



ALBEMARLE COUNTY PLANNING
STAFF REPORT SUMMARY

Project Name: ZMA201900016 Bamboo Grove	Staff: Cameron Langille, Senior Planner
Planning Commission Hearing: June 2, 2020	Board of Supervisors Public Hearing: August 19, 2020 (tentative)
Owner: The Housing Lab, LLC	Applicant: The Housing Lab, LLC
Acreage: 1.24 acres	Rezone from: R-2 Residential to R-4 Residential
TMP: 05500-00-00-068C0, 05500-00-00-068D0	Location: West side of Orchard Drive, approximately 250 feet north of the intersection between Orchard Drive and Jarmans Gap Road (State Route 691).
School Districts: Crozet – Elementary, Henley – Middle, and Western Albemarle – High	By-right use: Property zoned R-2 Residential – 2 dwelling units/acre
Magisterial District: White Hall	Proffers: Yes
Proposal: Rezone 1.24 acres from R-2 Residential (2 units/acre) to R-4 Residential (4 units/acre). Six (6) dwelling units are proposed as a bonus level cluster development with a gross density of 4.84 units/acre and a net density of 9 units/acre. Application includes proffers for affordable housing and dedication of land to public use for parks. Private street authorization request, per Section 14-233 and 14-234 of the Subdivision Ordinance. Special exception requests to waive sidewalk requirements along one side of an internal private street per Sections 14-203.1(B) and 14-410(I) of the Subdivision Ordinance.	Requested # of Dwelling Units: 6 (maximum)
DA (Development Area): Crozet	Comp. Plan Designation: Neighborhood Density Residential – 3-6 units /acre; supporting uses such as religious institutions, schools and other small-scale non-residential uses; Greenspace – public parks, open space, environmental features in the Crozet Master Plan.

Character of Property: Undeveloped with a mix of native and invasive species vegetation.	Use of Surrounding Properties: Orchard Acres subdivision to the north, single family detached homes to the west and south, Pleasant Green attached single family to the northeast, private open space to the east.
Affordable Housing: Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>	AMI (Area Median Income): 80% AMI
Factors Favorable: <ol style="list-style-type: none"> 1. The request is consistent with the majority of the Neighborhood Model Principles. 2. The request is consistent with the County's Growth Management Policy. 3. The rezoning request is consistent with the Crozet Master Plan's recommendations for Greenspace and parks & green systems. 4. The request provides new pedestrian facilities, including sidewalks and walking trails, throughout the development which will enhance pedestrian connectivity. 5. The request includes proffers to provide 2 affordable units which exceeds recommendations of the Comprehensive Plan and the County's Housing Policy. 	Factors Unfavorable: <ol style="list-style-type: none"> 1. The request exceeds the net density recommendations of the Crozet Master Plan. 2. The proffer statement and Concept Plan need technical changes. 3. A commitment should be made that will ensure that new sidewalks will connect to existing sidewalk located south of the site at the intersection of Orchard Drive/Jarmans Gap Road. 4. A commitment should be made to meet all stormwater management requirements on-site. 5. A commitment should be made to locating all private residential lots outside of the 100' stream buffer.
<p>RECOMMENDATION:</p> <p>Zoning Map Amendment: Based on the factors identified as favorable with this rezoning, Staff recommends approval of ZMA2019-16 provided that changes are made as recommended in the staff report.</p> <p>Private street authorization: Staff recommends approval of the private street authorization request.</p> <p>Modification of Street Standards Request: Staff recommends approval of the requested modification for sidewalk on one side of the proposed private street.</p>	

STAFF PERSON:
PLANNING COMMISSION:
BOARD OF SUPERVISORS:

Cameron Langille, Senior Planner
June 2, 2020
August 19, 2020 (tentative)

PETITION:

PROJECT: ZMA201900016 Bamboo Grove

MAGISTERIAL DISTRICT: White Hall

TAX MAP/PARCEL(S): 05500-00-00-068C0, 05500-00-00-068D0

LOCATION: West side of Orchard Drive, approximately 250 feet north of the intersection between Orchard Drive and Jarmans Gap Road (State Route 691).

PROPOSAL: Proposal to rezone two properties to the R4 Residential Zoning District

PETITION: Rezone a total of 1.24 acres from the R2 Residential District, which allows for residential development up to 2 dwelling units/acre, to the R4 Residential District which allows residential uses up to 4 dwelling units/acre. A maximum of 6 residential units are proposed under the bonus level cluster development standards of the Zoning Ordinance at a gross density of 4.84 units/acre and a net density of 9 units/acre. Dedication of an open space area and trail to the County for public use is proposed. Private street authorization request per Sections 14-233 and 14-234 of the Subdivision Ordinance. Special exception requests to waive sidewalk requirements along a private street per Sections 14-203.1(B) and 14-410(I) of the Subdivision Ordinance. Special exception request to allow alternative locations of parking areas per Sections 18-4.12.5 and 18-4.12.8 of the Zoning Ordinance.

ZONING: R2 Residential – 2 units/acre

OVERLAY DISTRICT(S): None

ENTRANCE CORRIDOR (EC): No

PROFFERS: Yes

COMPREHENSIVE PLAN: Neighborhood Density Residential – 3-6 units /acre; supporting uses such as religious institutions, schools and other small-scale non-residential uses; Greenspace – public parks, open space, environmental features in the Crozet Master Plan.

CHARACTER OF THE AREA

The proposal includes two Tax Map Parcels. The first parcel is identified as Tax Map Parcel (TMP) 55-68D and is located within the Crozet Development Area (Attachment 1). TMP 55-68D measures 0.356 acres and is currently zoned R-2 Residential. The property is not located within any Zoning Overlay Districts. It is undeveloped and is mostly bare land.

The second parcel is identified as TMP 55-68C and is located within the Crozet Development Area. TMP 55-68C measures 0.88 acres and is currently zoned R-2 Residential. The property is not located within any Zoning Overlay Districts. TMP 55-68C contains areas covered by mature tree and shrub vegetation. The northern half of the property is within a Water Protection Ordinance (WPO) stream buffer (Attachment 2).

Orchard Drive borders the subject properties to the east and north. Properties to the north are developed as single family homes and are located in the Orchard Acres subdivision. Detached single family homes are located on adjacent properties to the west and south. Property located across Orchard Drive to the east and northeast has been approved by the County to be developed by-right as 51 attached single-family homes, a development known as “Pleasant Green.” The property directly east of Bamboo Grove across Orchard Drive is

an open space parcel within Pleasant Green that will be used as a pocket park and will not feature residential units.

SPECIFICS OF THE PROPOSAL

The Housing Lab, LLC is requesting approval of a Zoning Map Amendment (ZMA) application to rezone the properties from the R-2 Residential Zoning District to the R-4 Residential Zoning District with proffers. The purpose for the zoning change is to allow development of a bonus level cluster development featuring six detached single-family homes which hereafter be referred to as Bamboo Grove. A conceptual plan (hereinafter "Concept Plan") has been provided that shows the layout of new residential lots and open space lots, as well as transportation improvements like streets and sidewalks (Attachment 3).

Properties in the R-4 Zoning District can be developed at gross densities up to 4 du/acre. Bonus level cluster developments in the R-4 district can be developed by-right at gross densities of up to 6 du/acre with bonus factors.

Should the rezoning be approved, the applicant has stated that their intent is to utilize the bonus level cluster development standards to get density increases to allow six dwelling units. The proposed gross density of the bonus level cluster development would be 4.84 du/acre which complies with the Zoning Ordinance. Staff recommends that the bonus requirements and standards be incorporated into the application and commitments.

However, the Section 18-2.4 of the Zoning Ordinance states that the provision of bonus factors is intended to encourage development which reflects the goals and objectives of the comprehensive plan. To this end, bonus factors are based on development standards as recommended by the comprehensive plan. The Comprehensive Plan requires staff to evaluate rezonings based on their proposed net density. When bonus density increases are granted under the Zoning Ordinance, the resulting density cannot exceed the Comprehensive Plan's net density recommendations. Approximately 0.67 acres of the development is called for Neighborhood Density Residential future land use which has an allowable density range between 3-6 du/acre. The rest of the development is designated as Greenspace because it is located within the 100' WPO stream buffer. The applicant's proposed six dwelling units would result in a net density of 9 du/acre, which exceeds the Comprehensive Plan/Crozet Master Plan's recommendations. More information on this is provided in the Comprehensive Plan section of the staff report, as well as Attachment 6.

The applicant proposes to dedicate 0.22 acres to the County for public use in the northern portion of the development. The Albemarle County Department of Parks & Recreation has evaluated this dedication and supports. Walking trails will be installed in the area to be dedicated to the County, and these will connect to other trails located in private open space adjacent to the proposed residential lots. This is consistent with the Crozet Master Plan's recommendation that a greenway be installed across these parcels.

The concept plan shows approximately 0.57 acres of open space being provided, which is 46% of the entire project area. This exceeds the minimum required 25% open space for bonus level cluster developments. However, the Concept Plan should be revised to clearly

identify all proposed open space areas and sizes to ensure that a minimum of 25% open space is provided.

Access to the lots will be provided by a single private street that will connect to Orchard Drive. Sidewalks will be located on the south side of the street in front of each lot.

In addition to the rezoning request, the applicant is requesting two modifications (Attachment 4) as indicated below:

1. Private street authorization (Sections 14-233 and 14-234).
2. Modification of street standards to not provide sidewalks along one side of the private street (Section 14-422 (E)).

APPLICANT'S JUSTIFICATION FOR THE REQUEST

The applicant has provided a detailed request found in Attachment 5.

COMMUNITY MEETING

The applicants conducted a Community Meeting for ZMA201900016 at the Crozet Library on Wednesday, February 12th, 2020 at 7:00pm during a Crozet Community Advisory Committee (CAC) meeting. Approximately 50 members of the public attended the CAC meeting and heard presentations from staff and the applicant regarding this proposal. Attendees expressed overwhelming support for the proposal because of the affordable housing proffer, open space dedication proffer, and the architectural style/size of the dwelling units. Staff outlined the Crozet Master Plan's density recommendations for this site, and there were no objections from the public or the CAC even though the proposed net density is 9 du/acre.

PLANNING AND ZONING HISTORY

There has been no prior Planning or Zoning history on this site.

COMPREHENSIVE PLAN

The request is consistent with the County's Growth Management Policy (Ch. 3), which directs new development and infrastructure to the Development Areas. The Development Areas chapter (Ch. 8) recommends that a variety of housing types be provided in the urban neighborhoods such as Crozet.

Although the Concept Plan shows conceptual locations of stormwater management facilities within the development, staff recommend that a commitment be made to meeting all stormwater management requirements on-site in order to be fully consistent with the Natural Resources chapter (Ch. 11) of the Comprehensive Plan.

Analysis of the Crozet Master Plan

The subject properties are located in the Crozet Development Area and are subject to the recommendations contained in the Crozet Master Plan's Future Land Use Plan. A description of each future land use classification and an overview map is provided below.



Both properties are recommended for two future land use classifications: Neighborhood Density Residential (yellow color in image) and Greenspace (green color in image).

Neighborhood Density Residential:

- Residential areas with densities between 3-6 dwelling units per acre.
- Primarily single-family detached with some single-family attached/townhouses.
- Non-residential uses include institutional uses, such as places of worship, public and private schools, and early childhood education centers (daycare centers and preschools).

Greenspace:

- Refers to existing and proposed public parks, public open space, environmental features and active park areas.
- Includes public greenways and park-related institutional uses.
- Important environmental features and privately-owned park and recreational areas which may be active or passive.
- Sensitive environmental features including stream buffers, flood plains, and adjacent slopes. Passive recreation and greenway trails are allowed in greenspace.

The Development Areas Chapter (8) calls for Master Plans to guide new development in the Development Areas. Strategy 8c states that density should be calculated using net density, by excluding areas not suitable for development, including steep slopes, stream buffers, floodplain, and areas identified as Parks/Green systems. Using measurements from the survey plat of the properties' boundaries, there are approximately 0.67 acres of the site designated for Neighborhood Density Residential land use that lie outside of the 100' WPO stream buffer. The proposed development has a gross density of 4.84 units per acre. However, the resulting net density is 9 du/acre, which exceeds the maximum density limit (6 du/acre) recommended by the Master Plan. A range of 2-4 dwelling units would be allowable within this development under the Master Plan's net density recommendations.

Additional information regarding density and prior actions is provided in Attachment 6.

Additional relevant language within the Comprehensive Plan that relates to housing and density includes:

- Chapter 8 states that housing in the Development Areas should be provided at a variety of price points, including affordable housing. The housing types identified by the developer as their intended unit types are unique in terms of footprint, square footage, and lot size. There appears to be an increasing demand for smaller units, especially as household sizes decrease nationally.
- Objective 4 of the Housing Chapter (9) is to “Provide for a variety of housing types for all income levels and help provide for increased density in the Development Areas.” In addition to the proposed housing types, the applicant is providing affordable housing in accordance with the Housing Policy.

There is not sufficient guidance in the Comprehensive Plan for staff to determine when it may be acceptable to exceed the Comprehensive Plan. Master Plans are drafted and adopted through a community-driven process, including review of the future land use categories and designations. Therefore, staff has included exceeding the recommended density in the Master Plan as a ‘factor unfavorable’ with this application and previous applications.

The proffer to dedicate 0.22 acres of land to the County and install walking trails is consistent with the Parks & Green Systems Plan of the Crozet Master Plan. A major greenway trail is shown on TMP 55-68C and is in the general location that the applicant identifies on the Concept Plan.

The Neighborhood Model: Staff has reviewed the proposal against the Neighborhood Model Principles and found that it is consistent with most of the principles. The detailed Neighborhood Model Analysis can be found in Attachment 7.

Affordable Housing: The applicant is providing two (2) affordable housing units, which exceeds the recommendation of Strategy 6b in Chapter 9 of the Comprehensive Plan that states that 15% affordable units should be provided with rezonings. The proffer statement establishes additional requirements for the affordable units depending on whether they are for-sale or rental units. The Housing Planner has reviewed the proposal and has no objections.

ZONING ORDINANCE REQUIREMENTS

Relationship between the application and the intent and purposes of the requested zoning district:

This application is consistent with a majority of the Neighborhood Model Principles. However, the project’s net density exceeds the recommended net density called for by the Crozet Master Plan.

Anticipated impact on public facilities and services:

Streets:

The maximum number of dwelling units that would be possible should the rezoning be approved did not reach the minimum threshold to require a Traffic Impact Analysis (TIA) under VDOT or the County's requirements. However, the applicant provided an average daily traffic (ADT) calculation in the project narrative that shows that the development would generate 67 maximum ADT. The new private street serving lots in Bamboo Grove will connect to Orchard Drive, which is an existing 50' public right-of-way. Staff with VDOT have reviewed the request and have no objections to the rezoning. Compliance with all applicable VDOT standards will be required at time of site plan approval.

The Crozet Master Plan does not recommend that Orchard Drive be upgraded to a higher standard cross section for vehicular traffic.

The only transportation recommendation from the Master Plan is that new connections to existing pedestrian networks be made when possible. Staff is recommending that a commitment be made to ensure that new sidewalks will connect to existing sidewalk located south of the site at the intersection of Orchard Drive/Jarmans Gap Road.

Schools:

Students living in this area would attend Crozet Elementary, Henley Middle School, and Western Albemarle High School. The table below specifies the yield of students generated at each school level should the subject property be built out to the maximum number of dwelling units proposed by the applicant. Student generation figures are provided at each school level in parenthesis based on possible housing types permitted in the R-4 Zoning District. When the calculation produced a figure that was not a whole number, staff rounded up to the next whole number.

Official Calculator

Dwelling Type	Elementary	Middle	High	Total
Single-family detached (6 units)	0.15 students/unit (1 student)	0.08 (1)	0.12 (1)	0.35 (3)
Single-family attached (6 units)	0.13 (1)	0.05 (1)	0.08 (1)	0.26 (3)
Townhomes (6 units)	0.15 (1)	0.06 (1)	0.08 (1)	0.29 (3)

Albemarle County Public Schools (ACPS) released an annual report in 2019, titled "Long Range Planning Committee Advisory Recommendations" that identified current and future conflicts for school capacity. Currently, Crozet Elementary is the only school that is over capacity. Henley Middle School and Western Albemarle both have enough capacity to handle the highest number of students that will be generated by the development.

By school year 2028/2029, all three schools are projected to be over capacity. However, the report issued by ACPS stated that recommended expansions and upgrades to Crozet Elementary and Western Albemarle could alleviate overcrowding. The report stated that capacity at Henley Middle should be evaluated in an official study to determine necessary mitigation strategies.

Fire & Rescue:

The proposal is not expected to create new demands on Fire and Rescue services. Fire and Rescue has reviewed this rezoning application and has no objection to the proposal.

Utilities:

This project is in the Albemarle County Service Authority (ACSA) jurisdictional area for both water and sewer. ACSA did not identify any capacity issues with either utility. Water lines are currently on-site and sewer lines are located along Orchard Drive.

Anticipated impact on environmental, cultural and historic resources:

There are no known cultural or historic resources on the subject properties.

Some minor encroachments will occur within the landward-most 50' feet of the WPO stream buffer. This includes installation of the rain garden and grading for the private street. As shown on the Concept Plan, the rain garden is relatively small, measuring approximately 1,300 sq. ft. and will be utilized as a stormwater management measure. The County Engineer has no objections to the proposed street and rain garden design in relation to the WPO stream buffer. However, staff is recommending that a commitment be made to locating all private residential lots outside of the 100' WPO stream buffer.

Stormwater management will be reviewed by County Engineering staff during the site planning stage of the project. Stormwater facilities will be designed in accordance with the Virginia Stormwater Management Program (VSMP) regulations administered by the Virginia Department of Environmental Quality (DEQ).

In order to ensure that all applicable recommendations from the Natural Resources chapter (Ch. 11) of the Comprehensive Plan are met, the County Engineer and Planning staff are recommending that a commitment be made to meeting all stormwater management requirements on-site.

Anticipated impact on nearby and surrounding properties:

The proposal is consistent with existing residential uses on surrounding properties. Traffic generation associated with this development will be minimal and will not adversely affect travel on public roads surrounding the site. Furthermore, the open space and trail dedication will ensure that adequate buffering and landscaping measures are provided on site to mitigate impacts to adjacent properties.

Public need and justification for the change:

The County's growth management policy states that new residential development should occur in the designated Development Areas where infrastructure and services are provided, rather than in the Rural Area. This proposal is in conformity with the use and form recommended by The Comprehensive Plan and Crozet Master Plan. The proposal is providing affordable housing consistent with the County's Housing Policy.

The proposal exceeds the Comprehensive Plan and Crozet Master Plan recommendations for net density. However, the applicant contends that the need for smaller and more affordable dwelling units in Albemarle County is reason to justify the excess density.

PROFFERS

Proffers are contained in the Proffer Statement (Attachment 8) and are summarized below. Staff recommends technical revisions to the proffer statement and Concept Plan as outlined below.

Additional language should be added to the introductory section stating that development should be in general accord with the concept plan titled "Concept Plan" prepared by the Housing Lab, LLC, dated February 14, 2020. This language should identify major elements of the Concept Plan such as lot layout, internal street layout, maximum number of dwelling units permitted, pedestrian improvements, and open space. The Concept Plan will need to be revised so that it states the specific maximum number of dwelling units permitted, the minimum residential lot size permitted, and the minimum amount of open space required.

- **Proffer 1: Affordable Housing**

This proffer establishes that 2 affordable dwelling units will be provided. The proffer defines an affordable unit as a unit that will be affordable to households with incomes less than 80% of the area median income (AMI). Proffer #1A describes conditions that apply to for-sale affordable units, and proffer #1B describes conditions that apply to for-rent affordable units.

- **Proffer 2: Open Space and Trail Dedication**

This proffer describes how open space and trails will be developed as shown on the Concept Plan. It also describes the timing for dedication of the 0.22-acre trail area to the County.

MODIFICATION REQUESTS

The applicant is requesting two modifications in addition to the rezoning request (Attachment 4):

1. Private street authorization (Sections 14-233 and 14-234). **Staff recommends approval.**
2. Modification of street standards to not provide sidewalks along one side of the internal private street (Section 14-422 (E)). **Staff recommends approval.**

A detailed staff analysis is provided in Attachment 9.

SUMMARY

Staff has identified the following factors which are favorable to this request:

1. The request is consistent with the majority of the Neighborhood Model Principles.
2. The request is consistent with the County's Growth Management Policy.
3. The rezoning request is consistent with the Crozet Master Plan's recommendations for Greenspace and parks & green systems.
4. The request provides new pedestrian facilities, including sidewalks and walking trails, throughout the development which will enhance pedestrian connectivity.
5. The request includes proffers to provide two (2) affordable units which exceeds the recommendations of the Comprehensive Plan and the County's Housing Policy.

Staff has identified the following factors which are unfavorable to this request:

1. The request exceeds the net density recommendations of the Crozet Master Plan.
2. The proffer statement and Concept Plan need technical changes.
3. A commitment should be made that will ensure that new sidewalks will connect to existing sidewalk located south of the site at the intersection of Orchard Drive/Jarmans Gap Road.
4. A commitment should be made to meet all stormwater management requirements on-site.
5. A commitment should be made to locating all private residential lots outside of the 100' stream buffer.

RECOMMENDATION

Zoning Map Amendment: Based on the factors identified with this rezoning, staff recommends approval of ZMA201900016, Bamboo Grove, provided that the following changes are made prior to the public hearing for the Board of Supervisors:

1. A commitment to providing a maximum number of 4 dwelling units to be consistent with the recommended net density specified in the Crozet Master Plan.
2. A commitment should be made to meet all stormwater management requirements on-site.
3. A commitment should be made to locating all private residential lots outside of the 100' WPO stream buffer.
4. The Concept Plan should be revised to clearly identify all open space areas and sizes to ensure that a minimum of 25% open space will be provided.
5. A note should be made on the Concept Plan specifying a minimum lot size for residential lots.
6. A commitment be made that will ensure that new sidewalks will connect to existing sidewalk located south of the site at the intersection of Orchard Drive/Jarmans Gap Road.
7. The proffer statement should be revised with the technical changes outlined in this report.

Modification Requests:

Private street authorization (Sections 14-233 and 14-234) – Staff recommends approval.

Modification of street standards - Waiver of sidewalks along one side of internal private street (14-422 (E)) - Staff recommends approval.

Motions for the rezoning request, private street authorization request, and the special exception for a sidewalk waiver request will be provided at the Planning Commission meeting.

ATTACHMENTS:

- 1 – Location Map and Aerial Imagery
- 2 – WPO Stream Buffer Exhibit
- 3 – Bamboo Grove Concept Plan, “Concept Plan” (*dated February 14, 2020*)
- 4 – Private Street Authorization and Modification Request
- 5 – Project Narrative/Justification for Request
- 6 – Staff Density Analysis
- 7 – Staff Analysis of Application’s Consistency with Neighborhood Model Principles
- 8 – Bamboo Grove Proffer Statement
- 9 – Staff Analysis of Private Street Authorization and Modifications Requests