



**County of Albemarle
Department of Community Development**

To: Albemarle County Planning Commission
From: Tori Kanellopoulos, Planner
Date: January 14, 2020
Item: ZMA201900001, 999 Rio Road

BACKGROUND:

This rezoning application was first submitted on March 6, 2019. The applicant has held two community meetings with the Places29 Rio Community Advisory Committee (03/28/19 and 12/05/19). This application has been considered at both Planning Commission (06/25/19) and Board of Supervisors (09/18/19) public hearings. The applicant has since revised the application to address concerns and comments heard at these public hearings. This application will again be considered by both the Planning Commission and Board of Supervisors.

DISCUSSION:

At its meeting on June 25, 2019, the Planning Commission voted 4:1 to recommend approval of ZMA20190001 with staff-recommended revisions, and a revision recommended by the Commission to include additional screening in the northern portion of the property. The Planning Commission also approved private streets and variations related to standards under the Subdivision Ordinance, to allow amenity-oriented lots in Block 2. The Planning Commission also recommended (5:0) a Corridor Study for Rio Road East to address traffic concerns and pedestrian and bicycle safety, access and connectivity. The full discussion is included in the Planning Commission minutes, which are linked below.

At its meeting on September 18, 2019, the Board of Supervisors took the action to defer this application back to the Planning Commission, with recommended revisions. The main concerns discussed by the Board were: the scale of the non-residential use; the potential traffic impacts of this development; and the limiting size of the parcel with the amount of units and non-residential uses proposed. The main favorable aspects discussed were: providing affordable housing; providing smaller homes to fill market needs; and extending the multiuse path. The recommended revisions were to: either reduce or eliminate the amount of non-residential uses permitted; and further address traffic concerns.

The applicant held a second community meeting with the Places29 Rio Community Advisory Committee, which was not required. A summary of the discussion is included as Attachment 9. A summary of the first CAC meeting is included in the June 25 Staff Report (linked below).

The applicant has revised the Code of Development and Application Plan to address concerns from the Planning Commission, Board of Supervisors, and community members. The following is a summary of changes made:

- The number of units has been reduced from a maximum of 46 to a maximum of 28, which also reduced the maximum density from 24 units/acre to 15 units/acre. This is a 40 percent reduction in density, and still within the Comprehensive Plan recommendation of 6.01-34 units/acre.
- The maximum non-residential square footage has been reduced from a maximum of 10,000 sq. ft. to a maximum of 6,000 sq. ft., which is a 40 percent reduction.

- The permitted non-residential uses have been significantly reduced. Previously, all Retail (Neighborhood, Community, and Regional), General Commercial Service, and Office/R+D/Flex were permitted by the COD. Now, the only type of retail permitted is Furniture Store, and no Commercial is permitted. Office/R+D/Flex is still permitted. This addresses the concern that a high-traffic use, such as a restaurant or drive-thru, could be built, as these uses are no longer permitted.
- The revised trip count has been reduced by approximately 52 to 59 percent, based on maximum potential build-out (that is, based on the maximum allowed residential units and non-residential square footage).
- The non-residential building height has been reduced from three stories to one story.
- A larger area of the project is now allocated for green and amenity space (an additional 6,000 sq. ft.).

RECOMMENDATIONS:

Based on the factors identified as favorable with this rezoning, staff recommends approval of ZMA201900001.

Staff's analysis and recommendation has not changed. The application still meets the applicable Comprehensive Plan policies, Neighborhood Model Principles, and the County's Zoning Ordinance. Staff finds that the applicant has addressed the revisions requested by the Board of Supervisors.

ATTACHMENTS:

ZMA201900001 Staff Report for January 14, 2020

Attachment 1: Vicinity Map

Attachment 2: Code of Development, dated December 16, 2019

Attachment 3: Application Plan, dated December 16, 2019

Attachment 4: Staff Analysis of Neighborhood Model Principles

Attachment 5: Staff Analysis of Request for Modifications

Attachment 6: Applicant Modification Request

Attachment 7: Applicant Justification

Attachment 8: Applicant Narrative Supplement

Attachment 9: Meeting Notes from December 5, 2019 Places29 Rio CAC

LINKS TO PREVIOUS PLANNING COMMISSION AND BOARD OF SUPERVISORS

ACTIONS:

Planning Commission Public Hearing Staff Report: [June 25, 2019](#)

Planning Commission: [Action Memo](#) from June 25, 2019

Planning Commission: [Minutes](#) from June 25, 2019

Board of Supervisors Public Hearing: [September 18, 2019](#)