

OVERVIEW

Royal Fern Property

Tax Map Parcel No.	Acreage	Existing Zoning	Proposed Zoning	Comp. Plan Designation
TMP 76-54	2.88	R-10	PUD	Community Mixed-Use (up to 34 DUA)
TMP 76-46A	10.17	R-2	PUD	Urban Density (6-34 DUA) And Commu-nity Mixed-Use (up to 34 DUA)
TMP 76-46F (portion)	0.58	CO	PUD	Urban Density (6-34 DUA)
Total:	13.63			

Additional Zoning Considerations

Airport Impact Area (AIA), Entrance Corridor (EC), and Steep Slopes (Managed) Overlay District; ZMA199400020 included proffered conditions applicable to TMP 76-54, however based on the preliminary grading and utility plan approved with ZMA199400020 it appears all of the property subject to the proffered conditions of that rezoning application is located south of the property affected by ZMA201900003, across 5th St.; Overlays (per Albemarle County GIS): DBIZ , Monticello Viewshed

Location

A portion of the property is located at the intersection of 5th Street and Old Lynchburg Road across from the 5th Street County Offices. The remaining portion of the property, being a portion of parcel 46A and the 0.58 acre portion of parcel 46F are located on the west/southwest side of Old Lynchburg Road between Country Green Road and Mountainwood Road.

PROJECT PROPOSAL

5th Street Forest, LLC is the owner (the “owner”) of approximately 13.05 acres and is the contract purchaser of 0.58 acres (collectively, the “property”) and would like to rezone the property from Residential (R-2 and R-10) and Commercial Office (CO) to Planned Unit Development (PUD) to allow for office, flex space, storage/light industrial space, along with residential uses (multi-family, townhomes, and single family attached housing). 5th Street Forest proposes to establish zoning for 270 multi-family homes, 30 townhomes, and 2 acres of commercial property. Consistent with the Comprehensive Plan density recommendations, the development proposes a gross and net density of 22 dwelling units per acre.

The Application Plan will establish:

- 1) A commercial center with a new streetscape on the corner of Old Lynchburg Road and 5th Street Extended,
- 2) A residential development with a new streetscape along Old Lynchburg Road (adjacent to the commercial center) along with an internal streetscape along a new street connection between Sterling University Housing (Wahoo Way) and Old Lynchburg Road, and
- 3) A multi-family housing development with a new streetscape, addressing the corner of Old Lynchburg Road and Country Green Road and continuing along the frontage of Mountainwood Road.

PUD JUSTIFICATION

Section 20.1 of the Albemarle County Zoning Ordinance states, “PUD districts may be appropriate where the establishment of a ‘new village’ or the nucleus of a future community exists” (Alb Co Code 18-20-1). There is a considerable amount of established residential areas surrounding the proposed development; these areas include the Villas at Southern Ridge, Cavalier Crossing, The Woodlands, and Redfields, among others. The considerable amount of existing residents in nearby proximity to the property creates an ideal opportunity for the development of a nucleus within an existing community that can serve existing and future residents. Development of the property as a nucleus within an existing community directly aligns with the intent of the PUD district as outlined in the Albemarle

County Code.

Section 20.1 states, “it is intended that commercial and industrial uses are provided in additional to a variety of residential uses within the PUD; provided that additional commercial and industrial activity may be permitted upon a finding that the area in which the PUD is to be located is not adequately served by such use;” though 5th Street Station is approximately one-mile away from the property, it is only readily accessible by car or public transit as no continuous pedestrian or multi-modal infrastructure exist from the Old Lynchburg/5th Street intersection to 5th St. Station and there is no office space available at 5th Street Station as it is entirely geared towards retail and commercial service. The office space at Royal Fern could provide ample space for a few start-ups or growing local businesses. According to the “City of Charlottesville Office and Retail Market Study” from 2018, which also includes information about office and retail space in Albemarle County, the office vacancy rate for the County is 2.3% and the City has a 1.7% office vacancy rate. These numbers show the City and County have ample demand for more office space as a typical office market sees a 5-10% vacancy rate. Royal Fern PUD has the potential to step in as the missing link in the immediate community, becoming the ‘nucleus’ in the Old Lynchburg/5th St. area by fulfilling commercial/service needs, south of the I-64 interchange.

The PUD ordinance calls for the commercial and service areas in PUDs to be internally oriented, with external vehicular access discouraged (Alb Co Code 18-20-6). In order to achieve a development design that engages the existing major corridors, Old Lynchburg Road and 5th St., and to serve the needs of the many residents who already call the 5th St./Old Lynchburg area home, the commercial and service areas will not be internally oriented so as to disengage from the street or to be inaccessible to existing residents in the area. If the commercial development were to be internally oriented and effectively “turn its back” to the street, the commercial areas may not establish an ideal street facade or streetscape at the strategic Old Lynchburg/5th St. intersection or along the two major corridors. The commercial and service areas will be made accessible to pedestrians through sidewalk and multi-use path improvements. In this sense, these areas will be internally oriented as they will be accessible to people within the neighborhood accessing the commercial and service areas on foot.

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Similar to the commercial and services areas within the PUD, the PD-SC uses will not be internally oriented so as to disengage from the street or to be inaccessible to existing residents. The designated PD-SC use area has significant frontage along 5th St. and is located at a key intersection. Internal pedestrian connections will make the PD-SC area accessible to future residents of Royal Fern and the proposed pedestrian and multi-use path improvements around the perimeter of the development will make this portion of the development accessible to existing residents in nearby neighborhoods. The PD-SC uses are more expansive for commercial opportunity than the commercial and service areas and will allow for a greater mixture of uses in the area. As aforementioned, 5th St. Station is approximately a mile away, however it is largely inaccessible without a vehicle and the commercial businesses there are predominantly retail and commercial service oriented in nature. The PD-SC will allow for additional uses that, at present, do not exist in 5th Street Station.

Section 20.7.1 of the Zoning Ordinance requires the minimum area for establishment of a PUD district to be one hundred acres. In conjunction with this PUD zoning request, the Applicant is requesting a special exception in accordance with Section 33.43 to allow the establishment of the district on a property that does not meet the requirement of Section 20.7.1. Additional special exceptions requested for consideration with this rezoning request are a request for reduction in open space area requirements in residential areas, a request for exception from certain commercial service area requirements, and a request for exception from certain construction timeline requirements for PD-SC uses.

CONSISTENCY WITH THE COMPREHENSIVE PLAN

The property is located within the Southern and Western Urban Neighborhoods Development Area. A portion of the property is fronting on 5th Street Extended and is located directly across from the 5th Street County office complex (which is designated as a neighborhood center on the future land use map). This portion of the property is designated as Community Mixed Use on the future land use map which accommodates the proposed commercial use along with a maximum of 34 residential units per acre. The County’s Community Mixed Use land use designation’s purpose is to provide a mix of residential and retail uses and services to support the community. This rezoning will achieve the intent of the Community Mixed Use designation as the

PUD features a commercial component as well as residential and recreational uses. The commercial uses may serve the community as places of employment or as convenient nearby commercial services.

The remaining acreage of the property lies on the west/southwest side of Old Lynchburg Road and is designated as Urban Density on the future land use map. Urban Density recommends 6-34 units per acre of residential use and compatible commercial and retail use. The multi-family development proposed for this portion of the property is consistent with Comprehensive Plan recommendations.

Additionally, this area of Albemarle County has been recognized by the Governor as a U.S. Department of the Treasury “Qualified Opportunity Zone”, which provides a new revitalization tool for low-income census tracts in the Commonwealth. The multi-family and attached housing proposed with this application will address the needs of State and Federal housing objectives along with the housing objectives outlined in Chapter 9 of the County Comprehensive Plan and the proposed office space on the property will allow for business growth in Albemarle County, by providing ample space for start-ups or growing local businesses to occupy.

The proposed project anticipates streetscape improvements, including multi-use trails, sidewalks, and plantings along 5th Street Extended, Old Lynchburg Road, Country Green Road, and Mountainwood Road. These improvements will link existing neighborhoods and uses surrounding the property, contributing to increased walkability and bike-ability in the area, achieving transportation goals for the development areas outlined in the Comprehensive Plan.

SURROUNDING USES

Two multi-family housing developments (one existing and one under construction) are located on the north side of the property. These apartments serve (and are proposed to serve) as off-campus housing for University of Virginia students. A nine-acre office park, owned by the Region Ten Community Service Board, is located adjacent to the property, sharing a western boundary. And various housing and commercial uses are located along Country Green Road and Mountainwood Road, to the south of the property. From a bird’s eye perspective, the surrounding uses (including the 5th Street County office complex) are consistent with a PUD

application plan, creating a mixed-use center around the County offices and the intersection of Old Lynchburg Road and 5th Street Extended.

IMPACTS ON PUBLIC FACILITIES  
& PUBLIC INFRASTRUCTURE

In addition to the proposed improvements to sidewalks, trails, and landscaping as mentioned above, traffic improvements to 5th Street Extended and Old Lynchburg Road intersection are proposed with this rezoning request. The proffers included with this request allocate funds for transportation improvements at this strategic intersection.

The property is within the response district of the Monticello Fire Station and Monticello Rescue Squad and lies adjacent to the response district of the City Fire and Rescue. The property is patrolled by the Blue Ridge Police District, Sector 6, Beat 4 and the Albemarle County Police headquarters is located across 5th Street Extended from the property.

According to American Community Survey (ACS) 2017 5 year estimates, there are approximately 2.62 people per household in Albemarle County . As single family detached housing is not proposed on this property, it is our position that the household size on this property would be 1.97 people per household (or 25% smaller than the County average). With a maximum of 300 units proposed on the site, there could potentially be 591 new residents within the Blue Ridge Police District and Monticello Fire and Rescue District. The 5th Street Station Regional Mixed-Use Center is located one mile north of the property and the proposed Biscuit Run State Park is located one mile south of the property. In addition to the County Police headquarters, the County Registrar, the Virginia Cooperative Extension, and various other County resources are located in the office complex across 5th Street Extended from the property.

IMPACT ON SCHOOLS

The property lies within the Cale Elementary School district, Burley Middle School district, and Monticello High School district. The impact on the school system from this development is substantially determined by the type of homes built on the property. For example, a multi-family or townhome development marketed towards childless households like seniors, college students, and young professionals will have minimal impact on the

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County school system. According to American Community Survey (ACS) estimates there are 21,738 Albemarle County residents under the age of 18. With 40,000 households in the County, there are approximately .54 children per household in Albemarle County . A maximum of 300 units could be built on the property and using the ACS approximate, there could potentially be 162 additional pupils in Albemarle County Public Schools. There are typically far fewer children in multi-family and townhome developments than there are in single family detached units and so 162 additional pupils is not a reasonable estimate for this type of development, a much more accurate estimate for number of children per household in this particular development is closer to .15 children per household. Using this estimate, the approximate number of students living in this development would be 45. According to ACS data for enrollment by school type, nearly 25% of Albemarle County children ages 5-17 attend private schools. If we conservatively estimate that 12.5% of students living at Royal Fern will attend private schools then the number of prospective students enrolled in Albemarle County Schools is reduced to 39. This could result in approximately 18 new elementary school students (grades K-5), 9 new middle school students (grades 6-8), and 12 new high school students (grades 9-12).

IMPACT ON ENVIRONMENTAL FEATURES

All design and engineering for improving the property will comply with applicable County and State regulations. Regional Stormwater Management facilities have been constructed for the Sterling University Housing project (Wahoo Way). These facilities have been designed to accommodate some of, if not all, of the proposed runoff from the property. Any additional stormwater management design will be consistent with similar urban development projects and will utilize a combination of features, such as on-site surface facilities, on-site underground stormwater management facilities, and/or off-site nutrient credits.

PROPOSED PROFFERS TO ADDRESS IMPACTS

Please see the draft proffer statement, included with this application.

CITATIONS

<sup>1</sup> Charlottesville EDA & HR&A. “City of Charlottesville Office and Retail Market Study” 2018.  
<sup>2</sup> Table “S2501” Occupancy Characteristics. U.S. Census Bureau, 2013-2017 American Community Survey 5-Year Estimates  
<sup>3</sup> Table “DP05” ACS Demographic and Housing Estimates. U.S. Census Bureau, 2013-2017 American Community Survey 5-Year Estimates  
<sup>4</sup> Table “C14003” School Enrollment by Type of School by Age for the Population 3 Years and Older. U.S. Census Bureau, American Community Survey

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