



**THIRD SUPPLEMENTAL STAFF REPORT ON PETITION FOR
ZONING ORDINANCE TEXT AMENDMENT**

**PLN-ZOTA-24-00006: REVISIONS TO ARTICLE 23A-10 FOR THE
ECONOMIC DEVELOPMENT (ED) ZONE**

APPLICANT: Hamburg East, LLC.

PROPOSED TEXT: See Revised Language
(Note: Text underlined indicates an addition to the existing Zoning Ordinance;
text ~~stricken through~~ indicates a deletion.)

STAFF REVIEW:

After being postponed since late 2025, the applicant has submitted revised language pertaining to their request to change portions of the Economic Development (ED) zone. In earlier iterations of the applicant's proposed language, staff had voiced concern regarding several large changes to the ED zone, including: decreases in open space, changes in the supportive use concurrency requirement, a large expansion in the number of supportive uses in the zone, and changes to allow for greater dedicated residential uses. Staff found that the scope and breadth of the proposed changes were not in accordance with the 1996 Expansion Area Master Plan. Within the last two years, the applicants and staff have exchanged several different proposals to attempt to address the needs of the applicant and the concerns of the staff, while maintaining the intent of the ED zone.

The March 2026 language submitted by the applicant significantly simplifies their request relative to their initial proposal. The language makes a small change to the allowance for athletic club uses and laundry facilities, but is primarily aimed at providing additional flexibility to incorporate residential and mixed-use buildings. Under the applicant's proposal, only the first floor of a mixed-use building would count against the supportive use maximums for the zone. Residential uses above those first floor uses would not count against the supportive use maximums and totals, allowing for a greater density for those buildings. While the applicant's language does provide further flexibility for residential above the first floor in a mixed-use building, they are proposing to limit the total number of residential units of all kinds within a development, capping all residential units to 720 units within a development.

The applicant's revised language addresses two key areas of concern from staff from the earlier proposals: that the earlier language proposals effectively did not have a cap on the number of residential units possible in mixed-use buildings, and the lack of a minimum percentage of non-residential uses in a mixed-use building. As a result, staff is in agreement with the applicant's general framework but have proposed staff alternative language that makes minor changes for



consistency and clarity. Overall, Staff finds that the proposed Staff Alternative Language will increase developer flexibility within the Economic Development areas (Theme A, Goal #1.b; Theme A Goal #5.f), while maintaining the jobs-producing focus of the ED zone (Theme C, Goal #4).

The Staff Recommends: **Approval of the Revised Staff Alternative Language**, for the following reasons:

1. The proposed text amendment increases flexibility for future developers of the Economic Development land, while maintaining a majority of the land within the development for principal, jobs-producing uses consistent with the intent of the zone to foster future job creation.
2. The proposed text amendment retains consistency with the provisions of the adopted Expansion Area Master Plan, which establishes limitations on residential density in support of Theme A, Goal C of the 2045 Comprehensive Plan.

DAC/TLW

4/1/2026

Planning Services/Staff Reports/ZOTAs/2024/PLN-ZOTA-24-00006 ED ZOTA THIRD SUPPLEMENTAL.docx