

County of Albemarle Planning Staff Report

Project Name: ZMA202100016 North Fork UVA Discovery Park	Staff: William D. Fritz, AICP
Planning Commission Hearing: October 24, 2023	Board of Supervisors Public Hearing: TBD
Owners: University of Virginia Foundation	Applicant: University of Virginia Foundation
Acreage: 543 acres	Rezone from: The applicant proposes to rezone the southern portion of the North Fork Industrial Park from PDIP, Planned Development Industrial Park to NMD, Neighborhood Model Development, and to amend the Code of Development and Application plan for the northern area, which is proposed to remain PDIP, and add approximately 7 acres of land not currently in the PDIP to the PDIP.
TMP: 03200-00-00-006A2; 03200-00-00-006R; 03200-00-00-01800, 03200-00-00-018A0; 03200-00-00-019C0; 03200-00-00-019D0; 03200-00-00-019E0; 03200-00-00-019F0; 03200-00-00-019F1; 03200-00-00-019G0; 03200-00-00-019H0; 03200-00-00-019H1; 03200-00-00-019J; 03200-00-00-019J1; 03200-00-00-022B1; 03200-00-00-022B2	Location: This proposal includes developed and undeveloped land in the North Fork UVA Discovery Park. The properties are located north of Airport Road, Route 649, between Seminole Trail, Route 29, and Dickerson Road, Route 606, extending north to the North Fork Rivanna River.
School Districts: Baker-Butler (Elementary); Lakeside (Middle School); Albemarle (High School)	By-right use: Residential, commercial, and industrial.
Magisterial District: Rio	Proffers: Yes
Proposal: Rezone a total of approximately 543 acres. Approximately 172 is proposed to be rezoned from PDIP to NMD. Approximately 5 acres is proposed to be rezoned from HI, Heavy Industry to PDIP. Approximately 2 acres are proposed to be rezoned from R-1, Residential to PDIP. Approximately 364 that is currently zoned PDIP is proposed to have the Code of Development and Application Plan amended, the zoning would remain PDIP.	Requested Dwelling Units: 1,400 units with carriage units.
DA (Development Area): Hollymead, Places 29	Comp. Plan Designation: Urban Mixed Use (in areas around Centers) – commercial and retail uses that are not accommodated in Centers and residential (3 – 34 units/ acre).

	<p>Office/R&D/Flex/Light Industrial – commercial, professional office; research and development, design, testing of prototypes; manufacturing, assembly, packaging; residential is a secondary use (no maximum density).</p> <p>Light Industrial – manufacturing from prepared materials, processing, fabrication, assembly, and distribution of products.</p> <p>Institutional – civic uses, parks, recreational facilities, and similar uses on County-owned property.</p> <p>Public Open Space – recreation and open space uses.</p> <p>Privately Owned Open Space; Environmental Features – privately owned recreational amenities and open space; floodplains, steep slopes, wetlands, and other environmental features.</p>
<p>Affordable Housing Provided: Yes</p>	<p>Affordable Housing AMI (%): 15% affordable housing will be provided. For sale and rental units will be affordable to households with an income of 80% of AMI in accordance with the County’s current Affordable Housing Policy.</p>
<p>Character of Property: The undeveloped portions of this property are a mixture of open and wooded. Some parcels have been developed with industrial users.</p>	<p>Use of Surrounding Properties: Surrounding properties include a fire station, industrial uses and residential development.</p>
<p>Positive Aspects:</p> <ol style="list-style-type: none"> 1. The request is consistent with Neighborhood Model Principles of the Comprehensive Plan and the Places 29 Master Plan. 2. The request is consistent with the Comprehensive Plan and provides residential and industrial development opportunities. 3. The request provides for parks and recreation improvements consistent with the Comprehensive Plan. 4. The request provides physical transportation improvements as well as funding and land for transportation improvements in the area. 	<p>Concerns:</p> <ol style="list-style-type: none"> 1. The development will contribute to traffic congestion in the area. This impact will be partially offset by the proffers. However, existing development and development proposed by the Comprehensive Plan will continue to increase traffic congestion in the northern portion of the County.

<ol style="list-style-type: none"> 5. The proposal would provide a mix of housing types in proximity to significant employment opportunities. 6. The proposal would provide 15% of the total number of units as affordable housing, which is consistent with the County's housing policy. 	
<p>RECOMMENDATION: Staff recommends approval of ZMA202100016 North Fork UVA Discovery Park</p>	

STAFF PERSON: Bill Fritz, AICP
PLANNING COMMISSION: October 24, 2023
BOARD OF SUPERVISORS: TBD

PETITIONS:

PROJECT: ZMA202100016 North Fork UVA Discovery Park

MAGISTERIAL DISTRICT: Rio

TAX MAP/PARCEL(S): 03200-00-00-006A2; 03200-00-00-006R; 03200-00-00-01800, 03200-00-00-018A0;
03200-00-00-019C0; 03200-00-00-019D0; 03200-00-00-019E0; 03200-00-00-019F0; 03200-00-00-019F1;
03200-00-00-019G0; 03200-00-00-019H0; 03200-00-00-019H1; 03200-00-00-019J; 03200-00-00-019J1;
03200-00-00-022B1; 03200-00-00-022B2

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OVERLAY DISTRICT(S): Entrance Corridor, Flood Hazard, Steep Slopes – Managed, Steep Slopes – Preserved and Airport Impact Area

ENTRANCE CORRIDOR (EC): Yes

PROFFERS: Yes

COMPREHENSIVE PLAN:

Urban Mixed Use (in areas around Centers) – commercial and retail uses that are not accommodated in Centers and residential (3 – 34 units/ acre).

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CHARACTER OF THE AREA

This property is the University of Virginia Research Park and includes both developed and undeveloped land. There are nine buildings comprising approximately 650,000 square feet. The area includes a wide variety of land uses. Residential development is located adjacent to the southeast (single family detached), to the east (mobile home park), to the northwest (single family on rural lots), and to the north/northeast on the opposite

side of the North Fork of the Rivanna River (mixture of open space, single family and multi-family). The majority of nearby land uses are commercial or industrial. A fire station is located within the Research Park. The Charlottesville-Albemarle airport is located to the west. The project has frontage on Route 29 and Airport Road. The project has access to Dickerson Road

BACKGROUND/PLANNING AND ZONING HISTORY

The research park has had multiple site plans and subdivisions approved. The research park has multiple legislative approvals including:

SP198100048 Mobile Home - Loyd E. Smith – approved 10/19/81.

SP199500040 University of Virginia Real Estate Foundation - North Fork Business Park Medical and Pharmaceutical – approved 6/12/96.

SP199500041 University of Virginia Real Estate Foundation - North Fork Business Park Supporting Commercial Uses – approved 6/12/96.

SP199500042 University of Virginia Real Estate Foundation - North Fork Business Park Hotels, Motels, and Inns – approved 6/12/96.

SP200000082 University of Virginia (UVA) Real Estate Foundation and Atlantic Coast Athletics Clubs of Virginia, - approved 4/26/01.

SP200800015 UVA Research Park (Parking) – approved 3/10/10.

SP200800062 Laboratories – approved 3/10/10.

SP200800063 Supporting commercial uses – approved 3/10/10.

SP200800064 Hotels, motels, inns – approved 3/10/10.

SP201000015 UVA Research Park Wayfinding Sign – approved 7/13/10 [BZA approval]

ZMA198900007 Virginia Land Trust – approved 9/13/89.

ZMA199200009 UREF North Fork Res. Park phase I (Lewis & Clark) – approved 1/13/93.

ZMA199500004 UREF North Fork Res. Park ph 2 (dist 2, bld 1,2) – approved 6/12/96.

ZMA199800027 UREF North Fork Res. Park ph 2 (dist 2, bld 1,2) – approved 5/5/99.

ZMA200500002 UVA Research Park @ Northfork / Lewis & Clark Drive (Phase II) - approved 2/8/06.

ZMA200500003 UVA Research Park (at Airport Road) – approved 3/10/10.

SE202300012 North Fort UVA Discovery Park – Critical Slopes Special exception – approved April 5, 2023

SPECIFICS OF THE PROPOSAL

This project rezones all lands previously approved as PDIP, Planned Development Industrial Park and adds approximately 7 acres of land not originally included in the research park.

172 acres previously zoned as PDIP is proposed to be rezoned to NMD, Neighborhood Model Development. The NMD area would support a minimum of 200 units with up to 1,400 residential units permitted. Additionally, a minimum of 10,000 square feet of non-residential space is proposed with up to a maximum of 50,000 square feet of retail/commercial, 100,000 square feet of office and a hotel of up to 200 rooms. The remaining PDIP area of 371 acres may be developed up to a maximum of 3,700,000 square feet. The developed portion of the whole project, NMD and PDIP, is limited to 323 acres with the remaining area in in right-of-way, and 204 acres in open space and buffer areas.

The project includes the provision of trails and land for a park as well as transportation improvements.

COMMUNITY MEETING

A virtual community meeting was held for this proposal with the Places29 North Citizen Advisory Committee on February 10, 2022, the virtual meeting may be viewed [HERE](#).

Comments and concerns from the community included affordable housing, transportation, schools, recreation and open space.

COMPREHENSIVE PLAN

The Comprehensive Plan includes multiple land uses for the project area.

Urban Mixed Use (in areas around Centers) – commercial and retail uses that are not accommodated in Centers and residential (3 – 34 units/ acre).

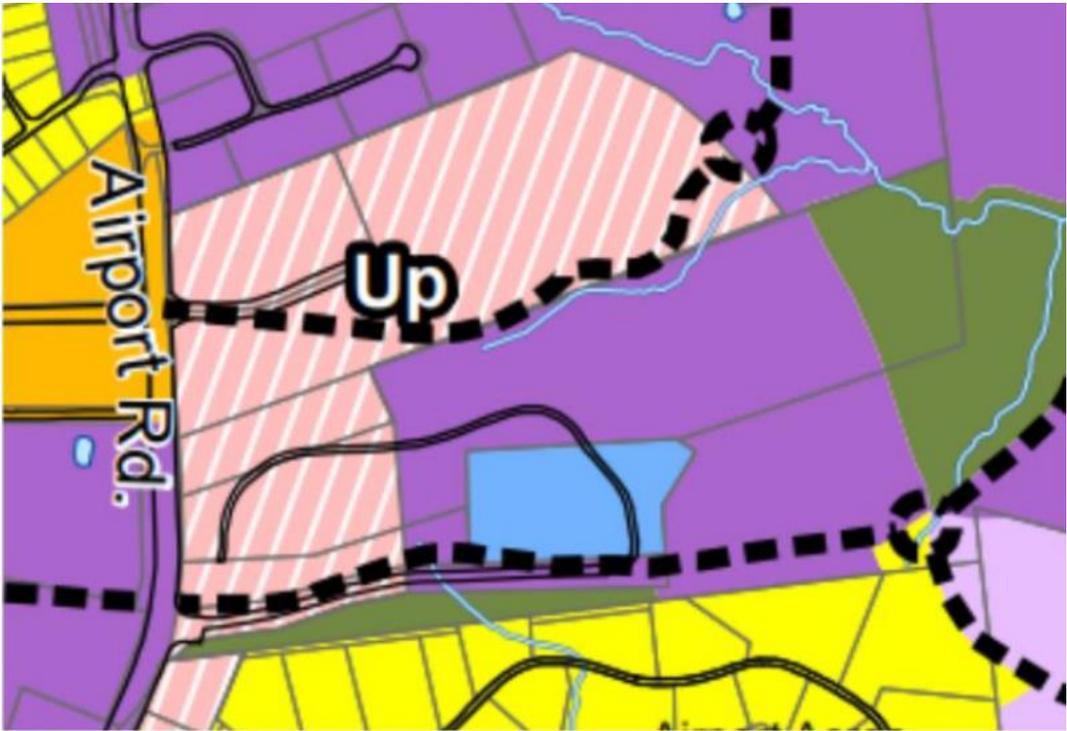
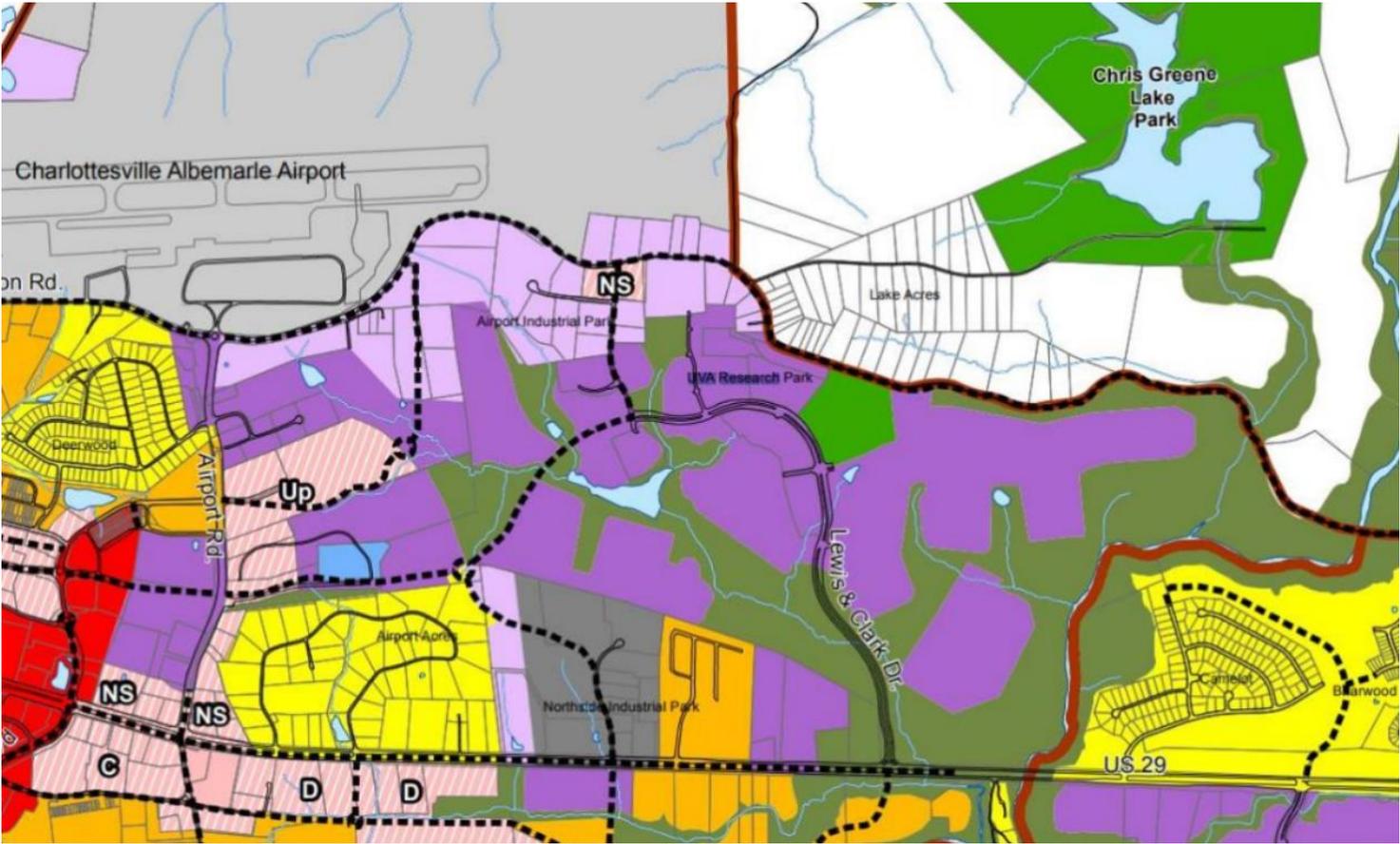
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UVA Discovery Park
Planning Commission Public Hearing, October 24, 2023
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 Development Area Boundary	 Proposed Development Area Boundary
 Airport District	 Office / R & D / Flex / Light Industrial
 Urban Mixed Use (in Centers)	 Light Industrial
 Urban Mixed Use (in areas around Centers)	 Heavy Industrial
 Commercial Mixed Use	 Institutional
 Urban Density	 Public Open Space
 Neighborhood Density	 Privately owned Open Space ; Environmental Features

The Places29 Master Plan (page 4-19) directly addresses the North Fork property.

The University of Virginia Research Park will continue to develop as a major employment center. This Plan offers the University of Virginia Research Park the opportunity to include a more integrated amount of residential and commercial uses. The land uses in the Research Park that are shown on the Future Land Use Map are consistent with the University of Virginia Foundation's long-term conceptual site plan. Future development within the Research Park may continue to develop in a campus-style form and with building footprints that are consistent with the existing zoning.

Consistency with the Master Plan:

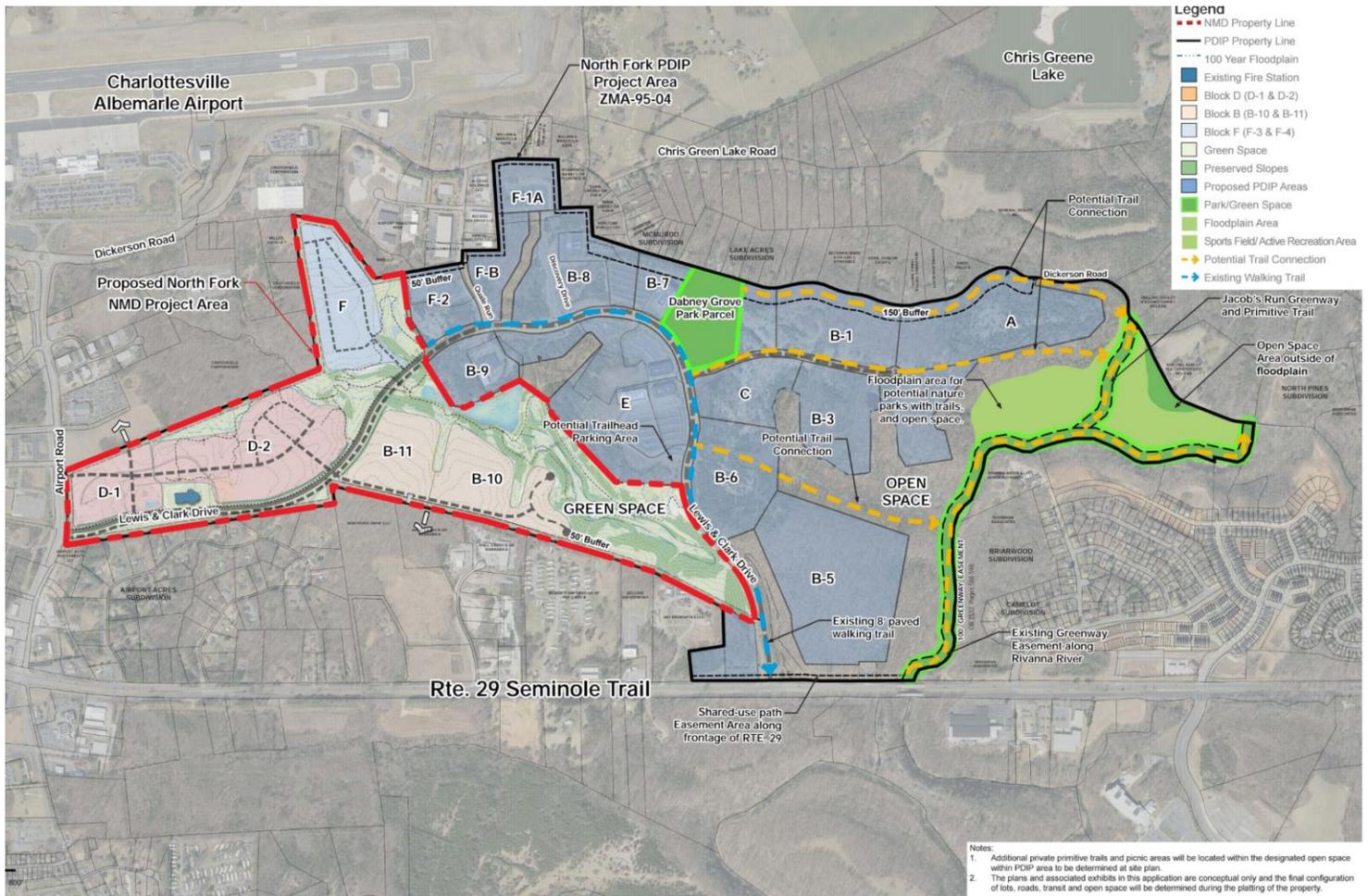
The applicant has submitted a narrative for the project (ATTACHMENT 1). This includes detailed references to the Comprehensive Plan. Staff concurs with the statements contained in the narrative regarding the Comprehensive Plan and offers a brief outline of the consistency with the plan below.

Residential uses are consistent with recommendations of the master plan. A mix of residential uses are proposed. The Master Plan recommends a density of 3-34 dwelling units per acre in the Urban Mixed areas and residential, with no limit on density, is a secondary use in the Office/R&D/Flex/Light Industrial area. The project proposes a maximum residential density range between 8.55 and 24.79 units per acre per block. A minimum residential density of 2.6 units per acre per is proposed. Considering water features, access and open space, the minimum residential density is consistent with the lower range of recommended density.

The Places29 Master Plan Parks and Green Systems map recommends extensive trails and open space within North Fork. The image below is taken from the Places29 Master Plan.



The initial PDIP zoning of North Fork included extensive proffers providing for parks, trails and open space. The current proffers build upon the original proffers and provide recreational facilities consistent with the Comprehensive Plan. The image below is taken from the application plan.



The Neighborhood Model

Staff has reviewed the proposal against the Neighborhood Model Principles and found that it is consistent with the principles.

Affordable Housing

The County's current housing policy recommends that new residential rezonings provide 15% of the total proposed units as affordable housing. This rezoning proposal includes a maximum of 1,400 dwelling units, which would provide 210 affordable units based on the County's policy of 15% of the total number of units and a minimum of 200 dwelling units, which would provide 30 affordable units. Based on the affordable housing policy, this proposal is consistent with the Comprehensive Plan Chapter 8, Strategy #2g and Chapter 9, Strategy #6b.

ZONING ORDINANCE REQUIREMENTS

The purpose and intent of the NMD, Neighborhood Model District as indicated in the Zoning Ordinance is:

The purpose of the Neighborhood Model district (hereinafter referred to as the "NMD") is to establish a planned development district in which traditional neighborhood development, as established in the county's Neighborhood Model, will occur. The county's Neighborhood Model was adopted as part of the

comprehensive plan, and is hereinafter referred to as the "Neighborhood Model." The regulations in section 20A encourage a development form and character that is different from conventional suburban development by providing the following characteristics:

- Pedestrian orientation;
- Neighborhood friendly streets and paths;
- Interconnected streets and transportation networks;
- Parks and open space as amenities;
- Neighborhood centers;
- Buildings and spaces of human scale;
- Relegated parking;
- Mixture of uses and use types;
- Mixture of housing types and affordability;
- Redevelopment;
- Site planning that respects terrain; and
- Clear boundaries with the rural areas.

The NMD is intended 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.

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. Density shall be achieved with careful attention to design, as articulated in the Neighborhood Model.

These regulations are intended to provide an applicant with maximum flexibility in creating and implementing the general development plan and the code of development.

The purpose and intent of the Planned Development Industrial Park, PD-IP as indicated in the Zoning Ordinance is:

The intent of the planned development - industrial park (PD-IP) district is to permit a variety of industrial and supporting uses, together with delineated uses that are ancillary thereto, within a planned development that are compatible with and do not detract either from each other or surrounding districts. In establishing a planned development - industrial park (PD-IP) district, the board of supervisors shall designate the category of uses in [section 29.2](#) that will be permitted on each parcel, or part thereof, within the district.

Structures within the planned development - industrial park (PD-IP) district are encouraged to be constructed to the standards required for industrial structures, regardless of their intended use.

Based on the analysis of this project, as contained in this report, staff believes the project meets the purpose and intent of these districts.

Anticipated impact on public facilities and services:

Transportation:

The applicant has submitted multiple Traffic Impact Analysis studies on the proposed development. The PDIP portion of the development remains generally similar to the previously approved development and is expected to

generate approximately 8,600 daily trips at full build-out. The additional residential development proposed under the current rezoning would add approximately 13,804 daily trips. Considering internal trip allowances, the expected total number of daily trips generated by the development is 20,418.

It is acknowledged that there are substantial transportation challenges with the road network surrounding North Fork and that these challenges will become more problematic with the addition of traffic from the numerous developments in this area that are expected over the next 15 years, which is the expected timeframe for full build-out of the proposal. Under the No-build analysis nearly every intersection and movement at the signalized US 29 intersections will operate with failing conditions by 2031. With the addition of the proposed development those conditions will obviously worsen.

During prior rezonings on this property proffers were made in an effort to mitigate the impacts of the proposed development. The proposed proffers build on those prior proffers. The Traffic Impact Analysis assumed construction of the partially funded and in-design extension of Berkmar Drive to Airport Road and roundabout at Berkmar/Airport Road/Lewis and Clark Drive. Additional funding is still needed to fully fund the construction of this major transportation improvement. The applicant has proffered land and \$2.5 million for the construction of this improvement.

Additionally, the transportation analysis indicates the need for improvements to turning lanes on Route 29 and Lewis and Clark. These improvements are also proffered, and installation of the improvements is triggered by development within the park.

As stated previously this development is just one of many developments in the area that will be generating traffic and that the traffic generated will have varying patterns as development occurs. This makes identification of the most appropriate improvements difficult as the best improvements will not be known until a future date. In order to address the anticipated and changing transportation improvement needs the applicant has proffered \$1.5 million to be paid in stages as development occurs. These funds can be applied to transportation improvements in the area.

The staff's opinion is that the transportation issues in this area are challenging. However, the applicant has proposed reasonable proffers to help offset the impacts of the development.

Schools:

Students living in the project would be within the current school districts for Baker-Butler (Elementary); Lakeside (Middle School); Albemarle (High School). Based on the Albemarle County Schools Long Range Planning Advisory Committee Recommendations, Baker-Butler and Albemarle High School are over capacity. The committee recommendations note that adequate capacity exists for the school system as a whole. The proposed residential development allows for a wide range of unit types and a range of densities. The development may generate between 34 and 233 K-12 students. Approximately 50% of the students will be elementary, 24% middle and 26% high school.

Albemarle County Schools Long Range Planning Advisory Committee Recommendations – Capacity Conclusions.

Elementary

Baker-Butler currently is over capacity (by 74 seats during the 2019-20 school year) and the student population is projected to continue growing.

ACPS has acquired two potential elementary school sites through proffers. A site at Brookhill is located centrally in this area, and a new elementary school is recommended to be built to benefit Baker-Butler and adjacent school districts.

Middle

The five comprehensive middle schools currently have combined adequate capacity, but Division projections show looming capacity issues at Henley and Jouett.

High

The Division has embarked upon a “center” based strategy to address capacity issues at its three comprehensive high schools, in particular at Albemarle High School. This agile approach addresses both instructional and capacity needs in an efficient manner. Long-term county population growth is forecast to grow by 44% over the next thirty years. That could yield another 1,800 high school students, roughly the size of the current AHS. The LRPAC recommends an expansion of the High School Center model. This solution is not only a solution capacity, but it also supports a new instructional model that looks toward the future of learning spaces. The funding for the construction of Center 2 is paused during the COVID-19 pandemic due to the economic and enrollment uncertainties. The LRPAC continues to prioritize Center 2 as a capacity solution. This recommendation should be considered by the School Board to ensure alignment with the instructional vision of ACPS.

The most recent CIP adopted by the Board of Supervisors includes funding for school improvements that would benefit students from this development.

FY 24-28 CIP Expenditures include:

- School Capacity #3 Northern Elementary School \$50,599,857 (funding in FY27 and FY 28)
- School Capacity #1 - High School Capacity and Improvements - Center 2 \$ 36,303,879 in FY23.

Planning applications for the High School improvements are currently under review. These planned improvements will address many of the capacity issues identified by the Albemarle County Schools Long Range Planning Advisory Committee.

Parks:

The Places29 Master Plan Parks and Green Systems map recommends extensive trails and open space within North Fork. The applicant has worked with the Parks and Recreation staff to develop proffers that address the recommendations of the master plan. In addition to the proffered improvements the Zoning Ordinance requires additional recreational amenities. These amenities will be determined during the site plan process.

The applicant has provided proffers to address the identified recreational needs included in the Comprehensive Plan. The proffers substantially retain previous language for the provision of Dabney Grove Park and the construction of amenities. This area is adjacent to protected historic resources. Previously accepted proffers included pedestrian trails including the Rivanna River Greenway Trail. Those proffers were accepted during the last rezoning of the property. Subsequently, field investigation has identified difficulties in constructing trails within the previously proffered areas. The new proffers include provisions to address those difficulties by allowing relocation of the trail in areas with difficult terrain and address coordinating construction of trails within the project with trails proposed to be constructed by the County as part of a larger greenway system.

The applicant’s proffers include:

- Dabney Grove Recreation area – includes construction of active amenity area, field (with irrigation), parking, picnic area and restrooms.

- Pedestrian trails connecting to and expanding on the County's greenway trail
- Dedication of land needed for construction and maintenance of the County's greenway trail.
- Trailhead parking
- Shared use path along Route 29

Fire and Rescue:

Fire and Rescue has reviewed this rezoning application and has no objection to the proposal. All requirements of the Fire Code would be met at site development plan review.

Utilities:

This project is in the Albemarle County Service Authority (ACSA) water and sewer service jurisdictional area. The project has been reviewed by both ACSA and the Rivanna Water and Sewer Authority (RWSA).

Plan for Urban Utilities Northern Areas

RWSA and ACSA are planning for growth at UVAF North Fork Research Park and other developments in the northern areas. Planned improvements include building a pipeline to increase water supply in the northern area. RWSA acknowledges that adding a large demand to the system would accelerate the needed improvements schedule.

ACSA staff indicate that sewer lines that would serve this project are currently in need of upgrades and may not have adequate capacity. Furthermore, ACSA staff have indicated that the developer/applicant "will need to sign an agreement stating that the applicant will be responsible for upgrading the necessary sewer segments if capacity is exceeded by this development." Please note that ACSA has stated that there are capacity issues with some segments of the existing sewer system. The applicant will need to continue to coordinate with ACSA regarding upgrades to the sewer system. Staff has informed the applicant that they must continue to work with ACSA to address these matters and ensure that sewer utilities will be upgraded as necessary to accommodate the needs of this project should it move forward to full site design. The issue of coordination of improvements, if necessary, is based on the timing and scale of development in the Research Park. Coordination would occur during the review of site plans and may include the withholding of approvals if adequate facilities are not available.

Anticipated impact on environmental, cultural and historic resources:

There are several small areas of wetlands within the subject properties. Objective 6 of the Comprehensive Plan identifies several strategies for conserving and protecting wetlands, which includes not allowing for their disturbance or removal with development projects. Stream buffers are not required on the wetlands (Chapter 17), however, the Comprehensive Plan calls for preserving wetlands, even if a stream buffer is not required. The applicant has worked with Community Development staff to minimize any potential disturbances to wetlands. As indicated on the concept plan (sheets 14-18), no grading or other disturbances are shown encroaching into wetland areas. The concept plan also gives the County Engineer final discretionary authority to evaluate wetland disturbances if unforeseen circumstances arise during site design. This would allow staff to prohibit wetland disturbances if alternative solutions are feasible.

WETLANDS AVOIDANCE: IT IS THE APPLICANT'S INTENT TO PRESERVE AND AVOID AREAS OF WETLANDS TO THE MAXIMUM EXTENT PRACTICABLE. NO WETLANDS IMPACTS ARE ANTICIPATED, HOWEVER, SHOULD UNFORESEEN CIRCUMSTANCES WARRANT ANY IMPACTS AT THE SITE PLAN STAGE, THE APPLICANT SHALL COORDINATE WITH AND RECEIVE NECESSARY APPROVALS AND PERMITS FROM ALBEMARLE COUNTY, DEQ, AND ACOE PRIOR TO DISTURBANCE OF ANY WETLAND AREAS AS APPROVED BY THE ALBEMARLE COUNTY ENGINEER.

Historic resources have been identified and protected by prior zoning actions on this property. The proposed amendments do not change any of the protections and no additional historic resources have been identified.

Anticipated impact on nearby and surrounding properties:

This property has been designated for extensive development for a number of years. The project has relatively limited frontage on Airport Road and Route 29. Visual impacts on those streets will therefore be limited and subject to review by the Architectural Review Board. Buffers from the adjacent properties were put in place with prior zoning approvals. This proposed zoning amendment retains those buffers. The primary impact anticipated in the nearby area is an increase in traffic.

Public need and justification for the change:

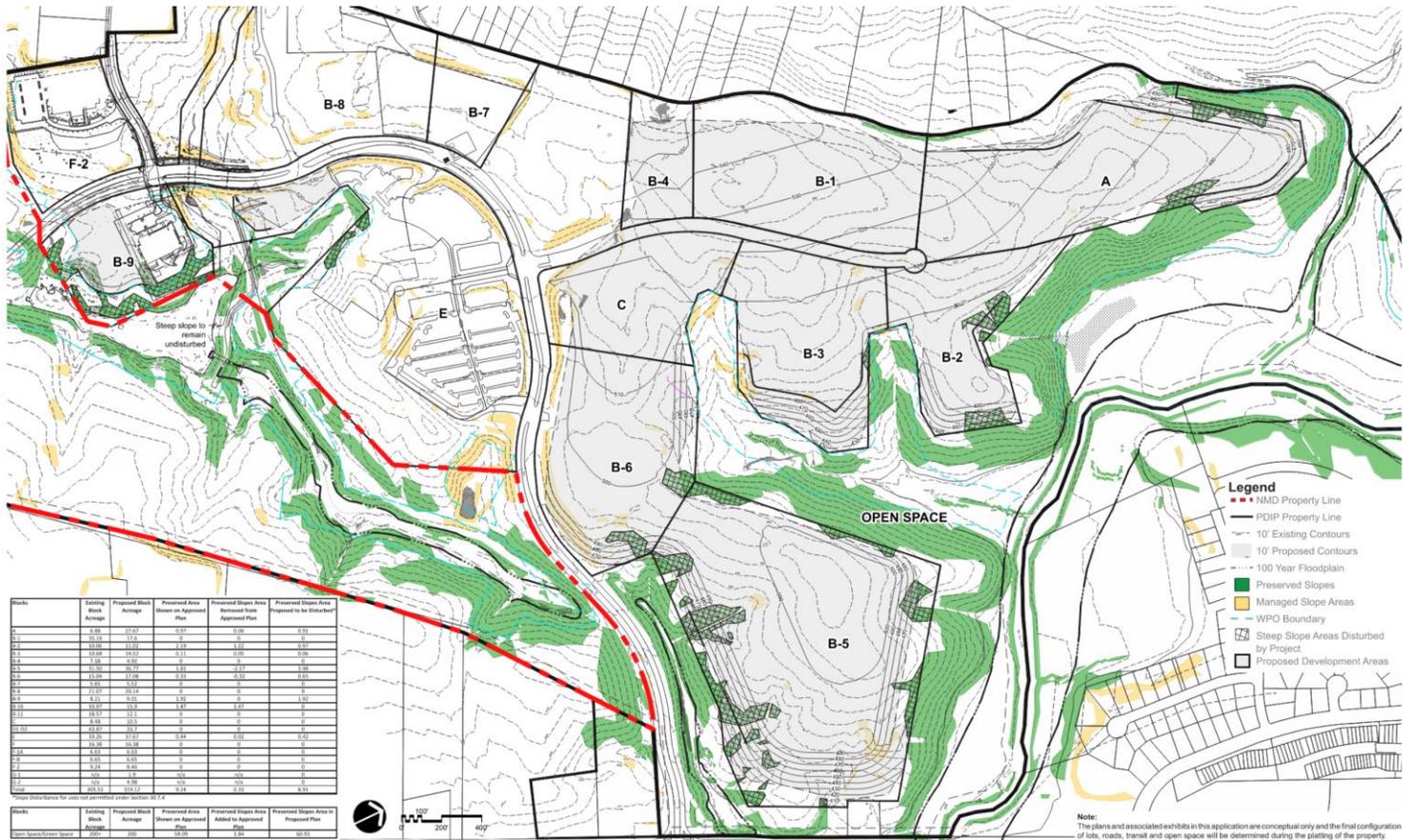
This project is consistent with the Comprehensive Plan and provides residential development, including affordable housing. This amendment retains the previously approved industrial development and expands the approval to include conceptual grading. This will allow for a more efficient development review and approval process for industrial projects.

Proffers

Extensive proffers have been offered and are in addition to the application plan and code of development. The proffers build on the previously accepted proffers. The proffers addressing transportation and recreation have been addressed above. The remaining proffers are a substantial retention of the previously accepted proffers.

STEEP SLOPES OVERLAY DISTRICT IMPACTS:

As part of this rezoning the applicant is showing proposed conceptual grading on the application plan. Previous rezonings did not include conceptual grading but did include general areas of disturbance. The application plan shows potential disturbance of areas identified as Preserved (Steep) Slopes. The provisions of Chapter 18, Section 30.7.4(b)(1)(g) would allow disturbance of these slopes with approval of the application plan.



To determine if the slopes should be disturbed staff evaluated the slopes against the criteria for managed and disturbed slopes contained in the Steep Slopes Overlay District.

The following information presents the ordinance criteria of both Preserved Slopes ([Sec. 30.7.3.A](#)) and Managed Slopes ([Sec. 30.7.3.B](#)) with staff analysis (in italics) following the ordinance criteria.

Section 30.7.3.A Managed Slopes

The characteristics of managed slopes are the following:

- i. the contiguous area of steep slopes is limited or fragmented;**
The area of slopes to be disturbed are fragmented in areas B-9 and E. In other areas the slopes are extensions of larger areas of steep slopes.
- ii. the slopes are not associated with or abutting a water feature, including, but not limited to, a river, stream, reservoir or pond;**
All slopes shown to be disturbed are well outside of any stream buffers.
- iii. the slopes are not natural but, instead, are manufactured;**
All slopes appear to be natural except for the slopes on B-9 which are manufactured.
- iv. the slopes were significantly disturbed prior to June 1, 2012;**
As noted above, the majority of the slopes are natural except for those on B-9 which were disturbed prior to June 2012.

- v. ***the slopes are located within previously approved single-family residential lots; or the slopes are shown to be disturbed, or allowed to be disturbed, by a prior county action.***

The Board of Supervisors approved authorization to disturb the slopes in area B-5 on April 5, 2023 with the approval of SE 2023-12.

Staff has reviewed the previously plans included as an application plan and referenced in proffers. The areas of steep slopes shown to be disturbed are generally consistent with areas previously shown within development envelopes.

Section 30.7.3.B Preserved Slopes

The characteristics of preserved slopes are the following:

- i. ***the slopes are a contiguous area of 10,000 square feet or more or a close grouping of slopes, any or all of which may be less than 10,000 square feet but whose aggregate area is 10,000 square feet or more;***
The area of slopes to be disturbed are fragmented in areas B-9 and E. In other areas they are extensions of contiguous areas of 10,000 square feet or more.
- ii. ***the slopes are part of a system of slopes associated with or abutting a water feature including, but not limited to, a river, stream, reservoir or pond;***
All slopes shown to be disturbed are well outside of any stream buffers.
- iii. ***the slopes are part of a hillside system;***
The slopes, other than those in B-9 and E, are part of larger steep slopes areas.
- iv. ***the slopes are identified as a resource designated for preservation in the comprehensive plan;***
The slopes are not a specifically identified natural resource for preservation in the comprehensive plan.
- v. ***the slopes are identified as a resource in the comprehensive plan;***
The slopes are not specifically called out for preservation, and they are not within an area designated for Parks & Green Systems.
- vi. ***the slopes are of significant value to the entrance corridor overlay district;***
The slopes are not visible from or adjacent to the entrance corridor overlay district.
- vii. ***the slopes have been preserved by a prior county action, including, but not limited to, the placement of an easement on the slopes or the acceptance of a proffer or the imposition of a condition, restricting land disturbing activity on the slopes.***
The slopes have not been preserved by prior County action. To the contrary, staff has found that the areas are within the boundaries of areas designated for development during prior zoning actions.

Steep Slopes Recommendation:

Staff believes that the applicant has provided sufficient evidence that the Preserved Steep Slopes proposed to be disturbed have characteristics of Managed Steep Slopes that would allow for disturbance. Staff notes that the slopes proposed to be disturbed are substantially in accord with prior actions. However, the boundaries would have to be analyzed in detail with review of each site plan. This could result in delays in the review process. The approval of this application plan would limit the areas of disturbance to only those clearly shown on the application plan.

SUMMARY

Staff have identified the following positive aspects of the proposal:

1. The request is consistent with Neighborhood Model Principles of the Comprehensive Plan and the Places 29 Master Plan.
2. The request is consistent with the Comprehensive Plan and provides residential and industrial development opportunities.
3. The request provides for parks and recreation improvements consistent with the Comprehensive Plan.
4. The request provides physical transportation improvements as well as funding and land for transportation improvements in the area.
5. The proposal would provide a mix of housing types in proximity to significant employment opportunities.
6. The proposal would provide 15% of the total number of units as affordable housing, which is consistent with the County's housing policy.

Staff have identified the following concerns:

1. The development will contribute to traffic congestion in the area. This impact will be partially offset by the proffers. However, existing development and development proposed by the Comprehensive Plan will continue to increase traffic congestion in the northern portion of the County.

RECOMMENDATION

For the reasons outlined in the staff report, staff recommend approval of ZMA202100016 North Fork UVA Discovery Park. Suggested motions are below.

PLANNING COMMISSION POTENTIAL MOTIONS

Should a Planning Commissioner **choose to recommend approval** of zoning map amendment **ZMA202100016 North Fork UVA Discovery Park**:

Move to recommend approval for the reasons stated in the staff report.

- a. Should a Planning Commissioner **choose to recommend denial** of this zoning map amendment:

Move to recommend denial of, (outline. reasons for denial).

Attachments

[Attach 1 – ZMA2023-16 North Fork UVA Discovery Park: Applicant's Narrative](#)

[Attach 2 – ZMA2023-16 North Fork UVA Discovery Park: Proffers](#)

[Attach 3 – ZMA2023-16 North Fork UVA Discovery Park Application Plan](#)