



# Albemarle County

## Legislation Text

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**File #:** 16-256, **Version:** 1

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**AGENDA DATE:** 4/6/2016

**TITLE:**

Chesterfield Landing Subdivision Acceptance of Dedication of Open Space

**SUBJECT/PROPOSAL/REQUEST:** Resolution approving the acceptance of 3.497 acres of open space dedicated to the County under County Code § 18-13.4.2

**ITEM TYPE:** Regular Action Item

**STAFF CONTACT(S):** Foley, Walker, Davis, Kamptner, Graham, Benish, Yaniglos

**PRESENTER (S):** Megan Yaniglos

**LEGAL REVIEW:** Yes

**REVIEWED BY:** Thomas C. Foley

**BACKGROUND:** Chesterfield Landing is a proposed by right subdivision on 20.926 acres located on Tax Map and Parcel Number 05600-00-00-03600, east of Crozet Avenue between Meadows Drive and Longmont Drive. The property is zoned R-1.

County Code § 18-13.4.2 allows an applicant to receive a density bonus by dedicating land to public use that is not otherwise required by law, subject to acceptance of the dedication by the Board of Supervisors prior to final approval of the plat. The bonus density allowed is provided in County Code § 18-13.4.2:

“The acreage of the land dedicated and accepted shall be multiplied by twice the gross density-standard level, and the resulting number of dwellings may be added to the site, provided that the density increase shall not exceed fifteen (15) percent.”

The applicant has requested that the Board accept a dedication of open space in order to obtain the density bonus allowed by County Code § 18-13.4.2. The proposed deed of dedication is included as Attachment B. The land proposed for dedication contains wooded area, stream buffer, flood plain, preserved slopes, and a portion of Lickinghole Creek.

**STRATEGIC PLAN:** Goal 3. 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.  
Goal 6. Natural Resources. Thoughtfully protect and manage Albemarle County’s ecosystems and natural resources in both the rural and development areas to safeguard the quality of life of current and future generations.

**DISCUSSION:** County Code § 18-2.4 states that bonus factors are “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.”

Bonus densities are also consistent with the Development Areas section of the County's Comprehensive Plan. The expectations for the Development Areas include "[p]romoting density to help create new compact urban neighborhoods" and "[c]ompatible infill development." *Comprehensive Plan, page 8.3.*

The applicant proposes to dedicate 3.497 acres to the County as shown on Sheet V5 of the proposed subdivision plat and identified as "Open Space 2" (See Attachment C). Under the formula in County Code § 18-13.4.2 for calculating the bonus density, this dedication, if accepted, would allow the number of lots within the subdivision to increase from 20 to 23.

In analyzing whether staff could recommend acceptance of the open space to the Board, staff consulted the Crozet Master Plan portion of the Comprehensive Plan. The Crozet Master Plan Chapter on Parks & Green Systems states that new parks and greenways are essential to the quality of life expected for Crozet. The Parks & Green Systems Plan shows a trail/greenway in this location. Therefore, staff believes that the proposed open space with a trail allows for a portion of a greenway and trail to be built in the area designed within the Crozet Master Plan. The applicant has worked with the Parks and Recreation Department on the location and limits of the open space dedication. Parks and Recreation staff has stated that this greenway is an important portion of the Lickinghole Creek Trail and recommends that the County accept this open space dedication.

**BUDGET IMPACT:** There is no budget impact. The County will establish and maintain the public access trail and greenway across the easement with existing Parks and Recreation staff and/or volunteers.

**RECOMMENDATION:**

Staff recommends that the Board adopt the attached Resolution (Attachment A) approving the acceptance of the dedication of open space and authorizing the County Executive to execute the Deed of Dedication and Easement accepting the conveyance of the open space easement to the County (Attachment B) once the County Attorney has approved the Deed as to form and substance.

A - Resolution

B - Deed of Dedication and Easement

C - Subdivision Plat Sheet V5