



To: Tom Bartholomew, Chair, Committee of the Whole
Members of the Planning Commission

From: Ken Bowers, AICP
Mitchell Silver, AICP

Date: May 15, 2009

Re: Crabtree Area Plan—Upper Level Pedestrian Circulation

Comment has been received regarding the Crabtree Area Plan and the policies, actions and maps that call for an upper-level pedestrian circulation system connecting across the Crabtree Creek. While these policies/actions/maps are not new and are a part of the current, adopted Comprehensive Plan, the comment is that the westernmost connection across the creek either be removed, or the plan narrative modified to provide more specificity as to how these connections will be funded.

Policy Language

The specific policy in question is AP-C 4, which reads in part: “A two level circulation system if proposed for the Crabtree Mall area...the upper circulation level...requires that pedestrian bridges be constructed as sites adjacent to the Mall are developed.” This language implies that the bridges would be constructed in tandem with future development projects, but does not specify whether the project developer would be exclusively responsible for their construction.

Past Application to Specific Development Plans

There have been two past development plan approvals where these pedestrian bridges have been an issue: MP-4-05 (Kidds Hill/Crabtree Village) and MP-4-03 (Galleria). For Crabtree Village, the approved master plan shows the location of a future second level connection but does not provide the connection. For the Galleria, the pedestrian bridge was illustrated on the Plan and therefore would have been required of the developer. Past application of the policy in question to development plans appears to have been dependent upon what the developer was willing to offer. There is precedent for approving a development plan that did not include the construction of a proposed upper level pedestrian connection.

Issues

Requiring the construction of a pedestrian bridge as a precondition to development plan approval would be problematic for two reasons. First, the success of the bridge is dependent upon securing the participation of a third party—the Mall ownership and management would be required to provide the connecting point and associated improvements for the bridges on the mall side. Second, one interest would be required to pay the full cost of piece of infrastructure that benefits another property owner.

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Proposed Resolution

The Comprehensive Plan routinely identifies transportation and infrastructure improvements without specifying how the improvements will be financed and developed. A common example is the identification of future roadway connections. Specific alignments and cost sharing is typically worked out through the development review and approval process on a case by case basis. This approach is equally valid for pedestrian and bicycle infrastructure.

The upper level circulation system proposed in the Crabtree area plan remains a valid approach to connecting the large-scale developments located, or proposed to located, on either side of the Crabtree Creek. Removal of this system from the area plan would clear the way for developments to go forward that could close the door on this concept. Staff believes this would be unwise, and unnecessary to resolve the problem.

Staff proposes addressing the identified issues by modifying the second sentence of Policy AP-C 4 as follows:

The upper circulation level corresponds to the upper level of the Mall but ground level of Kidds Hill Plaza and the hotel areas to the north and east of the Mall and requires that pedestrian bridges be ~~constructed~~ accommodated as sites adjacent to the Mall are developed.

This proposed wording is sufficient to ensure that development provides the ability to accommodate the proposed pedestrian bridges, but leaves the details of implementation to be worked out at the time of development.

Cc: Eric Lamb
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