

LEXINGTON PLANNING COMMISSION

November 11, 2021 - 5:00 P.M
 Community Meeting Room, Lexington City Hall
 300 East Washington Street, Lexington, VA 24450

AGENDA

1. **CALL TO ORDER**
2. **APPROVAL OF THE AGENDA**
3. **APPROVAL OF MINUTES**
Minutes from October 28, 2021*
4. **CITIZENS' COMMENTS ON MATTERS NOT ON THE AGENDA**
5. **NEW BUSINESS**
 - A. SP 2021-05: An application by Jason White for a site plan review for the Lylburn Downing Middle School property at 300 Diamond Street, Tax Map # 17-1-135.
 - 1) Staff Report*
 - 2) Applicant Statement
 - 3) Public Comment
 - 4) Commission Discussion & Decision
 - B. SP 2021-06: An application by Jason White for a site plan review for the Waddell Elementary School property at 100 Pendleton Place, Tax Map # 22-1-2.
 - 1) Staff Report*
 - 2) Applicant Statement
 - 3) Public Comment
 - 4) Commission Discussion & Decision
 - C. Comprehensive Plan Review
 - 1) Continued discussion of Comp Plan review
 - 2) Public Comment
 - D. ZOA 2021-04: Annual Zoning Ordinance Amendments. Planned Unit Development (PUD).
 - 1) Continued discussion of PUD text amendment*
 - 2) Public Comment
6. **OTHER BUSINESS**
 - A. Zoning and Planning Report – If applicable
 - B. Catalyst Project Updates – If applicable
 - 1) Bike/Ped Plan: Ongoing
 - 2) Increase Sidewalk Connectivity: Ongoing

- 3) Accessory Dwelling Unit Ordinance: Starting soon
- 4) Jordan's Point Park Plan Implementation
- 5) Reprogram Traffic Signals Downtown: Complete
- 6) Assess Stormwater Fees: Tabled until next year

C. Key Annual PC Milestones: Ongoing. Remaining items:

- 1) Zoning Text Amendments: Ongoing. Remaining items:
 - a. Small Cell
 - b. Planned Unit Development
 - c. Accessory Dwelling Unit
 - d. Cottage Housing
 - e. What else, if any?
- 2) Comp Plan Review: Ongoing

7. CITY COUNCIL REPORT

8. ADJOURN

*i indicates attachment

MINUTES

**The Lexington Planning Commission
Thursday, October 28, 2021 – 5:00 p.m.
Second Floor Conference Room – City Hall
300 East Washington Street**

Planning Commission:

Presiding: Blake Shester, Vice-Chair
Present: Pat Bradley
Nicholas Betts
John Driscoll
Leslie Straughan, Council Liaison
Matt Tuchler

City Staff:

Arne Glaeser, Planning Director
Kate Beard, Administrative Assistant

Absent: Jamie Goodin, Chair

CALL TO ORDER

Vice-Chair Shester called the meeting to order at 5:01 p.m.

AGENDA

The agenda was unanimously approved as presented. (J. Driscoll / N. Betts)

MINUTES

Minutes from the October 14, 2021 meeting were unanimously approved as presented. (L. Straughan / M. Tuchler) P. Bradley chose to abstain as he was not present.

CITIZENS' COMMENTS ON MATTERS NOT ON THE AGENDA

None

NEW BUSINESS

A. ZOA 2021-03: Annual Zoning Ordinance Amendments, Small Cell facilities

- 1) Continued discussion of Small Cell text amendment –
 - a. *Proposed Amendments to the Zoning Chapter* - At its last meeting, the Commission requested that staff make changes to the structure of the proposed amendment to the Zoning Chapter. A. Glaeser explained his approach to making the change and provided a draft for the Commission to review. There was general agreement that the updated structure is acceptable. He informed the Commissioners that the average length of a block downtown is approximately is 400 lineal feet and asked that they review the allowable distance between new support structures. After some discussion there was general agreement to accept 500 feet as the allowable distance. L. Straughan asked if the Use Matrix should reflect a standard process project communication tower as a conditional use in the C-1 District, or if footnote 7 covers that use for small cell facilities. After some deliberation and discussion, A. Glaeser said he would look into the issue and report back at the next meeting.

- b. *Proposed Amendments to the Historic Design Guidelines* – A. Glaeser presented the language the Architectural Review Board has recommended be added to the Design Guidelines and explained how the Board arrived at its proposal. There was general agreement to accept the amendments to the Historic Design Guidelines as presented.
 - c. *Proposed Amendments to the Streets and Sidewalks Chapter* – A. Glaeser presented the amendments proposed by the Director of Public Works. He pointed out that the proposed amendment makes changes and additions to the section regulating right-of-way occupancy permits and that the Wires, Cables and Telecommunications section will reference small cell facilities and the Virginia Code regulating them but will not restate the code in full. He reported the City Attorney has reviewed and provisionally approved this portion of the overall amendment. He noted the latter section references Chapter 142 of the City Code which may also require an update. There was general agreement to accept the amendments to the Streets and Sidewalks Chapter as presented.
- 2) Public Comment – Charles Aligood, Cavalry Road, reported satisfaction.

B. Institutional District Master Plan

- 1) Discussion of Institutional District – A. Glaeser reviewed the Institutional District article of the Zoning Ordinance and directed the Commission’s attention to the section concerning action by the Planning Commission for amendments to a Master Plan. He indicated that an application to amend the Master Plan for W&L would likely be limited to the area included on the campus proper, not the other properties owned by W&L throughout the community. W&L can apply for a Conditional Use Permit for properties outside the Master Plan. Either scenario requires the public hearing process. He explained that properties acquired subsequent to the current master plan may be included in the amended master plan, thereby increasing the area of the overlay. He confirmed that the overlay does not need to be, and in fact is not, contiguous. P. Bradley expressed concern about possible campus “creep” and City streets being essentially enveloped by the Campus overlay, citing the west end of Washington Street as an example. A. Glaeser noted the Commission can address potential street impact (or any other item it may find problematic) in its recommendation to Council. Commissioners Bradley and Straughan reminded the Commission that the Comp Plan says the City would like W&L to stay within its current boundaries. L. Straughan stressed that the Commission’s focus should be on the proposed use of a property. J. Driscoll said the important areas will be at the edge of overlay. A. Glaeser suggested other possible concerns might be commercial uses on campus competing with adjacent downtown businesses or possible inclusion of property that might otherwise provide affordable housing options to the outside community. L. Straughan pointed out that an approval of an amended Master Plan does not insure that everything within the plan will be built and on what timeline. A. Glaeser confirmed the Campus Plan of 2007 is the baseline and that anything on that plan which has not yet been accomplished would not automatically grandfathered in – only what is approved on the new plan is what is allowable. No building permit can be issued for anything not shown on the Master

- Plan. A. Glaeser reported he believed the W&L Board of Trustees had recently approved a new proposed Master Plan but had not yet submitted an application.
- 2) Public Comment – None

C. Recommendations for Sidewalk Improvements

A. Glaeser stated the remaining funds will pave approximately 650 lineal feet of sidewalk. He requested Commissioners recommend areas in need of short, spot project sidewalk improvement. Commissioners suggested the following:

- Thornhill Drive from Country Club Road to Link Road
- Sidewalk gaps along Estill Street – A. Glaser explained he believes there is an existing easement agreement that essentially prevents completing the sidewalk along this street.
- Walker Street

After A. Glaeser asked that Commissioners focus on shorter projects for this particular source of funding the following were suggested:

- Sidewalk gaps along Fuller Street
- The east side of McLaughlin Street from Nelson Street to the building supply
- Improve the existing sidewalk along Ross Road
- Sidewalk gaps in areas of Diamond Hill
- L. Straughan reported the sloped sidewalk on Nelson Street in front of Yesterday Once More is already on a list to be leveled.
- Whitmore Street

OTHER BUSINESS

A. Zoning Report – A. Glaeser reported the following:

- A. Glaeser met with the Bike/Ped Plan consultants on Monday. The consultants met with the Green Infrastructure Group for the first of the stakeholder meetings. The remaining stakeholder meetings are being scheduled. The survey will remain open until at least the end of the month.
- A. Glaeser attended a Main Street Lexington design committee meeting with the W&L Engineering Club to discuss the proposed mid-block pedestrian crossing on Main Street.
- A. Glaeser attended a Department of Historic Resources discussion concerning historic preservation and affordable housing which was focused more on preservation than affordable housing.
- The Threshold Housing Commission met October 27th. Commissioner Driscoll attended. The joint educational session has been scheduled for November 17, 2021 at 5:30 p.m. and email invitations have been sent out.
- A. Glaeser met with the Schools Superintendent and Facilities about proposed shade structures and outdoor picnic type tables for outdoor instruction at each of the schools. A Site Plan will likely be submitted soon for Planning Commission's approval.
- Two code enforcement contacts are making progress, two are not, and two more contacts were made today.

B. Catalyst Projects Update –

- 1) Bike/Ped Plan and Green Infrastructure Group: Commissioners Driscoll and Bradley reported the Green Infrastructure Group stakeholder meeting with Nick Britton from the consulting team went very well – Mr. Britton’s presentation was very good and the Green Infrastructure Group had a lot of great input. B. Shester asked if data from activity apps can be used to inform what degree of usage various streets get from walkers/runners/bikers and suggested it could be helpful.

C. Key Annual PC Milestones –

- D. Threshold Commission joint session update – The joint housing educational session is scheduled for November 17, 2021 from 5:30 – 7:00 p.m. via ZOOM. Email invitations have already been sent.

CITY COUNCIL REPORT

L. Straughan reported that Council approved a resolution to support designating the lower Maury River as a Virginia Scenic River. Council also approved a request from Main Street Lexington for funding for improvements to the Triangle Entryway at the intersection of N. Main Street and Jefferson Street -- \$10,000 was requested and received from VMI and W&L and the City also approved \$10,000 from the Downtown Enhancement Plan Fund. Council also gave approval for the purchase of a new \$1.6 million ladder truck for the Fire Department and a pay increase for the Police Department effective November 1st.

ADJOURN

The meeting was adjourned at 6:53 pm with unanimous approval. (P. Bradley / M. Tuchler)

B. Shester, Vice-Chair, Planning Commission

Project Name	Lylburn Downing Outdoor Learning Spaces
Property Location	300 Diamond Street
Zoning	R-1 (General Residential District) Zoning District
Owner/Applicant	City of Lexington / Jason White

Background

This is an application for the addition of new outdoor learning spaces at Lylburn Downing Middle School. The proposal includes the addition of a permanent 20 feet by 40 feet shade structure in the area between the school and the basketball court and 6 picnic tables. The shade structure would be a neutral color. The picnic tables would black in color and placed on concrete pads. Graphics depicting the proposed locations of the structure and tables are included in the application.

Location map



Zoning Authority and Requirements

The Planning Commission has the authority and responsibility to review all site plans required by the zoning ordinance. Site plans are required and shall be submitted for all new structures, all renovated structures and all additions to existing structures.

Yard Setbacks

The proposal will not violate the yard setback requirements. The proposed shade structure is located more than 35 feet from the side property line while the minimum side yard setback is 10 feet in the R-1 zoning district.

Parking

The proposal will not generate a need for additional parking spaces.

Section 420-2.7.B of the Lexington Zoning Ordinance

The site plan shall be approved by the Planning Commission if it is found to be adequate with respect to:

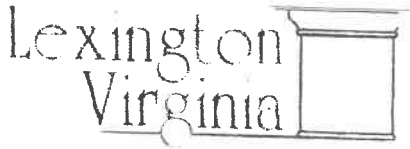
- (1) Locations and design of vehicular entrances and exits in relation to streets giving access to the site and in relation to pedestrian traffic.
- (2) Locations and adequacy of automobile parking areas.
- (3) Adequate provision for traffic circulation and control within the site and provision for access to adjoining property.
- (4) Compliance with the requirements for setback and screening.
- (5) Adequacy of drainage, water supply, fire protection and sanitary sewer facilities.
- (6) Compliance with applicable established design criteria, construction standards and specifications for all improvements.
- (7) Approval by the City Health Officer or his agents if septic tank and other sewage disposal facilities other than sanitary sewers are involved.
- (8) Adequacy of proposed landscaping for softening the harsh visual effects of parking lots and for providing screening between the development and the street and surrounding lots.

Staff Conclusions and Recommendations

The proposed site plan complies with all zoning requirements pertaining to site design and use, and staff recommends approval of the site plan for the addition of a shade structure and 6 picnic tables at Lylburn Downing Middle School located at 300 Diamond Street.

Suggested Motion

I move to approve Site Plan number SP 2021-05 and find the submitted site plan to be in compliance with the Zoning Ordinance.



www.lexingtonva.gov

Planning & Development Department
300 East Washington Street
Lexington, Virginia 24450
Phone: (540) 462-3704 Fax: (540) 463-5310

SITE PLAN APPLICATION AND CHECKLIST

Applicant 1

Name: Jason White Phone: 540-462-7146
Company: Lexington City Schools Fax: 540-464-5230
Address: 300 Diamond Street Email: jwhite@lexedu.org
Applicant's Signature: [Signature] Date: 11/1/21

Site Plan Preparer

Name: Jason White Phone: Same
Company: LCS Fax: Same
Address: Same Email: Same

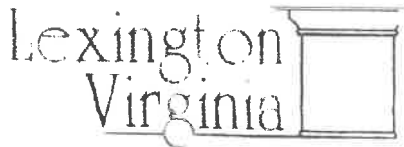
Property Owner

Name: City of Lexington Phone:
Address: Email:
Owner's Signature: Date:

Proposal Information 2 (attach list of properties if request includes multiple properties)

Address (or location description): 302 Diamond Street
Tax Map: # 17-1-135 Deed Book and Page #:
Acreage: 5.2 Zoning (attach any existing zoning conditions or proffers): R-1

- 1. Prior to submitting an application, the applicant is required to meet with staff for a pre-application meeting.
2. Any application deemed incomplete by staff will not be accepted.



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Notice to Adjacent Property Owners

Per § 420-222-B(1) of the Lexington City Code, the City shall give written notice to those persons who own property any portion of which abuts the subject property and all property which is across the street from any portion of the subject property as determined by the City's real property tax records. This notice shall give the date, time and place of the Planning Commission meeting at which the site plan is being reviewed, identify the property which is the subject of the application and give a brief description of the proposed action. This notice shall be mailed a minimum of 10 days prior to the date of the meeting of the Planning Commission at which the site plan is first considered.

Posting of the Property

Per § 420-222-B(2) of the Lexington City Code, the City will place a sign provided on the subject property which indicates that an action is pending. The sign will be located to be clearly visible from the street.

THIS SECTION TO BE COMPLETED BY STAFF ONLY

Application Fee: \$300+\$25/acre Amount Paid: _____
Case Number: SP-_____ - _____

Date Received: _____ Received By: _____

Staff Review

Planning: _____ Public Works: _____
Police: _____ Fire/Rescue: _____

Approvals

Planning Commission

Administrator

Adj. Property Notifications: _____ Action: _____
Meeting Date: _____ Action Date: _____
Action: _____ Signature: _____

Application fee is nonrefundable

November 2021

Site Plan Proposal for Outdoor Learning Spaces at Lylburn Downing Middle School and Harrington Waddell Elementary School

This proposal outlines a plan to add outdoor learning spaces at both schools within the Lexington City Schools district.

Overview of the Plan at LDMS:

The Lylburn Downing Middle School (LDMS) grounds consist of 5.2 acres that include the main school building, a basketball court, a sports field, and is adjacent to Richardson Park.

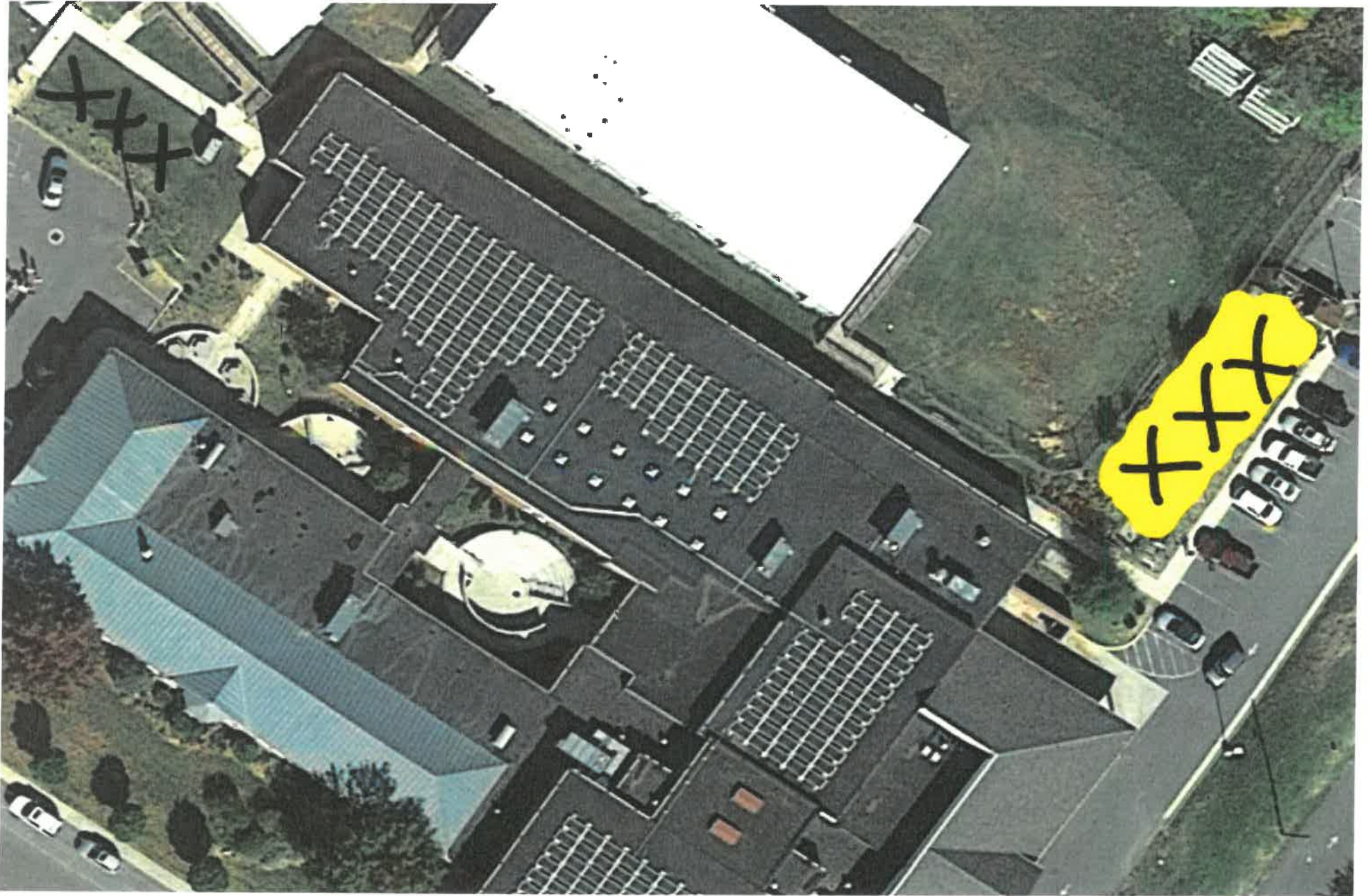
The essence of this plan is to modify the grounds by adding a 20' x 40' permanent shade structure and 6 picnic tables to use as outdoor learning spaces. The structure would go between the basketball court and the school on a piece of ground that was previously the school garden. The structure would be a neutral color, and 3 of the picnic tables would be placed on concrete pads underneath. The other 3 picnic tables would go on a concrete pad on the backside of the school near the back gravel parking lot. Please see the graphics below for clarity.

Overview of the Plan at HWES:

The Harrington Waddell Elementary School (HWES) grounds consist of 8.4 acres that include the main school building, an educational garden, a basketball court, a small playground, a large playground, a sports field, a wooden octagonal play structure, a pavilion, and is surrounded by Woods Creek Park and trail.

The essence of this plan is to modify the grounds by adding a 20' x 40' permanent shade structure and 12 picnic tables to use as outdoor learning spaces. The structure would go above the basketball court on a flatter portion of the hillside leading to the parking lot. The structure would be a green color to match the playground equipment and pavilion roof. Picnic tables would be placed on concrete pads in four pods of three. The locations of these four pods are marked on the graphics included. Please see the graphics below for clarity.

Lylburn Downing Middle School
300 Diamond Street, Lexington, VA



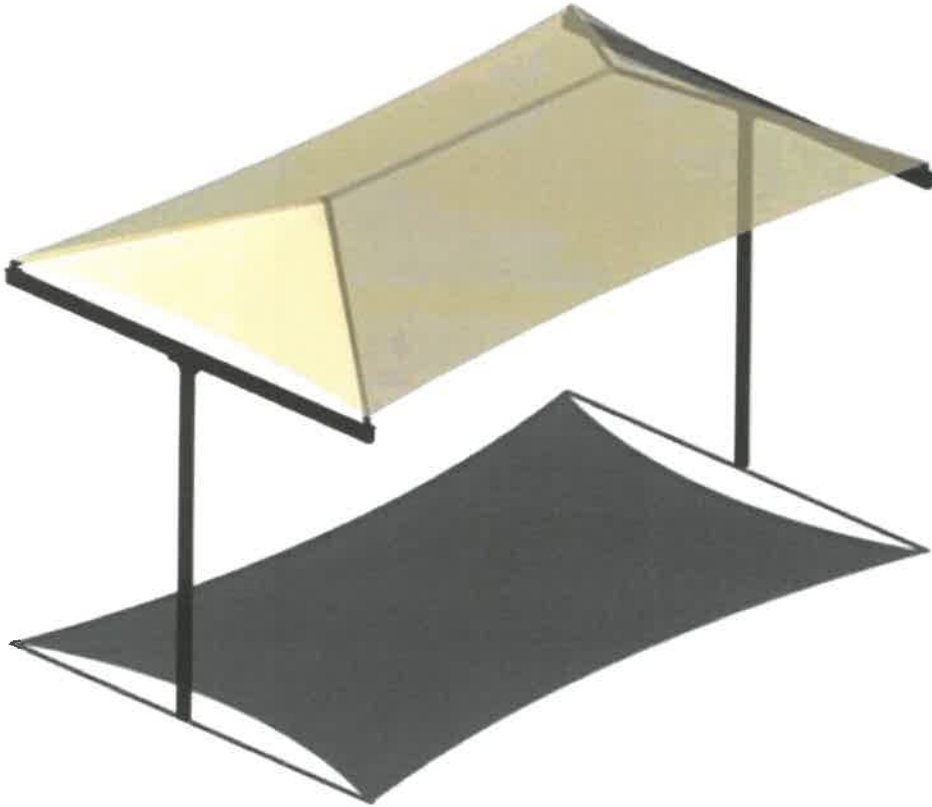
Key:

X = Picnic Table Sites

[Yellow Highlight] = Shade Structure Site

Shade Structure Image

LDMS → Color shown below
HWES → Color to match pavilion (green)



Picnic Table Image

LDMS → Color will be black
HWES → Color shown below

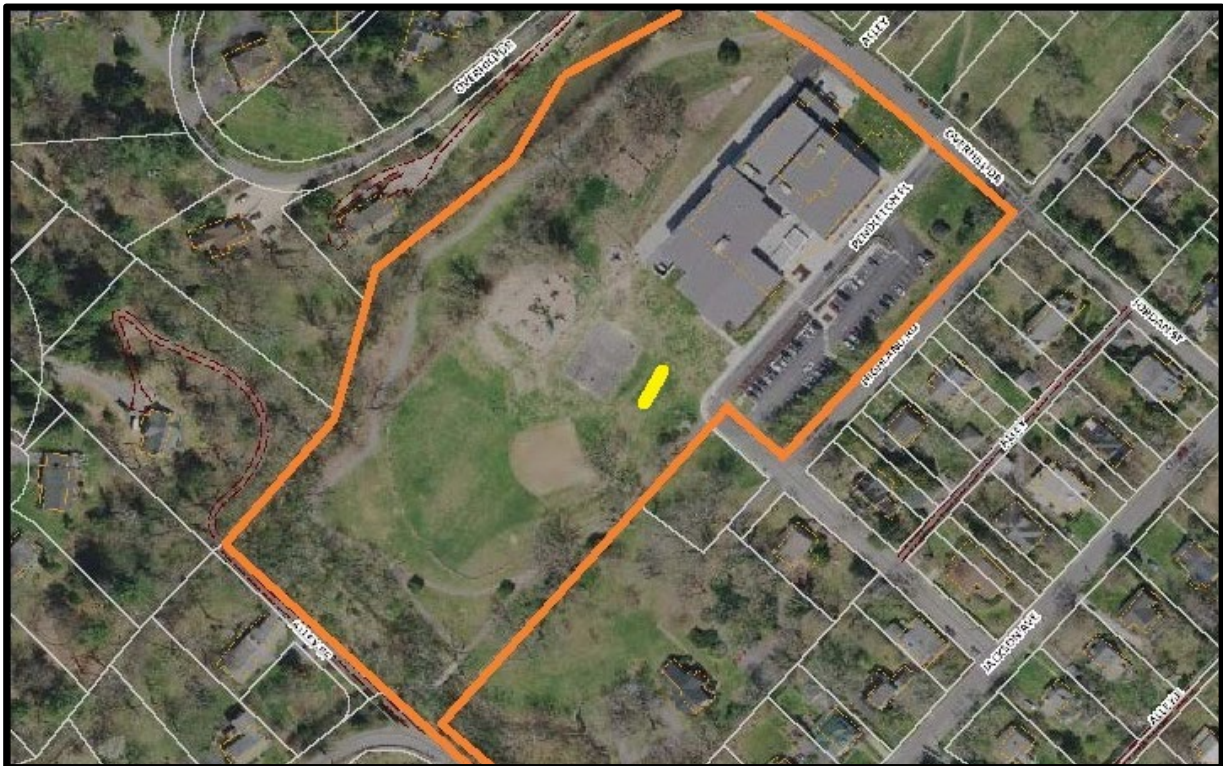


Project Name	Waddell Elementary Outdoor Learning Spaces
Property Location	100 Pendleton Place
Zoning	R-1 (General Residential District) Zoning District
Owner/Applicant	City of Lexington / Jason White

Background

This is an application for the addition of new outdoor learning spaces at Harrington Waddell Elementary School. The proposal includes the addition of a permanent 20 feet by 40 feet shade structure in the area above the basketball court and 12 picnic tables. The shade structure would be green to match the playground equipment and pavilion roof. The picnic tables would be placed on concrete pads and grouped in four pods of three. Graphics depicting the color of the tables and the location of the structure and table groupings are included in the application.

Location map



Zoning Authority and Requirements

The Planning Commission has the authority and responsibility to review all site plans required by the zoning ordinance. Site plans are required and shall be submitted for all new structures, all renovated structures and all additions to existing structures.

Yard Setbacks

The proposal will not violate the yard setback requirements. The proposed shade structure is located more than 50 feet from the front property line while the minimum front yard setback is 15 feet in the R-1 zoning district.

Parking

The proposal will not generate a need for additional parking spaces.

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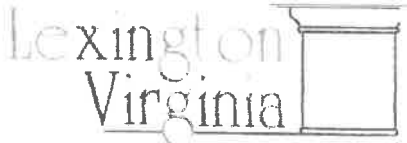
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Staff Conclusions and Recommendations

The proposed site plan complies with all zoning requirements pertaining to site design and use, and staff recommends approval of the site plan for the addition of a shade structure and 12 picnic tables at Harrington Waddell Elementary School located at 100 Pendleton Place.

Suggested Motion

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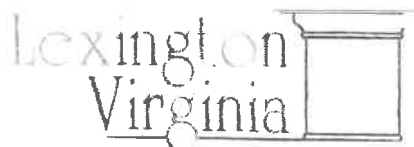
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Name: City of Lexington Phone: _____
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 Owner's Signature: _____ Date: _____

Proposal Information² (attach list of properties if request includes multiple properties)

Address (or location description): 100 Pendleton Place
 Tax Map: # 22-1-2 Deed Book and Page #: _____
 Acreage: 8.4 Zoning (attach any existing zoning conditions or proffers): R-1

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 Police: _____ Fire/Rescue: _____

Approvals

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Harrington Waddell Elementary School
100 Pendleton Place, Lexington, VA

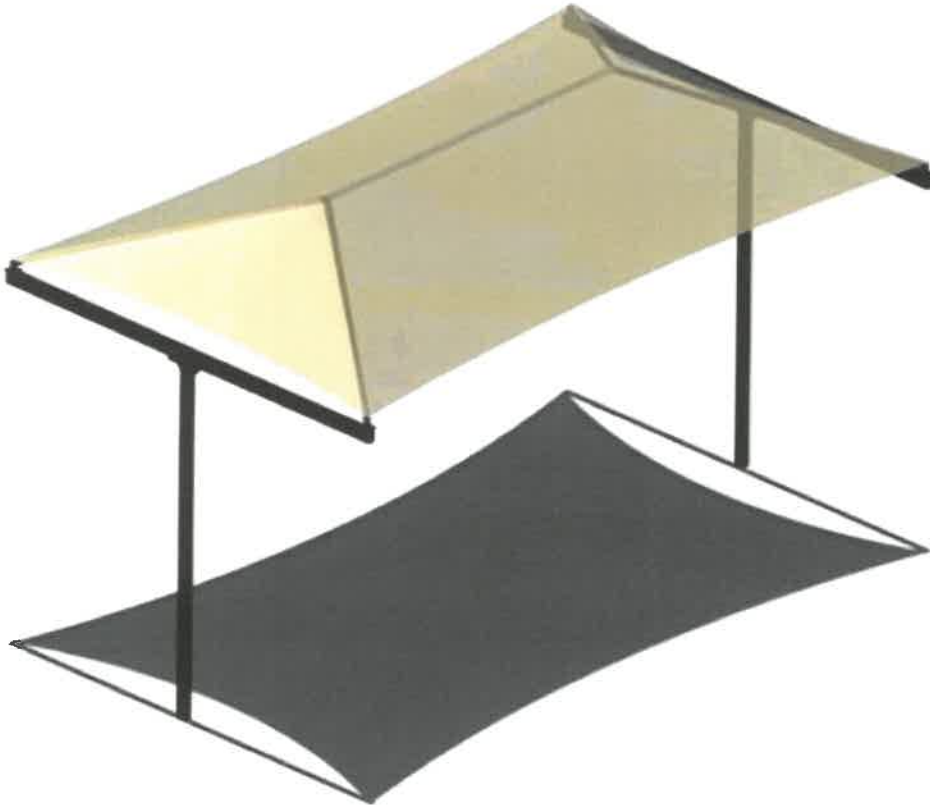


Key:

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Shade Structure Image
LDMS → Color shown below
HWES → Color to match pavilion (green)



Picnic Table Image
LDMS → Color will be black
HWES → Color shown below



- CODE
 APPENDIX A - Ordinance No. 1137 BLACKSBURG ZONING ORDINANCE
 ARTICLE III. - DISTRICT STANDARDS
 DIVISION 28. MIXED USE DEVELOPMENT DISTRICT

DIVISION 28. MIXED USE DEVELOPMENT DISTRICT

Sec. 3300 Purpose.

The purposes of the Mixed Use Development (MXD) District are as follows:

- (a) Providing a flexible tool for developing a mix of land uses that are consistent with the Town's Comprehensive Plan, while protecting adjacent residentially zoned property from adverse impacts.
- (b) Facilitating and promoting mixed-use developments that are transit-oriented as well as pedestrian friendly.
- (c) Promoting investment — consistent with the Comprehensive Plan and compatible with the character and quality of adjacent parcels — in locations where investment is otherwise impeded due to small lot sizes, inefficient shape of the property, the shallow depth of the property on the primary street frontage, existing underutilized development, or development that exhibits functional obsolescence.
- (d) Facilitating a diversity of housing types.
- (e) Creating vibrant public spaces through the use of pedestrian-oriented design principles and enhanced aesthetic design of buildings and structures.

(Ord. No. 1439, 4-10-07)

Sec. 3301 Permitted uses.

- (a) The following uses and structures are permitted by right, subject to all other applicable requirements contained in the Zoning Ordinance:

Residential

Multifamily Dwelling

Single-family, Attached

Townhouse

Two-family Dwelling

Home Occupation

Civic*

Administrative Services

Community Recreation

Cultural Services

Day Care Center

Home for Adults

Life Care Facility

Nursing Home
Open Space
Post Office
Public Parks and Recreational Areas
Public Recreation Assembly
Religious Assembly
Safety Services
Shelter

Utility Services, Minor

Office *

Financial Institutions (without drive-through)
General Office

Medical Office

Commercial*

Automobile Renting/Leasing
Automobile Parts/Supply
Brewpub
Clinic
Commercial Indoor Entertainment
Communication Services
Consumer Repair Services
Hotel/Motel
Neighborhood Convenience Store
Outdoor Display (pursuant to Section 3302)
Parking Facility
Personal Improvement Services
Personal Services
Restaurant, Fast Food
Restaurant, General
Restaurant, Small
Retail Sales
Specialty Shop
Studio, Fine Arts

Veterinary Hospital/Clinic

Miscellaneous

Accessory Structures

*Without external speakers only. Any use that incorporates an external speaker may be permitted only with a conditional use permit.

(b) The following uses may be allowed with a conditional use permit:

Residential

Single-family, detached

Civic

Club

Educational Facilities, Primary/Secondary

Educational Facilities, College/University

Lighting, public park and recreation area field

Public Assembly

Utility Services, Major

Office

Outpatient Substance Abuse Treatment Center

Financial Institutions (with drive-through)

Commercial

Automobile Repair

Bed & Breakfast

Business Support Services

Car Wash

Commercial Indoor Sports and Recreation

Funeral Home

Gasoline Station

Grocery Store

Pawn Shop

Restaurant, Drive-in

Retail Sales, Large Format

Miscellaneous

Broadcasting and Communication Facility

Laboratory

Research & Development

(Ord. No. 1439, 4-10-07; Ord. No. 1513, § 1, 4-14-09; Ord. No. 1777, § 1, 1-12-16)

Sec. 3302 Site development standards.

- (a) *Minimum lot size:* None.
- (b) *Minimum street frontage:* Thirty (30) feet.
- (c) No setbacks are required for structures with elevations facing inward to another use or common area within the same MXD Development. Setbacks for structures with elevations facing an abutting public road (excluding alleys) shall be as follows:
 - (1) Existing or Designated Local Street
 - a. *Front:* None
 - b. *Side:* None
 - c. *Rear:* None
 - (2) Existing or Designated Collector Street
 - a. *Front:* Ten (10) feet
 - b. *Side:* None; provided that with corner lots, a side yard facing the street shall be five (5) feet
 - c. *Rear:* None
 - (3) Existing or Designated Arterial Street
 - a. *Front:* Ten (10) feet
 - b. *Side:* None; provided that with corner lots, a side yard facing the street shall be five (5) feet
 - c. *Rear:* None
- (d) *Maximum Residential Density:* Forty-eight (48) bedrooms per acre in the MXD Development. This density shall be calculated by multiplying the total MXD Development area (encompassed by the project boundaries exclusive of any public rights-of-way existing at the time the site development plan is submitted) by the number of bedrooms permitted per acre.
- (e) *Maximum Lot Coverage:* None.
- (f) *Maximum MXD Development Coverage:* Eighty-five (85) percent of the total MXD Development area.
- (g) *Maximum Structure Height:* Sixty (60) feet; provided that when a building abuts a RR1, RR2, R-4, R-5, OTR, RM-27, RM-48 or a PR zoning district boundary, its height shall not exceed the base maximum height permitted in the abutted zoning district by more than ten (10) feet for any part of a structure within one hundred (100) feet of the abutted district. When a public right-of-way abuts a MXD Development area, one half of the width of this right-of-way shall be included in the one hundred (100) foot dimension when calculating maximum building height for the area abutting the right-of-way.
- (h) *Automobile/vehicle entrances* shall be minimized and placed in such a way as to maximize safety, maximize efficient traffic circulation, and minimize the impact on the surrounding area. A maximum of two (2) curb cuts shall be allowed per street frontage of any lot. Factors including the number of existing curb cuts in the area, the potential for increased traffic hazards and congestion, and the number of travel lanes of the street that serves the site shall be used to determine the number of curb cuts permitted.
- (i) *All utility lines (electric, telephone, cable television lines, etc.)* shall be placed underground.
- (j) *The gross residential floor area in any MXD Development* shall be no less than a minimum of ten (10) percent and no greater than a maximum of seventy-five (75) percent of gross floor area within the MXD Development.

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- (k) *The maximum dwelling unit occupancy shall be a family, plus two (2) persons unrelated to the family; or no more than four (4) unrelated persons.*
 - (l) *If the MXD Development is to be implemented in phases, each phase shall have adequate provision for access, parking, storm water management, utilities, and other public improvements to serve that phase of development. Each phase shall be provided with temporary and/or permanent transitional features, buffers, or protective areas to prevent adverse impact on completed phases, future phases, and adjoining property. Open space areas shall be reasonably proportioned in each phase of the project. Provision of recreational area and construction of any recreation facilities shall be required to meet the residential component of each phase. Each site plan or subdivision phase shall incorporate a statistical record of requirements of the overall MXD Development, as provided in prior approved phases, and provided within the subject phase. Such statistical information shall address the following:*
 - (1) Open space;
 - (2) Parking;
 - (3) Recreation space;
 - (4) Landscaping; and
 - (5) Lot coverage

(Ord. No. 1439, 4-10-07)

Sec. 3303. Additional site development standards.

- (a) A minimum of ten (10) percent of the MXD Development gross land area shall be reserved as open space. Land devoted to extensions/connections to greenways and pocket parks or pedestrian plazas that are at least three hundred (300) sq. ft. in area shall count towards open space.
- (b) A specific recreational activity area or areas shall be developed and maintained for the residents of the MXD Development that may be part of the required open space, site facility or interior to buildings. This recreational activity area shall be a minimum of five (5) percent of the residential gross floor area in the MXD Development. Such recreational area shall be provided within one thousand (1,000) feet of the residences served. This distance shall be measured from the closest point of the building housing the residential dwelling units to the recreational activity area via the shortest, straight-line distance. The recreational area shall be developed and maintained as follows:
 - (1) The location, shape, slope, and condition of land shall be suitable for a specific recreational activity;
 - (2) The amount of land devoted to recreation shall be a function of the population to be served. Consideration shall be given to the size of the development, number and characteristics of expected residents, proximity to other available recreational facilities, topography, and natural features on the site; and
 - (3) An indoor recreational area may be used as a specific recreational activity area, but shall not be considered as part of the open space required.
- (c) Street Connectivity and Circulation. In MXD Developments, street connectivity and circulation shall be provided as follows:
 - (1) Adjacent commercial uses that generate one hundred (100) trips or more per day according to the Institute of Transportation Engineer's Trip Generation Manual shall provide a cross access drive(s) to allow circulation within the Mixed Use Development and between the Mixed Use Development and adjacent nonresidential or Mixed Use Development sites. The Administrator may modify or waive the

requirements of this subsection where the characteristics or layout of abutting properties would make development of a unified or shared access and circulation system impractical.

- (2) A system of joint use driveways and cross access easements shall be established along all streets designated as "collector" or greater and the building site shall incorporate one or more of the following:
- a. Service drive connections or cross access corridors between Mixed Use Developments and adjacent sites preferably visible from the street; a design speed of ten (10) mph and sufficient width to accommodate two-way travel aisles designed to accommodate automobiles, service vehicles, and loading vehicles;
 - b. Stub-outs and other design features to show that the abutting properties may be tied in to provide cross-access via a service drive; and
 - c. A unified access and circulation system plan that includes coordinated or shared parking areas is required where practicable.
- (3) To implement this subsection, applicants for a building permit or site plan shall do the following:
- a. Record an easement allowing cross access between properties served by the joint use driveways and cross access or service drive; and
 - b. Pedestrian paths and sidewalks shall be connected with all building entrances, with each other and with public rights-of-way in a manner that is direct and convenient for the pedestrian. Pedestrian and bike paths for a MXD Development shall allow for residents of surrounding residential neighborhoods to access the Development without requiring travel along a major thoroughfare.

(d) Pedestrian Amenities and Transit Facilities.

- (1) *General Pedestrian Amenities.* Each new structure and every expansion to an existing building shall provide pedestrian amenities located to serve the subject structure, as specified herein. The number of general pedestrian amenities provided shall comply with the following schedule:

Size of Structure in Gross Floor Area	Number of Amenities
<5,000 sq. ft.	1
5,000—10,000 sq. ft.	2
10,000—50,000 sq. ft.	3
>50,000 sq. ft.	4

Acceptable pedestrian amenities include the following:

- a. A public outdoor seating plaza adjacent to or visible and accessible from the street (minimum useable area of three hundred (300) square feet);
- b. Installation of street trees that exceed the minimum caliper requirement or minimum height requirement by twenty-five (25) percent;
- c. Public art including but not limited to sculptures, fountains, or clocks with a value equal to or greater than one percent of construction value of the structure;
- d. Pocket parks with a minimum usable area of three hundred (300) square feet;
- e. Transit facilities; or

- f. Similar pedestrian amenities as determined by the Administrator in considering the characteristics of the proposed development.
- (2) *Transit Facilities.* In addition to general pedestrian amenities, any MXD Development with gross floor area in excess of seventy-five thousand (75,000) square feet shall provide a transit shelter immediately served by either a publicly dedicated bus pull-in lane in the adjacent right-of-way or an internal road with a turn-around area meeting the minimum dimensional requirements of section 5-309 of the Subdivision Ordinance. At least one such transit facility shall be located so that no occupiable structure's main entrance is more than one thousand two hundred fifty (1,250) feet away as measured along an improved walking path. If transit shelters already exist in conformity with these requirements at the time of site plan approval, new shelters shall not be required. If transit stops already exist in conformity with these requirements but no shelter exists, a shelter shall be provided at the existing stop.

(Ord. No. 1439, 4-10-07)

Sec. 3304. Outdoor display.

The outdoor display of merchandise for sale shall comply with the following requirements:

- (a) Outdoor display of merchandise for sale shall be accessory and limited to products that are customarily associated with the operation of the principal business located on the premises and conducted by employees of such principal business. There shall be no outdoor display of merchandise for sale by any person or entity operating or conducting a business that is different or distinct from the principal business;
- (b) The outdoor display area shall not be located in areas intended for traffic and pedestrian circulation or parking as identified on the approved site development plan; and,
- (c) Any proposed outdoor display area(s) shall be approved by the Administrator as part of a Site Development Plan Review.

(Ord. No. 1439, 4-10-07)

Sec. 3305. Building design standards.

In addition to the other regulations set forth in this Division, the building design standards set forth in this Section shall apply to the exterior appearance and design of all new construction and exterior building renovations in the MXD District.

- (a) To the extent possible, new buildings in a MXD Development should be oriented toward both adjacent and internal streets in a manner that addresses both streets and pedestrian areas along those streets.
- (b) Each principal structure shall have at least one street or major access oriented entrance which serves as a major entrance for the structure. For the purposes of this section, loading docks, service entries and similar entries shall not be considered to be major entries.
- (1) If any public road-facing elevation of a principal structure does not contain a major entrance as described above, a minimum twenty (20) foot perimeter landscaping bed shall be provided immediately adjacent to the public road.
- (2) Specifications for the perimeter landscaping bed are as follows:
- a. Plantings within this area shall include trees located no more than eighteen (18) feet on center and vegetative ground cover.

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- b. Berms may be used in addition to, but not instead of plantings.
 - c. If the structure is one hundred (100) feet or less from the public street, the planting bed shall be at least as long as and centered (as much as practical) on an orthographic projection of the structure perpendicular to the subject right-of-way.
 - d. If the structure is more than one hundred (100) feet from the public street, the planting bed shall be at least twice as long as and centered (as much as practical) on an orthographic projection of the structure perpendicular to the subject right-of-way.
 - e. Drives serving the Mixed Use Development may be placed through the planting bed only when impractical to avoid the planting bed.
- (c) It is the intent of this section to avoid MXD Developments with long or tall monotonous facade designs including, but not limited to, those characterized by unrelieved repetition of shape or form or by unbroken extension of line. Each facade, other than that area regulated by subsections below, shall have no more than thirty (30) feet of contiguous horizontal wall length devoid of transparent windows on any floor, unless that length of wall includes architectural features such as piers, columns, defined bays, or other planer change of the building, so that scale, rhythm, and visual interest are created. However, compliance with this requirement is not required for walls that meet the following criteria:
- (1) Two (2) walls face one another, are separated by not more than thirty (30) feet and the space between the two (2) walls is used for servicing the buildings; or,
 - (2) The wall faces an area devoted solely to loading and delivery and is screened from view from all public rights-of-way, parking areas and abutting residential areas.
- (d) Building entrances, not including service entrances, shall be clearly defined by a building projection or recess, or accented by a sheltering element such as an awning, overhang, arcade, or portico.
- (e) All roof-top equipment shall be screened in building materials that match the structure or which are visually compatible with the structure.
- (Ord. No. 1439, 4-10-07)