



**Albemarle County  
Planning Commission Staff Report**

<b>Project Name:</b> Granger Development	<b>Staff:</b> Kevin McCollum, Senior Planner II
<b>Planning Commission Hearing:</b> May 14, 2024	<b>Board of Supervisors Public Hearing:</b> To be Scheduled
<b>Owners:</b> Stribling Holdings LLC	<b>Applicant:</b> Riverbend Development and Collins Engineering, Ashley Davies and Scott Collins
<b>Acreage:</b> 68.96 acres	<b>Rezone from:</b> R-1 Residential to PRD Planned Residential Development
<b>Tax Map Parcels (TMP):</b> 07600-00-00-02400	<b>By-right use:</b> R-1 Residential. Residential uses at a density of approximately 1 dwelling unit per acre.
<b>School Districts:</b> For most of the development (201-203 units) - Mountain View ES, Burley MS, and Monticello HS. The 6-acre residue parcel (max of 2 units) – Murray ES, Henley MS, and Western Albemarle HS.	<b>Location:</b> 400 Stribling Ave Ext. just past the existing Nob Hill neighborhood, along Sunset Ave. Ext and abuts I-64, and across from the Jefferson Ridge and Eagles Landing apartment homes.
<b>Magisterial District:</b> Jack Jouett and Samuel Miller	<b>Proffers:</b> No
<b>DA (Development Area):</b> Southern and Western Neighborhoods	<b>Requested Dwelling Units:</b> 203 maximum
<b>Proposal:</b> A rezoning to PRD for 203 units, a mixture of single family detached and single family attached housing units, at a net density of 5.98 dwelling units per acre or a gross density of 2.94 dwelling units per acre. The proposal also includes over 50% of the site as green space with public and private recreational amenities.	<b>Comp. Plan Designation:</b> Neighborhood Density Residential – residential (3-6 units/acre); supporting uses such as places of worship, schools, public and institutional uses and small-scale neighborhood serving retail and commercial. Parks and Green Systems – parks, playgrounds, play fields, greenways, trails, paths, recreational facilities and equipment, plazas, outdoor sitting areas, natural areas, preservation of stream buffers, floodplains and steep slopes adjacent to rivers and streams. In Neighborhood 5 of the Southern and Western Neighborhoods Master Plan.
<b>Affordable Housing Provided:</b> Yes	<b>Affordable Housing AMI (%):</b> 80% of AMI as determined for a period of 10 years for rental and/or for-sale housing
<b>Character of Property:</b> The property is bounded by Sunset Avenue Ext, Interstate 64, a railroad track, Moore’s Creek, and Morey Creek.	<b>Use of Surrounding Properties:</b> The surrounding properties include abutting R1 zoned residential lots to the east, commercial properties to the north across the

<p>The creeks bisect the property and there are a significant critical resources, managed and preserved steep slopes, stream buffers, and floodplain. The site is undeveloped with a significant amount of tree cover and hills.</p>	<p>train tracks which include the UVA Research Park and Va. Dept. of Forestry. To the southeast there are apartment communities including Parkside/Eagles Landing and Jefferson Ridge. To the west across interstate 64 is the Redfields neighborhood.</p>
<p><b>Factors Favorable:</b></p> <ol style="list-style-type: none"> <li>1. The request is consistent with the land use recommendations of the Southern and Western Neighborhoods Master Plan.</li> <li>2. The request is consistent with the Comprehensive Plan Neighborhood Model Principles.</li> <li>3. The request provides new transportation improvements consistent with the transportation recommendations of the Southern and Western Neighborhoods Master Plan, including new multi-use paths along Sunset Ave Ext and through the site connecting Sunset Ave Ext to Stribling Ave and Fontaine Ave for pedestrians and cyclists.</li> <li>4. The request provides important public trail connections and future reservation of a public greenway trail. These trails help complete the trail network as shown in the Parks and Green Systems Plan in the Southern and Western Neighborhoods Master Plan</li> <li>5. The request provides 15% affordable housing consistent with the County's affordable housing policy at the time this application was submitted.</li> </ol>	<p><b>Factors Unfavorable:</b></p> <ol style="list-style-type: none"> <li>1. Student enrollment at Mountain View Elementary School is overcapacity and the development would add a projected twenty-four (24) new students that would contribute to the current overcapacity enrollment. Sixteen (16) additional high school students at Monticello High School will also contribute to overcapacity enrollment.</li> </ol>
<p><b>RECOMMENDATION:</b> Based on the identified factors favorable, staff recommends approval of ZMA202300010.</p>	

**STAFF PERSON:**

**Kevin McCollum, Senior Planner II**

**PLANNING COMMISSION:**

**April 24, 2024**

**BOARD OF SUPERVISORS:**

**To be Scheduled**

**PETITIONS:**

PROJECT: ZMA202300010 Granger Development

MAGISTERIAL DISTRICT: Jack Jouett and Samuel Miller

TAX MAP/PARCEL: 07600-00-00-02400

LOCATION: 400 Stribling Ave Ext. just past the existing Nob Hill neighborhood. Property is along Sunset Ave. Ext and abuts I-64. The proposed development is across from the Jefferson Ridge and Eagles Landing apartment homes.

PROPOSAL: Rezone property from R-1 Residential to Planned Residential Development (PRD).

PETITION: Rezone 68.96 acres from R-1 Residential which allows residential uses up to 1 dwelling unit per acre to Planned Residential Development (PRD). The proposal is for 203 units, a mixture of single family detached and single family attached housing units, at a net density of 5.98 dwelling units per acre or a gross density of 2.94 dwelling units per acre. The proposal also includes over 50% of the site as green space with public and private recreational amenities.

ZONING: R-1 Residential - 1 unit/acre

ENTRANCE CORRIDOR: Yes

OVERLAY DISTRICT: EC Entrance Corridor, AIA Airport Impact Area, FH Flood Hazard, Steep Slopes – Managed and Preserved

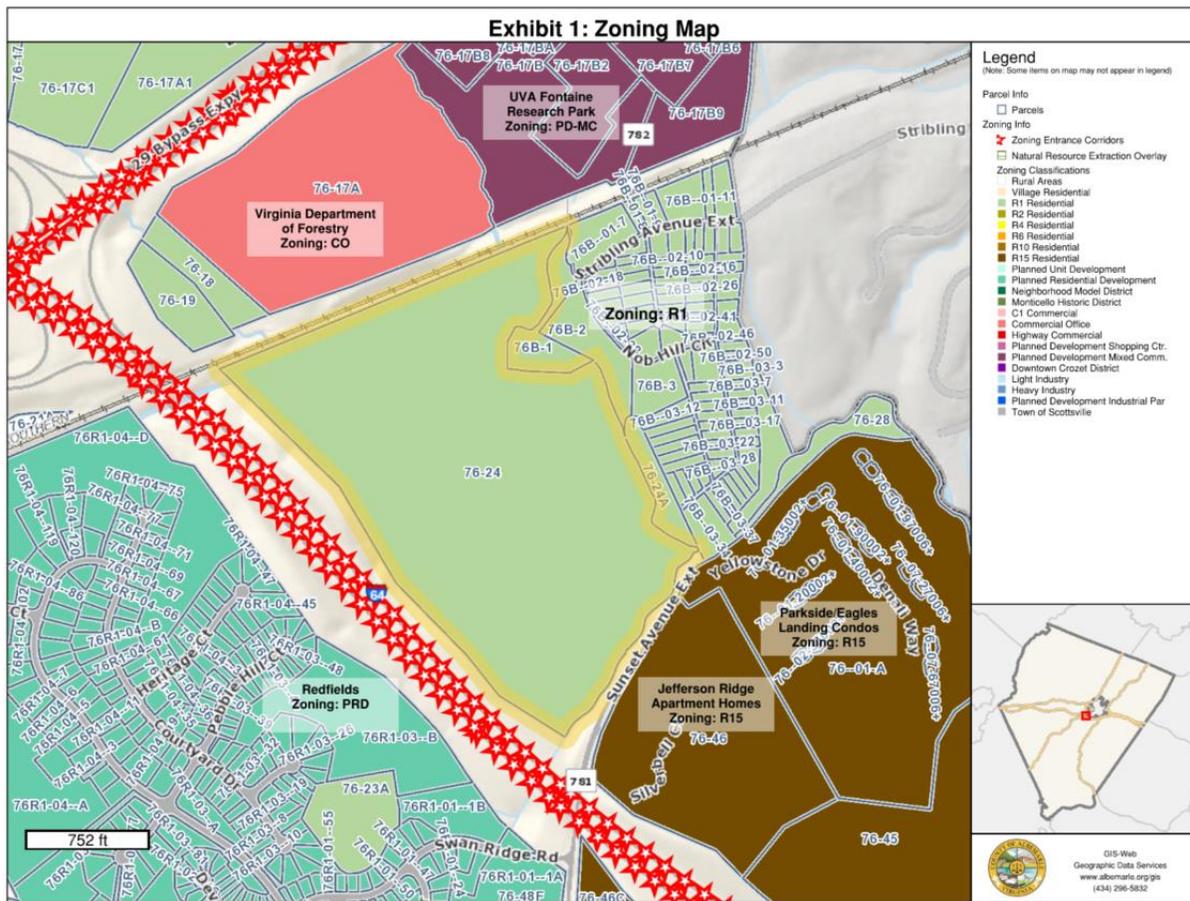
PROFFERS: No

COMPREHENSIVE PLAN: Neighborhood Density Residential – residential (3-6 units/acre); supporting uses such as places of worship, schools, public and institutional uses and small-scale neighborhood serving retail and commercial. Parks and Green Systems – parks, playgrounds, play fields, greenways, trails, paths, recreational facilities and equipment, plazas, outdoor sitting areas, natural areas, preservation of stream buffers, floodplains and steep slopes adjacent to rivers and streams. In Neighborhood 5 of the Southern and Western Neighborhoods Master Plan.

**CHARACTER OF THE AREA**

The subject property (TMP 76-24) is 68.96 acres and is currently zoned R-1 Residential (See Location Map, Attachment 1). The property is bounded by Sunset Avenue Ext, Interstate 64, a railroad track, Moores Creek, and Morey Creek. The creeks bisect the property and there are a significant number of critical resources on the property including managed and preserved steep slopes, stream buffers, and floodplain. The site is undeveloped with a significant amount of tree cover and hills. The property is also densely wooded and hilly, with a large electrical easement along the eastern side of the property. Staff believes the existing conditions of the property have made development of the property a challenge.

The surrounding properties include abutting R1 Residential zoned lots to the east, commercial properties to the north across the train tracks, which include the UVA Research Park and Va. Dept. of Forestry. To the southeast across Sunset Avenue Ext there are apartment communities including Parkside/Eagles Landing and Jefferson Ridge. To the west across interstate 64 is the Redfields neighborhood.



## **PLANNING AND ZONING HISTORY**

There are no approved land use applications associated with the subject property. Several applications including special use permit, zoning map amendment, and subdivision applications have been submitted in the past, but all have either been withdrawn or are no longer valid. The most recent application was an approved preliminary plat subdivision application (SUB202100116) that was approved in August of 2022. This plat showed a by-right R-1 Residential subdivision development of the property into 73 lots. However, that plat is no longer valid in accordance with Section 14-224 of the Subdivision Ordinance, as a Final Plat was not submitted within one year of the Preliminary Plat's approval. There have been other attempts to develop the property in the past, but again all applications are no longer valid or have been withdrawn for various reasons.

## **SPECIFICS OF THE PROPOSAL**

A detailed project Narrative is provided in Attachment 2 and an Application Plan in Attachment 3. The ZMA would allow for up to 203 dwelling units to be constructed within the development. Residential unit types allowed within the project would include single family detached, attached (townhomes, duplexes, triplexes, quadplexes), and multifamily dwellings. The application envisions a mixture of housing types and affordability through a mixture of unit types and 15% of the total residential units as affordable for-rent or for-sale units.

Primary access to the development would be from Sunset Ave Ext., which is aligned with the Jefferson Ridge Apartments entrance. A secondary emergency access entrance/shared use path entrance is proposed further down Sunset Ave Ext. The project does not propose any additional off-site transportation improvements. The Applicant has provided a detailed Traffic Impact Analysis that is provided in Attachment 4. The proposal also includes a request to authorize one internal private street that would serve new residential units within the development (Attachment 5). A detailed analysis of the private street authorization request is provided below.

The Application Plan shows, and the Application Narrative describes, over 50% of the site as open green space including amenity areas, green spaces, and trails. A public access and maintenance easement is proposed to be dedicated to public use along the proposed trails and shared use paths and includes reservation of an area for future development of an additional trail. A shared use path has been provided along Sunset Ave Ext that connects and extends through the entire parcel north and connects to Stribling Ave. This provided connection will enable pedestrians and cyclists to connect from Sunset Ave Ext through the site to Stribling Ave and through to the UVA Research Center and to Fontaine Ave. Existing bike/ped infrastructure exists to connect users from Sunset Ave Ext through to Jefferson Park Ave.

### **COMMUNITY MEETING**

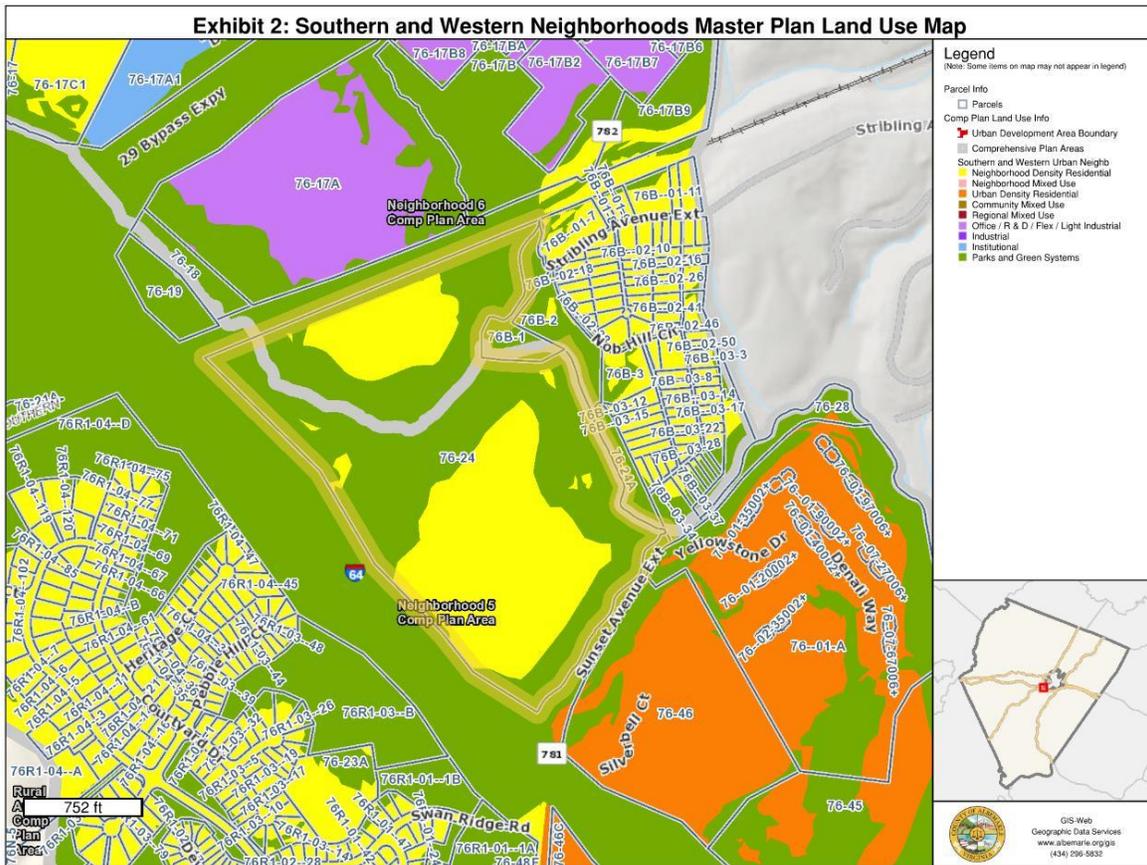
A community meeting was held with the 5th and Avon Community Advisory Committee (CAC) on Thursday, November 16th. Attendees of the meeting included CAC members, neighbors to the property, and other various interested community members. Questions and concerns were raised during the meeting. Added traffic, the existing street and pedestrian infrastructure, impacts to schools, and stormwater were amongst the concerns raised. Specifically, several attendees raised concerns about the safety of the existing conditions along Sunset Ave Ext. This road was described as dangerous for pedestrians and there were concerns that added traffic would exacerbate these issues along with causing additional traffic to the nearby roads and intersections. Since the meeting, Staff has also received a handful of community emails and phone calls with concerns regarding the development similar to the ones mentioned above.

### **COMPREHENSIVE PLAN**

The property is within the Southern and Western Neighborhoods as identified in the County's [Comprehensive Plan](#). The [Southern and Western Neighborhoods Master Plan](#) provides the future land use classification for the property and surrounding area (see Exhibit 2: Southern and Western Neighborhoods Master Plan Map below). Neighborhood Density Residential land use and parks and Green Systems are recommended for this property.

The Neighborhood Density Residential designation represents residential areas with a desired density of 3-6 residential units per acre. Primary uses include residential uses, as single-family detached, single-family attached, and townhouse units. Secondary uses include places of worship, public and private schools, early childhood education centers, public uses, and public institutional uses. Neighborhood serving retail and commercial areas up to 3,000 square feet and office uses up to 5,000 square feet may also be appropriate.

The Parks and Green Systems designation represents areas for parks, recreation, environmental preservation, and areas otherwise not intended for development. Land with this designation cannot be used to calculate available density. Primary uses include parks, playgrounds, playfields, greenways, equipment, trails, paths, recreational equipment and facilities, plazas, outdoor sitting areas, and natural areas. Also, preservation of stream buffer, floodplains, known wetlands, and slopes of greater than 25% adjacent to rivers and streams. Property may be owned publicly or privately. Secondary uses include public and private outdoor art, monuments, and non-advertising signage.



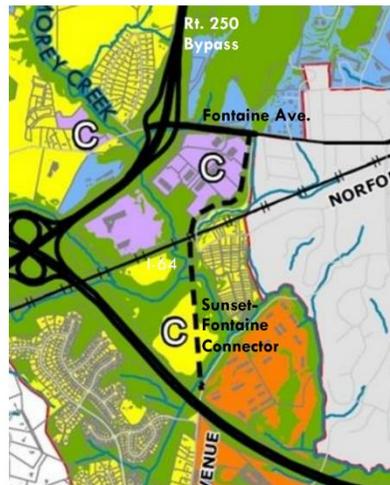
The Southern and Western Neighborhoods Comprehensive Plan states that the density and intensity of development permitted on this site should be limited to that which can be supported by the planned road network. Development of the site should be timed with roadway improvements to ensure an adequate level of service. A new Center may be located on the site. If built, it should provide supporting commercial services of a Neighborhood Mixed Use scale that can serve nearby multi-family residential development. This area is part of the proposed Sunset-Fontaine Connector road project, discussed in the Transportation Section of this Master Plan. A snippet of that section is provided below.

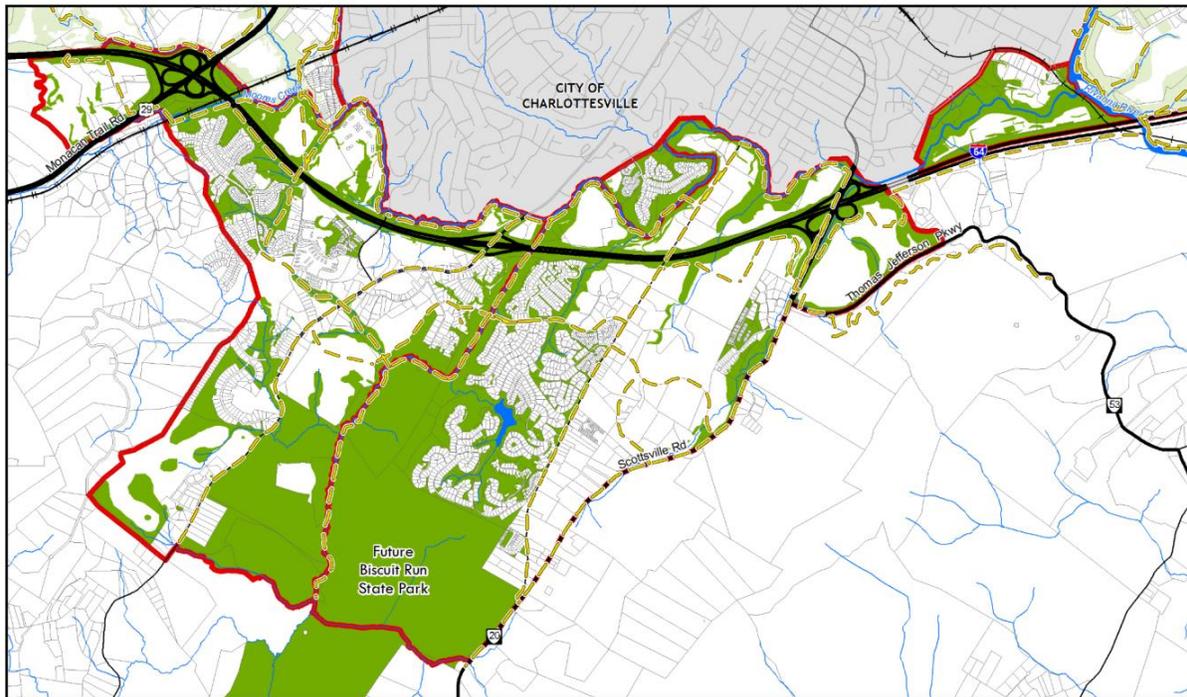
**11. Sunset-Fontaine Connector Road Recommendations (Figure 43):**

The Sunset Ave.-Fontaine Ave. Connector Road (Sunset-Fontaine Connector) is street planned for additional access and interconnections south of Fontaine Avenue and north of I-64. This street has been modeled extensively as part of Area B work. An explanation of the Area B traffic modeling and maps are provided in the Reference documents.

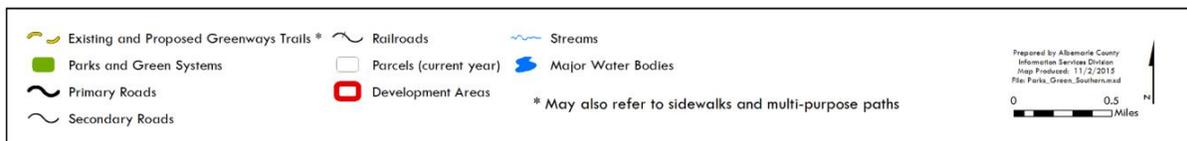
When constructed, the Sunset-Fontaine Connector should be a two-lane urban street with curb, gutter, sidewalks, street trees, and bicycle lanes. Portions of the Sunset-Fontaine Connector which can be built without the need to build the bridge over the railroad should provide for connectivity. It should be recognized that the capacity to carry a large volume of traffic will not be in place until the railroad bridge is built. As part of an improvement project, the alignment of Sunset Avenue Extended from the Sunset-Fontaine Connector to Fifth Street Extended should be improved.

**Figure 43: Sunset-Fontaine Connector Road**





**Figure 6: Southern Urban Neighborhood Parks and Green Systems Plan**



In addition, the Master Plan includes several maps showing greenway and trail locations (Figure 6 on page 23 of the Master Plan above), Bicycle and Pedestrian Facility recommendations on page 63, and implementation projects starting on page 67. These recommendations include sidewalks, street trees, and bicycle lanes along Sunset Ave and connections through the Granger property through to Stribling Ave.

The application is generally consistent with the Comprehensive Plan’s recommendations for the property. The application proposes multiple housing types, including single-family detached and single-family attached units. The proposal is for a maximum of 203 residential units at a net density of 5.985 dwelling units per acre (203 / 33.92 acres of land designated as Neighborhood Density Residential). This is consistent with the recommendation of 3-6 du/acre for land designated as Neighborhood Density Residential. Public access is provided through the dedication of a greenway trail along Moores creek and is consistent with the Parks and Green Systems Plan. The application also proposes open spaces, public and private trails, and multi-use paths. It is consistent with the Housing Policy and provides 15% of the total residential units as affordable. While the application does not provide a Sunset-Fontaine connector road, a system of shared use paths and trails have been proposed to provide pedestrian infrastructure and connections from Sunset Ave Ext through to Stribling Ave and Fontaine.

Neighborhood Model

Projects located within the Development Areas are typically reviewed for consistency with each of the Neighborhood Model Principles found in the Comprehensive Plan. Comments are provided below on relevant aspects of the Neighborhood Model. Staff has reviewed the proposal against the Neighborhood Model Principles and found that it is consistent with most of the principles.

<b>Pedestrian Orientation</b>	This principle is met. The application narrative and illustrative plan shows sidewalks on both sides of all proposed streets, various trails, and bike/ped friendly connections. This is consistent with Strategy 2a - Continue to require and provide sidewalks and pedestrian paths in the Development Areas. Pedestrian orientation means that walking is a convenient, safe, and comfortable form of transportation. Sidewalks should be provided on both sides of the street to avoid discontinuity in pedestrian access and unnecessary pedestrian street crossing movements. The application provides a proposed multi-use path along the frontage of Sunset Ave that provides additional pedestrian and bicycle infrastructure. This shared use path leads to the emergency access road with is a shared path for bike and pedestrian users, then connects to the proposed asphalt trailway leading to Stribling Ave. The proposed paths will connect pedestrians and cyclists from Sunset Ave Ext through the site and to Stribling Ave and Fontaine. The shared use path even extends to the edges of the property along Sunset Ave and provides CG-12 ramps for future connections to adjacent properties.
<b>Mixture of Uses</b>	This principle is not applicable. The application proposes a mix of residential types, but not a mixture of uses. Since a new center is not proposed, a mixture of uses would not be appropriate within the proposed planned residential development.
<b>Neighborhood Centers</b>	The Southern and Western Neighborhoods Master Plan says that a new Center <b>may</b> be located on the site. If built, it should provide supporting commercial services of a Neighborhood Mixed Use scale that can serve nearby multi-family residential development. The application as proposed does not provide any commercial services.
<b>Mixture of Housing Types and Affordability</b>	This principle is met. The Comprehensive Plan Under Objective 8, Strategy 2g says that all development areas provide for a variety of housing types and levels of affordability. The application narrative provides that there will be a variety of unit sizes and types and the application plan provides that 15% of the total residential units will be affordable. The reservation of 15% of the units is consistent with our Housing policy and Strategy 2i: through rezoning, ensure that affordable housing units are dispersed throughout the development areas rather than built in enclaves. The application proposes a mixture of housing types including single-family detached, single-family attached, and affordable housing units. The affordable units will either be rental units below market rate units or provided in single townhouse units throughout the site.
<b>Relegated Parking</b>	This principle is not met. The Application Narrative suggests that all parking will be relegated, however, the Illustrative Plan shows all parking either being front loaded or provided in the street in front of the units. The application could be strengthened by showing side or rear facing garages, driveways, or alleys. The second submittal of the Application Plan includes a description on Sheet 2 for parking that suggests parking shall be in the rear of the proposed lots or setback. The Application Plan and Illustrative Plan continues to show all front loaded driveways, so it is unclear how any of the proposed lots will have rear facing garages. In addition, all of the parking on the proposed private street will be on-street.
<b>Interconnected Streets and Transportation Networks</b>	This principle is met. The application provides sidewalks, pedestrian trails, and a bike and ped shared use path along Sunset Ave Ext and through the site connecting all the way to Stribling Ave. These additional pedestrian connections contribute to a walkable development with interconnected streets and transportation networks. The proposed trails along the creek are consistent with

	the trails identified in the Southern and Western Neighborhoods Parks and Green Systems Plan in the Master Plan.
<b>Multimodal Transportation Opportunities</b>	This principle has been met. The Master Plan recommends extensive bicycle and pedestrian facilities withing the development itself, and on the surrounding road network (Sunset Avenue Extended, County Green Lane, etc). Strategy 2k provides that multi-modal transportation means that drivers, walkers, bicyclists, and transit users all have the ability to travel. Complete streets provide sidewalks, bike lanes, and stops for public transit. The application proposes sidewalks, trails, and multi-use paths, but the proposed improvements are only on the subject property itself. The application shows multi-use paths connecting Sunset Ave through to the north end of the property. The application does not propose a North-South connector road as shown in the Master Plan. However, Staff believes the provided connections via the multi-use paths provide adequate alternatives.
<b>Parks, Recreational Amenities, and Open Space</b>	This principle is met. The Application suggests a commitment to 25% open space and recreational amenities to be provided for the residents. There is ample open space, private trails, and multiple multi-use trails throughout the property. The proposal includes a dedication of a greenway and public access on the shared use paths and trails. As described above, these trails are identified on the Southern Urban Neighborhood Parks and Green Systems Plan in the Master Plan. This meets strategy 2l to acquire, develop, and maintain public parkland shown on Master Plans.
<b>Buildings and Spaces of Human Scale</b>	This principle is met but could be strengthened. The proposed unit types, height, and number of stories is consistent with the land use recommendations in Southern and Western Neighborhoods Master Plan. Strategy 2m provides development should be appropriate in scale and with building locations that are designed with pedestrians in mind. The application could be strengthened by providing additional information on the proposed garages. At this time, it appears all driveways and garages will be front loaded.
<b>Redevelopment</b>	Principle is not applicable. Property is mostly undeveloped.
<b>Respecting Terrain and Careful Grading and Re-grading of Terrain</b>	This principle is met. There are some existing preserved slopes that will be impacted by this development, but the disturbance is limited. Some of this impact is for the proposed entrances onto Sunset Ave, which is considered by-right grading for necessary public infrastructure. There is a small portion of the 20' Asphalt Emergency Access Road that will be impacting preserved slopes.
<b>Clear Boundaries Between the Development Areas and the Rural Area</b>	This principle is not applicable to the request. The subject property is located within the Development Area. No improvements or changes in use near any boundaries with the Rural Area are proposed.

**Affordable Housing**

On February 21, 2024, the Board of Supervisors approved the Affordable Rental Housing Incentive Program which provides a monetary incentive to help developers achieve the County’s new housing policy goal. Approval of the incentive program fully implemented Housing Albemarle, which recommends 20% of the total units in residential construction projects be provided as affordable housing. Approval of the incentive program fully implemented the County’s housing policy which recommends at either 60% AMI for a total of 30 years (rental housing) or 80% AMI for a total of 40 years (owner-occupied housing).

Prior to this approval, the County’s housing policy recommended that new residential rezonings provide 15% of the total proposed units as affordable housing at 80% of the Area Median Income (AMI). Because this rezoning application has been under review since before this policy was adopted, Staff is reviewing it under the previous

policy of 15% affordable housing. This has been the guidance provided by Dr. Stacy Pethia, Assistant Director of Housing for Albemarle County. Dr. Pethia has also provided a detailed analysis of the proposed affordable units (Attachment 6). Based on the applicable affordable housing policy and the affordable housing evaluation, the project is consistent with the Comprehensive Plan Chapter 8, Strategy #2g and Chapter 9, Strategy #6b.

This rezoning proposal includes a maximum of 203 dwelling units, which would provide 31 affordable units based on the County's policy of 15% of the total number of units. These units could be provided as for-sale or rental units. The exact wording of the affordable housing provisions can be found on Sheet 2 of the Application Plan.

## **ZONING ORDINANCE REQUIREMENTS**

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

#### **Transportation:**

The application proposes one primary entrance to the development from Sunset Ave Ext. Additional roads are internal. A secondary point of access has been provided further down Sunset Ave Ext; however, this will be reserved for emergency vehicles and will serve as a multi-use path. A 10' multi-use pathway has been provided along the full frontage of Sunset Ave Ext. The location of this proposed pathway will be on the development's property and will provide safe travel opportunities for users. The proposed pathway will terminate at the parcel boundaries along Sunset Ave Ext, but the proposal includes Cg-12 ramps to connect to future paths that may be built along Sunset Ave Ext. As mentioned, the application proposed a 20' asphalt emergency access road which will serve as a multi-use path for pedestrians and cyclists. This path connects to a 10' asphalt trail that will continue through the site, across a 10' bridge crossing the stream, and will connect to Stribling Ave and lead to Fontaine Ave. While the application does not propose a Sunset-Fontaine connector road as described in the Master Plan, these multi-use trails along the property frontage and throughout the site provide significant and safe connections for pedestrians and cyclists. Residents of this proposed neighborhood, and members of the Public since the multi-use paths and trails will all have public access easements, will have safe and convenient access to the UVA Research Park and connections to Fontaine and the City of Charlottesville.

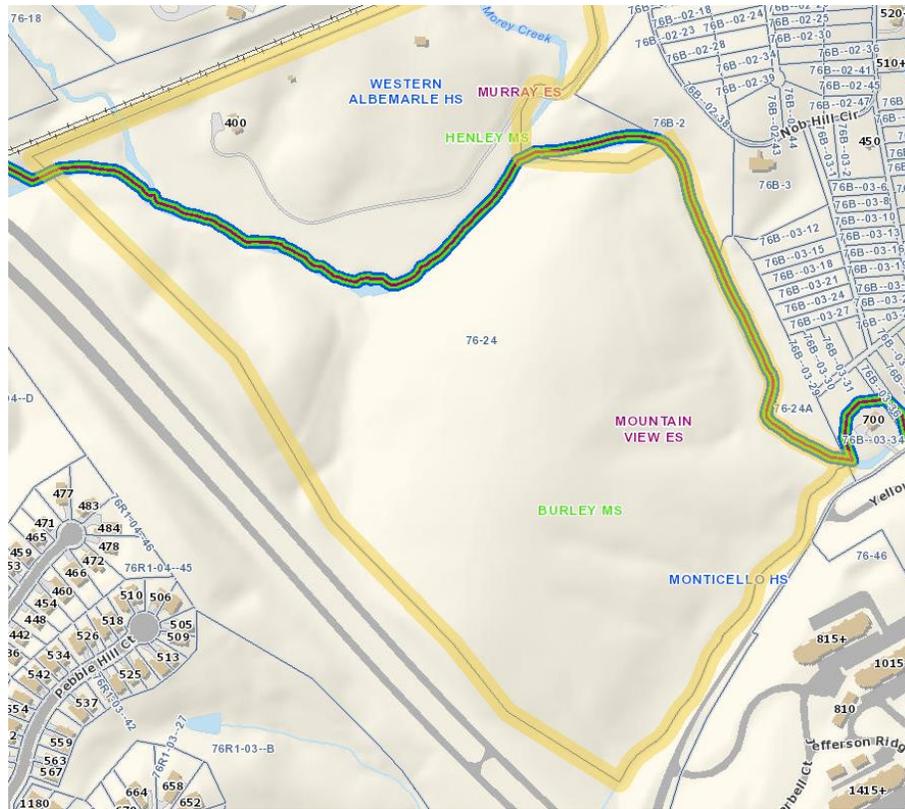
The application proposes trails and multi-use paths along both creeks that will further provide transportation opportunities for residents and members of the public. The proposed trails, multi-use paths, and future greenway trail will all be open to the public (See Application Plan Sheet 6). Internally, most of the roads within the development will be public as well. The application states that sidewalks will be provided on both sides of all proposed roads. There is one proposed private street within the development to enable on-street perpendicular parking. A full analysis of this request is provided below.

Transportation impacts of this development have been evaluated by Transportation Planning Staff and the Virginia Department of Transportation (VDOT). The application includes a Traffic Impact Analysis (Attachment 4) which provides additional findings. Based on the results of the TIA and Staff's analysis, no off-site roadway improvements are warranted or recommended at the build-out of the proposed development. The future roundabout on Old Lynchburg Rd / 5<sup>th</sup> Street Ext at Old Lynchburg Rd / County Complex Driveway will significantly relieve congestion at that intersection. Many drivers who are currently making the southbound left-turn from Sunset Ave onto Old Lynchburg Rd will divert to the future roundabout, which will provide significant relief to the Old Lynchburg Rd at Sunset Ave Ext / Church Driveway intersection.

#### **Schools:**

Students living in the development would be primarily in the schools districts for Mountain View Elementary School, Burley Middle School, and Monticello High School. The northern piece of the property, which is the 6-

acre residue area on the northern side of the creek, will have a maximum of just two residential units. The applicable school districts for those two units would be Murray ES, Henley MS, and Western Albemarle HS. Based on the 2023 Albemarle County Schools Long Range Planning Advisory Committee Recommendations (LRPAC), Mountain View Elementary School and Monticello High School are over capacity, while Burley Middle School is under capacity. Mountain View Elementary School is well over capacity and will be 200 students or more over capacity in the projected future years.



Based on the anticipated unit-type mix, the total number of estimated students is 50 students, broken down as follows: 24 elementary, 10 middle, and 16 high. The additional students generated by this development will contribute to over capacity issues at Mountain View Elementary and Monticello High School. The applicant has not proposed to address schools impacts with the current proposal.

Parks:

The application proposes public trails throughout the site and has an area reserved for a future public trail. The proposed trails provide needed connections through the site and to the abutting properties to continue a greenway trail system along the creeks. The proposed trail systems have been reviewed by Albemarle County Parks and Recreation Staff and they have provided that the proposed trails and future trails provide important connections to off-site destinations that will support and advance adopted County plans.

Fire and Rescue:

Fire and Rescue has reviewed this rezoning application and has no objection to the proposal. Emergency access is provided into the site through the main development entrance and through the provided emergency access road, which will be reserved for emergency vehicles and serve as a multi-use path. All other requirements of the Fire Code would be met at site development plan review.

Utilities:

The entire property is within the Albemarle County Service Authority (ACSA) water and sewer service jurisdictional area. The Application Plan notes that the development will be connected to public water and sewer services. This is consistent with the Comprehensive Plan recommendation that water and sewer utilities be provided to all parcels within the designated development areas. ACSA and RWSA Staff have reviewed the proposal and have provided that there are no known service conflict issues and no objection to the development. Any further utility requirements will be met at the time of site plan review for the proposed development.

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

Through multiple site visits the Applicant and Staff have identified an existing cemetery and an old stone foundation near the I-64 boundary line. A commitment to preserving these resources has been made on the application plan, including proposed plaques to be installed to identify these resources. Staff from the Virginia Department of Historic Resources also toured the site with Community Development Staff in the looked for an old mill along the creek, but no evidence of a mill was found on this site. The existing bridge that crosses Morey Creek will be repaired and used for the 10' shared use path crossing of the creek.

Regarding the stream buffer and floodplain, the Application Plan identifies these areas as being primarily outside of any development (roads, dwelling units). Where development does occur in these resources, it is only for shared use paths and trails which are permitted uses within these features. All requirements of the County's Water Protection Ordinance will need to be met at time of subdivision plat, road plan, and site plan review. Staff does not foresee any issues with protection of the existing WPO stream buffer and floodplain. Impacts to preserved steep slopes are minimized and are identified on the Application Plan. Staff will continue to work with the Applicant during the site development process to try and further preserve the preserved steep slopes that are shown as being impacted.

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

County staff has received a number of comments from members of the public regarding concerns about aspects of this application. Primary concerns have been related to the proposed density and impacts to the existing roads, traffic, and the WPO stream buffer and floodplain within the parcel. As stated above, the Traffic Impact Analysis provided suggests that transportation impacts to the surrounding properties will be minimal. And the development will need to follow all County and State regulations that apply to protect the streams and floodplain.

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

The County's growth management policy states that new residential development should occur in the designated Development Areas where infrastructure and services are provided, rather than in the Rural Area.

**Proffers**

No written proffer statement has been made by the applicant. However, since the requested PRD district is a planned zoning district, the notes and requirements of the Application Plan would be binding should the ZMA be approved by the Board of Supervisors. This means that the affordable housing, future trail reservation and dedication, multi-use path construction, etc. would be required to be met at time of subdivision plat and/or site plan review.

**PRIVATE STREET AUTHORIZATION REQUEST**

The applicant is requesting authorization of a private street request to allow for one (1) private street within the project, in accordance with [Section 14-233 \(A\)](#) of the Subdivision Ordinance. Under Section 14-233 (B)(1), the Agent may authorize private streets in the development areas serving attached units. The applicant has provided a detailed justification statement in their request explaining how the proposed private street meet these criteria (Attachment 5).

In considering private street requests, staff must find that one or more circumstances described under Section 14-233 exist, and the following criteria are met under [Section 14-234 \(C\)](#) (ordinance language in ***bold italics*** text and staff analysis below):

**1. *The private street will be adequate to carry the traffic volume which may be reasonably expected to be generated by the subdivision;***

The County Engineer and Fire Rescue staff have reviewed the private street authorization request and have found that the proposed private streets would be adequate to carry the traffic volume which is expected to be generated by the proposed dwelling units. The streets are 20' wide urban cross sections which meet County standards for private streets in residential neighborhoods.

**2. *The comprehensive plan does not provide for a public street in the approximate location of the proposed private street;***

The Comprehensive Plan does not call for public streets in the locations of the proposed private street. Within the development there are other public streets proposed in this area. As described in the Applicant's private street authorization request narrative, the purpose of the private street is to provide more design flexibility and to enable on street perpendicular parking.

**3. *The fee of the private street will be owned by the owner of each lot abutting the right-of-way thereof or by an association composed of the owners of all lots in the subdivision, subject in either case to any easement for the benefit of all lots served by the street;***

The private streets would be owned and maintained by the HOA. County staff would ensure that appropriate documentation is provided and recorded at the time of subdivision plat review.

**4. *Except where required by the commission to serve a specific public purpose, the private street will not serve through traffic nor intersect the state highway system in more than one location; and***

The private street has been designed to specifically serve the private dwelling units and not through traffic.

**5. *If applicable, the private street has been approved in accordance with [section 30.3](#), flood hazard overlay district, of the zoning ordinance and other applicable law.***

Not applicable, the proposed private street is not within the flood hazard overlay district.

Staff supports the approval of the private street request as it demonstrates compliance with the criteria and findings necessary to approve private street authorization as specified by Sections 14-233 and 14-234 of the Subdivision Ordinance.

## **SUMMARY**

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

1. The request is consistent with the land use recommendations of the Southern and Western Neighborhoods Master Plan.
2. The request is consistent with the Comprehensive Plan Neighborhood Model Principles.
3. The request provides new transportation improvements consistent with the transportation recommendations of the Southern and Western Neighborhoods Master Plan, including new multi-use paths along Sunset Ave Ext and through the site connecting Sunset Ave Ext to Stribling Ave and Fontaine Ave for pedestrians and cyclists.
4. The request provides important public trail connections and future reservation of a public greenway trail. These trails help complete the trail network as shown in the Parks and Green Systems Plan in the Southern and Western Neighborhoods Master Plan
5. The request provides 15% affordable housing consistent with the County's affordable housing policy.

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

1. Student enrollment at Mountain View Elementary School is overcapacity and the development would add a projected twenty-four (24) new students that would contribute to the current overcapacity enrollment. Sixteen (16) additional high school students at Monticello High School will also contribute to overcapacity enrollment.

### **RECOMMENDATION**

For the reasons outlined in the staff report, staff recommends approval of ZMA202300010 Granger Development.

### **PLANNING COMMISSION POTENTIAL MOTIONS**

#### 1. **ZMA202300010**

- a. Should a Planning Commissioner **choose to recommend approval** of this zoning map amendment:

***Move to recommend approval of ZMA202300010 for the reasons as stated in the Staff Report.***

- b. Should a Planning Commissioner **choose to recommend denial** of this zoning map amendment:

***Move to recommend denial of ZMA202300010. State reasons for denial.***

### **Attachments**

- Attach 1 - [ZMA2023-12 Granger - Location Map](#)
- Attach 2 - [ZMA2023-12 Granger - Application Narrative dated April 25, 2024](#)
- Attach 3 - [ZMA2023-12 Granger - Application Plan dated March 26, 2024](#)
- Attach 4 - [ZMA2023-12 Granger - Traffic Impact Analysis](#)
- Attach 5 - [ZMA2023-12 Granger - Private Street Authorization Request](#)
- Attach 6 - [ZMA2023-12 Granger - Affordable Housing Evaluation](#)