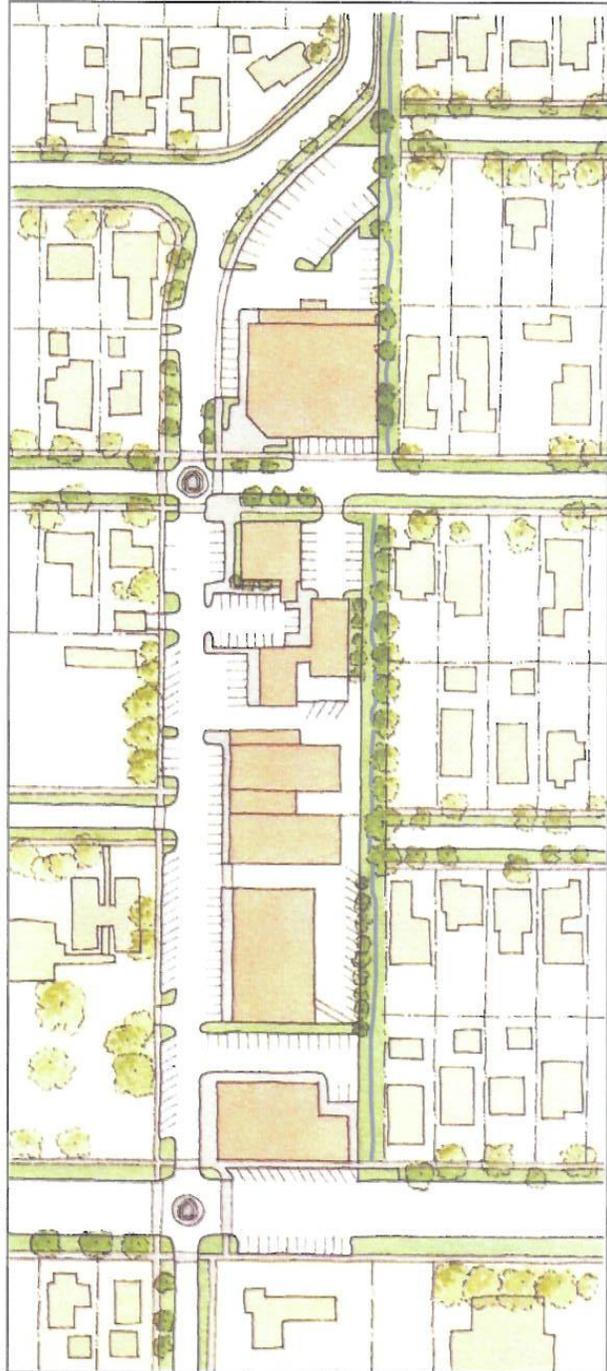


Town Center Ad Hoc Committee Report



January 24, 2011

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INTRODUCTION

The Mayor and City Council appointed this Town Center Ad Hoc Committee (“the Committee”) in February 2010 to consider the issues associated with the status of Town Center. Council recognized the challenges in applying the current commercial provisions of the zoning regulations (Prior Nonconforming Use Exception) to future redevelopment in Town Center, and nearby residents had expressed their concern as well about recent redevelopments. Council solicited volunteers to serve on the ad hoc committee, followed up by personal interviews with each applicant. Council selected the final Committee members from this group. Appointed as liaisons from the city were Chris Peifer, Assistant City Manager and Public Works Director, and Debbie Scarcella, City Planner.

The Committee met on average three times per month over a ten-month period and spent over 500 hours studying this matter. Other than the \$300 cost of two aerial photographs, the Committee incurred no expenses. Other members of our city and community donated time and professional services to the Committee. Their generosity and expertise have been an invaluable contribution to the Committee’s efforts and the Committee would like to thank them for volunteering their time.

The greatest issue facing both the city and the owners of the property in the Town Center Retail District is the reconstruction or redevelopment of improvements under the existing commercial provisions of the zoning regulations. As will be shown, should any of the current improvements suffer damage and the reconstruction not fall under the Prior Nonconforming Use Exception contained in the commercial provisions of the zoning regulations, the owners would be challenged and, in most cases, unable to replace the destroyed improvements. The current requirements (e.g., setbacks, height, and parking) are so restrictive that the 6100 – 6200 block of Edloe, for example, would likely be redeveloped with only half of the leasable space that exists today. Furthermore, the current commercial provisions of the zoning regulations do not include any restrictions addressing the nearby residents should reconstruction occur. For example, there is no language in the regulations regarding buffering any improvements (i.e., noise, light) from the surrounding residential properties.

The Committee studied three potential scenarios that were deemed feasible. They include:

1. Redevelopment or reconstruction of individual tracts under the current commercial provisions of the zoning regulations.
2. Redevelopment or reconstruction of individual tracts under the Committee’s proposed commercial provisions of the zoning regulations.
3. Redevelopment of all individual tracts under a common development plan under the Committee’s proposed regulations.

The Committee was in agreement that all three scenarios should be plausible for the commercial property owners. Overly restrictive commercial provisions to the zoning regulations were viewed as possible deterrents to redevelopment, potentially creating an area of urban blight in the center of West University Place.

Mission Statement from Council

To explore options for creating a mixed-use development envelope and palette for a Town Center Zoning district, thus facilitating the opportunity to encourage appropriate and community redevelopment with relief from traditional zoning requirements, encompassing the analysis and proposal of a Town Center zoning district if appropriate. This exploration will include but not be limited to building height and setback, pedestrian friendly access, parking, buffering and ultimate feasibility.

West University Place Town Center

The West University Place Town Center is defined in the Comprehensive Plan of West University Place, Art 8.01, as the 25 acres consisting of West University Elementary School, the city's Administration Building and related facilities, West University Baptist Church, Harris County Library Branch, West University Methodist Church and the Retail District on Edloe. See Exhibit A of the Appendix.

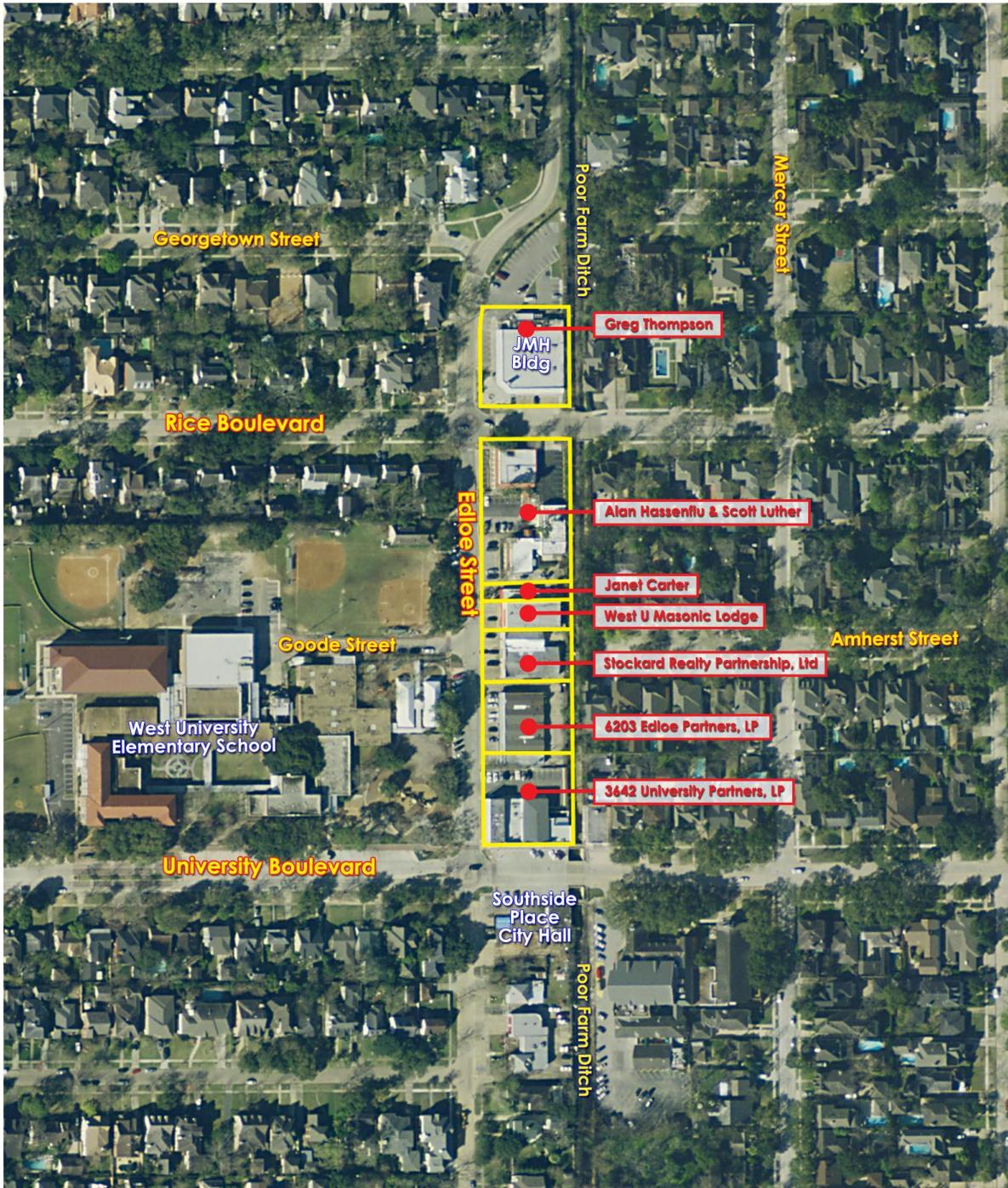
Retail District

The Retail District is defined as the 3.16 acres made up of seven (7) contiguous parcels of land, covering the 6000 – 6200 blocks of Edloe Street. University Boulevard is the southern boundary, Georgetown Street the northern boundary, Poor Farm Ditch the eastern boundary and Edloe Street the western boundary.

Each parcel is owned by a different individual or entity. Other than the Thompson & Hanson property, all parcels have a depth of 155 feet. The widths vary with the widest parcel boasting 454 feet of linear frontage (Thompson & Hanson) and the narrowest with 20 feet of linear frontage (Edloe Café & Catering). All seven (7) parcels are currently improved with a principal structure. With the exception of the Thompson & Hanson Building, which is under redevelopment, all of the buildings in the Retail District are 100% leased and occupied.

The following aerial illustrates the location of the Retail District, the configuration of each property and their owners.

TOWN CENTER RETAIL DISTRICT



Most of the structures are 30 – 60 years old, and have been renovated to accommodate the current tenants. All of the buildings are single story structures except for two. Together the seven structures comprise a total gross leasable area of approximately 56,626 square feet. The total number of on-site parking spaces is 166, equating to a parking ratio of 2.9 parking spaces per 1,000 square feet of gross leasable area. On the west side of Edloe (between Rice and University Boulevards) there are an additional 45 parking spaces and on the north side of University an additional 10 parking spaces. These spaces are shared between the retail, the elementary school and the ball fields. This increases the number of total parking spaces to 221 and the parking ratio to 3.9 spaces per 1,000 square feet of gross leasable area.

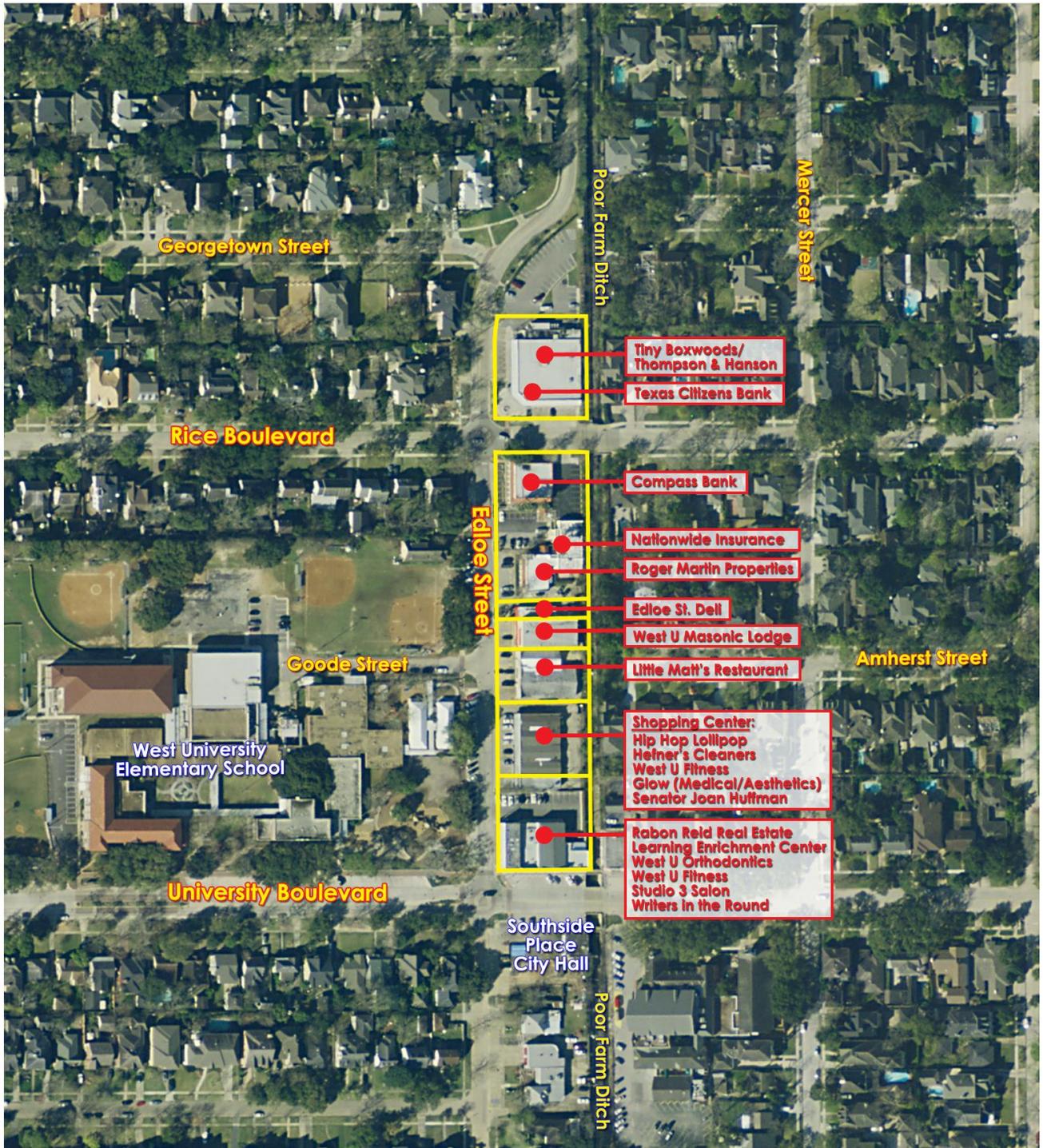
Edloe Retail Block (“Edloe Block”) Defined

Shortly after the formation of this Committee, the building previously occupied by JMH Grocery (located in the 6000 block of Edloe) was purchased by Thompson & Hanson, a local landscape architecture firm. The owner announced plans to redevelop the site and open a restaurant (Tiny’s No. 5), similar to Tiny Boxwoods, their original restaurant at 3614 W. Alabama. The scope of Thompson & Hanson’s redevelopment involves taking a building originally designed for a single user and converting it to a multi-tenant building to house Tiny’s No. 5, Texas Citizens National Bank, a small plant shop and an additional tenant to be determined. Since this project is ongoing, the Committee decided to limit its focus to the 6100 – 6200 blocks of Edloe (between Rice and University Boulevards) in developing the recommendations. To differentiate this section of the Retail District, we will refer to it in this document as the **“Edloe Retail Block,” or simply the “Edloe Block.”**

The Edloe Block is comprised of six (6) tracts totaling 2.19 acres with a total gross leasable area of approximately 45,719 square feet. The total number of parking spaces is 117, (including the 10 spots on the north side of University Blvd.) equating to a parking ratio of 2.6 parking spaces per 1,000 square feet of gross leasable area. Including the spaces along the west side of Edloe and the north side of University mentioned above, the parking ratio increases to 3.5 spaces per 1,000 square feet of gross leasable area. The six (6) buildings currently house approximately 20 different businesses, all locally owned and operated with the exception of one national retail operation, BBVA Compass Bank.

The following illustration is an aerial view of the businesses in the Edloe Block.

TOWN CENTER RETAIL DISTRICT BUSINESSES



Below is a summary of the existing conditions pertaining to property size, the improvements and parking for each property located in the Edloe Block. Note that the parking spaces on the west side of Edloe and north side of University Boulevard are included in this summary.

Summary of the Existing Improvements Edloe Block

Owner	Acres	Sq. Ft.	Improvements	Total Parking	Parking Ratio Per Thousand Square
3642 University Partners, LP	0.44	19,375	14,627	28	1.9:1
6203 Edloe Partnership, LP	0.60	21,313	7,380	24	3.3:1
Stockard Realty Partnership, Ltd.	0.26	13,563	5,815	7	1.2:1
West University Masonic Lodge	0.18	7,750	7,896	6	0.8:1
Janet Carter	0.07	3,100	1,484	0	0.0:1
Alan Hassenflue & Scott Luther	0.83	37,200	8,517	52	6.1:1

CURRENT COMMERCIAL PROVISIONS OF ZONING REGULATIONS:

With the exception of the Town Center, all land in West University Place zoned for commercial use/development is located along the city’s major thoroughfares, on the periphery of the city. ***(Refer to Exhibit B for copy of City Zoning Map)***.

The density of homes, city amenities, churches, West University Place Elementary School and its sports complex make the Town Center an area that is heavily frequented by our residents. This is the most “urban” area within the city, where pedestrian and vehicular traffic can be relatively high. Despite its uniqueness, the Retail District is currently subject to the same provisions of the zoning regulations as all commercial properties on Kirby Drive, Bissonnet Street and Holcombe Boulevard. **However, as mentioned in the Comprehensive Plan, no other commercial/retail area of the city plays such a vital role in the quality of life for the citizens of West University Place.**

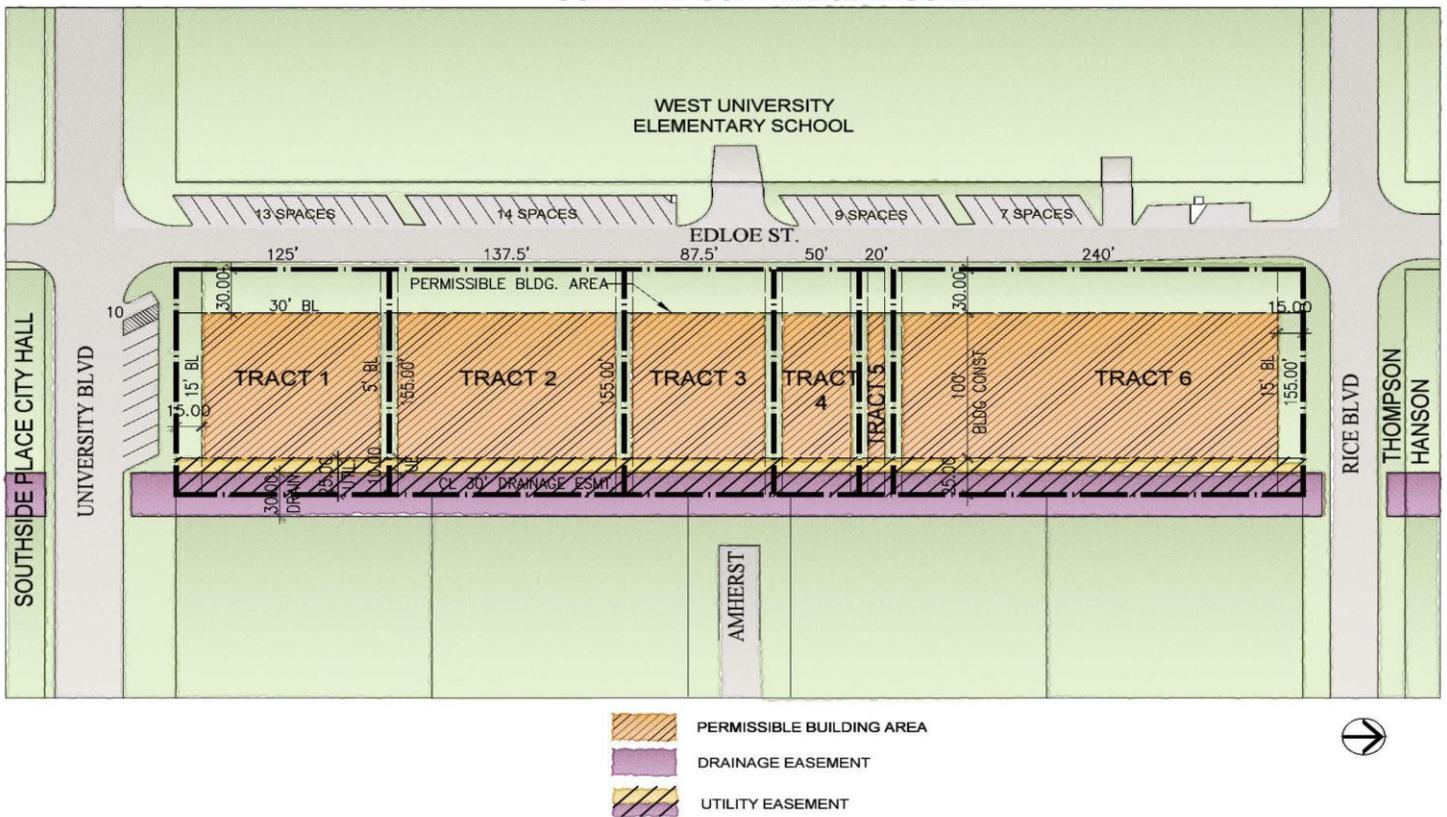
The following list summarizes the commercial provisions under West University Place’s current zoning regulations for all land within the City of West University Place zoned for commercial use/development, including Town Center.

- Setbacks: 30’ front, 5’ side, 15’ street side, and 5’ at the rear
- Building Height: 35’ maximum, but building adjacent to single family is limited in height to the distance from the single family property line.
- Open Area 15% of site
- Pervious area 15% of site

- Parking Requirements: Generally 5 per 1,000 square feet of gross leasable area. However, depending on the classification of use, the range is 4 – 10 parking spaces per 1,000 square feet of gross leasable area. Parking must also be on-site and is limited to surface parking (No parking above or below grade).
- Classification of Use: Light and Medium. Refer to Appendix A of the City Code of Ordinances:
<http://library.municode.com/index.aspx?clientId=14072&stateId=43&stateName=Texas>

The following sketch shows the Edloe Block with the various setbacks and existing easements to so that the reader can visualize the restrictions which are affecting the Edloe Block.

INDIVIDUAL PROPERTY SETBACKS
CURRENT COMMERCIAL CODE



Committee's Approach to Recommendations

Careful consideration was given by the Committee before proposing any changes in the commercial provisions of the zoning regulations with respect to following:

- Compliance with the Comprehensive Plan of West University Place and the betterment of the quality of life for West University Place citizens
- The needs of the Edloe Block property owners and their tenants
- Allowing property owners to redevelop their tracts before obsolescence of improvements or after partial or total destruction of these improvements
- Economic viability
- Compatibility with residents' lifestyles and adequate buffering for the residential properties in proximity to the Edloe Block

In its first meeting, the Committee decided not to fulfill this task in a theoretical vacuum, but to start by verifying the issues facing the current owners of the Edloe Block properties (including Thompson & Hanson). Each owner was invited to appear at a Committee meeting to discuss the advantages and disadvantages they face under the current commercial provisions of the zoning regulations. The owners were also asked about the general terms of their current leases, rental rates, and their plans, if any, to redevelop their property. Each owner was also asked to identify the key issue he or she believed would have the most impact on redevelopment of their tract. Without exception, the parking situation was cited as having the most impact on redevelopment. Two other key themes that came out of the interviews were 1) there is a significant demand for both office and retail space in the Edloe Block, (some owners had a waiting list), and 2) there was no consensus among property owners with respect to any property redevelopment.

Following the completion of the interviews, the Committee met at the Edloe Block and walked the site to further understand the current easements, setbacks and utilities. The on-site visit also provided the Committee the opportunity to confirm the parking availability. The next step was to create a potential plan(s) to use as the model or "envelope" to help the Committee establish its recommendations for amending the commercial provisions of the zoning regulations. This pragmatic approach was taken to ensure that the Committee's recommendations were accurate, realistic, and sensitive to the needs of both commercial and residential property owners.

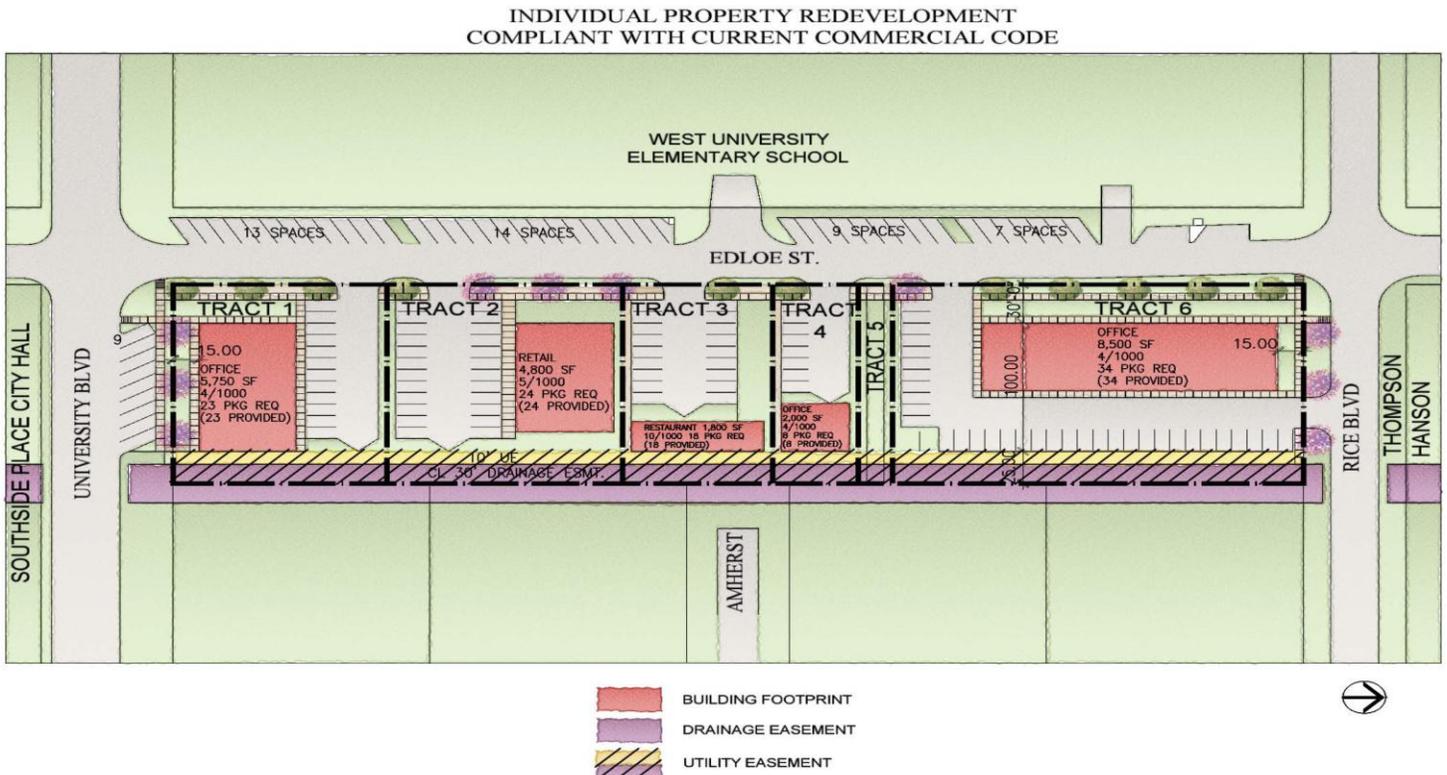
After these parameters were established, the architect on the Committee and another local architect (a resident of West University Place) volunteered their time and services both independently and in a final joint effort to produce various schematics to illustrate the proposed recommendations. Using this information, the Committee collaborated to propose amendments to the current commercial provisions of the zoning regulations as are further outlined in this report.

CHALLENGES FACING RETAIL PROPERTY OWNERS

The Committee identified key issues that have a direct impact on the Edloe Block which are Prior Nonconforming (PNC) status, fragmented ownership, leasehold interests, economic viability, an existing utility easement and the need for buffering to protect the interests of nearby residential property owners. These issues are discussed in greater detail below.

- I) PRIOR NONCONFORMING (PNC) STATUS:** The majority of the existing structures in the Edloe Block predate the current commercial provisions of the zoning regulations enacted in 1987. Any type of redevelopment activity (voluntary or involuntary) would trigger loss of PNC status granted to these sites when the 1987 regulations were enacted. Should a partial destruction occur, the improvements could be rebuilt under the PNC Use Exception, assuming such partial destruction did not exceed the limitations contained in the commercial provisions of the zoning regulations. However, dependence on PNC Use Exception for reconstruction would result in limited redevelopment opportunities. New construction, on the other hand, would require full compliance with the current regulations, which are very restrictive.

As illustrated below the developable square footage for each individual site after applying the restrictions in the current commercial provisions of the zoning regulations (assuming a property owner wished to maintain the current use of their tract, i.e., a building currently used as a restaurant would be rebuilt as a restaurant) is drastically reduced, making it economically challenging for some owners to redevelop their tracts. Failure to redevelop would result in a reduction in the tax base to the city, with the vacant land potentially leading to blight in the Town Center.



- 2) **FRAGMENTED OWNERSHIP:** The six (6) tracts along the Edloe Block are owned separately. After meeting with the property owners, it became apparent that currently there is no consensus among the owners regarding redevelopment. Since some property owners are not supportive of a joint development at this time, it is most likely that the individual owners would redevelop their tracts on their own and at different times. Aesthetically, this type of redevelopment could result in a lack of continuity or common design in the Edloe Block. Financially, the property owners would not experience the same economies of scale with respect to costs and efficiency in meeting the common area requirements (e.g. driveways, dumpsters, grease traps, lighting, or parking) that a joint redevelopment effort would leverage. Property owners would not be the only ones to benefit from such a joint development. With fewer curb cuts, dumpsters, grease traps and additional parking, the City of West University Place would benefit from a cleaner, less congested environment.
- 3) **LEASEHOLD INTERESTS:** The improvements in the Edloe Block are fully leased under varying terms. Some leases contain options to extend the lease beyond the expiration of the primary term. A number of leases will expire in 2015 if not renegotiated. Any redevelopment will have to address the leasehold interests and their right to occupancy. The Committee did not interview any of the tenants.
- 4) **ECONOMIC VIABILITY:** The decision by a commercial property owner to reconstruct any improvements (under a PNC Use Exception) or redevelop under the commercial provisions of the zoning regulations would be predicated upon the economic viability of the project; these investment properties are held for profit. Any recommendations made by the Committee take this into consideration.
- 5) **UTILITY EASEMENT:**
Poor Farm Ditch is part of the Harris County Flood Control District and is the Edloe Block's eastern boundary running north/south and bisecting the city. This 50 year-old, 30 foot wide concrete-lined ditch channels storm water from West University Place into Braes Bayou to the south. The eastern property line of each parcel in the Edloe Block starts from the center of Poor Farm Ditch, and the western property line extends to within 5 feet of the curb along Edloe Street.
- A 25 foot utility easement granted to CenterPoint Energy 40+ years ago starts in the center of the ditch and extends 10 feet beyond the banks of the ditch. This additional 10 foot public easement affects every parcel in the Edloe Block and cannot contain structures of any kind. Judging from the Committee's on-site visit, it appears that most properties in the Edloe Block are not compliant with this easement. With a block depth of only 155 feet, this easement is a major constraint to any future redevelopment, regardless of whether the site maintains its PNC status or not. When taking into consideration the depth of the Edloe Block, the easements, setbacks, sidewalks, and required parking, the actual buildable area on these sites is very tight. **(Refer to "Individual Property Setbacks Current Commercial Code", page 9)**

6) **BUFFERING:**

Under PNC Status, the commercial provisions of the zoning regulations are either very lax, dated or non-existent regarding buffering of improvements from the residential neighborhood. For example, the noise generated from mechanical equipment and an outdoor dining area is disturbing the quiet enjoyment of homeowners in the nearby residences. Given the “urban” character of the land which makes up the Edloe Block, adequate buffering should be addressed in any proposed changes to the commercial provisions of the zoning regulations to ensure that any future redevelopment is compatible with nearby residents. Considerations pertaining to this issue are as follows:

- **Noise:** Though the current zoning regulations address noise levels, the decibel limit is very high compared to other cities’ standards. Tightening the restrictions would ensure that future redevelopment does not result in a nuisance to neighboring residential property owners, especially at certain hours of the day.
- **Odors:** Restaurant vents, garbage dumpsters and grease traps should be contained on the property and not be a nuisance to the surrounding neighbors.
- **Lighting:** Lighting should be shaded or filtered so that lights do not intrude on the neighboring residential property owners.
- **Visual:** Overlook into neighboring residential properties should be avoided.
- **Orientation of Improvements:** The current orientation of improvements does not provide for adequate buffering, pedestrian safety or efficient traffic flow, and is contrary to the spirit of the Comprehensive Plan.

CONCLUSIONS AND RECOMMENDATIONS

The current commercial provisions of the zoning regulations are considered by this Committee to be out-of-date, too restrictive, and present the biggest challenge with respect to 1) preserving the existing improvements in the Edloe Block, 2) allowing the redevelopment of these sites either individually or as one large contiguous Edloe Block development, and 3) preventing a situation where the Edloe Block is reduced to empty lots or vacant structures. As previously noted, should any of the current improvements be destroyed by a catastrophic event, these sites would lose PNC status and new construction would require redevelopment in full compliance with the current regulations. As a result, the economic viability would be in jeopardy, creating an option for owners to abandon their sites. In the event that these tracts were not redeveloped, the city would experience a loss of both ad valorem and sales taxes. Moreover, the West University Place community would suffer the loss of a very popular city amenity.

Sustaining and improving the use, appeal, and economic viability of the Edloe Block is an integral part of the city's Comprehensive Plan. In order for the city to achieve its objectives under the Plan, adopting a revised set of zoning regulations specific to the Edloe Block is advisable to help ensure its useful life and economic longevity. The aforementioned challenges and issues pertaining to redevelopment validate the need to modify and provide relief from current setbacks, height restrictions, parking and pervious area restrictions pertaining specifically to this urban commercial tract.

It is therefore the recommendation of this Committee that the Zoning & Planning Commission and City Council approve the establishment of a new Commercial Zoning designation for the "Town Center Edloe Retail District," amending the current commercial provisions of the zoning regulations which govern this area.

TOWN CENTER RETAIL DISTRICT ZONING DESIGNATION

The Town Center Retail District (or “TCRD”) Designation would create an “envelope” or palette for encouraging the renovation, redevelopment and beautification of the TCRD pursuant to the Comprehensive Plan (Section 8, Article 8.02). The Committee’s proposed amendments take into consideration the following:

- Redevelopment of an individual owner’s property;
- Redevelopment by a joint venture between owners of two or more properties; and
- Redevelopment of the entire Edloe Block under either a single owner or joint venture, with a plan to construct a single mixed-use development.

Though there is a strong probability that redevelopment efforts in the Edloe Block in the near term will progress more individually than jointly, the Committee focused on the long-term. Consideration was given to increased construction and land costs in the future, with the ultimate goal to develop recommendations that would serve the city and community for many years to come.

In addition to the standards outlined in the Comprehensive Plan, key considerations examined by this Committee regarding the creation of this new designation were:

- Compatibility with nearby single family homes, West University Place Elementary, parks, fields, the Scout House, and city government facilities
- Adequate parking for businesses and other Town Center activities
- Promotion of a pedestrian-friendly environment
- Better utilization of this “urban” commercial block – “A place to live, work, and play”
- Economic viability today and 50 years from now
- Redevelopment to become more of an asset/complement to our community
- Improved traffic flow at all hours

The following recommendations should only apply to future development or reconstruction.

Recommendations for Town Center Retail District

A) Use Restrictions:

Recommendation

- Permitted Uses – Retail and Office (business, medical and food service) uses only
- Restricted Uses - Residential use of any kind, bars or nightclubs, entertainment venues, sexually oriented businesses, automotive businesses, car washes, pool halls, gambling establishments or businesses with any gambling equipment (if allowed by state law in the future), surgical use, and emergency clinics

Reasoning:

Retail, office, medical and food service are commercial classifications and represent the types of businesses most compatible with the nearby residential environment. Should a mixed-use development be proposed, it is the opinion of this Committee that the development should be comprised of office over retail versus residential over retail for the following reasons: 1) retail and office uses are within the city's commercial classification, 2) townhomes, condominiums and/or apartments are not a commercial classification and are only permitted on the periphery of the city, and 3) commercial uses would be less intrusive on the neighborhood in terms of noise and light.

The restricted uses reflect the type of business establishments that the Committee deemed either undesirable or incompatible with the TCRD and the overall community. This is not an exhaustive list; the Zoning & Planning Commission should study this matter further.

B) New Development:

Recommendation

- New buildings are to front on Edloe, Rice or University and should be constructed at the building setback lines.
- Structural frames are to be steel or reinforced concrete
- Exterior finishes are to be of the same quality and durability as other structures in the Town Center which include educational, religious and governmental facilities. (Per Buildings and Standards Commission, examples of acceptable materials include brick, natural and cast stone, and glazing systems)

Reasoning:

Reconstruction of the TCRD will frame the eastern edge of the West University Town Center. New structures will have common frontages along Edloe, Rice and University. This orientation and a uniform palette of materials will provide continuity of future development. The building lines would allow a minimum 15 foot roadside zone on each of the three streets to accommodate building access, walkways, furnishings and landscaping. Outdoor seating is encouraged in this sidewalk and clear zone on the opposite side of the site from the adjacent residences.

C) Building Setbacks:

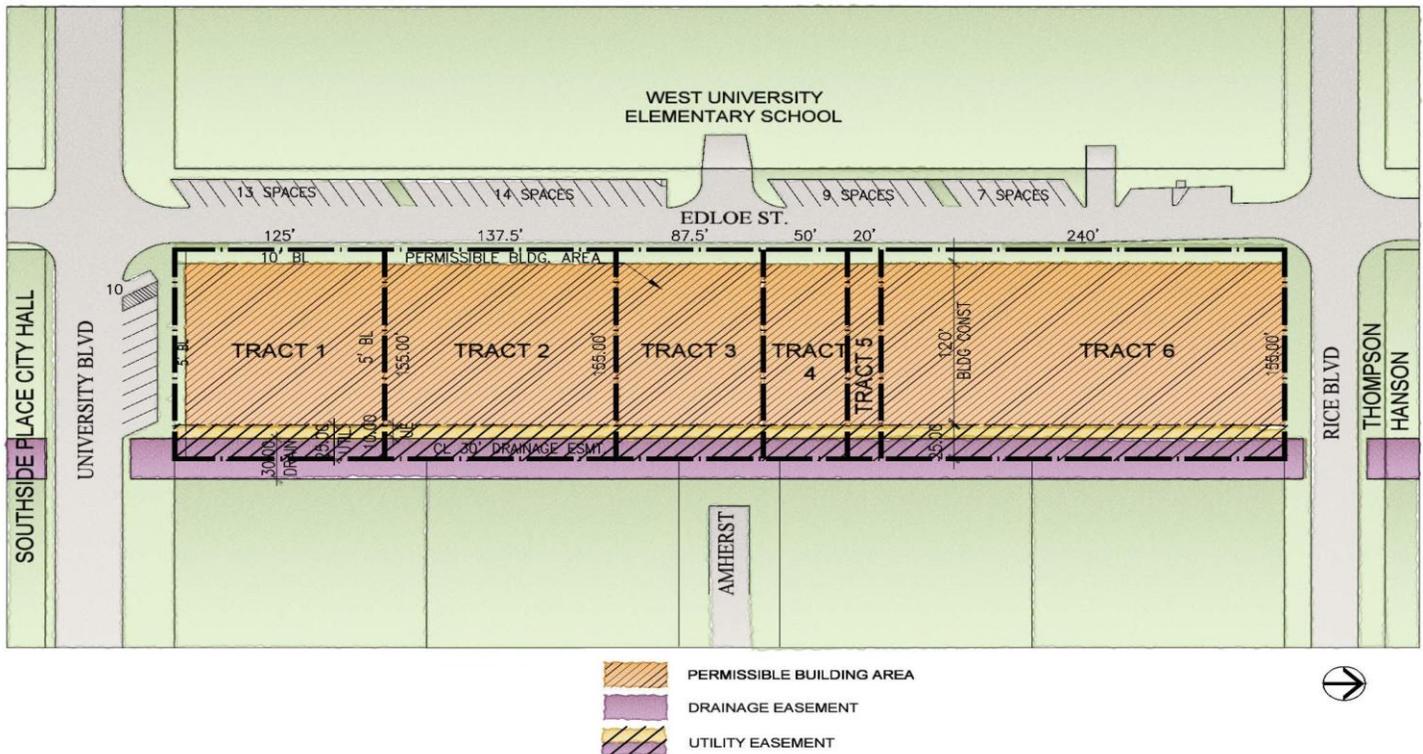
Recommendation

- Edloe Street – 10 feet from property line
- Rice Boulevard – 0 feet (Façade 16’ from property line to curb)
- University Boulevard - 5 feet from property line (31 feet from property line to curb)
- Poor Farm Ditch – 25 feet from property line (20 feet if easement reduced)
- Interior tracts – 0 feet/Common Walls permitted.

Reasoning:

- With the block depth of only 155 feet in the Edloe Block (including a 10 foot utility easement), the buildable area is very tight by industry standards. Maximizing the total buildable area is imperative for economic viability.
- If a redevelopment plan for the entire block were considered, a developer might seek a reduction of the utility easement by 5 feet (or half), for example. The support of the city would be needed to obtain this reduction from the utility company. The Committee researched this issue and identified the recent expansion of The River Oaks Shopping Center (Weingarten Realty, Inc.) as a recent project where a local developer was successful in negotiating a reduction in a utility easement under almost identical conditions.

INDIVIDUAL PROPERTY SETBACKS
PROPOSED COMMERCIAL CODE



D) Height Restrictions

Recommendation:

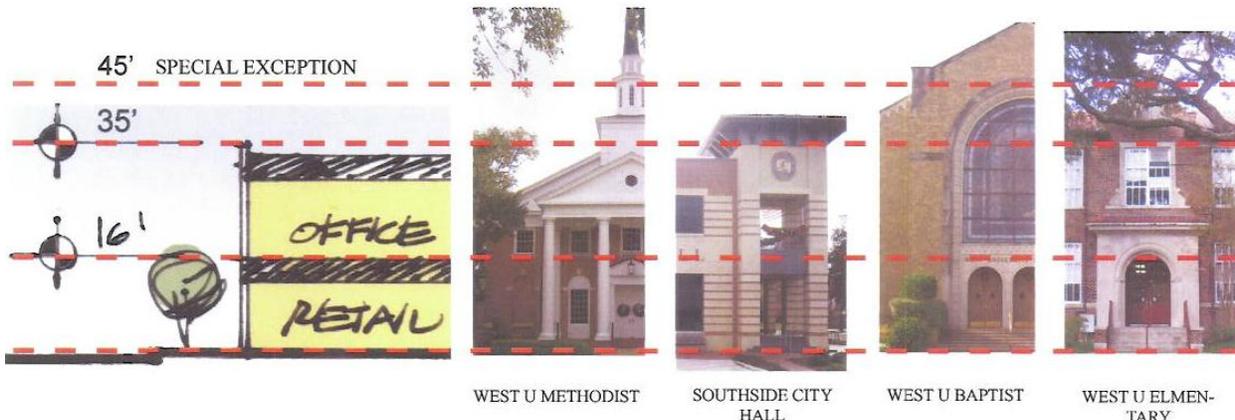
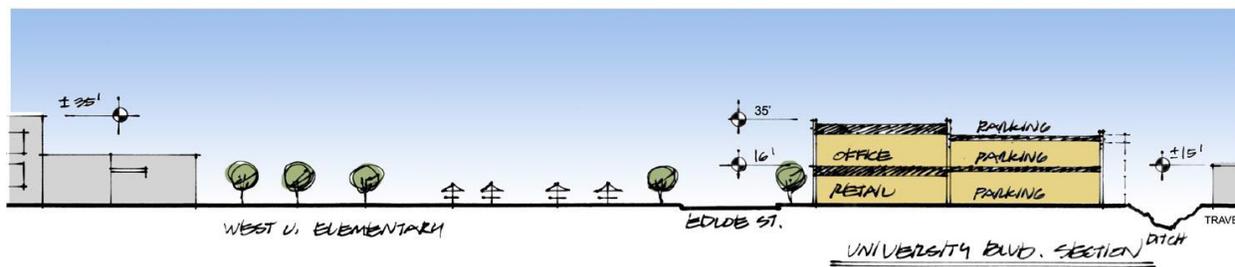
- 35 foot maximum building height, consistent with current zoning regulations
- The Zoning and Planning Commission should consider a special exemption provision to provide an option for a unified development provided certain conditions are met. At that time, consideration should be given to a maximum building height of 42 feet for the building roof for the westernmost 60 feet along Edloe Street, with an allowance of up to 3 feet above roof line for any type of architectural screen. Improvements to be limited to 3 floors.

Reasoning:

Without provisions for adequate density, it would be difficult for an owner in the Edloe Block to replace existing improvements at current costs and be in compliance with the current commercial provisions of the zoning regulations and the building codes. These costs have grown significantly in the 24 years since the current regulations were enacted in 1987. In the future, to achieve an increase in density, it may be necessary to provide an option for a three story structure. The maximum building height of 42 feet was derived by taking current building practices in retail, office and mixed-use development and applying them to the building envelope for redevelopment in the Edloe Block. Additionally, to provide for screening of any roof-top mechanical equipment from the eye of the public, an allowance of 3 feet for any type of architectural screen is suggested. This would increase the total building height to 45 feet. It is highly unlikely that any single owner could economically develop their property to this height. However, a common or joint development of a significant portion of the Edloe Block might entertain this option, developing a property that would provide even more services for our community, consistent with the Comprehensive Plan.

Under the current commercial provisions of the zoning regulations, the maximum height for a single family home or commercial building is 35 feet. Therefore, the Committee recommends that structures erected along the rear of every site (eastern most 70 feet of buildable area), closest to the homes which abut Poor Farm Ditch, should not be greater than the maximum height of a single family home.

Restricting the Edloe Block to a maximum height of 35 feet in perpetuity would limit redevelopment to a maximum of two stories, which may not be economically viable in the future. It should be noted that this would not be the first structure in West University Place to exceed the maximum building height under current zoning regulations. The recent addition to the West University Place Elementary School currently stands at 42.7 feet. Additionally, a number of churches exceed the current 35 feet restriction.



E) Parking Requirements:

Recommendation

- Minimum Parking Ratio of 2 per 1,000 square feet of gross leasable area (GLA), regardless of use.
- Parking may be surface or structured parking above grade. Structured parking below grade shall not be permitted.
- Structured Parking Regulations:
 - 35 feet - Maximum height of the structure;
 - No speed bumps (which create noise);
 - Open ventilation (avoids forced ventilation, which also contributes to noise);
 - All floors should be illuminated during evening hours of operation. Lighting on the top floor to be designed to avoid light pollution in surrounding residential properties; and
 - Exterior materials should be chosen from materials approved by the Building and Standards Commission. See Section B, “New Development” for examples of acceptable materials.

Reasoning:

This subject matter was discussed by the Committee at nausea. The recommended parking ratio is absolutely the only practical and feasible solution that allows for the property owners in the TCRD to redevelop their properties with the same building area that exists today without requiring property owners to take on the costs of structured parking. Given the urban

characteristic of the TCRD, it is the opinion of the Committee that traditional parking ratios (number of required parking space per thousand square feet of gross leasable area) not be followed. The rationale here is not to let the types of business dictate the number of parking spaces required (which would increase the number of parking spaces and vehicular traffic), but to both allow the number of parking spaces to dictate the types of businesses in the Edloe Block and to encourage residents to walk to the TCRD. Despite the fact that the demand on parking can be strong in the TCRD due to the businesses, school and city amenities located in Town Center, peak periods of demand are staggered throughout the day and school week. Therefore, the Committee anticipates that neither congestion nor overflow parking in neighboring streets would be problematic. The attached Parking Study (Exhibit C) for the parking space usage estimates further supports the Committee's reduced parking recommendations. Allowing structured parking in the Edloe Block may be the only opportunity that the City of West University Place may ever have to add parking spaces in Town Center. As previously noted, with the close proximity of the elementary school, ball fields, churches, city offices and Scout House to the TCRD, demand on parking can be extraneous at certain times of the day. No sites exist in Town Center that could alleviate this demand except for the property that makes up the Edloe Block.

The Committee feels that making allowances for such structures promotes smart development and bodes well for the future of Town Center. It should be further noted that today's structured parking lots are constructed using attractive materials that result in softer, more attractive structures that conceal cars and either blend in easier with its surroundings and/or be camouflaged from the eye of the public.

F) Ingress and Egress:

Recommendation

Curb cuts should continue to be permitted on Rice and Edloe and should be allowed on University to help promote optimal traffic flow as well as ease of ingress/egress into these properties. Furthermore, these curb cuts allow for the buildings on these sites to be oriented to Edloe, hence allowing for the TCRD to be more pedestrian friendly and safer for citizens traversing from one end of the TCRD to the other. This matter is addressed further in Exhibit C.

G) Buffering Requirements:

Recommendation:

- **Noise** – Current 24-hour limit of 70 decibels should be reduced. As an example, note the decibel standards established below:

City	Daytime	Nighttime (10 pm – 7 am)
Houston	65 dB	58 dB
Austin	55 dB	45 dB

Some cities have introduced a third tier for 7:00 pm –10:00 pm as well.

Outdoor Seating should be located to the street side of the development and, if located on Rice or University, be shielded from the surrounding residential neighborhood by a sound and light wall to buffer the noise. All mechanical equipment should also be located on top of or immediately behind any principal building and be shielded from surrounding residential neighborhood by a barrier.

- **Odors** - Grease traps to be located along Edloe Street. Owners should be required to house all dumpsters inside a trash enclosure comprised of four walls and a top.
- **Light** - Lighting should be properly screened so that it does not project into the surrounding residential neighborhood.
- **Visual Buffering Zone** - Along the east side of each of the properties in the Edloe Block there should be a landscaped buffering zone, which may be included in the overall calculation of the pervious area mentioned below. The buffering zone should be landscaped with both trees and other durable, desirable vegetation. The primary purpose of this zone would be to minimize the transfer of light and noise from the rear portion of the commercial buildings to the nearby residential properties.

Reasoning:

The development should be buffered from the surrounding residential neighborhood to lessen the intrusion of the improvements and its users into these properties. Currently, the greatest issues with the businesses located in the TCRD are the undesired noise, odors and light.

H) Open Area/Pervious Area:

Recommendation

- 10% Pervious area which may include the landscape area, tree planters, “green” roofs and any pavers utilized in the parking area.

I) Possible Governmental Participation

Consistent with the city’s Comprehensive Plan, parking, streetscaping/landscaping, and the right-sizing and relocation of utilities were identified as areas where the city has an opportunity to encourage as well as set an aesthetic standard for the acceptable redevelopment of a key area of the Town Center. Most notably, the entire area suffers from an acute shortage of usable vehicular parking, which was confirmed by the commercial property owners interviewed.

The Committee consulted with Weingarten Realty, who recently completed a parking structure for a local two story retail development. From that conversation it was agreed that a cost of \$15,000 - \$18,000 per parking space would be a realistic assumption. It is unlikely that a developer of either a portion of, or the entire Edloe Block could afford the cost of such a parking structure.

In other local developments, municipalities have subsidized the cost of parking structures through various financial strategies. In light of this, it may be advisable for the City of West University Place to consider options in the event that a unified development becomes a reality, especially as the city's debt service related to infrastructure declines over time. By being prepared for such an eventuality, the city would be poised to encourage redevelopment of this area, making it attractive to a tenant mix consistent with the Comprehensive Plan, realizing the city's goal for a Town Center that enhances the quality of life for the residents of West University Place.

ILLUSTRATIONS OF RECOMMENDATIONS

The following site plans and building elevation renderings assist in visualizing the impact of our recommendations and illustrate a potential design for redevelopment from a common perspective and scale. In addition, we have included a summary of the current and proposed GLA, per tract, for each property owner in the TCRD. The full description of each is detailed below:

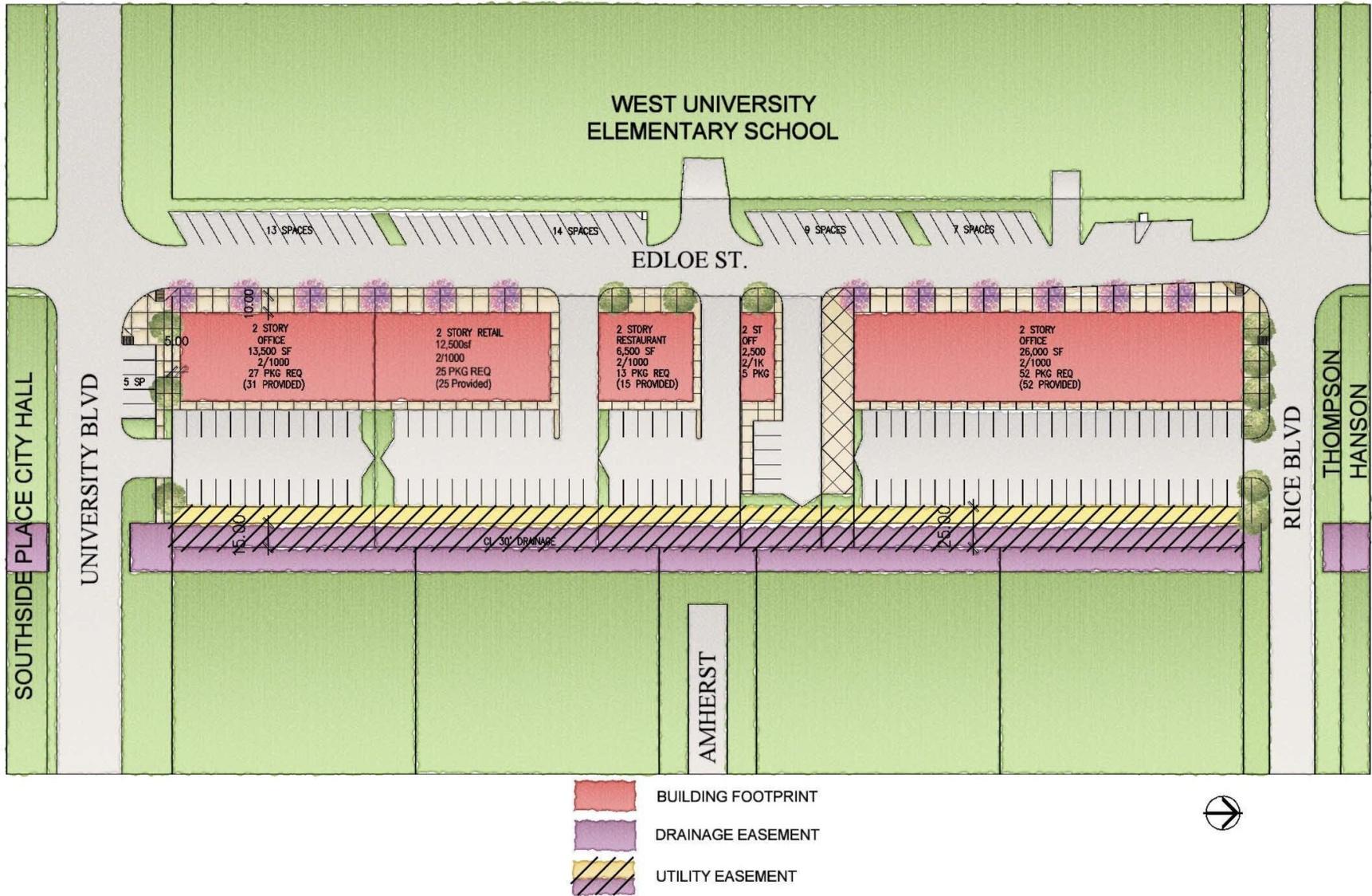
Individual Property Redevelopment Compliant with Proposed Commercial Code

- Site Plan
- Building Elevation
- Building Elevation of Before vs. After
- Chart – Summary illustrating the impact of the Current and Proposed Commercial Code on TCRD

Overall Block Redevelopment Compliant with Proposed Commercial Code

- Site Plan
- Building Elevation
- Building Elevation Before vs. After

INDIVIDUAL PROPERTY REDEVELOPMENT
 COMPLIANT WITH PROPOSED COMMERCIAL CODE





INDIVIDUAL PROPERTY REDEVELOPMENT COMPLIANT
WITH PROPOSED COMMERCIAL CODE



BEFORE



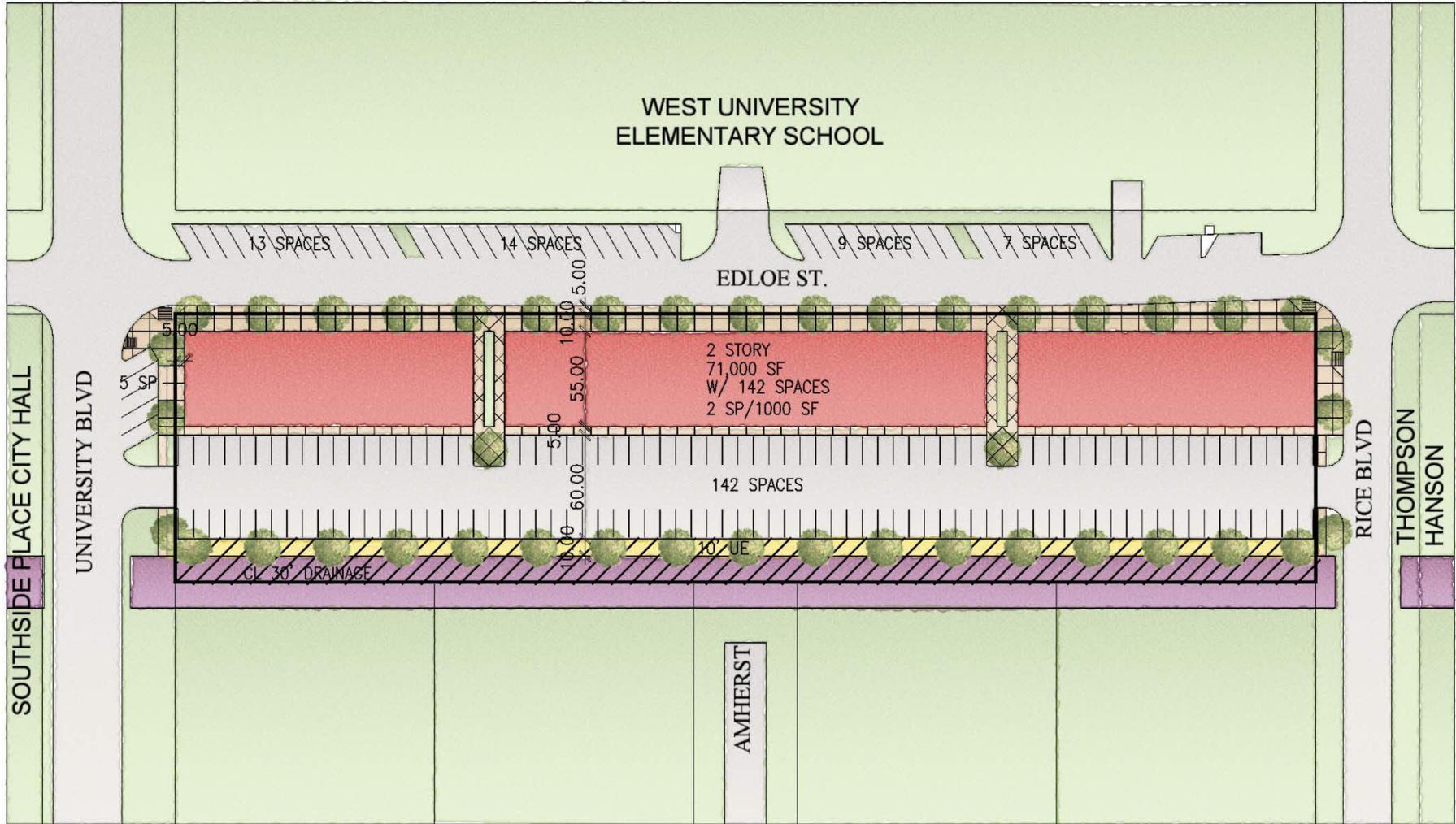
INDIVIDUAL PROPERTY REDEVELOPMENT COMPLIANT
WITH PROPOSED COMMERCIAL CODE

AFTER

Hermes Architects

Property Owners	Land S.F.	Current Developed S.F.	Current Rules Reconstructable S.F.	Change In S.F.	% Change	Proposed Rules Reconstructable SF	Change In S.F.	% Change
3642 University Partners, LP	19,375	14,627	5,750	(8,877)	-60.7%	13,500	(1,127)	-7.70%
6203 Edloe Partnership, LP	21,313	7,380	4,800	(2,580)	-35.0%	12,500	5,120	69.38%
Stockard Realty Partnership, Ltd.	13,563	5,815	1,800	(4,015)	-69.0%	6,500	685	11.78%
West University Masonic Lodge	7,750	7,896	2,000	(5,896)	-74.7%	2,500	(5,396)	-68.34%
Janet Carter	3,100	1,484	-	(7,484)	-100.0%	-	(1,484)	-100.00%
Alan Hassenflue & Scott Luther	37,200	8,517	8,500	(17)	-.2%	26,000	17,483	205.27%
Totals	102,301	45,719	22,850	(22,869)	50.0%	61,000	15,281	33.42%

OVERALL BLOCK REDEVELOPMENT
 COMPLIANT WITH PROPOSED COMMERCIAL CODE



- BUILDING FOOTPRINT
- DRAINAGE EASEMENT
- UTILITY EASEMENT





OVERALL BLOCK REDEVELOPMENT COMPLIANT WITH
PROPOSED COMMERCIAL CODE



BEFORE



AFTER

OVERALL BLOCK REDEVELOPMENT COMPLIANT WITH
PROPOSED COMMERCIAL CODE

Hermes Architects

CONCLUDING REMARKS

After concluding its investigation of the issues facing the Retail District, it is the unanimous opinion of this Committee that City Council along with the Zoning and Planning Commission should initiate the required actions to begin the process of codifying the various recommendations made in this Report. Understanding that the public process of modifying ordinances is long and involved, with a great deal of input from the citizens of West University Place, the Committee anticipates that adopting some of these recommendations will take many months.

Given the unique character of the area, the age of the buildings in the Retail District, and its importance to the quality of life for the residents of West University Place, the Committee believes that the time to act is now, and strongly encourages Council and the Zoning and Planning Commission to move forward in ensuring that the City of West University Place meets and exceeds the objectives stated in the Comprehensive Plan.

This Committee wishes to thank City Council for the opportunity to provide this Council, the Zoning and Planning Commission, and the residents of the City of West University Place with our review and recommendations. It has been an exhaustive yet rewarding exercise and this Committee, to a person, feels honored to have been of service to our community.

Town Center Ad Hoc Committee Participants:

The Town Center Ad Hoc Committee is made up of eleven (11) members, including nine (9) residents of West University Place and two (2) city employees. The committee volunteers were selected by Mayor Bob Kelly, City Council Members George Boehme, Bob Fry, Chuck Guffey, Steven Segal, and Committee Chair Bruce Frankel. The committee members were selected primarily on their area of expertise and experience applicable to the task at hand. Two of the four homeowners who own homes directly behind the Edloe Block volunteered for a seat on the committee and were chosen to serve (*).

Committee Members:

City Residents

Bruce W. Frankel (Chair) – Retail Developer/Broker (Principal)
Connie Clark – Retired Traffic Engineer/Harris County
*Albert Kelso – Retired Businessman and Real Estate Attorney
Josh Marcell – Real Estate Transaction Advisor/UGL Equis
Larkin Matthews – Home Builder (Principal)
Mike McEnany – Retired Architect
*Lynn Nesbitt – Manager at AIG
Joe Priske – Developer (Principal)
John Tsertos – Construction/Development Company (Principal)

City Staff Liaisons

Chris Peifer – West University Place/Public Works Director
Debbie Scarcella – West University Place/City Planner

Contributing Parties:

Marc Boucher – Hermes Architects, Inc. (Partner/West U Resident)
James D. Hill – Civic Design Associates (Principal)
Burdette Huffman – Weingarten Realty, Inc. (Director of New Development)
Reid C. Wilson – Wilson, Cribbs & Goren, P.C. (Partner/West U Resident)

Property Owners Interviewed:

Jim Reid/Michael Freedman (Gray Building) – 3642 University Boulevard
Jim Reid (Strip Center) – 6207 Edloe Street
Chip Stockard - Stockard Family Trust (Little Matt's) – 6203 Edloe Street
Chris Black (Masonic Lodge) – 6125 Edloe Street
Janet Carter (Edloe St. Café & Catering) - 6119 Edloe Street
Scot Luther/Alan Hassenflu (BBVA Compass Bank) – 6115 Edloe Street
Gregg Thompson (Tiny's No. 5) - 3636 Rice Boulevard

Town Center Ad Hoc Committee Report

Exhibits

Comprehensive Plan (Pertinent Portion).....	A
West University Place Zoning Map.....	B
Parking Usage Study.....	C
Individual Property Setbacks - Current Commercial Code.....	D
Individual Property Setbacks – Proposed Commercial Code.....	E
Individual Property Redevelopment – Compliance with Current Commercial Code.....	F
Height Comparison of Local Structures.....	G

EXHIBIT "A"

CODE OF ORDINANCES

APPENDIX D-COMPREHENSIVE PLAN

ARTICLE VIII-TOWN CENTER

Section 8.01. - General.

(a)

Approximately a 25-acre area which includes West University Elementary, the City's administration building and related facilities, West University Baptist Church, Harris County Library Branch, West University Methodist Church and the retail area on Edloe constitute the Town Center. Most interaction between citizens occurs in this area through municipal functions, educational activities, shopping, religious activities/programs and youth sports. Much of the small town atmosphere so prized by citizens of the City derives from the interactions in the Town Center. The Town Center is a mixed use area, containing government, education, religious, recreation and retail uses. The Town Center and its existing uses should be preserved and enhanced. Expansion should be allowed only where appropriate so as to preserve a positive impact on the residential area, based upon an individual consideration of the particular expansion.

Section 8.02. - Town Center Retail District.

(a)

The economic viability of the Town Center Retail District on Edloe should be preserved to benefit City residents. The land in this area should be restricted to compatible commercial and other uses and should be consistent with close proximity to single-family residential neighborhoods. These areas must be buffered, screened, and regulated as to parking, height and density so as to minimize any detrimental effects. Renovation, redevelopment and beautification of the area should be encouraged. Techniques to encourage and support redevelopment should be explored. Input from the business owners and operators is needed in developing new regulations.

(b)

The City should make necessary capital improvements to support and upgrade the Town Center Retail District with specific emphasis on sidewalks, bicycle lanes, pedestrian crosswalks, lighting, signs and parking.

EXHIBIT “C”

Parking Usage Study

To understand the effect of the Committee’s proposed parking ratio of 2.0 parking spaces per 1,000 square foot of gross leasable area, the Committee requested the traffic engineer on the committee prepare an informal review of parking usage for various uses that most likely will occupy space in the Edloe Block. The Committee felt that this report was needed to better appreciate the unique parking demand characteristics that may apply to Town Center and that a reduced minimum parking requirement is sufficient for the TCRD. This is summarized in the attached table which estimates the parking usage by hour by property.

The table was prepared based on the site plan for the Edloe Block entitled “Individual Property Redevelopment Compliant with Proposed Commercial Code” which can be found on page 9. The calculation was made with the best known available parking data collected and summarized by time of day. For each property, the estimated average was drawn from the *ITE Parking Generation* urban environment tables which include the variables of parking demand affected by alternative modes of travel including transit, walking and bicycling.

The total number of parking spaces noted in the table (128) does not include the 45 spaces along Edloe Street. However, when combining the on-street parking spaces to the on-site parking spaces, the total number of parking spaces in the Edloe Block increases to 173. According to the data, the period from 11:00am – 1:00pm daily has the heaviest demand on parking with 153 spaces being used. Hence, the 173 parking spaces provided should be more than adequate to meet the demand during this period.

As noted in the body of this report the current improvements on the Edloe Block comprised of approximately 45,719 square feet has a parking ratio of 2.6 on-site parking spaces per 1,000 square feet of leasable area. However, an examination of the “Summary of Existing Improvements Edloe Block” table on page 6 reveals that the total 117 parking spaces are inefficiently allocated, such that several of the properties provide less than 1 parking space per 1,000 square feet of leasable area, while others provide up to 6 spaces per 1,000 square feet of leasable area. For instance, presently customers are forced to use on-street parking and/or the closest business’ unused parking during the busy lunch hour.

Shared Parking

To improve the opportunity for shared parking, the Committee’s Proposed Commercial Code promotes parking to be organized to the rear of each property. With access from University Boulevard and Rice Boulevard a more efficient and equitable organization of parking can be achieved. Furthermore, adjoining businesses could be encouraged to enter into a reciprocal parking easement agreement (REA) with each other in order to improve traffic flow as well as increase the number of parking spaces by utilizing the boundary space between lots.

Driveways and University Boulevard Curb Cut

To enhance safety for pedestrians, reduce pedestrian and vehicle conflict, and to improve traffic flow and egress/ ingress in the TCRD, the number of driveways onto Edloe Street should be minimized. The curb cut on Rice Boulevard should be retained and a curb cut on University Boulevard should be allowed to further promote a better flow of traffic and eliminate some congestion on Edloe Street. Allowing an additional curb cut on University Boulevard is a practical and necessary aspect of the design for enhancing the efficiency and organization of a TCRD parking lot, and promotes safety for pedestrians. Moving all of the on-site parking to the back of a new TCRD development creates a more organized and efficient parking lot with the parking maneuvers separated from pedestrians. This follows the current trend for “Main Street” and/or “Mixed-Use” developments, creating a more comfortable and pedestrian friendly environment. A more attractive streetscape is also achieved. On-street parking on the east side of Edloe Street was removed to make allowances for additional sidewalk space with uniform building set-backs to accommodate a higher level of pedestrian and outdoor dining activity.

A proper determination of the driveway specifications and flow characteristics can be resolved by City staff with a traffic impact analysis for the redevelopment during the permitting process when redevelopment occurs. For instance, a right-in/right-out only movement, from a new driveway on University Boulevard, may be necessary.

Calculated On-Site Parking Ratios

Current Parking Code requires between 4 – 14 spaces per 1000 square feet of leasable area, which is determined by use classification.

Currently, on-site parking for the businesses in the Edloe Block (totaling 45,719 square feet) vary from less than 1 space per 1000 square feet of leasable area to 6 spaces per 1000 square feet of leasable area, which equates to an average of 2.6 spaces per 1000 square feet of leasable area.

The Committee’s Proposed Commercial Code for the redevelopment of the Edloe Block (totaling 61,000sf) allows for a parking ratio of 2.0 spaces per 1000 square feet of leasable area regardless of the use classification.

Conclusion

Given that urban characteristics of the Edloe Block/TCRD, traditional parking requirements should not be followed.

In evaluating the parking demand for a redevelopment of Edloe Block, it is apparent that the total land available does not support redevelopment with the City’s current (or “typical”) commercial parking requirement. Furthermore, such a “typical” commercial parking requirement is not sensitive to the context of the site. The small commercial area of the Edloe

Block centrally nestled within a residential community demands a unique approach. Revising the parking requirements is one of the strategies that should be considered to encourage a more compact form of development, and to balance parking demand with the residential feel of the community. This report is a beginning point for traffic analysis for an Edloe Block redevelopment, but the results can be used to support moving away from minimum parking requirements for a specific use that require abundant levels of parking, not feasible for the Edloe Block.

(The Estimated Parking Usage Table can be found on the following page).

Analysis prepared by Connie E. Clark

**Estimated Weekday Parking Usage based on Scenario of
Individual Property Redevelopment
Compliant with Proposed Commercial Code**

Weekday	Tract 1, 2-Story office bldg, urban	Tract 2, Apparel Store	Tract 3, High- Turnover Family Restaurant	Tract 4, Medical- Dental Office Bldg	Tract 6*, Sit-Down Restaurant, Shared Parking with Office Bldg	Tract 6*, Walk-In Bank/Office	Tract 6*, 2-Story Office Bldg, urban	Parking Demand Totals
Gross Leaseable Area	13,500	12,500	6,500	2,500	4,000	4,000	18,000	61,000 sf
Pkg spaces provided	31	25	15	5			52	128
								# of parked cars/hour
12-4 am	0	0	0	0	0	0	0	0
5:00 AM	0	0	0	0	0	0	0	0
6:00 AM	0	0	10	0	3	0	0	13
7:00 AM	0	0	17	1	5	0	0	24
8:00 AM	6	0	22	4	7	0	0	40
9:00 AM	22	0	30	7	9	5	29	103
10:00 AM	29	0	34	9	10	8	39	128
11:00 AM	31	10	41	9	13	7	41	153
12:00 PM	31	0	41	8	13	8	41	142
1:00 PM	30	12	41	7	13	8	41	152
2:00 PM	31	12	21	8	6	9	41	129
3:00 PM	32	14	17	8	5	8	43	127
4:00 PM	32	9	17	8	5	8	43	122
5:00 PM	30	9	33	6	10	0	40	128
6:00 PM	30	7	34	0	10	0	40	120
7:00 PM	20	8	26	0	8	0	27	89
8:00 PM	0	7	26	0	8	0	0	41
9:00 PM	0	0	25	0	8	0	0	32
10:00 PM	0	0	19	0	6	0	0	25
11:00 PM	0	0	17	0	5	0	0	23
Average Peak Hour Demand per 1000 sf	2.4	1.13	6.37	3.53	3.13	2.3	2.4	21.26

Note: Average statistical data derived from the 3rd Edition, Parking Generation, 2004. ITE Publication No. IR-034B.

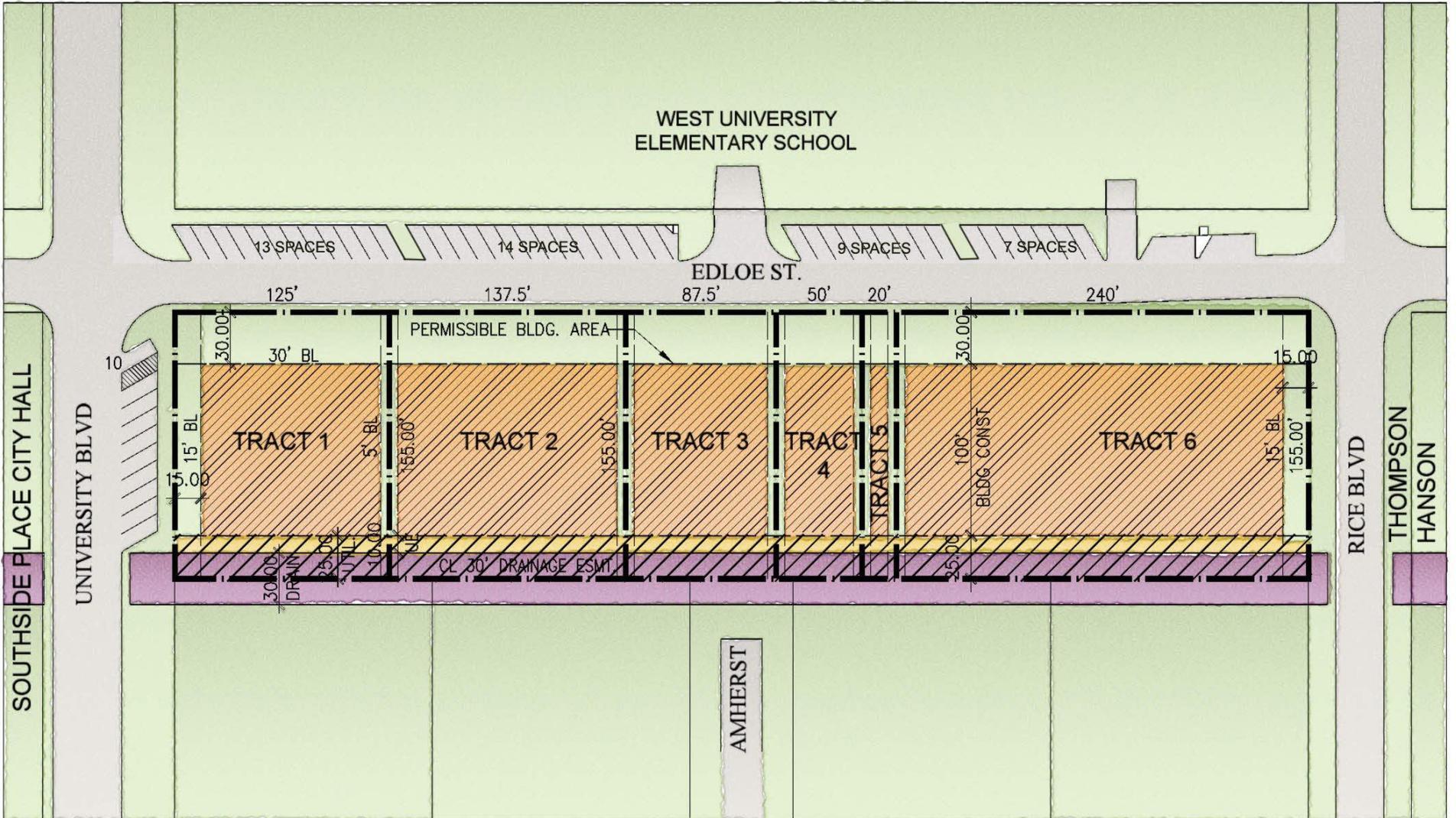
**Space in the 26,000 sf office building on Tract 6 in the Individual Property Redevelopment exhibit was allocated as follows: 18,000 sf for office space, 4,000 sf for restaurant space, and 4,000 sf for a walk-in bank.*

EXHIBIT “D”

Individual Property Setbacks - Current Commercial Code

[See attached]

INDIVIDUAL PROPERTY SETBACKS CURRENT COMMERCIAL CODE



- PERMISSIBLE BUILDING AREA
- DRAINAGE EASEMENT
- UTILITY EASEMENT

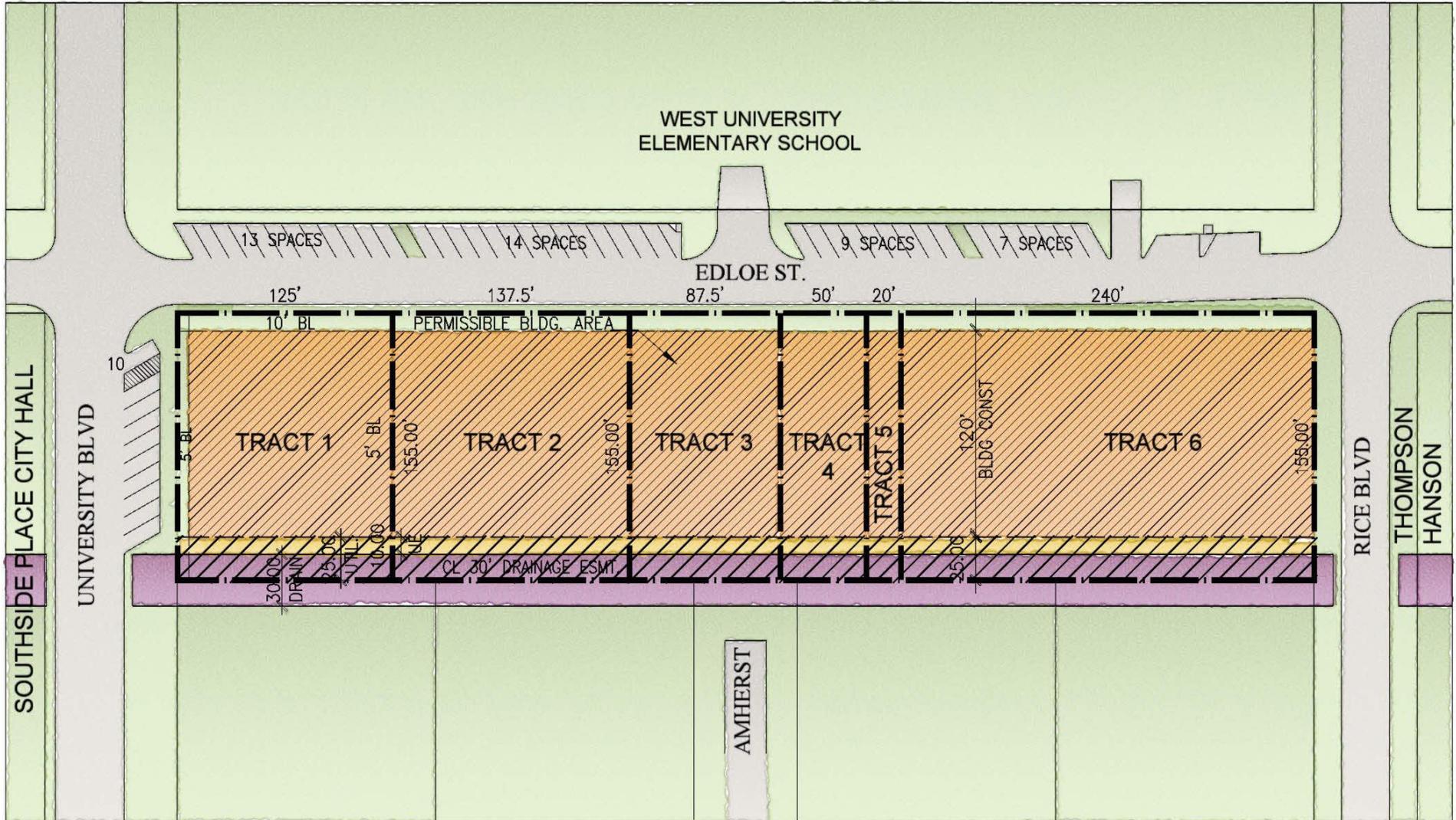


EXHIBIT “E”

Individual Property Setbacks – Proposed Commercial Code

[See attached]

INDIVIDUAL PROPERTY SETBACKS PROPOSED COMMERCIAL CODE



- PERMISSIBLE BUILDING AREA
- DRAINAGE EASEMENT
- UTILITY EASEMENT

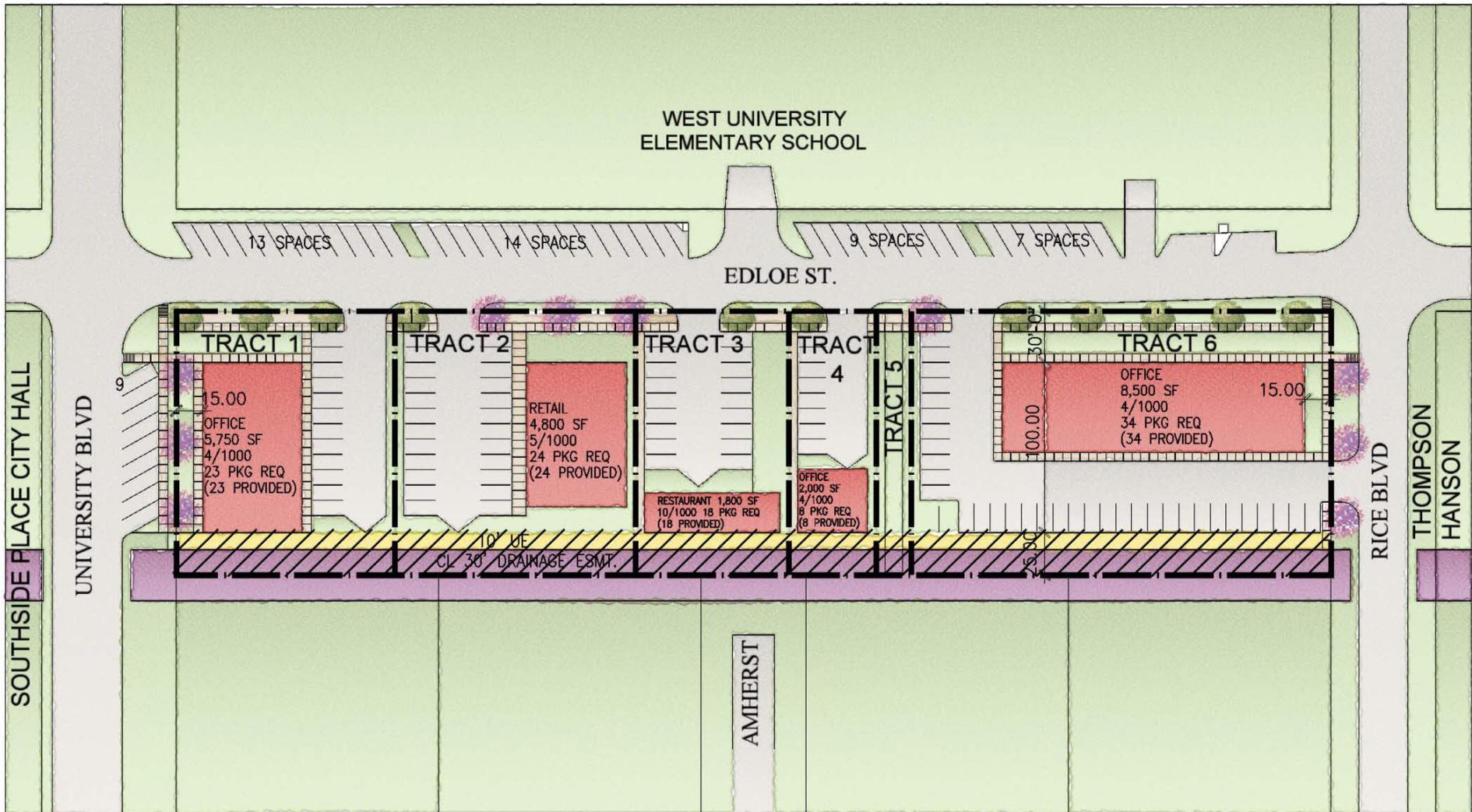


EXHIBIT "F"

**Individual Property Redevelopment
Compliant with Current Commercial Code**

[See attached]

INDIVIDUAL PROPERTY REDEVELOPMENT
COMPLIANT WITH CURRENT COMMERCIAL CODE



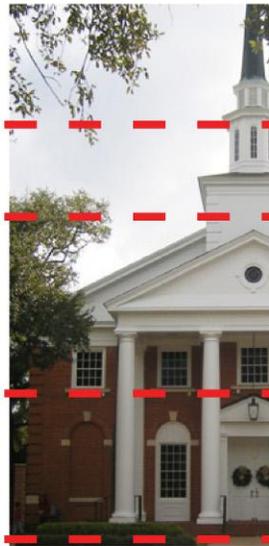
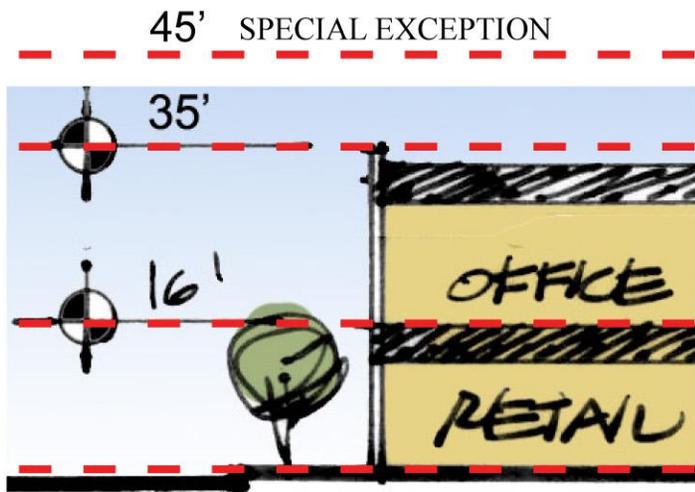
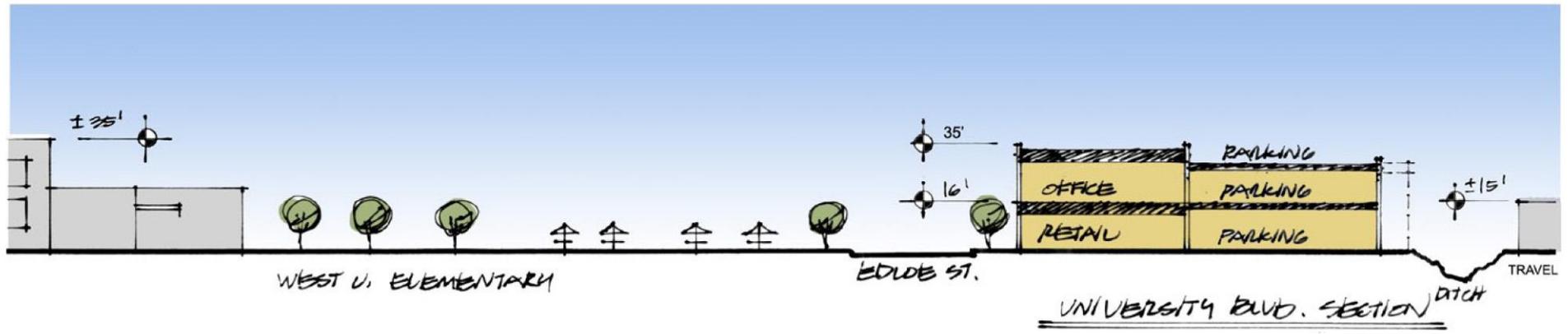
-  BUILDING FOOTPRINT
-  DRAINAGE EASEMENT
-  UTILITY EASEMENT



EXHIBIT "G"

Height Comparison of Local Structures

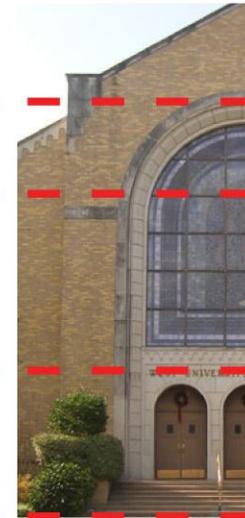
[See attached]



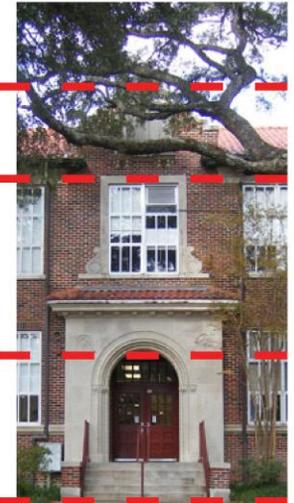
WEST U METHODIST



SOUTHSIDE CITY HALL



WEST U BAPTIST



WEST U ELMEN-TARY