

**FOREST LAKES PDSC**  
**ZMA2020-00009 | AN AMENDMENT TO ZMA1988-16**  
**PROJECT NARRATIVE**

**SUBMITTED JUNE 15, 2020**

**REVISED AUGUST 17, 2020**

Parcel	Acreage	Existing Zoning	Comprehensive Plan Designation
TMP 46B4-3	3.43	PDSC	Urban Mixed-Use Community Center

JA-ZAN, LLC is the owner (the “owner”) of tax map parcel 46B4-3 in Albemarle County, a 3.43 acre parcel located in the Forest Lakes commercial area approximately 1,000’ northeast of the intersection of Timberwood Boulevard and Worth Xing in Albemarle County (the “property”). JA-ZAN, LLC requests to rezone the property from Planned Development Shopping Center (PDSC) to Planned Development Shopping Center (PDSC) to increase the allowable square footage within the PDSC for this property, which is currently undeveloped. ZMA88-16, which originally approved the PDSC planned district on this property, allowed for a community shopping center of 71,800 SF on Tracts II (TMP46B4-2) and III (subject property). According to Albemarle County GIS Data, Tract II is developed with 57,022 SF of shopping center use and therefore there is 14,778 SF remaining for development on Tract III or for redevelopment on Tract II. The owner requests to amend the approved PDSC application plan for this property, TMP 46B4-3, to allow for a maximum of 110,000 SF of by-right PDSC use on TMP 46B4-3 for a total maximum of 181,800 SF on Tracts II and Tracts III with Tract II having a maximum of 71,800 SF and Tract III having a maximum of 110,000 SF. This ZMA application, ZMA2020-09, also requests to revise the general building footprint location that was approved with ZMA1988-16.

**Project Proposal**

This property is located within the development areas of Albemarle County in close proximity to a major transportation corridor, Route 29, within an established commercial center, and in close proximity to many residents of the Places29 Master Planning Area, including residents of Forest Lakes, Hollymead Town Center, and Proffit Road. The property was rezoned from R-1 low density residential to PDSC with the 1989 Board of Supervisors approval of ZMA1988-16 which includes an application plan that shows typical suburban strip development on this property. This rezoning application seeks to increase the allowable square footage on this property and to amend the application plan to allow for a building form on the property that is different from suburban strip mall design. This commercial property has remained vacant since it was rezoned in 1989 whereas the other parcels approved in the ZMA1988-16 have developed over time. The outparcels approved with ZMA1988-16 had less stringent design restrictions than this property and Tract II utilized the majority of square footage available for Tract III with the development of the Forest Lakes Food Lion Shopping Center. The general building footprint design shown on the application plan approved with ZMA1988-16 allows for a certain building and parking layout that has become less prevalent and less desirable as Neighborhood Model principles have risen to be more prominent in site design, especially in the development areas of Albemarle County. This property is currently underutilized for its central location within an established commercial center in the development areas; an amendment to the approved application plan would allow for the property to develop with a design that is more consistent with neighborhood model principles while creating a greater opportunity for the property to develop in the future and begin to generate greater tax revenues for the County.

**Consistency with the Comprehensive Plan**

The property has an Urban Mixed-use land use designation in the adopted Places29 Master Plan and the property is within a designated Community Center. Community Centers identify community retail; general commercial service; auto commercial sales and service; office, R&D/Flex; institutional; and open space as primary and secondary uses within designated centers. The existing PDSC zoning designation allows for by-right uses in the C-1, CO, and HC commercial districts and so the uses that may take shape on the property are largely consistent with those identified in the Places29 Master Plan. Some uses allowed by-right in the Highway Commercial district are explicitly inconsistent with recommendations called for in the Master Plan as several use categories are identified as “not permitted” in Community Centers in the Places29 Master Plan. The application plan lists several “not permitted” use categories to ensure that future uses that may develop on the property are not directly inconsistent with use recommendations in the Places29 Master Plan.

The application plan also establishes building forms that are consistent with recommendations in the Master Plan by establishing maximum building footprints and heights for various use categories except for the maximum building footprint recommended for “neighborhood retail, community and regional retail, and general commercial service which has been reduced from 60,000 SF as recommended in the Master Plan to 50,000 SF for this site.

This ZMA request is directly consistent with multiple strategies as outlined in the Albemarle County Comprehensive Plan specifically:

*Ch3, Strategy 1a: Continue to encourage approval of new development proposals in the Development Areas as the designated location for new residential, commercial, industrial, and mixed-use development*

This project is located within the development areas and seeks to amend a previously approved planned district commercial zoning.

*Ch6, Strategy 1a: Promote new employment activities in the Development Areas and encourage developers of commercial and industrial project to incorporate the Neighborhood Model Principles*

This commercial development is within the development areas and the owner is committed to establishing a building form consistent with recommendations outlined in the Places 29 Master Plan, as is evidenced by the form regulations in the application plan.

*Ch6 Strategy 4b: Encourage development of business and industrial uses in the Development Areas on appropriately zoned land and consider proactively rezoning land to allow for light industrial uses that have been identified on master plans*

This property has been zoned for commercial use for over 30 years. This amendment will make the development of future business on this property more desirable

*Ch6 Strategy 4c: Explore opportunities to assist with redevelopment of underutilized commercial and industrial zoned properties*

Although this project is not a redevelopment proposal, approval of this ZMA would assist with the future development of this underutilized commercial property. This property is located within an established commercial center and will develop once a plan is established on the property that allows for more flexible and modern site design than what is currently approved on the property.

The following is an analysis of the projects consistency with Neighborhood Model Principles:

#### Pedestrian Orientation:

The proposed site design encourages greater engagement between the site and Worth Xing when compared to the existing plan. Any future development will feature required internal sidewalks and pedestrian improvements along Worth Crossing.

#### Mixture of Uses:

Any commercial user on this property would contribute to the mixed-use commercial character that is already established within the Forest Lakes PDSC and neighboring commercial areas.

Neighborhood Center:

This property is within a designated community center and any commercial business that takes shape on the property will serve the community with a service, retail, sales, or office use.

Mixture of Housing Types and Affordability:

Residential uses are not a by-right use within the PDSC district and so this is not applicable.

Interconnected Streets and Transportation Networks:

The application plan shows at least one entrance from Worth Xing and future interparcel connections to the south and west.

Multi-Modal Transportation Networks:

The property will feature required internal sidewalks and pedestrian streetscape improvements along Worth Xing.

Parks, Recreational Amenities, and Open Space:

A portion of the site is designated for an outdoor sitting area; this site could complement future development of open space and civic areas on neighboring parcels to contribute to an outdoor amenity space that is consistent with recommendations in the Master Plan.

Buildings and Spaces of Human Scale:

Building heights, footprints, and stepbacks are consistent with recommendations outlined in the Master Plan. The proposed shared use path along Worth Xing, which will be constructed in accordance with VDOT standards, will establish a more defined streetscape along Worth Xing and will also serve as a buffer between the travelway and future building development on this site.

Relegated Parking:

“No surface parking” areas are designated on the application plan to ensure parking is not located directly adjacent to transportation corridors.

Redevelopment:

The property is currently undeveloped; however it has been zoned commercial for over 30 years. This revision will allow the property to develop as something other than suburban strip mall development.

Respecting Terrain and Careful Grading and Regrading of Terrain:

Managed slopes are present on the property and any grading in managed slopes will comply with Section 18-30.7.5 of the Albemarle County Code.

**CONSISTENCY WITH ZONING DISTRICT**

The intent of the PDSC district is “to permit the development of neighborhood, community and regional shopping centers in accordance with standards set forth in the comprehensive plan. PD-SC districts are intended to serve areas not conveniently and adequately provided with a broad range of commercial and service facilities. Regulations provided are intended to encourage planned commercial centers with carefully organized buildings, service areas, parking areas, and landscape areas.” This property was zoned to PDSC in 1989 to establish a community shopping center to serve Forest Lakes. This rezoning requests a modification to the maximum allowable square footage and building footprint area to allow for this community shopping center to continue serving the residents of the area. This is the last undeveloped parcel from the original ZMA1988-16 zoning; it has likely remained undeveloped due to the form restrictions on the property

that only allows for typical suburban strip development with limited square footage. Granting approval of this rezoning request would allow for this PDSC district to continue serving nearby residents by allowing for a form and square footage that is more marketable in today's commercial development climate. Albemarle County Staff's analysis of this proposal against neighborhood model design principles will ensure the proposed building or buildings on the property will be carefully organized to interact not only with the established commercial center but also the residential areas that have been constructed in the time since approval of ZMA1988-16. The concept plan proposed with this ZMA amendment proposes a "no parking area" designation on the property adjacent to Worth Xing and residential areas just across the street to ensure that parking areas are thoughtfully placed on the site and likely will take shape to function as a logical extension of the existing parking areas within the Forest Lakes Shopping Center.

Sec.25.4 of the Zoning Ordinance identifies certain site planning requirements for PDSC districts; Sec.25.4 requires certain relationships between the PDSC and the external environment. In accordance with Sec.25.4.1, vehicular access points are designed to encourage smooth traffic flow with controlled turning movements and minimum hazards to vehicular and pedestrian traffic. The site will be accessed from Route 29 through an existing pipe stem that features a right-in only entry point; the site will be accessed from Worth Xing via a full commercial entrance. This proposal includes a ROW reservation along Route 29 to allow for the future construction of a multi-use path adjacent to Route 29. Since this point of entry to the site is a one way right-in access, the number of potential conflicting vehicular movements with future pedestrians or cyclists in the area is minimized. The entrance location on Worth Xing will be designed to VDOT commercial entrance standards and will be located to have adequate site distance; these design standards work to encourage smooth traffic flow with controlled turning movements in to and out of the PDSC.

## IMPACTS ON PUBLIC FACILITIES & PUBLIC INFRASTRUCTURE

### Water and sewer:

The property will connect to public water and sewer and will have demands typical of commercial development. Initial comments received from ACSA and RWSA indicate there are no known water flow issues or sewer capacity issues at this site. RWSA sewer capacity certification will be required at site plan.

### Traffic:

The commercial areas of Forest Lakes are approved for up to 10,350 VHTP. At present, there are 3,230 trips available for future development within the commercial areas. Trip generation from this property, which appears to be the last undeveloped piece of property subject to the trip generation proffer approved with ZMA1988-16, will not exceed the remaining trip allocation. Trip Generation numbers provided below were derived from the Institute of Transportation Engineers Trip Generation Manual 10<sup>th</sup> edition and the square footages of the existing users within the commercial area were derived from Albemarle County GIS information.

TMP	USE	ITE CODE	ITE USE DESCRIPTION	SQUARE FOOTAGE	INDEPENDENT VARIABLE	GROSS TRIPS	TRIP REDUCTION		NET TRIPS
							12% INTERNAL	24% PASS-BY	
46B4-1B	McDonald's	934	Fast Food Restaurant w/ Drive-Through	2,709	Square footage	1,272	(153)	(305)	814
46B4-1A	Stifel Nicolaus	712	Small Office Building	4,164	Square footage	66	(8)	(16)	42
46-B41A1	Forest Lakes Dental	720	Medical-Dental Office Building	4,065	Square footage	66	(8)	(16)	42
46-B41A2	Booz Allen Hamilton	710	General Office Building	8,052	Square footage	92	(11)	(22)	59
46B4-1D	Atlantic Union Bank	912	Drive-In Bank	2,970	Square footage	290	(35)	(70)	186
46B4-1D2	Timberwood Grill	931	Quality Restaurant	6,222	Square footage	520	(62)	(125)	333
46B4-1D1	First Citizens Bank	912	Drive-In Bank	3,204	Square footage	320	(38)	(77)	205
46B4-1D3	Tiger Wash	947	Self-Service Car Wash	1,419	Square footage	216	(26)	(52)	138
46B4-A2	Open Space						0	0	0
46B4-A1	Open Space						0	0	0
46B4-8	Shops @ Forest Lakes	820	Shopping Center	13,564	Square footage	1,540	(185)	(370)	986
46B4-2	Forest Lakes PDSC	820	Shopping Center	57,022	Square footage	4,102	(492)	(984)	2,625
46B4-3	Undeveloped PDSC						0	0	0
46B4-9	Arby's	934	Fast Food Restaurant w/ Drive-Through	3,208	Square footage	1,507	(181)	(362)	964
46B4-10	FL Terrace Shopping Center	820	Shopping Center	8,640	Square footage	1,134	(136)	(272)	726
									7,120

Additional trip generation information about potential future users on the site is provided below. The size and scale of potential users on the site was informed by the “Building Form Regulations” on Sheet 3 of the Application Plan, anticipated land area that would need to be dedicated to on-site parking areas for anticipated users (which would be provided in accordance with Sec. 18-4.12), and general site constraints such as utility locations.

ITE USE DESCRIPTION	ITE CODE	SQUARE FOOTAGE	INDEPENDENT VARIABLE	AM IN	AM OUT	AM TOTAL	PM IN	PM OUT	PM TOTAL	DAILY TOTAL
Mini Warehouse	151	75,000	Square footage	5	3	8	6	7	13	113
Small Office Building	712	15,000	Square footage	24	5	29	12	25	37	243
Fast Casual Restaurant	930	5,000	Square footage	7	3	10	39	32	71	1576
Hardware Store	816	27,000	Square footage	17	14	31	34	38	72	256

Potential commercial users that would be attracted to this area of the Route 29 corridor would not require upwards of 3,000 trips in order to support their business. The potential users outlined in the above table would be expected to be realized on the property on an individual basis and so the potential trips generated from this site given these example uses could range from 113 daily trips for a mini warehouse (self-service storage facility) to 1,576 daily trips for a 5,000 SF fast casual restaurant. A 5,000 SF fast casual restaurant would generate the greatest number of trips, with generated trips at approximately half of the overall remainder of trips for this shopping center.

It is not expected for truck traffic to be significant on this property especially since by-right uses that would typically generate a great deal of truck traffic within a PDSC have been designated as “prohibited” on this property. These prohibited uses include machinery and equipment sales, service, and rental; manufactured home and trailer sales and service; modular building sales; sale of major recreational equipment and vehicles; wholesale distribution; manufacturing/processing/assembly/fabrication and recycling; and storage, warehousing, distribution, transportation. Any truck traffic generated for the remaining by-right users is expected to be minimal.

## IMPACT ON SCHOOLS

There are no proposed residential units within this development and therefore there are no impacts on public schools.

## IMPACT ON ENVIRONMENTAL FEATURES

All design and engineering for improving the property will comply with applicable County and State regulations. The project will connect to regional stormwater facilities constructed just southeast of the property. Any additional stormwater management design required to manage runoff will be consistent with similar urban development projects and will utilize a combination of features, such as on-site surface facilities, on-site underground stormwater management facilities, and/or off-site nutrient credits.

## PROPOSED PROFFERS TO ADDRESS IMPACTS

Being as this is a planned development district, the application plan is a proffered commitment.