

PANTOPS PDMC AMENDMENT

ZMA2020-00013 | AN AMENDMENT TO ZMA2002-08 + SP2021-00010 AN AMENDMENT TO SP 2002-00013

PROJECT NARRATIVE

SUBMITTED DECEMBER 7, 2020

REVISED APRIL 5, 2021

Parcel	Acreage	Existing Zoning	Pantops Master Plan Land Use Designation
TMP 78-73A7	2.687	PDMC Overlays: Entrance Corridor & Steep Slopes - Managed	Community Mixed Use + Parks and Green Systems

WS Four, LLC is the owner (the “owner”) of tax parcel 07800-00-00-073A7 in Albemarle County; a 2.6870 acre parcel located approximately 240’ west of the intersection of Hansen Road and the eastbound lanes of Route 250 Richmond Road (the “property”). WS Four, LLC requests to amend the application plan and proffers approved with ZMA2002-00008 to allow for the construction of a hotel on the property which is zoned Planned Development Mixed Commercial (PDMC). In conjunction with this zoning map amendment (ZMA) request to amend the application plan and proffers approved with ZMA2002-00008, DJCM Investments, the owner of the adjacent parcel 07800-00-00-01300 (the “DJCM property”) requests to amend conditions approved with SP2002-00013 so that a landscape easement on the property recorded for the benefit of the DJCM property may be vacated.

Project Proposal

ZMA2002-00008 is an amendment to ZMA1998-00020, which first established the application plan for the Pantops PDMC. The following are actions approved with ZMA1998-00020 and ZMA2002-00008 shown in *italics* and revisions to these approvals proposed with this 2020 ZMA application shown in **bold**.

ZMA1998-20:

Modifications for Application Plan approval:

- a. *The Board granted a waiver of restrictions to development on critical slopes for and restricted to the Kroger Shopping Center site, the DMV site and to those areas shown for roadways and other infrastructure improvements on the Application Plan. Subsequent requests for other critical slopes waivers as may be requested as other site plans as presented will be entertained by the Planning Commission.*

No revisions proposed with this ZMA.

- b. *The Board did not find that the request for relief from stormwater detention requirements to be contrary to general planning/policy issues. The Board will allow administrative determination by the Engineering Department subject to satisfaction of the Engineering Department concerns as to adequacy of water quality measures as well as adequacy of downstream channels.*

No revisions proposed with this ZMA.

- c. *The Board can determine no compelling reason to incorporate commercial roadways into the public road network. Private roads will generally allow more flexibility in site design due to more flexibility in setbacks and*

improvements which may occur within the right-of-way. Therefore, the Board approved usage of private roadways internal to the development. This should not be viewed as a zoning restriction/prohibition to Board approval of these roads as public roads at some future date; and

No revisions proposed with this ZMA.

- d. *The Board believes that PD-SC parking standard was intended to encourage a Planned Development approach for shopping center development. The Board found that this intent has been accomplished through this petition and that usage of the PD-SC parking standard would be appropriate with this intent as with standards of the Comprehensive Plan.*

The applicant proposes to comply with parking standards for hotel use stated in Sec.4.12.6 of the Albemarle County Zoning Ordinance on the subject property unless an alternative to provide the minimum number of parking spaces as provided for in Sec. 4.12.8 is pursued and approved at the site plan stage.

Requirements for Application Plan approval:

1. *A landscape plan providing full screening of all buildings and parking areas visible from Monticello shall be provided as a condition of site plan approval for all development. The landscape plan may preserve existing trees or provide plantings which shall provide the necessary screening within 15 years.*

No revisions proposed with this ZMA.

2. *A street tree plan providing a visual buffer for Hansen Road and Rolkin Road shall be provided as a condition of site plan or road plan approval. Large street trees shall be planted on both side of such roads in accordance with Section 32.7.9.6 of the Zoning Ordinance and shall be staggered on opposite sides of the road.*

No revisions proposed with this ZMA; this requirement has been satisfied in the PDMC.

3. *All buildings shall be designed to provide rooftop style, treatment and color schemes which assure minimal visual impact on the Monticello viewshed. Assurance of such style, treatment and color schemes shall be a condition of final site plan approval. Such approval may be given by the Director of Planning and Community Development after providing notice to the Thomas Jefferson Memorial Foundation and an opportunity for Foundation comments to be considered*

No revisions proposed with this ZMA.

4. *Approval and execution of the Four Party Road Improvement Agreement substantially in accord with the document dated October 20, 1998, and attached hereto, shall be required prior to the approval of any development plan.*

No revisions proposed with this ZMA; this requirement has been satisfied in the PDMC.

ZMA2002-00008:

Tax Map 78-73A: Modification of the ZMA98-20 Application Plan and Proffers:

- A. *The portion of the Application Plan for ZMA 98-20, outlined in red, located generally west of Hansen Road, and comprised of the area designated as “Hotel #7 – 100 Rooms” on the attached copy of the ZMA98-20 Application Plan, is amended to allow “Office Space” instead of a hotel. The development of this Office Space area shall be in general accord with the “Preliminary Site Development Plans for Office at South Pantops”, prepared by Rivanna Engineering, dated January 3, 2002 and revised January 7, 2003.*

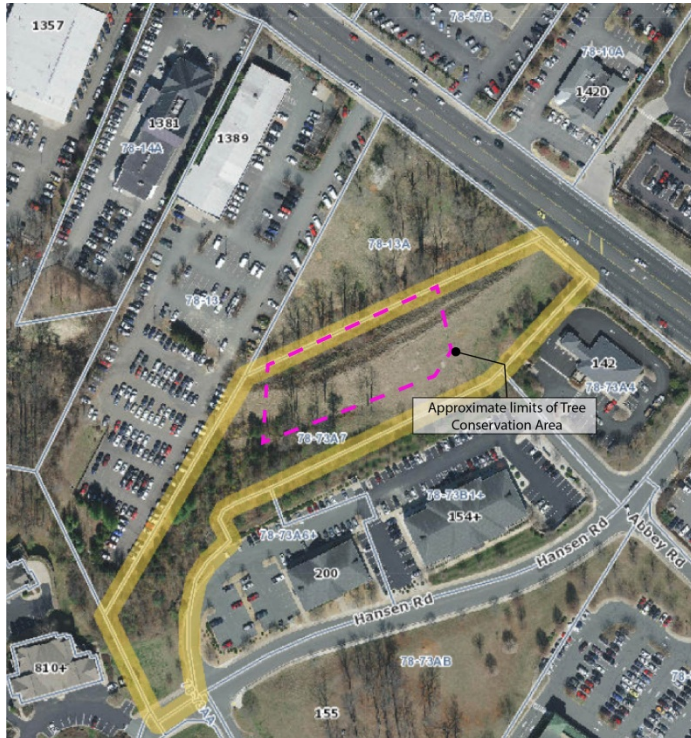
No revisions proposed with this ZMA; this requirement has been satisfied in the PDMC.

- B. *The portion of the Application Plan for ZMA98-20 outlined in blue, located generally east of Hansen Road, and comprised of the area designated as “Office Space #5 – 45,000 SQ Ft”, is amended to reduce the permitted square footage of office space use from forty-five thousand (45,000) square feet to twenty thousand (20,000) square [feet].*

No revisions proposed with this ZMA; this requirement has been satisfied in the PDMC.

- C. *The tree conservation area depicted by dotted lines on the “Preliminary Site Development Plans for Office at South Pantops”, prepared by Rivanna Engineering, dated January 3, 2002 and revised January 7, 2003 may be reduced in size so that its western boundary is moved in from the common property line with Tax Map 78 parcel 13A by up to fifty (50) feet.*

This ZMA proposes removal of the tree conservation area depicted by dotted lines on the “Preliminary Site Development Plans for Office at South Pantops.” An application plan for the subject property, provided with this ZMA, shows proposed site improvements in the location of the tree conservation area. Existing conditions on the property indicate that much of the tree conservation area was previously disturbed and does not currently contain vegetation.



- D. *The three modifications listed in A, B, and C above are in addition to those previously approved, and in all other respects the previously approved Application Plan and the modifications and requirements reflected in the October 28, 1998 letter apply.*

This ZMA application proposes changes to the approved Application Plan for this property; hotel use is proposed on the subject property. All requested changes to prior approvals are noted in this (2020) ZMA application.

- E. *The applicant shall provide the County with a modified application plan showing the changes authorized by the modifications, listed in A, B and C above, per section 8.5.5 of the Albemarle County Zoning Ordinance. However, the modified application plan can be limited to the area covered by this zoning request.*

This has been satisfied. For this ZMA application a revised application plan is provided that is limited to the area covered by this (2020) zoning request.

- F. *Accept the proffer pertaining to the 120-foot "no build zone" (Attachment D).*

This proffer has expired.

In addition to the changes noted above which include revisions to the approved PDMC application plan to allow for a hotel use on tax parcel 78-73A7 and removal of the tree conservation area, this ZMA application proposes further

amendment to the approved application plan to depict an entrance to the site from Route 250. Additionally, this application proposes changes to the conditions approved with SP2002-00013 so that a landscape easement recorded as a result of the conditions approved with SP2002-00013 may be vacated.

SP2002-00013:

The DJCM property has an active special use permit for the Auto Superstore, allowing for outdoor storage, sales, and display of vehicles. Conditions of approval for SP2002-13 included the establishment of an off-site landscape easement, as well as specified planting types. This landscape easement is located on the western/northwestern property boundary, adjacent to the rear parking lot of the Auto Superstore. A special use permit amending SP2002-13 is submitted concurrently with the ZMA and proposes to revise the conditions below. The landscape easement on the property is no longer necessitated by the Auto Superstore's special use, as the proposed development of the property would adequately screen the outdoor storage, sales, and display of vehicles.

The following are conditions approved with SP2002-00018 shown in *italics* and revisions to these approvals proposed with this 2021 SP application shown in **bold and strikethrough**.

Recommended Action for Special Use Permit (SP 02-13)

1. Vehicles shall not be elevated.
2. Vehicles shall be displayed only in the areas indicated for display shown on the plan.
3. The use shall not commence until a Certificate of Appropriateness is issued by the ARB, including landscape and lighting plans.
4. Provide screening trees to the ~~east~~, south and west of the proposed parking area to reduce the impact of the loss of trees and to soften the appearance of the expanse of proposed pavement. **Provide a mixture of screening trees, ornamental trees, and shrubs throughout the slope of the grading easement to the east of the site. A landscape easement will be required for off-site planting.**
5. Provide the planting bed with the seven (7) Eastern Red Cedars in the central portion of the parking area as shown on the Minor Site Plan Amendment (SDP 02-34) dated March 8, 2002, revised November 4, 2002.
- ~~6. Rather than alternate the screening trees along the eastern property line, cluster the same species in groups and alternate groups of screening trees to create a more informal and naturalistic landscape.~~
- ~~7. Submit a landscape easement for off-site planting.~~
8. Provide screening trees that will grow to a height that will sufficiently screen the proposed parking area. This will require a wider planting area, which will necessitate the removal of most, if not all, of the 11 display parking spaces in the first row.

Landscape Easement to Remain: DB 2733 PG 21

Towards the southeastern portion of the property, TMP 78-73A4 holds a 30' landscape easement on the subject property. This landscape easement was established to screen the drive-thru of the SunTrust Bank located on the parcel. TMP 78-73A4 currently has a double-staggered row of evergreen trees behind the curb of the drive-thru, which effectively screens the drive-thru from the Entrance Corridor. The concept plan for the hotel depicts a retaining wall and a portion of a sidewalk within this landscape easement however; the proposed limits of disturbance will not compromise the health of the existing evergreens. Since much of the existing planting and potential new planting could be accommodated within the landscape easement, the owner does not propose any changes to this easement with these ZMA and SP requests.

Consistency with the Master Plan + Comprehensive Plan

The property is primarily designated as Community Mixed Use and a portion of the property along its south/southwestern boundary is designated as Parks and Green Systems. The Future Land Use Typologies table states that the intent of this designation is to promote, “mixed use development with a mix of medium to high-density residential, commercial, retail, office, and other uses that serve the community, with a high intensity of uses expected in a walkable development pattern.” A hotel on this site would contribute to developing a high intensity of uses within the community mixed-use zoning designation as there are already existing retail, commercial, and office uses within the area designated as “community mixed use.” Further, a hotel is identified as a primary use within the community mixed use designation and so the proposed use on this property is directly consistent with recommendations called for in the Master Plan.

This ZMA request is directly consistent with multiple strategies as outlined in the Albemarle County Comprehensive Plan specifically:

Ch3, Strategy 1a: Continue to encourage approval of new development proposals in the Development Areas as the designated location for new residential, commercial, industrial, and mixed-use development

This project is located within the development areas and seeks to amend a previously approved planned development district for commercial development.

Ch6, Strategy 1a: Promote new employment activities in the Development Areas and encourage developers of commercial and industrial project to incorporate the Neighborhood Model Principles

This commercial development is within the development areas and will provide employment activities and opportunities. An analysis of this project’s consistency with Neighborhood Model Principles is included in this project narrative.

Ch6 Strategy 4b: Encourage development of business and industrial uses in the Development Areas on appropriately zoned land and consider proactively rezoning land to allow for light industrial uses that have been identified on master plans

This property is currently zoned for mixed commercial use however, the existing application plan does not contemplate a hotel use on this property, development in the tree conservation area, or an entrance to the site from Route 250; this application seeks to develop a commercial enterprise on appropriately zoned land.

Ch6 Strategy 4c: Explore opportunities to assist with redevelopment of underutilized commercial and industrial zoned properties

Although this project is not a redevelopment proposal, approval of this ZMA would assist with the future development of this underutilized commercial property. This property is located within an established commercial center and will develop once a plan is established on the property that allows for site improvements on the property.

The following is an analysis of the project’s consistency with Neighborhood Model Principles:

Pedestrian Orientation:

The proposed development will feature required internal sidewalk improvements.

Mixture of Uses:

A hotel on this site would contribute to a mixture of uses with the “Community Mixed Use” designated area.

Neighborhood Center:

This property is within a designated urban center, Rivanna Ridge, and a hotel on this property will contribute to the overall vitality of the urban center by establishing an employment opportunity and a place that is frequented by people. As an undeveloped property predominantly surrounded by developed properties, more intense development on this property will contribute to a more compact neighborhood center, which is called for in the Master Plan.

Mixture of Housing Types and Affordability:

There are no residential uses proposed with this project.

Interconnected Streets and Transportation Networks:

The property is part of an existing PDMC that established interconnected streets parallel to Route 250. The applicant is willing to work with the County to reserve a portion of the site designated as Parks and Green Systems for future dedication to the County for the construction of a future road network shown on the Pantops Master Plan Land Use Map.

Multi-Modal Transportation Networks:

The property will feature required internal sidewalks and pedestrian streetscape improvements along Route 250 to ensure pedestrians can safely cross the proposed entrance to the site.

Parks, Recreational Amenities, and Open Space:

A portion of the site is designated as parks and green systems; the applicant will work with Staff throughout the ZMA review process to understand the County’s specific proposal for this area and how that vision may be realized on this property with this project proposal.

Buildings and Spaces of Human Scale:

The proposed hotel is four stories, which is consistent with recommendations for community mixed use areas as outlined in the Pantops Master Plan.

Relegated Parking:

The application plan shows parking to the side of the building, and the potential for parking to be accommodated underneath the building.

Redevelopment:

The property is currently undeveloped; however it has been zoned PDMC for over 20 years. This revision will allow the property to develop in a manner that contributes to the Urban Core.

Respecting Terrain and Careful Grading and Regrading of Terrain:

Managed slopes are present on the property and any grading in managed slopes will comply with Section 18-30.7.5 of the Albemarle County Code.

CONSISTENCY WITH ZONING DISTRICT

The intent of the PDMC district is “to permit the development of large-scale commercial areas with a broad range of commercial uses under a unified planned approach. It is intended that PD-MC districts be established on major highways in the urban area and communities in the comprehensive plan. In recognition that such large-scale development may substantially reduce the functional integrity and safety of public roads if permitted with unplanned access, it is intended that multiple access to existing public roads be discouraged and that development and accessed be oriented toward and internal road system having carefully planned intersections with existing public roads.” The Pantops PDMC is an established planned district established on major highway, Route 250, in the development areas. Although multiple points of access to the PDMC are discouraged, due to the location of the parcel on the edge of the approved Pantops PDMC and the topographic relationship of the property to adjacent parcels, it would be difficult to achieve primary access to the parcel from the established internal road network. An entrance to the site from Route 250 is proposed and the applicant will work with VDOT and transportation planning throughout the ZMA review and site planning processes to determine the location and specifications of the proposed entrance.

**IMPACTS ON PUBLIC FACILITIES
& PUBLIC INFRASTRUCTURE**

Water and sewer:

The property will connect to public water and sewer and will have demands typical of commercial hotel development.

Traffic:

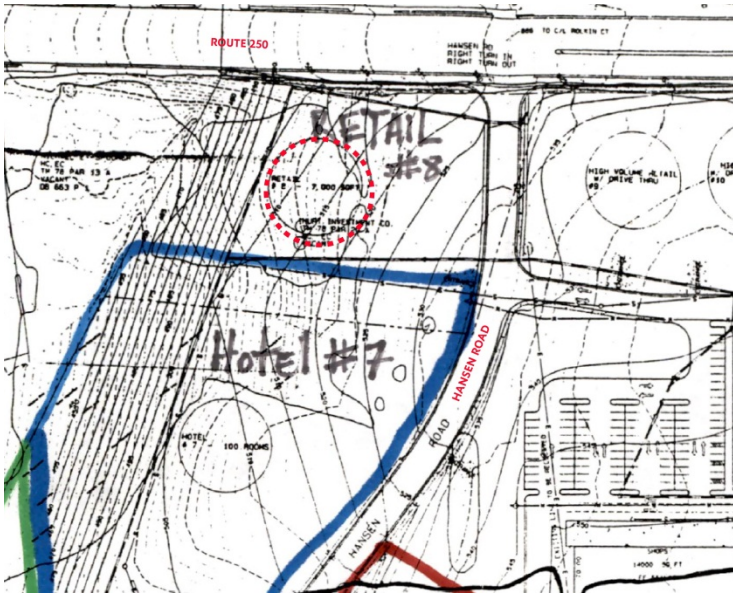
Trip generation estimates for an all-suites hotel with 125 rooms was prepared using ITE trip generation estimates. The daily and peak hour totals are in Table 1 below:

TABLE 1:

Trip Generation Manual, 10th Edition			AM			PM			DAILY
Use Description	ITE	Qty	in	out	Total	in	out	Total	Total
All Suites Hotel	311	125 rooms	23	20	43	20	22	42	531

The number of trips anticipated to be generated from a hotel use on this site is consistent with the number of trips that were originally anticipated to be realized within the PDMC; the application plan approved with ZMA1998-20 and subsequently amended by ZMA2002-08 depicts 7,000 SF (Retail #8 on approved application plan, see Figure 1) of specialty retail near this property’s boundary with the current SunTrust Bank property. The bank on tax parcel 78-73A4 is 3,860 SF according to Albemarle GIS and therefore there is 3,140 SF of specialty retail that remains undeveloped. This specialty retail could be dedicated to a variety of users with varying daily trip generation numbers; for example, if a 3,140 SF fast casual restaurant were realized on the property, the trip generation from this user would be 977 daily trips (ITE code 930) whereas if a pharmacy without a drive-through were realized on this property, the daily trip generation would be 279 trips (ITE code 880).

Figure 1:



There are no proposed residential units within this development and therefore there are no impacts on public schools.

IMPACT ON PUBLIC SAFETY

The property is within the East Rivanna Fire Station response area and is patrolled by the Jefferson District Sector 4 Beat 2. With a conservative 80% occupancy rate and an estimated 1.5 guests per room, there could be 100 guests and 20 employees that would be added to the response area on a given day.

IMPACT ON ENVIRONMENTAL FEATURES

All design and engineering for improving the property will comply with applicable County and State regulations. The project will utilize underground detention for storage of stormwater runoff and will discharge into existing drainage easements abutting the property. Stormwater treatment is anticipated to be consistent with typical urban developments and may utilize the purchasing of nutrient credits.

PROPOSED PROFFERS TO ADDRESS IMPACTS

As a project within a planned development district, the application plan will guide development on this property. The applicant will work with Staff throughout the review process to identify impacts from the project; there are no proposed proffers at this time.