April 29, 2025
Comments Received: June 27, 2025
Resubmitted: July 24, 2025
Resubmitted: October 20, 2025

Attain on 5th Phase 2
Rezoning Narrative

ZMA 2025-0004

Project Description and Background

Wahoo Way Investments, LLC (the "Applicant") proposes a rezoning from R-10 Residential, approved with ZMA 1996-024, to Planned Residential Development ("PRD") to increase the number of units in a second phase located on parcel 76-54A1, which has an address of 100 Wahoo Way (the "Property"). The Property is located on the west side of 5th Street Extended accessed from Wahoo Way, and is known as "Attain on 5th" (previously known as "Cavalier Crossing") and consists of approximately 14.55 acres of land.

The Property was rezoned in 1996 (ZMA 1996-024) to R-10 residential. Following the rezoning a site plan was approved for three- and four-bedroom student suites to accommodate student housing (SDP 2001-129) and was built with 144 units containing 528 total bedrooms (the "Original Phase 1"). The 144 units is just one unit less than is permitted by the 1996 rezoning. The market for student housing in this location diminished over the years as students desired newer housing closer to the UVA Grounds. Over time, vacancy rates increased, and the prior owner was unable to maintain a quality community. When the Applicant purchased the property, the deferred maintenance and living conditions of the units were substandard and the per-bedroom rent rates were particularly low as a result of the poor conditions. For the community to continue and as a safe and financially viable community, renovations and unit conversion away from student suites to 2- and 3-bedroom traditional apartment units was necessary. The Applicant has been converting the 3- and 4-bedroom student suites into 2- and 3-bedroom traditional apartments since it purchased the property (the "Renovated Phase 1"). Phase 1 is currently in transition with a mix of Original and Renovated Phase 1 units.

Original Phase 1, as student suites requires substantially more parking pursuant to the Zoning Ordinance than typical apartments. The 144 units in Phase 1 required 660 parking spaces. While the Applicant purchased the Property with the intention of renovating the Original Phase 1 units, they also recognized an opportunity to provide additional units in unused parking areas as infill redevelopment in a very convenient and desirable location. That infill redevelopment is the subject of the current rezoning application – to rezone the Property to PRD to permit a second phase of units ("Phase 2").

The Applicant proposes to rezone the Property from R-10 Residential to PRD to allow for an additional 165 units in Phase 2, which when combined with the 144 units in Phase 1, would result in a maximum of 309 units, for a gross density of approximately 21 dwelling units per acre across the 14.55 acres (the "Project").

Subject Property

The Property is zoned R-10 Residential pursuant to ZMA 1996-024 and approved site plan SDP 2001-129.

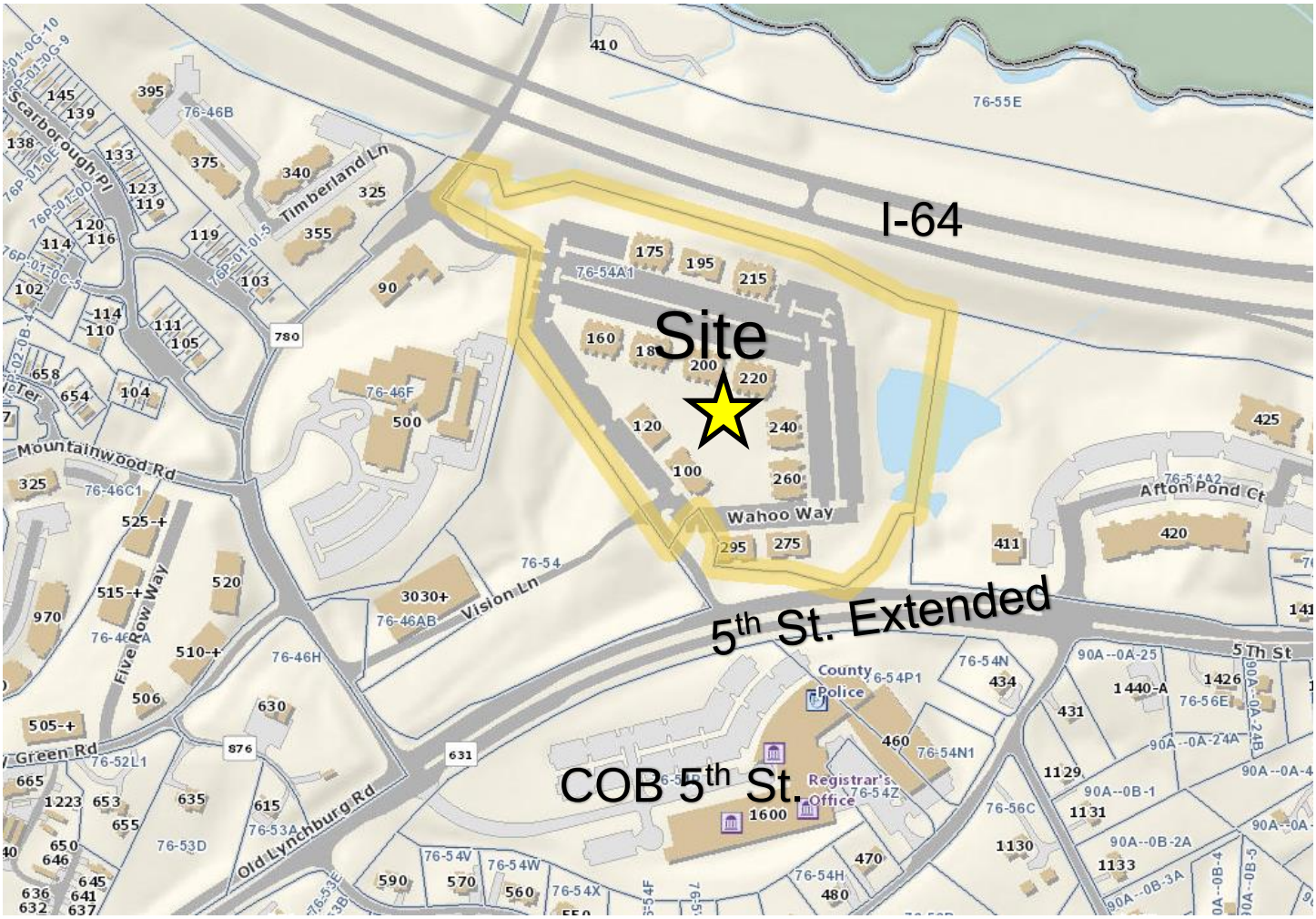


Figure 1: Location/Parcel Map

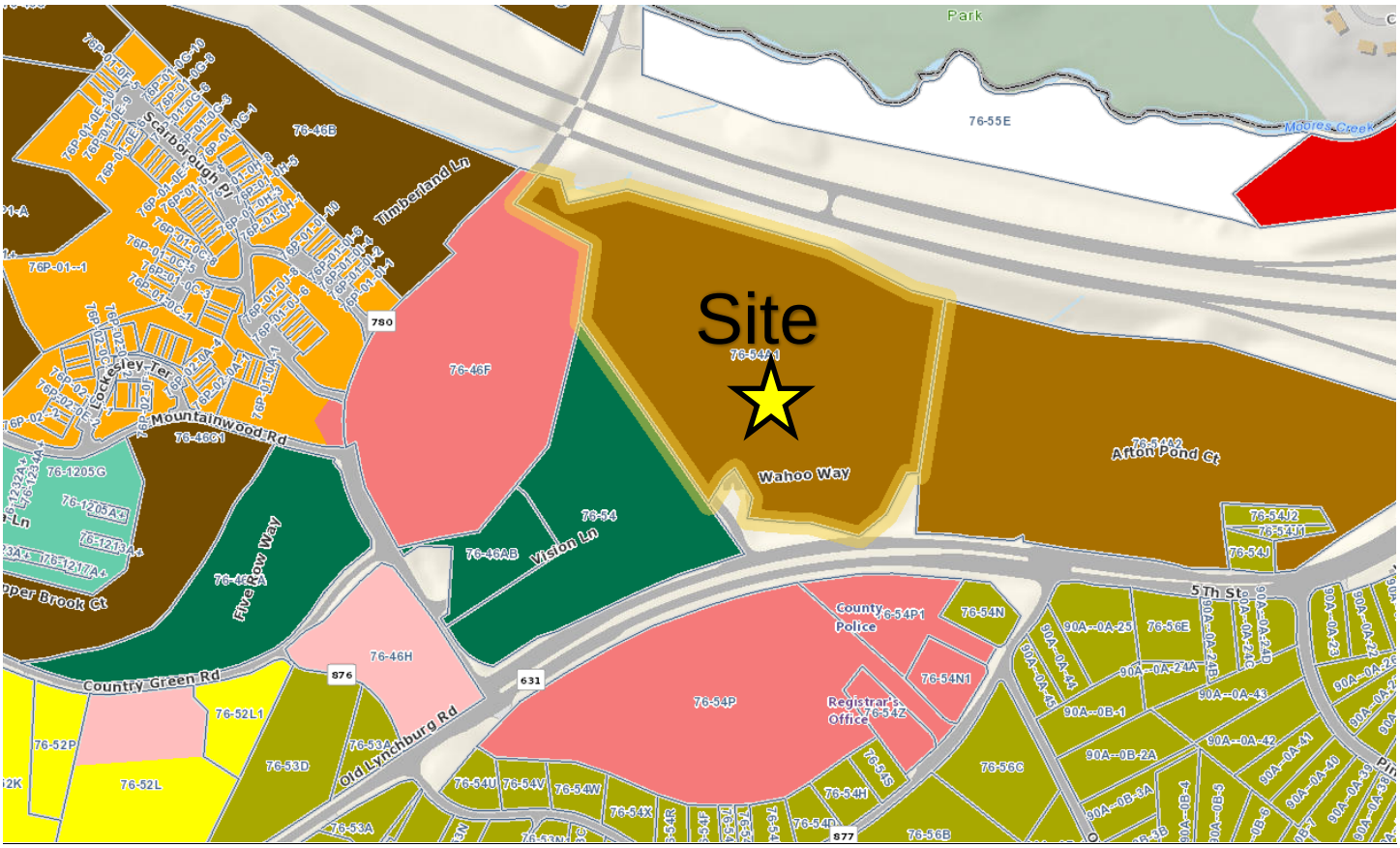


Figure 2: Zoning Map

Surrounding Area

The surrounding area is comprised of a variety of uses, including residential, government, office, and commercial. Adjacent to the east of the Property is 5th Street Place Apartments zoned R-10 residential. To the west is Region Ten Community Services zoned Commercial, and the neighborhood model development (NMD) zoned "5th Street Forest" (formerly known as Albemarle Business Campus"). To the south across 5th Street Extended is the 5th Street Albemarle County Office building zoned Commercial, and to the north is the I-64 Interstate.



Figure 3: Aerial Map

Comprehensive Plan Land Use Designations

The Southern and Western Neighborhoods Master Plan's Future Land Use Map designates the majority of the Property for Urban Density Residential which recommends 6-34 dwelling units per acre, and a small area of man-made preserved steep slopes for Parks and Green Systems. The Property is outlined in yellow, below. Adjacent properties are designated as Community Mixed use (brown) and Institutional (blue).

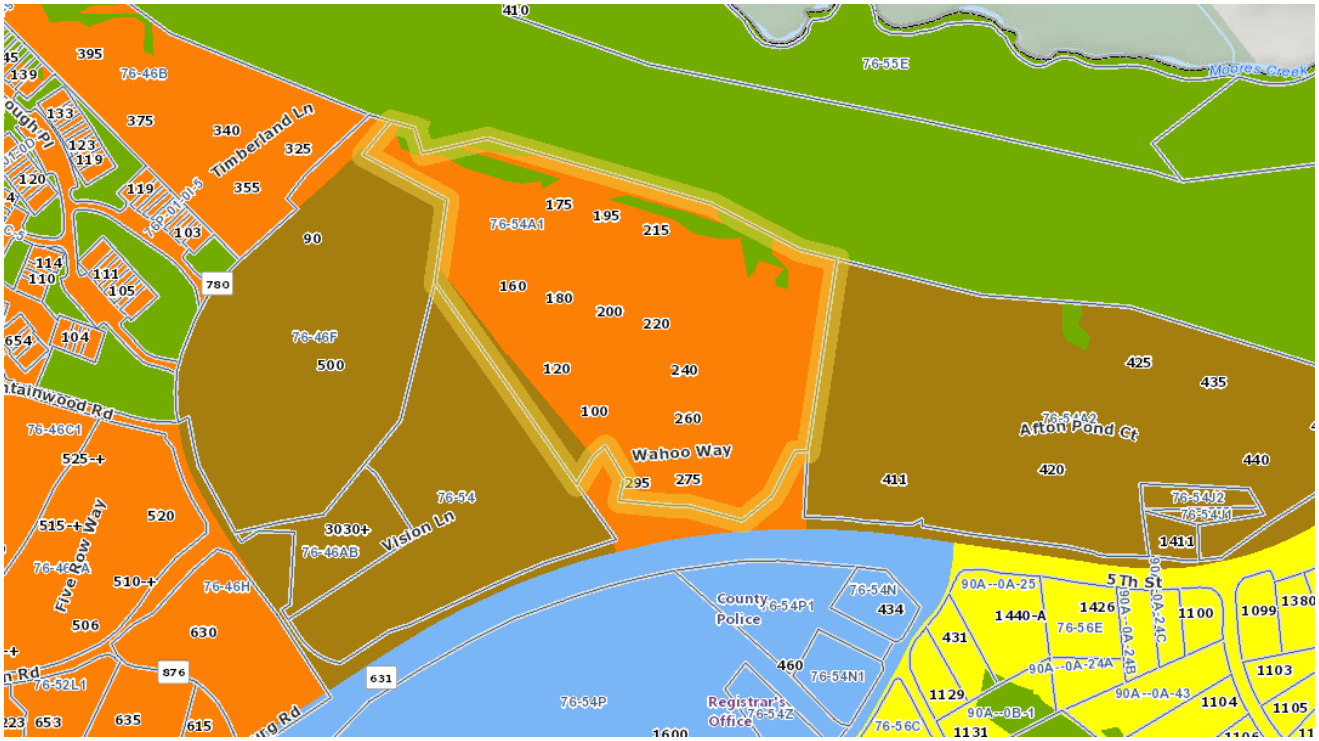


Figure 4: Comprehensive Plan Map

Application Plan

The 144 Phase 1 units are contained in 12 three-story buildings. Phase 2 consists of an additional five apartment buildings that are mostly within existing excess and unused parking areas. Phase 2 buildings are contemplated to be either four and two stories as shown on the Application Plan, however the number of stories of each building will be finalized during the site plan process. None of the buildings will be taller than the PRD maximum permitted height of 65 feet. The number of Phase 2 units will not increase even if the number of stories in individual buildings are revised during site plan.

For the two proposed four-story apartment buildings, the Applicant is requesting a special exception (SE 2025-0019) to waive the requirement under the zoning ordinance that the fourth floor include a 15-foot stepback. The proposed layout of the Phase 2 buildings supports a modification or waiver of this requirement. For example, any potential "canyon effect" is fully mitigated since the buildings are internal to the Property.

Consistency with the Comprehensive Plan

The proposed community is consistent with the Comprehensive Plan's designation of Urban Density Residential within the Southern and Western Neighborhoods Master Plan. The Applicant's proposed use of the Property will contribute to the urban redevelopment of the surrounding area. Phase 1 was developed at the low end of the Comprehensive Plan recommended density range at approximately 9 units per acre. Phase 2 infill redevelopment will increase the density toward the higher end of the recommended density range at approximately 21 units per acre. This infill redevelopment for Phase 2 perfectly aligns with recent policy statements from the Board of Supervisors and Planning Commission encouraging applicants to increase the number of units in the Development Areas to the higher end of the Comprehensive Plan's recommended density range.

The Comprehensive Plan is a guiding document for growth, development, and investment in Albemarle County. The Comprehensive Plan is a general guide and does not have the status of a zoning ordinance, which allows flexibility in how it is interpreted.

In keeping with the PRD district regulations, the Phase 2 Application Plan will meet the minimum open space requirements and includes existing amenities for residents such as a club house, sports courts, and swimming pool.

The Project as contemplated meets many of the elements of the Comprehensive Plan and Southern and Western Neighborhoods Master Plan including:

1. The proposed use and density are consistent with the Southern and Western Master Plan designation of Urban Density Residential.

2. Neighborhood Model Principles: Pedestrian Orientation; Interconnected Streets and Transportation Networks; Multi-modal Transportation Opportunities; Relegated Parking; Respect Terrain and Careful Grading and Re-grading.

3. From the Growth Management Section of the Comprehensive Plan:

    a. *Objective 1, Strategy 1a: Continue to encourage approval of new development proposals in the Development Areas as the designated location for new residential, commercial, industrial, and mixed-use development.*

4. From the Development Areas Section of the Comprehensive Plan:

a. *Objective 4: Use Development Area land efficiently to prevent premature expansion of the Development areas*
b. *Objective 5: Promote density within the Development Areas to help create new compact urban places*

c. *Objective 6: Promote infill and redevelopment that is compatible with surrounding neighborhoods and uses*

Consistency with Housing Albemarle

The Applicant proposes the following to address Housing Albemarle, which requires approval by the Board of Supervisors of an Affordable Rental Housing Incentive Program for a 15% rebate for the Property's total annual real property tax bill for a 30 year period:

Affordable Units: Provide 20% of Phase 1 and Phase 2 units as affordable as follows:

- 10% at 60% AMI for 30 years (31 units)
- 10% at 80% AMI for 30 years (31 units)

Since the adoption of the Southern and Western Neighborhoods Master Plan, the Board of Supervisors in 2021 adopted Housing Albemarle as an important component of the Comprehensive Plan, which places heightened emphasis on increasing the amount of housing units in the Development Areas, which by definition requires increasing residential density limits. Significantly, Housing Albemarle states as its first strategy of its first objective:

> ***Allow, encourage, and incentivize a variety of housing types … close to job centers, public transit and community amenities; and affordable for all income levels; and promote increased density in the Development Areas***.

HOUSING ALBEMARLE: AT-A-GLANCE

Increasing the overall housing supply

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.

Action Steps:

- Ensure a mixture of housing types are provided, with a minimum of 20% of the total number of housing units in new developments being provided as affordable housing *(*implementation of this step will follow approval of a package of developer incentives for affordable housing)*.
- Review and update housing density bonuses within the zoning ordinance to encourage a variety of housing types.

The Project furthers all of these goals, for it is close to job centers, public transit and community amenities, it includes affordable housing, provides for housing in underutilized parking areas, and it utilizes increased density in the Development Area.

Impact on Public Facilities and Infrastructure:

Public Transportation Facilities:
Included with this Application is a Traffic Impact Analysis prepared by Timmons Group (the "Traffic Study"). Traffic counts were conducted on January 16, 2025, when both UVA and County public schools were in session. The Traffic Study is subject to review and comment by both the County and VDOT, and full details are included in the Traffic Study, but a summary of its key conclusions are as follows:

- The traffic generated by the proposed development does not have a significant impact on the surrounding roadway network. The intersection of Old Lynchburg Road and 5th Street will be reconstructed as a roundabout by the year 2030. The results of the analysis show that the roundabout improves congestion and delay at this intersection during future conditions.

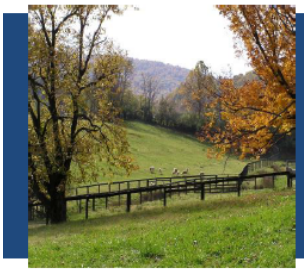
- Based on the capacity analysis results and the adequate intersection geometry at the site entrances on 5th Street and Old Lynchburg Road, no improvements are recommended at the study intersections to accommodate the traffic generated by the site.

- Additionally, it is expected that the conversion of student housing units to multifamily units will result in a net reduction of total site traffic when the project is complete, even with the addition of the 165 new multifamily units. Research by the Institute of Transportation Engineers (ITE) indicates that student housing rented by the bedroom generates more traffic per unit than an equivalent number of multifamily units.

- At maximum capacity, 528 bedrooms of off-campus student housing generate an average of 2,081 daily trips and 309 dwelling units of multifamily apartments generate an average of 2,056 daily trips. Therefore, the proposed development will result in a 1.2% decrease in total daily traffic in the area along 5th Street and Old Lynchburg Road as compared with the existing conditions.

- A request for the reduction in number of parking spaces has also been submitted with this application. This request outlines the parking needed on the site using the ITE Parking Manual and proposes 1.49 spaces/unit. The current requirements in the zoning ordinance are outdated and a reduction request in line with the market realities and needs of the residents.

Schools:
School-aged children living at the Project will attend Mountain View Elementary, Burley Middle School, and Monticello High School. The Project increases the existing inventory of residences in close proximity to existing transportation networks, places of employment, educational facilities, and nearby services, all as consistent with and recommended by the Comprehensive Plan. Most importantly, by providing additional residential units in the designated Development Area, the Project helps to reduce pressure to subdivide Rural Area land for by-right residential lots, the latter which is in direct conflict with the fundamental tenants of the Comprehensive Plan and the County's Growth Management Policy, which is shown below:



GOAL: Albemarle County's Development Areas will be attractive, vibrant, areas for residents and businesses, supported by services, facilities, and infrastructure. Growth will be directed to the Development Areas and the County's Rural Area with its agricultural, forestal, historic, cultural, scenic, and natural resources will be preserved for future generations.

Growth Management

Objective 1: Continue to consistently use the Growth Management Policy as the basis on which to guide decisions on land use, capital expenditures, and service provision.

Strategy 1a: Continue to encourage approval of new development proposals in the Development Areas as the designated location for new residential, commercial, industrial, and mixed-use development. Only approve new development proposals in the Rural Area that are supported by Rural Area goals, objectives, and strategies.

Strategy 1b: To help promote the Development Areas as the most desirable place for growth, continue to fund capital improvements and infrastructure and provide a higher level of service to the Development Areas.

Strategy 1c: Continue to recognize the shared responsibility between the County and new development to pay for infrastructure and improvements to the Development Areas to address the impacts of new development

Below are the yield rates for the 165 Phase 2 units using the "Subdivision Yield Analysis" dated August 23, 2021, which was provided by the school division:

	Apartments/Multi-Family

Mountain View Elementary	8
Burley Middle	5
Monticello High	5
Total Phase 2 Units:	165
Total Potential Students:	**18**

Mountain View is currently over capacity; however, a new school has been proposed and funded to allow for additional students and is expected to be completed in the next couple of years, on or about the same time the Project is completed. Both Burley Middle School and Monticello High School have sufficient capacity for the small number of students that could be added as the result of the proposed units.

Fire/Rescue/Safety:
This project will be served by the Monticello Fire Station on Monticello Drive, which provides fire and rescue services to this area. The Project currently has three points of access via 5th St. Extended/Wahoo Way, Vision Lane/Old Lynchburg Road, and Old Lynchburg Place/Old Lynchburg Road.

Public Parks:
Phase 1 currently contains a variety of recreational amenity areas on site, which includes a club house and pool, sports courts, and non-programed grass open space. These existing amenities are being upgraded and improved for both Phase 1 and Phase 2. Given the variety of existing high-quality on-site amenities, there will be sufficient amenities for the residents of Phase 1 and 2, and we do not expect there to be a material impact on public parks.

Impacts on Environmental Features:
The proposed Project does not create any negative impacts on environmental features. As noted in detail in the materials prepared by Timmons Group in connection with a corresponding rezoning application to rezone the on-site preserved steep slopes to managed slopes (ZMA 2025-005), the preserved slopes are manmade from the construction of I-64 and Phase 1 of the development, and the disturbance of those manmade slopes will not create any adverse impacts.

The Project also aligns with the County's adopted Climate Action Plan. In October 2020, the County adopted the Climate Action Plan that recommends a number of strategies and actions for renewable energy and other initiatives. The Project will specifically contribute to the following strategy and actions contained in the Climate Action Plan:

Strategy: Through land use planning, provide an urban land-use pattern more conductive to sustainable local and regional travel, and to protecting carbon sequestration in the Rural Area.

Actions:
- *Incentivize denser and more mixed-use development patterns within the Development Areas, including infill development within existing low-density areas and redevelopment of existing underutilized commercial sites.*
- *Increase affordable housing options in areas served by a variety of transportation options.*

Historic Resources:
There are no known historic resources on the Property.

Consistency with the Neighborhood Model Principles:

Pedestrian Orientation. Interior sidewalks are provided throughout the community and additional sidewalks will be provided to and from the new Phase 2 buildings. Proffer __ includes a commitment to either construct or provide the funding for the County/VDOT to construct a multi-use path along the frontage of the Property that will improve the pedestrian infrastructure and allow a connection to the planned multi-use trail along 5th St. Extended to connect to Biscuit Run Park.

Mixture of Uses. The Project is providing additional units within an existing development in unused parking areas. The Project is located near a variety of other non-residential uses, as well as a broad variety of housing units in the area including apartments, duplexes, townhouses, and single-family detached units. A number and variety of non-residential uses are either adjacent to or nearby, including the following:

- Albemarle County Office Building 5th Street
- Region 10 Community Services
- 5th Street Forest (formerly Albemarle Business Campus).
- The Covenant School

Within a half mile of the Project is additional shopping and restaurants at 5th Street Station and along 5th Street at 5th Street Landing and the Food Lion Shopping Center. As shown by the future land use map in the Southern and Western Master Plan, the Property is designated for urban density residential use to support an overall mixture of uses in and around the area. Whether considered at the micro-level within the Project itself, or within the macro-level in the broader context of the Project's proximity to these other mixed-use areas, the Project fully satisfies this principle.

Neighborhood Center. This principle is not applicable given it is not identified as a center within the Southern and Western Neighborhoods Master Plan. Nevertheless, given the Project's location near other non-residential and residential uses, it supports many of the concepts of a Neighborhood Center.

Mixture of Housing Types and Affordability. The Project is proposing additional multi-family housing units as infill redevelopment of an existing community. Expanding multi-family housing in this area will allow more housing choice and increase the overall supply of housing for the area. A variety of housing types are found within the immediate area, including single family homes behind the County Office Building and at Oak Hill Farm and Redfields, condominiums at The Woodlands of Charlottesville and the Villas at Southern Ridge, and apartments at the adjacent Fifth Street Place and Timberland communities, and the Phase 2 units will further increase the supply and variety of options.

Furthermore, the Comprehensive Plan posits a strategy of ensuring that Development Areas provide a variety of housing types, stating that "*a full range of housing types creates choices for residents*." A primary impetus for housing type choice is housing affordability, which apartments are uniquely suited to satisfy. The Comprehensive Plan also notes that "***a mixture of housing types may not be necessary for infill development, depending on the context and location***." For the reasons stated above, the Project fully satisfies this principle.

In addition, the Applicant is proposing a commitment that 20% of the Phase 1 and 2 units to be affordable for 30 years (10% at 60% AMI and 10% at 80% AMI) which will ensure a mix of housing affordability on site, which is the primary goal of this strategy of the Neighborhood Model Principle. In high-cost areas such as Albemarle County, multifamily housing often provides the best affordable option close to urban development where people work. For these reasons, we contend that this principle is fully satisfied.

Interconnected Streets and Transportation Networks. The Project contains multiple existing interconnections to 5th Street Extended, Vision Lane, and Old Lynchburg Road. Pedestrians and cyclists will have more options with the 10-foot multi-use asphalt path along 5th Street Extended, which will eventually connect to the larger multi-use path project along 5th Street Extended and down to Southwood and into Biscuit Run Park and north to Azalea Park.

Multi-Modal Transportation Opportunities. The application allows for multi-model transportation opportunities that would allow residents of the Project to access the Property by vehicle, on foot, by bicycle, or by public transit. Per Proffer __ the Applicant will either construct a 10-foot-wide asphalt multi-use path along the Project's frontage, installing a bus shelter and bench at the entrance of Wahoo Way and 5th Street Extended, and constructing a cross walk across Old Lynchburg Road, or provide the funding for these improvements to be built by the County/VDOT. This will further enhance multi-modal transportation opportunities and connections between the Project and the numerous nearby centers and employment areas.

Parks, Recreational Amenities and Open Space. The Project is upgrading its existing Phase 1 recreational areas and amenities for residents including renovation of the clubhouse and pool, as well as the fitness room, and sports courts. A large non-programmed grass area is also in place for residents to have a picnic, kick a ball, or play frisbee. The existing upgraded amenities are sufficient to accommodate both Phase 1 and Phase 2 recreational requirements for the residents.

Buildings and Spaces of Human Scale. The Phase 2 units have not yet been designed, but are contemplated to be a maximum of four stories for the larger multi-family buildings and two stories for the smaller multi-family buildings, however this may change during the site plan process as building design is finalized. Regardless all Phase 2 buildings will be less than 65 feet, the height limit in PRD. Since the Project is located along an Entrance Corridor, it will be subject to the design requirements and approval of the Architectural Review Board. The architecture will be coordinated in design with the existing Phase 1 buildings to provide a cohesive appearance.

Relegated Parking. The parking areas are existing and will continue to be located behind and internal to the site and behind and to the sides of buildings. Further, the parking areas will be reduced and replaced with the proposed new Phase 2 buildings in areas where parking is currently unused.

Redevelopment. This Project proposes an infill redevelopment of an existing underutilized multi-family apartment parking area. The Property currently has an overabundance of parking that is not being utilized and can allow for additional apartment homes. The redevelopment of the Property in this prime location will further the recommendations of the Southern and Western Neighborhoods Master Plan, as well as providing much needed housing near amenities, shopping, schools, and employment areas.

Respecting Terrain and Careful Grading and Re-grading. Some grading will need to occur on the Property during construction. The Application Plan accounts for managed and preserved slopes on the Property. The Applicant will obtain all required permits and approvals that may be needed to conduct grading on the Property. This application includes a separate rezoning application to re-designate all preserved steep slopes to managed steep slopes (ZMA 2025-0005). As described in the Preserved Steep Slopes Zoning Map Amendment narrative and related materials, existing preserved slopes are demonstrated to be man-made, a result of construction the construction of I-64, the current Phase 1 units, and the installment of the existing stormwater management facility.

Clear Boundaries with the Rural Area. This principle is not applicable given the location of the Project which is not adjacent to the Rural Area.

Summary:

As stated in the Compliance with the Comprehensive Plan section of this narrative, this Project will provide much needed additional housing within the County via an infill redevelopment, adjacent to the City of Charlottesville, in an area where the infrastructure is already in place to support the additional housing. The Applicant's proposed addition of the Phase 2 units at the Property will contribute to the urban redevelopment of the surrounding area. Phase 1 was developed at only 9 units per acre, on the low end of the Comprehensive Plan recommended density range of 6 – 34 units per acre. Phase 2 infill redevelopment will increase the density toward the higher end of the recommended density range at approximately 21 units per acre. This infill redevelopment for Phase 2 perfectly aligns with the recent directive by the Board of Supervisors and Planning Commission to increase the number of units in the Development Areas on the higher end of the density range. In addition, the Project is furthering the goals of the Comprehensive Plan and Southern and Western Neighborhoods Master Plan including the Neighborhood Model Principles, Housing Albemarle, Growth Management, and Development Areas sections.

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