

COUNTY OF ALBEMARLE
TRANSMITTAL TO THE BOARD OF SUPERVISORS
SUMMARY OF PLANNING COMMISSION ACTION

AGENDA TITLE: ZMA201900004 Breezy Hill	AGENDA DATE: January 20, 2020
SUBJECT/PROPOSAL/REQUEST: Rezone a total of approximately 84 acres from Rural Areas zoning, which allows agricultural, forestal, and fishery uses as well as residential uses (0.5 unit/acre), to R-4 Residential zoning, which allows residential uses (4 units/acre). 130 dwelling units (maximum) are proposed (1.5 units/acre gross; 2 units/acre net).	STAFF CONTACT(S): Filardo, McCulley, Rapp, Nedostup
SCHOOL DISTRICT: Monticello High School, Burley Middle School, Stone-Robinson Elementary School	PRESENTER (S): Megan Nedostup, Development Process Manager

BACKGROUND:

This rezoning application was first submitted on May 1, 2019. The applicant held one community meeting with the Village of Rivanna Community Advisory Committee on June 24, 2019. The application was discussed at a work session with the Planning Commission on July 30, 2019. This application was then considered during public hearings before both the Planning Commission on July 7, 2020, and the Board of Supervisors on September 2, 2020. The Board voted on October 21, 2020 to refer this application back to the Planning Commission. The applicant revised the application to address concerns and comments heard at these earlier public hearings. The Planning Commission heard this item on November 24, 2020 as an Action Item and voted 7:0 to recommend denial.

DISCUSSION:

At its meeting on September 2, 2020, the Board of Supervisors held a public hearing on this item and accepted the request for deferral from the applicant at the meeting. Subsequently, the Board referred this application back to the Planning Commission on October 21, 2020. The main concerns discussed at the Board of Supervisors' public hearing included density above the Master Plan recommendation, and impacts to transportation, to the residents of Running Deer and Village of Rivanna area, and to schools.

The applicant revised the Concept Plan and Proffers to address concerns from the Planning Commission and Board of Supervisors. The Planning Commission voted 7:0 to recommend denial of the revised application and materials on November 24, 2020 (Attachment E).

The following is a summary of changes made since the application was last before the Board of Supervisors:

Overall:

1. Density was reduced from 160 units to 130 units.

Proffers:

1. Proffer 1i was revised to reduce the maximum number of units from 160 units to 130 units.
2. Proffer 1j was offered to limit the net density for Block 5 to 1 unit per acre.
3. Proffer 1k was offered to restrict Block 6 to one dwelling via a deed restriction in favor of the future Breezy Hill homeowner's association.
4. Proffer 6 was offered to install solar panels in the project equating to 200 kilowatts, 100 of which would be installed prior to the 70th building permit, and the entirety would be completed by the 125th building permit. *It should be noted that this proffer was voluntarily offered by the applicant, and has not been suggested, requested, or required by staff.*

5. The total cash contribution for affordable housing was revised in Proffer 4a to account for the reduction in units, from a total of \$507,000 for 24 affordable units (160x15%) to \$422,500 for 20 affordable units (130x15%).
6. Additional technical changes were made at the recommendation of the County Attorney's Office.

Concept Plan:

1. A notation was added that all construction traffic would enter/exit the site through the main entrance on Route 250 and would not be permitted to use the entrance at Running Deer Drive.
2. The design and alignment of Road B has been reconfigured.

RECOMMENDATIONS:

Staff acknowledges that the applicant has addressed a number of concerns identified and raised by staff, members of the community, the Planning Commission, and the Board of Supervisors. However, staff's prior recommendation has not changed. Staff recommends that the Board adopt the attached Resolution to disapprove ZMA201900004 Breezy Hill (Attachment G).

ATTACHMENTS:

- A. Planning Commission Staff report from November 24, 2020
 - A1- Revised Concept Plan dated last revised October 27, 2020
 - A2- Revised Proffers
 - A3- Applicant Narrative on Changes
- B. Revised Concept Plan dated last revised October 27, 2020
- C. Revised Proffers dated December 21, 2020
- D. Applicant Narrative on Climate Action Proffer
- E. November 24, 2020 Planning Commission Action Letter
- F. November 24, 2020 Planning Commission Minutes
- G. Resolution to deny ZMA201900004

LINKS TO PREVIOUS PLANNING COMMISSION AND BOARD OF SUPERVISORS ACTIONS:

Planning Commission Public Hearing: [Action Memo](#) and [Minutes](#) from July 7, 2020