

Woodbrook Station
Major Site Plan Amendment
Special Exception Application Narrative
SDP 2022-_____

On January 11, 2006, Woodbrook Station, comprising Tax Map 45 parcels 94A1 and 94A2 (the "**Property**"), was rezoned to Neighborhood Model District pursuant to ZMA 2003-008. The Owner, Parkside I, LLC (the "**Applicant**") has submitted a major site plan amendment in order to subject the northern parcel (TMP 45-94A2), identified as "**Block 1**" (or "Phase 1," also identified as Lot D2 on the submitted boundary adjustment plat, dated October 24, 2022, prepared by Timmons Group) to the Rio29 Form-Based Code Overlay District. The adjusted TMP 45-94A1 ("Block 2" or "Phase 2") is not being amended at this time and remains subject to the existing zoning and site plan approval (SDP 200600020: dated February 27, 2006, last revised April 1, 2008, approved April 29, 2008).

Pursuant to Section 20C.2.D.1(e), the Board of Supervisors (or its Agent, the Albemarle County Community Development Department, or Agent's designee) may grant a special exception to provide relief from the provisions of Section 20C.2.B.3, which requires Rio29 FBC regulations to apply to an entire parcel as it existed on September 1, 2021. A portion of the Property will be added by means of the boundary line adjustment plat to Block 2. Since the Phase 1 limits of development will not be consistent with the existing parcel boundaries as they existed on September 1, 2021 following boundary line adjustment, the applicability provision of 20C.2.B.3 is not met, and the Applicant respectfully requests an exception to this requirement.

The applicable provisions of Section 20C.2.D are set out below in italics with comments from the Applicant in bold:

D. Special exceptions.

1. *In addition to special exceptions granted under section 33, special exceptions from the Rio29 FBC may be granted by the Board of Supervisors for the following:*

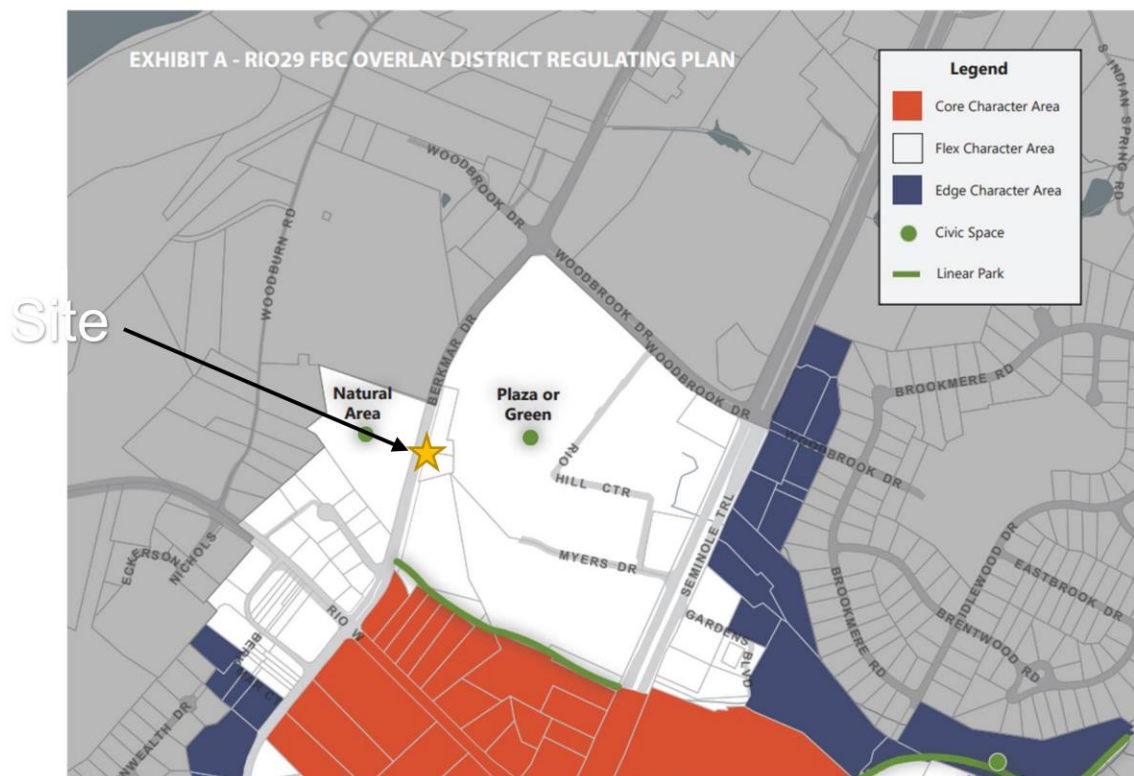
....e. *Relief from the provisions of 20C.2.B.3 to allow the Rio29 FBC to apply to a portion of a parcel existing on September 1, 2021. In addition to the submittal requirements of section 33 the applicant must submit a conceptual plan showing how the entire property could be developed in accord with the regulations of the Rio29 FBC.*

A conceptual plan is submitted with this special exception request showing how the entirety of Block 1 as it existed on September 1, 2021—and the entire Property--could be developed in accord with the regulations of the Rio29 FBC.

2. *Special exceptions from the provisions of the Rio29 FBC may be granted by the Board of Supervisors upon a finding that the special exception:*

a. *Furtheres the purpose and intent of the provisions of the Rio29 FBC as described in section 20C.1 (Purpose and intent);*

Phase 1 of the Property is proposed to be developed in accordance with the Rio29 FBC as shown on the submitted major site plan amendment. Phase 1 consists of a two-story mixed-



As stated above, Phase 1 is proposed to be developed in accordance with the Rio29 FBC and designated Flex requirements.

Phase 2 is also designated as Flex within the Regulating Plan, and the Concept Plan demonstrates that the form and design elements required under the FBC can be met in the future.

c. Is consistent with the Comprehensive Plan.

Phase 1 as proposed, as well as the Concept Plan for Phase 2, is consistent with the following aspects of the Comprehensive Plan:

1. **Neighborhood Model Principles: Pedestrian Orientation; Mixture of Uses; Mixture of Housing Types and Affordability; Multi-modal Transportation Opportunities; Buildings and Spaces of Human Scale; Relegated Parking; Respect Terrain and Careful Grading and Re-grading.**
2. **From the Growth Management Section of the Comprehensive Plan:**
 - a. **Objective 1, Strategy 1a: Continue to encourage approval of new development proposals in the Development Areas as the designated location for new residential, commercial, industrial, and mixed-use development.**
3. **From the Development Areas Section of the Comprehensive Plan:**
 - a. **Objective 2a: Continue to require and provide sidewalks and pedestrian paths in the Development Areas.**
 - b. **Objective 4: Use Development Area land efficiently to prevent premature expansion of the Development areas**
 - c. **Objective 6: Promote infill and redevelopment that is compatible with surrounding neighborhoods and uses**
3. *Special exceptions to allow modifications to building standards or architectural design standards related to inclusion of existing buildings, **or to allow relief from provisions of section 20C.2.B.3,** may be granted by the Board of Supervisors following the submittal of a conceptual plan, where the following additional conditions are met:*
 - a. *Renovations must not cause existing building(s) to become more nonconforming as to building standards, architectural standards, or any other relevant requirements of this code.*

The Property is a vacant parcel and does not contain existing buildings, therefore this condition is not applicable.

b. Streets that provide site access and/or connectivity to adjacent properties must be constructed or upgraded to meet the requirements of section 20C.7 and be completed prior to commencement of the use, issuance of a zoning clearance, or issuance of a Certificate of Occupancy for the first phase of development.

Phase 1 incorporates the design elements of section 20C.7 to the maximum extent practicable at this time. The Applicant has prepared a “Future MUP Concept Plan” to depict how the components of The Northtown Trail and Shared-Use Paths may be accommodated

within the Property's frontage. The Applicant is working with VDOT on this plan, and we anticipate that further discussion for Phase 1 and Phase 2 around these elements will occur during the review of the site plan and special exception and will work with staff on these requirements.

c. Where a new use is proposed under section 20C.6, existing buildings (constructed prior to September 1, 2021) being retained must be shown as part of the phase in which the building will be first used. The following site and building improvements must be provided prior to commencement of the use, issuance of a zoning clearance, or issuance of a Certificate of Occupancy for the phase of development of the building's first use:

i. Streets to serve each phase of development must be constructed or upgraded to meet the requirements of section 20C.7 with each phase of development.

ii. The minimum area of required civic space, calculated based on the gross acreage of each phase, must be constructed and dedicated with each phase of development.

iii. All existing buildings to be retained must meet architectural design standards of section 20C.10 with each phase of development.

The Property is a vacant parcel and does not contain existing buildings, therefore these conditions are not applicable.