

FINAL ACTION MEMO
Planning Commission Meeting of October 8, 2019

<u>AGENDA ITEM/ACTION</u>	<u>FOLLOW-UP ACTION</u>
<p>1. Call to Order.</p> <ul style="list-style-type: none"> • Meeting called to order at 6:00 p.m. by Chair Keller. • PC members present were Chair Keller, Vice-Chair Bivins, Ms. More, Ms. Spain, Ms. Firehock, Ms. Riley, Mr. Dotson, and Mr. Carrazana (JVA Rep.). • Staff members present were David Benish, Andy Reitelbach, Kevin McDermott, Andy Herrick and Vivian Groeschel 	
<p>2. Other Matters Not on the Agenda from the Public</p>	<p><u>Clerk:</u> No action required</p>
<p>3. Consent Agenda Approved Minutes from 08/20/2019 and 09/03/2019 by a vote of 7:0</p>	<p><u>Clerk:</u> Upload minutes to website</p>
<p>4. Public Hearing Items</p> <p>4a. <u>ZMA201900003 Royal Fern</u> MAGISTERIAL DISTRICT(S): Samuel Miller, Scottsville TAX MAP/PARCEL(S): 076000000046A0, 076000000046F0, 07600000005400 LOCATION: Property on the northwest side of 5th Street across from the Albemarle County Office Building – 5th Street, from Wahoo Way to Old Lynchburg Road, on the east side of Old Lynchburg Road from 5th Street to Country Green Road, and on the west side of Old Lynchburg Road from Country Green Road to Mountainwood Road. PROPOSAL: Rezone two parcels of land and a portion of a third parcel of land from R2 Residential, R10 Residential, and CO, Commercial Office, to PUD, Planned Unit Development district. A maximum of 300 residential units, with a mix of multi-family units and single-family attached units, and a maximum of 125,000 square feet of non-residential space are proposed. PETITION: Request to rezone 10.17 acres from R2 Residential, which allows residential units at a density of 2 units per acre; 0.58 acres from CO Commercial Office, which allows offices, supporting commercial and service, and residential by special use permit (15 units per acre); and 2.88 acres from R10 Residential, which allows residential units at a density of 10 units per acre, to PUD, Planned Unit Development district, which allows residential (3-34 units per acre) mixed with commercial, service, and industrial uses. A maximum of 300 residential units is proposed for a gross density of approximately 22.01</p>	<p><u>Clerk:</u> Forward Planning Commission recommendations to Board of Supervisors ahead of Board's public hearing.</p> <p><u>Staff:</u> Prepare Summary of Planning Commission Action for Board of Supervisors public hearing.</p>

units/acre, and a net density of approximately 22.37 units/acre. A maximum of 125,000 square feet of non-residential space is proposed. Associated with this request are requests for special exceptions to modify the acreage requirement for a Planned Unit Development zoning district; to waive the requirement for the issuance of building permits for eighty (80) percent of the dwelling units prior to the issuance of the building permits for shopping center uses; to waive the requirement for the issuance of building permits for eighty (80) percent of the dwelling units prior to the issuance of the building permits for commercial/service uses; to modify the minimum area requirements for open space; and to waive the requirements of gross floor area for uses in the commercial/service areas.

ZONING: R-2 Residential - 2 units/acre; R-10 Residential - 10 units/acre; and CO Commercial Office – offices, supporting commercial and service; residential by special use permit (15 units/ acre).

OVERLAY DISTRICT(S): Entrance Corridor, Steep Slopes – Managed, Airport Impact Area
PROFFERS: Yes

COMPREHENSIVE PLAN: Community Mixed Use – residential (up to 34 units/acre), community scale retail, service and office uses, places of worship, schools, public and institutional uses; and Urban Density Residential – residential (6.01-34 units/acre); supporting uses such as places of worship, schools, public and institutional uses, neighborhood scale commercial, office, and service uses, in Neighborhood 5 of the Southern and Western Urban Neighborhoods Master Plan area. (Andy Reitelbach)

Action: Denied deferral of ZMA201900003 Royal Fern, deferral as requested by applicant as well as deferral of all 5 of the Special Exceptions as requested by the applicant.

Deferral failed on a vote of 3:4

Action: Recommended denial of ZMA201900003 Royal Fern based on the proposed development's location including being bisected by Lynchburg Road, small acreage, reduction of open space and community design do not meet the PUD intent regulation which is describe as intended to serve as a neighborhood or mini-neighborhood within designated communities in urban development. There is a lack of communication about possible solutions to the off-site impacts of traffic and schools. And

thirdly the proposed development does not adequately address the off-site impacts specifically impacts to area traffic and the additional students that would be enrolled at Cale Elementary School, which is already over capacity. These impacts are both listed in the unfavorable factors section of the staff report.

Denial recommended on a vote of 7:0

ACTION: Recommended denial of ZMA201900003 Royal Fern Special Exception Request for Section 20.7.1: PUD Minimum Acreage Requirements, because its far below the actual acreage in the ordinance.

Denial recommended on a vote of 7:0

ACTION: Recommended denial of ZMA201900003 Royal Fern Special Exception Request for Section 20.8.2: Open Space Requirements, because its far below the amount required by the ordinance, and no adequate justification was given for that declination.

Denial recommended on a vote of 7:0

ACTION: Recommended denial of ZMA201900003 Royal Fern Special Exception Request for Section 20.9.3: Total Gross Floor Area in Commercial/Service Areas of the PUD, reasons for this is that the request is far in excess of what would be allowed in the PUD in factors of magnitude.

Denial recommended on a vote of 7:0

ACTION: Recommended denial of ZMA201900003 Royal Fern Special Exception Request for Section 20.9.4: PUD Building Permits Issuance for Commercial/Service Uses, because the rationale provided for the applicant vary from the original ordinance was not sufficient.

Denial recommended on a vote of 7:0

ACTION: Recommended denial of ZMA201900003 Royal Fern Special Exception Request for Section 20.10.3: PUD Building Permits Issuance for Shopping Center Uses due to justification from the applicant was not sufficient.

Denial recommended on a vote of 7:0

<p>5. Committee Reports: Commissioner Dotson: School Division Long Range Planning is meeting Wednesday, October 9, 2019</p> <p>Commissioner More: Crozet had its second meeting of the Master Plan Review, and there will be a third in November, then they will enter into another phase.</p> <p>Commissioner Bivins: Had an opportunity to go to Staunton/Augusta/Waynesboro MPO which was a shared meeting with Charlottesville/Albemarle MPO, there were several presentations discussing some ride share programs from Afton to Charlottesville. There were some interesting things from DERPT (Department of Rails and Public Transportation). There was discussion of the Crozet Tunnel as well, a very interesting opportunity to bring tourists into the Crozet area.</p>	
<p>6. Review of Board of Supervisors Meeting September 18, 2019. Mr. Benish discussed what happened at the BOS meeting.</p>	
<p>7. Old Business</p>	
<p>8. New Business Mr. Benish stated we are in the process in our work program that we will be recrafting/re-modernizing the Zoning Ordinance to bring them up to modern standards. Mr. Herrick stated that every chapter of the County Code, not just zoning is in re-codification and being analyzed for modernization/reorganization. Mr. Herrick suggested that this discussion should be addressed at a work session. Joel DeNunzio from VDOT has offered to do a presentation to the PC on RCUT and other in intersection improvements. Chair Keller asked about the pedestrian/bike paths as well.</p>	None
<p>9. Items for follow-up.</p>	None
<p>10. Adjourn to October 15, 2019 at 6:00 p.m., Auditorium, Second Floor, County Office Building, 401 McIntire Road, Charlottesville, Virginia. The meeting adjourned at 9:08 p.m.</p>	