



**County of Albemarle
Department of Community Development**

To: Albemarle County Board of Supervisors

From: Christopher Perez, Senior Planner

Date: November 4, 2020

Item: SE202000005 Special Exception request to vary aspects of the approved Application Plan of ZMA201400006, Avon Park II, for changes to the mix of unit types, setbacks, road alignment, and stormwater management.

Tax Map Parcel: 09000-00-00-03100

Magisterial District: Scottsville

School Districts: Cale E.S; Walton M.S.; Monticello H.S.

Zoning District: PRD Planned Residential Development (ZMA201400006)

Summary of Request for Special Exception:

The applicant is requesting minor changes to the Application Plan for Avon Park II. This is the first variation request for this development. Specifically, the applicant is proposing the following changes:

- Modification to the unit mix of the development and clustering. The approved application plan depicted 22 single-family detached units and 8 single family attached units. The proposed unit mix has been modified for more single family attached units (28 units) and two larger single-family detached units at the bottom of the property where the existing house will remain on one of the lots.
- Modification to the building setbacks. All front yard setbacks will be 10' minimum from the right of way and all garages shall be 18' from the right of way or edge of sidewalk. All rear yard setbacks adjacent to Avon Park I and the southern properties shall be a minimum of 10' in addition to the open space/landscaping easement areas behind the lots. The building separation will be a minimum of 10' for all proposed development lots.
- A realignment of the internal road system. The proposed upper cul-de-sac has been removed. The cul-de-sac/turn-around areas is proposed to be replaced with a similar cul-de-sac/parking area matching the lower parking lot/turnaround area. This design allows for roadway frontage and access to the proposed clustered lots at the top of the development area and provides additional parking areas for the townhouse units. Additionally, a 12' paved emergency access road is being provided for a second point of connection to the development for emergency services. The original approved application plan included this 12' roadway but showed it as a gravel road instead of a paved access roadway.
- A smaller and efficient underground stormwater management facility is proposed on the site in lieu of the original stormwater management facility.

County Code §18-8.5.5.3 and §18-33.49 allow special exceptions to vary approved Application Plans upon considering whether the proposed 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. County Code § 18-33.49 requires that any request for a variation be considered and acted upon by the Board of Supervisors as a special exception.

This request is consistent with the above noted considerations. Please see Attachment B for staff's full analysis.

Staff Recommendation: Staff recommends that the Board adopt the attached Resolution (Attachment D) to approve the special exception request with the following conditions. Please note that this intensified planting area does not negate the required landscaping area elsewhere on the application plan associated with ZMA2014-6 or required by the proffers.

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."

Attachments:

- A – Application Materials
- B – Staff Analysis
- C – Intensified landscaping area for screening
- D – Resolution