

**ATTACHMENT B – STAFF ANALYSIS**

**STAFF PERSON:** Tim Padalino  
**BOARD OF SUPERVISORS:** April 4, 2018

Staff analysis of this special exception request to waive the “Minimum Yard Requirements – Buffer zone adjacent to residential and rural areas districts” for the Boar’s Head Connector Road has been conducted pursuant to the following applicable provisions and evaluation criteria contained in County Code §18-21.7(c):

**21 COMMERCIAL – GENERALLY**

**21.7 MINIMUM YARD REQUIREMENTS**

**21.7(c) Buffer zone adjacent to residential and rural areas districts.**

No construction activity including grading or clearing of vegetation shall occur closer than twenty (20) feet to any residential or rural areas district. Screening shall be provided as required in section 32.7.9. The board of supervisors may waive by special exception the prohibition of construction activity, grading or the clearing of vegetation in the buffer in a particular case upon consideration of whether:

- (i) the developer or subdivider demonstrates that grading or clearing is necessary or would result in an improved site design;
- (ii) minimum screening requirements will be satisfied; and
- (iii) existing landscaping in excess of minimum requirements is substantially restored.

**Staff Analysis:**

<b>Evaluation criteria per County Code §18-21.7(c):</b>	
(i)	Grading and construction activity are necessary as shown on the Roadway Plans and Grading Plans in order for the connector road to match the existing alignment of Berwick Road to the greatest extent possible (approx. 200 linear feet of overlap). As such, this design is the most efficient road alignment and requires the least amount of land disturbance. More broadly, this connector road improves site design by providing a new interparcel connection that significantly improves traffic circulation patterns, as called for in the Comp Plan. <b><u>Evaluation criteria met.</u></b>
(ii)	Applicable screening requirements would be met through the preservation of the existing wall and existing board fence along Berwick Road, and through the proposed landscaping materials as specified on the Proposed Landscaping and Screening Exhibit. <b><u>Evaluation criteria met.</u></b>
(iii)	The existing landscaping that would be removed during construction activity does not exceed the applicable minimum requirements; therefore, this criteria is not directly applicable. <b><u>No objection.</u></b>
<b>Additional factors for consideration:</b>	
<p>A. The subject property for this special exception request (TMP 59-D2-1-15 / Boar’s Head) and the adjacent property in the R1 Residential zoning district (TMP 75-63 / Birdwood) are both owned/controlled by the same entity (UVAF). Accordingly, there is no objection to the proposed grading and construction activity from the owner of the adjacent property in the R-1 district.</p> <p>B. The owner of the subject property has initiated a notable level of commitment to addressing the concerns of property owners in the adjacent R4 Residential zoning district (Ednam Village). UVAF staff have met with concerned Ednam Village property owners on their residential properties, and have offered to provide customized landscaping solutions to mitigate unwanted visual impacts while also preserving desirable views.</p> <p>C. Please reference the Application Materials (Attachment A) for the applicant’s explanation and justification.</p>	

**Staff Recommendation:**

With regards to the findings contained herein, inclusive of the criteria to be considered per County Code §18-21.7(c) as well as other additional factors, **staff recommends approval with conditions** of this special exception request. Specifically, staff recommends that the Board adopt the attached Resolution (Attachment C) to approve the special exception request to waive the “buffer zone” requirements, in accordance with the specific terms and details contained in the Application Materials, and subject to the conditions attached thereto.