

Staff Analysis of Special Exception Request

STAFF PERSON:

Ben Holt

PLANNING COMMISSION:

N/A

BOARD OF SUPERVISORS:

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This is the Staff Analysis for Special Exception SE202200039 to waive the requirement for a minimum setback of 15 feet for each story that begins above 40 feet in height or for each story above the third story, whichever is less, in the R-15 Residential zoning district, in association with the SDP202200039 Skyline Ridge Initial Site Plan. (§ 18-4.19(5))

SPECIAL EXCEPTION REQUEST

The applicant has applied to waive the requirement for a minimum setback of 15 feet for each story that begins above 40 feet in height or for each story above the third story, whichever is less, in the R-15 Residential district. County Code § 18-4.19 requires that within residential districts, each story that begins above 40 feet in height or for each story above the third story, whichever is less, have a minimum setback of 15 feet. The setback requirement applies only to the front of the building. Additionally, § 18-18.8 confirms that buildings within the R-15 zone must comply with the setback requirement of § 18-4.19. County Code § 18-4.19(5) allows the setback requirements to be reduced by special exception pursuant to § 18-33.5.

The applicant has provided a narrative, detailing the request and justification for this special exception (Attachment B). The application plan for the proposed development is included in Attachment C. County Code § 18-4.19, 18-4.19.5, and 18-18.8 read as follows:

Section 18-4.19 [Stepbacks, Building Front] *For each story that begins above 40 feet in height or for each story above the third story, whichever is less, the minimum setback shall be 15 feet.*

Section 18-4.19.5 [Stepback waiver] *The minimum 15-foot setback applies to all buildings on the property and may be reduced by special exception.*

Section 18-18.8 [Height regulations, R-15] *Except as otherwise provided in section 4.10, structures may be erected to a height not to exceed 65 feet. The minimum setback requirements for any story that begins above 40 feet in height or for each story above the third story, whichever is less, in height shall be as provided in section 4.19.*

No specific findings are required under § 18-4.19 (setback requirements) or § 18-18 (in the R-15 zone). The proposed building height (62') does, however, meet the 65' limit of 18-18.8. With no specific findings required, the following staff analysis assesses the setback requirement in relation to the intent of the R-15 Residential district and the applicable Comprehensive Plan objectives of the Neighborhood Model.

Staff Analysis:

County Code § 18-18.1 Intent [R-15 Residential]

The intent of the R-15 district is to *"Provide for compact, high-density residential development; permit a variety of housing types; provides incentives for clustering of development and provision of locational, environmental and developmental amenities."*

The proposed multi-family residential building of 96 residential units (Attachment C) meets the maximum allowed density of 15 units per acre for the 4.96-acre site (74 units) with an allowed bonus density of 22 affordable units (96 units total). Achieving maximum allowed density would align with the R-15 intent for compact, high-density development. Waiving the 15-foot stepback requirement would not have an impact on the density of the proposed development, nor the variety or type of housing proposed (a single apartment building). A building stepback would only reduce the square footage of the upper floors (above the third story). The proposed development is in proximity to other multi-family housing adjacent to the north, consistent with intended clustering. Furthermore, the site proposal includes over 19,000 square feet of recreation amenity space, including a courtyard and dog park. Neither the clustering aspect nor the provision of amenities (onsite or offsite) would be impacted by waiving the building stepback requirement.

Comprehensive Plan: Development Areas Objective 2

Create a physical environment that supports healthy lifestyles through application of the Neighborhood Model Principles" [including "Pedestrian Orientation" and "Buildings and Spaces of Human Scale"].

Pedestrian Orientation

Requiring front stepbacks is a means for the County to ensure that Development areas feature livable communities with sidewalks and pedestrian orientation. Where taller buildings are situated close to sidewalks within the public right-of-way, stepbacks may reduce the canyon-like impression of buildings by decreasing the massing of a building's upper floors.

The proposed development (Attachment C) would include sidewalks along the internal access road, which would provide pedestrian access to sidewalks within the public right-of-way along Colonnade Drive. The applicant's narrative (Attachment B) indicates that the 5-story, 62-foot building would be situated over 230 feet from the public right-of-way along Colonnade Drive. Considering the extensive distance of the building from the public right-of-way, staff finds that waiving the front stepback requirement would not substantially impact the pedestrian impression of the building.

Buildings and Spaces of Human Scale: Form, Massing, and Proportion

The front stepback requirement helps ensure that Development Areas have "relationships among building height, yards, parking, and architectural features" that create a favorable "perceived scale of buildings and development."

As previously noted, the building would be located more than 230 feet from the public right-of-way. The front of the building (Attachment C) would be close only to the internal vehicle travel way and parking area. Waiving the stepback requirement would not considerably impact the impression of the building's form, massing, and proportion, especially when viewed at a distance more than 230 feet from the public right-of-way.

Buildings and Spaces of Human Scale: Building Heights and Spatial Enclosure

A building stepback requirement is a means to achieve suitable "spatial enclosure" and a favorable "relationship of building height and setback to road widths." Given the considerable

distance of 230+ feet between pedestrians along Colonnade Drive and the front of the building, staff finds that waving the stepback requirement would not result in an impression of enclosure nor would it prevent an experience that is “inviting and comfortable for pedestrians.”

- 1) **Staff recommends approval of SE202200039, a special exception to waive the stepback requirements for the development, on the condition that** development of the use is in general accord (as determined by the Director of Planning and the Zoning Administrator) with the plan titled, “Skyline Ridge Apartments, Initial Site Plan” (SDP202200039) prepared by Collins Engineering, dated June 6, 2022.