

PLACE Design Task Force | Mixed Use Workshop | November 21, 2017

On November 21, 2017 PLACE held a workshop on the topic of defining mixed use as part of assisting with the City's code audit as requested by Lisa Robertson.

The operating premise is that the current definition of mixed use is unclear. Moreover, meeting requirements to qualify for development bonuses is a source of disagreement- the required percentage of the various uses being in dispute.

The conversation was organized around four questions:

Why do we want mixed use development?

What is the right mix?

Should it be incentivized?

If we incentivize, how should we do it?

Why:

Reference was made to the Tori Gallas study from 2001-2003 where mixed use was a significant among the ideas proposed by the consultant. Our current mixed-use corridors are a direct result of this effort and the planning responses that followed.

Several benefits of mixed-use were identified, including:

1. Ground floor activity is good for the street- commercial occupancies support the public nature of the building to sidewalk relationship.
2. Multiple activities (uses) within a development or building can serve as an economic driver, including increasing tax revenue.
3. It increases the opportunity for more residential development.
4. An increase in residential development can help address the affordable housing issue, providing more work force as well as supported units.
5. Streets enjoy an interesting dynamic when residential and commercial uses are in proximity to one another.
6. Walkability is fostered when people can easily move from their homes to places of business, commerce and entertainment.
7. Businesses can rely less upon the car bringing their customers from outside the City.
8. Streets will be occupied night and day when both residential and commercial uses occur with frequency within the same area.
9. There will be eyes on the street both night and day increasing safety as well as offering greater activity levels and vibrancy.
10. Human diversity increases as use diversity increases making mixed-use streets more likely to support a wide range of visitors and participants.

Mix:

Current zoning regulations offer bonuses in the form of increased density, added square footage or additional height to a development that provides a mixed use project. Previous formulas required that at least 25% of a project be commercial or residential, with the remaining 75% determined by the developer, in order for a project to qualify for a bonus. The formula has been revised to eliminate this percentage requirement making it possible to qualify for a bonus with a only a nod to mixed use- a single apartment, for example, in an otherwise all-office building would allow a development to build more than the by-right zoning.

So a dilemma:

- This less stringent approach begs the question- why would the City give a bonus if the City does not in return receive the benefits of the mixed use goal?
- Developers might argue that the market should determine the mix and that tying a development to a high percentage combination can discourage mixed use entirely.

Both of these points have their strengths and weaknesses.

Ideas discussed:

1. If we eliminate the current density restrictions for residential (21-43 units per acre depending on location) developers can offer a great number of residential units and manage their pro formas relying on the income from the greater number. This aligns with Form Based Code thinking and advice currently coming from Marina Khoury and other consultants working on the SIA.
2. Is it feasible to imagine mixed use districts rather than mixed use buildings, relieving individual developers from meeting a mixed use ratio? It was observed that doing so requires an arbitrary granting of exceptions mixed with an awkward burden of requiring occasional compliance.
3. It was generally agreed however that within a single development mixed use objectives could be spread over more than one building with not every building containing a mix.
4. Activating the ground floors of buildings along the mixed-use corridors and at important related intersection/ nodes is viewed as positive. However it remains questionable to some as to whether the City has that much demand for commercial space. Limiting the ground floor to retail or entertainment might be even more challenging financially.
5. Form based Code practices suggest building lower levels in a way that will accommodate retail and such in the future- high ceilings, lots of glass, etc., but to let market driven occupancies use the space in the meantime.
6. It was suggested that if we choose to require non-residential uses at ground floors in these districts/ corridors/ nodes, that we only require such use for a short depth from the street- possible 40-50 feet or so and not the entire ground floor area.
7. It was also suggested that the City concentrate such requirements to primary intersections and certain portions of "primary" streets while relaxing such requirements mid-block or along "secondary streets as they move away from intersections. (Note the terms "primary" and

“secondary” as used here refer to street character and are not the same as how those terms are defined in current zoning language which focuses more on traffic flow and the like.

Incentivize:

Two attitudes emerged regarding incentivizing mixed-use development. Again, a dilemma:

- If the ultimate height a development might enjoy via a Special Use Permit is acceptable, than why not simply make that the zoning for that area and eliminate the S.U.P. process.
- Conversely, if the by right height is the most appropriate, yet the City can tolerate a few punctuations/ exceptions, it is best to manage those via the S.U.P process whereby the City can exchange that bonus for a mixed-use outcome it deems beneficial.

The debate here pits ‘design-think’ against ‘market-think’ and a consensus remains elusive. One notion that seemed clear is that if we incentivize mixed-use, the formula needs to be clear and predictable.

How:

If the City chooses to maintain the by-right zoning and incentivize mixed use, the following notions of how to improve that system might be useful:

1. Allow for more shared parking scenarios thus reducing the overall impact of lots and garages in the mixed-use areas. These could come in the form of day-night sharing where at night residents use the same spaces devoted to retail during the day. There can be an economy of spaces if more than one tenant or building shares them.
2. The City should provide more municipal parking serving mixed use areas. If the City does so, the burden on individual projects drops thus freeing development dollars to support other mixed-use goals.
3. Provide additional FAR or height for projects that supply a certain amount of affordable housing. It is recognized that the City needs a comprehensive plan for affordable housing outlining its goals. With such a plan developers and designers can identify just how much housing they need to include in their projects and to what sector of the economy those are provided- %AMI , etc.
4. Automate and expedite project review schedules that include mixed-use elements and affordable housing.
5. Eliminate residential density limits for mixed-use projects.

PLACE Design Task Force will be reviewing this memo at its regular meeting on December 14th in the NDS Conference Room at City Hall. Comments from PLACE members those in attendance at the workshop are welcome prior. A revised version of this memo may be subsequently submitted.