

**COUNTY OF ALBEMARLE
PLANNING STAFF REPORT SUMMARY**

Project Name: ZMA201800013 Rio West	Staff: Rachel Falkenstein
Planning Commission Public Hearing: June 18, 2019	Board of Supervisors Public Hearing: July 17, 2019
Owner: Auto LLC	Applicant: Shimp Engineering
Acreage: 3.32 acres	Rezone from: C1 Commercial
TMP: 04500000010000, 045000000100A0, 04500000010100, 045000000101B0 Location: 664 Rio Road West, Charlottesville, VA 22911	By-right use: C1 Commercial which allows retail sales and service; residential by special use permit (15 units/ acre)
Magisterial District: Rio	Proffers: Yes
Proposal: Rezone 3.3 acres from C1 Commercial to NMD Neighborhood Model District - residential (3 – 34 units/acre) mixed with commercial, service, and industrial uses. A max of 112 units is proposed for a density of approximately 34 units/acre.	Requested # of Dwelling Units: up to 112 units
DA (Development Area): Neighborhood 1 – Places29 Development Area; Rio29 Small Area Plan Boundary	Comp. Plan Designation: Core Area within Rio29 Small Area Plan- area intended to have the highest intensity of development with a mix of uses including residential, commercial, retail, office, institutional and employment uses. Buildings with heights of 3-6 stories, built close to the street, with pedestrian access and relegated parking & Flex Area within Rio29 Small Area Plan – area intended to allow a flexibility of uses including residential, commercial, retail, office, institutional and employment uses. Buildings with heights of 2-5 stories, built close to the street, with pedestrian access and relegated parking.
Character of Property: Mostly undeveloped property with some areas of woods, sloping down from Rio Road with one single family home.	Use of Surrounding Properties Most adjacent uses are commercial including retail, self-storage, auto sales and service; 2 single family homes and a small apartment building to the west.
Affordable Housing: Yes ☒ No ☐	AMI (Area Median Income): 80% AMI; 15% of units will be affordable rental units for those qualifying
Factors Favorable: 1. The proposed development is supportive of the vision and recommendations of the Rio29 Connectivity Chapter and will accommodate the desired Rio Rd streetscape along the frontage of this site through dedication of right of way for future streetscape improvements, installation of an 8' sidewalk, and street trees. 2. The proposed development is supportive of the vision and recommendations of the Rio29 Conservation Chapter. The applicant will construct a section of shared use path and is providing on-site open space in an area shown for a path and linear park in the Plan. 3. If the block 1 building is constructed, the proposed development is supportive of the vision and recommendations of the Rio29 Character	Factors Unfavorable: 1. There is nothing within the COD or proffers that will guarantee a mix of uses on this site and nothing that will preclude the construction of only the block 2 storage building and surface parking lot. Such a development would not be in keeping with the vision of the Rio29 Small Area Plan nor the intent of the Neighborhood Model District (NMD) zoning. 2. The COD, application materials, and proffers need several minor clarifying changes and small substantive changes prior to BOS approval, as described in this report and summarized in Attachment 6.

Chapter, by providing a development that will create a human-scale built environment and contribute to the mix of uses in the area.	
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RECOMMENDATION: Staff does not recommend approval of ZMA201800013 until staff recommendations in Attachment 6 are met, inclusive of a commitment to the timing of the block 1 construction.

STAFF PERSON:
PLANNING COMMISSION:
BOARD OF SUPERVISORS:

Rachel Falkenstein
June 18, 2019
July 17, 2019

ZMA 201800013 Rio West

PETITION

PROJECT: ZMA201800013 Rio Road W

MAGISTERIAL DISTRICT: Rio

TAX MAP/PARCEL: 04500000010000, 045000000100A0, 04500000010100, 045000000101B0,

LOCATION: 664 Rio Road West, Charlottesville, VA 22911

PROPOSAL: Request to rezone the property from C1 Commercial to NMD Neighborhood Model District to allow a mixed-use development with up to 112 residential units along Rio Road and storage/warehousing on the back of the site.

PETITION: Rezone 3.3 acres from C1 Commercial – retail sales and service; residential by special use permit (15 units/ acre) to NMD Neighborhood Model District - residential (3 – 34 units/acre) mixed with commercial, service and industrial uses. A maximum of 112 units is proposed for a density of approximately 34 units/acre.

PROFFERS: Yes

COMPREHENSIVE PLAN: Core Area within Rio 29 Small Area Plan area intended to have the highest intensity of development with a mix of uses including residential, commercial, retail, office, institutional and employment uses. Buildings with heights of 3-6 stories, built close to the street, with pedestrian access and relegated parking & Flex Area within Rio29 Small Area Plan – area intended to allow a flexibility of uses including residential, commercial, retail, office, institutional and employment uses. Buildings with heights of 2-5 stories, built close to the street, with pedestrian access and relegated parking.

CHARACTER OF THE AREA

The subject property consists of four parcels: three of the parcels are undeveloped and one has a single-family house on it. The property is located on the north side of Rio Road, across from the Daily Progress building. West of the site along Rio Rd are two single-family homes and west of those, at the corner of Berkmar Drive, a small apartment building, with a few commercial uses on the first floor. All other adjacent uses are commercial, including Colonial Auto Center to the north and PhotoWorks Group and Storage Solution Center to the east. Adjacent properties are a mix of HC Highway Commercial and C1 Commercial zoning.

The site slopes downward from Rio Road with over 100 feet of drop from the front of the site to the rear property line. There is a small intermittent stream along the back of the property, a portion of which is piped underground. There are no preserved slopes on the site, but there are small areas of managed slopes in the center of the property and along the eastern boundary (Attachment 1).

SPECIFICS OF THE PROPOSAL

The applicant is proposing to rezone the 3.3-acre property from C1 Commercial to NMD Neighborhood Model District to allow for a mix of commercial and residential uses. Though the Code

of Development (COD) will allow a flexibility of uses on the property, the applicant has shared that their intent is to construct a multi-family residential building along Rio Road and an interior conditioned self-storage building behind the residential building (Attachment 2 – Application Plan).

The COD divides the property into 3 blocks. Block 1, which is approximately 1.47 acres, is called “Active Urban” space in the application materials. Permitted uses in block 1 include multi-family residential, retail, commercial service, and office/R&D/flex. Block 1 contains form regulations that require buildings to be placed close to Rio Road with frequent pedestrian entrances along the street and minimum ground story transparency requirements. Building height in block 1 is 3-6 stories with stepbacks above the 4th story. Block 1 buildings will be designed to accommodate ground story commercial uses along Rio Rd with a 14-foot ceiling height required. The applicant has stated that their intent in the near term is to have residential uses on the ground story until the market can accommodate commercial/retail along this portion of Rio Road. The COD provides different standards for pedestrian entrances and ground story transparency for residential and commercial uses for block 1 (Attachment 3 - COD).

Block 2 is labeled “Neighborhood Services and Local Manufacturing”. Uses allowed in block 2 include light industrial/self-storage, auto sales & service, retail, general commercial service, office/R&D/Flex, and multifamily residential. This block allows up to 310,000 sq. ft. of building with a height of 2-6 stories, with stepbacks in the front and back of the building above 4 stories. The COD includes regulations in block 2 for pedestrian entrances, ground story transparency, and façade treatments, which are different for front, rear and side façades. The rear of the block 2 building fronts along a future trail and greenspace.

Block 3 is called “Neighborhood Greenspace”. This is an area that is shown in the Rio29 Plan as a future linear park. Improvements in this block include a 25-foot designed landscape, parallel to the block 2 building and a 10-foot-wide shared use path. The COD includes an allowance for a small amount of building space here to accommodate structures such as picnic pavilions and other structures deemed accessory to the recreational use of the block.

APPLICANT’S JUSTIFICATION FOR THE REQUEST

The applicant is proposing to rezone this property to allow for a mixed-use development on the property, which is not allowed under the current C1 zoning. The applicant has stated they plan to construct a multi-story self-storage building on the northern portion of the property and a multi-family residential building along Rio Road.

COMMUNITY MEETING

The Community Meeting for this project was held on September 27, 2018 at the Places29-Rio Community Advisory Committee (CAC) meeting. No members of the public were in attendance at this meeting outside of the CAC members and the Board and Planning Commission liaisons. Attendees had questions for the applicant regarding parking and the trail connection in block 3. Overall, there was general support for this project among members of the CAC who were present.

PLANNING AND ZONING HISTORY

There are no prior Zoning Map Amendment applications or Special Use permits associated with this property.

COMPREHENSIVE PLAN

Rio29 Small Area Plan:

This property is within Neighborhood 1 of the Places29 Development Area and within the Rio29 Small Area Plan Boundary. The Small Area Plan lays out a vision and recommendations for Connectivity, Character, and Conservation for future development of the area. An analysis of how the proposal meets each component is provided below.

Connectivity:

The Small Area Plan envisions Rio29 as a multi-modal hub that has a connected network of complete streets, designed for all users. The Connectivity Plan shows a future street network and corresponding street typologies for existing and future Rio29 streets. Rio Road is designated as a boulevard street type, which is intended to be a high capacity four lane street with a center median and robust bicycle and pedestrian facilities on each side. The Rio West property has approximately 265 feet of street frontage along Rio Road and with this development the applicant proposes to dedicate an additional 11 feet of right-of-way to accommodate the proposed boulevard streetscape. The applicant proposes to construct an 8-foot sidewalk with street trees between the back of curb and sidewalk along Rio Road, consistent with the boulevard street section.

The application plan and proffers also provide for future connectivity to adjacent properties through the site. Between blocks 1 and 2 there is a proposed surface parking lot. The applicant plans to design the parking area to allow for future inter-parcel connectivity through the site when adjacent properties redevelop. This connection has the potential to become a local street in the future, when the demand for parking decreases in Rio29. This connection could help establish a block network as recommended by the Rio29 Plan (Attachment 4 – Proffers). Overall, this application is supportive of the Plan's Connectivity recommendations. Staff recommends a small change to the timing of the street trees and sidewalk, described in more details below.

Conservation:

The Small Area Plan calls for Rio29 to be a place enhanced through conservation with a network of sustainable and usable public amenity spaces. The Conservation Plan shows a shared use path and linear park through the northern portion of the Rio West property. The Rio West Plan is consistent with the Plan's Conservation recommendations by accommodating both of these features in the design of the site. The application plan and COD show block 3 as an area for "Active Recreation". Block 3 is about 0.55 acres in size and includes a shared use path and landscaped area behind the block 2 building. The applicant has proffered to construct the shared use path prior to completion of the second building on-site and has offered to dedicate the path to public use, upon demand of the County.

Staff recommends this proffer be updated for the path to be completed concurrent with the second building or when adjacent portions of the path are installed, whichever occurs first. Plans are in process to extend the Berkmar Drive shared use path south to Rio Road and there may be an opportunity to connect this site to the Berkmar Drive path, pending the cost of the extension and cooperation of adjacent property owners. If this were to occur, the construction of the shared use path on this site concurrent with that project would be appropriate.

There is an intermittent stream piped through a portion of this site. The application plan notes that this stream could be daylighted, consistent with the vision in the Rio29 Plan, however, the application plan notes the daylighting of the stream will be done "by others". Neither the proffers nor the COD show any land outside of the shared use path being dedicated to public use for a future park; however, there is a note on the application plan stating that the improvements should be done by others, subsequent to the linear park dedication. If the applicant does not plan to daylight the stream and wants to see a public commitment to fund and complete this project, there should be a commitment by the applicant to dedicate the land to public use for a linear park at a future time, upon demand of the County.

Character:

The Small Area Plan envisions the transformation of Rio29 into a vibrant and diverse mixed-use community with interesting character and a human-scaled built environment. The Plan divides Rio29 into Place Types that are intended to guide the scale and intensity of development. The southern portion of the subject property, along Rio Rd, is within the Rio29 “Core” area, which is intended to have the highest intensity of development and meant to accommodate ground story commercial and retail uses. The northern portion of Rio West is designated “Flex” area, which is intended to allow a flexibility of uses and scales of development.

Consistency of overall concept and proposed phasing: The proposed block 1 building placement is adjacent to Rio Rd and will be designed to accommodate future ground story commercial/retail. The COD contains requirements that will ensure most of the street frontage along Rio Road will be framed by buildings and includes requirements for pedestrian entrances and ground story transparency that will contribute to a human-scale built environment (Attachment 3). Parking for the site will be relegated behind the block 1 building (Attachment 4). Staff finds that the location and scale of the building is consistent with the character recommendations of the Rio29 Plan.

Block 2 proposes a building located behind the parking area, on the northern portion of the property. The COD contains less stringent form standards for the block 2 building, including no maximum setback. Block 2 does not have relegated parking, since it is intended for the building in block 1 to screen most of block 2 and the parking area. Such an arrangement is appropriate and consistent with the intent of the Rio29 Plan, since the focus of the Plan is the relationship of the built environment to the public realm, namely streets and public outdoor spaces.

The applicant has stated an intention to construct the block 2 building and surface parking first and to not begin construction of the block 1 residential building until sometime after the completion of the block 2 storage building. Because there is no commitment to the timing of the construction of the block 1 building with this proposal there is no guarantee that the block 1 building will be constructed before or concurrent with or the block 2 building, or that it will be constructed at all. As such, a scenario could occur where the site is left with a surface parking lot in front of a storage building for several years or indefinitely. Staff is of the opinion that without a timing commitment for the development of block 1, the proposed phasing of development creates a site that is largely inconsistent with the character recommendations of the Rio29 Small Area Plan and the intent of the NMD zoning district.

During a May 21 Planning Commission work session, the Commission discussed whether a timing commitment for the block 1 building should be provided. There was not clear consensus from the Commission about the need for a timing commitment. Some Commissioners stated they would accept a commitment to screening that would adequately screen the parking area from Rio Road until the block 1 building can be constructed. Other Commissioners felt that a time commitment to the block 1 construction should be provided. Overall, Commissioners acknowledged that enforcement of a timing commitment can be difficult.

With their most recent resubmittal after the May 21 work session, the applicant has not provided a commitment to the timing of the block 1 building.

Screening of block 2 parking: The applicant has provided a proffer stating that the parking will be screened in accordance with Section 32.7.9.5(e) of the Zoning Ordinance, which requires a single row of 12-inch shrubs planted 5 feet apart. Staff does not believe this screening arrangement will be sufficient to screen the parking from Rio Road. Open air surface parking completed prior to Block 1 should be screened consistent with all landscaping requirements of the site plan ordinance and the Entrance Corridor Design Guidelines.

It should also be noted that the applicant has proposed that the sidewalk and street trees along Rio Road be installed prior to issuance of Certificate of Occupancy (CO) for block 1, or within 24 months of CO for block 2. Staff recommends these features be installed concurrent with the screening of the block 2 building, if the block 1 building has not yet commenced.

Active Façade Treatments and Building Scale: Language is included in the COD about requiring “active facades” with greatest attention given to those facades fronting on an entrance corridor and proposed greenway. The language as written in the COD is too vague and will be difficult to interpret and enforce. Staff recommends this language be revised and clarified so that there is a clearly enforceable standard, consistent with the expectations of the Entrance Corridor, or it should be eliminated to avoid confusion regarding ARB authority to review plans for development of this site. ARB review and approval of both buildings should be provided during the site plan review and can help assure the architecture of the site promotes a human scale environment.

In addition to the character impacts on the Rio Rd street frontage, staff also has concerns about the scale of the block 2 building as experienced from the back of this site, adjacent to the linear park and shared use path. The applicant has committed to stepping back the block 2 building from the rear of the property above 50 feet of height or 4 stories. To help screen and break up the appearance of the rear of the block 2 building, the COD and application plan show an area of landscaping adjacent to the block 2 building. Staff has concerns about the ability of this area to support large canopy trees due to its location against the north face of a tall building and the lack of sunlight this area will receive. Additional clarity to the language about “active facades” can help achieve a building façade that is more human-scale and in keeping with character recommendations from the Rio29 Plan.

Parking quantities: As mentioned above, a surface parking area is proposed between the block 1 and block 2 buildings. The COD proposes parking standards for this site that are, in some cases, significantly less than the standards in the current ordinance including no minimum standard for multi-family residential units. The COD also includes maximum parking standards. This format is consistent with the recommendation of the Rio29 Plan to reduce or eliminate parking minimums and to establish parking maximums; however, per the NMD requirements listed in Section 33.19D, the applicant is required to provide a parking and loading needs study to justify the reduced parking amounts.

The applicant has requested permission to submit the parking and loading needs study concurrent with the initial site plan once final uses are determined for the site. Staff is comfortable with this approach, but until a parking and loading needs study is provided, staff is not comfortable recommending approval of the proposed parking numbers included in the COD. The parking numbers should be removed from the COD and language added to state that parking shall be provided consistent with County Code, unless a parking and loading needs study is approved by staff to allow for alternative parking standards. Staff also recommends the addition of bicycle parking requirements in the COD as one method to alleviate the need for surface parking on the site.

Affordable Housing:

The applicant did not provide a detailed breakdown of unit types or sizes in the application materials, beyond stating in the COD that block 1 can accommodate 30-112 multi-family units. After the May 21 work session, the applicant has revised the COD to provide 15% of the units as affordable rental units. The COD requires that 15% of the residential units be rented at a rate determined by the Housing Director to be affordable to those making no more than 80% of the County’s median household income. This proposal is consistent with the Comprehensive Plan recommendation that a minimum of 15% of all units developed under rezoning and special use permits be affordable units

and the methods of calculating affordability are consistent with the County's current [affordable housing policy](#).

The applicant is not proposing to provide two or more housing types with this development, which is a requirement of the Neighborhood Model zoning district. The applicant submitted a special exception request to waive the requirement for a mix of housing types (20A.8(a) of the Code) (Attachment 7). The Rio29 Small Area Plan recommends a higher intensity and scale of development for this property, which would be most supportive of multi-family residential units rather than other lower intensity housing types such as townhouses or single family detached. The property is also within a quarter mile of a mix of existing housing types, including single family detached, townhouses, and multi-family units. The applicant is also providing 15% affordable units, which will ensure a mix of housing affordability on site. For these reasons, staff is supportive of the special exception request to not provide two or more housing types on this site.

The Neighborhood Model:

Many of the Neighborhood Model principles were addressed previously in this report, through the discussion of the Rio29 Plan and affordable housing. Staff's analysis below addresses only the applicable principles of the Neighborhood Model that have not previously been discussed.

Pedestrian Orientation	The applicant is providing an 8' sidewalk, street trees, and sufficient right of way for a future buffered bike lane along Rio Rd (there is currently a non-buffered bike lane). The applicant is constructing a shared use path on the back of the property that will eventually connect to the Berkmar Drive shared use path that will also have a sidewalk connection to Rio Rd. These principles are met. Staff has recommended adjustments to the timing of these features.
Multi-modal Transportation Choices	
Mixture of Uses	Discussed above; this principle will be met if/when the full site is built out.
Neighborhood Centers	This project is within the Rio29 urban center and the proposed development is consistent with the expected scale and intensity of the center.
Mixture of Housing Types and Affordability	Discussed above; this principle is met.
Interconnected Streets and Transportation Networks	Discussed above; this principle is met.
Parks, Recreational Amenities, and Open Space	As discussed above, this principle is met through the construction of the shared use path in block 3. However, there is no commitment to dedication of land for the future linear park outside of the shared use path.
Building and Spaces of Human Scale	As discussed, these principles will be met when the block 1 building is constructed.
Relegated Parking	
Redevelopment	This site is mostly vacant, with one single family house that will be demolished. This principle is met.

Respecting Terrain and Careful Grading/Re-grading	It is unknown at this time if this principle will be met, however, the application plan seems to indicate that no large retaining walls will be used in the grading of this site, instead the buildings themselves will serve as retaining features on this site.
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Relationship between the application and the intent and purposes of the requested zoning district:

Neighborhood Model District (Code Section 18-20A):

According to Section 20A, “The NMD Zoning district is intended to provide for compact, mixed-use developments with an urban scale, massing, density and infrastructure configuration that integrates diversified uses within close proximity to each other within the development areas identified in the comprehensive plan.” Staff finds that the proposed development is consistent with the intent of the NMD zoning district, so long as block 1 and 2 buildings are constructed together, or block 1 is constructed first, or relatively soon after completion of block 2.

Anticipated impact on public facilities and services:

Streets:

Staff does not anticipate a significant traffic impact on the nearby street network with this application. The improvements proposed with this application will help improve Rio Road’s bicycle and pedestrian facilities.

Schools:

Students living in this area would attend Agnor-Hurt Elementary School, Burley Middle School, and Albemarle High School. Based on the number and type of units proposed the following yield of students is estimated for this development, based on the allowed range of 30-112 units: between 3-13 elementary school students, 1-3 middle school students, and 2-6 high school students.

With current enrollment, Agnor-Hurt Elementary and Burely Middle School are under capacity; however, Albemarle High School 2018-19 enrollment was over-capacity by 126 students. There are currently no projects in the CIP to address school capacity impacts at these schools, therefore, no proffers would be expected from this development to address school capacity.

Fire & Rescue:

This project is near the Seminole Fire Station and Berkmar Rescue Squad station. Fire & Rescue has not expressed any concerns with, or objections to, this proposal.

Utilities:

This project is in the ACSA water and sewer service jurisdictional area and both services are available. Neither ACSA nor RWSA have expressed any concerns with, or objections to, this proposal.

Anticipated impact on environmental, cultural and historic resources:

There are no known cultural or historic resources on the site. The applicant proposes to provide a minimum of 25% of stormwater treatment on site.

Anticipated impact on nearby and surrounding properties:

Use of the property as proposed is not anticipated to have impacts on adjacent properties. The improvements proposed along the Rio Road street frontage and the shared use path and greenspace in the rear should provide a benefit to nearby and surrounding properties.

Public need and justification for the change:

The proposed development with development of block 1 and 3 would be consistent with the community's vision as laid out in the Rio29 Small Area Plan. However, staff's concern about the lack of a timing commitment for the block 1 construction is a potential deterrent from the vision for this area.

PROFFERS

The draft proffers for this application are summarized below (Attachment x). The applicant did not provide written proffers until their most recent submittal, so staff has not had the opportunity to review these until the writing of this report. Staff's comments are provided after the proffer summary in italics.

Proffer 1. Interconnected streets and transportation network: This proffer states that the applicant will provide an access easement for inter-parcel connectivity, upon demand of the County.

Staff is supportive of this proffer.

Proffer 2. Relegated Parking: This proffer states that if surface parking is constructed on the site prior to the construction of the block 1 building, then the parking area should be screened in accordance with section 32.7.9.5(e) of County Code.

Staff would prefer a commitment to the timing of the construction of the block 1 building. If no commitment can be made, screening should be provided consistent with screening requirements of the site plan ordinance and the ARB design guidelines.

Proffer 3. Multi-Use Path: The applicant proffers to construct a multi-use path consistent with Class A standards (10' asphalt path) prior to the completion of the second building on site and to dedicate the path to public use upon demand of the County.

Staff recommends this proffer be revised to state the path will be constructed prior to completion of the second building on site, or concurrent with adjoining sections of the path, whichever occurs first. Access from Rio Rd should also be constructed at the time of the path with a public access easement.

As discussed above, staff also recommends future dedication of land for the linear park, upon demand of the County.

Proffer 4 Stormwater Management: The applicant proposes to provide a minimum of 25% of stormwater management on site.

Staff is supportive of this proffer.

Proffer 5 Right of Way Dedication: The applicant proposes to dedicate a portion of right of way along Rio Rd as shown on the application plan prior final site plan approval. Installation of planting strip and sidewalk is proposed prior to issuance of CO for the block 1 building or within 24 months of issuance of CO for the block 2 building.

Staff recommends more details be provided in the proffer statement such as the dimensions of the right-of-way dedication and a reference to the sheet of the application plan that shows the proposed right-of-way area. Staff also recommend the timing of the installation of sidewalk and

street trees be adjusted to be concurrent with installation of block 2 screening, if block 1 building construction has not commenced. Dedication should occur after these features have been built.

SUMMARY

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

1. The proposed development is supportive of the vision and recommendations of the Rio29 Connectivity Chapter and will accommodate the desired Rio Rd streetscape along the frontage of this site through dedication of right of way for future streetscape improvements, installation of an 8' sidewalk, and street trees.
2. The proposed development is supportive of the vision and recommendations of the Rio29 Conservation Chapter. The applicant will construct a section of shared use path and is providing on-site open space in an area shown for a path and linear park in the Plan.
3. If the block 1 building is constructed, the proposed development is supportive of the vision and recommendations of the Rio29 Character Chapter, by providing a development that will create a human-scale built environment and contribute to the mix of uses in the area.

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

1. There is nothing within the COD or proffers that will guarantee a mix of uses on this site and nothing that will preclude the construction of only the block 2 storage building and surface parking lot. Such a development would not be in keeping with the vision of the Rio29 Small Area Plan nor the intent of the Neighborhood Model District (NMD) zoning.
2. The COD, application materials, and proffers need several minor clarifying changes and small substantive changes prior to BOS approval, as described in this report and summarized in Attachment 6.

RECOMMENDATION

Staff does not recommend approval of ZMA201800013 until staff recommendations in Attachment 6 are met, inclusive of a commitment to the timing of the block 1 construction.

PLANNING COMMISSION MOTION:

- A. *If the ZMA is recommended for approval:* Move to recommend approval of ZMA201800013 Rio West with staff recommended revisions in attachment 6 (state whether a timing commitment for block 1 should be provided)
- B. *If the ZMA is recommended for denial:* Move to recommend denial of ZMA201800013 Rio West with the reasons for denial.

ATTACHMENTS:

- 1 - [Location Map](#)
- 2 - [Application Plan](#)
- 3 - [Code of Development \(COD\)](#)
- 4 - [Draft Proffer Statement](#)
- 5 - [Project Narrative](#)
- 6 - [Staff recommended revisions prior to BOS](#)
- 7 - [Special exception request](#)