

**COUNTY OF ALBEMARLE
PLANNING STAFF REPORT SUMMARY**

Project Name: ZMA202100015 Glenbrook	Staff: Mariah Gleason, Senior Planner II
Planning Commission Public Hearing: March 15, 2022	Board of Supervisors Public Hearing: May 4, 2022
Owner: Glenbrook LLC	Applicant: Ashley Davies, Riverbend Development
TMP: 056A2010006200	Acreage: 1.89 acres
Rezone from: No Change to the zoning district designation of R-6 Residential.	Location: Undeveloped portion of the Glenbrook development located south of Three Notch'D Road and the Buckingham Branch railroad tracks, west of the westernmost edge of Union Mission Ln, north of the future extension of Park Ridge Dr, and approximately 570 feet east of the eastern terminus of Hill Top St.
School Districts: Western Albemarle High, Henley Middle, Crozet Elementary	By-right use: R-6 Residential - 6 units/acre which allows single family detached, single family attached/townhouses and multifamily unit types.
Magisterial Districts: White Hall	Proffers: Yes
DA (Development Area) – Crozet Master Plan area	Requested # of Dwelling Units: No Change to the 180 dwelling unit maximum that was approved with a previous rezoning, ZMA201600005. This maximum applies to the 37.93-acre rezoning area, of which the 1.89-acre subject property is a portion.
Proposal: Amend the application plan and proffers previously approved with ZMA201600005 for this 1.89-acre portion of the 37.93-acre rezoning area. The ZMA201600005 rezoning proffered a voluntary, percentage-based mixture of residential building types, wherein a minimum of 50% single family detached and a minimum of 10% single family attached dwelling units are required. The applicant is requesting to remove the aforementioned requirement to allow greater flexibility in permitted unit types on the 1.89-acre property subject to this rezoning.	Comp. Plan Designation: Middle Density Residential – Residential densities in the range of 6-12 units per acre are recommended. Residential density of up to 18 units per acre could be considered to accommodate additional affordable housing (beyond any baseline affordability requirements); or to allow for construction of small-scale housing types: bungalow courts, small and medium multiplexes, accessory dwelling units, live/work units, small single family cottages, and tiny houses. Secondary uses include religious assembly uses, schools and child care, institutional, and commercial/retail.
Character of Property: The subject property is vacant and undeveloped, although some land clearing activities have occurred.	Use of Surrounding Properties: Other phases of the Glenbrook development are located west and south of the subject property. Parcels east of the subject property are primarily developed as single-family detached residential lots. Union Mission Baptist Church directly abuts the subject property to the east. Abutting the subject property to the north are the railroad and Three Notch'D Road right-of-way. North of Three Notch'D Road are additional single-family detached residential lots.

Affordable Housing: Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>	Affordable Housing: 15% total number of units, owner may elect to provide for-sale, for-rent, or cash in lieu.
Factors Favorable: <ol style="list-style-type: none"> 1. The proposal could help deliver built, affordable dwelling units into the local housing stock of Albemarle County, as opposed to cash contributions into the Housing Fund. 2. The applicant's desire to offer greater diversity in housing types and sizes is consistent with the goals of the Crozet Master Plan. 3. The proposal is consistent with the neighborhood model principles. 	Factors Unfavorable: <p>Staff has not identified any factors unfavorable to this request.</p>
RECOMMENDATION: Staff recommends approval of ZMA202100015 Glenbrook.	

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

**Mariah Gleason
March 15, 2022
May 4, 2022**

ZMA202100015 Glenbrook

PETITION

PROJECT: ZMA202100015 Glenbrook
MAGISTERIAL DISTRICT: White Hall
TAX MAP/PARCEL: 056A2-01-00-06200

LOCATION: Undeveloped portion of the Glenbrook development located south of Three Notch'D Road, west of the westernmost edge of Union Mission Ln, north of the future extension of Park Ridge Dr, and approximately 570 feet east of the eastern terminus of Hill Top St.

PROPOSAL: Request to amend the application plan and proffers concerning residential unit types associated with ZMA201600005.

PETITION: Proffers previously approved with ZMA201600005 included a voluntary, percentage-based mixture of residential building types, wherein a minimum of 50% of the proposed lots would be single family detached dwelling units and a minimum of 10% of the proposed lots would be single family attached or townhouse units. The applicant is requesting to remove the aforementioned requirement from this 1.89 acre portion of the 37.93 acre rezoning area. No change to the zoning district or maximum number of units are proposed. The subject property represents the final phase of the Glenbrook development.

ZONING: R-6 Residential - 6 units/acre

OVERLAY DISTRICT: EC – Entrance Corridor

PROFFERS: Yes

COMPREHENSIVE PLAN: Middle Density Residential – Residential densities in the range of 6-12 units per acre are recommended. Residential density of up to 18 units per acre could be considered to accommodate additional affordable housing (beyond any baseline affordability requirements); or to allow for construction of small-scale housing types: bungalow courts, small and medium multiplexes, accessory dwelling units, live/work units, small single family cottages, and tiny houses. Secondary uses include religious assembly uses, schools and child care, institutional, and commercial/retail.

CHARACTER OF THE AREA

The subject property, TMP 56A2-01-62, is a 1.89-acre lot that represents the final phase of the larger Glenbrook development. All other phases of the Glenbrook development have been completed or are currently in progress. Some land clearing activities have occurred on the subject property, as permitted by a previously approved plan (WPO201700020). Generally, the site is vacant and undeveloped, with some grasses and scrubs. The subject property is also located within an Entrance Corridor Overlay District. Conformance with the applicable Entrance Corridor guidelines will be evaluated during the review of a site plan.

Neighboring areas are primarily residential with some religious assembly uses also located nearby. Properties to the west and south are, like the subject property, zoned R-6 Residential and are currently being developed in phases as part of the Glenbrook development. Areas to the north and east are zoned R-2 Residential and generally contain residential development as well as Union Mission Baptist Church. The subject property is separated from residential properties to the north by Buckingham Branch Railroad and Three Notch'D Road. **Attachments 1 and 2** provide location and zoning maps, respectively.

SPECIFICS OF THE PROPOSAL

In February 2017, the Board of Supervisors approved a zoning map amendment (ZMA) that allowed the rezoning of 37.93-acres to R-6 Residential. The approval was accompanied by an application plan and proffers. In addition to a maximum number of units, the proffered application plan also identified a percentage-based minimum mixture of housing types, wherein a minimum of 50% of the proposed lots will be single family detached houses and a minimum of 10% of the units will be single family attached or townhouse units.

Of the original 37.93-acre rezoning area, this remaining 1.89-acre portion is the last area to be developed. All other areas within the 2017 rezoning have approved plans that have either been built or are in the process of being constructed. Development in these areas has been in accordance with the previously approved application plan, proffers, and applicable Albemarle County Code requirements.

The applicant's request is to relieve the subject property from the percentage-based minimum housing type mixture specified by the previous rezoning. The applicant is not requesting to change the maximum number of units from what was already approved. Therefore, the requested change is limited solely to the type of dwellings permitted on the subject property.

As discussed in the applicant's Project Narrative, provided in **Attachment 3**, the applicant is seeking relief from the building mixture in order to allow the development of affordable dwelling units in the form of a multifamily or attached dwelling unit type. The affordable housing proffer stipulates that 15% of the total number of residential units constructed be affordable. Therefore, if the maximum number of units permitted with the rezoning are built (180 units), at least 27 units would need to be provided as for-sale or for-rent units. If not constructed, the applicant must provide cash in lieu of construction at a rate of twenty-four thousand and three hundred seventy-five dollars (\$24,375.00) for each required affordable housing unit. This amount is subject to an annual adjustment. The current 2022 rate is \$27,409.99.

APPLICANT'S JUSTIFICATION FOR THE REQUEST

The applicant's justification for the request is provided in their Project Narrative (see **Attachment 3**). In the narrative, the applicant states:

"By building affordable units within the Glenbrook Development, versus paying into the housing fund, more options are available to residents sooner. The proposed affordable units in Glenbrook are particularly attractive because they are within walking distance to multiple amenities including downtown Crozet, Crozet Park, the greenway trail system and neighborhood gathering spaces."

Please note, the narrative reflects a previous version of the proposed application plan. The applicant has since revised the proposal to use a different mechanism to achieve the desired goal of allowing greater flexibility in permitted unit types on the subject property.

COMMUNITY MEETING

A virtual community meeting was held for this proposal on Wednesday, February 9, 2022, at a regularly scheduled meeting of the Crozet Community Advisory Committee (CAC). This meeting was conducted using Zoom. A recording of the virtual community meeting is available via the County calendar and Albemarle County's YouTube account.

Attendees were generally supportive of the proposal, noting that actualized affordable units and diversity in housing type are a benefit to the community. Questions from attendees covered a range

of topics, including whether affordable units would be for rent or sale, the design of the units (such as square footage, bedrooms, and configuration), roadway connections and access, as well as the decision by the applicant to provide affordable housing.

One concern was noted during the meeting about the number of residents living in each of the units and resulting impacts that may have to schools. However, as the proposal is not increasing the maximum density, or number of units, that can be achieved by the development, this proposal would not be expected to generate more impacts to schools.

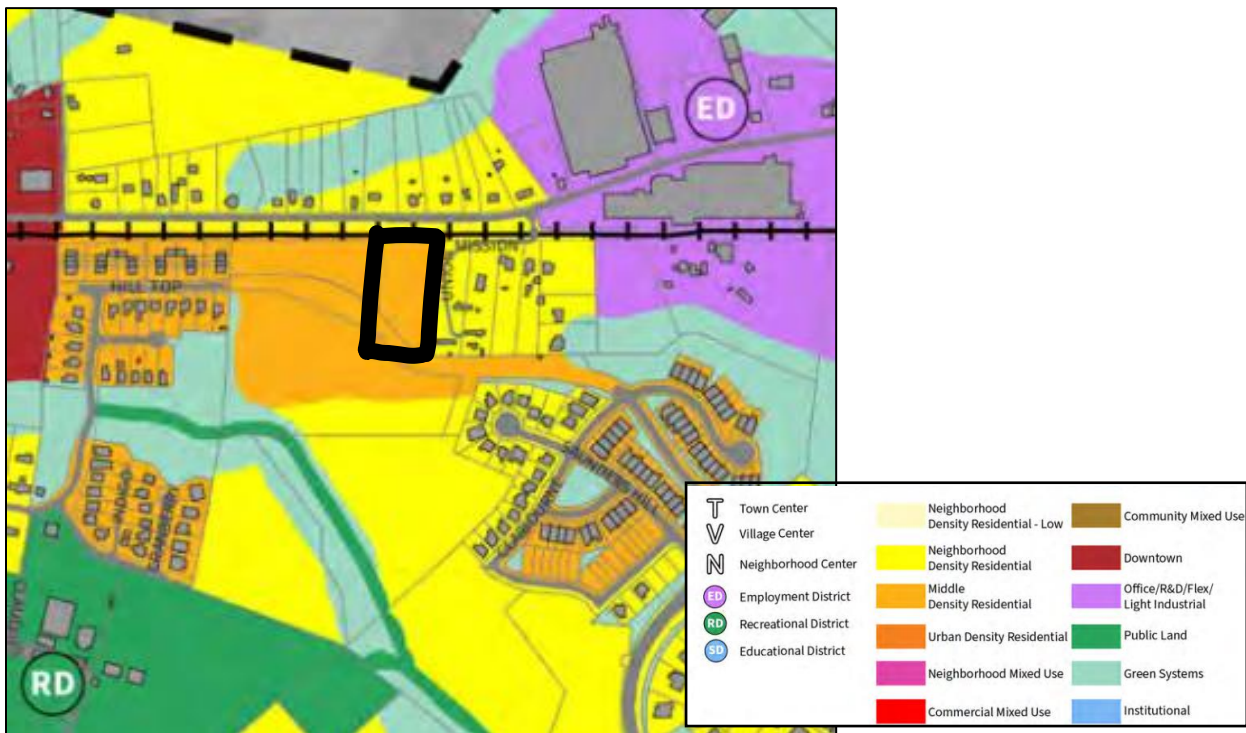
No comments or concerns from the public were received by staff outside of the community meeting.

PLANNING AND ZONING HISTORY

- ZMA2016-00005: In February 2017, the Board of Supervisors approved a Zoning Map Amendment which rezoned portions of five (5) parcels from R-1 Residential, R-2 Residential, and LI-Light Industrial to an R-6 Residential zoning district. The rezoning included an application plan and proffers (see **Attachments 6 and 7**, respectively) and allowed the development of a maximum of 180 dwelling units across the 37.93-acre rezoning area.
- SUB2018-00023 Phase I, SUB2020-00140 Phase IIA, SUB2020-00222 Phase IIB: From July 2018 to March 2021, three phases of Glenbrook received subdivision approval. To date, 73 single family detached and 66 single family attached units have been approved for a total of 139 units. This results in a percentage building type mixture of 53% detached units and 47% attached units to date.

COMPREHENSIVE PLAN

The subject property is located within the Crozet Master Plan area. The Master Plan calls for the property to be developed in accordance with the Middle Density Residential land use classification (see map inset below; subject property identified by black box):



Middle Density Residential (orange) – The primary use for development in this land use classification is residential. Residential densities in the range of 6-12 units per acre are recommended. Residential density of up to 18 units per acre could be considered to accommodate additional affordable housing (beyond any baseline affordability requirements); or to allow for construction of small-scale housing types: bungalow courts, small and medium multiplexes, accessory dwelling units, live/work units, small single family cottages, and tiny houses. Secondary uses include religious assembly uses, schools and child care, institutional, and commercial/retail.

The proposed rezoning is in alignment with this land use designation. No changes to the maximum density approved by the previous rezoning are proposed (180 dwelling units under ZMA201600005). However, the applicant has indicated that they are seeking to offer smaller-scale housing types and options, which is consistent with the Master Plan's recommendation for housing types in this area.

The Neighborhood Model: Based on the specific and minimal changes requested to the previously approved rezoning, staff did not reevaluate the proposal against the twelve Neighborhood Model Principles. During staff's review of the original rezoning, ZMA201600005, the proposal was found to be largely consistent with the Neighborhood Model Principles, acknowledging that some principles were not applicable to the request.

The applicant's request to relieve this 1.89-acre portion of the original 37.93-acre rezoning area from the building type requirement does not make the proposal less consistent with the Neighborhood Model Principles, particularly the "Mixture of Housing Types and Affordability" principle. The development still successfully offers a mix of housing types and will remain subject to a previously approved proffer concerning affordable housing. As indicated in the community meeting and discussions with the applicant, development on the subject property will offer a greater selection of housing types, sizes, and affordability. Staff, therefore, believe that the proposal will likely strengthen the development's consistency with the Neighborhood Model Principles.

Affordable Housing: The County's 2015 Comprehensive Plan has a chapter on housing (Chapter 9), which provides strategies to achieve its goal of "housing [that] will be safe, decent, and sanitary; available to all income and age levels; located primarily in the Development Areas; and available equally to all current and future County residents." Objective 6 is for the provision of affordable housing options for low-to-moderate income residents of Albemarle County and persons who work within the County who wish to reside there. The Comprehensive Plan includes several strategies to achieve this objective. Strategy 6b is to "continue to ensure that at a minimum, 15% of all units developed under rezoning and special use permits are affordable, as defined by the County's Office of Housing, or a comparable contribution is made to achieve the affordable housing goals of the County."

The previously approved rezoning, ZMA201600005, included a proffer for Affordable Housing. As mentioned above, the proffer states that affordable housing units equal to fifteen percent (15%) of the total number of residential units shall be constructed within the rezoning area. Based on the maximum density, 15% of 180 total dwelling units would require up to twenty-seven (27) units to be designated affordable. The units could be offered for either rent or sale, however, if not constructed, the applicant is required to make a cash proffer payment in lieu of construction of affordable dwelling units at a rate of twenty-four thousand and three hundred seventy-five dollars (\$24,375.00) for each unit, subject to an annual adjustment. The applicant's request includes no changes to this proffer. The proffer will continue to run with the subject property as it was previously approved. The County's Housing Policy Manager has reviewed this application and expressed no objections to the proposal.

ZONING ORDINANCE REQUIREMENTS

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

Based on the application plan and proffers submitted by the applicant, **Attachments 4 and 5** respectively, the applicant is not requesting to change the existing R-6 Residential zoning district or maximum number of units previously approved on the property. The applicant's request is limited to seeking greater flexibility in the unit types allowed on the subject property, within the applicable regulations of the Albemarle County Code for R-6 Residential zoning districts. Therefore, staff find the proposal to be consistent with the requested zoning district.

Anticipated impact on public facilities and services:

Streets:

Access to the subject property will be provided via public roads being developed in coordination with other phases of the Glenbrook development. VDOT and the County's Transportation Planning Team reviewed this application and expressed no objections to the proposal.

At this time, the applicant has not submitted a layout for proposed units or travelways on the subject property. When submitted, future road development or improvements specific to the site, such as turning radii, sight distances, or road connections, will be assessed by VDOT and County Engineering staff as part of a site plan or subdivision application.

Schools:

The applicant is not proposing to change the existing zoning district or previously approved density. Therefore, impacts to the school system will not change as a result of this request.

Fire & Rescue:

Albemarle County Fire Rescue (ACFR) has reviewed this rezoning application and has no objections at this time. Code requirements for items such as street and travel-way widths and turning radii will be addressed at the site planning or subdivision stage, as well as other items such as adequate access and water availability. These elements will have to meet Fire-Rescue requirements before those plans can be approved by the County.

Utilities:

This project is in the Albemarle County Service Authority (ACSA) water and sewer service jurisdictional area. ACSA and Rivanna Water & Sewer Authority (RWSA) have no objections to the project at this time. Future development will require RWSA capacity certification. Also, a utilities construction plan will be required, subject to ACSA approval, prior to the approval of a subdivision plat and/or site plan by the County.

Anticipated impact on environmental, cultural and historic resources:

There are no known cultural or historic resources on the subject property. In addition, no steep slopes, flood plains, or water protection ordinance (WPO) buffers are present on the property. Any increase in stormwater runoff above what is currently allowed on the property will be reviewed by County Engineering staff during the development phase of the project. Any stormwater facilities will be designed in accordance with the Virginia Stormwater Management Program (VSMP) regulations administered by the Virginia Department of Environmental Quality (DEQ).

Anticipated impact on nearby and surrounding properties:

As neither the zoning district nor total number of units are changing, development of the property is not anticipated to have significant impacts on nearby and surrounding properties.

Public need and justification for the change:

While the permitted density is not increasing, the proposal would allow for flexibility in the types of dwelling units provided. This flexibility should allow for the delivery of constructed affordable units into the housing stock and community, which has been a consistent goal of Albemarle County in its polices, programs, and Comprehensive Plan.

SUMMARY

The applicant’s request is to relieve the 1.189-acre subject property from the percentage-based minimum housing type mixture specified by the previous rezoning. Other areas of the total 37.93-acre rezoning have been developed consistent with the original rezoning’s required housing type minimums of 50% single-family detached and 10% single-family attached units. The applicant is not requesting any changes to the zoning district or maximum number of units that were previously approved.

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

1. The proposal will deliver built, affordable dwelling units into the local housing stock of Albemarle County, as opposed to cash contributions into the Housing Fund.
2. The applicant’s desire to offer greater diversity in housing types and sizes is consistent with the goals of the Crozet Master Plan.
3. The proposal is consistent with the neighborhood model principles.

Staff has not identified any factors unfavorable to this request.

RECOMMENDATION

Staff recommends approval of ZMA202100015 Glenbrook.

ATTACHMENTS

- 1 – Location Map
- 2 – Zoning Map
- 3 – Project Narrative, dated October 28, 2021
- 4 – Proposed Application Plan, dated February 16, 2016; last revised February 18, 2022
- 5 – Proposed Proffers, dated February 18, 2022
- 6 – ZMA201600005 Application Plan, dated February 16, 2016; last revised January 3, 2017
- 7 – ZMA201600005 Proffers, dated February 6, 2017