TLZM 2013-0006, CRESCENT PARKE REZONING APPLICATION REQUEST FOR

ZONING ORDINANCE MODIFICATIONS

October 3, 2016

In order to achieve the design depicted on the concept plan, the following modifications to the Zoning Ordinance are necessary and appropriate.

I. <u>Zoning Ordinance Section to be Modified</u>

Section 11.3 Number of Parking Spaces Required

Parking Standards Table

Type of Use	*Minimum Number of Spaces Required*
Single-Family Attached	*2.0 per dwelling if access to the lot is onto a public street; 2.5 per dwelling if access to the lot is from a private access way. For townhouses with a single-car garage, the garage shall not be counted as a parking space. For townhouses with a two-car garage, the two-car garage shall count as a single (one) parking space.*

<u>Requested Modification</u>

Type of Use	Minimum Number of Spaces Required
Single-Family Attached	2.5 spaces per dwelling unit, including all garage and driveway spaces.*

<u>Justification for Modification</u>

The applicant is requesting a modification of the residential parking requirement to permit garage spaces to count towards meeting the parking requirement for the two-over-two style dwelling units. Of the total 721 spaces provided, 582 spaces will be located on the lots in garages and driveways and 139 spaces will be on-street parking spaces. Since each two-over-two style unit will have only one garage space and one driveway space, and since these units will not be responsible for grounds maintenance, these units logically are the ones for which the garage space should be reserved for parking use only.

II. Zoning Ordinance Section to be Modified

Section 7.10.11 Streetscape Requirements

4. Adjustments to Street Cross Sections.

b. Streets within the CD District. *The Zoning Administrator may modify cross sections of streets within the CD District under the following circumstances:*

vi. To alleviate a significant engineering constraint.

Requested Modification

For the portions of Davis Avenue Extension, First Street and Street "A," to not provide the on-street parking spaces within the sight distance area of street intersections.

Justification for Modification

Engineering standards dictate a clear sight for a measured distance from street intersections to permit drivers adequate clear sight areas before making turns at street intersections. The on-street parking spaces required for the General Urban Street cross section have been removed from the required clear sight area for these streets.

III. Zoning Ordinance Section to be Modified

Section 7.10.6, Building Type Specifications

E. Building Elements

7. Roof Form

c. Dormer Windows. *Any grouping of single family attached buildings shall include dormer windows for a minimum of 50 percent (50%) of the buildings in each grouping of buildings.*

Requested Modification

For one of the single family attached elevations proposed for Crescent Parke, permit roof lines that use cross gables on the front elevation rather than dormer windows.

For the two-over-two style single family attached elevations, use a shed roof (sloping from front to back) behind a parapet that appears as a flat roof on the front elevation.

Justification for Modification

For one of the single family attached elevations proposed for Crescent Parke, cross gables are proposed to be used on the front elevation. The cross gable serves a similar function as a dormer in terms of the effect on the roof line by breaking up the roof line and providing a richness of light and shadow on the front elevation. The cross gables will be embellished with stick-style trim which will provide additional architectural interest.

For the two-over-two style single family attached elevations, a shed roof sloping from front to back will be used in conformance with Section 7.10.6.E.7.b, which permits pitched, flat of shed roofs. The dormer windows specified in Section 7.10.6.7.c is most appropriate when used with pitched roofs. Crescent Parke is proposing a parapet wall to provide architectural interest to the front elevation, which will appear as a flat roof style from that elevation.

IV. Zoning Ordinance Section to be Modified

Section 7.10.5, Site Requirements

G. Useable Open Space/Amenity Area.

6. Design Requirements.

f. Amenity Areas *shall be designed to provide at least fifty percent (50%) of the area in a "shaded" condition. This can be accomplished with landscaping or structures such as a pergola.*

Requested Modification

For amenity areas ## 2 and 3 as shown on sheet 25 of the plan set, the applicant is requesting to provide these amenity areas a shaded condition of 12% and 38%, respectively.

Justification for Modification

The applicant is requesting the proposed modifications to the shaded area of these amenity areas in order for these areas to be more useable for their intended purposes of providing gathering spaces and passive recreation for the community. Designs meeting the shaded area requirement of 50% required large canopy trees to be planted, which discouraged the use of these areas. Instead, and after discussions with staff, the applicant is planting small canopy trees and providing the amenities within each park area as listed on sheet 25 of the concept plan.

V. Zoning Ordinance Section to be Modified

Section 7.10.11, Streetscape Requirements

D. Street Trees. *One medium or large canopy street tree shall be provided for every forth feet (40'), or one understory tree shall be provided for every fifteen feet (15') where conditions do not favor a canopy tree, of lot frontage in the tree zone between the sidewalk and street curb. The tree zone, as shown on the street cross sections (see also the DCSM) may be grass or sidewalks with planting beds or grates over continuous tree-root trenches as determined acceptable by the Zoning Administrator. Street trees shall comply with the sight distance standards of the Design and Construction Standards Manual except that locations may be modified by the Zoning Administrator due to engineering and sight distance constraints.*

Requested Modification

The applicant requests modifying the General Street cross section to eliminate street trees where necessary to resolve engineering constraints due to sight distance requirements at intersections pursuant to Section 7.10.11.A.4.b.vi.

Justification for Modification

Section 7.10.11.A.4.b.vi permits modification of cross sections of streets within the CD district in order to alleviate a significant engineering constraints, which is the case with the street trees along the west side of Davis Avenue Extended between Tuscarora Creek and Residential Street "A" and along the east side of Davis Avenue between Residential Street "A" and the roundabout (See attached drawing.) The thirteen trees shaded red are located within the sight distance lines along Davis Avenue Extended, which prevents the street trees from being planted. Pocket Park #2, which fronts on Davis Avenue Extended between Residential Street "A" and the roundabout will be planted with trees, and therefore will provide the desired landscaped effect in lieu of the street trees along this block.

VI. Zoning Ordinance Section to be Modified

Section 12.8.2, Buffer Yards

G. Buffer-Yards Adjacent to Certain Public Streets.

2. *The width of the buffer and the screening materials required to be planted within the buffer yard shall be as follows:*

C. Limited Access Highway. *A minimum of 75 feet wide with following plant material per 100 linear feet of right-of-way:*

Table 12.8.2.C

Canopy Trees	*8*
Evergreen Trees	*20*
Shrubs	*48*

Requested Modification

The applicant requests a reduction in the number of plantings along the Route 15 Bypass/ the Dulles Greenway frontage (Buffer E-F on Sheet X of the Concept Plan) to be as shown in the Buffer Yard and Screening Table for Buffer E-F on Sheet 8 of the Concept Plan.

Justification for Modification

Buffer yard E-F is located along the ramp from the Dulles Greenway onto the Route 15 Bypass. As such, the yard area contains sloping topography which limits the amount of plant material that can be planted within this area. Even with the reduction, 78 medium-canopy trees, 190 evergreen trees and 428 shrubs will be planted within this buffer-yard, assuring that it will be well-landscaped. While it seems counter-intuitive to reduce plantings along a limited access highway, the ramp embankment creates a situation whereby the dwelling units are located approximately twenty-five feet below the roadway.

This grade differential will provide the additional screening and separation between the roadway and residential uses.

VII. Zoning Ordinance Section to be Modified

Section 12.8.3, Buffer-Yard Matrix
The buffer-yard matrix describes the requirements for screening and buffer between adjoining land uses.

Rb (Proposed Land Use) adjacent to Rc (Existing Land Use)*:*
25-foot minimum buffer width
S3 required screen type

Requested Modification

For Buffer Yard D-E as shown on Sheet 7 of the Concept Plan, the applicant requests to retain the existing vegetation with the exception of grading along the western edge to accommodate a ten-foot wide asphalt trail with vegetation to be planted according to the Buffer Yard and Screening Table on Sheet 8 of the Concept Plan. This buffer yard and screening will be provided until such time as the Dulles Greenway extension occurs within buffer yard D-E.

Justification for Modification

Buffer Yard D-E is located within the 90-foot wide Dulles Greenway right-of-way reservation along the eastern property boundary adjacent to the Brookmeade condominium community and the Virginia Knolls community. This 90-foot strip is currently heavily vegetated with naturally occurring vegetation, and the residents requested that the natural vegetation remain to the extent possible. The proposed buffer yard and screening retains the natural vegetation with the exception of the western edge of the reservation area where the applicant will be grading to install a ten-foot wide asphalt trail. Sixteen medium canopy trees and 159 shrubs will be planted within the graded area to supplement the existing vegetation.

VIII. Zoning Ordinance Section to be Modified

Section 7.10.5.A. Parking. *Each use shall be required to provide off-street parking in accordance with the requirements of Article 11, except as follows:*

1. ***Maximum Number of Spaces.*** *The parking requirements of Sec. 11.3 Number of Parking Spaces Required shall not be exceeded except when parking spaces are located in a parking structure. A modification of this regulation may be granted by the Zoning Administrator where it can be demonstrated that the provision of additional parking spaces benefits other properties and the intent of the CD District is not compromised.*

Requested Modification

The applicant requests to exceed the minimum required parking spaces in the CD-RH zoned portion of the property by eleven spaces.

Justification for Modification

The parking requirement is 2.5 spaces per dwelling unit for a total of 710 parking spaces. The proposed parking provides 582 spaces in the driveways and garages for the individual dwelling units (including the modification of Section 11.3, above) and 139 on-street parking spaces for guest parking for a total of 721 parking spaces. The proposed excess is only 1.5% above the parking requirement and permits full use of garage and driveway spaces for each individual dwelling unit, while permitting on-street parking spaces wherever they can be located, which maximizes the number of guest parking spaces. The intent of the CD District is not compromised, because on-street spaces are consistent with the street section standards contained in the CD ordinance, and no parking lots are being created to provide the proposed parking, which are not consistent with the intent of the CD District.

IX. Zoning Ordinance Section to be Modified

Sect. 11.4.5 Shared Parking (Mixed Use)
Required off-street parking spaces may be provided cooperatively for two or more uses within a mixed use development in accordance with the Time of Day Factors provided below. Use of shared parking reductions are subject to the determination by the Land Development Official (LDO) that two or more uses can be adequately served by the same parking spaces by reason of the characteristics of the land uses and the hours of operation. The LDO shall make a determination regarding any such proposed reduction in the number of required parking spaces. LDO is also authorized to require restrictions on the use and hours of operation of any uses that share parking spaces. Any shared parking reductions shall also be subject to the approval by the LDO of appropriate legal instruments to ensure the permanent availability of off-street parking for all uses.

Requested Modification

The applicant requests to provide shared parking for the CD-C zoning district and the non-residential use in the CD-MUO zoning district pursuant to the Shared Use Parking Table on Sheet 4 of the concept plan.

Justification for Modification

Crescent Parke is promoting a unified, mixed-use, walkable environment, whereby vehicles can park for one use and access the other uses by walking without the need to move the vehicle. As such, shared parking is a reasonable approach in this environment, which has characteristics similar to downtown Leesburg. Shared parking promotes the Crescent Design District standards, which seek to create a more urban environment, with more emphasis on buildings and walking and less visibility for parking. Requiring each use

in a mixed-use environment to self-park results in an auto-oriented suburban environment.

X. Zoning Ordinance Section to be Modified

Section 7.10.4 Siting Specifications

C. Required Build-to-Line and Parking Setback.

1. Location. *The Required Build-to-Line and the Parking Setback Line shall be interpreted to be parallel to the street at a specified distance measured from the centerline of the street…*

Requested Modification

The applicant is requesting the maximum Required Build-to Line as specified in the table contained in ZO Section 7.10.4.C.1 to permit up to 45-foot build-to line along General Urban Streets and a 40-foot build-to line along Residential/Optional streets.

Justification for Modification

Crescent Parke has been carefully laid out to meet not only the Crescent Design District criteria, but also engineering criteria as set forth in the SLDR and DCSM. In order to accommodate the various standards, the applicant is requesting flexibility with regard to the lay-out pertaining to the Required Build-to Line. The ordinance anticipates providing such flexibility by providing a minimum and maximum range for this criterion.

XI. Zoning Ordinance Section be Modified

Section 7.10.4 Siting Specifications

E. Modification of the Building Frontage Requirement. *The Building Frontage Requirement may be reduced through a modification approved by the Zoning Administrator no less than fifty percent (50%) when:*

2. Open Space Provided. *The area of the Building Frontage Requirement that would have been occupied by the building itself shall be provided as public or private open space to a depth of at least 10 feet from the Required Build-to Line.*

Requested Modification

The applicant is requesting to provide a building frontage requirement as shown on the conceptual frontage plan included on Sheet 2A and with the frontage calculations on Sheet 2B of the zoning map amendment plan set.

Justification for Modification

This section of the Crescent Design District permits an open space area to be provided in lieu of the building frontage requirement, which the applicant is requesting along the Davis Avenue Extension frontage for Building C-1, the Davis Court frontage for Buildings C-2, C-3 and C-4 and the Davis Avenue Extension and First Street frontages for Buildings MU 1-4. The applicant is proposing landscaped and plaza areas as generally shown on Sheets 24 and 25 and detailed on Sheet 29 (plazas for Buildings MU 1-4), Sheet 30 (plaza for Building C-1 and plaza and pocket park for Buildings C 2-4) and the Creekside Park

depicted on Sheet 24 for Buildings C 2-4), which meet the criteria specified in this section.