

**COUNTY OF ALBEMARLE
TRANSMITTAL TO THE BOARD OF SUPERVISORS**

SUMMARY OF PLANNING COMMISSION ACTION

AGENDA TITLE: ZMA201900001 – 999 Rio Road	AGENDA DATE: September 18, 2019
SUBJECT/PROPOSAL/REQUEST: Request to rezone the property from R-4 Residential to NMD Neighborhood Model District to allow a mixed-use development with up to 46 residential units and small-scale commercial, retail, and professional office uses.	STAFF CONTACTS: Filardo, Benish, Nedostup, Kanellopoulos
SCHOOL DISTRICTS: Agnor-Hurt (Elementary); Burley (Middle School); Albemarle (High School)	PRESENTER: Tori Kanellopoulos, Planner

BACKGROUND:

At its meeting on June 25, 2019, the Planning Commission voted to recommend approval of ZMA20190001 with staff-recommended revisions, and an additional revision to include screening on the northern portion of the property.

The Planning Commission also approved private streets and variations related to standards under the Subdivision Ordinance. The exception and variation requests to allow for amenity-oriented lots in Block 2 are included as Attachment A6. No additional action by the Board is required for the exception and variation requests.

In addition, after the motion for the rezoning application, the Planning Commission also recommended a Corridor Study for Rio Road East.

The Planning Commission's staff report, action letter, and minutes are attached (Attachments A, B, and C).

In addition, Commissioner Bruce Dotson was unable to attend the meeting, and provided a letter with his perspective in Attachment E.

DISCUSSION:

The Planning Commission voted 4-1 to recommend approval of ZMA201900001 with the staff-recommended revisions set forth in the staff report.

Several concerns were discussed during the Planning Commission public hearing. The most prevalent concern was traffic. Many residents spoke about how existing traffic in this area is very challenging and that the Belvedere Boulevard and Rio Road intersection seems to be unsafe. The full discussion of these concerns is included in the Planning Commission minutes.

Since the Planning Commission public hearing, the applicant has revised the Code of Development and Application Plan to address the requested revisions in the staff report as set forth in Attachments F and G, including addressing the one factor unfavorable by providing 15 percent affordable housing. An additional revision was requested by the Planning Commission during the public hearing, which was to include screening requirements for the northern portion of the property (by Shepherds Ridge Road), since there was already a screening requirement for the southern/southeastern portion (by Fowler Ridge Court).

One additional new revision was made to the Code of Development at the request of Planning and Zoning staff. The applicant revised the front and side setbacks to provide more flexibility. These setbacks are consistent with Neighborhood Model design and with standard County residential setbacks. The Code now also clarifies that setbacks in Block 2 are measured from the edge of the amenity area.

The Planning Commission also voted 4-0 (Spain abstaining) to approve the four subdivision street-related requests to allow for amenity-oriented lots in Block 2.

The Planning Commission also voted 5-0 to recommend a Corridor Study for Rio Road East to address traffic concerns, pedestrian and bicycle safety, access, connectivity, and street frontage. Staff has requested funding in the next Capital Improvement Program (CIP) for this Study.

RECOMMENDATIONS:

Staff recommends that the Board adopt the attached Ordinance to approve ZMA201900001 (Attachment H).

ATTACHMENTS:

Attachment A: ZMA201900001 Staff Report

Attachment A1: Vicinity Map

Attachment A2: Code of Development, dated April 29, 2019

Attachment A3: Application Plan, dated April 29, 2019

Attachment A4: Staff Analysis of Neighborhood Model Principles

Attachment A5: Staff Analysis of Request for Modifications: Private Street Authorization, Variations to Curb and Gutter, Sidewalks and Planting Strips

Attachment A6: Applicant Modification Request

Attachment A7: Applicant Justification

Attachment B: Planning Commission Action Letter

Attachment C: Planning Commission Minutes

Attachment D: Recommended revisions between Planning Commission and Board

Attachment E: Letter from Planning Commissioner Bruce Dotson

Attachment F: Code of Development, dated August 20, 2019

Attachment G: Application Plan, dated July 26, 2019

Attachment H: Ordinance approving ZMA