

October 4, 2016

Via Email: jnewberry@albemarle.org

JT Newberry
Senior Planner
Albemarle County Department of Community Development
401 McIntire Road, North Wing
Charlottesville, Virginia 22902

**Re: ZMA 2016-00015 (Oakleigh)
Supplemental Comment Response Letter**

Dear JT:

In addition to the comment response letter our project team submitted last week in connection with ZMA 2016-00015, Oakleigh (the "Project"), we would like to address staff comments related to Oakleigh's proffers in this supplemental letter. The attached Proffer Statement dated June 30, 2016 (the "Proffers") has not been changed but has been included for ease of reference. It is our contention that the Proffers sufficiently mitigate any impacts from the proposed rezoning. The zoning is outlined in the Application Plan dated September 29, 2016 (the "Application Plan") and other materials comprising the application which were previously resubmitted to your attention last week.

The Application Plan proposes 16 loft apartments to be built within Block I and II (i.e. 16 units of Multifamily A). Also proposed are 6 Townhomes in Block IV (Multifamily B). Assuming a 15% affordable housing requirement, the Applicant will pay a cash-in-lieu amount for 3 of the 22 total units equal to the value of such affordable housing units, i.e. \$19,100. Thus, we contend the resulting \$130,355 in cash proffers will be sufficient to mitigate the impacts of the Project on increased capacities of public facilities.

PROFFERS / IMPACT FEES	TOTAL	\$/UNIT	UNITS
Multifamily A	\$49,985	\$3,845	13
Multifamily B	\$23,070	\$3,845	6
Affordability Proffer	\$57,300	\$19,100	3
Total Proffers	\$130,355		

The loft apartments are estimated to be approximately small one to two-bedroom units, which are not likely to attract families with children. The only other residential units proposed for the Project are six (6) townhouse units. If one were to assume that each townhome might generate two school-age children, which is likely on the very high-end given the location and design of the Project, the Project will result in an estimated increase of merely 12 school children. We contend the \$130,355 that the Owner will pay in cash proffers will sufficiently mitigate any resulting public school capacity issues from an estimated increase in a dozen school children, particularly given the retail and commercial tax revenues that will offset any impacts of the residential units.

Importantly, the cash proffers approved in 2008 (ZMA 2007-00004) were offered when the proposal included residential units in place of the Assisted Living Facility. Now, only 11% of the Project will consist of residential units, and the resulting impacts on public facilities will be much lower. In addition, the Project proposes more total green space compared to the Project's total residential space. The Project proposes 1.83 acres of green space or 21% of the Property, including a pocket park. In addition, the Project now includes significantly more office and residential uses than was previously proposed. The proposed personal office space (which could include professional office space), retail uses, and particularly the proposed Assisted Living Facility, will generate commercial tax revenue that will offset any impacts of the residential units.

The Assisted Living Facility will also address a critical community need. The Albemarle population is declining in age, and more retirees are moving to the area every day. This accelerating aging population of the community will need ever more assisted living services. The proposed rezoning application was initiated largely because of the interest of an Assisted Living Facility. Thus the Project will actually address and satisfy public facilities needs rather than add to the burden of public facilities.

Finally, in 2008 when the project was first rezoned, it did not receive by-right credit for the 52 units that could have been developed on the site with an R6 zoning, as shown on the attached conceptual drawing as Exhibit "A". If such a credit were to fairly be given in the present circumstances, it would more than cover the 22 units proposed. We believe it is appropriate for the Project to be credited for the 52 units that could have been built under the previous by-right zoning.

In sum, the Project's substantial reduction of residential units while keeping with its commitment to greenspace (as exemplified by the preservation of large numbers of significant oak trees and the creation of a pocket park), coupled with its plan to develop an Assisted Living Facility to address a significant community need, will likely lead to less of an impact on increased capacity of public facilities and a proffer of \$130,355 in addition to the tax revenues generated by the Project's commercial spaces will likely sufficiently mitigate any impacts that do result. We appreciate your thoughtful consideration of this additional information. Should you have any questions or comments, please do not hesitate to contact me.

Sincerely,

Valerie W. Long

Valerie W. Long

Enclosures

cc: George W. Ray, Oakleigh Albemarle, LLC
Steve Edwards, Edwards Design Studio
Alan Franklin, Alan Franklin Engineering

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Exhibit A

Conceptual Plan showing 52 by-right units

