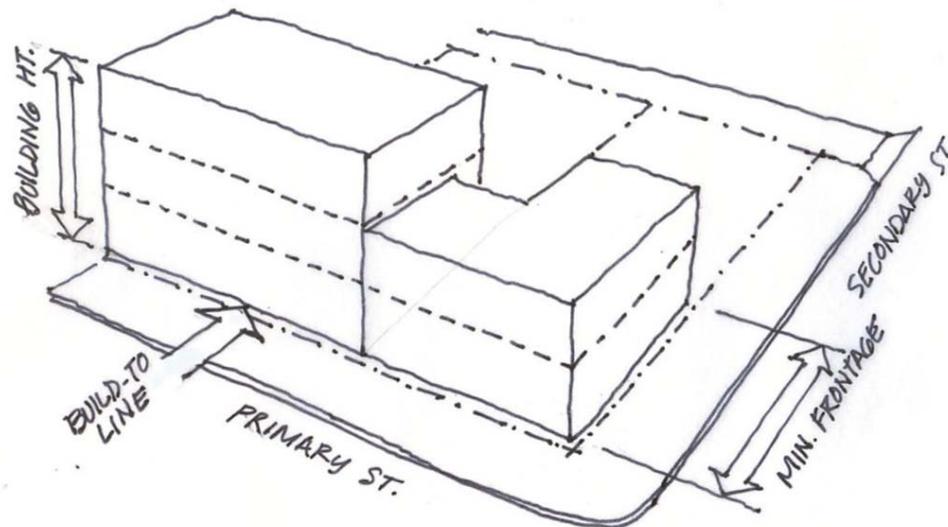
\*Through Administrative Modification  
 \*\*There shall be no minimum setback unless the building adjacent to single family residential uses in which case the minimum setback shall be 20 feet.  
 # If the site only has only one Street frontage (IH-35E Frontage Road or arterial roadway), then the longer side of the building shall be placed parallel to the Street.

# Building Envelope Standards

## ► Building Placement

Building Frontage	Min.	Max.
<ul style="list-style-type: none"> <li>Primary Pedestrian Street</li> </ul>	80%	NA
Minimum width of the lot to be occupied by a building within the build-to-zone along that street frontage		

## ► Building Height: 20' or 2 stories (min.)



# Building Orientation

- ▶ Orientation of primary entrances along any Primary Pedestrian Street Frontage
- ▶ If a primary pedestrian street is not applicable, then building orientation should be on IH-35E frontage road, arterial or collector (in order of hierarchy)
- ▶ Orientation of primary entrances shall be on the street fronting façade

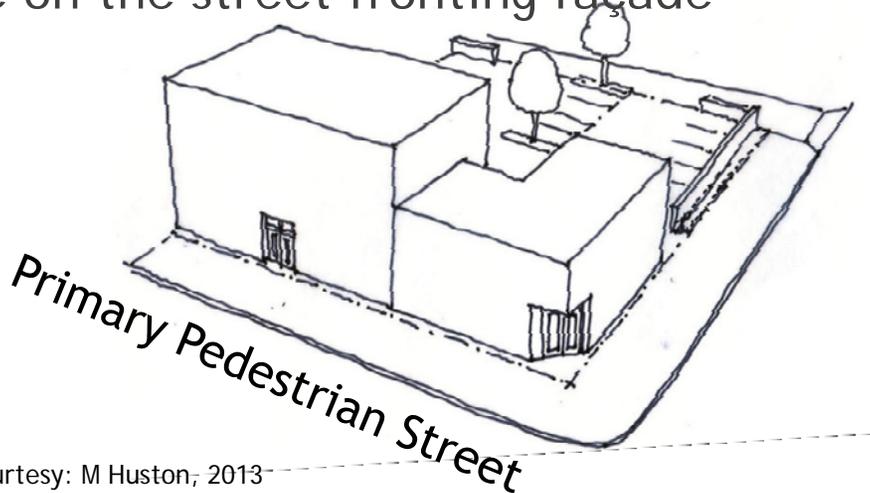
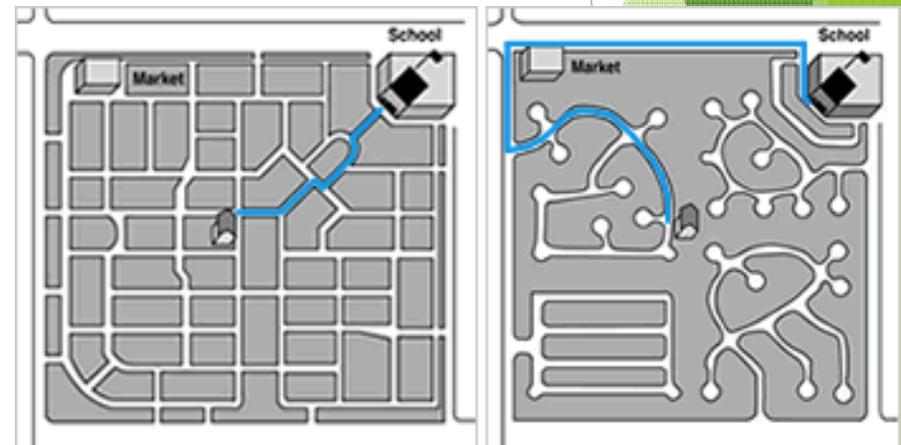
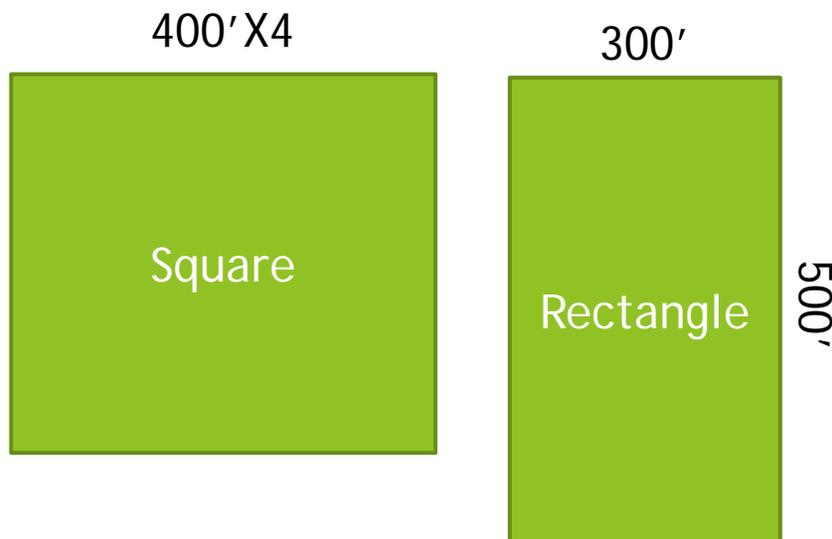


Image courtesy: M Huston, 2013



# Block and Lots

- ▶ Smaller blocks for walkability
- ▶ Block perimeter = 1,600 feet (max.) (allow 20% greater block dimensions with Administrative modifications or as provided for in the Framework Plan)



Transportation and Growth Management Oregon Guide  
for Reducing Street Widths

# Parking Standards

- ▶ Blended ratio:
  - ▶ All commercial uses at 1 space per 300 sq.ft.
  - ▶ Residential uses at 1.5 spaces per unit
- ▶ Placement:
  - ▶ No off-street parking lot between building and street along Primary Pedestrian Streets
  - ▶ Max. One aisle with 2 head-in rows allowed along IH-35E Frontage Road, Arterials, and Collectors; other alternative locations through site plan process, must be approved by Overlay District Board
  - ▶ No limit along other streets and alleys

Core  
Sub-districts

## Driveways and service uses

- ▶ No driveways permitted along Primary Pedestrian Streets unless there are no other alternatives (cross access shall be required for future access to other streets or alleys)
- ▶ On I-35E driveways are per TxDOT Standards
- ▶ On all other streets in accordance with the City's Land Development Code
- ▶ No service or utility functions along Primary Pedestrian Streets, IH-35E Frontage Roads, Arterials, or Collectors.
- ▶ Service and utility driveway access shall be only along alleys
- ▶ Common or Cross access easements shall be required across adjoining properties

# Architectural Standards

- ▶ Provide for a unique built environment through attractive architectural components.



# Landscape & Open Space Standards

To reduce the urban heat island effect, soften the built environment and contribute to pedestrian comfort in addition to increasing property values and rents.



Landscaping: Trees and Plant Materials



Hardscaping



Open Space

# Street & Streetscape Standards

Provides guidance for the design of new and improved Streets as well as the treatment of areas between the curb and the private property line and Street medians, including the placement or installation of Street Trees, Sidewalk paving, Street Furnishings, lighting, and other amenities for pedestrians.



Existing and New Street Standards



Lighting



Pedestrian Amenities

# Screening Standards

Provides standards for the screening of service and loading areas, roof or ground mounted utility equipment and similar uses on the site



Loading Areas



Trash and Other Receptacles

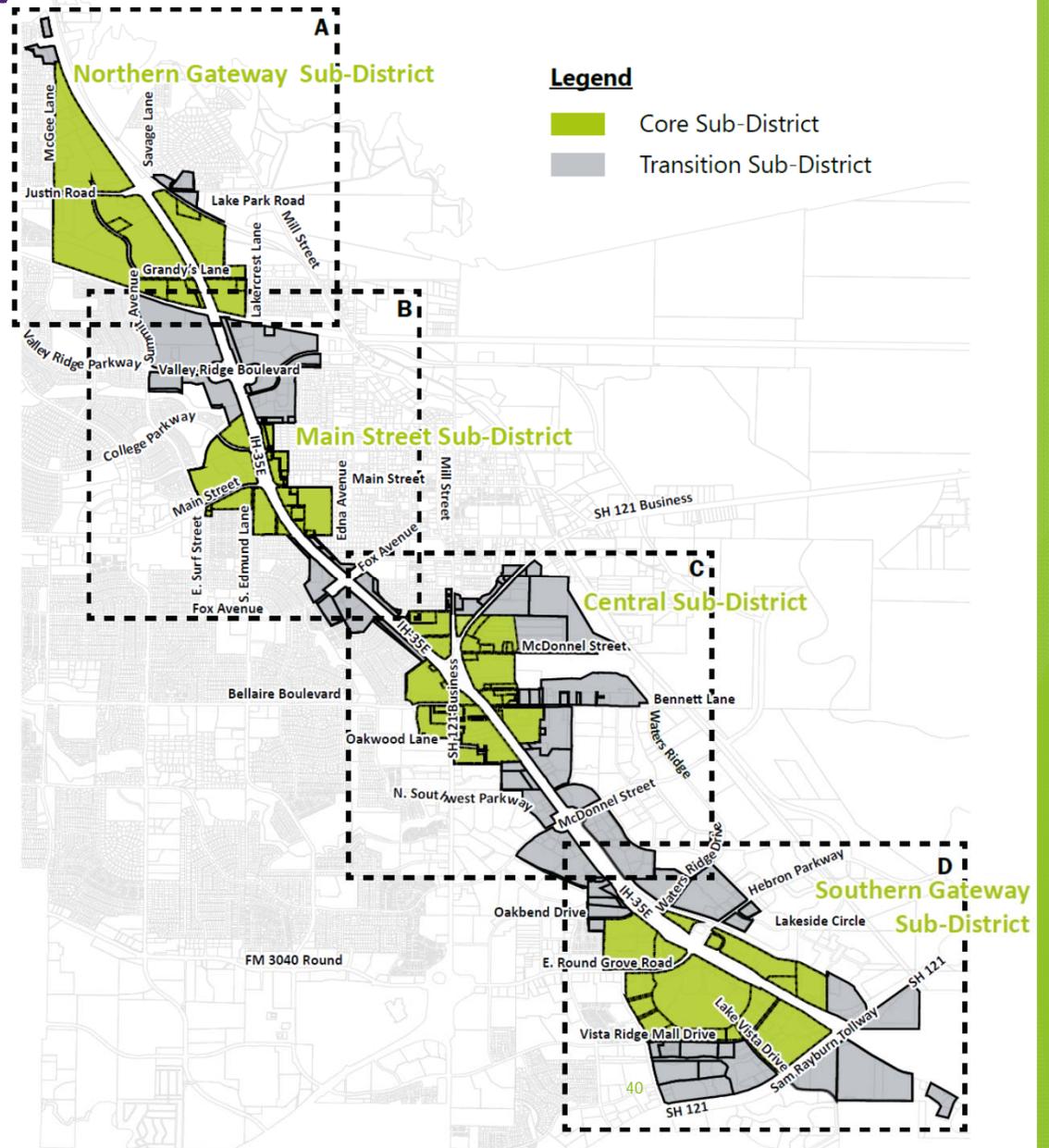


Roof and Ground Mounted  
Equipment

# Development Standards: Transition Sub-District

# Transition Sub-districts

- ▶ Still maintain auto-oriented uses, but with a focus on aesthetic improvements along the major corridors
- ▶ Elevate the potential for long-term redevelopment of higher-intensity uses
- ▶ Improve landscape standards
- ▶ Soften edge along IH-35E Frontage



## Transition Sub-District Regulations

- ▶ Building Envelope & Parking Standards
- ▶ Architectural Regulations
- ▶ Landscaping Regulations
- ▶ Streetscape Regulations
- ▶ Screening of Service Areas and Utilities

Red text denotes the regulations that are significantly different from the Core District Regulations

## Slide 41

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j1

The reason three are in red is to denote that these are the main areas where standards are different between the core and transition districts

[jay@livableplans.com](mailto:jay@livableplans.com), 10/26/2017

# Building Envelope & Parking Standards

## ► Building Placement

Minimum (feet)	Maximum (feet)	Minimum (feet)
Front (by Street Type)		
IH-35E Frontage Road	20	None
Arterial Roadway	20	None
Collector or Local Street (4 or 2 lane)	10	None
Other or Alley	5	None
Side (interior)	0 *	None
Rear (non-alley)	0 *	None
* Any setbacks adjacent to SF Residential uses shall be 20' min.		

## ► Parking Standards

- All commercial uses at 1 space per 250 sq.ft.
- Residential uses at 2.0 spaces per unit

# Landscape & Streetscape Standards

To promote public health, safety, welfare, and aesthetic quality by establishing standards for the design, installation, and maintenance of landscaping.



Landscaping: Trees and  
Plant Materials



Hardscaping



Open Space

## Landscape & Streetscape Standards

The Transition Sub-District is intended to be more informal/natural in character with a focus on screening and softening the roadway frontage

IH-35E Frontage Road:

- ▶ 20' (min.) landscape buffer required along the street frontage
- ▶ Sidewalks required per city standards
- ▶ Street Trees Required at avg. 40' on center (staggered or natural groupings or clusters)
- ▶ Screen surface parking with 24" high shrubs (walls or berms allowed with Administrative Modification).



## Landscape & Streetscape Standards

- ▶ Increase landscaping of any parking lots located along the streets with a focus on:
  - ▶ Breaking up the parking lot into smaller pods
  - ▶ Improving pedestrian connections from the sidewalk and parking lot to the storefronts
- ▶ Create a pedestrian frontage with a secondary walkway along the building/storefront fronts



IH-35E or  
Arterial Roadway



Secondary Walkway and  
Storefront

## Pad Site Standards

A pad site or outparcel is a freestanding parcel for an individual commercial building generally surrounded by its own parking and/or driveways within a larger development.

- ▶ The following standards shall apply to Pad Sites (in addition to overall landscape and streetscape standards):
  - ▶ Architectural standards - all building facades shall be designed as the front façade. If windows and doors are not provided along the rear and side facades, changes of materials and color shall be used to create the appearance of solids and voids.
  - ▶ To the extent feasible, the longer side of the building should be oriented towards the primary street and shall be considered the front of the building.
  - ▶ The primary entrance to the building shall be located in the front of the building and shall be oriented toward the primary street and the sidewalk. The primary entrance shall be emphasized along the front façade with doors, display windows, canopies, awnings, increased architectural elements, increased landscaping, lighting, and/or pedestrian-oriented features.
  - ▶ Utility / Storage / Dumpsters - the screening for these should be integrated into the architecture, with same materials, color and style.
  - ▶ Drive-through - stacking and drive-thru lanes shall not be located on the primary face of the building.
  - ▶ Provide pedestrian access leading from the main entrance at the secondary walkway along the storefront to sidewalk at the street.

# Character Examples of Transition Areas



# Comparison Between Sub-Districts

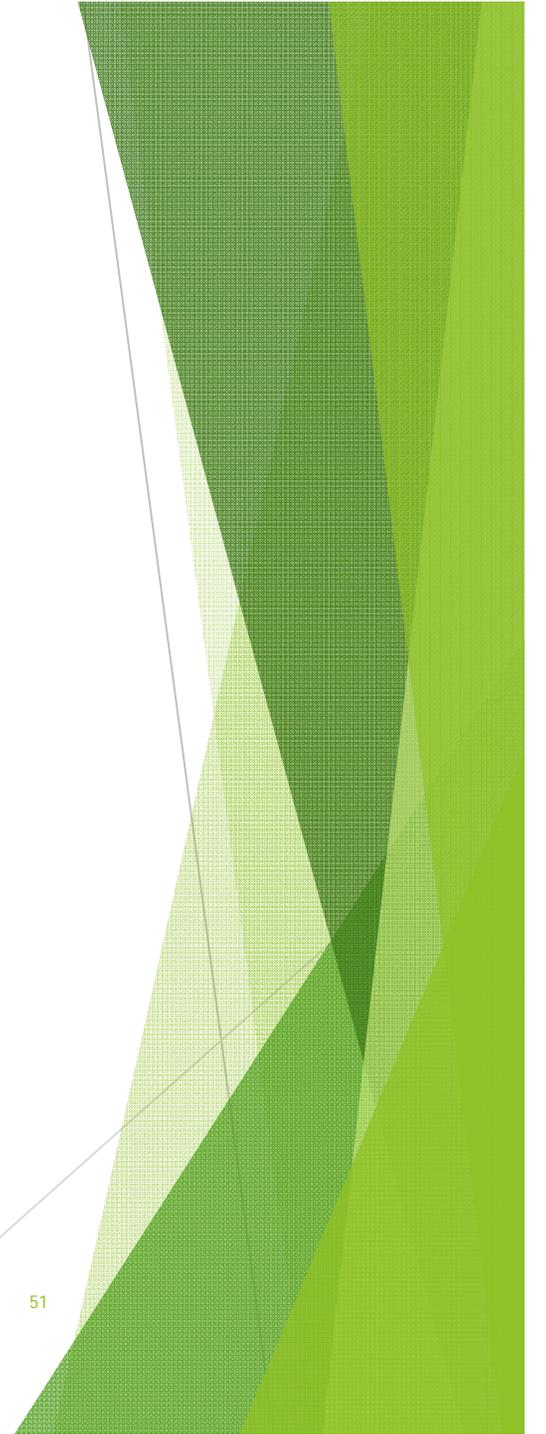
# Comparison Between Sub-Districts

	Core Sub-Districts	Transition Sub-District
<b>Building Envelope</b>		
<b>Building Placement</b>	<ul style="list-style-type: none"> <li>• Built close to Primary Pedestrian Streets</li> <li>• Minimum of 80% of the lot to be occupied by a building along Primary Pedestrian Streets</li> <li>• Limited to one aisle and 2 head-in rows of parking along IH-35E, arterial and collector streets</li> </ul>	<ul style="list-style-type: none"> <li>• Flexible</li> </ul>
<b>Building Orientation</b>	<ul style="list-style-type: none"> <li>• Focus building entrances along primary pedestrian streets edges</li> </ul>	<ul style="list-style-type: none"> <li>• If a primary pedestrian street is not applicable, then primary building entrance should be oriented towards IH-35E frontage, collector, or arterial road</li> </ul>
<b>Blocks and lots</b>	<ul style="list-style-type: none"> <li>• Smaller, walkable blocks (1,600' block perimeter max.)</li> </ul>	<ul style="list-style-type: none"> <li>• 2,400' block perimeter max.</li> </ul>
<b>Parking and Driveways</b>	<ul style="list-style-type: none"> <li>• No parking located between building and Primary Pedestrian Streets</li> <li>• Non Residential parking ratio of 1 space per 300 sq.ft.</li> <li>• Parking located to the side or rear of the building</li> <li>• No driveways along Primary Pedestrian Streets</li> <li>• Shared/cross access easements req'd</li> </ul>	<ul style="list-style-type: none"> <li>• Non Residential parking ratio of 1 space per 250 sq.ft.</li> <li>• Shared/cross access easements req'd</li> </ul>

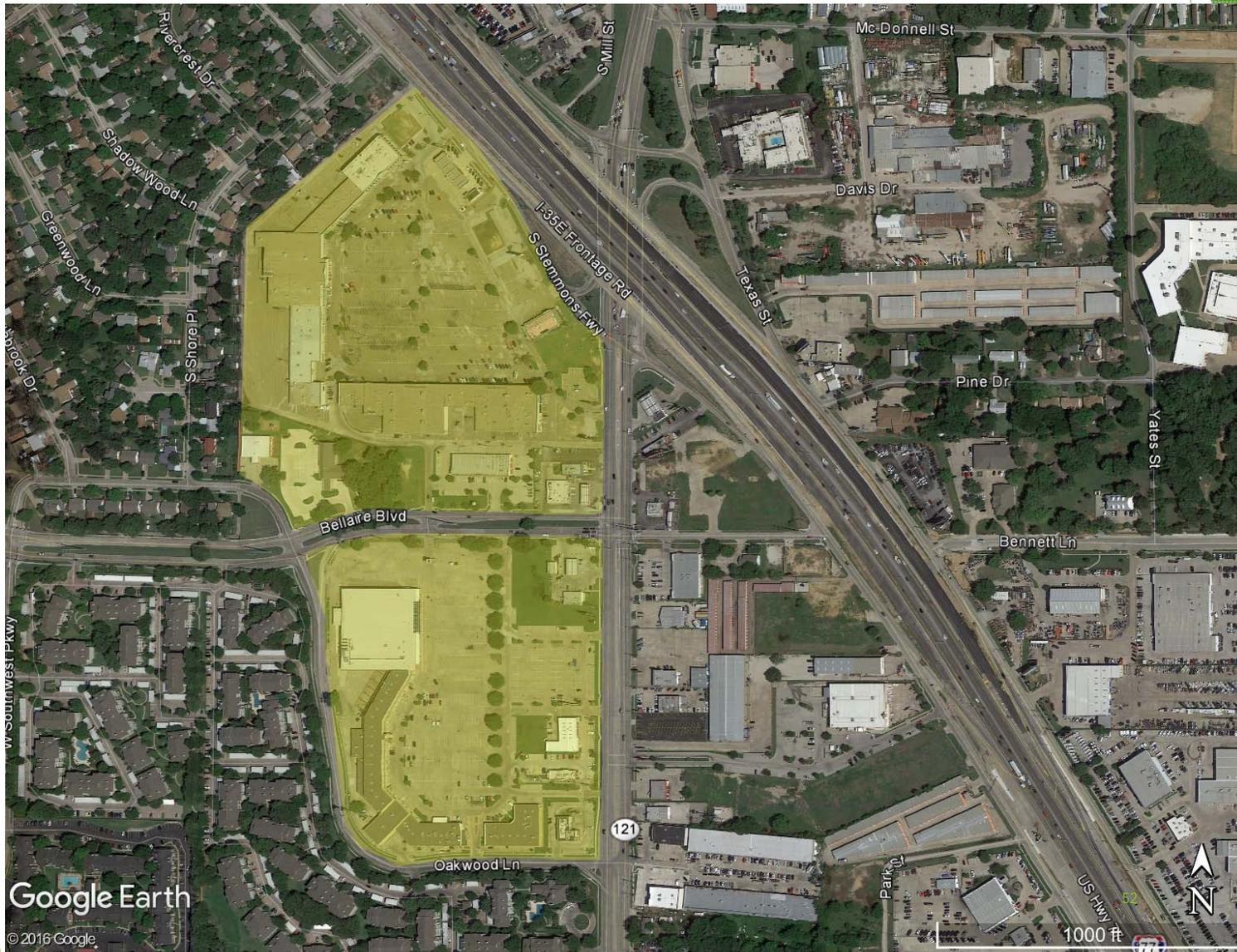
# Comparison Between Sub-Districts

	Core Sub-Districts	Transition Sub-District
<b>Landscape and Streetscape Standards</b>		
<b>Pedestrian Streetscape</b>	<ul style="list-style-type: none"> <li>• Required along Primary Pedestrian Streets</li> <li>• 12' sidewalk along primary pedestrian streets</li> </ul>	<ul style="list-style-type: none"> <li>• Secondary walkway required along the storefronts along IH-35E, arterial, and collector streets</li> </ul>
<b>Streetscape</b>	<ul style="list-style-type: none"> <li>• More formal landscaping along street frontages (street trees @ 30' o/c)</li> <li>• Pedestrian amenities required along Primary Pedestrian Streets.</li> </ul>	<ul style="list-style-type: none"> <li>• Parking lot landscaping req'd</li> <li>• Informal street trees along street frontages (avg. 40' spacing)</li> <li>• Screen surface parking from street with vegetative fence</li> </ul>
<b>Open space</b>	<ul style="list-style-type: none"> <li>• Provide 8% publicly accessible or 15% private open space; include different types of open space</li> </ul>	<ul style="list-style-type: none"> <li>• Provide 5% open space; design parking lots into smaller pods with landscaping and pedestrian amenities</li> </ul>

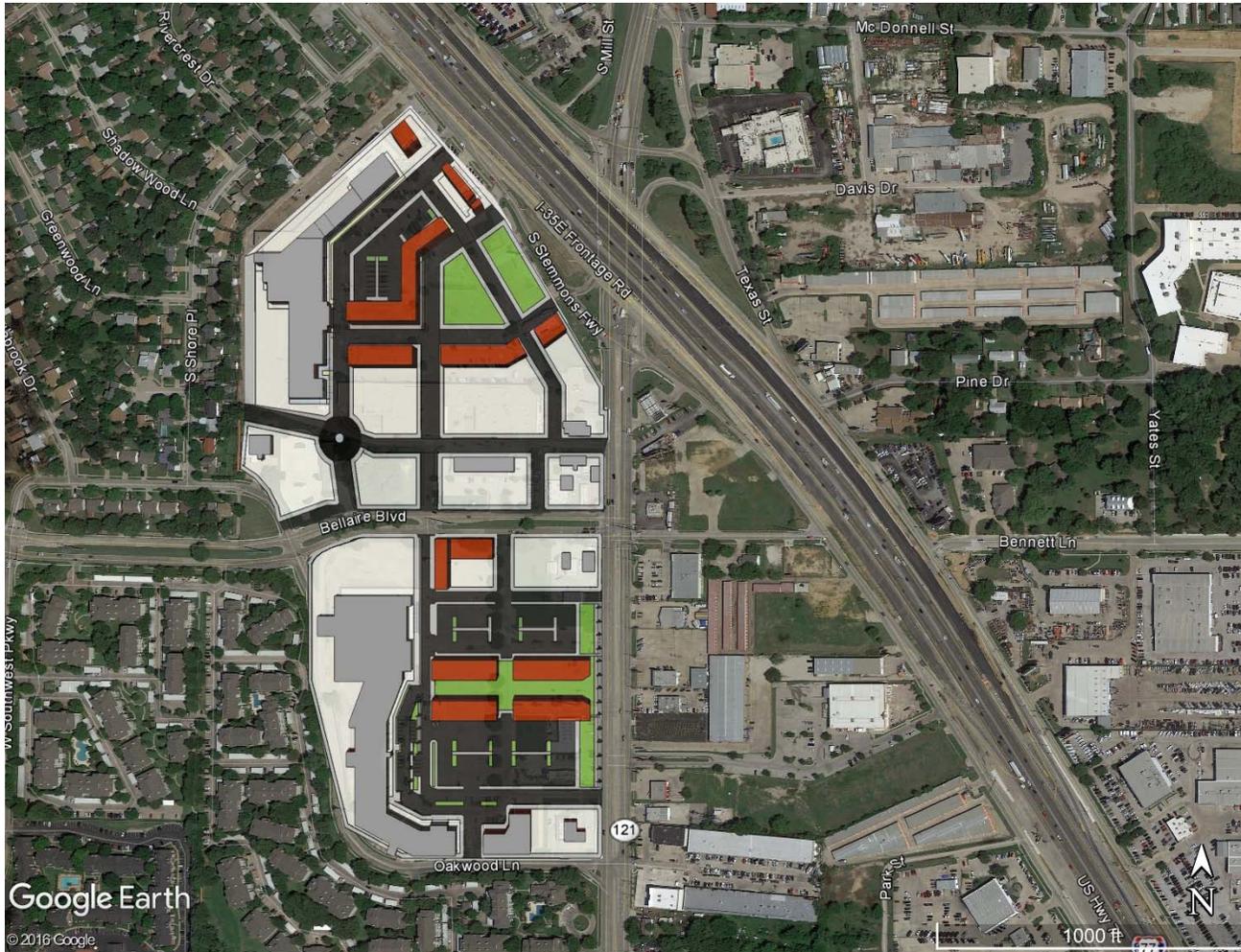
# Project Examples



# Large Lot Redevelopment Test Site



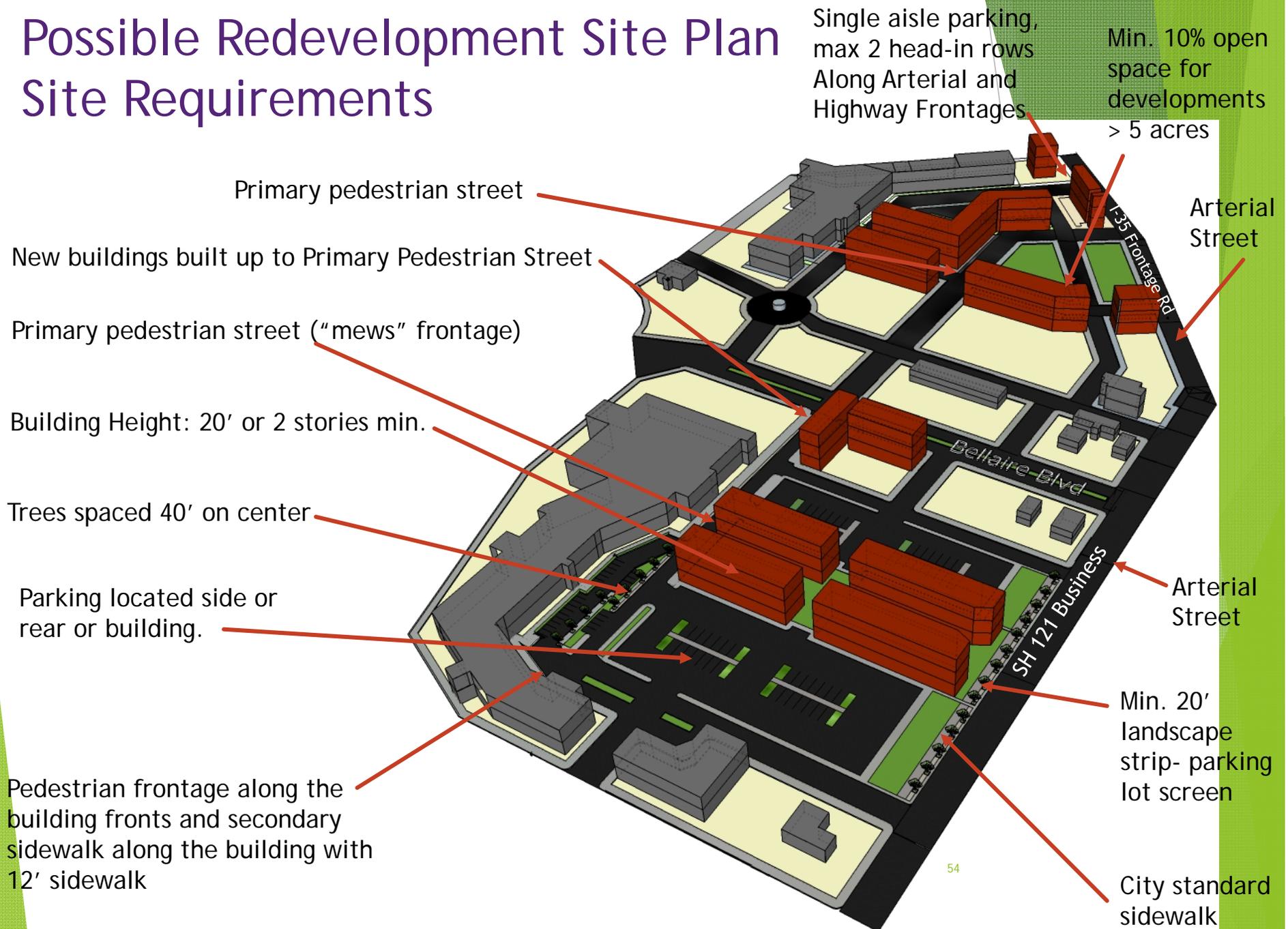
# Large Lot Redevelopment Plan Main Street Sub-District Incremental Redevelopment

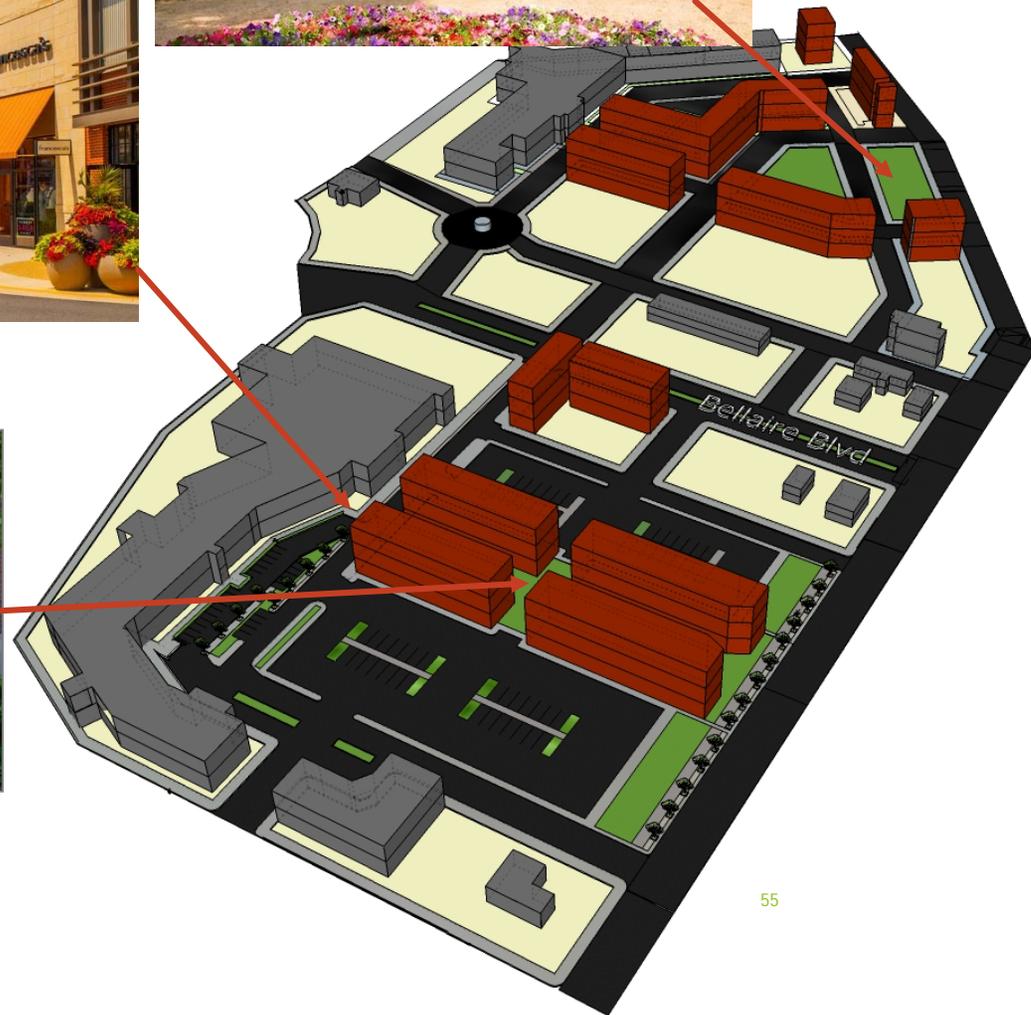


- Open Space
- Proposed Buildings
- Existing Buildings

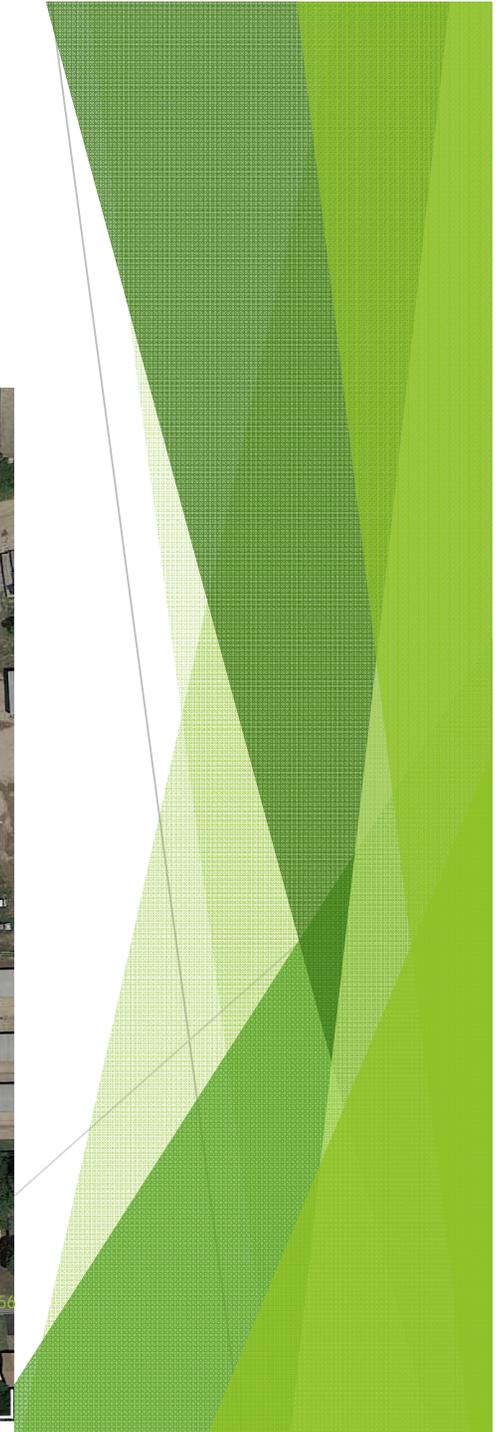
# Possible Redevelopment Site Plan

## Site Requirements





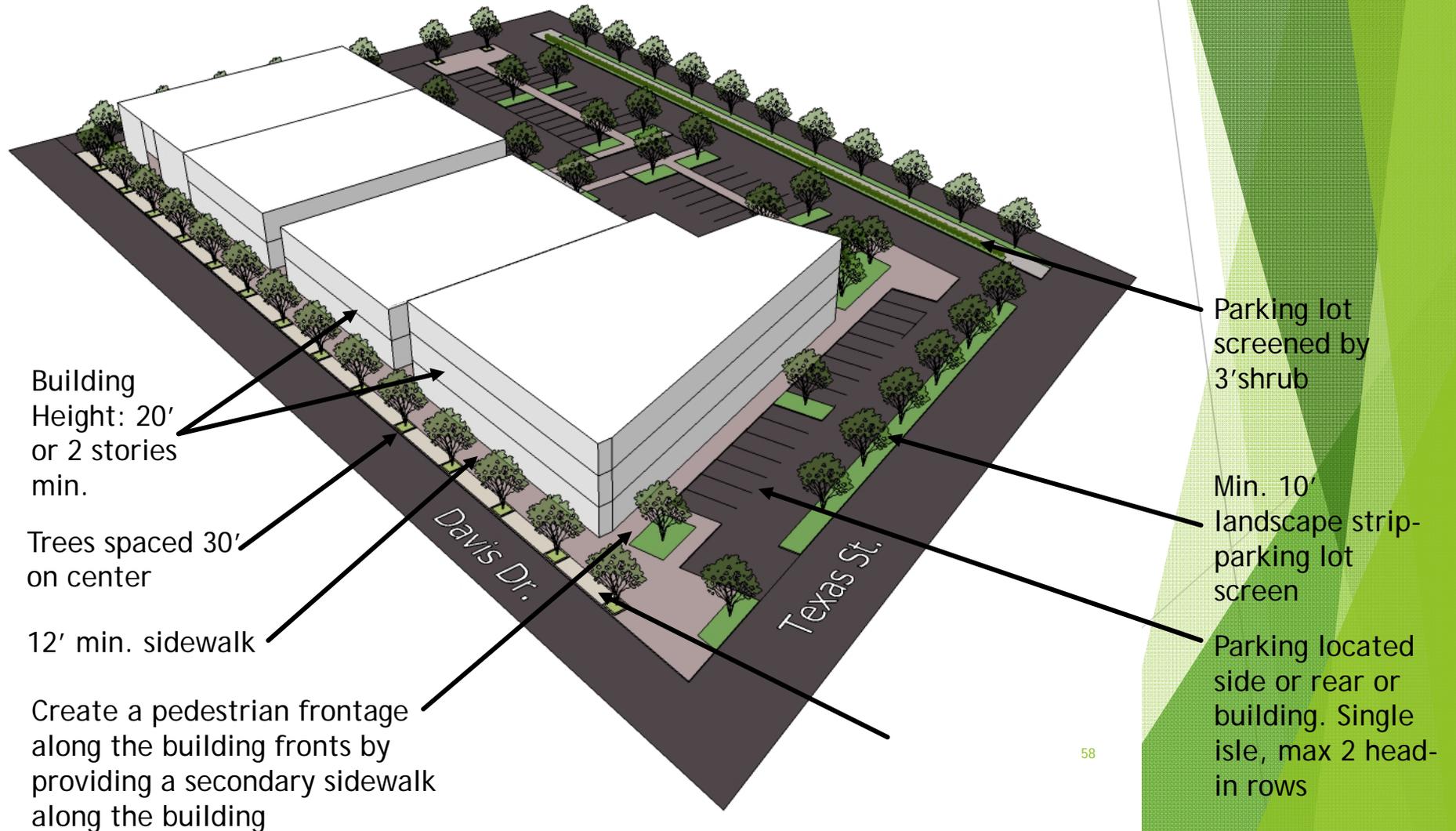
# Example Application - Test Site



# Possible Site Plan - Building Envelope Requirements



# Possible Site Plan - Building Envelope Requirements



# Alternative Standards Examples: Core Districts

## ▶ Uses:

- ▶ Large Entertainment/Activity Centers (arenas, convention/exhibition centers)
- ▶ Public facilities (DPS/Fire, Library, etc.)

## ▶ Alternative Design standards could include:

- ▶ Alternative materials (other than masonry)
- ▶ Larger expanses of walls without windows than permitted
- ▶ Larger surface parking facilities along the Highway Frontage Road or Arterial Roadway
- ▶ Articulation that does not meet the standards in the Overlay

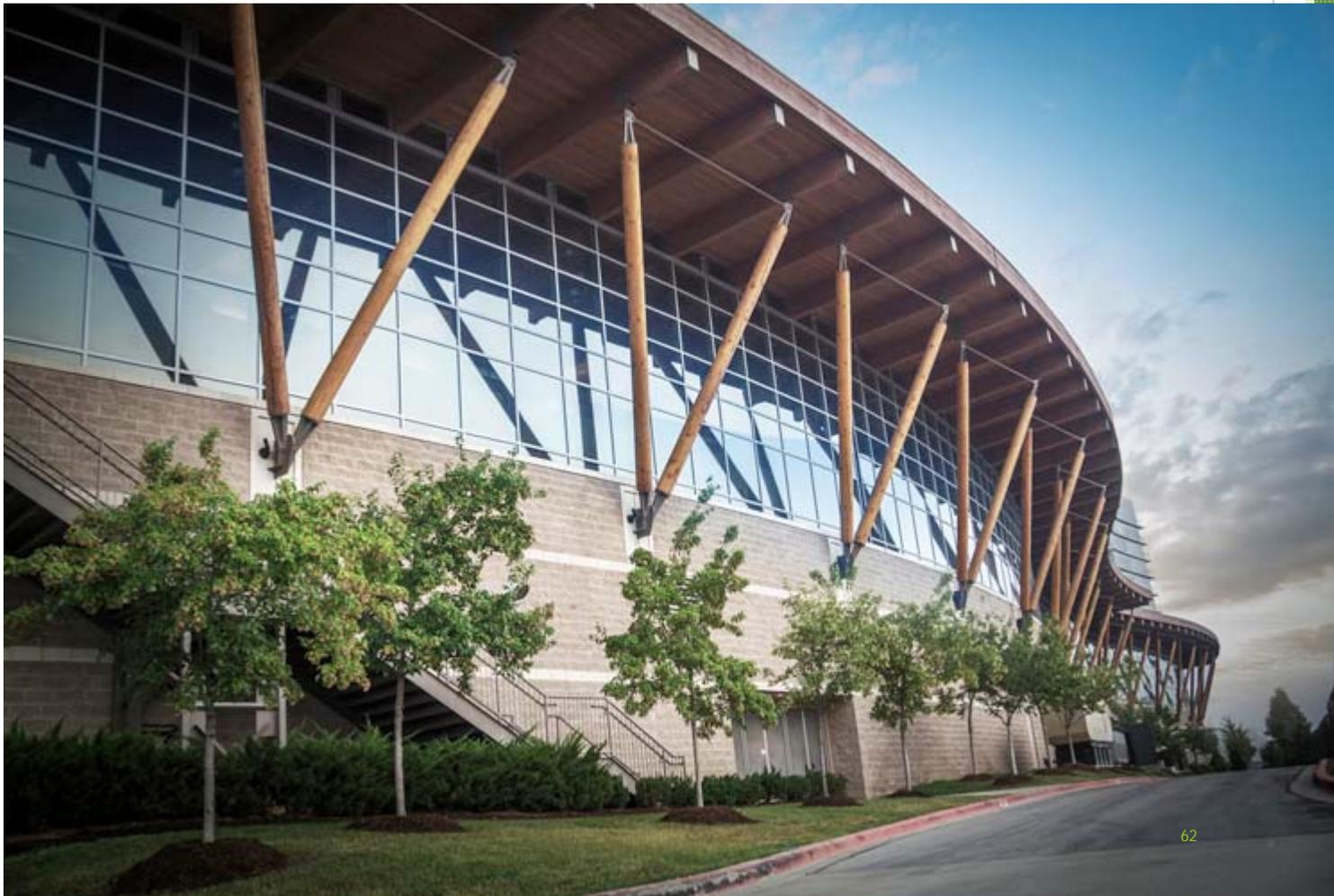
# Examples of Buildings under Alternative Standards



# Examples of Buildings under Alternative Standards



# Examples of Buildings under Alternative Standards



# Examples of Buildings under Alternative Standards



# Alternative Standards Examples: Transition Districts

- ▶ Uses:
  - ▶ Newer big box/lifestyle formats
  - ▶ Office towers
  - ▶ Public facilities (DPS/Fire, Library, etc.)
- ▶ Alternative Design standards could include:
  - ▶ Larger expanses of walls without windows than permitted
  - ▶ Larger surface parking facilities along the Highway Frontage Road or Arterial Roadway

# Examples of Buildings under Alternative Standards



# Examples of Buildings under Alternative Standards



# Examples of Buildings under Alternative Standards



# Examples of Buildings under Alternative Standards



# Discussion