

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

SUMMARY OF PLANNING COMMISSION ACTION

AGENDA TITLE: ZMA201900001 – 999 Rio Road	AGENDA DATE: March 4, 2020
SUBJECT/PROPOSAL/REQUEST:	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 January 14, 2020, the Planning Commission voted 4:3 to recommend approval of ZMA201900001. The Planning Commission also approved a private street and variations related to standards under the Subdivision Ordinance, to allow amenity-oriented lots in Block 2. No action by the Board is required for the exception and variation requests. The Planning Commission also recommended (7:0) to note its outstanding concerns to the Board of Supervisors: concern with the Flex use permitted in the Code of Development; a question of whether there is adequate parking; concern over existing traffic issues; and concern on allowing 0-foot setbacks for the attached units in Block 1.

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

DISCUSSION:

At the Planning Commission meeting, staff recommended approval of the proposed Zoning Map Amendment application. The proposal is consistent with the future land use and development recommendations specified in the Places29 Master Plan and the Albemarle County Comprehensive Plan.

Since the Planning Commission public hearing on January 14, 2020, the applicant has revised the Code of Development and Application Plan to address the Planning Commission's concerns. The following is a summary of changes made:

- The permitted non-residential uses have been reduced. The uses of 'Flex' and 'Furniture Store' have been removed. The only non-residential uses permitted are 'Office/R+D'.
- The applicant has revised the minimum front setback in Block 1 from 0 feet to 3 feet.
- The applicant revised the Application Plan so that the first entrance is an additional 2.5 feet from Rio Road East, ensuring VDOT spacing requirements are being met.

Staff continues to recommend that any requested parking reductions be processed with future site plan applications. Given that a range of non-residential square feet (500-6,000 sq. ft.) and a range of units (11-28) are permitted, it is difficult to process a parking reduction request at this time. Staff finds that the applicant has demonstrated sufficient parking for the proposed development, and the applicant will need to meet the parking requirements of the Zoning Ordinance with a site plan submittal. Additionally, Transportation Planning and VDOT staff continue to have no objection to the proposal and find that there would not be significant traffic impacts from this development.

There were two previous public hearings and actions for this project: the Planning Commission public hearing on June 25, 2019, and the Board of Supervisors public hearing on September 18, 2019. A summary of the actions and discussions from these meetings is included as Attachment D. The applicant held a second community meeting with the Places29 Rio Community Advisory Committee, which was not required. A summary of the discussion from that meeting is included as Attachment A8.

RECOMMENDATIONS:

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

ATTACHMENTS:

Attachment A: ZMA201900001 Staff Report for January 14, 2020

Attachment A1: Vicinity Map

Attachment A2: Code of Development, dated January 29, 2020

Attachment A3: Application Plan, dated January 29, 2020

Attachment A4: Staff Analysis of Neighborhood Model Principles

Attachment A5: Staff Analysis of Request for Modifications

Attachment A6: Applicant Modification Request

Attachment A7: Applicant Narrative

Attachment A8: Meeting Notes from December 5, 2019 Places29 Rio CAC

Attachment B: Planning Commission Action Memo

Attachment C: Planning Commission Minutes

Attachment D: Summary of previous Planning Commission and Board of Supervisors actions

Attachment E: Ordinance to approve ZMA201900001