ALBEMARLE COUNTY PLANNING
STAFF REPORT SUMMARY

Project Name: ZMA201900008 Parkway Place	**Staff:** Cameron Langille, Senior Planner
Planning Commission Hearing: March 10, 2020	**Board of Supervisors Public Hearing:** May 6, 2020
Owner: Thomas D & Clarence H. Wetsel	**Applicant**: Kotarides Developers, LLC
Acreage: 27.31 acres	**Rezone from:** R-4 Residential to PRD Planned Residential Development
TMP: 06100-00-00-16700 & 06100-00-00-167C0	**Location:** 878 E. Rio Road E., Charlottesville VA, 22901
School Districts: Agnor-Hurt – Elementary**,** Burley – Middle, and Albemarle – High	**By-right use**: Property zoned R-4 Residential – 4 dwelling units/acre
Magisterial District: Rio	**Proffers**: Yes
Proposal: Rezone 27.31 acres from R-4 Residential (4 units/acre) to PRD Planner Residential Development - residential (3 – 34 units/acre) with limited commercial uses. Up to 328 units are proposed with a gross density of up to 12.01 units/acre and a net density of up to 16.17 units/acre. Application includes proffers for road and transit improvements and dedication of land to public use for parks.	**Requested # of Dwelling Units:** 328 (maximum)
DA (Development Area): Neighborhood 2 – Places29	**Comp. Plan Designation:** Neighborhood Service Center – commercial, retail, and employment uses with supporting residential (3-20 units/acre); Urban Mixed Use (in Centers) – retail, residential, commercial, employment, office, institutional, and open space; Urban Density Residential – residential (6.01 – 34 units/ acre); supporting uses such as religious institutions, schools, commercial, office and service uses; Public Open Space – recreation and open space uses; and Privately Owned Open Space, Environmental Features – privately owned recreational amenities and open space; floodplains, steep slopes, wetlands, and other environmental features.
Character of Property: Primarily undeveloped fallow farmland with one single-family detached structure and several accessory structures previously used for agricultural purposes.	**Use of Surrounding Properties:** CATEC, Waldorf School, Dunlora Forest subdivision, John Warner Parkway Trail, and detached single-family homes.
Factors Favorable: 1. The rezoning request is consistent with the majority of the future land use recommendations within the Places29 Master Plan and Comprehensive Plan. The request is providing	**Factors Unfavorable:** 1. The request does not provide a complete mix of uses consistent with a Neighborhood Center as recommended by the Places29 Master Plan and Comprehensive Plan.

road improvements consistent with the Places29 Master Plan transportation recommendations. 2. The request is consistent with the majority of the applicable Neighborhood Model Principles. 3. The request will provide a new public park, trailhead, and outdoor recreational amenities. 4. The rezoning provides affordable rental housing that meets the housing policy within the Comprehensive Plan for a period of 10 years. 5. The request includes proffers for construction of a new transit stop with benches and shelters. 6. The request includes proffers for road improvements that will alleviate some of the current traffic issues along Rio Road E.	2. Even with the proffered road improvements, the request will result in increased delay times for some travel movements at nearby intersections which currently experience problems with congestion. 3. Board requested corridor study of Rio Road has not been funded/completed. 4. Ultimate improvement to nearby intersections have not been determined and/or funded for completion. 5. The properties are not located with a Priority Area as defined in the Comprehensive Plan/Places29 Master Plan.
RECOMMENDATION: Staff does not recommend approval of ZMA201900008 because the factors unfavorable outweigh the factors favorable.	

STAFF PERSON: Cameron Langille, Senior Planner
PLANNING COMMISSION: March 10, 2020
BOARD OF SUPERVISORS: May 6, 2020

PETITION:

PROJECT: ZMA201900008 Parkway Place
MAGISTERIAL DISTRICT: Rio
TAX MAP/PARCEL(S): 06100000016700, 061000000167C0
LOCATION: 878 E. Rio Road E.
PROPOSAL: Proposal to rezone two properties for up to 328 residential dwelling units
PETITION: Rezone a total of approximately 27.31 acres from the R-4 Zoning District, which allows residential uses at densities up to 4 units/acre to Planned Residential Development (PRD), which allows residential (3 – 34 units/acre) with limited commercial uses. A maximum of 328 multifamily residential units are proposed along with approximately 13 acres of both public and private open space at a net density of 16.17 units/acre, and a gross density of 12.01 units/acre. Request for a substitution of recreation facilities in accordance with 18-4.16.2.
ZONING: R-4 Residential - 4 units/acre
OVERLAY DISTRICT(S): AIA – Airport Impact Area Overlay, EC – Entrance Corridor, FH – Flood Hazard Overlay, Managed and Preserved Steep Slopes Steep Slopes
PROFFERS: Yes
COMPREHENSIVE PLAN: Neighborhood Service Center – commercial, retail, and employment uses with supporting residential (3-20 units/acre); Urban Mixed Use (in Centers) – retail, residential, commercial, employment, office, institutional, and open space; Urban Density Residential – residential (6.01 – 34 units/ acre); supporting uses such as religious institutions, schools, commercial, office and service uses; Public Open Space – recreation and open space uses; and Privately Owned Open Space, Environmental Features – privately owned recreational amenities and open space; floodplains, steep slopes, wetlands, and other environmental features in Neighborhood 2 of the Places29 Comprehensive Plan Area.

CHARACTER OF THE AREA

The proposal includes two Tax Map Parcels. The first parcel is identified as Tax Map Parcel (TMP) 61-167 and is located within the Neighborhood 2 Comprehensive Plan Area, which is part of the Places29 Development Area (Attachment 1).

TMP 61-167 measures 1.584 acres and is currently zoned R-4 Residential. The property is also located within the Airport Impact Area (AIA) Overlay Zoning District, and the Entrance Corridor (EC) Overlay Zoning District. TMP 61-167 is currently occupied by a two-story detached single-family residential structure with a finished square footage of approximately 1,300 sq. ft.

The second parcel is identified as TMP 61-167C and is located within the Neighborhood 2 Comprehensive Plan Area, which is part of the Places29 Development Area. TMP 61-167C measures 25.734 acres and is currently zoned R-4 Residential. The property is also located within the Airport Impact Area (AIA) Overlay Zoning District, and the Entrance Corridor (EC) Overlay Zoning District. Portions of the property are located within the Managed and Preserved Steep Slopes Overlay Districts, as well as a small area at the southwest corner of the property that is within the Flood Hazard (FH) Overlay Zoning District. TMP 61-167C contains mostly open fields with some areas covered by mature tree and shrub vegetation. There are eight (8) accessory structures on TMP 61-167C that have been used as agricultural outbuildings in the past. At the far southwest corner of the property there are areas located within a Water Protection Ordinance (WPO) stream buffer (Attachment 2).

The subject properties measure a combined 27.31 acres and have historically been used for agricultural purposes, commonly referred to as the Wetsel Farm.

Rio Road E. borders the subject properties to the east and north, and John Warner Parkway borders the property to the west and north. Land owned by the City of Charlottesville adjoins the subject parcels to the southwest. The City-owned land is part of the John Warner Parkway Trail. The trail continues into the subject properties within a dedicated public greenway easement that measures 5.890 acres. Across Rio Road E. and John Warner Parkway to the north is the Charlottesville Albemarle Technical Education Center. To the north, east, and south there are detached single family homes. Across Rio Road E. to the southeast is the Dunlora Forest subdivision, which features detached single-family homes, duplexes, and attached single-family homes. The Charlottesville Waldorf School is located immediately south of the subject properties (Attachment 2).

SPECIFICS OF THE PROPOSAL

Kotarides Developers, LLC is requesting approval of a Zoning Map Amendment (ZMA) application to rezone the properties from the R-4 Residential Zoning District to the Planned Residential Development (PRD) Zoning District with proffers. The purpose for the zoning change is to allow development of a multifamily residential apartment community which will be referred to hereafter as Parkway Place. The maximum number of dwelling units proposed is 328, for a net density of 16.17 du/acre and a gross density of 12.01 du/acre.

Since PRD is a Planned Zoning District, the application includes proffering an Application Plan which establishes the locations and standards for on-site improvements (Attachment 3). The applicant has also provided a written proffer statement (Attachment 4).

The Application Plan identifies where future buildings, vehicular travel ways, parking, stormwater management, open space, land proposed to be dedicated to public use, and outdoor recreation areas will be located (Attachment 3, Sheet 1). Development standards that would apply to the proposed PRD District, such as permitted uses, building heights, setbacks, architectural standards, landscaping/buffers, and affordable housing are listed as notes on Sheet 1A of the Application Plan.

Part of the Application Plan includes a detailed plan for road improvements within the Rio Road E. right-of-way (ROW) adjacent to the subject properties (Attachment 3, Sheet 2). This includes dedication of approximately 1.0 acre of land to public use in order to provide space to construct the physical improvements proposed within the ROW. The applicant is proposing to construct two major intersection improvements within the ROW. The Virginia Department of Transportation (VDOT) refers to the proposed designs as “Green T” intersections. One will be located at the intersection of Dunlora Drive/Rio Road E., and the other at the primary entrance to Parkway Place. Green T intersections eliminate the need for full traffic signals at the specific intersection because they provide a dedicated travel lane, referred to by VDOT as the “main line,” for through-traffic traveling past the intersection. A separate protected turn lane is provided that allows vehicles to make left turns off the main line on to an intersecting street. Other improvements include medians and curbing that separate the main lines from turn lanes. Additionally, the applicant is providing new acceleration lanes, merge lanes, and tapered right turn lanes at various points along the proposed road improvements. The purpose and goal of the road improvements is to allow ease of movement for vehicles traveling into and out of the Dunlora Subdivision, as well as vehicles entering and leaving Parkway Place. Per VDOT review of this proposal, the operations at the Dunlora Drive/Rio Road E. intersection will be improved.

The existing R-4 Zoning District allows for a range of residential dwelling types, including detached single family, two-family dwellings (duplexes), and attached single family (townhouses, triplexes, and quadruplexes) but multifamily apartments are not permitted either by-right or through Special Use

Permit. The permitted gross density in the R-4 Zoning District is 4 units/acre, which would allow for up to 109 dwelling units. However, if the properties were to be developed according to the cluster development option regulations specified in Section 18-15.5 of the Zoning Ordinance, density could be increased up to 6 units/acre, or 163 units.

Below is a table comparing the number of units, unit types, affordable housing requirements that would apply to a by-right development versus the Parkway Place proposal.

	By-right Zoning	Proposal Zoning	Change resulting from proposed Zoning
Dwelling Units	109/163*	328	219/165 additional units
Unit Types	Single Family Attached and detached units	Single Family Attached and detached units; multi-family/apartments	Multi-family/ apartments permitted
Affordable Housing	None required**	49 units	Assurance that affordable units will be provided

*under cluster development option
**affordable units could be provided under a cluster development option, but is not required

APPLICANT'S JUSTIFICATION FOR THE REQUEST

The applicant has provided a detailed request found in Attachment 5.

COMMUNITY MEETING

The applicants conducted a Community Meeting for ZMA201900008 in Lane Auditorium at the Albemarle County Office Building – McIntire on Thursday, July 18th, 2019 at 6:00pm. Approximately 75 members of the public were in attendance. Topics of discussion involving staff from the Albemarle County Department of Community Development, VDOT, the applicant and their representatives, and members included:

A. Questions and concerns about transportation impacts, including how traffic congestion will be mitigated at the intersections of Dunlora Drive/Rio Road E. and Rio Road E./John Warner Parkway. Currently, vehicles traveling north on Rio Road E. block the intersection at Dunlora Drive and physically prevent vehicles from making a left turn onto Rio Road E. southbound.

Applicants' answers: The Green T improvement called for within the Rio Road E. ROW will provide adequate space and stacking for all vehicle movements heading in both directions along Rio Road E., as well as for vehicles exiting Dunlora Drive heading in either direction. The TIA has a detailed analysis on how this design will enable traffic to flow more smoothly. This means that the level of congestion that currently backs up along Rio Road E. and blocks Dunlora Drive will be reduced and the blockages will be less frequent. Additional merge lanes will be installed to allow drivers exiting Dunlora Drive to have adequate space and time to merge into the continuous through travel lane heading south along Rio toward Charlottesville.

Furthermore, the proffers state that all proposed road improvements will be completed prior to obtaining the first building permit for residential structures in Parkway Place. This means that the infrastructure improvements will be fully completed before any new residents move in and add vehicles to the surrounding roadways.

B. Questions about the magnitude of the traffic impacts at the intersection of Dunlora Forest Drive and Rio Road E.

Applicants' answers: A roundabout was evaluated as a potential way to mitigate perceived traffic congestion at this intersection. It was ultimately decided that the Green T proposed at the primary entrance to Parkway Place would provide enough stacking for vehicles entering the development, and even with up to 328 new units, vehicles would not back up as far as Dunlora Forest Drive and impede travel into and out of the Dunlora Forest neighborhood.

C. Questions and concerns about improvements proposed with Parkway Place and how they will affect the quality of life for residents of existing neighborhoods.

Applicants' answer: This project proposes dedication of a 1.1-acre public park that will include a trailhead for vehicle parking. All members of the public will be allowed access to this park and parking lot and will be able to enjoy the new trail connection that will lead down to the John Warner Parkway greenway that currently exists. This is a major benefit, because there are not easily accessible trailheads anywhere near the intersection of Rio Road E. and John Warner Parkway, which serves as a barrier for some citizens to access the existing trail system.

D. Questions about whether the proposal(s) includes adequate space for parking for residents and guests of Parkway Place.

Applicants' and staff answers: Yes, the Zoning Ordinance requires 1 guest parking space per every 4 dwelling units. Additionally, the site designers have determined that adequate space is available for the maximum possible amount of parking that would be required if the full 328 multifamily units get developed.

E. Questions about proposed building heights and privacy concerns for residential homes adjacent to Parkway Place.

Applicants' answer: The original proposal called for 4 story buildings within Parkway Place. Based on community feedback, the building heights have been reduced to 3 stories, with a maximum height of 45 feet total. Additionally, the Application Plan has notes stating that "for each story that begins above 40 feet in height of for each story above the third story, the minimum stepback shall be 15 feet." Given the distance of existing homes across Rio Road E. from the proposed building envelopes in parkway Place, dwelling units on the third story would not be situated high enough to provide an angle of sight down into the backyards of those adjacent residential structures.

F. Questions about interconnections to adjacent properties such as the Charlottesville Waldorf School.

Applicants' answers: The Application Plan provides an interconnection on the south side of Parkway Place to TMP 61-167A, which is another property bordering the Waldorf School. Full interconnections further south to the Waldorf School property will be possible in the future if it redevelops.

Following the official community meeting, some members of the Places29-Rio drafted a resolution for the CAC to consider opposing ZMA201900008. This resolution was adopted by a 6:4 vote at the January 23, 2020 the Places29-Rio CAC meeting.

In addition to feedback received from community meeting attendees, staff have received numerous letters and email from members of the public regarding this request. All public feedback received

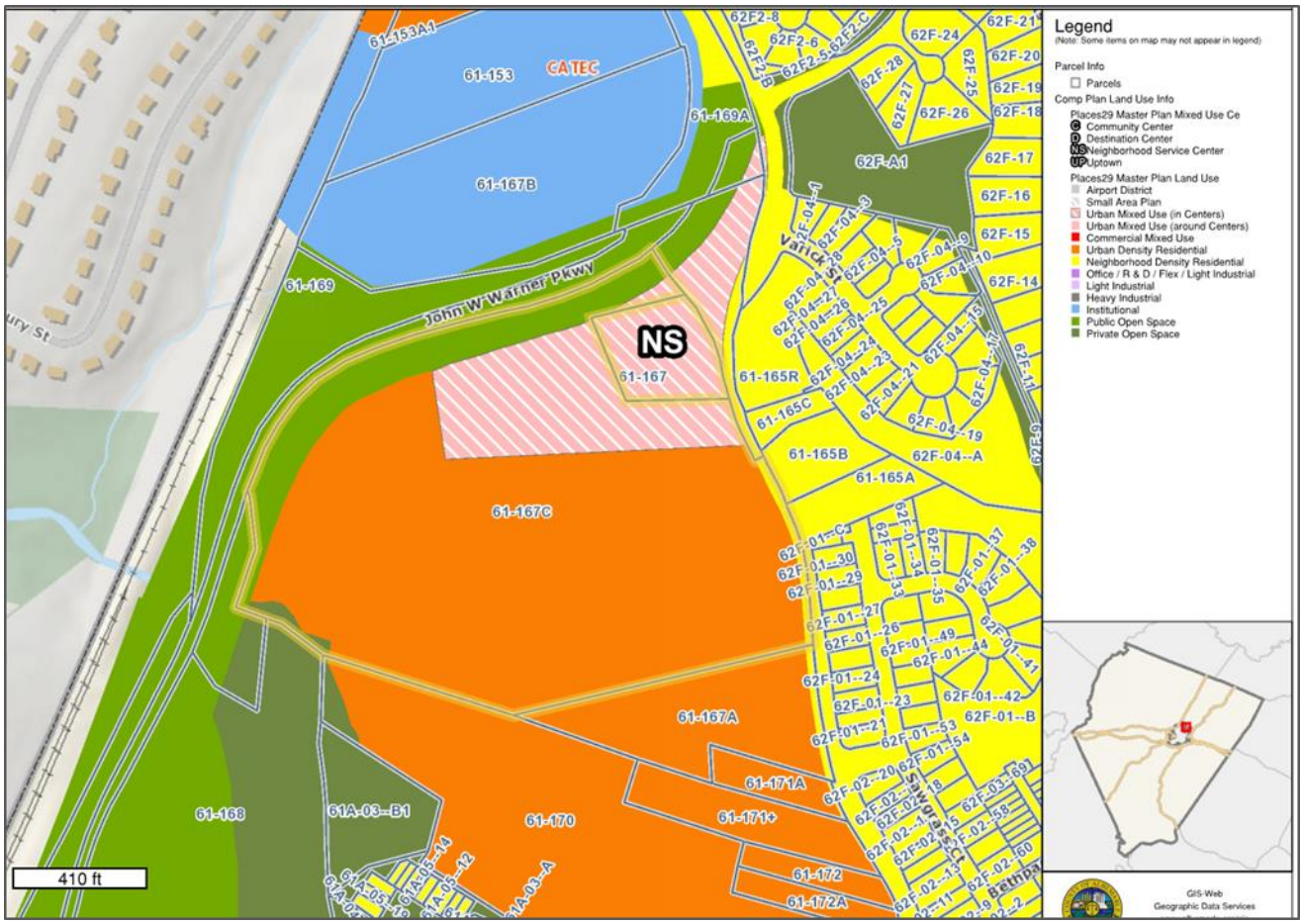
through March 3, 2020 and the Places29-Rio CAC resolution opposing the application have been compiled into a single document, Attachment 6.

PLANNING AND ZONING HISTORY

Other than plats that were recorded as part of the right-of-way dedication for the John Warner Parkway and greenway easements, there is no Planning or Zoning history for this parcel.

COMPREHENSIVE PLAN

The subject properties are located in Neighborhood 2 of the Places29 Master Plan. A description of each future land use classification and an overview map is provided below.



The Future Land Use Plan-South contained in the Places29 Master Plan designates TMP 61-167 as a **Neighborhood Service Center (NS)** with the future land use classification of **Urban Mixed Use (in Centers)**. The Urban Mixed Use designation is identified by the hatched pink color on the map. Below is a description of what types of uses and character/form should be provided in Neighborhood Service Centers and areas designated as Urban Mixed Use in Centers.

Neighborhood Service Centers:

- Provided in locations that recognize the availability of vacant or underutilized sites and the desire to distribute these Centers throughout the area to maximize their accessibility;

- Intended to serve residents who live in the areas around them;
- Allow development of a range of uses that would serve the surrounding neighborhood;
- Provide increased pedestrian and bicycle access to the everyday goods and services offered;
- Have a visual and physical relationship to major roads that makes them accessible to additional customers from outside the immediate neighborhood.

Urban Mixed Use (in Centers):

- Residential uses include single-family detached, single-family attached, and multifamily dwellings at gross densities between 3-20 du/acre, with maximum building heights of three (3) stories;
- Neighborhood retail and commercial service uses with building footprints up to 15,000 sq. ft., with maximum building heights of three (3) stories;
- Institutional uses with building footprints up to 15,000 sq. ft.;
- Office/R&D/Flex uses with maximum building footprints of 15,000 sq. ft., with varying building heights depending on the mixture of uses within individual structures;
- Open space that includes a minimum of one "small green park conveniently located" with a minimum size between ¼ and ½ acre;
- Each center must have a minimum of 10% usable open space.

The Future Land Use Plan-South calls for four future land use classifications across different portions of TMP 61-167C. Portions of TMP 61-167C are designated for **Urban Mixed Use (in Centers)** which has the same description as mentioned above. The other three land use classifications are as follows:

1. **Urban Density Residential** (identified by orange on map) - primary uses to consist of residential uses at gross densities between 6.01-34 dwelling units/acre. Secondary uses in this classification include supporting uses such as religious institutions, schools, commercial, office and service uses**;**
2. **Public Open Space** (identified by dark green on map) **-** allows for a range of public recreation and open space uses. This designation is only used in Centers and areas around Centers, and is intended to provide space and amenities for public activities**;**
3. **Privatively Owned Open Space, Environmental Features** (identified by light green on map) **-** includes open space that is owned and managed by private or semi-public entities, such as homeowners' associations, private homeowners, commercial or business park landowners, 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.

Based on the recommended land use classifications and the net density analysis provided by the applicant as, the proposed minimum (104) and maximum (328) number dwelling units are consistent with the overall residential density recommendations specified by the Master Plan for this site (Attachment 7). The net density acreage available for development (20.28 acres) was calculated by subtracting the John Warner Parkway greenway acreage, areas designed as Parks & Green Systems future land use, and areas of Preserved Steep Slopes outside of the greenway/Parks & Green Systems. Using the acreage remaining in the UDR portions of the site (14.95 acres), the minimum and maximum number of dwelling units possible under Master Plan recommendations was determined to be a minimum of 89 units (6.01 units/acre) and maximum of 508 units (34 units/acre). Using the acreage in the NS and Urban Mixed Use portions of the site (5.33 acres) , the minimum and maximum number of dwelling units possible under Master Plan recommendations was determined to be a minimum of 15 units (3 units/acre) and maximum of 106 units (20 units/acre).

Therefore, the applicants proposed maximum number of units of 328 brings the site to a net density of 16.17 units/acre, approximately the mid-point of the 6-34 unit Urban Density Range and well below the maximum 614 units possible under the Master Plan recommendations. The proposal is inconsistent

with the Master Plan land use recommendations in that no non-residential uses are proposed in the Neighborhood Center, other than the trailhead park.

Page 4-18 of the Places29 Master Plan identifies the NS Center on the Wetsel properties as "The Meadow Creek Parkway" center and states that "*land uses shown on the Future Land Use Map in the immediate vicinity of the Parkway are derived from the Jones & Jones study, which still provides guidance for development in the area immediately adjacent to the Parkway and Rio Road E. corridor. The study recommendations should be considered during review of land use decisions."* The Jones & Jones study refers to this area as the "Rolling Uplands-Open" and identifies suitable uses on these properties and others in the immediate vicinity. Page 8 of the Jones & Jones study identifies the following general use categories as suitable in this area:

- Residential and commercial development;
- Park/open space; rural preservation;
- Transportation corridor.

Since the Places29 Master Plan and Jones & Jones study were adopted in 2011 and 2001, respectively, the John Warner Parkway has been constructed. The Meadow Creek Parkway referred to in both documents is the now existing John Warner Parkway. This road was built according to the alignment identified as "Alternative A" in the Jones & Jones study. A series of recommendations related to urban development patterns that should occur on properties along Rio Road E. and the John Warner Parkway are listed on page 18 of the Jones & Jones study. The most pertinent recommendations are as follows:

- *Discourage excessive linear-style development (strip development) along major roads; instead encourage compact communities with strong centers and clearly defined boundaries.*
- *Maintain the linear park atmosphere along the parkway, thus enhancing the overall value of future developments bordering the parkway.*
- *Create districts and neighborhoods that have centers or focal points for congregating. These centers may include parks, plazas, schools, community centers, or small commercial and social areas. Centers should be within easy walking distance for most residents in the neighborhood.*
- *Establish an ordered network of streets, bikeways, pedestrian paths, and transit routes that will connect new neighborhoods, existing residential areas and non-residential districts.*
- *Create appealing streetscapes and public spaces with street trees and landscaping to make the neighborhood inviting and to connect residential areas to each other as well as to commercial centers and common areas.*
- *Integrate development with open space and recreation opportunities, including the parkway, parks and natural areas, and pedestrian/bike paths. Connect to surrounding park and recreation amenities such as Pen Park and the proposed Rivanna river walk, as well as to other existing developed areas.*
- *Encourage new development that respects the existing landscape and that is compatible in scale, form, and character with the terrain features.*

Several maps and exhibits contained in the Jones & Jones study identify areas suitable for urban development vs. open space, parks, trails, etc. These drawings are very general and conceptual in nature. These drawings can be viewed on pages 19 and 22 of the study. The application plan and site layout proposed with ZMA201900008 is consistent with the following exhibits in the study: *Urban Development Pattern* on page 19, *Urban Development – Pedestrian Connections* on page 19, *Urban Development – Vehicular Connections* on page 19, and *Corridor Land Use Concept* on page 22.

Therefore, staff compared the Parkway Place application primarily with the recommendations contained in Chapter 8 of the Comprehensive Plan and the Places29 Master Plan. Where relevant, the Jones &

Jones study recommendations are incorporated into the analysis. See the Neighborhood Model analysis in Attachment 8 for additional information.

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

Affordable Housing: The applicant is providing 15% of the overall units (49 units) as affordable housing consistent with Strategy 6b of Chapter 9 of the Comprehensive Plan. Since Parkway Place will be rental units, the 49 affordable units must be maintained as rental units for a period of ten (10) years following the issuance of the certificate of occupancy for residential buildings. The Housing Planner has reviewed the proposal and has no objections.

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;
- Open space may serve such varied uses as recreation, protection of areas sensitive to development, buffering between dissimilar uses and preservation of agricultural activity
- Recommended to be employed in areas where the comprehensive plan recommends densities in excess of 15 dwelling units per acre, in recognition that development at such densities generally requires careful planning with respect to impact.

The PRD is intended to provide flexibility and variety of development for residential purposes and uses ancillary thereto. It should allow developments that are consistent with the goals of the Future Land Use Plans in the Master Plans and the Neighborhood Model Principles.

This application is consistent with a majority of the Neighborhood Model Principles, and most of the future land use recommendations from the Places29 Master Plan.

Anticipated impact on public facilities and services:

Streets:

Although Rio Road E. and John Warner Parkway border the subject properties, access into the site can only be provided via Rio Road E. This is because the John Warner Parkway greenway is between the developable portion of the site and John Warner Parkway.

One of the primary concerns expressed by members of the public with this project is additional traffic that will be generated. Residents were concerned about the already congested intersection of Belvedere Boulevard and Rio Road E., and the overall traffic on Rio Road E. and the John Warner Parkway. The applicant conducted a full Traffic Impact Analysis (TIA) for this project to evaluate impacts to adjacent roads and intersections (Attachment 11). Assuming all 328 units were developed, the traffic generation figures are as follows:

- AM Peak Hours, vehicles per hour – 31 entering, 87 exiting
- PM Peak Hours, vehicles per hour – 85 entering, 54 exiting
- Average Daily Traffic, vehicles per day – 1,786 total trips (893 entering, 893 exiting)

Utilizing VDOT's Access Management Design Standards for Entrances and Intersections, as well as trip generation figures from the TIA, the applicant determined where new entrances and intersections should be located along Rio Road E. to provide access into Parkway Place. This includes where right-turn taper lanes, and left turn lanes should be provided. The applicant determined that two access points are needed along Rio Road E. The entrance closest to the intersection between John Warner Parkway Place/Rio Road E. will be a right-in only. The second entrance will be a full access entrance with a left turn lane onto Rio Road E. heading westbound, and a right turn lane heading eastbound.

Further expanding on the TIA's findings, the proposed Green T intersections (essentially protected left-turn acceleration lanes to provide safety and improved operations) at Rio Road E./Dunlora Drive, and the primary full access entrance into Parkway Place were the appropriate solution to ease traffic congestion. This is based on the TIA's level of service summaries for these intersections.

The TIA also covers expected impacts to adjacent streets and intersections. This includes an evaluation for the existing traffic conditions and delay times for turn movements under the following scenarios:

- Existing conditions – current delay times (2018)
- No-build scenario (2023) - expected delay times should no development occur on the Wetsel property through 2023;
- Build conditions, by right (2023) – expected delay times should a by-right development occur on the Wetsel property between the present and 2023;
- Build conditions (2023) – expected delay times should Parkway Place be approved and proposed road improvements/328 dwelling units built between the present and 2023.

At the beginning of the TIA, there is an email attachment that was sent to staff by the applicant following conclusion of the last formal review of this application. The attachment compares traffic figures that would be generated under an R-4 by-right development scenario on the Wetsel properties, against the traffic figures that will result with the Parkway Place proposal and proposed road improvements. Staff has only conducted a cursory examination of these figures, but they indicate that a by-right development scenario would exacerbate traffic congestion and delay times to a much greater extent than Parkway Place because the Green T intersection improvements cannot be required to be installed with the "by-right" development of the properties.

The County is aware of traffic congestion and delay times experienced at the following intersections in the vicinity of the Wetsel properties: John Warner Parkway/Rio Road E., Belvedere Boulevard/Rio Road E., Dunlora Drive/Rio Road E., Pen Park Road/Rio Road E., Pen Park Lane/Rio Road E. In order to address traffic situations at these intersections and roadways, a request to conduct a transportation study for the Rio Road E. corridor has been submitted by staff to the Board of Supervisors. Funding for the study has not been allocated at this time. The request will go before the Board on March 4, 2020.

The following summary of impacts to streets from the proposal have been identified by VDOT, County Transportation Planning staff, and Planning staff:

Drawbacks:

1. As noted in the TIA, the proposed development <u>with noted improvements</u> will increase total intersection delay at John Warner Parkway/Rio Road E. intersection by 6.3% from 53.7 to 57.1 seconds compared to the "No Build AM Peak" scenario. At the "No Build PM Peak," the intersection delay increases by 7.5% from 59.9 to 64.4 seconds.
2. John Warner Parkway/Rio Road E. intersection is the worst operationally under the future build conditions with nearly all movements failing in both AM and PM peak.

a. Average delay increase in the AM is 3.4 seconds, and 4.5 seconds in the PM from no build to build alternatives. This will not result in a significant decrease in service at this intersection overall.
b. Movements impacted the most between no build and build are as follows: left turns from Rio Road E. East to John Warner Parkway in the AM with a 15 second increase: through movement from John Warner Parkway to Rio Road E. West in the PM with a 13 second increase. Both increases would be noticeable with long queues that exceed storage length making for driver frustrations.
c. All other travel movements at this intersection will have little to no change.

3. Per VDOT staff - Although the dual Green T concept appears to operate at acceptable levels of service for the side streets, the full roadway improvements plan must include evaluation of numerous design elements that are not shown on the Application Plan. It remains possible that this concept may not be feasible at this location.
4. A corridor study related to transportation improvements for this section of Rio Road E. and adjacent intersections has not yet been funded or completed. Some potential solutions to some intersections are under review; however, ideal solutions for the entire corridor have not yet been fully studied comprehensively. The proffered transportation improvements could best be evaluated in light of more comprehensive evaluation of the Rio Road corridor, where a series impacts and improvements in the area will be studied and ultimately agreed to by the Board.

Neutral:

1. Per VDOT staff - The existing signal poles are not shown on the conceptual roadway improvements drawing. If any signal infrastructure must be relocated, an approved signal modification plan will be required prior to construction permit issuance.
2. Left turns from Dunlora Forest Drive onto Rio Road E. will have not have noticeable increases in delay for left turns onto Rio Road E. at either peak AM or peak PM travel hours under the build conditions compared to the existing conditions. The time of delay increase expected under the build conditions compared to the no build (2023) and by-right (2023) scenarios, the delay increase is the same for peak AM and PM travel at 0.5 and 0.6 second increases, respectively.

Benefits:

1. Pending final review of complete road plans designed by a registered civil engineer, the dual Green T concept would greatly improve safety and operations at the intersection of Dunlora Drive and Rio Road E. The study claims improvements of up to 79% less delay in the AM peak and 65% in the PM peak for the westbound left movements on to Rio Road E., even with full buildout of the maximum 328 multifamily units proposed at Parkway Place.
2. The Application Plan and proffer statement include providing a new transit stop with benches and a shelter in the right-turn taper lane leading into Parkway Place. Charlottesville Albemarle Transit (CAT) staff have verified that this is an ideal and convenient location for providing a transit stop in the Places29 Development Area. The nearest stop for CAT buses heading south/east toward the City is approximately 1/4 mile to the north of Parkway Place. The new transit stop location will allow buses to pick up and drop off riders without disrupting through traffic heading east/south along Rio Road E. It may expand ridership in this area due to its proximity to existing neighborhoods which will further reduce vehicle usage on surrounding roads.
3. Assuming an average of 50/50 split share between local and state funding sources were to be utilized for constructing the proposed road improvement projects, the value offered in proffer #1b is generally consistent with the cost of the improvements that would otherwise be the responsibility of the developer.
4. Other road transportation improvements proposed with the application include a new 10' pedestrian and bicycle trail way along the frontage of Rio Road E. E. that will connect to the

existing trails along John Warner Parkway. This will further expand and enhance the bike/PED systems in the Rio Road E. and John Warner Parkway transportation corridors. This is consistent with the recommended cross section for Rio Road E. called for in the Places29 Master Plan (*Appendix 3: Roadway Cross Sections* from the Places29 Master Plan).

5. Albemarle County cannot require developers to construct virtually any road improvements (other than sidewalks and potentially right-turn taper lanes along Rio Road) if the Wetsel properties were to develop under a by-right use scenario. Traffic congestion would be greatly impacted even though less units would be constructed, as indicated by the TIA attachment. Under a by-right development scenario, the only solution for alleviating traffic congestion would be through approval of County-funded capital improvement projects, or some other form of public project such as a grant through VDOT's SmartScale program. If approved at all, it could take many years for such solutions to receive funding and be constructed after a by-right development occurs. This would result in a significantly worse level of operation along affected roads and intersections. Therefore, the proposed improvements offer a solution to some of the existing congestion and delays experienced in this area. Approval of a rezoning such as Parkway Place is the only way to require these improvements to be built by a private developer.

In summary, the proposed residential density is suitable at this location considering its proximity to the City of Charlottesville and location along a major transit route and well-developed bike route, will provide long-term benefits to transportation, addressing climate change, and regional housing affordability. However, some intersections/roads will still experience an increase in delay at peak AM/PM travel hours despite the proposed improvements. The County has not yet completed a study of the Rio Road corridor to identify the most suitable solutions to address these problems. Alternative road improvements may be identified in the future once the study has been completed. Those solutions could potentially be better for this location than the proposed dual Green T concept. Currently, such information is unknown.

Schools:
Students living in this area would attend Agnor-Hurt Elementary, Burley Middle School, and Albemarle High School. Albemarle County Public Schools have provided calculations that estimate how many students will be generated at each school level by housing type (Attachment 12). The table below specifies the yield of students generated at each school level should the subject property be built out to the maximum number of multifamily dwelling units proposed with the ZMA.

Official Calculator

Dwelling Type	Elementary	Middle	High	Total
Single-family detached	0.15 students/unit	0.08	0.12	0.35
Single-family attached (162 units)	0.13 (21)	0.05 (8)	0.08 (13)	0.26 (42)
Townhomes	0.15	0.06	0.08	0.29
Multifamily (328 units)	40	10	16	68

As stated in the project Narrative (Attachment 5, pages 8-9), the applicant sought additional information from ACPS about current enrollment for nearby multifamily developments with similar densities as what is proposed at Parkway Place. This includes the Reserve at Belvedere and Arden Place. The applicant developed alternate enrollment projections based on current enrollment at those neighborhoods, and the number of bedrooms proposed per multifamily unit in Parkway Place. As such, the projected enrollment based on the applicant's analysis is as follows:

Development	# units	Elementary	Middle	High	Total
Reserve at Belvedere	294	7	2	4	13
Arden Place	212	4	2	4	10
Parkway Place	328	6	5	7	18

The school system has provided annual estimates of student enrollment at all three schools over the next ten academic years. Under both the official ACPS calculations and the applicants revised analysis, only Albemarle High School is projected to exceed capacity. The Albemarle County Public Schools' 'Long Range Planning Advisory Committee Recommendations' (July 11, 2019) also recommends the following for the County's 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."*

Neither Agnor-Hurt or Burley would exceed capacity under either projection scenario. 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.

Fire & Rescue:
The proposal is not expected to create new demands on Fire and Rescue services. Two points of access along Rio Road E. are proposed. Fire and Rescue has not identified any issues with adequate access and water availability at this time, which will also be reviewed at the site planning stage and will have to meet Fire and Rescue requirements. Fire and Rescue has reviewed this rezoning application and has no objection to the proposal.

Utilities:
This project is in the Albemarle County Service Authority (ACSA) jurisdictional area for both water and sewer. ACSA did not identify any capacity issues with either utility. There is an existing 12" water line located along Rio Road E. adjacent to the property. The only concern expressed by ACSA staff is that water pressure is high in this area. This may require pressure reducing valve (PRV) installation on some water lines at the site plan stage. This is not a major issue that would affect safe development of the site or affect waterlines of adjacent properties.

Proposal Located Outside Priority Area:
The Implementation chapter of the Places29 Master Plan identifies three "Priority Areas" where significant public investments in infrastructure improvements should be made, and private development should be focused in those area. The Plan states that "while decisions on private development proposals (rezonings and special use permits) and public investments should not be based solely on these Priorities, in the absence of specific objective criteria, decisions on development proposals should be made with an understanding of where public investments are

focused. Focusing public investments creates efficiencies and ensures that infrastructure is in place when it is needed. County land use decisions should be consistent with the Priorities established in this Plan."

The Wetsel properties are not located within one of the three identified Priority Areas in the Place29 Master Plan. That said, some infrastructure improvements have been completed along the Rio Road E. corridor since the Master Plan was adopted. This includes construction and opening of the John Warner Parkway. Board review and potential endorsement of the Rio Road E. corridor transportation study mentioned earlier in the staff report is scheduled for March 4, 2020. The Planning Commission and Board have requested a study of the Rio Road Corridor to evaluate current and future conditions and identify improvements to address existing problematic areas and future transportation related issues.

Anticipated impact on environmental, cultural and historic resources:

There are no known cultural or historic resources on the subject properties.

Areas of Preserved Steep Slopes near Meadow Creek have been removed from the net density acreage of this development because the applicant is complying with the definition of "green systems" from the Comprehensive Plan, Chapter 11 *Parks and Recreation, Greenways, Blueways, and Green Systems*, as well as Strategy 8C from Chapter 8 The Development Areas. Any sensitive environmental features meeting the definition of "green systems" from Chapter 11 have been subtracted from the net acreage available for development, which is consistent with Strategy 8C of the Comprehensive Plan. 100-year floodplain areas, WPO stream buffers, and Preserved Steep Slopes have minimal amounts of land disturbances other than minor grading associated with utility installation.

Stormwater management will be reviewed by County Engineering staff during the site planning stage of the project. 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:

County staff have received a number of comments from members of the public regarding concerns with aspects of this application. These issues are summarized below, with staff comments in italics.

- Additional traffic with further strain key intersections adjacent to the development. This includes John Warner Parkway/Rio Road E., Dunlora Drive/Rio Road E., and Dunlora Forest Drive/Rio Road. E.

County staff and engineers with VDOT have reviewed the TIA and the proposed road improvements. The findings indicate that even with the amount of vehicles entering and exiting Parkway Place, the delay times at the intersection of Dunlora Drive and Rio Road E. will be greatly improved when compared to the existing conditions (2018) and the no-build scenario projections (2023). The findings indicate that this is particularly true for left turn movements from Rio Road onto Dunlora Drive.

Delay times at John Warner Parkway/Rio Road E. will experience a delay increase at Peak AM and PM travel hours. It should be noted that this increase is only 3.4 total seconds in the AM and 4.5 seconds in the PM when compared to the no-build scenario projections (2023).

Delay times at Dunlora Forest Drive/Rio Road E. will increase even with the proposed road improvements. However, the largest increase for any turn movement from Dunlora Forest Drive

onto Rio Road E. at either peak AM/PM hours is 2.8 seconds when compared to the no-build scenario (2023). A corridor study will be conducted by County staff in the future to identify strategies to enhance travel time along Rio Road and this will include the intersection of Dunlora Forest Drive/Rio Road E.

- The proposed building heights are incompatible with surrounding developments and should be reduced to two stories at maximum.

Three story buildings are consistent with the form recommendations called for by the Places29 Master Plan on the subject properties. Even though residential structures in nearby neighborhoods do not exceed two stories, there are, in fact, some single-family detached structures in Dunlora (for example) that exceed 35 ft. in height when measured from grade to the top of roof pitch. With the maximum 45 ft. building height specified by notes on Sheet 1A of the Application Plan, Parkway Place buildings will only stand 10 ft. taller than some of the two-story single-family homes nearby. Furthermore, for buildings in Parkway Place adjacent to Rio Road, a minimum 15 ft. stepback will apply to the third story, or any story beginning above 40 ft. Staff contends that this is not a drastic difference in height between the development and surrounding neighborhoods. Furthermore, in order to accomplish the Comprehensive Plan's goals for increasing density in the Development Areas, allowing structures that are taller than two stories is a realistic practice that can help achieve those goals.

- The proposed density is greater than surrounding neighborhoods, and the unit type is inconsistent with existing dwellings. Any residential development on the Wetsel properties should have a comparable density to surrounding neighborhoods only feature single-family detached, duplexes, or single-family attached/townhomes.

The Comprehensive Plan has long viewed this area as a location where higher density development could occur, further the ability of the Development Areas to contained future growth demands. The same residential density as the current Places29 Master Plan (6.01-34 du/acre) was recommended in the 1996 Comprehensive Plan. The application is proposing a net density (16.17 du/acre), in the mid-range of the of 6-34 DU/Ac ranges recommended in the plan.

- Any development on the Wetsel properties qualifies as "infill" development and not "greenfield" development, as defined by the Comprehensive Plan.

Objective 5 in Chapter 8 of the Comprehensive Plan identifies strategies related to "infill development" (Strategy 5d) and "greenfield development" (Strategy 5c). The Comprehensive Plan is clear in that it gives no formal definition of either. For greenfields, it states that "While there is no formal definition, greenfields are typically thought of as multi-acre sites, not closely surrounded by existing development." For infill, it states: "As with greenfields, the term infill has no formal definition. Typically, an infill site is a vacant parcel surrounded or mostly surrounded by existing development."

The Wetsel properties are a large, multi-acre site (27+ acres) which is consistent with the greenfield definition. Infill developments are typically smaller parcels that are entirely vacant but surrounded by development. In the context of the Comprehensive Plan's definitions, an infill site would be equivalent to a single vacant parcel within an existing subdivision where every other lot has been built on. Strategy 5c goes on to say that "medium density development next to a high-density development may be more appropriate than high density to help create a variety of housing types within a neighborhood." It could be interpreted that the inverse of that statement is true for the Wetsel properties given the fact that all adjacent residential neighborhoods lack dwelling unit types other than single-family and two-family dwellings.

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 site is designated as a Neighborhood Service Center and is located more than half a mile from the closest Rural Area boundary (the Rivanna River to the northeast). Although the application does not provide a full range of mixed uses, including non-residential commercial, office, or institutional, it does provide affordable housing and a public park that exceeds the minimum size recommendations specified in the Places29 Master Plan. The park includes a much-needed trailhead with parking that will benefit all County residents, including those who live in surrounding neighborhoods. This will expand access to the John Warner Parkway greenway and help accomplish the Comprehensive Plan's goals for providing a cohesive and accessible trail system throughout the Development Area.

The proffered road improvements would generally mitigate traffic congestion on adjacent roads that are already busy at peak travel hours, despite the increase in vehicle trips should Parkway Place be built to the maximum number of units proposed. Surrounding neighborhoods such as Dunlora would benefit from the proposed Rio Road E. improvements through enhanced traffic flow and safety in all travel movements at the intersection of Dunlora Drive/Rio Road E. There will be increased delays at peak AM and PM hours at the intersection of John Warner Parkway/Rio Road E. Most movements at other times of day will not be noticeably affected by delays at this intersection.

If the Wetsel properties were to develop at the highest potential density possible under a by-right scenario under the current R-4 zoning, Albemarle County could not require developers to construct the same road improvements proposed with Parkway Place. Traffic congestion would be greatly impacted even though less units would be constructed, as indicated by the TIA attachment. Under a by-right development scenario, the only solution for alleviating traffic congestion would be through approval of County-funded capital improvement projects, or some other form of public project such as a grant through VDOT's SmartScale program. If approved at all, it could take many years for such solutions to receive funding and be constructed after a by-right development occurs. This would result in a significantly worse level of operation along affected roads and intersections.

Despite the risk of the traffic implications of "by-right" development, staff is also concerned that the proposed rezoning and the proffered transportation improvements could best be evaluated in light of more comprehensive evaluation of the Rio Road corridor, where a series impacts and improvements in area will be considered and proposed.

PROFFERS

Proffers are contained in the Proffer Statement (Attachment 4) and are summarized below. Staff have no suggested revisions to the proffer statement. Please be aware that the applicant has elected for this ZMA to be considered under the 2019 Virginia State Code proffer laws that dictate the types of proffers which localities may accept through legislative development applications (Attachment 13).

- **Introduction Paragraph: Development of the property shall be in general accord with the Application Plan.**

  The Application Plan identifies major elements of the Parkway Place proposal. The Application Plan shows building envelopes, road improvements, open space, recreational areas, inter-parcel connections, trails, grading, and stormwater. It also contains notes consistent with development standards required by the Zoning Ordinance in Planned Zoning Districts.

- **Proffer 1a: Rio Road improvements.**

This proffer describes the proposed Green T road improvements and ROW widening proposed in the Application Plan. It also states that these improvements will be constructed prior to the issuance of the first building permit for Parkway Place. It concludes by describing when and by whom the improvements will be deemed complete.

- **Proffer 1b: Cash contribution in lieu of improvements.**
  This proffer would allow for the County to elect to receive a cash contribution of $750,000 from the developer in lieu of constructing the road improvements shown on the Application Plan. This proffer was offered in case some unforeseen circumstances occur that result in a better road improvement solution being identified and potentially funded by the County and/or VDOT.

- **Proffers 2a and 2b: Trailhead park construction and dedication.**
  These proffers describe the trailhead park as shown on the Application Plan and state the method by which it will be dedicated to public use. The proffer commits the developer to build the improvements within the park and then dedicate the park and land to the County.

- **Proffers 3a and 3b:**
  These proffers describe the transit stop as shown on the Application Plan. It also provides a provision for the County to elect to receive a $20,000 cash in lieu contribution should the transit stop become infeasible for unforeseen circumstances, or a better location elsewhere be identified.

SUMMARY

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

1. The rezoning request is consistent with most of the future land use recommendations within the Places29 Master Plan, including recommended residential density. The proposed roadway improvements are consistent with the Rio Road E. recommended future cross section in the Places29 Master Plan. This will expand bicycle and pedestrian infrastructure at a major intersection in the Rio Magisterial District.
2. The request is consistent with the majority of the Neighborhood Model principles.
3. The proposed development will provide a new public park trailhead with parking and outdoor amenities that will benefit all members of the community and expand access to the John Warner Parkway greenway system.
4. The proposed development will provide 15% affordable housing units as recommended by the County's Housing Policy.
5. The proposal includes proffers to enhance access to transit services.
   The proposed road improvements will decrease delay times and increase safety at the Dunlora Drive/Rio Road E. intersection. Additional through-lanes, turn lanes, and road widening along Rio Road E. will expand the street infrastructure beyond its current capacity and will provide increased traffic flow and safety for all drivers traveling through the corridor.

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

1. The request does not provide a complete mix of uses that meets the definition of a Neighborhood Service Center as recommended by the Places29 Master Plan.
2. Delay times at some nearby intersections will be increased even with the proposed road improvements.
3. Board and Planning Commission requested Corridor Study of Rio Road has not yet been funded or initiated.
4. Final improvement concepts, design and funding are not currently in place for problematic intersections in relatively close proximity to this development, including John Warner

Parkway/Rio Road E., Belvedere Blvd/Rio Road E., Pen Park Rd./Rio Road. E, and Pen Park Ln/Rio Road E.

5. The project is located outside of a Priority Area for development and infrastructure development as identified in the Comprehensive Plan/Places29 Master Plan.

RECOMMENDATION

At this time, staff believes that the unfavorable factors outweigh the favorable factors and therefore, staff cannot recommend approval of ZMA201900008 Parkway Place.

PLANNING COMMISSION POSSIBLE MOTIONS – ZMA201900008:

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

Move to recommend approval of ZMA2019-08, Parkway Place.

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

Move to recommend denial of ZMA2019-08, Parkway Place (state reasons for denial).

ATTACHMENTS:

1 – Location Map and Aerial Imagery
2 – Existing Conditions
3 – Parkway Place Application Plan, "Parkway Place Development – Parkway Place Application Plan, Sheets 1, 1A, 2, and 3") *(revision date November 18, 2019)*
4 – Parkway Place Proffer Statement
5 – Project Narrative/Justification for Request
6 – Public Feedback – Compilation (*various dates)*
7 – Allowable Density Analysis, "Parkway Place Allowable Density Analysis (ZMA-2019-08)"
8 – Consistency with Neighborhood Model Principles Analysis
9 – Parkway Place Illustrative Exhibits (*revision date November 18, 2019*)
10 – City of Charlottesville Email Correspondence Regarding Buffers in John Warner Parkway Greenway (*various dates*)
11 - Traffic Impact Analysis, "Rio Road E. Multi-Family – Revised Traffic Impact Analysis (TIA)" *(dated November 14, 2019)*
12 – Albemarle County Public Schools Emails Regarding Enrollment Calculations (*various dates*)
13 – Email from Applicant Electing for ZMA201900008 to be Considered under 2019 Virginia State Code Proffer Legislation (*dated February 19, 2020*)