February 20, 2023

1193 Seminole Trail

Special Exception Application Narrative

SE 2023-_____

In connection with the zoning map amendment application ZMA 2023-_____ (the "ZMA Application"), submitted by RMD Properties, LLC (the "Applicant"), this Application for a Special Exception respectfully requests a waiver of the requirement for two housing types per Section 20A.8 of the Albemarle County Zoning Ordinance that would otherwise apply to the Neighborhood Model District for the ZMA Application submitted on February 20, 2023.

The Zoning Ordinance allows for the requirement of two housing types within a Neighborhood Model District to be waived by the Board of Supervisors if the district is an infill project or at least two housing types are already present within one-quarter mile of the proposed district. The ordinance states the following are considered to be different housing types: *"(1) single family detached dwellings; (2) single family attached dwellings; (3) two-family dwellings; (4) triplexes; (5) quadplexes; (6) townhouses; (7) multifamily dwellings; (8) accessory apartments; (9) manufactured housing; and (10) special needs housing such as assisted living facilities, group homes, and skilled nursing facilities."*

If approved, the proposed zoning map amendment would permit tax map parcel 061W0-02-0A-00200 (the "Property"), to be developed as a multi-family residential rental community known as 1193 Seminole Trail (the "Project"). The Project proposes a maximum of 290 multi-family residential units and 10,000 square feet of non-residential.

As demonstrated on the attached map, the project is within a ¼ mile of Brookmill and the Branchlands Senior Living communities. Brookmill is a townhome development and Branchlands offers a variety of senior housing including assisted living and independent living which include apartments and townhomes.

The Places29 Master Plan designates this Property as Urban Density Residential and Neighborhood Service Center. Urban Density Residential is described within the Places29 Master Plan as a "*designation used in areas around Centers where multifamily housing with a gross density range between 6.01 and 34 units per acre is desired*."

The surrounding area is comprised of a large variety of commercial, retail, and office uses. There is a proposed Wawa gas station to the north (adjacent to Greenbrier Dr.); to the south is a City of Charlottesville property which contains an existing restaurant, and then the US Post Office just south of the restaurant. To the east is a vacant lot proposed to be parking for the Virginia Institute of Autism which is located across Hillsdale Drive. Across Route 29, to the west, is Seminole Place (the old Comdial building) which houses a number of industrial and commercial businesses, as well as Albemarle County High School Center I. The proposed community would offer needed housing for County residents and employees of nearby business and employment centers, and would significantly contribute to the urban redevelopment of the surrounding area envisioned by the Places29 Master Plan.

Given the small size of the Property it's simply not feasible to include two housing types and provide the density and non-residential uses within the Neighborhood Service Center as recommended in the Master Plan. For these reasons, the Applicant requests a special exception from Section 20A.8 to allow one housing type in this location.

Thank you for your consideration of this request.


Site
Branchlands
Brookmill
1/4 Mile Radius
Sharon L. Hostler Child Development Center
James River Asap
Holladay Spa
Whitewood Rd
Blue Ridge Dental
Spark Charlottesville
Oak Tree Ln
Oak Forest Cir
Commonwealth Dr
Westfield Rd
Virginia Veterinary Specialists
Monroe Health and Rehabilitation Center
The Collective On Commonwealth
Super 8 by Wyndham Charlottesville
Pet Supplies Plus Charlottesville
Hillsdale Conference Center
Costco Wholesale
Stonefield Commons
Hibachi Grill & Supreme Buffet
MISSION BBQ
United States Postal Service
BJ's Restaurant & Brewhouse
Pepsi-Cola Bottling Co of Central Virginia
Hyatt Place Charlottesville
Outback Steakhouse
Burger Bach
Regal Stonefield
Sushi King
University Tire and Auto Centers - Seminole
Burtons Grill & Bar of Charlottesville
The UPS Store
Seminole Square Shopping Center
Trader Joe's
Hampton Inn Charlottesville
Holiday Inn
Exxon
Seminole Trail
India Rd
Cedar Hill Rd
Meadow Creek
Greenbrier Park
Family Ties & Pies
Greenbrier Elementary School
Courtyard by Marriott Charlottesville
Wood Grill Buffet
Big Lots
Our Lady of Peace
Church of the Incarnation
Fairfield Inn & Suites by Marriott...
Food Lion
Linden House Assisted Living and Memory...
Northside Baptist
Premier Cir
Castle Ct
Knight Ct
Manchester Ct
Chapel Hill Rd
Enhabit Home Health
Branchlands Dr
Partridge Ln
Glenn Ct
Brandywine Dr
Daniella cleaning
Mill Park Dr
Greenbrier Dr
Vernira Pl
Light Laura
Kerry Ln
Smith William S
Brenda Ct
Michael Pl
Hillwood Pl
Brook Rd
Kober Wy
District Ave
Inglewood Dr

COUNTY OF ALBEMARLE

APPLICATION FOR A SPECIAL EXCEPTION

☒ Request for a waiver, modification, variation or substitution permitted by Chapter 18

OR

☐ Relief from a condition of approval

Provide the following

- 1 copy 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.

☐ Variation to a previously approved Planned Development rezoning application plan or Code of Development

Provide the following

- 1 copy 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.

FEE = **523.12**

Application $503 + Technology surcharge $20.12

Project Name : 1193 Seminole Trail Special Exception from NMD Two Housing Types

Current Assigned Application Number (HS, HO, CLE, SDP, SP or ZMA) _____

Tax map and parcel(s): 061W0-02-0A-00200

Applicant / Contact Person Valerie Long, Williams Mullen

Address 323 2nd Street SE, Suite 900 City Charlottesville State VA Zip 22902

Daytime Phone# (434) 951-5709 Fax# (_____) _____ Email vlong@williamsmullen.com

Owner of Record RMD Properties, LLC

Address 211 E. High St City Charlottesville State VA Zip 22902

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

County of Albemarle
Community Development Department
401 McIntire Road Charlottesville, VA 22902 Voice: (434) 296-5832 Fax: (434) 972-4126

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.

Valerie W. Long
Signature of Owner / Agent / Contract Purchaser

2-20-2023
Date

Valerie W. Long, Williams Mullen
Print Name

434-951-5709
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, 1193 Seminole Trail Special Exception from NMD Two Housing Types
[Name of the application type & if known the assigned application #]

was provided to RMD Properties, LLC
[Name(s) of the record owners of the parcel]

the owner of record of Tax Map and Parcel Number 061W0-02-0A-00200

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

☐ Hand delivery of 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 _____
Date

☑ Mailing a copy of the application to Francis L. Buck, Esq.
[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 February 20, 2023 to the following address 211 E. High St
Date

Charlottesville, VA 22902
[Address; 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].

Valerie W. Long
Signature of Applicant

Valerie W. Long, Williams Mullen
Print Applicant Name

2-20-2023
Date