

**COUNTY OF ALBEMARLE
PLANNING STAFF REPORT SUMMARY**

Project Name: ZMA 2015-001 Old Trail Village	Staff: Megan Yaniglos, Principal Planner
Planning Commission Public Hearing: December 15, 2015	Board of Supervisors Public Hearing: TBD
Owners: March Mountain Properties LLC	Applicant: Valerie Long, Williams Mullen; Bill Ledbetter, Roudabush, Gale, & Associates
Acreage: approx. 289.06 acres	Rezone from: No change of zoning designation is sought. This application seeks to amend ZMA201400004 Code of Development and Application Plan.
TMP: 055E00100000A1; 055E00100000A2; 055E00100000A3; 055E00100000A4; 055E00100000A5	By-right use: Residential and commercial uses.
Magisterial District: White Hall	Proffers: Yes
Proposal: Request to amend Code of Development to reduce the minimum number of residential units from 1,600 to 1,000 units; remove, revise and add a number of regulatory tables and text pertaining to street specifications, density and floor area ranges, maximum units by unit type, zoning regulations, spatial enclosure and building height, setbacks, architectural and landscape standards, and land uses allowed; add farm stands, Tier I, Tier II, Tier III Personal Wireless Facilities, and Cluster Cottage units as permitted uses; request for private streets; request for modification of street standards; request for modifications to sign regulations for ZMA201400004 on property zoned Neighborhood Model District (NMD).	Requested # of Dwelling Units: Reduce the minimum number of residential units from 1,600 to 1,000. The overall allowable maximum density will not change.
DA (Development Area): Crozet	Comp. Plan Designation: Greenspace; Mixed Use-residential (18 units per acre maximum), commercial, and office uses; Neighborhood Density Residential- 3-6 units/acre; supporting uses such as religious institutions, schools and other small scale non-residential uses; Urban Density Residential- 6-12 units/acre; supporting uses such as religious institutions, schools, commercial, office and service uses.
Character of Property: The subject property is located on the north side of Route 250 West, approximately 2,000+ feet west of the intersection of Miller School Rd. and Route 250. (Attachment A)	Use of Surrounding Properties: The surrounding property is primarily residential. Henley Middle School and Brownsville Elementary School are adjacent to the subject property. The property located to the west of the subject site is the Old Trail Golf Course, and across the street is Western Albemarle High School.

Factors Favorable: 1. The rezoning amendment is consistent with the Crozet Master Plan. 2. The rezoning amendment incorporates the previously approved variations to the blocks proposed to be amended, and simplifies and clarifies the COD and Plan so that it is easier to interpret for both staff, the general public, and the applicant. 3. The Cluster Cottage unit type allows for an additional housing type that could provide more opportunities for affordable housing.	Factors Unfavorable: 1. Changes are needed to the Code of Development and the Application Plan to allow each to be in final form for Board approval.
RECOMMENDATION: 1. ZMA Request: Staff recommends approval of this rezoning amendment with amended code of development and application plan provided revisions are made as indicated in Attachment G prior to the Board of Supervisors meeting. 2. Modifications Requests: See pages 9-10 for recommendations.	

STAFF REPORT SUMMARY

STAFF PERSON:
PLANNING COMMISSION:
BOARD OF SUPERVISORS

Megan Yaniglos
December 15, 2015
TBD

PETITION:

PROJECT: ZMA201500001 Old Trail Village, White Hall

MAGISTERIAL DISTRICT: White Hall

TAX MAP/PARCEL: 055E00100000A1; 055E00100000A2; 055E00100000A3; 055E00100000A4;
055E00100000A5

LOCATION: Old Trail Drive and Rockfish Gap Turnpike (Route 250)

PROPOSAL: To amend Code of Development and Application Plan for approved ZMA201400004 (Old Trail NMD). No change to maximum allowed density is proposed.

PETITION: Request to amend Code of Development to reduce the minimum number of residential units from 1,600 to 1,000 units; remove, revise and add a number of regulatory tables and text pertaining to street specifications, density and floor area ranges, maximum units by unit type, zoning regulations, spatial enclosure and building height, minimum setbacks, architectural and landscape standards, and land uses allowed; add farm stands, Tier I, Tier II, Tier III Personal Wireless Facilities, and Cluster Cottage units as permitted uses; request for private streets; request for modification of street standards; request for modifications to sign regulations; for ZMA201400004 on property zoned Neighborhood Model District (NMD) which allows residential mixed with commercial, service and industrial uses at a density of 3-34 units/acre.

OVERLAY DISTRICT: Entrance Corridor (EC); Flood Hazard (FH); Steep Slopes (SS); Scenic Byways (SB)

PROFFERS: Yes

COMPREHENSIVE PLAN: Greenspace; Mixed Use- residential (18 units per acre maximum), commercial, and office uses; Neighborhood Density Residential- 3-6 units/acre; supporting uses such as religious institutions, schools and other small scale non-residential uses; Urban Density Residential- 6-12 units/acre; supporting uses such as religious institutions, schools, commercial, office and service uses.

CHARACTER OF THE AREA

Within Old Trail NMD, a number of residential units are built or under construction and include townhomes, single family attached and detached, as well as a commercial area in the town center and the Lodge at Old trail, an assisted living facility.

The properties adjoining the parcel vary in their level and type of development. To the north of the property single and multifamily units are developed. These parcels are also known as Ballard Field and Upper Ballard Field. Located to the east of the property are residential developments as well as Henley Middle School and Brownsville Elementary School. The property located to the west of the subject site is the Old Trail Golf Course, and to the south, across Route 250 is Western Albemarle High School. The southern boundary of the subject site is Route 250. The area located across the Route 250 is zoned rural area, and highway commercial.

SPECIFICS OF PROPOSAL

The applicant is requesting an amendment to the approved code of development (COD) (Attachment B), application plan (Plan) (Attachment C) and minor changes to the proffers (Attachment D) for a portion of the Old Trail Village NMD (Attachment E). Blocks to be included are shown on the attached revised Plan. Old Trail Village was one of the first Neighborhood Model Development rezoning applications to be approved in the County, and staff and the applicant have found many inconsistencies and obstacles within the existing COD and Plan during the site plan and subdivision processes. To date 31 variations have been approved in order to implement the COD and allow the applicant to adjust the development to market conditions while maintaining the neighborhood model principles and recommendations within the Crozet Master Plan. This rezoning applies the previously approved variations to the blocks proposed to be amended, and simplifies and clarifies the COD and Plan so that it is easier to interpret for both staff, the general public, and the applicant.

The applicant is also requesting an additional residential unit type, Cluster Cottage Unit with this rezoning amendment. These are small detached single family units (approximately 1,000 square feet) that are clustered around a common open space and can include common parking area. The addition of the Cluster Cottage Unit allows for another housing type and could provide more opportunities for affordable housing.

In addition to the Cluster Cottage Unit use, the applicant is requesting the addition of the following uses within those blocks identified in Table 4 of the COD that are a part of this rezoning. The uses include Farm Stands and Tier I, II, and III Personal Wireless Service Facilities. Wireless facilities will be subject to the same Ordinance requirements as any other wireless facilities in the County. Staff has no objection to these uses and the blocks identified to contain the uses.

The amendment also includes a reduction in the minimum allowable density from 1,600 units to 1,000 units. The overall allowable maximum density will not change. This applicant makes the following justification for the change in density: "This proposal reduces the minimum number of residential units to be constructed within Old Trail Village from 1,600 to 1,000, creating additional flexibility as developers adapt to changing consumer preferences throughout the life of the Project. This reduction is necessary and appropriate given the need to provide slightly larger lots, and to increase the amount of parks and other community space within the Property, all in response to market demands." The reduction in the minimum number of units is still within the density ranges recommended in the Crozet Master Plan, and staff does not object to this change.

In addition to the changes within the COD and Plan, the applicant is requesting three modifications (Attachment F):

1. Private street authorization.
2. Modification of street standards for amenity oriented lots.
3. Modification of the sign regulations.

It should be noted that the applicant's last revision submittal included the request to proceed straight to the Planning Commission without receiving comments from staff. Therefore, this report contains a number of items that need to be addressed prior to the Board meeting, which are summarized in Attachment G. Most of these items could be described as technical in nature and/or are not considered major substantive issues. All can be addressed by the applicant between the PC and Board meeting. However, since the report is the applicant's first opportunity to see the outstanding issues, staff is unsure if the applicant will object to some of the recommendations for changes.

The more substantive issues are discussed in detail in the report.

APPLICANT'S JUSTIFICATION FOR THE REQUEST

As stated above, the current COD and Plan has been found to have inconsistencies and generally cumbersome to interpret and enforce. The applicant has worked closely with staff to address issues with the COD and Plan so that as the development builds out, the neighborhood model form is retained and allows flexibility for the applicant. The applicant has submitted a detailed narrative and outline on the requested changes in Attachment E.

PLANNING AND ZONING HISTORY

ZMA 2004-024: rezoning from Rural Area, and Residential - RA, R1, and R6 zoning districts, to Neighborhood Model District - NMD for a combination of residential and commercial uses, approved September 15, 2005.

ZMA 2008-005: rezoning for the assisted living facility use within Block 2, approved November 12, 2008.

ZMA2014-004: rezoning for the addition of the carriage unit use, approved March 11, 2015.

Additionally, subdivisions and site development plans have been approved that relate to the development of Old Trail Village.

COMPREHENSIVE PLAN:

The existing zoning approved for Old Trail Village is consistent with the Crozet Master Plan land use designations of the following:

Mixed Use Residential which includes commercial, and office uses;
Neighborhood Density Residential which includes supporting uses such as religious institutions, schools and other small scale non-residential uses; and
Urban Density Residential which includes supporting uses such as religious institutions, schools, commercial, office and service uses.

The land uses proposed to be added to the development include Cluster Cottage units, farm stands, and Tier I, II, and III Personal Wireless Service Facilities. All of these proposed additional land uses are consistent with the land use designations within the Crozet Master Plan.

A Neighborhood Model analysis is not provided for this project since conformity with the Neighborhood Model was previously assessed with ZMA 2004-024, the original Old Trail rezoning application, and the changes requested still conform with the neighborhood model principles.

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

The purpose and intent of the Neighborhood Model (NMD) district is to establish a planned development district in which traditional neighborhood development, as established in the County's Neighborhood Model, will occur. The NMD provides 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 within the development areas identified in the comprehensive plan.

As stated above, the changes to the COD and Plan maintain the principles of the Neighborhood Model and the recommendations within the Crozet Master Plan. The changes allow for clarity and flexibility for staff, the general public, and the applicant.

Anticipated impact on public facilities and services:

Streets:

Major Road Network Updates: The applicant has proposed revisions to the street system plan/map in the COD and Application Plan to show only the majors in the system. The applicant has also requested the deletion of two road interconnections:

#1: Interconnection between Blocks 32 and 22

The applicant has proposed the following note in regards to Street T, which is the connection between Blocks 32 and 22: "The developer reserves the right, but not the obligation to build the road between Block 22 and Block 32 as an approved public or private road or as a secondary emergency accessway. If this road is constructed, the developer reserves the right to impact the stream buffer as shown on Sheet 3."

Staff is in support of this road being designated as an optional public or private street because of the large impacts to the stream buffer, however, the note should be revised to delete the reference to "secondary emergency accessway." The proposed note appears to leave it to the discretion of the developer to decide whether or not to build an emergency accessway. If during the site plan or subdivision process for these blocks, Fire and Rescue, VDOT, or engineering find that a secondary emergency access is needed for the health, safety and general welfare of the public, then this connection will need to be made. As stated, the developer would not need to adhere to that requirement.

#2: Henley Middle School Connection

The applicant has proposed to remove the road connection that was shown on the original application plan, and is also shown in the Crozet Master Plan, between Block 19 and Henley

Middle School and instead provide a pedestrian only connection. Planning staff, school staff, and the applicant have met concerning this connection and while the schools currently do not have this connection in their plans, they do not want to foreclose on the possibility of a connection in the future to alleviate traffic on Route 250 coming into and out of the school and help with bus traffic. Therefore, the note should be revised to include both a pedestrian and road connection between Block 19 and Henley Middle School. Staff's understanding is that the applicant is amenable to this change.

Private Street Requests: The applicant has requested approval of private streets for Road L, Road N, Road P, a portion of Road H, and a portion of Road B as shown on sheets 2 and 4 of the Plan, streets that serve as access to amenity oriented lots, as well as any additional streets to be built in the future (Attachment F and Attachment C) using Neighborhood model development as justification. *Please note that these roads are labeled on sheet 4 of the Plan as Street L, Street N, Street P, Street H and Street B.*

Private streets may be authorized by the Planning Commission as provided by any one of the provisions of Section 14-233 and provided that the findings are made under 14-234. The details and full analysis under these Sections can be found in Attachment H.

The following is the staff's summary findings regarding the private road request:

1. The portion of Street B located behind Block 6 be revised in the Plan and COD to be shown as a public street.
2. Denial of the request for a portion of Street H as a private street.
3. Denial of the request for additional private street approval for those streets not shown on the Plan or COD.
4. Approval of private streets serving amenity oriented lots.
5. Approval of Streets T, L, N, P, and the portion of B that serves Blocks 5 and 20 as private streets.

Schools:

Students living in this area would attend Brownsville Elementary School, Henley Middle School, and Western Albemarle High School. As stated in the streets section above, a road and pedestrian connection from Block 19 to Henley Middle School should be provided and shown on the Plan and the COD. The proposed changes would not have a substantial impact on school enrollment.

Fire and Rescue:

Fire and Rescue service is provided through the Crozet Volunteer Fire Station. Fire and Rescue identified no concerns with the proposed amendment.

Utilities:

This project is in the water and sewer service jurisdictional area and both services are available. The proposed change to the COD and Plan would not substantially change the impacts to the public water and sewer systems. ACSA has required a utility master plan with this rezoning and the applicant has submitted one, however it needs to be updated to accurately show the existing development before the Board meeting to the satisfaction of ACSA.

Cash Proffer Policy:

The only change to the cash proffer were to clarify that the affordable units are not subject to the cash proffer requirements for both the schools and the parks projects (Paragraphs 3 and 5 of the Proffers). This is consistent with recent cash proffer language. The amounts provided did not change from what was originally approved. Please note that the original approval occurred prior to the adoption of the cash proffer policy.

Anticipated impact on cultural and historic resources:

Impacts on cultural and historic resources were reviewed with ZMA 2004-024. There are no changes or known cultural and historic resources on the site.

Anticipated impact on nearby and surrounding properties:

Staff does not anticipate the proposed changes to the Plan and the COD to have any significant impact on nearby and surrounding properties.

Public need and justification for the change:

This rezoning amendment will allow for clarity of the requirements and land uses for the public by simplifying the COD.

Economic Vitality Action Plan:

The primary goal of the County's Economic Vitality Action Plan is to:

Increase the County's economic vitality and future revenues through economic development by expanding the commercial tax base and supporting the creation of quality jobs for local residents. This Plan is developed for the benefit and economic wellbeing, first, of current local residents and existing local businesses.

The proposed amendment continues to support the Plan by providing employment, retail, office, and service uses for the residents who live within this development and this portion of the County.

PROFFERS

The applicant has made minor technical changes to the proffers (Attachment D) that are summarized below.

- Technical updates to the general information (updated parcel number, reference to Carriage House rezoning approval, and updated reference to new Application Plan)
- Affordable Housing (paragraph 2)
 - Technical updates to define "Affordable Units" consistently throughout.
 - Technical updates to clarify that the term "Owner" applies to any subsequent owner/builder.
 - In paragraph 2C, eliminated subparagraphs 1 and 2 that indicated a percentage of mixture for the affordable housing unit types at the suggestion of the County Housing Director.
- Cash Proffer for School Projects (paragraph 3): minor technical revision to clarify that Affordable Units are not subject to the cash proffer requirements of this paragraph. This is consistent with how the proffers have been enforced and interpreted, but it makes sense to add this clarification as part of the Housekeeping ZMA.
- Cash Proffer for Park Projects (paragraph 5): similar technical revision to clarify that Affordable Units are not subject to the cash proffer requirements of that paragraph.
- Overlot Grading Plan (paragraph 7): Omission of subparagraph H as an updated version of this subparagraph is now included in the COD.

Staff has reviewed the proffers and has no objection to the requested changes.

MODIFICATION REQUESTS:

In addition to the changes within the COD and Plan, the applicant is requesting three modifications (Attachment F):

1. Private street authorization (Sections 14-233 and 14-234).
2. Modification of street standards
 - a. 14-410 (H)- Curb, Curb and Gutter for private streets serving amenity oriented lots
 - b. 14-422(E)- Sidewalks along private streets serving amenity oriented lots
 - c. 14-422(F)- Planting strips along private streets serving amenity oriented lots
3. Modification of the sign regulations (Section 4.15.11).
 - a. Sign area
 - b. Sign height

Detailed analysis of the requests with ordinance references is provided in Attachment H. A summary of the findings are provided below:

1. Private Street Authorization

Staff recommends the following with regards to the private street requests:

1. The portion of Street B located behind Block 6 be revised in the Plan and COD to be shown as a public street.
2. Denial of the request for a portion of Street H as a private street.
3. Denial of the request for additional private street approval for those streets not shown on the Plan or COD.
4. Approval of private streets serving amenity oriented lots.
5. Approval of Streets T, L, N, P, and the portion of B that serves Blocks 5 and 20 as private streets.

2a. Exception of Curb, Curb and Gutter Requirement

Staff's opinion is that curbing should be provided along these streets, as has been provided in the same situation in other areas of the existing development. The applicant has not provided adequate justification for the request for staff to make a positive finding.

Staff recommends that curb only be provided along the private streets serving amenity oriented lots.

2b. Exception of Sidewalk Requirement

Staff's opinion is that sidewalk does not need to be provided along the private streets providing rear access to the amenity oriented lots. Additionally, this request has been previously approved in other areas of the development.

Staff recommends approval of the sidewalk exception for the private streets serving amenity oriented lots only with the following condition:

Recommended Condition:

1. A five foot sidewalk across the length of the amenity area shall be provided for access to and from the lots and connect to the sidewalk network along the public and private streets.

2c. Exception of Planting Strip Requirement

Staff's opinion is that the proposed private streets would function as alleys and planting strips are not required for alleyways. Planting strips are required to be provided along the proposed public and private roads within the development and there will be the amenity open space as well.

Staff recommends approval of the planting strip exception for the private streets serving amenity oriented lots only.

3a. Sign Modifications- Area

Staff does not object to this modification and does not believe it is in conflict with the Crozet Master Plan goals of protecting Route 250 West as a scenic byway.

Staff recommends approval of the sign area increase.

3b. Sign Modifications- Height

The sign height increase is consistent with the height limit in these districts and is to accommodate their unique vertical design concept, staff does not object to this modification request.

Staff recommends approval of the modification for height increases for both the commercial and subdivision signs.

ZMA SUMMARY:

As stated above, a number of corrections need to be made to the COD and Plan prior to the Board meeting, all of which have been identified in Attachment G.

Staff has identified the following factors favorable to the rezoning amendment requested:

1. The rezoning amendment is consistent with the Crozet Master Plan.
2. The rezoning amendment incorporates the previously approved variations that are within the blocks proposed to be amended, and simplifies and clarifies the COD and Plan so that it is easier to interpret for both staff, the general public, and the applicant.
3. The Cluster Cottage unit type allows for an additional housing type that could provide more opportunities for affordable housing.

Staff has identified the following factors as unfavorable to the rezoning amendment requested:

1. Changes are needed to the Code of Development and the Application Plan to allow each to be in final form for Board approval.

RECOMMENDATION FOR ZMA AMENDMENT

Staff recommends approval of this rezoning amendment ZMA201500001, Old Trail Village with amended code of development and application plan and provided revisions are made as indicated in Attachment G prior to the Board of Supervisors meeting.

MODIFICATIONS SUMMARY:

In addition to the rezoning amendment, the applicant has requested the following modifications:

1. Private street authorization (Sections 14-233 and 14-234).
2. Modification of street standards
 - a. 14-410 (H)- Curb, Curb and Gutter for private streets serving amenity oriented lots
 - b. 14-422(E)- Sidewalks along private streets serving amenity oriented lots
 - c. 14-422(F)- Planting strips along private streets serving amenity oriented lots
3. Modification of the sign regulations (Section 4.15.11).
 - a. Sign area
 - b. Sign height

MODIFICATIONS RECOMMENDATION:

Staff recommends the following in regards to the modifications:

Private streets:

1. The portion of Street B located behind Block 6 be revised in the Plan and COD to be shown as a public street.
2. Denial of the request for a portion of Street H as a private street.
3. Denial of the request for additional private street approval for those streets not shown on the Plan or COD.
4. Approval of private streets serving amenity oriented lots.
5. Approval of Streets T, L, N, P, and the portion of B that serves Blocks 5 and 20 as private streets.

Modification of street standards:

1. Curb and Gutter: Staff recommends that curb only be provided along the private streets serving amenity oriented lots.
2. Sidewalks: Staff recommends approval of the sidewalk exception for the private streets serving amenity oriented lots only with the following condition:
 - a. A five foot sidewalk across the length of the amenity area shall be provided for access to and from the lots and connect to the sidewalk network along the public and private streets.

3. Planting strips: Staff recommends approval of the planting strip exception for the private streets serving amenity oriented lots only.

Modification of sign regulations:

Staff recommends approval of the sign modifications for area and height as shown in Attachment F.

RECOMMENDATION FOR ZMA AMENDMENT

Staff recommends approval of this rezoning amendment ZMA201500001, Old Trail Village with amended code of development and application plan and provided revisions are made as indicated in Attachment G prior to the Board of Supervisors meeting.

ATTACHMENTS

- Attachment A: [Vicinity Map](#)
Attachment B: [Code of Development dated November 2, 2015](#)
Attachment C: [Application Plan dated November 2, 2015](#)
Attachment D: [Proffers dated November 2, 2015](#)
Attachment E: [Applicant Narrative and Outline of Changes](#)
Attachment F: [Applicant Modification Requests](#)
Attachment G: [Staff Summary of Revisions](#)
Attachment H: [Staff Modification Request Analysis](#)