

COUNTY OF ALBEMARLE**APPLICATION FOR A SPECIAL EXCEPTION**

☒ Request for a waiver, modification, variation or substitution permitted by Chapter 18 = **\$457**

☐ Variation to a previously approved Planned Development rezoning application plan or Code of Development = **\$457**

OR

☐ Relief from a condition of approval = **\$457**

Provide the following

☐ 3 copies of a written request specifying the section or sections being requested to be waived, modified, varied or substituted, and any other exhibit documents stating the reasons for the request and addressing the applicable findings of the section authorized to be waived, modified, varied or substituted.

Provide the following

- ☐ 3 copies of the existing approved plan illustrating the area where the change is requested or the applicable section(s) or the Code of Development. Provide a graphic representation of the requested change.
- ☐ 1 copy of a written request specifying the provision of the plan, code or standard for which the variation is sought, and state the reason for the requested variation.

Project Name : _____ Presidio Apartments at Martha Jefferson Hospital

Current Assigned Application Number (SDP, SP or ZMA) _____ SDP2020-00023

Tax map and parcel(s): _____ TMP78-20M6

Applicant / Contact Person _____ Collins Engineering

Address _____ 200 Garrett Street, Suite K **City** _____ Charlottesville **State** VA **Zip** _____ 22902

Daytime Phone# (434) 293-3719 **Fax#** (_____) _____ **Email** _____ scott@collins-engineering.com

Owner of Record _____ Presidio Pantops LLC

Address _____ 455 Second Street, SE **City** _____ Charlottesville **State** VA **Zip** _____ 22902

Daytime Phone# (_____) _____ **Fax#** (_____) _____ **Email** _____

COUNTY OF ALBEMARLE**APPLICATION FOR A SPECIAL EXCEPTION****APPLICATION SIGNATURE PAGE**

If the person signing the application is someone other than the owner of record, then a signed copy of the "CERTIFICATION THAT NOTICE OF THE APPLICATION HAS BEEN PROVIDED TO THE LANDOWNER" form must be provided in addition to the signing the application below. (page 3)

Owner/Applicant Must Read and Sign

By signing this application, I hereby certify that I own the subject property, or have the legal power to act on behalf of the owner of the subject parcel(s) listed in County Records. I also certify that the information provided on this application and accompanying information is accurate, true, and correct to the best of my knowledge. By signing this application, I am consenting to written comments, letters and or notifications regarding this application being provided to me or my designated contact via fax and or email. This consent does not preclude such written communication from also being sent via first class mail.

Scott R. Collins

Signature of Owner / Agent / Contract Purchaser

4-27-20

Date

Scott R. Collins

Print Name

434-293-3719

Daytime phone number of Signatory

FOR OFFICE USE ONLY APPLICATION# _____ Fee Amount \$ _____ Date Paid _____

By who? _____ Receipt # _____ Ck# _____ By _____

COUNTY OF ALBEMARLE**APPLICATION FOR A SPECIAL EXCEPTION****CERTIFICATION THAT NOTICE OF THE
APPLICATION HAS BEEN PROVIDED TO THE LANDOWNER**

This form must accompany this zoning application if the application is not signed by the owner of the property.

I certify that notice of the application for, Presidio Apartments at Martha Jefferson Hospital
[Name of the application type & if known the assigned application #]

was provided to Presidio Pantops LLC
[Name(s) of the record owners of the parcel]

the owner of record of Tax Map and Parcel Number 78-20M6

by delivering a copy of the application in the manner identified below:

☒ Hand delivery of a copy of the application to Alan Taylor
[Name of the record owner if the record owner is a person; if the owner of record is an entity, identify the recipient of the record and the recipient's title or office for that entity]

on 4-27-20
Date

☐ Mailing a copy of the application to _____
[Name of the record owner if the record owner is a person; if the owner of record is an entity, identify the recipient of the record and the recipient's title or office for that entity]

on _____ to the following address _____
Date

[A ddress; written notice mailed to the owner at the last known address of the owner as shown on the current real estate tax assessment books or current real estate tax assessment records satisfies this requirement].

Scott R. Collins

Signature of Applicant

Scott R. Collins

Print Applicant Name

Date

April 27, 2020

Cameron Langille
Senior Planner
Department of Community Development
401 McIntire Road, Room 227
Charlottesville, VA 22902

**RE: Martha Jefferson Hospital Presidio Apartments – Special Exception Request
Final Site Plan – SDP2020-00023**

Dear Cameron Langille:

Pursuant to Albemarle County Zoning Ordinance Section 33.43 - Special Exceptions, and on behalf of our client, Riverbend Development (the “Applicant”), the developers of the Presidio Apartments at Martha Jefferson Hospital, (the “Property”), please allow this letter to serve as our official request for a Special Exception for the required minimum 15-foot setback on the property as allowed by Section 4.20 of the Albemarle County Zoning Ordinance. The following information and attached exhibit summarize the special exception request that is being pursued for the development.

Summary of Request for Special Exception

The applicant is requesting a Special Exception to eliminate the requirement of a setback for the proposed Presidio Apartment complex, as allowed by Section 4.20 of the Zoning Ordinance. The requirement for a 15-foot setback is for any building with a story that begins above 40 feet in height or for each story above the third story, whichever is less. The Presidio Apartment Complex is part of the overall rezoning plan from 2003 for Martha Jefferson Hospital at Peter Jefferson Place. The rezoning documents do not indicate building heights or setback requirements, so the designs are to comply with the requirements from the current zoning ordinance. The requirement of a setback for buildings over 40 feet in height or over three stories in height is a relatively new requirement that was not contemplated with the rezoning of this property in 2003.

The Presidio Apartment complex is proposing a total of (6) Apartment buildings with a clubhouse and maintenance building. Five of the Apartment buildings are currently designed as a three-story building with a basement. This includes the (2) main apartment buildings along Peter Jefferson Parkway. These five buildings do not require a 15-foot setback, per the Zoning Ordinance. There is (1) Apartment building adjacent to the clubhouse that is proposed as a four-story building. While the total height of the four-story building is 41 feet, this apartment building does have (4) stories which would require a 15-foot setback. This building, which is located within the middle of the apartment site, is located approximately 350’ from Peter Jefferson Parkway, the closest public or private roadway to the building. The apartment complex only has private travelways within the development, with no public or private roads.

The property slopes down from Peter Jefferson Parkway toward the Rivanna River. Over the 1050 feet from the Peter Jefferson Parkway to the rear property line, the slope of the site changes

in 106 feet, from a 486-foot elevation down to a 380-foot elevation. The finished floor of the proposed (4) story apartment building is 446.67, and the top of the proposed building will be 487.67, which is about 2' higher than Peter Jefferson Parkway at the front of the site. The (4) story building in this location helps give the site some needed height and scale, as the entire complex is stepping down from Peter Jefferson Parkway to the Rivanna River. There are no issues with human scale along the roadway if the stepback is not incorporated with the design of the apartment building. Based on the location of the building within the interior of the site, there will be no adverse visual effect on the adjacent roadways from the building if it does not include the 15-foot stepback.

From a constructability of the Apartment building, it is very difficult to incorporate a stepback between the floors. Many of the buildings are repeating the apartment unit designs on each floor for the utilities and load bearing through the building. Creating a fourth floor that has different loading patterns is difficult with a stick frame construction building for supporting the changes in loads through the building floors. It can also be more difficult to line up the utilities with this type of change in the apartment units.

We ask for the County's support of this Special Exception request and feel it meets the criteria of a Special Exception request as outlined below:

- We find that this request is consistent with the goals and objectives of the comprehensive plan. The Presidio Apartment Complex is consistent with the Pantops Master Land use Plan of Albemarle County. The land use map indicates this area for Urban Density Residential, which is what is proposed with the Presidio Apartments. The plan is also consistent with the Martha Jefferson Hospital Rezoning plan that contemplated 250 residential units on this property.
- We find that this request does not increase the approved development density or intensity of development. The overall density of the property, per the approved MJH rezoning plan, is not being increased with the Special Exception. The Special Exception of allowing a four-story apartment building without the requirement of a stepback is helping the developer construct the total 250 allowable units on the site, as the site is very challenging with the existing terrain.
- We find that this request does not adversely affect the timing and phasing of the development or any other development in the zoning district This request has no impact to any other development on the Martha Jefferson Hospital property or any other development in the general vicinity.
- We find that this request does not require a special use permit The proposed use is a by-right use within the rezoning regulations for the property.
- We find that this request is in general accord with the purpose and intent of the approved application. The purpose and intent of the development plan for the Martha Jefferson Hospital is being met with this Special Exception.

Thank you again for the consideration of this Special Exception for the (1) four-story apartment building located at the Presidio Apartment Complex at Martha Jefferson Hospital. Please contact me if you have any questions or require any further information.

Sincerely,

Scott R. Collins

Scott Collins