



**ALBEMARLE COUNTY**  
**STAFF REPORT**

<b>Project Name:</b> ZMA202000006 Spring Hill Village Proffer Amendment	<b>Staff:</b> Tori Kanellopoulos, Senior Planner
<b>Planning Commission Hearing:</b> July 21, 2020	<b>Board of Supervisors Public Hearing:</b> TBD
<b>Owner:</b> Stanley Martin Companies LLC	<b>Applicant:</b> Scott Collins, Collins Engineering, on behalf of Stanley Martin Companies LLC
<b>Acreage:</b> 12.63 acres	<b>Rezone from:</b> Amend proffers per ZMA201300017; zoning district remains NMD
<b>TMP:</b> 09000-00-00-02800	<b>Location:</b> Parcel is approx. 12.63 acres and has frontage on both State Route 742 (Avon Street Extended) and State Route 20 (Scottsville Road). Parcel is located approx. 1,600 feet to the north of the intersection of SR 742 and SR 20. Parcel is located approx. 330 feet south of the intersection of SR 742 and Stoney Creek Drive.
<b>School Districts:</b> Mountain View (Elementary); Walton (Middle School); Monticello (High School)	<b>Current by-right use:</b> Maximum of 100 dwelling units and a maximum of 60,000 square feet of non-residential uses
<b>Magisterial District:</b> Scottsville	<b>Proffers:</b> Yes per ZMA201300017
<b>Proposal:</b> Amend previously approved proffers per ZMA201300017 to revise the proposed improvements to Route 20 (Scottsville Road). Specifically, remove the proposed left turn lane on Route 20, and instead construct a right turn in, right turn out, left turn out at the intersection of Dauphin Drive (main road through Spring Hill Village) and Route 20. The applicant is also proposing to construct a pedestrian path along Route 20 instead of the previously approved 8-foot sidewalk. The application plan has been updated to show these changes.	<b>Requested # of Dwelling Units:</b> A maximum of 100 dwelling units were approved with ZMA201300017. No additional dwelling units are requested.
<b>DA (Development Area):</b> Southern and Western Urban Neighborhoods	<b>Comp. Plan Designation:</b> Community Mixed Use – residential (up to 34 units/acre), community scale

	retail, service and office uses, places of worship, schools, public and institutional uses in the Southern and Western Urban Neighborhoods.
<b>Affordable Housing Provided:</b> <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	<b>Affordable Housing AMI (%):</b> 15% affordable units approved with ZMA201300017.
<b>Character of Property:</b> The property is in the process of being graded and developed. A final site plan (SDP201900068) for 100 dwelling units is currently under review.	<b>Use of Surrounding Properties:</b> Adjacent properties directly to the south of this property are zoned R-1 residential and each have one single-family dwelling unit. The Avon Park development (zoned R-6) is directly across Avon Street Extended to the west. Properties across Route 20 to the east are zoned RA Rural Area and are within the Rural Area. Adjacent properties directly to the north are zoned LI Light Industrial and are developed with industrial and commercial uses.
<b>Factors Favorable:</b> <ol style="list-style-type: none"> <li>1. The rezoning request is consistent with the majority of the recommendations within the Southern and Western Master Plan and Comprehensive Plan.</li> <li>2. The request is consistent with the majority of the applicable Neighborhood Model Principles.</li> <li>3. VDOT does not anticipate a significant traffic impact on the nearby street network.</li> </ol>	<b>Factors Unfavorable:</b> <ol style="list-style-type: none"> <li>1. The application plan needs technical changes.</li> </ol>
<b>RECOMMENDATION:</b> <b>Zoning Map Amendment:</b> Based on the factors identified as favorable with this rezoning, staff recommends approval of ZMA202000006 provided that changes are made as recommended in the staff report.	

**STAFF PERSON:**  
**PLANNING COMMISSION:**  
**BOARD OF SUPERVISORS:**

Tori Kanellopoulos, Senior Planner  
July 21, 2020  
TBD

**PETITION:**

PROJECT: ZMA202000006 – Spring Hill Village Proffer Amendment

MAGISTERIAL DISTRICT: Scottsville

TAX MAP/PARCEL: 09000000002800

LOCATION: Parcel is approx. 12.63 acres and has frontage on both State Route 742 (Avon Street Extended) and State Route 20 (Scottsville Road). Parcel is located approx. 1,600 feet to the north of the intersection of State Route 742 and State Route 20. Parcel is located approx. 330 feet south of the intersection of State Route 742 and Stoney Creek Drive.

PROPOSAL: Amend previously approved proffers per ZMA201300017 to revise the proposed improvements to Route 20 (Scottsville Road). Specifically, remove the proposed left turn lane on Route 20, and instead construct a right turn in, right turn out, left turn out at the intersection of Dauphin Drive (main road through Spring Hill Village) and Route 20. The applicant is also proposing to construct a pedestrian trail or path along Route 20 instead of the previously approved 8-foot sidewalk. The application plan has been updated to show these changes.

PETITION: Proffer amendment of ZMA201300017.

ZONING: NMD Neighborhood Model District - residential (3 – 34 units/acre) mixed with commercial, service and industrial uses.

ENTRANCE CORRIDOR: Yes

PROFFERS: Yes (ZMA2013-17)

OVERLAY DISTRICT: Steep Slopes (managed)

COMPREHENSIVE PLAN: Community Mixed Use – residential (up to 34 units/acre), community scale retail, service and office uses, places of worship, schools, public and institutional uses in the Southern and Western Urban Neighborhoods.

**CHARACTER OF THE AREA**

The subject property has frontage on both Avon Street Extended (State Route 742) and Scottsville Road (State Route 20) (Attachment 1). Route 20 is an Entrance Corridor and a Scenic Byway. The property is currently 12.63 acres and will be subdivided and developed for a maximum of 100 dwelling units and a maximum of 60,000 square feet of non-residential uses, per the Code of Development approved with ZMA201300017. A final site plan (SDP201900068) is under review for 100 dwelling units. The property is in the process of being graded and developed.

Adjacent properties to the south and west are zoned residential and developed with single-family attached and detached units. Properties across Route 20 to the east are in the Rural Area and include residential and agricultural uses. Adjacent properties to the north are zoned Light Industrial and are developed with industrial and commercial uses.

**SPECIFICS OF THE PROPOSAL**

The applicant is requesting approval of a Zoning Map Amendment (ZMA) to revise proffers and an application plan approved with ZMA201300017. Specifically, the applicant is requesting to revise Proffer #4 to modify the required improvements on Route 20 and to

modify the timing of those improvements. The applicant is also proposing an 8-foot pedestrian path along Route 20 instead of an 8-foot sidewalk. The applicant is requesting modification of the application plan to reflect these proposed changes.

The application plan approved with ZMA201300017 showed both right and left turn lanes into Spring Hill Village on Route 20. The revised proffers and application plan would modify the intersection of Dauphin Drive (proposed main road through Spring Hill Village) and Route 20 to allow for right turn in and right and left turn out. Drivers would not be able to turn left from Route 20 into Spring Hill Village. Instead drivers traveling northbound on Route 20 would turn left onto Avon Street Extended, and then turn right into Spring Hill Village at the intersection of Dauphin Drive and Avon Street Extended. The application plan approved with ZMA201300017 also showed an 8-foot sidewalk along the frontage with Route 20. The revised application plan provides an 8-foot asphalt pedestrian path instead of a sidewalk and sets the path further back from Route 20.

It should be noted that the revised application plan with this proposal (dated June 25, 2020) would replace the previous application plan (dated August 29, 2014). Therefore, staff is recommending that all other required improvements, as shown on the August 29, 2014 application plan, be included on the revised application plan. These are considered technical changes which can be addressed prior to the Board's review of this proposal.

### **APPLICANT'S JUSTIFICATION FOR THE REQUEST**

The applicant has provided a proffer statement (Attachment 2), an application plan (Attachment 3), and narrative (Attachment 4).

### **COMMUNITY MEETING**

The community meeting requirement per 18-33.24 was met in the form of mailed letters with information about the proposal, with response options including contacting staff via email or phone call or using an online input form. The applicant mailed letters to property owners within a 500-foot radius of the proposal. The letters were mailed on June 5, and recipients were given until June 19 to provide feedback. Staff received a total of four (4) individual responses via email and Microsoft Forms.

The following are the main concerns staff has heard:

- **Access to the site:** There are concerns that drivers traveling northbound on Route 20 will choose to use the adjacent property to the north to make a U-turn to access Spring Hill Village, instead of using Avon Street Extended instead.
- **Traffic:** There are concerns that Avon Street Extended is already a busy street, and that some amount of traffic will be diverted from Route 20 to Avon Street Extended. There are concerns that the 55 MPH speed limit on Route 20 is high and creates potential for conflict.

These concerns are further discussed in the following sections of this staff report. Written responses from members of the public are included as Attachment 6.

### **PLANNING AND ZONING HISTORY**

ZMA201300017 TMP 90-28 was rezoned from R-1 Residential to NMD Neighborhood Model District. The rezoning was approved with proffers (dated 09-24-14), an application plan (latest revision date 08-29-14), and Code of Development (latest revision date 08-28-14). These documents are included as Attachments 7-9.

ZMA201500018 A proffer amendment was submitted to reduce cash proffers per ZMA201300017. The proffer amendment was denied.

Special Exception #1 The first special exception for this ZMA was approved on December 6, 2017. The special exception approval allowed for minor changes to internal street design and location, block acreages, and open space.

Special Exception #2 The second special exception for this ZMA was approved on May 20, 2020. This special exception approval allowed for minor changes to the road alignment, block sizes, setbacks, phasing, open space, and minor wording updates to the Code of Development.

SUB202000064 A final plat for this property is under review. The preliminary plat was approved per SUB202000013.

SDP201900068 A final site plan for this property is under review. The initial site plan was approved per SDP201800073.

SUB201900158 A road plan for this property is under review.

### **COMPREHENSIVE PLAN**

The proposal is consistent with the relevant chapters and objectives and strategies in the Comprehensive Plan. The Transportation Chapter (10) recommends that transportation improvements in the Development Areas be consistent with the recommendations in the relevant Master Plan. It also recommends multimodal and accessible transportation options. Staff finds that the proposal is consistent with the recommendations in the Southern and Western Master Plan and provides at least the same level of multimodal connectivity as the development approved per ZMA201300017. The Historic, Cultural, and Scenic Resources Chapter (8) Objective 8 states: *“Maintain the visual integrity of Albemarle’s Entrance Corridors”*. The proposal shows landscaping and an amenity park with landscaping along Route 20. A Certificate of Appropriateness from the Architectural Review Board will be required prior to final site plan approval.

The property is designated Community Mixed Use in the Southern and Western Master Plan. This designation calls for a mixture of residential and retail uses and services that serve the community, with a residential density of up to 34 dwelling units per acre and non-residential uses including community scale retail, service and office uses, places of worship, schools, and public and institutional uses.

The Master Plan has the following guidance on Route 20:

- *Route 20 and Route 53 are rural section roads which are narrow.*
- *Provide a vegetative buffer along Rt. 20 South of I-64.*

- *Route 20 South Improvements: Improve Rt. 20 South with curb, gutter, sidewalks or pedestrian paths and bikeways on the western side within the Development Area boundary.*
- *Construct bicycle and pedestrian facilities along Route 20 to provide access to schools and accommodate increased development in that area.*

The proposal is consistent with the Master Plan and provides the equivalent amount of connectivity and landscaping as was approved with ZMA201300017. Additionally, a pedestrian path instead of a sidewalk is more consistent with the character of Route 20, which divides the Development Area and Rural Area. A pedestrian path, instead of a sidewalk, was recently approved with the Galaxie Farm rezoning (ZMA201800012).

**The Neighborhood Model:** Staff has reviewed the proposal against the Neighborhood Model Principles and found that it is consistent with the applicable principles. See Attachment 5 for staff’s full analysis.

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

The purpose and intent of the Neighborhood Model District (NMD) zoning district is:

- *To “establish a planned development district in which traditional neighborhood development, as established in the county's Neighborhood Model, will occur.”*
- *To “provide for compact, mixed-use developments with an urban scale, massing, density, and an infrastructure configuration that integrates diversified uses within close proximity to each other within the development areas identified in the comprehensive plan.”*
- *To use the following standards for development: “The particular uses permitted within a particular district, as well as the character, form and density of the development, shall be derived from the comprehensive plan, including the land use plan for the applicable development area, the master plan for the applicable development area, and the Neighborhood Model.”*

The NMD is intended to be a flexible zoning district to allow development consistent with the goals of the Future Land Use Plans in the Master Plans and the Neighborhood Model Principles. The property is already zoned NMD and was previously reviewed for consistency with this zoning district and the applicable Neighborhood Model Principles. Staff finds that the form and content of the revised application plan and improvements are consistent with the intent of the NMD.

***Anticipated impact on public facilities and services:***

**Streets:**

The applicant provided estimated trip counts in the narrative for drivers traveling northbound on Route 20 that would be traveling to Spring Hill Village. VDOT and County Transportation staff reviewed the application and traffic information and do not anticipate a significant traffic impact on the nearby street network. The applicant estimates that five (5) cars per day would be traveling northbound on Route 20 to Spring Hill Village, and that they would turn left onto Avon Street Extended and then turn right into Spring Hill Village. The applicant is providing pedestrian connectivity along Route 20 as recommended in the Master Plan. The

final road and site plans will need to meet all VDOT standards, including the required length for turn lanes and taper. VDOT requires the right turn lane and taper transition area to be 400 feet in total length. The application plan appears to show a shorter turn lane and taper area and should be updated to reflect VDOT standards.

Schools:

The proposed proffer amendment would not result in any additional dwelling units, and therefore would not result in any additional students.

Fire and Rescue:

The proposal is not expected to create new demands on Fire and Rescue services, as no additional dwelling units are proposed with this request. The applicant has revised the timing of Proffer #4, to state that all improvements for Avon Street Extended must be completed prior to the first Certificate of Occupancy (CO), while all improvements for Route 20 must be completed prior to the 30<sup>th</sup> CO. Fire/Rescue requires two points of access after the 30<sup>th</sup> CO for residential developments. Therefore, all Route 20 improvements must be completed prior to the 31<sup>st</sup> unit.

Utilities:

This project is in the Albemarle County Service Authority (ACSA) water and sewer service jurisdictional area. ACSA and RWSA review was completed with the approval of ZMA201300017, and continues with review of the final plat, final site plan, and road plans.

***Anticipated impact on environmental, cultural and historic resources:***

There are no known environmental, cultural or historic resources on this site.

***Anticipated impact on nearby and surrounding properties:***

Staff received feedback from members of the community regarding potential impacts from this proposal, specifically the potential for increased traffic on Avon Street Extended and the potential for drivers to use the adjacent property to the north to make U-Turns.

Staff finds that the proposal is not anticipated to have significant impacts on adjacent and surrounding properties. VDOT and Transportation Planning staff find the applicant's estimate of five (5) northbound trips per day to be a reasonable estimate, which would add five (5) trips per day to Avon Street Extended. VDOT and Transportation Planning staff acknowledge that it is not possible to definitively determine whether drivers would use the adjacent property to the north to make U-Turns. However, staff finds that it is more likely drivers would use Avon Street Extended to access Spring Hill Village. Drivers must either 1) make a left onto Avon Street Extended and then a right into Spring Hill Village, or 2) would have to make a left into the adjacent property, and then turn around, turn right back onto Route 20, and then turn right into Spring Hill Village.

The previously approved Route 20 improvements per ZMA201300017 would have required grading along the frontage of the adjacent property to the south (TMP 90-27), which is no longer required with this proposal. The proposed proffer amendment requires significantly less grading and is a less intensive proposal.

***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. The development of Spring Hill Village was previously approved with ZMA201300017. The proposed changes with this proffer amendment are consistent with the recommendations in the Comprehensive Plan and Master Plan and provide for public pedestrian connectivity along Route 20.

**PROFFERS**

Proposed proffers are included as Attachment 2. The approved proffers per ZMA201300017 are included as Attachment 7. Only Proffer #4 has been revised.

**SUMMARY**

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

1. The rezoning request is consistent with the majority of the recommendations within the Southern and Western Master Plan and Comprehensive Plan.
2. The request is consistent with the majority of the applicable Neighborhood Model Principles.
3. VDOT does not anticipate a significant traffic impact on the nearby street network.

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

1. The application plan needs technical changes.

**RECOMMENDATION**

Based on the factors identified as favorable with this rezoning, staff recommends approval of ZMA202000006 with the changes outlined below:

1. Revise the application plan to include the following requirements, previously approved with ZMA201300017 and application plan dated August 29, 2014:
  - a. Convert overhead utilities to underground on both Avon Street Extended and Route 20;
  - b. Show and label the 6-foot tall screen fence along southern edge of property;
  - c. Label the additional Entrance Corridor landscaping along Route 20; and
  - d. Label proposed Route 20 right turn lane.
2. Revise the right turn lane and taper area to meet VDOT length requirements.

**ATTACHMENTS:**

Attachment 1: Vicinity Maps

Attachment 2: Applicant Proposed Proffers, dated June 25, 2020

Attachment 3: Application Plan, dated June 25, 2020

Attachment 4: Applicant Narrative, dated April 20, 2020

Attachment 5: Staff Analysis of Neighborhood Model Principles

Attachment 6: Public Comment

Attachment 7: Proffers per ZMA201300017, dated September 29, 2014

Attachment 8: Application Plan per ZMA201300017, dated August 29, 2014

Attachment 9: Code of Development per ZMA201300017, last revised April 9, 2020