Removing Barriers to New Development for CMU, UVD, and UVT Districts

Catherine Lewis, Ph.D.
Bellaire City Council
September 12, 2022

Why Bother?

- **Discouragement of a walkable, green, mixed-use development** in the UVT district fielded by Thompson and Hanson Landscape Architects. The Urban Farm could not be approved under current regulations for 30ft minimum height, minimum floor-area ratio of 0.75, and zero-lot-line construction.
- **Denial to O'Reilly's Auto Parts** of a variance to rebuild on their property because proposal didn't meet the minimum height requirement of 30ft in UVD zoning code.
- **Real possibility that Jax Grill would not have been rebuilt** in UVD if it had burnt to the ground instead of fire burning itself out.
- **Zero-lot-line setback and bulk of construction** at 5222 Spruce St in UVD adjacent to residential lots in R-4 – *required* by zoning code that failed to "effectively cause building heights and development intensity to 'taper off' nearest the Urban Village interface with less intense districts," as promised by the Comprehensive Plan for Urban Village.
- **Possibility of *allowable* 16-story 235 ft maximum height building** in UVT, which now has limited access with new by-pass ramps and feeder street construction.

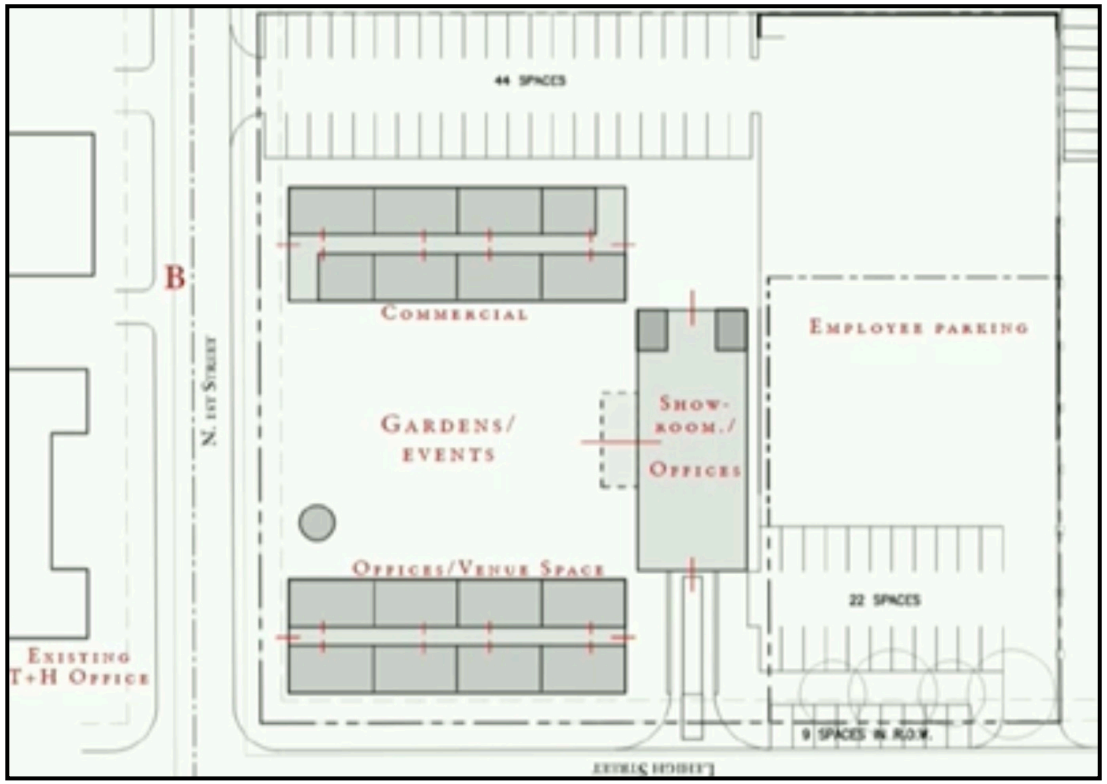
At a Minimum

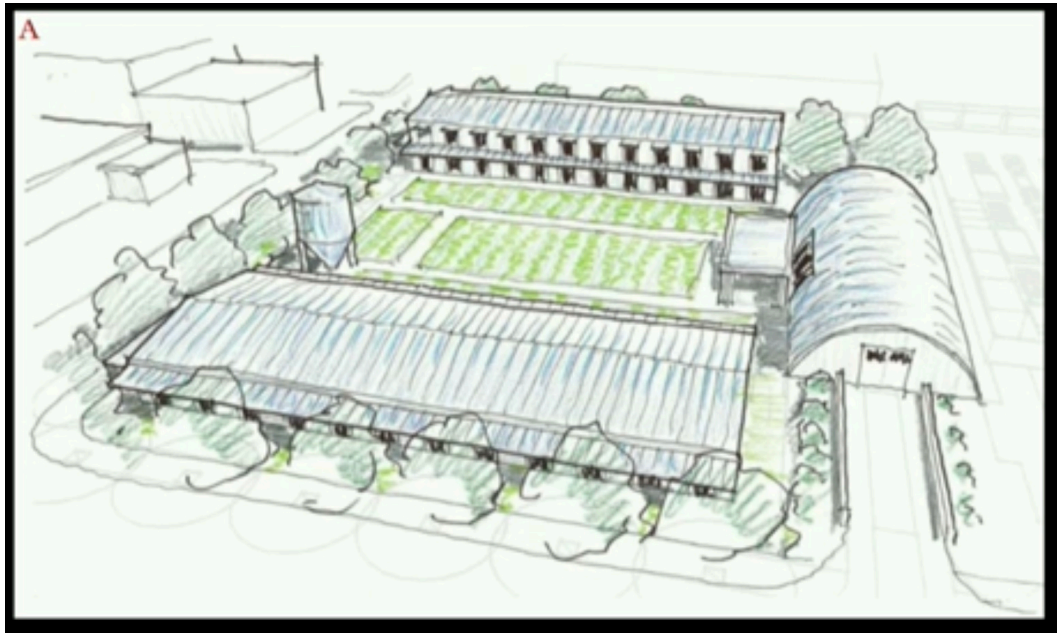
- Eliminate or reduce minimum height requirement.
  - And remove minimum floor-area ratio (FAR) requirement that forces minimum height and increases in lot coverage.
- Eliminate zero-lot-line requirement.
  - Zero-lot-line could be optional.
- Reduce maximum height of 235ft/16 stories to be consistent with plans touting small-town atmosphere.
  - Maximum height elsewhere in Bellaire is 84’ in 610 Loop District and 79’ in UVD.
- Reduce scale and address types of multifamily housing permitted.
  - Assisted living facilities are multifamily.

Simple changes to make Bellaire more business-friendly and encourage local development.

UVT – What Does Bellaire Want?

- Urban Garden concept by Thompson & Hanson illustrates potential for green retail/restaurant development with expansive garden & event area.
  - Preserves green space essential to flood mitigation and cooler environment.
  - Plenty of parking on land owned by T&H.





UVT – Changes on North End of Bellaire

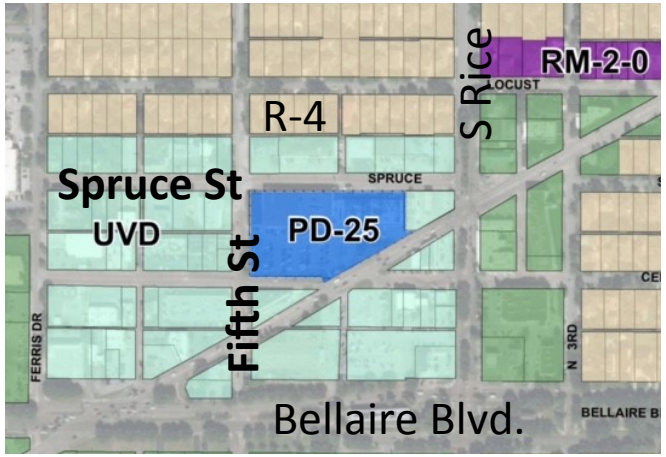
- Transit center is open, and 610 interchange bypasses UVT.
  - Expectation in Comprehensive Plan was that bus terminal would support new mixed-use residential/retail district.
  - But only service ramp for transit center opens onto Anderson.
  - New I-69/610 ramps direct traffic past UVT to Fournace.

- Surgical hospital facing 610 feeder road opened in 2005.
  - Hospital and garage are 49’ tall.
  - Vision for shopping district may grow as a medical service area.

- Comp Plan proposed opening streets north to Westpark and west to South Rice, but Walmart and Westpark tollway block them.
  - Anderson St, First St, and Second St terminate near base of tollway ramp, where tollway traffic lines up during busy hours.

UVD – Recent HEB and Redeveloped Fifth & Spruce Streets

- UVD is juxtaposed to long-time R-4 homes on the northern boundary.
- Imposing structure of HEB is mostly ~40’ tall, but feels close to Locust St homes.
- Bulk of building with zero-lot-line construction seems *inconsistent with small-town feel* pursued by Fifth & Spruce street reconstruction and landscaping.
- Otherwise, minimum height and zero-lot-line <u>requirements</u> *pour cold water* on proposals such as O’Reilly’s Auto Parts redesign.



CMU – Does It Meet Expectations?

Where non-residential and mixed-use developments … are adjacent to residential neighborhoods, site and design standards involving building scale, placement and appearance should be triggered to ensure compatibility. – Comprehensive Plan for CMU

- Blacktop runs to property line & building is set back 10ft from residential line.
  - Questions about net fill & drainage.
- No green space left around high intensity developments.

All new construction built to code.

Multifamily – What Does Bellaire Want?

- Pont Alba apartments are two stories, nestled quietly next to single-family homes for decades.
- CMU, UVD, and UVT have *permitted* use of mixed-use multifamily, no SUP/PD required.
  - CMU MF limit is 30 units/acre and 10% of entire floor space in CMU district (moving target).
  - UVD MF limit is 30 units/acre and 15% of entire floor space in UVD district (moving target).
  - UVT has no limit on density.

- Houston trend is to build huge apartments complexes, sometimes filling city blocks, and apartment/condo towers – high, dense, and with no green space.
- UVT permits up to 16 stories and 235 ft, which could be condos or apartment towers.
- Small scale multifamily/assisted living/skilled nursing complexes are more compatible with surrounding homes and more livable.

At a Minimum

- Eliminate or reduce minimum height requirement.
  - And remove minimum floor-area ratio (FAR) requirement that forces minimum height and increase in lot coverage.
- Eliminate zero-lot-line requirement.
  - Zero-lot-line could be optional.
- Reduce maximum height of 235ft/16 stories to be consistent with plans touting small-town atmosphere.
  - Maximum height elsewhere in Bellaire is 84’ in 610 Loop District and 79’ in UVD.
- Reduce scale and address types of multifamily housing permitted.
  - Assisted living facilities are multifamily.
- Secondary consideration is whether height-setback plane is sufficient protection for residential neighbors adjacent to commercial properties.
  - “Any building within 300 feet of a residential zoned neighborhood shall be limited to three (3) stories.” [24-547 Urban Village (TOD) District (UV-T) 2010]

Simple changes to make Bellaire more business-friendly and encourage local development. Fill in the blanks.

Action Item

Call joint workshop and/or joint public hearing with Council and Planning & Zoning to review zoning code specifications for multifamily, minimum and maximum building heights, setbacks, lot coverage, and floor-area ratios for the CMU, UVD, and UVT zoning districts.

- Joint public hearing saves time and taxpayer dollars.
- Joint public hearing expedites the process.