

Proposed Amendments to the Highview PDD

Amendment 1: Requirement for dwelling units and retail, office, or mixed use development immediately adjacent to the Rights-of-Way of Fegenbush Lane, Vaughn Mill Road, Outer Loop, Peppermill Lane, and Beulah Church Road within the Highview PDD. The following language will be added to the end of the Planned Development Use Table:

In the Highview PDD, Land development having frontage along the Rights-of-Way of Fegenbush Lane, Vaughn Mill Road, Outer Loop, Peppermill Lane, and Beulah Church Road shall be limited to non-residential use. Mixed use development that includes a residential component shall be allowed, providing that the first floor is dedicated to non-residential use. Civil and/or institutional uses shall be permitted following a Community Facilities Review.

Amendment 2: In the “Planned Development Use Table,” under “Gateway,” replace reference to “LU3” with “Outer Loop” and under “Central Corridor,” replace reference “LU2” with “Gateway.” These references were used to identify sub-areas of the PDD in draft versions of the plan and were subsequently dropped, but inadvertently left in the adopted plan.

GATEWAY

All LU3 Outer Loop uses except:

- Automobile rental agencies **shall** be limited to no more than 25 rental passenger vehicles stored on site, and no more than two service bays for cleaning or maintenance, and having no repair or storage/dispensing of fuel
- Automobile service stations **shall** be limited to service bays for repair of no more than two vehicles (see definition of Automobile Service Station for the type of repairs permitted)

CENTRAL CORRIDOR

All LU2 Gateway uses except for the following:

- Automobile sales agencies
- Automobile service stations
- Boat Sales and related storage
- Building materials, storage and sales provided all operations are totally enclosed in a building (Outdoor sales, display and storage as referenced in Section 4.4.8 is not permitted in association with a contractor’s shop in this zoning district)
- Drive-in restaurants where all or part of the service or consumption is inside a vehicle
- Used car sales areas, provided that no repair or reconditioning of automobiles or storage of parts **shall** be permitted except when enclosed in a building
- Drive through facilities

Amendment 3: Requirement for construction of sidewalks relating to changes in use or substantial expansion of an existing use or structure. The following language shall be added to the Planned Development Design Guidelines, Streetscape, Section J.

Sidewalks:

Within the Highview PDD, sidewalks shall be required in accordance with Metro Public Works design standards for changes in use or substantial additions to existing structures/ uses defined as:

- Change in the Intensity Class of a structure that requires a building permit and results in a renovation/remodel of 2,000 square feet or more, or 50% or more of the gross floor area, whichever is less.
- Expansion of existing gross floor area of the entire lot by 50% or more, or 2,000 square feet or more, whichever is less
- Increase in the number of dwelling units, or conversion of any non-residential space to a residential use
- Construction of 5 or more new parking spaces

The Planning Director or designee may grant a waiver of this sidewalk requirement when the applicant can demonstrate that existing conditions are such that construction of a sidewalk is not feasible or would deprive the applicant of reasonable use of the land or create an unnecessary hardship. The applicant or Planning and Design Services staff may request review and approval by the Development Review Committee. In such instances, the request shall follow those procedures outlined in Land Development Code, section 6.2.6.B.

This amendment would be enforced as part of the existing Development Plan review process. The Town Center form district requires sidewalks for any increase in the footprint of an existing structure and for all new construction, see Table 5.2.5. Table 5.2.5 of the Land Development Code identifies the development thresholds within the Town Center Form District, under which Part 8 of the Code, "Streets and Road Side" would be applicable. A Category 2A review that includes Part 8 is required for "Construction of non-residential/mixed use building footprint less than 3,000 square feet" meaning that any non-residential or mixed use development within the Town Center Form District that results in an expanded footprint is subject to some level of review.

Amendment 4: Clarification is needed to provide a specific form district for Outer Loop and Gateway Sub-Area dimensional standards. Suburban Form Districts, Chapter 5, Part 3 contains six sub-sections. Staff is proposing Neighborhood Form District, sub-section 5.3.1.

A. Dimensional Standards

*Dimensional standards for the Highview Town Center PDD Sub-Areas **shall** be as follows:*

i. Outer Loop Sub-Area

Conform to the ~~Suburban~~ Neighborhood Form District dimensional standards, Chapter 5, Part 3, Sub-Section 5.3.1 with the following exceptions:

1. Building Height

*Maximum building height for any use **shall** be 35' or 2-stories*

ii. Gateway Sub-Area

Conform to the ~~Suburban~~ Neighborhood Form District dimensional standards, Chapter 5, Part 3, Sub-Section 5.3.1 with the following exceptions:

*1. Maximum building height for any use **shall** be 35' or 2-stories*

2. Front and Street Side Yard Setback (all uses) maintain a minimum Front and Street Side Yard setback/build-to line of 15' from the edge of right-of-way.

iii. Central Corridor Sub-Area

Conform to the Town Center Form District dimensional standards, Chapter 5, Part 2, with the following exceptions:

1. Building Height

Maximum building height for any use **shall** be 35' or 2-stories

2. Front and Street Side Yard Setback (all uses)

maintain a maximum Front and Street Side Yard setback/build-to line of 65' from the edge of right-of-way.

Amendment 5: Text revision to lot standards.

B. Lot Standards

i. Maximum ~~Density and Floor Area Ratio~~ (FAR)

The maximum FAR for the Highview Town Center PDD **shall** be 1.0, regardless of Sub-Area.

ii. The maximum density for the Highview Town Center PDD **shall** be as follows:

1. Outer Loop Sub-Area

Maximum Density: 12.01 dwellings per acre (note: R5A equivalent)

2. Gateway and Central Corridor Sub-Areas

Maximum Density: 17.42 dwellings per acre (note: R6 equivalent)

iii. Use Mix

Office and Residential Uses –a specified percentage of any development site may be allocated to residential development without any corresponding decrease in the maximum allowable square footage or intensity of non-residential uses allowed, provided that all other development standards set forth in this code are complied with. In addition, office and residential uses situated above ground level retail uses are permitted and **shall** be excluded from calculation of the site's permissible floor area ratio. Calculation of permissible residential density **shall** be based on the net site area, regardless of the amount of non-residential floor area constructed on the site.

iv. Lot Area

Min: None

Amendment 6: Clarification and revisions to provide for simplicity of application, enforcement and appropriate implementation in accordance with similar regulations outlined in the Land Development Code and recommendations of Neighborhood Plan.

D. Building Facades (applicable to new structures or when replacing 50% or more of an existing building façade)

i. Buildings **shall** have articulated facades with animating features (i.e., columns, piers, pilasters, or similar elements) every 20 to 40 feet to create an architectural rhythm. Note: Rear facades shall not be required to comply with this part, unless located within the form district transition zone or abutting a residential use.

ii. At least 70% of the building façade facing the public right-of-way **shall** be located between the minimum and maximum setback/build-to-line. Note: This shall only apply to new construction/footprint.

iii. A minimum of fifty percent (50%) of the street level facade **shall**

be transparent.

iv. Blank, unarticulated walls **shall** not extend for distances greater than twenty-five feet (25'). Note: Rear facades shall not be required to comply with this part, unless located within the form district transition zone or abutting a residential use.

v. Buildings on corner lots ~~should~~ **shall** use windows, doors or architectural detail to address facade design on both street frontages.

vi. Multi-family structures **shall** not have attached front facing garages. Garages **shall** be accessed from alleys or, in the case of a development consisting of multiple units, from an internal drive accessible from the rear

Amendment 7: Correction to text error.

As noted in the existing conditions analysis of the Highview PDD, bicycle and pedestrian systems in this area are fragmented and in many cases nonexistent. As such all future developments should encourage pedestrian and bicycle systems to the fullest extent, and at a minimum what is required by the Land Development Code. Providing continuous sidewalk systems, bike parking in convenient, even covered locations will play an integral role in making Highview a more well connected, healthy and sustainable neighborhood.