

January 31, 2014

Mr. Tim Goodfellow
Community Development Division
Frederick County
30 N Market Street
Frederick, MD 21701

Re: Oakdale Village - Combined Plan Application A/P 13853
Modification Request
RCI Project No. 1152A3

Dear Mr. Goodfellow:

On behalf of Oakdale Properties LLC, property owner and developer of the proposed community, please accept this document as a formal request of the Planning Commission to approve modifications to the County Zoning Ordinance, regarding parking, width of landscape planting strip and lot dimensional standards (width, area, setbacks).

The parking modification request is based on the provisions of Section 1-19-6.220 (A) (1) of the County Zoning Ordinance, which states that the Planning Commission may approve modifications to the parking requirements if the applicant can demonstrate an acceptable alternative based on the characteristics of the proposed use and to allow for the creation and implementation of community specific design and development standards.

The request to modify the width of the landscape planting strip, and the lot dimensional standards are based on the provisions of Section 1-19-7.520 (G)(1) which states "that the Planning Commission may modify the development standards in 1-19-7.520 (D) though (F), lot area, lot area per unit, lot width, setback, and height requirements (as provided in 1-19-6.100 Design Requirements) for the MX District and maximum building footprints as provided in 1-19-7.520 (F) (1).

We respectfully request the following modifications:

1. Parking:

- Modification to allow approximately 160 of 728 required "on-lot" parking spaces to be located "off-lot" within 239 spaces located in the private parking bays and on the private streets fronting, or adjacent to the residential lots being served.

Justification:

- The property is currently zoned MX.
- The parking modification is necessary to allow the applicant and county to satisfy elements of the MX Zone planning goals by meeting the community parking requirements through the implementation of sharing off-lot/on-street parking resources.
- There are 239 parking spaces being provided in private parking bays and on private streets. These can be assigned by the HOA, allowing for even distribution/allocation. There is 293 total off-lot parking spaces provided, including public and private streets and private parking bays.
- If garages are given full credit, there are 1,051 total parking spaces being provided in the community, which is an average of 3.3 spaces per dwelling unit, exceeding the required number of spaces by 323.
- A Parking Exhibit has been provided by the applicant that demonstrates a more than adequate supply and distribution of parking for each dwelling unit in the community.
- The parking modification is necessary to allow the applicant to achieve their planning goals by creating a desirable community consistent with the goals of the MX Zone while providing alternative products that will respond to current market conditions.
- The parking strategy proposed by this application is consistent with similar communities being marketed and constructed in the region today.
- A greater utilization of private on-street parking will help meet the goals of the MX Zone by creating both a more pedestrian oriented environment and provide a traffic calming element for the community.
- The requested modification will allow the applicant to meet the above goals while still providing sufficient overall parking for the project.

- The parking modification is necessary to provide open space areas to adequately implement the 'new' Environmental Site Design (ESD) stormwater management design regulations.

2. Width of Landscaping Strip:

- Modification to allow the landscaping planting width provided between the curb and sidewalk to vary but be not less than 6 feet.

Justification:

- The Frederick County Design Standards for public streets identifies the acceptable landscaping planting strip width for the street classifications proposed in this community to be 4' – 7'. Please note that the road standards are in conflict with the Zoning Ordinance, Section 1-19-6.400 (A), Landscaping and Screening which requires a planting area for public streets no less than 7' wide.
- The applicant is providing 5' wide sidewalks instead of the county street design standards of 4'. The additional sidewalk width reduces the landscape planting strip width within the road right of way by 1'.
- The modification allows the applicant and county to achieve their planning goals by creating a desirable community consistent with the goals of the MX Zone.
- The modification will provide pedestrian facilities and landscape planting strips consistent with the communities being constructed today.
- The landscape planting strip width will provide adequate space for the street trees and landscape species proposed for the community.
- The modification provides for an improved design and furthers the above goals, which would not otherwise be possible without the modification.

3. Lot Dimensional Standards:

Setbacks: Modification of the standard 20' front, 8' side and 30' rear to:

- Single family detached front load lot: 20' front, 20' rear, 5' side, 10' front porch (from street) and 5' side porch.
- Single family detached rear load lot: 10' front, 20' rear, 5' side, 5' front porch (from street) and 5' side porch.
- Town house with rear loaded garage: 10' front, 20' rear, 5' side. 5' front porch (from street) and 5' side porch.
- Town house with front loaded garage: 20' front, 20' rear, 5' side.
- Multi-family (2/2 condo) with rear loaded garage: 10' front, 20' rear, 5' side, 5' front porch (from street) and 5' side porch.
- Non-residential lot: 20' front, 20' rear, 8' side and 10' parking.

Lot Area: Modification to the minimum single family detached lot area of 6,000 square feet to:

- 5,000 square feet for single family detached with rear loaded garage (neo-traditional unit).

Lot Width: Modification to the minimum single family detached lot width of 60 feet to:

- 40' for single family detached with rear loaded garage (neo-traditional unit).
- 55' for single family detached front loaded unit (conventional unit).

Building Heights: Modification to the 40 feet maximum town home building heights to:

- Single family attached (town homes): 45 feet

Justification:

- The property is currently zoned MX.
- The modification request is consistent with the provisions identified in the MX Zone; Section 1-19-7.520 (G) (1) which states the Planning Commission may approve modifications to the developments standards to achieve an improved design that furthers the goals within the county comprehensive plan.
- The setback modification will allow the applicant to achieve their planning goals by creating a desirable community consistent with the goals of the MX Zone while providing alternative products that will respond to current market conditions.
- The modifications requested allow for a superior layout of lots and open spaces, providing a more compact neighborhood which will have a strong pedestrian orientation given that all of the proposed homes will be within easy walking distance of all three public schools serving the neighborhood.
- The lot width and lot area modification allow the applicant and county to achieve their planning goals by creating a desirable community consistent with the goals of the MX Zone while providing alternative products that will respond to current market conditions.
- The requested building heights are consistent with the products being marketed and constructed in the region today.
- The modifications requested are consistent with the communities and residential architecture being developed and constructed in the region today and will allow the applicant and county to achieve their planning goals by creating a desirable community consistent with the goals of the MX Zone while providing alternative products that will respond to current market conditions.
- The modification provides for an improved design and furthers the above goals, which would not otherwise be possible without the modification.

Based on the justification provided and that the modifications requested are consistent with the rules and regulations provided in the Frederick County Zoning Ordinance, we look forward to your review and approval.

Sincerely,



Randall D. Frey, P.E.

Cc: Oakdale Properties LLC
Rand Weinberg, Miles & Stockbridge
Mark Friis, RCI
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