

# ***RST Residences***

## ***Zoning Map Amendment Application Narrative***

### ***ZMA 2020-00007***

#### ***Introduction***

RST Residences is a proposed multi-family townhouse and apartment community offering enhanced affordable housing opportunities for Albemarle County citizens (the “Project”). The Project is proposed by Seminole Trail, LLC (the “Owner”) and RST Development, LLC (the “Developer”, and collectively with the Owner, the “Applicant”). The Applicant is a family-owned, Virginia-based business with decades of experience building and operating affordable residential communities in multiple states. With the Applicant’s expertise and commitment to providing quality affordable housing, RST Residences would make a significant contribution to the County’s affordable housing goals. The proposed zoning map amendment, ZMA 2020-00007, would allow the vision for RST Residences to become reality for hundreds of County residents.

The Applicant submitted this zoning map amendment application to the County on May 18, 2020. The Project has benefitted from analysis by County Community Development Staff and comments by the Planning Commission during a public hearing on the Project held March 2, 2021. The public has also contributed numerous suggestions and observations about the Project through the review process. In the time since the Planning Commission hearing, the Applicant has made several significant changes to the project plans, summarized below.

#### **Changes to Plans Since Planning Commission Hearing**

- Overall number of residential units reduced from 370 to ~~340~~[332](#) dwelling units.
- 5<sup>th</sup> floor stepbacks proposed for the two 5-story apartment buildings.
- Three remaining apartment buildings are now proposed as 4-story buildings (previously proposed as 3-story).
- Two entire rows of townhome buildings (32 townhome units total) removed.
- One end of each row of townhome buildings now proposed to be a single 3-story townhouse, allowing for a visual transition from the 4-story portion of the townhome buildings to the 2-story Ashland Townhomes residences (this change results in the further loss of 6 townhome units).
- Large green space/park area added in the middle of the townhouse area, opposite the central amenity/pool area.
- Additional new amenity space added along Ashwood Boulevard, providing more open space on the south side of the site as well as increasing the distance of the townhomes from Ashwood Boulevard.
- Landscaped berm along Ashwood Boulevard now included for additional buffering and screening from Ashwood Boulevard.
- Supplemental plantings previously proposed in vegetative buffer bordering Ashland Townhomes now shown and labeled on Concept Plan.
- [Vegetative buffer bordering Ashland Townhomes increased from 20 to 40 feet \(revision as of June 1, 2021\).](#)

- Three potential options for transit stop locations are proposed. The revised plans show conceptual locations for the stops and the Applicant will work with the County and CATS to determine a final location for the stop at the site plan stage.

### **Description of Proposed Project**

The proposed zoning map amendment would rezone tax map parcels 04600-00-00-10800 and 04600-00-00-10900 (the "Property"), located in the Places29 Development Area, from R-1 Residential to Planned Residential Development ("PRD"), to allow for the development of RST Residences.

The Project proposes a maximum of ~~340~~332 residential units comprised of 254 apartments and ~~86~~78 townhouse units, as shown on the Concept Plan at Sheet 4 of the application package. The Project also proposes amenities for residents, including a pool, grilling area, a dog park, an outdoor recreation area, an indoor fitness facility, an indoor club and meeting area, a rooftop terrace, and green space and plazas surrounding the community. The Project's Application Plan shows the areas of the site where amenities are permitted.

The apartments are proposed to be located in 5 buildings arranged at the Project's center. The townhouses are proposed to be located behind the apartment buildings and are proposed as a "2-over-2" design. The 2-over-2 stacks one two-story townhouse on top of another, with a front door entrance to each unit accessed from a shared stoop on the first level of the building. The design also contains a garage and driveway for each unit that will accommodate one parking space each (providing 2 dedicated parking spots per unit). Each proposed townhouse unit is a 2-over-2 with the exception of the easternmost unit of each townhome building. In response to comments at the Project's Planning Commission hearing on March 2, 2021, these end units are now proposed as single three-story townhome units. This change is proposed to provide a visual transition from the 2-over-2 townhomes (four stories total) to the 2-story dwellings to the east in Ashland Townhomes.

The layout for the 2-over-2 units is as follows. The first level contains the living room, kitchen, and powder room for the lower unit in the stack. The second level contains the bedrooms for the lower unit. The layout for the bedrooms in the lower units varies; most lower units have a 3-bedroom layout, while some have a 2-bedroom with a home office layout. The third level contains the living room, dining room, and kitchen for the upper unit. The fourth level contains the 3 bedrooms for each upper unit. The 2-over-2 units may be offered for sale as condominiums, with owners purchasing everything from the drywall in. The rest of the building and outdoor space is common area (or limited common area such as windows, doors, or decks).

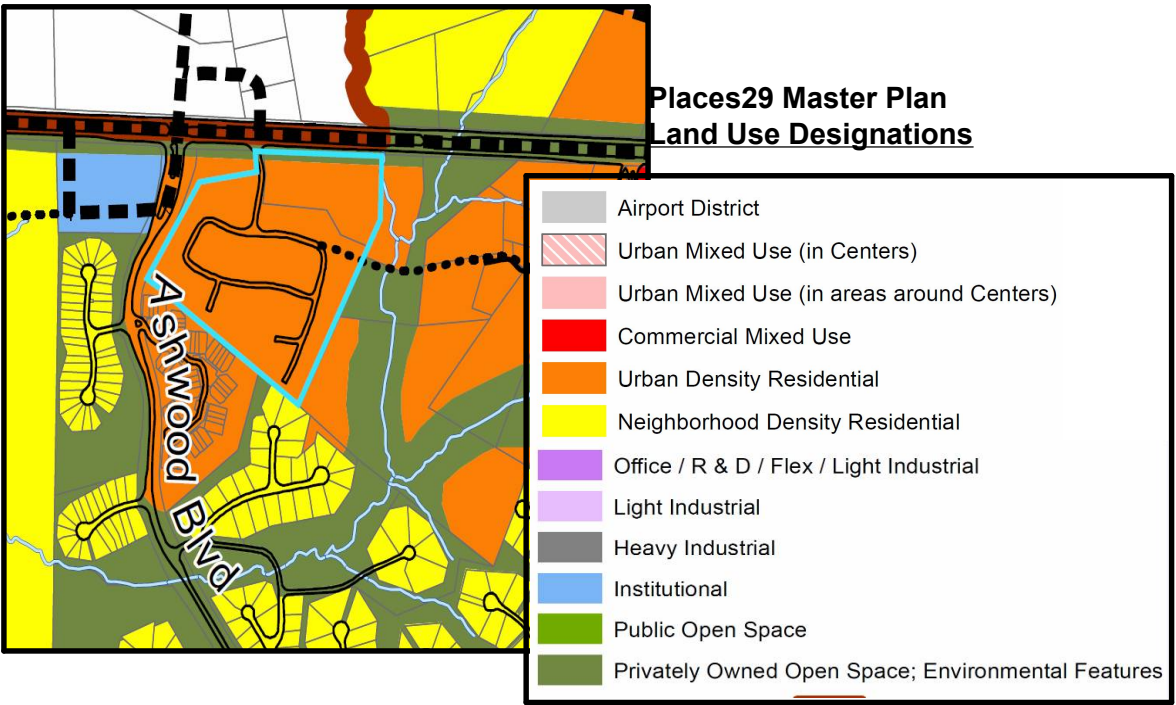
The proposed buildings in RST Residences are carefully sited to mitigate any adverse visual impact to neighboring properties or public roads. Through use of the site's natural topography, proposed vegetative and forested buffers, and building layout, RST Residences is designed to respect the character of the surrounding area. For example, the buildings that would be nearest Route 29 are proposed to be built almost 200 feet from the road. The rows of townhomes would be 78 to 112 feet from the property line with Ashland Townhomes neighborhood, and would be separated from the neighboring property by a ~~20~~40-foot vegetative buffer in which the Applicant has proposed to plant or build supplemental visual screening. The tallest proposed building is the 5-story apartment building at the center of the Project. This

building would be 540 feet from the intersection of Route 29 and Ashwood Boulevard, and over 320 feet from the property line with Ashland Townhomes.

**Consistency with the Comprehensive Plan**

The Places29 Master Plan (the “Master Plan”) designates the Property for Urban Density Residential uses. The primary uses within the Urban Density Residential designation are “multifamily and single-family residential, including two or more housing types.” The Project meets this description.

The Urban Density Residential designation “is used in areas around Centers where multifamily housing with a gross density range between 6.01 and 34 units per acre is desired.” Places29 Master Plan, page 4-5. The Hollymead Town Center area is in the immediate vicinity of the Property, and the Project would contribute to its ongoing development. The Property is outlined on the excerpt of the Master Plan’s land use designation map shown below.



This map shows that the predominant character of the area near the Property is medium- to high-density residential uses. As shown above, most of the nearby parcels are designated for Urban Density Residential, Neighborhood Density Residential, or for Privately Owned Open Space. The sole parcel designated for Institutional uses is owned by the County. The Urban Density Residential parcel that abuts the property to the south (TMP 46B5-1D) is owned by VDOT and was used in connection with the major road improvements to U.S. Route 29, which have been completed in this area. As a result, the Applicant understands that VDOT plans to offer a portion of this parcel with Route 29 frontage for sale. However, VDOT will retain a narrow strip of land along Ashwood Boulevard for use as future road right-of-way.

The Master Plan's gross density range allows the Property's 19.51 acres to be developed with at least 117 and up to 663 residential units. The existing zoning, R-1 Residential, is inconsistent with the Comprehensive Plan because it permits a gross density range between 0.97 and 1.45 dwelling units per acre, well below the desired density for this location. See Zoning Ordinance § 13.3. The Project proposes a density that would achieve the County's desired density in this location. As noted on the cover sheet to the revised plans, the Project proposes a gross density of approximately ~~19~~17 dwelling units per acre, and a net density of approximately ~~20~~18 dwelling units per acre.

The Project's density also supports Objective 4 of Chapter 8 (Development Areas) of the Comprehensive Plan, recommending the "[u]se [of] Development Areas land efficiently to prevent premature expansion of the Development Areas." The Project clusters units together on the site, and includes one-, two-, and three-bedroom apartments, and attached townhouses. The Project's residential layout thus makes efficient use of Development Areas land.

Chapter 8 of the Comprehensive Plan states that housing in the Development Areas should be provided at a variety of price points, including affordable housing. In addition, Objective 4 of Chapter 9 (Housing) of the Comprehensive Plan is to "[p]rovide for a variety of housing types for all income levels and help provide for increased density in the Development Areas." The Project includes a significant commitment to offer affordable housing. At least 75 percent of all multifamily units in the Project will be affordable housing units (which amounts to more than half of the units in the Project overall). This commitment exceeds the recommendation in the Comprehensive Plan (Strategy 6b, Chapter 9).

### **Places 29 Design Guidelines**

The Property is located on the U.S. Route 29 Entrance Corridor. The Applicant has submitted supplemental materials to the Architectural Review Board for evaluation of the Project's potential impacts on the Entrance Corridor and conformity with the Places29 Master Plan Entrance Corridor Design Guidelines.

### **Places 29 Frontage Condition**

Most of the Property is designated on the Places29 Master Plan Recommended Entrance Corridor Frontage Conditions Map for "Landscaped Development," which recommends a 10- to 20-foot landscaped buffer between the Project and the existing multi-use path that runs along U.S. Route 29. Relatively new tree plantings already exist on the Property in the recommended landscaped buffer area. The Applicant anticipates additional plantings in this area will be installed.

A small portion of the Property is designated for "Forested Buffer," which recommends preserving "relatively dense stands of trees" as a 30-foot buffer to screen multi-family residential uses. The Recommended Entrance Corridor Frontage Conditions Map shows the boundary between the "Landscaped Development" and "Forested Buffer" areas on the Property at roughly the same location where steep slopes adjacent to U.S. Route 29 begin. The Application Plan shows buffers around these areas, indicating that the steep slopes will not be

disturbed. By not disturbing these areas, the Project satisfies the applicable “Forested Buffer” frontage condition.

To clarify the project narrative and concept plans initially submitted on May 18, 2020, and in response to comments from Architectural Review Board staff, please note that the revised plans provide for a 100-foot forested buffer along the Entrance Corridor.

### **Consistency with the Neighborhood Model Principles**

The proposed project is consistent with the applicable Neighborhood Model Principles as follows:

*Pedestrian Orientation.* A multi-use path already exists along the entire frontage of the Property adjacent to the Entrance Corridor. The existing multi-use path along the frontage of the Property provides a pedestrian connection to the existing pedestrian network surrounding the Property. Sidewalks on both sides of the entrance to the project from Route 29 will connect to the existing multi-use path. In addition, the Project proposes a separate multi-use path along Ashwood Boulevard to provide a pedestrian connection to the existing pedestrian network that currently terminates at the Forest Lake South Townhomes. Connecting to this pedestrian network will provide residents with pedestrian access to the schools and amenities at the Hollymead Town Center, approximately one mile from the Project. Sidewalk connections between buildings and amenities within the Project would also support a pedestrian orientation. It is expected that pedestrian activity will be encouraged by the location of many common amenities located in or adjacent to Building 1, and by the thoughtfully designed streetscapes throughout RST Residences. Crosswalks are provided throughout the site to encourage pedestrian activity along the travelways, including at the intersection of Travelway B and Private Road C. The proposed crosswalks are consistent with Strategy 2c of the Neighborhood Model Principles.

In response to comments from County Staff, the retaining wall behind the pool and central amenity area has been greatly reduced to create a noticeable and easily identifiable central amenity with easy access for pedestrians. The reduction in the height of the retaining wall is significant. The initially proposed height of up to 12 feet is now proposed to be 6 feet at the most. The height will be finalized at the site plan stage and is likely to be lower than 6 feet.

*Mixture of Uses.* The Project does not introduce a mixture of uses in that the Property will be used entirely for residential uses, but the Property is in close proximity to other mixed-use properties such as the Brookhill community directly to the South, as well as the Forest Lakes Shopping Center and the Hollymead Town Center. As shown by the future land use map in the Places29 Master Plan, the Property is designated for urban density residential use to support an overall mixture of uses in and around the Hollymead Town Center. When considered in light of the Project’s proximity to Hollymead Town Center, and especially its close proximity to Brookhill Town Center, we contend this principle is met.

*Neighborhood Center.* RST Residences is part of a larger neighborhood oriented toward and complementary to the nearest Town Centers shown on the Places29 Master Plan.



Both the Brookhill Town Center and Hollymead Town Center are near RST Residences. Residents would be afforded many benefits by this proximity to these Neighborhood Centers. In particular, the educational, recreational, dining, and shopping amenities that will be located within Brookhill will be within comfortable walking or biking distance (approximately ½ mile) from the Project. For example, a variety of amenities planned for Brookhill, including a grocery store, retail shops, office space, ice park, and senior living facility, will all be easily accessible from RST Residences. In the future, it is also anticipated that Brookhill and RST Residences will be connected by a transit line, further strengthening the Project's connection to the nearby Neighborhood Center. Please note the proposed transit stops on the Project's Application Plan. The half-mile distance from RST Residences to Brookhill is consistent with the Neighborhood Center principle expressed in Strategy 2f (providing that ½ mile is an appropriate distance between homes and a Neighborhood Center when connected by transit).

While RST Residences is not required to function as a Neighborhood Center under these guidelines, the Project does include many on-site amenities that create a sense of place. Many of the common amenities will be centrally located in and around the 5-story apartment buildings at the heart of the community. For example, the central amenity area will include an outdoor gathering area with a swimming pool and a grill area for social events. Further away from the central amenity area, residents may enjoy other outdoor amenities such as the proposed dog park and tot lot.

Even though the Project is not treated as a standalone Neighborhood Center, the location of the proposed amenities reflects with the general recommendation of the Neighborhood Centers principle that "focal points or places in a neighborhood or area where people congregate.... are very important in creating the identity of an area." Strategy 2f. The Project's on-site amenities contribute to a sense of place and provide central gathering places for residents. By siting the 5-story apartment buildings in the center of the Project, RST Residences follows the general recommendation of Strategy 2f that centers should be "visually discernible to help create and facilitate a sense of arrival." All roads and sidewalks in RST Residences lead to the visually prominent central amenity area, accessible to all residents, which will serve as the hub of social and community activities for residents. In response to County Staff comments, the height of the retaining wall along Private Road C has been significantly reduced to promote access and prominence of the central amenity area. In light of the variety of on-site and nearby amenities at existing Neighborhood Centers, this principle is fully satisfied.

Mixture of Housing Types and Affordability. The Property has been used as a mobile home park for many years. Therefore, the Project introduces a mixture of housing types (townhomes and apartments) where such variety does not exist today. In addition, the Project contains an affordable housing component, as discussed elsewhere in this narrative. When considered in the context for the large number of single family residences nearby in Forest Lakes, Brookhill, and other nearby neighborhoods, we contend that this principle is met.

Interconnected Streets and Transportation Networks. The project proposes private streets in the areas shown on the Application Plan, which will support a system of interconnected streets and "non-street connections" to allow vehicles to access nearby locations without having to access Route 29, as expressly recommended in the Comprehensive

Plan. The Project as proposed would increase the existing interconnected street network and system of non-street connections. Pedestrians, cyclists, and drivers will have more options when the Project is completed.

The proposed connection to Ashwood Boulevard promotes interconnected streets by extending on to the proposed Archer Avenue roadway. This connection will improve the existing transportation network. Likewise, the Project also proposes to lengthen the southbound left turn lane from Route 29 to Ashwood Boulevard, further contributing to the improvement of the existing transportation network. As explained elsewhere in the application materials, VDOT will work with the Applicant at the site plan stage to assure all permits and approvals of the Ashwood connection and Route 29 improvements are obtained.

The Application Plan also shows an area for a future connection on the north side of the Property. The Applicant will record an access easement to allow the public to use the private streets withing the Project. While there is no road or existing developed use to the north to connect with at this time, the access easement assures that such a connection may be made and may be accessed by the parcel to the north, should it be developed. The access easement would allow a vehicular connection to the parcel to the north. This level of access exceeds the recommendation of the Places29 MasterPlan, which calls for “**Potential** Connections (Pedestrian, Bicycle, **or** Vehicular)” in this location on the Future Land Use Map, North, Transportation Study (emphasis added).

Multi-Modal Transportation Opportunities. The application continues existing multi-modal transportation opportunities in that residents can continue to access the Property by vehicle, on foot, or by bicycle. While the Property is not yet accessible via public transit, the Application Plan shows three potential bus stop locations on the site (one near the apartments in the center of the site, one on Route 29, and one on Ashwood Boulevard). The Applicant will work with the County, the Thomas Jefferson Planning District Commission, public transit providers, and other stakeholders to determine a final location for a transit stop in RST Residences. The Applicant welcomes the opportunity for transit options to serve RST Residences when these opportunities are presented. Until on-site public transit is possible, residents may use the #12 CAT bus that provides service to the Walmart Supercenter on Hilton Heights Road, which is just over a mile and a half from the Property and accessible by the existing multi-use path along U.S. Route 29.

The Applicant’s voluntary off-site extension of the multi-use path along the project’s frontage on Ashwood Boulevard will also enhance multi-modal transportation opportunities and connections to Brookhill, including the educational and recreational facilities that are proposed for that project. The Project includes extensive sidewalks that connect to the multi-use path to encourage pedestrian activity and bicycle transportation.

Parks, Recreational Amenities and Open Space. The Project proposes common recreational areas and other amenities for residents, including a dog park, an outdoor swimming pool, a fitness center, and possibly other amenities. The Applicant’s proposed amenities exceed the minimum requirements of the PRD zoning district, as explained below in the “Zoning Ordinance Requirements” section of this narrative. The largest and most prominent amenities are located at the center of residential areas. For example, the swimming pool and

grilling area are located between the two largest apartment buildings. Likewise, a similarly-sized green space/park area is situated at the center of the townhome buildings. In addition, by adding landscaping and other plantings the Project would enhance the appearance of the Property when compared to existing conditions. The Project is proposed to be surrounded by buffers on all sides. The Applicant will supplement the vegetative buffer along the property line with Ashwood Townhomes to provide additional plantings for screening (see “Buffers” note on the Cover Sheet of the project plans). In addition, the revised plans show an open and recreational area along Ashwood Boulevard in an area where townhomes had originally been proposed. In response to comments from the community, the Applicant has enhanced the open space along Ashwood Boulevard to better retain the Property’s existing character when viewed from the Ashwood Boulevard roadway.

*Buildings and Spaces of Human Scale.* The Project proposes buildings with articulated designs meant to break up “massing” and support the principle of buildings of human scale. The height of the proposed buildings is largely consistent with the recommendations of the Places29 Master Plan, which recommends that buildings on land designed for Urban Density Residential uses be no taller than four stories or 45 feet. With the exception of the centerpiece apartment building, each structure on the concept plan is four stories, per the Places29 Master Plan recommendation. The central apartment building is proposed to be five stories, with a 15-foot front stepback beginning on the fifth floor. The stepback will further promote the principle of buildings and spaces of human scale by making Building 1 less imposing and by reducing any perceived “canyon” effect within the site. Given that U.S. Route 29 and Ashwood Boulevard are located hundreds of feet from Building 1, which is screened by vegetative buffers along the Property’s boundaries, the proposed height also has minimal impact outside the site on the surrounding roads.

Moreover, Building 1 itself has a proposed height of 52 feet – only seven feet above the *recommended* maximum under the Master Plan. When balanced with all the factors involved in planning an Urban Density Residential community (including the design features needed to offer enhanced affordable housing), the fact that two of the eleven buildings in the Project exceed a *recommended* height by only 7 feet does not support a finding that this Principle is not satisfied. The recommendations in the Places29 Master Plan and the Comprehensive Plan are non-binding. They serve as general guidelines, recognizing that particular details of particular projects may present circumstances where flexibility is appropriate. Flexibility is warranted here.

The Applicant has also responded to County Staff’s concerns that the initially proposed retaining walls create spaces that detract from the pedestrian experience. These retaining walls have been significantly reduced in height in the revised plans.

*Relegated Parking.* The Project proposes only minimal parking areas that front public roads, including the U.S. Route 29 Entrance Corridor. While some parking in these areas is proposed, the vast majority of the parking proposed is relegated behind or to the side of buildings, buffers, or recreational areas. Parallel parking provided along the travelways promotes an efficient use of paved area and contributes to an urban, walkable environment. Parking areas are expected to have limited visibility from the Entrance Corridor, especially given the distance involved, and the 100-foot forested buffer. While the parking lot west of Travelway



B is not relegated from Route 29, it will be entirely obscured from view from Route 29 by the topography of the site and the proposed 100-foot buffer. Moreover, this parking area is relegated behind one of the four-story apartment buildings (on the right side of Travelway A when entering the Project from Route 29).

Redevelopment. This application involves a redevelopment of the Property of a type that is expressly recommend by the Places29 Master Plan.

Respecting Terrain and Careful Grading and Re-grading. Some grading will need to occur on the Property during construction. The Application Plan accounts for managed or preserved slopes on the Property. The Applicant will obtain all required permits and approvals that may be needed to conduct grading on the Property. The Application Plan shows that the preserved slopes located within the Project will not be disturbed during construction, and that improvements have been carefully sited to preserve those areas.

Clear Boundaries with the Rural Area. Not applicable. The Property is not adjacent to the Rural Area.

### ***Impacts on Public Facilities & Public Infrastructure***

The Project has no negative impact on public facilities and public infrastructure. The Project would improve the public road network, in the form of a new vehicular connection to Ashwood Boulevard that aligns with proposed Archer Avenue in Brookhill. This proposed connection to Ashwood and extension to Archer would help divert congestion on Route 29 and give residents additional alternatives to reaching nearby destinations without needing to travel on Route 29. Additionally, a proposed driveway from Ashwood would help direct traffic entering or leaving the Property through the signalized intersection of Ashwood and U.S. Route 29. The proposed connection would cross land that is currently owned by VDOT. This land was originally taken by VDOT as part of its improvements to Route 29, and it is now reserved for future right-of-way along Ashwood Boulevard. Like any project that crosses VDOT right-of-way, the Applicant must obtain an access permit from VDOT to build the connection at Ashwood Boulevard. The access permit is obtained as part of the site plan review. Please see the attached letter from VDOT explaining this process.

The Project also provides for a potential road connection to the parcel north of the Property, should it be developed. While the Project proposes private roads, RST Development will grant an access easement for the public to use the private roads. Since they will be accessible to the public, the proposed private roads will improve the County's road network over existing conditions on the Property, which is currently only served by access to Route 29, and by creating and extending alternatives to travel on U.S. Route 29.

The Project also proposes a new right turn lane to access the Property from U.S. Route 29. This improvement will provide much safer access to the Property and traffic flow on U.S. Route 29 than provided by the two driveways that exist on the Property today. The proposed turn lane will be placed at a sufficient distance from the other access points to U.S. Route 29, as required by VDOT standards. In addition, the Project would extend the length of the southbound left turn lane from Route 29 to Ashwood Boulevard. In response to comments received from VDOT, the Project proposes 350 feet of storage in this turn lane, which is shown on the plans as revised

October 5, 2020. This amount has been increased from the previously proposed length of 250 feet, and is greater than the existing length of 200 feet.

The Project offers significant improvements to the existing pedestrian infrastructure. The Project would provide sidewalks internal to the site (where none exist today) and it would, subject to approval by VDOT, build a sidewalk, curb, and gutter in the right-of-way along Ashwood Boulevard to connect the Project and other uses further down Ashwood to the intersection with the multi-use path along Route 29. This voluntary off-site improvement will fill a gap in the existing pedestrian infrastructure along Ashwood Boulevard because no sidewalk exists on the VDOT parcel today.

With regard to traffic impacts, as explained in more detail in the enclosed traffic study, the number of projected trips associated with the Project will increase over present conditions, but the effect of the increase will be lessened by the proposed access points and turn lane. Although the Project will create more trips to and from the Property, this result is consistent with the higher density residential use prescribed for the Property by the Comprehensive Plan. Also, when compared to the levels of service and wait time that are projected for the area without any development of the RST property, the level of service and wait times are nearly identical with the proposed development and implementation of the recommended improvements. As such, there are no material impacts on traffic or on the surrounding road network.

### ***Impacts on Environmental Features***

The proposed Project has no negative impacts on environmental features. Residential use of the Property would continue. Unlike the existing residential use on the Property, which is served by a private water system and septic fields, the Project will be served by the public water and sewer system, which provides much more protection of the environment. No portion of the Property contains protected stream buffers, and the Project is carefully designed to avoid encroachment or other impacts to the preserved slopes on the Property and nearby. The Project includes extensive buffer areas that will provide space for additional vegetation.

The Applicant is proposing to leave the existing berm along Ashwood Boulevard untouched. Retaining the existing appearance of this berm was among the concerns expressed by neighbors at the Planning Commission hearing. The image below shows that tree and vegetation clearing will be kept to a minimum. (The brown shading shows trees that would be removed; the green shading shows existing trees to remain.) The majority of the clearing proposed will allow the vehicular connection to Ashwood Boulevard. The berm will retain its existing character after the Project is completed.



**Impacts of the Proposed Development**

**Parks:** The Project contains a variety of recreational and other amenities for the use and benefit of the residents of the Project, several of which are shown on the Concept Plan. While the specific details of the amenities have not yet been decided, the Concept Plan shows that RST Residences will include an outdoor swimming pool, a dog park, a tot lot, and a dedicated outdoor recreational area. In addition, a grill area near the swimming pool and an indoor fitness center are envisioned. Residents will also have easy access to other nearby parks and recreational areas, and to walking trails existing and proposed nearby.

**Fire & Rescue:** The Project layout has been carefully designed to meet the standards for emergency vehicle access, and other fire and rescue standards.

**Schools:** Students living in RST Residences would be within the current school districts for Hollymead Elementary School, Sutherland Middle School, and Albemarle High School. Based on the Albemarle County Schools Capacity vs. Enrollment Projections<sup>1</sup>, both Hollymead and Sutherland are under capacity, while Albemarle High School is over capacity. The Official Calculator estimates the Project would serve 8476 students, while an analysis of the numbers of registered school children in eight existing townhome and apartment communities indicates that 2524 students may be a more accurate estimate.

The County Schools provided the following matrix for estimating student counts:

**Official Calculator**

Type of Dwelling Unit	Elementary	Middle	High	Total
Townhome (8678)	0.15 (4312)*	0.06 (65)	0.08 (76)	0.29 (2523)
Multi-Family (254)	0.12 (30)	0.03 (8)	0.05 (13)	0.21 (53)
	<b>=4342</b>	<b>=1413</b>	<b>=20</b>	
<b>77-7819</b>				<b>76 total</b>

\*number of school children

**However, based on actual 2020-21 public-school student registration numbers provided by Albemarle County Schools<sup>2</sup>, the number of students actually living in comparable apartment and townhome communities is 50-75% lower than this estimate.**

The tables on the following page show the actual number of school children living in existing townhome and multifamily communities is much less than the number indicated by the multipliers used in the County School’s official calculator.

<sup>1</sup> Albemarle County Public Schools K-12 Enrollment Projections FY 2020/21 to FT 2029/30, dated November 2019; Capacity vs. Enrollment Projections, dated November 19, 2019.

<sup>2</sup> Provided by Renee DeVall, Routing and Planning Manager for Albemarle County Pupil Transportation.

**Actual School Enrollment in Existing Townhome Communities**

For the current 2020-21 school year, the following table indicate the actual number of registered students in each of four northern development area townhome communities:

		Pre-K/Elem	Middle	High	Total
Forest Lakes South Townhomes (Ashland Drive off Ashwood Blvd)	(45)	0	0	0	0
Forest Lakes Townhomes (Arbor Trace/Arbor Lake Drive/Arbor Court/Arbor Terrace)	(62)	1	1	3	5
Gardencourt Townhouses (Hydraulic Road)	(51)	2	1	0	3
Hollymead Square Townhouses	(64)	6	7	10	23
<b>TOTAL UNITS:</b>	<b>(222)</b>	<b>9</b>	<b>9</b>	<b>13</b>	<b>31 Total</b>

Based on the average of the actual number of school children living in these representative townhome communities (31 / 222), the multiplier is 0.14, not .29, resulting in **4211**, not 25 children in the **8678** townhomes.

Similarly, when we analyze the actual number of registered students in four County multifamily developments, we find a significantly lower likely student number than the Official Calculator would indicate:

**Actual School Enrollment in Existing Multifamily Communities**

		Pre-K/Elem	Middle	High	Total
Reserve at Belvedere (294 Units)		8	2	6	= 16
Arden Place (212 Units)		3	0	5	= 8
Stone Creek Village (264)		5	5	7	= 17
Stonefield Commons (251)		8	1	2	= 11
<b>TOTAL UNITS:</b>	<b>(1,021)</b>	<b>24</b>	<b>8</b>	<b>20</b>	<b>= 52</b>

The actual student numbers for these four multi-family communities indicate an average multiplier of .051, not 0.21, for the total number of students. Based on the 2019-20 data above for these four existing multi-family developments, we would expect 13, not 53, students from the 254 multi-family units, which is a 75% decrease in number.

In summary, using actual student registration numbers from four townhome communities and four multifamily communities, RST Residences is expected to be home for 25 students.

It is important to remember that while RST Residences will be new to Albemarle County, these students and their families are not. RST Residences is serving the need to provide

**more affordable housing options to families who already live in the County and whose children already attend the County public schools.**

**School Capacity**

Based on the Capacity vs. Enrollment Projections for the next ten (10) years, Hollymead and Sutherland are projected to remain under capacity, while AHS will remain over capacity. In the 2019-20 school year, Hollymead was under capacity by 52 students and Sutherland by 60 students. Further projections are as follows:

	K - 1 2 Capacity	2020-21	2021-22	2022-23	2023-24	2024-25	2025-26	2026-27	2027-28	2028-29	2029-30
Hollymead	418	412	415	418	425	426	430	431	426	426	427
Sutherland	653	606	599	597	594	618	636	633	652	657	658
Albemarle	1,775	1928	1943	1972	2097	2116	2122	2169	2134	2164	2168

Currently, there are sixty-seven (67) trailers on the property, and only three school-aged children – one elementary, two middle school, and no high school students. Prior to acquisition by the Applicant, the Property was home to six or seven school-aged children.

While the Project would have some impact on school capacity, as described above, County Staff has noted in a recent Staff Report for another development that the “dedication of land for two new elementary schools are proffered commitments of other large developments in the Places29 Development Area. This includes a 7-acre site within Brookhill and a 12.85-acre site within North Pointe. The Brookhill development also has a proffer requiring dedication of an approximately 60-acre site along Berkmar Drive that could be used for a comprehensive public high school.” Staff Report for ZMA 2018-00018 and SP 2018-0023, Rivers Edge, Planning Commission Hearing (March 10, 2020).

The Albemarle County Public Schools *Long Range Planning Advisory Committee Recommendations*, July 11, 2019 (the “Report”) states that the new elementary school proffered as part of the Brookhill rezoning at the intersection of 29N and Polo Grounds Road is at an optimal location for growth along the 29 corridor. The Report states that this “growth will be monitored, and if capacity becomes an issue at Hollymead or other schools in the area this project should be evaluated in more detail.”

The Report states that the middle schools have combined adequate capacity and that the school division “has embarked upon a ‘center’ based strategy to address capacity issues at its three comprehensive high schools, in particular Albemarle High School.” The two “centers” that have been approved and funded by the County will serve 650 students. Center I, which opened in 2018 and is located approximately four miles from the Project, will serve up to 250 students. Center II will serve up to 400 students, with the goal to be open for instruction in Spring 2023. Staff Report for CCP201900004, High School Center II, Planning Commission Meeting (June 23, 2020).

**Affordable Housing:** Affordable housing is a central feature of RST Residences. The Application Plan contains a note providing that 75% of the multifamily units within the Project will be affordable rental units for 30 years. The affordable multifamily units represent over 50% of the overall number of units (apartments and townhomes) in the Project. This commitment greatly exceeds the County’s minimum requirement of 15% affordable housing for the entire Project. The qualification requirements will make the affordable units available to households



earning between 30% and 80% of the area median income (AMI). The average AMI level for all the affordable units in the Project will be 60% of AMI.

In addition, the townhomes in the Project will provide an attractive option for many prospective buyers. Although the sale price of the townhome units may not qualify as affordable under the County standards, the modest size of the townhome units as proposed allow them to be more affordable for Albemarle County residents without the need for a housing subsidy. This is a strength of the project that furthers the County’s affordable housing goals.

**Anti-Displacement Policy:** The Applicant is aware that the County Housing Director and the Board of Supervisors are developing an Anti-Displacement policy for the County. The Applicant owns the Property and has allowed current residents to continue living at the Property for 18 months since notifying them of the need to relocate. State law provides for a minimum of 6 months’ notice, which the Applicant has tripled by first giving existing residents 12 months’ notice and later extending the move-out deadline by an additional six months. In addition to providing ample relocation time, the Applicant and its management team have worked with the remaining residents to assist with relocation efforts.

**Open Space:** At least 25% of the Project site shall be Open Space, as noted on the Application Plan. This includes a combination of buffer areas, amenities, and the proposed dog park.

**Historic Resources:** The Property is adjacent to a cemetery of unknown ownership. The Project will not encroach upon the cemetery and will erect a fence around the cemetery and ensure access to the cemetery. Although staff has expressed an interest in the Applicant managing the cemetery, because it lacks the legal right to do so, that is not possible. But it will ensure that the Project does not encroach upon it, and that it respects the rights of the descendants and other family members to access the cemetery.

**Zoning Ordinance Requirements**

The Project is designed to comply with the requirements of the Zoning Ordinance that apply to the Planned Residential Development district and to planned development districts generally.

**Open Space and Recreational Uses:** RST Residences will offer residents common open space with a host of amenities, including a swimming pool, grill area, dog park, a tot lot, an outdoor recreation area, and an indoor fitness facility. In the revised plans, a large green space/park area has been added in the space created by the removal of two rows of townhome buildings. The proposed offerings exceed the minimum requirements in the Planned Residential Development district, as the chart below shows.

	Required	Shown on Application Plan
<b>Open Space and Recreational Uses</b> (Sec. 19.6)	4.88 ACRES 25% of Project Area	<del>5.65</del> 6.29 ACRES 2932% of Project Area
<b>Recreational Area</b>		2.05 ACRES

(Sec. 4.16.1)	0.98 ACRES (42,493 sq. ft.) 5% of Project Area	(89,100 sq. ft.) 10.5% of Project Area
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One of the purposes of the PRD district is to provide an “improved level of amenities.” Section 19.1. The Zoning Ordinance implements this objective through the requirement that at least 25% of the residential area of the Project be reserved for common open space (which may include green space, noncommercial recreational uses, and other uses set forth in Section 4.7(b) of the Zoning Ordinance). Through this requirement, a PRD project – by definition – features an “improved” level of amenities when compared to other residential development projects, which only need to satisfy the recreational amenity requirement discussed in the following paragraph. RST Residences proposes a total of ~~5.856~~6.29 acres for open space and recreational uses. This amounts to ~~29~~32% of the total Project area, exceeding the minimum requirement of 25%.

Like many residential development projects, PRD communities must meet the recreational area requirements under Section 4.16 of the Zoning Ordinance. Specifically, a residential project must provide recreational space amounting to 200 square feet per unit, or five percent of the gross site area, whichever is less. Section 4.16.1. With ~~340~~332 units proposed on 19.51 acres, the Project must provide a minimum recreation space of 42,493 square feet (five percent of the gross site area). The Project need not provide recreational space amounting to 200 square feet per unit, because that amount totals ~~68,000~~66,400 square feet, well in excess of five percent of the gross site area. RST Residences exceeds both methods of calculating the minimum recreational space, proposing a total of 89,100 square feet of recreational space. This amount is **more than double** the minimum recreational space required for the Project under Section 4.16.1.

The recreational space regulations also require a certain number of tot lots and half basketball courts (the required number of each depends on the number of units in a given project). The County may approve a substitution request to allow alternative amenities to the otherwise required tot lots and half basketball courts. Without a substitution request, RST Residences would be required to provide 8 tot lots and 4 half basketball courts based on the number of units proposed. Because the Applicant would like to offer residents a more diverse array of amenities at RST Residences, the Project proposes one tot lot and requests the flexibility to provide alternative amenities (e.g., the swimming pool, grill area, dog park, outdoor recreation area, and indoor fitness facility) to be finalized at the site plan stage. The Applicant has submitted a Substitution Request with its application to provide additional detail on the proposed amenities and a justification for the requested substitutions.

The following table shows the overall increase in amenities that will result if the substitution request is approved.

	No Substitution Request	With Substitution Request
<b>Recreational Facilities</b> (Section 4.16.2)	8 Tot Lots (16,000 sq. ft.)  4 Half-Basketball Courts (3,600 sq. ft.)	1 Tot Lot (7,600 sq. ft.)  Other Recreational Facilities (48,700 sq. ft.)

<b>Total Recreational Facilities</b>	<b>19,600 sq. ft.</b>	<b>56,300 sq. ft.</b>
Other Recreational Areas (not Recreational Facilities)	22,893 sq. ft.	32,800 sq. ft.
Total Recreational Areas	42,493 sq. ft.	89,100 sq. ft.

**Building Stepbacks:** In the PRD district, the Zoning Ordinance provides that “[f]or each story that begins above 40 feet in height or for each story above the third story, whichever is less, the minimum setback shall be a minimum of 15 feet.” Section 4.19. Because each building proposed in RST Residences is at least 4 stories, the Applicant has requested a Special Exception to waive or modify the front setback requirement for each building.

The Project has been designed to incorporate front setbacks on the two wings of the tallest (5-story) building. The request special exception would allow the front setback to begin on the fifth floor rather than the fourth floor of the 5-story building. The Applicant has requested that the front setback requirement be waived for the remaining 4-story apartment buildings and the townhome buildings. While the townhomes would not feature a front setback, the revised plans now show a single 3-story unit on the end of townhome building that faces Ashland Townhomes to the east. This design will promote a visual transition between the 2-story Ashland Townhomes and the remaining 4- and 5-story buildings within RST Residences. By removing the fourth floor from the end unit, the townhomes effectively have a 24-foot fourth floor setback on the side facing Ashland Townhomes. By reducing the height of these units, and by removing two entire rows of townhome buildings, the revised plans transition the massing of the taller apartment buildings and mitigate potential visual impacts to neighbors in Ashland Townhomes. Further details on the proposed setbacks and requested waivers and modifications are provided in the Applicant’s Special Exception request narrative, submitted with this Application.

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