

STAFF ANALYSIS

STAFF PERSON: Cameron Langille, Principal Planner
BOARD OF SUPERVISORS: August 16, 2023
PROJECT: SE2023-19 Brookhill Town Center Stepback Special Exception
PARCEL ID(S): 04600-00-00-018A1, 04600-00-00-019B6

PROPOSAL

The subject property is located directly to the east of the intersection of Archer Avenue and Stella Lane within the Brookhill development. Brookhill is located within the Places29 Development area on the east side of Route 29 and is zoned Neighborhood Model District (NMD), subject to the Code of Development (COD) of ZMA201500007, approved by the Board of Supervisors on November 9, 2016.

The applicant has submitted an initial site plan for Block 1 in the Town Center. The COD of Brookhill designates Block 1 as the Town Center of the development, which will be 12 acres in size and feature a mixture of residential and non-residential uses. The COD allows for up to 130,000 square feet of non-residential uses and up to 408 dwelling units.

The proposed design of Block 1 features two multifamily residential buildings (Buildings #1 and #2) and four mixed-use buildings (Buildings #5, #6, #8, and #9) that would be mixed-use residential and commercial buildings. All six buildings are proposed to be four-stories tall, with the front or sides of each building adjacent to a new private street (an extension of the existing Stella Lane). The location of the buildings and their relationship to Stella Lane can be seen on page 3 of Attachment A.

This application seeks to waive the 15' stepback requirement for the fourth story of Buildings #1, #2, #5, #6, #8, and #9. Under Section 2.3.2 of the COD (Attachment B), buildings greater than three stories must step back a minimum of 15' after the third story or provide a minimum 15' front or side setback adjacent to a street. As can be seen in Attachment A, because these six buildings are located within 15' of Stella Lane, a stepback is required unless a waiver is granted by the Board of Supervisors.

Under County Code §18-8.5.5.3(a)(1), the Board of Supervisors vary yard requirements, build-to lines or ranges, maximum structure heights and minimum lot sizes found in a Code of Development. Therefore, staff analysis of this special exception request to waive the required 15' building stepback was conducted pursuant to the following relevant following evaluation criteria contained in County Code §18-8.5.5.3(c), land use and form recommendations from the Places29 Master Plan, and relevant Neighborhood Model Principles contained in Chapter 8 of the Albemarle County Comprehensive Plan.

ANALYSIS OF SPECIAL EXCEPTION REQUEST

Findings per County Code §18-8.5.5.3(c):

(i) is consistent with the goals and objectives of the comprehensive plan;

The street right-of-way adjacent to the front and side of the proposed subject buildings measures 109' wide, which is much wider than a standard VDOT public street. The cross-section of this street is required to have a variety of physical improvements that are not VDOT standard requirements. Improvements would include a center median separating vehicular travel lanes, on-street parking spaces on both sides, bicycle lanes on both sides, and pedestrian sidewalks that measure between 11'-19' wide. Benches and street trees

would also be provided at evenly spaced intervals along the roadway between the buildings and vehicle travel lanes.

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”]. Detailed analysis of these principles is below.

Evaluation criteria is met.

Pedestrian Orientation	<ul style="list-style-type: none">▪ Requiring front setbacks is one way the County attempts to ensure that Development Areas have “high quality development with a significant degree of pedestrian orientation.”▪ The requested front setback waiver for Buildings #1, #2, #5, #6, #8, and #9 would not be contradictory to this pedestrian orientation principle because of the Buildings’ location and distance from the Stella Lane right-of-way. As noted earlier, Stella Lane would be a 109’ wide street with a variety of physical improvements that create a welcoming and safe place for pedestrians and bicyclists. Sidewalks, curb ramps, crosswalk striping, and bike lanes would be interspersed along the street frontage adjacent to each of the buildings subject to this waiver request.▪ A plethora of crosswalks, sidewalks, and other block breaks would be provided between the buildings along their frontage with Stella Lane. Sight visibility would be maintained for pedestrians and bicyclists at the ground level to ensure safe travel on foot or by bicycle.▪ Waiving the setback requirement would not result in an unsafe, inconvenient, or uncomfortable experience for pedestrians.▪ <u>Request is consistent with this principle.</u>
Buildings and Spaces of Human Scale: Form, Massing, and Proportion	<ul style="list-style-type: none">▪ Requiring front or side setbacks is one way the County attempts to ensure that Development Areas have “relationships among building height, yards, parking and architectural features” that create a positive “perceived scale of buildings and development.”▪ Waiving the setback requirement would not be expected to result in the loss of a design element that provides tangible benefits for residents and/or the public.▪ The height of the buildings supports the Places29 Master Plan’s land use recommendations for residential density and a mixture of uses within areas designated as “centers.” Waiving the setback requirement would allow the applicant to fulfill those recommendations.▪ Page 4 and page 7 of Attachment A identify architectural elements that would be provided along the building facades. As shown, windows, porches, awnings, breezeways, and door entrances along these facades “help create proportionality for the pedestrian” when walking through the development.▪ <u>Request is consistent with this principle.</u>
Buildings and Spaces of Human Scale: Building Heights and Spatial Enclosure	<ul style="list-style-type: none">▪ Requiring front setbacks is one way the County attempts to ensure that Development Areas have appropriate “spatial enclosure” and a desirable “relationship of building height and setback to road widths.”▪ Waiving the 15’ front setback on the northeast façade of building #3 would not be expected to result in any “feeling of pedestrian confinement,” which “often occurs when buildings are very tall and streets are narrow.” As previously noted, Stella Lane would not be a narrow street and would feature a variety of amenities and physical

	<p>improvements that do not create a canyon-effect along the roadway. These features would create an open-air atmosphere along the Stella Lane extension that would serve Block 1.</p> <ul style="list-style-type: none"> ▪ The buildings have been organized in a layout that is cohesive with the existing streets and buildings in surrounding blocks. Blocks 4 and 8 are located to the west and south of Block 1 and already feature four-story buildings. Waiving the stepback requirement would not create a sense of spatial enclosure that lacks human scale or is inconsistent with the surrounding built environment. ▪ <u>Request is consistent with this principle.</u>
<p>Mixture of Housing Types and Affordability: Ensure that all Development Areas provide for a variety of housing types and levels of affordability.</p>	<ul style="list-style-type: none"> ▪ Pages 7-8 of Attachment A show a variety of unit types (number of bedrooms per unit) and sizes that would be located within the area of the fourth story of each building that would be eliminated if the stepback requirement were enforced. Staff agrees with the applicant's assertion that requiring the stepback would limit the ability to provide a mixture of unit types and sizes within the residential buildings. ▪ By waiving the stepback requirement, a variety of different multifamily unit types (number of bedrooms and square footages) would be possible in the buildings featuring residential units. This variety would create a mixture of unit types in terms of affordability. ▪ <u>Request is consistent with this principle.</u>
<p><i>(ii) does not increase the approved development density or intensity of development;</i></p> <p>The waiver would not increase the density or intensity of development. The COD allows for up to 408 residential units and 130,000 square feet of non-residential uses. The applicant is proposing 242 residential units and 130,000 square feet of non-residential uses in the entirety of Block 1. The proposed residential density would be less dense and intense than permitted under the COD, and the non-residential square footage would be consistent with the COD.</p> <p><u>This criteria is met.</u></p>	
<p><i>(iii) does not adversely affect the timing and phasing of development of any other development in the zoning district;</i></p> <p>The waiver would not affect the timing and phasing of development of any other development in the zoning district.</p> <p><u>This criteria is met.</u></p>	
<p><i>(iv) does not require a special use permit;</i></p> <p><u>No special use permit is required</u></p>	
<p><i>(v) is in general accord with the purpose and intent of the approved application.</i></p> <p>The intent of planned districts such as NMD is to “establish a planned development district in which traditional neighborhood development, as established in the county's Neighborhood Model, will occur.” The Ordinance also states that the “NMD is intended to provide for compact, mixed-use developments with an urban scale, massing, density, and an infrastructure configuration that integrates diversified uses within close proximity to each other within the development areas identified in the comprehensive plan.”</p> <p>The waiver request would not be inconsistent with the intent of the NMD district, because the proposed layout and height of buildings within the Block 1 Town Center create a compact, mixed-use, urban form that is appropriate and harmonious given the context of surrounding</p>	

streets and other features proposed in the Town Center.

This Criteria is met.

RECOMMENDATION

Staff recommends that the Board adopt the attached Resolution (Attachment D) to approve SE202300019.