

STAFF ANALYSIS

STAFF PERSON:	Rebecca Ragsdale, Planning Manager
BOARD OF SUPERVISORS:	May 21, 2025
PROJECT:	SE-2025-00014 Flow Hyundai
PARCEL IDs:	04500-00-00-068C0

Special Exception to waive County Code § 18-5.1.31(b)

PROPOSAL

The applicant requests to waive the requirement that vehicles awaiting repair not be visible from public streets or residential properties. This requirement was already waived with a previous special exception (SE202300046). However, the locations of an entrance from Berkmar Drive and the wooded area shown on the previously-approved concept plan must be modified. (Attachment A)

County Code § 18-5.1.31(b) requires that “no vehicle awaiting repair shall be located on any portion of the site so as to be visible from any public street or any residential property and shall be limited to locations designated on the approved site plan.” However, County Code § 18- 5.1(a) allows this requirement to be waived or modified.

CHARACTER OF THE AREA:

This parcel is located on the west side of Rt. 29, just north of Carrsbrook Drive, and extends westward to Berkmar Drive. The property is vacant and mostly wooded. Commercial uses are located adjacent to the parcel to the north, south, and east. Among them are the Malloy (Chevrolet and Ford) and Flow (Subaru and Chrysler, Dodge, Jeep, Ram) auto dealerships on Rt. 29, both of which include showrooms and outdoor vehicle display areas. The Victorian Heights residential development is under construction across Berkmar Drive to the west of the subject property.

PLANNING AND ZONING HISTORY:

SDP202300066 -- An initial site plan was conditionally approved on February 2, 2024, for a car dealership, including sales, service, and outdoor display of vehicles for sale. By comment letter dated November 20, 2023, VDOT identified that entrances should align with each other on Berkmar Drive.

SP202300021 -- Approved a special use permit on August 7, 2024, for outdoor storage and display of vehicles on the Route 29 Entrance Corridor.

SE202300046 -- Approved a special exception on August 7, 2024, to waive the screening requirements for vehicles awaiting repair for an auto service facility.

SDP202400052 -- Approved a final site plan on April 21, 2025, for the first phase of the auto sales facility, primarily the half of the site located on Route 29. During review of the site plan, and with further information and discussion, VDOT continues to require that the entrances of the proposed facility and Victorian Heights on Berkmar Drive align. This alignment would impact a wooded area currently shown to remain on the concept plan approved with SE202300046 and may be amended only through the special exception process.

ANALYSIS OF SPECIAL EXCEPTION REQUEST

Under County Code § 18-33.9(A), factors, standards, criteria, and findings, however denominated in the applicable sections of the Zoning Ordinance, are to be considered in special exception applications. The primary concern with this special exception is visibility of vehicles awaiting repair.

Vehicles awaiting repair could be visible from both public streets and residential properties. The elevation of Berkmar Drive ranges from 504' to 512' along the frontage of the property. Berkmar Drive

is elevated above the site and approximately 40' above Rt. 29. The building proposed near the Berkmar end of the property would block views of the parked cars from vantage points directly in front of the building. South of the building, the view from Berkmar Drive would be down into the parking lot. An open view would be available at the Berkmar Drive entrance to the site, down the travelway through to Rt. 29, with parked cars visible on both sides of the travelway. Victorian Heights will have finished floor elevations ranging from 527' to 548'. These raised elevations would allow views down onto the vehicles awaiting repair.

With review of the previous special exception, staff noted that it is impractical to completely eliminate the visibility of vehicles awaiting repair at this site. Screening is challenging at this site because of topography; Berkmar Drive and nearby residential properties are positioned above the subject parcel, which increases the visibility of the site. Potential changes to site design were discussed with the applicant to further mitigate visibility, such as positioning the vehicle repair building to provide more screening, limiting parking areas to locations behind buildings, and providing additional landscaping, including evergreens, along Berkmar Drive and at the perimeter and interior of the parking areas. To screen parking areas for vehicles awaiting repair, additional landscaping exceeding the requirements of Albemarle County Code § 18-32.7.9 would be provided adjacent to Berkmar Drive in the areas identified as "Berkmar Drive Landscape Buffer." The landscape buffer would consist of a mix of large shade trees, flowering ornamental trees, evergreen trees, and evergreen shrubs, to the satisfaction of the Director of Planning.

The revised concept plan would reduce the wooded area at the southernmost corner adjacent to Berkmar Drive. However, adequate area remains to provide enhanced landscaping. Staff recommends that screening trees be added to the proposed landscape island adjacent to the travelway from Berkmar Drive.

RECOMMENDATION

Based on these findings, staff recommends approval of the special exception application to waive County Code § 18-5.1.31(b), subject to one condition:

1. The final site plan must include a landscape plan that contains the following elements, to the satisfaction of the Director of Planning:
 - a. A landscape buffer adjacent to Berkmar Drive that considers the alignment of the future shared-use path, as indicated on the Flow Hyundai Concept Plan + Exhibits by Shimp Engineering last revised April 11, 2025, and screens parking areas for vehicles awaiting repair; and
 - b. Landscaping in the buffer along Berkmar Drive, meeting or exceeding the requirements of County Code § 18-32.7.9, including a mix of large shade trees, flowering ornamental trees, evergreen trees, and evergreen shrubs.