

Woodbrook Apartments

Special Exception Application Narrative: Rear Setbacks

SE 2023-033

In connection with the zoning map amendment application ZMA 2023-006 (the "ZMA Application"), submitted by GW Real Estate Partners, LLC. (the "Applicant"), on June 20th, 2023, revised September 18, 2023 this Application for a Special Exception respectfully requests a modification of the 20 foot rear setback requirements of Section 4.19 of the Albemarle County Zoning Ordinance that would otherwise apply to Planned Unit Developments. We request that the minimum rear setback be reduced from 20 feet to 10 feet.

The surrounding area comprised residential, educational, office, and commercial uses. The immediate adjacent properties consist of wooded property associated with the SPCA, Carriage Gate apartments, Agnor-Hurt Elementary School, and developed commercial properties. The areas where the rear setback would apply, the adjacent uses are a wooded buffer and a parking lot associated with a commercial use. These properties are currently zoned Commercial and Residential, and designated within the Places29 Master Plan as Urban Mixed Use around Centers, Urban Density Residential, and Institutional. See maps below.



Figure 1: Aerial Map

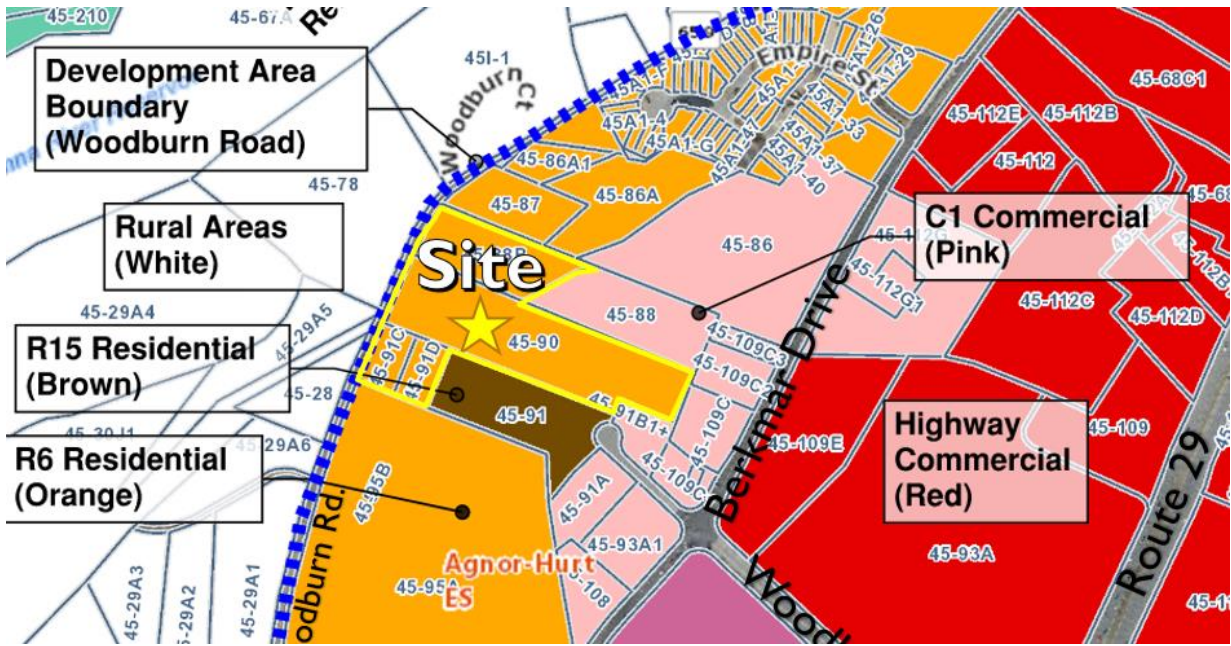


Figure 2: Zoning Map

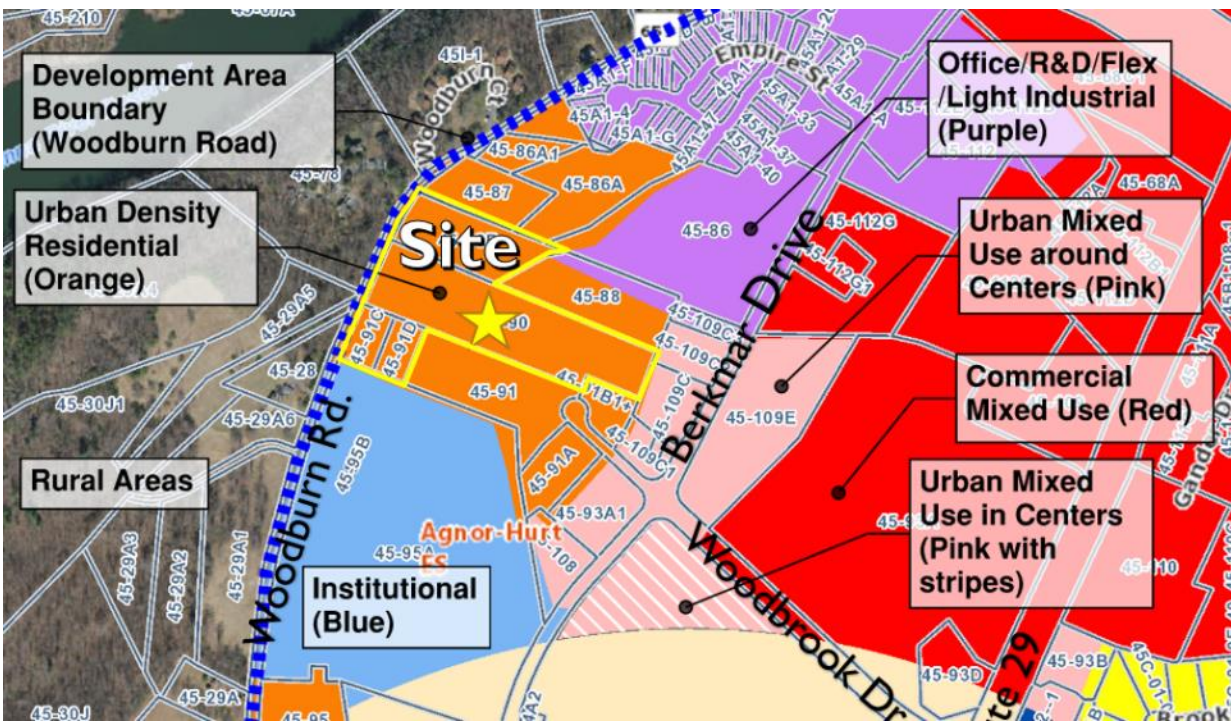


Figure 3: Places29 Land Use Map

This project will contribute to much needed housing in Albemarle County. There have been recent statements by members of both the Planning Commission and the Board of Supervisors regarding rezonings and a recognition that to practically provide sufficient housing in the designated development areas, reduce pressure on the rural areas, and avoid the need to expand the designated development area, that rezonings would need to be approved at the high end of the recommended density level. Similar statements have been made during meetings and work sessions involving the AC44 project. To realistically meet the goal of providing housing at the high end of the recommended density level, sites will need to be developed to their edges where possible

and particularly in locations such as this one where there are minimal impacts to existing neighbors. This location is ideal for a reduction in setbacks given the adjacent area and uses.

The Proposed Special Exceptions Supports the Goals of the Comprehensive Plan

Modifying the rear setback requirement is consistent with the recommended future land use of the Property under the Comprehensive Plan. The Project is located in the Development Area and is designated for Urban Density Residential uses, with between 6.01 and 34 dwelling units per acre. When placed in the context of the existing development in the surrounding area, the Project would efficiently use this Urban Density Residential land in a manner consistent with the Master Plan's guidelines.

For these reasons, the Applicant requests a special exception to modify the rear setback for PRD districts from 20 feet to 10 feet as required per Section 4.19. Given the location of the project and the adjacent uses, and the County's goal of efficient use of the development area land, granting the reduction of rear setbacks from 20 feet to 10 feet will further the goals of the Comprehensive Plan without creating any adverse impacts.

Thank you for your consideration of this request.

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