TITLE: Westview South MXD – Residential Section Revision

FILE NUMBER: S-905/SP-98-36 (AP 15579, APFO 15580, FRO 15581)

REQUEST: Combined Preliminary Subdivision Plan/Site Plan
The Applicant is requesting Combined Preliminary Subdivision/Site Development Plan approval for 421 dwellings on 170 lots (84 additional units and 35 fewer lots relative to previous approval) composed of 48 alley loaded single family detached, 13 front-loaded single family detached, 98 alley loaded townhouses, 224 multi-family units, and 38 ‘two-over-two’ units on +/- 24.57 acres of land.

PROJECT INFORMATION:
ADDRESS or LOCATION: Northeast quadrant of New Design Road and Executive Way
TAX MAP/PARCEL: Tax Map 86, Parcels 269 & 3
COMP. PLAN: Mixed Use Development
ZONING: Mixed Use Development (MXD)
PLANNING REGION: Frederick
WATER/SEWER: W-3, S-3

APPLICANT/REPRESENTATIVES:
APPLICANT: MB Westview South, LLC
OWNER: WVS Parcel 400, LLC/Matan Properties, LLC
ENGINEER: Harris Smariga Associates, Inc.

STAFF: John Dimitriou, R.A., Principal Planner

RECOMMENDATION: Conditional Approval

ATTACHMENTS:
EXHIBIT 1 - Plan Rendering
EXHIBIT 2 - Parking Modification Justification
STAFF REPORT

ISSUE

Development Request

The Applicant is requesting Combined Preliminary Subdivision Plan / Site Development Plan approval for development of 421 residential dwellings in the following mix:

- Single-family detached, front loaded: 13 units
- Single-family detached, alley loaded: 48 units
- Single-family attached (townhouses): 98 units
- Two over two dwellings: 38 units
- Multifamily: 224 units

This application revises a portion of the previously approved application (AP#14262 FCPC approved on 5/21/2014). The portion of the project currently under review is labeled “Part 2” in the accompanying graphic. The remaining portion of the project, which is labeled “Part 1” on the accompanying graphic, is not a part of this review and is currently under construction. The proposed change in the number of dwellings in Part 2 is described in the following table:

<table>
<thead>
<tr>
<th>Number of Dwellings</th>
<th>Currently Approved Plan (AP#14262)</th>
<th>Proposed Plan</th>
<th>Difference Between Approved and Proposed</th>
<th>New Overall</th>
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<tr>
<td></td>
<td>Total Part 1 Part 2 Part 2</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>SFD Alley</td>
<td>90 37 53 48 -5 85</td>
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<td></td>
<td></td>
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<tr>
<td>SFD Front</td>
<td>31* 18 13 13 0 31</td>
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<td></td>
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<tr>
<td>TH Alley 16’</td>
<td>73* 51 22 22 0 73</td>
<td></td>
<td></td>
<td></td>
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<tr>
<td>TH Alley 20’</td>
<td>104 11 93 76 -17 87</td>
<td></td>
<td></td>
<td></td>
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<td>MF 12 unit</td>
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<td>MF 32 unit</td>
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<tr>
<td>2o2</td>
<td>62 62 0 38 38 100</td>
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<tr>
<td>Total</td>
<td>516* 179 337 421 84 600</td>
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</table>

*Current Combined Preliminary/Site Plan approval is for 518 dwellings. Prior to the current application, a Type III Plan application was approved at staff level to remove one single family detached lot (lot 310) and one single family attached lot (lot 6) (AP#15592) for the purpose of improving the configuration of the layout.

The Project is subject to the requirements of the Frederick County Code, specifically Chapter 1-16 (Subdivision Rules and Regulations) for the Preliminary Subdivision Plan review, and Sections 1-19-3.300 through 1-19-3.300.4 for the Site Development Plan review. The Site Plan portion of the Project is being
reviewed as “Townhouse” and “Multifamily dwellings” under the use heading of Residential per §1-19-5.310 Use Table in the Zoning Ordinance.

**Modification Requests**

Reduction in required number of on-lot parking spaces (see attachment below).

**BACKGROUND**

**Development History**

The Site of this preliminary/site plan was the subject of several previous rezonings. The Site was zoned Agricultural (A) from 1959 to 1986/87, at which time it was rezoned to Office/Research/Industrial (ORI). The Site is currently zoned MXD, which was originally applied in 1994 to 377 acres, a land area that included an additional 177 acres to the north of the current Westview South MXD Site. In 2001, the MXD was amended only for the southern portion of the Site, a land area totaling +/- 200 acres. At that time, the most significant change to the rezoning conditions was the removal of a residential land use component from the approved land use mixture.

The Westview South MXD began construction after the 2001 rezoning and several portions of the Project have been completed. The completed portions include a commercial area to the east along MD 85, portions of an employment area to the west along New Design Road, and major road connections. In addition, the Site includes areas within the Ballenger Creek Trail Master Plan, and a large portion of the trail has been constructed. The project is subject to a Development Rights and Responsibilities Agreement made June 13, 2013.

Given that the 1994 Westview MXD rezoning included a residential land use component, dedication of a school site was required as a condition of approval. While the 2001 Westview South MXD rezoning removed the residential land use component that was previously approved, the condition requiring the dedication of a school site was carried over to the 2001 conditions.

In 2013, another rezoning was approved that resulted in the reintroduction of a residential land use component, not to exceed 615 dwellings. The previously required school site was eliminated from the 2013 conditions in favor of a rezoning condition #2 requiring an $800,000 lump sum payment toward acquisition, planning and/or construction of an elementary school in the vicinity of the proposed Project, to be made 30 days after final non-appealable approval by the FCPC and signature of the Phase II (combined preliminary/site) plan (Ord. 13-10-638). This payment was received by the County in November of 2014.

An addition plat was recorded in February of 2014 that modified parcel lines to advance satisfaction of condition #3 of Ordinance 13-10-638. Condition #3 requires public dedication, if desired by the County, of a 22.49 +/- acre public use site for parks purposes prior to recordation of the Project's first residential lot. This public use site is planned to provide a portion of the Ballenger Creek Trail. This site was conveyed to the County on February 17, 2015 per the deed recorded in the Frederick County land records in book 10423 on page 0083.

A combined preliminary/site development plan was approved on 5/21/2014 (AP14262). This approval was for 518 dwellings on a +/- 42 acre site. A Type III site plan modification to remove two lots was approved at staff level. A lot for a front loaded single family detached dwelling and a lot for a 16’ wide, alley loaded townhouse were removed to improve the overall lot configuration.
Finally, a separate site development plan for a community center, pool, and park space was approved by the Planning Commission on June 10, 2015 (AP#15160).

**Existing Site Characteristics**

Surrounding the Project to the west are the residential subdivisions of Kingsbrook, Robin Meadows, and Wellington Trace. To the east are office and industrial uses, including the State Highway offices, the Omega Center and the Center at Monocacy. To the north is the Westview MXD, which includes office and retail uses. The adjoining properties to the south are in office and industrial use, and include the Wedgewood Business Park and Tamko Asphalt. The Russell Property had been planned as a six lot industrial subdivision and is currently proceeding through the review process. Near the property along MD 85 is the location of the Arcadia Mansion, a property on the National Register of Historic Places.

Ballenger Creek crosses the northern portion of the Site, flowing from northwest to southeast into the Monocacy River to the east. Areas of the Site along Ballenger Creek are within the Federal Emergency Management Agency (FEMA) 100 year floodplain. However, the floodplain is located within the area of the project that was dedicated to the County for parks purposes, and therefore no residential development is proposed within the floodplain. There are no steep slopes within the residential portion of the Project. Rough grading of the Site relative to previous plan approvals is currently underway.

Portions of the Site have been conveyed to the County to provide recreational land in conjunction with the Ballenger Creek Trail Master Plan. The Site has frontage along New Design Road and Executive Way. Access to the Project is attained from New Design Road and Executive Way. The Site is served by Tuscarora Elementary School, Crestwood Middle School, and Tuscarora High School.
ANALYSIS

Summary of Development Standards Findings and Conclusions

The changes proposed in this application are limited to a revised mix of dwellings, and several partial changes to the layout. Parking, lighting, landscaping, bulk restrictions, lot size requirements, pedestrian and vehicular circulation, and the broad development strategy for the Site are equivalent to that which has been reviewed and approved in the existing plan.

As indicated below, and as has been previously approved, the Project meets the requirements of Chapter 1-16 and Chapter 1-19 of the Frederick County Code. The land use pattern of the comprehensive development plan and the district regulations of the zoning ordinance form the basic theme of the design pattern of the proposed subdivision. The subdivision design takes advantage of the uniqueness of the Site reflected by the surrounding natural, built, and planned landscape. Existing and anticipated surrounding land uses have been adequately considered in the design of the development and negative impacts have been minimized. Water and sewer service is or will be provided to the Site and the Site has the appropriate designation. Access to the Site is adequate and sight distance is sufficient at the proposed access points.

Setbacks and height restrictions exactly match those currently approved, and must be approved with this application. A modification is requested for parking for the same reason that the previously approved modification was requested. The Adequate Public Facilities Ordinance Letter of Understanding (APFO LOU) outlining required public facility improvements was executed in September of 2005 with an amendment in June of 2013 in conjunction with the Westview South MXD rezoning (Case # R-00-02A). A second amendment was executed in May/June of 2014, which was required due to changes in the Project’s residential use mix and the resulting increasing in pupil yield. The current application does not exceed the thresholds established by the previous LOU, and therefore does not require amending.

Detailed Analysis of Findings and Conclusions

COMBINED ANALYSIS OF SUBDIVISION AND SITE DEVELOPMENT PLAN REVIEW

Preliminary Subdivision Plan approval is granted based upon the requirements found in Chapter 1-16 of the Frederick County Code. Site Development Plan approval shall be granted based upon the criteria found in §1-19-3.300.4 Site Plan Review Approval Criteria of the Frederick County Zoning Ordinance

SITE DEVELOPMENT

- **Land Requirements §1-16-217(A) & (B)**
  The land use pattern of the comprehensive development plan and the district regulations of the zoning ordinance shall form the basic theme of the design pattern of the proposed subdivision.

  The Site is designated Mixed Use Development in the County Comprehensive Plan. The Mixed Use Development land use designation signifies the advocacy of a mixture of employment, residential, commercial, and/or civic uses for land that is within Community Growth Areas. The Project is within the Ballenger Creek Community Growth Area, and is part of the overall Westview South MXD, which includes a combination of commercial, employment, and residential uses.
The PUD and MXD zoning districts require development that results in an integrated mixture of commercial, employment, residential, recreational, civic and/or cultural land uses. Projects in this district should employ planning and design that is broad and integrative, and should result in efficient use of land, innovative design involving flexibility not permitted within the Euclidean zoning districts, and promote building and site design that reduces dependence on vehicular movement.

As was approved in the preceding plan, this revision proposed an interconnected system of streets with on-street parking and sidewalks, and the development includes a variety of housing types such as two-over-two’s, townhouses, multifamily buildings, and single-family houses. The proposed gross density of the portion of the Project subject to this review (part 2) is seventeen (17) dwellings per acre based on a total of 421 dwellings on a 24.57 acre land area.

The current proposal carries forward the planned interconnected street network previously approved. The interconnect street system promotes transportation efficiency by creating a flexible web of possible travel routes, and potentially distributing transportation load across the network. The design of the proposed revision includes a pedestrian network that is equivalent to the approved plan and that connects the different areas of the development as well as provides connectivity to the adjacent future Ballenger Creek Trail. As such, the proposed design supports the intended land use pattern of the comprehensive development plan and the district regulations of the zoning ordinance.

The subdivision design shall take advantage of the uniqueness of the site reflected by the topography, soils, the wooded areas, water bodies and the relationship to adjoining subdivisions and land uses, both proposed and existing.

The Project integrates Ballenger Creek and an associated planned County trail network into the design. The Site is relatively flat and does not contain flooding or wet soils, wooded areas, or wetlands. Surrounding retail uses provide support services.

- **Block Shape §1-16-218**
  
  The maximum block dimension shall be 1,800 feet.

  No block dimension is greater than 1,000 feet. Multiple housing styles and the location of open space create variety in the arrangement and size of blocks in the proposed development. Pedestrian circulation is supported by neighborhood design and placement of sidewalks and paths.

- **Lot Size and Shape §1-16-219**

  The size, width, depth, shape, orientation and yards of lots shall not be less than specified in the zoning ordinance for the district within which the lots are located and shall be appropriate for the type of development, the use contemplated, and future utilities.

  Setbacks and height within the Planned Development Districts (PUD & MXD) shall be established by the Planning Commission at Phase II as provided in §1-19-10.500.7(F)(2) of the Zoning Ordinance.

  The Applicant proposed setbacks and height restrictions for the current plan revision are not modified relative to the plan as previously approved. They are as follows:
The plans have been reviewed by DUSWM and other agencies with the above proposed setbacks with consideration given to required utility easements and have received conditional approval. The proposed setbacks correspond to typical dimensions in urban settings, and are appropriate for this Project in that it is designed with an urban density range and style of layout. The requested setbacks are also intended to provide flexibility to the Applicant for building placement on residential lots.

- **Site Development §1-19-3.300.4 (A)**

  Existing and anticipated surrounding land uses have been adequately considered in the design of the development and negative impacts have been minimized through such means as building placement or scale, landscaping, or screening, and an evaluation of lighting. Anticipated surrounding uses shall be determined based upon existing zoning and land use designations.

  The Project is located in close proximity to schools, commercial uses, and employment. The Ballenger Creek Trail will provide a recreational amenity for future residents, and the Ballenger Creek Park is near the Site. The layout of the buildings in the Project has been designed to provide appropriate frontage to the surrounding features. The building fronts are oriented toward the existing surrounding public streets, as well as toward a trail head of the Ballenger Creek Trail public recreational feature. This design approach addresses the visual perception of the Project from the surroundings by establishing a frontage that is intended to be viewed from outside the development.

  Section 1-19-6.400 of the Zoning Ordinance requires landscaping, screening and buffering on a development site as part of the site plan review process. The Project generally meets the code requirements by providing landscaping within open spaces and internal parking areas of the Project. Street trees are also provided throughout the Project.

  A photometric plan has been provided that indicates no lighting levels in excess of .5 footcandles at the property boundary. Proposed light fixtures meet the height requirement of 14’ for pedestrian oriented lighting as measured from the ground surface to the midpoint of the source of illumination. The proposed fixture is shielded to direct lighting downward and limit illumination of the nighttime sky. The Zoning Ordinance requires that lighting be designed and installed to be fully shielded, and directed downward. Note 6 on the Cover Sheet shall be amended to ensure compliance with these requirements.

**TRANSPORTATION AND PARKING**

- **Street, Common Driveway and Sidewalk Construction §1-16-109**

  The project shall provide for the complete construction of street improvements, including drainage facilities as provided in §1-16-234 through §1-16-241 of the Subdivision Regulations and in accordance with the Frederick County Design Manual.
There is no change to the general specifications and strategy for the provision of sidewalks in Part 2 of the plan relative to the previous approval. The Plan proposes sidewalks measuring 5 feet in width and marked street crossings at appropriate locations. The sidewalk network provides internal pedestrian mobility and facilitates movement to and from adjacent land uses. Sidewalks are provided that link the Project to the commercial uses to the east. The pedestrian network connects the project to the Ballenger Creek Trail.

- **Right of Way and Paved Surface Widths §1-16-235**
  Whenever a proposed subdivision includes or abuts streets designated on the Highway Plan section of the Comprehensive Plan, the Planning Commission shall require, by dedication to public use, adequate right-of-way for the coordination of roads within the subdivision with other existing, planned or platted roads.

  The County Comprehensive Plan classifies New Design Road and MD85 as Major Arterials. Executive Way is identified as a local road. Right of way for these roads has been provided according to County standards and improvements to these roads have been or will be completed in the near future. Roads within the subdivision provide the standard right of way and paved surface widths required by the County.

- **Other Street Requirements §1-16-236**
  The proposed project does not contain cul-de-sac or dead end streets. The Project layout meets the relevant requirements of this section.

- **Transportation and Parking §1-19-3.300.4 (B)**
  The transportation system and parking areas are adequate to serve the proposed use in addition to existing uses by providing safe and efficient circulation, and design consideration that maximizes connections with surrounding land uses and accommodates public transit facilities.

  The Site has one limited access point with New Design Road and multiple access points with Executive Way. The proposed road network will link existing and planned road networks, promote safe and efficient circulation and allow shared access and circulation between properties.

  Parking standards for the Project are provided within Zoning Ordinance §1-19-6.220 and §1-19-3.300.4(B). The Applicant is requesting a modification for parking because the provided on-lot parking is less than what is required by the Zoning Ordinance. The Applicant has provided a justification for this request that describes how the provision of on-street parking provides capacity in excess of the requirement (See Exhibit 2). The Zoning Ordinance (section 1-19-6.220(A)(1)) provides that the Planning Commission may grant an increase or reduction in the number of required parking spaces based on characteristics of the proposed use. Similar to other recent projects with a mixture of dwelling types and density, the Applicant proposes a combination of on-street and on-lot parking to meet the target parking standards.

  In only the portion of the Project currently under review (part 2), the total required parking is 910 spaces: 122 required for single family detached dwellings, 245 required for townhouses, 95 required for two over two units, and 448 required for multifamily. The Project proposes a supply of parking spaces in the revised plan area in the following quantities:
<table>
<thead>
<tr>
<th>Unit Type</th>
<th># of Dwellings</th>
<th>Parking Spaces Required (Part 2)</th>
<th>Parking Spaces Provided¹ (Part 2)</th>
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<tr>
<td>Single Family Detached</td>
<td>61</td>
<td>122</td>
<td>115</td>
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<tr>
<td>Single Family Attached</td>
<td>98</td>
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<td>261</td>
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<td>Two Over Two</td>
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<tr>
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<td><strong>910</strong></td>
<td><strong>1,033</strong></td>
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1) Based on the policy that only ½ of a garage parking space is counted toward provided parking.
2) Combination of off-lot public on-street, off-lot private on-street, and off-lot private parking bays.

With the provision of 285 on-street parking spaces, the proposed supply of parking exceeds the number required.

**PUBLIC FACILITIES AND UTILITIES**

- **Public Facilities - Road Adequacy §1-16-12**
  The Project has one limited access point (no left out movement permitted) to New Design Road (an 80’ paved width major arterial adjacent to the project site). There also are three access points (two full-movement and one right-in only) along Executive Way, which is a designated local road that functions as a collector. Access and proposed sight distance at entry points along Executive Way and New Design Road are adequate.

  The subdivision would be served by the Westview/United Fire Company Service Area. The fire company is located on, and would utilize, New Design Road to serve the project.

- **Parks §1-16-111**
  The proposed development is a portion of the Westview South MXD. At the time of Phase I rezoning, open space/green area requirements were set at 63 acres. Condition 3 of the Phase I rezoning approval (Ord.# 13-10-638) requires dedication by the developer, if desired by the County, of a 22.49 +/- acre public use site for park purposes prior to recordation of the Project’s first residential lot. This public use site is planned to provide a portion of the Ballenger Creek Trail. This site was conveyed to the County on February 17, 2015 per the deed recorded in the Frederick County land records in book 10423 on page 0083.

  In the currently approved version of the plan, the Applicant provided a recreation area containing a community center and pool. A separate site development plan for this community center/pool was approved on June 10, 2015 (AP#15160).

  The proposed revised Combined Preliminary/Site Development Plan identifies a recreation/open space area in addition to the approved community center/pool. This located between Constitution Street and Macdonough Place along McHenry Mews. The total additional recreation area provided by new open space is approximately 27,000 square feet. The proposed additional recreation area increases the amount of amenity relative to the approved amenities plan and enhances the open space network provided in the original plan.
Public Utilities §1-19-3.300.4 (C)
Where the proposed development will be served by publicly owned community water and sewer, the facilities shall be adequate to serve the proposed development.

The Project is to be served by public water and sewer service and carries a current Water and Sewerage Plan classification of W-3, S-3. The Site will be served by the New Design Water System and the Ballenger-McKinney Waste Water Treatment Plant. The project has been reviewed and conditionally approved by the Division of Utilities and Solid Waste Management.

A second amended and restated Adequate Public Facilities Ordinance Letter of Understanding (LOU) was approved in May of 2014 as part of the prior application. The amended LOU set forth the minimum necessary improvements related to school mitigation and transportation. It was approved in tandem with the 2013 rezoning of the Site. The project is increasing the number of proposed dwellings, but is not exceeding the threshold for pupil yield and trip generation already established in the LOU.

NATURAL FEATURES

Land Requirements §1-16-217(B)
The subdivision design shall take advantage of the uniqueness of the site reflected by the topography, soils, the wooded areas, water bodies and the relationship to adjoining subdivisions and land uses, both proposed and existing.

A major feature of the Site that contributes to its uniqueness is the Ballenger Creek corridor and the associated trail network being developed along the length of the creek. The Project takes advantage of this adjacent feature by providing a planned connection to the open space corridor and trail along Ballenger Creek. This proposed revision does not affect trail access. As part of this project, +/-22 acres of open space have been conveyed to the County, enabling the construction of a portion of the trail system. The Site does not contain wet or flooding soils or wooded areas.

Floodplain Developments §1-16-220
There is no development proposed in the mapped FEMA 100-year floodplain on the Project Site.

Natural features §1-19-3.300.4 (D)
Natural features of the site have been evaluated and to the greatest extent practical maintained in a natural state and incorporated into the design of the development. Evaluation factors include topography, vegetation, sensitive resources, and natural hazards.

The Project Site has low topographical gradients and has undergone mass grading in preparation for development. The Site has no existing forest cover and other existing natural resources, such as Ballenger Creek, have been identified, preserved, or integrated into the recreational amenity of the development in a fashion that maintains a natural state.

COMMON AREAS

Common Areas §1-19-3.300.4 (E)
If the plan of development includes common areas and/or facilities, the Planning Commission as a condition of approval may review the ownership, use and maintenance of such lands or property to ensure the preservation of such areas, property, and facilities for their intended purposes.
The Project proposes a centrally located open area for use as a community park. Additionally, another park is proposed within an area planned for multifamily dwellings. With the exception of the Ballenger Creek Trail corridor, proposed open space and common areas will be owned and maintained by the community homeowners association.

Other Applicable Regulations

- **Moderately Priced Dwelling Units – Chapter 1-6A**
  Per Section 1-19-8.620.2, all residential developments consisting of 25 units or more on public water and sewer are required to provide no less than 12.5% of the total units as MPDU's. Accounting for the current revision of the plan, an overall total of 600 dwellings is proposed. Therefore, 75 MPDU's are required. However, the Applicant has elected to utilize the Payment-in-Lieu of building option as allowed in accordance with §1-6A-5.1 of the Frederick County Code.

- **Stormwater Management – Chapter 1-15.2**
  A stormwater management concept plan for the entire project was approved on February 25, 2014. Changes proposed in this revision will be addressed as the plan proceeds through Improvement Plan review.

- **APFO – Chapter 1-20**
  **Schools**
  An analysis of student yield of the change in dwelling unit mix proposed in the current project was undertaken. Using the current (2012) student yield rates, the site, combined with the remainder residential portion of Westview South, is projected to generate 115 elementary school students, 40 middle school students and 59 high school students, equal to or less than the three school categories in the previous 2013 APFO approval, which was for 116, 40 and 59 students respectively. Therefore, even though there was an overall increase in total units from 531 to 600, because of the new mixes of units, there is no increase in student yield and this application is therefore exempt from APFO re-testing.

  **Water/Sewer**
  The property has a current Water and Sewerage Plan classification of W-3/Dev, S-3/Dev and will be served by public water and sewer facilities. APFO findings were included in the approved LOU dated February 12, 2013. The Division of Utilities and Solid Waste Management reviewed and approved the proposed plan.

  **Roads**
  Trip allocation for the entire Westview South Project was determined by the APFO findings of the Planning Commission in February 2003 and as memorialized in the original LOU from September of 2005, with total trip caps as follows: 2048 am and 2186 pm peak hour trips. While the trip generation of this latest change in residential unit number (531 to 600) and mix results in an increase of 31 am and 33 pm peak hour residential trips, the overall forecasted trips for the entire development now stands at 1,710 am and 2,140 pm peak hour trips, both below the trip cap stated above. Therefore because there is no increase in trip intensity with the changes proposed in this application, it is exempt from any further APFO testing.

  The LOU is still valid until February 12, 2019, which is based on the original APFO approval date (February 12, 2013) plus two previously approved three year extensions.
• **Forest Resource – Chapter 1-21:**
The FRO plan for this Project was approved in 2008 (AP7278) and the required FRO easements were recorded. Therefore the proposed plan is exempt from further FRO review.

• **Historic Preservation – Chapter 1-23:**
No historically significant structures or other resources are present on this Site.

### Summary of Agency Approval Status

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<th>Other Agency or Ordinance Requirements</th>
<th>Comment</th>
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<td>Development Review Traffic Engineering</td>
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<td>Forest Resource (FRO)</td>
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RECOMMENDATION

Staff has no objection to conditional approval of the Westview South Combined Preliminary Subdivision/Site Development Plan.

If the Planning Commission conditionally approves the Combined Preliminary Subdivision/Site Development Plan, the Site Development Plan is valid for a period of three (3) years from the date of Planning Commission approval and the Preliminary Plan is valid for a period of five (5) years or the term of the APFO approval, whichever is less. The APFO approval is valid until February 12, 2019.

Based upon the findings and conclusions as presented in the staff report the application meets or will meet all applicable zoning, APFO, and FRO requirements once the following modifications are approved and conditions are met:

1. Planning Commission approval of the proposed setbacks and height as requested by the Applicant and as shown on the combined preliminary/site plan.

2. Planning Commission approval of the requested parking modification to allow a combination of on-street and off-street parking to be utilized to meet Zoning Ordinance parking requirements.

3. The Applicant shall address all agency comments as the plan proceeds through to completion.

4. Cover sheet note 6. Shall be amended to include the following language “Lighting shall be designed and installed to be fully shielded. Lighting shall be directed downward to prevent glare and light trespass onto adjacent properties, roadways, and the nighttime sky.”

5. Complete the requirements of the Second Amended and Restated Letter of Understanding valid through February 12, 2019.
PLANNING COMMISSION ACTION

MOTION TO APPROVE

I move that the Planning Commission APPROVE the Westview South MXD Combined Preliminary Subdivision/Site Development Plan for 421 residential dwellings on a +/- 24.57 acre site, (AP#14262, S-905, SP-98-36) with modifications and conditions as listed in the staff report based on the findings and conclusions of the staff report and the testimony, exhibits, and documentary evidence produced at the public meeting.