

# **PULTE HOME COMPANY, LLC**

## **NARRATIVE**

**September 17, 2020**

Please accept the following Narrative in support of the submitted planned development rezoning application and request for a Comprehensive Plan amendment to allow for the redevelopment of an assemblage of six parcels, including the Breezeway Motel, with a diverse residential community that consists of thirty two (32) age-restricted multifamily units, thirty four (34) stacked condominium (two-over-two) units, and thirty one (31) townhouses. This Narrative is included as part of the Master Development Plan prepared by ATCS (the “MDP”), and should be read in conjunction with the MDP as if fully set forth therein. The contents of this Statement of Justification address the requirements set forth in Section 3.8.2.C.1 of the City of Fairfax Zoning Ordinance.

### **LOCATION AND CONTEXT**

The property consists of six (6) tax parcels identified as 57-1 ((14)) 43, 55A, 75A, 76A, 77A and 83, and a portion of Cedar Avenue and Walnut Street right-of-way to be vacated (collectively, the “Subject Property”). The Subject Property is currently split-zoned CR (Commercial Retail), RMF (Multifamily) and RH (Residential High). The CR zoned portion of the Subject Property is developed with the Breezeway Motel, an aging hotel constructed in the early 1950’s that is located in the southeast quadrant of the intersection of Fairfax Boulevard and Walnut Street. The RMF portion of the Subject Property is developed with the Fairfax Gardens multifamily apartments, which are located on the north and south side of Cedar Avenue, a public street that bisects the Subject Property. The RH portion of the Subject Property is developed with single family homes located on Oak Street and Walnut Street. The existing development on the Subject Property includes a total of 50 motel units, 38 multifamily dwelling units and four (4) single family homes. Surrounding uses include single family detached and attached uses to the south and east, the American Legion property across Oak Street to the east, and commercial uses along Fairfax Boulevard to the east and west.

### **APPLICATION OVERVIEW**

The Applicant proposes to redevelop the Subject Property with an attractive residential community characterized by a variety of housing types and a significant component of publicly accessible open space. The Applicant has a track record of developing quality residential communities in the City, as evidenced by its completion of the nearby Mt. Vineyard community to the south of the Subject Property. A total of 97 units are currently proposed, including 32 age-restricted multifamily units, 34 stacked condominium units, and 31 townhouse units. The age-restricted units will be limited to residents aged 55 and older by restrictive covenants recorded in the land records. The mix of unit types and price points will appeal to a range of potential homebuyers including seniors, younger families and first time homebuyers. The proposed development will result in a number of significant benefits to the City and the surrounding community. These benefits include the following:

- The redevelopment of the aging Breezeway Motel;
- A diversification of the City's housing stock through the provision of a mix of unit types, including the City's first age-restricted multifamily building, stacked condominium units, and townhouses.
- The provision of publicly-accessible open space along Fairfax Boulevard and Cedar Avenue;
- Streetscape, roadway and intersection improvements along the Subject Property's frontage, including traffic calming measures along Cedar Avenue;
- The undergrounding of all above-grade utilities currently located along the frontage of the Subject Property;
- The installation of below-grade stormwater management and best management practices (BMP) facilities on-site where none exist today;
- A positive fiscal impact on the City, resulting in potential annual net revenues ranging from \$145,000 to \$348,000; and
- A commitment to the provision of three (3) on-site affordable dwelling units plus a cash contribution to the City's housing trust fund.

In order to allow the proposed development, the Applicant proposes to rezone the Subject Property from the CR, RMF and RH Districts to the Planned Development Residential (PD-R) District. In conjunction with the rezoning, the Applicant also proposes to vacate approximately 4,569 square feet of the Cedar Avenue and Walnut Street right-of-way proximate to its intersection with Walnut Street to allow the reconfiguration of this intersection and provision of traffic calming measures. Finally, the Applicant proposes to amend the Comprehensive Plan Place Type designation for the approximately 1.148 acre portion of the Subject Property currently developed with the Breezeway Motel from Commercial Corridor to Multifamily Neighborhood to reflect the residential character of the proposed development.

## **PROPOSED DEVELOPMENT**

As illustrated on the MDP, the layout of the proposed development will result in a gradual transition in height and density from the existing single family detached homes to the south of the Subject Property to the commercial corridor along Fairfax Boulevard. The portion of the Subject Property south of Cedar Avenue will include 31 townhouses and 14 stacked condominium units. Access to these units is provided from Oak Street. The townhouses, which consist of three stories with habitable attic space that includes a private roof terrace, are characterized by traditional architecture, pitched roofs, and are limited in height to approximately 35 feet. A 15 foot wide landscaped transitional yard is provided along the southern property line, in excess of the 10 foot wide transitional yard required by the Zoning Ordinance, to provide an additional buffer to the

single family homes. The stacked condominium units in the southern portion of the proposed development are oriented to Oak Street, and are broken up into two sections to reduce massing and provide a break in the streetscape. The proposed height of these units is 42 feet, which is appropriate given their location and in consideration of the anticipated multifamily development across Oak Street to the east. The southern portion of the property also includes an open space element that will include a lawn with seating areas, pedestrian walkways, and a play area to serve families in the proposed development and the surrounding area.

Although the Subject Property is bisected by Cedar Avenue, the Applicant's proposed traffic calming improvements to this street will facilitate pedestrian connectivity between the northern and southern portions of the proposed development. These improvements include the reconfiguration of the Cedar Avenue and Walnut Street intersection, the provision of curb bump outs at both ends of Cedar Avenue intended to slow traffic and shorten the walking distance between curbs, and the installation of a tabled mid-block pedestrian connection that will also slow traffic and allow pedestrian access between the two central open space areas.

The northern portion of the Subject Property will be developed with a 32-unit five-story age-restricted condominium building and 20 stacked condominium units. The five story building will consist of one story of enclosed podium parking and four stories of residential units. The building and parking garage will be fully secured. Vehicular access to the northern portion of the development is provided through one access on Fairfax Boulevard, and a second access on Walnut Street. The Fairfax Boulevard access is an improvement over the existing conditions of the Breezeway Motel, which is served by two access points located closer to the intersection. The proposed access has been shifted as far east as possible to maximize spacing. Similarly, the Applicant has worked with staff to maximize spacing between the Walnut Street access and the intersections with Fairfax Boulevard and Cedar Avenue. This access will provide future residents of the age-restricted and stacked condominium units with convenient access to the signalized intersection along Fairfax Boulevard.

The age-restricted building is oriented to Fairfax Boulevard and set back approximately 50 feet from the right-of-way. Within this setback, the Applicant will provide an open space area that includes a meandering walkway, a hardscaped seating area, and landscaping. This open space will also be publicly accessible, and is intended ultimately to accommodate connectivity with the open space in the Paul VI development as properties in between the two projects redevelop in the future. A 10 foot wide sidewalk is provided along Fairfax Boulevard, with a 5 foot wide landscaped planting strip to serve as a buffer between pedestrians and vehicular traffic. South of the age-restricted building, 20 stacked condominium units are oriented toward the northern portion of the central open space area. This open space will be programmed similarly to the southern open space area, and will include open lawn, walkways, seating areas and landscaping. Additional open space is provided proximate to the reconfigured intersection of Walnut Street and Cedar Avenue. In the aggregate, approximately 22% of the total site area – excess of one (1) acres - is provided as open space that meets the dimensional and programming requirements of Section 3.8.7, which exceeds Zoning Ordinance requirements for the proposed PD-R District. As stated above, the majority of open space will be publicly accessible, providing a benefit not only to future residents, but also to the surrounding community.

Ample parking is provided throughout the community in accordance with Zoning Ordinance requirements. Each townhouse and stacked condominium unit will include two dedicated parking spaces. Each townhouse garage will accommodate two cars. Each stacked condominium unit will include a one-car garage and one tandem driveway space. The age restricted multifamily building will include one level of podium parking on the ground floor that will accommodate 44 parking spaces. Based on the Applicant's experience developing this type of housing, the 44 enclosed parking spaces are sufficient to accommodate the anticipated parking needs of this building's future residents. However, an additional 18 surface parking spaces are located along the drive aisle to the rear of the age-restricted building to meet Zoning Ordinance requirements. Twenty (20) additional on-site surface parking spaces are provided throughout the development. While not included in the parking tabulations on the MDP, 14 on-street parallel parking spaces are provided along Cedar Avenue. Overall, the number of parking spaces on site exceeds Zoning Ordinance requirements.

The existing uses on the Subject Property were developed prior to the adoption of current stormwater regulations, and therefore no stormwater management facilities are located on site today. With the proposed development, the Applicant will install underground facilities to meet stormwater detention and quality requirements in accordance with state and City requirements. The locations of these facilities are identified on the MDP, and have been configured with the landscape design and site design.

Finally, the proposed development meets or exceeds the City's transitional yard and canopy coverage requirements. A 15' wide landscaped transitional yard is provided around the perimeter of the development, which is in excess of the 10' wide yard required for PD-R District developments. The additional 5' will enhance the buffer between the proposed development and adjacent single family homes. Additionally, through a combination of tree preservation and new plantings, the proposal meets the 20% 10-year tree canopy requirements of the PD-R District. The Applicant has worked hard to maximize landscaping and tree coverage wherever possible to enhance the appearance of this community.

## **COMPREHENSIVE PLAN AND PROPOSED AMENDMENT**

In addition to providing the City with the benefits enumerated in the Overview section above, the Applicant's proposal accomplishes a number of stated goals and objectives set forth in the City's Comprehensive Plan (the "Plan").

### Multimodal Transportation

Goal 1 in the Multimodal Transportation Chapter of the Plan is to connect with the region. The Applicant's proposal is consistent with a number of Outcomes and Actions associated with this goal. Outcome MM1.2 identifies the improvement of safety and operations in the regional network as an objective. Within this Outcome, Actions 1.2.2 and 1.2.3 speak to the simplification of multi-leg and offset intersections and the addressing of safety and operational deficiencies at major intersections. As discussed above and illustrated on the MDP, the Applicant's proposal advances these actions through street improvements on Cedar Avenue, the reconfiguration of the unconventional intersection at Cedar Avenue and Walnut Street, and through the consolidation of

access points on Fairfax Boulevard proximate to the signalized intersection. These improvements are consistent with the Plan's goals for transportation.

In addition, Outcome MM2.1 identifies the improvement of pedestrian safety as an objective. The actions within this Outcome speak to improvements to the pedestrian network, crosswalks, and expansion of the sidewalk network. Once again, the Applicant's proposal advances these actions through the traffic calming and crosswalk improvements along Cedar Avenue, the provision of a 10' wide sidewalk with associated landscaping along Fairfax Boulevard, and the streetscape improvements along the frontages of the Subject Property. The redevelopment will result in significant improvements to the existing pedestrian network in this area of the City.

Outcome MM2.3 speaks to the City's desire for improved bicycle facilities, and Action 2.3.3 encourages the expansion of bicycle racks for short-term bicycle parking. The proposed open space areas throughout the proposed development will include bicycle racks to advance this objective.

Finally, Outcome MM3.2 of the Transportation Chapter addresses the need for enhanced walkability between neighborhoods. As discussed above in conjunction with Outcome 2.1, the proposed pedestrian and streetscape improvements on the Subject Property will achieve this outcome. Sidewalks are provided along all frontages of the Subject Property, including a 10 foot wide sidewalk along Fairfax Boulevard that is consistent with the Plan's proposed treatment of 'Boulevards.' Accordingly, the Applicant's proposal advances a number of the transportation elements of the Plan.

### Parks and Recreation

The Community Services chapter of the Plan underscores the importance of recreation and open space to the City and its residents. Parks and Recreation Goal 1 identifies the need to develop a high-quality park infrastructure, and to ensure that all neighborhoods are provided with access to parks and recreation amenities. Outcome PR1.1 identifies the need for a well-connected system of parks that provides citizens with healthy choices for recreation, and Action PR1.1.2 seeks to identify opportunities for future open space in neighborhoods that are undersupplied in public recreation and open space opportunities.

Through the provision of publicly accessible open space along Fairfax Boulevard and Cedar Avenue, the Applicant's proposal advances the Plan's objectives. This open space will be programmed with open lawns, seating areas and play area facilities to serve future residents and the surrounding community. The open space will contribute to the network of parks and open spaces throughout the City.

### Housing

In the Land Use Chapter of the Plan, Housing Goal 1 is to support a wide range of housing types. The Plan notes that it is vital that a variety of high-quality, attractive housing choices be available in the City. Goal 1 also acknowledges that there is a relative shortage in multifamily and

condominium housing in the City. Housing Goal 3 describes the need for housing options for senior residents in the City, citing the relatively high concentration of older adults in Fairfax. Outcome H3.1 seeks a range of accessible housing types for older adults, and Action H3.1.1 expresses a preference for housing units that are appropriate and/or in demand for seniors, those with disabilities, and incorporate features of universal design at a range of price points.

The Plan's emphasis on the need for senior housing is consistent with the Applicant's recent experience in the local and regional market. Based on the success and pace of sales at its nearby age-restricted community – the Atrium at the Vienna Metro station - the Applicant has experienced first-hand the increasing demand for senior housing. While there are already existing and planned assisted living facilities in the City for seniors who require a certain level of care, as noted previously, there are no housing options for seniors who simply wish to live in an age-restricted building. At the Atrium, the Applicant has found that the average age of its customers for age-restricted condominium units is 67, and that approximately 70% of them are retired. The Applicant anticipates that the proposed condominium units on the Subject Property will appeal to a similar buyer. The proposed 32 age-restricted multifamily units will fill a gap in the City's housing market, add to the options of housing types available to seniors, and advance the objectives stated in Housing Goal 3.

In addition, the variety of unit types included in the proposed development – age-restricted multifamily units, stacked condominium units, and townhouses – will help achieve the City's overall objective of diversifying its housing stock. The various unit types will attract a range of residents and will be available at a range of price points.

### Land Use

The first goal in the Land Use Strategies section of the Plan is to ensure that development is complementary. Goal 1 states that new development and redevelopment should be complementary to surrounding areas and contribute to an attractive, accessible and economically viable place. The Plan acknowledges that flexibility must be provided with a balanced mix of development types to accommodate adaptations in response to environmental, economic and cultural demands, and Outcome LU1.1 notes that the Future Land Use Map should be used in conjunction with other recommendations from the Plan to guide development in the City.

As discussed above, the Applicant's proposal advances a number of goals and outcomes identified in Plan related to transportation, parks and recreation and housing. It does so through a quality development that has been thoughtfully designed to mitigate impacts on adjacent uses through the use of quality architecture and open space features, generous buffering and screening, and a transition in height. From a traffic standpoint, as is discussed in more detail in the submitted traffic study prepared by Wells + Associates, the amount of traffic generated by the proposed development is comparable to the existing hotel and residential uses. The proposed development is therefore complementary with the surrounding uses, and consistent with the Land Use Goals of the Plan.

### Proposed Plan Amendment for Breezeway Parcel

In conjunction with the submitted rezoning application, the Applicant is proposing to amend the Plan's Place Type designation for the portion of the Subject Property currently developed with the Breezeway Motel. The Future Land Use Map identifies this parcel as a Commercial Corridor, whereas the remainder of the assemblage is designated as a Multifamily Neighborhood. In order to bring the entire Subject Property under a single Place Type designation and develop the residential community as shown on the MDP, the Applicant proposes a Comprehensive Plan Amendment to reclassify the Breezeway parcel from Commercial Corridor to Multifamily Neighborhood.

Over the past two years, the Applicant has evaluated numerous options, layouts and development programs to achieve a viable commercial development component on the Breezeway parcel. These efforts have included outreach to owners of adjacent commercially zoned parcels on Fairfax Boulevard to seek consolidation of these parcels. Unfortunately, these owners have no immediate plans to relocate or redevelop in the near future, so consolidation is not feasible. In addition, in prior versions of the MDP, the Applicant pursued a variety of commercial options including live-work townhouses, an 8,000 – 10,000 square foot freestanding commercial building to be constructed by others, and an upper story residential/mixed use style building with ground floor retail. Ultimately, due to a variety of reasons, market constraints, and concerns about the economic viability of new commercial development along this section of the Fairfax Boulevard corridor, these options were determined not to be viable. The economic viability concerns about commercial development here were further amplified with the arrival of the COVID-19 pandemic in Spring 2020. The pandemic and the resulting uncertainties concerning the future of the commercial/retail real estate market have created even greater doubt regarding the commercial development potential on the Subject Property.

The viability of the Applicant's proposed age-restricted condominium building, however, is well-supported by the existing demand in the City, as acknowledged by the Plan, and by the Applicant's recent experience in the local and regional senior housing market. Re-designating the Breezeway parcel to allow the proposed development will eliminate the uncertainty surrounding the property's development viability, and allow the Applicant to proceed in the immediate future with the removal of the aging structures and commence redevelopment. In addition to the revitalization benefits, the age-restricted condominium building will result in a significant positive fiscal impact to the City. Unlike other forms of residential development, the age-restricted units will have no impact on schools. From a trip generation standpoint, these units will also have less of a traffic impact than other forms of development as discussed in the submitted Traffic Impact Analysis.

For these reasons, and because the proposed development will advance multiple objectives stated in the Plan as discussed above, the requested Plan amendment to reclassify the Breezeway parcel as a Multifamily Neighborhood is appropriate.

## REZONING APPLICATION

In support of the Applicant's request to rezone the Subject Property from the CR, RMF and RH Districts to the PD-R District, the following information is provided to address each of the approval considerations set forth in Section 6.6.8 of the Zoning Ordinance:

**A. Substantial Conformance with the Comprehensive Plan;**

As discussed earlier in this Narrative, the development advances a number of the City's goals set forth in the Plan related to transportation, parks and recreation, housing and land use. With the exception of the Breezeway Motel parcel, the remainder of the Subject Property is currently designated on the Future Land Use Map as a Multifamily Neighborhood Place Type. The proposed development consists of a mix of multifamily and townhouse unit types, which are appropriate in a Multifamily Neighborhood. The townhouses on the southern portion of the Subject Property adjacent to the existing single family detached homes include three stories with a habitable attic space, and are limited to 35 feet in height. This height limitation, combined with the 15' landscaped transitional yard provided along the perimeter of the property, will ensure compatibility with the adjacent residential neighborhood. Subject to approval of the proposed Plan amendment to re-classify the Breezeway Motel parcel as Multifamily Neighborhood, the proposed age-restricted condominium use will be consistent with the Multifamily Neighborhood provisions. While the proposed condominium building technically exceeds the 4 stories/45 foot height guidance recommended by the Plan for Multifamily Neighborhoods, the ground floor of the age-restricted building will not be occupied by residential uses aside from the building lobby area. This space will instead be devoted to parking. As a result, the building will only include four stories of residential units. In addition, the proposed height of this building is consistent with the permitted height under the parcel's existing CR District zoning classification, and is appropriate at this location given the lack of impacts on any proximate residential uses.

For these reasons, upon approval of the proposed Plan amendment, the proposed development is in substantial conformance with the Comprehensive Plan.

**B. Any greater benefits the proposed planned development provides to the City than would a development carried out in accordance with the general district regulations;**

The proposed PD-R District will allow the Applicant to develop the Subject Property with a variety of housing types to accommodate a range of potential home buyers. The PD-R District also requires the provision of a minimum 20% open space, which the underlying general zoning districts do not. The Applicant's proposal exceeds the 20% minimum open space requirement. In addition, the Applicant is committed to making the open space areas publicly accessible so that they will be available not only to future residents of this community, but to other



residents of the surrounding area. Consistent with the Plan's stated objectives, these open space areas will contribute to an expansion of the City's open space network. Finally, as demonstrated in the submitted fiscal impact analysis, the proposed development will result in a positive fiscal impact to the City.

**C. Suitability of the subject property for the development and uses permitted by the general zoning district regulations versus the proposed district;**

Having developed similar residential developments in the City at the nearby Mt. Vineyard community, as well as throughout the region, the Applicant is confident that the Subject Property is a highly suitable location for the proposed development. A majority of the Subject Property is already zoned either RMF or RH, which allow for residential uses. The Breezeway Motel parcel, which is currently zoned CR, allows multifamily uses with Special Use Permit approval. The proposed multifamily use of this parcel is consistent with other recently approved and constructed multifamily buildings along the Fairfax Boulevard corridor.

**D. Adequacy of existing or proposed public facilities such as public transportation facilities, public safety facilities, public school facilities, and public parks;**

These public facilities in the vicinity of the Subject Property are adequate to serve the proposed development. While the Applicant anticipates that the townhouses and stacked condominium units will likely attract some families with school aged children, the age-restricted condominiums will not. The proposed development supplements the City's existing public parks and recreation facilities through the provision of on-site publicly accessible open space.

**E. Adequacy of existing or proposed public utility infrastructure;**

Existing public utility infrastructure is sufficient to accommodate the proposed development. In conjunction with the development, the Applicant will underground any existing overhead utilities on-site.

**F. Consistency with the applicable requirements of this chapter, including the general provisions of Section 3.8.2;**

Except for the modifications requested herein and on the MDP, the proposal is consistent with the provisions of Section 3.8.2 and elsewhere in the Zoning Ordinance.

**G. Compatibility of the proposed planned development with the adjacent community;**

As discussed above, compatibility with the adjacent community is provided through the use of quality architecture and materials, the provision of height transitions, generous setbacks to the adjacent residential uses, landscape and

buffering, and improvements to streetscape, roadways and pedestrian connectivity. Also, the publicly accessible open spaces will serve as gathering spaces for future residents to congregate with their neighbors in the surrounding area, further integrating the development into the existing community.

**H. Consistency with the general purpose of the planned development districts in Section 3.8.1 and the stated purposes of Section 3.2.3;**

The proposed planned development is consistent with the stated purposes in these sections. The applicant has utilized the flexibility afforded by the Planned Development District regulations to create a residential community with an array of housing types oriented around active open spaces. The variety of design achieved by the various housing types, including the City's first age-restricted condominium building, will create a unique development in the City.

**I. Compatibility of each component of the overall development with all other components of the proposed planned development;**

The Applicant has worked diligently to integrate the various components of the development to form a cohesive whole. The northern and southern portions of the development are oriented to a centralized open space feature that is bisected by Cedar Avenue, yet connected through the mid-block crossing. Pedestrian paths and sidewalks throughout the community are provided to enhance connectivity throughout the development. The higher density component of the development in the 32-unit age-restricted building is oriented toward the commercial uses on Fairfax Boulevard to minimize impacts on the townhouses on the southern portion of the property and single family detached homes farther south.

**J. The quality of design intended for each component of the project and the ability of the overall MDP to ensure a unified cohesive environment at full build-out;**

With this development, the Applicant intends to build upon its record of developing quality residential communities as it recently did at Mt. Vineyard. While this development will be distinct from Mt. Vineyard in architecture and appearance, the quality of the two developments will be consistent.

**K. Self-sufficiency requirements for each phase of the overall project of Section 3.8.2.H;**

The Applicant anticipates that the proposed development will be constructed in phases based on market conditions, however, reserves the right to proceed with the entire development at once. If development is phased, then all utilities, infrastructure, stormwater management and open space associated with each phase will be constructed with that phase. Prior to the commencement of construction for the first phase of development, the existing improvements on the Breezeway Motel parcel will be demolished and removed.

**L. The effectiveness with which the proposed planned development protects and preserves the ecologically sensitive areas within the development; and**

The Subject Property is largely developed, with no significant ecologically sensitive areas. The applicant has maximized tree preservation to the extent feasible, and proposed to preserve some significant large trees in the open space area south of Cedar Avenue.

**M. The extent to which the residential component of the planned development promotes the creation and preservation of affordable housing suitable for supporting the current and future needs of the City.**

While this application is not subject to the City's affordable dwelling unit ordinance adopted in June 2020 as it was submitted prior to the effective date of the ordinance, in furtherance of the Housing Goals set forth in the Plan, the Applicant is committed to providing three (3) of the proposed ground level stacked condominium units as affordable dwelling units. These for-sale units will be affordable to persons having a median household income up to and including 90% of AMI. In addition, the Applicant proposes to provide a monetary contribution to the City's Housing Trust Fund in the amount of two hundred thousand dollars (\$200,000.00). Through these commitments, the Applicant is supporting the City's affordable housing needs.

## **MODIFICATIONS AND ASSOCIATED REQUESTS**

In conjunction with the proposed rezoning, the Applicant requests approval of the following modifications:

1. A modification of the landscape strip and street tree requirements set forth in Section 4.5.6.B of the Zoning Ordinance along the internal private streets.

Section 4.5.6.B requires that a 10 foot landscape strip with street trees be provided along every street. The Applicant is requesting a modification of this requirement for the internal private streets identified on the MDP. Due to site constraints, and given the urban character of the proposed development, it is not feasible to provide the required landscape strip and street trees along the internal streets. However, the Applicant is meeting these requirements along all public street frontages surrounding the Subject Property. In addition, the Applicant is meeting the 20% canopy coverage requirement of the PD-R District. A modification of this requirement is therefore appropriate.

2. A modification of the sidewalk requirements set forth in Section 4.4.4.A.1 of the Zoning Ordinance along the internal private streets.

Section 4.4.4.A.1 requires the provision of sidewalks along both sides of all streets. For the reasons stated above, it is not feasible to provide sidewalks along both sides

of the internal public streets. As shown on the MDP, each residential unit will have access to a sidewalk either in front of or to the rear of each unit. On the southern portion of the property, the rear loaded townhouse units will have access to the sidewalk located along Walnut Street or the sidewalk in the central open space area. The front loaded townhouse units along the southern property line have access to a sidewalk that runs along the length of the internal private street. The stacked condominium units will have access to a sidewalk along Oak Street. Given the urban character of the proposed development, and the fact that the Applicant is meeting the sidewalk requirements along all public street frontages, a modification of this requirement for the private streets only is appropriate.

3. A modification of the townhouse setback requirement set forth in Section 3.5.1.C.2 of the Zoning Ordinance.

Section 3.5.1.C.2 of the Zoning Ordinance states that no more than two of any ten or one of any three to five abutting dwelling units shall have the same front yard setback. While all of the townhouses throughout the proposed development are staggered such that no two adjacent townhouses share the same setback, each group of townhouses includes multiple townhouses with the same front yard setback. However, the desired articulation is achieved through the staggering of front building walls such that no two adjacent townhouses share the same front yard setback. Accordingly, the requested modification of the requirement is appropriate.

4. A of PFM Detail 401-01 for a typical curb and gutter street to allow private accessways that are less than 30 feet from face of curb to face of curb or edge of pavement.

The proposed width of private streets throughout the proposed development ranges from 22' to 24' from face of curb to face of curb. While less than the 30' required by the PFM, the streets have sufficient width to allow two-way vehicular traffic, and are wide enough to accommodate fire trucks and emergency vehicles. The proposed waiver will therefore not impact the safety or functionality of these streets. Given the urban character of the proposed development, the requested PFM waiver is appropriate.

5. A waiver of the requirements of Section 2.4.1 of the PFM for private access ways to have a minimum horizontal radius of 175.

The proposed waiver of the required horizontal radius applies to a section of the internal private street in the northern portion of the proposed development between Units 12 and 13 as identified on the MDP. The proposed waiver will not impact the ability of vehicles to navigate the internal street.

6. The vacation of approximately 4,569 square feet of the Cedar Avenue and Walnut Street right-of-way.

As shown on the submitted vacation plat, the proposed vacation consists of two slivers of roadway on the north and south side of Cedar Avenue at its intersection with Walnut Street. This existing intersection has an unconventional design that includes a triangular shaped median and an unusual traffic pattern. As shown on the MDP, the Applicant will reconfigure this condition to a conventional stop-controlled intersection, with traffic calming curb bump outs on Cedar Avenue. This will result in a safer condition for both pedestrians and motorists. The northern portion of the vacated area will become part of the streetscape and open space area north of Cedar Avenue. The southern portion will become part of the streetscape, and a portion of it will be included in the townhouse development.

The Applicant's proposal presents an opportunity to redevelop a number of aging structures with a diverse residential community that advances the stated objectives of the Comprehensive Plan. The proposed development will offer a significant amount of usable and publicly accessible open space, enhanced pedestrian connectivity, a variety of housing options and high quality architecture that is compatible with recent development in the surrounding area.