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November 4, 2021

Mr. Cameron Langille  
Principal Planner  
Albemarle County Department of Community Development  
401 McIntire Road  
Charlottesville, VA 22902

RE: Revised Belvedere Special Exception  
SE20210005

Dear Cameron:

Attached please find revised documents supporting the above referenced Special Exception.

Thank you for working through these requests. Please do not hesitate to contact me if you have concerns or require additional information.

Sincerely,

Don Franco

## 1. ELIMINATE 2019-01413SF LANDSCAPING CONDITION #3

### Requirement

*Screening shall be installed in accordance with County Code § 18-32.7.9.7 and completed prior to a certificate of occupancy for the lot adjacent to the Conservation Area. The landscape plan for the screening must be submitted and approved prior to a building permit being issued for that lot. (Variance #54, Condition #3)*

### Proposed

We request removal of Condition #3, Variance #54 and release of the posted landscape bond.

### Justification

Over the years, the street has gone from the buffered interconnection (Figure 1) to a typical internal intersection (Figure 2). The Application Plan provided an interconnection through Block 9 to an adjacent parcel, TMP 62-16D. The adjacent property has since been purchased and is now being developed as part of Belvedere and the preference is to treat this as an internal intersection versus an interconnection. Our request allows the corner lot to address both streets and the intersection and is more consistent with other intersections with the PUD. The request does not impact the open space tables.

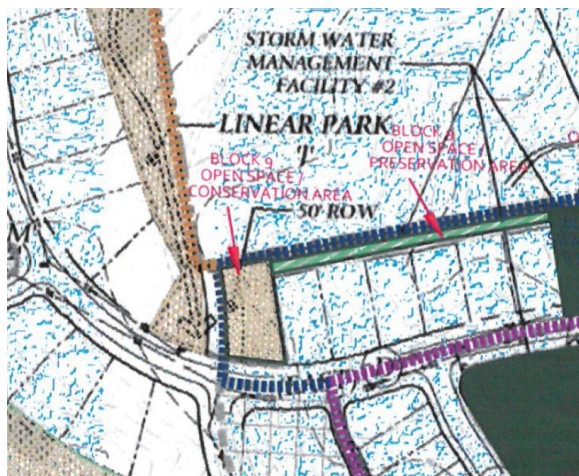


Figure 1: Original ZM

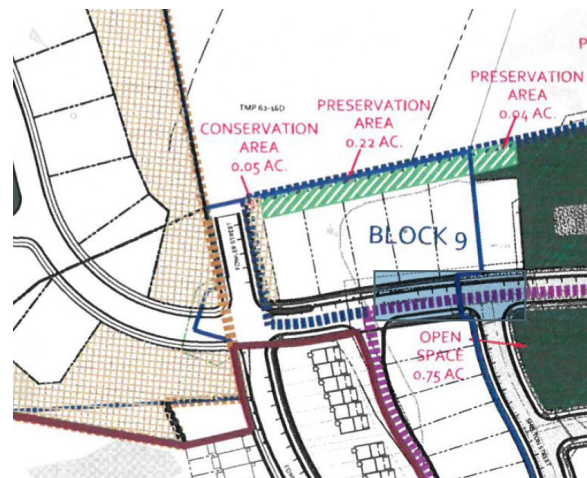


Figure 2: Variation # 54

## 2. UPDATE THE BUILT FORM OF BELVEDERE

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### Requirements

*A predominately two-story street elevation is encouraged with a minimum of 50% of homes being two story. (COD, General Style, Form, Massing and Proportion of Structures, p. 23)*

*Similar building elevations shall be separated to minimize the awareness of repetitive floor plans and elevations. For single family detached homes an identical house front elevation may not be repeated more than once in any grouping of 6 or fewer adjacent lots sharing frontage on a common street. An identical plan may not be constructed on lots that face each other across a roadway other than an Alley. (COD, General Style, Form, Massing and Proportion of Structures, p. 23)*

*50% of the detached homes shall have front porches with a minimum depth of 7 feet and a minimum width of 15 feet. Lots requiring such porches will be determined by the ASC. (COD, General Style, Form, Massing and Proportion of Structures, p. 23)*

### Proposed

*A predominately two-story street elevation is encouraged with a minimum of 50% of homes being two story. **This requirement shall not apply to Blocks 8 and 10.***

*Similar building elevations shall be separated to minimize the awareness of repetitive floor plans and elevations. For single family detached homes an identical house front elevation may not be repeated more than once in any grouping of **3** or fewer adjacent lots sharing frontage on a common street. An identical plan may not be constructed on lots that face each other across a roadway other than an Alley.*

*50% of the detached homes shall have front porches with a minimum depth of 7 feet and a minimum width of 15 feet. Lots requiring such porches will be determined by the ASC. **This requirement shall not apply to Blocks 8 and 10.***

Add to the end of Section 3, page 31.

### **c. FUTURE AMENDMENTS TO THESE STANDARDS AND THE BELVEDERE ARCHITECTURAL CODE**

**Upon completion of the Belvedere Development and after the Developer of Belvedere has turned over control of the Architectural Standards Committee to the duly elected Board of Directors of the Belvedere Neighborhood Association, Inc., in accordance with Article X, Section 12 of the Belvedere Declarations of Covenants and Restrictions (as originally recorded in Albemarle County land records at Book 3545 Page 1), any aspect of these Standards and Code may be**

**amended by the Belvedere Neighborhood Homeowners Association membership by the same process and by the same 2/3rds majority vote of the membership necessary to amend the Belvedere Declarations, as is outlined in Article XI, Section 2 of the Belvedere Declaration.**

**Any future amendments made by the Association Board under this paragraph shall not require any further Variation to the Albemarle County Code, the Association shall be under no obligation to apply for such, and the Association may proceed subject only to the review of the Virginia Department of Professional and Occupational Regulation's (DPOR) Common Interest Community (CIC) Board.**

### **Justification**

Since the project was zoned in 2005, the County's approach to Neighborhood Model Districts (NMD) has evolved. The focus has shifted from prescribing the outcome to providing for more flexibility and fewer metrics. Both staff and the development team agree that the character of the NMD is established and the reduction in details will not negatively impact the outcome.

While no changes to the built form are proposed, eliminating requirements such as two-story buildings and front porches, simplifies the COD, reduces the time required review and monitor these items, and reduces recordkeeping. This request originated with building permit and zoning inspection staff.

Adding the new language allows the residents to self-govern and reduces the potential for zoning violations and the need for variations, special exceptions, and zoning amendments in the future.

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### 3. UPDATE ROAD STANDARDS

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**Requirement**

Section 4. Street Classifications prescribes the design characteristics (e.g., width, parking) for each road within the NMD.

**Proposed**

Add a General Table Note to Table 8 Road Standards stating:

*Streets within Blocks 8 and 10 are not subject to the street design standards specified in this table; however, they continue to be subject to VDOT and Fire Marshall approval.*

**Justification**

Since the project was submitted for rezoning in 2005, both VDOT and the County have implemented NMD style streets requirements. Additionally, health and safety related codes, primarily addressing on-street parking and emergency access, often conflict with the COD requirements. Eliminating the street design standards specified for Blocks 8, 10, and the Super Block, if approved, maintains the same quality of roads and development while simplifying the design and approval process.

## 4. UPDATE AND REVISE TABLES 1 & 2

### Requirement

Section 2 Planned Land Uses of the COD states:

*The residential unit count and densities are shown on the following Tables 1 and 2. The residential units shown below may be adjusted by block and unit type; however the total maximum number of units shall not exceed 775. (COD p. 5)*

BELVEDERE MAXIMUM RESIDENTIAL DENSITIES							
BLOCK GROUP	AREA (AC)	TABLE 1 MAXIMUM RESIDENTIAL DENSITIES					
		SFD	SFA/TH	APARTMENT/MF	CARRIAGE HOUSE UNITS	Total	Density
1	15.08	0	0	12	0	12	0.80
2	26.83	0	20	302	0	322	12.00
3	12.48	25	0	0	14	39	3.13
4	16.68	32	11	0	36	69	4.14
5	6.86	34	0	0	24	58	8.45
6	9.32	30	9	0	14	53	5.69
7	8.72	34	0	0	32	66	7.57
8	7.90	27	16	0	26	69	8.73
9	9.41	25	0	0	0	25	2.66
10	93.4	52	0	0	10	62	0.66
Total	206.68	259	56	314	146	775	3.75

*Variation #26 (approved 2.3.10) modifies Tables 1 and 2 showing maximum and minimum residential units by block and residential density.*

*Variation #37 (approved 10.12.10) modifies Tables 1 showing maximum residential units.*

BELVEDERE MINIMUM RESIDENTIAL DENSITIES (REV <sup>1</sup> )							
BLOCK GROUP	AREA (AC)	TABLE 2 MINIMUM RESIDENTIAL DENSITIES					
		SFD	SFA/TH	APARTMENT/MF	CARRIAGE HOUSE UNITS	Total	Density
1	15.08	0	0	0	0	0	0
2	26.83	0	19	218	0	237	8.83
3	12.48	25	0	0	14	39	3.13
4	16.68	28	11	0	22	61	3.66
5	6.86	29	0	0	16	45	6.56
6	9.32	28	0	0	11	39	4.18
7	8.72	30	0	0	20	50	5.73
8	7.90	22	0	0	20	42	5.32
9	9.41	23	0	0	0	23	2.44
10	93.43	50	2	0	0	50	0.54
Total	206.68	235	30	218	103	586	2.84

### Proposed

**This variation modifies Tables 1 and 2 showing maximum and minimum residential units by block and residential density, to allow some or all the units in Block 8 to developed in Block 10. Any unused units in Block 10, shall be carried to Block 8.**

### Justification

Based on development of the project to date, the project will fall short of its approved density. Allowing this density to shift will allow Block 10 to achieve a density more appropriate for a designated growth area.

## 5. ADD PLANNED LAND USES FOR SUPERBLOCK

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### Requirement

Section 2 Planned Land Uses of the COD describes the general features of each block:

*Blocks 5 through 8 – These Blocks radiate off of the Village green and Belvedere Boulevard and are characterized by lots of multifamily residential that are primarily alley loaded. Lots would range between 30' and 60' in width with town homes and multifamily interspersed in several locations. Along the railroad, a 100' ROW is being reserved for the future Parkway. In the interim, this area will be used for open recreation fields and interconnecting trails. Pocket parks and the Neighborhood Center site will serve as the primary amenities and identity of these neighborhoods. (COD p. 8)*

*Blocks 10 – This Block encompasses the outermost transect which is a ridge top overlooking the Rivanna (R)iver. The outer edge of this ridge will have front loaded single family homes sited on predominantly larger lots (60' width and above). Most clearing, Grading and home footprints would occur above the 25% slopes, and Open Space and Linear Park J in the form of conservation and preservation areas will allow for the retention of large stands of forested area below the clustered lot pattern of Block 10. The focal point of this neighborhood is an oval that contains a small cluster of alley loaded, ridge top lots (40 (foot) width or larger) oriented towards the centralized Park "L". (COD p. 9)*

### Proposed

Add the following to the end of **Regulating Land Use**:

*Blocks 8 and 10 – These blocks represent buildout of Belvedere. Although the general descriptions provided above will still apply, specific references to housing typology and lot width are amended to allow for SFD, SFA, and TH units in both blocks. Multifamily units are prohibited. The minimum lot width shall be 20'.*

### Justification

This adjustment, combined with Request #4. In addition to simplifying implementation of the buildout of Belvedere, this request provides the additional flexibility and allow for better utilization of the permitted densities.