

ACTIONS		
Board of Supervisors Meeting of August 21, 2019		
		August 23, 2019
AGENDA ITEM/ACTION	ASSIGNMENT	VIDEO
1. Call to Order. <ul style="list-style-type: none"> Meeting was called to order at 1:00 p.m., by the Chair, Mr. Gallaway. All BOS members were present. Also present were Jeff Richardson, Greg Kamptner and Claudette Borgersen. 		Link to Video
4. Adoption of Final Agenda. <ul style="list-style-type: none"> Ned Gallaway asked to amend the final agenda to move ZMA201800013 Rio West to 5:00 p.m. By a vote of 6:0, ADOPTED the final agenda as amended. 		
5. Brief Announcements by Board Members. <p><u>Liz Palmer:</u></p> <ul style="list-style-type: none"> Commented on her attendance at the North Garden Community Day. Requested adding a report regarding field trip to the Chester County waste recycling facility and to the County Waste Zion Crossroads transfer station later on in the meeting. <p><u>Rick Randolph:</u></p> <ul style="list-style-type: none"> Reported that his representative on the Social Services Advisory Board informed him that the state is preparing for the potential for a work requirement and Medicaid expansion. Reported that the Boys and Girls Club ride will still take place at Walnut Creek Park on September 15 from 8:00 a.m. – 10:00 p.m. Reported that the Village of Rivanna Citizens Advisory Committee on August 20th, although without a quorum. At the meeting, it was reported that 64 of the 74 proposed homes, or 86.5%, in Phase I had been sold. <p><u>Diantha McKeel:</u></p> <ul style="list-style-type: none"> Distributed a newsletter received at the last Police Citizens Advisory Committee meeting Commented on the “Art on Fire” art initiative which is a fire hydrant mural project sponsored by the Albemarle County Service Authority, Charlottesville Mural Project, the Bridge PAI, and Albemarle County within kind services. Commented on a second art initiative called “The Sense of Place,” which is an art project around two CAT transit stops at Stonefield. <p><u>Ann Mallek:</u></p> <ul style="list-style-type: none"> Requested that the County Attorney help clarify the County’s leash law at a future meeting. Reported on her attendance at the Chesapeake Bay meeting held in Richmond and that that Albemarle County had been invited to be part of the panel. Reported on her attendance at the VACo Summit the prior week and that the County is working on the census to get a complete count. <p><u>Norman Dill:</u></p>		

<ul style="list-style-type: none"> Reported on his attendance at the Employee Town Hall meeting. <p><u>Ned Gallaway:</u></p> <ul style="list-style-type: none"> Announced that today was the first day of school and wished all students a successful school year. He reminded everyone that at bus stops, there were now cameras watching to make sure drivers obey the rules and that the children are kept safe. 		
<p>6. Proclamations and Recognitions.</p> <p>a. Resolution in Support of Ratification by Virginia of the Equal Rights Amendment to the United States Constitution.</p> <ul style="list-style-type: none"> By a vote of 6:0, ADOPTED resolution and presented to Virginia Daugherty. <p>b. Welcoming Week Proclamation.</p> <ul style="list-style-type: none"> By a vote of 6:0, ADOPTED proclamation and presented to Russ Linden. 	<p>(Attachment 1)</p> <p>(Attachment 2)</p>	
<p>Non-Agenda: Extending Applicant Speaking Time for Southwood.</p> <ul style="list-style-type: none"> By a vote of 6:0, APPROVED extending the speaking time for the Southwood applicant to 20 minutes. 		
<p>7. From the Public: Matters Not Listed for Public Hearing on the Agenda.</p> <ul style="list-style-type: none"> <u>The following individuals spoke towards climate change:</u> <ul style="list-style-type: none"> Caetano de Campos Lopez, Grey McLean John Cruickshank Emily Little <u>Paul Grady</u>, spoke on affordable housing especially as it relates to senior citizens and he spoke in support of the County's Climate Action plan. <u>Chip Boyles</u>, Executive Director of TJPDC, provided an update of the planning district commission's census preparations. 		
<p>8.2 FY 20 Appropriation.</p> <ul style="list-style-type: none"> ADOPTED Resolution to approve appropriation #2020016 for local government projects and programs. 	<p><u>Clerk:</u> Forward copy of signed resolution to OMB and County Attorney's office. (Attachment 3)</p>	
<p>8.3 Ivy Convenience Center Agreement Between the County of Albemarle and the Rivanna Solid Waste Authority.</p> <ul style="list-style-type: none"> ADOPTED resolution approving the Agreement and Authorizing the County Executive to the sign the Agreement on behalf of the County. 	<p><u>Clerk:</u> Forward copy of signed resolution to FES and County Attorney's office. (Attachment 4)</p> <p><u>County Attorney:</u> Provide Clerk with copy of signed agreement. (Attachment 5)</p>	
<p>8.4 Accepting Offer of Dedication of Public Roads in Crozet.</p> <ul style="list-style-type: none"> ADOPTED resolution. 	<p><u>Clerk:</u> Forward copy of signed resolution to Jack Kelsey and County Attorney's office. (Attachment 6)</p>	
<p>8.5 Coles Rolling Road Rural Rustic Road Designation.</p> <ul style="list-style-type: none"> ADOPTED resolution to designate Route 712, Coles Rolling Road, as a Rural Rustic Road. 	<p><u>Clerk:</u> Forward copy of signed resolution to Community Development and County Attorney's office. (Attachment 7)</p>	
<p>8.6 SDP201900038 Verizon - Shadwell (Easton Property) Tier II PWSF Special Exception Request.</p>	<p><u>Clerk:</u> Forward copy of signed resolution to Community</p>	

<ul style="list-style-type: none"> • ADOPTED resolution approving the special exception, subject to the conditions. 	Development and County Attorney's office. (Attachment 8)	
9. Work Session: Work Plan for Housing Policy Update. <ul style="list-style-type: none"> • HELD. 		
10. Presentation: Claudius Crozet Park Aquatic and Fitness Center. <ul style="list-style-type: none"> • RECEIVED. 		
12. Closed Meeting. <ul style="list-style-type: none"> • At 2:53 p.m., the Board went into Closed Meeting pursuant to Section 2.2-3711(A) of the Code of Virginia: • Under Subsection (1), to discuss and consider the annual performance of the County Attorney; and • Under Subsection (7), to consult with legal counsel and briefings by staff members pertaining to actual litigation between the Board of Supervisors or the County and: <ol style="list-style-type: none"> 1. The Scottsville Volunteer Rescue Squad; 2. The holder of a special use permit; 3. A taxpayer; and • Under Subsection (8), to consult with and be briefed by legal counsel matters requiring legal advice relating to the requirements pertaining to construction and demolition activities resulting in fill and waste activities under the State Stormwater Management Act, the Water Protection Ordinance, and the Zoning Ordinance. 		
13. Certify Closed Meeting. <ul style="list-style-type: none"> • At 4:59 p.m., the Board reconvened into open meeting and certified the closed meeting. 		
11. Action Item: ZMA2018000013 – Rio West. <ul style="list-style-type: none"> • By a vote of 6:0, APPROVED waiving the public hearing for the amended proffers for ZMA201800013 Rio West. • By a vote of 6:0, ADOPTED the ordinance to approve ZMA201800013 Rio West as amended, related to the \$10,000 annual payment and the issue around the daylighting of the stream. • By a vote of 6:0, ADOPTED resolution to approve special exception to waive the requirement of mix of housing types, for ZMA201800013 Rio West. 	Clerk: Forward copy of signed ordinance and resolutions to Community Development and County Attorney's office. (Attachments 9) (Attachments 10)	
<ul style="list-style-type: none"> • At 5:41 p.m., the Board recessed and reconvened at 6:00 p.m. 		
14. From the Public: Matters Not Listed for Public Hearing on the Agenda. <ul style="list-style-type: none"> • There were none. 		
15. <u>Pb. Hrg.: ZMA201000018 Crozet Square (Barnes Lumber).</u> <ul style="list-style-type: none"> • By a vote of 6:0, ADOPTED the ordinance to approve ZMA201000018. 	Clerk: Forward copy of signed ordinance to Community Development and County Attorney's office. (Attachment 11)	
16. <u>Pb. Hrg.: ZMA201800003 Southwood.</u> <ul style="list-style-type: none"> • By a vote of 5:1 (Randolph), ADOPTED ordinance to approve ZMA201800003. 	Clerk: Forward copy of signed ordinance to Community Development and County Attorney's office. (Attachment 12)	

17.	<p>From the Board: Committee Reports and Matters Not Listed on the Agenda.</p> <p><u>Ann Mallek:</u></p> <ul style="list-style-type: none"> Inquired if there should be a minimum acreage for a Neighborhood Model again, because there used to be one. Remarked that in planning, perhaps trees should be optimized to top out at 20 feet. <p><u>Diantha McKeel:</u></p> <ul style="list-style-type: none"> expressed that there should be a way to better share the work the Board is doing with the school system in regard to climate change. David Benish mentioned that the Planning Commission has requested a work session on how transportation analysis is done and asked if this is something the Board would be interested in learning. He commented that they would make the Board aware of when the Planning Commission Work session would be held. 		
18.	<p>From the County Executive: Report on Matters Not Listed on the Agenda.</p> <ul style="list-style-type: none"> There were none. 		
19.	<p>Adjourn to September 4, 2019, 1:00 p.m., Lane Auditorium.</p> <ul style="list-style-type: none"> The meeting was adjourned at 10:39 p.m. 		

ckb/tom

Attachment 1 – Resolution in Support of Ratification by Virginia of the Equal Rights Amendment to the United States Constitution

Attachment 2 – Welcoming Week Proclamation

Attachment 3 – Resolution to Approve Addition FY2020 Appropriations

Attachment 4 – Resolution to Approve Ivy Convenience Center Agreement Between the County of Albemarle and the Rivanna Solid Waste Authority

Attachment 5 – Ivy Convenience Center Agreement Between the County of Albemarle and the Rivanna Solid Waste Authority

Attachment 6 – Resolution Approving the Acceptance of the Dedication of Certain Rights-Of-Way in Crozet

Attachment 7 – Resolution to Designate Route 712, Coles Rolling Road, as a Rural Rustic Road

Attachment 8 – Resolution to Approve Special Exception for SDP201900038 – Verizon – Shadwell (Easton Property)

Attachment 9 – Ordinance NO. 19-A(13) ZMA 2018-00013

Attachment 10 – Resolution to Approve Special Exception for ZMA201800013 Rio Road West

Attachment 11 – Ordinance NO. 19-A(14) ZMA 2010-00018

Attachment 12 – Ordinance NO. 19-A(15) ZMA 2018-00003 and ZMA 2005-00017

**Resolution in Support of Ratification by Virginia
of the Equal Rights Amendment to the United States Constitution**

WHEREAS, equality under the law is a fundamental value of Americans and the people of Albemarle County; and the United States Constitution does not explicitly guarantee equal rights and equal protection for the sexes; and the 14th Amendment to the United States Constitution does not provide the strict scrutiny for sex-based classifications that is provided for classifications based on race, religion, and national origin; and

WHEREAS, state laws are not uniform, federal laws are not comprehensive and laws can be repealed or reduced; and the Supreme Court can strike legislation or retreat from its own precedent; and the people of the United States continue to experience the negative effects of lack of political parity between men and women, workplace discrimination, health care inequities, disparate rates of poverty, rape and domestic violence assaults; and

WHEREAS, the Equal Rights Amendment (ERA) provides that "Equality of rights under the law shall not be denied or abridged by the United States or by any State on account of sex;" and the Amendment would help ensure women and men have the same constitutional protections; and

WHEREAS, the ERA was passed by Congress in 1972 and has been ratified by 37 states, requiring just one more state to ratify to satisfy the constitutional requirement for the amendment to become valid; and the time limit for the ERA appears only in the preamble and Congress presently is considering a bill that removes the time limit for ratification of the ERA; and

WHEREAS, for 48 years, the Virginia State Constitution has sought to protect Virginians from discrimination by the Commonwealth on the basis of sex;

NOW, THEREFORE, BE IT RESOLVED that we, the Albemarle County Board of Supervisors, support the ratification of the Equal Rights Amendment; and

BE IT FURTHER RESOLVED that we, the Albemarle County Board of Supervisors, urge the General Assembly of the Commonwealth of Virginia to ratify the ERA to the U.S. Constitution, as proposed by Congress on March 22, 1972, during the 2020 legislative session.

Signed this 21st day of August 2019.

Welcoming Week Proclamation

WHEREAS, Albemarle County strives to welcome people from all backgrounds and cultures; and

WHEREAS, immigrants and refugees bring a great deal of energy and creativity to our community and have contributed to our economy and understanding of other cultures; and

WHEREAS, the Albemarle County Board of Supervisors is committed to creating an inclusive community where the dignity and worth of each person is respected; and

WHEREAS, the annual Welcoming Week events help our residents appreciate the many contributions and diverse cultures of our immigrants and refugees.

NOW, THEREFORE, BE IT RESOLVED, that we, the Albemarle County Board of Supervisors strongly supports residents in our community who have come here from other countries; and

BE IT FURTHER RESOLVED, that we, the Albemarle County Board of Supervisors do hereby proclaim

Friday, September 13, through Sunday, September 22, 2019

as

Welcoming Week

and urges County residents to attend the Welcoming Week events in order to support and celebrate the immigrants and refugees who now live among us.

Signed this 21st day of August 2019.

**RESOLUTION TO APPROVE
ADDITIONAL FY 2020 APPROPRIATIONS**

BE IT RESOLVED by the Albemarle County Board of Supervisors:

- 1) That Appropriation #2020016 is approved; and
- 2) That the appropriation referenced in Paragraph #1, above, is subject to the provisions set forth in the Annual Resolution of Appropriations of the County of Albemarle for the Fiscal Year ending June 30, 2020.

**RESOLUTION TO APPROVE IVY CONVENIENCE CENTER
AGREEMENT BETWEEN THE COUNTY OF ALBEMARLE
AND THE RIVANNA SOLID WASTE AUTHORITY**

WHEREAS, the Authority owns and operates the transfer station and provides other waste and recycling services at the Ivy Landfill site pursuant to the Amended and Restated Ivy Material Utilization Center Programs Agreement between the County and the Rivanna Solid Waste Authority ("RSWA") dated May 4, 2016; and

WHEREAS, the Board finds it is in the best interest of the County to enter into an agreement with the RSWA to provide for the design, construction and operation of an expanded convenience center at the site to offer expanded recycling services that are similar to those provided at the McIntire Recycling Center.

NOW, THEREFORE, BE IT RESOLVED that the Albemarle County Board of Supervisors hereby approves the Ivy Convenience Center Agreement between the County of Albemarle and the Rivanna Solid Waste Authority, and authorizes the County Executive to sign the Agreement after approval as to content and form by the County Attorney.

IVY CONVENIENCE CENTER AGREEMENT

BETWEEN

THE COUNTY OF ALBEMARLE

AND

THE RIVANNA SOLID WASTE AUTHORITY

This **Ivy Convenience Center Agreement** (this "Agreement") is made this ____ day of _____, 2019 by and between the **County of Albemarle, Virginia** (the "County") and the **Rivanna Solid Waste Authority** (the "Authority", individually a "Party", and together referred to as the "Parties").

- WHEREAS, on November 20, 1990, the City of Charlottesville (the "City") and the County entered into a certain Solid Waste Organizational Agreement (the "Organizational Agreement") for the purpose of forming the Authority to operate the Ivy Landfill (the "Landfill") and provide other waste management services for the City and County;
- WHEREAS, the Landfill operated continuously from 1968 until the closure of Cell 2 in 2001; however the Authority continues to provide waste management services to the City and County and has continuing obligations with respect to the closure, remediation and monitoring of the Landfill;
- WHEREAS, the Authority owns a transfer station funded by the County and completed in 2018 at the Landfill site (the "Ivy Transfer Station") currently operated by the Authority and constructed at the request of the County pursuant to the Ivy Material Utilization Center Programs Agreement dated August 23, 2011 between the County and the Authority (the "Ivy MUC Programs Agreement");
- WHEREAS, in addition to the Ivy Transfer Station, the Authority provides other waste and recycling services at the Landfill site, commonly referred to as the "Ivy Material Utilization Center" (the "Ivy MUC").
- WHEREAS, the City, the County, the Authority and the University of Virginia entered into a Memorandum of Understanding dated January 10, 2005 with respect to the sharing of costs related to the closure, remediation and monitoring of the Landfill (the "Environmental Expenses MOU");
- WHEREAS, the County, the City and the Authority entered into a separate Local Government Support Agreement for Recycling Programs dated August 23, 2011, as amended by eight amendments thereto, pursuant to which the Authority operates a recycling center on McIntire Road in the City as well as a paper sort facility in the City (the "Recycling Programs LGSA").
- WHEREAS, the County has appropriated \$350,000 in Capital Improvement funds for the Authority to manage the design and construction of a new recycling convenience center facility (the "Convenience Center") at the Authority's Ivy site as well as operate the Convenience Center after its construction; and
- WHEREAS, the County and the Authority have agreed to enter into this Ivy Convenience Center Agreement pursuant to which the Authority will provide for the management of design and construction of the Convenience Center and the operation by the Authority of the Convenience Center on behalf of the County and the County will continue to provide for financial support to the Authority to include the necessary capital, administration and operating expenses allocated by the Authority to the management of the design and construction and subsequent operation of the Convenience Center as defined above and in the Authority's adopted budget over and above the revenues, if any, received under, and the costs covered by, the Ivy MUC Programs Agreement, the Environmental Expenses MOU and the Recycling Programs LGSA, and other revenues received by the Authority.

NOW, THEREFORE, the Parties agree as follows:

1. **County Request for Convenience Center**

Pursuant to Section 4.3 of the Organizational Agreement, the County has determined the need for the Convenience Center to offer expanded recycling services at the Ivy Material Utilization and generally providing similar services as the Authority's McIntire Recycling Center and hereby requests the Authority, and the Authority hereby agrees, to manage the design and construction of, and thereafter operate, the Convenience Center and provide such services, subject to the terms and conditions set forth herein.

2. **County's Financial Support of Authority's Projected Annual Convenience Center Operation's Deficit**

Based upon cost estimates and recommendations provided by an engineering firm selected and retained by the Authority ("Engineer"), it is the expectation of the County and the Authority that operating and administrative expenses of the Convenience Center will exceed revenues from any fees charged for use of the Convenience Center and other revenues will be insufficient to cover such expenses. The Authority shall prepare and adopt a budget based upon the Authority using all reasonable efforts to effectively and efficiently operate the Convenience Center and including reasonable reserves, balanced by using revenue to be contributed by the County, notwithstanding anything contained in Section 4.3 of the Organizational Agreement to the contrary. The County agrees to fund that portion of the operating, annual depreciation, and administrative expenses related to operating the Convenience Center that exceeds revenues.

3. **Quarterly Payments**

If the Authority's proposed annual budget for the Convenience Center is balanced by revenues to be contributed by the County, the County agrees to provide such revenues by payments to the Authority made quarterly on the first day of July, October, January, and April of such fiscal year of the Authority.

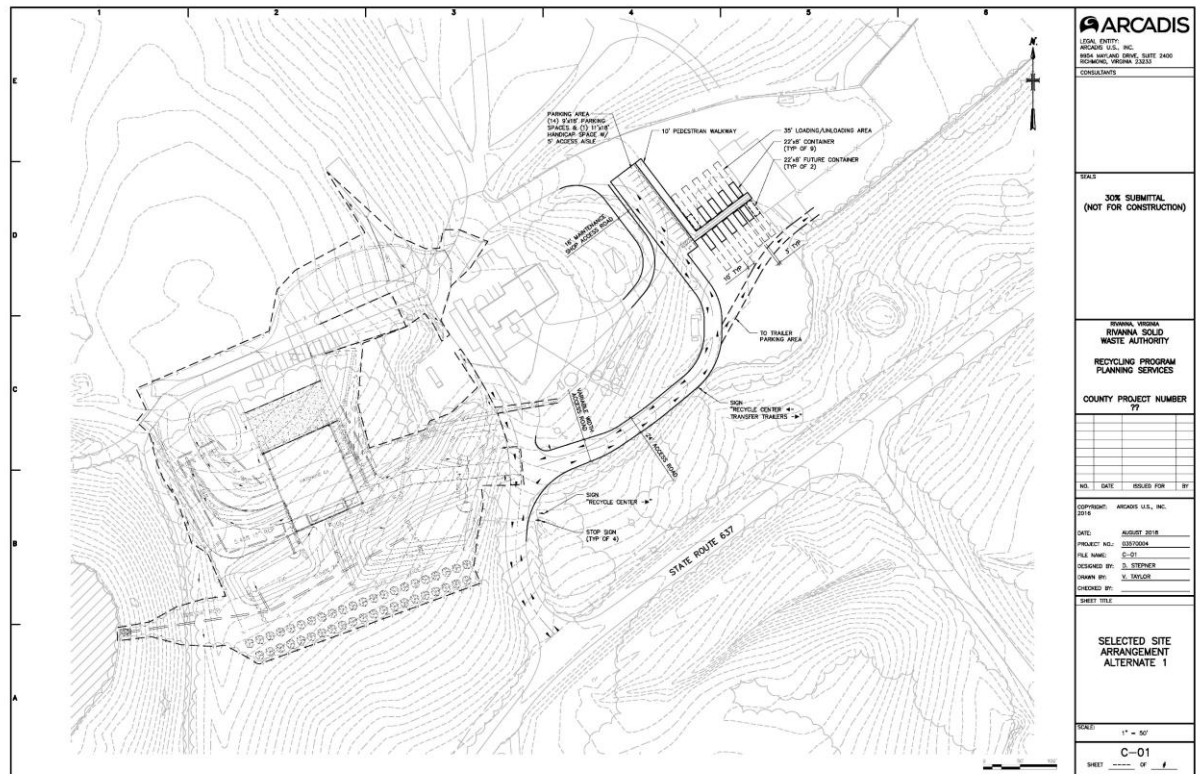
4. **Increase or Decrease in the Convenience Center Deficit**

Payments by the County to the Authority for any particular fiscal quarter shall be increased or decreased, as appropriate to take into account any extraordinary increases or reductions in the Convenience Center expenses and/or reductions or increases in revenue not anticipated by the adopted budget for such year upon the Authority's submission to the County of an amended budget approved by the Authority's Board of Directors at least 30 days prior to the due date of the next payment. Upon completion of the audited financial statements of the Authority for the prior fiscal year, the County's payments to the Authority shall be increased or decreased, as appropriate, to take into account increases or decreases in actual Convenience Center expenses and/or reductions or increases in actual revenues from those anticipated by the adopted budget as shown by such financial statement; provided, however, that any such increase or decrease shall take into account any increase or decrease in payments for such year pursuant to the most recently adopted amended budget of the Authority for such year, if any. In the event the amount of the County's payments exceed the amount of revenues needed by the Authority pursuant to paragraph 2 above, the Authority shall remit such excess to the County, or in the event that the County extends this Agreement as provided in paragraph 6 below, the Authority may carry such excess over to the next fiscal year giving the County credit during such year for such excess.

5. **Construction of Convenience Center and Operating Reserve**

A. The Authority will construct and operate the Convenience Center consistent with the conceptual plan and site plan prepared by the Engineer (the "Conceptual Plan"), approved by the Authority's Board of Directors (Figure 1). The Convenience Center shall be designed and constructed at the sole cost of the County with the design and construction cost to be initially budgeted at the preliminary estimate of \$350,000, including equipment and project administration costs. The County appropriated \$350,000 in July 2018 toward design and other costs related to the Convenience Center.

Figure 1 – Conceptual Plan



- B. The Authority will be responsible for the permitting, design and construction of the Convenience Center. The Convenience Center shall be constructed in a timely manner to the extent of the Authority's reasonable control. Reasonable efforts will be made to expedite construction where practicable and within the reasonable control of the Authority.
- C. The Authority will provide professional project management services throughout the design, bidding and construction of the Convenience Center. Such services include establishing and appropriately updating costs estimates for construction, engineering, and management services at appropriate intervals as determined by the Authority and updating project schedules. The Parties agree that the overall project costs for design and construction of the Convenience Center will depend upon numerous factors, many of which are beyond the direct control of the Authority including, but not limited to, market changes in commodity prices, bid competitiveness within the construction industry, competency and performance of the construction contractor which must be selected within the limitations of the Virginia Public Procurement Act, and subsurface conditions later identified but not fully known at the beginning of design. The Authority may make adjustments to the project scope during design, bidding and construction based upon its reasonable updated projections of cost and time, in order to maintain a high probability that the project will be completed within the County's budget; provided, however, that to the extent such project scope adjustments may materially affect the Authority's Conceptual Plan as further developed by the preliminary design and detailed design, the Authority will consult with the County before making such adjustments. To the extent the County may not desire project scope adjustments materially affecting the Conceptual Plan as further developed by the preliminary design and the detailed design that the Authority has concluded are necessary to manage the project within budget, the County may authorize an increase in the project budget and make any additional appropriation required therefor and/or modify the project schedule in such a manner that the Authority may confirm the project scope adjustments are no longer necessary, provided that the County acts within a timeframe permitting the Authority to meet the timeline obligations in subparagraph C as reasonably determined by the Authority. The Authority may authorize such change orders as it deems necessary and appropriate for the management of the construction contract and within

timeframes necessary to avoid delay claims from the contractor and will consult with the County's Director of Facilities and Environmental Services, or his designee, prior to execution of any material change order. The Authority's Executive Director shall obtain the approval of the Authority's Board of Directors prior to executing any change order in an amount which would exceed the total amount budgeted for this project. The construction contract for the Convenience Center shall be subject to approval by the Authority's Board of Directors. The Authority will provide the County staff or its Board of Supervisors with periodic updates during construction of the Convenience Center as may be requested by the County.

- D. The County will pay the Authority the amounts approved by the Authority for payment pursuant to the design and construction contracts for the Convenience Center on a monthly basis, within thirty (30) days of the Authority's written request for such payment, which request shall include copies of the contractor's invoice.
- E. The Authority shall maintain a general liability insurance policy with a minimum of two million dollars of coverage and an excess liability policy with a minimum of ten million dollars of coverage. In addition, the Authority shall maintain an environmental policy with a minimum of one million dollars in coverage. The County will be responsible for any claims arising out of the operation of the Convenience Center that exceeds the applicable coverage limits.

6. **Term of Agreement**

- A. This Agreement shall be effective upon execution. Subject to Paragraph 2 above, the term of this Agreement shall be extended for additional one (1) year terms unless terminated by the County by written notice received by the Authority not later than January 1st prior to the then applicable expiration date of the Agreement.
- B. Notwithstanding the above, this Agreement may be terminated upon thirty days written notice by the Authority to the County if (i) the County fails to appropriate, within the timeframes required under this Agreement, the funds necessary to fund any excess expenses over revenues projected in the operating budget for the Convenience Center under Paragraph 2 of this Agreement, or fund any reserves required under Paragraph 3 of this Agreement; (ii) the County fails to pay when due any amounts owed to the Authority under the terms of this Agreement and the County fails to make such payment within thirty days of such written notice; or (iii) the County breaches any other term of this Agreement and fails to cure such breach within ninety days of such written notice. The Authority, upon termination of this Agreement, may recover its net expenses up to the date of termination from operating reserves without prejudice to any claim for remaining expenses, including costs of collection and legal fees. Upon any such termination, the Authority shall cease any further design and/or construction of the Convenience Center, terminate any operation of the Convenience Center and decommission the Convenience Center (if construction has commenced). The County shall reimburse the Authority for all costs incurred by the Authority, including, but not limited to, design and consultants fees, legal fees and other "soft" costs in connection with the design, construction and/or operation of the Convenience Center (collectively, the "Authority Costs") and the Authority's obligations to design, construct and operate the Convenience Center shall terminate.

7. **Solid Waste Organizational Agreement**

The Parties enter this Agreement notwithstanding any provisions in the Organizational Agreement conflicting with this Agreement and agree that in the event of any such conflicting provisions, this Agreement shall control.

8. **Voluntary County Funding**

Nothing in this Agreement shall be construed as creating a claim, cause of action, or right of recovery against either the County by the Authority or by any creditor or claimant of the Authority. The Authority acknowledges that the County is not under any legal or equitable obligation to provide funding to the Authority, but that it has voluntarily chosen to do so for the sole reason of insuring the continuation of a certain level of solid waste disposal and recycling services to be provided by the Authority at the Convenience Center, and the County acknowledges that in the event such funding is not made

available to the Authority, the Authority will necessarily have to curtail those services.

9. **Non-Appropriation**

This Agreement is subject to the approval, ratification, and annual appropriations by the Albemarle County Board of Supervisors of the necessary money to fund this Agreement for this and any succeeding fiscal years. Should the County fail to appropriate the necessary funding, it shall give prompt written notice to the Authority of such non-appropriation and this Agreement shall automatically terminate without further notice by or to any Party.

10. **Amendment**

Any amendment to this Agreement must be made in writing and signed by the Authority and the County.

11. **Governing Law**

This Agreement shall be governed in all respects by the laws of the Commonwealth of Virginia.

12. **Notices**

Any notice, invoice, statement, instructions, or direction required or permitted by this Agreement shall be addressed as follows:

- a. To the County: Office of the County Executive
401 McIntire Road
Charlottesville, VA 22902
- b. To the Authority: Office of the Executive Director
Rivanna Solid Waste Authority
P.O. Box 979
Charlottesville, Virginia 22902-0979

or to such other address or addresses as shall at any time or from time to time be specified by any Party by written notice to the other Party.

13. **Execution**

This Agreement may be executed in two or more counterparts, each of which shall be deemed an original, but all of which together shall constitute one and the same instrument.

[SIGNATURES ON FOLLOWING PAGE]

WHEREAS these terms are agreeable to the County of Albemarle and the Rivanna Solid Waste Authority, and each Party offers its signature as of the date below.

THE COUNTY OF ALBEMARLE:

Jeff Richardson
County Executive

Date

RIVANNA SOLID WASTE AUTHORITY:

William I. Mawyer, Jr., P.E.
Executive Director

Date

116253274_3

**RESOLUTION APPROVING THE ACCEPTANCE OF
THE DEDICATION OF CERTAIN RIGHTS-OF-WAY IN CROZET**

WHEREAS, by deed dated December 16, 1946 and recorded January 6, 1947 in Deed Book 272, pages 111-113 (the "Deed"), S.W. Barnes subdivided certain property south of the "Main Line Chesapeake & Ohio [presently CSX] R.R." and east of "Miller School Road [presently Crozet Avenue]" in Crozet; and

WHEREAS, the plat recorded with the Deed (the "Plat") establishes certain rights-of-way, including Oak Street and a "15 ft. space for drive" immediately south of the "C & O Depot Lot" (presently The Square); and

WHEREAS, the Board finds it is in the best interest of the County to accept the dedication of Oak Street and the "15 ft. space for drive" immediately south of the "C & O Depot Lot," as shown on the Plat; and

WHEREAS, Crozet New Town Associates, LLC ("Crozet New Town") is the owner of certain property located in Crozet, described as Albemarle County Tax Map Parcels Nos. 56A2-0-25, 26, 71 and 71B, containing 20 acres, more or less; and

WHEREAS, as part of its plan to redevelop the former Barnes Lumber site in Downtown Crozet, Crozet New Town is offering to dedicate to public use certain rights-of-way, including (a) extensions of both The Square and Library Avenue, (b) a connector road between them, and (c) associated traffic circles; and

WHEREAS, the Board finds it is in the best interest of the County to accept the dedication of (a) the extensions of both The Square and Library Avenue, (b) the connector road between them, and (c) the associated traffic circles, all as shown on the approved final site plan for the Crozet New Town property.

NOW, THEREFORE, BE IT RESOLVED that the Albemarle County Board of Supervisors hereby approves the acceptance of the dedication of Oak Street and the "15 ft. space for drive" immediately south of the "C & O Depot Lot," as shown on the Plat, and authorizes the County Executive to sign any document(s) accepting this dedication once the County Attorney has approved the document(s) as to form and substance; and

BE IT FURTHER RESOLVED that the Albemarle County Board of Supervisors hereby accepts the dedication of (a) the extensions of both The Square and Library Avenue, (b) the connector road between them, and (c) the associated traffic circles, , all as shown on the approved final site plan for the Crozet New Town property, and authorizes the County Executive to sign any document(s) accepting this dedication once the County Attorney has approved the document(s) as to form and substance.

**RESOLUTION TO DESIGNATE ROUTE 712,
COLES ROLLING ROAD, AS A RURAL RUSTIC ROAD**

WHEREAS, Virginia Code § 33.2-332 permits the hard-surfacing of certain unpaved roads deemed to qualify for designation as a Rural Rustic Road; and

WHEREAS, any such road must be located in a low-density development area and have no more than 1,500 vehicles per day; and

WHEREAS, the Board of Supervisors of Albemarle County, Virginia desires to consider whether Route 712, Coles Rolling Road, from Route 713, Glendower Road, to 2.75 miles east of Route 713, Glendower Road, should be designated a Rural Rustic Road; and

WHEREAS, the Board is unaware of any pending development that will significantly affect the existing traffic on this road; and

WHEREAS, the Board believes that this road should be so designated due to its qualifying characteristics; and

WHEREAS, this road is in the Board's six-year plan for improvements to the secondary system of state highways.

NOW, THEREFORE, BE IT RESOLVED, that the Albemarle County Board of Supervisors hereby designates Route 712, Coles Rolling Road, from Route 713, Glendower Road, to 2.75 miles east of Route 713, Glendower Road, a Rural Rustic Road, and requests that the Resident Engineer for the Virginia Department of Transportation concur in this designation; and

BE IT FURTHER RESOLVED, that the Board requests that Route 712, Coles Rolling Road, from Route 713, Glendower Road, to 2.75 miles east of Route 713, Glendower Road, be hard-surfaced and, to the fullest extent prudent, be improved within the existing right-of-way and ditch-lines to preserve as much as possible the adjacent trees, vegetation, side slopes, and rural rustic character along the road in their current state; and

BE IT FURTHER RESOLVED, that a certified copy of this resolution be forwarded to the Virginia Department of Transportation Resident Engineer.

**RESOLUTION TO APPROVE SPECIAL EXCEPTION FOR
SDP201900038 – VERIZON – SHADWELL (EASTON PROPERTY) - TIER II PWSF**

WHEREAS, the Owner of Tax Parcels 079A1-00-0C-00300 and 079A1-00-0C-01600 filed an application for a Tier II Personal Wireless Service Facility, and the application is identified as Site Development Plan 201900038 (“SDP 19-38”); and

WHEREAS, SDP 19-38 included a request for a special exception to modify the requirements of County Code § 18-5.1.40(b)(2)(c); and

WHEREAS, Albemarle County Code § 18-5.1.40(b)(2)(c) requires that antennas be mounted so that in no case shall the closest point of the back of the antenna be more than twelve (12) inches from the facility, which may be modified by special exception.

NOW, THEREFORE, BE IT RESOLVED that, upon consideration of the foregoing, the staff report prepared in conjunction with the application, all of the factors relevant to the special exceptions in County Code §§ 18-5.1.40(b)(2)(c) and 18-33.49.B, and the information provided at the Board of Supervisors meeting, the Albemarle County Board of Supervisors hereby approves the special exception to modify the requirements of County Code 18-5.1.40(b)(2)(c), subject to the conditions attached hereto.

* * *

**SDP201900038 – Verizon – Shadwell (Easton Property) - Tier II PWSF
Special Exception Conditions**

1. The antenna shall be installed as depicted on Sheet C-3 of the site plan referred to as “Shadwell 3646 Richmond Road Keswick, VA 22947” prepared by Justin Y. Yoon, last revised on March 22, 2019.
2. No antenna authorized by this special exception shall project more than eighteen inches (18”) from the monopole to the back of the antenna.

ORDINANCE NO. 19-A(13)
ZMA 2018-00013

**AN ORDINANCE TO AMEND THE ZONING MAP FOR TAX PARCELS
04500-00-00-01000, 04500-00-00-0100A, 04500-00-00-01010, 04500-00-00-0101B**

WHEREAS, the application to rezone Tax Parcels 04500-00-00-01000, 04500-00-00-0100A, 04500-00-00-01010, and 04500-00-00-0101B (the "Property") from C1 Commercial to NMD Neighborhood Model District to allow a mix of uses with a maximum of 112 units for a proposed density of approximately 34 units per acre is identified as ZMA 2018-00013 Rio Road West ("ZMA 2018-13"); and

WHEREAS, the Planning Commission held a duly noticed public hearing on ZMA 2018-13 on June 18, 2019 and recommended approval of ZMA 2018-13 contingent on the Applicant meeting all of staff's recommended changes, and providing landscaping and screening of Block 2 and construction of the sidewalk and street trees along Rio Road within one year of the issuance of a Certificate of Occupancy for the Block 2 building in lieu of staff's recommended timing commitment; and

WHEREAS, the Applicant submitted revised materials on June 26 in which most of staff's recommended revisions were made, with the exception of two recommendations regarding building height and stepback; and

WHEREAS, the Applicant submitted further revised materials on July 15 in which all of staff's and the Planning Commission's recommended changes were made; and

WHEREAS, on July 17, 2019, the Albemarle County Board of Supervisors held a duly noticed public hearing on ZMA 2018-13, and discussed the need for a timing commitment for the construction of the proposed residential Block 1 building relative to the timing of the proposed interior storage building in Block 2, and the need for a commitment to the daylighting of the stream without relying on public funding, and deferred a vote on this application to August 21, 2019; and

WHEREAS, the Applicant submitted further revised materials on July 31, 2019; and

WHEREAS, on August 21, 2019, the Board determined that the revised materials for ZMA 2018-13 achieve the Board's desire for a good faith commitment to the construction of the Block 1 building.

BE IT ORDAINED by the Board of Supervisors of the County of Albemarle, Virginia, that upon consideration of the transmittal summary and staff report prepared for ZMA 2018-00013 and their attachments, including the revised proffers, code of development, and application plan, the information presented at the public hearing, any written comments received, the material and relevant factors in Virginia Code § 15.2-2284 and County Code § 18-20A, and for the purposes of public necessity, convenience, general welfare and good zoning practices, the Board hereby approves ZMA 2018-00013 with the Code of Development entitled "ZMA2018-13 Rio Road West Code of Development," prepared by Shimp Engineering, P.C., dated October 18, 2018 and last revised on July 31, 2019, and as further amended on August 21, 2019, the Application Plan entitled "Zoning Map Amendment 2018-00013 Application Plan, Rio Road West, TMP(s) 45-101, 45-101b, 45-100-A, 45-100, Albemarle County, Virginia," prepared by Shimp Engineering, P.C., dated October 18, 2018 and last revised on June 24, 2019, and the Proffers dated July 31, 2019, as amended on August 21, 2019.

* * *

Original Proffers X
Amendment

PROFFER STATEMENT

ZMA Number: 2018-00013

Tax Map and Parcel Number: 04500-00-00-10000, 04500-00-00-100A0, 04500-00-00-10100,
04500-00-00-101B0

Owner: Auto LLC

Date of Proffer Signature: July 31, 2019

Rezoned 3.32 acres from C-1 to NMD

Auto LLC, is the owner (the "Owner") of Tax Map and Parcel Numbers **04500-00-00-10000**, **04500-00-00-100A0**, **04500-00-00-10100**, **04500-00-00-101B0** (the "Property") which is the subject of rezoning application ZMA No. 2018-00013, a project known as "**Rio Road W**" (the "Project").

Pursuant to Section 33 of the Albemarle County Zoning Ordinance (Chapter 18 of the Albemarle County Code), the Owner hereby voluntarily proffers the conditions listed below which shall be applied to the Property if ZMA 2018-00013 is approved. These conditions are proffered as a part of the requested rezoning and the Owner acknowledges that the conditions are reasonable. Each signatory below signing on behalf of the Owner covenants and warrants that they are an authorized signatory of the Owner for this Proffer Statement.

1.) INTERCONNECTED STREETS AND TRANSPORTATION NETWORKS:

Upon demand by the County, the property owner shall draft and record an access easement for the purposes of interparcel connectivity and shared access to Rio Road W for adjacent parcels. The location of the access easement shall be provided in general accord with Sheet 4 of the Application Plan, prepared by Shimp Engineering dated October 18, 2018 and last revised June 24, 2019; this plan depicts the general location as "possible future local type 'C Street.'" At the time of easement recordation, the property owner and the County shall agree to the terms of the easement to include location, width, and maintenance.

2.) BLOCK 1 LANDSCAPE IMPROVEMENTS

The property owner shall install landscape improvements in Block 1 adjacent to the Rio Road W Right-of-Way in accordance with all applicable provisions of Sec. 32.7.9 of the Code of Albemarle and Entrance Corridor Design Guidelines within one year of the issuance of Certificate of Occupancy for any building in Block 2 and the owner shall construct an 8' sidewalk consistent with the Technical Conceptual Section shown on Sheet 7 of the Application Plan, prepared by Shimp Engineering dated October 18, 2018 and last revised June 24, 2019, provided that commencement of construction of any building in Block 1 has not occurred, where construction shall be considered installation of utilities, building footers, or other site improvements necessary for building completion. If commencement of construction of any building in Block 1 has occurred within one year of issuance of Certificate of Occupancy of any building in Block 2, the property owner shall provide landscape improvements in accordance with all applicable provisions of Sec. 32.7.9 of the Code of Albemarle and Entrance Corridor Design Guidelines within one year of the issuance of Certificate of Occupancy of any building in Block 1.

3.) MULTI-USE PATH AND LINEAR PARK

A multi-use path shall be constructed in Block 3 to comply with Class A-type 2 low maintenance, multi-use path standards as outlined in the Albemarle County Design Standards Manual, with a revision date of April 27, 2015, or to any standard approved by the Director of Planning. The path shall be constructed prior to the issuance of Certificate of Occupancy of the 2nd building on-site or upon demand of the County to allow installation concurrent with adjoining sections of the path, whichever occurs first, and shall be constructed to align with adjacent sections of path that are planned or already constructed. Concurrent with the construction of the multi-use path, the property owner shall remove the HDPE pipes and stabilize the stream channel and bank on the property for the purpose of stream daylighting. Pipe removal and stream channel and bank stabilization shall be completed to the reasonable satisfaction of the County Engineer.

Upon demand by the County, the multi-use path constructed in Block 3 shall be donated to the County for public access and maintenance. This dedication shall occur prior to the development of any portions of the trail located directly adjacent to the property. Concurrent with the dedication of the multi-use path to the County, the property owner shall dedicate the portion of the property inclusive of the stream and north of the stream, approximately 0.4 acres, to the County to be incorporated into a linear park network as proposed in the Rio29 Small Area Plan dated December 12, 2018.

JAY GARLUCK CEO GREENSCAPE DEVELOPMENT PARTNERS
AUTHORIZED AGENT. *Jay Garluck*

4.) STORMWATER MANAGEMENT

All design and engineering for improving the property will comply with applicable County and State regulations. Stormwater management design will be consistent with similar urban development projects and will utilize on-site underground detention and/or infiltration below the parking area in Blocks 1 and 2. A minimum of 25% of treatment shall be provided on site.

5.) RIGHT OF WAY

a. IMPROVEMENTS

The property owner shall dedicate eleven (11) feet of the property, along Rio Road W, as shown on Sheet 7 of the application plan, to public right of way. Landscape improvements shall be provided in the Right-of-Way as approved by VDOT or the Director of Planning and installation shall occur concurrently with Block 1 Landscape Improvements.

b. DEDICATION

If commencement of construction of any building in Block 1 has occurred within one year of issuance of Certificate of Occupancy of any building in Block 2, dedication of right of way shall occur prior of issuance of Certificate of Occupancy for any building in Block 1. If commencement of construction of any building in Block 1 has not occurred within one year of issuance of Certificate of Occupancy for any building in Block 2 then dedication of right of way shall occur upon completion of improvements provided for in Proffer 2.

The undersigned Owner hereby proffers that the use and development of the Property shall be in conformance with the proffers and conditions herein above. This document shall supersede all other agreements, proffers or conditions that may be found to be in conflict. The Owner agrees that all proffers shall be binding to the property, which means the proffers shall be transferred to all future property successors of the land.

WITNESS the following signature:

Auto LLC

By: Julie Kay Minetas, Sole Member
Julie Kay Minetas

COMMONWEALTH OF VIRGINIA

CITY/COUNTY OF Albemarle, to wit:

The foregoing instrument was acknowledged before me this 31 day of July 2019 by Auto LLC.

My Commission expires: 3/31/2022

[Signature]
Notary Public



**RESOLUTION TO APPROVE SPECIAL EXCEPTION
FOR ZMA201800013 RIO ROAD WEST**

WHEREAS, the Owner of Tax Parcels 04500-00-00-01000, 04500-00-00-0100A, 04500-00-00-01010, and 04500-00-00-0101B (the "Property") filed a request for a special exception in conjunction with ZMA201800013 Rio Road West to waive the requirement for a mix of housing types within the Neighborhood Model District as depicted in the pending plan and code of development under review by the County's Department of Community Development.

NOW, THEREFORE, BE IT RESOLVED that, upon consideration of the foregoing, the Board's approval of ZMA2018-00013, the Staff Report and Transmittal Summary prepared in conjunction with the special exception request and the attachments thereto, including staff's supporting analysis, and all of the factors relevant to the special exception in Albemarle County Code §§ 18-20A.8(a) and 18-33.49, the Albemarle County Board of Supervisors hereby approves the special exception to waive the requirement of a mix of housing types for the development of the Property.

**ORDINANCE NO. 19-A(14)
ZMA 2010-00018**

**AN ORDINANCE TO AMEND THE ZONING MAP
FOR TAX PARCEL 056A2-01-00-07100, 056A2-01-00-071B0, AND 055A2-01-00-02500**

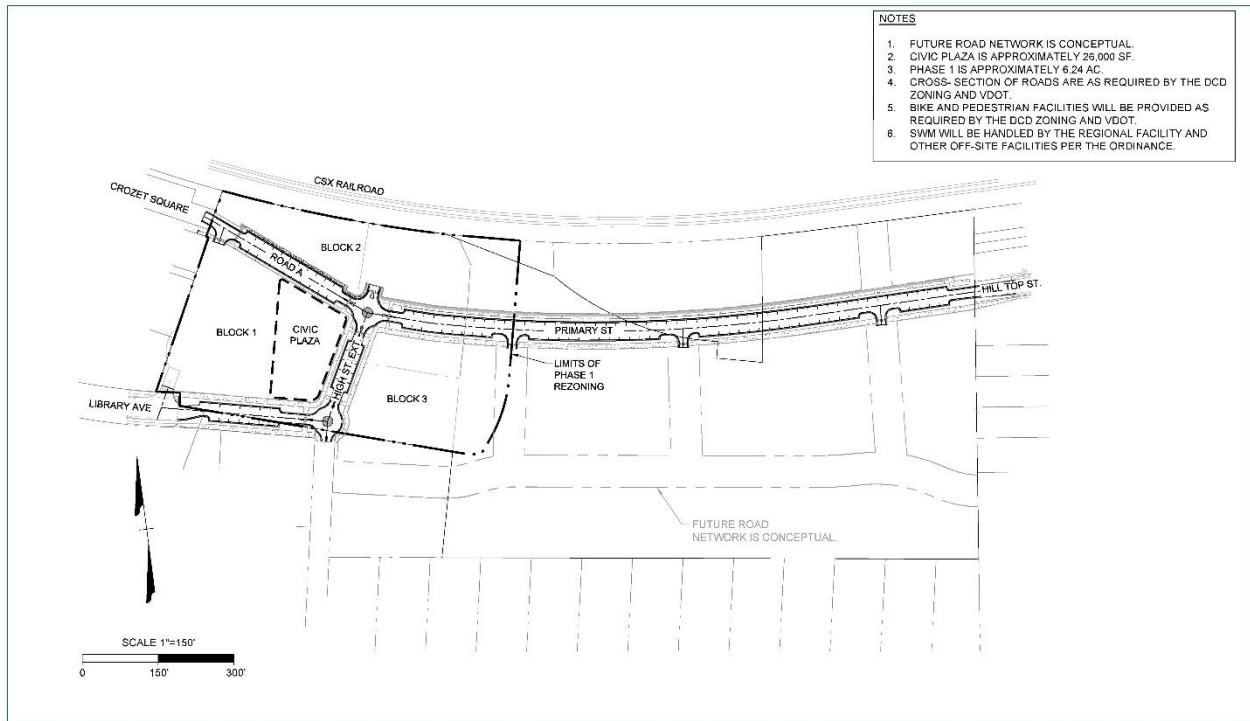
WHEREAS, the application to rezone 6.25 acres on Tax Parcel 056A2-01-00-07100, 056A2-01-00-071B0 (portion), and 055A2-01-00-02500 (portion) is identified as ZMA 2010-00018 Crozet Square (Barnes Lumber, Phase 1) ("ZMA 2010-00018"); and

WHEREAS, on August 6, 2019, after a duly noticed public hearing, the Planning Commission recommended approval of ZMA 2010-00018; and

WHEREAS, on August 21, 2019, the Albemarle County Board of Supervisors held a duly noticed public hearing on ZMA 2010-00018.

BE IT ORDAINED by the Board of Supervisors of the County of Albemarle, Virginia, that upon consideration of the transmittal summary and staff reports prepared for ZMA 2010-00018 and their attachments, including the revised Application Plan, the information presented at the public hearings, any written comments received, the material and relevant factors in Virginia Code § 15.2-2284 and County Code § 18-20B.1, and for the purposes of public necessity, convenience, general welfare and good zoning practices, the Board hereby approves ZMA 2010-00018 with the Application Plan entitled "Barnes Lumber – Phase 1 Concept Plan," prepared by Timmons Group, dated October 2, 2017, and revised on July 22, 2019, and the Proffers dated August 8, 2019.

* * *

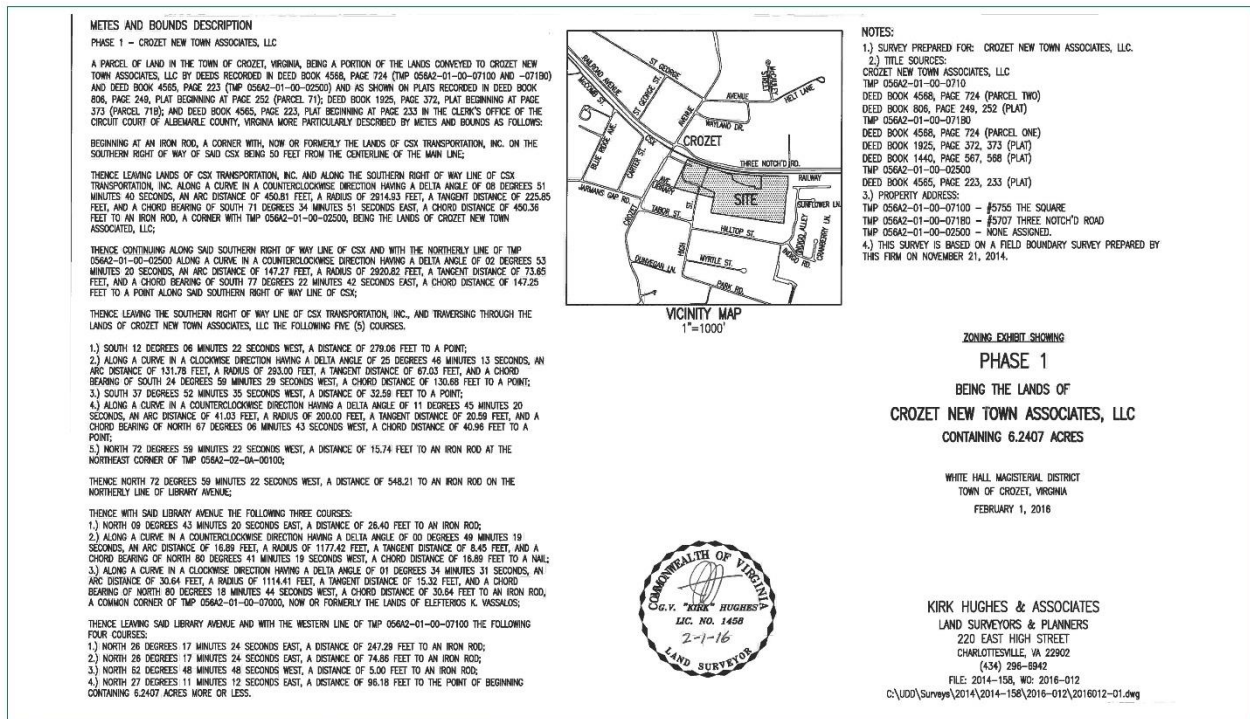


BARNES LUMBER - PHASE 1 CONCEPT PLAN, EXHIBIT A

10/02/2017

REVISED 07/22/2019

TIMMONS GROUP
YOUR MOST EFFECTIVE DESIGN TEAM

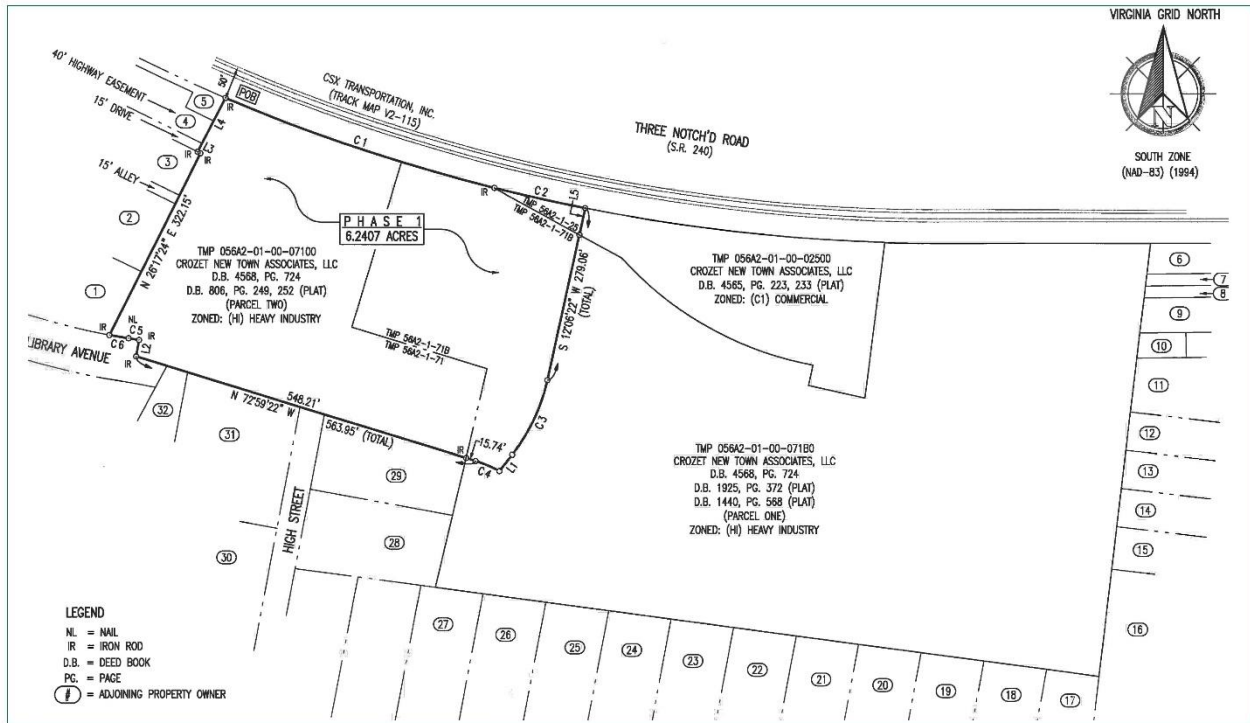


BARNES LUMBER - PHASE 1 CONCEPT PLAN, PLAT

10/02/2017

REVISED 07/22/2019

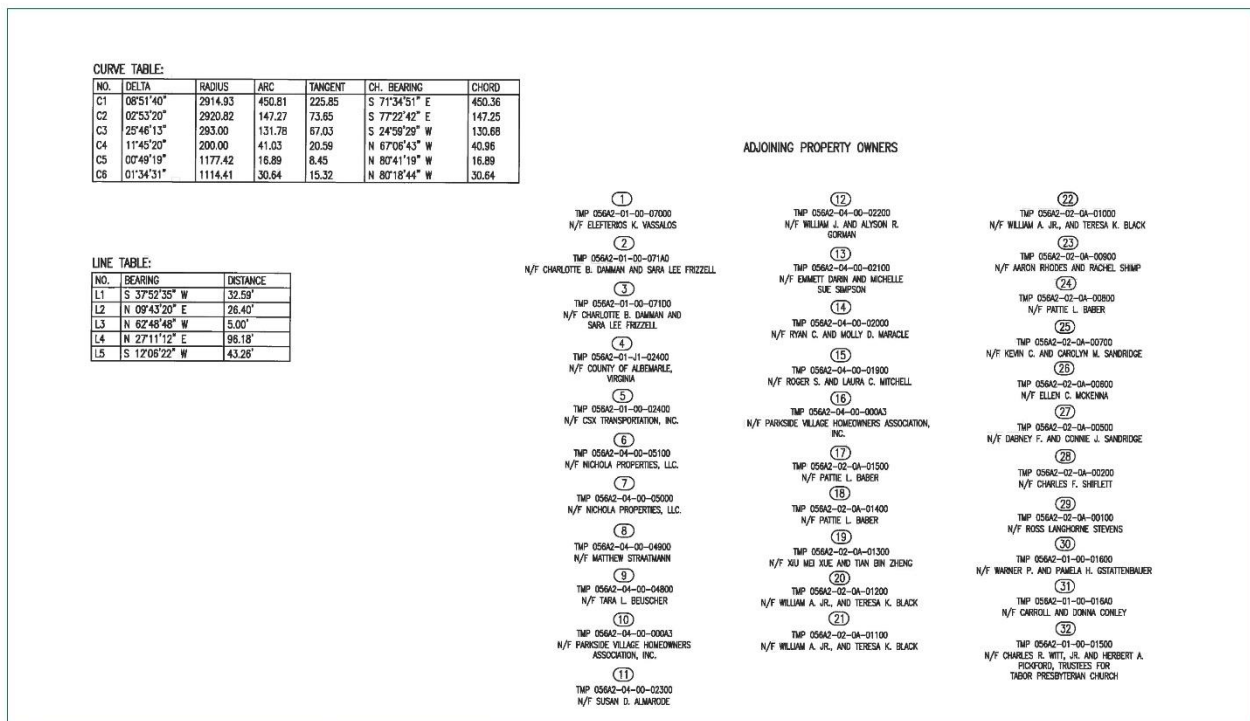
TIMMONS GROUP
YOUR MOST EFFECTIVE DESIGN TEAM



BARNES LUMBER - PHASE 1 CONCEPT PLAN, PLAT

10/02/2017

REVISED 07/22/2019



BARNES LUMBER - PHASE 1 CONCEPT PLAN, PLAT

10/02/2017

REVISED 07/22/2019

Original Proffers _____
Amendment _____

PROFFER STATEMENT

Project Name: Crozet Square (J. Barnes Lumber, Phase 1)

Date: August 8, 2019

ZMA #: ZMA 2010-00018

Tax Map Parcel #: TMP 056A2-01-00-07100 and 056A2-01-00-071B0 (portion) and 056A2-01-00-02500(portion), (the "Property")

Rezone one parcel and portions of two additional parcels totaling 6.2407 acres, more or less, from Heavy Industry (HI) to Downtown Crozet District (DCD) and a portion of one from Commercial (C-1) to Downtown Crozet District (DCD).

Pursuant to Sections 33 of the Albemarle County Zoning Ordinance (Chapter 18 of the Albemarle County Code), the Owner hereby voluntarily proffers the conditions listed herein which shall be applied to the Property if the Zoning Map Amendment identified as ZMA 2010-00018 and referred to as "Crozet Square" (hereinafter the "ZMA"), is approved by the County of Albemarle (the "County"). These conditions are proffered as a part of the requested ZMA and the Owner acknowledges that the conditions are reasonable. These conditions are proffered as a part of the requested ZMA and it is agreed that: (1) the ZMA itself gives rise to the need for the conditions, and (2) such conditions have a reasonable relation to the rezoning requested.

The term "Owner" as referenced herein shall mean the owner of record and successors in interest of the Property.

The Phase 1 Plan shall refer to that certain Application Plan prepared by Timmons Group dated October 2, 2017, and revised July 22, 2019, labeled "Barnes Lumber – Phase 1 Concept Plan, Exhibit A" (hereinafter referred to as "Phase 1 Plan").

The headings of the proffers and conditions set forth below have been prepared for convenience or reference only and shall not control or affect the meaning or be taken as an interpretation of any provisions of the proffers.

This proffer statement shall supersede and replace in all respects the proffer statement approved by the Board of Supervisors on December 21, 2016 in connection with ZMA 2016-20, with regard to the Property.

Each signatory below signing on behalf of the Owner covenants and warrants that they are an authorized signatory of the Owner for this Proffer Statement.

1. Plan of Development

The property shall be developed in general accord with Exhibit A, General Plan of Development for the subject property, titled "Barnes Lumber Phase 1 Concept Plan", prepared by the

Timmons Group, dated 10/2/17, and revised 7/22/19, and must reflect the following elements as shown and noted on the plan:

- Construction and dedication to the County for public use the civic plaza; and
- Construction of the roads shown on the plan (labeled Primary, High St. Ext, Road A, and the extension of existing Library Avenue to High St Ext.).

These elements will be constructed in accord with the terms of the Development Agreement between The County Of Albemarle, The Economic Development Authority of the County of Albemarle, And Crozet New Town Associates, LLC signed and executed as of _____, 2019, and/or their respective successors and assigns.

2. Off Site Transportation Contribution.

Upon demand by the County and approval by VDOT of the final road plans as shown in Exhibit A to be constructed under a revenue share agreement between VDOT and Albemarle County, Owner will undertake, or fund an amount not to exceed \$48,000 for a traffic study to, A) estimate traffic volumes for the 20 year horizon for Crozet Avenue, Eastern Avenue and Route 240, once the Eastern Avenue connection is made and additional residential density has been constructed, and B) prepare a detailed analysis for the 20 year planning horizon to determine what future road and intersection improvements will be helpful for reducing traffic congestion and improving connectivity. The Owner will contribute \$27,000 toward either A), the installation of the required traffic signal if, in the future, warrants are met for a traffic signal at the Crozet Avenue/Library Avenue intersection, or B) other transportation improvements identified that improve the Crozet Avenue/Library Avenue intersection, the Crozet Avenue/Jarmans Gap Road intersection, and/or the intervening section of Crozet Avenue. The contribution shall be paid by Owner when the balance of the funding has been allocated in the County's Capital Improvements Program or VDOT Six Year Improvement Program for either one of the improvements identified in A or B above.

WITNESS the following signature:

Crozet New Town Associates, LLC

By: _____

Frank R. Stoner, Manager

ORDINANCE NO. 19-A(15)
ZMA 2018-00003
ZMA 2005-00017

AN ORDINANCE TO AMEND THE ZONING MAP
FOR TAX PARCELS 09000-00-00-001A0, 090A1-00-00-001E0, AND 07600-00-00-051A0

WHEREAS, the application to rezone 33.96 acres from R2 Residential and Neighborhood Model District (NMD) on Tax Parcels 09000-00-00-001A0, 090A1-00-00-001E0, and 07600-00-00-051A0, including amending a portion of ZMA 2005-00017 Biscuit Run to remove the proffers from Tax Parcel 090A1-00-00-001E0, is identified as ZMA 2018-00003 Southwood Phase I ("ZMA 2018-00003"); and

WHEREAS, on July 23, 2019, after a duly noticed public hearing, the Planning Commission recommended approval of ZMA 2018-00003; and

WHEREAS, on August 21, 2019, the Albemarle County Board of Supervisors held a duly noticed public hearing on ZMA 2018-00003.

BE IT ORDAINED by the Board of Supervisors of the County of Albemarle, Virginia, that upon consideration of the transmittal summary and staff report prepared for ZMA 2018-00003 and their attachments, including the revised Code of Development and the Proffers, the information presented at the public hearings, any written comments received, the material and relevant factors in Virginia Code § 15.2-2284 and County Code § 18-20A.10, and for the purposes of public necessity, convenience, general welfare, and good zoning practices, the Board hereby approves ZMA 2018-00003 with the Code of Development entitled "Southwood Phase I – A Neighborhood Model District – Code of Development" prepared by Timmons Group, dated February 20, 2018, last revised on July 29, 2019, and the Proffers dated August 2, 2019.

* * *



SOUTHWOOD PHASE I
A NEIGHBORHOOD MODEL DISTRICT

CODE OF DEVELOPMENT

February 20, 2018
Revised July 2, 2018
Revised January 7, 2019
Revised March 18, 2019
Revised July 8, 2019
Revised July 29, 2019

TABLE OF CONTENTS

1.0 INTRODUCTION.....	3	TABLE 6: SETBACK + BUILDING REGULATIONS BY BLOCK ILLUSTRATIONS.....	14
FIGURE 1: Vicinity Map.....	3	General Notes Applicable To All Blocks.....	14
FIGURE 2: Regional Context Map.....	3	Internal A7B.....	15
FIGURE 3: Concept Plan.....	4	7.0 GREEN SPACE AND AMENITY REQUIREMENTS BY BLOCK.....	15
2.0 APPLICATION PLAN & CODE OF DEVELOPMENT.....	5	TABLE 7: MINIMUM GREEN SPACE AND AMENITY AREA BY BLOCK SUMMARY.....	15
Context Within Southwood.....	5	FIGURE 8: Conceptual Location of Amenity Areas.....	15
FIGURE 4: Context Within Southwood.....	5	Definitions.....	15
FIGURE 5: Connections to Existing Infrastructure.....	5	Trail Buffer Area.....	15
3.0 BLOCK PLAN – GENERAL DESCRIPTION.....	6	FIGURE 9: Conceptual Landscape Plan: Trail Buffer / Block 2.....	16
Blocks.....	6	Trail Amenities.....	16
Green Space - Blocks 1 and 2.....	6	FIGURE 10: Primitive Trail (left) and Pedestrian Trail (right) Section Diagrams.....	16
Residential and Mixed Use – Blocks 3 through 12.....	6	Pedestrian Connection Area.....	16
Neighborhood Center Special Area.....	6	Active Use Recreational Area.....	16
Residential Village.....	6	8.0 FRAMEWORK STREETS.....	17
Neighborhood Places.....	6	FIGURE 11: Framework Streets Technical Plan.....	17
FIGURE 6: Conceptual Render Interior View of Neighborhood Center Special Area along Hickory.....	6	Framework Streets.....	17
FIGURE 7: Application Plan.....	7	Possible Waiver Streets.....	17
4.0 LAND USES BY BLOCK.....	8	FIGURE 12: Waiver Diagram.....	17
Definitions.....	8	FIGURE 13: Waiver Diagram.....	17
General and Supplemental Regulations.....	8	FIGURE 14: Waiver Diagram.....	17
Parking.....	9	Traffic Impact.....	17
TABLE 1: PARKING SPACE LOCATIONS.....	9	Framework Streets Sections.....	18
Land Uses.....	9	9.0 EVALUATION CRITERIA.....	19
TABLE 2: RESIDENTIAL USES PERMITTED/PROHIBITED BY BLOCK.....	10	Proposed Impact on Public Facilities and Infrastructure.....	20
Residential and Non-Residential Uses Permitted/Prohibited by Block.....	10	Impact on Environmental Features.....	20
TABLE 3: NON-RESIDENTIAL USES PERMITTED/PROHIBITED BY BLOCK.....	11	Strategies for Shared Stormwater.....	20
5.0 DENSITY & SQUARE FOOTAGE BY BLOCK.....	12	Grading.....	20
TABLE 4: DENSITY REGULATIONS BY BLOCK SUMMARY.....	12	10.0 AFFORDABLE HOUSING.....	21
6.0 BUILT FORM REQUIREMENTS BY BLOCK.....	13	11.0 ATTACHMENTS.....	21
TABLE 5: SETBACK + BUILDING REGULATIONS BY BLOCK.....	13	Technical Documents.....	21

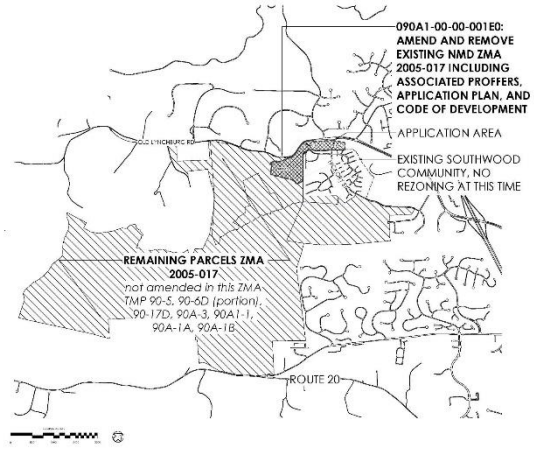
1.0 INTRODUCTION

Redevelopment of Southwood is unique in a number of ways. The most obvious of which is the existing trailer park community. Most development in the Charlottesville/ Albemarle area is greenfield in nature. Traditionally, lands sold by resident landowners are developed for new communities. Southwood is a 100-acre residential trailer park serving the housing needs of roughly 1,500 residents of Albemarle County; residents who are the foundation of the vibrant community and culture that exists today.

The overall development philosophy envisions a multi-phase approach, allowing groups of residents to form multiple cohorts and to design their replacement housing and neighborhoods to their specific needs and desires. The replacement housing site for the first of these cohorts, the early adopters, is geographically located near the center of the first phase.

Southwood is located along Old Lynchburg Road, just south of the City of Charlottesville where the four lane divided street transitions to a two lane rural road (see FIGURE 1: Vicinity Map). The property is within the County's designated development area. It is surrounded by a mixture of residential and institutional/public uses and shares its southern property line with the Biscuit Run State Park (see FIGURE 2: Regional Context Map).

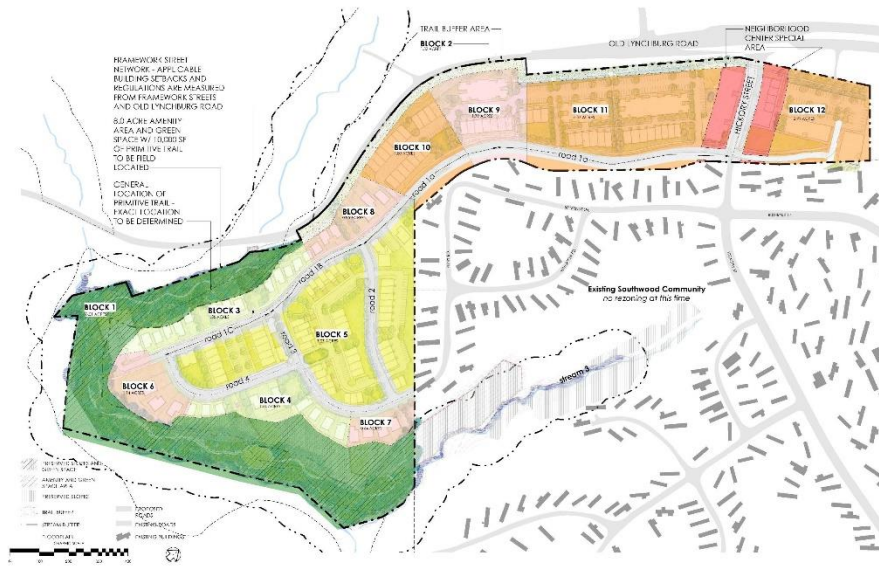
Phase I is planned within the project's undeveloped, thirty-four acres that includes the land swap tract, part of the original Biscuit Run NMD, and perimeter areas that have hidden the trailer park for years. Within this undeveloped acreage, resident planners have provided for a portion of the replacement housing and increased the County's overall stock of affordable housing. The Code of Development establishes dwelling units for a mixture of incomes, non-residential uses, and provides the opportunity to continue the informal services offered within the community into occupations or even small business ventures.

**FIGURE 1: Vicinity Map****FIGURE 2: Regional Context Map**

The resident planners chose to start on greenfield lands to provide a way for the community to redevelop without requiring off site rehousing. Phase I provides for the rehousing needs of a minimum of seventy-five families. As these families relocate into their new homes, redevelopment opportunities open up within the existing trailer park allowing development to "leapfrog" from one area to the next.

Keeping residents on site throughout the development, this plan allows the existing community to continue to be the foundation of the redevelopment. Key components of community, often lost through temporary offsite housing, are preserved. Finally, mixed use, mixed income projects are more sustainable, and the sale of out parcels and lots to builders is critical to fund the project's financial needs.

This document was prepared with the comprehensive participation and approval of the resident planners and represents their approach towards the re-development of their own neighborhood.

**FIGURE 3: Concept Plan**

2.0 APPLICATION PLAN & CODE OF DEVELOPMENT

The following sections of this document include the Application Plan and the Code of Development and are designed to work together to detail the design approach and provide specific metrics for the various design elements. The Code of Development also includes concept drawings, that while not proffered, provide a visual representation of one of the possible outcomes provided through this Code. FIGURE 3: Phase I Concept Plan is one such representation. The drawing shows conceptual locations for the larger manmade elements such as the street network, pedestrian and bicycle facilities, buildings and parking, and public areas.

Context Within Southwood

The Southwood Trailer Park is served by private water and sewer systems. Public water is provided through the park's private water distribution system. Wastewater north of Hickory Street is collected through a private sewer network and eventually conveyed westward to the public sewer system. Wastewater south of Hickory is collected via smaller networks and ultimately treated in septic fields. Both utility systems are aged and failing.

Similarly, the private road network is aged and in need of significant repairs and upgrades to meet current VDOT standards. Probably the most impactful of these upgrades is increasing the width of the roads.

FIGURE 4: Context Within Southwood

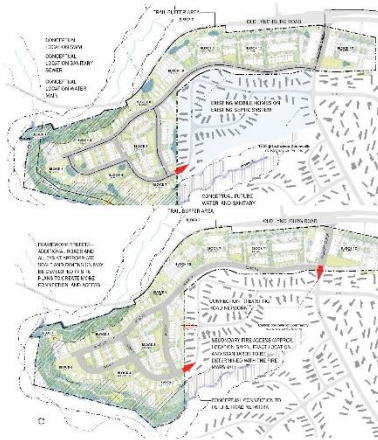


FIGURE 4: Context with Southwood shows how the Phase 1 Concept Plan relates to the existing portions of Southwood. Planning to date suggests that the future development will first continue south of Hickory, in an effort to address the failing septic systems, before continuing into the northern part of the project, which are currently served by sewer.

The exhibit is included to provide a general sense as to how the resident planners see the remainder of the project developing. Their plan identifies conceptual densities, neighborhood centers, special areas and specimen trees.

FIGURE 5: Connections to Existing Infrastructure shows how the proposed infrastructure connects into the existing network of utilities and roadways.

FIGURE 5: Connections to Existing Infrastructure



3.0 BLOCK PLAN – GENERAL DESCRIPTION

The project consists of general areas that are characterized by land use as primarily green space, residential, or mixed use. These areas may also include special designations, such as neighborhood center and placemaking locations, that are specifically identified by the County's Comprehensive Plan or through resident engagement.

Blocks

Land use, density regulations, and built form characteristics in Southwood Phase 1 are governed by blocks. The layout of the blocks is established by the framework street network shown in FIGURE 7: Application Plan. Applicable setbacks and building regulations with the blocks are measured from framework streets and Old Lynchburg Road. Approximate acreages of each block are provided in the supporting tables. The actual acreage of each block may deviate by 15%.

Green Space – Blocks 1 and 2

Blocks 1 and 2 designate green space along the perimeter of the development. While other blocks contain additional green spaces, these two blocks are used to protect environmental features such as floodplain, stream buffer, and preserved slopes, provide visual softening and screening and offer a natural amenity to the larger community.

Residential and Mixed Use – Blocks 3 through 12

These blocks are primarily designated for residential use, although non-residential uses are allowed in blocks 3-12. Density and intensity of non-residential uses vary by block with a bias towards single family attached and detached units with occasional home occupation type uses on the southern and eastern edge of the project and multi-family with commercial businesses in Block 12. Block 12, designated for mixed use LIHTC funding, is being pursued to help further increase the County's stock of affordable housing.

Neighborhood Center Special Area

The County's Comprehensive Plan identifies a neighborhood center along the initial section of Hickory Street. As such, the Code of Development focuses the most intense and highest density uses in this area. The area is defined as the area between Old Lynchburg Road and Bitternut Lane. Through the use of building heights, existing and new buffers, building setbacks, and top floor stepbacks, the built form standards accommodate higher density and frame Hickory Street while ensuring pedestrian orientation and guiding the focus away from Old Lynchburg Road and towards the first internal intersection.

Residential Village

Block 5 is the heart of the residential neighborhood and it is intended to host the majority of Southwood rehousing and allow for the most flexibility in design and use per site conditions and the Code of Development. This area will provide a mixture of housing types and allow for smaller residential groupings on public or private amenities or streets. Alleys, greenways, and/or internal sidewalk connections between residences and public amenities are permitted.

Neighborhood Places

Blocks 6, 7, 8, and 9 mediate intensity and provide connection. For example, the Block 8 area provides a transition from higher density of Blocks 10 through 12 to the less intense residential uses in Blocks 3 through 5. These blocks provide a pedestrian connection from the street network to the perimeter trail network. These blocks also provide an opportunity for a distinct identity, achieved either through use, form, intensity, or as a place to gather and connect to the natural area and trail amenity. Within these blocks are "place-making" reference points that suggest transition and connection between the developed community and the natural amenity and trail system while creating a varied pedestrian experience and destination 'nodes' along the streets.



FIGURE 6: Conceptual Render Interior View of Neighborhood Center Special Area along Hickory

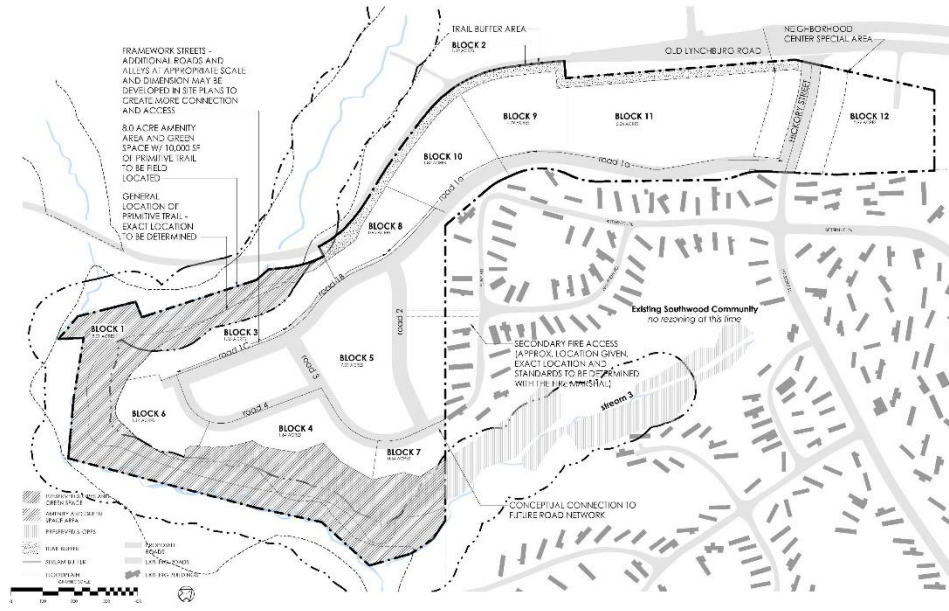


FIGURE 7. Application Plan

4.0 LAND USES BY BLOCK**Definitions**

The following definitions supplant those found within Chapter 18 of the Albemarle County Code and in some cases define new uses and supplemental design standards.

Accessory Apartments: A separate, independent dwelling unit clearly subordinate to the principal single-family dwelling unit, as distinguished from a duplex, or other two-family dwelling.

Flexible Use Structure: A separate, independent, accessory structure detached from or attached to, and located on the same parcel as the principal single-family dwelling unit, as distinguished from a duplex, or other two-family dwelling.

Event Hall: A community space to be maintained by the neighborhood association or some other third-party organization or business, that can accommodate a variety of special events, public assemblies, and celebrations open to rent to the neighborhood and outside community. The event hall shall comply with minimum parking requirements for public assemblies in compliance with the Albemarle County Zoning Ordinance.

Urban Agriculture: An agricultural use as defined in Chapter 18 Section 3 of the Albemarle County Zoning Ordinance notwithstanding any accessory processing facilities other than allowable accessory units, structures, and/or sheds and including the keeping of allowable animals as described below.

General and Supplemental Regulations

Accessory Apartments: Each accessory apartment shall be subject to the following:

- Not more than one (1) accessory apartment, attached or detached, shall be permitted with any single-family dwelling.
- The gross floor area devoted to an accessory apartment shall have a minimum gross floor area of 200 square feet and not exceed 1,000 square feet or 50% of total gross floor area of the main dwelling unit, whichever is greater.
- The gross floor area of an accessory apartment shall not be included in calculating the gross floor area of the main dwelling unit for uses such as home occupations as provided in sections 5.2 and 5.2A and other similar uses in this chapter whose area within a dwelling unit is regulated.
- An accessory apartment shall enjoy all accessory uses available to the main dwelling, except that no accessory apartment shall be permitted as accessory to another accessory apartment.
- An accessory apartment shall be provided with a minimum of one (1) off-street parking space, arranged so that each parking space shall have reasonably uninhibited access to the street, subject to approval of the zoning administrator.
- A single-family dwelling which adds an accessory apartment shall be deemed to remain a single-family dwelling and shall be considered one (1) dwelling unit for purposes of area and bulk regulations of the district in which such dwelling is located. Accessory Apartments will not count against the overall dwelling unit allowances.

- The owner must reside in the main dwelling to which the apartment unit is accessory or the apartment unit itself.

Flexible Use Structure: Each Flexible Use Structure shall be subject to the following:

- Not more than one (1) Flexible Use Structure, attached or detached, shall be permitted with any single-family dwelling.
- The gross floor area devoted to a Flexible Use Structure shall have a minimum gross floor area of 200 square feet and not exceed 1,000 square feet or 50% of total gross floor area of the main dwelling unit, whichever is greater.
- The gross floor area of the Flexible Use Structure shall not be included in calculating the gross floor area of the main dwelling unit for uses such as home occupations as provided in sections 5.2 and 5.2A and other similar uses in this chapter whose area within a dwelling unit is regulated.
- Maximum footprint area of Flexible Use Structures shall be limited to 1,000 square feet or 50% of total gross floor area of the main dwelling unit, whichever is greater.
- Minimum height of Flexible Use Structures shall be to 10 feet. Maximum height shall be limited to equal or less than that of the main building.
- All Flexible Use Structures shall be located in the rear or side of the lot. Notwithstanding any other requirements of this Code of Development, Flexible Use Structure setbacks shall be the same as for the principal building with which it shares a lot, except for the rear or side yard setback, which shall be a minimum of (3) three feet.
- A single-family dwelling which adds a Flexible Use Structure shall be deemed to remain a single-family dwelling and shall be considered one (1) dwelling unit for purposes of area and bulk regulations of the district in which such dwelling is located. Flexible Use Structure will not count against the overall dwelling unit allowances.
- A Flexible Use Structure may contain a dwelling unit and/or any Home Occupation Class B subject to special use permit and home occupation processes and regulations. A Flexible Use Structure may be a combination of allowed uses, subject to permitting processes and regulations.
- A Flexible Use Structure requires one (1) dedicated parking space unless the Flexible Use Structure is a dwelling with three or more bedrooms, in which case the Flexible Use Structure will require two (2) parking spaces.

Agricultural Use: An agricultural use shall be permitted on lots comprised of detached single-family dwellings and attached or semi-detached single-family dwellings (duplexes and townhomes) subject to the following:

- The agricultural use may take place on a parcel subject to the following size requirements:
 - The side and rear yard (yard) shall be at least 30% of the associated dwelling's footprint.
 - This yard space shall incorporate a chicken coop or other adequate covered structure and shall be fenced (ref. adequate shelter Chapter 4 section 100 (5) of the Albemarle County Code).
- Coops or structures must meet accessory structure setbacks (411.2).
- The parcel shall have a fly-proof container for animal waste.
- Hens, goats, or bees may be permitted on the parcel subject to the following:
 - No more than 7 hens.
 - No more than 2 goats.
 - Beekeeping is permitted per County Ordinance.
 - On-site slaughter of one of each animal type is permitted per calendar year.
- Agricultural uses shall not require additional parking requirements beyond compliance with the parking regulations for dwellings as described in this Code of Development.

Alley Parking: Perpendicular or parallel parking off of the alley.

Community Garden: A parcel on which gardening is the primary use.

Stand-alone Parking: Stand-alone parking must be accessory to a use in Phase I. This use may be residential, in which case the parking shall serve residential uses within the Southwood neighborhood. See parking section for regulations about the location of stand-alone parking - it is not required that parking requirements be met on a parcel.

Amenity-Oriented Lots: Notwithstanding Chapter 18 sections 4.61 and 4.62 of the County Zoning Ordinance, attached and detached residential units with the front of the lot facing a grass or landscaped mall, park, green space, open space, garden, or any other similar amenity area ("amenity") are permitted throughout the development, provided that the amenity must be at least thirty feet (30') in width, and an open area, from face of building to face of building must remain at forty feet (40') in width. The lot frontage may be obtained by the amenity rather than a public or private street.

Mixed Use: Mixed Use in a single building (residential and non-residential) are permitted.

Parking

Parking areas with 5 or more spaces must be relegated from Framework Streets and provided at rear of lots whenever possible. At a minimum, parking areas with 5 or more spaces must be behind the front face of the building. Parking areas with 5 or more spaces must be screened in accordance with Chapter 18 section 32.7.9.7. Safe pedestrian access from the parking spot to the associated building, parcel, or amenity or to a sidewalk must be provided for parking areas with 5 or more spaces. Requirements of Chapter 18 section 4.12 apply except for the following:

Modification of Location Requirements for Parking Spaces: The parking requirements for all residential and non-residential uses may be met on-street, off-street, off an alley, in a parking lot, in a stand alone parking lot, or in some similar parking situation as described in TABLE 1 so long as the total number of required parking spaces for the total number of residential and non-residential units are provided across

the project. It is not required that parking requirements be met on a parcel. Calculations shall be balanced at each subdivision plat submission and parking is to be within a 300' radius of the furthest entrance on the associated building.

Opportunities for stand alone parking accessory to a use shall be permitted for work or supplementary vehicles to decrease the demand on on-street and off-street parking within a 1/4 mile of any lot it serves or be located on a public transportation route.

Opportunities for shared parking and shared driveways shall be permitted.

Modification of Parking Requirements for Blocks 9-12: As an aggregate total, the ratio of parking spaces to residential dwelling units (as determined by density count) will be a minimum of 1.5 spaces per dwelling unit.

TABLE 1: PARKING SPACE LOCATIONS						
UNIT TYPE	(PARKING REQUIREMENTS MAY BE MET IN ANY OF THE FOLLOWING LOCATIONS)					
	(OFF-SITE) STAND ALONE PARKING LOT OR BAY	ON-SITE (OFF-STREET)	ALLEY PARKING	ON-STREET PARKING	GARAGE PARKING	ON OR OFF-SITE SHARED PARKING
SINGLE-FAMILY (DETACHED) CARRIAGE HOUSES, DUPLEXES, TOWNHOMES, AND OTHER DETACHED AND ATTACHED UNITS		X	X	X	X	X
APARTMENTS AND MULTIFAMILY	X	X	X	X	X	X
TOURIST LODGING, BOARDING HOUSE	X	X	X	X	X	X
NON-RESIDENTIAL USES	X	X	X	X	X	X

Land Uses

All uses that reference a section of the Albemarle County Ordinance are to include all uses, definitions, and interpretations as specified in the aforementioned ordinance reference unless a use, otherwise listed in the ordinance reference, is separately and explicitly listed in the use lists within this Code of Development. In this case, the zoning administrator shall refer to the separate listing for this specific use.

The zoning administrator, after consultation with the director of planning and other appropriate officials, may permit as a use by-right, a use not specifically permitted; provided that such use shall be similar to uses permitted by-right in general character and more specifically, similar in terms of location requirements, operational characteristics, visual impact, and traffic generation.

Residential and Non-Residential Uses Permitted/Prohibited by Block

TABLE 2: RESIDENTIAL USES PERMITTED/PROHIBITED BY BLOCK												
	Greenspace/amenity area		Trail buffer									
	Block 1	Block 2	Block 3	Block 4	Block 5	Block 6	Block 7	Block 8	Block 9	Block 10	Block 11	Block 12
Accessory Uses and Buildings, including storage buildings	-	-	P	P	P	P	P	P	P	P	P	P
Home Occupation, Class A (S.2)	-	-	P	P	P	P	P	P	P	P	P	P
Detached Single Family	-	-	P	P	P	P	P	P	P	P	P	P
Boarding House	-	-	P	P	P	P	P	P	P	P	P	P
Family Day Home (S.1.56)	-	-	P	P	P	P	P	P	P	P	P	P
Group Home (S.1.07)	-	-	P	P	P	P	P	P	P	P	P	P
Multifamily	-	-	P	P	P	P	P	P	P	P	P	P
Semi-detached and attached single family including duplexes and townhomes	-	-	P	P	P	P	P	P	P	P	P	P
Tourist Lodging (S.1.17)	-	-	P	P	P	P	P	P	P	P	P	P
Accessory Apartment	-	-	P	P	P	P	P	P	P	P	P	P
Flexible Use Structure	-	-	P	P	P	P	P	P	P	P	P	P
Home Occupation, Class B (S.2)	-	-	SP	SP	SP	SP	SP	SP	SP	SP	SP	SP

Note: All Residential Lots shall be outside of stream buffers, preserved slopes, and floodplains.



TABLE 3. NON-RESIDENTIAL USES PERMITTED/PROHIBITED BY BLOCK												
Non-residential uses	Block 1	Block 2	Block 3	Block 4	Block 5	Block 6	Block 7	Block 8	Block 9	Block 10	Block 11	Block 12
Farmers Market (S.1.47)	P	P	-	-	P	P	P	P	P	P	P	P
Public Uses: electric, gas, oil and communication facilities, excluding tower structures, owned and operated by a public utility	P	P	P	P	P	P	P	P	P	P	P	P
Uses permitted by right within floodway fringe in accordance with 30.5.05.1.2 of the Zoning Ordinance	P	P	P	P	-	-	-	-	-	-	-	-
Uses permitted by special use permit within floodway fringe in accordance with 30.5.05.2.2 of the Zoning Ordinance	SP	SP	SP	SP	SP	SP	SP	SP	SP	SP	SP	SP
Stormwater management facilities	P	P	P	P	P	P	P	P	P	P	P	P
Public recreational facilities	P	P	P	P	P	P	P	P	P	P	P	P
Tier I and Tier II wireless service facilities (S.1.40)	P	P	-	-	-	-	-	-	-	P	P	P
Public playgrounds and parks	P	P	P	P	P	P	P	P	P	P	P	P
Urban Agriculture	P	P	P	P	P	P	P	P	P	P	P	P
Community Garden	P	P	-	-	-	P	P	P	P	P	P	P
Retail store or service (22.2.1a/b)	-	-	P	P	P	P	P	P	P	P	P	P
Eating establishment	-	-	P	P	P	P	P	P	P	P	P	P
Storage yard	-	-	P	P	P	P	P	P	P	P	P	P
Religious assembly	-	-	P	P	P	P	P	P	P	P	P	P
Public uses	-	-	P	P	P	P	P	P	P	P	P	P
Community center (S.1.040/S.1.27) or neighborhood center	-	-	P	P	P	P	P	P	P	P	P	P
Temporary construction uses (S.1.18)	-	-	P	P	P	P	P	P	P	P	P	P
Stand-alone parking structures	-	-	P	P	P	P	P	P	P	P	P	P
Mixed Use	-	-	P	P	P	P	P	P	P	P	P	P
Day care, child care or nursery facility (S.1.05)	-	-	-	-	-	SP	SP	SP	P	P	P	P
Assisted living	-	-	-	-	-	P	P	P	P	P	P	P
Private school	-	-	-	-	-	-	-	-	P	P	P	P
Laundromat	-	-	-	-	-	-	-	-	P	P	P	P
Financial Institution	-	-	-	-	-	-	-	-	P	P	P	P
Medical Office	-	-	-	-	-	-	-	-	P	P	P	P
Professional Offices	-	-	-	-	-	-	-	-	P	P	P	P
Clubs and Lodges (S.1.02)	-	-	-	-	-	-	-	-	P	P	P	P
Laboratories/Research/Development/Testing	-	-	-	-	-	-	-	-	P	P	P	P
Manufacturing/Processing/Assembly/Fabrication	-	-	-	-	-	-	-	-	P	P	P	P
Event Hall (S.1.27)	-	-	-	-	-	-	-	-	P	P	P	P
Indoor Athletic Facilities	-	-	-	-	-	-	-	-	P	P	P	P
Commercial Recreational Establishment	-	-	-	-	-	-	-	-	P	P	P	P
Funeral Home	-	-	-	-	-	-	-	-	P	P	P	P

5.0 DENSITY & SQUARE FOOTAGE BY BLOCK

Table 4 Provides the metrics for development of each block. These metrics are subject to the following conditions:

- (1) The final acreage and number of dwelling units per block may vary by 15% so long as the number of dwelling units does not exceed the total minimums and maximums allowed across the entire development.
- (2) The total minimum number of dwelling units shall be achieved.
- (3) The total maximum number of dwellings shall not be exceeded.
- (4) At least two (2) different residential building typologies shall be provided in Blocks 3-5 and 10-11.
- (5) The total gross maximum square footage of non-residential uses shall not exceed 50,000 square feet.
- (6) Retail stores and services in blocks 3 - 8 shall not exceed a ground footprint of 1,600 net square feet.
- (7) Eating establishments in blocks 3 - 8 shall not exceed a ground footprint of 1,600 net square feet.

TABLE 4. DENSITY REGULATIONS BY BLOCK SUMMARY						
LAND USE DESIGNATION	BLOCK	DENSITY RANGE (units / acre)	AREA (ac)	RESIDENTIAL USES		NON-RESIDENTIAL USES
				MINIMUM DWELLING UNITS	MAXIMUM DWELLING UNITS	MAXIMUM NON-RESIDENTIAL BUILDING (SF)
GREEN SPACE & BUFFER	1	0	8.0	0	0	0
	2	0	1.3	0	0	0
NEIGHBORHOOD DENSITY	3	3 - 6	1.4	4	12	5,000
	4	3 - 6	1.5	5	14	
URBAN DENSITY RESIDENTIAL VILLAGE	5	6 - 18	7.1	60	127	10,000
NEIGHBORHOOD MIXED USE / NEIGHBORHOOD PLACES	6	0 - 28	1.1	0	31	
	7	0 - 18	0.6	0	12	
	8	0 - 18	1.0	0	17	
	9	0 - 34	1.8	0	61	20,000
URBAN DENSITY MIXED USE	10	6 - 34	1.8	11	62	
	11	6 - 34	5.4	20	162	
	12	6 - 34	3.0	13	102	30,000
TOTAL MIN. AND MAX ALLOWED DWELLING UNITS AND NON-RESIDENTIAL SQUARE FOOTAGE			34.0	150	450	50,000

6.0 BUILT FORM REQUIREMENTS BY BLOCK

REQUIREMENT	BLOCKS 3 – 4	BLOCK 5	BLOCKS 6 – 9	BLOCKS 10-12	NEIGHBORHOOD CENTER SPECIAL AREA 115' measured on both sides from Hickory Street right-of-way
BUILDING HEIGHT MIN MAX	NO MIN 3 STORIES OR 35'	NO MIN 3 STORIES OR 40'	NO MIN 3 STORIES OR 45'	2 STORIES 4 STORIES OR 45'	2 STORIES 4 STORIES OR 50'
FRONT SETBACK MIN MAX	5' 25'	5' 25'	5' 25'	5' 18' ^A	FRONTS SHALL ORIENT TOWARDS HICKORY 10' 28' ^A
STEPBACK ^B MIN AT BUILDING HEIGHT OF	NA	NA	15' ^C 40'	15' ^C 40'	15' ^E 3 STORIES OR 45'
SIDE SETBACK MIN MAX	5' NO MAX	5' NO MAX	5' NO MAX	5' NO MAX	NO MIN NO MAX
REAR SETBACK MIN MAX	NO MIN NO MAX	5' NO MAX	5' NO MAX	5' NO MAX	NO MIN NO MAX
TRAIL BUFFER SETBACK ^D MIN MAX	NA	NA	BLOCKS 6 – 8: NA BLOCKS 9-10: MIN/NO MAX	20' MIN NO MAX	0' MIN NO MAX
GARAGE SETBACK ^G FRONT ACCESS MIN/MAX	TO COMPLY WITH 4.19 ^F NO MAX	FRAMEWORK STREET FACING GARAGE OPENINGS AND/OR GARAGE DOORS ARE NOT ALLOWED IN THESE BLOCKS. ALL GARAGE ACCESS MUST BE SIDE LOADED OR RELEGATED TO THE REAR OF THE BUILDING			
MAX PORCH AND DECK ENCROACHMENT	4'	4'	4'	4'	9'
MAX DRIVE AND OVERHANG ENCROACHMENT	2'	2'	3'	3'	3'
SINGLE BUILDING FOOTPRINT MAX NON-RESIDENTIAL	3,000 SF	3,000 SF	10,000 SF	30,000 SF	30,000 SF
STREET FACING BUILDING LENGTH MIN MAX NON AIR PASSAGE WIDTH	NO MIN 200' 10'	NO MIN 200' 10'	NO MIN 200' 10'	NO MIN 200' 10'	50' 275' 10'

^A Up to an additional 22' of front setback may be provided for non-residential and mixed-use buildings for use as a front patio or courtyard and shall not exceed 25% of the length of the front facade.

^B In Block 11, for buildings over two (2) stories adjacent to the trail buffer, parking and/or drive aisles shall be between the building and the trail buffer.

^C The wall plane of all street facing garages must be set back a minimum distance of three feet (3') from the primary street facing building facade.

^D A setback is not required for buildings with a front setback of at least 15'.

^E Setbacks apply to non-residential and multifamily residential buildings only.

^F Coops, other agricultural use structures, and other accessory buildings except for Flexible Use Structures and Accessory Apartments must meet accessory structure setbacks (4.11.2).

^G Flexible Use Structures as defined in the Code of Development have the same minimum setbacks as the principal buildings with which they share a lot except for rear and side setbacks, which shall be a minimum of 5'.

Page 13 of 21
7/29/2019 4:11 PM

SOUTHWOOD PHASE I – A NEIGHBORHOOD MODEL DISTRICT – CODE OF DEVELOPMENT JULY 8, 2019 REV. JULY 29, 2019

	BLOCKS 3 – 4	BLOCK 5	BLOCKS 6 – 9	BLOCKS 10-12	NEIGHBORHOOD CENTER SPECIAL AREA 115' measured on both sides from hickory street right-of-way
SUMMARY ILLUSTRATIVE TRIANGLE					
SUMMARY ILLUSTRATIVE SECTION THROUGH BLOCKS 3-12					

General Notes Applicable To All Blocks:

- All buildings adjacent to a Framework Street must have a minimum of one primary entrance facing the Framework Street. Corner buildings (facing two Framework Streets) may choose which Framework Street will receive the primary entrance.
- Floor to Floor height for the ground floor as measured from the Finish Floor Elevation facing Hickory Street, will be a minimum of 12'-0" regardless of use for buildings in the Neighborhood Service Special Area.
- Building height is defined per Albemarle County Zoning Ordinance.
- Side and rear minimum setbacks for any primary structure shall be constructed and separated in accordance with the current edition of the building code, side setbacks for buildings that share a common wall may be 0'.

- Street Facing Building Length is defined as the single or aggregate combined length of any building(s) facing a framework street without an open air passage to the rear of the parcel or a courtyard.
- All max building heights shall allow for exceptions and projections per 4.10.3.2 and 4.10.3.3 of the zoning ordinance. When the maximum height regulation in the TABLE 5 is given in feet and stories, it shall be limited to whichever value is less.
- Setbacks are measured from any Framework Street right-of-way, or back of sidewalk if sidewalk is outside of right-of-way, lot line, or trail buffer, if one is present, or Old Lynchburg Road.

Page 14 of 21
7/29/2019 4:11 PM

Internal ARB

An internal Southwood Architectural Review Board will review individual submissions for a new building or village's compliance with the Southwood Phase 1 Neighborhood Model Code of Development's architecture, landscaping, buffer, screening and other standards as set forth herein. The ARB's specific guidelines governing the quality and characteristics of the Character Areas will be determined, maintained, and periodically updated by the Southwood Architectural Review Board. The ARB will be established prior to issuance of first building permit, and will be comprised of at least 51% Southwood residents, and will remain in place at least until the issuance of the final certificate of occupancy for Phase 1.

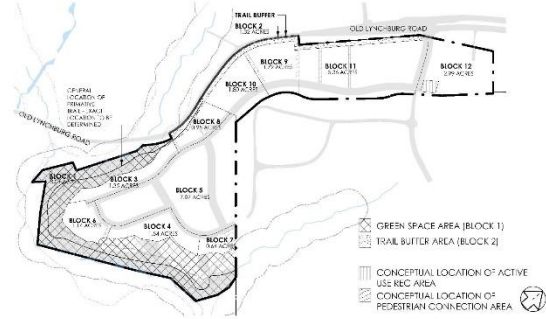
7.0 GREEN SPACE AND AMENITY REQUIREMENTS BY BLOCK

BLOCK	STEEP SLOPES	OPEN SPACE	TRAIL & PATH AMENITY	RECREATIONAL AMENITY & CIVIC SPACES	MINIMUM RECREATIONAL AMENITIES & CIVIC SPACE	TOTAL GREEN SPACE (AC)	TOTAL AMENITY (SF)
1	1.90	5.97	0.23		2,000 LF Class B type 1 primitive trail	8.00	10,000
2	0.10	1.10	0.20		1,940 LF Class B type 2 pedestrian trail	1.4	8,700
3							
4							
5-8			0.12	0.11	500 SF neighborhood park 600 LF Class B type 2 trails ^B 4,000 SF neighborhood park or recreational amenity ^C	0.23	10,500
9-11			0.5	0.13	500 SF neighborhood park 2,170 LF Class B type 2 trails ^B 5,000 SF recreational amenity ^C	0.63	22,700
12				0.15	6,500 of active use recreational area	0.15	6,500
TOTAL	1.90	7.07	1.05	0.39		10.41	58,400

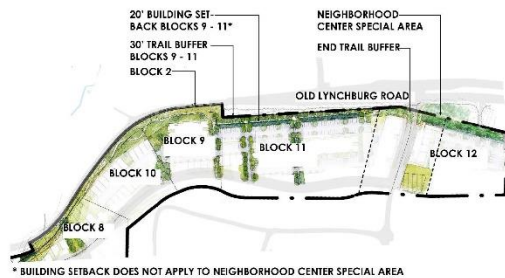
^A Three pedestrian connections distributed across blocks 6, 7, and 8.

^B Four pedestrian connections distributed across blocks 9, 10 and/or 11.

^C Space requirement is cumulative and may be provided using not more than 6 spaces, none of which can be smaller than 300 SF distributed across Block.

**FIGURE 8: Conceptual Location of Amenity Areas****Definitions****Trail Buffer Area**

The Trail Buffer Area, also known as Block 2, is an undisturbed or replanted landscaped buffer area with a trail and a minimum buffer width of 30', measured from the property line along Old Lynchburg Road. This Trail Buffer Area may be disturbed for trail construction, maintenance, and support, and any necessary grading, so long as the trail and plantings are replaced. The characteristics of the trail in this area will be equal to or better than 'Class B type 2 high maintenance pedestrian path' as described by the Albemarle County Standard and Design Manual - Engineering (page 20, year 2019). The Trail Buffer Area shall be planted with a mixture of deciduous and evergreen trees and shrubs to be approved by the director of planning. See FIGURE 9: Conceptual Landscape Plan for illustrative concept of plantings in the Block 2 Trail Buffer Area and for the relationship between the Block 2 Trail Buffer Area, proposed trail setbacks, and buildings in the blocks along Old Lynchburg Road, Blocks 9 - 12.

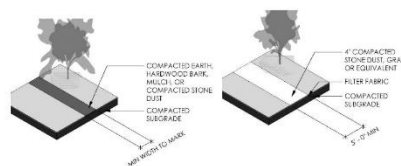
**FIGURE 9: Conceptual Landscape Plan: Trail Buffer / Block 2****Trail Amenities**

An important amenity of this project is a pedestrian trail originating within the 8.0 acre green space area of Block 1 and continuing within a 1.3 acre Trail Buffer Area of Block 2, which is to be used for passive use recreational activity. The field-located trail amenity is to be within a quarter-mile of any residential unit in the Phase 1 Southwood Development. The trail may connect to any existing or future network of trails and sidewalks internal to the Southwood neighborhood and is intended to help complete and connect to any potential future regional trails built by others in this southwestern area of the County. The trail network is to be consistent with the County's design standards for a 'Class B type 1 primitive trail' in Block 1 and 'Class B type 2' in Block 2. The general location of the trail is shown in FIGURE 8: Conceptual Location of Amenity Areas and FIGURE 9: Conceptual Landscape Plan: Trail Buffer; however, exact trail locations shall be determined by the Owner based on site conditions.

Pedestrian Connection Area

The Pedestrian Connection Area is a landscaped area with a minimum total width of 10' which must include a pedestrian and cyclist path with a minimum travel width of 5'. The characteristics of this path will be equal to or better than 'Class B-type 2 high maintenance pedestrian path' as described by the Albemarle County Standard and Design Manual - Engineering (page 20, year 2019). These areas will connect the Framework Street sidewalk network to either the Block 2 Trail Buffer Area or the primitive trail within Block 1. Pedestrian Connection Areas may be interrupted by future roads, alleys, or parking travelways and are not required to be continuous. The characteristics of the landscape plantings in the Pedestrian Connection Area contain a mix of trees, shrubs, and ground cover. Within each 100 foot length of Pedestrian Connection Area, the planting mix will contain a minimum quantity and variable

locations/groupings of the following materials in addition to the trail surface: 4 flowering trees, 4 medium shrubs. See TABLE 7: GREEN SPACE AND AMENITY AREAS BY BLOCK for required locations and quantity and FIGURE 8: Conceptual Location of Amenity Areas for conceptual locations of the Pedestrian Connection Areas.

**FIGURE 10: Primitive Trail (left) and Pedestrian Trail (right) Section Diagrams****Neighborhood Park**

A Neighborhood Park is defined as a minimum of 500 sf of contiguous land that is suitable for providing passive gathering and/or unprogrammed open space for the neighborhood. The area must be accessible from a public way by pedestrians. The primary function of this space is to provide community-accessible green and open space for the neighborhood and the features and amenities within the Neighborhood Park will be determined by resident planners at site plan.

Recreational Amenity

A Recreational Amenity is defined as a minimum of 500 sf of contiguous land that is suitable for a variety of recreational activities. The area must have adequate drainage and proper proportions for recreational activities and gathering. This area must be open to the public and must be accessible from a public way by pedestrians and cyclists. The area may be used for a variety of active-use recreational activities, such as a basketball or sport court, sport field, playground, or some other use or uses to be determined by resident planners at site plan. Amenities and facilities appropriate to the recreational use or uses must be provided.

Active Use Recreational Area

The Active Use Recreational Area is defined as a minimum of 6,500 sf of contiguous land that is suitable for a variety of recreational activities. The area must have adequate drainage and proper proportions for recreational activities and for players and spectators to gather. This area must be open to the public and must be accessible from Hickory Street by pedestrians and cyclists. This area may have a variety of functions during any given day, week, season, or year and is intended to be flexible to serve multiple purposes, however, use as a community-accessible neighborhood-scale active recreational soccer field must be possible.

8.0 FRAMEWORK STREETS

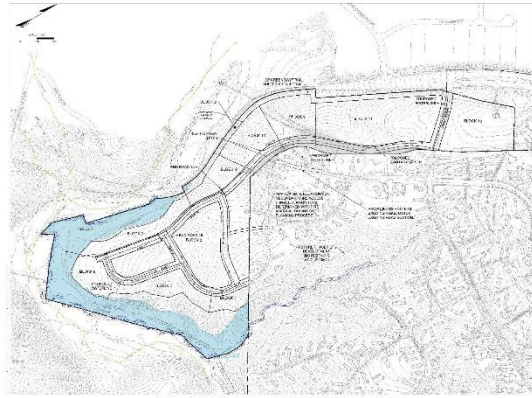


FIGURE 11: Framework Streets Technical Plan

Framework Streets

The street and pedestrian system for Phase 1 at Southwood is envisioned as the connective framework between the main entrance from Old Lynchburg Road at Hickory and the residential development of Southwood Phase 1. The main framework road system sets up the first phase of a neighborhood center and 'main street' along road 1A from Blocks 9 through 11 as it travels north to south toward Blocks 3 through 8. The internal street system throughout Blocks 3 through 8 provides a safe neighborhood street system with a variety of on street parking options, with block dimensions that reinforce the scale and configuration of the community, maximizing connection and minimizing dead-ends and cul de sacs. Associated with the street system is a system of sidewalks and pedestrian connection areas that separates pedestrians from vehicles. This system provides safe and coherent connections between various areas of the community and links the network of internal sidewalks to the trail system at specifically identified pedestrian connection areas.

The scale and configuration of road types vary in relationship to the density of development. If additional roads are designated at Site Planning, these additional roads will not be considered framework streets

and will serve more utilitarian purposes and these non-framework streets may be private and secondary. All streets are intended to be public right-of-way where possible. The road sections on the following page conform to Albemarle County and VDOT standards. The location and the design of framework street sections are intended to provide the Southwood neighborhood with safe, pedestrian and neighborhood-friendly streets.

Possible Waiver Streets

In addition to the framework street sections provided within this Code of Development, the neighborhood is considering waivers to allow for road elements that deviate from current County and VDOT Standards. These modified road sections will continue to provide safe streets while integrating specific resident values and site constraints. As shown in FIGURES 12 – 14, these possible road waiver sections focus on two values: calming traffic to provide safe pedestrian experience and appropriately reducing the width of the right-of-way to allow more space for housing and amenities.



FIGURE 12: Waiver Diagram Reverse location of the planting strip and the sidewalk provides the perception of larger front yards and increased green space



FIGURE 13: Waiver Diagram A Yield Street allows for a reduced travel lane and provides on-street parking to calm traffic

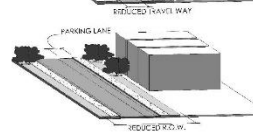
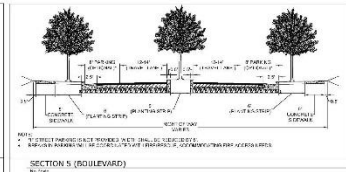
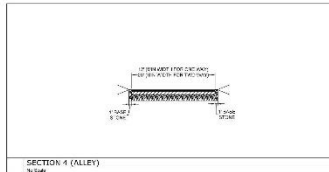
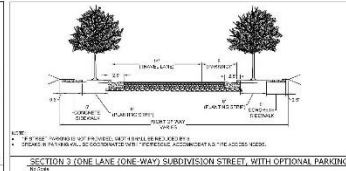
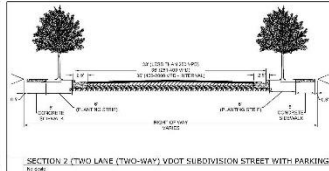
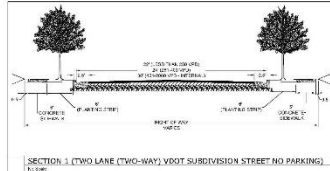


FIGURE 14: Waiver Diagram To allow for a reduced sidewalk next to the curb adjacent to parking lane will reduce the actual width of the right-of-way and provide protection for the pedestrian

Traffic Impact

The actual non-residential square footage and number of dwelling units will not exceed an additional daily vehicle trip count of 5,000 for the entire Southwood development, TMDs 90A1-1E, 90-1A, 76-51A, 90A1-1D, 90A-4, and 90A-1C. Each subdivision plat or site plan within the Property shall designate the daily vehicle trip count provided and must be approved by VDOT.

Framework Streets Sections

SECTION	1	2	3	4	5
HICKORY STREET**	X	X			X
ROAD 1A*	X	X			
ROAD 1B	X	X			
ROAD 1C	X	X	X		
ROAD 2	X	X			
ROAD 3	X	X			
ROAD 4	X	X	X		

* SIDEWALK AND PLANTING ASSOCIATED WITH THE SOUTH SIDE OF ROAD 1A MAY BE CONSTRUCTED DURING THE CONSTRUCTION AND DEVELOPMENT OF FUTURE PHASES.
** A 6' BIKELANE WILL BE ADDED TO THE CHOSEN STREET SECTION FOR HICKORY STREET ON THE CLIMBING SIDE, WITH THE OPTION TO ADD ONE TO THE DOWNHILL SIDE OR PROVIDE SHARP PAVEMENT MARKINGS. BIKE LANES ARE OPTIONAL ON ALL OTHER STREETS AND MAY BE PROVIDED AT SITE PLANNING STAGE.

9.0 EVALUATION CRITERIA

As envisioned in the purpose and intent of the Neighborhood Model District set forth in Chapter 18, section 20.A.1 of the Zoning Ordinance, the Plan of Development for Southwood has been designed to further the following principles:

Pedestrian orientation This plan envisions sidewalks on all framework street as well as a 3,200 foot trail running from the entrance along Old Lynchburg Road through Block 2 to the 8.0 acre amenity area of Block 1, providing pedestrians with varied and secure options for mobility through all areas of Phase I. Because of this redundant system, there may be locations where it would be appropriate to have sidewalk present on only one side of any framework street.

Neighborhood friendly streets and paths Streets will be designed with traffic-calming techniques that will result in slow-moving traffic and minimized road widths to the extent allowed. Building setbacks appropriate to building scale will create a built form that addresses the street. The proposed path through the natural areas will increase the community's ability to access existing natural resources.

Interconnected streets and transportation networks The main road network proposed for Phase I sets a framework for developing a modified grid that both adapts to, and preserves the landscape to the extent possible. It enables an interconnected street system that will make travel intuitive. This network has been established with the opportunity for logical connections into the future phases of Southwood redevelopment and to the future Biscuit Run Park. This plan prioritizes a continuation and augmentation of the existing transportation partnership between the City of Charlottesville and Albemarle County which brings bus service to Southwood.

Parks and open space as amenities This plan proposes the preservation of more than 9 acres of natural green space and amenity areas made up of sensitive ecological zones such as floodplain, stream buffer and steep slopes, as well as newly created recreational amenities and civic spaces, all to maintain the area's natural setting and feeling of tranquility in the future redevelopment. Potential connections to future county and regional trails and the existing amenities in the Southwood community such as trails, parks and sport courts will be able to provide multiple varied recreational opportunities to this development.

Neighborhood centers The Neighborhood Center Special Area marks the intersection of Hickory Street and Old Lynchburg Road. This area serves as the entrance to the new Southwood, and as such is the most appropriate area for more intensive uses. Building regulations at this area support an appropriate scale to create non-residential opportunities and an activated street edge. The Neighborhood Places in Blocks 6 - 9 also provide opportunities for neighborhood commercial entities that would support the new neighborhood.

Buildings and spaces of human scale Maximum building heights proposed in this rezoning enable an urban form at a pedestrian-friendly scale. Pedestrian-centered street design and continuous sidewalks invite the neighborhood to engage with their community and create a neighborhood with a strong sense of place.

Relegated parking This plan envisions alleys in addition to main roads to allow for rear-loaded parking whenever appropriate, feasible, and allowable, and to minimize curb cuts. The parking plan allows flexible

solutions like surface lots, on-street parking and shared driveways to allow for ample parking that can be responsive to exact site and conditions the future development presents. The parking requirements will allow Southwood residents to have flexibility in locating required residential parking spaces to allow the neighborhood design flexibility to meet resident need. The project is within a half-mile of an existing bus stop in the adjacent Southwood Neighborhood. The project intends to encourage additional bus stops within the development when possible. The project also intends to encourage bike connectivity to a trail network outside of the Southwood Community.

Mixture of uses and types Phase I allows for a wide range of commercial and residential uses, with the most intensive uses focused in Blocks 9 - 12 along Old Lynchburg Road, and less intensive uses in Blocks 3 - 8. There are opportunities for commercial uses that act primarily as support services to the residential development in Blocks 3 - 8. The uses proposed in this Zoning Map Amendment have been designated by community leaders and have been memorialized in the enclosed use tables.

Mixture of housing types and affordability The Habitat homeownership model alongside innovative outside partnerships will provide sustainable affordable products available to a wide range of area median incomes. There will be ownership or rental structures to fit with the goals and aspirations of the community and the market. The Code of Development allows for a wide range of housing types such as single-family detached, single-family attached, townhomes, duplexes, apartments, and flexible use structures. Within blocks 3-5 and 10-11, at least two of those such housing types will be provided to ensure a varied built environment. Proactive financial coaching has already begun within the community to best prepare residents for their future housing goals.

Site planning that respects terrain The team of landscape architects and environmental engineers that have been advising the redevelopment of Southwood have taken into consideration the unique conditions and topography present on this site. The road network's curvilinear design responds directly to existing grades and promotes the preservation of the natural areas at the edges of the site. All development shall comply with Chapter 18 section 30.7 of the Albemarle County Zoning Ordinance.

Clear boundaries with rural areas Southwood is located at the southern edge of the growth area and is bordered to the south by County-leased parkland, serving as a natural and abundant barrier between this residential urban development and the rural areas to the south. The nearest rural areas are 0.5 miles to the west and 1.5 miles to the south. The Application Plan includes a 30' wide trail buffer from Hickory Street south along Old Lynchburg Road.

Consistency with the Comprehensive Plan Southwood is part of Albemarle County's Southern and Western Development Area, which calls for an Urban Density Residential development with up to 34DU/acre and mixed-income, mixed-use development. The maximum density proposed in this rezoning application is 34DU/acre and is contained to the most dense section of Blocks 10 - 12, diminishing to a maximum of 6DU/acre in the more residential sections of Blocks 3 - 4. The building regulations identify a Neighborhood Center as identified by the Comprehensive Plan, and the Trail Buffer Area of Block 2 along Old Lynchburg Road supports the designation of a "greenway" in that area.

Proposed Impact on Public Facilities and Infrastructure

The Phase I development of Southwood will connect to the existing internal road Hickory Street, connecting approximately 330' south of Hickory Street's intersection with Old Lynchburg Road. This first phase does not contemplate large improvements at the intersection with Old Lynchburg Road, but does anticipate upgrading Hickory Street to the intersection for the entrance to Phase I. Future phases and rezonings will continue to analyze these areas for additional improvements. A traffic study has contemplated total future build out to ensure long term development requirements are not missed during the early stages of the development.

Both water and sanitary utilities are located in the area. The existing sanitary line, which follows the stream, along the south end of the parcel, is well positioned to accept the flow from the first phase of development. Connection to the existing sanitary line will need to be designed and constructed with care, as it is located in the Water Protection Ordinance buffer, however connections of this type are allowed per the ordinance.

The existing waterline network that is located in Southwood runs to a master meter. With the completion of the Southwood Phase I project, it is anticipated that the neighborhood will continue to utilize the existing master meter. All new taps will connect into the water main in Old Lynchburg Road, allowing a service to be brought in to feed the first phase of development. The extension of this service will allow for individual meters to be set for each use, including both residential type units and commercial spaces. Coordination with the Rivanna Water and Sewer Authority and Albemarle County Service Authority has begun and will continue through the life of this project, including both during the rezoning application and the site plan/subdivision plan submissions. Because Southwood has existing water and sewer users, it is anticipated that redevelopment will be credited with an equal number of residential tap fees. Conversations have already begun with RWSA to coordinate through the site planning phases to calculate for these tap fee credits.

The development of Southwood also allows for the potential to extend access to a trail system and/or what may be Biscuit Run Park. This trail system will allow residents and the community to enjoy the natural areas and terrain, including the stream that runs along the western and southern borders of Phase I.

Impact on Environmental Features

This site is surrounded by natural features, such as streams, small areas of wetlands, and steep slopes. Each of these features defines this area and has become important to the resident community to be preserved and honored in the development of this first phase. Members of the resident design team have walked the site and acknowledged the environmental features that make it unique, focusing on ways to preserve and integrate each of these areas into the first phase of development.

The infrastructure and potential layouts carefully consider preserving these areas, while also making them accessible, allowing the environmental features of the area to be available for resident enjoyment. This access will be through a trail network developed in coordination with the Parks and Recreation department.

The streams and wetlands on the site will be preserved in a way to honor the natural habitats associated with each in partnership with the County of Albemarle. Restoration of some of the streams is being

contemplated. In addition, critical slopes are being honored along the south end of the property and stormwater and sanitary pipes will be located as to minimize disturbance of steep slopes and environmental features. When utilities are required to pass through steep slopes, all grades will be restored to their predevelopment state.

Strategies for Shared Stormwater

Blocks 3-8 will feature a mix of residential type units, but will primarily be of a lower density, resulting in less impervious surface and therefore a lower amount of required water quality treatment. Conversely, Blocks 9-12 will feature a more dense development, having a higher ratio of impervious surface and a greater need for water quality treatment. While all blocks will look to use non-proprietary measures such as bioretention, infiltration, and preservation of wooded areas, Blocks 9-12 will most likely require some form of proprietary treatment such as cartridge filtration or permeable pavers. While all water quality measures approved by DEQ will be a part of our toolbox during design, we will have a focus on the different areas as noted. Additionally, off-site water quality credits, in accordance with DEQ may also be used to meet requirements.

Additionally, Southwood redevelopment, in partnership with Albemarle County staff, is simultaneously exploring a potential pilot project with the Department of Environmental Quality (DEQ) to pursue stream restoration as an on-site stormwater quality best management practice. However, as that is not yet an approved BMP, the other options, previously mentioned and shown on the concept plan can be implemented if it is determined that stream restoration does not meet the state requirements for water quality treatment.

Water quantity requirements will be met on-site by outfalling directly to the stream, within the 100 year floodplain. Providing a stormwater outfall at this location will better move water through the drainage shed, versus allowing the upstream volume and flow to catch up to the on-site runoff.

Grading

An overlot grading plan and final design of retaining walls shall be reviewed and approved in conjunction with the site and subdivision development plans for Southwood Phase I. Retaining walls shall be a maximum of six (6) feet in height, as measured from the top of wall to the finished grade at the bottom of the wall. The overall retained height may exceed six (6) feet with multiple stepped walls or, at the discretion of the Director of Community Development, in a single wall.

10.0 AFFORDABLE HOUSING

The Owner shall provide affordable housing equal or greater to fifteen percent (15%) of the total number of residential dwelling units constructed on the Southwood Property, subject to the following conditions:

- a. These units may be created as for-sale or rental. The Owner reserves the right to meet the affordable housing objective through a variety of housing types, including but not limited to single family detached, single family attached, multifamily, accessory units, and Flexible Use Structures. ("Affordable Units")
- b. "For-Sale Affordable Housing Units" shall be a residential unit offered for sale to Qualifying Families with incomes less than eighty percent (80%) of the area median income. All purchasers of for-sale affordable units shall be approved by Habitat for Humanity of Greater Charlottesville or Albemarle County Office of Housing or its designee. The Owner shall provide Habitat or the County or its designee a period of 120 days to identify and pre-qualify an eligible purchaser for the affordable units. The 120-day period shall commence upon written notice from the Owner that the units will be available for sale. This notice shall not be given more than 90 days prior to the anticipated receipt of the certificate of occupancy. If Habitat or Albemarle County or its designee does not provide a qualified purchaser within this 120-day period for such For-Sale Affordable Housing Units, the Owner shall have the right to sell the unit(s) without any restriction on sales price or income of the purchaser(s).
- c. "For-Rent Affordable Housing Units" shall be a residential unit offered at an initial rent that does not exceed the then-current and applicable maximum net rent rate approved by the Albemarle County Housing Office. "Net Rent" is defined as the amount of rent not including any tenant-paid utilities. Notwithstanding the foregoing, the monthly Net Rent may be increased by three percent per year following the first year of tenancy and still be deemed affordable. The designated affordable rental units shall remain affordable for a minimum of 10 years after initial occupancy.
- d. Affordable Units shall also be defined as any residential unit rented or sold to a current resident of the existing Southwood community with housing costs capped at 30% of the family's income.
- e. Each subdivision plat or site plan shall designate the number of affordable units provided and the minimum number of required affordable units per the Code of Development.

11.0 ATTACHMENTS**Technical Documents**

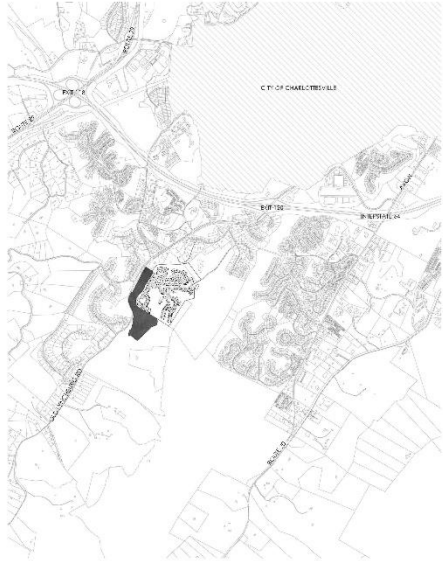
Attached as a part of this Code of Development is a set of Technical Documents for the Project describing Impact on the Planned Development District, Existing Conditions, the Application Plan, Technical Road Grading Plan, Conceptual Utilities, Conceptual Stormwater Management Facility Locations, and Framework Street Sections.

REZONING APPLICATION PLAN FOR

SOUTHWOOD REDEVELOPMENT PHASE 1 NEIGHBORHOOD MODEL

TAX MAP 90 & 76, PARCELS 09000-00-00-001A0, 090A1-00-00-001E0, 07600-00-00-051A0
SCOTTSVILLE DISTRICT, ALBEMARLE COUNTY, VIRGINIA ZMA 2018-003

VICINITY MAP



PROPERTY INFORMATION

APPLICANT: HABITAT FOR HUMANITY GREATER CHARITIES, INC.
PROJECT: SOUTHWOOD REDEVELOPMENT PHASE 1
LOCATION: 1000 SOUTHWOOD DRIVE, SCOTTSVILLE, VA 22950
ZONING: ZMA 2018-003
PARCELS: 09000-00-00-001A0, 090A1-00-00-001E0, 07600-00-00-051A0
OWNER: ALBEMARLE COUNTY
DEVELOPER: HABITAT FOR HUMANITY GREATER CHARITIES, INC.

BASE INFORMATION

DATE OF SUBMITTAL: 01/07/2019
DATE OF MEETING: 01/07/2019
MEETING LOCATION: ALBEMARLE COUNTY BOARD OF SUPERVISORS
MEETING AGENDA: 1. PRESENTATION BY APPLICANT
2. PUBLIC COMMENT
3. BOARD OF SUPERVISORS DISCUSSION
4. BOARD OF SUPERVISORS ACTION
5. ADJOURNMENT

APPLICATION PLAN NOTES

1. THE APPLICANT REQUESTS A ZONING AMENDMENT FROM ZMA 2018-003 TO ZMA 2018-004 FOR THE PROJECT SITE.
2. THE PROJECT SITE IS CURRENTLY ZONED ZMA 2018-003.
3. THE PROJECT SITE IS CURRENTLY ZONED ZMA 2018-003.

DRAWINGS INDEX

01.01 SITE PLAN
01.02 SITE PLAN
01.03 SITE PLAN
01.04 SITE PLAN
01.05 SITE PLAN

REGIONAL CONTEXT MAP

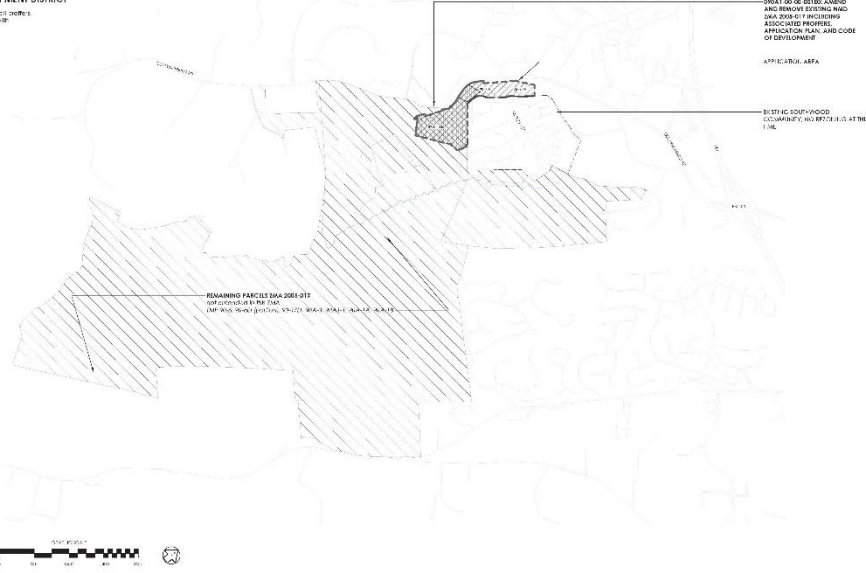
IMPACT ON PLANNED DEVELOPMENT DISTRICT

GENERAL PROJECT INFORMATION

Name of Project: Southwood Phase I
IMP: 090A1-00-00-001-0
Existing ZMA to be Amended: ZMA-2018-003/1

AMENDING EXISTING PLANNED DEVELOPMENT DISTRICT

SEE THE JACOBS GROUP'S PRELIMINARY DRAFT ZONING MAP FOR THE PROJECT SITE.
DATE OF SUBMITTAL: 01/07/2019
DATE OF MEETING: 01/07/2019
MEETING LOCATION: ALBEMARLE COUNTY BOARD OF SUPERVISORS
MEETING AGENDA: 1. PRESENTATION BY APPLICANT
2. PUBLIC COMMENT
3. BOARD OF SUPERVISORS DISCUSSION
4. BOARD OF SUPERVISORS ACTION
5. ADJOURNMENT



Project: Southwood Phase I

Date: 01/07/2019
Charlottesville, VA 22902

Habitat for Humanity
Greater Charities, Inc.

Project: ZMA 2018-003

Project: COVER SHEET

Project: 01/07/2019
Date: 01/07/2019
Charlottesville, VA 22902

Habitat for Humanity
Greater Charities, Inc.

Project: TIMMONS GROUP

Project: waterstreet studio

Project: BRW

Project: 01/07/2019
Date: 01/07/2019
Charlottesville, VA 22902

Project: Southwood Phase I

Date: 01/07/2019
Charlottesville, VA 22902

Habitat for Humanity
Greater Charities, Inc.

Project: ZMA 2018-003

Project: REGIONAL CONTEXT
MAP & PARCEL
OVERVIEW

Project: 01/07/2019
Date: 01/07/2019
Charlottesville, VA 22902

Habitat for Humanity
Greater Charities, Inc.

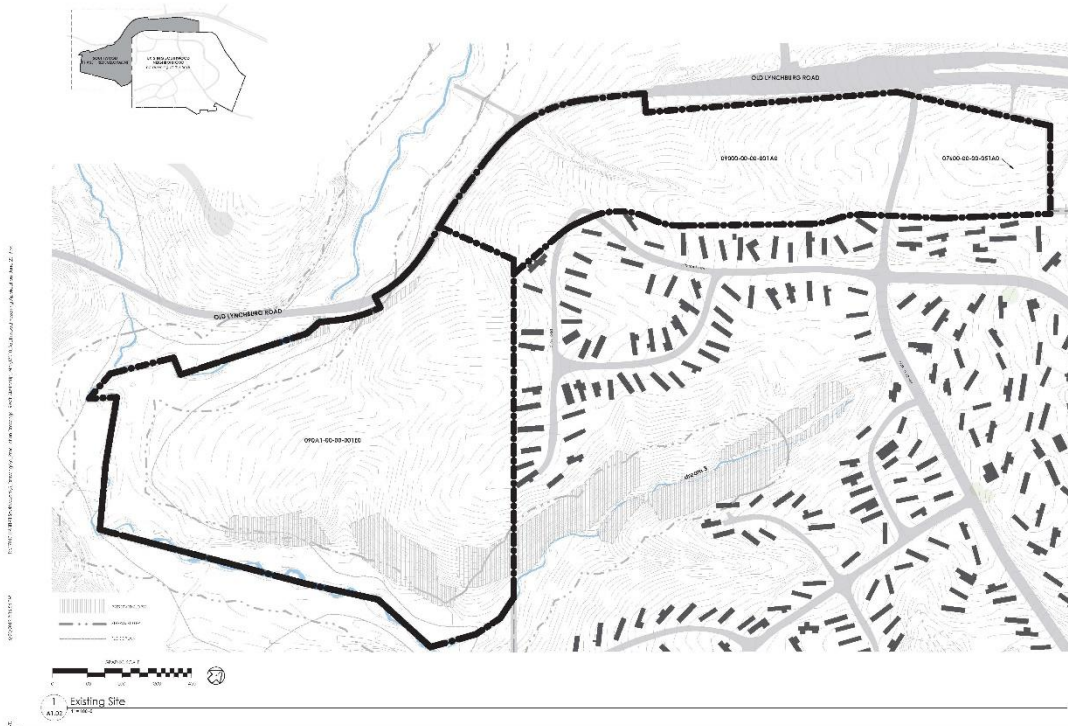
Project: TIMMONS GROUP

Project: waterstreet studio

Project: BRW

Project: 01/07/2019
Date: 01/07/2019
Charlottesville, VA 22902

DOI: 10.1002/anie.200500000

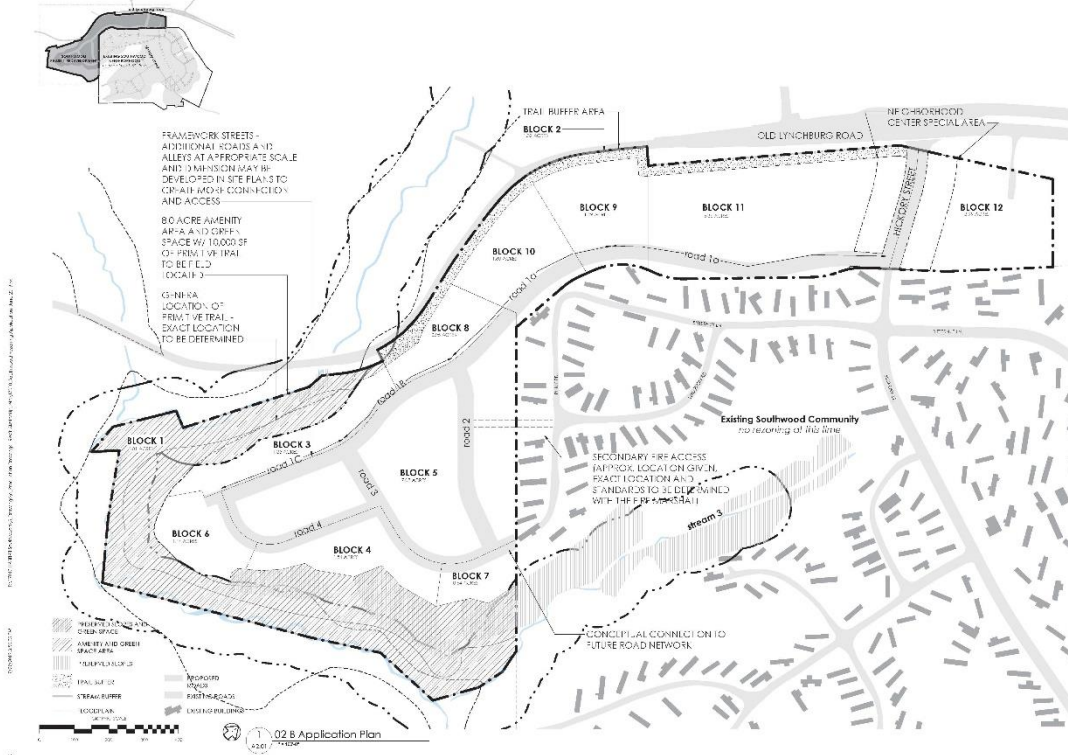


BRW BOOK REVIEW

2000-2001
2001-2002
2002-2003
2003-2004
2004-2005
2005-2006
2006-2007
2007-2008
2008-2009
2009-2010
2010-2011
2011-2012
2012-2013
2013-2014
2014-2015
2015-2016
2016-2017
2017-2018
2018-2019
2019-2020
2020-2021
2021-2022
2022-2023
2023-2024
2024-2025
2025-2026
2026-2027
2027-2028
2028-2029
2029-2030
2030-2031
2031-2032
2032-2033
2033-2034
2034-2035
2035-2036
2036-2037
2037-2038
2038-2039
2039-2040
2040-2041
2041-2042
2042-2043
2043-2044
2044-2045
2045-2046
2046-2047
2047-2048
2048-2049
2049-2050
2050-2051
2051-2052
2052-2053
2053-2054
2054-2055
2055-2056
2056-2057
2057-2058
2058-2059
2059-2060
2060-2061
2061-2062
2062-2063
2063-2064
2064-2065
2065-2066
2066-2067
2067-2068
2068-2069
2069-2070
2070-2071
2071-2072
2072-2073
2073-2074
2074-2075
2075-2076
2076-2077
2077-2078
2078-2079
2079-2080
2080-2081
2081-2082
2082-2083
2083-2084
2084-2085
2085-2086
2086-2087
2087-2088
2088-2089
2089-2090
2090-2091
2091-2092
2092-2093
2093-2094
2094-2095
2095-2096
2096-2097
2097-2098
2098-2099
2099-2100
2100-2101
2101-2102
2102-2103
2103-2104
2104-2105
2105-2106
2106-2107
2107-2108
2108-2109
2109-2110
2110-2111
2111-2112
2112-2113
2113-2114
2114-2115
2115-2116
2116-2117
2117-2118
2118-2119
2119-2120
2120-2121
2121-2122
2122-2123
2123-2124
2124-2125
2125-2126
2126-2127
2127-2128
2128-2129
2129-2130
2130-2131
2131-2132
2132-2133
2133-2134
2134-2135
2135-2136
2136-2137
2137-2138
2138-2139
2139-2140
2140-2141
2141-2142
2142-2143
2143-2144
2144-2145
2145-2146
2146-2147
2147-2148
2148-2149
2149-2150
2150-2151
2151-2152
2152-2153
2153-2154
2154-2155
2155-2156
2156-2157
2157-2158
2158-2159
2159-2160
2160-2161
2161-2162
2162-2163
2163-2164
2164-2165
2165-2166
2166-2167
2167-2168
2168-2169
2169-2170
2170-2171
2171-2172
2172-2173
2173-2174
2174-2175
2175-2176
2176-2177
2177-2178
2178-2179
2179-2180
2180-2181
2181-2182
2182-2183
2183-2184
2184-2185
2185-2186
2186-2187
2187-2188
2188-2189
2189-2190
2190-2191
2191-2192
2192-2193
2193-2194
2194-2195
2195-2196
2196-2197
2197-2198
2198-2199
2199-2200
2200-2201
2201-2202
2202-2203
2203-2204
2204-2205
2205-2206
2206-2207
2207-2208
2208-2209
2209-2210
2210-2211
2211-2212
2212-2213
2213-2214
2214-2215
2215-2216
2216-2217
2217-2218
2218-2219
2219-2220
2220-2221
2221-2222
2222-2223
2223-2224
2224-2225
2225-2226
2226-2227
2227-2228
2228-2229
2229-2230
2230-2231
2231-2232
2232-2233
2233-2234
2234-2235
2235-2236
2236-2237
2237-2238
2238-2239
2239-2240
2240-2241
2241-2242
2242-2243
2243-2244
2244-2245
2245-2246
2246-2247
2247-2248
2248-2249
2249-2250
2250-2251
2251-2252
2252-2253
2253-2254
2254-2255
2255-2256
2256-2257
2257-2258
2258-2259
2259-2260
2260-2261
2261-2262
2262-2263
2263-2264
2264-2265
2265-2266
2266-2267
2267-2268
2268-2269
2269-2270
2270-2271
2271-2272
2272-2273
2273-2274
2274-2275
2275-2276
2276-2277
2277-2278
2278-2279
2279-2280
2280-2281
2281-2282
2282-2283
2283-2284
2284-2285
2285-2286
2286-2287
2287-2288
2288-2289
2289-2290
2290-2291
2291-2292
2292-2293
2293-2294
2294-2295
2295-2296
2296-2297
2297-2298
2298-2299
2299-2300
2300-2301
2301-2302
2302-2303
2303-2304
2304-2305
2305-2306
2306-2307
2307-2308
2308-2309
2309-2310
2310-2311
2311-2312
2312-2313
2313-2314
2314-2315
2315-2316
2316-2317
2317-2318
2318-2319
2319-2320
2320-2321
2321-2322
2322-2323
2323-2324
2324-2325
2325-2326
2326-2327
2327-2328
2328-2329
2329-2330
2330-2331
2331-2332
2332-2333
2333-2334
2334-2335
2335-2336
2336-2337
2337-2338
2338-2339
2339-2340
2340-2341
2341-2342
2342-2343
2343-2344
2344-2345
2345-2346
2346-2347
2347-2348
2348-2349
2349-2350
2350-2351
2351-2352
2352-2353
2353-2354
2354-2355
2355-2356
2356-2357
2357-2358
2358-2359
2359-2360
2360-2361
2361-2362
2362-2363
2363-2364
2364-2365
2365-2366
2366-2367
2367-2368
2368-2369
2369-2370
2370-

[illegible]

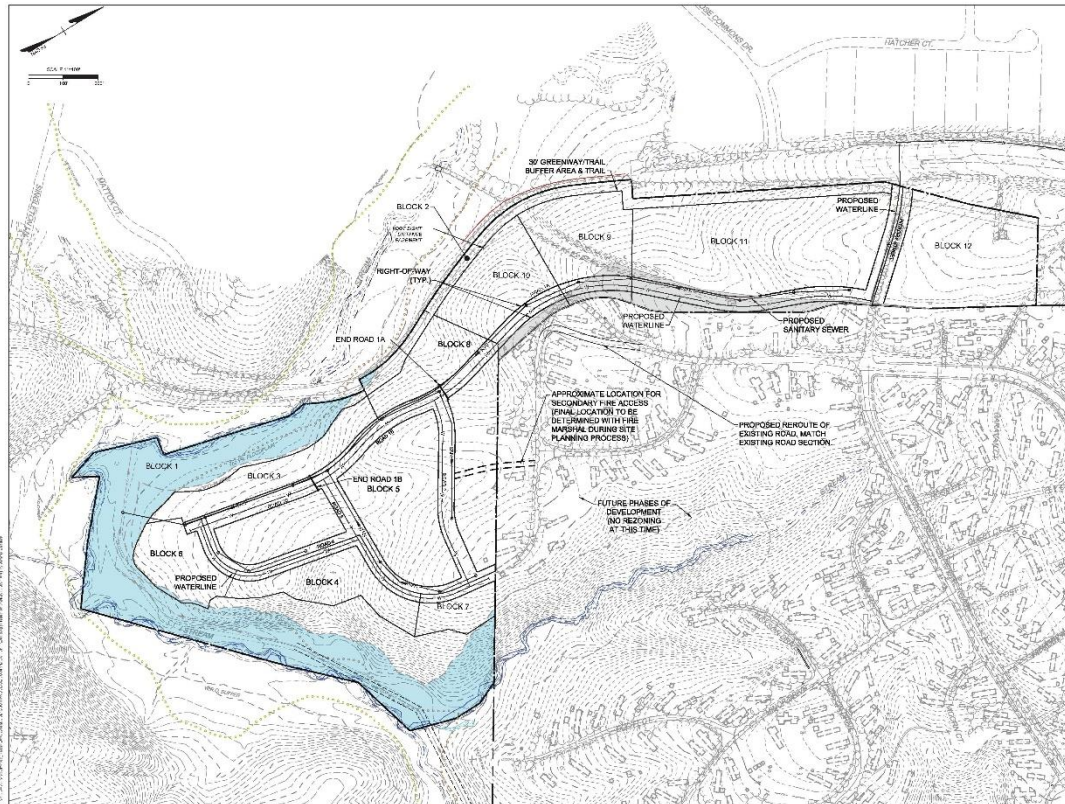
DOI: 10.1002/for



BRW
H O U S E

1000 G Street, N.E.
Washington, D.C. 20002
Tel: 202/462-6080
Fax: 202/462-6090
www.brucewheeler.com

0.000000	0.000000
0.000000	0.000000



PROJECT
Southwood Phase I

2021 City of Greater
Charlottesville, VA 22907

CLIENT
Habitat for Humanity
Greater Charlottesville

SCALE
1" = 170' 0"

PROJECT
APPLICATION PLAN

DATE
01/20/2021

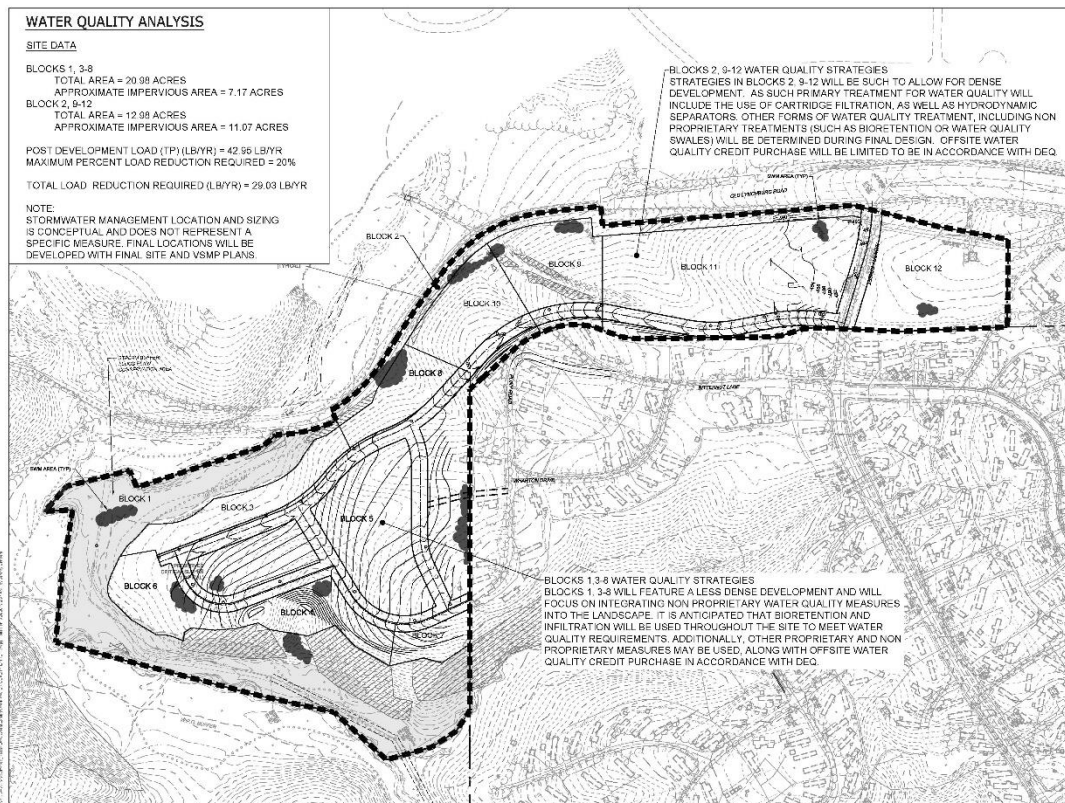
DESIGNED BY
TIMMONS GROUP

waterstreet studio

BRW

REVISION
DATE

1
01/20/2021
A2.02



PROJECT
Southwood Phase I

2021 City of Greater
Charlottesville, VA 22907

CLIENT
Habitat for Humanity
Greater Charlottesville

SCALE
1" = 170' 0"

PROJECT
CONCEPT
BIOROW PLAN

DATE
01/20/2021

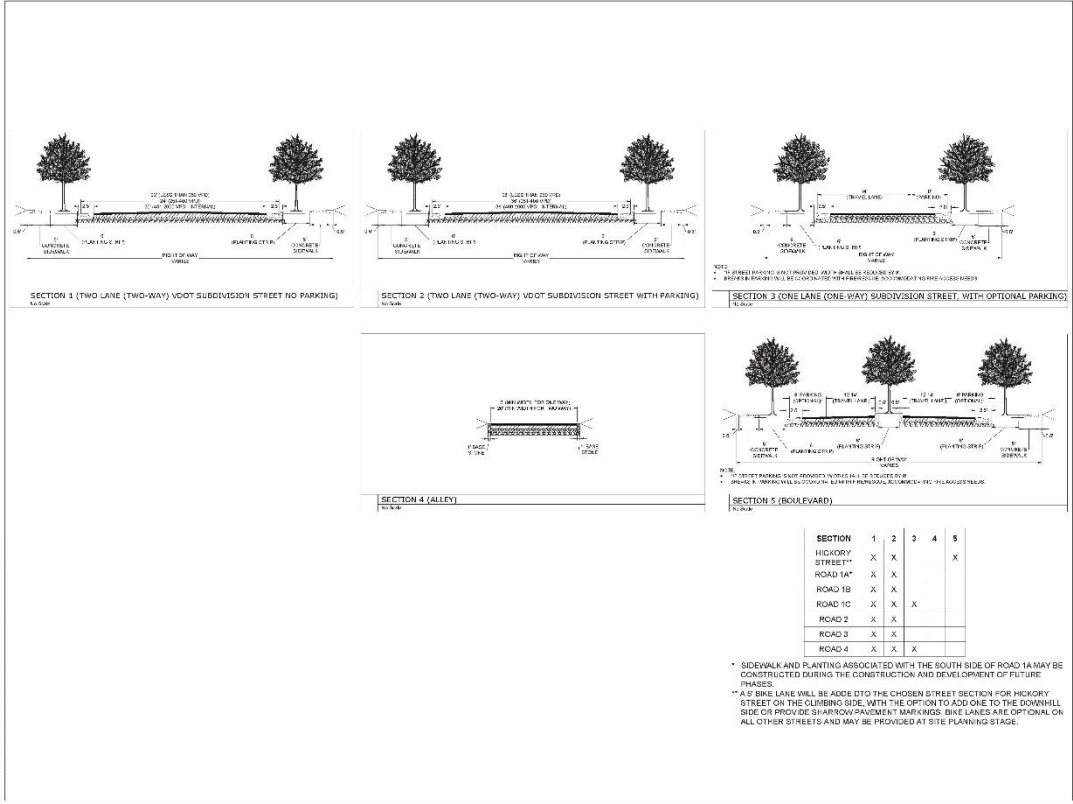
DESIGNED BY
TIMMONS GROUP

waterstreet studio

BRW

REVISION
DATE

1
01/20/2021
A2.03



10/20/2020 10:00 AM 10/20/2020 10:00 AM 10/20/2020 10:00 AM 10/20/2020 10:00 AM 10/20/2020 10:00 AM

Southwood Phase I
8270 Southwood
Charlotte, NC 28210

Habitat for Humanity
Greater Charlotte

170' 0"

ROAD SECTIONS

10/20/2020 10:00 AM 10/20/2020 10:00 AM 10/20/2020 10:00 AM 10/20/2020 10:00 AM 10/20/2020 10:00 AM

Habitat for Humanity
Greater Charlotte

waterstreet studio
10/20/2020 10:00 AM 10/20/2020 10:00 AM 10/20/2020 10:00 AM 10/20/2020 10:00 AM 10/20/2020 10:00 AM

BRW
10/20/2020 10:00 AM 10/20/2020 10:00 AM 10/20/2020 10:00 AM 10/20/2020 10:00 AM 10/20/2020 10:00 AM

10/20/2020 10:00 AM 10/20/2020 10:00 AM 10/20/2020 10:00 AM 10/20/2020 10:00 AM 10/20/2020 10:00 AM

A2.04

Original Proffers X
Amendment

PROFFER STATEMENT

ZMA No. **2018-003**

Tax Map and Parcel Number(s): **09000-00-00-001A0, 090A1-00-00-001E0, 07600-00-00-051A0**

Owner(s) of Record: **SOUTHWOOD CHARLOTTESVILLE, LLC**

Date of Proffer Signature: August 2, 2019

33.96 acres; TMP 90-1A (7.94 acres), TMP 76-51A (1.23 acres) to be rezoned from R-2 to NMD and TMP 90A1-1E (23.33 acres) which is to be rezoned from NMD to NMD. Southwood Charlottesville LLC, is the owner (the "Owner") of Tax Map and Parcel Number **09000-00-00-001A0, 090A1-00-00-001E0, 07600-00-00-051A0** (the "Property") which is the subject of rezoning application ZMA No. **2018-003**, a project known as "**Southwood Phase 1**" (the "Project").

Pursuant to Section 33.3 of the Albemarle County Zoning Ordinance, the Owner hereby voluntarily proffers the conditions listed below which shall be applied to the Property if it is rezoned to the zoning district identified above. These conditions are voluntarily proffered as a part of the requested rezoning and the Owner acknowledges that (1) the rezoning itself gives rise to the need for the conditions; and (2) such conditions have a reasonable relation to the rezoning requested. This proffer statement shall supersede and replace in all respects the proffer statements approved by the Board of Supervisors in connection with ZMA 2005-00017.

1. **Removal of Proffers and Amendment of Code of Development for Biscuit Run ZMA 2005-00017 included on Tax Map Parcel 090A1-00-00-001E0.** All existing proffers associated with the Code of Development, applications, and Application Plan for ZMA 2005-00017 relating to Tax Map Parcel 090A1-00-00-001E0 are hereby removed and superseded by these proffers. Tax Map parcel 090A1-00-00-001E0 (along with parcels 09000-00-00-001A0 and 07600-00-00-051A0) shall comply with the application plan and the Code of Development, entitled, "Southwood Phase I, A Neighborhood Model District," dated February 20, 2018, last revised July 29, 2019.
2. **Trails, Parks, Civic Spaces.**
 - a. **Greenway Connections to Potential Adjacent County Parkland.** At any time from approval of this rezoning application until the final certificate of occupancy is granted for Phase I, upon written request by Albemarle County, the Owner shall dedicate to the County, at no cost to the County and within six (6) months of the aforementioned written request, an easement, deed property within the 8.0 acre green space described in paragraph 2(b) to the County, and/or enter into an agreement with the County to provide a public trail connection between the Trail described in paragraph 2(b) below and any trail constructed by the County on abutting County property, TMP 09000-00-00-00500. The land under easement, associated trail connection, associated signage, and any associated structures shall be maintained in perpetuity by Albemarle County.
 - b. **Trail Network.** The Owner shall establish a trail on the Property ("the Trail"), consistent with the County's design standards for a Class B type 1 primitive nature trail, within the 8.0 acre green space and amenity area shown and described as Block 1 on pages 5 and 7 of the Code of Development. The general

location of the Trail is shown on the Application Plan on page 8 of the Code of Development; however exact trail locations shall be determined by the Owner based on site conditions and the then-current uses of the green space and amenity area and in coordination with the County. Installation of the Trail shall commence concurrently with the site work for Blocks 3-8 and the entire Trail shall be substantially completed prior to issuance of the one hundredth (100th) Permit for a dwelling within Blocks 3-8. The Trail shall be maintained by a property owners association established for Southwood. The public trail connection between the Trail and a potential, adjacent County trail network mentioned in paragraph 1(a) shall be maintained by the County as described in section 2a above.

- c. Owner shall provide a pedestrian connection between the northern terminus of the trail within Block 2 to the existing natural trail along the northern edge of the Southwood Trailer Park. The trail may be provided as an enhanced sidewalk (minimum ten (10) foot wide) along the Phase 1 streets, a Class B type 2 pedestrian trail around the perimeter of Block 12, or, subject to agreement of VDOT and adjacent property owner, as a Class B type 2 pedestrian trail within the ROW along Old Lynchburg Road, to the public road reservation through TMP 76-51. The pedestrian improvements shall be constructed prior to the issuance of the 300th Certificate of Occupancy in Phase 1.

SOUTHWOOD CHARLOTTESVILLE, LLC,
a Virginia limited liability company

By: 
Dan Rosensweig, Manager