

**RESOLUTION TO APPROVE A SPECIAL EXCEPTION
FOR SE2020-00003 RST RESIDENCES**

WHEREAS, upon consideration of the Transmittal Summary and Planning Commission Staff Report prepared in conjunction with the SE2020-00003 RST Residences application, which was filed in connection with ZMA2020-00007 RST Residences, and the attachments thereto, including staff's supporting analysis, any comments received, and all of the factors relevant to the special exception in Albemarle County Code §§ 18-4.19(5) and 18-33.9, the Albemarle County Board of Supervisors hereby finds that the requested special exception:

- (i) is consistent with the intent and purposes of the planned development district under the particular circumstances, and satisfies all other applicable requirements of County Code § 18-8;
- (ii) is consistent with planned development design principles;
- (iii) would not adversely affect the public health, safety or general welfare; and
- (iv) would satisfy the public purposes of the original regulation to at least an equivalent degree by the modification.

NOW, THEREFORE, BE IT RESOLVED, that in association with SE2020-00003 RST Residences, the Albemarle County Board of Supervisors hereby approves the special exception to modify the setback requirements for buildings in the development, subject to the conditions attached hereto.

I, Claudette K. Borgersen, do hereby certify that the foregoing writing is a true, correct copy of a Resolution duly adopted by the Board of Supervisors of Albemarle County, Virginia, by a vote of ____ to ____, as recorded below, at a regular meeting held on _____.

Clerk, Board of County Supervisors

	<u>Aye</u>	<u>Nay</u>
Mr. Gallaway	_____	_____
Ms. LaPisto-Kirtley	_____	_____
Ms. Mallek	_____	_____
Ms. McKeel	_____	_____
Ms. Palmer	_____	_____
Ms. Price	_____	_____

SE 2020-00003 RST Residences Special Exception Conditions

1. Development of the use must be in general accord (as determined by the Director of Planning and the Zoning Administrator) with the application plan entitled, “ZMA2020- 00007 Zoning Map Amendment for RST Residences,” prepared by Bohler, dated May 18, 2020, last revised June 1, 2021.
2. The setback requirement is waived for the fourth story of each of the six townhouse structures as shown on the plan and identified in the special exception request and narrative, entitled “RST Residences, Special Exception Application Narrative, SE2020- 00003,” dated May 18, 2020, last revised June 1, 2021.
3. The setback requirement is waived for the fourth story of each of the multi-family apartment buildings identified as Buildings 2, 3, and 4 on the plan and in the special exception request and narrative, entitled “RST Residences, Special Exception Application Narrative, SE2020-00003,” dated May 18, 2020, last revised June 1, 2021.
4. The setback requirement is waived for the fourth story of each of the two wings of the central multi-family building identified as Building 1 on the plan and in the special exception request and narrative, entitled “RST Residences, Special Exception Application Narrative, SE2020-00003,” dated May 18, 2020, last revised June 1, 2021.
5. The fifth story of each of the two wings of the central multi-family building identified as Building 1 on the plan and in the special exception request and narrative, entitled “RST Residences, Special Exception Application Narrative, SE2020-00003,” dated May 18, 2020, last revised June 1, 2021, must be stepped back. For calculation of the setbacks, the frontage for the North Wing of Building 1 is Travelway A, as identified on the application plan entitled, “ZMA2020-00007 Zoning Map Amendment for RST Residences,” prepared by Bohler, dated May 18, 2020, last revised June 1, 2021, and the frontage for the South Wing of Building 1 is U.S. Route 29.