

**STAFF PERSON:**  
**PLANNING COMMISSION:**  
**BOARD OF SUPERVISORS:**

**Megan Nedostup**  
**March 19, 2019**  
**TBD**

**Staff Report for Special Exception to modify the minimum area required for establishment of a district for Planned Residential Development.**

**WAIVERS AND MODIFICATION FOR PLANNED DEVELOPMENTS**

The applicant is requesting to modify the acreage requirement for Planned Residential Development zoning district. The minimum acreage required for the establishment of the district is three (3) acres and the proposed rezoning parcel is 0.9 acres.

County Code § 18-8.2(b) permits any planned district regulation to be modified or waived by the Board of Supervisors as a Special Exception under County Code §§ 18-33.43 through 18-33.51. Staff analysis for County Code § 18-8.2(b)(3) is provided below:

**3. Findings. In addition to making the findings required for the granting of a waiver or modification in sections 4, 5, 21, 26, or 32, a waiver or modification may be granted only if it is also found:**

No modifications or waivers are requested under sections 4, 5, 21, 26, or 32.

- i. **to be consistent with the intent and purposes of the planned development district under the particular circumstances, and satisfies all other applicable requirements of section 8;**  
Staff has reviewed the intent and purposes of the Planned Residential Development District and found the proposal to be consistent with the purposes including the density, economical and efficient land use, and flexibility for a variety of development for residential types in this area.
- ii. **to be consistent with planned development design principles;**  
The application has been reviewed under the Neighborhood Model Principles and has been found to meet those principles.
- iii. **that the waiver or modification would not adversely affect the public health, safety or general welfare;**  
Staff has found that the public health, safety, and general welfare will be maintained.
- iv. **in the case of a requested modification, that the public purposes of the original regulation would be satisfied to at least an equivalent degree by the modification.**  
The parcel is adjacent to an existing PRD, Avinity, and staff finds that the acreage requirement in this location is less important than the design of the site/development and the provision of a different housing type for this area of the County. The development will contain a courtyard, sidewalks for its residents to walk, is located within 500 feet of Cale Elementary School, and is approximately a mile from the future Biscuit Run Park.

**Staff recommends approval of this request with the following conditions:**

1. The special exception shall include elements depicted on the exhibits entitled "Open Space Exhibit" and "Courtyard Exhibit" prepared by Shimp Engineering and dated August 14, 2018.