ALBEMARLE COUNTY
STAFF REPORT

Project Name: ZMA201800018 and SP201800023, River's Edge	**Staff:** Tori Kanellopoulos, Senior Planner
Planning Commission Hearing: March 10, 2020	**Board of Supervisors Public Hearing:** TBD
Owner: Rivers Edge Associates and Rivers Edge Holdings LLC	**Applicant**: Justin Shimp and Kelsey Schlein, Shimp Engineering, on behalf of Rivers Edge Holdings
Acreage: TMP 32-5A1 is 27.71 acres and TMP 32-5A0 is 4.81 acres, for a total of 32.52 acres.	**Rezone from:** RA Rural Areas to PRD Planned Residential Development **Special Use Permit:** Request disturbance of preserved steep slopes to accommodate the development of private facilities (accessway and stormwater management) for the proposed rezoning development
TMP: 03200-00-00-005A1 and 03200-00-00-005A0	**Location:** 2260 and 2256 Rivers Edge Lane at Route 29 North, approximately 0.20 miles north from the intersection of Lewis and Clark Drive and Route 29.
School Districts: Baker Butler E.S., Sutherland M.S., Albemarle H.S.	**Current by-right use:** Rural Area 0.5 units/acre
Magisterial District: Rivanna	**Proffers**: None
Proposal: Rezone two properties from Rural Areas (RA) to Planned Residential Development (PRD). Request for a special use permit for the disturbance of preserved steep slopes to accommodate the development of private facilities (accessway and stormwater management) for the proposed rezoning development.	**Requested # of Dwelling Units per ZMA:** Maximum of 100 dwelling units; size-restricted to a maximum gross floor area of 1,200 sq. ft. each
DA (Development Areas): Hollymead neighborhood in the Places29 Master Plan	**Comp. Plan Designation:** Neighborhood Density Residential and Private Open Space per the Places29 Master Plan

Affordable Housing Provided: ☒ Yes ☐No	**Affordable Housing AMI (%):** Minimum 15 percent affordable units at 80 percent AMI.
Character of Property: Two parcels totaling 32.52 acres with approximately fourteen single-family detached houses and a paved accessway that creates a loop through the site and connects to the entrance at Route 29. Parcels are heavily forested and surrounded by the Rivanna River.	**Use of Surrounding Properties:** There are several commercial properties to the north, and U.S. Army facilities. Rural Area properties (currently forested) are to the east and south. The parcel directly south is currently undeveloped but is in the Development Areas.
Factors Favorable: 1. The rezoning request and special use permit request are consistent with the majority of the recommendations within the Places29 Master Plan and the Comprehensive Plan. 2. The rezoning request is consistent with the majority of the applicable Neighborhood Model Principles. 3. The rezoning provides affordable rental housing that meets the housing policy within the Comprehensive Plan for a period of 10 years.	**Factors Unfavorable:** 1. The density proposed with the rezoning application is above the recommendations within the Places29 Master Plan. 2. The request to disturb preserved steep slopes with the special use permit application could potentially create negative environmental impacts: erosion and sedimentation of the Rivanna River; and loss of wildlife habitat.

RECOMMENDATION:

Zoning Map Amendment: Overall, staff finds that the favorable factors outweigh the unfavorable factors. Staff recommends approval of the rezoning request ZMA201800018 with the following changes:

1. Revise the proposed number of units to be consistent with the recommended density in the Places29 Master Plan.
2. Update the application plan to show a public multi-use path along the full frontage with Route29.

Special Use Permit: Staff recommends approval of the special use permit request SP201800023 with conditions.

STAFF PERSON: Tori Kanellopoulos
PLANNING COMMISSION: March 10, 2020
BOARD OF SUPERVISORS: TBD

PETITION:

PROJECT: ZMA201800018 and SP201800023 River's Edge
MAGISTERIAL DISTRICT: Rivanna
TAX MAP/PARCEL(S): 032000000005A0 and 032000000005A1
LOCATION: 2260 and 2256 Rivers Edge Lane. Route 29 North, approximately 0.20 miles north from the intersection of Lewis and Clark Drive and Route 29.
PROPOSAL: Rezone two properties from Rural Areas (RA) to Planned Residential Development (PRD). Request for a special use permit for the disturbance of preserved steep slopes to accommodate the development of private facilities (entrance and accessway) for the proposed rezoning development.
PETITION: Rezone 32.52 acres from Rural Areas (RA), which allows agricultural, forestal, and fishery uses; residential density (0.5 unit/acre in development lots) to Planned Residential Development (PRD) that allows residential (3 – 34 units/acre) with limited commercial uses. A maximum of 100 units are proposed for a gross density of approximately 3 units/acre, and a net density of 12 units/acre. A special use permit for the disturbance of preserved slopes for "Private facilities on preserved slopes" pursuant to Zoning Ordinance Section 30.7.4.b.2. Request for central sewerage and central water system per County Code Section 16-102.
ZONING: Rural Areas (RA)
OVERLAY DISTRICT(S): Entrance Corridor; Steep Slopes- Managed and Preserved; Flood Hazard Overlay; Airport Impact Area
COMPREHENSIVE PLAN: Neighborhood Density Residential- residential use (3–6 units/acre); supporting uses such as religious institutions, schools, and other small-scale non-residential uses; Privately Owned Open Space; Environmental Features- privately owned recreational amenities and open space; floodplains, steep slopes, wetlands, and other environmental features; in the Hollymead Area of Places29 Master Plan.

CHARACTER OF THE AREA

The subject properties are located at 2260 and 2256 Rivers Edge Lane, to the east of Route 29 North, approximately 0.20 miles north from the intersection of Lewis and Clark Drive and Route 29. The site has a narrow paved accessway that starts at the entrance to the site at Route 29 and creates a loop through the middle of the site. There are approximately fourteen single-family houses on the site. The site is mainly forested and is surrounded by the Rivanna River. (Attachment 1)

Several commercial uses are located north of the site, including building and roofing materials sales, an electric company, and modular home sales. U.S. Army facilities are also located to the north. Rural Area parcels (currently forested) are to the east and south. The parcel directly south of the site is also in the Development Areas (and is adjacent to North

Pointe) but is currently undeveloped. The residential Camelot and Briarwood neighborhoods are across Route 29 and approximately 0.25 miles from the site.

SPECIFICS OF THE PROPOSAL

The applicant proposes to rezone 32.52 acres from Rural Area (RA) to Planned Residential Development (PRD) to allow up to 100 dwelling units. Each dwelling unit is restricted to a maximum gross floor area of 1,200 square feet. The units will all be rental units, as the property cannot be feasibly subdivided. Access to the site will be provided using the existing entrance off of Route 29. The existing accessway will be widened from 12 feet (of travelway, plus some shoulder area) to 28 feet (with 20 feet of travelway and 4 feet on each side for shoulders). Widening the accessway is the only option for future development of the site and necessitates disturbance of preserved slopes.

Civic, recreation, and open spaces are proposed, consisting of:

- A club house, within an existing 4,000 sq. ft. structure near the entrance to the site
- A multipurpose court
- A public pedestrian path that leads to the adjacent parcel TMP 32-22K1 (where future connections may be possible, eventually connecting to North Pointe) and to Route 29
- A network of private primitive trails, minimum 2,600 linear feet
- A minimum of two (2) playgrounds or equivalent, which will likely be natural playscapes

The applicant has requested review and approval of a central sewerage system per 16-102 (Attachment 7). This request requires Board of Supervisors review and approval. The applicant proposes a private pump station that would connect to a public manhole.

The applicant is also requesting a special use permit for disturbance of preserved slopes to widen the accessway and for stormwater management (Attachment 5).

APPLICANT'S JUSTIFICATION FOR THE REQUEST

The applicant has provided a narrative and concept plans (Attachments 3, 4, and 5).

COMMUNITY MEETING

The required community meeting was held on January 17th, 2019, at 6:00 PM at the Hollymead Fire Station, during the regularly scheduled Places29 North CAC meeting. Community members in attendance asked questions regarding the type of housing being provided, how the rental units would function, about the central system approval process, and if any transportation improvements were needed.

The applicant responded that the dwelling units will be size-restricted and likely modular housing. The units will be long-term rentals (a year or more) and will not be used for short-term rentals. The applicant explained that a central system requires Board of Supervisors approval, that the applicant will need to coordinate with ACSA to go under Route 29 for water and sewer service, and that they will need a private pump station for their site. The applicant said that a right turn lane will likely be needed for the site entrance. The main concern heard was how a school bus would be able to stop at the site. The applicant responded that a loop may be feasible, or an area to safely pull over. Staff recommends the

applicant coordinate with Albemarle County Schools when developing a location for a bus stop. When this application was presented to the CAC, only 60 units were proposed, versus the current 100 units proposed. However, the revised application significantly clusters the proposed units, and the overall area impacted by the development remains the same.

PLANNING AND ZONING HISTORY

CCP201800004: A work session for consistency with the Comprehensive Plan was held with the Planning Commission on October 16, 2018. Additional information is provided in the staff report for CCP2018-4 (Attachment 11) and in the Planning Commission minutes (Attachment 12) from the meeting. The Planning Commission found that net density should be used to calculate density for the site, and should use the more accurate GIS-data, not the area shown as Parks/Green systems in the Comprehensive Plan. The Planning Commission also found that transferring density with the adjacent property (TMP 32-22K1, not part of this rezoning request) was not appropriate.

There is no other previous planning and zoning history for this site.

ZMA201800018: ANAYLSIS OF THE REZONING REQUEST

COMPREHENSIVE PLAN

The rezoning request is consistent with the majority of the applicable policies in the County's Comprehensive Plan. The request meets the Growth Management policy (CH 3), which directs new development and infrastructure to the Development Areas. The Development Areas Chapter (8) recommends that the urban neighborhoods (which include Places29) have a variety of housing types and have extensive infrastructure and services. The proposal meets the policy of having clear boundaries with adjacent Rural Areas. The development clusters units together and maintains the existing forested riverbank boundary with the Rural Area. The proposed development is in an Entrance Corridor and is providing the 50-foot forested buffer called for in the Places29 Master Plan.

Analysis of the Places29 Master Plan

These properties are designated Neighborhood Density Residential in the Places29 Master Plan, which calls for a density range of 3 to 6 units per acre:

> **Neighborhood Density Residential.** This designation is used in areas around Centers where single-family detached and attached housing with a gross density range between 3 – 6 units per acre is desired. This designation is also applied to existing residential areas with densities within or below this range (see Land Use Table LU2). This designation is essentially the same as the Neighborhood Density Residential designation in the 1996 Land Use Plan.
>
> Primary uses: single-family residential, including two or more housing types.
>
> Secondary uses: retail, commercial, and office uses that support the neighborhood, live/work units, open space, and institutional uses. Retail, commercial, office, and institutional uses are encouraged to locate in Centers so they are accessible to residents throughout the surrounding area, and so they benefit from co-location with other neighborhood-serving businesses. However, they may be located by exception in areas around Centers designated Neighborhood Density Residential provided they are compatible with surrounding uses.



The Development Areas Chapter (8) calls for Master Plans to guide new development in the Development Areas. Strategy 8c states that density should be calculated using net density, by excluding areas not suitable for development, including steep slopes, stream buffers, floodplain, and areas identified as Parks/Green systems. The proposed development has a gross density of 3 units per acre and a net density of 12 units per acre. The Master Plan recommends a maximum of 51 units using the calculation of net density. 100 dwelling units are proposed with a range of duplexes, triplexes, and fourplexes, which is double the recommended density in the Comprehensive Plan. All units are sized-restricted, with a maximum gross floor area (GFA) of 1,200 square feet each.

The applicant has included information regarding accessory units in their narrative as justification for the additional units. Specifically, the applicant has compared the additional density proposed with this development to be comparable to a more traditional single-family development with accessory units, which are permitted in the zoning ordinance and do not count towards overall density. The applicant compares the following scenarios:

- The applicant could construct larger single-family homes, each of which could have an accessory dwelling unit, which would not count toward density.
    - 3,000 square foot house could have an accessory unit that could be 1,050 square feet in size.
    - 4,000 square foot house could have an accessory unit that could be 1,400 square feet in size.
- Or, as the applicant proposes, the applicant could construct 100 units and size-restrict the units, so that the overall impact would be similar to 50 larger single-family units.

Additional information regarding density and prior actions is provided in Attachment 9.

Additional relevant language within the Comprehensive Plan that relates to housing and density includes:

- Chapter 8 states that housing in the Development Areas should be provided at a variety of price points, including affordable housing. The proposed development

provides a unique housing type in the County. There appears to be an increasing demand for smaller units, especially as household sizes decrease nationally.

- Objective 4 of this Chapter is to *"Use Development Areas land efficiently to prevent premature expansion of the Development Areas"*. The proposed Planned Residential Development clusters units together on the site, and includes duplexes, triplexes, and fourplexes.
- Objective 4 of the Housing Chapter (9) is to *"Provide for a variety of housing types for all income levels and help provide for increased density in the Development Areas."* In addition to the proposed housing types, the applicant is providing affordable housing in accordance with the Housing Policy.

There is not sufficient guidance in the Comprehensive Plan for staff to determine when it may be acceptable to exceed the Comprehensive Plan. Master Plans are drafted and adopted through a community-driven process, including review of the future land use categories and designations. Therefore, staff has included exceeding the recommended density in the Master Plan as a 'factor unfavorable' with this application and previous applications and recommends that the density be reduced to meet the recommendations in the Master Plan.

Affordable Housing: The applicant is providing 15 percent affordable housing units, meeting the recommendation in the Comprehensive Plan (Strategy 6b, CH 9). Since the units will be rental, they will be affordable for a period of 10 years. The Housing Planner has reviewed the request and found that it is consistent with County policy. The Housing Planner has also noted that on September 18, 2019, the Board of Supervisors approved a resolution to adopt a future policy on anti-displacement measures for new development that results in existing residents needing to relocate (Attachment 10). The Housing Planner has provided draft guidelines for the applicant to review. At this time formal guidelines have not been adopted; if guidelines are adopted by the Board while this application is under review, it is expected that the applicant coordinate with the Housing Planner to meet the guidelines.

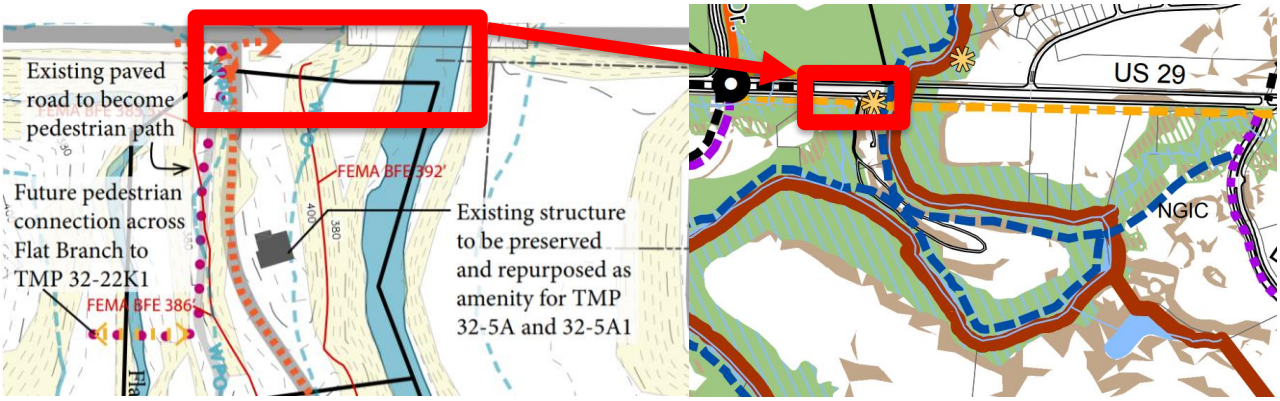
The properties are also designated Privately-Owned Open Space/Environmental Features (Parks/Green systems):

> **Privately Owned Open Space/Environmental Features.** This designation includes open space that is owned and managed by private or semi-public entities, such as homeowners associations, private homeowners, commercial or business park land owners, and others. These areas consist of recreational and passive open space amenities, and may include floodplains, steep slopes, wetlands, and other areas with environmental constraints where construction of buildings is discouraged (see Land Use Table LU2). The Future Land Use map shows Privately Owned Open Space/Environmental Features in a darker green (than the Public Open Space described above).
>
> Primary uses: semi-public open spaces, such as semi-public parks, greenways, trails, and other recreational and passive open spaces that are owned by homeowners associations or other similar entities and are open to property owners and their guests.
>
> Secondary uses: related institutional uses.

The Parks/Green systems designated areas are preserved with this development, with some disturbance of preserved slopes required (however, the Comprehensive Plan shows the slopes that will be disturbed as Neighborhood Density Residential, as there is an

existing accessway on these slopes). The development contributes to trail connections that Parks and Recreation has identified as significant. Providing a future public access with the adjacent parcel to the south (TMP 32-22K1) allows for future connections to North Pointe and the greater greenway system. There were no major concerns heard at the CAC community meeting for this application.

The following maps compare the applicant's proposed public trails to the recommendations in the Master Plan:



The above right image shows the map from the Parks/Green Systems in the Places29 Master Plan, which *"shows the recommended network of existing and proposed trails, multi-use paths, and bicycling facilities that would provide convenient non-vehicular connections between different parts of the Development Areas"* In consultation with Parks and Recreation, staff has determined that providing an internal private trail system is acceptable, and that a connection to the adjacent NGIC parcel is not necessary. Staff finds that a future public connection with the adjacent parcel to the south (TMP 32-22K1) would allow for the trail network to connect to North Pointe and therefore to the greater trail network. Staff recommends that the applicant provide the multiuse path along Route29, as there will be a future connection across Route29 that follows the river and completes an important section of the greenway.

The Neighborhood Model: Staff has reviewed the proposal against the Neighborhood Model Principles and found that it is consistent with the majority of the principles. The detailed Neighborhood Model Analysis can be found in Attachment 8.

ZONING ORDINANCE REQUIREMENTS

Relationship between the application and the intent and purposes of the requested zoning district:

The purpose and intent of the Planned Residential Development (PRD) zoning district is to:

- *"encourage sensitivity toward the natural characteristics of the site and toward impact on the surrounding area in land development…promote economical and efficient land use, an improved level of amenities, appropriate and harmonious physical development, and creative design consistent with the best interest of the county and the area in which it is located."*

- *"provide for flexibility and variety of development for residential purposes and uses ancillary thereto. Open space may serve such varied uses as recreation, protection of areas sensitive to development, buffering between dissimilar uses and preservation of agricultural activity."*

Staff reviewed the request and has found that this rezoning meets the purposes and intent of the PRD. The proposal includes a variety of housing types (single-family detached, duplexes, triplexes, fourplexes), 25% open space, a forested buffer along Route 29, and recreation. The development clusters dwelling units and preserves most of the site for open space. While PRD's are generally recommended for areas with Comprehensive Plan recommended densities of 15 units/acre or more, staff finds that PRD is an appropriate district for this site, as the significant environmental features require *"careful planning with respect to impact"*, as the intent of the zoning district states.

Anticipated impact on public facilities and services:

Streets:

The applicant provided estimated traffic counts and right turn lane analysis within the narrative (Attachment 6). VDOT reviewed the application and traffic information and does not anticipate a significant traffic impact. A traffic study was not required. The existing AADT between Airport/Proffitt Roads and Camelot Drive is 39,000 vehicle trips. The proposed development would add 543 weekday trips, with 35 AM peak hour trips and 43 PM peak hour trips.

Schools:

Students living in this area would attend Baker Butler Elementary School, Sutherland Middle School, and Albemarle High School. The applicant has provided the following estimates for new student counts, based on calculations provided by County Schools:

Type of Dwelling Unit	Elementary	Middle	High	Total
Multifamily	0.12	0.03	0.05	0.21
100 Units	12	3	5	21

Of these three schools, both Baker Butler Elementary School and Albemarle High School are projected to continue to exceed capacity. Albemarle County Public Schools' 'Long Range Planning Advisory Committee Recommendations' (July 11, 2019) identifies 'moderate capacity conflicts' for Baker Butler E.S. and 'high capacity conflicts' for Albemarle H.S.

The report recommends the following for Baker Butler E.S.: "*Student enrollment is projected to be just at capacity at the two schools combined. However, Baker-Butler is currently over-enrolled and capacity conflicts are projected to worsen over time. On the other hand, Broadus Wood, the district directly adjacent to Baker-Butler has ample capacity of approximately 100 seats. LRPAC again recommends a redistricting study if the capacity situation at Baker-Butler worsens. Long-term forecasts show this northern area growing substantially. If forecasts prove out, a new elementary school will be needed."*

The report recommends the following for all three County high schools: *"The Division has embarked upon a "center" based strategy to address capacity issues at its three comprehensive high schools, in particular at Albemarle High School. This agile approach addresses both instructional and capacity needs in an efficient manner. Long-term county population growth is forecast to grow by 44% over the next thirty years. That could yield another 1,800 high school students, roughly the size of the current AHS."*

As the Places29 Master Plan is fully realized, growth must be closely monitored since Albemarle High schools does not have the long-term capacity to support additional residential growth expected in this part of the County. However, dedication of land for two new elementary schools are proffered commitments of other large developments in the Places29 Development Area. This includes a 7-acre site within Brookhill and a 12.85-acre site within North Pointe. The Brookhill development also has a proffer requiring dedication of an approximately 60-acre site along Berkmar Drive that could be used for a comprehensive public high school. There are no proposed relevant projects in the current CIP.

Fire and Rescue:
Fire/Rescue had no objection to the proposal. Since the units will be sprinklered, a second point of access is not required.

Utilities:
The proposed development is in the jurisdictional area for water and sewer. The applicant is requesting a central sewerage system, with analysis provided below. The proposal shows a public waterline, per ACSA's review comments, as follows: *"Parcel is located in the North Fork South Zone Special Rate District. Due to the demand for fire hydrants a public water main will be required. ACSA may request these units be individually metered*." ACSA has no objection to the proposal.

Request for Central Sewerage System:
The applicant is also requesting approval of a central sewerage system for the proposed residential development (Attachment 7), which requires approval from the Board. This approval does not require action of the Planning Commission. The development would connect to public water and sewer.

Section 16 of the County Code defines a central sewerage system as a system designed to serve three or more connections. The proposed central sewerage system would serve 100 dwelling units and would require a sewer lateral connection to each dwelling unit. The central system would use a private sanitary force main, which would tie into a new public sanitary manhole adjacent to Route 29. The manhole would connect to a public gravity main under Route 29 and then to the existing public manhole at the RWSA pump station. The applicant includes the following information on monitoring the system: *"The pump station will consist of a remote monitoring system that will be managed by a contracted professional third party, a backup generator in case of loss of power, and an onsite alarm system in case of failure."*

There do not appear to be feasible alternatives for utilities for the site. The site is in the Development Areas and has environmental and topographically constraints; therefore,

drainfields would not be appropriate. Given the steep slopes, stream buffer, and floodplain constraints, connecting to adjacent parcels may be infeasible and would require significant impacts to environmental features. The proposed central system ultimately connects to public utilities. ACSA provided the following comments: *"This site has restrictive access, which would make routine maintenance to the pump station a challenge. This pump station is also serving a single parcel, so there will be no other developments connecting to the proposed pump station."*

Staff reviews requests such as this for conformity with the Comprehensive Plan and also for technical feasibility. County Engineer and Health Department approval of the final system specifications will be required prior to construction. The Comprehensive Plan discourages central systems in the Rural Area; however, it does not contain guidance on central systems in the Development Areas. Staff has no objection relevant to the Comprehensive Plan. The applicant has submitted the required application materials per 16-102(1-3), however has not yet submitted 16-102(4). Review of the full materials by the County Engineer, Health Department, and ACSA will be required prior to approval.

Anticipated impact on environmental, cultural and historic resources:
There are no known cultural or historic resources on the site. There are significant environmental resources on the site, including steep slopes and a portion of the Rivanna River (Attachment 2). The applicant has requested a Special Use Permit to disturb steep slopes to install a paved vehicular accessway for the development and to provide access to the river for stormwater management purposes. Additional analysis is included in the Special Use Permit section of this report.

While there will be some impacts to environmental resources with this development, the County Engineer and Planning staff find the impacts to preserved slopes to be acceptable and find that there would not be substantial negative impacts. No buildings or parking are in steep slopes or the stream buffer. Disturbance of preserved slopes is necessary to allow for vehicular access to the site. Buildings and parking are not permitted in preserved slopes, stream buffers, or the flood plain. The proposed development provides trails throughout the development to give residents access to the scenic environmental resources on the site. Potential negative impacts to environmental features are considered against the beneficial aspects of the proposal, including providing affordable housing and directing development to the Development Areas.

Anticipated impact on nearby and surrounding properties:
No significant impacts are anticipated on nearby and surrounding properties. The two parcels included in this development are surrounded by the Rivanna River. The development preserves the existing vegetated area surrounding the property. There is no connection to the NGIC properties to the north. In the future, there may be a pedestrian trail connection with the property to the south, which would be a beneficial connection to the greater trail system.

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. This proposal provides several housing types and provides 15 percent affordable units.

PROFFERS
There are no proffers proposed with this application.

SP201800023: ANAYLSIS OF THE SPECIAL USE PERMIT REQUEST
Special Use Permit request per 18-30.7.4(b)(2): *"The only use permitted by special use permit on preserved slopes are private facilities such as accessways, utility lines and appurtenances, and stormwater management facilities, not otherwise permitted by right under subsection (b)(1)(e), where the lot does not contain adequate land area outside of the preserved slopes to locate the private facilities."*

ANALYSIS OF THE SPECIAL USE PERMIT REQUEST:
Section 33.39(B) states that the Commission, in making its recommendation, shall consider the same factors found in Section 33.40(B):

1. No substantial detriment. Whether the proposed special use will be a substantial detriment to adjacent parcels.
There is no anticipated detriment to adjacent parcels. The disturbance of the preserved slopes is entirely contained to the site. Both the site and the boundaries of surrounding parcels contain environmental features that permit very limited development or disturbance, including preserved slopes, stream buffers, and floodplain. There are no structures on adjacent parcels that are near the proposed disturbance area, nor would there be in the future. Disturbance of steep slopes for the accessway removes terrain prone to erosion, however, it also increases runoff.

The applicant would need County Engineer review and approval of a VSMP application meeting the steep slopes standards of County Code 18-30.7.5 prior to any disturbance activities. The application states that: *"The disturbed material is expected to be mostly rock, which does not require mass earthwork and movement of dirt…The areas of disturbance will be limited to cutting and excavating the slopes, with no mass grading of the steep slopes planned, protecting downstream areas below. Any land disturbance will comply with applicable Virginia DEQ and Albemarle County Water Protection Ordinance Regulations."* The County Engineer has no objection to the Special Use Permit request to disturb steep slopes for the accessway. The County Engineer also has no objection to disturbance of slopes for the purpose of stormwater management facilities. The County Engineer has reviewed the general locations of the proposed facilities and found them to be acceptable.

It should be noted that while disturbance of steep slopes is needed for the accessway, disturbance of steep slopes for stormwater management facilities may not ultimately be needed during site planning. The applicant has chosen to include the disturbance request for the stormwater management facilities with this application so that the full request is contained in one special use permit, and the applicant does not need to submit an additional special use permit request in the future, should the disturbance be necessary.

2. Character of the nearby area is unchanged. Whether the character of the adjacent parcels and the nearby area will be changed by the proposed special use.
No change to the character of the nearby area is anticipated. Disturbance of preserved slopes is for widening the existing accessway to the development to meet County standards and for stormwater management facilities. The accessway will not be a private street. It will have the design and appearance of a rural road section, widening the existing accessway from 12 feet (of travelway, plus some shoulder area) to 28 feet (with 20 feet of travelway and 4 feet on each side for shoulders). This wider accessway is needed for safe and convenient vehicular travel, and for access for emergency vehicles. Further development of the site is not feasible without widening the accessway. The majority of the preserved slopes are left unchanged with this development, and the wooded character of the immediate area remains.

3. Harmony. Whether the proposed special use will be in harmony with the purpose and intent of this chapter,
The purpose and intent of the steep slopes overlay district per 18-30.7.1 is *"to establish an overlay district on those lands within the development areas of the county as delineated in the comprehensive plan which have steep slopes and for which additional development design care and consideration must be given, prior to permitted development occurring."*

Disturbance of preserved steep slopes: *"should be subject to appropriate consideration and care in their design and construction in order to protect the integrity of the steep slope areas, protect downstream lands and waterways from the adverse effects of the unregulated disturbance of steep slopes, including the rapid or large-scale movement of soil and rock, or both, excessive stormwater runoff, the degradation of surface water, and to enhance and preserve the character and beauty of the steep slopes in the development areas of the county."* The applicant's justification (Attachment 5) addresses how each of these provisions are met. The County Engineer concurs with this analysis. The applicant will need to meet all relevant County and State standards for slope disturbance and stormwater management, including the standards in 18-30.7.5 and an approved VSMP application.

a. with the uses permitted by right in the district,
By-right uses permitted in preserved steep slopes per 18-30.7.4(b)(1) include necessary public facilities, existing structures, and trails. The expanded accessway follows the existing accessway and will provide necessary access for the proposed dwelling units requested with the rezoning application. Although the requested density is above the Comprehensive Plan recommendation, *any* future development would require upgrading this accessway. There is also sufficient space for the proposed trails throughout the site.

b. with the regulations provided in Section 5 as applicable,
There are no applicable regulations in Section 5.

c. and with the public health, safety, and general welfare.
Based on the above analysis and the application, staff does not anticipate that the steep slopes disturbance would negatively affect public health, safety, and welfare. Additionally, the disturbance of steep slopes allows for development of the site and is consistent with

major aspects of the Comprehensive Plan, including providing development in the Development Areas and providing affordable housing. While the proposed density is above the recommended density in the Comprehensive Plan, any further development of this site would require disturbance of slopes for a safe accessway of sufficient width and potentially for stormwater management facilities.

4. Consistency with the Comprehensive Plan. Whether the proposed special use will be consistent with the Comprehensive Plan.
The favorable aspects of this proposal are weighed against the unfavorable aspects. While the proposed development may have some negative impacts on environmental features, staff finds the overall benefits outweigh these impacts. Additional analysis of the benefits of the proposed development are in the above rezoning analysis and include: providing affordable housing; providing a unique housing type; and directing development and density to the Development Areas.

The Natural Resources Chapter (Chapter 4) highlights the importance of protecting water and topographical resources in the County, especially the water quality of the Rivanna River. Strategy 5c states that steep slopes in the Development Areas should be protected, especially those adjacent to streams. While this development request requires disturbance of preserved steep slopes, staff finds that the favorable factors outweigh the unfavorable factors of the request. Land shown as Parks/Green systems in the Comprehensive Plan is preserved with this development. The proposal is located in the Development Areas, is providing affordable housing consistent with County policy, and is providing a unique type of housing that is not currently provided in the County. Development of the site would be infeasible without disturbance of preserved slopes, as the only means of access to the site is through preserved slopes.

Engineering staff has commented that disturbing preserved slopes for stormwater management purposes is acceptable, especially as the disturbance will ultimately result in stabilization of the river bank. Engineering staff finds that accessing the river may be necessary for stormwater management, however the applicant may decide to pursue an alternative design at the site planning stage if desired.

The County Natural Resources Manager commented on the importance of protecting biodiversity and on the existing stream quality issues in the Rivanna River:

"Segments of the North Fork Rivanna River (NFRR) are designated as impaired by Virginia Department of Environmental Quality (DEQ) for recreation (based on levels of coliform bacteria) and aquatic life (based on benthic macroinvertebrate data)…this section of the NFRR has been identified as Threatened/Endangered waters by the Virginia Department of Game and Inland Fisheries…due to observations of state or federally threatened or endangered freshwater mussels. The Rivanna River Corridor, which includes this project site, was identified as one of three Conservation Focus Areas in the County (Figure 8 in the amended Natural Resources Chapter). Conservation Focus Areas have significant biodiversity resources and high conservation value. In the case of the Rivanna River Corridor, there is habitat connectivity throughout much of the focus area. Impacts to natural

resources in the Conservation Focus Areas should be minimized and avoided when possible."

The proposed development contains new trails near the River but does not have any direct access to the River. There is existing development on the site, and the proposed development uses nearly the same location for its upgraded accessway as the current paved accessway. No subdivisions are proposed with the development request, and the site would remain as two parcels only (or be combined into one parcel). Therefore, staff does not find that the development would cause habitat fragmentation. Some of the existing houses on the site are within preserved slopes and stream buffers. The new development would not have any houses or parking areas within slopes or stream buffers. The proposed development is not in a water supply watershed.

ZMA201800018 AND SP201800023: SUMMARY AND MOTIONS

SUMMARY

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

1. The rezoning request and special use permit request are consistent with the majority of the recommendations within the Places29 Master Plan and the Comprehensive Plan.
2. The rezoning request is consistent with the majority of the applicable Neighborhood Model Principles.
3. The rezoning provides affordable rental housing that meets the housing policy within the Comprehensive Plan for a period of 10 years.

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

1. The density proposed with the rezoning application is above the recommendations within the Places29 Master Plan.
2. The request to disturb preserved steep slopes with the special use permit application could potentially create negative environmental impacts: erosion and sedimentation of the Rivanna River; and loss of wildlife habitat.

RECOMMENDATION: ZMA201800018

Based on the factors identified as favorable with this rezoning, staff recommends approval of ZMA201800018, River's Edge, with the following changes:

1. Revise the proposed number of units to be consistent with the recommended density in the Places29 Master Plan.
2. Update the application plan to show a public multi-use path along the full frontage with Route29.

RECOMMENDATION: SP201800023

Based on the findings described in this staff report and factors identified as favorable, staff

recommends approval of the Special Use Permit request, SP201800023 River's Edge, with the following conditions:

1. The limits of disturbance within the Preserved Steep Slopes Overlay District shall be limited to the sizes, locations, and extents of disturbance as proposed in the "River's Edge: Steep Slopes Disturbance" application prepared by Shimp Engineering, P.C. and dated February 28, 2020.
2. Improvements related to stormwater, drainage, and grading shown on the final site plan and water protection ordinance plan for River's Edge shall be in general accord with the same improvements and grading shown on the exhibits "River's Edge: Road Grading + Profile" and "River's Edge: Conceptual Stormwater" in the "River's Edge: Zoning Map Amendment Application Plan" application prepared by Shimp Engineering, P.C. and dated February 28, 2020.
3. If blasting of rock becomes necessary, the applicant will submit a blasting plan subject to review and approval by the County Engineer and other Authorities having jurisdiction prior to commencing such activity.
4. Two-layer erosion and sediment control measures will be installed around the perimeter of the site, where feasible, at the discretion of the County Engineer.
5. Erosion and sediment control measures will not be located within the floodplain limits.

PLANNING COMMISSION POSSIBLE MOTIONS for ZMA201800018:

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

   Move to recommend approval of ZMA201800018, River's Edge.

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

   Move to recommend denial of ZMA201800018, River's Edge (state reasons for denial).

PLANNING COMMISSION POSSIBLE MOTIONS for SP201800023:

C. Should a Planning Commissioner **choose to recommend approval** of this special use permit:

   Move to recommend approval of SP201800023, River's Edge, with the conditions outlined in the staff report.

D. Should a Planning Commissioner **choose to recommend denial** of this special use permit

   Move to recommend denial of SP201800023, River's Edge (state reasons for denial).

ATTACHMENTS:

Attachment 1: Vicinity Maps
Attachment 2: Environmental Features Maps
Attachment 3: Applicant Narrative, dated February 28, 2020
Attachment 4: Rezoning Application Plan, dated February 28, 2020
Attachment 5: Special Use Permit Application, dated February 28, 2020
Attachment 6: Right Turn Warrant Analysis
Attachment 7: Central Sewerage System Request
Attachment 8: Neighborhood Model Principles Staff Analysis
Attachment 9: County Ordinance and Policy for Accessory Units Staff Analysis
Attachment 10: Resolution on Anti-Displacement Policy approved by Board of Supervisors, September 18, 2019
Attachment 11: Staff Report for CCP201800004, dated October 16, 2018
Attachment 12: Planning Commission Minutes for CCP201800004

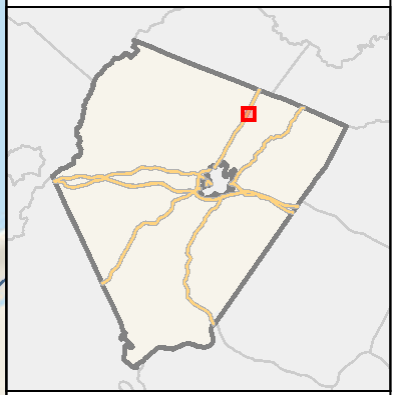


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Parcel Info

- ☐ Parcels



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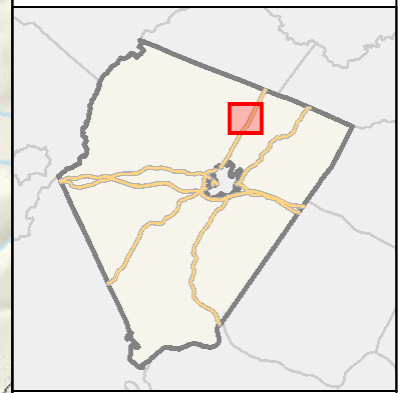
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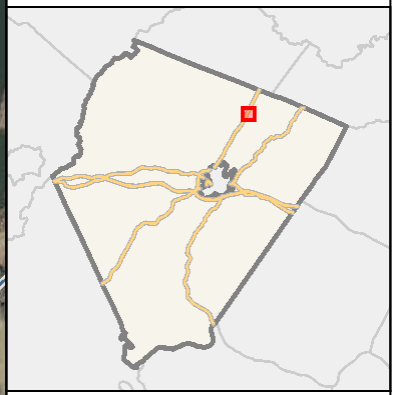


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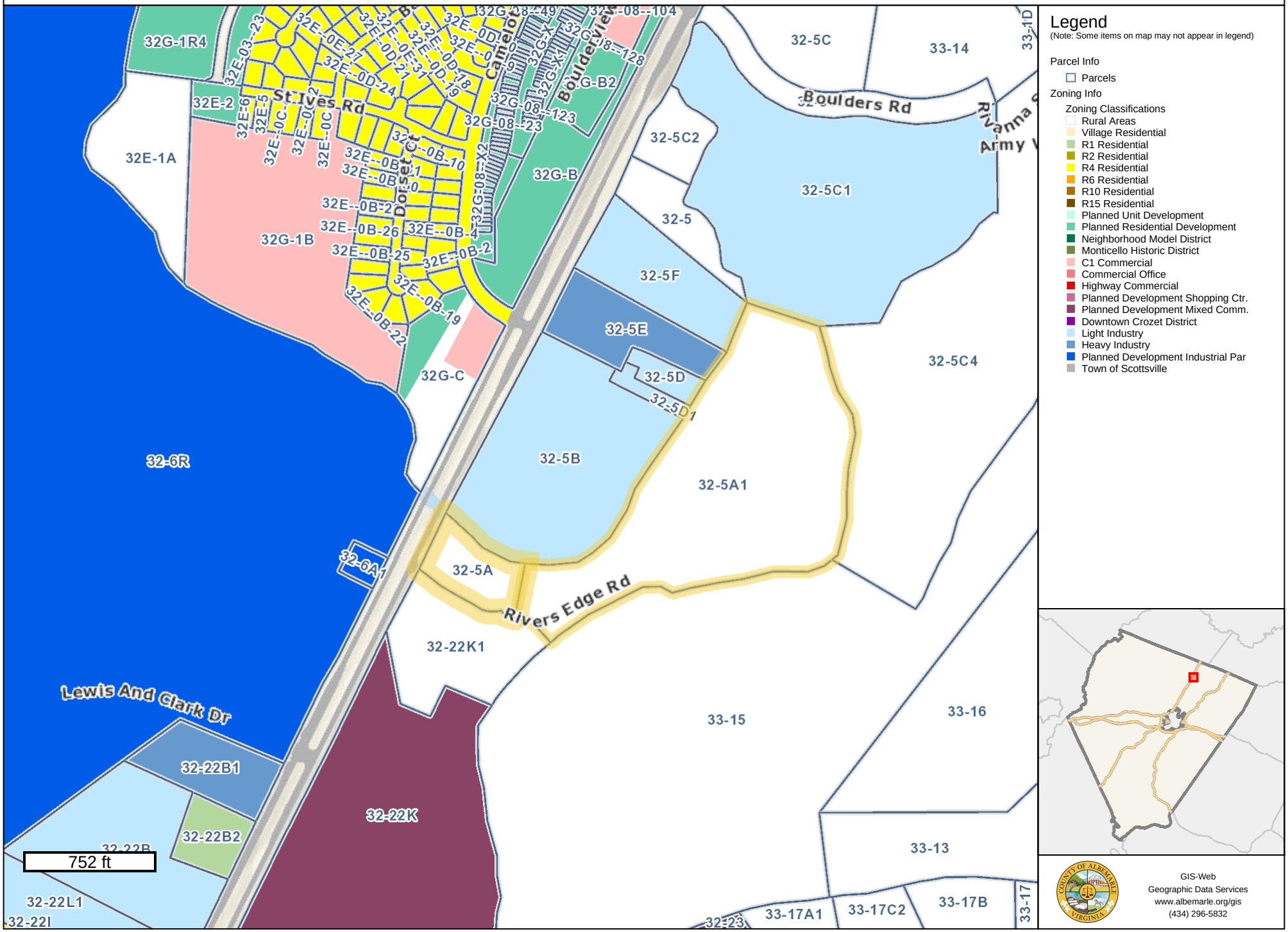


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Parcel Info

- Parcels

Zoning Info

Zoning Classifications

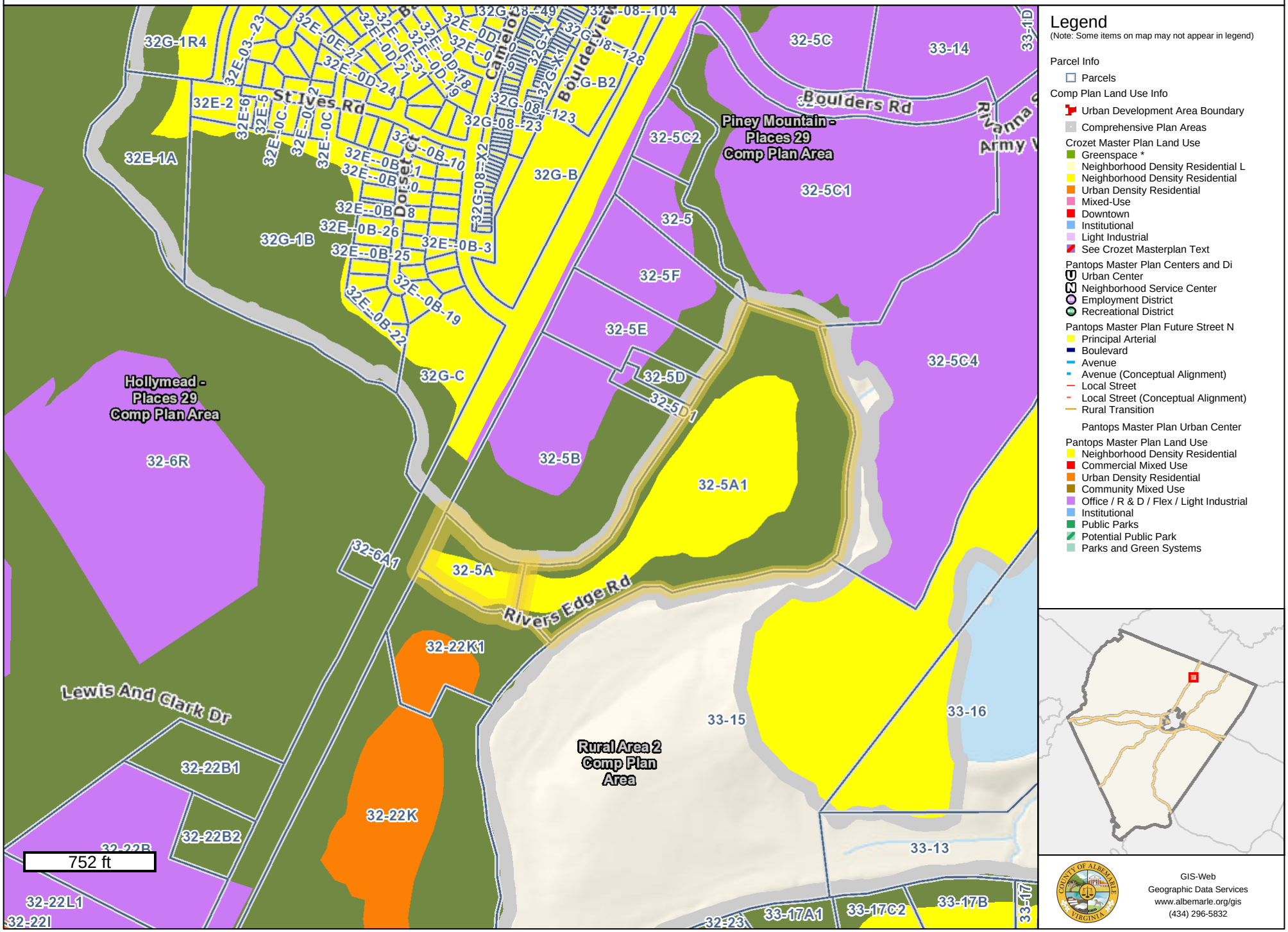
- Rural Areas
- Village Residential
- R1 Residential
- R2 Residential
- R4 Residential
- R6 Residential
- R10 Residential
- R15 Residential
- Planned Unit Development
- Planned Residential Development
- Neighborhood Model District
- Monticello Historic District
- C1 Commercial
- Commercial Office
- Highway Commercial
- Planned Development Shopping Ctr.
- Planned Development Mixed Comm.
- Downtown Crozet District
- Light Industry
- Heavy Industry
- Planned Development Industrial Par
- Town of Scottsville

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Legend

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Parcel Info
- Parcels

Comp Plan Land Use Info
- Urban Development Area Boundary
- Comprehensive Plan Areas

Crozet Master Plan Land Use
- Greenspace *
- Neighborhood Density Residential L
- Neighborhood Density Residential
- Urban Density Residential
- Mixed-Use
- Downtown
- Institutional
- Light Industrial
- See Crozet Masterplan Text

Pantops Master Plan Centers and Di
- Urban Center
- Neighborhood Service Center
- Employment District
- Recreational District

Pantops Master Plan Future Street N
- Principal Arterial
- Boulevard
- Avenue
- Avenue (Conceptual Alignment)
- Local Street
- Local Street (Conceptual Alignment)
- Rural Transition

Pantops Master Plan Urban Center

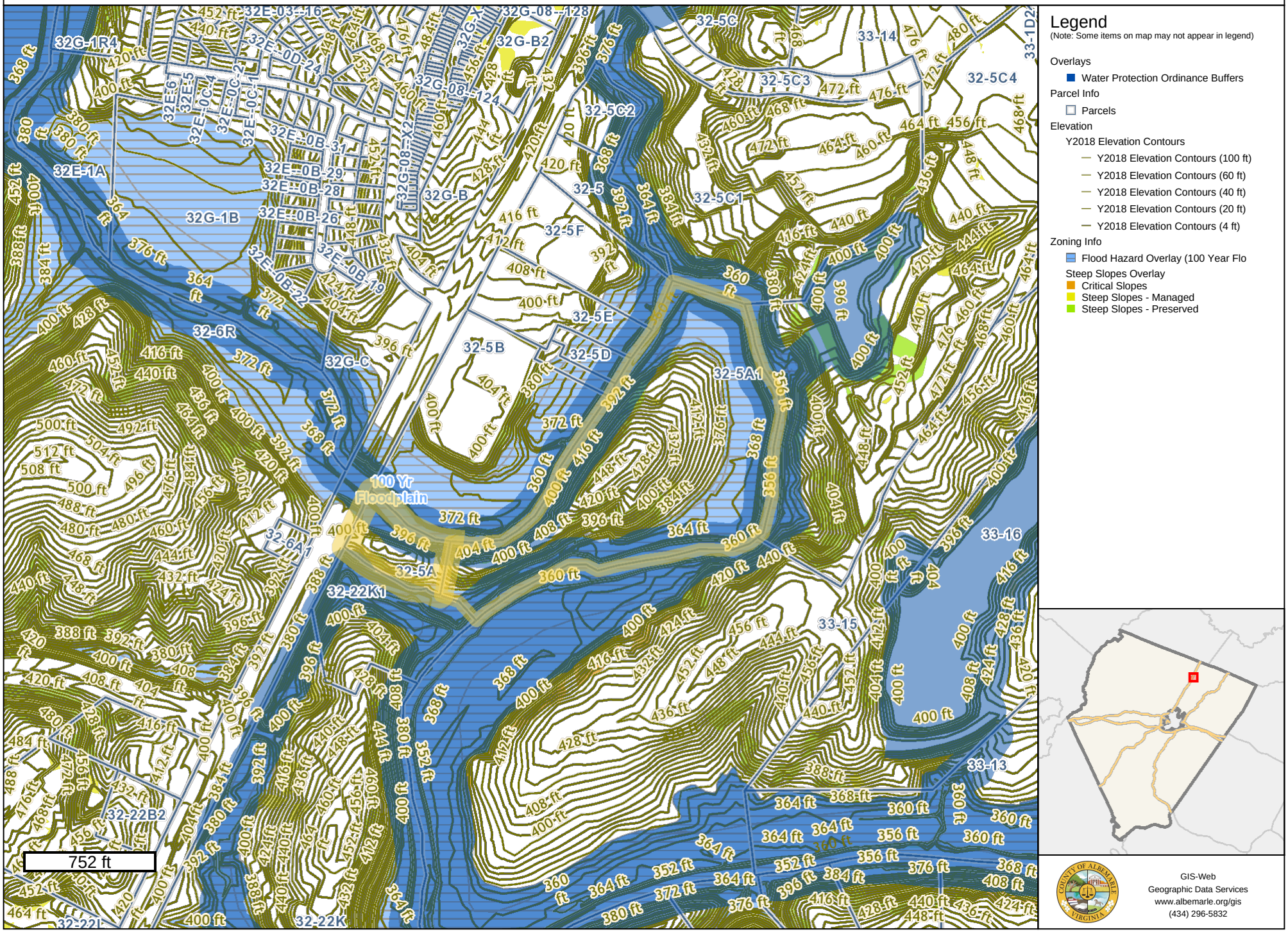
Pantops Master Plan Land Use
- Neighborhood Density Residential
- Commercial Mixed Use
- Urban Density Residential
- Community Mixed Use
- Office / R & D / Flex / Light Industrial
- Institutional
- Public Parks
- Potential Public Park
- Parks and Green Systems

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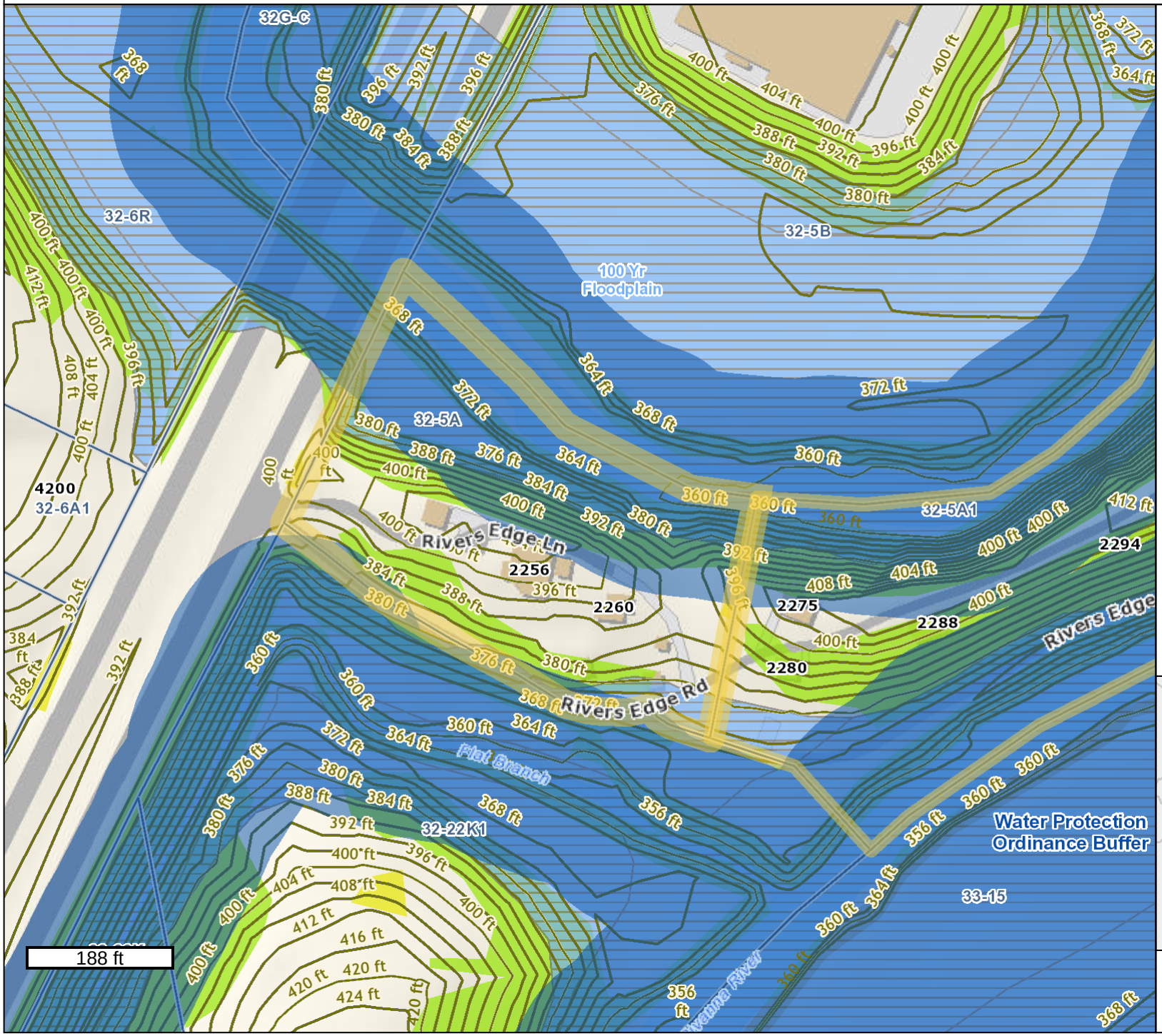
Steep Slopes Overlay
- Critical Slopes
- Steep Slopes - Managed
- Steep Slopes - Preserved

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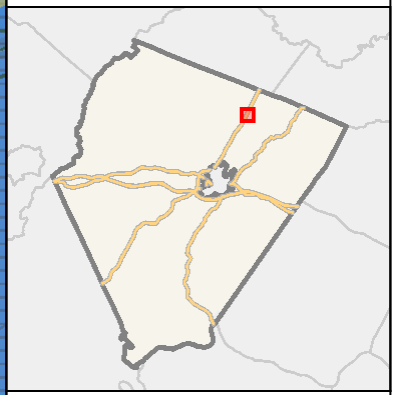
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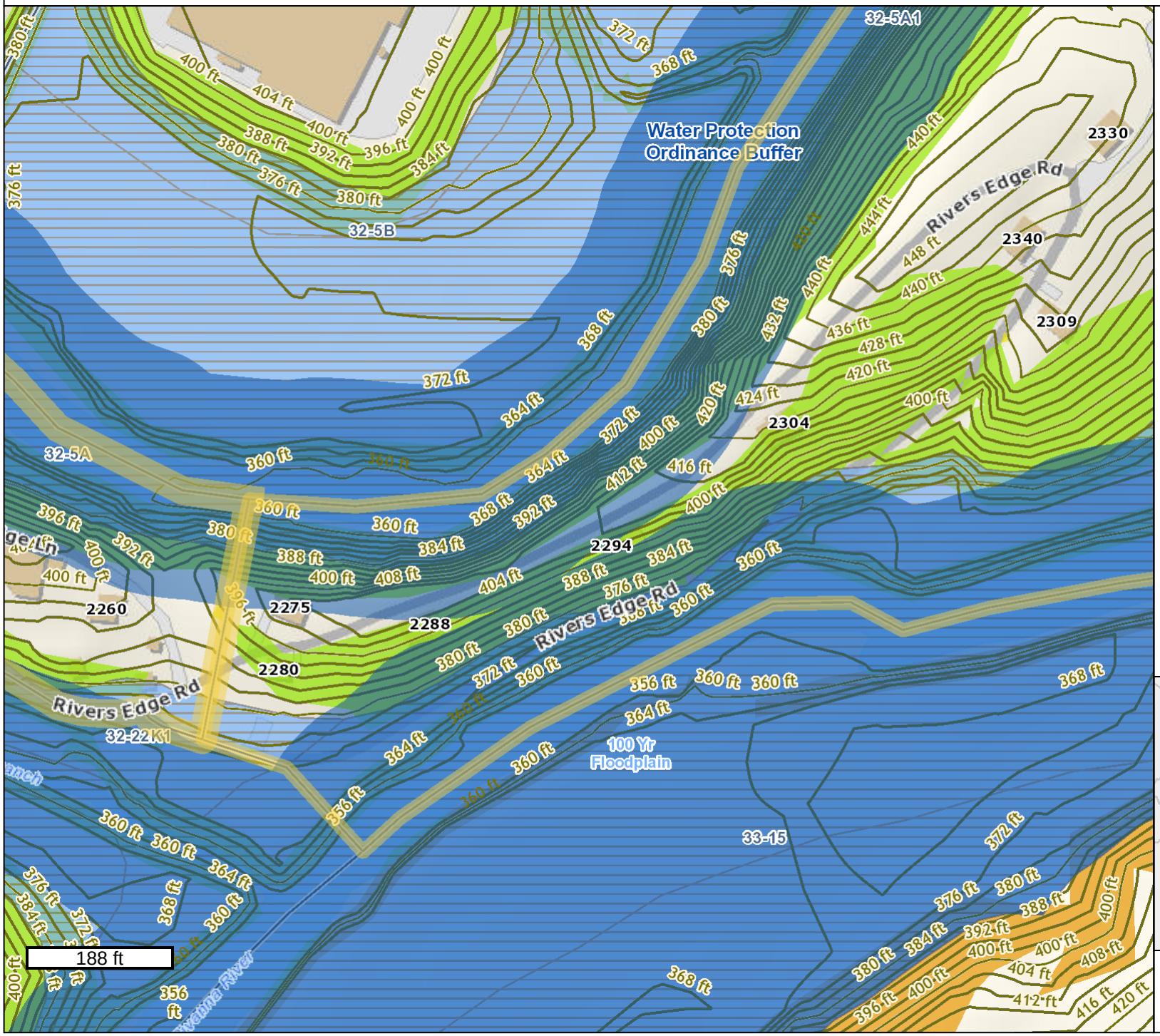


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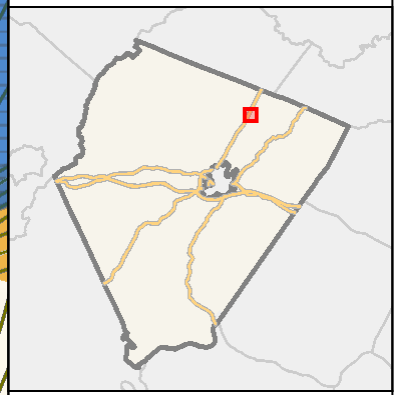
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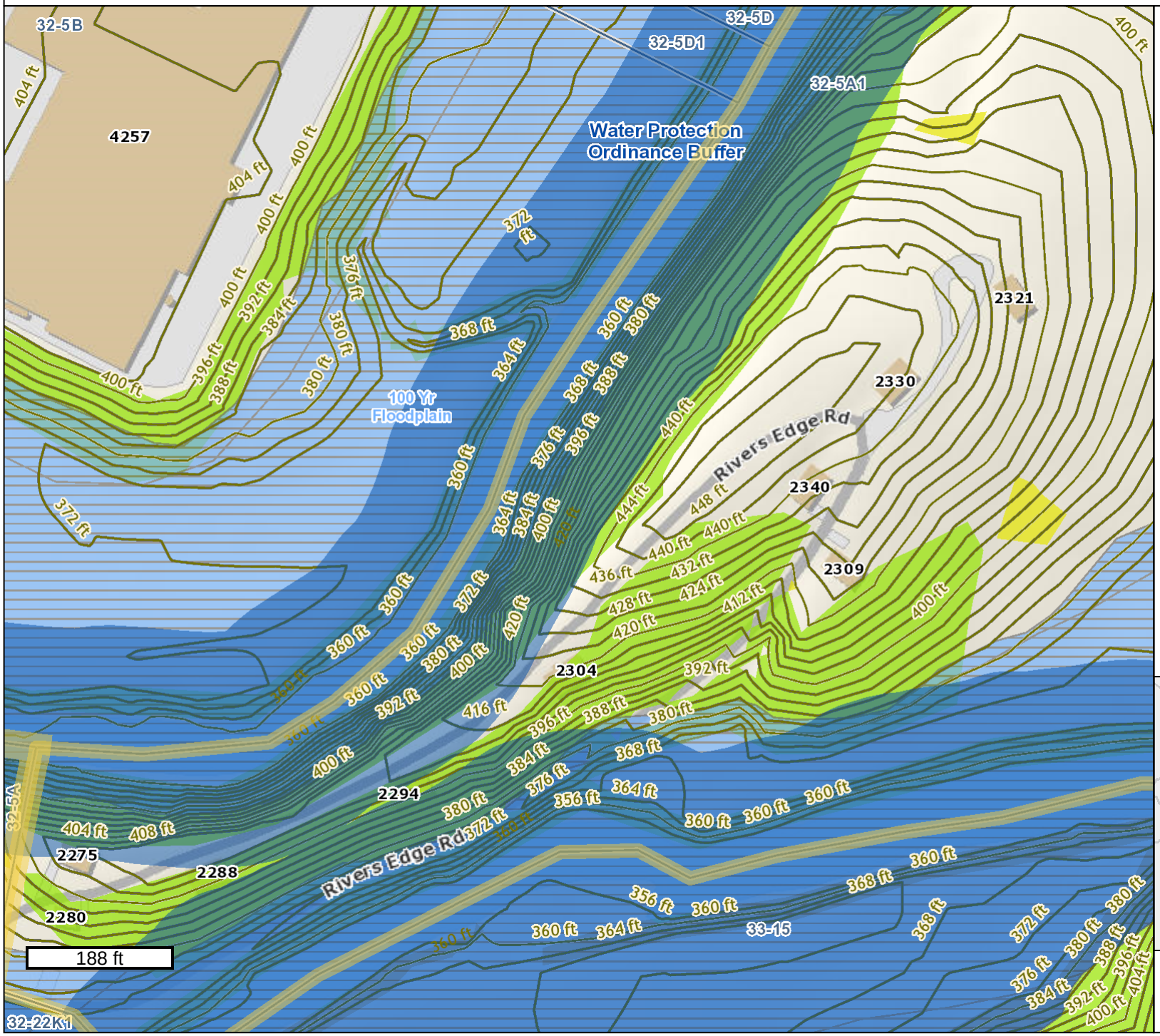


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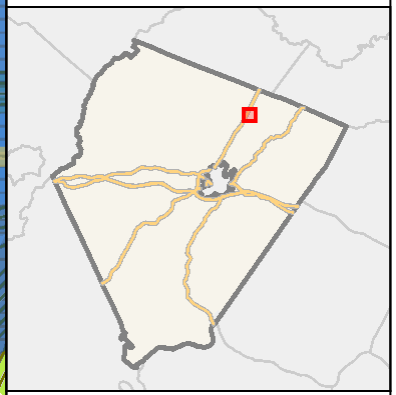
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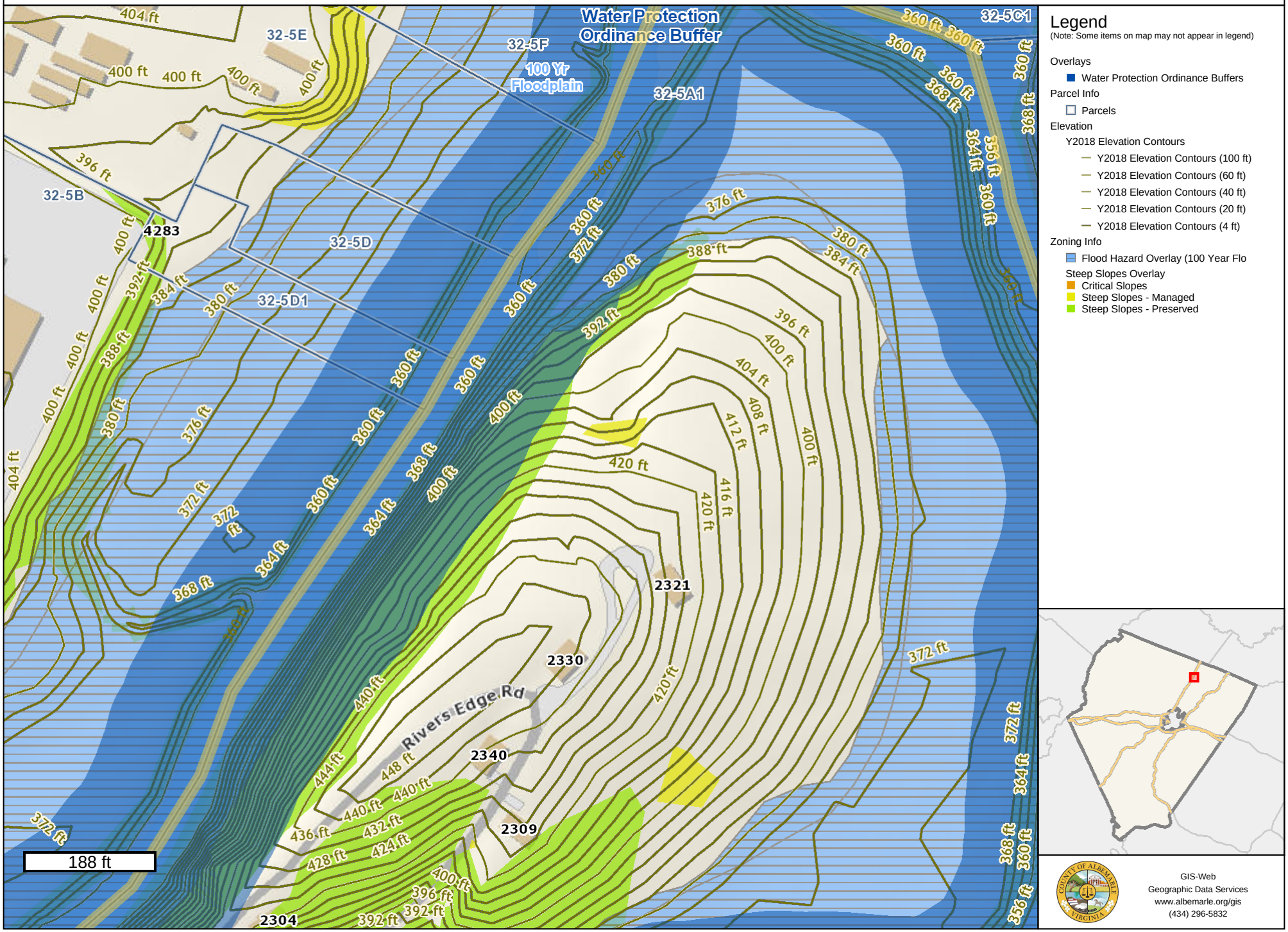


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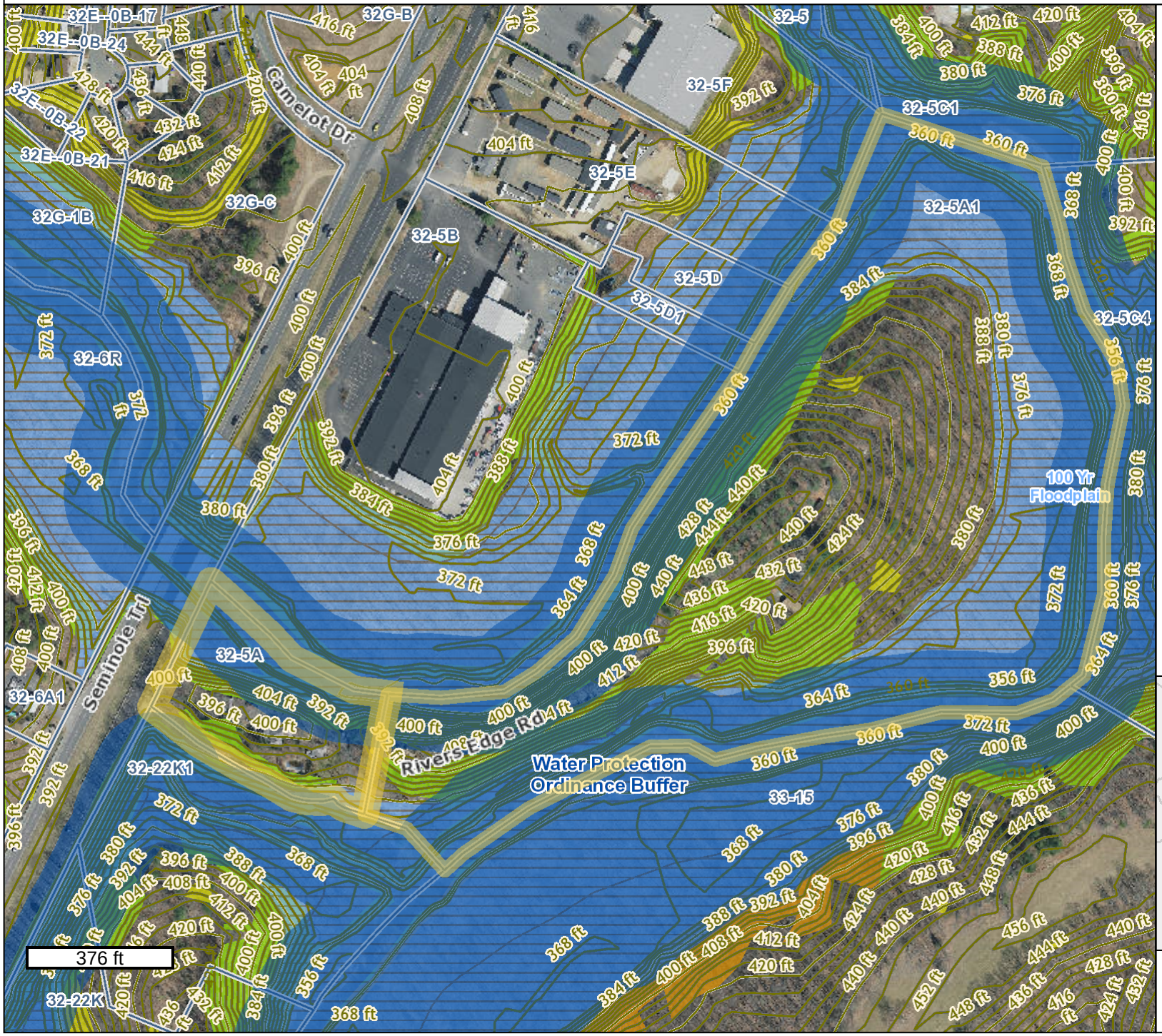
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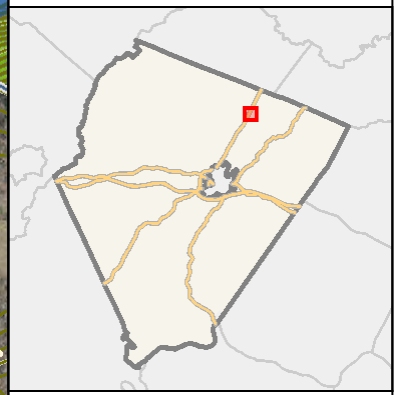
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ZMA2018-018 River's Edge
Application Narrative

Submitted: December 17, 2018
Revised: September 16, 2019
Revised: December 16, 2019
Revised: February 28, 2020

Property Overview:

	ACREAGE	EXISTING ZONING	COMP PLAN DESIGNATION
Parcel 5A	4.81	RA	Neighborhood Density (3-6)
Parcel 5A-1	27.71	RA	Neighborhood Density (3-6)
TOTAL:	32.52		

Project Proposal:

Rivers Edge Holdings LLC and Rivers Edge Associates LLC (collectively, the "applicant") are the owners of property located in Albemarle County, Virginia (the "County") designated on County Tax Maps as parcels 03200-00-00-005A and 03200-00-00-005A1 (collectively "the property"). The property is approximately 32.52 acres in the aggregate and is located approximately 1,000 linear feet north of the intersection of Lewis and Clark Dr. and U.S. Route 29 and just south of the National Ground Intelligence Center (NGIC) within the Hollymead Community, a designated Growth Area within Albemarle County. The applicant requests to rezone the property from Rural Areas to Planned Residential Development (PRD) to allow for a maximum of 100 size restricted units limited to a maximum of 1,200 square feet, with a maximum total residential footprint area set at 50,000 square feet.

The property is located at the North Fork of the Rivanna River, at a "horseshoe bend" in the River. The natural features of this property, notably the proximity to and views of the Rivanna River and the mature vegetation on the property, coupled with the direct adjacency of the property to Route 29 and close proximity to major employment centers at the National Ground Intelligence Center and the University of Virginia Research Park, create a unique opportunity for a residential community in the development areas with direct access to rich environmental assets, transportation networks, and employment opportunities.

We propose a residential community that maximizes density on developable portions of the property by proposing small pre-fabricated residential units that will be constructed as single, duplex, triplex, and quadruplex structures. The units are intended to interact with the existing landscape by implementing construction techniques, like pier foundations, that minimize disturbance of existing terrain. Mass grading on the site will be limited to roadway construction and parking areas. The existing roadway is proposed to be reoriented and improved to allow for easier maneuverability for future residents and safe and efficient access to the site for emergency vehicles. The parking areas will require mass grading to ensure the parking areas comply

with applicable site design requirements and to ensure some units onsite are ADA accessible from the parking lot.

Consistency with the Comprehensive Plan:

The comprehensive plan identifies the developable area of the parcels as neighborhood density residential, recommending a density of three (3) to six (6) dwelling units per acre. The land area in the neighborhood density residential area, less the areas designated as environmentally sensitive, result in a maximum recommended density of 51 dwelling units on the property. These units could be constructed as 51 single family detached units with accessory apartments, equating a maximum of 102 dwelling units. We contend the impact from 100 size restricted units is not greater than the impact from 51 single family dwellings with 51 accessory apartments.

The applicant proposes the conversion of the existing accessway to a pedestrian path near the property entrance from Route 29. The applicant intends to provide a public access easement on this accessway and additionally, in the future the applicant proposes to construct a pedestrian crossing across Flat Branch to provide pedestrian connections between the property and future neighborhoods to the south. Although, these pedestrian improvements do not directly align with the recommended multi-use path locations outlined in the comprehensive plan, they achieve ageneral multi-modal connectivity intent of the shared use path in this location. The proposed multi-use path location, as shown on the Places29 Parks and Green Systems Map North is shown adjacent to Route 29 in preserved slopes that, at present, have an approximate 50% grade from the outside edge of the Rt 29 shoulder to the banks of Flat Branch. Although this application does not propose the construction of the multi-use path as shown in the Places29 Master Plan, the pedestrian connections that are provided with this plan provide an initial framework for future connections from this site to future neighborhoods to the south. Further, the proposed pedestrian improvements with this application capitalize on existing infrastructure (i.e. the repurposing of the existing accessway as a pedestrian path) and therefore minimize the land disturbance specifically for the construction of pedestrian connections.

Impacts on Public Facilities & Public Infrastructure

Transportation

ITE's Trip Generation Manual, 10th Edition estimates 35 AM peak hour trips and 43 PM peak hour trips from the development. A total of 543 weekday trips is estimated from this development using ITE code 221 (multifamily housing).

Schools

The property lies within the Baker-Butler Elementary School district, Sutherland Middle School district, and Albemarle High School district. The following numbers have been provided by Albemarle County Public School systems.

Type of Dwelling Unit	Elementary	Middle	High	Total
Multifamily	0.12	0.03	0.05	0.21
100 Units	12	3	5	21

Parks

By focusing the buildable area efficiently, River's Edge is able to allocate 70% of total acreage to open space. Open space will include a system of primitive trails, with recreational fitness facilities along these walkways. The open space surrounds the buildable area, allowing for a sufficient buffer from the Rivanna River which is a

major asset of the property. A public access easement is additionally proposed for future interparcel connectivity between TMP 32-22K1 and River's Edge (TMP 32-5A and TMP 32-5A1), achieving the trail connection within the Places29 North Parks and Green Systems Master Plan. There is ample on-site recreation and outdoor opportunities proposed for future residents. The County's parks may see more users with new residents on the property, but it is not anticipated for new County residents to have negative impacts on shared public space, especially in a development where convenient access to nature is proposed just outside residents' doors.

Safety

The property is within the response district of the Hollymead Fire Station and Hollymead Rescue Squad. The property is patrolled by the Jefferson Police District, Sector 3, Beat 9. According to American Community Survey (ACS) 2017 5-year estimates, there are approximately 2.62 per household in Albemarle County[1]. Using this estimate there could potentially be 262 residents on the property. As the proposed development is more similar to multifamily household characteristics in unit size than that of traditional single family detached, it is our position that the household size on this property would be 1.97 people per household, 25% smaller than the County average. With a maximum of 100 units proposed on this site, there could potentially be 197 new residents within the Hollymead Fire Station and Hollymead Rescue Squad District.

Impacts to Public Water & Sewer

The proposed development will connect to public water and sewer. There are minimal anticipated impacts on public facilities and infrastructure from the development. Effluent from the site will be collected in a private pump station that will ultimately connect to public sewer.

Impacts on Environmental Features

As a Planned Residential Development, the design of River's Edge aims to be mindful of the surrounding environmental features. Travel ways and parking will require the most disturbance and have been located strategically to minimize required mass grading into environmentally sensitive features. Currently, the entrance road into the property is insufficient and will require widening of the road to 20' with additional graded shoulders to ensure safety when moving through the site. This will result in approximately 16,000 square feet of steep slopes disturbance and approximately 21,800 square feet of stream buffer disturbance. An additional 23,100 square feet of steep slopes disturbance is proposed for private stormwater facilties. By locating the travel ways and parking as shown in the proposed concept plan and exhibit, we are able to conserve 70% of the development for open space. The small, prefabricated footprint of the residential buildings are intended to minimize the disturbance, as they are retrofitted into the landscape. Mass grading of the road and parking is needed to comply with applicable site design requirements, as well as to ensure safe access for both residents and emergency vehicles.

Proposed Proffers to Address Impacts

The applicant has included certain commitments within the proffered application plan such as:

- Commitment to 15% affordable housing
- Maximum building footprint area
- Maximum unit size

Open Space & Recreation Narrative

The application plan proposes alternatives to recreational facilities and equipment as proposed in Sec. 4.16.2. Please consider the following when evaluating the alternatives proposed in the application plan:

[1] Table "S2501" Occupancy Characteristics. U.S. Census Bureau, 2013-2017 American Community Survey 5-Year Estimates

1. Why natural alternatives?

The River's Edge property sits at a unique location as a property that is virtually surrounded by the North Fork Rivanna River. The presence of the river, mature trees, and sloping landscape from a high point near the center of the property down towards the river create a nature escape while being easily accessible to Route 29 and within close proximity to the University of Virginia Research Park and the National Ground Intelligence Center. The residential community proposed with this development will be comprised of small pre-fabricated units, all less than 1,200 square feet that will be pieced together as multifamily units. These small footprint units are able to be flexible in orientation, allowing for the structures to be set around preserved trees and stepped into the landscape. With this proposal, the intent of the overall development intends to support the enclosed, wooded feel of the property. The proposal seeks to align with the natural character of the site, such as exploring alternative materials other than concrete for pedestrian walkways. Likewise, a traditional playground may not be the most complementary recreational space for this property. Section 4.16 of the Albemarle County Ordinance would require two tot lots for this property, each consisting of 1) one swing, 2) one slide, 3) two climbers, 4) one buckabout or whirl, and 5) two benches. While these tot lot requirements may fulfill playspace and recreational needs in other areas of the county, River's Edge presents a distinct opportunity to encourage play and interaction with the natural environment.

2. Benefits of natural play vs. prescribed play

Play is an integral component of childhood development[2]. Engaging in play encourages children to explore, experiment, learn social dynamics, and make decisions. Active play additionally contributes to healthy bodies, both physically and mentally. With the increases in screen time, sedentary recreational behavior has increased as well, with children often developing unhealthy relationships, or even addictions, to technology[3]. Simultaneously, children have become more detached from the natural world, due to sedentary lifestyles as well as changes in urban development and perceived safety of outdoor play[4]. The movement towards natural playscapes is an effort to reconnect children with the natural world and nature play that was once prevalent everywhere. Nature play has been proven to "improve moods and reduce stress, anxiety, and levels of attention deficit hyperactivity disorder symptoms in children."[5] Access to child-directed play in nature additionally becomes "the most common influence on the development of life-long conservation values."[6] Children need access to nature for healthy development and wellbeing, and while the County provides a robust park network in the area, River's Edge could provide access to nature right outside their doorsteps.

Not all play is equal. A playground set is designed to allow for specific functions and uses, and although they do encourage outdoor recreation for children, the play possibilities are given to the children, rather than created by them. Traditional playground sets typically "encourage children to act out familiar scenarios filled with predictability…Premade props for dramatic play do not offer the challenges or opportunities that arise when children must find natural items they can use to represent what they envision."[7] Unstructured, child-directed play additionally creates scenarios of risk and challenge, which are critical components of cognitive engagement in understanding and setting limits, while developing a sense of responsibility.[8] Nature play offers a more flexible design, creating an environment for unstructured, child-directed play that enhances use of creativity, engagement, and social interaction[10].

3. Current Requirements and Nature Alternatives

According to Section 4.16 of the Albemarle County Zoning Ordinance, the River's Edge property would be required to provide two tot lots. Each must consist of 1) one swing (four seats), 2) one slide, 3) two climbers, 4) one buckabout or

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[2] Ginsburg, Kenneth R. "The Importance of Play in Promoting Healthy Child Development and Maintaining Strong Parent-Child Bonds." *Pediatrics*, vol. 119, no. 1, 2007, pp. 182–191., doi:10.1542/peds.2006-2697.

[3] Whittle, Imogene. "Nature Play in Early Years Education." *Nature Play QLD - Getting Our Kids Outdoors*, Nature Play QLD, 16 July 2016, www.natureplayqld.org.au/nature-play-in-early-years-education.

[4] Louv, Richard. *Last Child in the Woods: Saving Our Children from Nature-Deficit Disorder*. Atlantic Books, 2013.

[5] *Cities Alive: Designing for Urban Childhoods*. ARUP, 2017, *Cities Alive: Designing for Urban Childhoods*, www.arup.com/perspectives/publications/research/section/cities-alive-designing-for-urban-childhoods.

[6] Finch, Ken. "A Parent's Guide to Nature Play." *Green Hearts*, Green Hearts Institute for Nature in Childhood, 2009, www.greenheartsinc.org/uploads/A_Parents__Guide_to_Nature_Play.pdf.

[7] Kiewra, Christine, and Ellen Veselack. "Playing with Nature: Supporting Preschoolers' Creativity in Natural Outdoor Classrooms." *The International Journal of Early Childhood Environmental Education*, vol. 4, no. 1, 29 Aug. 2016, pp. 71–96., naturalstart.org/sites/default/files/journal/10._final_kiewra_veselack.pdf.

[8] *Nature Play in the Built Environment: Design Standards and Guidelines*. Valerian LLC, 2017, *Nature Play in the Built Environment: Design Standards and Guidelines*, valerianllc.com/wp/wp-content/uploads/2017/11/Nature-Play-Design-Guidelines.pdf.

whirl, and 5) two benches. The intent of this requirement is to encourage a range of physical activity in children within an adequate fenced-in space of 2000 square feet. The function of these playground pieces could be broken down into what these children obtain from these particular objects. When considering natural playscapes for River's Edge, this lens of functional meaning of traditional playgrounds could be significant in understanding how natural alternatives could sufficiently comply with current recreational requirements.

The following table describes specific functions that children could perform with the required equipment. At this stage, these natural alternatives are suggestions for how current regulations could be satisfied through these substitutions and specific implementations will be explored at site plan and under the approval of the Zoning Administrator and Director of Planning.

Required Equipment	**What is it used for?**	**With whom?**	**Proposed Natural Alternative**
Swing	• Sit on/swing • Get higher views • Push other children on swing • Encourage teamwork/turn-taking, friendly competition of swing height	• Alone • With other children • With adult	• Swings could still be used with more natural features incorporated (ex: tree swings) • Natural structures that are conducive for climbing/hanging/swinging by arms (ex: fallen log with limbs at varying heights)
Slide	• Sit on/slide down • Moving from one location to the other (in a fun way) • Climb up the slide • Hide under • Turn-taking	• Alone • With other children	• Slides could still be used with logs set into natural topography as 'stairs,' or slide set on top of boulders (see climber alternatives below) • Hobbit house • Hollowed out tree trunk
Climbers	• Climbable surface • Able to see from higher ground • Hide under • Hanging from arms/legs	• Alone • With other children	• Natural mound • Large boulders ("rock landscape") • Fallen log will limbs at varying heights
Buckabout/whirl	• Sit on • Move around in place • Controlling movement of object	• Alone • With other children	• Log steppers or log balancing course • Movable objects (see loose objects below)
Benches	• Sit on, used as surface		Provided typically for parents to directly supervise children within a fenced-in area. Depending on circumstances, benches may not be necessary, especially as the natural playscape may not be confined to a specific area. Benches may be periodically provided along the trail system on the property; exact locations will be explored at site plan.
½ Basketball Court			1 multipurpose court

The described natural alternatives are just a few suggestions for incorporating nature play that sufficiently meets the intent of the current recreational regulations of the Albemarle County Code. Because nature play structures aim to create environments that are open-ended, the varieties in design and implementation are endless. Whereas playground equipment

carries specific prescribed play enactments, these flexible nature playspaces encourage scenarios where the active creativity of the children can direct playtime. Whereas traditional playgrounds are fixed in place and confined within a specific area, nature play can also make use of loose material play. Feelings of ownership and autonomy could be better developed with play with loose parts, as "the joy of play in nature is largely derived from the opportunities it provides to imagine, manipulate, create, and re-create their environments."[10] Loose material play can also be pulled directly from the surrounding environment, making this relatively low-cost and provide a learning opportunity for children of native flora and fauna. An example of loose material play could include kitchen structures, art stations, or block play areas. In addition to physical functionality, other nature play designs could include other sensory engagement, such as sound emitting or musical play, contributing to overall social and emotional growth.[9] Play involving the river could also be considered as a development on the 'River's Edge.' As much of the property is within the floodplain, children should be educated on the purposes of the floodplain, while fun and play could take place in designated areas of the community. Children could learn about the history of the Rivanna River and the dynamic qualities and ecology of waterways.

As part of the active recreational area, River's Edge additionally proposes a trail network throughout the site. Pedestrian walkways will be provided along parking areas, with primitive trail networks providing foot access to dwelling units and surrounding open space. In addition to a minimum of 4,000 square feet of natural play areas, approximately 2,200 (0.4-mile) linear feet of trails is proposed, which will include fitness trail amenities. Fitness trails provide equipment that can build strength, flexibility, and cardio health. As River's Edge intends to limit disturbance where possible, linear recreational equipment adjacent to the trails is the most appropriate implementation, rather than one specific area dedicated to a tennis court. Typically, a ¼-mile to 1-mile trail network contains about 10 different stations[10], however Pen Park in the City of Charlottesville includes a ½-mile fitness trail with 20 stations. Further details will be negotiated at site plan for an appropriate number of stations.

[9] "Play." *Learning By Nature*, Learning By Nature, 16 Jan. 2019, learningbynature.org/.
[10] "10 Station Fit-Trail." *Fit-Trail*, 2011, www.fittrail.com/10station.html.

ZONING MAP AMENDMENT

APPLICATION PLAN

ZMA201800018

RIVER'S EDGE

TMP(s) 32-5A & 32-5A1

project ID: 15.064

Submitted 17 December 2018
Revised 16 September 2019
Revised 16 December 2019
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Context Map

Sheet 1 of 29

INDEX OF SHEETS

1 - Cover & Context Map
2 - Site & ZMA Details
3 - Existing Conditions
4 - Existing Conditions
5 - Land Use
6 - Open Space
7 - Open Space & Recreational Facilities
8-9 - Precedent Natural Play Images
10 - Building Envelope
11 - Proposed Circulation
12 - Conceptual Water & Sewer
13 - Conceptual Grading
14-18 - Road Grading + Profile
19-22 - Conceptual Stormwater
23 - Steep Slopes Disturbance
24 - Stream Buffer Disturbance
25 - Site Section A-A'
26 - Site Section B-B'
27 - Site Section C-C'
28 - Street Section
29 - Supplementary Regulations

Image Source: Google Maps

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RIVER'S EDGE
SITE & ZMA DETAILS

OWNER/DEVELOPER
Rivers Edge Holdings LLC & Rivers Edge Associates LLC
C/O Access Properties
2027 Woodbrook Ct
Charlottesville, VA 22901

PROPERTY ADDRESS
2260-2280 Rivers Edge Road
Charlottesville, VA 22911

DISTRICT
Rivanna

STEEP SLOPES & STREAM BUFFER
There are existing steep slopes and stream buffers on site.

SOURCE OF BOUNDARY AND TOPOGRAPHY
Compiled from the Albemarle County Office of Geographic Data Services GIS Data. Topographic road survey completed by Brian Ray, Roger W. Ray & Associates, Inc. Surveying, September 2018.

FLOODZONE
According to the FEMA Flood Insurance Rate Map, effective date February 4, 2005 (Community Panel 51003C0286D), this property does lie within a Zone AE 100-year flood plain.

WATER SUPPLY WATERSHED
Non-Watershed Supply Watershed

WATER AND SANITARY SERVICES
Provided by Albemarle County Service Authority (ACSA)

FIRE CODE
Units will be provided with an automatic sprinkler system

USE
EXISTING: R1 - Residential
COMPREHENSIVE PLAN: Neighborhood Density Residential & Private Open Space
PROPOSED: Residential & Private Open Space

ZONING
EXISTING: Rural Areas
OVERLAY: Airport Impact Area, Entrance Corridor, 100-Year Floodplain, Steep Slopes - Managed & Preserved
PROPOSED: Planned Residential Development (PRD)

PROPOSED UNITS
100 size-restricted units: maximum unit size 1,200 SF
Gross density of 3 units/acre (32.52 acres total), net density of 11.6 units/acre (8.62 developable).

OPEN SPACE
Open space area shall be provided in accordance with Sec. 4.7 of the Albemarle County Zoning Ordinance.
Recreational area shall be provided in accordance with Section 4.16 of the Albemarle County Zoning Ordinance. Recreational facilities as provided for in Section 4.16.2 may be substituted with equipment and facilities as provided for in this Application Plan and as approved by the Director of Planning and Community Development.

USE TABLE NOTES
1. Total footprint area of residential buildings not to exceed 50,000 SF
2. Setbacks are not provided as the property is not to be subdivided.

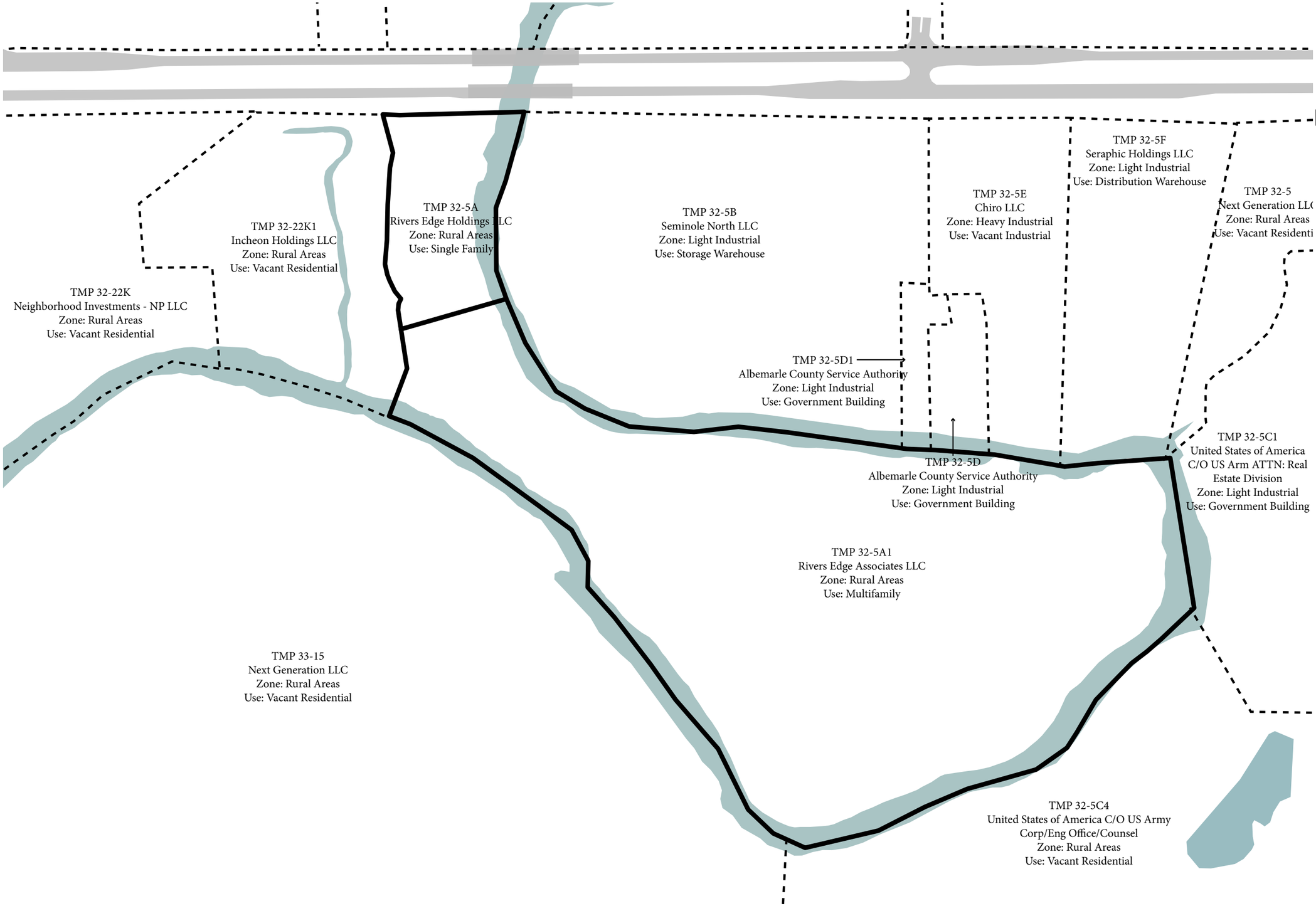
USE TABLE

PROPOSED # OF DWELLING UNITS[1]	100
UNIT TYPE	Single-family dwelling, two-family dwelling, triplex, quadruplex
NON-RESIDENTIAL SQUARE FOOTAGE (excluding recreational facilties required by Section 4.16)	4,000 SF
MAXIMUM HEIGHT	35'
MAXIMUM GFA PER UNIT	1,200 SF
BUILDING SEPARATION	10' unless the building shares a common wall; 5' off of each building side for a total of 10' between buildings
BUILD-TO LINES[2]	50' from US Route 29 5' from parking areas, travelways, accessways, and pedestrian paths
ALLOWABLE USES	Residential units as provided for in this Application Plan. The following uses of Sec. 19.3.1 shall be permitted by-right: **(1)** Parks, playgrounds, community centers and noncommercial recreational and cultural facilties such as tennis courts, swimming pools, game rooms, libraries, and the like; **(2)** Electric, gas, oil and communication facilties, excluding tower structures and including poles, lines, transformers, pipes, meters and related facilities for distribution of local service and owned and operated by a public utility. Water distribution and sewerage collection lines, pumping stations, and appurtenances owned and operated by the Albemarle County Service Authority. Except as otherwise expressly provided, central water supplies and central sewerage systems in conformance with Chapter 16 of the Code of Albemarle and all other applicable law; **(3)** Public uses and buildings including temporary or mobile facilities such as schools, offices, parks, playgrounds and roads funded, owned or operated by local, state or federal agencies; public water and sewer transmission, main or trunk lines, treatment facilities, pumping stations and the like, owned and/or operated by the Rivanna Water and Sewer Authority; **(4)** Temporary construction uses; **(5)** Accessory uses and structures including home occupation, Class A and storage buildings; **(6)** Group home; **(7)** Stormwater management facilities shown on approved final site plan or subdivision plat; **(8)** Tier I and Tier II personal wireless service facilities; **(9)** Family day homes; **(10)** Homestays The following uses of Sec. 19.3.2 shall be permitted by approval of a special use permit: **(1)** Child day center; **(2)** Fire and rescue squad stations; **(3)** Assisted living facility, skilled nursing facility, children's residential facility, or similar institution; **(4)** Electrical power substations, transmission lines and related towers; gas or oil transmission lines, pumping stations and appurtenances; unmanned telephone exchange centers; microwave and radio-wave transmission and relay towers, substations and appurtenances; **(5)** Home occupation, Class B; **(6)** Religious assembly use; **(7)** Stand alone parking and parking structures; **(8)** Swim, golf, tennis or similar athletic facilities; **(9)** Offices; **(10)** Tier III personal wireless service facilities; **(11)** Historical centers, historical center special events, historical center festivals; **(12)** Farmers' market

Submitted 17 December 2018
Revised 18 September 2019
Revised 16 December 2019
REVISED 28 FEBRUARY 2020
Project: 15-06
SITE ENGINEERING INC.

ZONING MAP AMENDMENT
APPLICATION PLAN
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RIVER'S EDGE
EXISTING CONDITIONS
Sheet 3 of 29



225 0 225 450 675
Graphic Scale: 1"= 225'

Additional Notes:

1. Source of property boundaries on sheet 3: Albemarle County GIS

TMP(s) 32-5A & 32-5A1

Submitted 17 December 2018
Revised 16 September 2019
Revised 16 December 2019
REVISED 28 FEBRUARY 2020

project: 15.064

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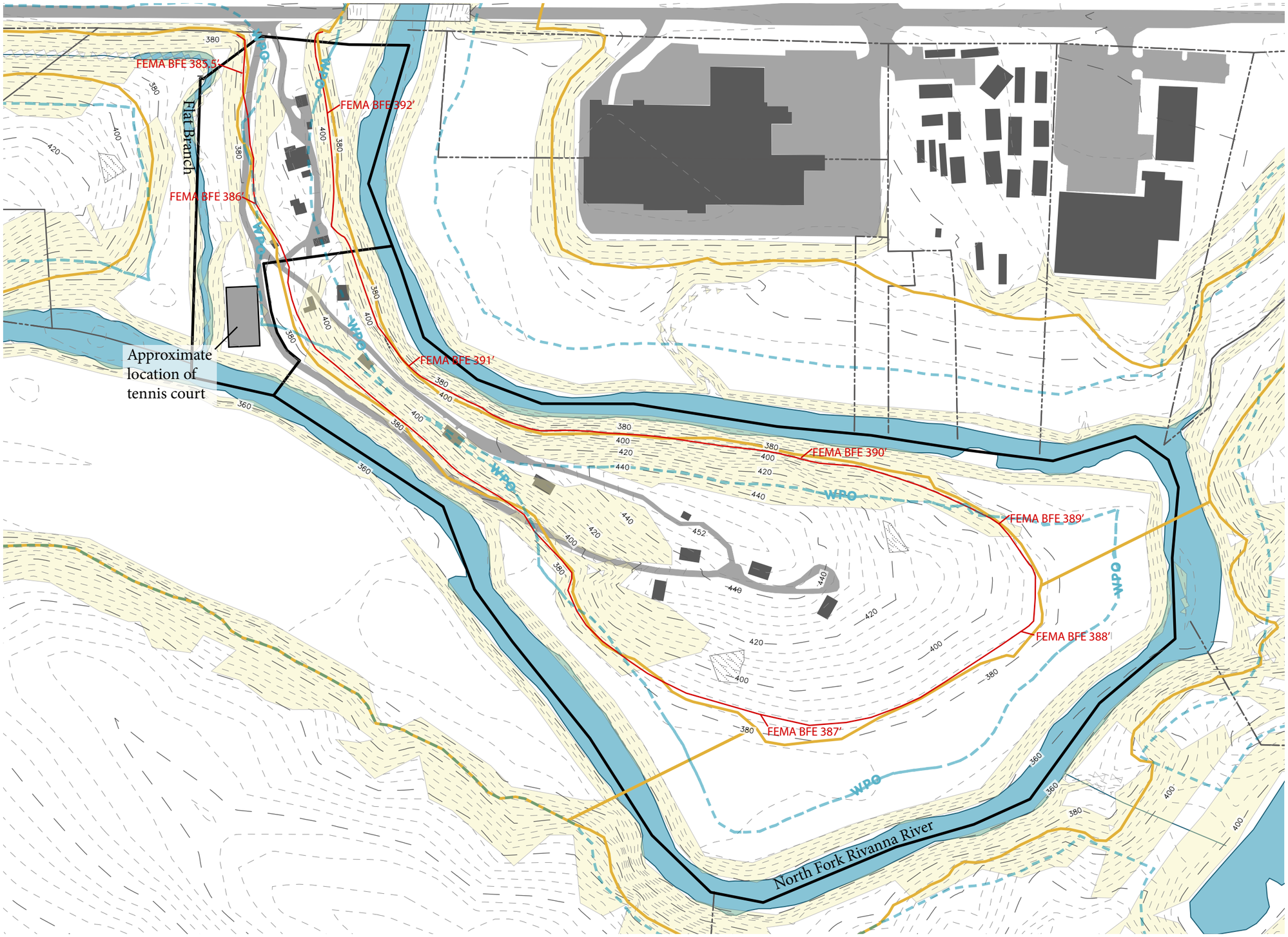
ZONING MAP AMENDMENT
APPLICATION PLAN
ZMA201800018

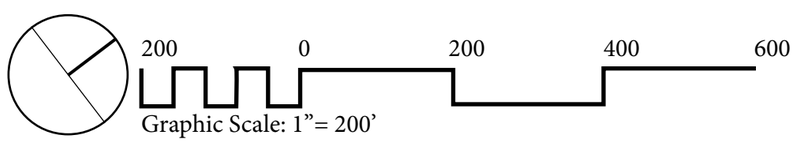
RIVER'S EDGE
EXISTING CONDITIONS

Additional Notes:

1. Source of dashed parcel boundaries: Albemarle County GIS

2. Source of parcel boundary for TMP 32-5A and 32-5A1: plat of record and approximate survey data





Key

- GIS Parcel Boundary
- FEMA Base Flood Elevation
- Stream
- 100-Year Floodplain
- Water Protection Ordinance Buffer
- Waterway
- Existing Accessway
- Steep Slopes: Preserved
- Steep Slopes: Managed

TMP(s) 32-5A & 32-5A1

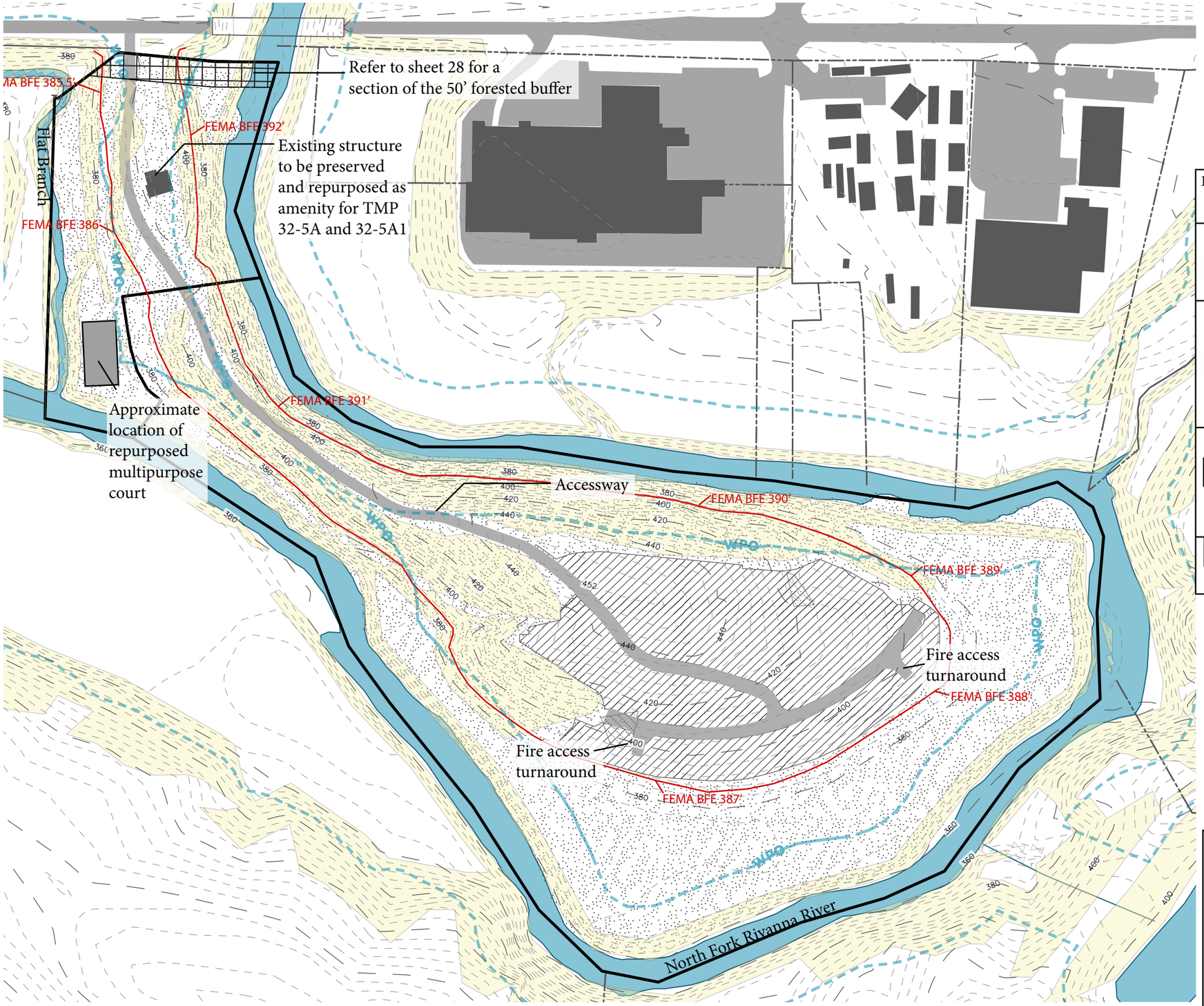
Submitted 17 December 2018
Revised 16 September 2019
Revised 16 December 2019
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APPLICATION PLAN
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RIVER'S EDGE
CONCEPT PLAN
Sheet 5 of 29



LEGEND	LAND USE	PROHIBITED USES	PERMITTED USES
	Accessway Reservation*	Residential & non-residential buildings	Travel ways, ingress/egress, grading, landscaping, utilities, along with other uses typically permitted within a ROW
	Buildable Area	None	Residential and non-residential buildings, signage, grading, landscaping, open space, utilities, sidewalks, parking, primitive trails, retaining walls, stormwater management facilities
	Open Space	Improvements that require mass grading, open-air surface parking lots, residential buildings	Stream restoration, primitive trails, landscaping, gardens, utilities (which cannot be reasonably located outside of open space area), and primitive buildings - see note 1 below)
	50' Forest Buffer	Residential & non-residential buildings, parking	Travel ways, ingress/egress, for grading and disturbance

Key
- FEMA BFE
- Stream
- WPO Buffer
- Waterway
- Steep Slopes: Preserved
- Steep Slopes: Managed

200 0 200 400 600
Graphic Scale: 1"= 200'

TMP(s) 32-5A & 32-5A1

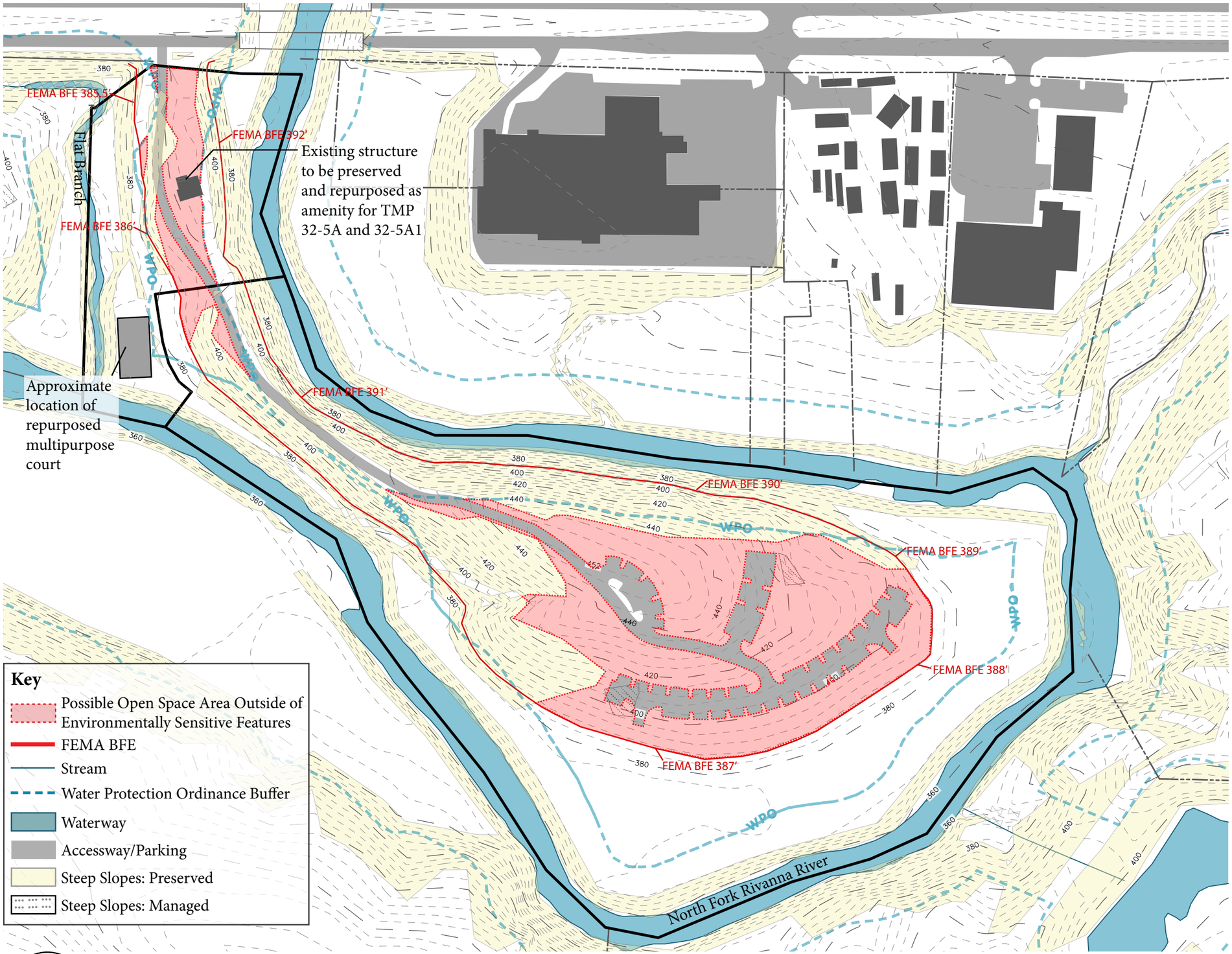
Submitted 17 December 2018
Revised 16 September 2019
Revised 16 December 2019
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RIVER'S EDGE
OPEN SPACE
Sheet 6 of 29



Additional Notes:

1. This open space exhibit shows possible open space area outside of environmentally sensitive features (steep slopes, floodplain, stream buffer). This does not depict total open space proposed for the property. For total open space, please see sheet 5 (Land Use Designations).

2. Total possible open space area outside of (1) environmentally sensitive features and (2) accessway and parking area is 5.37 acres.

3. Total building footprint area (not shown) is approximated at less than 50,000 sq. ft., therefore, possible open space area outside of (1) environmentally sensitive features, (2) accessway and parking area, and (3) building footprints is 4.32 acres.

4. Total area of the property is 32.52 acres; total required open space is 8.13 acres, with 1.62 acres required outside of such environmental features.

4. Open space and recreational areas will comply with Section 4.7 and 4.16 of the Albemarle County Zoning Ordinance, unless substitutions for facilities and equipment as provided for in this application are approved by the Director of Planing and Community Development.

TMP(s) 32-5A & 32-5A1

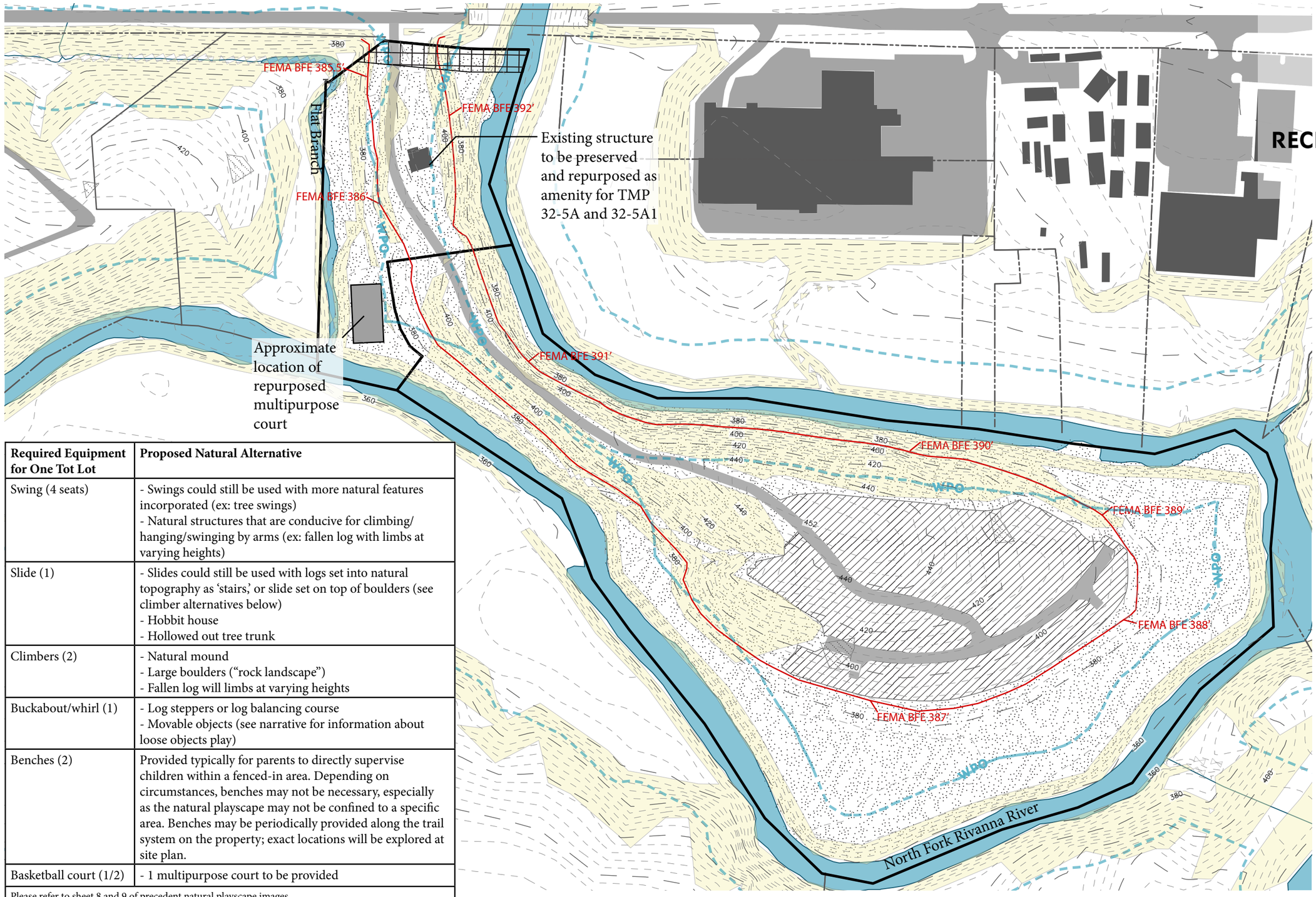
Submitted 17 December 2018
Revised 16 September 2019
Revised 16 December 2019
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RIVER'S EDGE
OPEN SPACE & RECREATIONAL FACILITIES



Required Equipment for One Tot Lot	Proposed Natural Alternative
Swing (4 seats)	- Swings could still be used with more natural features incorporated (ex: tree swings) - Natural structures that are conducive for climbing/ hanging/swinging by arms (ex: fallen log with limbs at varying heights)
Slide (1)	- Slides could still be used with logs set into natural topography as 'stairs,' or slide set on top of boulders (see climber alternatives below) - Hobbit house - Hollowed out tree trunk
Climbers (2)	- Natural mound - Large boulders ("rock landscape") - Fallen log will limbs at varying heights
Buckabout/whirl (1)	- Log steppers or log balancing course - Movable objects (see narrative for information about loose objects play)
Benches (2)	Provided typically for parents to directly supervise children within a fenced-in area. Depending on circumstances, benches may not be necessary, especially as the natural playscape may not be confined to a specific area. Benches may be periodically provided along the trail system on the property; exact locations will be explored at site plan.
Basketball court (1/2)	- 1 multipurpose court to be provided
Please refer to sheet 8 and 9 of precedent natural playscape images.	

200 0 200 400 600
Graphic Scale: 1"=200'

Additional Notes:

1. Minimum 2,600 linear feet of primitive trails to be provided. Please refer to sheet 11 (Proposed Circulation) for proposed path locations.

Key

- FEMA BFE
- Stream
- WPO Buffer
- Waterway
- Steep Slopes: Preserved
- Steep Slopes: Managed
- Accessway Reservation*
- Buildable Area*
- Open Space*
- 50' Forested Buffer*

*See sheet 5 for land use details

TMP(s) 32-5A & 32-5A1

Submitted 17 December 2018
Revised 16 September 2019
Revised 16 December 2019
REVISED 28 FEBRUARY 2020

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Bienenstock Natural Playground , Ontario, Canada
Loose parts play



Bienenstock Natural Playground, Ontario, Canada
Hobbit house / hollowed out tree trunk

ZONING MAP AMENDMENT
APPLICATION PLAN
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RIVER'S EDGE
PRECEDENT NATURAL PLAY IMAGES

Sheet 8 of 29

These images are included for precedent purposes for recreational facilities to be reviewed at site plan and do not demonstrate specific site improvements.



Nature Ridge Natural Playground, City of Staunton
Loose parts play



Nature Ridge Natural Playground, City of Staunton
Balancing course



Darlington Family Playgroup, Darlington, Washington
Music play

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Submitted 17 December 2018
Revised 16 September 2019
Revised 16 December 2019
REVISED 28 FEBRUARY 2020

project: 15.064

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RIVER'S EDGE
PRECEDENT NATURAL PLAY IMAGES

Welles Park Nature Play Space, Chicago, Illinois (Site Design Group)
Overview of Nature Play Programming



Marge and Charles Schott Nature PlayScape
Cincinnati Nature Center, Milford, Ohio
(GroundWork Design Cincinnati)
Hollowed natural mound



These images are included for precedent purposes for recreational facilities to be reviewed at site plan and do not demonstrate specific site improvements.

Welles Park Nature Play Space, Chicago, Illinois (Site Design Group)
Log Steppers



Welles Park Nature Play Space, Chicago, Illinois (Site Design Group)
Build Area / Loose parts play



TMP(s) 32-5A & 32-5A1

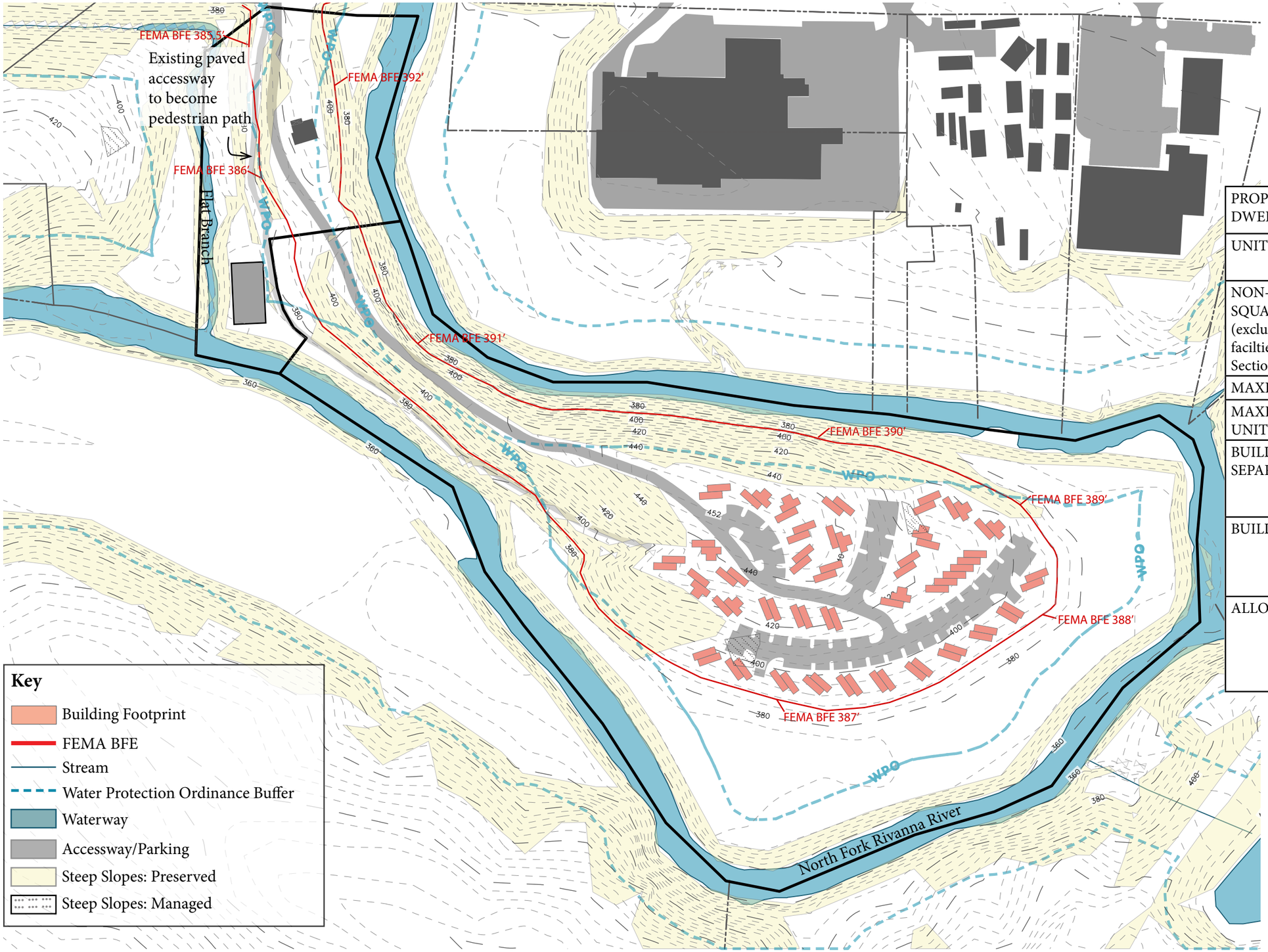
Submitted 17 December 2018
Revised 16 September 2019
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project: 15.064

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APPLICATION PLAN
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RIVER'S EDGE
BUILDING ENVELOPE



PROPOSED # OF DWELLING UNITS[1]	100
UNIT TYPE	Single-family dwelling, two-family dwelling, triplex, quadruplex
NON-RESIDENTIAL SQUARE FOOTAGE (excluding recreational facilties required by Section 4.16)	4,000 SF
MAXIMUM HEIGHT	35'
MAXIMUM GFA PER UNIT	1,200 SF
BUILDING SEPARATION	10' unless the building shares a common wall; 5' off of each building side for a total of 10' between buildings
BUILD-TO LINES[2]	50' from US Route 29 5' from parking areas, travelways, accessways, and pedestrian paths
ALLOWABLE USES	Residential units as provided for in this Application Plan. Please refer to sheet 2 for by-right and special uses permitted on the property.

Additional Notes:

1. Total footprint area of residential buildings not to exceed 50,000 SF

2. Setbacks are not provided as the property is not to be subdivided.

TMP(s) 32-5A & 32-5A1

Submitted 17 December 2018
Revised 16 September 2019
Revised 16 December 2019
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ZONING MAP AMENDMENT
APPLICATION PLAN
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RIVER'S EDGE
PROPOSED CIRCULATION

Existing paved road to become pedestrian path

Future pedestrian connection across Flat Branch to TMP 32-22K1

Approximate location of repurposed multipurpose court

Existing structure to be preserved and repurposed as amenity for TMP 32-5A and 32-5A1

Pedestrian walkways on both sides of retaining wall

Pedestrian walkways

Fire access turnaround

Fire access turnaround

Flat Branch

North Fork Rivanna River

FEMA BFE 392'

FEMA BFE 386'

FEMA BFE 391'

FEMA BFE 390'

FEMA BFE 389'

FEMA BFE 387'

WPO

200 0 200 400 600

Graphic Scale: 1"= 200'

Key

- Public Access Pedestrian Path
- Future Pedestrian Connection
- Vehicular Circulation
- Primitive Trail (Internal Network)
- Retaining Wall
- FEMA BFE
- Stream
- Water Protection Ordinance Buffer
- Waterway
- Accessway/Parking
- Pedestrian Walkways
- Steep Slopes: Preserved
- Steep Slopes: Managed

TMP(s) 32-5A & 32-5A1

Submitted 17 December 2018
Revised 16 September 2019
Revised 16 December 2019
REVISED 28 FEBRUARY 2020

project: 15.064

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ZONING MAP AMENDMENT
APPLICATION PLAN
ZMA201800018

RIVER'S EDGE
CONCEPTUAL WATER & SEWER

Additional Notes:

1. Structures to be metered according to ACSA regulations.

Existing ACSA manhole
Bore under Route 29 for public sewer
8" gravity main (typ.
New ACSA manhole
Public water line
Existing paved road to become pedestrian path
FEMA BFE 385.5'
FEMA BFE 392'
FEMA BFE 386'
3" force main
Flat Branch
FEMA BFE 391'
FEMA BFE 390'
FEMA BFE 389'
FEMA BFE 388'
FEMA BFE 387'
Pump station with underground wet well
Fire hydrant
4" san lat (typ.)
8" gravity main (typ.)
North Fork Rivanna River
WPO
380
400
420
440
452
360

200 0 200 400 600
Graphic Scale: 1"= 200'

Key

- Retaining Wall
- FEMA BFE
- Stream
- Water Protection Ordinance Buffer
- Waterway
- Accessway
- Pedestrian Walkways
- Steep Slopes: Preserved
- Steep Slopes: Managed

TMP(s) 32-5A & 32-5A1

Submitted 17 December 2018
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REVISED 28 FEBRUARY 2020

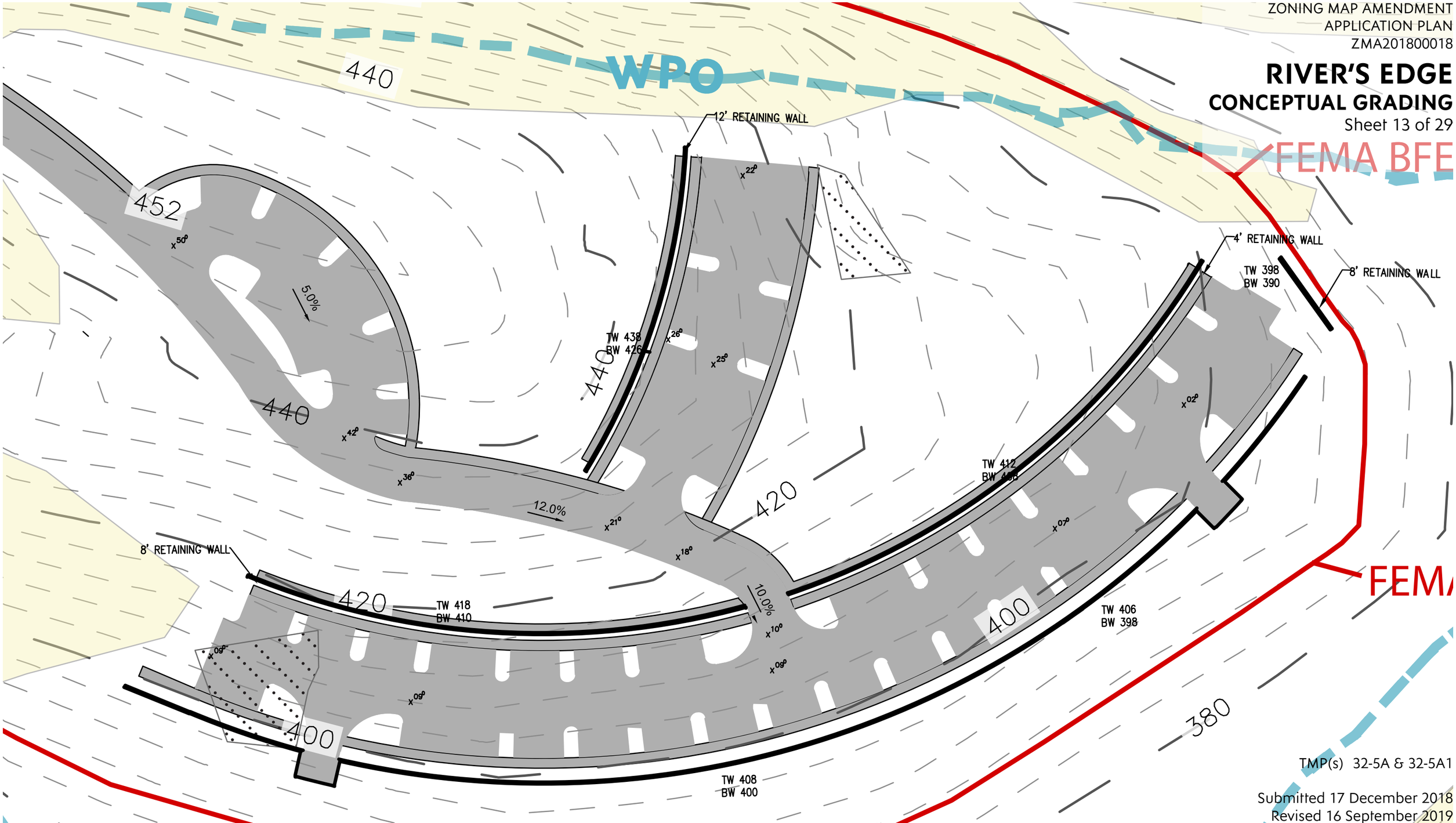
project: 15.064

SHIMP ENGINEERING, P.C.

ZONING MAP AMENDMENT
APPLICATION PLAN
ZMA201800018

RIVER'S EDGE
CONCEPTUAL GRADING

Sheet 13 of 29



50 0 50 100 150
Graphic Scale: 1"= 100'

Key

Steep Slopes: Preserved

Steep Slopes: Managed

TMP(s) 32-5A & 32-5A1

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ZONING MAP AMENDMENT
APPLICATION PLAN
ZMA201800018

RIVER'S EDGE
ROAD GRADING + PROFILE

FEMA BFE 385.5'

FEMA BFE 392'

FEMA BFE 386'

WPO

WPO

WPO

Flat Branch

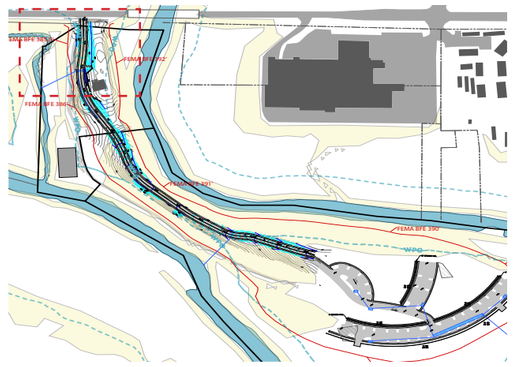
Existing accessway to be converted into pedestrian path

North Fork Rivanna River

10+00
11+00
12+00
13+00
14+00

Additional Notes:

1. Topographic road survey completed by Brian Ray, Roger W. Ray & Associates, Inc. Surveying, September 2018



Key

- FEMA BFE per County GIS Elevations
- Stream
- Water Protection Ordinance Buffer
- Waterway
- Accessway
- Steep Slopes: Preserved

TMP(s) 32-5A & 32-5A1

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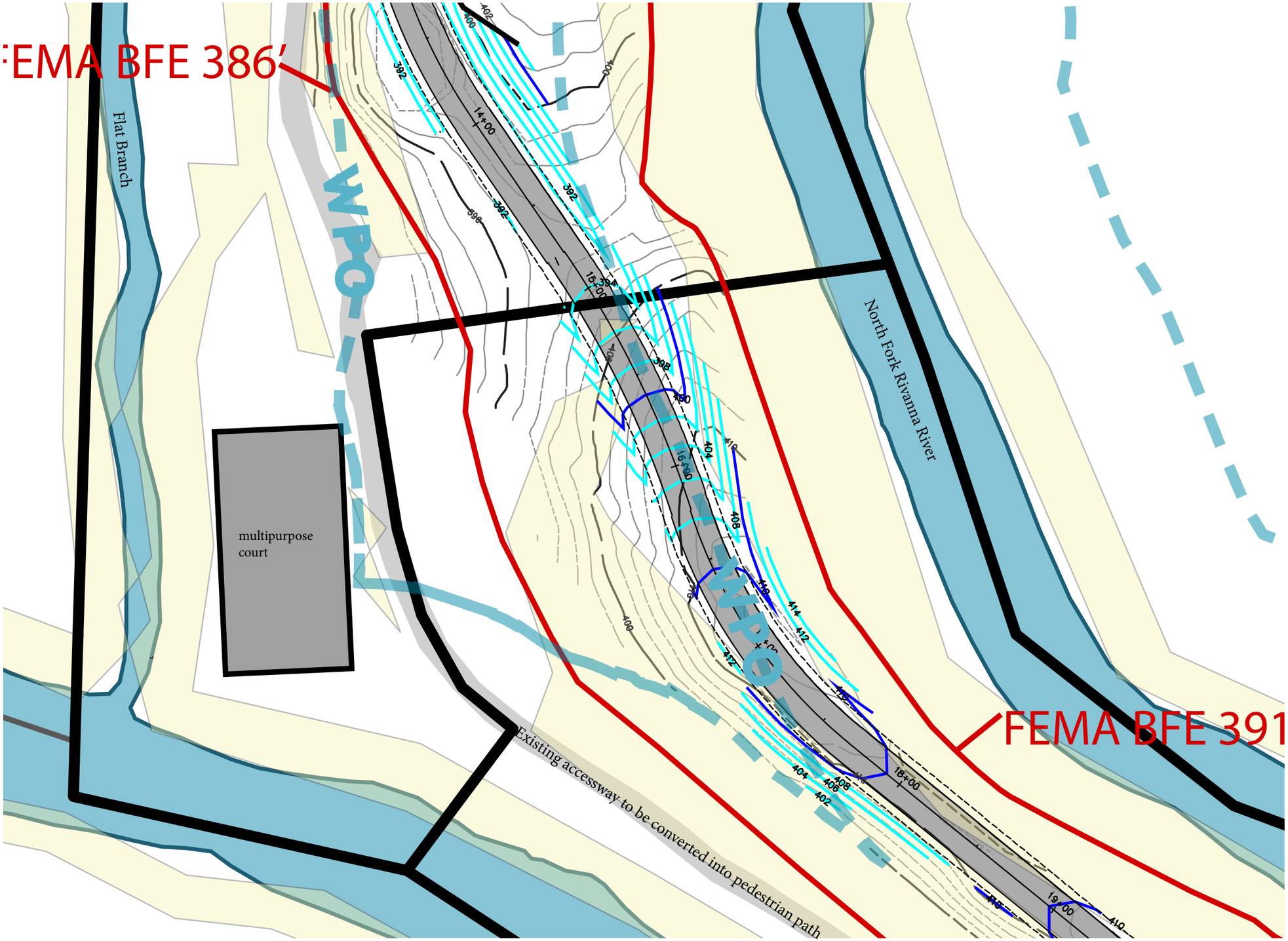
project: 15.064

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Graphic Scale: 1"= 50'

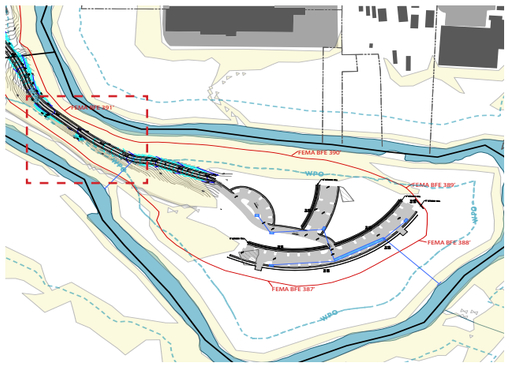
ZONING MAP AMENDMENT
APPLICATION PLAN
ZMA201800018

RIVER'S EDGE
ROAD GRADING + PROFILE



Additional Notes:

1. Topographic road survey completed by Brian Ray, Roger W. Ray & Associates, Inc. Surveying, September 2018



Key

- FEMA BFE per County GIS Elevations
- Stream
- Water Protection Ordinance Buffer
- Waterway
- Accessway
- Steep Slopes: Preserved

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50 0 50 100 150
Graphic Scale: 1"= 50'

ZONING MAP AMENDMENT
APPLICATION PLAN
ZMA201800018

RIVER'S EDGE
ROAD GRADING + PROFILE

FEMA BFE 391'

North Fork Rivanna River

WPO

Existing accessway to be converted into pedestrian path

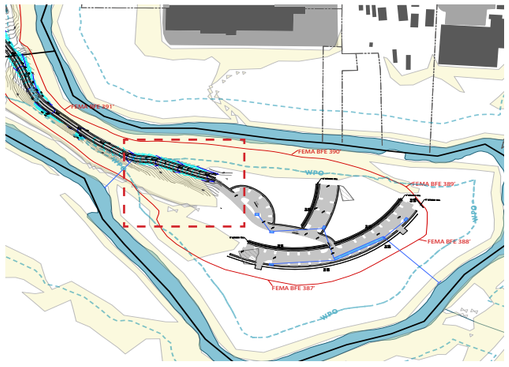
North Fork Rivanna River

15+00
19+00
20+00
21+00
22+00
23+00
24+00

50 0 50 100 150
Graphic Scale: 1"= 50'

Additional Notes:

1. Topographic road survey completed by Brian Ray, Roger W. Ray & Associates, Inc. Surveying, September 2018



Key

- FEMA BFE per County GIS Elevations
- Stream
- Water Protection Ordinance Buffer
- Waterway
- Accessway
- Steep Slopes: Preserved

TMP(s) 32-5A & 32-5A1

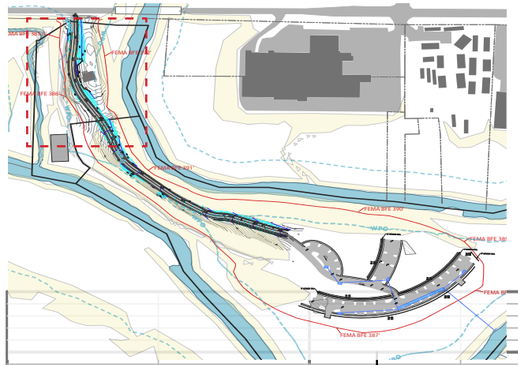
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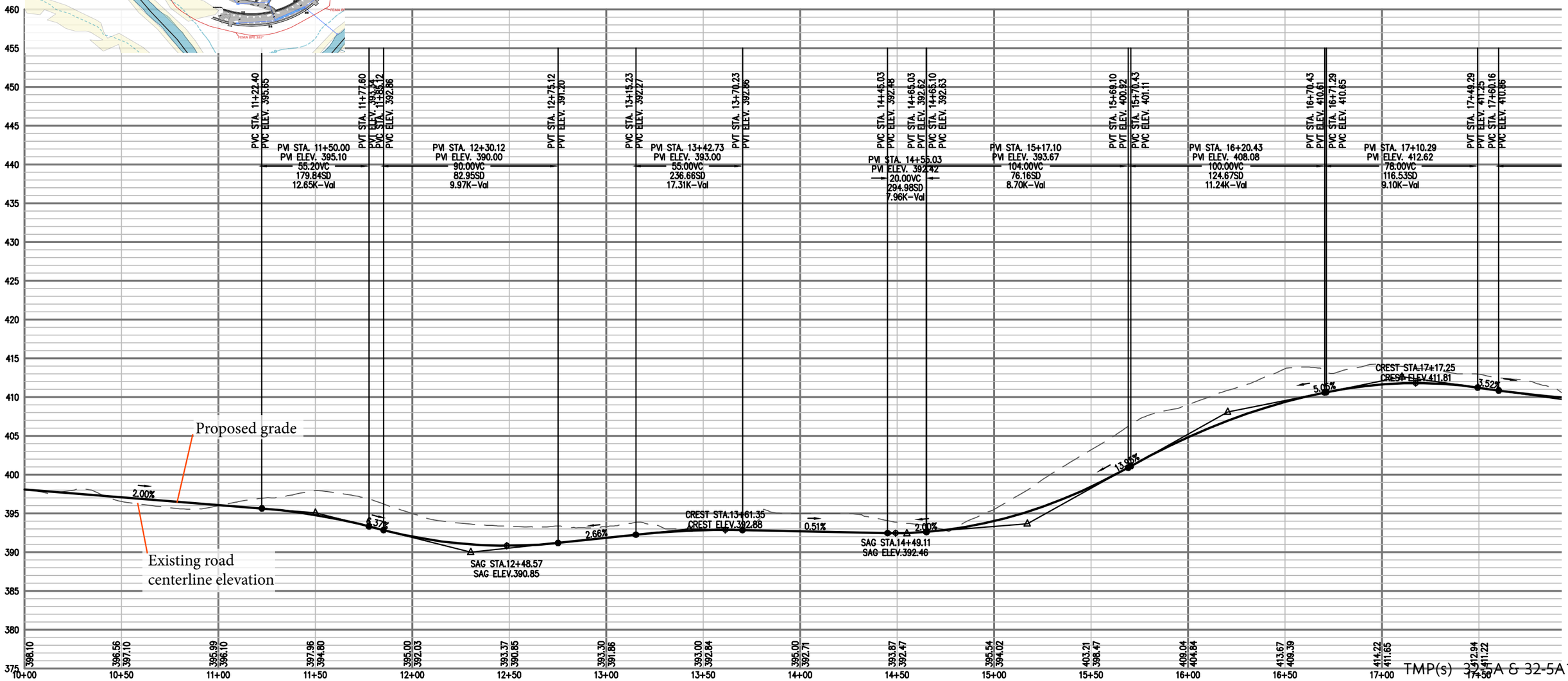
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ZONING MAP AMENDMENT
APPLICATION PLAN
ZMA201800018

RIVER'S EDGE
ROAD GRADING + PROFILE





TMP(s) 32-5A & 32-5A1

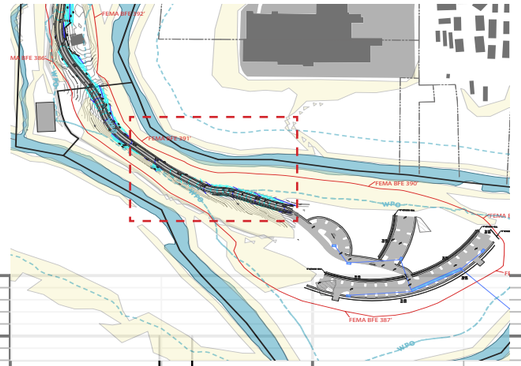
Submitted 17 December 2018
Revised 16 September 2019
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REVISED 28 FEBRUARY 2020

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50 0 50 100 150
Graphic Scale: 1"=50'

Key
- Proposed Grade
- Existing Road Centerline Grade



ZONING MAP AMENDMENT
APPLICATION PLAN
ZMA201800018

RIVER'S EDGE
ROAD GRADING + PROFILE

PVI STA. 17+10.29
PVI ELEV. 412.62
78.00VC
116.53SD
9.10K–Val

PVT STA. 17+49.29
PVT ELEV. 411.25
PVC STA. 17+60.16
PVC ELEV. 410.86

PVI STA. 18+32.98
PVI ELEV. 408.30
145.65VC
147.41SD
23.72K–Val

PVT STA. 19+05.81
PVT ELEV. 410.21
PVC STA. 19+33.30
PVC ELEV. 410.93

PVI STA. 19+82.17
PVI ELEV. 412.21
97.74VC
213.86SD
28.08K–Val

PVT STA. 20+31.04
PVT ELEV. 415.19
PVC STA. 20+69.45
PVC ELEV. 417.53

PVI STA. 21+44.85
PVI ELEV. 422.13
150.80VC
156.47SD
25.80K–Val

PVT STA. 22+20.25
PVT ELEV. 431.14
PVC STA. 23+19.41
PVC ELEV. 442.98

PVI STA. 23+97.41
PVI ELEV. 452.30
156.00VC
126.56SD
12.05K–Val

PVT STA. 24+75.41
PVT ELEV. 451.52

CREST STA.24+63.36
CREST ELEV.451.58

CREST STA.17+17.25
CREST ELEV.411.81

SAG STA.18+43.68
SAG ELEV.409.39

3.52%
2.62%
6.10%
11.94%
1.00%

Proposed grade

Existing road
centerline elevation

460 455 450 445 440 435 430 425 420 415 410 405 400 395 390 385 380 375

414.22 411.65 | 412.94 411.22 | 410.14 409.80 | 410.94 409.40 | 411.53 410.06 | 413.05 411.41 | 415.52 413.47 | 418.41 416.35 | 420.53 419.58 | 427.04 423.70 | 432.04 428.80 | 438.62 434.69 | 445.49 440.66 | 450.88 446.25 | 453.03 449.91 | 452.13 451.50

17+00 17+50 18+00 18+50 19+00 19+50 20+00 20+50 21+00 21+50 22+00 22+50 23+00 23+50 24+00 24+50 25+00

TMP(s) 32-5A & 32-5A1

50 0 50 100 150

Graphic Scale: 1”=50’

Key

Proposed Grade

Existing Road Centerline Grade

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ZONING MAP AMENDMENT
APPLICATION PLAN
ZMA201800018

RIVER'S EDGE
CONCEPTUAL STORMWATER

452
440
440
420
420
400
400
380
380

5.0%
12.0%
10.0%

4' RETAINING WALL
8' RETAINING WALL
8' RETAINING WALL

TW 438
BW 426
TW 412
BW 402
TW 398
BW 390
TW 418
BW 410
TW 406
BW 398
TW 408
BW 400

Storm drain inlet
Storm drain inlet
Underground detention

Discharge into waterway
in accordance with
VSMP regulations

See steep slopes disturbance
exhibit for proposed slopes
disturbance

FEMA BFE
FEMA BFE 387'

North Fork Rivanna River

50 0 50 100 150
Graphic Scale: 1"= 100'

Key
- Steep Slopes: Preserved
- Steep Slopes: Managed

TMP(s) 32-5A & 32-5A1

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ZONING MAP AMENDMENT
APPLICATION PLAN
ZMA201800018

RIVER'S EDGE
CONCEPTUAL STORMWATER

Flat Branch

FEMA BFE 385.5'

FEMA BFE 392'

FEMA BFE 386'

WPO

WPO

Discharge into waterway in accordance with VSMP regulations

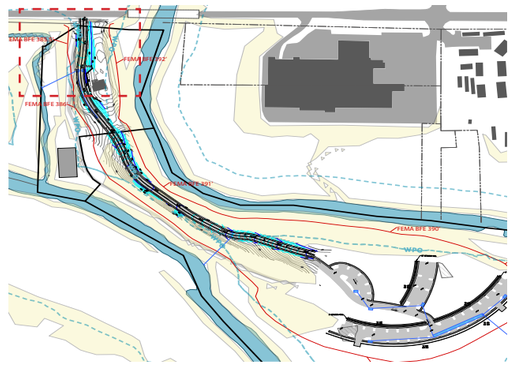
See steep slopes disturbance exhibit for proposed slopes disturbance

Storm drain inlet

Existing accessway to be converted into pedestrian path

North Fork Rivanna River

10+00
11+00
12+00
13+00
14+00



Key

- FEMA BFE Boundary
- Stream
- Water Protection Ordinance Buffer
- Waterway
- Accessway
- Steep Slopes: Preserved

TMP(s) 32-5A & 32-5A1

Additional Notes:

1. Topographic road survey completed by Brian Ray, Roger W. Ray & Associates, Inc. Surveying, September 2018

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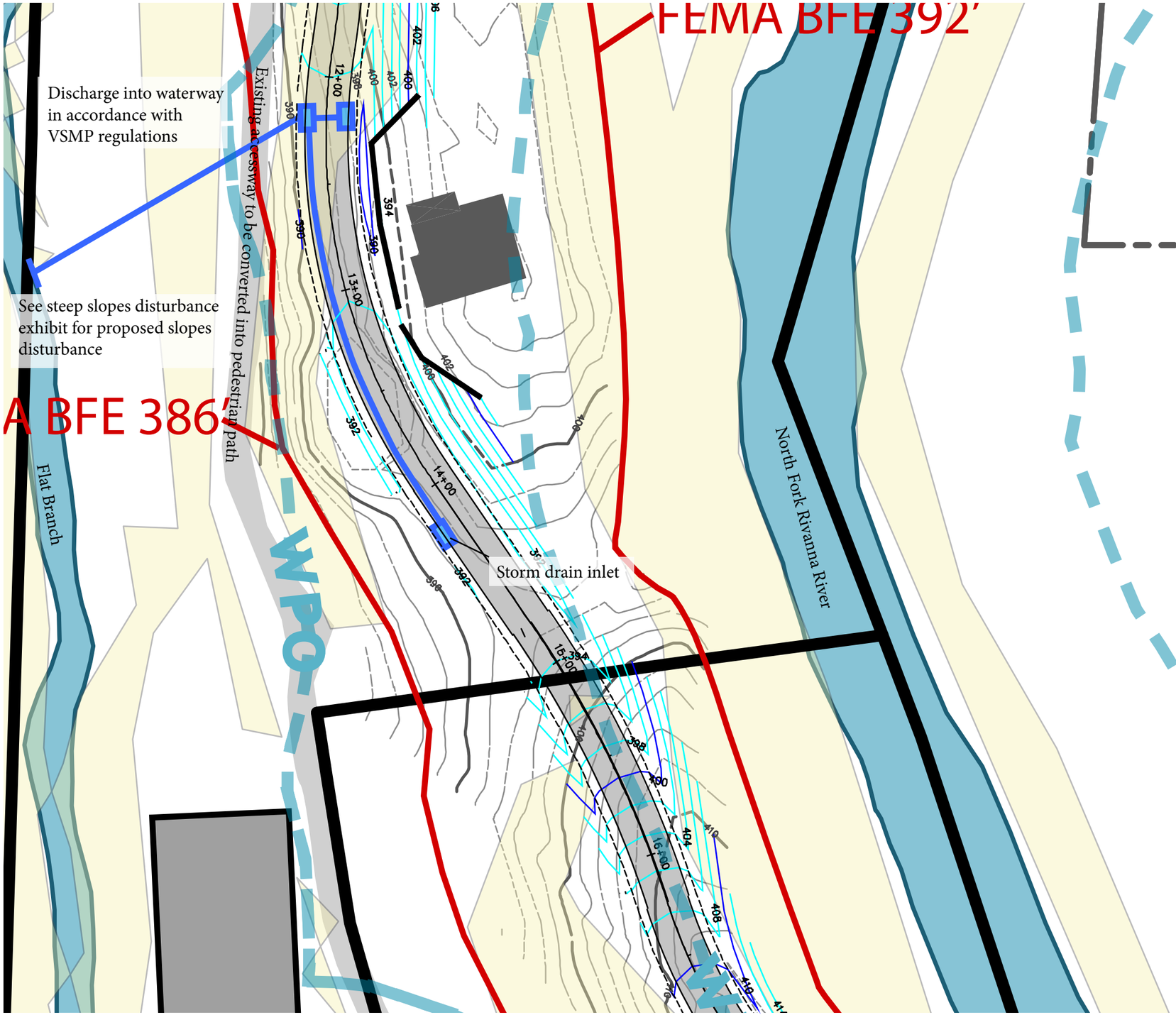
project: 15.064

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Graphic Scale: 1"= 50'

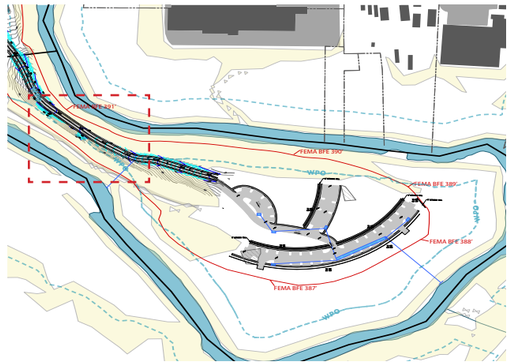
ZONING MAP AMENDMENT
APPLICATION PLAN
ZMA201800018

RIVER'S EDGE
CONCEPTUAL STORMWATER



Additional Notes:

1. Topographic road survey completed by Brian Ray, Roger W. Ray & Associates, Inc. Surveying, September 2018



Key

- FEMA BFE Boundary
- Stream
- Water Protection Ordinance Buffer
- Waterway
- Accessway
- Steep Slopes: Preserved

TMP(s) 32-5A & 32-5A1

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50 0 50 100 150
Graphic Scale: 1"= 50'

ZONING MAP AMENDMENT
APPLICATION PLAN
ZMA201800018

RIVER'S EDGE
CONCEPTUAL STORMWATER

FEMA BFE 391'

North Fork Rivanna River

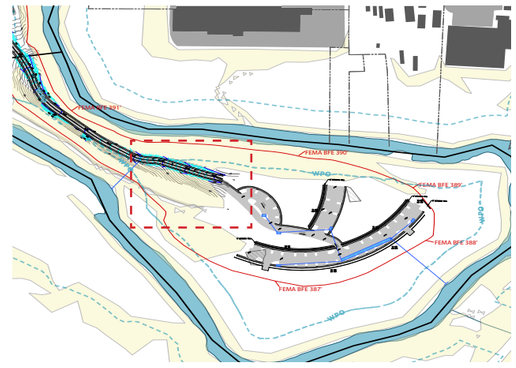
Existing accessway to be converted into pedestrian path

Storm drain inlet

WPO

Discharge in accordance with VSMP regulations

See steep slopes disturbance exhibit for details



Key

- FEMA BFE Boundary
- Stream
- Water Protection Ordinance Buffer
- Waterway
- Accessway
- Steep Slopes: Preserved

Additional Notes:

1. Topographic road survey completed by Brian Ray, Roger W. Ray & Associates, Inc. Surveying, September 2018.

TMP(s) 32-5A & 32-5A1

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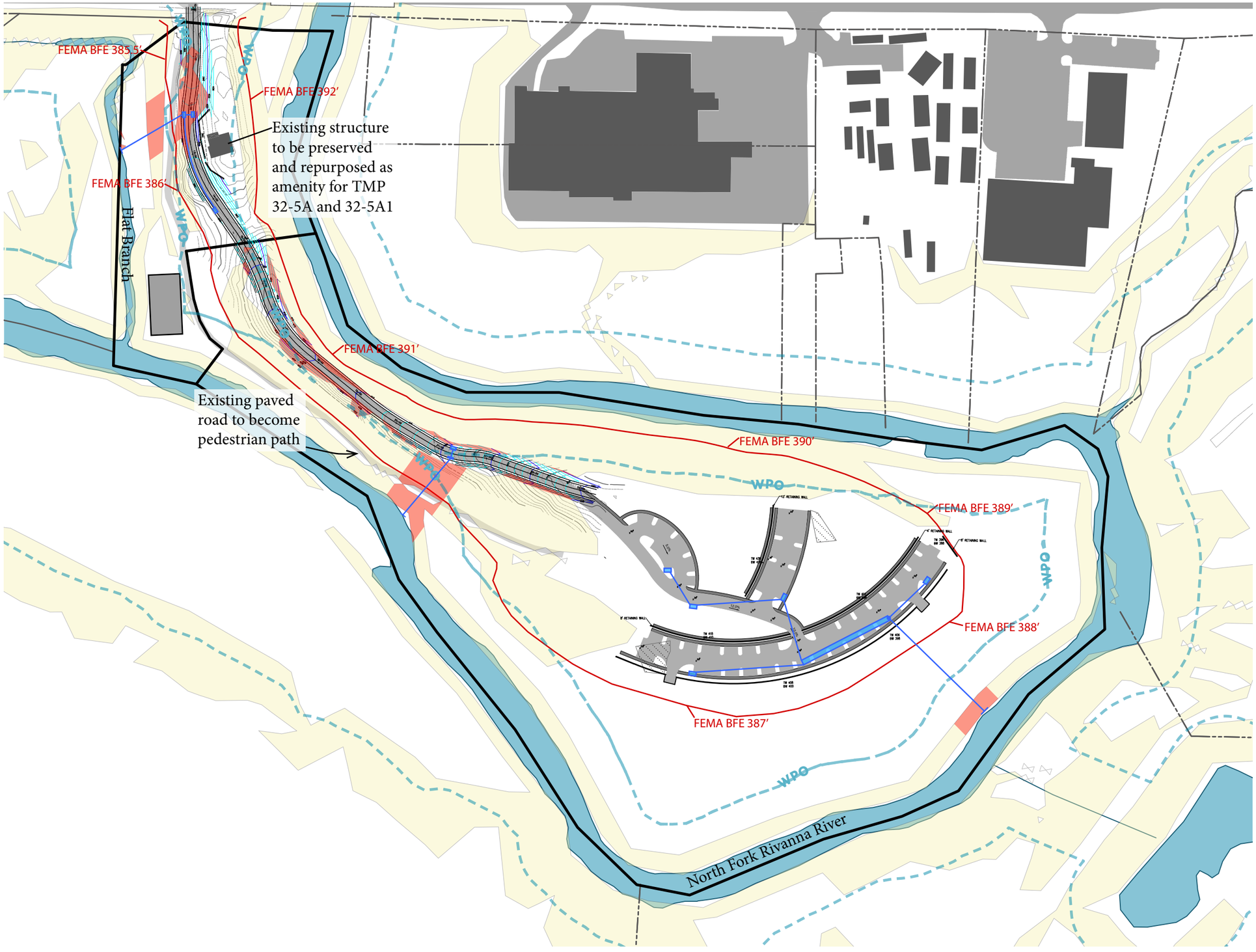
project: 15.064

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50 0 50 100 150
Graphic Scale: 1"= 50'

ZONING MAP AMENDMENT
APPLICATION PLAN
ZMA201800018

RIVER'S EDGE
STEEP SLOPES DISTURBANCE



Key

- FEMA BFE
- Stream
- Water Protection Ordinance Buffer
- Waterway
- Accessway
- Steep Slopes: Preserved
- Steep Slopes Disturance

200 0 200 400 600

Graphic Scale: 1"=200'

Additional Notes:

1. Topographic road survey completed by Brian Ray, Roger W. Ray & Associates, Inc. Surveying, September 2018

2. Total disturbance of the steep slopes is approximately 39,100 square feet

TMP(s) 32-5A & 32-5A1

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ZONING MAP AMENDMENT
APPLICATION PLAN
ZMA201800018

RIVER'S EDGE
STREAM BUFFER DISTURBANCE

FEMA BFE 385.5'

FEMA BFE 392'

FEMA BFE 386'

FEMA BFE 391'

Existing structure to be preserved and repurposed as amenity for TMP 32-5A and 32-5A1

Existing paved road to become pedestrian path

Flat Branch

North Fork Rivanna River

WPO

Additional Notes:

1. Topographic road survey completed by Brian Ray, Roger W. Ray & Associates, Inc. Surveying, September 2018

2. Total disturbance of the stream buffer is approximately 23,000 square feet

Key

- FEMA BFE
- Stream
- Water Protection Ordinance Buffer
- Waterway
- Accessway
- Steep Slopes: Preserved
- Stream Buffer Disturance

100 0 100 200 300

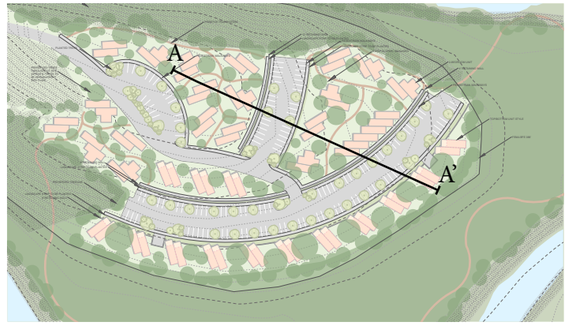
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TMP(s) 32-5A & 32-5A1

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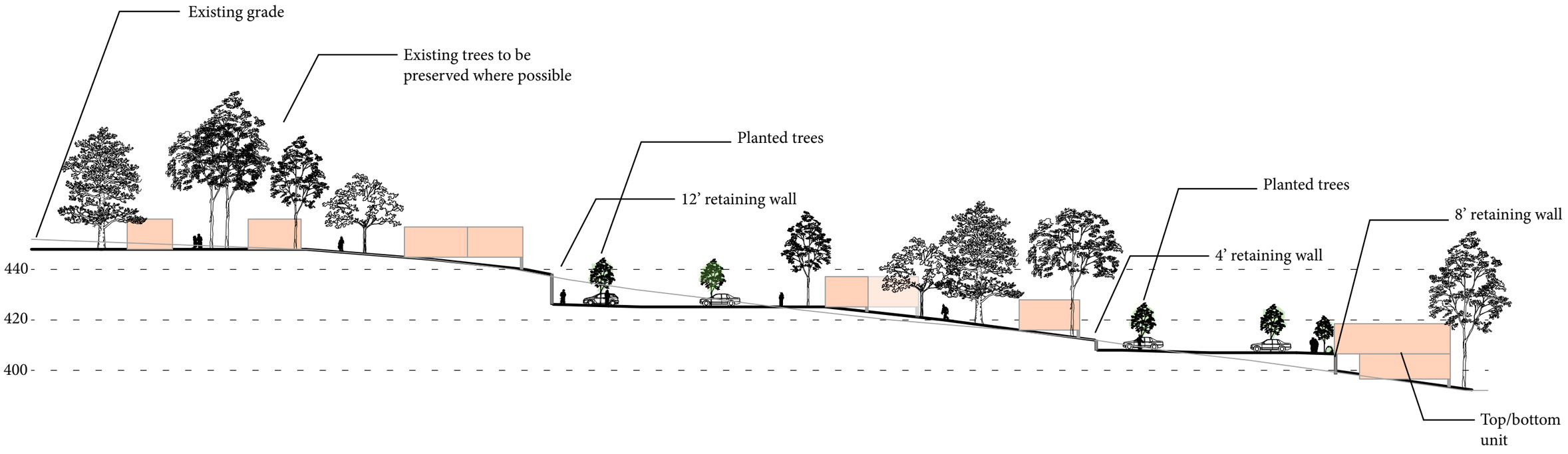
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ZONING MAP AMENDMENT
APPLICATION PLAN
ZMA201800018

RIVER'S EDGE

SITE SECTION A-A'



40 0 40 80 120

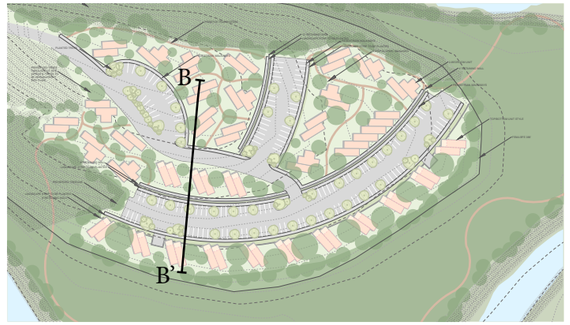
Graphic Scale: 1"=40'

TMP(s) 32-5A & 32-5A1

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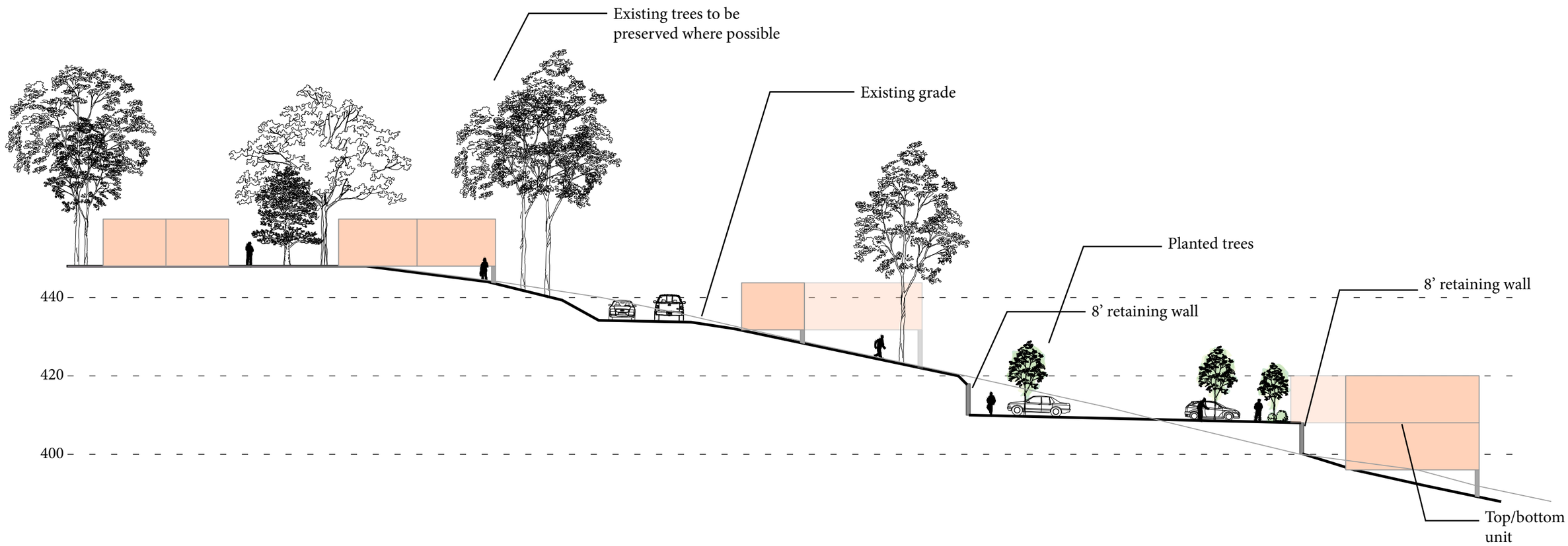
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ZONING MAP AMENDMENT
APPLICATION PLAN
ZMA201800018

RIVER'S EDGE

SITE SECTION B-B'



25 0 25 50 75

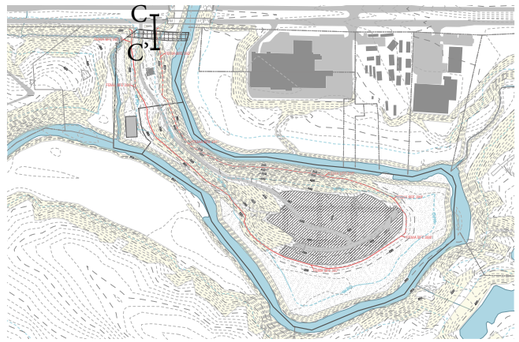
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TMP(s) 32-5A & 32-5A1

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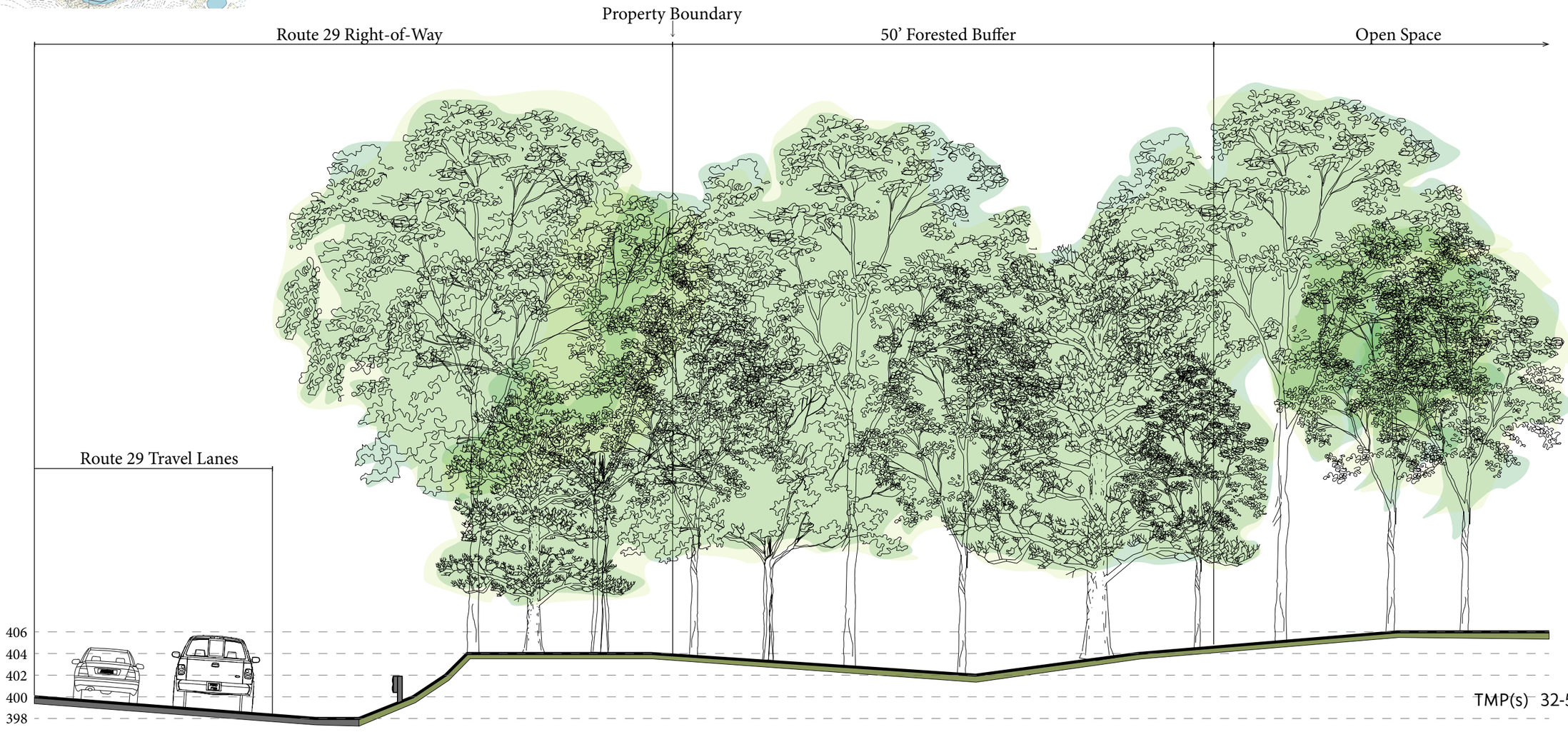


Please refer to sheet 5 for land use designations; open space is immediately adjacent to the 50' forested buffer and extends beyond the area shown in the section.

ZONING MAP AMENDMENT
APPLICATION PLAN
ZMA201800018

RIVER'S EDGE

SITE SECTION C-C'



10 0 10 20 30

Graphic Scale: 1"=10'

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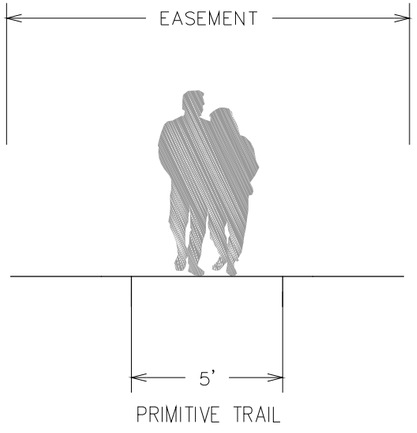
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ZONING MAP AMENDMENT
APPLICATION PLAN
ZMA201800018

RIVER'S EDGE
STREET SECTION

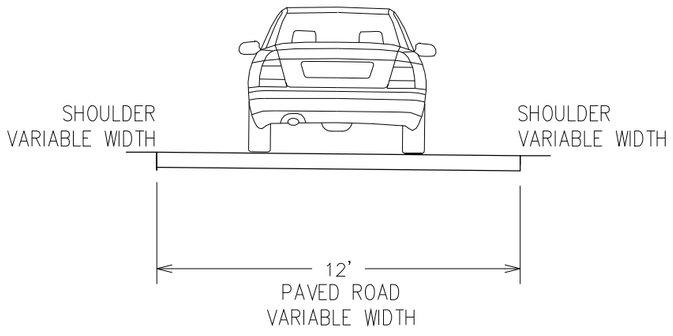
PRIMITIVE TRAIL SECTION

CLASS B – TYPE 1
PRIMITIVE NATURE TRAIL – PRIVATE

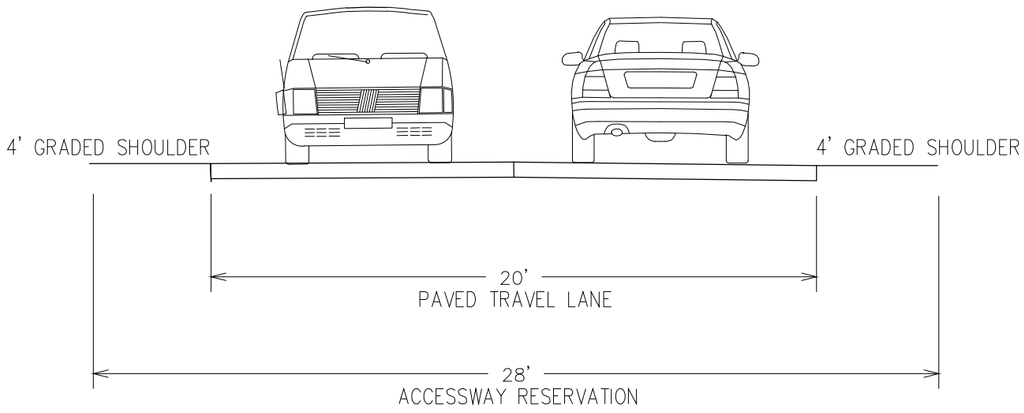


ACCESSWAY SECTION

EXISTING
RIVER'S EDGE ROAD



PROPOSED TYPICAL STREET SECTION
INTERNAL ROAD NETWORK



5 0 5 10 15
Graphic Scale: 1"=5'

TMP(s) 32-5A & 32-5A1

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SHIMP ENGINEERING, P.C.

RIVER'S EDGE
SUPPLEMENTARY REGULATIONS

A) AFFORDABLE HOUSING

15% of the total residential dwelling units within the project shall be For-Rent Affordable Dwelling Units (the "15% Affordable Housing Requirement"). For the purposes of these Supplementary Regulations, "affordable housing" shall mean units affordable for rent by households within incomes at or below eighty percent (80%) of the area median income (as determined from time to time by the Virginia Housing Development Authority). All renters of the Affordable Dwelling Units shall be approved by the Albemarle County Community Development Department. The 15% Affordable Housing Requirement may be met through a variety of housing unit types, including but not limited to, two-family dwellings, triplexes, and quadruplexes.

(1) Rental Rates.

The initial net rent for each rental housing unit which shall qualify as an Affordable Dwelling Unit, ("For-Rent Affordable Dwelling Unit") shall not exceed the then-current and applicable maximum net rent rate approved by the Albemarle County Community Development Department. In each subsequent calendar year, the monthly net rent for each For-Rent Affordable Dwelling Unit may be increased up to three percent (3%). The term "net rent" means that the rent does not include tenant-paid utilities. The requirement that the rents for such For-Rent Affordable Dwelling Units may not exceed the maximum rents established in this Section shall apply for a period of ten (10) years following the date the certificate of occupancy is issued by the County for each For-Rent Affordable Dwelling Unit (the "Affordable Term").

(2) Conveyance of Interest.

All deeds conveying any interest in the For-Rent Affordable Dwelling Units during the Affordable Term shall contain language reciting that such unit is subject to the terms of this Section. In addition, all contracts pertaining to a conveyance of any For-Rent Affordable Dwelling Unit, or any part thereof, during the Affordable Term shall contain a complete and full disclosure of the restrictions and controls established by this Section. At least thirty (30) days prior to the conveyance of any interest in any For-Rent Affordable Dwelling Unit during the Affordable Term, the then-current Owner shall notify the County in writing of the conveyance and provide the name, address and telephone number of the potential grantee, and state that the requirements of this Section have been satisfied.

(3) Reporting Rental Rates.

During the Affordable Term, within thirty (30) days of each rental or lease term for each For-Rent Affordable Dwelling Unit, the Applicant or its successor shall provide to the Albemarle County Community Development Department a copy of the rental or lease agreement for each such unit rented that shows the rental rate for such unit and the term of the rental or lease agreement. In addition, during the Affordable Term, the Applicant or its successor shall provide to the County, if requested, any reports, copies of rental or lease agreements, or other data pertaining to rental rates as the County may reasonably require.

(4) Tracking.

Each subdivision plat and site plan for land within the Property shall: i) designate the units, as applicable, that will constitute Affordable Dwelling Units within the Project and ii) contain a running tally of the Affordable Dwelling Units either constructed or contributed for under this Section. The designated units shown on each site plan shall designate 15% of the total units shown as Affordable Dwelling Units. The 15% Affordable Housing Requirement shall be satisfied prior to more than sixty-five percent (65%) completion of the Project.

TMP(s) 32-5A & 32-5A1

Submitted 17 December 2018
Revised 16 September 2019
Revised 16 December 2019
REVISED 28 FEBRUARY 2020

project: 15.064

SHIMP ENGINEERING, P.C.

ZONING MAP AMENDMENT
ZMA201800018

RIVER'S EDGE
CONCEPT EXHIBIT
Sheet 1 of 1



60 0 60 120 180
Graphic Scale: 1"= 60'

Additional Notes:
1. Concept Plan is for illustrative purposes only

TMP(s) 32-5A & 32-5A1

Submitted 17 December 2018
Revised 16 September 2019
Revised 16 December 2019
REVISED 28 FEBRUARY 2020

project: 15.064

SHIMP ENGINEERING, P.C.

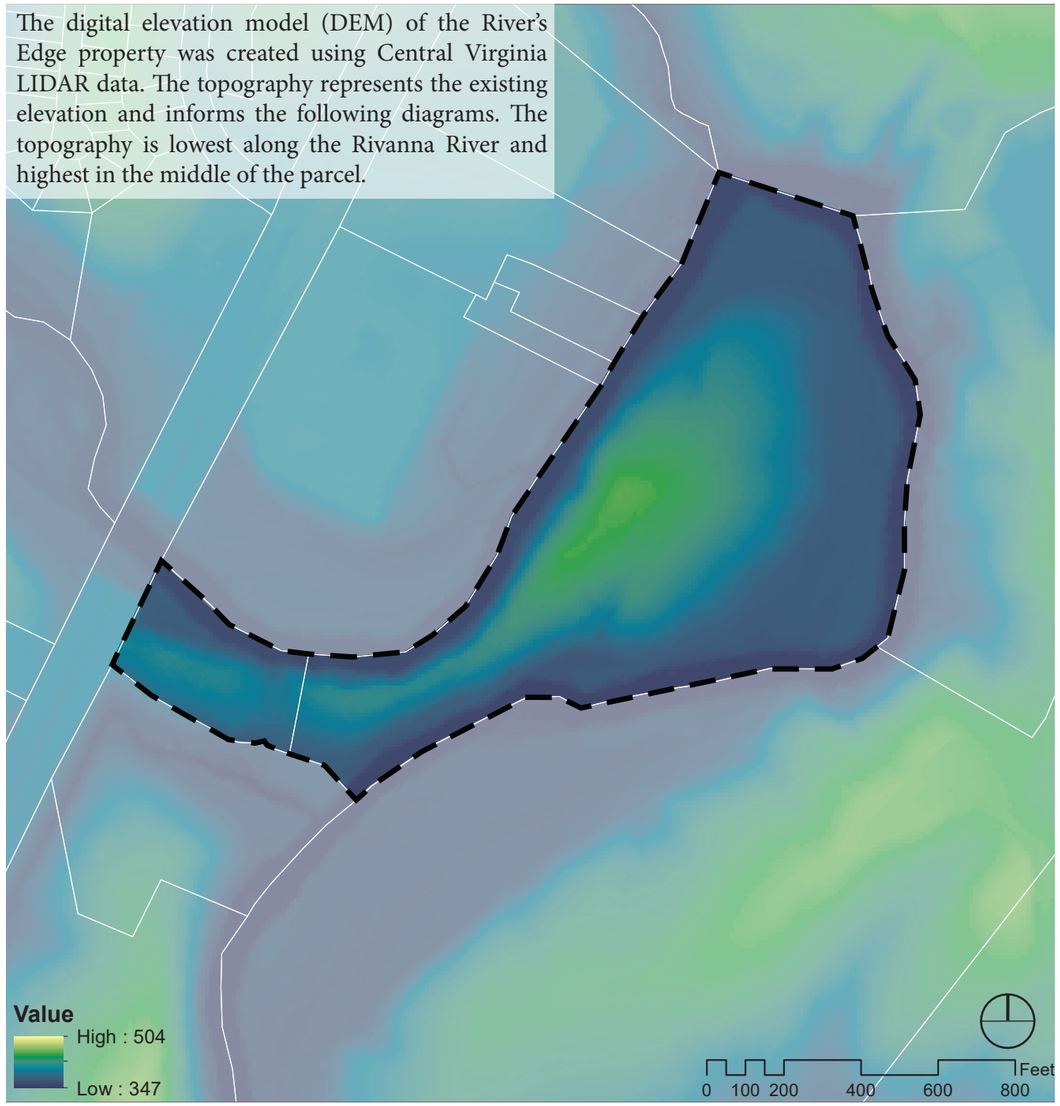
The following exhibits analyze the topographic features of the site and have helped to inform the conceptual development plan of the site.

ZONING MAP AMENDMENT
ZMA201800018 & SP201800023

RIVER'S EDGE
GIS ANALYSIS
Sheet 1 of 2

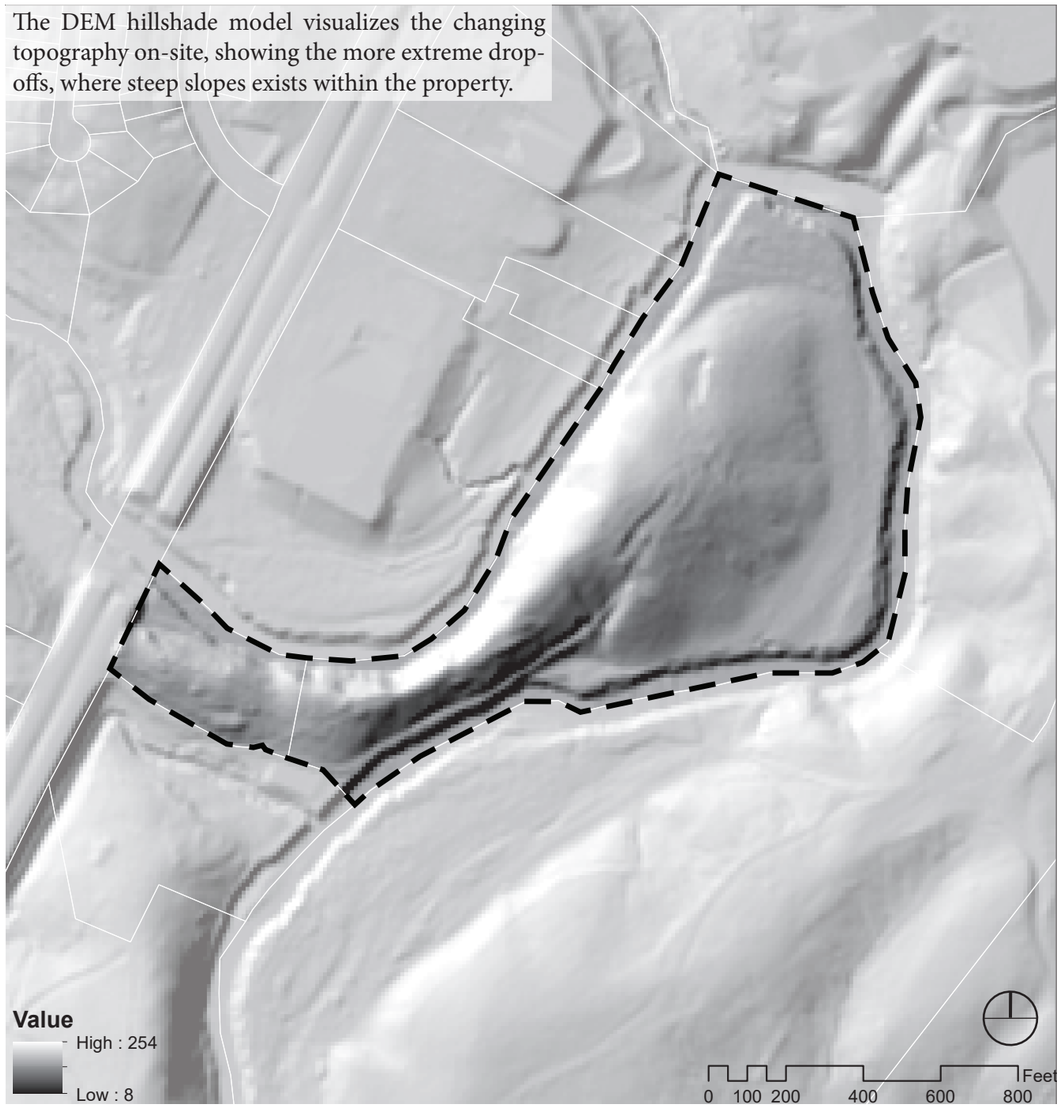
DEM

The digital elevation model (DEM) of the River's Edge property was created using Central Virginia LIDAR data. The topography represents the existing elevation and informs the following diagrams. The topography is lowest along the Rivanna River and highest in the middle of the parcel.



HILLSHADE

The DEM hillshade model visualizes the changing topography on-site, showing the more extreme drop-offs, where steep slopes exists within the property.



TMP(s) 32-5A & 32-5A1

Submitted 17 December 2018
REVISED 16 SEPTEMBER 2019

project: 15.064

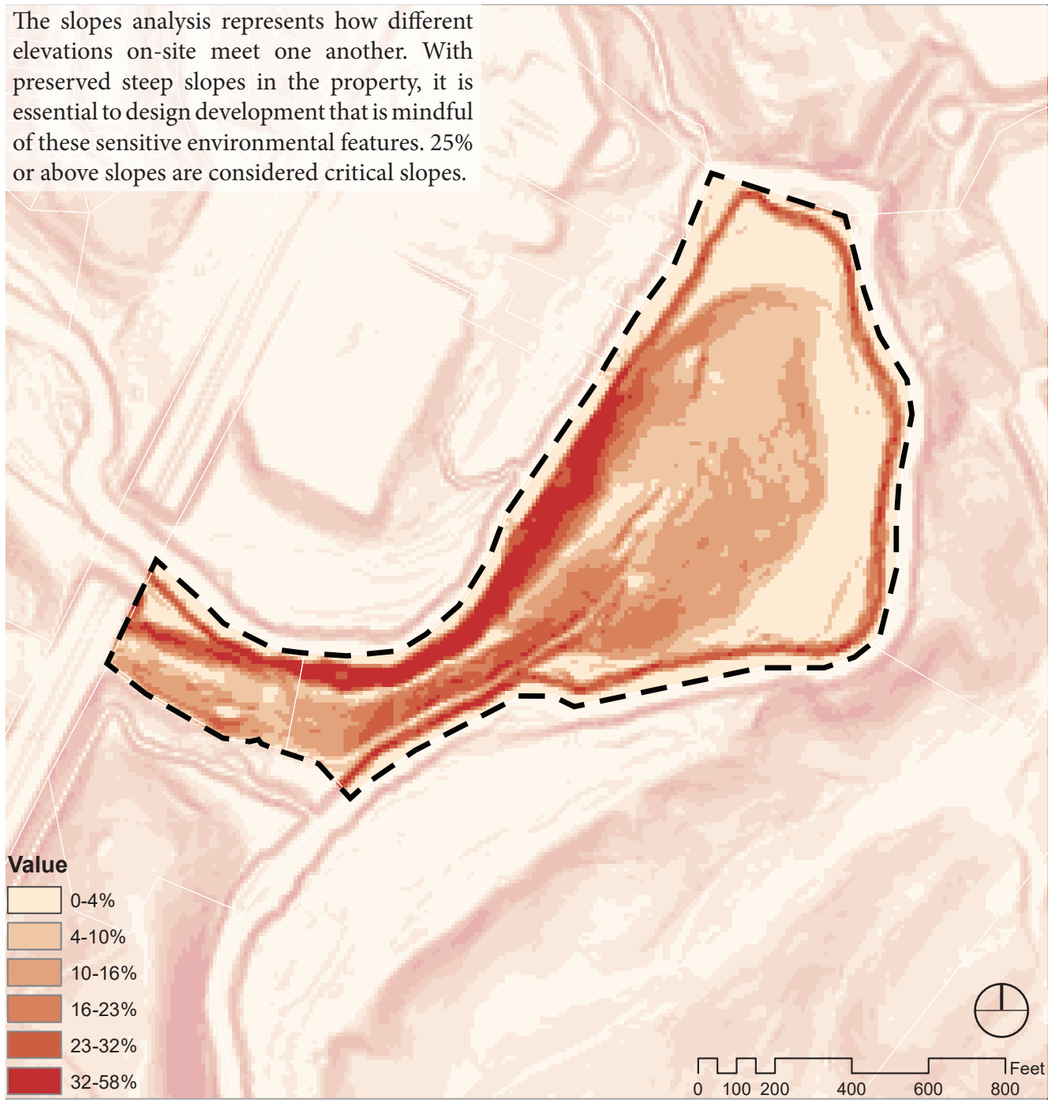
SHIMP ENGINEERING, P.C.

RIVER'S EDGE

GIS ANALYSIS

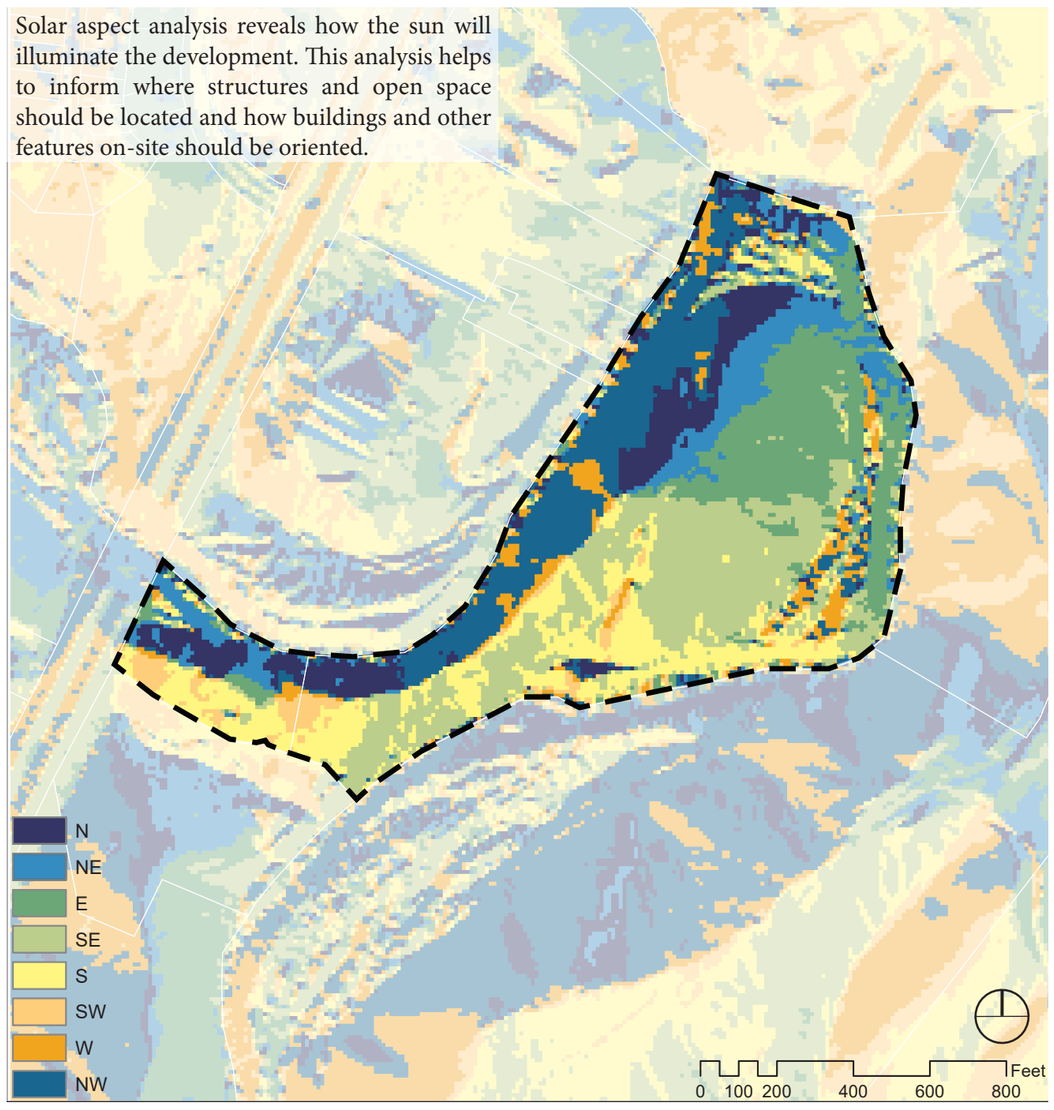
SLOPE

The slopes analysis represents how different elevations on-site meet one another. With preserved steep slopes in the property, it is essential to design development that is mindful of these sensitive environmental features. 25% or above slopes are considered critical slopes.



ASPECT

Solar aspect analysis reveals how the sun will illuminate the development. This analysis helps to inform where structures and open space should be located and how buildings and other features on-site should be oriented.



TMP(s) 32-5A & 32-5A1

Submitted 17 December 2018
REVISED 16 SEPTEMBER 2019

project: 15.064

SHIMP ENGINEERING, P.C.

SHIMP ENGINEERING, P.C.
Design Focused Engineering

Project Narrative For: **SP201800023 River's Edge | SP Request for Preserved Slopes Disturbance**

Parcel Description: **Tax Map 32, Parcels 5-A and 5-A1**

Initial Submittal: **December 17, 2018**

Revised: **September 16, 2019**

Revised: **December 16, 2019**

Current Revision Date: **February 28, 2020**

Pre-App Meeting Date: **June 18, 2018**

	Area
Steep Slopes – Preserved To Be Disturbed	39,100 sq. ft

Section 30.7.4(b)(2) of Chapter 18 of the Code of Albemarle County permits the Board of Supervisors to grant a special use permit for land disturbing activity within preserved slopes for "private facilities such as accessways, utility lines and appurtenances, and stormwater management facilities, not otherwise permitted by right under subsection (b)(1)(e), where the lot does not contain adequate land area outside of the preserved slopes to locate the private facilities." In accordance with Section 30.7.4(b)(2), we, on behalf of Rivers Edge Holdings LLC and Rivers Edge Associates LLC (collectively, the "applicant") request for the Board of Supervisors to grant approval of a special use permit for the disturbance of preserved slopes to allow for necessary access improvements to the existing driveway on the property and to allow for private facilities improvements for stormwater management. We request for this special use permit to be considered in conjunction with ZMA2018-00018, River's Edge North, a proposed planned residential development.

The ZMA application associated with this special use permit application petitions to rezone TMP 32-5A and TMP 32-5A1 from Rural Areas to a Planned Residential Development. The Comprehensive Plan designates this property as Neighborhood Density Residential and Privately-Owned Open Space. Redevelopment on the property will require the existing driveway to be widened and improved to ensure safe ingress and egress to the site for residents, guests, and emergency vehicles. The location of the proposed accessway takes into consideration the existing conditions of the site, specifically the existing location of the driveway, and other environmental conditions, such as stream buffers, which are discussed in further detail below.

We also request slopes disturbance for private stormwater facilities so that stormwater from precipitation events can be directed efficiently back into the Rivanna River. It may be necessary to disturb slopes for the installation of adequate drainage ways via pipes or ditches through the bank area. Disturbance of the bank for private stormwater facilities would necessitate the stabilization of the bank in accordance with applicable Albemarle County and Army Corps of Engineers regulations. The bank would be stabilized with the installation of rip rap or other acceptable means. This stabilization would be considered disturbance and so this request accounts for the disturbance anticipated to ultimately stabilize the bank.

This property is almost entirely surrounded by the Rivanna River and on this property, the banks of the River are entirely within preserved slopes and so, there is no clear path for any channelized flow to directly reenter into the River without the disturbance of preserved slopes. As aforementioned, this request covers the disturbance anticipated to be necessary to not only direct the runoff back into the river but also to stabilize the bank surrounding the constructed conveyance system. At present, the banks on the property within the preserved slopes do not have any stabilization measures and are susceptible to increased erosion when compared to a stabilized bank. The purpose and intent of the steep slopes overlay district is to, "protect downstream lands and waterways from the adverse effects of the unregulated disturbance of steep slopes, including the rapid or large-scale movement of soil and rock, or both, excessive stormwater runoff, the degradation of surface water, and to enhance and preserve the character and beauty of the steep slopes in the development areas of the county." The proposed stabilization measures would help to protect the character of the slopes and achieve the intent of the steep slopes overlay district by preserving the character of the slope as a defined portion of the channel of the Rivanna River.

We request 16,000 SF of preserved slopes disturbance to allow for the construction of an adequate accessway to the property for residents, visitors, service vehicles, and emergency vehicles and an additional 23,100 SF of disturbance for private facilities to allow for the construction of stormwater drainage measures and affiliated bank stabilization.

In your review of this request, please consider the following:

1. Protection of downstream lands and waterways

The disturbance of steep slopes for the accessway is purposefully designed as a no-fill, straight-cut process. The anticipated process will be an extraction of material, to be excavated and moved to an appropriate fill place on-site, using a rock hammer to cut away the slope. The disturbed material is expected to be mostly rock, which does not require mass earthwork and movement of dirt. The nature of this material is not prone to mudslides and not likely subject to uncontrolled movement or run-off, as there is expected to be minimal dirt within these disturbed areas when compared to mass graded areas. Due to the type of the material that is to be disturbed, it is not anticipated that downstream lands and waterways will be significantly impacted. The areas of disturbance will be limited to cutting and excavating the slopes, with no mass grading of the steep slopes planned, protecting the downstream areas below. Any land disturbance will comply with applicable Virginia DEQ and Albemarle County Water Protection Ordinance Regulations.

The disturbance for stormwater management would require stabilization of a portion of the bank where a pipe or channel was installed. The pipe or channel would efficiently direct stormwater runoff from the property back into the waterways and the affiliated stabilization of the bank would greatly reduce the impacts an eroded natural bank would have on downstream lands and waterways.

2. Rapid or large-scale movement of soil and rock

The proposed disturbance for the accessway will strictly be a localized process in certain areas of the site, to widen the existing road and ensure safe access to and from the site. The process aims to create a level pad at the top of the slopes and therefore we expect there will be about 1-5 feet of cut, with immediate removal of the excavated materials to another location on the site where fill is necessary, to prevent rapid or large-scale movement of soil and rock.

Any land disturbance necessary for installation of a stormwater pipe or channel will be immediately stabilized and the surrounding bank area will be stabilized with rip rap or other approved stabilization methods. The stabilized bank will limit erosion from the bank.

3. Excessive stormwater runoff

The disturbance of the steep slopes for the accessway is necessary to ensure a safe point of ingress to and egress from the site, as well as providing adequate circulation throughout the site. These improvements are to be conducted on an existing access road. The proposed disturbance for widening the road will be cutting into the existing slope, rather than grading and filling in earth. The proposed construction calls for improvements to the existing driveway by lowering it into the slope by 1-5 feet. This construction method is not anticipated to increase the velocity of stormwater runoff since the slope is proposed to be cut down.

The disturbance of the steep slopes for stormwater management will ensure that channelized flow will be utilized to manage stormwater runoff. This proposed disturbance will directly prevent excessive stormwater runoff since this proposed disturbance is to be incorporated into the broader stormwater management design measures for the entire property.

4. Protection of surface water

Protection of downstream lands and waterways and careful management of construction methods and activities to prevent rapid or large-scale movement of soil and rock and excessive stormwater runoff will ensure protection of surface water in the immediate area. The steep slopes disturbance for the accessway is a cut process that will be extracting rock from the slopes, rather than moving or filling of earth. Extracted material will be moved on-site in an appropriate timeframe to ensure that no rapid or large-scale movement of rock will take place. Additionally, as a cut process around an existing accessway, it is not expected for excessive stormwater runoff to be produced by this disturbance. Together, these factors will ensure that the disturbance will not impact surface water in the area. Land disturbance activities regulated by Virginia DEQ and the Albemarle County Water Protection Ordinance will be conducted in accordance with these regulations that exist to ensure responsible land disturbance and ultimately protect water quality.

Disturbance affiliated with stormwater management is expected to be minimal and once in place, the stabilization measures will contribute to enhanced protection of surface water by minimizing erosion of the natural bank.

5. Character of steep slopes unchanged

Due to the cutting process of the steep slopes disturbance for the accessway, the character of the steep slopes will remain relatively unchanged. Since there is already an existing paved driveway on the site in the location where the proposed accessway is to be constructed within the preserved slopes, the character of the slopes will remain largely the same. This existing travelway sits at the top of the ridge, and to provide adequate width, the accessway will further cut into the ridge and be widened. Overall, the proposed accessway improvements will not significantly change the character of the steep slopes as the existing driveway is currently present in the locations slated for slopes disturbance.

The stabilization of the bank will maintain the integrity and general characteristics of the slopes, whereas a non-stabilized bank is more susceptible to erosion.

6. Section 33.40(b)(1) – No substantial detriment

As previously stated, the disturbance of the steep slopes for the accessway is localized to the areas immediately around the existing road to provide adequate access to and from the site. Because it is anticipated that very little soil will be present in the localized areas of slopes disturbance and that process will cut and extract rock and little soil, it is not expected for there to be rapid or large-scale movement of rock and soil, and excessive stormwater runoff attributable to the proposed accessway improvements, and therefore negative impacts to downstream lands and waterways, and surface water are not expected. This plan was intentionally structured as a cut and extraction process, which we deem the most appropriate method in ensuring that the existing terrain and surrounding environment will be respected. Though we expect that rock will consist of the majority of the material, specifically identified enhanced erosion and sediment control measures can be implemented, such as a wire-supported silt fence. The proposed accessway improvements will adhere to applicable stormwater runoff regulations.

The disturbance of slopes for stormwater management will feature localized disturbance for drainage way construction and will be stabilized not only in the drainage way but also on the bank immediately surrounding the drainage way. This stabilization will help to prevent further degradation of the bank and ensure no substantial detriment from this disturbance to the waterways or downstream properties will be incurred.

7. Section 33.40(b)(2) – Character of the nearby area unchanged

The design of the disturbance intends to preserve the character of the steep slopes, as well as the character of the nearby area. As previously stated, proposed accessway improvements within the steep slopes overlay are slated for areas where there is an existing driveway that requires improvements for enhanced vehicular circulation on the site and increased safe access. Currently, the driveway is approximately 11 feet in pavement width, and in order to provide adequate improvements to facilitate safer ingress and egress to the site, we propose the road to be widened to 20 feet with an additional shoulder width of 4 feet on both sides. The land disturbance within the steep slopes overlay for the accessway is exclusive to a localized portion of the property and will not impact the character of adjacent parcels nor the nearby area.

The slopes disturbance for stormwater management will ensure the character of the slopes is not compromised by increased erosion. The bank stabilization is exclusive to this property and will not impact the character of the nearby area. The stabilization of the bank will ensure the topographic characteristics of the bank are maintained.

8. Section 33.40(B)(3) – Harmony

In order for redevelopment of this site to be possible, the special use permit to allow for safe access to and from the site is necessary. Overall, the aim of this ZMA and SUP application is to establish market-rate affordable housing in a unique "nature-ful" setting within a desirable and convenient location of the development areas.

The location of the property provides a prime opportunity. The property sits beside the UVA Research Park and the National Ground Intelligence Center. Both are major regional employers. Currently, UVA Research Park seeks to implement an expansion of their business park, with no plans for housing, while NGIC has many traveling and temporary employees in need of temporary rental housing. Furthermore, the property is immediately adjacent to Route 29, a major commuter corridor, and is close to the City of Charlottesville and Ruckersville, two employment hubs in Central Virginia. Housing that is affordable in this area would provide a key benefit in this strategic location. Due to the nature of the property and the development vision of the applicant, River's Edge cannot be subdivided and will be wholly rentable units.

The small footprints and pre-fabricated construction methods of the proposed units allow for the units to largely interact with the existing topography and lay lightly on the land by utilizing pillar foundations, ultimately contributing to a development on the property that is respectful of the natural beauty of River's Edge. The small square footage of individual structures allows for

flexibility in design and orientation of the structures in relation to the existing topography on the site, creating a more harmonious community within the existing conditions. Development is set far back from Route 29, which maintains the forested buffer of the Entrance Corridor.

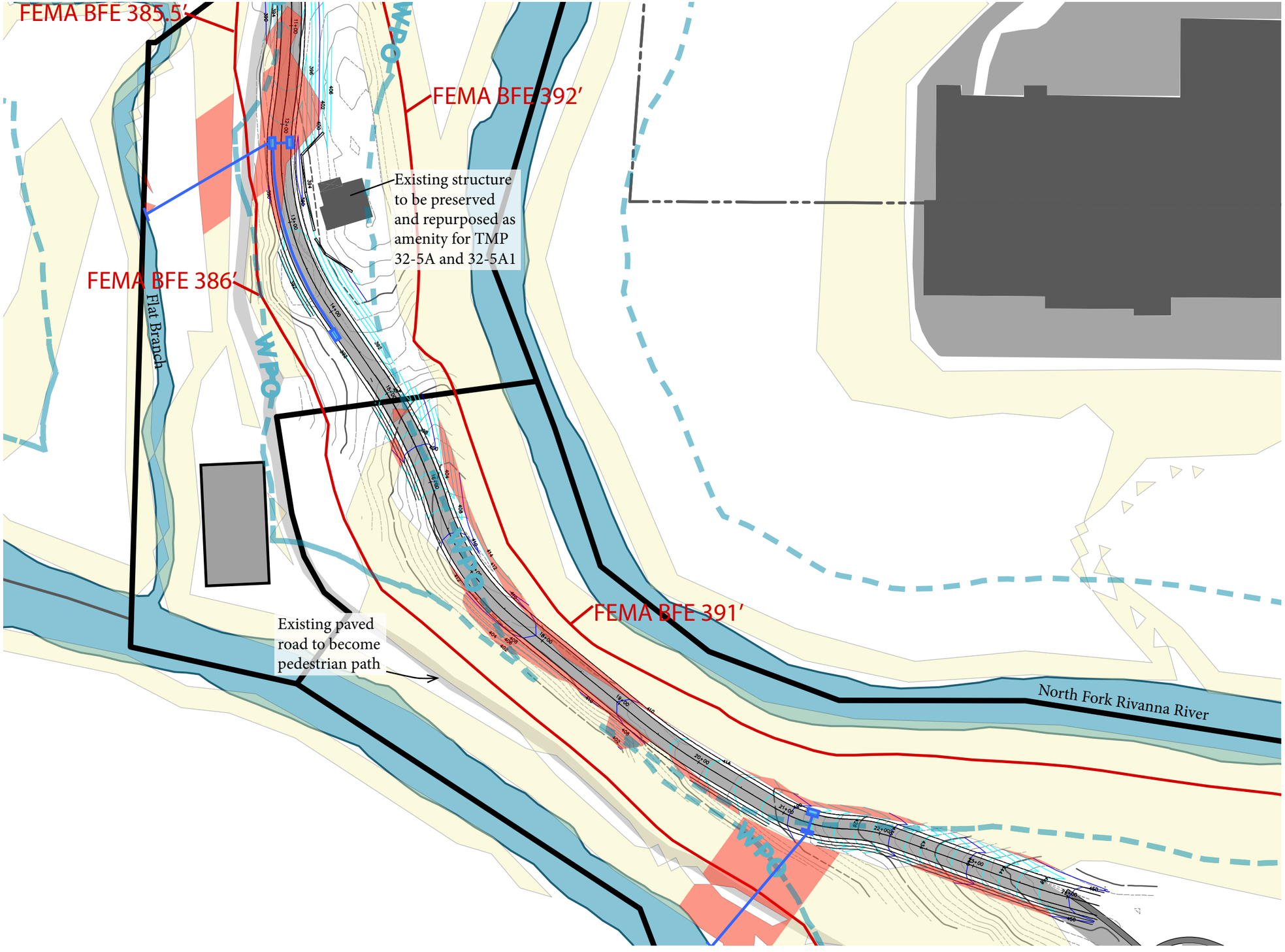
The overall design of River's Edge strives to take into consideration the existing conditions around and on the site, as well as the greater County context. In order for this development to be feasible, the accessway must disturb approximately 16,000 square feet of steep slopes, where disturbance is localized around the existing driveway and stormwater management facilities are anticipated to disturb 23,100 square feet of slopes for construction of adequate drainwage ways and affiliated stabilization of the surrounding banks.

9. Section 33.40(B-4) – Consistency with the Comprehensive Plan

The Comprehensive Plan designates these parcels as Neighborhood Density Residential and Privately-Owned Open Space, with the current zoning of the site as Rural Areas. The land use designation of Neighborhood Density Residential allows for 3-6 units per acre. The developable area of River's Edge is approximately 8.62 acres, indicating a Comprehensive Plan recommendation of approximately 26-52 units. Due to the exceptionally small footprint of these units, 100 units are proposed and the applicant has proposed restrictions on a maximum unit size of 1,200 square feet and a maximum building footprint area of 50,000 square feet. This property will be entirely rentable units and will not subdivided. Regardless, due to the present conditions of the accessway, any redevelopment for Neighborhood Density Residential that would occur on the site would require accessway improvements and a stormater management plan in accordance with applicable Albemarle County Water Protection Ordinance and DEQ regulations. Privately-owned open space is a substantial piece of the rezoning application, aimed to create opportunities for nature-based recreation within River's Edge. Please refer to the ZMA application for more details on open space and recreational space proposals.

SPECIAL USE PERMIT
SLOPES DISTURBANCE EXHIBIT
SP201800023

RIVER'S EDGE
STEEP SLOPES DISTURBANCE



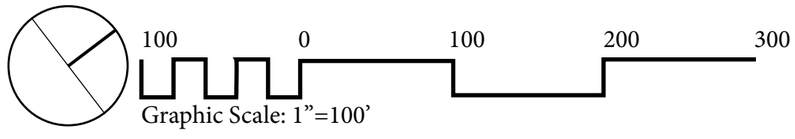
Additional Notes:

1. Topographic road survey completed by Brian Ray, Roger W. Ray & Associates, Inc. Surveying, September 2018

2. Total disturbance of the steep slopes is approximately 39,100 square feet

Key

- Adjacent Parcels
- FEMA BFE
- Stream
- Water Protection Ordinance Buffer
- Waterway
- Accessway
- Steep Slopes: Preserved
- Steep Slopes Disturance



TMP(s) 32-5A & 32-5A1

Submitted 17 December 2018
Revised 16 September 2019
Revised 16 December 2019
REVISED 28 FEBRUARY 2020

project: 15.064

SHIMP ENGINEERING, P.C.

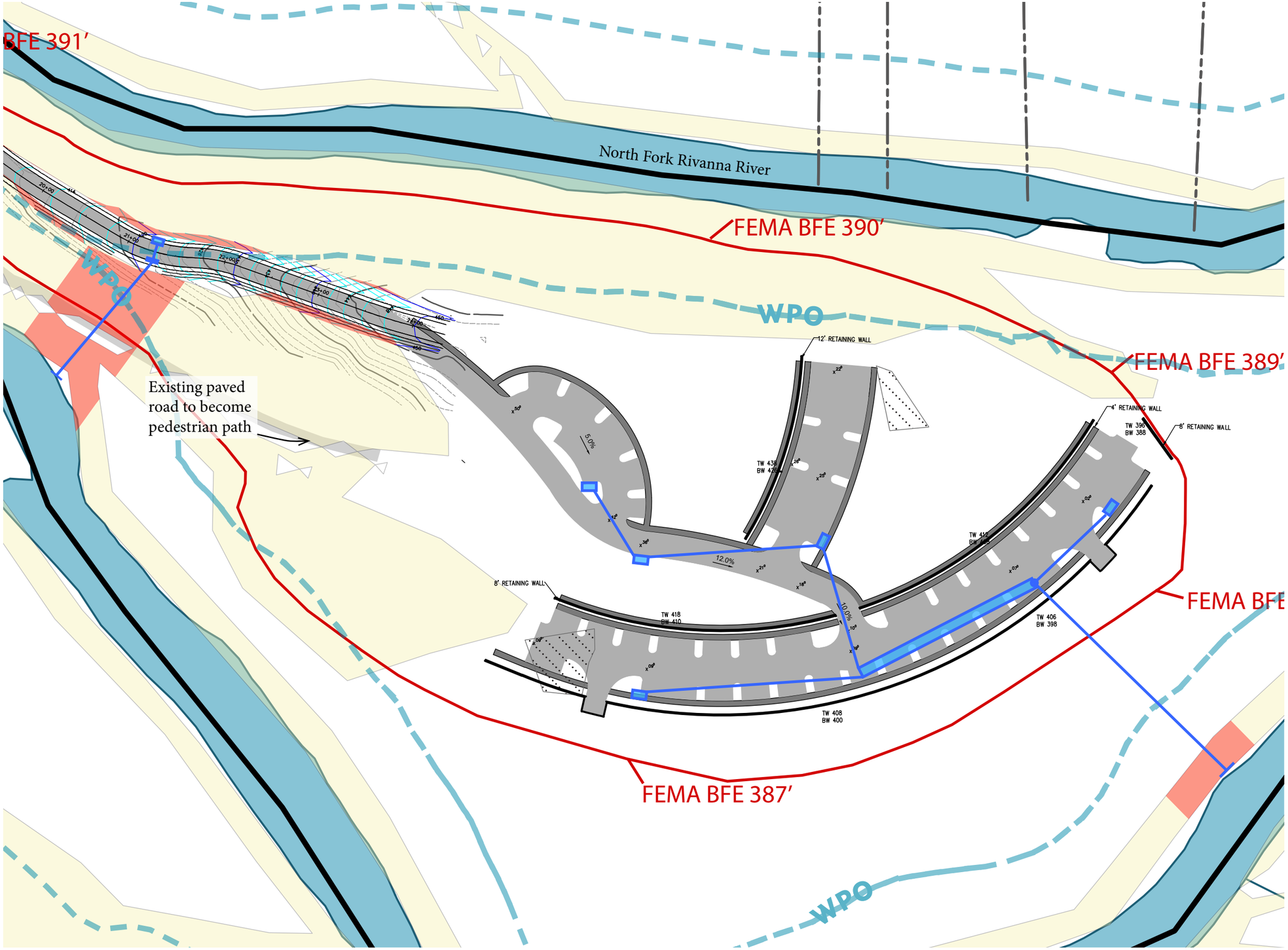
SPECIAL USE PERMIT
SLOPES DISTURBANCE EXHIBIT
SP201800023

RIVER'S EDGE
STEEP SLOPES DISTURBANCE

Additional Notes:

1. Topographic road survey completed by Brian Ray, Roger W. Ray & Associates, Inc. Surveying, September 2018

2. Total disturbance of the steep slopes is approximately 39,100 square feet



Key

- Adjacent Parcels
- FEMA BFE
- Stream
- Water Protection Ordinance Buffer
- Waterway
- Accessway
- Steep Slopes: Preserved
- Steep Slopes Disturance

100 0 100 200 300
Graphic Scale: 1"=100'

TMP(s) 32-5A & 32-5A1

Submitted 17 December 2018
Revised 16 September 2019
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SHIMP ENGINEERING, P.C.

SPECIAL USE PERMIT
SLOPES DISTURBANCE EXHIBIT
SP201800023

RIVER'S EDGE
STEEP SLOPES DISTURBANCE

Sheet 3 of 3

FEMA BFE 385.5'
FEMA BFE 392'
FEMA BFE 386'
FEMA BFE 391'
FEMA BFE 390'
FEMA BFE 389'
FEMA BFE 388'
FEMA BFE 387'

Existing structure to be preserved and repurposed as amenity for TMP 32-5A and 32-5A1

Existing paved road to become pedestrian path

Flat Branch

North Fork Rivanna River

WPO

Key

- Adjacent Parcels
- FEMA BFE
- Stream
- Water Protection Ordinance Buffer
- Waterway
- Accessway
- Steep Slopes: Preserved
- Steep Slopes Disturance

200 0 200 400 600
Graphic Scale: 1"=200'

TMP(s) 32-5A & 32-5A1

Submitted 17 December 2018
Revised 16 September 2019
Revised 16 December 2019
REVISED 28 FEBRUARY 2020

project: 15.064

SHIMP ENGINEERING, P.C.

SHIMP ENGINEERING P.C.

PROJECT MANAGEMENT
CIVIL ENGINEERING
LAND PLANNING

December 16, 2019

Mr. Adam Moore, P.E.
Virginia Department of Transportation
701 VDOT Way
Charlottesville, VA 22911

Regarding: **River's Edge**
Right Turn Warrant Analysis

Mr. Moore,

Please find enclosed a warrant analysis for the proposed River's Edge off of U.S. 29 Seminole Trail between Airport Road and Camelot Drive. The purpose of construction at River's Edge is to build 100 multifamily units.

The following items are included with this report:

- VDOT Traffic Data
- ITE Trip Generation Summary
- Warrant Analysis Exhibit
- OTISS Trip Generation Reports

Our analysis shows that a taper is warranted for this project.

If you have any questions you may contact me at justin@shimp-engineering.com or by phone at 434-953-6116.

Best Regards,

Justin Shimp
Shimp Engineering, P.C.

The table below summarizes the 2017 VDOT traffic data for the 1.80 mile segment of U.S. 29 Seminole Trail between Airport Road and Camelot Drive, which was used to calculate the peak hour volume (PHV) approaching for the warrant analysis.

Table 1. VDOT traffic data summary – U.S. 29 Seminole Trail

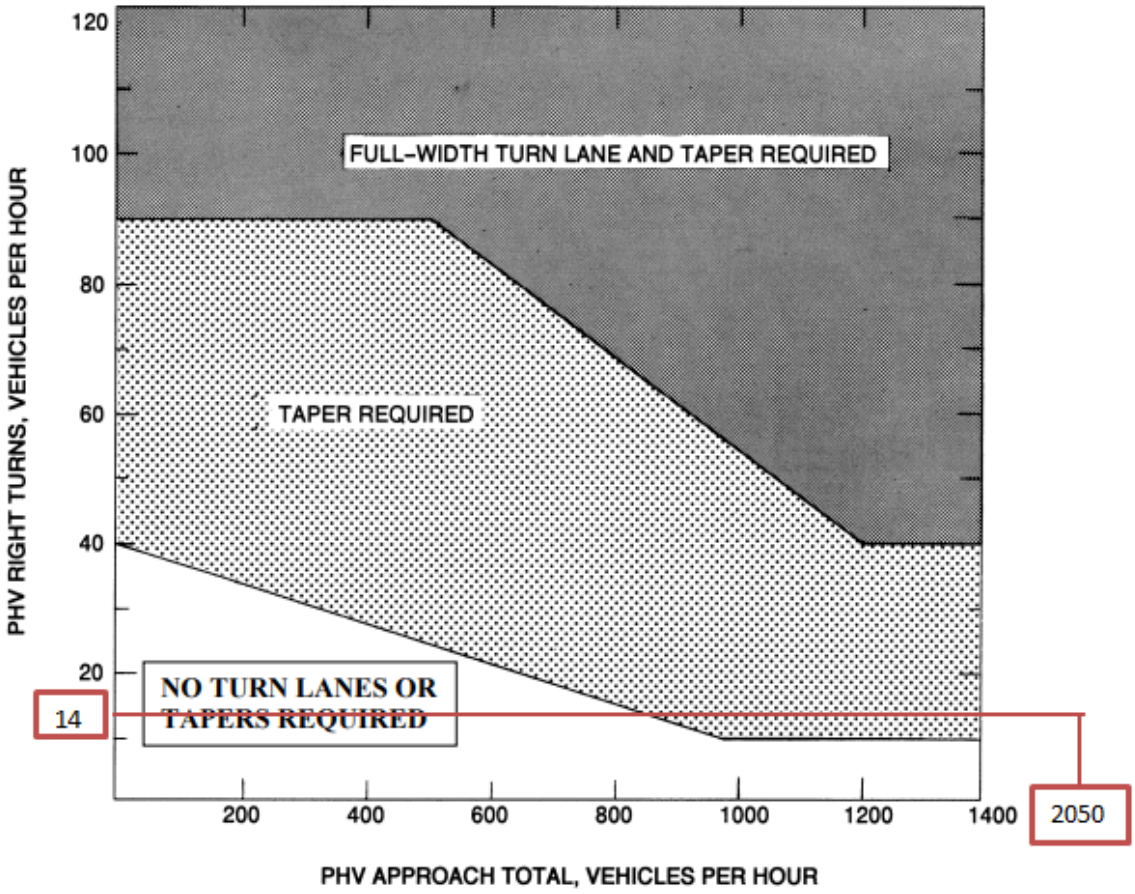
AADT	39000
K factor	0.098
D factor	0.5328
PHV (AADT*K*D)	2036
Design Speed (mph)	55

Below is the ITE trip generation summary table that was used in combination with the direction factor of U.S. 29 Seminole Trail to determine the PHV right and left turns into the establishment. The OTISS graphs showing the source of this information are included as Figures 2 and 3.

Table 2. ITE trip generation summary table

			AM			PM		
Use Description	**ITE**	**Qty**	**in**	**out**	**Total**	**in**	**out**	**Total**
Multifamily Housing	221	100 Units	9	26	35	26	17	43
Right Turn			4			14		
Left Turn			5			12		

The higher number of right turns into River's Edge was used in the right turn lane warrant analysis, shown in Figure 1 below.



Appropriate Radius required at all Intersections and Entrances (Commercial or Private).

LEGEND

PHV- - Peak Hour Volume (also Design Hourly Volume equivalent)

Adjustment for Right Turns

If PHV is not known use formula: PHV = ADT x K x D

K = the percent of AADT occurring in the peak hour
D = the percent of traffic in the peak direction of flow

Note: An average of 11% for K x D will suffice.

When right turn facilities are warranted, see Figure 3-1 for design criteria.*

FIGURE 3-27 WARRANTS FOR RIGHT TURN TREATMENT (4-LANE HIGHWAY)

Figure 1. Warrant for right turn treatment (4-lane highway)

The figure above shows that a taper is required for the site. The right turns were taken from Table 2, and the PHV approach total includes additional traffic that is to be generated by the site.

The following two figures display the source of the estimated trips generated by the River's Edge development.

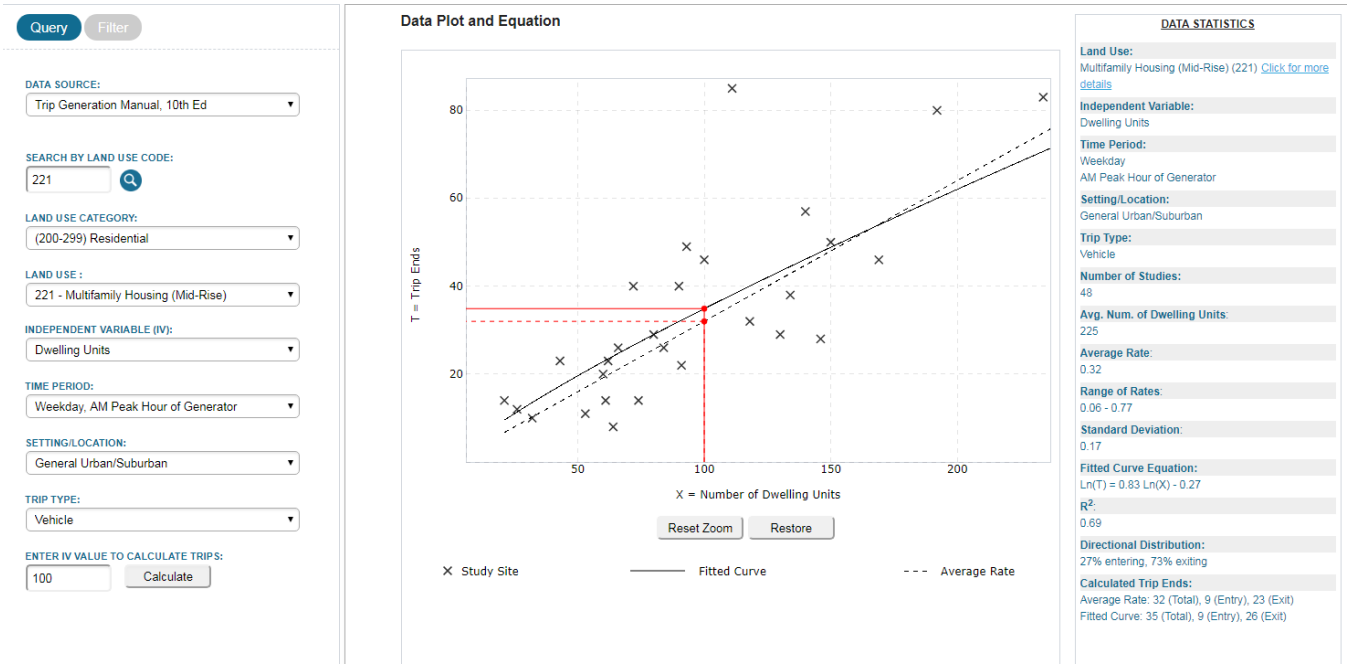


Figure 2. OTISS trip generator A.M. peak hour

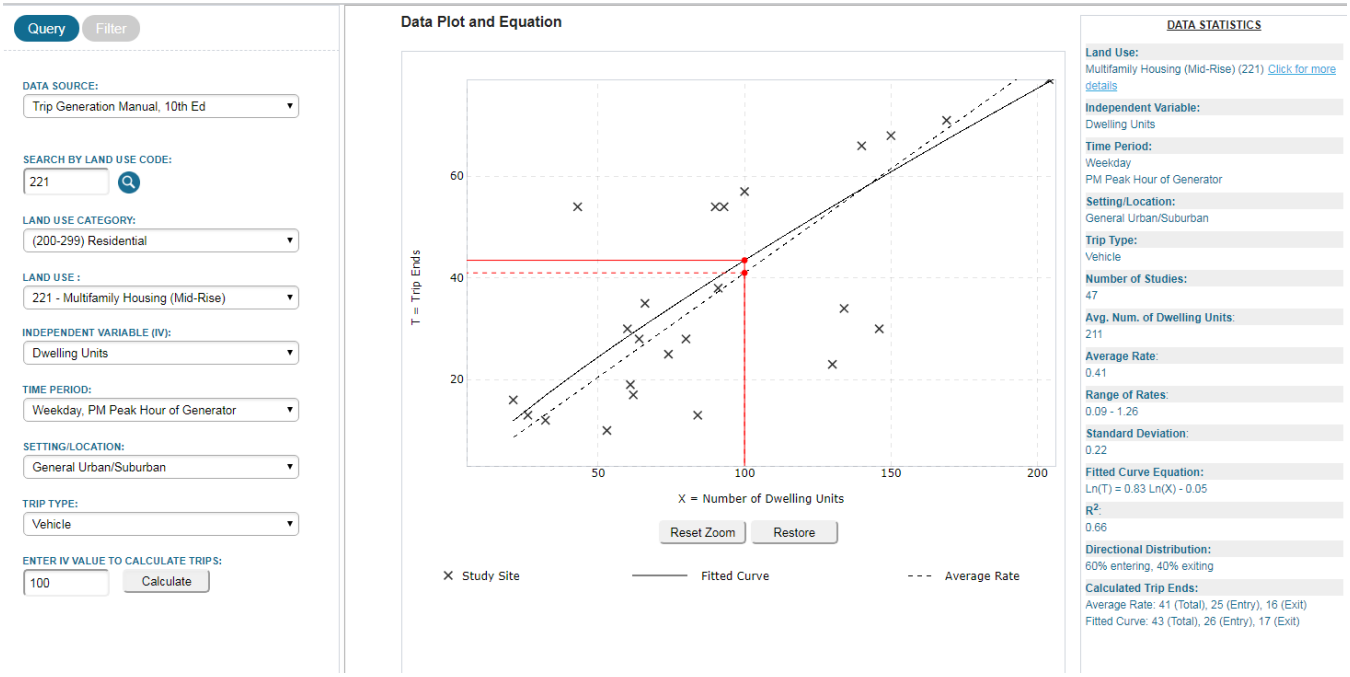


Figure 3. OTISS trip generator P.M. peak hour

SHIMP ENGINEERING, P.C.
Design Focused Engineering

February 25, 2020

Claudette Borgersen, Clerk
Albemarle County Board of Supervisors
Department of Community Development
401 McIntire Road, North Wing
Charlottesville, Virginia 22902

RE: ZMA2018-018 River's Edge
Request for Central Sewerage System Chapter 16 Article I

Dear Ms. Borgersen,

Chapter 16 Article I of the Code of Albemarle outlines the procedures for the establishment of a central sewerage system. In conjunction with a request to rezone TMP 32-5A and 32-5A1 (the "River's Edge PRD"), which would allow a maximum of 100 dwelling units on a 32.5-acre site off Seminole Trail; River's Edge Holdings LLC and Rivers Edge Associates LLC (collectively, the "applicant") requests permission to construct a central sewerage system for the River's Edge PRD. In accordance with Sec. 16-102, please consider this request the required notice for this proposal to establish a central sewerage system.

Location:

The central sewerage system would be located on TMP 03200-00-00-005A1 and 03200-00-00-005A0 near coordinates 38.15280, -78.41699.

Connection Numbers:

The central sewerage system would serve 100 dwelling units.

Statement of Proposal and Description:

The central sewerage system would consist of a system of sewer laterals from each dwelling which would connect to a private gravity main that would drain into a private pump station. This pump station would push effluent through a private sanitary force main, where it would tie into a new public sanitary manhole just outside Rte. 29 North. From this manhole, waste will flow through a public gravity main under Rte. 29 to an existing public manhole at the Rivanna Sewer and Water Authority pump station, directly across from the site.

The intent of the River's Edge PRD is to create rental units under single ownership. The proposed development is on a single parcel with no proposed subdivision. Since the parcel is surrounded by steep slopes, floodplain, and the North Fork Rivanna River, it is impractical to extend the system to adjoining parcels. Any potential public offsite connection to a sewer system would be highly unlikely due to these conditions and the regulatory difficulty involving in crossing the North Fork Rivanna River. Since the system requires a pump station and force main line, and since it only serves a single parcel, and since future offsite public connection to any part of the sewer system on this property is unlikely, it would be impractical to burden the Albemarle County Service Authority and its constituents with the maintenance and operation of these facilities.

Granting permission of a central sewerage system will allow the Applicant to achieve one of the project's key goals: developing independent dwelling units that are environmentally and aesthetically sensitive, all without creating financial and managerial burdens for public utilities.

If you have any questions please do not hesitate to contact me at your convenience. I can be reached at: keane@shimp-engineering.com or by phone at 434-299-9843.

Regards,

Keane Rucker
keane@shimp-engineering | (434)227-5140

Copy: justin@shimp-engineering.com

ATTACHMENTS:

Three (3) copies of preliminary plans for the central sewerage system

SHIMP ENGINEERING, P.C.
Design Focused Engineering

December 16, 2019

Frank Pohl
County of Albemarle
Department of Community Development
401 McIntire Road, North Wing
Charlottesville, Virginia 22902

RE: ZMA2018-018 River's Edge
Pump Station Preliminary Design

Dear Mr. Pohl,

As part of the plan requirements, we have completed a basic preliminary design for the sewer pump stations.

Flow Calculations:

A design population of 100 2-person units has an average design flow of 100 gpd/person = 200 gpd/unit.
(SCAT regs - 9VAC25-790-460-F)
The design peak capacity of the system shall be 2.5 times this avg. design flow.
(SCAT regs - 9VAC25-790-310-D)

Avg Design Flow = 100 units x 200 gpd/units = 20,000 gpd
Peak Design Flow = 2.5 x Avg Design Flow = 50,000 gpd (34.7 gpm)
Minimum design pump rate must exceed 35 gpm to allow for the Peak Design Flow.

Basic Pump Station Design:

The pump station shall be an inline underground wet well with submersible pumps that will pump effluent through a force main at select times when the sewage level reaches set elevations in the wet well. The pump station will consist of a remote monitoring system that will be managed by a contracted professional third party, a backup generator in case of loss of power, and an onsite alarm in case of failure.

Preliminary Wet Well Sizing:

The wet well will be a 60" precast lined watertight manhole. For a wet well with 10' depth well and a design lead pump switch "on" elevation at 4' above the invert, the well storage would reach 540 gal. of effluent before the lead pump engaged. In this scenario, the pump would operate roughly 37 times per day (using the avg. design flow estimate of 20,000 gpd for the 100 units from above). With this basic design, the lead pump would engage on average every 39 minutes. This cycle period minimizes potential nuisance from the pump station by ensuring the sewage does not sit long enough to go anaerobic and also ensures potential adverse noise impacts on future residents are mitigated through cycle frequency management.

Additional Design Considerations:

The following considerations are based on previous design experience with pump stations, and the final design shall account for these considerations.

1. Since the pump station will be handling raw sewage, pumps and force main must be capable of passing 2” solids. Thus, the minimum force main size should be 3”. A minimum scour velocity of 2 fps must be achieved within the force main.
2. To remove cumbersome maintenance requirements, submersible grinder pumps shall be used.
3. Two robust pumps shall be chosen to provide redundancy. Multiple switches shall be implemented which will trigger first one, then both pumps when sewer levels reach critical elevations within the wet well.
4. CCS Tracer wire shall be installed along the force main to allow for maintenance to immediately identify the location from above ground.
5. To prevent unpleasant odors, which are mainly caused by sewage going anaerobic, a small air pump and diffuser shall be installed for the wet well.
6. Fencing and vegetative screening shall be provided to make the pump less conspicuous for residents.

If you have any questions please do not hesitate to contact me at your convenience. I can be reached at: justin@shimp-engineering.com or by phone at 434-227-5140.

Regards,

Keane Rucker
keane@shimp-engineering | (434)299-9843

Copy: justin@shimp-engineering.com

ZONING MAP AMENDMENT
APPLICATION PLAN
ZMA201800018

RIVER'S EDGE
CONCEPTUAL WATER & SEWER

Additional Notes:

1. Structures to be metered according to ACSA regulations.

Existing ACSA manhole
Bore under Route 29 for public sewer
8" gravity main (typ.
New ACSA manhole
Public water line
Existing paved road to become pedestrian path
FEMA BFE 385.5'
FEMA BFE 392'
FEMA BFE 386'
3" force main
Flat Branch
FEMA BFE 391'
FEMA BFE 390'
FEMA BFE 389'
FEMA BFE 388'
FEMA BFE 387'
Pump station with underground wet well
Fire hydrant
4" san lat (typ.)
8" gravity main (typ.)
North Fork Rivanna River
WPO
380
400
420
440
452
360

200 0 200 400 600
Graphic Scale: 1"= 200'

Key

- Retaining Wall
- FEMA BFE
- Stream
- Water Protection Ordinance Buffer
- Waterway
- Accessway
- Pedestrian Walkways
- Steep Slopes: Preserved
- Steep Slopes: Managed

TMP(s) 32-5A & 32-5A1

Submitted 17 December 2018
Revised 16 September 2019
Revised 16 December 2019
REVISED 28 FEBRUARY 2020

project: 15.064

SHIMP ENGINEERING, P.C.

ZMA201800018 and SP201800023: River's Edge
March 10, 2020 Planning Commission

Neighborhood Model Principles

Pedestrian Orientation	This principle is partially met. The application shows some, but not all, of the trail connectivity shown in the Places29 Master Plan. Staff recommends that the applicant provide the Multi-Use Path (MUP) along Route 29, as shown in the Places29 Master Plan. The applicant should provide additional information on connectivity with the adjacent parcel to the south, and if a public access easement will be dedicated for a future public connection. Staff finds the rest of the proposed trail network meets the connectivity of trails planned by Parks and Recreation. Pedestrian connectivity is provided through the site with a primitive trail system, which is consistent with the character of the site. The location of this site provides limited opportunities to walking or biking to other locations, however there are connectivity options, potentially with North Pointe and its trail system.
Mixture of Uses	This principle is met. The Comprehensive Plan lists non-residential uses as secondary uses in this future land use designation, and given the environmental constraints of the site, staff does not feel this would be an appropriate location for non-residential uses (unless they were meant only to serve this development and were very small scale). There are other non-residential uses in proximity to this area, including the UVA Research Park, the Airport, and various commercial uses.
Neighborhood Centers	This principle is not applicable. The proposal is not located in a designated center.
Mixture of Housing Types and Affordability	This principle is met. While a mixture of housing types is not provided on-site, this development would add a new housing type to the County and to the Places29 area. A modular 'small home' development with attached units has not, to staff's knowledge, been done in the County. This housing type has the potential to be more affordable and serve demand. The 15 percent affordable housing policy 6b in the Comprehensive Plan is met.
Relegated Parking	This principle is partially met. Given the site constraints of this property, it may not be feasible to fully relegate

	parking. Parking is still fully screened from Route 29. While the Comprehensive Plan calls for reducing parking requirements when possible, given the location of this site, staff would likely not support a significant parking reduction request. The applicant could consider using pervious options for the parking lot, given the environmental features and constraints of this site.
Interconnected Streets and Transportation Network	This principle is met. Given the constraints of this site, a street network is not feasible, and could negatively affect environmental features. Street connections to other parcels are not shown in the Comprehensive Plan, although trail connections are shown.
Multimodal Transportation Opportunities	This principle is partially met. Currently, there is not bus service to this site or this area. There is some potential for pedestrian and bike connectivity, including with North Pointe's development directly to the south. Residents of this development would be able to walk throughout the site using the trail network and would be able to walk to future developments to the south with the proposed pedestrian bridge. Connections to other trail segments should be public. The internal trail network may be private. There is not sufficient information provided to ensure that there is a future public connection to the parcel to the south.
Parks, Recreational Amenities, and Open Space	This principle is met. The open space requirement is met, and staff is supportive of the requested recreation substitution requests, including natural playscapes. The character of the site provides opportunities for trail connectivity and a more nature-based network than traditional sites.
Buildings and Spaces of Human Scale	This principle is met. The proposed single-family attached units will need to meet the requirements of the PRD district. The proposed stacked units would be approximately two stories. These smaller units better fit the character of this site. Staff feels it is not an appropriate location for larger buildings.
Redevelopment	This principle is met. There are existing rental units on this site. Only one building is being preserved, which will serve as a clubhouse. The buildings on this site will not be adjacent to other residential uses, as they are surrounded by the river. The proposed residential units for this site have a similar scale to the existing homes, however the density would be higher.
Respecting Terrain and Careful Grading and Regrading of Terrain	This principle is partially met. Staff is supportive of the Special Use Permit request to disturb steep slopes. Disturbance of these slopes is the only possibility for

	constructing a private street or accessway to the site. Natural topography should be respected as best as possible. Some retaining walls shown are greater than six feet. Retaining walls should be six-feet maximum where possible.
Clear Boundaries between the Development Areas and the Rural Area	This principle is met. This site is part of the Development Areas and is partially adjacent to the Rural Area. Clear boundaries are preferred, and in this case the boundary is the river. When the boundary is a river, wooded buffers are expected, and areas near the river can be used for trails and greenways. This boundary is considered a Riparian/Floodplain boundary in the Places29 Master Plan.

ZMA201800018 and SP201800023 Rivers Edge
Density Calculations and Accessory Unit Regulations

Calculating Density:

Density is calculated differently for rezonings and special use permits, using the Comprehensive Plan, as compared with by-right applications, using the Zoning Ordinance:

Comprehensive Plan: The policy of Strategy 8c (Development Areas, Chapter 8) of the Comprehensive Plan is that rezoning and special use permit applications should calculate density using **net density** by excluding land area that is designated as parks/greenspace and land area included in steep slopes, stream buffers, and floodplain.

Zoning Ordinance: Density for by-right developments is calculated using **gross density**, which includes all land area in the development.

The net density of this rezoning application is 12 units/acre, while the gross density is 3 units/acre. The recommended density in the Places29 Master Plan is 3-6 units/acre.

Accessory Unit Regulations:

Zoning Ordinance 18-5.1.34: This section of the Zoning Ordinance contains regulations for accessory apartments, including (but not limited to) the following:

- Accessory units must be within the structure of the main dwelling, not freestanding.
- Only one accessory unit per dwelling unit.
- The gross floor area (GFA) dedicated to the accessory unit cannot exceed 35 percent of the total GFA for the overall structure.
- *"A single-family dwelling which adds an accessory apartment shall be deemed to remain a single-family dwelling and shall be considered one dwelling unit for purposes of area and bulk regulations of the district in which such dwelling is located."*
- *"A guest or rental cottage shall not be deemed to be an accessory apartment, but shall be deemed to be a single-family detached dwelling, whether or not used as such, subject to area and bulk regulations of the district in which such cottage is located. No accessory apartment shall be permitted within any guest or rental cottage."*

Several Neighborhood Model District (NMD) rezonings have incorporated accessory units or carriage units. Carriage units are permitted to be separate from the main dwelling. Below are examples of approved NMD and their regulations:

Southwood: The Southwood Code of Development (ZMA201800003) accessory apartment units and flex units. These units are size-restricted to a maximum of 1,000 square feet and do not count toward the overall density of the development.

Brookhill: The Brookhill Code of Development (ZMA201500007) allows for carriage houses. They are restricted in size to not exceed 35% of the total gross floor area of the main dwelling, and they do count towards the overall density of the development.

Belvedere: The Belvedere Code of Development (ZMA200400007) allows for carriage houses, which are restricted to a maximum of 800 square feet. Carriage houses “are separate, detached, independent living units” and do count toward the overall density of the development.

Riverside Village: The Riverside Village Code of Development (ZMA2012000002; ZMA201500003; ZMA201600019) allows for accessory apartments and uses the existing Zoning Ordinance regulations per 18-5.1.34. These units do not count toward the overall density of the development as permitted under 18-5.1.34.

Previous Application Decisions Regarding Density:

Galaxie Farm rezoning request: October 15, 2019 Planning Commission Minutes
Summary: The Planning Commission found that one additional affordable unit was not sufficient justification for exceeding the recommended density in the Comprehensive Plan.

Rivers Edge CCP: October 16, 2018 Planning Commission Minutes
Summary: The Planning Commission recommended using GIS-date to calculate the area for net density, instead of the area designated Parks/Green systems in the Comprehensive Plan. The Planning Commission recommended against transferring density with the Urban Density Residential designated parcel (TMP 32-22K1) to the south.

Riverside Village rezoning request: March 21, 2017 Planning Commission Minutes
Summary: The Planning Commission recommended approval (and the Board approved) of the request to increase the number of units in Riverside Village above the recommended density in the Comprehensive Plan. The Planning Commission and Board found that the request was acceptable for the following reasons: the CAC had no objection to the request; the location is a walkable area with residential and employment uses; there was existing development approved in the location, and the previously approved commercial use is being substituted with additional residential units.

RESOLUTION
GENERAL ANTI-DISPLACEMENT AND
TENANT RELOCATION ASSISTANCE POLICY

WHEREAS the County of Albemarle is committed to (i) the promotion of housing opportunities for very low-, low-, and moderate-income households and (ii) the preservation of existing communities; and

WHEREAS the County of Albemarle is committed to limiting the negative impacts residential (re)development and rehabilitation projects may have on County residents.

NOW, THEREFORE, BE IT RESOLVED that the County of Albemarle (the "County") is committed to making all reasonable efforts to ensure that residential redevelopment and rehabilitation activities that receive County funding support or that require Board approval will minimize resident displacement or relocation to cases where no other alternative is available.

BE IT FURTHER RESOLVED that the County will work with developers and property owners to avoid resident displacement, whenever possible; and when relocation is necessary, to enable displaced residents to move directly to safe, healthy, and affordable replacement housing convenient to their place of employment and/or school.

I, Claudette K. Borgersen, do hereby certify that the foregoing writing is a true, correct copy of a Resolution duly adopted by the Board of Supervisors of Albemarle County, Virginia, by a vote of six to zero, as recorded below, at a meeting held on September 18, 2019.

Claudette K Borgersen
Clerk, Board of County Supervisors

	Aye	Nay
Mr. Dill	Y	____
Mr. Gallaway	Y	____
Ms. Mallek	Y	____
Ms. McKeel	Y	____
Ms. Palmer	Y	____
Mr. Randolph	Y	____

COUNTY OF ALBEMARLE
PLANNING STAFF REPORT SUMMARY

Project Name: CCP2018-04 Rivers' Edge	**Staff:** Rachel Falkenstein, Principal Planner
Planning Commission Work Session: October 16, 2018	**Board of Supervisors Public Hearing:** N/A
Owners: Incheon Holdings LLC, Rivers Edge Holding LLC, Rivers Edge Associates LLC	**Applicant**: Shimp Engineering
TMP: 032000000005A0, 032000000005A1; 032000000022K1 **Location:** 2256 Rivers Edge Lane	**Acreage**: approximately 37.74 acres
Zoning District: RA, Rural Areas	**Magisterial District**: Rivanna
Proposal: Work session to obtain direction and interpretation of the Places29 Master Plan for the proposed development of the parcels for residential (145 units proposed) and commercial/office uses.	**Comp. Plan Designation:** Urban Density Residential – residential (6.01 – 34 units/ acre) with supporting uses such as religious institutions, schools, commercial, office and service uses; Neighborhood Density Residential – residential (3 – 6 units/acre) with supporting uses such as religious institutions, schools and other small-scale non-residential uses; and Privately Owned Open Space/Environmental Features – privately owned recreational amenities and open space; floodplains, steep slopes, wetlands, and other environmental features.
DA (Development Area): Places29-North	**Use of Surrounding Properties:** NGIC and other commercial uses to the north, future North Pointe development to the south, UVA Research Park property to the west (across Rt 29), Rural Areas to the east.

RECOMMENDATION:

Question 1: Staff is of the opinion that transferring the density from TMP 32-22K1 to TMP 32-5A is not appropriate.

Question 2: Staff does not believe that NMD is an appropriate zoning district for the proposed development and recommends that the development of the property as proposed be considered with separate rezoning applications.

Question 3: Staff agrees that the listed commercial uses could be appropriate on TMP 32-22K1 as secondary uses, with the appropriate design and scale.

Question 4: Staff recommends that more accurate GIS-data should be used to calculate the net density of the site.

STAFF PERSON: **Rachel Falkenstein**
PLANNING COMMISSION WORK SESSION: **October 16, 2018**

Background and Purpose of the Review

The pre-application process is for proposed development projects, typically a Zoning Map Amendment or Special Use Permit. The purpose of the process is to gather input from the Planning Commission on the proposed project's consistency with the Comprehensive Plan, the appropriateness of the proposed use and/or to determine other major issues with the project that need to be addressed. The action of the Planning Commission is non-binding but is meant to help an applicant know whether a project is worth pursuing further. This pre-application work session is for a potential rezoning proposal. Specifics about the property and proposal are provided below.

Characteristics of the Site & Area

The property consists of three parcels located in the Places29-North Development area on the east side of Route 29 (Attachment A). Two of the parcels (TMP32-5A1 and 32-5A) are bounded on three sides by the North Fork Rivanna River and a tributary stream called Flat Branch. There are 13 existing dwelling units on these parcels; seven are single family detached units and six are duplexes. These parcels have an existing entrance off of Route 29 and a shared driveway to access the residences.

The third parcel (TMP 32-22K1) is south of Flat Branch. This parcel is currently vacant and mostly wooded. Future access to this site will be provided through the development of North Pointe, directly south of the parcel.

All three parcels are currently zoned RA Rural Areas. The property contains critical resources including areas of Flood Hazard Overlay, Preserved Steep Slopes, and Water Protection Ordinance (WPO) buffers (Attachment B). The Places29 Master Plan designates TMPs 32-5A and 32-5A1 as Neighborhood Density Residential and TMP 32-22K1 as Urban Density Residential. All three parcels also have land designated Privately Owned Open Space/Environmental Features (Attachment C).

Specifics of the Proposal

The applicant is considering an Neighborhood Model District (NMD) zoning to allow for commercial/office uses on TMP 32-22K1 and multi-family residential on TMPs 32-5A and 32-5A1. The CCP application materials show an approximately 30,000 square foot office building on TMP 32-22K1 and 5 multi-family residential units for a total of 145 studio and one-bedroom apartments on TMP 325A1 (Attachment D). Access for TMP 32-5A1 is proposed through TMP 32-5A.

The applicant has included three questions with his application materials for the Planning Commission to consider for the proposal. Staff has added a fourth question for the Commission's consideration. The questions are listed below, followed by staff's interpretation of the Master Plan recommendations for each question.

Q1 (from the applicant) Would applying the density from an area designated urban density to an area designated residential density be found in compliance with the Comprehensive Plan if the plan were to be rezoned and developed as a master planned development.

Staffs revised question: Can density from TMP 32-22K1 (Urban Density Residential) be applied to TMP32-5A1 (Neighborhood Density Residential), considering the separation caused by the river and other environmental resources.

The Places29 Master Plan recommends a density of 6-34 units per acre for land designated as Urban Density Residential (orange color on map below) and 3-6 units per acre for land designated as Neighborhood Density Residential (yellow). The applicant is proposing to apply density from TMP 32-22K1, which is designated as Urban Density Residential to TMP 32-5A1, which is designated as Neighborhood Density residential.



Staff is of the opinion that the proposed transfer of density is not appropriate. TMP 32-22K1 and TMP 32-5A are separated by a river and tributary stream, stream buffers, preserved slopes, and a wide area of floodplain. The constraints created by these environmental features would preclude development on these parcels from being able to establish shared amenities, infrastructure, and interconnectivity, beyond a possible pedestrian connection between the two pieces.

In addition, TMP32-5A1 is mostly surrounded by the North Fork Rivanna River and a tributary stream. This limits opportunities to provide additional emergency access points. Allowing higher densities would increase the number of dwellings, which may be impact in a emergency situation. Due to the physical separation, the distance between the properties, the inability to establish a relationship through shared facilities, and the inability to establish a second connection for emergency access, transferring density does not seem appropriate.

***Q2* If the property were to be rezoned to Neighborhood Model District, would pedestrian connections connecting the portion of development adjacent to Rt 29 (TMP32-22K1) and the portion of the development further northeast (TMP 32-5A and 32-5A1) sufficiently satisfy connectivity and neighborhood model principles as identified in the Comprehensive Plan?**

Staff's revised question: Would Neighborhood Model District (NMD) be an appropriate zoning district for the proposed development or should the applicant seek separate zoning designations for the proposed commercial and residential pieces?

The applicant has suggested NMD zoning for the three parcels and asks if pedestrian connectivity between the two would suffice as an interconnection. Staff has rephrased the question to ask if NMD would be the appropriate zoning or if the two pieces should be considered separately.

As mentioned above, the commercial and residential portions of the proposed development are physically separated by protected environmental features with nearly a quarter mile of constrained land between the two pieces. According to the Zoning Ordinance, "The NMD is intended to provide for compact, mixed use developments with an urban scale, massing, density, and an infrastructure configuration that integrates diversified uses within close proximity to each other," (Section 20A.1). The commercial and residential pieces of the proposed development are neither integrated nor compact. Beyond a possible pedestrian trial, the commercial and residential components of this proposal do not appear to have any relationship to one another or shared features. For these reasons, staff recommends that these two properties be considered with separate rezoning applications.

Likewise, any development on TMP 32-22K1 is more likely to relate to the property to the south, which is the proposed North Pointe development. Due to the location of the stream and floodplain, the future access for TMP 32-22K1 is through North Pointe. Because the two future developments would be in close proximity and have a shared road network, the design and development of TMP32-22K1 should be compatible with and relate to the adjacent North Pointe development.

Q3 Would neighborhood scale commercial use (i.e. veterinarian office, barber shop, yoga studio, etc.) in an area designated as urban density residential (specifically TMP 32-22K1) be found in compliance with the Comprehensive Plan?

The Places29 Master Plan recommends neighborhood retail/commercial service as secondary uses in Urban Density Residential. For reference, Places29 Master Plan defines secondary uses for Urban Density Residential as follows (P. 4-5):

> Secondary uses: retail, commercial, and office uses that support the neighborhood, live/work units, open space, and institutional uses. Retail, commercial, office, and institutional uses are encouraged to locate in Centers so they are accessible to residents throughout the surrounding area, and so they benefit from co-location with other neighborhood-serving businesses. However, they may be located by exception in areas around Centers designated Urban Density Residential provided they are compatible with surrounding uses.

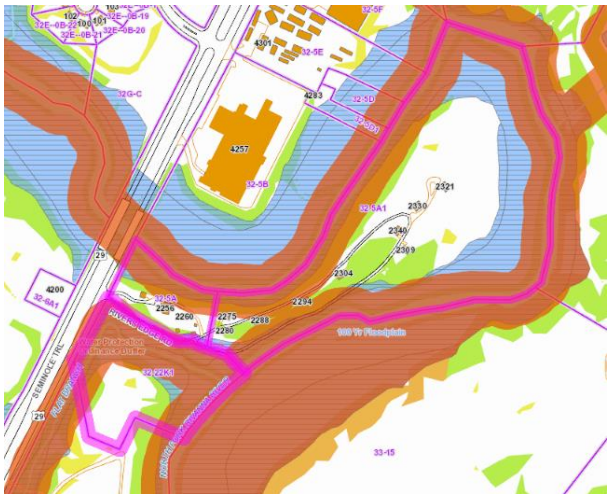
This area is not recommended/designated as a *Center* location on the Land Use Plan.

Staff agrees that the uses described by the applicant, with the proper scale, are consistent with the secondary uses recommended by the Master Plan. Uses for this site should not consist of highway/regional scale commercial uses.

Staff also agrees that these secondary uses could be appropriate on TMP 32-22K1, especially given its proximity to the residential portions of North Pointe. The proposed development could supplement the adjacent residential uses by providing neighborhood serving commercial uses. With the design of the site, staff would recommend the applicant consider the Neighborhood Model principles of pedestrian orientation, relegated parking, and buildings and spaces of human scale.

Q4 (Additional question from staff) What land should be available for development and calculating potential density? Is strict adherence to the area shown on the Master Plan as Open Space required or should the area available for development be calculated using more recent mapping technology that better depicts the environmental features (stream buffer, preserved slopes)?

When the Master Plan was adopted, the designation of Privately Owned Open Space/Environmental Features was intended to capture open space owned by HOAs or other private entities and environmental features such as floodplains, steep slopes, wetlands and other areas of environmental constraints where construction of buildings is discouraged. Since the Master Plan was adopted, the County has adopted the Steep Slopes Overlay district which designating preserved and managed slopes. Since that time staff has also completed more detailed and accurate mapping of the streams and their buffers. See graphics below for a comparison between the Master Plan and current GIS data.



Current GIS data: Water Protection Buffer (red), Floodplain (blue), and Preserved Slopes (green)



Places29 Master Plan: Privately Owned Open Space/Environmental Features (green)

As the side by side exhibits demonstrate, there are several environmental features including preserved slopes and stream buffers that were not designated as Privately Owned Open Space/Environmental Features at the time of the Places29 Master Plan adoption. With a previous rezoning proposal in Crozet, the Planning Commission determined that the current GIS data should be used in calculating the available density for a property (see Attachment E for PC Minutes). Staff would like to confirm that the same approach should be used to calculate density for these properties.

While staff is in agreement that the GIS should be used to calculate the net density of the site, it is important to note that there is a significant difference between potential buildout of the properties when comparing the two methods. When calculating density for TMP 32-5A and 32-5A1 using the Places29 boundaries, the site could accommodate approximately 88 units (assuming no transferring of density from TMP 32-22K1). When calculating density using the GIS data, the maximum buildout of the two parcels is approximately 55 units, for a difference of 33 units between the two methods.

While this may be an appropriate adjustment, considering the significant environmental constraints on the site, it should be balanced against other goals of the Comprehensive Plan, including affordable housing and Rural Area protection. Limiting the density on the site could result in fewer but more expensive units. Similarly, limiting Development Area density could accelerate pressure to expand the Development Area boundaries and could drive some residential growth to the Rural Areas.

Other Possible Issues:

In addition to questions relating to density and zoning, it is likely that with a more complete review of this project, staff and other reviewers could identify additional issues or considerations that were not part of the review for the CCP request. A few early observations are noted below, that will need additional scrutiny with future reviews on these properties:

1. Access to 32-5A1 appears to cross the WPO-buffer and areas of preserved slopes. The presence of these features could limit the ability of the site to be developed to a higher intensity, especially if upgrades to the existing driveway would be required.
2. As mentioned above, more scrutiny is needed to see how the development of TMP 32-22K1 would relate to the adjacent residential portion of North Pointe.
3. A full Neighborhood Model review should be completed with any future rezoning of the properties.

Summary:

Question 1: Staff is of the opinion that transferring the density from TMP 32-22K1 to TMP 32-5A is not appropriate.

Question 2: Staff does not believe that NMD is an appropriate zoning district for the proposed development and recommends that the development of the property as proposed be considered with separate rezoning applications.

Question 3: Staff agrees that the listed commercial uses could be appropriate on TMP 32-22K1 with the appropriate design and scale, serving as secondary uses to the adjacent North Pointe development.

Question 4: Staff recommends that the GIS-data should be used to calculate the net density of the site.

The Planning Commission is asked to affirm these conclusions or suggest alternative recommendations as guidance to help the applicant determine next steps and whether the project is worth pursuing further.

ATTACHMENTS

Attachment A: Location Map
Attachment B: Critical Resources
Attachment C: Places29 Land Use Map
Attachment D: Application and materials
Attachment E: Adelaide minutes (February 23, 2016)

Albemarle County Planning Commission
October 16, 2018

The Albemarle County Planning Commission held a public hearing on Tuesday, October 16, 2018, at 6:00 p.m., at the County Office Building, Lane Auditorium, Second Floor, 401 McIntire Road, Charlottesville, Virginia.

Members attending were Tim Keller, Chair; Julian Bivins, Pam Riley, Vice-Chair; Jennie More, Daphne Spain, Karen Firehock, Bruce Dotson and Mr. Carrazana (UVA Rep).

Other officials present were Rachael Falkenstein, Principal Planner; Andrew Gast-Bray, Assistant Director of Community Development/Director of Planning; Sharon Taylor, Clerk to Planning Commission and Andy Herrick, Deputy County Attorney.

Call to Order and Establish Quorum

Mr. Keller, Chair, called the regular meeting to order at 6:00 p.m. and established a quorum.

From the Public: Matters Not Listed for Public Hearing on the Agenda

Mr. Keller invited comment from the public on other matters not listed on the agenda. Hearing none, the meeting moved to the next agenda item.

Consent Agenda

Approval of Minutes: January 30, 2018, February 6, 2018, February 13, 2018, June 26, 2018, and August 7, 2018

Mr. Keller asked if any Commissioner would like to pull an item off the consent agenda. Hearing none, he asked for a motion.

Ms. More moved, Mr. Dotson seconded for acceptance of the consent agenda, which was approved unanimously by a vote of 7:0.

The meeting moved to the next item.

Work Session.

PROJECT: CCP201800004 – River's Edge
MAGISTERIAL DISTRICT: Rivanna
TAX MAP/PARCEL(S): 03200-00-00-005A0, 03200-00-00-005A1, 03200-00-00-022K1
LOCATION: 2256 Rivers Edge Lane
PROPOSAL: Potentially rezone property to increase the number of units allowed by-right and to add commercial space.
PETITION: Potentially rezone 37.74 acres from RA Rural Areas, which allows agricultural, forestal, and fishery uses, and residential at a density of 0.5 unit/acre in development lots, to a different district, which allows mixed use development. A maximum of 145 units is being considered for a gross density of 3.8 units per acre and approximately 31,000 square foot of commercial/office. Proposed density of the project, based on the Master Plan (net density), is 8.37 units per acre.
COMPREHENSIVE PLAN: Property is in the Places29-North Development Area. Master Plan

shows uses as Urban Density Residential – residential (6.01 – 34 units/ acre) with supporting uses such as religious institutions, schools, commercial, office and service uses; Neighborhood Density Residential – residential (3 – 6 units/acre) with supporting uses such as religious institutions, schools and other small-scale non-residential uses; and Privately Owned Open Space/Environmental Features – privately owned recreational amenities and open space; floodplains, steep slopes, wetlands, and other environmental features.
(Rachel Falkenstein)

Ms. Rachael Falkenstein presented a PowerPoint presentation to summarize the staff report for CCP-2018-00004 River's Edge for the Commission's consideration. Tonight's work session is a compliance with the Comprehensive Plan review. This is an application received from time to time to gather input from the Planning Commission on proposed projects consistency with the Comprehensive Plan and it typically proceeds an application for a rezoning or a special use permit. The project tonight would be a potential rezoning and it is really just meant to help the applicant to understand how the Comprehensive Plan would be interpreted about the project and then to just know if the project is worth pursuing further. No action is taken tonight and the feedback you give is nonbinding.

Background On Site:

- The property is located on Route 29 North on TMP 32-22K1, 32-5A, 32-5A1 just south of the NGIC property.
- Total acreage 37.7.
- RA, Rural Area Zoning within the Designated Development Areas for Places29.
- Comp Plan: Neighborhood Density Residential, the parcel south of the river is Urban Density, and it has some areas of privately owned open space
- There are some significant natural features: North Fork Rivanna around most of the property, Flat Branch, Floodplain, WPO buffer and preserved slopes.
- The current use of the property is residential. There are about 14 existing units on the property and the rest of it is mostly wooded. The property to the south is undeveloped.

Ms. Falkenstein said the next slide shows the applicant's proposal for the property, again, it is conceptual at this point. The applicant is proposing 145 multi-family residential units on this piece and then approximately 30,000 square feet of commercial office to the south.

Ms. Falkenstein said as you saw in your staff report there are four questions for consideration tonight and she planned to go through these one by one, talk a little bit about the question, what staff's interpretation of the plan is, and then pause after each question and allow the Commission to discuss and consider each question.

Mr. Keller asked if everybody was comfortable with doing that taking it one piece of time, and the Commissioners agreed.

Ms. Falkenstein noted the first question is:

1. **Can density from TMP 32-22K1 (Urban Density Residential) be applied to TMP32-5A1 (Neighborhood Density Residential), considering the separation caused by the river and other environmental resources.**

Ms. Falkenstein noted the parcels north, 5A and 5A1 are designated for Neighborhood Density Residential (yellow): that call for 3-6 units per acre in the Comprehensive Plan and the parcel to the south, which is 22K1 is designated Urban Density Residential (orange) which recommends 6-34 units per acre.

She said the applicant is asking if they can apply some of the density from this piece to the other piece above as per the applicant's calculation based on their survey of the property and the developable land. So, the applicant is saying the two Neighborhood Density Residential pieces can accommodate 88 units (TMPs 5A & 5A1 (14.7 acres developable land) x (6 units/acre) = **88 units).**

Ms. Falkenstein said she would pause for a second to talk a little bit about net density versus gross density and this will come up in question 4 as well. She said when we calculate density on a site with a rezoning and we look at the Comprehensive Plan we use a net density calculation and that means we subtract out areas of green spaces that are not designated in the Comprehensive Plan for development. She noted in this site would be the areas shown in green and we will talk about whether the Comprehensive Plan or the GIS should be used to calculate net density – that is a future question, but she just wants to point out that the applicant for the sake of this question used the Comprehensive Plan net to calculate density. She said the applicant is saying that 88 units on the developable acres 14.7 of these two parcels; 89 units on the orange piece is asking if they can apply some of the units from this piece to increase the density here, sort of borrow density from down here and apply it up here. She pointed out they are asking for 145 units on this piece whereby the calculation would only allow 88 units if you only apply Neighborhood Density. (TMP 22K1 (2.62 acres developable land) x (34 units/acre) = **89 units Total = 171 units for all 3 parcels**

Staff's recommendation:

Ms. Falkenstein said staff's recommendation is that would not be an appropriate transfer of density given the large physical separation between the two properties and the fact that it would not be an integrated development or have any really shared infrastructure or features. She invited discussion and questions.

Mr. Keller pointed out we are going to see if the Commission has questions for each of these and then we will open to the applicant and go back to the next question. He asked if the Commission wants to hear from the applicant.

Ms. Firehock suggested that the Commission hear the entire presentation and then we can have a more reasonable deliberation.

Mr. Keller asked staff to go through all the points now, hear from the applicant and then we will go point by point for our response to you, and Ms. Falkenstein replied yes that would work.

Ms. More asked when you are talking about the net density calculation you are saying the green space was taken out; however, you do calculate the stream buffer, floodplain and critical slopes.

Ms. Falkenstein responded that she would talk about that a little bit more with question 4 – but for this number of 88 units it is based on the calculation of the Comprehensive Plan, which is shown in the Comprehensive Plan map, with the green space subtracted out. She said there is a discrepancy between what is shown in the Comprehensive Plan and what is shown on the GIS.

Ms. Falkenstein said the second question is:

2. **Would Neighborhood Model District (NMD) be an appropriate zoning district for the proposed development or should the applicant seek separate zoning designations for the proposed commercial and residential pieces?**

Ms. Falkenstein said that for this one she took a snippet from our ordinance about the purpose of the Neighborhood Model Zoning District; it is intended to provide for compact, mixed-use developments with an urban scale massing density and an infrastructure configuration that integrates the versified uses

within close proximity to each other. Therefore, she overlaid the applicant's proposal on the GIS and you can see there are two separate developments and she would not call these integrated or sharing density and infrastructure.

Staff's recommendation:
The commercial and residential pieces are not integrated and therefore an NMD zoning district would not be appropriate. Staff recommends the two pieces be considered with separate zoning applications and not Neighborhood Model District.

Ms. Falkenstein said the third question is:

3. Would neighborhood scale commercial use (i.e. veterinarian office, barber shop, yoga studio, etc.) in an area designated as urban density residential (specifically TMP 32-22K1) be found in compliance with the Comprehensive Plan?

Ms. Falkenstein said the language from the Comprehensive Plan had been listed in the presentation of some of the uses that would be appropriate within Urban Density Residential and you can see it allows for retail commercial office uses that would be supportive of the neighborhood. Although it recommends these in centers, they could be appropriate in areas around centers by section.

Staff's recommendation:
- Staff agrees that the uses described by the applicant, with the proper scale, are consistent with the secondary uses recommended by the Master Plan.
- The proposed development could supplement the adjacent proposed residential uses (North Pointe). North Pointe is under site plan review right now, so it will be coming soon, and we think it would be a good mix of uses and supportive of that neighborhood to the south.
- With the design of the site, staff would recommend the applicant consider the Neighborhood Model principles of pedestrian orientation, relegated parking, and buildings and spaces of human scale.

Ms. Falkenstein said next is the fourth question. She pointed out the first three questions were submitted by the applicant and the fourth question is a staff question since we just wanted to get clarification on this in how we calculate density on a site. She said this comes back to Commissioner More's question - what land should be available for development in calculating potential density.
4. (Additional question from staff) What land should be available for development and calculating potential density? Is strict adherence to the area shown on the Master Plan as Open Space required or should the area available for development be calculated using more recent mapping technology, which better depicts the environmental features (stream buffer, preserved slopes)?

Ms. Falkenstein said on the slide staff put side by side the Comprehensive Plan map showing the area designated for green space and then the map on the right is the GIS showing the stream buffer, preserved slopes and green stream buffer and then the area of floodplain on the property. As you can see there are several areas that are not shown as green space specifically the slopes and some areas of stream buffer that pinch on the property that are not shown as green space on the Comprehensive Plan. The question is which map should be used to calculate the net density of the property. Ms. Falkenstein said she did a side-by-side comparison of what the calculations would be for the density.

Ms. Falkenstein noted when the Master Plan was adopted; the designation of Privately Owned Open Space/Environmental Features was intended to capture open space owned by HOAs or other private entities and environmental features such as floodplains, steep slopes, wetlands and other areas of environmental constraints where construction of buildings is discouraged. Since the Master Plan was

adopted, the County has adopted the Steep Slopes Overlay district which designating preserved and managed slopes. Since that time staff has also completed more detailed and accurate mapping of the streams and their buffers. See graphics in presentation for a comparison between the Master Plan and current GIS data.

Staff's Recommended Approach
GIS Critical Resources
Net Density Calculation

Comp Plan Land Use Map Net Density Calculation (see PP)
5A Developable Acreage: 1.9
5A1 Developable Acreage: 12.8
Total Developable Acreage: 14.7
(14.7 acres) x (6 DU/acre) = 88.7 DUs

Staff's recommended approach:
GIS Critical Resources
Net Density Calculation (See PP)
5A Developable Acreage: ~1
5A1 Developable Acreage: ~ 8.2
Total Developable Acreage: 9.2
(9.2 acres) x (6 DU/acre) = 55.2 DUs

GIS measurements are approximate
The difference between the two methods is about 33 units.
Staff's recommendation is consistent with PC's recommendation the proposed Adelaide development in Crozet

Summary of Staff Recommendations

Question 1: Staff is of the opinion that transferring the density from TMP 32-22K1 to TMP 32-5A is not appropriate.
Question 2: Staff does not believe that NMD is an appropriate zoning district for the proposed development and recommends that the development of the property as proposed be considered with separate rezoning applications.
Question 3: Staff agrees that the listed commercial uses could be appropriate on TMP 32-22K1 as secondary uses, with the appropriate design and scale.
Question 4: Staff recommends that more accurate GIS-data should be used to calculate the net density of the site.

Mr. Keller invited questions for staff. Hearing none, Mr. Keller opened for public comment and invited the applicant to speak.

Ms. Kelsey Shriner, Planner with Shimp Engineering, said here with me is Justin Shimp, President of Shimp Engineering. Ms. Shriner said starting off with our questions for the compliance with the Comprehensive Plan that Rachael has already gone over and additionally based on staff's final fourth question since you have already heard these there is no need to review, but there was one more question that we had. She said the County is committed to preservation of the rural areas and critical environmental resources to accommodate future populations. The County has designated the development areas as land for future growth; land area is limited in the development areas and it would be prudent for the County to develop these areas efficiently and at an appropriate scale. Given that

regulations exist to preserve critical environmental resources and stated housing goals in the Comprehensive Plan what is the benefit to the County to subtract this land area from density calculations.

Ms. Shriner said the purpose of this work session she is really hoping it is an opportunity for a conversation to move towards creative development of this area. Therefore, she hopes that it is okay if Justin and I talk through this together and you ask questions as they arise and asked to have a conversation about this. She said in comparison maps the future land use map offers 14.9 acres to be used towards the density calculation. With the County GIS, it is approximately 8.6 acres and then these maps overlaid with one another what the developable area is here. So, the breakdown to provide an understanding of how the numbers of units that could possibly be accommodated on this site given the difference between net and gross density calculations. So, to walk through this – the calculation area for 32-5A and 32-5A1, which are the two parcels that are designated as Neighborhood Density Residential from 3 to 6 dwelling units per acre that would allow approximately 97 to 195 units if the total land area could be calculated towards density on the site. Then using the future land use map at 14.9 acres the possible density is reduced to 44 to 89 units giving you effectively 1.4 to 2.7 dwelling units per acre. With the overlay of the GIS, you are looking at 8.6 acres and you were saying the dwelling units to 25 to 51 and reducing the dwelling units per acre .8 to 1.6, which is not consistent with density recommendations for the development areas in the residential.

Mr. Justin Shimp asked to jump in and talk about this since it has been talked about before and this map is a good one to look at - the yellow there is effectively the areas we are allowed to build in and so regardless of how many units, whether it be 10 or 1,000 that is the area we could touch essentially. So, in looking at this net density, and as Kelsey said the question that comes to our mind is if taking those areas out isn't changing the area disturbed then is that contributing towards preservation of green areas or is it contributing towards a loss of housing stock. He said that is the concern that we have when you say oh well we are just going to take this and knock down the number of units, you are not actually preserving more stream buffer, you are not actually protecting any waterways differently, you are just building larger more expensive units in the same acreage and we don't necessarily see that as a good thing. She said so in the context of the rest of this he suggested you think about that and we are curious to hear your thoughts.

Ms. Firehock why not ask for an increase in density more than the Comprehensive Plan – you don't intend to disturb steep slopes but want to build more densely.

Mr. Shimp replied that before we finalize the plan we will have a very high-level debate first for more compact scale for more density on the site and how you are going to weigh that for compliance with the Comprehensive Plan.

Ms. Firehock said that it becomes challenging in calculating density and why do it different from Adelaide. She suggested tabling this and continue.

Ms. Falkenstein said that kind of is getting to question 1 that we want to know what density would be appropriate to transfer density to the NH density piece.

Ms. Firehock said she was trying to think how we arrive at that without throwing the math out the window. She suggested that the minutes be pulled for previous discussions on this issue.

Mr. Gast-Bray said what density you think is appropriate in asking for rezoning and in a sense at one point trying to redo when ask what makes sense. He said we have to be consistent with the Comprehensive Plan in how we have done that and there are different arguments in how the Planning

Commission rules and the precedent on Comprehensive Plan deliberation. Mr. Gast-Bray noted that he can't answer that for you.

Mr. Shimp noted there have not been very many rezonings; however we are looking at it in the County's best interest.

The Planning Commission held a discussion with staff and the applicant about the proposal.

Mr. Keller invited public comment.

Morgan Butler, with the Southern Environmental Law Center, said it was sort of a fundamental question with this if we bring the discussion back to this proposal that relates to some of the questions that are before you tonight. As he sees it this proposal is basically asking to stretch two different Comprehensive Plan designations. The first one is to allow Urban Residential Density on the parcel that is designated for Neighborhood Residential Density and the second one is to have secondary uses, so basically commercial uses not only be the primary use on that Urban Residential designated parcel but be the only use on that parcel. He said so basically you have this Urban Residential parcel on the south and the Neighborhood Density Residential and the applicant is seeking to pull the density up to the northern part, which is designated for less density, and do commercial instead on the parcel that is designated for high density residential.

Mr. Butler said my question is why not simply the Urban Density Residential on the Urban Density Residential parcel do, drop the commercial on that parcel, and then do the Neighborhood Density Residential on the Neighborhood Density Residential portion. He said the benefits of this approach would be that it is consistent with the Comprehensive Plan and you are not doing those two distortions that we just talked about and he thinks there are other potential benefits that would be worth thinking through one of which is if we put the high density on the northern part he thinks that poses a problem that if the high density is on the southern parcel you are channeling the traffic from that high density development through the North Pointe entrance onto 29, which is already a designated entrance.

Mr. Butler said if we have the high density in this other area then that is presumably going to create a new intersection perhaps with a new traffic light on Route 29 and that is not the way we want to be treating that primary highway. He said if my memory serves me correctly he thinks that Neighborhood Residential density on the border of NGIC was intentional when Places29 was developed. He said there were reasons why they were thinking well I am not sure we want to have high density right there next to NGIC.

Mr. Butler said he also wants to point out that the application itself talks about the point of the project is to put high density residential and the problem is the lack of ample housing types since we want to create housing opportunities with a mixture of housing types and there is actually a portion of the application that says if there is a desire by either the applicant or the County for more residential space within the development the proposed commercial space could be repurposed as multi-family residential units. He said so again, maybe there is a very simple question to this that he is not privy to, but to me the question is why not do the Urban Density Residential on the Urban Density Residential piece, do the Neighborhood Density Residential on the Neighborhood Density Residential piece, be consistent with you Comprehensive Plan and avoid some of these thorny proportions that we are being asked to do. Thank you.

Mr. Keller invited further public comment. Hearing none, he invited the applicant to come back up for rebuttal. He pointed out that in response to the last speaker that my feeling was that we were going to be addressing that when we go back with staff to go over the four questions.

Mr. Shimp said we certainly imagine that the density of the two together would not exceed the sum so if we went with some residential density on the Urban Density piece that would reduce the available density on the northern piece. He said what those numbers end up being are obviously in the point of discussion here. He said there are other things such as the access that he could clarify that they were only going to have a right in and right out on 29 from this other entrance and we have already talked to VDOT about that and that is understood that there is not going to be a new light or anything like that. Mr. Shimp said so there is not really going to be a transportation impact from the difference between 50 and 100 units on the northern parcel.

Mr. Shimp said as far as the commercial uses it probably is not likely to do that as all commercial, we were just illustrating how much would fit there; but probably you would have a mixture on that particular site. He said it is attached to North Point which is all residential on that end so it seemed like maybe some commercial use in there to sort of cap off that high density neighborhood made sense, but he did not know that it would not be a mix of both in which case we would subtract that amount from what we took from the other side and that would be limiting our density there. He pointed out that is how we viewed it.

Mr. Keller invited questions for the applicant. Hearing none, he asked staff to lead us through the questions.

Ms. Falkenstein said to recap this question is whether the Comprehensive Plan map or the more recent GIS data should be used to calculate net density on the site and staff's recommendation is for the GIS.

Mr. Dotson said just a reaction to that and then he has a follow-on question. The applicant is saying that if you use the reduced acreage you are limiting the development potential of the growth area. The other way to view it is that development potential was never there because of the constraints on the land and so that is a different way of viewing it. He said my question is the Comprehensive Plan says Neighborhood density which 3 to 6 units to the acre is and so if the applicant came in for a standard rezoning they could request R3 or R6.

Ms. Falkenstein replied that we don't have R-3, so they could request R-2, R-4 or R-6 or any residential rezoning but it is a question of how we calculate whether this is in compliance with the Comprehensive Plan and which map we use.

Mr. Dotson said unless there was a traffic issue that he would assume it would be a straight forward conventional rezoning.

Ms. Falkenstein replied the way we do that in the past is ask for a proffered plan that is no longer on the table with conventional rezoning and typically we ask applicant to max even with the rezoning.

Mr. Herrick noted that it was ultimately up to the Board of Supervisors if their concerns are met for the rezoning application.

Mr. Dotson asked if the Board decided that R-6 was okay or whatever and then the next steps would be the site plan and at that point the determination would be made of the number of dwelling units.

Ms. Falkenstein replied with R-4 or R-6 no constraints and the gross density calculation was done at that point.

Mr. Dotson said he wondered why the applicant is not doing that and suggested bringing up under new business discussion about how calculating that is different from net density which is a zoning term.

Mr. Keller said the Commission would start with the first question and go through each one.

The Planning Commission discussed and provided the following responses to staff's questions.

Q1: Can density from TMP 32-22K1 (Urban Density Residential) be applied to TMP32-5A1 (Neighborhood Density Residential), considering the separation caused by the river and other environmental resources.

Question 1: Staff believes transferring the density from TMP 32-22K1 to TMP 32-5A is not appropriate.

Question 1: The Planning Commission agreed with staff's recommendation.

Q2: Would Neighborhood Model District (NMD) be an appropriate zoning district for the proposed development or should the applicant seek separate zoning designations for the proposed commercial and residential pieces?

Question 2: Staff does not believe that NMD is an appropriate zoning district for the proposed development and recommends that the development of the property as proposed be considered with separate rezoning applications.

Question 2: The Planning Commission agreed with staff's recommendation.

Q3: Would neighborhood scale commercial use (i.e. veterinarian office, barber shop, yoga studio, etc.) in an area designated as urban density residential (specifically TMP 32-22K1) be found in compliance with the Comprehensive Plan?

Question 3: Staff agrees that the listed commercial uses could be appropriate on TMP 32-22K1 as secondary uses, with the appropriate design and scale.

Question 3: The Planning Commission agreed with staff's recommendation noting connectivity was important.

Q4 (Additional question from staff): What land should be available for development and calculating potential density? Is strict adherence to the area shown on the Master Plan as Open Space required or should the area available for development be calculated using more recent mapping technology that better depicts the environmental features (stream buffer, preserved slopes)?

Question 4: Staff recommends that more accurate GIS-data should be used to calculate the net density of the site.

Question 4: The Planning Commission was in general agreement with staff's recommendation that more accurate GIS-data should be used to calculate the net density of the site. (Ms. Fire hock disagreed and suggested gross density be used for the calculation.)

Mr. Carrazana agreed with staff noting at UVA we consider gross, however, take the last GIS information looking at the buffers; however, we need to maximize buildable area and be good stewards. He said you need the lastest information for the master planning and site planning and can do that by being conscious of the environment and get to the question of what the density is. He suggested using the latest data and technology and for a complex challenging site he was concerned with what potentially could happen to a site with the river condition and the low point of access – dipping down in site and coming up bluff where building on. He said there would have to be disturbance at that point and raised the question of who is controlling the river, which needs a follow-on conversation.

Mr. Dotson said he had a question of the applicant about the narrative that said studio/one-bedroom apartments.

Mr. Shrimp said we concur with that, the issue would be if you only have 8 acres and we take it in the broader context of there is 168 townhomes being built in North Point directly and those are all going to be three-bedroom townhomes. He said we would take that in the context of the whole corridor there and not our individual acreage.

Ms. Firehock said this is because it acts like an island and she thinks of it more as its own neighborhood because it really can't interact that well physically because of being built on a hill that is almost pinched off.

Mr. Shimp said that we will think of that as we move forward.

Mr. Keller invited questions for the applicant. He said as a follow up on this that a lot of what we are seeing as a response to the lending market so we are seeing these as rentals as opposed to ownership and looking into the future do you see opportunities for the studio and one-bedroom units being converted after their time out or their 15-year or whatever to owner occupancy. As we are talking about a different kind of density in our country he just wonders about that and whether they will lend themselves to that and if they will continue to be rentals well into the future.

Mr. Shimp replied in response to that what we are looking at is more of a small scaled attached housing and that becomes the easier way for home ownership. He pointed out they did a condo building at Riverside Village and they have every unit type in that development – there is 24-unit condo in the back so the operating costs to get that up means you really have to sell those units for $300,000 and up a piece to make that work. He said that it would be nice to build a $100,000 condo that could be owner occupied but he thinks that is going to be difficult in terms of cost of getting that started but maybe the answer would be in the less dense developments not the family style but going with much smaller houses for thoughtfully designed duplexes and triplexes that can be owner occupied with whatever lending perimeters there are. He said maybe 15 years from now that will be different but now my clients are saying we want to separate rental from owner occupied because of that sort of end use constraints.

Ms. Firehock commented that she would like to see more diversity of unit types in building since otherwise it would be limited to a small set of demographics such as older community or students and there would be no opportunity for more stability and if get married would have to leave. She said that it would be a transient place and not a solid community and she did not like to see all of one type.

Mr. Keller thanked Mr. Shimp and noted the meeting would move to the committee reports and would have a conversation under new business.

Committee Reports

Mr. Keller invited committee reports.

Ms. Riley reported:

- The Village of Rivanna CAC met and received an update on the Rivanna Village. Currently about 85% of phase 1 infrastructure is complete and they plan to start phase 2 in four to six months. The second item is that three of the staff members David Hannah, Bill Fritz and Tory Canopalas presented the draft proposal to improve stream health in the development area and we had a good discussion around that.

Mr. Bivins reported:

- The Hydraulic CAC went on a tour of the Charlotte Humphries Park to appreciate what might make it more accessible and usable to the public.

There being no further committee reports, the meeting moved to the next item.

Review of the Board of Supervisors Meeting- October 10, 2018.

Mr. Gast-Bray reviewed the actions taken on above dates.

Old Business

Mr. Keller invited old business.

Mr. Dotson said he wondered if there is a fee when we have a review and report like the one we just finished, and Ms. Falkenstein replied no, it is free.

Mr. Dotson said it is obviously a significant amount of work, but they don't come to us very often and he thinks it has been useful tonight to have that discussion.

Mr. Keller said the question is there a long-range savings in your time by having this happen up front.

Ms. Falkenstein replied that she thinks it is useful on a unique situation like this to have your feedback ahead of time rather than staff going back and forth with the applicant and us disagreeing; it is just good to get ahead of it.

Mr. Keller said that he would think when there is as much agreement with staff as there in a situation like this it is quite useful, and he would imagine when there are split views on it.

Mr. Gast-Bray added that the guidance for how to improve as we move things forward it is rare that we get a chance to dialogue with you on the Comprehensive Plan itself and sort of the interpretation directly because there is usually an application in front of you that you are judging. He said so for us it is useful information and thinks we will see a little bit of that in the new business discussion that apparently is coming.

Ms. Riley said she was assuming in this case the applicant requested the work session, but sometimes does the staff recommend a work session as opposed to moving forward in a pre-application discussion.

Ms. Falkenstein replied yes, and she believed that was the case with this one, but she was not at the pre-application meeting. She said typically what happens is an applicant will come in and have a unique interpretation of the Comprehensive Plan that staff is either not in support of or is not sure and wants the Planning Commission's feedback, so we recommend sometimes applicants do it. She pointed how there

is no application for it, so the applicant has to ask for it, fill out an application but there is no fee for it.

New Business

Mr. Keller invited new business. He said one item is to continue the Planning Commission's discussion of the density calculation and by right and whether there is a ramification of that which is counter-productive to zoning and it fits with the Comprehensive Plan. He noted this is something that came up on the old FIAC days in the development community as the proffers were going away we were projecting that this was going to become more and more a set of issues. He said Mr. Shimp has weighed in on that for us as well when we had a discussion with developers. He said the second one, if we have any time, is an interesting thing he saw and maybe Ms. Firehock has more information on this, but it was the idea as developments have done work in what would be the public zone so that when we are thinking about 29 North in particular that the landscape zones then become part of a Park Authority. He said so you are really working for a continuous flow of green space under the same Authority. Mr. Keller suggested that they discuss this if they have time and if not may be another time. He asked if someone could take the lead on the density discussion.

Mr. Carrazana said that one of the questions that he has and if he understands as staff describes it that by right they are using gross density and Ms. Falkenstein replied that is correct.

Mr. Carrazana said if someone rezones you now switch to net density.

Ms. Falkenstein replied that is correct in the zoning process so typically with the rezoning you have an application plan especially for planned developments, you have application plans that will show a proposed development's proposed density and we typically recommend the density be capped at that net density calculation. She said that becomes part of the approved rezoning as a cap on the number of dwelling units that can be allowed on the property in the future.

Mr. Carrazana asked what the rationale is, and Ms. Falkenstein replied the Comprehensive Plan guides us to that and has strategies saying that net density should be used when calculating density on the property.

Mr. Gast-Bray said they are moving towards, especially you will be seeing with Rio 29, we are trying to basically get more specific about performance. He said but you have to remember back when this was done we were doing most things not by form but by density. He said so density is a proxy for the kind of development you expect that to be, but he does not know that is specifically for the case of Albemarle because he was not here at that time, but generally that is the rule.

Mr. Gast-Bray said they are thinking what that looks like 3 to 6 dwelling units, etc. He said so by having it be the net density you are kind of trying to say well with the net density that is the only place you can build and then 3 to 6 kinds of gives you an indication of what that building might look like. He said that usually derives from that, but he was assuming that is the case here, but he was not here at the time. He said as a result that is why staff recommends that sort of is the thought process that went through in developing that, but you would have to confirm that.

Mr. Gast-Bray noted that being said, in the future if we start looking at that he thinks the applicant is somewhat right we have more tools at our disposal, we are talking more about what the explicit thing about the form is and we should be looking at doing an economy of scale with our resources because it is much more expensive to have a spread out kind of density that we have to serve with the same amount of infrastructure that we could serve with less infrastructure in a tighter pattern. He said that is a possibility, but he has learned over the two years here at Albemarle he does not like to interpret things based on

anything other than the history of what Albemarle was thinking at that time. He said that is why he thinks there is a distinction between what they were thinking at that time and what we may be thinking in the future with where are we would like to go and be more explicit and make that calculation much clearer and thinks we get ourselves caught in the vagueness, etc. He said to someone's point, the Comprehensive Plan is a vision and you must have the right to express that vision without having calculated and planned everything. However, we have not really adjusted our zoning to reflect where that is, so we are using the Comprehensive Plan vision as sort of the tool to get to this future minus having done that rezoning.

Mr. Gast-Bray said so at some point we must figure out how that mechanism really needs to work that we are getting as close to the vision that we hope to get as possible but planning in enough of the flexibility to adapt to circumstances that perform the same way or better than we had imagined in that context. He said that requires a lot of the things that you were saying, we just don't have all those tools handy or certainly not in place yet.

Mr. Carrazana said as you move forward, and you begin to see developments like this to get to perhaps challenge what might be limitations of the Comprehensive Plan and flexibility in how you deal with that is going to be very important. He said the one thing he can tell you is he does not know what the appropriate density on this site is, it is a very challenging site and 55 dwelling units is what would be recommended and thinks you have 145.

Ms. Falkenstein replied that is correct.

Mr. Carrazana said the one thing that is missing for me is really an overlay of your development onto the critical slopes or the buffers so to really see that with all those limitations with your development. But as he looked through the pages, he can see where you could potentially get close to that development. He said so if he was developing this at UVA he would say that you are probably in a density that you could get close to it, but he did not know if he could get 145 and does thinks there are some limits particularly if you want to incorporate some walking trails and the way your parking is laid out. He said when you get to a master plan in a site plan he would guess you would get less in your number but certainly believes that 55 is too low of a number so perhaps it is somewhere in between but we don't have the answer. He said if we are going to be guided strictly by saying well this is what our new technology is telling us so that you can only build 55 then we certainly might be missing opportunities in the future.

Mr. Bivins said part of what we are doing when we look at density when we are looking at that piece would be the Comprehensive Plan, which was done in 2011, and we are looking at it now in 2018 and then we are trying to predict the way people will live and function together once this project is complete. He said so we are doing a bit of sort of future casting at a time that we are also having to look back at things and would like the ability to be guided by that Comprehensive Plan and understand that the way people live and the way that they are going to want to exist in rented or owned structures is going to be different than it was in 2011. He asked how to do you do that in a way that respects the essence of the Comprehensive Plan but also allows a bit of nimbleness to be able to reflect and be able to flex to a new way of living.

Mr. Bivins said he was somewhat disappointed that the industry today, and he has heard this through a number of builders, that you can't do condos and it is going to be rentals or it is going to be this and realizing that you never know if it is going to be a rental because you don't know what a person is going to do with his or her single-family home so it can all possibly be rental at some point in time. He said to go to Commissioner Firehock's idea that you create a development that has a community or a place to it, which is one of the things he thinks is so special about Albemarle County that we have ways in which we are true to ourselves and to the rural nature of this community. He said we also are emerging to what it is

going to look like to have Route 29 like in the picture showing cows and horses. He said that is a good anchor point of where we were as opposed to where we are today.

Mr. Bivins said he was very comfortable with GIS because he likes the new technology and topography piece, but he also recognized that while vision is a moment that people came to at a point in time and does not necessarily know that is fully accurate of where we are sitting today. He said it is a guide and would like present conditions to have some flexibility into it and on this piece of property that in fact it is an upgrade in the number of units that are there. He said presently there are 12 units there and whether it is 55 or 88 there is still an increase in bodies that live there using that piece of property and so that is a win for a whole group of people on a lovely piece of property. He said for me the Comprehensive Plan is a time and place; it is a suggestion how you should craft my thinking and how he should adhere to things but also recognize that there is an economic condition that is before us that was not there in 2011. He said it is also how people live and how people come here and NGIC was not there today in the way it is today in 2011 and that is a whole different sort of atmosphere and group of people needing housing in that part of our county.

Ms. Spain said she hoped the applicant will find a way to increase the number of units over 55 and was glad Commissioner Firehock mentioned that we very often vote for and recommend lower density because of objections of neighbors. She said we don't have any neighbors here this time, so this is one of the few opportunities that we are not hearing from people complaining about the higher density and it could be whatever you do with an accommodation of the environmental concerns that she thinks this is an opportunity.

Ms. Riley said she was interested in seeing how we can get more density in the development area but also believes to allow development on sensitive environmental areas is a goal that we need to continue to uphold. Ms. Riley said she appreciates Mr. Shimp's interest in pushing the envelope, believes you are pushing the right questions and thinks you are recognizing very well that there are conflicting goals in the Comprehensive Plan, particularly around affordability and density. However, she thinks it is important that the design in the community be high quality and that we don't compromise that as well as that we are not building on land that we should not be, but ultimately the cost of living in the community over time and this is leading into another topic whether it is public streets or private lanes. She said these kinds of issues ultimately speak to affordability as well. She said the issue of whether we allow more density is more complicated than just the questions we are discussing here and just wanted to lay out some of those additional issues.

Ms. Firehock said she would just make her annual statement that part of the logic of how the county perceives redeveloping the urban area and urban ring is what we want in the Comprehensive Plan and then people come in and ask for the rezoning. In the past they would then proffer various things that we needed because the State of Virginia does not allow impact fees so our way to get at that was to hope for the proffers that would offset the cost of this increased development. Now proffers are severely limited in Virginia, so we don't have that tool any more for all intents and purposes so she again would make my annual plea that we actually bite the bullet and go ahead and rezone the urban area for what we actually want and at that point we can then introduce a lot of the creative ways of getting a density. Ms. Firehock said she sees a lot of these blobs of 3 to 6 units per acre and she does not know if she would look at all those sites and come to that same conclusion – we do have better GIS mapping apparently so now is as good a time as any. However, she knows it is painful and takes a lot of time – but we did it in Charlottesville and she was on the Commission there and it ended up with a much more realistic and dense city that we needed. Mr. Firehock suggested that we are at that point in Albemarle County.

Ms. More said one comment is that some people chose to go by right because the process is dainty or because they can calculate the gross. Ms. More said she was not against density but thinks where we

place it is important and noted concerns with by right development on R-6 in Crozet. Ms. More said she did not know how the zoning distinctions were made in Crozet since she thought they would want the density closer to the center radiating out and pointed out that our neighborhood in Crozet found out what by right really means and how it will impact our neighborhood and would like to know where else in the county there exists this by right R-6 because she thinks there is an assumption on the part of most people.

Mr. Dotson said he was uncomfortable having two different standards one for by right and one for rezoning for calculating density and so he was trying to think about that in my comments. He said we need to look at the policy and the implications if we went one way versus the other. He said policy to me is a statement that does not have to do with any one site, it is if this then that, so it is general. He said what happens when you apply the policy to a particular site and take into account the uniqueness and configuration of the site, the question comes that well you want a policy that is flexible to accommodate different designs and how do you do that without being arbitrary and he thinks the way you do it is you make findings and make your rationale clear. He said we are interpreting the policy for this site in this way for these reasons which starts to get at what is an appropriate density for a site. He said maybe it is not one of those problems that can't be solved – how do you link policy and applications – he thinks you just must be very explicit about your rationale.

Mr. Keller said that Mr. Dotson stated my concern and he was not sure how we would go forward and thinks there is a question for Andy Herrick because there is this precedent whether it would be viewed as a taking if the Supervisors in their wisdom were interested in changing how the by right calculations occur from gross to net.

Mr. Herrick said he thinks there is probably a misunderstanding as to what the different standards apply to and he would highly recommend for recommended reading in Chapter 8, Strategy 8C of the Comprehensive Plan, which Mr. Shrimp eluded to in his comments. He said as sitting here this evening he flipped to Chapter 8, which the part of the Comprehensive plan, that deals with development areas – Strategy 8C in a single page pretty succinctly describes what the issue is – the fact that there is a disconnect between the Zoning Ordinance on the one hand which is calculated based on the gross and then the Comprehensive Plan that is based on the net and where exactly in time that disconnect took place. He said Strategy 8C is a recommendation to bring the Zoning Ordinance into compliance with what is now the relatively new Comprehensive Plan standard, but again he would recommend that to you as a description.

Mr. Herrick said he did not see it as being a legal problem because at the end of the day the Zoning Ordinance governs, and the Zoning Ordinance allows for a gross density. He said the Comprehensive Plan, again, has been stated many times, is just a tool or a vision and so when a planner is trying to interpret whether a property proposal is in compliance with the Comprehensive Plan they are going by the Comprehensive Plan standard which is net and would recommend for your reading of Strategy 8C in Chapter 8 of the Comprehensive Plan.

Mr. Keller thanked Mr. Herrick and that he thinks we have done a wrap up on this. He said that this relates to this and other things staff is going to be doing and it would be whether it is when this project comes in or another one and thinks it would be interesting when a developer is contemplating whether to do by right or come for a zoning change that it would be interesting to hear your perspective on that. He said it was up to Andrew to decide whether this is important enough and we are seeing enough variations between the two sets of solutions that you are going to bring something to us to further consider. He agreed with Mr. Dotson that it seems that even if there is that clarity that Andrew has spoken to there still is a disconnect that seems to be significant in the way by right is determined and when there is a zoning change. He said then that gets into the density that Ms. Firehock was referring to and then that relates to the Comprehensive Plan in looking and thinking about what this range of numbers is, which gets back to

the applicant and the views that many of us up here have that the higher density is not necessarily the issue with all the environmental concerns can be dealt with that it is as Ms. Spain has said then the neighboring communities come into play. He said by definition he did not think there had ever been a case where they wanted more higher density adjacent to them.

Mr. Keller said he did not know what the proper forum is for you to be able to address the next step, this is great that we have an applicant and you have worked with him to have these questions to allow us to think about it. He said now that we have done this he thinks that we are all interested in seeing where this might go, and suggested staff think about it and come back to us with an item about that.

Ms. Falkenstein said she would just add that in my mind the proper form to look at density and how a site should be developed holistically is the Master Plan Update. She said these master plan updates are to come back to you and that is the time to talk about whether we want to be specific about what density should be on a property or if we want to think about it in a different way in terms of performance or form perimeters and things like that. She said it is sort of a big picture way to think about so that we don't have to get into these site-specific questions as to how it should be interpreted so it is a little clearer as Andrew said how the site performs versus a prescriptive number for the site.

Mr. Keller said that we don't want to encourage more controversy but Pantops is going to be coming to us soon and that could provide an opportunity for a mini case study within that right to bring that kind of idea as one portion or area of it so that we could see what if.

Ms. Spain noted if that is the case we better hustle because the plan is coming before us soon and Monday night we are meeting to finalize it.

Ms. Falkenstein said we are asking the CAC to endorse the land use piece of it, but the land use is using the traditional land use categories of the previous plan so there is a bigger discussion that needs to happen around that we should get started on it if it is going to be done in time for Pan tops.

Ms. More said the important point is the hope with the master planning process and the community engagement. She said hopefully people are engaging that given those ranges does leave that room for how often we see people come in and say we really want the most that you can have. But, in other cases like with the Downtown Crozet District, which is not form base code but is very prescribed, the neighborhoods that are slightly older if they had done a little research and understand where their neighborhoods are in proximity to the Downtown they understand that is where super intense density is called for. She said there is an intention to create some buffering and things like this but property owners in those slightly newest older neighborhoods engaging in that process and becoming aware, so it should not be a surprise to a citizen that is engaged in that process and gone through and understood why these areas have been picked to create this. She said so we would not have as many angry neighbors coming out and saying how can it be this way because it was all part of the process that people could be involved in with staff there to explain why that is what the plan calls for.

Mr. Bivins said he was struck that this feels very similar to the 400-gallons per acre per day piece when we were trying to look at the usage of a piece of property and whether it should be by right or by special use permit and if not mistaken the Supervisors have put that on pause. Mr. Bivins said he was not saying that was a minimal issue, but at the end it was maybe like 30 pieces of property that were impacted by that – but that brought some of the emotion among ourselves what should be by right and special use and the public came to speak to us and wondered how we would set up a series of conversations to do something much more emotion lifting with the density of a piece of property given that some of the local lore that he has heard that at one point there was a lot of smoke filled rooms that allowed property to be zoned special ways. He said in some communities, people have said at some point we are going to

undertake a significant look at the zoning at large and see; however, he was not suggesting that. But at some point, he thinks we need will need to wrestle with if there a function that can get through the pain of looking at our land and saying even the most basic question is 5 percent enough for a developed area. He asked how to get past things to have a meaningful and forward-facing conversation about land use in this century moving forward.

Ms. Firehock said that she did not know the site and did not know what the right density for this site that would be appropriate and did not know the context why that was picked.

Mr. Keller said the second item on the Park pieces he would hold for when we have Pan tops or something where there is a comparable example of what he was talking about when he brings it up.

The meeting moved to the next item.

Item for follow-up.

Mr. Keller invited items for follow-up.

Mr. Dotson asked what the item is about on the 30th agenda on the schools.

Mr. Gast-Bray replied that is the school of the future that you had originally requested come with the presentation already given to the School Board.

Mr. Dotson said the other thing he sees long-range transportation and assumes Will Cockrell and Wood Hudson are going to come do that. In the last meeting he had seen something in their newsletter about an infrastructure pilot study and Will was the spokesperson on that and we asked that to be included at the same time.

Mr. Gast-Bray replied that would be included at the same time.

The meeting moved to the next item.

Mr. Shrimp asked to speak, and Mr. Keller replied that it was unusual but would allow him to speak.

Mr. Shimp said that in my office we literally spend 8 to 12 hours a day discussing this issue that we are discussing and our conclusion that a good first step is to look at all the yellow, the blob, and relate those to scale and not density because that is what people are afraid of. He said what we find is someone says oh we are going to have a 60-foot tall apartment next to us and he gets that. However, if it is the same size as a 4,000 square foot house and it has 6 units in it – what is the difference. Mr. Shrimp said we are doing it already on Rio Road and are going to submit very soon a plan at Rio with the Form-Base Code and it is a simple way to look at it – that would be a drawing on the maps instead of 3 to 6 buildings at a certain square footage and characteristic and that maybe can be accomplished with densities without compromising the initial character or changing the map drastically.

Mr. Keller thanked Mr. Shimp for his comment and that when he comes in with that can remind us that it was a prototype that you previously discussed.

There being no further items, the meeting moved to adjournment.

Mr. Keller announced:

- No Planning Commission meeting on Tuesday, October 23, 2018. The next meeting will be on

Tuesday, October 30, 2018 at 6:00 p.m. in the Lane Auditorium.

Adjournment

There being no further business, the meeting adjourned at 8:09 to the next regular Planning Commission meeting at 6:00 p.m. in Lane Auditorium, Second Floor, 401 McIntire Road, Charlottesville, Virginia.

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Andrew Gast-Bray, Secretary

(Recorded and transcribed by Sharon C. Taylor, Clerk to Planning Commission & Planning Boards)

Approved by Planning Commission
Date: 01-15-2019
Initials: sct