

**COUNTY OF ALBEMARLE
TRANSMITTAL TO THE BOARD OF SUPERVISORS
SUMMARY OF PLANNING COMMISSION ACTION**

<p>AGENDA TITLE: ZMA202100008 Old Ivy Residences ZMA202100009 Old Ivy Residences – Preserved to Managed Steep Slopes SE202200011 Stepback Waiver Request SE202200017 Parking Reduction Request</p> <p>SUBJECT/PROPOSAL/REQUEST: <u>ZMA202100008</u>: A rezoning to allow up to residential 525 units, including the following requests:</p> <ul style="list-style-type: none"> • Rezone 5.52-acres (Parcel 06000000005100) from R-1 (1 unit/acre) to R-15 Residential (15 units/acre). • Rezone a 1.8-acre portion of Parcel 060000000024C1 from R-10 Residential (10 units/acre) to R-15 Residential (15 units/acre). • Amend proffers of ZMA198500021 as they apply to Parcels 060000000024C0, 060000000024C1, 060000000024C3, and 060000000024C4. • Amend the concept plan and proffers of ZMA199600020 as they apply to Parcel 060000000024C1. <p><u>ZMA202100009</u>: Rezone approximately 1.55 acres from Preserved Steep Slopes to Managed Steep Slopes on Parcels 060000000024C1, 060000000024C3, and 060000000024C4.</p> <p>SCHOOL DISTRICT: Albemarle High School, Journey Middle School, Greer Elementary School</p>	<p>AGENDA DATE: March 1, 2023</p> <p>STAFF CONTACT(S): Filardo, McDermott, Ragsdale, Langille</p> <p>PRESENTER (S): Cameron Langille, Principal Planner</p>
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BACKGROUND:

At its meeting on November 29, 2022, the Planning Commission voted 4:2 (Clayborne, Missel opposed) to recommend denial of ZMA202100008, the residential rezoning request. The Planning Commission voted 6:0 to recommend approval of ZMA202100009, the Steep Slopes rezoning request, for the reasons stated in the staff report. The Commission’s staff report, action memo, and minutes are attached (Attachments A, B, and C).

DISCUSSION:

The Commission recommended denial of the ZMA202100008 because it found that the Old Ivy Road traffic conditions, while different from 1985 when the Proffer in ZMA1985-21 was established, do not appear at a level of improvement to satisfy the condition precedent established by ZMA 1985-21 and address transportation concerns.

Since the November 29, 2022 Planning Commission meeting, the applicant revised the Proffer Statement for ZMA202100008 to include an additional proffer regarding transportation improvements (Attachment D). The proffer was added to address some of the concerns raised by the Commission. The new proffer

(proffer #4) would require the developer to install an additional vehicle receiving lane on the northbound on-ramp leading to the US 250 Bypass at the time of final site plan review for the project. If the cost of the additional vehicle receiving lane exceeded \$500,000, under the proffer, the developer could elect to make a cash-in-lieu contribution of \$500,000 to the County's Capital Improvement Program Fund to go toward construction of the additional vehicle receiving lane.

Attachment E is an analysis of the affordable housing units that would be created through ZMA202100008. This document was prepared by Dr. Stacy Pethia, Housing Policy Manager, with the Albemarle County Office of Housing.

Public input received between November 2021 and February 8, 2023 is contained in Attachment F and is ordered alphabetically by last name of sender.

RECOMMENDATIONS:

Although staff recommended approval of ZMA202100008 Old Ivy Residences, the Planning Commission voted to deny the application. As a result, staff has prepared both an ordinance to approve (Attachment G) and a resolution to deny (Attachment H) the residential rezoning.

If the ZMA202100008 Old Ivy Residences application is approved, staff recommends that the Board approve both the parking and stepback special exceptions associated with the project. Resolutions to approve the requests are attached for SE202200011 (Attachment I) and SE202200017 (Attachment J).

Staff also recommends that the Board adopt the attached ordinance to approve ZMA202100009 Preserved to Managed Steep Slopes (Attachment K).

ATTACHMENTS:

A – ZMA202100008 and ZMA202100009 Planning Commission Staff Report

A1: Location Map

A2: ZMA202100008 Application Narrative

A3: Old Ivy Residences Concept Plan

A4: Staff Analysis of Application's Consistency with Neighborhood Model Principles

A5: Transportation Impact Analysis (TIA)

A6: Summary of Transportation Improvements

A7: Proffer Statement (dated November 17, 2022)

A8: ZMA202100009 Application Narrative

A9: SE202200011 Stepback Waiver Request

A10: SE202200017 Parking Reduction Request

B – Planning Commission Action Memo

C – Planning Commission Minutes

D – Revised Proffer Statement (dated February 17, 2023)

E – ZMA202100008 Affordable Housing Evaluation Form

F – Public Input

G – Ordinance to Approve ZMA202100008

H – Resolution to Deny ZMA202100008

I – Resolution to Approve SE202200011 Stepback Waiver Request

J – Resolution to Approve SE202200017 Parking Reduction Request

K – Ordinance to Approve ZMA202100009