



# Albemarle County

## Legislation Details (With Text)

<b>File #:</b>	22-467	<b>Version:</b>	1	<b>Name:</b>	
<b>Type:</b>	Zoning Map Amendment	<b>Status:</b>		Action Items	
<b>File created:</b>	10/13/2022	<b>In control:</b>		Board of Supervisors	
<b>On agenda:</b>	11/2/2022	<b>Final action:</b>			
<b>Title:</b>	ZMA202100013 Southwood Phase 2.				
<b>Sponsors:</b>					
<b>Indexes:</b>					
<b>Code sections:</b>					
<b>Attachments:</b>	1. Att.A - Proffers revised 9-21-2022, 2. Att.B - Revised Code of Development 10-13-2022, 3. Att.C - Application Plan dated 10-18-21, 4. Att.D - Transportation Analysis, 5. Att.E - Ordinance to Approve, 6. Att.F - Resolution to Deny				

Date	Ver.	Action By	Action	Result
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**AGENDA DATE:** 11/2/2022

**TITLE:** ZMA202100013 Southwood Phase 2

**SUBJECT/PROPOSAL/REQUEST:** Rezone 93.32 acres from R2 Residential zoning district, which allows residential uses at a density of 2 units per acre, to Neighborhood Model District (NMD) to allow up to 60,000 square feet of non-residential uses and 527-1,000 residential units.

**ITEM TYPE:** Regular Action Item

**STAFF CONTACT(S):** Richardson, Walker, Rosenberg, Herrick, Filardo, Rapp, Ragsdale, McDermott, Pethia

**PRESENTER(S):** Rebecca Ragsdale

**LEGAL REVIEW:** Yes

**REVIEWED BY:** Jeffrey B. Richardson

**BACKGROUND:** At its meeting on September 21, 2022, the Board held a public hearing on the rezoning proposal for Southwood Phase 2, which would amend the zoning map for the remainder of the Southwood Mobile Home Community. Staff was not able to recommend approval due to impacts that were not fully addressed by the applicant. The Planning Commission (PC) had recommended approval. During the public hearing, many speakers spoke in favor of the proposal and others raised concerns.

The Board's discussion acknowledged the adequate provisions for affordable housing and focused on outstanding concerns related to impacts to schools, transportation, and potential displacement of residents. To offset school impacts, proffers were offered that included an option for the County to elect to purchase a 7-acre parcel in Blocks 20 or 34. The maximum sales price was not established in the originally-submitted proffers. During the public hearing, the applicant revised the proffer to include a not-to-exceed sales price of \$680,000, through July 1, 2027 (Attachment A). Regarding transportation, concerns associated with the

impacts to the 5<sup>th</sup> Street/Old Lynchburg corridor were discussed, specifically, impacts to intersections at Sunset Avenue and Stagecoach Road, as well as the substandard condition of Hickory Street, which is currently a private road.

Following the public hearing and discussion, the Board deferred the item to November 2, 2022.

**STRATEGIC PLAN:** Thriving Development Areas - Attract quality employment, commercial, and high-density residential uses into development areas by providing services and infrastructure that encourage redevelopment and private investment while protecting the quality of neighborhoods.

**DISCUSSION:**

Following the Board's September 21 public hearing, the proposed Code of Development (COD) was revised to add an additional affordable housing provision, as Section 10.0(f) on Page 26 (Attachment B). No changes have been made to the Application Plan (Attachment C). Under this new COD provision, if the County does not elect to purchase the school site pursuant to Proffer 4, at least 20 additional affordable housing units must be constructed in Southwood. Those 20 units would be in addition to the 227 that must be provided according to the COD and the potential 50 Low-Income Housing Tax Credit (LIHTC) according to Proffer 5.

No revisions have been submitted to further address transportation impacts. Staff has prepared additional information regarding transportation impacts (Attachment D), including maps, plans, and suggested future improvements to failing intersections.

The applicant has declined to include a non-displacement plan for Phase 2 in the COD. However, a plan could be a requirement of grants or other funding that may be used for the project.

The not-to-exceed sales price of \$680,000 for the potential school site has provided clarity regarding the cost of land acquisition if the County were to proceed with the option to purchase the property for the construction of a school. However, the current proffer would require the County to cover the cost of any necessary relocation of residents, environmental remediation, and site preparation. At this time, the cost to the County of these potential items is unclear, and would require further studies to provide the level of certainty necessary to move forward with the school project.

**BUDGET IMPACT:**

Approval of the proposed rezoning would potentially result in the need for funding of a school site and transportation improvements to address intersection performance as well as substandard roadways. Future projects and funding would be discussed during the County's budget process. County staff continue to identify future funding opportunities in support of Southwood, including VDOT's Smart Scale, VDOT's Revenue Sharing Program, and other grant opportunities.

**RECOMMENDATION:**

The proposed rezoning would create additional impacts to public facilities that would accelerate the need for public investment. Although progress has been made toward identifying potential solutions, there are still unknowns regarding funding sources and future costs. If approved, this rezoning would increase and improve affordable housing in the County, providing new housing options and homeownership for existing community residents. Because these positive aspects of the proposal outweigh the negative unaddressed impacts, staff recommends approval.

The Board may approve or disapprove the proposed rezoning, or may defer action to allow for changes to the application. Based on County Code § 18-33.4(O)(2), Board action is not required on this application until March 1, 2023.

If the Board is prepared to act at its November 2 meeting, staff has prepared both an ordinance to approve and a resolution to deny, provided as Attachments E and F, respectively.

**ATTACHMENTS:**

A - Proffers dated September 12, 2022 (as revised at September 21, 2022 BOS meeting)

B - Revised Code of Development dated October 13, 2022

C - Application Plan dated October 18, 2021

D - Transportation Analysis

E - Ordinance to approve ZMA202100013

F - Resolution to deny ZMA202100013