

June 28, 2022

Bill Fritz
Development Process Manager
Department of Community Development
401 McIntire Road, Room 227
Charlottesville, VA 22902

RE: Victorian Heights- REQUEST FOR SPECIAL EXCEPTIONS
Maximum Front Yard Exception Request for R-15 Non-Infill Zoning &Exception
Request for Relief from the Building Stepback Requirement for Buildings higher than
3 stories

Dear Bill Fritz:

Please allow this letter to serve as our official request for a special exception for the maximum front yard setback within the R-15 zoning and a special exception request for relief of the stepback requirements for the multi-family buildings within the Victorian Heights project. The following information is a description of the reasons for the special exceptions and how these requests are consistent with the comprehensive plan.

The two special exception requests are being proposed for Buildings 1, 2 and 3 within the Victorian Heights Residential Development. The special exception requests are in accordance with Chapter 18, Section 4.19 of the Albemarle County Zoning Ordinance. This section of the code allows for an increase of the maximum front setback for a non-infill development to accommodate low impact design, unique parking or circulation plans, or a unique target market design. In addition, this section of the code allows for a reduction of the stepback requirement for buildings that are over 3 stories in height or taller than 40 feet.

Project Narrative:

This project, which is located between Berkmar Drive and Woodburn Road, is a mixed residential development consistent with the requirements of the R-15 zoning on the property. A total of 88 units are proposed on the 4.514 acre parcel, including 34 townhouse units and 54 multifamily condominium units. Included with the proposed design is the commitment of affordable housing to utilize a 30% bonus density increase on the property. The applicant is proposing to construct 11 for-sale townhouse units on the property, and will receive additional density of 10 market rate units. This bonus density helps achieve the recommended density on the parcel, matching the intent of the comprehensive plan. The project was also developed with a minimum of 25% open space to provide passive and active recreational amenities for the development, and will provide affordable housing to the community.

Special Exception request to the Maximum Setback Requirement:

A special exception is proposed for the multi-family lot on the property for the (3) multi-family residential buildings. This multi-family development lot fronts on Berkmar Drive, however the majority of the development lot is located adjacent to the proposed open space parcel. Within the open space parcel are the active and passive recreational amenities for the site. These amenities are centrally located to the buildings on the property, with the multi-family buildings fronting on these open spaces. This design allows for a cohesive neighborhood design that creates central open space areas and a pedestrian oriented design, including a sidewalk and trailway network though the property. With the buildings fronting on these amenity areas, the buildings exceed the maximum front

yard setback from the right of way. Therefore, the applicant is requesting a special exception to allow the buildings to be located along the open space parcel and setback from the existing street as shown on the site plan. The buildings will be 71', 53.5' and 38' from the right of way along Berkmar Drive.

Under the Non-infill Setback requirements within section 4.19 of the Albemarle County Zoning document, a special exception may be granted for the maximum front setback of a lot within the R-15 district to accommodate low impact design, unique parking or circulation plans, or a unique target market design. With this proposed exception request, the development is achieving all three of the above justifications for a special exception. First, the special exception allows for a better parking and circulation plan with the garages relegated from the street with the proposed alley. Second, the design meets the target market design of the neighborhood and a design principle of the Neighborhood model within the Comprehensive plan for this area with fronting the buildings on the open space amenity areas. Finally, the creation of the open space parcels limits the impact area of the development. 1.228 acres of the 4.514 acre development is being used for open space amenities.

As illustrated in the final site plan, the proposed special exception for the front yard setback within this proposed development creates a better design for the neighborhood, provides relegated parking within the development, and creates a pedestrian oriented development, all which are design principles of the Neighborhood model within the Comprehensive plan for Albemarle County. Approval of this special exception request for the maximum front yard setback helps achieve a development that is consistent with the comprehensive plan its development principles.

Special Exception request to the Required Stepback:

The multi-family residential buildings (buildings 1,2 and 3 shown on the final site plan) proposed as four-story structures that include a roof deck access and private amenity areas. These residential buildings are proposed to be built fronting on the shared open spaces located between the buildings and Berkmar Drive. The open space amenity area will provide ample setback areas from Berkmar Drive and will include open space, pedestrian amenities and landscaping that will all complement the massing of the proposed buildings and help create an inviting pedestrian environment. The special exception to waive the front stepback requirement will not result in the undesired "canyon" effect along Berkmar Drive, as the buildings will be set back at a generous distance. In addition, the project design allows for sufficient space and light between the buildings to avoid the "Canyon" effect through the use of the open space area as a residential amenity. This design will provide a significant enhancement to the pedestrian experience along Berkmar Drive.

As shown in the final site plan, modifying the front stepback requirement is consistent with the recommended land use of the property within the Comprehensive plan. The design creates a pedestrian and amenity-oriented design and helps centrally locate the amenity areas to the proposed residential buildings. In addition, the reduction of the stepback allows for the density within the R-15 zoning to be achieved and the overall density of the development is consistent with the goals of the comprehensive plan for the property, including the provided affordable for-sale housing.

Thank you again for the consideration of this special exception requests, and please contact me if you have any questions or require any further information.

Sincerely,

Scott Collins

Scott Collins