

ATTACHMENT B – STAFF ANALYSIS

STAFF PERSON: Christopher Perez
BOARD OF SUPERVISORS: November 4, 2020

Staff analysis of SE202000005 Special Exception to vary aspects of the approved Application Plan 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:
1. Minor changes to yard requirements, build-to lines or ranges, maximum structure heights and minimum lot sizes;
 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;
 4. Minor changes to landscape or architectural standards
 5. Minor changes to street design and street location, subject to a recommendation for approval by the county engineer;
 6. Minor changes to the design and location of stormwater management facilities, minor land disturbance including disturbance within conservation areas, and mitigation, all subject to a recommendation for approval by the county engineer.
- ...
- 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 for changes to the mix of unit types, setbacks, road alignment, and stormwater management. Variation is per County Code §18-8.5.5.3(a)(1), (2), (4), (5), and (6).

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. The proposed changes are consistent with the Neighborhood Model principles of a Mixture of Housing Types and Affordability, Interconnected Streets, and Pedestrian Orientation. <u>Evaluation criterion met.</u>
(2)	The requested Variation would not increase the approved development density or intensity of development. The proposed change in the mix of unit types to increase the majority of units from SFD to SFA slightly increases the visual prevalence of the development in some areas and reduces it in other areas. The development remains residential with no increase in proposed building heights, and the density is not changing from the previous approval. With the revised setbacks the distance to the adjacent property lines remains the same as the previous approval. The applicant proposes that Lots 1-4 and Lots 23-28 receive a 10' rear setback adjacent to a 15' open space area that contains a drainage and landscaping easement. Combined, the total proposed distance to the adjacent property line is 25'. The previously approved rear setbacks for this area was 25' and 20'. The applicant proposes that Lots 13-16 and Lots 17-22 receive a 10' rear setback adjacent to a 10' open space area that contains a landscaping easement/landscape buffer. Combined, the total proposed distance to the adjacent property line is 20'. The previously approved rear setback for this area was 20'.

	Staff recommends that screening trees be provided behind the SFA lots adjacent to the Avon Park I development on the north side of the subject property, and recommends that screening trees be provided behind the SFA lots adjacent to the southern properties to help soften the appearance of the townhomes and break up the views of the rear of the townhomes. <u>Evaluation criterion met.</u>
(3)	The requested Variation does not adversely affect the timing or phasing of development of any other development in the zoning district. <u>Evaluation criterion met.</u>
(4)	The requested Variation does not require a Special Use Permit. <u>Evaluation criterion met.</u>
(5)	The requested Variation is in general accord with the purpose and intent of the approved application plan. The total density of the development and general layout remain the same. The proposal is consistent with the Neighborhood Model principles and provides additional open space. <u>Evaluation criterion met.</u>
Additional factors for consideration:	
<p>A. Planning, Engineering, VDOT, Fire and Rescue, and Building Inspection staff have reviewed the request and have no objection to the proposed changes to the internal road network.</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 the following conditions:

1. All variations shall be as depicted on the Initial Site Plan and Subdivision Plat for the Avon Park II Development prepared by Collins Engineering and last revised on October 5, 2020.
2. The applicant shall provide landscape screening in accordance with County Code §18-32.7.9.7, or landscaping as approved by the agent, in the open space/landscaping easement areas as shown on the depiction entitled "Intensified landscaping area for screening created by the Community Development Department on 10-13-20."

Staff recommends that the Board adopt the attached Resolution (Attachment D) to approve the Special Exception Request to vary the Application Plan approved in conjunction with ZMA201400006 Avon Park II to make minor changes to the mix of unit types, setbacks, road alignment, and stormwater management, pursuant to County Code §18-8.5.5.3(a)(1), (2), (4), (5), and (6).