



ALBEMARLE COUNTY PLANNING
STAFF REPORT SUMMARY

Proposal: SP201800019 Greenfield Terrace and SP201900001 Greenfield Terrace Amendment	Staff: Tori Kanellopoulos, Planner
Planning Commission Public Hearing: March 19, 2019	Board of Supervisors Hearing: TBD
Owners: Rio Station LLC and Buena Vista Properties	Applicant: Greg Powe, Powe Studio Architects
Acreage: 1.96 acres	Special Use Permit for: Request for R-15 (15 du/acre) multifamily residential units in accordance with Section 23.2.2.9 of the Zoning Ordinance.
TMP: 04500000015700; 04500000015800 Location: Approx. 420' from the intersection of Greenfield Terrace and Berkmar Drive, and approx. 310' from the intersection of Station Lane and Rio Road W.	By-right use: Commercial Office – offices, supporting commercial and service; residential by special use permit (15 units/ acre).
Magisterial District: Rio	Conditions: Yes EC: Yes
Proposal: Amend existing SP200000074 to remove Tax Map Parcel 04500-00-00-15800 from the existing SP. New SP201800019 to build 33 multifamily residential dwelling units in a new 39,000 sq. ft. three-story building on Tax Map Parcels 04500-00-00-15700 and 04500-00-00-15800. Also proposed are two special exceptions. One special exception is to waive the 20-foot buffer requirement for adjacent lots zoned residential per 18-21.7(c). The other special exception is to use 18-4.19 residential setbacks instead of 18-4.20 commercial setbacks per 18-21.7(a) and (b).	Requested # of Dwelling Units: 33 dwelling units
DA: X RA:	Comp. Plan Designation: Flex Area within Rio29 Small Area Plan – area intended to allow a flexibility of uses including residential, commercial, retail, office, institutional and employment uses. Buildings with heights of 2-5 stories, built close to the street, with pedestrian access and relegated parking.
Character of Property: The site is currently undeveloped and consists of vegetation on a sloped property. The site includes a portion of Station Lane and is adjacent to the street named Greenfield Terrace.	Use of Surrounding Properties: Single-family detached residential (Woodburn Road); single-family attached residential (townhomes on Station Lane); professional and medical offices; a daycare
Factors Favorable: <ol style="list-style-type: none"> 1. The proposal would provide affordable housing units. 2. The proposal is consistent with the goals of the Rio29 Small Area Plan. 3. The proposal is consistent with the Neighborhood Model principles. 	Factors Unfavorable: <ol style="list-style-type: none"> 1. None identified.
RECOMMENDATION: Special Use Permit: Staff recommends approval of SP201900001, Greenfield Terrace Amendment, with conditions. Special Use Permit: Staff recommends approval of SP201800019, Greenfield Terrace, with conditions.	

Special Exception: Staff recommends approval of the special exception to waive the 20-foot commercial buffer requirement per 18-21.7(c).

Special Exception: Staff recommends approval of the special exception for use of 18-4.19 residential setbacks instead of 18-4.20 commercial setbacks per 18-4.20(a)(3).

STAFF PERSON: Tori Kanellopoulos, Planner
PLANNING COMMISSION: March 19, 2019
BOARD OF SUPERVISORS: TBD

SP201800019 Greenfield Terrace and SP201900001 Greenfield Terrace Amendment:

PETITION:

PROJECT: SP201800019 Greenfield Terrace Apartments and SP201900001 Amendment to Greenfield Terrace

MAGISTERIAL DISTRICT: Rio

TAX MAP/PARCEL(S): 04500-00-00-15700; 04500-00-00-15800

LOCATION: Greenfield Terrace: undeveloped area at the end of the cul-de-sac. Approx. 420' from the intersection of Greenfield Terrace and Berkmar Drive, and approx. 310' from the intersection of Station Lane and Rio Road W.

PROPOSAL: Amend existing SP200000074 to remove Tax Map Parcel 04500-00-00-15800 from the existing SP. New SP201800019 to build 33 multifamily residential dwelling units in a new 39,000 sq. ft. three-story building on Tax Map Parcels 04500-00-00-15700 and 04500-00-00-15800.

PETITION: Amendment to existing SP200000074 to remove Tax Map Parcel 04500-00-00-15800. New SP to allow R-15 (15 du/acre) multifamily residential units under Section 23.2.2.9 of the Zoning Ordinance. 33 multifamily residential units are proposed on two parcels (TMP 45-157 and TMP 45-158) on a total of 1.96 acres at a density of 16.84 du/acre.

Special Exception request to waive the 20' buffer requirement for adjacent lots zoned residential per 18-21.7(c).

Special Exception request to use 18-4.19 residential setbacks instead of 18-4.20 commercial setbacks per 18-21.7(a) and (b).

ZONING: Commercial Office – offices, supporting commercial and service; residential by special use permit (15 units/ acre).

OVERLAY DISTRICT(S): Airport Impact Area; Entrance Corridor; Steep Slopes- Managed

COMPREHENSIVE PLAN: Flex Area within Rio29 Small Area Plan – area intended to allow a flexibility of uses including residential, commercial, retail, office, institutional and employment uses. Buildings with heights of 2-5 stories, built close to the street, with pedestrian access and relegated parking.

CHARACTER OF SURROUNDING AREA:

The subject property is located at the intersection of Station Lane and Greenfield Terrace, approximately 420 feet from the intersection of Greenfield Terrace and Berkmar Drive (Attachment A). To the north of the property are single-family detached homes along Woodburn Road, which sit up the slope from the property. There are single-family attached homes (five townhomes in a single row) along Station Lane and a daycare. There are professional and medical offices along Greenfield Terrace and the adjacent section of Rio Road W. Northside Library is an approximately 6-minute walk and is identified as a gathering place in the Rio29 Small Area Plan. See Attachment D for this proposal in the context of the Rio29 Small Area Plan.

PLANNING AND ZONING HISTORY:

SP200000074 – Bartelt Office Park – Approved Special Use Permit for Tax Map 45, Parcels 158, 159, 166 and 167 to allow for R-15 residential units in Commercial Office zoning district. The concept plan showed an office building on TMP 45-158, which was never constructed.

SDP200200092 – Bartelt Office Park Final – Approval final site plan to establish the residential units and offices proposed in SP2000-74. The final site plan showed an office building on TMP 45-158, which was never constructed.

DETAILS OF THE PROPOSAL:

The applicant is requesting a special use permit to construct 33 multi-family units. The applicant must first amend existing SP2000-74 to remove TMP 45-158, to remove the conditions associated with that SP from the parcel, and to then establish a new SP with that parcel. The proposed building is three stories and 39,000 square feet, with a mix of one- and two-bedroom units. Six (6) affordable units are proposed, with four (4) meeting the Comprehensive Plan policy of 15% affordable units with Special Use Permit applications, and an additional two (2) units to achieve a bonus density per R-15 standards. The affordable housing density bonus will be evaluated at the site planning stage. The applicant is also requesting two special exceptions for a waiver of the commercial buffer, and the use of residential setbacks (See Attachments F and G, respectively, for staff analysis).

For more detailed information about each element of the proposal, please see the “Project Narrative” (Attachment B), as well the “Conceptual Plan” (Attachment C).

COMMUNITY MEETING:

The applicant conducted the required community meeting with the Places29 Rio Community Advisory Committee on Thursday, November 29, 2018. There were no significant concerns raised at the meeting. Questions were mainly regarding access from Station Lane, as it is a private street. The applicant responded that the owner has agreed to a through connection, and there is an existing access easement in place. There were also questions about the Architectural Review Board process, which the applicant responded will be finalized at the site planning stage, and that the modernist proposal would add architectural variety to the area. The applicant added that this project is meant to contribute to a more mixed-use area where people can walk and bike to work.

Staff also received a letter after the Places29 Rio Community Advisory Committee meeting, dated March 5, 2019, from an adjacent resident in one of the townhomes on Station Lane. This letter is included in the Staff Report as Attachment I.

ANALYSIS OF THE SPECIAL USE PERMIT REQUEST:

Section 33.39(B) states that the Commission, in making its recommendation, shall consider the same factors found in Section 33.40 (B):

- 1. No substantial detriment. Whether the proposed special use will be a substantial detriment to adjacent parcels.***

In evaluating whether a use will be a detriment to adjacent properties, the intensity of the use and other impacts are evaluated. Comments and concerns of neighboring properties are also considered.

VDOT and Transportation Planning Staff did not anticipate any significant traffic issues or impacts with this development. VDOT is not requiring any intersection or other improvements. There are two existing bus stops within 0.20 miles walking distance of the property. Fire/Rescue will require No Parking signs as needed at the site planning stage to ensure any street parking does not interfere with Fire/Rescue access. The applicant will be providing sidewalks along the property.

The applicant's proposal includes measures to mitigate potential impacts on adjacent properties. The applicant is proposing a 20-foot undisturbed buffer along the rear boundary of the property, to preserve the existing vegetated buffer between the single-family dwelling units on Woodburn Road, and the office and residential uses on Greenfield Terrace and Station Lane. The applicant proposes to provide screening along the edge of the parking lot to screen parking from the adjacent townhomes on Station Lane, which are also zoned Commercial Office. This was included as Condition 3, as the site plan ordinance screening requirements per 18-32.7.9.7(a)(2) do not require additional screening between parking lots with more than four (4) spaces and Commercial Office zoning districts. There may be additional landscaping requirements at the site planning stage from the Architectural Review Board (ARB). The multi-family units are likely a less intense use than the possible by-right office and commercial uses. There are already residential uses adjacent to this proposal and in the immediate area.

Engineering did not have concerns about the managed slopes, which are likely man-made. The applicant will adhere to managed slopes design standards at the site planning stage.

Staff finds that the use will not be a detriment to the adjacent property.

2. Character of the nearby area is unchanged. Whether the character of the adjacent parcels and the nearby area will be changed by the proposed special use.

R-15 residential uses have already been allowed on adjacent and nearby parcels that are also zoned Commercial Office, including the adjacent townhomes allowed per SP2000-74. Station Lane has existing commercial and residential uses, while Greenfield Terrace has existing professional and medical office uses. Additional R-15 dwelling units would be consistent with the character of the area. This proposal is also consistent with the Rio29 Small Area Plan designation of Flex, which calls for a variety of building types that are within walking distance of amenities and other types of uses. Flex also calls for multi-family residential units in mixed-use areas.

3. Harmony. Whether the proposed special use will be in harmony with the purpose and intent of this chapter,

The purpose and intent of the Commercial Office zoning district is to establish areas for administrative, business and professional offices and supporting accessory uses and facilities. The district is intended to be a transition between residential districts and other more intensive commercial and industrial districts. By-right uses include offices, research and development, eating establishments, daycares, and institutional uses. The Special Use permit approved for this area (SP2000-74) allows for R-15 residential units. This proposal is consistent with the existing Special Use Permit on adjacent properties and with the Comprehensive Plan designation for the area. The proposal provides opportunities for live-work in the area, and for alternative modes of transportation for accessing jobs and amenities in the area.

a. with the uses permitted by right in the district,

The R-15 use is consistent with the existing adjacent R-15 uses and does not restrict current uses or other by-right uses available at this property or adjacent properties.

b. with the regulations provided in Section 5 as applicable,

No supplementary regulations apply for this use.

c. and with the public health, safety, and general welfare.

This proposal will provide additional housing units in the area and provide affordable housing units. The proposal also contributes to a more walkable and

urban environment, as described in the Rio29 Small Area Plan, by providing sidewalks and providing housing in an area with existing commercial and professional office uses, which can encourage a more walkable live-work environment. The proposed housing is also within walking distance of the Northside Library center identified in the Rio29 Small Area Plan. This can be seen as promoting the public health, safety and general welfare of the community.

4. Consistency with the Comprehensive Plan. Whether the proposed special use will be consistent with the Comprehensive Plan.

The property is designated Flex in the Rio29 Small Area Plan and is consistent with the character of this designation. At three stories, the building height is within the two to five story range. The building incorporates façade breaks, large windows and balconies, and avoids blank walls. Surface parking is relegated behind the building and is screened. Residents would be able to walk to the Northside Library, which will continue to be an important community gathering place for the area. There is access to the CAT bus system, which may be enhanced over time. There are proposals for enhanced future bike and pedestrian connectivity throughout the area as well. The Plan calls for a natural area adjacent to this property and a linear park across Berkmar Drive. The Northtown Trail would run adjacent to Greenfield Terrace along Berkmar Drive, providing recreation and transportation opportunities for residents. See Attachment D for additional context of how this site relates to the Rio29 Small Area Plan.

The application contributes to several goals in the County's Comprehensive Plan. Providing multifamily units adds to the desired diversity in housing options available in the County. The proposal is providing greater than the 15% affordable housing policy in the Plan, contributing to additional options for residents at or below 80% of the area median income. The units are a mixture of market rate and affordable and are all built to the same standards and appearance. The proposal is providing higher density housing within the Development Areas. There are future opportunities to connect to the expanding greenway and trail network in the Rio29 area. The proposed parking reduction and access to transit also contribute to the goal of moving towards additional multimodal transportation options.

NEIGHBORHOOD MODEL ANALYSIS

Staff has reviewed the proposal against the Neighborhood Model Principles and found that it is consistent with all of the applicable principles. A detailed analysis can be found in Attachment H.

AIRPORT IMPACT AREA

See Attachment E for Staff's analysis of 18-30.2.6 (Airport Impact Area Overlay District and Cluster Development, Bonus Factors). The applicant's proposal for bonus density in the Airport Impact Area overlay district requires a separate analysis. Staff recommends approval of the request outlined below:

1. Request to allow an Affordable Housing Bonus Density Development within the AIA Airport Impact Area Overlay District in accordance with 18-30.2.6 of the Zoning Ordinance.

SUMMARY:

Staff finds the following factors favorable to this request:

1. The proposal would provide affordable housing units.
2. The proposal is consistent with the goals of the Rio29 Small Area Plan.
3. The proposal is consistent with the Neighborhood Model principles.

Staff finds the following factor(s) unfavorable to this request:

1. None identified.

RECOMMENDED ACTION for SP201900001:

Based on the findings described in this report and factors identified as favorable, **staff recommends approval of special use permit application SP201900001 with the following conditions** (below).

1. Development of the use shall be in general accord with the Conceptual Plan titled "Greenfield Terrace Apartments: Site Plan," prepared by Powe Studio Architects, with the latest revision date of January 7, 2019, and narrative title "Greenfield Terrace Apartments: Special Use Permit Application to Albemarle County" (hereafter "Narrative"), dated January 11, 2019, as determined by the Director of Planning and the Zoning Administrator. To be in general accord with the Conceptual Plan, development shall reflect the following major elements within the development essential to the design of the development and described in the Narrative:
 - a. Multifamily building
 - b. Location of parking area
 - c. Location of buffer
2. A minimum of 15% of the dwelling units permitted with the density allowed as standard level conventional development in Section 18-18.3 shall be affordable housing units. These affordable units shall not count toward any affordable housing density bonus applied for per Section 18-18.4.3 at final site plan stage.
3. As part of the final site plan review and approval, the parking lot serving the multifamily units shall be screened from the adjacent townhomes to the satisfaction of the agent.

POSSIBLE PLANNING COMMISSION MOTION- SP201900001:

A. Should the Planning Commission **choose to recommend approval** of this special use permit:

Move to recommend approval of SP201900001, Greenfield Terrace Amendment, with conditions as stated in the staff report.

B. Should the Planning Commission **choose to recommend denial** of this special use permit:

Move to recommend denial of SP201900001, Greenfield Terrace Amendment.

Should a commissioner motion to recommend denial, he or she should state the reason(s) for recommending denial.

RECOMMENDED ACTION for SP201800019:

Based on the findings described in this report and factors identified as favorable, **staff recommends approval of special use permit application SP201800019 with the following conditions** (below).

1. Development of the use shall be in general accord with the Conceptual Plan titled "Greenfield Terrace Apartments: Site Plan," prepared by Powe Studio Architects, with the latest revision date of January 7, 2019, and narrative title "Greenfield Terrace Apartments: Special Use Permit Application to Albemarle County" (hereafter "Narrative"), dated January 11, 2019, as determined by the Director of Planning and the Zoning Administrator. To be in general accord with the Conceptual Plan, development shall reflect the following major elements within the development essential to the design of the development and described in the Narrative:
 - a. Multifamily building
 - b. Location of parking area

- c. Location of buffer
2. A minimum of 15% of the dwelling units permitted with the density allowed as standard level conventional development in Section 18-18.3 shall be affordable housing units. These affordable units shall not count toward any affordable housing density bonus applied for per Section 18-18.4.3 at final site plan stage.
3. As part of the final site plan review and approval, the parking lot serving the multifamily units shall be screened from the adjacent townhomes to the satisfaction of the agent.

POSSIBLE PLANNING COMMISSION MOTION- SP201800019:

A. Should the Planning Commission **choose to recommend approval** of this special use permit:

Move to recommend approval of SP201800019, Greenfield Terrace, with conditions as stated in the staff report, and with the finding that that this development will reduce or be equivalent to hazard and/or noise impacts anticipated under standard level-conventional development of the CO, Commercial Office zoning district.

B. Should the Planning Commission **choose to recommend denial** of this special use permit:

Move to recommend denial of SP201800019, Greenfield Terrace. *Should a commissioner motion to recommend denial, he or she should state the reason(s) for recommending denial.*

SPECIAL EXCEPTION REQUEST – BUFFER REQUIREMENT

The applicant is requesting a special exception to waive the 20-foot buffer requirement for commercial districts adjacent to residential districts. Staff analysis is provided in Attachment F. Staff recommends approval of the special exception request.

RECOMMENDED ACTION:

In consideration of the information provided by the applicant, as well as the analysis (including factors favorable) identified in this report, the special exception request seems acceptable.

Staff recommends approval of this request with no additional conditions.

POSSIBLE PLANNING COMMISSION MOTIONS – SPECIAL EXCEPTION REQUEST:

Under policy set by the Board of Supervisors, the Commission shall include in its recommendation for ZMAs and SPs with special exceptions and conditions a recommendation for those special exceptions per Zoning Ordinance Sections 33.47 (B) and 33.48.

- A. ***Should the Planning Commission choose to recommend approval of the requested special exception:*** I move to recommend approval of the requested special exception to waive the 20-foot buffer requirement for the reasons outlined in the staff report and Attachment F.
- B. ***Should the Planning Commission choose to denial or modification of the special exception:*** I move to recommend denial of the requested special exception to waive the 20-foot buffer requirement (state reasons for recommending denial).

SPECIAL EXCEPTION REQUEST – COMMERCIAL SETBACK

The applicant has requested to waive the 18-4.20 commercial setback requirements, which are per 18-21.7(a) and (b) commercial setback and yard requirements, and instead apply 18-4.19 residential setback and yard requirements. Staff analysis is provided in Attachment G.

RECOMMENDED ACTION:

In consideration of the information provided by the applicant, as well as the analysis (including factors favorable) identified in this report, the special exception request seems acceptable.

Staff recommends approval of this request with no additional conditions.

POSSIBLE PLANNING COMMISSION MOTIONS – SPECIAL EXCEPTION REQUEST:

Under policy set by the Board of Supervisors, the Commission shall include in its recommendation for ZMAs and SPs with special exceptions and conditions a recommendation for those special exceptions per Zoning Ordinance Sections 33.47 (B) and 33.48.

- A. ***Should the Planning Commission choose to recommend approval of the requested special exception:*** I move to recommend approval of the requested special exception to use 18-4.19 residential setbacks instead of 18-4.20 commercial setbacks for the reasons outlined in the staff report and Attachment G.
- B. ***Should the Planning Commission choose to denial or modification of the special exception:*** I move to recommend denial of the requested special exception to use 18-4.19 residential setbacks instead of 18-4.20 commercial setbacks (state reasons for recommending denial).

ATTACHMENTS

Attachment A – [Vicinity Maps](#)

Attachment B – [Project Narrative](#) (includes Concept Plan), dated January 11, 2019

Attachment C – [Concept Plan](#), dated January 7, 2019

Attachment D – [Rio29 Small Area Plan Context Map](#)

Attachment E – [Airport Impact Area Overlay District and Bonus Factors Analysis](#)

Attachment F – [Special Exception Analysis per 18-21.7\(c\)](#)

Attachment G – [Special Exception Analysis per 18-4.20\(a\)\(3\)](#)

Attachment H – [Neighborhood Model Analysis](#)

Attachment I – [Letter from adjacent resident on Station Lane](#), dated March 5, 2019