

**COUNTY OF ALBEMARLE
PLANNING STAFF REPORT SUMMARY**

Project Name: ZMA 201500003 Riverside Village Neighborhood Model District	Staff: Claudette Grant
Planning Commission Public Hearing: July 14, 2015	Board of Supervisors Public Hearing: To Be Determined
Owners: Riverside Village Properties, Inc.	Applicant: Riverside Village Properties, Inc. represented by Chris Henry with Justin Shimp of Shimp Engineering, PC as the contact.
Acreage: Approximately 18.66 acres	Rezone from: No change of zoning designation is sought. This application seeks to amend the current proffers and code of development.
TMP: Tax Map Parcel 07800-00-00-05800 Location: Located on the west side of Stony Pointe Road/Route 20 and the east side of Free Bridge Lane/Route 1421, approximately 350 feet south of the intersection of Route 20/Elks Drive. See Attachment A	By-right use: Mixed use development with maximum residential units of 69 and up to 46,000 square feet of commercial uses.
Magisterial District: Rivanna	Proffers: Yes
Proposal: Request to amend proffers and code of development to allow affordable units in Block 5 and allow accessory apartments as affordable rental housing. No additional dwellings proposed. See Attachments B and C	Requested # of Dwelling Units: No change. 69 residential units maximum
DA (Development Area): Neighborhood 3 – Pantops	Comp. Plan Designation: Greenspace – undeveloped areas; Neighborhood Density Residential – residential (3-6 units/acre); supporting uses such as religious institutions, schools and other small-scale non-residential uses; and River Corridor – parks, golf courses, greenways, natural features and supporting commercial and recreational uses.
Character of Property: The property has sloping terrain and streams running through it and is currently under construction.	Use of Surrounding Properties: Elks Lodge, Rivers Edge office park, and residential uses.
Factors Favorable: 1. The rezoning request remains consistent with the Comprehensive Plan and the intent of the original rezoning.	Factors Unfavorable: 1. No unfavorable factors.
RECOMMENDATION: Staff recommends approval of this rezoning ZMA201500003, Riverside Village Neighborhood Model District, with the attached revised proffers and code of development, dated May 21, 2012, revised June 18, 2015 (Attachments B and C)	

STAFF PERSON:
PLANNING COMMISSION:
BOARD OF SUPERVISORS:

Claudette Grant
July 14, 2015
To Be Determined

ZMA 201500003 Riverside Village Neighborhood Model District

PETITION

PROJECT: ZMA201500003/Riverside Village Neighborhood Model District

MAGISTERIAL DISTRICT: Rivanna

TAX MAP/PARCEL: 07800-00-00-05800

LOCATION: Located on the west side of Stony Pointe Road/Route 20 and the east side of Free Bridge Lane/Route 1421, approximately 350 feet south of the intersection of Route 20/Elks Drive.

PROPOSAL: Request to amend proffers and code of development to allow affordable units in Block 5 and allow accessory apartments as affordable rental housing.

PETITION: Request to amend proffers, and amend code of development on property zoned NMD Neighborhood Model District which allows residential uses at a density of 3 – 34 units/acre, mixed with commercial uses, service and industrial uses. No increase of dwellings proposed.

OVERLAY DISTRICTS: Entrance Corridor (EC); Flood Hazard (FH); Steep Slopes

PROFFERS: Yes

COMPREHENSIVE PLAN: Neighborhood Density Residential – residential (3-6 units/acre); supporting uses such as religious institutions, schools and other small-scale non-residential uses; Greenspace – undeveloped areas; and River Corridor – parks, golf courses, greenways, natural features and supporting commercial and recreational uses in Neighborhood 3 – Pantops Comp Plan Area.

CHARACTER OF THE AREA

The site is located on Route 20 north, south of the Elks Lodge and adjacent to Free Bridge Lane and the Rivanna River. Floodplain and stream buffer associated with the river are located on this site along with a creek that runs along the southern property boundary of the site. The site is currently under construction. Uses adjacent to the site include some residential uses and to the east, across Route 20, residential at Wilton Farm, the Fontana Subdivision, and the Avemore development, along with the nearby Frost Montessori School. Darden Towe Park is located to the north of the site and Rivers Edge office park to the south.

SPECIFICS OF THE PROPOSAL

The applicant proposes to amend the approved proffers and code of development from ZMA2012-00002-Riverside Village. The applicant wishes to maximize the location options for affordable housing units within the development by adding Block 5 as a location for affordable housing. The applicant also wishes to allow accessory apartments as an affordable housing unit type. The changes proposed for the code of development include:

- Development Block Summary. The maximum dwelling units in Block 5 is increased from 18 to 24 units (Sheet 4 of 8).
- Section IV. Table of Uses by Block now has the correct references regarding accessory apartments in Block 5, along with the addition of the pertinent section of the Zoning Ordinance (Sheet 5 of 8).
- Section V. Developed Square Footage Proposed is updated to include the maximum dwelling units in Block 5 as 24 units (Sheet 5 of 8).
- Section VI. Affordable Units by Type and Block is now updated to reflect the appropriate number of dwelling units per block (Sheet 6 of 8) (Attachment B).

Proffer 2, Affordable Housing (page 2 of the Proffer Statement) is also being amended to accommodate the requested changes (Attachment C). The total number of residential units and density remain the same as the original approval.

APPLICANT'S JUSTIFICATION FOR THE REQUEST

This proposal is currently under construction and the applicant wishes to have the option to provide affordable units in Block 5 and to allow accessory apartments as affordable units.

PLANNING AND ZONING HISTORY

ZMA2012-00002, a request to rezone from R-1 to Neighborhood Model District (NMD) was approved on November 13, 2013. Prior to this rezoning action, there are no prior approvals for development on this property.

COMPREHENSIVE PLAN

The existing zoning approved for Riverside Village is consistent with the Pantops Master Plan land use designations. This rezoning request does not propose to change the land uses previously approved for Riverside Village in ZMA201200002 and the findings regarding consistency with the Neighborhood Model provided at the time of that rezoning remain applicable.

The existing zoning approved for Riverside Village proposes to provide 10 affordable housing units. This rezoning request does not propose to change the number of affordable housing units previously approved for Riverside Village in ZMA201200002.

DISCUSSION

Relationship between the application and the purpose and intent of the requested zoning district

Neighborhood Model Districts are intended to provide for compact, mixed-use development with an urban scale, massing, density, and an infrastructure configuration that integrates diversified uses within close proximity to each other.

There are no changes proposed to the zoning, density or land uses for this project from the approved rezoning. The proposed amendments to the proffer and code of development do not violate the intent of the Neighborhood Model District and the proposal is consistent with the intent of the original rezoning approval.

Anticipated impact on public facilities and services

Streets:

The proposed proffer and code of development amendment do not materially change the existing road system, the approved road network or the street design within this development. There are no new major impacts to the property or adjacent streets that were not already considered during the original rezoning.

Schools/Fire and Rescue/Utilities:

There would be no additional impacts to public facilities and services from this proposal.

Anticipated impact on environmental, cultural and historic resources

There are no anticipated impacts from the proposed proffer and code of development amendments on environmental or cultural and historic resources.

Anticipated impact on nearby and surrounding properties

There are no anticipated impacts from the proffer and code of development amendments on nearby and surrounding properties.

Public need and justification for the change

The proposed proffer and code of development amendments will provide the applicant an opportunity to provide a wider range of housing types and a wider range of locations within the development for the affordable units.

PROFFERS

The applicant has provided an amended proffer to ZMA201200002, which is summarized below. (See Attachment C for black line of approved and amended proffers)

The applicant proposes the following two revisions to Proffer 2. Affordable Housing: 1) adding accessory apartments as an affordable housing unit type and 2) permitting affordable housing units to be constructed in Block 5 along with the original Block 1 and/or Block 2 locations for affordable housing. There are no changes to the impacts of this development resulting from this proposal.

In summary, staff can support the proposed proffer and code of development amendments.

SUMMARY

Staff has identified the following factors, which are favorable to this request:

1. The rezoning request remains consistent with the Comprehensive Plan and the intent of the original rezoning.

Staff has identified the following factors which are unfavorable to this request:

1. No unfavorable factors.

RECOMMENDATION

Staff recommends approval of this rezoning ZMA201500003, Riverside Village Neighborhood Model District, with the attached revised proffers and code of development, dated May 21, 2012, revised June 18, 2015 (Attachments B and C)

ATTACHMENTS

ATTACHMENT A – [Tax Map](#)

ATTACHMENT B – [Application Plan with Code of Development, dated May 21, 2012, revised. June 18, 2015](#)

ATTACHMENT C – [Blackline Proffers](#)

PLANNING COMMISSION MOTION:

A. If the ZMA is recommended for approval: Move to recommend approval of ZMA201500003 with amended proffers and code of development, dated May 21, 2012, revised June 18, 2015 as recommended by staff.

B. If the ZMA is recommended for denial: Move to recommend denial of ZMA201500003. Note reasons for denial.