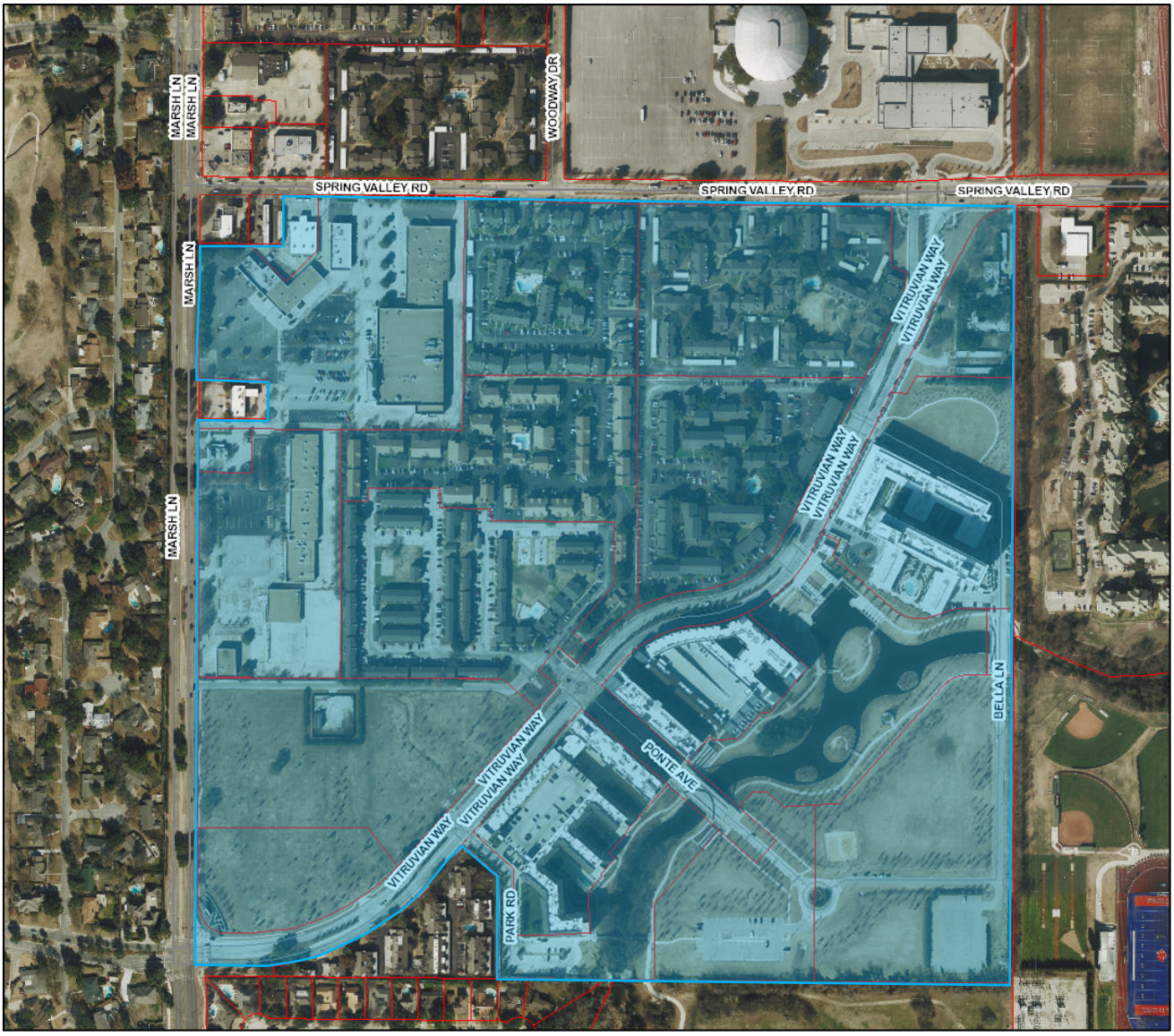
1735-Z

PUBLIC HEARING Case 1735-Z/UDR. Public hearing, discussion, and take action on a recommendation regarding an ordinance amending Ordinance No. O07-034 as amended by Ordinance No. O13-026 that zones that area of the Town known as Vitruvian Park and containing approximately 121 acres of land generally located at the southeast corner of Marsh Lane and Spring Valley Road in order to adopt a new concept plan, add additional permitted uses, and revise various development standards.

LOCATION MAP



April 15, 2016

STAFF REPORT

RE:	Case 1735-Z/UDR
LOCATION:	Approximately 121 acres of land located generally at the southeast corner of Marsh Lane and Spring Valley Road
REQUEST:	To amend the Planned Development regulations established by Ordinance No. O07-034 as previously amended by Ordinance No. O13-026.
APPLICANT:	UDR, represented by Mr. Tom Lamberth

DISCUSSION:

Background: On October 9, 2007, UDR obtained approval to rezone a 99-acre neighborhood, which is bordered by Spring Valley Road on the north, The City of Farmers Branch on the east, Farmers Branch and Brookhaven College on the south, and Marsh Lane on the west, from the A (Apartment) and PD-CC (Planned Development – Condominium Conversion) zoning districts to a Planned Development District. The planned development district zoning established development standards and a concept plan.

The first development plan for Savoye was approved in 2008. The development plan for the second building, Savoye 2, was approved in 2009. The development plan for the third phase, Fiori, was approved in 2011.

Following the original zoning approval, UDR purchased four additional tracts totaling 21.7 acres. This integrated the Brookhaven Village Shopping Center into the project, as well as an office tract on the corner of Spring Valley Road and Vitruvian Way. To accommodate this, a new concept plan was approved by the City Council on July 9, 2013. Additionally, the PD ordinance was amended to establish development standards for the shopping center and add permitted uses in the district, including pet grooming and overnight boarding.

The PD anticipated a primarily residential, mixed use development, which entitles UDR to unlimited residential density as well as 500,000 square feet each of office and retail space.

Proposed Conceptual Plan: To date, the focus of the development has been on residential use. UDR has spent several years studying options on how to implement both the retail and office components. They believe that there is a market for more office space within the development than originally contemplated in the current concept plan. In an attempt to capture this demand for office, four office

buildings are being proposed totaling 350,000 square feet. This could be scaled up to a maximum of 500,000 square feet as permitted by the PD, if demand warrants. Additionally, UDR has established a more definitive orientation for the retail corridor (Ponte Avenue). Instead of a diagonal orientation shown in the current concept plan, Ponte would curve west and intersect with Marsh Lane. This will increase the visibility of retail along that street.

The other main difference between the current and proposed concept plan is the treatment of public park space. Previously, the additional public open space was shown in a very geometric 4 acre park bounded and bisected by public streets. Under the proposed concept plan, these streets have been eliminated, and the park flows more organically between buildings. This change will allow direct park access from the adjacent multi-family buildings and eliminate vehicular traffic from the park area. It also results in a slightly larger park space of about 4.5 acres.

Proposed Planned Development Text Amendments: In addition to the new concept plan, a few revisions to the text of the Planned Development ordinance are being proposed. Some of these are intended to better accommodate the direction established by the revised concept plan and others are merely intended to clean up some interpretation and drafting issues in the existing ordinance.

Special Uses: Three uses are being added to the list of permitted uses that require a special use permit. These are movie picture theater, gasoline service stations (in Block 211 only), and restaurants with drive through facilities (in Block 211 only).

General Conditions for Retail: Currently, the ordinance only allows retail outside of Block 211 in mixed use buildings with a residential component. Under the new concept plan, there would be a retail ground floor in office buildings and parking garages. To allow this, the ordinance would be adjusted to allow retail in a mixed use building with other non-residential uses.

The intent of this provision originally was to maintain an urban, mixed use character to the development. Allowing retail below commercial uses as well as residential uses not only maintains the original intent, but also promotes the continuation of mixed use in the commercial areas of the plan as well as the residential.

Development Standards – Street Build-to Line: When the development standards were revised in 2013, the section related to the street build-to line was amended to read as follows:

> Within all blocks shown on the Concept Plan, except Blocks 209, 210, and 211, all primary buildings, structures, walls, fences, and other improvements shall be constructed, located, placed, and erected along and continuous to the applicable build-to line; provided, however that not more than 30 percent of any street frontage may vary from the build-to line. Not more than 50 percent of any street frontage may vary from the build-to line.

This appears to establish conflicting regulations stating in one sentence that not more than 30 percent can vary and then that no more than 50 percent may vary. In the original document, it stated that not more than 30% of the building could deviate from the build-to line, except for an area identified as “Subarea 1” (Savoye 2), which allowed up to 50% to deviate. When the new concept plan was adopted, a new block number scheme was established and “Subarea 1” became Block 102. It appears that the drafters struck the mention of “Subarea 1,” but neglected to replace it with Block 102. Staff proposes to revise the ordinance accordingly to clear up any potential confusion going forward.

Parking Standards: The ordinance does not currently provide a standard for restaurant parking. Typically, the Town requires a ratio of 1 space per 100 square feet in mixed use centers and staff proposes to do the same here. Also, the movie picture theater requirement of 1 space per 4 seats needs to be included since this is being added as a permitted use.

Parking Garage Requirements: The ordinance currently limits exposed parking garages to a maximum length along a street to 200 feet. Wrapping parking structures works well with apartment buildings, but is not feasible for commercial garages. Staff is proposing to add language to allow garages for non-residential buildings to be exposed only if there are enhanced façade elements to the garage such as living walls or unique articulation and design of an artistic nature.

Traffic Impact Analysis: A traffic impact analysis was conducted at the time of the original zoning approval in 2007. The analysis determined that the adjacent roadway network could accommodate the additional traffic caused by the Vitruvian Development with minimal negative impacts. The plan currently being proposed will likely result in less of an impact on traffic than previous iterations of the plan. Retail square footage has roughly stayed the same between the two plans. Residential unit count has decreased, while office square footage has increased. Instead of residential traffic that would likely be headed out of the development together and back in together, the additional office traffic will have an opposite flow from residential. Although the total number of vehicles on the road would not change much, they would be dispersed in opposite directions.

RECOMMENDATION: **APPROVAL**

Given the time horizon of this project, the Concept Plan was always intended to be an evolving document that would adapt to market demand. This is the third iteration of the concept plan with more iterations likely to follow in the years ahead. Additional office space presents a positive opportunity. This will diversify the development and establish a daytime population that will be valuable to the current and future retail in the area. The text changes are important to clarify current requirements as well as to accommodate the revised direction. Staff recommends approval of the request with no conditions.

Land Use Analysis

Attributes of Success Matrix

Vitruvian Park **1735-Z**

Attribute	Comment	Score
Competitive	Vitruvian Park is a very desirable location. The adjustments will help the developer attract future office and retail users.	
Safe	Vitruvian Park is a very safe development. Staff is working with UDR to finalize a police store front to establish a permanent police presence in the area.	
Functional	The concept plan integrated the various elements well and will be functional.	
Visually Appealing	The high quality standards and landscaping requirements will continue to make Vitruvian Park a visually appealing development.	
Supported with Amenities	The Vitruvian Park development is a high quality mixed use self-contained development with many amenities.	
Environmentally Responsible	This is an infill redevelopment site and represents an environmentally responsible development pattern.	
Walkable	This plan reduces the number of streets, improving walkability.	
Overall Assessment	**This is the next evolution in the future of Vitruvian Park and sets a very positive direction for the development.**	