



COUNTY OF ALBEMARLE
Department of Community Development
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To: Albemarle County Board of Supervisors
From: Mariah Gleason, Senior Planner
Date: May 19, 2021
Item: SE202100002 Ivy Proper – Request for Special Exception to Sec 4.2 to allow the disturbance of critical slopes (slopes greater than 25%) in association with the final site plan for SDP202100001 Ivy Proper
Tax Map Parcel(s): 058A2-00-00-01400 and 058A2-00-00-02000
Magisterial District: Samuel Miller
School Districts: Western Albemarle H.S.; Henley M.S.; Murray E.S.
Zoning District: C1 Commercial

Summary of Request for Special Exception:

The applicant is requesting a special exception to allow the disturbance of 4,375 square feet of critical slopes (slopes greater than 25%) in association with a final site plan - SDP202100001 Ivy Proper - that is currently under review. Though this request for critical slopes disturbance was originally scheduled for Board consideration on April 7, 2021, the applicant requested deferral in light of concerns that were raised by Board members. The applicant has since revised its request by reducing the amount of critical slope disturbance by 1,140 square feet, showing the drainage feature (rip rap) from the adjacent railroad parcel, and incorporating alternative design comparisons via an appendix section. The applicant's revised request is provided in Attachment A, which includes a map on Page 3 that shows the location of the proposed critical slope disturbance.

County Code § 18-4.2.3(b) and § 18-4.2.5(a) allow for disturbance of critical slopes, provided the findings in § 18-4.2.5(a)(3) are made.

Please see Attachment B for staff's full analysis. Based on the findings therein, staff recommends approval of the applicant's request to disturb critical slopes with the following conditions:

1. The area of land disturbance on critical slopes must not exceed the "Disturbed Critical Slopes" shown on Image 1 of the request entitled "Ivy Proper: Critical Slopes Waiver – Special Exception Request," prepared by Timmons Group, dated January 5, 2021 and last revised April 26, 2021.
2. Final design of the retaining walls must be submitted and is subject to the approval of the County Engineer and the Building Division prior to approval of the VSMP application.

Staff Recommendation:

Staff recommends that the Board adopt the attached Resolution (Attachment C) to approve the special exception request.

Attachments:

A – Critical Slopes Waiver Request
B – Staff Analysis of Critical Slopes Impact
C – Resolution