

List of Modification Requests

During the Parkline East Village Development Framework sessions that occurred during the summer of 2022, Principles for Development and Community Character were established to allow for better placemaking flexibility, to promote connectivity between neighboring properties, and to ultimately create a unified framework for future developments to follow. During the process of developing the Framework, it was agreed that this part of Town did not fall into typical urban or suburban land use intensities or design elements presented by existing Town zoning classifications. It was acknowledged that R6 was likely the best classification from a density standpoint but that multiple modification requests to this zoning would be necessary to achieve the desired “Village Style” development pattern. Accordingly, our request for modifications such as building heights, massing and setbacks as well as landscaping, parking and stormwater management specific to the Gateway proposal are presented below:

1. Alternate setbacks along the public street frontages.

- a. The applicant is requesting a reduction in the building setback from 20’ to 0’ along Street ‘A’ and from 20’ to 10’ along Street ‘B’. The desired streetscape cross section illustrated a 10’ building setback, to encourage a more urban and compact streetscape. The 5’ min setback allows adequate space for landscape and hardscape opportunities between the building and the sidewalk, and also allows for the 30’ Fire Aerial Access requirement to be met along the streetscape. No required street setback along the right-of-way line for the future roundabout on Lakeview Drive.

2. Building height modification at the R-6 boundary

- a. The applicant is requesting a modification to the building height at the building setback along the street frontages, to accommodate the urban form and building massing desired within the urban street section. The modification is to request a maximum primary height of 55’ at the street setback.

3. 6’ Retaining wall within the building setback

- a. The applicant is requesting the allowance of a small portion of a site retaining wall over 6’ in height to be within the building setback. This is an urban design development with significant grade challenges requiring split level buildings which will necessitate heights exceeding 6’.

4. Landscape Buffer modification

- a. **Buffer 1 (identified adjacent to Red Roof Inn drive): Type C required**
 - i. No Modification being requested.
- b. **Buffer 2 (identified south of Street A, west of Lakeview Dr): Type B required**
 - i. No Modification being requested.
- c. **Buffer 3 (identified as southernmost buffer): Type B required**
 - i. No Modification being requested.
- d. **Buffer 4 (identified west of I-40): Type E required (100-feet wide) 25’ proposed**

- i. The applicant is requesting a reduction of the 100' Type E landscape buffer width along the frontage along Interstate 40 to 25'. The reduction in the buffer width is supported by the placement of the building (122' from the property boundary), location of the stormwater pond along this property line, natural grade change between the project and interchange ramp, and existing wooded area between the project and interchange ramp (supplemented by new plantings within the 25' buffer).
 - e. **Buffer 5 (northern buffer adjacent to Red Roof Inn): Type C required**
 - i. The applicant is requesting a reduction of the Landscape buffer due to this site being adjacent to the proposed greenway trail. In lieu of a dense landscape buffer that creates security concerns for trail users, the applicant is proposing canopy and understory trees between the parking lot and proposed greenway trail.
 - f. **Buffer 6 (Both sides of Public Street A): Type B required**
 - i. The applicant is requesting a reduction of the Landscape buffer due to this site being an Urban design and these buffers would screen the buildings from the Street however we are proposing Street Trees spaced about 40' on center. The streetscape proposes a 5' sidewalk, 3" caliper large maturing trees planted about 40' on center, on street parking and a minimum of a 5' planting strip between the sidewalk and building. The streetscape will also include street lighting, seating, and wayfinding as appropriate.
 - g. **Buffer 7 (western along Street B): Type B required**
 - i. The applicant is requesting a reduction of the Landscape buffer due to this site being an Urban design and these buffers would screen the buildings from the Street however we are proposing Street Trees spaced about 40' on center.
 - h. **Buffer 8 (eastern along N. White Oak Dr): Type B required**
 - i. The applicant is requesting a reduction of the Landscape buffer due to this site being an Urban design and these buffers would screen the buildings from the Street however we are proposing Street Trees spaced about 40' on center.
 - i. **Buffer 9 (south of building 5 and BMP-2): Type B required**
 - i. The applicant is requesting a removal of the Landscape buffer due to this site being an Urban design and these buffers would screen the buildings from the Street however we are proposing Street Trees spaced about 40' on center.
5. **Allowance for on-street parking spaces to be used to meet off-street parking requirements.**
- a. The applicant is proposing a significant amount of on-street, public parking, and that the on-street parking be counted or credited towards the overall parking requirement. The on-street parking is an important urban design element for the streetscape of the project and will be used by residents and guests, and off-setting these spaces with additional on-site spaces, and during the Concept Plan review, Council was in favor of a reduction in off-street parking.

6. Allowance for more than 10 continuous parking spaces in a row.

- a. This occurs in 2 short runs of 12 parking spaces. These rows are parking contain 2 ADA and 7 EV parking space and are on the edge, thus landscaping is directly adjacent to the rows of 12 spaces. These spaces will be supplemented with additional landscape to heavily screen from adjacent use.

7. 100% Streamside RCD Disturbance

- a. The applicant is proposing to disturb 100% of the 50' streamside RCD buffer. The justification for this request is to accommodate the widening and construction of the project side of White Oak Road. Of the 6,921 sf of disturbance requested, 4,883 sf (70%) of this is within the existing and proposed to be dedicated public ROW of White Oak Road. The remaining 2,038 sf (30%) of disturbance is required for either of the road slopes easements or the outfall from the Stormwater Control Measure (SCM). Included within this modification request is the disturbance associated with embankment of the SCM, which includes grading and the stormwater outlet pipe and rip-rap slope protection.

8. 60% Streamside RCD Impervious Surface Ratio

- a. The applicant is proposing to increase the maximum Impervious Surface Ratio within the 50' streamside RCD zone from the allowable 30% to 60% for Residential Projects. The justification for this request is because 70% of the calculated RCD area is within the White Oak Road ROW, therefore for it is being covered with either pavement, curb/gutter, and the 10' multi-use trail required for this public improvements.

9. Maximum floor area limit of 650,000 square feet.

- a. Eliminate the maximum floor area ratio and establish a maximum floor area limit of 650,000 square feet. This finding is based on a determination that the public purposes are satisfied to an equivalent or greater degree because the increased floor area ratio supports density that is consistent with the Future Land Use Map and provision of affordable housing

10. 0-5' Setback between the sidewalk and building facade

- a. The applicant is proposing a 0-5' setback (internal to the site) from the private sidewalks to the building or balcony facade. This request is supported by the requirement to achieve the 30' maximum aerial fire access distance, while still proving parking, sidewalks, landscape areas, and as much building façade articulation as achievable.

11. To provide Fire Aerial Access

- a. Mountable Curbs and paved tree islands are permitted
- b. Understory trees can meet canopy tree requirements (tree islands, parking distances to canopy trees, etc)
- c. Allow understory trees in interior islands where fire aerial access is required
- d. No parking space shall be farther than 75 ft. from the trunk of a canopy tree, except where fire aerial access is required
- e. Building Setbacks and foundational landscaping requirements can be waived
- f. Town manager can approve needed modifications to meet Fire Aerial Access