

**MEMORANDUM**

To: Planning Commission

From: Kinsey O’Shea, AICP; Senior Town Planner

Date: January 13, 2023

Subject: RZN 22-0004/ORD 2007-Request to rezone 44.85 acres of vacant land from RR-1 Rural Residential 1 to PR Planned Residential at 1006 Glade Road by Meredith Jones of Eden and Associates, PC (applicant) for Cary Hopper of Glade Spring Crossing, LLC (owner)

**SUMMARY OF REQUEST (based on November 30, 2022 application)**

<b>Property Details</b>	
<b>Property Location</b>	1006 Glade Road
<b>Tax Parcel Numbers</b>	225-(A)-3, 225-(A)-4, and 224-(A)-57
<b>Parcel Size</b>	44.85
<b>Present Zoning District</b>	RR-1 Rural Residential 1
<b>Current Use</b>	Vacant Agricultural Land
<b>Adjacent Zoning Districts</b>	<b>North:</b> PR Planned Residential
	<b>East:</b> US 460 BYP; PR; RM-48 Medium Density Multi-unit Residential
	<b>South:</b> RR-1 Rural Residential 1
	<b>West:</b> RR-1 Rural Residential 1
<b>Adjacent Uses</b>	<b>North:</b> Village at Toms Creek Residential Neighborhood
	<b>East:</b> US 460 BYP; The Farm; Village at Toms Creek Open Space
	<b>South:</b> Single-family residential
	<b>West:</b> Single-family residential
<b>Adopted (2021) FLU</b>	Low Density Residential
<b>Proposed District Standards</b>	
<b>Proposed Use</b>	Single Family Detached; Two-Family Attached; Townhouse
<b>Proposed Maximum Density</b>	4 units per acre (3.89); 176 total units
<b>Total Proposed Open Space</b>	35% proposed; 20% required
<b>Proposed Perimeter Setbacks</b>	<b>South Area</b> 10'
	<b>North Area</b> 20'
<b>Individual Lot Minimum Setbacks</b>	Varies by unit type; min. 0' for attached; 8.5' for detached
<b>Individual Lot Max Lot Coverage</b>	Varies by unit type; max. 90% for attached; 65% for detached
<b>Individual Lot Maximum FAR</b>	Varies by unit type; max. 1.3 for attached; 1 for detached
<b>Maximum building height</b>	42'
<b>Proposed Parking Ratio</b>	2 spaces per unit
<b>Proposed Bicycle Parking</b>	not provided

## Overview of Staff Report

This staff report covers the rezoning request for Glade Spring Crossing Planned Residential Development (GSC PRD), a 45+ acre parcel located west of US 460 Bypass, and between Village Way South and Glade Road. This staff report is organized differently from other staff reports given the complexity of the request. The request includes a number of variance requests to both Zoning Ordinance and Subdivision Ordinance standards, as well as proposed development agreements relating to the provision of affordable housing and regional stormwater management in the development. This staff report does contain the same analysis of the land uses requested and infrastructure impacts including an evaluation of the Comprehensive Plan, Zoning Ordinance standards, traffic, water, sewer, and stormwater that are included in all staff reports. The variance requests are discussed in a separate report, which needs to be read in conjunction with this staff report. Additional information on affordable housing and the proposed development agreements are included as attachments to this staff report. Below is a listing of the attachments and the relationship to the staff report.

### A. Staff Appendix

The Staff Appendix contains pertinent text sections from the Comprehensive Plan, Zoning Ordinance, and Subdivision Ordinance, applicable to the evaluation of the rezoning request in order to reduce overall length of the staff report to include only analysis.

### B. GIS Maps

Staff GIS maps are included as attachments to this staff report and contain graphical information such as zoning, future land use, aerial imagery, and transportation networks.

### C. Engineering Memos

Technical memos from the Engineering staff are found in Attachment C and cover the technical engineering analysis of the application against the Zoning Ordinance, Subdivision Ordinance, public utility standards and specifications. The impact to public infrastructure such as roads, water, sewer, and stormwater are discussed.

### D. Affordable Housing Analysis

The Housing and Community Connections staff has provided an overview of the affordable housing challenges in the Town and the Town strategies to add affordable units to the housing stock. The report explains the parameters for what is considered affordable housing and what types of affordable housing are proposed in this development. The report also discusses the potential Town investment of American Rescue Plan Act (ARPA) funds.

### E. Development Agreement Summary

Because of the potential for Town financial investment in this project, development agreements are included as a companion document for consideration by Town Council. A development agreement outlines commitments for both the applicant and the Town. It is useful to know what is being considered in the development agreement since it contains commitments related to the rezoning; often items that cannot be included in a rezoning proffer statement. The Planning Commission does not act on the development agreement. The agreement is within the purview of Town Council. The Town Attorney has provided a summary of the agreement, which covers the provision of affordable housing in the development and the construction of a regional stormwater facility and includes details on the Town's potential financial investment, Town

development review procedures and timelines, and obligations of the applicant in how to utilize the Town’s funding.

## **F. Proffer evaluation**

Key to any rezoning proposal is what is contained in the proffers put forth by the applicant. Attachment F is an evaluation of the clarity and content of the applicant’s proposed proffers as currently proposed. While proffers must be offered voluntarily by the applicant, staff and the Town Attorney review the proffer language for specificity, clarity, and enforceability, as well as appropriateness to be a proffer. Staff anticipates there may be changes to the proffer language and thus will the analysis of proffer wording will be provided to the Planning Commission for the January 31, 2023 work session. The topics in the proffers are discussed in the staff report. This evaluation will be of the actual wording and enforceability of the proffers.

## **G. Neighborhood Meeting Notes and Sign-in Sheets**

The applicant hosted a community meeting in June 2022 to gauge initial community feedback. Town staff were present at the meeting to answer any questions specifically pertaining to the Town’s role in the development, but the meeting was not a part of the formal public hearing process. The official Town neighborhood meeting as part of the public hearing process was held on December 7, 2022 and the notes and sign-in sheets are attached.

## **H. Correspondence Received**

This attachment includes correspondence received as of January 12, 2023.

## **Staff Variance Report/Impact of Binding Plan**

The Variance Report is a separate staff report and covers the applicant’s requested variances to Town Zoning and Subdivision Ordinance standards. The applicant has identified variances to a number of regulations that are necessary to achieve the desired development design and layout and include affordable housing in the project. It is important to address all variance requests as part of the rezoning process since the PR district has a binding plan if approved. Planning Commission and Town Council need to be aware of the design elements in the binding plan that are contingent upon granting of the variances. Similar to the Berewick rezoning request, if this rezoning request is approved, a major subdivision preliminary plat public hearing review would follow. The major subdivision preliminary plat is a detailed document that would need to fully comply with the rezoning and not include any new requests or changes that are not consistent with the approved rezoning plan. The Planning Commission considers major subdivisions in a public hearing review and the Planning Commission takes final action. Town Council does not consider Major Subdivisions.

## **Schedule for Public Hearings**

The applicant filed the application for review officially on November 30, 2022. Staff presented an overview of the request to Planning Commission at its work session on December 20, 2022. This presentation did not include any staff analysis. Planning Commission work sessions to discuss this request prior to public hearing are scheduled for January 17, 2023, and January 31, 2023. The Planning Commission public hearing is scheduled for February 7, 2023. Following the recommendation by the Planning Commission, the Town Council work sessions and public hearing will be scheduled.

## **Key Elements**

Due to the complexity and volume of design considerations and issues, and to aid in review, the Key Elements are provided as a separate attachment so that Planning Commission can track discussion since it will occur over multiple work sessions.

## Existing Conditions and Development History

### Existing Site Conditions

The site is currently vacant, and used for agriculture. It is largely open fields, with some stands of mixed hardwood trees. A perennial stream and a farm pond bisect the property, dividing it roughly in half north and south. There are some steep slopes along the streambanks, as well as toward the top of the site at Glade Road. The site is partially visible from US 460 Bypass, but has limited visibility from the roadway of Glade Road or Village Way South. It is highly visible from the rear yards of the homes along Glade Road, Shadowlake Road, and Village Way South, as well as from across the bypass at The Union PRD development.

### Prior development history

Several development applications have been filed for the parcel within the last 20 years. In 2007, the property owner requested to remove the parcel from the Agricultural and Forestal District (AFD). The AFD is a district that is intended to conserve and protect, and to encourage the development and improvement of the Town's agricultural and forestal lands for the production of food and other agricultural and forestal products. It is also the policy of the Town to conserve and protect agricultural and forestal lands as valued natural and ecological resources which provide essential open spaces for clean air sheds, watershed protection, wildlife habitat, as well as for aesthetic purposes. The AFD withdrawal was filed in conjunction with a by-right major subdivision request for 29 single-family dwellings. The AFD request was approved by Ordinance 1453. The preliminary plat for the subdivision was approved by Planning Commission in 2007, but as no final plat was filed and the preliminary plat expired and is no longer valid. In 2013, the applicant filed a lot line adjustment with the adjacent property owner to the west, along Glade Road that increased the subject parcel size by approximately 0.04 acres. In 2017, the Farm development adjacent to the subject parcel developed, and the subject parcel was reduced in size to give additional acreage to The Farm, in exchange in part for additional right-of-way width to accommodate a future right-turn taper into the Glade Spring Crossing development.

In the most recent update of the Comprehensive Plan, approved in April of 2021, the Future Land Use designation was changed on the subject parcel. The applicant filed a request to change the Future Land Use designation from Very Low Density Residential to Low Density Residential, in advance of submitting a rezoning request. *More information regarding the Comprehensive Plan analysis pertinent to this request is found in the Comprehensive Plan section of this report.*

### Surrounding Area

The surrounding area consists largely of single-family homes fronting on Glade Road, Shadowlake Road, and the homes on Village Way South in The Village at Toms Creek PRD. The Farm mixed-housing PRD is adjacent to the subject parcel, and with the cottages and townhome units abutting the subject parcel. RR-1 zoning abuts along Glade Road and Shadowlake Road. The Village at Toms Creek PRD was approved in the early 2000s, as a mixed-unit residential development containing single-family, two-family, and townhouse uses and compact type development. The neighboring The Farm PRD was approved in 2020 and contains a mix of unit types as well. The Village at Toms Creek which is largely owner-occupied, and The Farm is a rental product. Other PRDs in the area include Shadowlake Village, and The Union (formerly Sturbridge Square), which is across the bypass on University City Boulevard. The units facing the west at The Union will have views of this proposed development.

## Overall Development Request

The application under review is a request to rezone approximately 45 acres from RR-1 Rural Residential 1 zoning to PR Planned Residential zoning. The development splits the parcel into two sections, a north section abutting the Village at Toms Creek PRD subdivision, and a south section abutting Glade Road. The development proposal entails the construction of a residential development and public infrastructure to support 176 new dwelling units. The 176 dwelling units equates to approximately four units per acre over the entire 45 acres. In all rezonings, the residential density is measured as gross density.

The development proposal includes 24 affordable detached and attached units with the remainder of the development being a mixture of mixed-income units including smaller market-rate detached and attached units, and larger market-rate detached single family units.

The application includes a provision to allow accessory dwelling units, which are not specifically allowed in the PRD district in general, but can be allowed if specifically requested in the master plan. The overall primary dwelling unit maximum of 176 units does not take into account any potential accessory dwelling units. At the neighborhood meeting in December, the applicant indicated the allowance for accessory units will be removed to address concerns that the traffic impacts of the potential accessory units was not considered in the traffic analysis.

The development consists of several different types of housing units. The northern portion of the property is proposed to be developed with market-rate single-family detached homes akin in size, scale, and appearance to the neighboring homes on Village Way South. The southern portion of the development is intended provide mixed-income housing including smaller market-rate homes. The southern portion of the development will also contain deed-restricted affordable homes that would become a part of the Town's permanent affordable housing stock through the community land trust. The applicant has provided a pattern book that depicts typical elevations and renderings of the exterior of the units. No floor plans have been provided.

The development entails the construction of new public streets in the neighborhood. Most notably, a connection is provided from the property's frontage along Village Way South (between 1225 and 1301 Village Way South) and the frontage along Glade Road next to The Farm development. Public trails and sidewalks are also proposed, as well as private internal trails for the development. A trail connection is also provided through to the parcel's frontage on Shadowlake Road.

Public utilities are proposed to serve the development, including a new sanitary sewer pump station. The site is currently located in the Town's "Unsewered Area", which limits development to traditional septic systems or STEP/STEG systems. The applicant requests that the parcel be removed from the Toms Creek Basin Unsewered Area as a part of the rezoning request in order to install the proposed gravity sanitary sewer system. Town public water will also be provided to the site from existing Town infrastructure located on adjacent parcels.

As a requirement of Planned Residential Districts, a minimum of 20% of the total parcel must be dedicated in permanent open space. The applicant proposes to dedicate approximately 35%, or approximately 15 acres. The open space is largely located in the center of the site, including the steep slopes and creek areas. The Creek Valley Overlay, a restrictive zoning overlay district, partially covers a portion of the creek area in the center of the property. The applicant has included a request to alter the boundary of the Creek Valley Overlay in conjunction with the development request. Additionally, the applicant has requested to be allowed to grade, install paved trail, and construct the sanitary pump station within the Creek Valley Overlay. The request to alter the CVO boundary requires Council action as a part of the rezoning request, while the request to grade and

install improvements in the CVO is a request to the Zoning Administrator. *No final determination has been made regarding the request to alter the Creek Valley Overlay. Discussion regarding the request to modify the Creek Valley Overlay will occur at the work session on January 31, 2023.*

### Summary of Proffers

The Applicant has submitted a proffer statement that includes the following commitments generally:

- Substantial conformance
- Minimum open space, with specificity regarding ownership and maintenance of public/private improvements; and specificity regarding commitment by the HOA to consult with an expert regarding open space vegetation management
- Specific commitments regarding landscaping including canopy coverage minimums and calculation methods for various areas of the development
- Commitment to providing physical recreation equipment and other amenities including connections to the open spaces
- Compliance with Town Accessory Apartment Program
- Construction of 10' paved multiuse trails in particular locations
- Provision of a minimum of 24 deed-restricted affordable units based on varying income brackets
- Commitment to providing a mix of unit types (single family, two-family, townhome) on each street segment in the mixed-income (south) portion of the development
- Commitment to providing 100% single-family homes on each street in the market-rate (north) portion of the development
- Commitment to PEARL certification or similar rating system for all homes except those meeting 60%-80% AMI, which are required to be EarthCraft Gold certified
- Development phasing, including construction of connecting street and all homes fronting on that street as the first phase; construction of remaining streets and homes as the second phase of construction
- Establishment of a HOA, with an inclusion that all homes must be owner-occupied for 4 out of every 5 years.

## Evaluation of Application

### Criteria for Evaluation

There are a number of analysis points for evaluation of a request to rezone a property within Town. The policies and maps in the Comprehensive Plan lend guidance to the Town’s vision of growth in the future, while specific codes and requirements in the Zoning Ordinance, Subdivision Ordinance, and the Town Code ensure that the development meets all applicable regulations. Specifically, the Zoning Ordinance calls out the criteria for evaluation of a rezoning request, as found below:

Section 1151 of the Zoning Ordinance requires the Planning Commission to study all rezoning requests to determine:

- 1) *Whether the proposed amendment conforms to the general guidelines and policies contained in the Comprehensive Plan.*
- 2) *The relationship of the proposed amendment to the purposes of the general planning program of the Town, with appropriate consideration as to whether the change will further the purposes of [the Zoning Ordinance] and the general welfare of the entire community.*
- 3) *The need and justification for the change.*
- 4) *When pertaining to a change in the district classification of the property, the effect of the change, if any, on the property, surrounding property, and on public services and facilities. In addition, the Commission shall consider the appropriateness of the property for the proposed change as related to the purposes set forth at the beginning of each district classification.*

### Section 3114 Relationship to existing development regulations

The Planned Residential District standards, in §3114, state that variations and deviations from the Subdivision Ordinance standards may be acceptable in a PRD, provided that no deviation results in a negative impact to health and safety, and that the resulting design provides meaningful benefits “such as reduced erosion, protection of the health and safety of forested areas, or preservation of scenic views. *Unless so varied by the action of the Town Council, the Subdivision Ordinance shall apply to PR developments [emphasis added].*”

The evaluation of rezoning requests always takes into consideration the applicable Subdivision Ordinance standards, but as many recent PR requests have been for multifamily developments, standards such as public street dimensional and grade requirements and lot configuration standards are not applicable. To that end, this staff report specifically considers Subdivision Ordinance standards as a separate section, as the application of these standards is more significant given the size and nature of a true subdivision, as opposed to a commercial or multifamily development.

## Comprehensive Plan

### Text sections

While most people are familiar with the Land Use Map Series in the Comprehensive Plan, it is important to remember that the plan consists of both the map series and the text. The text contains goals for the Town that are broad in scope, including economic development, sustainability, transportation, and housing and are evaluated by topic in the plan with goals and policies in each chapter. These goals are in many cases competing. In applying the Comprehensive Plan to a development request, the proposal may further one goal, while not addressing or meeting another. In this case, staff has included more information on the housing goals of the Comprehensive Plan given the inclusion of affordable housing in the proposal. Staff has included housing text

below and in the attachment from the Housing and Community Connections staff. Planning Commission and Town Council must weigh the different goals and priorities to determine the best outcome when evaluating these requests.

The Future Land Series Map designation and text are discussed below. Relevant Comprehensive Plan text sections applicable to this request are included as an attachment to the staff report.

## Map Series

### Map A: Future Land Use Designation

In evaluating whether the proposed planned residential development conforms to the general guidelines and policies contained in the Comprehensive Plan, the Future Land Use designation of the subject property is one consideration for evaluation. The Future Land Use designation of the subject parcel is Low Density Residential. The designation on the parcel was changed in the update to the Comprehensive Plan adopted in April of 2021. The request to change the designation from Very Low Density Residential to Low Density Residential was requested by the property owner. The change was evaluated and adopted through the public hearing process. The request was one of a number of requests in the Tom’s Creek Basin area. Staff recommended denial of all of these requests. Staff did note this parcel was different in location, availability of utilities, and proximity to commercial areas and the University compared to other parcels under consideration in the update. The Planning Commission and Town Council did approve this Comprehensive Plan Future Land Use Map request. Other requests in the basin were denied.

Low Density Residential is defined as:

“Up to four dwelling units per acre; commonly single-family detached residential units. Typical Implementing Zoning Districts: Low Density Residential (R-4) and Planned Residential (PR).”

The density requested is within the Low Density Range. Through the Planned Residential district, the applicant is requesting detached single family homes but also attached units. The detached single family homes are proposed on the north portion of the site adjacent to other single family homes. The more intense residential density is proposed on the south portion of the property on Glade Road.

### Map B: Urban Development Areas

The proposed development is not located within an Urban Development Area. Urban Development Areas were designated to indicate areas where future higher density residential and non-residential uses could be accommodated. A site’s designation within an Urban Development Area does not obligate approval of a rezoning request, nor does the lack of such designation preclude the approval of a rezoning in these locations.

### Map C: Neighborhood, Employment, and Service Areas Map

This map is intended to categorize areas of Town based on similar characteristics of use, rather than particular geographical areas. These designations provide key issues to consider for the future for each of the neighborhood types. The subject parcel lies within two different designations. The area along Glade Road is included in the Suburban Residential designation:

*Neighborhoods in these areas should increase connectivity to other neighborhoods, Town parks, and commercial services. In particular, cul-de-sac layouts prevent neighborhood connectivity, undermine a rich transportation grid system, lead to greater neighborhood isolation, and longer emergency service response times. New developments should connect to the existing street system and existing neighborhoods. This should include the construction of stub-outs to property boundaries to set expectations for connectivity as part of the development*



*process. Where street connections have not historically been provided, there are still opportunities to provide sidewalk and trail connections through retrofitting and redevelopment.*

The northerly portion of the site is within the Rural/Undeveloped designated area:

*These areas contribute to the rural feel of Town and create a natural boundary between the higher density areas of Town and the more rural County. Scenic views of mountains, forests, and farmland in these areas are highly valued and part of the community's small town feel. Most of this area abuts the George Washington and Jefferson National Forests. The pattern of future development in this area is critical to the preservation of open space, protection of water resources, and agricultural land uses within Town. Due to low density and rural character, these areas are less walkable and bikeable and have less access to transit.*

If developed as proposed, the whole site will have more characteristics of the Suburban Residential designation. The key characteristics and issues regarding the Suburban Residential and Rural/Undeveloped designations are found in the attached staff appendix.

### **Housing Goals**

As part of a 2021 Comprehensive Plan update survey, the community identified Housing as the top challenge facing the Town, including approximately 41% of respondents desiring more affordable housing options in the Town over the next ten years. Rising housing costs have made affordable housing unattainable to more people, where housing affordability is defined by spending no more than 30% of income on housing costs. The Town has been focusing its efforts in providing affordable housing to meet the demands of households earning 30% to 80% of area median income (AMI), and which are considered to be low-income. Additionally, the Town is also looking to provide housing for moderate-income households, making 80% to 120% of AMI who are also priced out of the current housing market. The overarching goal of the Housing chapter of the Town's recently updated Comprehensive Plan is to provide a diverse housing market to meet a "full range of life situations", but the Plan recognizes that the Town cannot meet this need alone. Coordination with other entities providing affordable housing assistance is necessary to meet these goals. There are a number of other Housing Objectives and Policies applicable to this request and these are provided in the staff appendix. More information regarding the Town's ongoing strategy for housing can be found in the Housing attachment on the Town website at [www.letstalkblacksburg.org/affordable-housing](http://www.letstalkblacksburg.org/affordable-housing).

In this project, the applicant has proffered that 24 units will be committed as affordable housing. Ten of the units will be restricted to households making no more than 80% of the area median income (AMI). These units will be included in Phase 1 of the development on Street A in the south portion of the development. These units are requested by the applicant to receive Town ARPA funding. Ten of the units will be restricted to households making no more than 100% of the AMI and four units will be restricted to households making no more than 120% of AMI. These units will be transferred to the New River Home Trust to ensure long term affordability. More detailed information is included in Proffer #9 and in the Development Agreement.

### **Comprehensive Plan 2232 Review**

Virginia Code § 15.2-2232 and 15.2-2224 require that the comprehensive plan designate the general or approximate location, character, and extent of infrastructure such as road connections, parks, public buildings or utilities. The relevant part of Virginia Code Section 15.2-2232 (A) is provided below:

*"... unless a feature is already shown on the adopted master plan or part thereof or is deemed so under subsection D, no street or connection to an existing street, park or other public area, public building or public*

*structure, public utility facility or public service corporation facility other than a railroad facility or an underground natural gas or underground electric distribution facility of a public utility as defined in subdivision (b) of § 56-265.1 within its certificated service territory, whether publicly or privately owned, shall be constructed, established or authorized, unless and until the general location or approximate location, character, and extent thereof has been submitted to and approved by the commission as being substantially in accord with the adopted comprehensive plan or part thereof.”*

Where new public facilities are proposed they should be evaluated by the Planning Commission to determine whether they are substantially in accord with the adopted Comprehensive Plan. In this case, the pump station and proposed regional stormwater facility should be evaluated for consistency with the plan. In addition, the new public roadway connection to Glade Road and to the existing right-of-way in the Village at Tom’s Creek should also be considered in the 2232 review.

The Comprehensive Plan does not specifically identify locations for future stormwater management facilities or sanitary sewer pump stations. These types of utility infrastructure are addressed more generally through the text portions of the Plan. Specifically, the Utilities chapter includes the following language:

“Provide safe, reliable, and resilient public utility infrastructure and services, such as water, wastewater, stormwater management, solid waste management and recycling, within the Town’s service area.”

“The Town’s wastewater service area has expanded both through private development projects and through the cost-share program. The Town is evaluating effective ways to provide new service while operating and maintaining the wastewater infrastructure as it ages and expands.”

The utility infrastructure needed to support new development should be included in development applications and be the responsibility of the developer, such as the proposal for a pump station to meet the sewer needs. The proposed regional stormwater facility will handle not only stormwater from the new development but also provide for improvement of existing conditions in the Tom’s Creek basin, providing a benefit beyond mitigating the impact of the new development. **From staff’s perspective, the pump station and stormwater management facility are in keeping with the intent to provide utility infrastructure and services as described in the Utilities chapter of the Plan.**

The Comprehensive Plan shows future arterial and collector transportation connections but does not depict future local street connections that are not part of a specifically identified Transportation Project. Future local street connections are addressed more generally through the text portions of the Plan. Specifically, the Transportation chapter includes the following language:

“To improve mobility, access, and safety, the Town values maintaining and expanding a grid network for transportation.”

“This type of development [cul-de-sac layouts] and others that lack connectivity have lasting effects on the transportation network/livability such as increasing vehicular traffic and vehicle miles traveled leading to higher greenhouse gas emissions, greater neighborhood isolation, public health impacts due to less walking and bicycling, and longer emergency service response times. Once developed, the transportation network is difficult to retrofit. The Town values transportation connectivity, evaluates this connectivity in the development review process, and should continually seek to enhance the **STREET GRID.**”

“The Town should actively pursue expanding the street grid by identifying and planning for future connections so that opportunities for connectivity are not missed.”

Objectives & Policies: “The Blacksburg Grid T.4.: Provide for a street network that achieves the interconnection of parcels, blocks, and neighborhoods, keeping consistent with the historical grid network pattern of the Town.”

“T.4.1.: Identify opportunities to enhance the grid through use of alleys and unbuilt streets and dedication of right-of-way during development and re-development.”

The Land Use chapter also includes the following language for Suburban Residential Neighborhoods:

“Neighborhoods in these areas should increase connectivity to other neighborhoods, Town parks, and commercial services. In particular, cul-de-sac layouts prevent neighborhood connectivity, undermine a rich transportation grid system, lead to greater neighborhood isolation, and longer emergency service response times. New developments should connect to the existing street system and existing neighborhoods. This should include the construction of stub-outs to property boundaries to set expectations for connectivity as part of the development process. Where street connections have not historically been provided, there are still opportunities to provide sidewalk and trail connections through retrofitting and redevelopment.”

**From staff’s perspective, the roadway connections are in keeping with the intent of land use connectivity as described in the Land Use and Transportation chapters of the Plan.**

## Zoning Ordinance

### Intent of district

There is a statement of purpose for each district in the Zoning Ordinance. For PR, the intent is as follows:

#### *Planned Residential §3110*

*The purpose of this district is to provide for the development of planned residential communities that incorporate a variety of housing options as well as certain limited commercial and office uses designed to serve the inhabitants of the district. This district is intended to allow greater flexibility than is generally possible under conventional zoning district regulations by encouraging ingenuity, imagination, and high quality design to create a superior living environment for the residents of the planned community. The PR district is particularly appropriate for parcels that contain a number of constraints to conventional development. In addition to an improved quality of design, the PR district creates an opportunity to reflect changes in the technology of land development, provide opportunities for new approaches to home ownership, and provide for an efficient use of land that can result in reduced development costs.*

The application provides a narrative for the need and justification for the change beginning on page 13 of the application under “Need and justification for the change in zoning classification”. The application highlights opportunities and the need for affordable housing, but that existing regulations, as applied, hinder the ability to deliver affordable housing due to constraints such as construction costs, and minimum site regulations. In consideration of the overall rezoning request, there may be a need and justification for the change if the goals of creating affordable housing and regional stormwater management, as well as other community-wide benefits cannot be achieved under traditional existing zoning regulations. Planning Commission and Town Council are asked to evaluate the applicant’s proposal and application to determine whether all variances and design choices are necessary, and understanding the impacts of the variances, assessing the community-wide benefit with any impacts to the development or surrounding area. This evaluation and consideration should be made

for each rezoning request on a case-by-case basis, weighing the merits of the development and the impacts of the development as a whole.

### Zoning Ordinance Standards

The characteristics of physical site development on private property are regulated by the Zoning Ordinance Standards. In general, there are three types of zoning standards that apply to development in the Town: **District Standards**; **Use & Design Standards**; and **Development Standards**. Explanations and examples of each of these types of regulations is found below. This section of the staff report includes the analysis of the proposed standards for the development, as related to the surrounding area and existing zoning and land development patterns, as well as the appropriateness of the standard, and the overall effect of the standards, when combined, on the nature of the development.

- **District Standards** include regulations for the physical development of any use on a parcel in a particular zoning district. Common district standards include building height; setbacks; lot coverage; FAR; residential density; and minimum lot size. District standards (for non-planned districts) cannot be varied except through the Board of Zoning Appeals. District standards for planned districts are proposed by the applicant, and can be varied or amended through the rezone process.
- **Use & Design Standards** provide regulations for the physical development of a parcel based on the use, such as residential or commercial, in any zoning district. These standards vary and include architectural standards for some uses such as building orientation; site layout standards such as provision of sidewalks or a minimum parcel size; and operational standards such as outdoor display and storage, lighting, or vehicle circulation. There may be additional standards for uses based on zoning districts and the intent to mitigate adverse impacts. An example of this may be additional buffer yard requirements for a particular use where it abuts a lesser intensity zoning district.
- **Development Standards provide** regulations for improvements that may be required, such as parking or landscaping. The Planned Residential District allows some of these standards to be proposed by the applicant such as parking and landscaping or buffering. These standards vary based on both use and district, such as one standard for commercial uses and a different standard for residential uses, or one standard for one zoning district but not another.

### District Standards

In determining whether the proposed district standards are appropriate for the development and compatible with the neighboring area, consideration should be given to the proposed standards in relation to the surrounding development. The parcel is surrounded by RR1 and PR zoning.

The analysis of the district standards has been divided into two sections: standards that apply to the overall development such as density and open space, and standards that apply to individual lots, such as setbacks and height. The table below is complex, and displays the proposed Glade Spring Crossing (**GSC**) district standards, overall, to the surrounding area, including the Village at Toms Creek (**VTC**); the adjacent homes in the Village at Toms Creek (**VTC Adj.**); the RR1 zoning district (**RR1**), and specifically the adjacent single-family developed homes on Shadowlake Road and Glade Road (**RR1 Adj.**); and The Farm PRD (**The Farm**) cottages and townhomes. Every effort has been made to translate standards as similarly as possible—that is to say that the standards at VTC or the Farm may be written in a way that is not exactly the way that the standards are presented for the proposed development, but general similarities have been provided in the chart. Some cells may indicate N/A where metrics do not translate, or a particular standard doesn't apply. Other cells contain "unknown", as this information would require field measurements be taken, or significant data analysis.

As the chart indicates, the overall development is more intense than the surrounding developed area. While attention has been paid to mimic the district standards of VTC for the northern portion of the development that abuts the Village at Toms Creek, the southern portion of the development is significantly more intense than its neighbors.

### Comparative Lot Standards Chart

Standard	GSC North	GCS South	VTC	VTC Adj.	RR1	RR1 Adj.	The Farm
Minimum lot size	no min	no min	no min	10,000 sf	no min	11,000 sf	3.5 ac tot
Average lot size	11,000 sf	3,100 sf	unknown	13,700 sf	n/a	18,600 sf	n/a
Minimum lot frontage	40'	15'	no min	72'	20'	40'	n/a
Minimum setbacks							
front	20'	20'	8'	20'	35'	35'	20'
side	10'	8.5'	0'	5'	10'	10'	10'
corner side	15'	15'	n/a	n/a	20'	20'	n/a
rear	20'	10'	20'	20'	20'	20'	10'
Maximum Lot Coverage							
attached/end	n/a	65%	65%	n/a	no max	no max	n/a
attached/interior	n/a	90%	70%	n/a	no max	no max	n/a
detached	40	65%	55	50%	no max	no max	59% overall
Maximum Building Height	42'	42'	no max	unknown	35'	unknown	42'
Maximum FAR							
Lots <9,000 sf	0.65	n/a	n/a	n/a	n/a	n/a	n/a
Lots 9,000 sf - 13,000 sf	0.55	n/a	n/a	n/a	n/a	n/a	n/a
Lots >13,000 sf	0.4	n/a	n/a	n/a	n/a	n/a	n/a
attached/end	n/a	1	0.5	n/a	n/a	n/a	n/a
attached/interior	n/a	1.3	1	n/a	n/a	n/a	n/a
detached	n/a	1	0.5	0.5	0.3	unknown	unknown

### Overall Development Standards

#### Density

The applicant proposes an overall gross density of 4 units per acre (3.8 rounded up to next whole number) over the entire 45-acre development. However, the perceived density will differ depending on which portion of the development is considered, due to the differences in individual lot regulations. As proposed, the north and south areas are separated by substantial open space and stormwater management areas. The southern mixed-income area takes a more cluster-development approach in its design and layout. As an example, development comprising 3,000 square-foot lots would equal approximately 14 units per acre, while 10,000 square foot lots equates to approximately 4 units per acre. Similarly, minimum lot frontage requirements can affect how dense a development feels—smaller lot frontages, regardless of minimum lot size, will feel like a more dense development from the street than one with larger lot frontages.

However, when taken into consideration with the proposed development standards, the southern portion of the development will feel significantly denser than the surrounding existing neighborhood, and the northern portion of the proposed development. The northern portion of the development will be more in keeping with the

development size and scale of the neighboring Village at Toms Creek. Please see the Individual Lot Standards section below for tables for the proposed standards for the two areas in the development.

### Perimeter setbacks

Zoning Ordinance §3113(d)(5) provides guidance for the perimeter setbacks, and states that the “yards located at the perimeter of a PR district, not fronting a street, shall conform to the setback requirements of the adjoining zoning district, or to the setback requirements deemed appropriate during the review and approval of the master plan for the PR district.”

The application does not specifically call out a “perimeter yard” but in reviewing the layout, staff notes that all yards that abut external properties are rear yards of lots. The minimum rear yards proposed, compared to neighboring zoning, are shown in the chart below. The columns include Glade Spring Crossing (GSC) South area; GSC North area; Village at Toms Creek Overall (all perimeter/rear setbacks are the same); the RR1 zoning district minimum standard, which applies to the existing lots fronting on Shadowlake Road, and Glade Road; and the Farm PRD as comparative standards. For more information and analysis about perimeter vegetative buffer yards, please see the Buffer Yards §5300 section of this report.

Standard	GSC South	GSC North	VTC Overall	RR1	The Farm PR
Perimeter/Rear setbacks	10'	20'	20'	20'	10'

### Open Space

The Planned Residential District standards, as well as Use & Design Standards for five (5) or more duplexes or townhomes require applicants to dedicate a minimum 20% open space for the development. There are Use & Design Standards for Open Space that generally require applicants to designate large blocks of contiguous land, ecologically or environmentally sensitive areas on the site, streams, and recreational areas as open spaces. The standards are intended to result in meaningful open space for residents in the development and the Town.

The application shows that a minimum of 35% of the parent parcel, or approximately 15 acres of the site. The open spaces are generally contiguous and straightforward, and satisfy both the dedication requirement, and the Use & Design Standards.

The proposed open space is comprised of two large blocks and two smaller blocks. The large blocks make up the central area of the site on either side of Street A, behind the backs of units along Street A, Street B, and Street C. This central area contains the steepest parts of the site and the most ecologically-sensitive parts of the site including the existing stream, wetlands, floodplain, and Creek Valley Overlay. The two smaller open space areas consist of the areas on either side of Street A at Glade Road. The small open space area on the east side of Street A connects to the proposed Recreation area in the southern part of the development near The Farm. This connection includes the multi-use trail that was installed on the Glade Spring Crossing property by the developer of The Farm as a part of their PRD.

### Recreation

The applicant has provided active recreation in several locations throughout the site including formal or organized areas, and informal or unorganized areas. The applicant proposes that two play structures will be installed. The primary structure will be located toward the center of the site adjacent to the large open space areas. The secondary structure will be located between the proposed development, and the rear of the adjacent The Farm development. Additionally, the application states that flat areas conducive to ball sports and

open play, as well as grass and open areas on the hillsides for sledding will be provided throughout the open space in the development. The PED sheet in the application shows how connections from the neighborhood are made to these locations. Further evaluation of these connections is provided in the Subdivision Ordinance section of this staff report, as provision of connections is a subdivision requirement §5-402.

### Individual Lot Standards

As the development is substantially divided into two separate development areas, the applicant has provided separate site development regulations for each area that reflect the desired character of the neighborhood. The development standards for the northern area homes are intended to mimic the existing development pattern in the adjoining Village at Toms Creek homes, while the development standards for the southern area homes allow for much more dense and compact development.

In evaluating the proposed standards against the surrounding area (as found in the Comparative Standards Chart above), the proposed standards especially relating to minimum lot size; minimum setbacks (especially rear); and floor to area ratio (FAR) are significantly more intense than the surrounding area.

Of particular note is the proposed FAR of 1 for detached single family dwellings in the south area. The result of this standard is that a 3,000 square foot single-family lot could have a 3,000 square foot home on it. A FAR for single-family dwellings approaching 1, or over 1, is not in keeping with the existing development pattern. No existing (non-planned) zoning district allows a FAR of greater than 0.5, including districts that allow multifamily uses.

The proposed FAR ranges for lots in the north area, based on lot size, and are in keeping with the FAR standards for the adjoining Village at Toms Creek single-family homes.

The proposed standards are found in the charts below:

#### North Proposed Standards

Standard	North
Minimum lot size	no min
Average lot size	11,000 sf
Minimum lot frontage	40'
Minimum setbacks	
front	20'
side	10'
corner side	15'
rear	20'
Maximum Lot Coverage	
attached/end	n/a
attached/interior	n/a
detached	35% or 40%
Maximum Building Height	42'
Maximum FAR	
Lots <9,000 sf	0.65
Lots 9,000 sf - 13,000 sf	0.55
Lots >13,000 sf	0.4

### South Proposed Standards

Standard	South
Minimum lot size	no min
Average lot size	3,100 sf
Minimum lot frontage	15'
Minimum setbacks	
front	20'
side	8.5'
corner side	15'
rear	10'
Maximum Lot Coverage	
attached/end	65%
attached/interior	90%
detached	65%
Maximum Building Height	42'
Maximum FAR	
attached/end	1
attached/interior	1.3
detached	1

### Use & Design Standards

Use & Design Standards provide regulations that generally govern the overall appearance and function of a development. Use and Design Standards can go a long way to establishing the look and feel of a development, including its compatibility with the surrounding neighborhood. There are a number of Use & Design Standards applicable to this development.

**Please note that there are no Use & Design Standards for single-family detached dwellings.** Applicants for a PRD may propose specific Use & Design Standards for a development. The applicant has provided a pattern book that provides detail on typical architectural styles and features, as well as material choices.

The Townhome and Two-Family Dwelling Use & Design Standards are intended to encourage site and building design that is more in keeping with attached and detached single-family housing than apartment buildings. Standards for façade articulation, single-family appearance, front and rear entries to each unit, and others provide for a more individual-unit experience rather than apartment living. Outlined below are several excerpted standards that contribute to the overall feel of a proposed development and its compatibility with the neighborhood. Use and Design standards pertaining to sidewalks are discussed in the Subdivision section of this staff report. Additional applicable standards are provided in the Staff Appendix.

Zoning Ordinance §3113(k) states that exceptions to Use & Design Standards can be requested pursuant to §1112 (Special Exceptions) as a part of the review and approval of the PR request.



## Townhouse §4231

### Parking behind the front building line

Zoning Ordinance §4231(b)(6) requires all parking for townhomes to be located behind the front building line, or an exception to this standard may be granted by Council. The layout plan for the development does not meet this standard. Most parking for townhomes is located in front of the front building line, in individual unit driveways. Some of the end units may have double-stack driveways on the side of the unit, which would allow for one parking space to be behind the front building line, but not all spaces. For most townhome dwellings, the paved parking area in front of the building will comprise the majority of the front yard between the building and the street.

*While it has not been specifically requested in the applicant's variance request document, the applicant will have to request a special exception to this standard specifically, per §1112, with particular regard to the "...primary considerations [being] the shape or topography of a lot, the location of existing structures and preserving mature trees. However, the considerations may also include the degree of exception requested, the impact on the relationship of the building to the street, internal/external connectivity, safety concerns, and consistency with existing development patterns. When an exception is granted, it should be conditioned on buffering the parking with landscaping including natural plant materials, shrubs, and trees."*

The applicant is aware that this variance must be requested and is prepared to address this with a formal request.

The overall effect of the proposed standard [parking in front] will be that for units without garages or side-unit driveways, all parking will be in front of the units. Combined with no greenspace in the front yard, and a shallow front setback, the cars will effectively block the view of the homes from the street, and the overall effect may be more like a double-loaded parking lot in some areas than a single-family neighborhood. One possible way to alleviate this impact would be to restrict the number of driveways that can be adjacent to one another, and to restrict that blocks of adjacent driveways cannot be across the street from one another. This will require careful planning and layout of each block to ensure that the effect of parking in front of the buildings is lessened.

### Floor Plans

Zoning Ordinance §4231(b)(12) requires that floor plans be submitted. No floor plans were included in the application or pattern book. *While it is reasonable to expect that not every detail has been decided by the builder, representative floor plans for units must be submitted.* This will verify further standards such as building articulation which cannot otherwise be evaluated at this time.

### FAR Calculation

The Use & Design Standards require that the FAR for townhomes shall be computed on the parent parcel. However, due to the nature of the mixed housing types in this development, it is reasonable to calculate FAR based on individual lots, which is how it is proposed in the application. The evaluation of the proposed FAR standard is found above, in Individual Lot Standards.

### Building articulation

Townhome Use & Design Standard §4231(b)(14) requires that the building façade contains varying setbacks of 3'-8'. This is to ensure that individual townhome units are not flush with one another, and instead vary front-to-back along the face. No conceptual floor plans have been submitted. The applicant will have to ensure that the proposed plans adhere to this standard, or a modification to this standard must be requested and reviewed through this rezoning request.

## Two-family dwelling §4241

### Parking behind the front building line

Zoning Ordinance §4241(a)(2) requires all parking for two-family dwellings to be located behind the front building line, or an exception to this standard may be granted by Council. The layout plan for the development does not meet this standard. Most parking for two-family dwellings is located in front of the front building line, in individual unit driveways. Some of the end units may have double-stack driveways on the side of the unit, which would allow for one parking space to be behind the front building line, but not all spaces. For most two-family dwellings, the paved parking area in front of the building will comprise most of the entire front yard between the building and the street.

*While it has not been specifically requested in the applicant's variance request document, the applicant will have to request a special exception to this standard specifically, per §1112, with particular regard to the "...primary considerations [being] the shape or topography of a lot, the location of existing structures and preserving mature trees. However, the considerations may also include the degree of exception requested, the impact on the relationship of the building to the street, internal/external connectivity, safety concerns, and consistency with existing development patterns. When an exception is granted, it should be conditioned on buffering the parking with landscaping including natural plant materials, shrubs, and trees."*

The applicant is aware that this variance must be requested and is prepared to address this with a formal request.

As previously noted above with the discussion for parking in front for Townhomes §4231, the proposed standard is the same for two-family dwellings, and the overall effect of the proposed standard [parking in front] is the same as the discussion above.

### Development Standards

In Planned Residential Districts, all applicable development standards found in the Zoning Ordinance apply, unless specific modifications are requested.

Some individual development regulations have methods or criteria for determining alternate standards, or specifically refer to PR standards mimicking other standards. As an example, parking space dimensions may be altered by exception due to "shallow depth of a parcel, location of existing trees, or similar circumstances" (§5202). Conversely, the tree canopy coverage requirements for PR refer an applicant to provide canopy coverage "per [similar] uses" (§5426).

*Development standards applicable to this request are provided below with analysis.*

### Parking §5200 et seq.

Off-street parking is required to be provided for every new development, including residential uses. The Zoning Ordinance sets the standards for the location of parking spaces and driveways; how shared parking and driveways may be utilized; requirements for entrances and maneuvering; and minimum parking ratios based on proposed use. The Planned Residential Zoning District allows applicants to propose a parking ratio different from what is otherwise dictated in the ordinance (§3113(f)). The applicant proposes a different standard for Townhomes. Please see Minimum Parking Required §5220 for staff analysis.

### Parking Space Location §5202

The Zoning Ordinance requires that parking spaces for all uses except for single-family detached, and subdivided two-family dwellings with individual lot frontages on local streets must be designed in such a way that does not

require maneuvering in, or backing out into a public street. The code further states that the Administrator may waive the exemption for single- and two-family dwellings if backing or maneuvering in the street is deemed unsafe.

The graphics submitted in the application imply that access to parking spaces for all uses, including townhomes, will require maneuvering or backing into the street. It is expected that single-family uses typically back into or out of the street into driveways. With parking required to be located behind the front building line for two-family dwellings, backing into the street is generally not required.

*The applicant has not submitted a formal request to modify this standard for townhomes and two-family dwellings. The applicant should make every effort to meet the standard, and provide justification for the instances in which the standard cannot be met. While the code does not distinctly reference a method to request a modification to the location for parking, or provide any criteria for modifying the standard, through the PRD process, modifications to these standards can be reviewed and evaluated for their appropriateness, as well as their impact.*

The applicant is aware that this variance must be requested and is prepared to address this with a formal request.

#### Staff analysis

The overall effect of the application of the proposed standard [backing into the street] has a number of consequences. Foremost, all vehicles will be required to back into or out of the off-street parking spaces. While this is generally the circumstance for most single-family uses in Town, minimum lot size and frontage requirements prevent driveways generally from being located too close to one another. It is possible for driveways on adjacent parcels to be 6' away from one another (3' from each property line), but there is also a minimum driveway separation for any driveways on the same lot in the Subdivision Ordinance (5-318). All of these standards combined: minimum lot frontage and size, minimum distance from property lines, and minimum driveway separation contribute to providing distance between driveways for safety when backing is required. As noted in the section above, the Administrator can require that driveways not require backing due to safety concerns.

This site has considerable topographic change and the subdivision is designed with curving streets. Horizontal and vertical curves can hinder sight distance. With a mix of single units, duplexes, and townhomes, all with driveways in close proximity to one another requiring backing in or out, safe sight distance may be difficult to achieve for all lots. This will most profoundly be felt in the mixed-income southern portion of the development where the minimum lot frontage is 15', and many of the driveways will comprise the entire front yard of a unit, with no separation at the property line.

Secondly, the overall effect of the application of this regulation in the mixed-income southern area will result in broad stretches of driveway pavement meeting the street. Rather than appearing to be individual driveways, blocks of driveways together will have an appearance and function more like a single broad entrance. There will be very little actual green space in front of the units. As illustrated on sheet A101 of the application, it is unlikely that any vegetation will survive in the very small space between the driveways in the vegetative buffer strip, as this will likely be driven over when maneuvering, or be the location for water meters or sewer cleanouts.

In consideration of reducing the overall effect of this impact, the design layout could be revised such that three double-width driveways in a row would be prohibited. In the lower left graphic on A101, the block of four

townhomes includes three double-width driveways in a row, and one double-stack driveway on the end. Prohibition of this would require the other end unit to also have a double-stack driveway on the end. This may alter lot layout and unit type adjacencies, but could result in greater driveway separation and greenspace in front of the units.

Alternatively, a single parallel drive that accesses unit driveways (similar to Oaktree townhomes in Christiansburg) would also eliminate a number of entrances, and provide additional greenspace between the street and the driveways. This would require additional lot depth to accommodate the parallel drives.

#### Driveway Location §5204; §5790; Subdivision Ordinance §5-318(c)

Each of these standards requires that all driveways be located no less than 3' from a property line, unless the driveway is shared between two lots. Coupled with the standards mentioned above in the Parking Space Location §5202 section, this standard provides a minimum separation between driveways on adjacent lots, and by extension, that the entire front yard cannot be paved. Because this standard first appears in the Zoning Ordinance, the request for modification is being discussed in this staff report. *Please note that the applicant is requesting an additional variance to Subdivision Ordinance Standard §5-318(d), which pertains to driveway locations with regards to proximity to street intersections. As this standard regulates access and safety at intersections, the evaluation of the variance request to §5-318(d) is contained in the staff Variance Report.*

The applicant, in the Variance Narrative memo included as a part of the application, has requested an exception to all of these standards, and provides the justification that the minimum parking of two spaces per unit requires a minimum of 18' of pavement width. The applicant's Variance Narrative states that the attached units themselves will be 18' wide, and thus the driveway will reach from property line to property line, as the attached interior units will be subdivided along the party walls.

#### Staff analysis

The overall effect of this proposed standard [no minimum driveway setback] will be felt most in the mixed-income southern area of the development. The impacts and effect of this proposed standard are similar to those above, regarding maneuvering/backing into the street. Additionally, the proposed standard results in a number of different types of units with entirely paved front yards. The effect of this will make the public street feel more like a drive aisle between two rows of perpendicular parking. See also the analysis in the Use & Design Standards for parking in front of the building for additional considerations with regards to driveways and parking.

#### Additional Considerations

The combination of proposed standards regarding parking in front of the building line for most units, and 20' front yard setbacks could be problematic if vehicles overhang the public sidewalk. The application graphics A100 indicates that a minimum distance of 18' is provided between the face of the porch and the back of the sidewalk. This does meet minimum off-street parking dimensional standards. However, large or long vehicles, or individual resident choices regarding parking location within driveways may encroach over the sidewalk. *The applicant should consider increasing the minimum driveway length to 20' to accommodate larger vehicles and additional space in the driveways to mitigate this potential impact.*

#### Minimum Parking Required §5220

The Zoning Ordinance requires that a minimum of two parking spaces be required for single- and two-family residential uses. Townhomes are required to provide 1.1 parking spaces per bedroom. This standard is in

keeping with typical multifamily development in town, which is customarily occupied by unrelated individuals who all have personal vehicles.

The applicant is proposing a lower standard for the townhomes than 1.1 spaces per bedroom. The application includes a parking ratio of two spaces per unit for townhomes, as well as single- and two-family uses. In consideration of the single-family owner-occupancy nature of this proposed development, a lower parking ratio is reasonable. There is no maximum number of parking spaces per unit. Guest or overflow parking will occur in individual unit driveways, or on the street. As proposed, the street widths support parking on one side, per the VDOT subdivision street standards.

#### Buffer Yards & Screening §5300 et seq.

Buffer yards are required to mitigate impacts between uses or zoning districts of differing intensities. The code specifies that the buffer yard must be installed on the parcel of higher intensity. The chart in the ordinance indicates that no buffer is required to be installed on a PR parcel abutting RR1 or other PR parcels because buffering is to be evaluated on a case-by-case basis with each PR application. There is no requirement or guidance for landscaping in the Zoning Ordinance Planned Residential district standards. The application should propose a buffering and landscape plan that is appropriate for the development and the surrounding area. The evaluation of a PR request should take into consideration the necessity and appropriateness of any buffer yards, with regards to adjacent zoning and uses, and the potential to mitigate impacts.

The Use & Design standards for both townhomes and two-family dwellings do require buffer yards in some instances, but the standard is not applicable, as it is not written for these uses when located in PR districts.

There are several areas in the development where individual lots back up to the external adjacent properties and no buffer yard has been provided. In other locations, open space is located at the perimeter of the parcel and provides a buffer between the development and adjoining properties. *In regards to the existing land uses adjoining, buffering should be considered along the rear of the lots 166-176 adjoining the Village at Toms Creek, and along the rear of the lots 1-13 on Street B where the proposed development abuts existing homes on Glade Road and Shadowlake Road.* Especially given that the parcel sits below its neighbors and will be highly visible from the neighboring homes, a buffer yard would help to ease the transition between the different intensities of development.

#### Landscaping §5400

The applicant is proposing a landscaping plan that is a new approach for Planning Commission, Town Council, and the Town to consider. The developer has included a landscape architect on the applicant team who will be at the Planning Commission meetings to explain the philosophy and answer questions about the design and the function of the plan. The proposed landscape plan utilizes non-traditional methods of establishing new forested areas in developments. Considering that the parcel is mostly open agricultural fields, there is little in the way of existing tree canopy. The landscape plan designates areas that are intended to be essentially “left alone” to grow through successional plant species over time. This is a very different approach than traditional development, which includes the planting of trees and landscape material at the outset with construction. This staff report provides an analysis of the proposed plan. Staff notes that this method of landscaping may be appropriate, but also that more significant minimum enforceable safeguards are utilized so that the applicant’s vision of managed successional growth can be achieved.

Landscaping is evaluated as a part of the overall review of the planned residential district request. The Zoning Ordinance provides minimum requirements for some applications, but overall, the proposed landscape plan for

the PR district should be evaluated for its appropriateness to the proposed and existing neighborhood. Apart from buffering, there are generally two standards that are applicable to this type of development, overall canopy coverage, and street trees. The application includes proposed standards that are different in both minimum requirements, as well as methodology and philosophy of landscaping.

### Overall Canopy Coverage §5426

Tree canopy coverage refers to the square footage of land a tree's canopy would cover on the ground at full maturity, generally considered 20 years. There are a number of different factors that affect canopy coverage including tree selection, microclimates, adequacy of growing area, and appropriateness of the species selection for the application. Tree canopy provides shade and ground cover that helps prevent erosion by both holding the soil with roots and reducing the amount of rainfall that reaches the ground. Trees also help to define the character of a neighborhood and soften areas of intense development.

The Zoning Ordinance specifies that canopy coverage for Planned Districts should be "per [similar] uses". In this instance, the mixed-income southern area is most equivalent in terms of unit types to R-5, which allows single- and two-family uses by-right and townhomes by CUP. The northern area of the development is most like R-4. In either case, the R-4 or R-5 canopy coverage requirement is 20%.

Canopy coverage is typically achieved by planting new trees. In new developments, the total required canopy coverage is known upfront, as it is a ratio to the parent parcel. Developers typically plant all of the trees with the construction to ensure that the required canopy coverage can be achieved.

### Proposed Canopy Requirement

The applicant is proposing a total 20% overall canopy coverage but with a different methodology for achieving overall canopy coverage for some parts of the site. In the "Professionally Managed Landscape Areas, Street Trees, and Yard Landscaping", canopy coverage will be calculated per tree, to be installed at the time of construction. This is the traditional method of meeting required canopy coverage. However, in the "Managed Successional, Existing Woodlands Retained, and Pond Edge Shade Tree Successional Area" instead of planting all trees with construction, the applicant is proposing that the HOA manage the open areas actively, to ensure that naturalized, successional plantings are given the opportunity to grow and achieve required canopy over time. The applicant suggests that organically, and with active management, at 20 years' time, the natural environment will provide the equivalent canopy coverage necessary to meet 20% of these areas. The applicant suggests that while some of this canopy will be trees, some of the canopy may be comprised of "shrub thicket" (see graphic, p.68 of application "LandOwner Resource Center, Ontario Extension"). Typically in Town, shrubs are not counted toward canopy, however, there are some resources that point toward shrubs having discernable canopies and providing similar benefits to trees of similar size.

In order to achieve this end, the applicant has committed to requiring the HOA to have a maintenance plan for these areas, established by the developer in conjunction with a landscape architect professional. The HOA will be required to secure a person "holding relevant qualifications such as a biologist, master naturalist, ecologist, natural resource manager, or...similar credentials" to visit annually and review the managed successional areas to address issues and make recommendations. This commitment is contained in a proffer, though more information and clarity may be needed for this proffer. The application suggests that these choices have been made largely to reduce overall maintenance cost over time, further aiding in overall affordability.

### Staff analysis

This methodology and approach to planting has not been formally reviewed by the Town staff up until this point. No other developments have suggested successional management as a means to achieve 20-year tree canopy. To that end, and with no similar or equivalent prototype, it is unknown if this method will produce the desired results. Theoretically, it is reasonable to assume that given the opportunity, (i.e. ceasing the current operation of bush-hogging and allowing plants to grow naturally), and elimination of invasive species, a broad range of natural, native species would grow from seeds spread by wildlife traversing the area, and natural growth taking place. However, this will be an active development from the day that construction begins, and it may take many more years for the natural ecology to recover. That is to say, the volume and diversity of species traversing and occupying the site today, undeveloped, may be negatively affected by the development and may not bring the outcome envisioned, thus never resulting in the desired canopy coverage.

Furthermore, it may be difficult to calculate canopy without detailed information such as a vegetation inventory on the ground, as well as aerial imagery. The application does not give any method for providing checks at certain points in time (5 years, 10 years, 20 years, etc.) to ensure that the development is on track to achieve the required canopy. Additionally, no provision has been made to require planting if at any point the canopy does not meet its projected coverage. The Landscape Standards, page 68-69, do provide minimum planting requirements at the time of construction and include different methods based on the different landscape areas, whether managed successional or professionally-managed. However, the standards provided do not use the same nomenclature or measurement method that would be considered equivalent. As an example, the standard states that two trees, with a minimum 177 sf each canopy coverage would be provided for every quarter-acre of managed successional area other than along the creek, but the standard does not complete the math to state how many trees this is. An alternative method would be to say a minimum of 4% canopy coverage would be planted in these areas, and a minimum number of trees is required. This method and calculation is easier to verify in the field, and on a site plan. Other areas of the development utilize more traditional methods of calculation, such as individual tree canopy coverage, number of trees per lot, or number of trees per linear foot of street or stream.

*An alternative approach that would alleviate concerns that appropriate canopy may never be achieved in these areas, would be to require a minimum amount of canopy to be planted up front, or within a certain number of years after the first certificate of occupancy, and the remainder of the canopy could be achieved through managed succession. Not only would this ensure that a minimum number of trees and shrubs are planted at the outset, it also would begin to form the sheltering and varied ecosystems needed for species diversity to produce the desired succession.*

In general, however, the concept of different managed successional areas, shaded pond areas, riparian areas, managed turf, and other features across such a large site presents an opportunity to provide a very diverse landscape ecology that can be beneficial to the environment, and enjoyable for people. The overall landscape concept provides different opportunities for recreation and natural habitat, and provides an innovative approach to considering how to manage and landscape 15 acres of varied terrain, over the long term, with the caveats mentioned above.

### Clarification Needed

It appears that there may be conflicts in the proposed language regarding street trees and yard landscaping for the South area of the development. On p.69 of the application, the standards proposed dictate one tree per every 100 linear feet of street frontage in the South Area. Further, the "Yard Landscaping" section states that a

minimum of one tree (including street trees) in either the front, side, or *rear yard be planted within 10' of the ROW* [emphasis added]. It does not appear that there is a circumstance in which a tree in the rear yard could be no more than 10' from the ROW. The standard further states that a minimum of two trees is required per lot. *The applicant should clarify the standard as it is unclear how many, and where, trees are required in the South area.*

### **Street Trees §5428**

Street trees are required in developments at a rate of at least one tree per every 30' of road frontage. The ordinance allows the Administrator to lessen the requirement due to factors such as size, street frontage, existing vegetation, and specific conditions for the site. The applicant has proposed two separate street tree standards based on North or South areas of development. The South area will have one tree per every 100' of frontage, while the North area will have one tree per every 80' of frontage. The application does not include justification for the alternate standard proposed or why the Town standard cannot be met in order for the alternate standard to be analyzed. *The applicant will have to provide justification for the modification request to the standard.*

### **Subdivision Ordinance**

Subdivision standards do apply to Planned Residential Districts, unless specific variances are requested at the time of the rezone, due to the binding nature of the PR plan. As previously mentioned, there have been few Planned Residential District subdivision applications in recent years—most applications have been for commercial multifamily residential uses, and thus, standards for things like public street construction and dedication, or perimeter public utility easements are not applicable because they don't apply to private driveways, or developments that do not include subdivision of land. In this instance, the applicant proposes the construction of new public streets, as well as public infrastructure, and 176 individual unit lots, and thus subdivision standards apply unless otherwise noted.

The requirements for the creation of new parcels and the construction of public infrastructure are found in the Subdivision Ordinance. The Subdivision Ordinance also provides the processes for review and recordation of new lots, rights-of-way, easements, and similar items. While the Zoning Ordinance contains standards and requirements for development of private property, the Subdivision Ordinance provides these requirements for the development of public infrastructure, including layout of lots, streets, sidewalks, public utilities, and common space, whether public (to the Town) or private (for the residents of the development).

### **Specific variance requests discussed in variance memo**

The applicant includes, as a part of the application, requests to vary a number of different Subdivision Ordinance Standards. These pertain to specific design standards for public streets; provision of curb and gutter; provision of sidewalks; request to allow a T- or Y-turnaround instead of a bulb cul-de-sac; block length; driveway distance to intersections; and public utility easement widths. The analysis for these variances is found in the staff Variance Report, and not considered in this Staff Report.

### **Streets §5-300 et seq.**

There are a number of requirements pertaining to the dedication and construction of public streets in a subdivision. Analysis of applicable standards is found below. Some standards may not be applicable due to the stage in the process (rezone, not preliminary plat or engineering plans), and are not discussed. Where applicable standards are met, it has been noted. The standards below have been paraphrased. Please refer to the Town's Subdivision Ordinance for full text.



**§5-300, §5-302 Public Street Dedication:** Developer shall dedicate public streets and all associated improvements (stormwater management, paving, street signs, signalization, curb & gutter); Private streets are prohibited; Developer shall dedicate street extensions identified in the Comprehensive Plan or other formal adopted Town documents

This standard will be met by virtue of approval of the rezone, and administrative approval of associated final plats and engineering plans.

**§5-301 Street Names**

n/a—Preliminary plat/engineering plans

**§5-303 Access to Adjoining Property:** Proposed streets shall be extended by dedication to the boundary line of adjoining property

The design of the development includes the desired connection between Village Way South and Glade Road that was supported in the Transportation Chapter in the latest Comprehensive Plan update. This connection further strengthens the overall Town-wide street network. Street D is dedicated by ROW to the property line at The Farm development, but not constructed to the property line; and no other streets are provided to any other parcels. Most notably, no connection by constructed street is provided to the large parcels to the west of the development that have frontage on Glade Road. These adjacent parcels are large enough that a subdivision including public streets, could be developed. In not meeting this standard, the development as proposed precludes any future connection between this development and any other future development on the adjoining parcel. The most important connection is provided via Street A, but there are other opportunities for connectivity that should be considered now, so future connections are not precluded.

**§5-304 Access from Adjoining Property:** Subdivider “enjoys the right” to connect to adjacent streets

This standard has been met. The applicant is proposing to provide vehicular connections to existing streets Village Way South and Glade Road. The parcel does have frontage on Shadowlake Road as well, though the applicant is not providing vehicular access to this street. A trail connection is provided.

**§5-305 Coordination with Existing Streets:** Streets in new subdivisions should continue where they already exist; Access points to and from the subdivision; the arrangement of new streets; and the relationship of adjoining streets shall minimize impacts to surrounding area

This standard has been met.

**§5-306 Inconsistent traffic flow prohibited:** Vehicle traffic of higher intensity shall not be routed through existing adjacent residential neighborhoods

This standard is intended to address commercial development routed through residential neighborhoods, not preventing interconnectivity between neighborhoods. The overall land use proposed with single-family, two-family, and townhouse units is similar to the existing development in Village at Toms Creek. Two connections are proposed to this development, including a connection to Village Way South.

**§5-307 Level of Service:** Developments cannot negatively impact level of service beyond specified parameters in the code

The proposed development does impact the non-signalized intersection at Old Glade Road and Glade Road. The applicant has submitted additional traffic analysis for this intersection, and is working with Town staff to determine any mitigation measures.

**§5-308 Approach Angle: Proposed streets shall connect with arterial and collector roads at an angle of not less than 80-degrees unless a variance is specifically requested.**

This standard has been met. Street A intersects Glade Road at approximately 90-degrees.

**§5-309 Minimum ROW widths 50' or 40' for cul-de-sac**

This standard has been met. All ROW within the development is proposed to be 50'.

**§5-310 Cul-de-sac length: Maximum length; allowance of T-or Y- turnaround instead of a bulb cul-de-sac; pavement surface and ROW configuration**

In all cases, the length of the proposed cul-de-sacs does not exceed 900', as required by the ordinance. The applicant has requested a variance to allow a T- or Y-turnaround in lieu of a bulb cul-de-sac for Street D. The analysis of this variance request is found in the Staff Variance Report.

**§5-311 Traffic control devices**

n/a—Preliminary plat/engineering plans

**§5-312 Turn Lanes: Turn lanes are required where warranted by VDOT minimum standards**

This standard has been met. As a part of the development of The Farm development adjacent, the two property owners negotiated a lot line adjustment that provided the necessary ROW width in front of the townhomes at The Farm for the future construction of the warranted turn lane. The proposed development does show the construction of this improvement.

**§5-313 Street Design**

See Staff Variance Report

**§5-314 Street Signs**

n/a—Preliminary plat/engineering plans

**§5-315 Street Inspections**

n/a—Preliminary plat/engineering plans

**§5-316 Handicap Access**

n/a—Preliminary plat/engineering plans

The applicant will have to meet this standard when full design of the subdivision is prepared. This can be verified by staff on the engineering plans. However, it should be a consideration for the applicant as it does impact both design and cost.

**§5-317 Blocks**

See Staff Variance Report

**§5-318(d) Driveway proximity to intersections**

See Staff Variance Report

**§5-319 Street Trees on Collector and Arterial Roads**

This standard is met for Glade Road, which is a collector road. There are no other collector roads proposed or adjacent to the development.

**§5-320, §5-321 Medians and Bike Lanes on Collector and Arterial Roads**

n/a—There are no collector or arterial roads proposed within the subdivision.

### §5-322-325 Various standards

These standards are not applicable, or can be addressed with the preliminary plat and engineering plans.

### Sidewalks §5-400

Sidewalks are necessary within and adjacent to the subdivision along all public streets. The subdivision ordinance sets forth standards for location, construction standards, and variance request procedures. The application shows sidewalks installed on one side of streets within the south mixed-income area, but no sidewalks are proposed for the north area. The applicant has requested a variance to eliminate sidewalk for portions of the development, as well as a request to reduce the vegetative buffer between the sidewalk and curb from 4' to 3'. The analysis of these requests is found in the Staff Variance Report. Additional considerations from the Corridor Committee are provided below.

### §5-401; Sidewalks Required; §5-402 Sidewalk Variance

See Staff Variance report

### §5-402 Access to open space

Access is required to public and private open space in a development. There are specific requirements for surface materials, consisting of pavement for access to public park land, or pavement or porous semi-hard surface such as gravel for access to private open space. There is no minimum width for private access.

The applicant has provided access to the private open spaces within the site in a number of ways: paved trails, paved sidewalks, and grass trails. The proposed grass trails at the ends of Street B and Street C do not meet the standard, and the applicant has not provided a specific variance request to this standard. *The applicant should revise the plan to meet the standard or request a specific variance.*

Staff generally supports connectivity wherever it can be provided, but with specific regards to this request, the density and development pattern necessitate the need to provide a paved path from each of the subdivision streets to the open spaces.

### Trails §5-500

#### §5-500-502 Trails required; Location of trails; Access to future trails and ROW

Trails are required in subdivisions to carry out the Comprehensive Plan bike/pedestrian infrastructure vision, as well as to provide safe access off-street between neighborhoods, schools, parks, and other areas.

The application PED sheet shows the proposed development trails in orange. There are trails proposed along portions of Street A and D, within the open space to Shadowlake Road, within the open space in the center of the development, and within the open space adjacent to the Village at Toms Creek open space and existing trail. Connections to the existing trails at The Farm and the Village at Toms Creek will be provided, as well as a trail connection to the property line adjacent to the west of the development. In consideration of the applicant's request to eliminate sidewalks along some portions of Street A and all of Street E, additional off-street connections should be provided for safety for pedestrian and bike users.

#### §5-503 Trail construction standards

Trails are required to be constructed at least 4' from the back of the curb (or the edge of pavement if there is no curb on the roadway). The applicant has included a request to decrease the separation to 3' for sidewalks, but has not provided a typical cross section where the trail is adjacent to the street, nor specified a minimum width for separation. It is unclear if a variance is needed, or requested. The applicant will need to clarify what the minimum width will be, and provide a variance request if the width is proposed to be less than 3'. Please see

the Staff Variance report for considerations regarding the request for sidewalk separation to be 3', as it is a similar circumstance with similar impacts.

### Corridor Committee

The Town Corridor Committee reviewed this request at its December meeting. A summary of the comments is provided below:

- The south side of the development includes a Backyard Transitional Zone (additional 10' mowed area behind homes, to be mowed by owners). Consider including the Backyard Transitional Zone for the north side of the development as well, and requiring no construction or buildings in this area. This creates another trail/walking opportunity, and is especially important for the area between the back of homes on streets A & E, as no sidewalk is proposed in this area. This could help provide more pathways that are more direct routes to the trails and houses. Would this area also be a PUE? The Committee would like the developer to explore this as a possibility, even if sidewalk is added to the north side of the development.
- The Committee would prefer to see sidewalk on the north side of the development. The extent to which sidewalk can be provided on the north side, it should be provided. No sidewalk provided in this area could create a sense of keeping people out, and discouraging people from the south side of the development/the public to come there.
- The Committee recommends providing bicycle parking for the recreational/public areas.
- For Street C on the south side of the development, connect the sidewalk to the grass trail connection in the cul-de-sac, or move the grass trail to connect to the sidewalk.
- The 3' grass strip between the road and sidewalk is important for pedestrian safety. This is especially true for those with small children, and given the proposed rolled curb.
- The Committee is supportive of the 15 mph street speeds.
- The more walking locations/alternatives to walking or biking in the street that can be provided, the better, and safer the development will be for people walking and for people on bikes.

#### Staff Comment

- The proposed trail along the fronts of residential parcels along Street D (south side) should be changed to proposed sidewalk. The transition of sidewalk along Street A directly to trail along Street D seems difficult to achieve and unnecessary.
  - The Pedestrian Circulation and Trail Exhibit sheet calls out trail in lieu of sidewalk for the entire length of Street D. What is the reasoning?

### Public Utilities §5-600 Water; §5-700 Sanitary Sewer; §5-800 Stormwater Management

Please see the attached Engineering memos for specific analysis regarding public infrastructure design.

### §5-900 Other Utilities

#### §5-900 Underground Wiring

n/a—Preliminary plat/engineering plans

#### §5-901 Public Utility Easements

See Staff Variance Report

## Impact on public infrastructure

### Public utility impacts

Town engineering staff review requests for rezoning for impacts to public utilities to determine if the existing infrastructure has capacity to support the additional development. In some instances, there are not adequate facilities to provide services to the development, or the development would result in a negative impact to existing infrastructure. Typically, infrastructure improvement to accommodate development is provided by the developer.

The applicant has provided data on projected water and sanitary usage in order to determine the impact on these utilities.

The existing sanitary sewer infrastructure is not adequate to fully accept the proposed development as designed. There are alternative solutions to providing capacity that have been identified, and the applicant and the Town are working to determine the best solution. Full analysis of the impacts is found in the attached Engineering memos.

Additionally, the applicant is requesting to remove the parcel from the Town “Toms Creek Basin Unsewered Area.” Discussion regarding this request is found in the Staff Variance Report.

### Transportation impact

The Town engineering staff reviews requests with regards to impacts to the overall transportation network, including intersection analyses, turn lane and signal warrant analyses, and projected traffic volumes. The applicant submitted a traffic analysis that has been reviewed by Town staff. The analysis of transportation impact is found in the attached Engineering Memos and memo from Town consultant WRA.

### Stormwater management

All requests for rezoning are required to provide a stormwater concept plan that shows that the minimum Town stormwater standards for water quality and water quantity can be met. As previously mentioned, the applicant is proposing a regional stormwater facility, as well as several other facilities to manage the stormwater for the development. The stormwater concept plan is approved at this time (memo attached). Please also see the attached Engineering Floodplain Memo which contains an analysis of the submitted Flood Study.

## Public Input/Neighborhood Meeting

The Town neighborhood meeting was held on December 7, 2022. Staff posted the presentations by Planning Staff, Housing and Community Connections Staff, and the applicant on the Town website after the meeting. The notes and sign-in sheets from this meeting are included as an attachment. Staff has also received correspondence in regards to this request and it is also included as an attachment. Additionally, the applicant opted to host a community meeting in June 2022. Staff was in attendance at that meeting, but no meeting notes were taken by staff. The applicant has also set up a website for the proposed development [www.gladespringcrossing.wordpress.com](http://www.gladespringcrossing.wordpress.com) .

## Summary

The Planning Commission is asked to consider and make a recommendation of approval or denial of the proposed Rezoning request. If the request is approved, the property will be rezoned Planned Residential with any proffers offered by the applicant and accepted by Town Council. Any changes to the master plan would be required to be reviewed through the public hearing process to amend this PR district. If denied, the property

will continue to be zoned RR1 and any such subsequent development application will have to adhere to all the minimum standards found therein. The decision to grant or deny the rezoning request is a discretionary decision, and should be made according to the criteria outlined in §1151, and with the analysis provided.

As previously mentioned, if the rezoning is approved, this development request will also be subject to a major subdivision review as provided for in Subdivision Ordinance Article IV Division 2.

The rezoning master plan is binding, and should not presume the approval of any variances that may be needed from the subdivision ordinance standards, unless specifically addressed in the rezone and approved through the ordinance language. Should the review of the major subdivision bring to light elements of the binding master plan that must be changed, then the applicant will have to amend the planned residential district.

## Attachments

- A. Staff Appendix
- B. GIS Maps
- C. Engineering Memos
- D. Affordable Housing Analysis
- E. Development Agreement Summary
- F. Proffer evaluation (to be provided in advance of the January 31, 2023 work session)
- G. Neighborhood Meeting Notes & Sign-in Sheets
- H. Correspondence Received

Key elements