

MODIFICATIONS TO MIXED USE ZONING TEXT AMENDMENT

TA-Z-07-01

AUGUST 27, 2007 DRAFT

The Planning Department conducted a series of four public informational meetings around the City from July 16-August 2, 2007. Meetings were held at the Russell Memorial Library in Western Branch on July 16, the Indian River Library in Indian River on July 23, the Major Hillard Library in Deep Creek on July 30 and the Great Bridge Middle School in Great Bridge on August 2. Following a presentation on the proposed mixed use zoning text amendment and the concept of mixed use in general, citizens were provided an opportunity to ask questions or make comments on the proposed zoning text amendment. Based on the comments staff received at these meetings the following changes were made to the proposed mixed use zoning text amendment, TA-Z-07-01.

1. Eliminated the MXD-S mixed use suburban zoning district for the suburban overlay district from the text amendment. The suburban overlay district includes areas of the City such as Western Branch, Deep Creek and Great Bridge. There did not appear to be enough support for the concept of mixed use in these areas at this time. As a result, mixed use zoning will be limited exclusively to the urban overlay district in areas such as South Norfolk, Indian River, Greenbrier and Oak Grove.
2. Modified the proposed MXD-U mixed use urban zoning district by limiting its application to only those areas in the urban overlay district designated as mixed use on the 2026 Land Use Map of the *2026 Forward Chesapeake Comprehensive Plan* except in special cases supported by other policies in the plan.
3. Modified the proposed MXD-U mixed use urban zoning district by limiting the maximum building height to 125 feet or ten floors with the issuance of a Conditional Use Permit by City Council. Previously there was no limit on the height of buildings in the district with the issuance of a Conditional Use Permit by City Council.

4. Modified the proposed MXD-U mixed use urban zoning district by reducing the permitted floor area ratios for mixed use buildings from 3.0 to 2.5 and reducing the permitted floor area ratios for non-mixed use buildings from 2.0 to 1.5. This will result in nearly a 20% decrease in the size of permitted buildings in a mixed use development.
5. Modified the proposed MXD-U mixed use urban zoning district by revising the required mixture of uses for a mixed use development to include commercial office/hotel and commercial retail uses. The previous version of the text amendment set a mixture of uses requirement for only residential uses. The revised provision also allows the City Council to approve developments that deviate from these use allocation requirements within certain limits.
6. Modified the proposed MXD-U mixed use urban zoning district by eliminating the reference to the Great Bridge Village Design Guidelines as Appendix H of the Comprehensive Plan. That plan amendment was withdrawn by City Council in June 2007.
7. Modified the proposed MXD-U mixed use urban zoning district by narrowing the parameters that constitute a minor modification to the master development plan. As a result, any significant changes to the plan for a mixed use development will require a public hearing and City Council approval.
8. Modified the amendment to the PUD-R residential planned unit development district to reduce the minimum acreage requirement for developments located in the suburban overlay district designated as mixed use on the 2026 Land Use Map of the *2026 Forward Chesapeake Comprehensive Plan*. In the previous version of the text amendment, all PUD-R residential planned unit developments in the suburban overlay district were required to meet a 100-acre minimum.
9. Added a provision that all developments within the B-5 urban business district are required to comply with the approved Design Guidelines for mixed use and infill development in the *2026 Forward Chesapeake Comprehensive Plan* as Appendix M. These citywide Design Guidelines were approved by City Council on May 15, 2007.