



**Albemarle County  
Planning Commission Staff Report**

<b>Project Name:</b> ZMA202200002 Sieg Property Rezoning	<b>Staff:</b> Cameron Langille, Principal Planner
<b>Planning Commission Hearing:</b> September 9, 2025	<b>Board of Supervisors Public Hearing:</b> To be Scheduled
<b>Owners:</b> RBD Gold Eagle LLC, The Pines Group LLC	<b>Applicant:</b> Riverbend Development
<b>Acreage:</b> 62.46 (approx.)	<b>Rezone from:</b> R1 Residential and HC Highway Commercial to NMD Neighborhood Model District
<b>Tax Map Parcels (TMP):</b> 07500000005300, 07500000005400, 075000000054A0, 07500000005500, 075000000055C0, 07500000005500	<b>Location:</b> 616 Gold Eagle Drive, Charlottesville, VA 22903
<b>School Districts:</b> Red Hill (Elementary); Walton (Middle School); Monticello (High School)	<b>By-right use:</b> R1 District: 1 unit/acre; HC District: commercial and service; residential by special use permit (15 units/acre)
<b>Magisterial District:</b> Samuel Miller	<b>Proffers:</b> No
<b>Proposal:</b> NMD Neighborhood Model District, allowing a maximum of 1,200 dwelling units and up to 440,000 sq.ft. of non-residential uses; Designate approximately 5.1 acres of Preserved Steep Slopes for disturbance.	<b>Requested Dwelling Units:</b> 1,200 units maximum
<b>DA (Development Area):</b> Southern & Western Neighborhoods	<b>Comp. Plan Designation:</b> Regional Mixed Use – residential (up to 34 units/acre), regional serving retail, service and office uses, non-industrial employment centers.  Industrial - manufacturing, storage, distribution, office and commercial activities related to industrial use and research and development.  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.

<p><b>Affordable Housing Provided:</b> Yes</p>	<p><b>Affordable Housing AMI (%):</b> 15% of total units at 80% of AMI as determined for a period of 10 years for rental and/or for-sale housing</p>
<p><b>Character of Property:</b> Mostly undeveloped and heavily wooded; one parcel contains a single-family dwelling.</p>	<p><b>Use of Surrounding Properties:</b> To the east is the Virginia Eagle Distributing Company which is a beverage distribution company, to the north is I-64 right-of-way, properties to the west are heavily wooded and feature single-family detached dwellings, and the Sherwood Farms subdivision is located across U.S. Route 29 to the east/south</p>
<p><b>Positive Aspects:</b></p> <ol style="list-style-type: none"> <li>1. The request is consistent with the land use and density recommendations of the Southern &amp; Western Neighborhoods Master Plan.</li> <li>2. The request provides new transportation improvements consistent with the transportation recommendations of the Southern &amp; Western Neighborhoods Master Plan, including transit stops, upgrades to an existing park &amp; ride lot and a 10' wide multi-use path within the public right-of-way of U.S. Route 29.</li> <li>3. The request provides 15% affordable housing consistent with the County's affordable housing policy in effect at the time of application submittal.</li> </ol>	<p><b>Concerns:</b></p> <ol style="list-style-type: none"> <li>1. Student enrollment at Red Hill Elementary and Monticello High School are overcapacity and the development would add a projected 108 elementary and 96 high school students that would contribute to the current overcapacity enrollment.</li> </ol>
<p><b>RECOMMENDATION:</b> Based on the identified factors favorable, staff recommends approval of ZMA202200002.</p>	

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

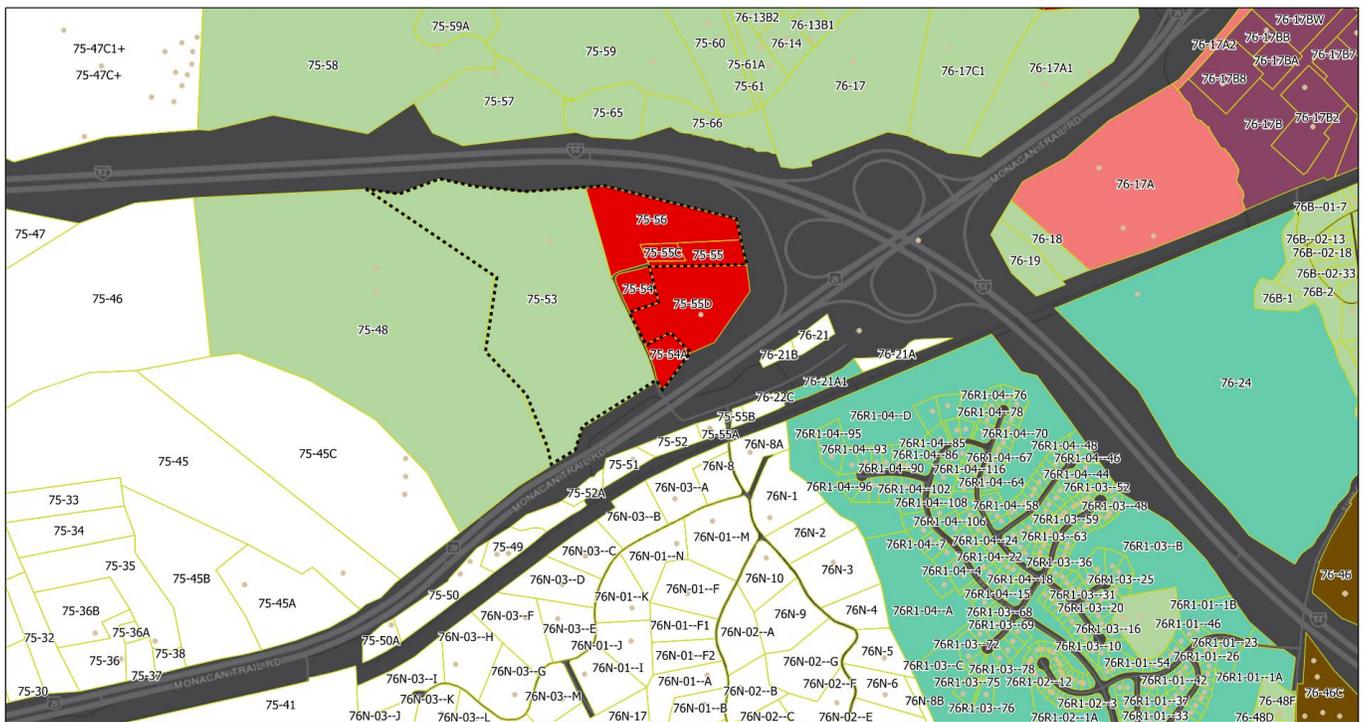
**Cameron Langille, Principal Planner**  
**September 9, 2025**  
**To be Scheduled**

**PETITIONS:**

**PROJECT:** ZMA202200002 Sieg Property Rezoning  
**MAGISTERIAL DISTRICT:** Samuel Miller  
**TAX MAP/PARCEL(S):** 07500-00-00-05300, 07500-00-00-05400, 07500-00-00-054A0, 07500-00-00-05500, 07500-00-00-055C0, 07500-00-00-05600  
**LOCATION:** North side of U.S. 29 approximately 1500 feet south of Interstate 64.  
**PROPOSAL:** Request to rezone six (6) parcels to the Neighborhood Model District for a mixed-use development including residential and non-residential uses.

**CHARACTER OF THE AREA**

The site proposed for rezoning consists of six tax map parcels, all of which abut the right-of-way of Gold Eagle Drive, which is accessed from Monacan Trail Road (Rt 29 South). Site features include a single-family detached dwelling that would be demolished. The remainder of the property is heavily wooded and includes areas designated as Managed or Preserved Steep Slopes Overlay District. The southern edge of the property borders the U.S. Route 29 right-of-way and features a WPO stream buffer and land within the Flood Hazard Overlay District that surround Moore’s Creek which crosses Route 29 on the south side of the parcels. Portions lie within the Dam Break Inundation Zone (DBIZ) for the Ragged Mountain Dam. The largest parcel is approximately 44 acres and is zone R1 Residential. All other parcels are zoned HC Highway Commercial.



Abutting properties are described below:

	<b>Land Use</b>	<b>Zoning District</b>	<b>Comp Plan Designation</b>
<u>North</u>	Across Interstate 64, undeveloped	R1 Residential	Parks & Green Systems
<u>South</u>	Single family detached homes, including the Sherwood Farms subdivision, Teel Lane Park & Ride lot	RA Rural Areas	Parks & Green Systems
<u>East</u>	Virginia Eagle Distributing Company, Interstate 64, standalone single family detached homes, VDOT salt shed facility	HC Highway Commercial and RA Rural Areas	Regional Mixed Use; Parks & Green Systems
<u>West</u>	Undeveloped land and single family detached homes on large rural wooded properties	R1 Residential and RA Rural Areas	Office/R&D/Flex/Light Industrial; Parks & Green Systems

**BACKGROUND**

There are no zoning applications associated TMPs 07500-00-00-05400, 07500-00-00-054A0, 07500-00-00-05500, 07500-00-00-055C0, 07500-00-00-05600 that are relevant to the proposed ZMA.

TMP 07500-00-00-05300:

- CPA201500001 – A Comprehensive Plan Amendment (CPA) application was approved by the Board of Supervisors on September 23, 2015. This CPA amended the County’s Development Areas boundary to bring portions of TMP 75-53 and the adjacent parcel 75-48 into Neighborhood 5 of the Southern & Western Neighborhoods Development Area that were previously in Rural Area 3 of the Comprehensive Plan. Approximately 1.2 acres of TMP 75-53 was re-designated to the Industrial future land use classification. Another 15,000 sq. ft. was re-designated to the Parks & Green Systems future land use classification.

**SPECIFICS OF THE PROPOSAL**

The Sieg application proposes to rezone the six subject properties to the NMD Neighborhood Model District to allow a mixed-use project. A detailed narrative of the request is provided in Attachment 1. If the ZMA is approved, development of the property would follow the Application Plan (Attachment 2) and Code of Development (COD) (Attachment 3).

Minimum and maximum non-residential uses are included in the Table 7 from the (COD):

**Table 7: Density Regulations**

Block Number	Block Area <sup>1</sup> (acres)	Maximum/Maximum Use Regulations per Rezoning Plan <sup>1, 2</sup>				
		Residential Uses			Non-Residential Uses	
		Density Range (units)	Dwelling Unit Minimum	Dwelling Unit Maximum	Minimum Non- Residential (SF)	Maximum Non- Residential (SF)
1	5.87	0 – 34 units	0	200	0	30,000 <sup>2</sup>
2	3.70	0 – 34 units	0	30	0	30,000 <sup>2</sup>
3	6.84	0 – 34 units	0	232	20,000	140,000 <sup>2</sup>
4	18.60	0 – 34 units	0	634	30,000	390,000 <sup>2</sup>
5	10.40	6 – 34 units	65	360	0	0
6	4.50	6 – 34 units	35	154	0	0
Total Comprehensive Plan Recommended Densities:			100	1,610	50,000	590,000 <sup>2</sup>
<b>Total Min. &amp; Max. Allowed Density</b>			<b>100</b>	<b>1,200</b>	<b>50,000</b>	<b>440,000<sup>2</sup></b>

Greenspace and Amenities- 12.55 acres (20.1% of the total site area) of open space is included in project. Open space is spaced throughout each block and includes areas of undeveloped greenspace, vegetative landscaping buffers, as well as civic areas/park land. Amenity areas are shown on the plan and will allow for recreation facilities in each block of the development. General amenity improvements are specified in Table 11 on page 25 of the COD and include outdoor plazas, pools and a community center building, tot lots, and other outdoor recreational play areas. Walking trails open to the public are proposed throughout the development and would connect to the entrance of Hedgerow Park at the northwestern corner of the site. Final design and location of exact improvements within each amenity area will be determined at the site plan stage.

Conservation and Preservation Areas-The WPO stream buffer would be located primarily at the southern end of Block 1 and would remain outside of any developed areas within the project, which is identified as a conservation area with no residential or commercial building sites proposed. A 30’ perimeter buffer is proposed along the northern and southern project boundaries to screen the development from the I-64 and Route 29 Entrance Corridors.

Pursuant to Section 18-30.7.4(b)(g), the applicant has requested disturbance of Preserved Slopes to allow new streets, stormwater management facilities, and residential dwelling units. The application proposes to disturb approximately 222,000 sq.ft. of the Preserved Steep Slopes Overlay District on TMP 75-53 to the Managed Steep Slopes District. The slopes are broken into seven areas that range in size from 2,500 sq.ft. to 64,000 sq.ft. A detailed analysis of this request is provided below.

Transportation- Primary access to the development would be provided by two new public roads from Monacan Trail (Route 29 South). The northern site entrance onto Route 29 at the current Gold Eagle Drive would be converted to a right-in/right-out only entrance. This design allows for vehicles accessing Teel Lane to maintain all current turn movements serving properties on the east side of Route 29. The southern/western site entrance would include installation of a full access signalized intersection. The applicant has proposed a new pedestrian crosswalk on Route 29 to allow pedestrians to enter/leave the site and continue northbound on Route 29 toward the City on a new 10’ asphalt shared use path, which would be installed by the developer with the first phase of transportation improvements. The shared use path may eventually connect to existing greenway trails along Moore’s Creek at Teel Lane. In total, approximately 900’ linear feet of new off-site shared use path is proposed by the project. Other transportation-related improvements include upgrades to the existing park & ride parking lot that is located off-site at the intersection of Route 29 and Teel Lane.

The internal street network would feature primarily public streets but would allow for private streets within some blocks, subject to the approval procedures specified in the Albemarle County Subdivision Ordinance. Street networks and design standards are discussed in Section 2.10 (pages 27-29) of the COD as well as the Application Plan. All internal streets would feature sidewalks along both sides, with the primary internal connector roads featuring a 10' wide asphalt shared use path on one side. A new centralized transit stop would also be constructed along the internal connector road, near Block 3.

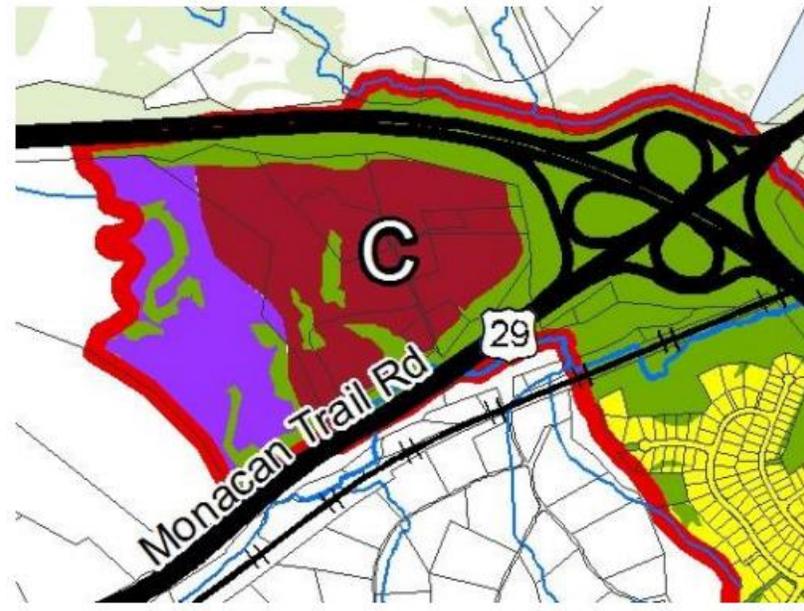
**COMMUNITY MEETING**

A virtual community meeting was held for this proposal on August 18, 2022, during the 5<sup>th</sup> & Avon Community Advisory Committee (CAC) meeting; this meeting was conducted using Zoom. The meeting minutes may be viewed at this [LINK](#). Members of the public in attendance offered their comments and concerns regarding the ZMA. The primary focus of comments was the proposed Route 29 intersection improvements proposed by the application at the time, which called for closing the median along Route 29 at the intersection of Teel Lane. This would have eliminated the ability of vehicles to make left turns out of Teel Lane to head south on Route 29, and left turn movements from Route 29 onto Teel Lane. This would have affected the Sherwood Farms subdivision that uses Teel Lane to enter/leave the neighborhood. Since that time, the applicant has worked with VDOT and County staff to find an alternative solution that leaves the median break at the Teel Lane/Route 29 intersection, thus preserving all currently available turn movements.

**COMPREHENSIVE PLAN**

The Southern Urban Neighborhood Future Land Use Plan contained in the Southern & Western Neighborhoods Master Plan identifies three future land use classifications on the subject properties. The majority of the property is designated Regional Mixed use, with Parks and Green Systems along the boundaries and internal where Steep Slopes are located. A very small area along the southwestern edge is designated Industrial. The categories and their general descriptions are below.

**Figure 16: Rt. 29 and I-64 Area**



 Regional Mixed Use This designation represents a mixture of residential and retail uses and services that serve the region. Residential density up to 34 units per acre. Mixture of uses within buildings and proportionally more non-residential uses than residential uses are expected in these areas. Non-residential buildings footprints range between 20,000 and 80,000 maximum recommended square feet, with maximum structure heights of 5 stories (minimum 2 stories preferred).

 Parks & Green Systems This designation calls for 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. Land within this designation cannot be used to calculate available density for a parcel of land.

 Industrial This classification represents uses involving manufacturing and may include processing, fabrication, assembly, treatment, packaging, storage, sales and distribution. Commercial activities related to industrial uses are permitted. Offices and research and development uses are also recommended. Research and development includes any use carrying out the design, experimentation, development of prototypes, engineering, scientific application, and administrative functions of businesses in the fields of medical technology, communication systems, transportation, multi-media, and information technology. Secondary uses permitted under this classification include wholesale activities, automobile related uses, and institutional uses. The Master Plan does not recommend a specific building footprint size for this category, but does recommend building heights between 1-3 stories tall.

**Consistency with the Master Plan:**

The proposed residential and non-residential uses are consistent with the Regional Mixed Use category of the master plan. The proposed gross residential density is 19.2 du/acre and the net density is 22.6 du/acre, which is consistent with the Master Plan recommendation for a maximum net density of 34 du/acre. The Project's density also supports Objective 4 of Chapter 8 (Development Areas) of the Comprehensive Plan, recommending the "[ u] se [ of] Development Areas land efficiently to prevent premature expansion of the Development Areas." The Code of Development allows a mix of housing types. The proposed non-residential uses of between 50,000 and 440,000 are consistent with the master plan. Only a small portion of the property (approximately 1.2 acres) is designated for Industrial use, in Blocks 1 and 5 along the western side of the project. The COD allows for up to 30,000 sq.ft. of uses such as distribution, storage, manufacturing/processing/assembly/fabrication, and laboratories/research and development/experimental testing which are consistent with this land use designation. Additionally, the application proposes landscaping buffers and other open space areas along the western project perimeter to help provide separation from properties to the west that are also recommended for Industrial future land uses by the Master Plan.

The Application Plan is consistent with the Master Plan recommendations for Parks & Green Systems. Landscaping buffers and a trailhead parking lot are proposed along the northern, eastern, and southern site boundaries where this classification is called for. The stream buffer along the southern portion of the property is mostly located within existing public right-of-way of Route 29. Some disturbances are proposed for construction of the site entrances, but these disturbances are similar to what would be required for by-right development allowed under the existing zoning. Further into the site, the application proposes to disturb areas of Preserved Steep Slopes and some small areas of critical slopes. Staff do not object to these disturbances, as they are necessary to construct the entrances and internal connector roads, multi-use paths, and associated site utilities. The Parks & Green Systems Plan from the Master Plan calls for a new public greenway within the subject properties, and this is being accomplished in part through the slope disturbances. Additional analysis of the request to re-designate the Preserved Steep Slopes is below.

## **The Neighborhood Model**

Staff have reviewed the proposal against the Neighborhood Model Principles and found that it is consistent with most of the principles. The detailed Neighborhood Model Analysis for all of the principles can be found in Attachment 5.

## **Affordable Housing**

The proposed rezoning meets the general housing strategies and objectives of Housing Albemarle by increasing housing opportunities in the Development Area:

Objective 1: Increase the supply of housing to meet the diverse housing needs of current and future Albemarle County residents.

Strategy 1a: Allow, encourage, and incentivize a variety of housing types (such as bungalow courts, triplexes and fourplexes, accessory dwelling units, live/work units, tiny homes, modular homes, and apartment buildings); close to job centers, public transit and community amenities; and affordable for all income levels; and promote increased density in the Development Areas.

The County's housing policy in effect at the time the application was submitted recommended that new residential rezonings provide 15% of the total proposed units as affordable housing as 80% of the Area Median Income (AMI). This rezoning proposal includes a maximum of 1,200 dwelling units, which would provide 180 affordable units if the site develops to the maximum proposed density. These units could be provided as for-sale or rental units. Detailed affordable housing provisions can be found on pages 35-37 of the COD (Attachment 3).

Dr. Stacy Pethia, Assistant Director of Housing for Albemarle County, has provided a detailed analysis of the proposed affordable units (Attachment 6). Based on the affordable housing policy, the project is consistent with the 2015 Comprehensive Plan Chapter 8, Objective #4 and Chapter 8, Objective #5.

## **ZONING ORDINANCE REQUIREMENTS**

The purpose and intent of the NMD Zoning District as indicated in the Zoning Ordinance is to establish a planned development district in which traditional neighborhood development, as established in the County's Neighborhood Model, will occur. The County's Neighborhood Model was adopted as part of the Comprehensive Plan and is hereinafter referred to as the "Neighborhood Model." Staff believe the Application Plan meets the purpose and intent of the NMD Zoning District.

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

#### **Transportation:**

The properties are located on the north/west side of Route 29 (Monacan Trail), immediately west of the Interstate 64 interchange (exit 118). This section of Route 29 is a four-lane divided highway with approximately 18,000 average daily trips. Gold Eagle Drive is located adjacent to the properties and is an existing public road within the state primary highway system.

The applicant provided a Traffic Impact Analysis (TIA) that was reviewed by County Transportation Planning and Virginia Department of Transportation (VDOT) staff (Attachment 4), along with supplemental analysis of pedestrian crossing of Route 29 and a Signal Justification Report for the proposed full-access signalized intersection that is proposed to serve the project at its southern/western entrance onto Route 29. The following intersections were analyzed in the TIA:

- U.S. 29 (Monacan Trail) at I-64 Westbound On-Ramp

- U.S. 29 (Monacan Trail) at I-64 Eastbound On-Ramp
- U.S. 29 (Monacan Trail) at Gold Eagle Drive / Teel Lane
- U.S. 29 (Monacan Trail) at Proposed Site Driveway

Staff believe the proposal must ensure that the installation of new transportation improvements (site entrances, intersection signals, pedestrian facilities) are appropriately timed based on the expected build-out of blocks within the project. Based on the Transportation Phasing Exhibit (page 29 of the Code of Development) as well as designs/notations on the Application Plan, transportation improvements would be phased in a manner that would meet the vehicular and pedestrian transportation demands generated by the project. This includes:

U.S. 29 at Gold Eagle Drive / Teel Lane:

- Restrict Gold Eagle Drive to right-in / right-out operation, but maintain full-movement access for Teel Lane

U.S. 29 at Proposed Site Driveway:

- Construct the site driveway with one ingress lane and three egress lanes – dual lefts and one right-turn lane
- Construct one northbound left-turn lane on U.S. 29 with 200 feet of storage
- Construct one southbound right-turn lane on U.S. 29 with 200 feet of storage
- Install a conventional traffic signal

Based on the ITE Trip Generation manual, full buildout of the proposed development would generate 10,642 trips at the access points on Route 29. The findings of these documents show that the recommended improvements, including the new conventional signal at the primary site entrance and the conversion of Gold Eagle Lane to a right-in/right-out intersection will accommodate the expected trips generated by the development and background growth. Level of Service at the new site entrance is expected to average “B” in the AM and “C” in the PM with no movements showing significant delays. No significant change will occur for the Teel Lane/Gold Eagle Drive intersection although access for the Gold Eagle side will be restricted to the right-in/right-out movement forcing all other traffic to the signalized primary entrance.

The existing signalized intersection providing access to eastbound I-64 north of the proposed development has resulted in some safety issues and crashes at that location. VDOT is currently evaluating potential solutions to address these crashes. The results of that study will be coordinated with the development of the Seig property to ensure that recommendations for the corridor are appropriately carried through to address any changes resulting from the proposed development.

For multi-modal transportation options, a new transit stop would be provided along the internal connector road near Block 3. The applicant is proposing a 10’ asphalt multi-use path along the eastern/southern side of Route 29 that will extend 900’ liner feet to the intersection of Teel Lane. Sidewalks and extensions of the multi-use path within the proposed development would allow residents and visitors access to the future shared use path network and would provide an alternative means of transportation for pedestrians and bicyclists. Improvements to the existing Teel Lane Park and Ride will be evaluated for future transit opportunities. Staff believe the multi-modal improvements proposed by this development are a significant improvement and will provide transportation options for residents and workers in the development.

Schools:

Students living in the Project would be within the current school districts for Red Hill Elementary School, Walton Middle School, and Monticello High School. Based on the October 2024 Albemarle County Schools Long Range Planning Advisory Committee (LRPAC) enrollment and capacity reports, Walton Middle School is

under capacity and is expected to remain under capacity through the 2034/2035 school year even with the additional 72 students that would be generated by this development at the middle school level.

The expected number of elementary students generated by this project is 108, and the expected number of high school students is 96. Red Hill Elementary and Monticello High schools are over capacity as of the 2024-2025 school year. Both schools are expected to remain over capacity in subsequent school years through 2034/2035, with capacity conflict levels varying on a year-to-year basis based on the October 2024 LRPAC reports. Therefore, the project would contribute to overcapacity conflicts at both the elementary and high school levels.

**Parks:**

No public parks are called for on the subject parcels by the Comprehensive Plan. The future Hedgerow Park is located to the west of the rezoning, and the Southern & Western Neighborhoods Master Plan recommends a greenway trail through the subject properties. The application proposes to provide a 10' asphalt multi-use path throughout the development in the general alignment shown by the Master Plan. The path will begin on the east side of Route 29 where the Moore's Creek greenway trail is located near the Redfields neighborhood. The new multi-use path extension continues through the Sieg development and ultimately terminates at a new public trailhead parking lot in the northwest corner of the property adjacent to Hedgerow Park. Staff from the Parks & Recreation Department have reviewed the ZMA and have no objection to the proposal. Numerous areas within the parcel are set aside as private open space that can be used for a variety of recreational activities by residents and other visitors, and the multi-use path is located within these open space areas where possible. It should be noted that the proposed multi-use path will provide new pedestrian facilities in an area of the County that lacks almost all forms of walkable infrastructure, other than greenway trails located off-site to the east/north. The path will provide an improved connection to developed land within the County's Southern Neighborhood Development Area as well as the City of Charlottesville.

**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 two public road connections to Route 29, and a third future connection to an undeveloped parcel located to the west of the site. All other requirements of the Fire Code would be met at subdivision/site development plan review.

**Utilities:**

All properties are located in the Albemarle County Service Authority (ACSA) water and sewer service jurisdictional area and both public water and sewer lines would be extended to the new development. ACSA and RWSA staff have not identified any water or sewer capacity issues that would be created by the project. Any further utility requirements would be met at the time of subdivision plat/site plan review for the proposed development. Sanitary sewer lines would be extended to the project from offsite areas. Exact utility line locations would be coordinated and designed during site plan and subdivision plat stage.

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

A historical Green Book site was once located near the parcel boundaries between TMP 75-53 and 75-54A. This was the Bren-Wana jazz club that catered to the County's African American residents and students at the University of Virginia. This feature has since been demolished, but the applicant is proposing to install a plaque commemorating the location as recommended by County Historic Preservation staff.

The project includes impacts to existing Preserved Steep Slopes on TMP 75-53. As mentioned earlier, the total area of Preserved Slopes to be disturbed measures approximately 222,000 sq.ft. and is broken into seven areas. A detailed analysis of these impacts is provided later in the report.

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

The development is bordered by two major transportation corridors to the north (I-64) and east/south (Route 29). Staff do not anticipate impacts on properties located north of I-64.

The main impact generated by the rezoning would be increased vehicular traffic to the subject properties after build-out. However, the proposed transportation improvements have been evaluated by County and VDOT staff and would minimize disruptions to existing transportation conditions. For example, the site entrance designs proposed would not alter transportation access for the Sherwood Farms subdivision which is located east/south of Route 29. The proposed entrances also achieve two major recommendations from the Southern & Western Neighborhoods Master Plan related to transportation: “Preserving left turn movements from the residential areas served by Teel Lane onto Route 29 going south; Preventing left turn movement from the Regional Mixed Use area served by Gold Eagle Drive onto Route 29 going north towards I-64.”

The Virginia Eagle Distributing Company parcel that is situated on the east side of the Sieg development would be given access to a new and upgraded public road leading to Route 29. The signalized intersection serving Sieg would create a safer point of ingress/egress to that property beyond what the unsignalized intersection of Gold Eagle Drive/Route 29 currently provides. The property to the west (75-48) would also be provided with a stub-out public street for a future road connection leading to the signalized intersection.

**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. The application is consistent with Strategy 1, Objective 1 of Chapter 3 of the Comprehensive Plan.

**Proffers**

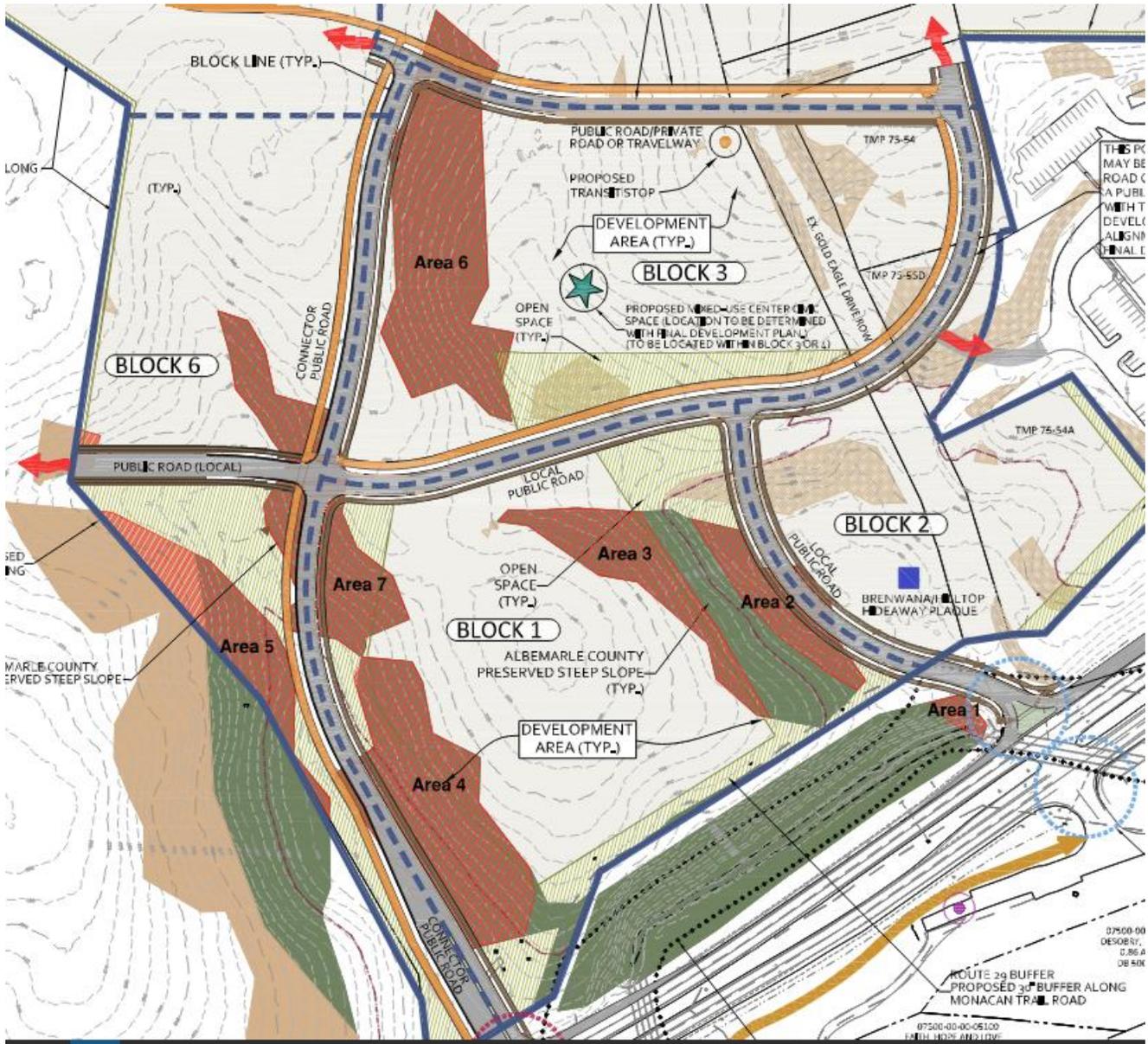
The requested NMD district is a planned zoning district, the notes and requirements of the Application Plan and COD would be binding should the ZMA be approved by the Board of Supervisors (BOS). This means that the affordable housing, land uses and densities, transportation improvements and timing of installation, etc. would be required to be met at time of subdivision plat and/or site plan review and no proffers are necessary.

**PRESERVED STEEP SLOPES OVERLAY:**

The property (TMP 75-53) subject to the Preserved Steep Slopes Overlay District contains approximately 222,000 sq.ft. of Preserved Steep Slopes that the application proposes to disturb certain locations as shown on the application plan. Pursuant to Section 18-30.7.4(b)(g), the applicant has requested disturbance of Preserved Slopes to allow new streets, stormwater management facilities, and building sites.

*Legislative zoning actions related to the underlying district. Any use or structure approved by the board of supervisors in a zoning map amendment whose location is expressly authorized in an approved application plan, code of development, or an accepted proffer, in a special use permit authorized in the underlying district regulations, or in a special exception authorizing a waiver or modification of the requirements of [section 4.2.3](#); provided that the legislative action is still valid and that the use or structure complies with all requirements and conditions approved or imposed in conjunction with the legislative zoning action.*

The following information presents the ordinance criteria of both Preserved Slopes ([Sec. 30.7.3.A](#)) and Managed Slopes ([Sec. 30.7.3.B](#)) with staff analysis following the ordinance criteria. Staff have scaled and measured each of the seven areas that would be impacted on the Application Plan. For purposes of the analysis, each area will be referred to as “Area 1” through “Area 7.”



**Section 30.7.3.A Managed Slopes**

The characteristics of managed slopes are the following:

- i. ***the contiguous area of steep slopes is limited or fragmented;***  
 The site contains seven separate groups of slopes greater than 25% that are identified as Preserved Steep Slopes which would be disturbed for grading activities associated with road construction, utilities, and some building sites. The areas of disturbance range in size from 2,500 sq.ft. (Area 1) to approximately 64,000 sq.ft. (Area 6). They are fragmented into 7 distinct groups and are not one large contiguous area.
- ii. ***the slopes are not associated with or abutting a water feature, including, but not limited to, a river, stream, reservoir or pond;***

The only slope that appears to be associated with a water feature is the smallest Area 1 section that is near Moore's Creek.

**iii. the slopes are not natural but, instead, are manufactured;**

The only slope that appears to be manufactured is the smallest Area 1 immediately adjacent to Route 29, Gold Eagle Drive, and Moore's Creek. It is likely that Area 1 was graded when both roads and other underground drainage infrastructure was installed.

**iv. the slopes were significantly disturbed prior to June 1, 2012;**

There is no evidence that slope Areas 2-7 were significantly disturbed prior to June 1, 2012. Area 1 adjacent to Route 29 and Gold Eagle Drive was likely disturbed prior to June 2012 since the roads have existed for decades.

**v. the slopes are located within previously approved single-family residential lots; or the slopes are shown to be disturbed, or allowed to be disturbed, by a prior county action.**

The slopes do not meet this characteristic.

### **Section 30.7.3.B Preserved Slopes**

The characteristics of preserved slopes are the following:

**i. the slopes are a contiguous area of 10,000 square feet or more or a close grouping of slopes, any or all of which may be less than 10,000 square feet but whose aggregate area is 10,000 square feet or more;**

Slopes Areas 2-7 meet this characteristic as they range from 16,000 sq.ft. to almost 64,000 square feet.

**ii. the slopes are part of a system of slopes associated with or abutting a water feature including, but not limited to, a river, stream, reservoir or pond;**

The only slope that appears to be associated with a water feature is the smallest Area 1 section that is near Moore's Creek. Areas 2-7 do not meet this characteristic because each is located outside of water features including rivers, stream buffers, and 100-year floodplain.

**iii. the slopes are part of a hillside system;**

While the terrain on TMP 75-53 is hilly in nature, none of the slopes are located within the Comprehensive Plan's Mountain Protection Areas or Conservation Focus Areas and therefore are not part of a hillside system that is recommended to be protected by the Comprehensive Plan.

Staff do not object to the disturbances proposed because new driveways, roadways, utilities, and building sites serving Regional Mixed Uses or Industrial uses would need to cut through portions of those slopes. Furthermore, the proposed disturbances would likely be necessary to accommodate infrastructure necessary to serve Regional Mixed Use and Industrial land uses.

**iv. the slopes are identified as a resource designated for preservation in the comprehensive plan;**

Areas 4 and 5 are not identified for preservation by the Comprehensive Plan. These areas are identified for future Regional Mixed Use and Industrial future land uses by the Comprehensive Plan.

**v. the slopes are identified as a resource in the comprehensive plan;**

Areas 1-3 and 6-7 are identified as a resource by the Comprehensive Plan because they are identified as Parks & Green Systems future land use by the Comprehensive Plan. The master plan designated all steep slopes as Parks & Green Systems, regardless of if they met all criteria of Preserved Slopes.

**vi. the slopes are of significant value to the entrance corridor overlay district;**

The Comprehensive Plan identifies the existing Preserved Steep Slopes located within the Route 29 right-of-way adjacent to TMP 75-53 as providing value to the Entrance Corridor, but these would remain undisturbed by the proposal.

- vii. the slopes have been preserved by a prior county action, including, but not limited to, the placement of an easement on the slopes or the acceptance of a proffer or the imposition of a condition, restricting land disturbing activity on the slopes.**

None of the seven areas have been preserved by prior County action. The slopes do not meet this characteristic.

**Recommendation:**

Staff do not object to the disturbances proposed because disturbance is primarily limited to infrastructure (new driveways, roadways, utilities) serving Regional Mixed Uses or Industrial uses, which cannot avoid the slopes. The Application Plan also calls for the majority of these disturbed slopes to be located within new open space areas. The disturbances proposed will also help accomplish the recommendation for establishment of a greenway trail within the subject properties, and therefore the benefits of allowing disturbances outweigh the impacts.

**SUMMARY**

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

1. The request is mostly consistent with the land use and density recommendations of the Southern & Western Neighborhoods Master Plan.
2. The request provides new transportation improvements consistent with the transportation recommendations of the Southern & Western Neighborhoods Master Plan, including transit stops, upgrades to an existing park & ride lot and a 10' wide multi-use path within the public right-of-way of U.S. Route 29.
3. The request provides 15% affordable housing consistent with the County's affordable housing policy in effect at the time of application submittal.

Staff have identified the following factors which are concerns to this rezoning request:

1. Student enrollment at Red Hill Elementary and Monticello High School are overcapacity and the development would add a projected 108 elementary and 96 high school students that would contribute to the current overcapacity enrollment.

**RECOMMENDATION**

For the reasons outlined in the staff report, staff recommends approval of ZMA202200002 Sieg Property Rezoning.

**PLANNING COMMISSION POTENTIAL MOTIONS**

1. **ZMA202200002**
  - a. Should a Planning Commissioner **choose to recommend approval** of zoning map amendment **ZMA202200002**:

***Move to recommend approval for the reasons stated in the staff report.***

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

***Move to recommend denial of, (outline reasons for approval).***

## **Attachments**

- Attachment 1 - [ZMA2022-00002 Seig Property Rezoning - Application Narrative](#)
- Attachment 2 - [ZMA2022-00002 Seig Property Rezoning - Application Plan](#)
- Attachment 3 - [ZMA2022-00002 Seig Property Rezoning - Code of Development](#)
- Attachment 4 - [ZMA2022-00002 Seig Property Rezoning - Traffic Impact Analysis](#)
- Attachment 5 - [ZMA2022-00002 Seig Property Rezoning - Consistency with Neighborhood Model](#)

## **Principles Analysis**

- Attachment 6 - [ZMA2022-00002 Seig Property Rezoning - Affordable Housing Analysis](#)