

Multi-Dwelling Structures as Use on Review

C3 General Commercial District

DRAFT 07/07/17

Revisions Based on Comments Received

Sec. 2.2.6 C-3 Commercial District, Amend subsection C, *Uses permitted on review*, by adding a new item 10

C. *Uses permitted on review*. The following uses may be permitted on review by the planning commission in accordance with provisions contained in article VII, section 5:

10. Multi-~~family dwellings~~ **dwelling structure**, either as a single use or as part of a mixed use development, as regulated by article V, section 3.F.15

Article V, Add Section 3.F.15:

15. – Development standards for multi-~~family dwellings~~ **dwelling structures** in the C-3 zoning district

a. Setbacks/build-to lines

1. Maximum Setback. New buildings that include ~~multi-family dwellings~~ **dwelling unit(s)** shall have a maximum setback of 70 feet from the street right-of-way of the primary (fronting) street.
2. Within an Existing Development. If ~~multi-family dwellings~~ **dwelling unit(s)** are in a new building within a development with existing buildings **and/or is part of a unified development**, the new building shall not be setback any farther from the right-of-way of the primary (fronting) street than the existing buildings. In cases where the setback of existing buildings varies, the setback of the new building shall be no greater than the average of the setbacks of the existing buildings. If the new building has porches or stoops as a means of access to ~~residential dwelling~~ units, the building may vary from the setback line up to five (5) feet. In cases where there is not adequate area in front of or to the side of existing buildings for a new building, the Metropolitan Planning Commission may permit the new building to be located to the rear of the existing buildings as part of the use on review approval.
3. **Front Setbacks**. Buildings that have a setback of less than fifteen (15) feet and that exceed one hundred (100) feet in length shall have variation (articulation) in their façade through the provision of a forecourt, plaza, patio, or other means. Such variation shall have a minimum depth of ten (10) feet and shall be equal to not less than ten (10) percent of the total length of the front façade. **Any one area of variation shall be no more than thirty-five (35) feet in width and depth**. The variation may be distributed in more than one (1) location but no area of variation shall have an area of less than ~~fifty (50)~~ **one hundred (100)** square feet.

b. Corner Lots

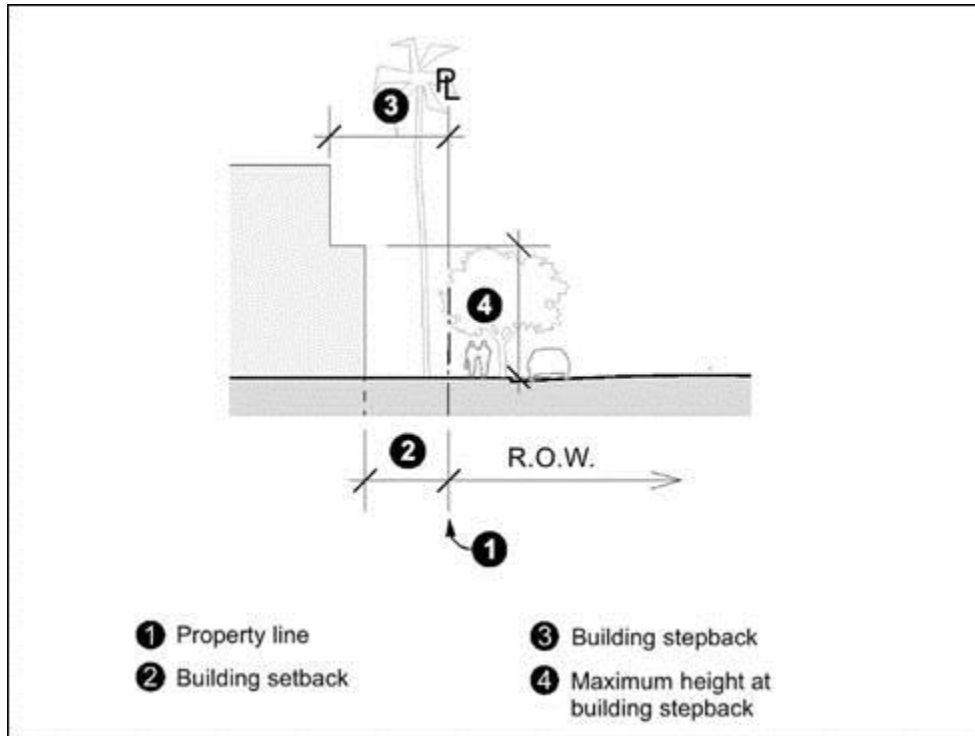
1. Setbacks. On corner lots the building must be located at the street corner respecting setback standards, treating both streets as primary streets.
2. Transparency. Those buildings located on a corner lot shall treat both street facing facades as primary elevations for the purposes of meeting the transparency requirements set forth in subsection d. of this section.

c. Building height

New buildings in which ~~multi-family~~ **dwelling unit(s)** are located shall have a minimum height of two (2) stories and ~~no a~~ **maximum height of ninety (90) feet. The MPC shall evaluate the compatibility of**

the proposed height with the character of the surrounding development. Any buildings with a setback of less than fifteen (15) feet from a street right-of-way/property line and exceeding three (3) stories in height shall have a stepback with a depth of at least fifteen (15) feet that begins above the first floor but below the fourth floor on the street fronting facade(s). The stepback shall continue to the top of the building.

Figure 1: Building Stepback



d. Transparency

The first floor primary (street facing) elevation of any building with multi-family dwelling units shall have a minimum transparency of thirty (30) percent. All other floors on the primary elevation shall have a minimum transparency of twenty-five (25) percent. The ground floor windows must allow views into the ground story for a depth of at least 8 feet. Windows cannot be made opaque by window treatments (except operable sunscreen devices within the conditioned space). Buildings located on a through double frontage lot shall treat the street facing facades with customer or tenant entrance(s) as primary facades.

e. Building Orientation

The primary elevation of any building with multi-family dwelling unit(s) shall be orientated towards the primary (fronting) street. The MPC staff shall determine which street or streets are primary streets based on the following:

- The pedestrian orientation of the street;
- The established building orientation of the block;
- The street parallel to an alley within the block;

- The street that the lot takes its address from; and
- The street with the highest street classification.

f. Entrances

Buildings with ~~residential~~ dwelling unit(s) shall have at least one (1) pedestrian entrance for every seventy-five (75) feet ~~of length~~ along the primary facade(s), with no more than one hundred (100) feet between entrances. Distance shall be measured from the nearest edge of the door frame to the nearest edge of the adjacent door frame.

g. Pedestrian connections

New buildings that include ~~residential~~ dwelling unit(s) shall provide safe pedestrian access connecting main entrances of buildings, establishments, or uses on a site with all other such entrances and with access points including parking, streets, sidewalks, and transit stops. The pedestrian facilities must be an easily discernable walkway or multi-use path. If the cost of providing pedestrian access on the site exceeds twenty (20) percent of the project cost, the Metropolitan Planning Commission may approve a reduction in the pedestrian facilities and/or approve alternatives.

h. Building materials

On new buildings that include ~~residential-uses~~ dwelling unit(s), plain face masonry block or vinyl shall not be used on any elevation and EIFS shall not be used on or below the first level (story) above grade and shall not constitute more than twenty-five (25) percent of any facade.

i. Building massing and articulation

Cumulative blank wall areas of more than thirty (30) percent of the total wall area on any facade shall be prohibited. Blank wall areas are areas that do not include windows or doors, columns, pilasters, or other articulation greater than twelve (12) inches in depth or a substantive material change (paint color is not a material change).

j. Streetscape

The street facing frontage of a building that includes ~~residential~~ dwelling unit(s) shall incorporate landscaping, street furniture, and/or art to create a pleasing pedestrian environment. At a minimum, street trees (large maturing deciduous ~~with a minimum height of 30 feet at maturity~~) shall be planted at a ratio of one (1) tree per thirty-three (33) feet of frontage. Trees may be grouped together but shall have a minimum spacing of fifteen (15) feet. Trees shall be a minimum 2 inch caliper at planting. All landscaping shall be installed and maintained in accordance with this subsection.

k. Transition zone

1. New buildings that include ~~residential~~ dwelling unit(s) shall be setback a minimum of twenty (20) feet from abutting residentially zoned properties. Within this setback zone a landscaped buffer with a minimum width of twenty (20) feet shall be provided. The buffer shall be planted with a minimum of four (4) large maturing deciduous trees (minimum 2 inch caliper at planting), two (2) small maturing trees (deciduous or evergreen, minimum 1 ½ inch caliper or height of six (6) feet measured from ground level to top of tree at planting), and ten (10) shrubs per 100 linear feet.
2. New buildings that include ~~residential~~ dwelling unit(s) shall be setback a minimum of twenty (20) feet from a street or alley right-of-way if the right-of-way abuts residentially zoned property. Gardens, garages (no dwelling units shall be located in the garage), and playgrounds may be located within this setback zone ~~provided they comply with the requirements set forth in Article V, section 6. Garages shall be an accessory use to the dwelling unit(s), shall be used only for storage of vehicles and related items, and shall have a maximum height of twenty-five (25) feet.~~
3. Facilities serving commercial uses, such as surface parking, stormwater facilities, and outdoor dining areas, shall be located no closer than twenty (20) feet to the residentially zoned property.

4. New buildings that include ~~residential~~ dwelling unit(s) and that are located within the area beginning at a point twenty (20) feet from the property line of the residentially zoned property (the edge of the setback zone) and extending to a point fifty (50) feet from the property line of the residentially zoned property shall have a maximum height of three (3) stories or forty (40) feet.

l. Parking

Off-street parking shall be provided as required by Article V, section 7. ~~Structured parking located on the ground floor shall be set back a minimum of thirty (30) feet from the front of the building.~~

m. Open Space

Open space shall be provided on the lot on which the ~~residential~~ dwelling units are located and shall be available for use by occupants of the ~~residential dwelling~~ units. The amount of required open space shall be a minimum of five (5) percent and shall not exceed fifteen (15) percent of the land area developed with residential uses and supporting those uses, such as parking areas. The open space shall be provided in accordance with the "Outdoor Amenity Space" standards of article 4, section 4.0.3.G (Form Districts – General Provisions).

n. Density

There shall be no maximum density ~~established~~ for ~~residential~~ dwelling units in the C-3 zoning district. ~~The density shall be determined by the MPC as part of the Use on Review approval.~~

o. Exceptions

~~The Metropolitan Planning Commission shall have authority to grant exceptions from the standards set forth in this section and approve an alternative design when warranted by site characteristics, physical limitations, or other unusual conditions.~~

~~Add the following definition to the Definitions section, Article II~~

~~Through lot – A lot, other than a corner lot, having frontage on two public streets or roads.~~