

## ATTACHMENT B – STAFF ANALYSIS

STAFF PERSON:                      Tori Kanellopoulos  
BOARD OF SUPERVISORS:        July 17, 2019

Staff analysis of this special exception request to vary from the approved ZMA Code of Development was conducted pursuant to the following applicable provisions and evaluation criteria contained in County Code §18-8.5.5.3:

### 8 PLANNED DEVELOPMENT DISTRICTS - GENERALLY

#### 8.5 PROCEDURES FOR PLANNED DEVELOPMENT APPLICATIONS

##### 8.5.5.3 VARIATIONS FROM APPROVED PLANS, CODES, AND STANDARDS OF DEVELOPMENTS

- a. The director of planning is authorized to grant a variation from the following provisions of an approved plan, code or standard:
  2. Changes to the arrangement of buildings and uses shown on the plan, provided that the major elements shown on the plan and their relationships remain the same.
- c. The director of planning is authorized to grant a variation upon a determination that the variation:
  - (1) is consistent with the goals and objectives of the comprehensive plan;
  - (2) does not increase the approved development density or intensity of development;
  - (3) does not adversely affect the timing and phasing of development of any other development in the zoning district;
  - (4) does not require a special use permit; and
  - (5) is in general accord with the purpose and intent of the approved application.

#### **Staff Analysis – Request for Special Exception to Vary:**

*Variation request to allow drive-through windows as a by-right use in Block G of the Stonefield development. Currently, drive-through windows are only allowed by special use permit in Stonefield's Code of Development. The applicant has submitted this variation request for the entire Block G. The applicant is also proposing a bank, which is permitted by-right in Stonefield's Code of Development, with a drive-through window. Variation is per County Code §18-8.5.5.3(2).*

Evaluation criteria per County Code §18-8.5.5.3(c):	
(1)	The requested variation is consistent with the goals and objectives in the Comprehensive Plan. This property is designated Commercial Mixed Use in the Places29 Master Plan. Commercial and retail uses are a primary land use in this designation. Commercial Mixed Use areas are intended to be mixed-use and to connect with designated Centers. Block G of Stonefield already contains a variety of commercial and retail uses, and the proposed bank and allowance of drive-through windows contributes to this mixed-use character and reduces the need for additional parking. <b><u>Evaluation criteria met.</u></b>
(2)	The requested Variation would not increase the approved development density or intensity of development. <b><u>Evaluation criteria met.</u></b>
(3)	The requested Variation does not adversely affect the timing or phasing of development of any other development in the zoning district. <b><u>Evaluation criteria met.</u></b>
(4)	The requested Variation does not require a Special Use Permit. <b><u>Evaluation criteria met.</u></b>
(5)	The requested Variation is in general accord with the purpose and intent of the approved application plan. The proposed bank will be located in Block G (building G1, as shown on the approved application plan per ZMA2013-9). The proposed bank is substantially similar to building G1, and the drive-through window is shown where a loading space and dumpster are shown on the application plan. Therefore, the bank proposal is consistent with the application plan. Financial institutions are by-right in all Blocks of the Stonefield development.

	<b><u>Evaluation criteria met.</u></b>
<b>Additional factors for consideration:</b>	
<p>A. Drive-through windows have been allowed as a by-right use in the Neighborhood Model District (NMD) per 18-20A.6(a)(12) since 2016. At the time the original Stonefield Code of Development was approved, drive-through windows were not allowed by-right. Given the change in the NMD ordinance, staff feels it is appropriate to allow drive-through windows by-right in Block G of Stonefield, per the applicant and owner's request.</p> <p>B. Please see the application for Variation Request (Attachment A) for the applicant's description and justification.</p>	

**Staff Recommendation – Request for Special Exception:**

With regards to the findings contained herein, inclusive of the criteria to be considered per County Code §18-8.5.5.3(c), as well as other additional factors, staff recommends approval of this Special Exception Request with conditions. Specifically, staff recommends that the Board adopt the attached Resolution (Attachment C) to approve with conditions the Special Exception Request to vary the Code of Development approved in conjunction with ZMA2001-7 Stonefield (formerly Albemarle Place) so as to modify the Code of Development to allow drive-through windows by-right in Block G per §18-8.5.5.3(2).