

County of Albemarle
Department of Community Development
401 McIntire Road
Charlottesville, VA 22902

Submitted: February 17, 2025
Revised: November 25, 2025

Regarding: 600 Rio Rd W Neighborhood Model District
Request for Exception from Section 20A.9.b
Minimum Area Requirements for Amenity Space

Section 8.2(b) of Chapter 18 of the Code of Albemarle permits the board of supervisors to vary or except certain regulations of the Zoning Ordinance for planned developments. In accordance with Section 8.2(b), it is our request for the board of supervisors to grant an exception from Section 20A.9.b of Chapter 18 of the Code of Albemarle for 600 Rio Rd W, a proposed Neighborhood Model District (NMD) development project. Section 20A.9.b states, “the area devoted to amenities shall be at least 20 percent of the gross acreage of the area proposed to be rezoned.” We respectfully request a reduction in the amenity space requirement from 20% to 16%.

Further details on proposed land use and open space for 600 Rio Rd W are provided with the Application Plan dated February 17, 2025. The ZMA associated with this special exception is to rezone TMP(s) 45-157, 45-158, 45-166, 45-167 (together, the “property”) from Commercial Office (CO) to Neighborhood Model District (NMD). Granting a special exception for the amenity requirement will achieve the intent of the NMD, align with guidelines for planned development design, pose no adverse effects to public health, safety or welfare, and satisfy the original intent of the regulation to an equivalent degree.

In your review of this request, please consider the following:

- 1) Section 8.2(B)-3:
(i) the waiver or modification is to be consistent with the intent and purposes of the planned development district under the particular circumstances, and satisfies all other applicable requirements of section 8

According to Section 20.A.1, the Neighborhood Model district encourages a “development form and character that is different from conventional suburban development” and provides 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.” The proposal for 600 Rio Rd W includes the following characteristics that are intended for these districts: pedestrian orientation, neighborhood friendly streets and paths, interconnectivity, parks and open space, buildings and spaces of human scale, and relegated parking. The proposed Code of

Development for 600 West Rio Rd maintains the 20% requirement for green space within the site, and will be nearby to many commercial establishments.

According to Sec.20A.9.b.4, in acting on a request to reduce the minimum amenity area, the Board shall consider these factors:

- the relationship of the site to adjoining or nearby properties containing amenities;

Nearby amenities include Northside Library, Agnor Elementary School, Fashion Square Mall, and Albemarle Square. All of these sites will be accessible from 600 Rio Rd W. In addition, Albemarle County owns the adjacent property TMP 45-94, a five-acre site which could be considered as a site for a new public park. The owner of the proposed development for 600 Rio has met with the county and submitted drawings of a potential easement reservation on TMP 45-157 which could serve as an entrance to the new county park. Providing access through this parcel would significantly minimize costs of entrance development. The owner is very willing to continue the conversation about easement access to a new county park. The currently proposed concept plan preserves the option for this potential entrance easement. If constructed, the park would be a large amenity space directly adjacent to the development at 600 Rio Rd W, minimizing the need for amenity space within the development.

- the proportion of residential uses to nonresidential uses proposed

The site is proposed to allow mixed use residential and commercial development, without a minimum requirement for non-residential development. Please see the attached waiver requesting exception from the mixture of uses requirement.

- the known future uses of the adjoining properties; and

The possible county park on the adjoining parcel (TMP 45-94) would create a significant increase in public amenities. The amenity space that is included with the proposal for 600 Rio Rd W can be a county easement for entrance to the park in the future. The benefit that this 5.91 acre park would provide is much greater than the slight reduction of amenity space from 0.65 acres to 0.51 acres.

- whether a reduction would better achieve the neighborhood model goals of the comprehensive plan

The neighborhood model goals of the comprehensive plan include flexible housing options. Slightly reducing the amenity space requirement on this site will allow for more housing and connectivity to adjacent parcels.

(ii) the waiver or modification is to be consistent with planned development design principles

The planned development design principles aim to create communities that are mixed-use and self-servicing. In conjunction with Albemarle County's Neighborhood Model, both seek to guide development that provides accessible open space for community members to enjoy. The aim of incorporating parks & open space as a principle of the Neighborhood Model is to ensure that

“residents and workers can walk to a public park, experience preserved natural areas, and enjoy public gathering places” (Neighborhood Model Section 2.4). Parks and open space function as spaces for recreation, community and social interaction, and natural experience. A special exception in reducing minimum required area for amenity space from 20% to 16% still remains consistent with the PUD and Neighborhood Model’s intent in creating such spaces for residents, especially in consideration of the county property adjacent to the site.

(iii) the waiver or modification will not adversely affect the public health, safety or general welfare

A reduction from 20% to 16% in the amenity requirement will not adversely affect the public health, safety or general welfare of this site’s future residents. This is a very small reduction and as detailed above, there is nearby access to many amenities as well as the adjacent open space on county property.

(iv) in the case of the waiver or modification, the public purposes of the original regulation would be satisfied to at least an equivalent degree by the modification

Following the Neighborhood Model, the development at 600 Rio Rd W is intended to be interconnected, walkable, and provide a mix of housing encourage a diverse community. As a connected, accessible site, the original purpose behind the regulation in minimum amenity space acreage would still be fulfilled. There will be a minimum of 20% green space within the site and it will provide opportunities for connections to nearby amenities.