North Pointe Charlottesville, LLC
Zoning Map Amendment Application Narrative
North Pointe 3rd Proffer Amendment ZMA 2026-00__

Last Revised: January __, 2026

- Location: East side of U.S. Route 29 North between Proffit Road and Lewis & Clark Drive
- Tax Map and Parcel Numbers: 032000000020A0, 032000000020A1, 032000000020A2, 032000000020A3, 032000000020A4, 032000000020A6, 032000000020A7, 032H00000000F0, 032000000022K0, 032000000022P0, 032000000023E1, 032000000023E3, 032000000023R4, 032000000023R5, 032H0000010700
- Approximately 152.532 acres of the original approximately 269 acres
- Current Zoning: Planned Development - Mixed Commercial under approved ZMA-2000-009, as amended by North Pointe Proffer Amendment ZMA 2013-00007, as further amended by North Pointe 2nd Proffer Amendment ZMA 2023-00007, and SP-2002-72, as amended by SP-2023-9

Introduction

North Pointe Charlottesville LLC, CWH Properties Limited Partnership, Neighborhood Investments – NP LLC, and Neighborhood Investments LLC (collectively, the "Applicant") own and manage North Pointe, a master-planned mixed-use development located on the east side of U.S. Route 29 North between Proffit Road and Lewis & Clark Drive in the Rivanna Magisterial District (the "Property"). The Property consists of approximately 152.532 acres within the larger North Pointe project and is currently zoned Planned Development - Mixed Commercial ("PD-MC") under the original ZMA-2000-009, as amended by North Pointe Proffer Amendment ZMA 2013-00007 and as further amended by North Pointe 2nd Proffer Amendment ZMA 2023-00007, and is subject to a Special Use Permit SP-2002-72, as amended by SP-2023-9.

North Pointe was originally approved as a comprehensive mixed-use development encompassing approximately 269 acres, with the vision of creating a complete community that would include residential neighborhoods, commercial areas, a school site, extensive recreational facilities, and significant open space preservation. The original approval contemplated 893 residential units and approximately 837,548 square feet of commercial development.

Since the original approval over two decades ago, North Pointe has made substantial progress toward realizing its vision. Significant infrastructure has been constructed, including internal roadways, utilities, and stormwater management systems. Residential development has proceeded in phases, with 268 single-family detached lots subdivided, approximately 170 of which have been sold, and 279 apartment units completed. There is in place an expansive clubhouse with a near Olympic-sized pool, a fitness facility, and an innovative large adjacent playground that together cap off an extensive system of trails, pocket parks and combination basketball/pickleball

and tennis/volleyball courts. The community has established itself as an integral and important part of the greater Charlottesville area's growth.

However, environmental permitting challenges have required adjustments to the original development plan. Most notably, the U.S. Army Corps of Engineers and the Virginia Department of Environmental Quality (together, "DEQ") determined that the originally contemplated and County-approved lake amenity and piping of streams, even those the County determined to be degraded, could not be permitted, necessitating alternative approaches to community amenities and stormwater management. The planned need to pipe long sections of degraded streams as anticipated in the County-approved rezoning application plan ("Application Plan") would not be permitted as well. The result is that the anticipated commercial areas of North Pointe have been reduced by more than 70%.

Project Proposal

The Applicant proposes to amend the existing Zoning Map Amendment and associated proffers to realign North Pointe's development with regulatory requirements and to address market conditions and community needs. The newly proposed "North Pointe 3rd Proffer Amendment" requests the following specific changes:

Residential Unit Increase

The Applicant proposes to increase the maximum number of residential dwelling units from 893 to 1,600, representing an addition of 707 units. This increase allows for a variety of unit types to provide greater flexibility in meeting diverse housing needs, such as single-family detached, attached, multi-family, townhouses, condominiums, and other unit options.

Commercial Development Reduction

The Applicant proposes to decrease the maximum allowable commercial development for the Property from approximately 837,548 square feet to 241,000 square feet, plus a 125-room hotel, which will address DEQ permitting realities while still maintaining sufficient commercial development to support the residential community and surrounding area. Notwithstanding this decrease in maximum square footage, the Applicant proposes a minimum allowable commercial development for the Property of 200,000 square feet.

Land Use Reallocation

The Applicant proposes to convert certain areas originally designated for commercial use to residential use or mixed use, which will thereby help to address the County's housing shortages across a wide range of housing options.

Development Block System

The Applicant proposes to introduce a new development block plan that replaces the previous phasing requirements with a more flexible system. Under this approach, development

within the Property will be organized into discrete residential blocks and a commercial block (which also includes both commercial and residential PD-MC uses), each of which may proceed independently based on market conditions, permitting, and development feasibility.

The Applicant does not request any change to the current PD-MC zoning designation of the Property. Rather, it seeks to amend the Application Plan proffers and SUP conditions to reflect the proposed land use changes within the existing zoning framework.

Justification and Purpose

The Applicant's proposal serves multiple compelling public purposes and responds to critical regional needs that have become increasingly urgent since the original approval.

Addressing the Regional Housing Crisis

The most significant justification for the Applicant's proposal is the severe housing shortage facing Albemarle County and the greater Charlottesville region. The County's 2025 Land Use Buildout Analysis reported that, based on projected population increase over the next 20 years, there is expected demand for 11,500 to 13,500 new dwelling units, requiring approximately 675 new units per year. Per the same report, over the past ten years, an average of 735 new dwelling units have been constructed per year. The Applicant's proposed amendment would add 707 additional residential units—representing nearly an average year's worth of new units to the County by itself.

Further, Albemarle County's AC44 Comprehensive Plan, which went into effect January 1, 2026 ("AC44"), imposes a goal of adding 10,070 affordable housing units between 2025 and 2040, which represents approximately 671 units per year. The Applicant's proposed amendment would add 107 new affordable housing units, bringing the total number of affordable housing units in the project to 217. Such amendment accordingly makes a substantial contribution toward addressing the critical regional need set forth in AC44.

The housing shortage has created affordability challenges for workers at all income levels, from entry-level service workers to middle-income earners to upper middle class income professionals. The higher-density development proposed at North Pointe is essential for providing housing options that are accessible to a broader range of residents. The mix of housing types proposed—from apartments to townhouses to single-family detached and attached homes—will provide options for residents at various life stages and income levels.

Market Reality and Economic Efficiency

As a result of the original 837,548 approximate square footage of planned commercial space unable to be developed because of the DEQ permitting issues, commercial development has proliferated in nearby Greene County. The proposed 241,000 square feet of commercial development, plus a 125-room hotel, represents an appropriate scale that will provide necessary services to North Pointe and nearby residents and contribute meaningfully to the County's tax base.

This course correction of commercial development allows North Pointe to provide increased housing options that the market needs.

The proposed block plan also provides several public benefits. Recreation facilities, most of which are already in place within the developed portions of North Pointe, will be provided on a per-block basis in the future, when 50% of units in each block receive certificates of occupancy, ensuring amenities are available as residents move in rather than waiting for overall project completion. Each block may contain any appropriate mix of housing types, allowing the development to respond to market demands and housing needs as they evolve, while maintaining overall project limits and minimums. The block plan approach also allows infrastructure investments to be coordinated with development phases more effectively, reducing environmental impacts. Finally, this system ensures ongoing compliance with all proffers, conditions, and County ordinances while providing the flexibility needed for long-term project success.

Traffic and Environmental Benefits

The proposed shift from commercial to residential use will reduce traffic impacts on the surrounding road network. The Traffic Impact Analysis updated August 2025 by DRMP, Inc. ("TIA") demonstrates that commercial development generates drastically more vehicle trips per square foot than residential development. According to the TIA, by reducing commercial development by approximately 596,548 square feet and adding 707 residential units, the proposed amendment results in a 27.92% net reduction in total daily trip generation compared to the original development program, thereby substantially reducing impacts on U.S. Route 29 and local roads. This reduction in traffic also provides environmental benefits by reducing vehicle miles traveled, air pollution, and energy consumption. The more compact, mixed-use development pattern proposed aligns with regional sustainability goals and climate action objectives.

Infrastructure Investment Optimization

The Applicant's proposal allows for more efficient utilization of the substantial infrastructure investments already made in the Property. The existing road network, utilities, and stormwater management systems can more effectively serve additional residential development than the originally contemplated commercial development, maximizing the return on public and private infrastructure investments.

Consistency with the AC44 Comprehensive Plan

The Applicant's proposal aligns well with AC44. This consistency spans multiple policy areas and objectives.

Growth Management

The Growth Management Policy represents the foundational framework for all land use planning in Albemarle County. The fundamental principle of this policy is to promote the efficient use of County resources by promoting a Development Area as the place where a variety of land

uses, facilities, and services exist and are planned to support the County's future growth, with emphasis placed on density and high-quality design in new and infill development.

AC44 recognized that 95% of the County's 726 square miles is designated as "Rural Area" while "Development Areas" comprise only 5%, yet Development Areas accommodate 64,682 people or 57.54% of the County's population within just 37 square miles. With projections showing approximately 31,000 new residents by 2044, AC44 established clear priorities for the efficient use of limited Development Areas land, higher density development, adaptive reuse, and redevelopment.

North Pointe directly advances these fundamental Growth Management principles by transforming a site designated for lower-density commercial use into higher-density residential development within a designated Development Area. The development capacity analysis in AC44 noted that recent rezonings have been approved at approximately 70% of the maximum recommended density, indicating significant opportunity for increased density to accommodate the County's projected growth. North Pointe responds to this need by proposing residential densities that utilize the full potential of Development Area land while maintaining the mixed-use character essential to creating a vibrant, active location with attractive neighborhoods, high quality, mixed-use areas, and thriving business and industry.

The amendment also exemplifies the Growth Management Policy's vision for compact urban places by concentrating diverse housing types—including single-family homes, townhomes, condominiums, and apartments—alongside commercial and institutional uses in a location already designated for growth. This pattern of development supports the County's objective to promote density within the Development Areas while avoiding the sprawling development that would pressure Rural Area boundaries.

By increasing residential capacity within the established Development Area framework, North Pointe supports the fundamental Growth Management goal of directing growth away from the Rural Area while still creating vibrant and welcoming places to live. This approach maximizes the efficiency of public investments in infrastructure and services while preserving the agricultural, forestal, and natural resources that define Albemarle County's rural character.

Development Areas

AC44 continues the ambitious vision that the County's Development Areas will be "vibrant active places with attractive neighborhoods, high quality, mixed-use areas, thriving business and industry, all supported by services, infrastructure, and multimodal transportation networks." This vision is reinforced by the AC44's emphasis on creating "Activity Centers" as "highly walkable nodes" that "accommodate much of the County's future population growth and serve as a focal point for future transportation investments and other capital improvement projects." North Pointe exemplifies this comprehensive vision through its integration of the essential elements that define successful Development Area communities.

The development demonstrates AC44's expectation for a variety of housing types and levels of affordability by allowing diverse residential neighborhoods including single-family homes, townhomes, condominiums, and apartments that serve different household sizes, income levels, and lifestyle preferences.

The development's comprehensive transportation network exemplifies AC44's emphasis on multimodal transportation opportunities and complete streets that accommodate pedestrians, bicyclists, and transit users alongside vehicles. The spine road system connects internal parks, open areas, and the school site while linking residential neighborhoods to commercial areas through an interconnected street network that follows AC44's Community Design Guidelines. The development includes a planned trail system of over 9,000 linear feet of walking trails and over 5,000 linear feet of a shared-use path, as shown in the NORTH POINTE TRAILS EXHIBIT of the Application Plan, creating the pedestrian and bicycle infrastructure that AC44 identifies as essential for reducing the number and length of motor vehicle trips.

The extensive recreational areas of North Pointe also reflect the AC44's expectation of such amenities. Completed facilities include a very large, near Olympic-size pool, fitness facility, and clubhouse complex, a 1.75-acre park with natural play area, combination basketball/pickleball and tennis/volleyball courts, a dog park, a playground, and two approximately 1-acre pocket parks. These amenities create places for civic engagement and community building that are fundamental to the Development Areas vision.

This comprehensive approach creates the type of dynamic and inviting Development Area community that AC44 envisions, where high-quality urban design, diverse housing options, integrated transportation networks, and preserved natural systems combine to support strong community vitality.

Community Design Guidelines

AC44's Community Design Guidelines represent the County's current framework for Development Areas, consolidating and updating the Neighborhood Model Principles used previously. These Guidelines are intended to implement the Growth Management Policy by encouraging development as mixed-use, walkable, and dense, with multimodal transportation options and access to quality parks and open space, making the Development Areas more attractive for people to live, work, and play. The Guidelines provide flexibility based on the characteristics of each proposed development and the surrounding context.

North Pointe advances AC44's strategy to approve mixed-use developments that are consistent with the Community Design Guidelines and the development patterns envisioned for Places29-North, the Development Area in which the Property is located. The proposed amendment demonstrates consistency with the applicable Community Design Guidelines across four categories as follows.

Land Use

The Community Design Guidelines' Land Use category directs the majority of the County's new residential and non-residential growth to occur in the Development Areas, emphasizing a mixture of uses, a variety of housing types, and maintenance of hard boundaries with the Rural Area. North Pointe exemplifies these principles through its comprehensive approach to mixed-use development and housing diversity.

The development integrates diverse residential neighborhoods with commercial services, a 500-student school approved by the Albemarle County School Administration, and extensive recreational facilities within a unified community framework. This mixed-use character creates convenient access to work, services, and entertainment while supporting the daily needs of residents. The proposed amendment maintains this mixed-use vision while adjusting the balance to better serve current housing needs and market realities—the reduction in commercial space combined with the increase in residential units creates a more balanced mixed-use environment that provides employment and service opportunities while addressing the County's critical housing needs.

The proposed amendment allows a diverse range of housing options to serve residents at various income levels and life stages, fulfilling the Community Design Guidelines' emphasis on building a full range of housing choices throughout the Development Areas. Options include single-family detached and attached homes, townhomes, condominiums, and apartments, creating the housing diversity that supports economically integrated communities. The development includes both 80% AMI units and 120% AMI "Moderately-Priced Units" that address different segments of the housing spectrum while ensuring these units are integrated throughout the community rather than concentrated in separate areas, advancing the County's goals for housing affordability and economic integration.

North Pointe maintains hard boundaries with the Rural Area through its location within the established Development Area and its compact development pattern that maximizes the efficient use of designated growth areas. The development's higher density and mixed-use character exemplify the concentrated development approach that reduces pressure on Rural Area boundaries while creating the vibrant community environments envisioned by AC44. By transforming a site designated for lower-density commercial use into higher-density residential development within a designated Development Area, North Pointe demonstrates the adaptive approach to land use planning that supports efficient use of Development Area land and infrastructure investments.

Transportation

The Community Design Guidelines' Transportation category emphasizes delivering safe, comfortable, and accessible multimodal transportation options through a connected transportation network. North Pointe's comprehensive transportation infrastructure demonstrates strong alignment with these principles through its extensive pedestrian and bicycle networks, interconnected street system, and transit-supportive design.

North Pointe establishes a comprehensive pedestrian network throughout the development, with sidewalks provided on all internal streets and pedestrian connections linking residential neighborhoods to commercial areas, recreational facilities, and the school site. The development includes a planned trail system of over 9,000 linear feet of walking trails and over 5,000 linear feet of a shared-use path, creating safe and comfortable pedestrian infrastructure that connects residents to nearby and on-site recreation, commercial areas, schools, and other destinations. The spine road system integrates pedestrian infrastructure that enables residents to walk safely to community amenities and services without relying solely on automobile transportation, fulfilling the Community Design Guidelines' emphasis on developing safe and comfortable pedestrian networks.

The development's internal street network demonstrates the interconnected design that the Community Design Guidelines encourage. The spine road system connects all residential areas, commercial districts, recreational facilities, and the school site, providing multiple circulation routes while creating a walkable environment. This interconnected design reduces traffic congestion and enables pedestrians to easily bike or walk to many destinations, reducing car trips in number and length. The street network integrates with external connections to U.S. Route 29 and provides internal connections that support both vehicular and pedestrian movement throughout the community.

North Pointe supports alternative transportation modes through its comprehensive trail system, sidewalk network, and strategic location along the U.S. Route 29 corridor where transit services are available or planned. The development's compact design and mixed-use character reduce vehicle miles traveled by enabling residents to access many daily needs within walking or biking distance. The commitment to transit infrastructure, including planned bus stops and transit-supportive design, positions the development to capitalize on current and future public transportation investments, consistent with the Community Design Guidelines' emphasis on linking transportation solutions to land use policies and expanding opportunities to walk, bike, or take public transit.

Site Design

The Community Design Guidelines' Site Design category emphasizes providing spaces that are human-scaled and enjoyable to use while balancing development with the protection and restoration of the natural environment. North Pointe's design approach demonstrates careful attention to creating comfortable, walkable environments that respect natural terrain and integrate environmental conservation.

The development design emphasizes human-scaled architecture and site planning that creates comfortable, walkable environments consistent with the Community Design Guidelines' intent. The variety of potential building types—from single-family homes to apartments—provides visual interest and variety while maintaining appropriate scale relationships. Primary building entrances face streets and amenity areas, creating an engaging pedestrian environment. The street

network and open space design create intimate neighborhood environments that encourage pedestrian activity and social interaction, with buildings and spaces sized to support walkability and community engagement.

Parking areas are designed to support the pedestrian-oriented character of the development by minimizing their visual impact and avoiding conflicts with sidewalk networks, consistent with the Community Design Guidelines' emphasis on relegating parking to the side or rear of buildings. The development's layout prioritizes pedestrian accessibility to buildings and amenities while providing adequate parking in locations that do not dominate the streetscape or interfere with the walkable environment. Where parking areas are visible, screening with landscaping and trees maintains the visual quality of the development while supporting the Community Design Guidelines' expectations for site design.

The development design works with the natural topography of the site, preserving significant environmental features and minimizing site disturbance in accordance with the Community Design Guidelines' emphasis on respecting natural terrain. The extensive conservation areas and greenway systems protect sensitive environmental resources such as steep slopes, stream buffers, and floodplain areas while creating recreational and aesthetic amenities. The development's approach to stormwater management integrates with the natural drainage patterns and uses steep slopes and floodplain areas as common open space rather than placing these environmental features on individual lots, consistent with best practices outlined in the Community Design Guidelines. This approach demonstrates the balance between development and environmental protection that AC44 envisions for Development Areas.

Parks, Recreational Amenities, and Open Space

The Community Design Guidelines' Parks, Recreational Amenities, and Open Space category emphasizes providing equitable and expanding access to public parks, trails, natural areas, and open space while connecting neighborhoods to key destinations and protecting natural resources. North Pointe demonstrates exceptional commitment to these principles through its extensive recreational program and integrated open space system.

The development provides extensive recreational facilities that create meaningful community amenities and foster well-developed open space systems. Completed facilities include a near Olympic-size pool, fitness facility, and clubhouse complex, a 1.75-acre park with natural play area, combination basketball/pickleball and tennis/volleyball courts, a dog park, a playground, and two approximately 1-acre pocket parks. These amenities provide diverse recreational opportunities consistent with the Community Design Guidelines' emphasis on creative on-site recreational amenities and active recreational features such as exercise stations, playgrounds, and natural playscapes. The preservation of at least 35% of the residential Development Area as parks, trails, conservation areas, and recreational facilities demonstrates commitment to providing diverse recreational opportunities that serve residents of all ages and activity preferences.

The Applicant respectfully posits that the recreational facilities already completed on the Property, together with other planned facilities and amenities as shown in the NORTH POINTE PARKS EXHIBIT of the Application Plan, substantially aligns with the underlying intent of County Code Section 4.16, which is to ensure that residential developments provide meaningful recreational opportunities that serve the needs of their residents and contribute to quality of life. While Section 4.16 establishes minimum requirements for standardized facilities like tot lots and one-half courts for basketball, North Pointe's amenity program reflects contemporary recreational planning principles that prioritize quality, accessibility, variety, and long-term value. A near Olympic-size pool, fitness facility, and clubhouse complex, for example, provides year-round recreational and wellness opportunities for hundreds of residents simultaneously, serving a far broader demographic and providing substantially greater recreational value than multiple small tot lots. Furthermore, the approved school site will include even more recreational facilities, including a playground, that will serve both school-age children during school hours and provide additional community recreational resources, effectively functioning as an additional neighborhood recreational amenity integrated within the overall community framework. The comprehensive recreational program outlined in the Application Plan ensures that North Pointe will continue to provide diverse, high-quality recreational amenities that serve the development's residents and contribute to the broader community's recreational infrastructure, thereby fulfilling and exceeding the fundamental intent of Section 4.16 to create meaningful recreational opportunities within residential developments.

Furthermore, North Pointe's trail system and open space network connect neighborhoods to parks, natural areas, and other key destinations such as schools and commercial areas, fulfilling the Community Design Guidelines' emphasis on connecting neighborhoods via trails. The planned trail system of over 9,000 linear feet of walking trails and over 5,000 linear feet of a shared use path creates pedestrian and bicycle infrastructure that links residents to recreational amenities and preserved natural areas. This comprehensive trail network enables residents and workers to walk and bike to parks and open spaces, supporting the Community Design Guidelines' vision for an integrated open space system that provides public access to parks, trails, and public gathering places.

The development's extensive conservation areas and greenway systems protect sensitive environmental resources while creating recreational and aesthetic amenities, demonstrating the balance between providing recreation opportunities and conserving significant natural areas emphasized in the Community Design Guidelines. The protection of stream buffers, steep slopes, and other environmental features as common open space rather than on individual lots aligns with best practices for protecting natural, historic, cultural, and environmental resources.

This comprehensive approach to parks, recreation, and open space creates places for civic engagement and community building while protecting environmental resources, fulfilling the fundamental intent of AC44's Community Design Guidelines to create high-quality, livable environments that balance community needs with environmental stewardship.

Housing

North Pointe directly advances AC44's housing goal that "Albemarle County will be a welcoming community where all community members can access safe, quality, and affordable housing choices."

The additional 707 units proposed by the Applicant's amendment contributes significantly to ensuring that sufficient land area exists to accommodate future residential housing needs. The diverse mix of housing types proposed—from apartments to townhomes to single-family homes—provides options across the income spectrum while increasing density in an appropriate location. This diversity addresses what AC44 identifies as the County's "Missing Middle Housing" needs, by providing "middle" housing options in form, scale, and affordability.

Moreover, the Applicant's affordable housing commitment aligns with the County's established affordable housing expectations and directly supports AC44's affordable housing policies. Housing Albemarle, the County's housing policy adopted in 2021 and incorporated into AC44, documents that through the proffer system, the County has worked with developers seeking density increases through rezonings or special use permits to ensure a minimum of 15% of total housing units are provided as affordable housing. The Application Plan originally committed to 110 affordable dwelling units, and the proposed amendment commits to an additional 107 affordable dwelling units, such added amount being over 15% of the 707 new dwelling units. This brings the total affordable dwelling units of the project to 217.

Further, the Applicant's commitment that each residential block moving forward will contain the requisite percentage of affordable dwelling units ensures a continuous and systematic contribution to the County's affordable housing supply, avoiding an over-concentration of affordable dwelling units in isolated phases and instead integrating them throughout the project's development. This substantial contribution of affordable dwelling units represents a meaningful investment in addressing the County's affordable housing shortage and directly implements the AC44's foundational community need that housing be available to all income and age levels and located primarily in the Development Areas.

The Applicant's initial two-tier affordable housing structure was designed to address different segments of the County's housing needs. The 80% area median income ("AMI") units serve a critical affordable housing population. The 120% AMI "Moderately-Priced Units" are designed to provide crucial workforce housing for middle-income households, addressing the housing needs of working families who earn too much to qualify for traditional affordable housing but struggle with market-rate housing costs.

Furthermore, North Pointe aligns with AC44's objectives in promoting inclusion of these affordable housing units with similarity in exterior appearance to market-rate units. Rather than concentrating affordable housing in separate areas, the development has integrated affordable units

throughout the residential neighborhoods, supporting the County's commitment to economic integration and preventing the creation of affordable housing enclaves that the AC44 discourages.

The project's commitment to long-term affordability, through County Housing Office oversight and comprehensive qualification procedures, directly implements AC44's strategy to develop mechanisms that help preserve and promote the County's housing goals. The amendment's thorough qualification and approval process—requiring County Housing Office pre-approval of all affordable unit purchasers through a detailed 90-day identification and qualification period—ensures that these affordable units remain accessible to income-qualified households over time, maximizing the public benefit of this investment. The development's integration of County Housing Office oversight throughout the affordable housing delivery process, combined with annual reporting requirements for rental units and County inspection rights for compliance monitoring, creates a robust framework for accountability that supports the County's affordable housing objectives.

This comprehensive housing approach creates the type of diverse, integrated community that AC44 envisions, where residents across the income spectrum can access quality housing choices in a location rich with transportation options, employment opportunities, and community amenities.

Transportation

AC44 establishes multimodal transportation planning as a cornerstone of sustainable development, emphasizing the critical importance of reducing vehicle miles traveled ("VMT") and supporting alternative transportation modes. According to AC44, transportation currently accounts for approximately 44.7% of the County's greenhouse gas emissions, making VMT reduction essential for meeting climate goals. The proposed amendment directly supports these transportation objectives through multiple complementary strategies.

The development creates a more compact, mixed-use pattern that fundamentally reduces traffic generation compared to conventional suburban development. As explained above, per the TIA, the shift from commercial to residential use significantly reduces daily trip generation. This dramatic reduction directly supports the AC44's goal of reducing VMT and associated environmental impacts. Importantly, the mixed-use nature of the development enables substantial internal trip capture, where residents can meet daily needs within the community without external vehicle trips. The TIA applies a 15% internal capture rate using VDOT methodology, recognizing that mixed-use developments facilitate internal connections between residential, retail, office, and recreational uses. This internal trip capture exemplifies the AC44's vision for compact development where residents can live, work, and play in close proximity.

The development's strategic location along U.S. Route 29 positions it to capitalize on existing and planned transit infrastructure. AC44 specifically identifies the Route 29 North Corridor as needing enhanced transit options, including Bus Rapid Transit for regional users and

local routes for community needs. AC44 notes that MicroCAT on-demand transit service currently operates in the U.S. Route 29 North area, providing flexible transit options that complement fixed-route service. The development's higher residential density will help support the ridership needed to make expanded transit service economically viable. There will be a number of planned bus stop areas within the development in locations as determined by the County Traffic Engineer and as mutually acceptable by the Applicant and the County.

The proposal also advances AC44's emphasis on "complete streets" in Development Areas that accommodate pedestrians, bicyclists, and transit in addition to automobiles. The integrated design supports multimodal connections that Ac44 envisions for creating transit-friendly, walkable, and mixed-use communities. By concentrating development in a location with existing transportation infrastructure and planned transit improvements, the amendment reduces the need for costly infrastructure expansion while supporting the County's broader transportation objectives.

This transportation approach aligns with AC44's emphasis on coordinated land use and transportation planning, where activity centers are designed to encourage a variety of businesses, services, and housing options connected by multimodal transportation options. The reduced VMT, enhanced internal connectivity, and transit-supportive design collectively advance AC44's vision for sustainable transportation in the Development Areas.

Sustainability

Environmental stewardship and conservation represent a critical component of North Pointe's alignment with AC44 objectives. AC44 establishes ambitious climate action goals for Albemarle County, with the overarching vision of achieving healthy, thriving, and resilient ecosystems. The proposed amendment directly advances these sustainability objectives through multiple integrated strategies.

As explained above, the compact, mixed-use development pattern fundamentally reduces VMT, critical for meeting sustainability goals. By shifting from commercial to residential use and creating internal trip capture opportunities, the development supports the County's target of reducing VMT while enhancing community resilience. Denser development leads to lighter environmental footprints compared to sprawling alternatives. The proposed development achieves this coordination by concentrating diverse housing types and complementary uses in a location with existing infrastructure capacity. Increasing residential density to support future transit service aligns with AC44's emphasis on multimodal transportation solutions for reducing greenhouse gas emissions.

The development's commitment to preserving significant open space and environmental features directly implements the AC44's conservation and preservation goals. Conservation areas, greenways, and buffer areas comprise at least 35% of the residential development areas, fulfilling AC44's expectation for preserved natural systems within Development Areas. The dedicated

Rivanna River greenway, for example, provides public access and connects to regional trail systems. This greenway system exemplifies AC44's vision for interconnected parks and recreational facilities that provide both environmental protection and community amenities.

This integrated approach to sustainability exemplifies AC44's vision for responsible growth that allows the County to meet its climate action goals while protecting critical environmental resources and supporting community resilience.

Impacts on Public Facilities and Infrastructure

The proposed amendment has been carefully designed to minimize impacts on public facilities while providing appropriate mitigation measures. Comprehensive impact analyses have been conducted for all major public systems.

Transportation

The TIA provides a comprehensive assessment of the proposed amendment's transportation impacts. The analysis was conducted according to VDOT Chapter 527 methodology and evaluated conditions at nine key intersections in the study area, including US 29 at Airport Road/Proffit Road, US 29 at Lewis and Clark Drive, and Proffit Road at Worth Crossing/Leake Square. Existing traffic conditions were established through turning movement counts conducted at AM peak hours (7:00-9:00 AM) and PM peak hours (4:00-6:00 PM). Traffic volumes were grown by an annual background growth rate of 1.0% to project future conditions in coordination with Albemarle County and VDOT.

The proposed amendment demonstrates significant transportation benefits compared to the original approval. As mentioned previously, the TIA demonstrates that commercial development generates substantially more vehicle trips per than residential development, making the proposed land use changes particularly beneficial from a traffic perspective. Specifically, according to the TIA, the proposed amendment results in a 27.92% net reduction in total daily trip generation compared to the original development program.

The TIA evaluated both existing and future traffic conditions at key intersections, with detailed capacity analysis including level of service ("LOS"), delay, and queue length assessments. The analysis demonstrates that with the proposed improvements, the development can be accommodated while maintaining acceptable traffic operations. The intersection of U.S. Route 29 at Airport Road/Proffit Road currently operates at LOS D during the morning peak hour and LOS E during the evening peak hour. With the proposed improvements, including dual left turn lanes on southbound U.S. Route 29, a second receiving lane eastbound on Proffit Road, and signal timing modifications, the intersection will operate at LOS E during both peak hours but with reduced overall delay compared to no-build conditions. At U.S. Route 29 and Lewis and Clark Drive, the intersection benefits significantly from previously approved development improvements, including the installation of dual left turn lanes. The analysis demonstrates that this intersection can accommodate the additional site-generated traffic with minimal impact to mainline U.S. Route

29 operations, maintaining acceptable LOS throughout the build-out period. The analysis of Proffit Road at Worth Crossing/Leake Square evaluated both roundabout and signalized intersection alternatives to determine the optimal traffic control. The roundabout alternative provides superior operations with an overall LOS A and all approaches operating at LOS B or better, making it the preferred intersection treatment for long-term traffic operations and safety.

The development includes an extensive transportation improvement program that will benefit both the project and the broader community. These improvements provide substantial public benefits. Such improvements include the construction of new roadway connections and improvements to existing intersections; installation of traffic signals and turn lanes, as needed; provision of transit infrastructure, including bus stops and funding for transit service; and implementation of a comprehensive pedestrian and bike paths, crossings, and other facilities. The development incorporates comprehensive traffic safety measures, including intersection sight distance analysis and optimization, appropriate geometric design for all access points, traffic calming measures within the development, and integration with regional safety improvement programs.

Construction of both the Northern and Southern entrances that are in place utilize VDOT's preferred R-Cut design standards, a design that provides significantly more capacity than a standard signalized intersection. The design of the Northern entrance was significantly enhanced in order to accommodate increased volume as a result of VDOT not wanting a cross connection with Lewis & Clark Drive.

This comprehensive transportation improvement program demonstrates the Applicant's commitment to addressing transportation impacts while providing substantial public benefits that extend well beyond the development boundaries. The improvements are coordinated with County and VDOT planning objectives and will enhance transportation operations for the broader community.

Utilities and Stormwater Management

The project has participated in the extension of a gravity sewer system south from the North Fork ACSA pump station that provides sewer service for not only North Pointe but for an important portion of the growth area. Water service has been extended from U.S. Route 29 to service North Pointe. Major power and telecommunication infrastructure, including fiber optic lines, are available along U.S. Route 29 to serve the project.

Rivanna Water and Sewer Authority ("RWSA") has identified potential capacity issues for sewer that may affect this proposal and has indicated that the project requires RWSA Capacity Certification. RWSA has noted no known water flow or pressure issues that may affect this proposal. However, RWSA has identified this development as requiring further study to determine future capacity and needs based on the projected development. The Applicant will endeavor to

cooperate with RWSA as necessary to address the demand additional residential units would require and their impact on water and sewer improvements.

The stormwater management facilities will meet County stormwater quality and quantity regulations for the stormwater generated within the project. Initial state and federal environmental permits have been issued, and the required follow-on extensions of those permits will meet regulatory requirements.

Schools

The proposed amendment addresses educational infrastructure needs through the provision of a fully improved school site that will offset the impact of additional students not only within the project, but from all growth in the Northern County development area. The planned school site consists of approximately 13.50 acres with an anticipated capacity of 500 students, and the relocated site has been approved by the County School Administration.

The flexible provisions for the school site reflect thoughtful planning that serves the County's long-term interests. Should the County determine that the site is better suited for park and recreational purposes, it will continue to serve regional needs while providing substantial recreational amenities for both project residents and the broader community. The amendment's alternative cash contribution provision also ensures that the County receives meaningful support for educational infrastructure regardless of the ultimate use of the dedicated site.

The development's commitment to public transit infrastructure further supports educational objectives by providing convenient bus service throughout the community. The planned bus stop locations and improvements will facilitate student transportation and reduce the vehicular traffic impacts typically associated with school-related trips. This transportation infrastructure investment benefits not only North Pointe residents but also supports broader County transportation and educational planning objectives.

Parks and Recreation

The proposed amendment creates a comprehensive recreational framework that serves as a model for integrated community amenities and regional connectivity. North Pointe's substantial commitment to open space preservation ensures that a minimum of 35% percent of the residential Development Area will be dedicated to parks, trails, conservation areas, and recreational facilities, consistent with County requirements.

The development's strategic location along the Rivanna River enables the creation of a significant public greenway that will enhance regional recreational opportunities and contribute to the County's broader greenway system. The dedicated Rivanna River greenway provides public access to one of the area's most important natural and recreational resources, creating new opportunities for nature observation and recreation while protecting sensitive environmental areas.

North Pointe's recreational amenities further demonstrate a commitment to diverse community needs through facilities that serve multiple age groups and activity preferences. The completed near Olympic-size pool and expansive clubhouse with fitness facility anchors a 1.75-acre park and natural play area that provides both active and passive recreational opportunities. The combination basketball/pickleball and tennis/volleyball courts reflect current recreational trends while maximizing facility efficiency, and the dedicated dog park addresses the growing demand for pet-friendly community amenities. The planned trail system of over 9,000 linear feet of walking trails, approximately 2,000 linear feet of which has been constructed to date, and over 5,000 linear feet of a shared-use path, approximately 3,000 linear feet of which has been constructed to date, creates internal connectivity while providing connections to the broader regional network.

The development's approach to recreational planning recognizes that modern communities require both programmed facilities and flexible open spaces that can adapt to changing recreational preferences. The two completed pocket parks, each approximately one acre in size, provide neighborhood-scale gathering spaces that can accommodate informal activities, community events, and passive recreation. The integration of recreational facilities with the overall site design ensures that these amenities enhance rather than compete with the natural features of the site, creating a cohesive recreational environment that supports both active lifestyles and environmental stewardship.

All parks, open spaces, trail systems, recreational facilities, and buffers part of the development will be owned, constructed, and maintained in perpetuity through North Pointe's multi-tier association structure, ensuring no maintenance burden falls on the County, VDOT, or any other public agency (with the exception of the greenways, which will be dedicated upon request for public use). The recorded declarations of covenants, conditions, and restrictions affecting the Property, as amended, establish clear responsibilities whereby the North Pointe Owners' Association (the "Master Association") maintains any areas and facilities serving the entire development as "Common Areas", while the North Pointe Homeowners' Association (the "Residential Association") maintains any areas and facilities specific to residential blocks as "Limited Common Areas." Both declarations explicitly provide that the cost of construction, repair, maintenance, upkeep, or replacement of these facilities shall not be borne by the County of Albemarle, the Virginia Department of Transportation, or any public agency. Maintenance is funded through mandatory assessments levied against property owners, with residential owners paying annual assessments to the Residential Association that include their pro rata share of Master Association assessments for Common Area maintenance, thereby ensuring stable, predictable funding for the perpetual care of all community facilities and infrastructure.

The recreational infrastructure investments made at North Pointe directly support County planning objectives by providing facilities that reduce demand on existing public recreational resources while contributing to the regional recreational network. The commitment to meet County recreation standards through specific proffers ensures that future development phases will continue

to provide meaningful recreational amenities that serve both project residents and the broader community. This comprehensive recreational planning approach demonstrates how private development can contribute significantly to public recreational goals while creating distinctive community amenities that enhance quality of life and property values throughout the area.

Fire/Rescue Services

North Pointe continues to demonstrate strong commitment to public safety through comprehensive fire and rescue service compliance. The proposed block plan supports emergency services planning by ensuring that appropriate access and infrastructure are provided as each phase of development occurs. This approach helps ensure that service impacts are quantified and addressed before each development phase begins.

North Pointe's fire apparatus access infrastructure is designed to facilitate optimal emergency response through access standards that prioritize firefighter safety and operational efficiency. All fire apparatus access roads will provide unobstructed travel ways, ensuring that emergency vehicles can navigate the development safely and efficiently. Through these access requirements, the development is designed to allow emergency responders to reach all structures quickly, potentially reducing property damage and enhancing life safety outcomes. The development's approach to residential access planning also recognizes that emergency response effectiveness depends on multiple ingress and egress options. Further, North Pointe is committed to fire protection infrastructure that will establish comprehensive water supply and emergency access systems that meet applicable County requirements while supporting regional emergency service capabilities.

Conclusion

The Applicant's proposed North Pointe 3rd Proffer Amendment represents a thoughtful evolution of a well-planned community that responds to current market conditions, regulatory requirements, and community needs. This amendment will provide substantial public benefits while advancing key County policy objectives.

The proposal addresses an ongoing housing crisis, the County's most pressing need, by providing 707 additional residential units in areas previously reserved for commercial use. This will allow the Applicant to create more efficient land utilization with residential development that can better work with the topography and environmental features and be more in sync with DEQ permitting requirements.

This amendment demonstrates superior environmental and transportation outcomes compared to the original approval, with reduced traffic generation and more efficient use of existing infrastructure. The substantial proffer commitments ensure that impacts are appropriately mitigated while providing significant public benefits.

The amendment advances the fundamental goals of the County's AC44 Comprehensive Plan by directing substantial new housing capacity to a designated Development Area, creating a mixed-use community that reduces VMT and supports multimodal transportation, preserving significant open space, recreational, and environmental resources while achieving efficient land use, and providing diverse and market-based housing types.

The Applicant respectfully requests approval of this amendment to enable North Pointe to continue its evolution as a model mixed-use community that serves both its residents and the broader public interest. This amendment represents a collaborative approach to addressing regional challenges while maintaining the high standards of community design, transportation planning, and environmental stewardship that have characterized North Pointe since its inception.

Through this amendment, North Pointe will continue to fulfill its original vision of creating a complete community while adapting to contemporary needs and contributing meaningfully to the County's housing, transportation, sustainability, and other community goals. The result will be a stronger, more resilient community that serves as a model for appropriate development in Albemarle County's Development Areas.