

PROFFER SUPPLEMENT NARRATIVE

ZMA2019-00015 Our Neighborhood Child Development Center
TMP 78-58K

February 11, 2020

Revised March 4, 2020

The purpose of this supplement narrative is to provide Our Neighborhood Child Development Center's (the "applicant's") reasoning behind voluntarily proffering conditions with ZMA2019-00015 (the "project"). The project is a request for rezoning from R-1 Residential to C-1 Commercial on TMP78-58K, a 3.59 acre parcel located within the Development Areas of Albemarle County and designated as Urban Density Residential on the Pantops Master Plan Future Land Use Map.

Future Uses

The applicant has limited future commercial uses on the property that otherwise would be allowed by-right if the request for rezoning from R-1 to C-1 is approved. As stated in the project narrative, the C-1 zoning district is desirable because it would allow for future possibilities where the property could not only directly serve the children enrolled at Our Neighborhood but could also serve their parents with coworking spaces, entrepreneurial offices, or small service oriented operations. Our Neighborhood has carefully considered each of the commercial uses allowable in the C-1 district and has proffered out certain uses that are inconsistent with recommendations outlined in the Master Plan and that could potentially have adverse impacts on the character of the neighborhood. The allowable uses that remain on the property are those that contribute to a walkable, equitable, and mixed-use community.

All C-1 Uses are listed left; strikethrough indicates proffered out of plan. The reason for retaining the use is listed on the right.

All By Right Uses in C-1 Zone		Consistency with Master Plan
a. The following retail sales and service establishments:		
1	Antique, gift, jewelry, notion and craft shops.	Retail is Secondary Use in Urban Density Residential restricted by size and scale proffers. - Allows an establishment wherein hand-made goods are offered for sale.
2	Clothing, apparel and shoe shops.	Small scale clothing, apparel and shoe shops will be allowed but not department stores to maintain the focus on neighborhood pedestrian services.
3	Department store.	Proffered Out
4	Drug store, pharmacy.	Retail is Secondary Use in Urban Density Residential restricted by size and scale proffers.

5	Florist.	Retail is Secondary Use in Urban Density Residential restricted by size and scale proffers.
6	Food and grocery stores including such specialty shops as bakery, candy, milk dispensary and wine and cheese shops.	Retail is Secondary Use in Urban Density Residential restricted by size and scale proffers.
7	Furniture and home appliances (sales and service).	Small scale could contribute to a walkable, equitable, and mixed-use community.
8	Hardware store.	Community oriented sales and service.
9	Musical instruments.	Community oriented sales and service
10	Newsstands, magazines, pipe and tobacco shops.	Consistent with pedestrian neighborhood service.
11	Optical goods.	Community oriented sales and service.
12	Photographic goods.	Community oriented sales and service
13	Visual and audio appliances.	Community oriented sales and service
14	Sporting goods.	Community oriented sales and service
15	Retail nurseries and greenhouses.	Asset to the walkable community atmosphere.
16	Farmers' markets (reference 5.1.47).	Asset to the walkable community atmosphere.
17	Laboratories/Research and Development/Experimental Testing; gross floor area of the establishment does not exceed 4,000 square feet per site; provided that the gross floor area of the establishment may exceed 4,000 square feet per site by special exception approved by the board of supervisors.	Proffered Out
18	Manufacturing/Processing/Assembly/Fabrication and Recycling; gross floor area of the establishment does not exceed 4,000 square feet per site; provided that the gross floor area of the establishment may exceed 4,000 square feet per site by special exception approved by the board of supervisors.	Proffered Out
19	Drive-through windows (reference 5.1.60). (Added 3-2-16)	Proffered Out
b. The following services and public establishments:		
1	Offices.	Office is a Secondary Use in Urban Density Residential restricted by size and scale proffers.
2	Barber, beauty shops.	Small neighborhood amenities that focus on servicing the residents, not drawing others to the region.
3	Religious assembly use, cemeteries. (Amended 8-9-17)	Asset to the walkable community atmosphere.

4	Clubs, lodges (reference 5.1.02).	Consistent with Adjacent Uses e.g. Elks Lodge
5	Financial institutions.	Small neighborhood amenities that focus on servicing the residents, not drawing others to the region.
6	Fire and rescue squad stations (reference 5.1.09).	Public Services
7	Funeral homes.	Small neighborhood amenities that focus on servicing the residents, not drawing others to the region.
8	Health spas.	Asset to the walkable community atmosphere.
9	Indoor theaters.	Proffered Out
10	Laundries, dry cleaners.	Proffered Out
11	Laundromat (provided that an attendant shall be on duty at all hours during operation).	Small neighborhood amenities that focus on servicing nearby residents, not drawing others to the region.
12	Libraries, museums.	Public Services
13	Child day centers (reference 5.1.06).	Community resource, primary use in Urban Density Residential and focus of this ZMA.
14	(Repealed 2-6-19)	
15	Tailor, seamstress.	Small neighborhood amenities that focus on servicing the residents, not drawing others to the region.
16	(Repealed 2-6-19)	
17	Water, sewer, energy and communications distribution facilities.	Public Services
18	Public uses (reference 5.1.12).	Public Services
19	Temporary construction headquarters and temporary construction storage yards (reference 5.1.18).	Required for all construction on properties
20	Dwellings (reference 5.1.21).	Consistent with Adjacent Uses e.g. Wilton Farms, Riverside Village
21	(Repealed 4-3-13)	
22	Automobile, truck repair shop excluding body shop.	Proffered Out
23	Temporary industrialized buildings (reference 5.8).	This is necessary to provide space for employees, students, or other people temporarily.
24	Indoor athletic facilities.	Consistent with Adjacent Uses e.g. Riverside Village Dance Studio
25	(Repealed 5-5-10)	
26	Stormwater management facilities shown on an approved final site plan or subdivision plat.	Public Services

27	Tier I and Tier II personal wireless service facilities (reference 5.1.40).	Also allowed by right in the current R-1 zoning district.
c. If the use is served by either public water or an approved central water supply:		
1	Automobile service stations (reference 5.1.20).	Proffered Out
2	Convenience stores.	Proffered Out
3	Restaurants.	Consistent with Adjacent Uses e.g. Riverbirch

Commercial Setbacks

Our Neighborhood has proffered setbacks in conjunction with ZMA2019-00015. These proffered setbacks would allow for existing buildings to be in conformance with setbacks on the property. Our Neighborhood intends to repurpose the existing structures on the property from residential use to commercial use to allow for the establishment of a child care center.

The existing structures on the property are closest to the adjacent Wilton Farm property, which is zoned R-10. Commercial uses allowed within the existing structures are restricted by means of an additional proffer limiting the commercial uses allowed by-right on the property. The “commercial uses” proffer further limits the use of existing structures for commercial uses which may have more of an intense impact on nearby residential areas. Any new structures built on the property would have to comply with commercial setbacks as set forth in 4.20 of the Albemarle County Zoning Ordinance. The diagram below shows the developable commercial area, given the setback requirements of Sec. 4.20, for any new commercial structure on the property.

Maximum Building Footprint

Our Neighborhood has proffered a maximum building footprint of 8,000 square feet for any structure on the property. This maximum building footprint was directly informed by the Pantops Master Plan “Future Land Use Typologies” recommendation for height and massing of structures in areas designated as Urban Density Residential (page 31 Pantops Master Plan, 2019).

The existing metal garage and attached overhang are, in the aggregate, approximately 6,200 square feet. This building is slated to be repurposed from a garage to a child care center.

Maximum Gross Square Footage

A maximum gross square footage of 20,000 square feet per structure has been proffered. Although the Pantops Master Plan doesn’t specifically identify a maximum gross square footage per commercial building in the Urban Density residential designated areas, the Master Plan does state that “commercial/retail/office/institutional: uses should be located in small buildings or as part of mixed-use buildings, with small shop fronts along the streets” (page 31 Pantops Master Plan, 2019). A maximum gross square footage of 20,000 square feet per building, ensures that any future buildings on the property will be neighborhood scale. The Pantops Master Plan suggests a maximum of a 25,000 square foot building footprint for office/institutional uses on properties designated as Urban Density Residential and so the proffered maximum gross square footage of 20,000 square feet is less than the maximum building footprint suggested for office/institutional uses.

For comparison purposes, the Shops at Riverside Village, located directly across the street from the property, allow for a maximum of 20,000 square feet per building in Block 1 (ZMA201600019).

Maximum Building Height

Our Neighborhood has proffered a maximum building height of the lesser of 45' or three (3) stories. This maximum building height is directly consistent with the Pantops Master Plan which recommends up to four (4) stories. The C-1 district allows for building heights up to 65' and so the maximum building height proffer ensures that any future redevelopment on the property would be of a form that is consistent with recommendations in the Comprehensive Plan.

Commercial Screening

Our Neighborhood has proffered commercial screening prior to the approval of a zoning clearance for any commercial use, besides a child day center, in any of the existing structures on the Property. The commercial screening is proffered in the form of a slightly opaque wall or fence, or a combination thereof, at least six feet in height shall be constructed along the eastern Property boundary. A screening fence is not proffered for the day care use because a child day center is inherently complimentary to the neighboring multi-family residential use because day care is a human centered service that directly serves residents in the area. Screening is a common method used to mitigate potential objectionable impacts of more intense users adjacent to less intense users. In the case of a child care center, a screening fence would screen children at the child care center from neighboring residents, some of which are likely more children. The sounds of children's laughter and giggles while enjoying time in outside space and on the playground may be heard from neighboring properties; and children's playground equipment may be somewhat visible from neighboring properties once final play areas are determined at site plan.

Razor Wire Removal

The applicant has proffered the removal of the existing razor wire along the eastern Property boundary. Visually, this will establish a much more inviting environment along the eastern Property boundary.

Vegetative Buffer

A 30' vegetative buffer is proffered along the southern Property boundary. There is an existing channel along this boundary however, per Sec. 17-600 of the Albemarle County Water Protection Ordinance there is no required stream buffer on the Property. Presently, the Property is mowed and maintained to the bank of the channel and there is a gravel parking area that extends to the bank of the channel. This proffer would ensure a vegetative buffer is restored along the bank of the channel. In total, approximately 12,500 square feet of the Property would be dedicated to a vegetative buffer and would contribute to a more stabilized bank that is less susceptible to erosion and would serve as a natural filter of stormwater runoff.

Although a concept plan is not proffered with this project, the applicant is simultaneously pursuing an initial site plan on the Property which shows an approximate 5,800 square foot reduction in the existing gravel parking area to reduce the overall impervious surface in the area of the Property designated as Parks and Green Systems in the Master Plan. Additionally, this reduction in impervious surface will allow for the establishment of the 12,500 square feet of vegetative buffer.

Trip Generation

Our Neighborhood has proffered maximum trip generation thresholds for any and all uses established on the Property to mitigate intensity of use and potential traffic impacts. The applicant has limited total daily trips to 800 and total peak hour trips to 160.

If entrance improvements or turn lanes are required by the final use on the Property or by future redevelopment of the Property, those improvements will be required at site plan.