



**COUNTY OF ALBEMARLE  
PLANNING STAFF REPORT SUMMARY**

<b>Project Name:</b> ZMA202200010 Riverside Village NMD: Block 1 Amendment	<b>Staff:</b> Andy Reitelbach, Senior Planner II
<b>Planning Commission Public Hearing:</b> February 28, 2023	<b>Board of Supervisors Public Hearing:</b> To be scheduled
<b>Owner:</b> Shops at Riverside LLC	<b>Applicant:</b> Shops at Riverside LLC, c/o Shimp Engineering, PC
<b>Acreage:</b> Block 1-2.407 acres	<b>Rezone from:</b> NMD to NMD, to amend code of development and application plan of previously approved ZMA2016-00019
<b>TMPs:</b> 078G00001000A0	<b>Location:</b> 610, 620, and 630 Riverside Shops Way, on the north side of the intersection of Stony Point Road (State Route 20) and Trailside Drive.
<b>School Districts:</b> Monticello High, Burley Middle, Stone-Robinson Elementary	<b>By-right use:</b> 0 (minimum) – 36 (maximum) dwelling units. 8,000 square feet (minimum) – 36,000 square feet (maximum) of commercial space in Block 1.
<b>Magisterial Districts:</b> Rivanna	<b>Proffers:</b> No
<b>Proposal:</b> Amendment to reduce the minimum required commercial area in Block 1 from 8,000 square feet to 1,600 square feet. This would allow commercial space to be replaced with 12 dwelling units.	<b>Requested # of Dwelling Units:</b> No additional dwelling units are requested.
<b>DA (Development Area)</b> – In Neighborhood 3, in the Pantops Master Plan area.	<b>Comp. Plan Designation:</b> Urban Density Residential – residential (6-34 dwelling units/acre), religious assembly uses, schools and child-care, institutional. Secondary commercial/retail, offices.
<b>Character of Property:</b> Three mixed-use buildings, with associated parking. Each building has commercial space on the first floor, with two stories of dwelling units above.	<b>Use of Surrounding Properties:</b> Uses are primarily residential, with the rest of the Riverside Village development to the west; a single-family detached house and Wilton Farm apartments to the southeast, across State Route 20 (Stony Point Road); Charlottesville Elks Lodge to the north and northeast.
<b>Affordable Housing:</b> Yes <input checked="" type="checkbox"/> 15% of total units built. No <input type="checkbox"/>	<b>AMI (Area Median Income):</b> 80% of AMI as determined by U.S. Dept. of Housing & Urban Development.
<b>Positive Aspects:</b> 1. The request is consistent with the land use recommendations of the Pantops Master Plan.	<b>Concerns:</b> None identified.
<b>RECOMMENDATION:</b> Staff recommends approval of rezoning request ZMA202200010 Riverside Village NMD: Block 1 Amendment.	

**STAFF PERSON:**  
**PLANNING COMMISSION:**  
**BOARD OF SUPERVISORS:**

**Andy Reitelbach**  
**February 28, 2023**  
**To be scheduled**

**ZMA 202200010 Riverside Village NMD: Block 1 Amendment**

**PETITION**

PROJECT: ZMA202200010 Riverside Village NMD: Block 1 Amendment

MAGISTERIAL DISTRICT: Rivanna

TAX MAP/PARCEL: 078G00001000A0

LOCATION: 610, 620, and 630 Riverside Shops Way, Charlottesville, VA 22911; property on the north side of the intersection of Stony Point Road (State Route 20) and Trailside Drive.

PROPOSAL: Amend the application plan and the code of development associated with previously approved application ZMA201600019.

PETITION: Request to amend the application plan and the code of development associated with ZMA201600019 to reduce the minimum required commercial area in Block 1 from 8,000 square feet to 1,600 square feet. Block 1 consists of one parcel of approximately 2.407 acres. No increase in the permitted number of residential units is requested.

ZONING: NMD Neighborhood Model District – residential (minimum of two housing types) mixed with commercial, service, and industrial uses; in accordance with ZMA201600019.

OVERLAY DISTRICT(S): Entrance Corridor, Steep Slopes – Preserved, Steep Slopes – Managed, Flood Hazard Overlay District

PROFFERS: No

COMPREHENSIVE PLAN: Urban Density Residential – residential (6-34 dwelling units/acre), religious assembly uses, schools and child-care, institutional. Secondary commercial/retail, offices. In Neighborhood 3, in the Pantops Master Plan area.

POTENTIALLY IN THE MONTICELLO VIEWSHED: Yes

**CHARACTER OF THE AREA**

The subject property includes one parcel at the northwest corner of the intersection of State Route 20 (Stony Point Road) and Trailside Drive, in the Riverside Village development (Attachment 1 – Location Map). Riverside Village is a mixed-use development, zoned NMD Neighborhood Model District (Attachment 2 – Zoning Map).

There are three existing mixed-use buildings on the parcel, along with associated parking. Each building is three stories – with commercial space on the first floor and two floors of residential units. Grit Coffee occupies one of the commercial spaces. The other commercial spaces are currently vacant.

The other parcels in Riverside Village include neighborhood open space and a mix of residential types – single-family detached, single-family attached, and multi-family. To the southwest lies one wooded parcel of about eight acres that was dedicated to the County for open space along the Rivanna River and nearby floodplain.

The area surrounding Riverside Village includes a mix of uses. The Charlottesville Elks Lodge lies to the north of the subject parcel, with Darden Towe Park farther to the north past the Elks Lodge (both zoned R-1). Across Stony Point Road are a mixture of residential types and non-residential uses, including a single-family detached house (zoned R-1), Montessori school, Avemore apartments, Avemore office/retail, and Wilton Farm apartments (zoned R-15). Farther to the southwest along Stony Point Road, past the dedicated open space parcel, are a variety of commercial uses on Winding River Lane (zoned C1 Commercial and CO Commercial Office) and Pantops Corner Way (zoned HC Highway Commercial).

## **PLANNING AND ZONING HISTORY**

Riverside Village was rezoned to NMD (ZMA2012-02) in 2013 and has been subsequently amended. The applicant has included a full summary of previous actions on page 1 of the project narrative (Attachment 3). Most recently approved, ZMA2016-00019 was approved and included the following changes:

- The maximum total number of dwelling units within Riverside Village increased from 69 to 105.
- The maximum number of dwelling units within Block 1 alone increased from 16 to 36.
- The minimum required square footage of commercial space decreased from 16,000 to 8,000 in Block 1.
- A maximum of 46,000 square feet of commercial remained, with a maximum of 10,000 square feet permitted in Block 5 and 36,000 in Block 1.

## **BY-RIGHT USE OF THE PROPERTY**

The subject property is governed by the application plan, code of development, and proffers approved with ZMA2016-00019. This rezoning permits commercial uses between 8,000 square feet (minimum) and 36,000 square feet (maximum) and multi-family residential between 0 units (minimum) overall 46,000 and 36 units (maximum) in Block 1. Based on site plan approvals, Block 1 is approved for 24 units on two floors above 13, 284 square feet of commercial on the first floor. Up to 12 remaining units may be permitted in Block 1.

## **SPECIFICS OF THE PROPOSAL**

The applicant requests an amendment to the application plan and code of development for Block 1 of Riverside Village, which consists of one parcel of approximately 2.407 acres (Attachment 3 – Project Narrative). The applicant proposes the following change to the application plan and code of development (Attachment 4 – Application Plan and Code of Development):

- Reduce the minimum required commercial space from 8,000 square feet to 1,600 square feet.
- No additional residential units are requested.

This proposal would allow the property owner to re-purpose the currently vacant commercial spaces into residential units. A maximum of 36 residential units are allowed in Block 1; however, there are currently only 24 residential units in this block, so 12 additional units can be placed in Block 1 without amending the code of development and application plan.

No revisions to the layout of the site are proposed. However, minor changes to the building exteriors may be necessary depending on the final occupants of the vacant spaces. Any changes would comply with all site planning and building code requirements, along with ARB review.

## **APPLICANT'S JUSTIFICATION FOR THE REQUEST**

The applicant has provided a narrative with justification for the request (Attachment 3), including difficulty in securing commercial tenants.

**COMMUNITY MEETING and COMMUNITY MEMBER INPUT**

An in-person community meeting was held for this proposal on Monday, November 28, 2022, at a regularly scheduled meeting of the Pantops Community Advisory Committee (CAC). At the meeting, questions were asked of the applicant by both CAC members and community members, including many residents of Riverside Village.

The applicant had originally requested that the minimum required commercial square footage within Block 1 be eliminated fully, to 0 square feet. Because this request could potentially allow the development to become all residential, most of the concerns that were raised involved the fact that the loss of all commercial space would not be in compliance with the original intent of the Riverside Village NMD, where there was supposed to be a mixture of commercial and residential uses.

In response to these concerns, the applicant subsequently revised the application to reduce the required minimum commercial square footage to 1,600 square feet, which is now being requested, instead of the full elimination.

Staff has also received correspondence with comments from community members. (See Attachment 5 for a compilation of these comments.)

**COMPREHENSIVE PLAN**

The subject property is located within Neighborhood 3, in the Pantops Master Plan area. This Master Plan designates the subject property with the Urban Density Residential land use classification (See map inset below with Block 1 labeled.) The other residential parcels in Riverside Village are designated as Neighborhood Density Residential (yellow). Properties to the northeast and across Stony Point Road are designated Urban Density Residential. To the southwest, along the Rivanna River and within the floodplain are several parcels designated as Public Parks (dark green) and Parks and Green Systems (light green). The property is within a ¼ mile of the Neighborhood Center designation shown on the Master Plan near the intersection of Elks Drive and Stony Point Road.



Urban Density Residential (orange): This designation calls for a primary use of residential, at a density of 6-34 units per acre, along with religious, educational, and institutional uses. Small to medium scale commercial, retail, and office uses are recommended secondary uses. Buildings are recommended to have up to four stories, with a maximum building footprint of 8,000 square feet for commercial and retail.

This Urban Density designation encompasses all of Block 1. The proposal to reduce the square footage of commercial space to 1,600 remains consistent with the master plan recommendations, as it would continue to be secondary to the residences located both on this parcel and within the larger Riverside Village development.

**The Neighborhood Model:** Because no changes to the layout or design of the site are proposed, staff did not do an analysis of the neighborhood model principles for this request.

**Affordable Housing:** The original application plan for ZMA2016-00019 stated that 15% of the total number of dwelling units must be affordable. To date, a total of 14 affordable units within Riverside Village have been provided. Those units include 4 units in Block 1, 4 units in Block 5, and 6 units in Block 2. If this rezoning is approved and the maximum number of units built in Block 1, two additional affordable units must be provided.

## **ZONING ORDINANCE REQUIREMENTS**

### ***Relationship between the application and the intent and purposes of the requested zoning district:***

The purpose and intent of the Neighborhood Model District (NMD) zoning district is to:

- Provide for compact, mixed-use developments
- Integrate diversified uses within close proximity to each other within the development areas identified in the Comprehensive Plan
- Incorporate principles of traditional neighborhood development, such as pedestrian orientation and a mixture of uses

The NMD is intended to be a flexible zoning district to allow development consistent with the goals of the Future Land Use Plans in the Master Plans and the Neighborhood Model Principles. The form and content of this proposal is consistent with the intent of the NMD. Although the minimum square footage of required commercial area space is being reduced, 1,600 square feet is proposed to remain, ensuring there will continue to be some commercial activity occurring. The request is also to reduce the minimum required amount but there are no changes to the maximum allowed. Thus, the existing vacant spaces in the buildings could still be potential used for commercial activities, but it would not be required that they are used for commercial uses.

### ***Anticipated impact on public facilities and services:***

#### Streets:

No changes to the layout are proposed with this application, and Riverside Village has already been fully built out. VDOT and the County's transportation planning team have reviewed this proposal and have no concerns.

Reducing the minimum required commercial square footage from 8,000 square feet to 1,600 square feet would likely reduce the expected traffic generation from this site, as commercial uses generally produce more trips than the residential uses that could utilize the space instead.

Schools:

Because no additional residential units are being requested than what is already allowed in this development, there are no expected impacts to the school system from this proposal.

Fire & Rescue:

ACFR has reviewed this rezoning application and has no objections at this time. All building and fire code requirements for the structures must be met if there are any changes in use from what was approved with the original building permits.

Utilities:

This project is in the Albemarle County Service Authority (ACSA) water and sewer service jurisdictional area. ACSA has no objections to this project at this time. Any changes in use of the buildings will be reviewed by ACSA with the building permits to ensure all utility requirements continue to be met.

***Anticipated impact on environmental, cultural and historic resources:***

There are no known cultural or historic resources in Block 1. There is a small area of Managed Steep Slopes along the Stony Point Road frontage. No changes to the layout of the site are proposed with this request. If minor changes to the sidewalks or landscaping around the existing buildings are made, design standards for grading and steep slopes will need to be followed.

***Anticipated impact on nearby and surrounding properties:***

The anticipated impact on nearby and surrounding properties is expected to be minimal with the proposed amendments to the application plan and code of development.

However, this proposed change to the minimum required commercial square footage could lead to a reduction in the overall mix of uses in Riverside Village. As a Neighborhood Model District, Riverside Village is intended to be a mixed-use development. With the reduction of required commercial space, the neighborhood could become mostly residential, with only one commercial space remaining, different from what was originally approved for this area.

***Public need and justification for the change:***

The County’s growth management policy says that new development should occur in the designated Development Areas, where infrastructure and services are provided, rather than in the Rural Areas. This proposal will continue to allow development to be concentrated in the development areas.

**SUMMARY**

Staff has identified the following positive aspects of this request:

- 1. The request is consistent with the land use recommendations of the Pantops Master Plan.

Staff has identified the following concerns with this request:

- 1. None identified.

**RECOMMENDATION**

Staff recommends approval of rezoning request ZMA202200010 Riverside Village NMD: Block 1 Amendment.

## **ATTACHMENTS**

Attach. 1 - [ZMA2022-00010 Riverside Village Block 1 Amendment Location Map](#)

Attach. 2 - [ZMA2022-00010 Riverside Village Block 1 Amendment Zoning Map](#)

Attach. 3 - [ZMA2022-00010 Riverside Village Block 1 Amendment Project Narrative, dated October 17, 2022; last revised February 15, 2023](#)

Attach. 4 - [ZMA2022-00010 Riverside Village Block 1 Amendment Application Plan and Code Development, dated October 17, 2022; last revised February 15, 2023](#)

Attach. 5 - [ZMA2022-00010 Riverside Village Block 1 Amendment Community Member Comments](#)