

Minutes  
PLANNING COMMISSION REGULAR DOCKET  
TUESDAY, March 13, 2018 and Wednesday March 14, 2018 – 5:30 P.M.  
CITY COUNCIL CHAMBERS  
NDS Conference Room

I. Commission Pre-Meeting (Agenda discussion(s))

*Beginning:* 4:30 p.m.

*Location:* City Hall, 2nd Floor, NDS Conference

Members Present: Chairman Lisa Green, Commissioners John Santoski, Genevieve Keller, Jody Lahendro, and Taneaia Dowell

Members Absent: Corey Clayborne

Chair Green called the meeting to order at 5:00pm and Ms. Creasy provided an overview of the agenda.

Commissioner Keller asked if a work session could be held to discuss the draft comp plan chapters prior to John and Kurt rotating off the Commission. It was determined that this discussion would be included on the April 24<sup>th</sup> work session and chapter champions would be asked to attend as well as Commissioners starting in June.

Chair Green asked if there was any desire to remove any items from the consent agenda. It was noted not at this time.

Ms. Creasy provided an explanation of the actions needed for the Comprehensive Plan amendment request. Commissioner Solla-Yates asked about the public process to determine Scenario one. Commissioner Keesecker, who was a member of the committee, provided background information.

Questions were asked concerning the public hearing on Nassau Street including a request for information on the status of the County application.

II. Commission Regular Meeting

*Beginning:* 5:30 p.m.

*Location:* City Hall, 2nd Floor, Council Chambers

Members Present: Chairman Lisa Green, Commissioners Genevieve Keller, Jody Lahendro, Kurt Keesecker, John Santoski and Taneaia Dowell

Members Absent: Corey Clayborne

A. COMMISSIONERS' REPORTS

Commissioner Lahendro: reported he attended the Housing Advisory Committee, 1/17

- Staff reported on progress to update the Consolidated Plan & Analysis of Impediments to Fair Housing Choice. This is a plan created and managed by the city and TJ HOME Consortium which includes representatives from the TJ Planning Commission region. HUD requires periodic updates to this plan that guides the use of Federal grants that assist low to moderate income persons.

HAC, 2/21

- Mostly an organizational meeting to establish five committees which will be responsible for the bulk of HAC's work.
- Appointed committee members
- Discussed vacancies and relevant organizations not currently represented
- Planning and Coordination Council Technical Committee (PACC/Tech), 1/18
- Reports by city, county and UVA representatives on current projects
- Presentation on "Transportation and Transit Priorities" by TJ Planning District Commission.

- Focused on Metropolitan Planning Organization's Strategic Plan, completed in 2017 and available on website.

Tree Commission, 2/6

- Unable to attend

Tree Commission, 3/6

- Arbor Day ceremony at Venable School, 4/27, 10:00 am.
- Current CIP proposed to Council: 1) Downtown Mall cultural landscape report \$50K; 2) Tree planting \$50K; 3) Downtown Mall tree preservation \$100K; 4) Tree maintenance in P&R operations \$50K
- Subcommittee planning neighborhood meeting.

Commissioner Keller: reported she attended the monthly meeting of the Thomas Jefferson Planning District Commission in which we renewed the director's contact and we approved the annual resolution for the ride share program. The statistics say if people who commute would ride share once a week, we would reduce our single vehicle trips by 20%. She also attended the PLACE Task Force meeting this month, and she is sharing that there are several members of the task force who are very interested in helping the Planning Commission with its community engagement chapter.

Commissioner Dowell: reported on Tuesday, January 16<sup>th</sup> she attended the CDBG Task Force meeting where they went through all of the applications for the grant, and decided based on a point metric system which should receive funding and how it should be allocated. She said we found as task members that those who are applying for grants should try to answer the questions as accurately as possible, in hopes that the scores are higher and would make it a little easier for the task force. She said we enjoy what we do and look forward to next year.

Commissioner Keesecker: reported he attended two meetings. The first one was a series of meetings related to Hydraulic and 29 efforts for the Small Area Plan with TJPDC, VDOT and our County colleagues. There was an open house last Thursday, March 8<sup>th</sup> at CHS that took community comments and it was well attended. Some of the data is being compiled now and will be available on the Hydraulic and 29 website very soon. We as the Planning Commission will meet with City Council on March 22, 2018 to have a presentation and to discuss that plan in more detail. He said the open house last week presented three options that are being considered by the steering committee with two recommended for consideration and one less preferred but all three were presented and a lot of the comments that are coming back are either confirming or fine tuning the recommendations by the Advisory Council. When we meet with City Council, one thing we need to keep in mind is to help with the scoring of the funding of the project at Hydraulic and 29. The City will have to undertake an urban development area designation for that area. We have UDA's in the city now but Hydraulic and 29 is not one of them. To be able to increase the possibility of that project being scored higher in the smart scale process, staff will be helping us understand what designating a new UDA would mean. He met with the Master Planning Council that is a joint city, UVA and the County which met on March 7<sup>th</sup>. He said the last time we met there was a question about the softball field in the University Circle or Lambeth Field area which has now been taken off the table by the Board of Visitors. We were given a presentation by the Office of the Architect and staff on four capital programs that the University is presently pursuing. One of them is Brandon Ave which we are familiar with because it involves the street closing. The second is the Ivy corridor which is from Emmet Street to Alderman, and there are options that are being considered, but it is a considerable change in uses there by that big parking garage. The third one was the work at Ivy Mountain which is property a little further West on 250 for an orthopedics center extensively on some property up the side of the slope, and the last is a Master Plan for the Athletics District which includes a softball field that is currently being looked at on the corner of Massey and Copley. It is where the current practice soccer field is. He said other studies are ongoing at the University including an academic space study, an administrative space study and a parking and transit study that might play well and give us some information for our Comp Plan going forward.

Commissioner Santoski: reported next Monday the Belmont Bridge Steering Committee is meeting from 6-8 at City Space and next Monday March 20<sup>th</sup>, a public meeting at TJPDC in the Water's Street Center will be held for the City

of Charlottesville and the Thomas Jefferson Home Consortium to make a new plan for its federal housing resources from 5-6:30 pm.

B. UNIVERSITY REPORT, Brian Hogg: reported on the recent Board of Visitors meeting. They did vote to locate the new softball field at the corner of Massey. The design will be reviewed by the Board in June, and they hope to have that facility opened by the 2020 season. As part of the planning for the athletic complex, the Board has also approved the demolition of University Hall. He said they are working to document the building. There will be substantial abatement before it's removed. The Board of Visitors did design Ivy Mountain and reviewed a design at their meeting a couple of weeks ago. We are also looking forward to discussions with the city staff on the smart scale plan for Emmet Street meeting; and there will be a meeting next Friday to kick that off.

Gennie Keller: reported she recently had an opportunity to review the building committee minutes from the University and found them quite interesting and illuminating. She wonders if the planning commission could perhaps have an annual or semi-annual meeting with the City, County and the University to try to revive some of the spirit of the three party agreement to think about these very significant projects that are coming from the University that are going to affect the entire region particularly transportation, housing and other things. This could be something to think about as we are going through the Comp Plan process to try to make reference because the University is our major employer both in the City and in the region. She said what happens there really affect us and vice versus. She said maybe we should be more aware of what's coming down the pipeline in the building committee.

CHAIR'S REPORT, Lisa Green: She attended the Rivanna Steering Committee meeting to discuss the next steps to move forward based off the Technical Review Committee for the Rivanna River Corridor. They have done a lot of technical work on historical sites, environmental sites, critical resource map, and existing parks and trails. She said they will be looking at more connections, proposed boat launches and bridges. This was the initial meeting to try to go over what the Technical Committee had done and there is a web page. Open the TJPDC web page and look for Rivanna River Corridor web page. She reported the next day she went to an E. High Streetscape project meeting. It is a project related to part of E. High and 9<sup>th</sup>: and some of Market Street that is adjacent to the Belmont Bridge project. It was submitted for and received Smart Scale funding. It will cover from 9<sup>th</sup> and Market, up to 7<sup>th</sup> street and 9<sup>th</sup> down to Lexington in that intersection; and all the way down to 10<sup>th</sup> on E. High. There is a project website for this as well. On April 21<sup>st</sup>, there will be a neighborhood summit where you can come and give your ideas and look at where things are now, take a walking tour, and a streetscape summit (like an open house). There will be a metro-quest survey much like the Belmont Bridge survey but that won't open up until mid-April around the 13<sup>th</sup> or 14<sup>th</sup>. The Citizens Transportation Advisory Commission meeting was cancelled in February due to weather, and the next meeting is Wednesday March 21, 2018 at the Water Street Center from 7-9 pm. On March 22<sup>nd</sup>, we will have a joint meeting with City Council.

C. DEPARTMENT OF NDS Missy Creasy: said regarding the March 22<sup>nd</sup> meeting, we have not received any specific materials and if we do receive something we will let you guys know. In the ad, I did put the link to the project so that folks can peruse that for the information. She said you will get a preview tomorrow night of the Hydraulic 29 transportation portion and then have the joint session on the 22<sup>nd</sup>. At your April meeting materials will come forward for adoption as a UDA, and we could accept the entire city as a UDA because of the density allowance, so, we won't have any problem complying and adopting the plan as part of the Comprehensive Plan. Regular work session for March 27<sup>th</sup> is the only meeting scheduled to brief/prepare for our May meetings. We are sorting through comments and trying to synthesize those. We received a number of comments on this process, and have incorporated those into one document. We will reserve the 27<sup>th</sup> for you to think about it and we'll talk about it some tomorrow night. The May dates are scheduled and advertised and the first one is May 1<sup>st</sup>.

D. MATTERS TO BE PRESENTED BY THE PUBLIC NOT ON THE FORMAL AGENDA  
1011 E Jefferson Street

1. Greg Jackson: 1121 Little High Street said The Little High Neighborhood Association's position and complaint is simply the substantial changes that occurred after the Planning Commission (PC) meeting of 10/11/16 warranted a modification of the SUP and therefore should have gone back to Planning Commission rather than forward to the City Council (CC) meeting of 7/5/17. Can a project change substantially in an appeal process? If so, then the system/procedure is flawed and invalid. If so please provide the appropriate language that supports this process. Ms. Robertson briefly addressed this and cited Va. Code § 15.2-2285 as justification. Our interpretation of Va. Code § 15.2-2285. Is it only relates to the legislative process for building a zoning code or ordinance by –right. The Planning Commission of each locality' does not address working within an existing code or ordinance for a specific project approval. Paragraph C has been cited to us by NDS (Ms. Robertson was not as specific) and states that: 'the governing body may make appropriate changes or corrections in the ordinance or proposed amendment.' The applicant is not a governing body, the change in question is substantial and not appropriate, and it involves a SUP appeal and not an ordinance or proposed amendment. Please clarify how this applies or direct us to the correct code/language. The majority of the citizens (without connections to the project...) and the Planning Commission were alarmed by the substantial changes that occurred after the City Council called for it to go back to the Planning Commission. The neighborhood wanted the 11th street massing to come down but was shocked by the 10th Street massing going up to 5 stories. It is a misnomer to claim it was to address concerns that had been expressed regarding the massing and scale of the building. This change in height is in fact above the stated maximum height of 45' of the B-1 zoning. The developer's team used a loophole that is now, as noted by Ms. Robertson, no longer allowed by the city.

2. Kate Bennis – said she wrote her social work thesis on SINGLE WOMEN WITH SEVERLY DISABLED CHILDREN WHO LIVE IN POVERTY.

She was trying to figure out why some had access to services like housing, ambulance transportation to hospital for appointments, even one month respite care for their children every summer. While others had their funding cut, were told to go back to work for 7.00/hour which would mean they had to find and pay for in-home nursing at 28.00/hour. They were falling further and further into poverty and had no support or safety net. She did everything she could to figure this out, so she read and learned rules and regulations, and talked to the Department of Social Services and advocated for my clients. I simply could not figure out what made the difference between those who got great help and those who did not. She wondered, is it the Color of their skin? The level of education? Did they do better if they spoke English as first language? You know what I found? Klara. If you were lucky enough to have Klara as your Department of Social Services Case Manager, you got services. You had an advocate inside the system who had the authority to make decisions and allocate funds. Done.

Recently a Neighborhood Association faced with sudden growth and development asked learn from us WHAT HAPPENED at 1011 East Jefferson Street?

HOW DID WE END UP WITH:

- 1) a 5 story building in an area where recommended height is half that—2 ½ floors.
- 2) 126 units in area zoned for 30 units
- 3) NO promise of mixed use in B1 business district “established to provide service-type businesses and offices.”
- 4) NO promise of affordable units on site—the developer says they may put the units in cheaper building.
- 5) EVEN THOUGH the MIXED USE and AFFORDABLE UNITS were the main issues cited by the 3 City Council members as the reason they APPROVED the SUP?

WHAT HAPPENED?

How is it that something so egregious, so out of proportion, and with hundreds of citizen voices opposing it, the Planning Commission opposing it, get the go-ahead from the City Council?

Who is supposed to be monitoring this process for the residents? Who is our Advocate? Who is our Klara?

WHAT HAPPENED?

I have learned that the rules and regulations, the zoning codes, terms such as “appropriate,” “transitional,” “harmonious,” “substantial,” and even how to measure height, are left largely up to interpretation. As we know, NDS,

Planning Commission, and City Council are often unclear on the definitions. The developers and owners can spend their working hours and their money to hire brilliant legal representation—they can buy their own Klara. And of course, there is nothing ethically wrong with a business trying to maximize profit—that's their job. What is ethically wrong is a government system that does not balance the inherent power and persuasion that comes with money and maintains a process that favors business over the people. We are asking for those who are listening to do the right thing by the city, to have clear boundaries with industry, and to bring back the SUP for 1011 East Jefferson Street for another public hearing at Planning Commission and then back to City Council for another vote.

3. Michael Payne: said he is speaking on participatory budgeting and the community engagement section of the Comprehensive Plan. The City Council has approved a pilot program for participatory budgeting this year and codifying it in the Comprehensive Plan could provide a great way to have it be more of a permanent part of community engagement in Charlottesville. Also exploring and really having the community land trust as part of the Comprehensive Plan and strategy for affordable housing. He said he is not sure of a public hearing, but he has some concerns regarding Hogwaller Farm development project that the changes in the Special Use Permit request does not fit with the plan right now in terms of transitioning low density residential to Highway Corridor and then transferring low density residential into more higher density into the Comprehensive plan allows for. Likewise there are some issues in Albemarle County where the Special Use Permits he has requested are not providing enough area for streams and that is just a major concern when that comes up later tonight.

4. Ms. Creasy presented the schedule for the public meetings occurring in May:

Tuesday, May 1, 2018  
6pm-8pm  
Buford Middle School, Cafeteria

Thursday, May 10, 2018  
12pm-2pm  
City Space, Main Meeting Room

Saturday, May 12, 2018  
10am-12pm  
Central Library, McIntire Room

Tuesday, May 29, 2018  
5:30-7:30pm  
Belmont Arts Collaborative  
221 Carlton Rd Suite 3, Charlottesville, VA 22902

#### E. CONSENT AGENDA

(Items removed from the consent agenda will be considered at the end of the regular agenda)

1. Minutes – January 9, 2018 – Pre- meeting and Regular meeting
2. Minutes – November 28, 2017 - Work Session
3. Minutes – January 3, 2018 - Work Session
4. Minutes –January23, 2018 – Work Session

Commissioner Santoski moved to accept the Consent Agenda, Seconded by Commissioner Keesecker, motion passes  
6-0.

Vice Mayor Heather Hill gaveled in City Council.

### III. JOINT MEETING OF COMMISSION/ COUNCIL

Beginning: 6:00 p.m.

Continuing: until all public hearings are completed

Format: (i) Staff Report, (ii) Applicant, (iii) Hearing

#### Staff Report

#### 1. Community Development Block Grant (CDBG) and HOME Funding—Report prepared by Tierra Howard, Grants Coordinator.

As part of the CDBG public participation process, the Planning Commission must provide recommendations to City Council on all Community Development Block Grant (CDBG) and HOME Investment Partnership (HOME) funding recommendations. Attached you will find the proposed allocations for FY 18-19 CDBG and HOME programs. These recommendations are based on CDBG Task Force recommendations for Housing and Public Service activities, the Strategic Action Team for Economic Development activities, and the Belmont and Ridge Street Priority Neighborhood Task Force. Also attached you will find copies of meeting minutes where you can find the recommendations. We were expecting \$388,000 in CDBG funds as well as HOME funds with the city required match. Recommendations came from Council to designate Belmont and Ridge Street to be priority neighborhoods and the action plan identifies how to allocate funds to these neighborhoods. For Economic Development, \$45,000 is recommended in the first year of the action plan.

#### Questions:

Chair Green: asked what is the timing for the neighborhoods that are receiving the funding? How does Council want to divide the funds?

Ms. Howard: said the budgeting process is similarly to the review of undertaken by the CDBG Task Force but with neighborhood representatives.

Commissioner Santoski recused himself from the vote because the Arc of the Piedmont was one of the agencies that had applied for funding. He said he wanted to let folks know that this is a really good process to go through and CDBG/HOME funding has been a benefit to the Arc in the past. He said sometimes we forget the people with disabilities who live in our communities who are some of our lowest income and most vulnerable populations. The CDBG funding has been very beneficial to help maintain those folks in our community from day to day. We have all of these conversations about affordable housing and the disability community has not done as well to remind folk that often the disabled fall well below the poverty level in many categories.

Open the Public Hearing. There were no speakers.

Closed the public Hearing

Commissioner Keller thanked Ms. Dowell for being our representative. She was the representative for several years and it takes a lot of time but it is a very valuable program. She ditto's what Commissioner Santoski said.

Commissioner Dowell moved to approve the fiscal year 2018/2019 CDBG & HOME Budget Allocations as recommended by the CDBG Task Force and Strategic Action Team as outlined in the Planning Commission Packet for March 13, 2018, with the following conditions:

That the City adjusts for actual CDBG entitlement amounts as received from HUD in which funding allocations will be increased/reduced at the same pro-rated percentage actual entitlement to be estimated and no agency will increase more than their initial funding request; seconded by Commissioner Keller, motion passes 5-0-1. (Commissioner Santoski recused from the vote)

2. SP18-00001 - 901 River Road SUP Request - Robert High Development, LLC, contract purchaser, and landowner River Road Plaza, LLC, have submitted an application seeking approval of a Special Use Permit (SUP) request for the property located at 901 River Road with road frontage on River Road and Belleview Avenue.

Staff Report: Heather Newmyer said the item before you tonight is a request for a special use permit for a self-storage company at property addressed 901 River Road, Tax Map 49 Parcel 98 ("Subject Property"). The Subject Property is a little over 2 acres and is zoned Industrial Corridor. Throughout the City's Zoning Ordinance, there are certain uses listed that require a special use permit in order to be permitted within a particular zoning district – where a special use permit allows for additional regulation beyond general requirements should the SUP be approved. In the Industrial Corridor District - a special use permit is required for a self-storage company according to Sec. 34-480. When reviewing special use permits for recommendation of approval or denial, Planning Commission is to look for:

- Whether the proposed development will be harmonious with existing patterns of use and development
- Whether the proposed use conforms to the city's comprehensive plan
- Whether the proposed use or development will be in harmony with the purposes of the specific zoning district in which it will be placed
- Whether the proposed use of development will have potential adverse impacts on the surrounding neighborhood and, if so, whether there are reasonable conditions of approval that would mitigate such impacts.

Applicants Justin Shimp, Valerie Long, Robert High gave a PowerPoint presentation.

Valerie Long: representing the applicant: said she was not involved in the project from the beginning so she cannot take credit for all of the changes that they have made. All of the changes are 1) they went to the committee meetings and were very well received and incorporated much of the feedback from that meeting into their application; 2) they also incorporated the very specific feedback that they received from the commission at their prior meeting about the absence of uses. Staff found that to be a good addition and we agree. She said there have been some questions about mixed use and does this count as mixed use. Please keep in mind the zoning in this district is industrial corridor; it is not one of the cities mixed use zoning districts so the applicant volunteered to include that and we do think it makes sense but she asks that you keep in mind not to analyze it in the context of a typical mixed use district because it is not one. It is a very industrial area. She said this area needs a face-lift.

Open the Public Hearing There were no speakers.

Closed the Public Hearing

### Discussion

Commissioner Dowell: said we have a lengthy agenda tonight so we need to keep the applicant report to the 10 minutes allotted. She said this plan is much better than what came to us the first time. She noted that Ms. Long continued to state zoning and if we go off the definition of mixed use based on the zoning in the city then it should be residential and commercial not a mix of commercial uses.

Commissioner Keesecker: said the zoning is industrial and the special use permit is for a use that is not allowed in industrial. He said there is no requirement in industrial zoning that a mix of uses is present but one of the criteria for the Comp Plan was a mix of uses.

Ms. Creasy: said a mixed use and a mix of uses is a nuance of wording but can be different. Mixed use in the code has a specific definition which notes a combination of residential and some other use whereas a mix of uses in the Comprehensive Plan is a bit broader.

Commissioner Lahendro: said yes it is mostly an industrial neighborhood; a lot of activity going in and out, businesses conducting business, an underutilized area but it is still active. He then looks at this proposed use; 107,000 square feet. He does not see it comparable to the uses in this neighborhood.

Commissioner Keller: agrees with Commissioner Lahendro regarding the lack of activity. It is a SUP and there are reasons why storage units would be only allowed by special use. This is an area that has potential to realize something more significant in the future than warehousing. She doesn't think her opinion of this project has changed since the last time we reviewed it.

Commissioner Santoski: said it is pretty well summed up; it is zoned for industrial use and he can see where self-storage units seem to fit in with the general area and looking at the facts, the general land use specifies business and technology. He said once it goes in there, it is in there for many years and the ability of that being transformed into something else is probably not going to be happening soon. That is why a special use permit is attached to storage units. He is not favoring the SUP.

Commissioner Santoski moved to recommend denial of SP-1800001 seconded by Commissioner Lahendro, motion passes 6-0.

3. ZM17-00003 – 0 Monticello Road- Henningsen Kestner Architects, on behalf of Richard Spurzem, the owner of the property, has submitted a rezoning petition for 0 Monticello Road, which is also identified on City Real Property Tax Map 61 as Parcel 265.A ("Subject Property").

Staff Report: Carrie Rainey: The applicant is requesting a rezoning of the Subject Property to the R-1S single-family "small lot" district to better fit within the surrounding predominantly residential neighborhood and to accommodate the construction of a single family detached dwelling. The Subject Property is currently zoned M-I commercial district, which is a district established to allow for light industrial uses with minimum impacts to the environment. The 2013 Comprehensive Plan Land Use Map indicates the Subject Property should be a high-density residential use. The small lot size and frontage makes the development of high density residential multi-family use difficult. Staff finds the proposed rezoning is not consistent with the Comprehensive Plan Land Use Map, but may contribute to other goals within the Land Use chapter of the Comprehensive Plan, including Goal 2.1: When considering changes to land use regulations, respect nearby residential areas.

#### Open the Public Hearing

Deborah Jackson: said she is representing the Belmont Carlton Neighborhood Association. She said we have no objection to this but we would like more interactive community engagement with all developments that go on within Belmont Carlton. This particular one was 9:00 in the morning on a week day and it's difficult for residents and the community to be engaged in discussion in a meeting at that time. We have asked in our letter for the PLACE Design Task Force take a look at what the protocols are around involving the community.

Councilor Bellamy: asked why did you choose to have a community meeting at 9:00 a.m. on a week day?

Mr. Henningsen: said we knew they had meeting on the second Monday of the month. We had a conflict and we didn't want to wait until the next one. We tried to schedule a meeting at the very beginning of the day or the very end of the day so it would not be inconvenience for someone to be out of town.

Councilor Bellamy: Did you have any participants?

Mr. Henningsen: yes, we had the property owners who were supportive of our request. We had the President and Vice-president of the neighborhood association who we presented the project to and they didn't seem to have any objections or questions. Later we gave them the materials that we presented so they could present it at the



neighborhood meeting. We told them if there were any questions or anything we would be happy to answer. That wasn't intentional.

Councilor Bellamy: said it is important that as we move forward with development that we try to fit the schedules of the residents and the people in the community as opposed to have them fit your schedule because you are actually coming into their space.

#### Closed the Public Hearing

Commissioner Keller: said it seems reasonable other than the loss of the critical slope waiver but that is something inherent in our code and we can't address that. It is a very small lot and doesn't seem that the neighborhood has great objections and the objections they have would probably apply to almost any other lot on that street were it to re-develop under its current zoning to its maximum allowable limits.

Chair Green: said this looks like it makes sense but it does not conform to our Comprehensive Plan.

Commissioner Dowell: said what he is proposing is harmonious with the neighborhood but also knowing that we need housing; would there be any way to get higher density on such a small lot.

Ms. Creasy: said maybe we could get an explanation to why it is zoned the way it is. This parcel is a residue of the larger M-I parcel that is beside it. It has been zoned M-I for a very long time. She is not sure when that piece was chopped off, but has had the same zoning and classification since 1958, though the majority of that time it was a part of that larger M-I parcel.

Ms. Rainey: said while the application is not part of the general land use plan; in the Comprehensive Plan, staff noted several areas of the Comprehensive Plan which the rezoning maybe in line with the goals within the land use, housing and transportation, and historical and designs chapters.

Commissioner Lahendro move to recommend approval of this application to rezone the subject property (Tax Map 61, Parcel 265.A) from M-I zoning district to R-1S zoning district, on the basis that the proposal would serve the interests of the general public and good zoning practice; Seconded by Commissioner Dowell, motions passes 6-0

4. SP17-00003 – 0 Carlton Road – Stony Point Design/Build, LLC, as the owner of the Subject Property, has submitted an application seeking approval of a Special Use Permit (SUP) request to allow for multi-family residential use up to 21 dwelling units per acre per City Code Section 34-480 and a reduction of the minimum required front yard setback from 20-feet to 0-feet per City Code Section 34-162(a) at 0 Carlton Road, also identified on City Real Property Tax Map 57 Parcels 123.69, 123.701, 123.71 and Tax Map 61 Parcel 2.2 ("Subject Property"). The Subject Property has frontage on Carlton Road and Monticello Road. The site is zoned M-I Industrial. The property is approximately 0.623 acres or 27,138 square feet. A residential density of 19.26 units per acre is proposed (up to 21 DUA by SUP can be requested) for a total of 12 units. The Land Use Plan calls for High-Density Residential. The Comprehensive Plan specifies density greater than 15 units per acre

Chair Green: said on your application plan, you show that the bulbout is across the street. Is that your plan?

Applicant: said that one exists and was put in by the city 3 years ago.

Chair Green: questioned have you experienced that street about 8:00 am or 4:30-5:00 pm?

Applicant: yes.

Commissioner Keesecker: asked them to talk about the mix of housing types that were mentioned and about the townhomes.

Applicant: On top of the commercial space we have 8 one bedroom apartments; they are small (about 800 sq. ft.). Subject to approval of the project, his concept was to have 4 townhouses and single family housing. Due to constraints of the site, we will need to condo the units. They are referred to in the staff report as condominium essentially selling them as townhouses.

### Open the Public Hearing

Morgan Butler, Southern Environmental Law Center: We came tonight primarily to learn more about the proposal but also feel compelled to raise some environmental concerns based on our review of the application packet available online. I first want to point out that we're not opposed to higher-density residential or mixed-use development on this site. Indeed, we feel it would offer some nice advantages compared to many of the uses allowed by-right on these parcels. However, this is a challenging site to develop from an environmental standpoint and an even more challenging site to develop intensely and we have pretty serious concerns about the impact to critical slopes shown in the applicant's plans. Even with pushing the building site right up to the property line as requested in the application, one of the site plan sheets indicates that over 70% of the critical slopes on the site – or roughly 10,000 of the 14,000 square feet of slopes – would be disturbed. As a result, we questioned whether this site is an appropriate one for this much land disturbance. With no critical slope waiver having been submitted, it's difficult at this point to weigh the different factors articulated in the critical slopes waiver provisions, or to assess mitigation strategies that could potentially help justify a waiver though it does seem clear from the applicant's low-impact development worksheet and the staff report that no LID stormwater measures are being considered. So even though we're not opposed to the proposed uses, we do think it's important for the Commission to have a good sense of whether you could recommend the critical slopes waiver needed for this project before you recommend approval of the special use permit, and we don't see how there is enough information available at this point to make that call in an informed way.

Deborah Jackson: from the Belmont Carlton Neighborhood Association, referencing again from the same letter, said we would like to recognize and applaud Mr. Shimp for how often he has been to our neighborhood association and come back and engaged us and has been a terrific model and I wanted to make sure he was recognized here. She said she was interested in hearing about the community gathering space and she is interested in what that would be because there is a need from time to time for a place that people can meet for neighborhood meetings and for things that need discussion. She said it is not appropriate to use Belmont Carlton logo on your presentation.

### Closed the Public Hearing

Commissioner Keller: expressed how we previously had some discussion in pre-meeting about the critical slope waiver application and why that was not part of this submission. It seems to me in the past generally paired, and that does concern her. She would like for staff to shed some more light on that.

Ms. Creasy: said it is a timing issue. The applicant has three different things that need to take place in order to fully move forward with their application. They have chosen to come forward and see what the response would be on the SUP for moving forward with the other pieces of the application, but it does create a conundrum that the information isn't present and maybe used in this information for the SUP. Staff has set up the report in such a way that there are a number of conditions that would be recommended if Planning Commission recommended move forward with the SUP and those would include successfully obtaining of both the right of way and the critical slope waiver. If those were not obtained then the special use permit would not be able to move forward because they would not have the land and that is a potential option.

Chair Green: asked if the approval of the SUP offers the opportunity to tear down all of the trees prior to getting a critical slope waiver.

Ms. Creasy: said no because you would have to have the critical slope waiver and the right of way acquisition in order to have a complete site plan and in order to get a land disturbance permit you would have a complete site plan and an E&S plan. The rules and the laws are different than in the circumstance that you are noting which is good overall for a lot of factors.

Commissioner Keller: said she would like to know moving into the motion stage could there be a SUP depending on success completion of a critical slope waiver.

Chair Green: said if the critical slope waiver did not happen then this approval would be recommending approval based on these conditions.

Ms. Creasy: said those conditions are completely outlined for consideration and recommending approval based on these conditions. If you can't meet these criteria then you don't have an SUP and you cannot have an approved site plan unless you have the critical slope waiver or you have the acquisition because you won't have an approval.

Ms. Rainey said the applicant has requested if the 10 feet setback is being considered they would be allowed to defer regarding that issue.

Chris Henry said thanks for your consideration. The things they are bringing to this corner for this project as proposed right now with a Special Use Permit as opposed to any other case or project that we would conceive of that was on the list is public improvements to the already busy intersection, wider sidewalks, street trees, eyes on the street, creating a safer intersection, creating a neighborhood gathering place. Those are the things on the table right now that wouldn't otherwise be. It is an unpleasant place to be right now because of the existing state of that site. He would argue that we are trying to make some pretty dramatic improvement to it. Our major concern with the conditions imposed in this report with the setback specifically is with that every foot of setback is pushing this building away from the street going into critical slope and in our opinion we are decreasing the vibrancy of that public space so we ask the Commission to consider that carefully. That is one of the main reasons we are proposing that this project be located as proposed. We think the critical slope waiver is appropriate at the site plan phase, asking to do that first and then go to this process. We need to know where the building is going to go because it impacts where the critical slopes are.

Commissioner Keller moved to defer this application, for a Special Use Permit -at 0 Carlton Road to permit multi-family development; Seconded by Commissioner Lahendro, motioned passes 4-2.  
(Opposed: Commissioner Keesecker and Commissioner Santoski)

5. ZM-17-00004 - 1206 Carlton Avenue – Justin Shimp (Shimp Engineering) on behalf of Chris Hulett (owners of 1206 Carlton Ave) has submitted a rezoning petition for 1206 Carlton Avenue (Subject Property). The rezoning petition proposes a change in zoning from the existing R-2 Two- family Residential to R-3 Multi-family with no proffered development conditions. The Subject Property is further identified on City Real Property Tax Map 57 Parcels 127. The applicant is proposing to rezone the subject property from R-2 to R-3 and is congruently requesting a Special Use Permit for increased density and modified setbacks to facilitate the development of an apartment building with six (6) two-bedroom units and supporting parking. Under the current zoning the subject property could accommodate one (1) two-family dwelling. If rezoned to R-3 the subject property DUA would be:

By-right: twenty-one (21) DUA = five (5) units on the subject property  
Special Use Permit (maximum) eighty-seven (87) DUA = twenty-two (22) units on the subject property. The proposed development, as described in the SUP application (SP17-00008), will allow a maximum of six (6) dwelling units (0.26 acres X 24 = 6 units based on preliminary data).

There is a rezoning and a SUP for this site. If the rezoning does not move forward with a positive recommendation, the SUP cannot have a positive recommendation.

Mr. Shimp: said I think we need more housing like this in the city, because when you look at what's around, you've got big projects like City Walk, and they're nice, I suppose, and they're expensive, and it doesn't cater to all the housing needs we have in the community.

Commissioner Lahendro: said this is the kind of housing we've been talking about in our Comprehensive Plan process of the city needing that small complexes can help increase the overall housing supply.

### Open the Public Hearing

1. Peter Krebs: said there has been discussion about this piece and how it fits within the building contract. He is here not to support the applicant, but he points out that the social context of the street without doing intense research, he is guessing that it's market affordable which is pretty rare multi-family. So when talking about the building topology being consistent, he thinks it also directs the building to be used in a way that is socially consistent too. There is a school maybe 100 meters away from there, until Kathy's Produce closed, there would have been a grocery store within 75 meters from there. Hopefully we will have that again. When we think about what we could do for affordability for the market this seems like from where he sits, a pretty good idea. It seems like it could be pretty cool.

2. Deborah Jackson: said she is not speaking about this specifically, we don't object to it, but we would like to bring attention to it. She said that these projects while filled with good intentions are being built in our neighborhoods with narrow streets, limited and narrow sidewalks and in some cases a scarce on-street parking. We feel that for these and future projects to be successfully integrated into our neighborhood, a strong financial commitment from the city is necessary to improve the pedestrian and vehicle infrastructure to support them thereby easing the burden on the existing neighborhood fabric. These little pockets are being developed without the overall intention being paid to the infrastructure, and somehow attention to the entire fabric is what we would like to have attention paid to. We are also delighted for the discussion of the Community Development Block Grants because all 4 of these projects are located within designated low to moderate percentage income block grants. Three of them are in block grants with the 2<sup>nd</sup> highest to lowest medium income percentages and again this area of the city is often overlooked, and has great potential and deserves your attention and funding.

### Close the Public Hearing

### Discussion

Commissioner Keesecker said -Mr. Krebs makes some good points in the long term. He referenced the Jason Pearson teeter totter diagram which gives us threw some sticky things, the Comp Plans things are put in place in 2003 – 2013 intended for this area, weighing that to what is on the ground.

Commissioner Keller: asked what the rent would be?

Mr. Shimp explained that while affordable housing was not required on the property, the intention was affordability. The proposed residential density is not enough to trigger the city's requirements. He said he had been working with the housing folks, and the affordable rate for two bedrooms must be \$1,100 a month, referring to federal guidelines on affordability. As I see this project, it's right in that range.

Commissioner Dowell: said maybe that's affordable to some people, but for most people who are needing this housing, \$1,100 for a small two-bedroom is not affordable,

Commissioner Santoski said he agrees with Ms. Keller. Creating unusual spots, it is the same issue where neighbors say approving the project with parking a block away. Push people toward mass transit, and walking places faster than taking the bus. Where are you going to put the cars? Honestly that is not happening, parking along Carlton creates more animosity with Belmont. Please take into consideration about the parking.

Chair Green: said she lives near the project site and asked were there any considerations based off of the entire community of children that walk to Clark Elementary School from there, since there is only sidewalk on one side of Carlton Avenue, and you have to cross the street there in order to gain access to the school?

Ms. Creasy said that the traffic engineer who had looked at the project for the city was not concerned about the location. This is a very small site with very low traffic impacts, reading from the traffic engineer's statement.

Commissioners were focused on potential traffic issues within the project on Carlton Avenue. The development would have seven parking spaces, with an entrance from the street, and an exit on a private alley.

Commissioner Lahendro: said this is not the only street like this in the city. I live on a street that is supposedly a two-lane street, but parking on one side blocked it down to one lane. People go too fast and there are no sidewalks. He thought offering fewer parking spaces would push residents to walk, bike, or ride a bus to work. I don't know that I want to see a city that has apartments surrounded by asphalt all over the place.

Commissioner Santoski said that perspective was not realistic. He said if you have two people living in an apartment, in most cases both people have an automobile. Most people are not going to give up their cars right away. He said that he had heard about parking concerns from many residents in downtown Belmont after the establishment of The Local, Mas Tapas, and other restaurants. Residents say that customers park in front of their houses, leaving homeowners to park elsewhere. Something like this actually has less parking than it needs and you're putting it on a narrow street and you're pushing everybody else into the surrounding neighborhoods. Commissioner Santoski moved to recommend denial of this application to rezone the subject property from R-2 to R-3, on the basis that the proposal would not service the interests of the general public and good zoning practice. Seconded by Commissioner Dowell, motion passes 4-2. (Commissioners Jody Lahendro and Kurt Keesecker voted no)

SP17-00008 - 1206 Carlton Avenue – Justin Shimp (Shimp Engineering) on behalf of Chris Hulett (owners of 1206 Carlton Ave) has submitted an application seeking approval of a Special Use permit (SUP) for 1206 Carlton Avenue (Subject Property). The SUP application proposes increasing the density from a By-Right 21 Dwelling Units per Acres (DUA) to 24 DUA (per City Code Section 34-420) and adjusting the southeastern side setback from 10' to 8' (per City Code Section 34-162(a)). The applicant is requesting a rezoning (see petition ZM-17-00004) and a SUP to build a 6 unit apartment. The Subject Properties are further identified on City Real Property Tax Map 57 Parcels 127. The Subject approximately 0.26 acres. The Land Use Plan calls for Low Density Residential.

The applicant is proposing an apartment building with six (6) two-bedroom units and seven (7) parking spaces. The modification to the side yard requirement is to accommodate a one-way driveway to the north of the apartment building.

Commissioner Keller move to recommend denial of this application for a Special Use Permit in the R-2 to R3, on the basis that the first motion failed. Seconded by Commissioner Santoski, motion passes 6-0.

Planning Commission is in recess at 9:50 pm. to return tomorrow night March 14<sup>th</sup> at 5:00 pm

PLANNING COMMISSION REGULAR DOCKET

Continued WEDNESDAY, March 14, 2018 at 5:30 P.M. CITY COUNCIL CHAMBERS

Commission Pre-Meeting (Agenda discussion(s))

Beginning: 5:00 p.m.

Location: City Hall, 2nd Floor, NDS Conference

IV. COMMISSION'S ACTION ITEMS

Continuing: until all action items are concluded – beginning at 5:30 P.M.

Matters By the Public - None

1. Site Plan – 1011 East Jefferson Street Site Plan

Staff Report: Carrie Rainey

Scott Collins of Collins Engineering, LLC, acting as agent for Jefferson Medical Building Limited Partnership and Great Eastern Management, is requesting approval of a preliminary site plan to construct a mixed-use building with up to 127 residential units at 1011 E Jefferson (TMP 54- 127). City Council approved a Special Use Permit (SP16-00001) with conditions for additional residential density on July 5, 2017.

Chair Green: stated we have a conceptual plan and we have a preliminary site plan and our charge tonight is to determine whether this preliminary site plan is in substantial accord with what was submitted.

Ms. Creasy: said staff provides you with a standard of review and approval of a site plan is a ministerial function over which the Planning Commission has little or no discretion.

Commissioner Keller: said she had voted against the permit, and she expected the neighborhood would be disappointed. However, city staff had convinced her that the commission's choices were limited. She noted that after a conversation with our City Attorney, and those of Ms. Rainey earlier this evening have convinced her that this is in compliance sufficiently with what council approved against our recommendations. She said we really have no choice rather than to vote on this tonight.

Commissioner Keller: asked could you summarize any changes of other members of staff, review the site plan for consistency with Council.

Ms. Rainey: said the driveway or private driveway additional plantscape has been added point to point to the property shown in the driveway that is the only difference.

Commissioner Lahendro moved to recommend approval of a preliminary site plan to construct a mixed-use building with up to 127 residential units at 1011 E Jefferson (TMP 54- 127). on the basis that the proposal would service the interests of the general public and good zoning practice, Seconded by Commissioner Keller, recognizing the considerable effort by the neighborhood in the gray areas when ordinances changes, motion passes 5-0.

1. Entrance Corridor Review Board (ERB) – 912 East High Street

The applicant: Justin Shimp – wants to provide the following changes to the office building:

- a. Paint the building white; using an appropriate paint
- b. replace with a new awning over the north entrance
- c. hard brick, fire brick, unlike boulder brick

d. a lime paint permeable

Commissioner Lahendro made a motion to accept as presented, seconded by Commissioner Keesecker, to include an appropriate paint, better paint allows moisture vapor line base paint, hard brick, fire brick, unlike boulder brick, stopping moisture behind it and damage the brick take a lot of abuse, a lime paint permeable; motion passes 3-2. (Commissioner Keller and Chair Green voting no)

2. Dairy Central - 946 Grady Avenue: Ashley Davies of Williams Mullen; acting as agent for Dairy Holdings, LLC-Dairy Central]

Reported by Brian Haluska, Principal Planner

Applicant has also asked for a recommendation from EC on SUP request. The SUP permits a maximum building height 55 feet and request 25 feet, the maximum is 43 dwelling per acre, application 60 dwelling per acre.

Stony Point Design Build is pursuing an adaptive re-use of the 81 year old building. According to Chris Henry and Mr. Lee Quill the development plan is to convert the retail space on the ground floor into a food hall space for vendor-occupied food stalls. An additional floor of office space will be on top of the Monticello Dairy Building with an underground garage.

Under the plans for the first phase, the ground floor retail level would be converted into a food hall that will be known as the Dairy Market. This hall would be in the center of the structure and would have several stalls for food vendors. Space for two restaurants would be included on either end of the building. Two new retail spaces would front Grady Avenue. The existing second-floor office space will be restored and expanded with new contemporary steel and glass additions to the east, west and south.

One addition would be a one-story office building that would encroach on the protected part of the building. A three-story office building would be built to the rear of the structure and would include limited parking in a basement level. This basement level would also include community space as well as two places for nonprofits to rent.

Commissioner Keller: said she met with the applicant and requested a tour of the building as part of an assignment she gave to a class she is teaching at UVA. She and her students toured the building while speaking with the applicant was to understand the BAR process as part of the assignment. She was not aware that it was going to come to the Planning Commission for a special use permit or for entrance corridor review. She was approaching it solely as a historic preservation project and so she does have some detailed information about it but that doesn't affect how she may or may not vote tonight and was not her intent at that time to meet with an applicant because she wasn't aware of his future plans.

Commissioner Dowell: said she is glad they are providing affordable housing; if you are not granted the SUP are you still going to provide onsite affordable housing?

Mr. Henry said no.

Mr. Henry: said we plan to set up a street network off 10<sup>th</sup> and West Street.

Commissioner Keesecker: said he thought it was a well presented presentation

Commissioner Green: said the access is right off Grady.

Applicant: said there is an extension off here, and a large parking area and then the parking has an entrance off to West Street.

Chair Green: asked you are not proposing that be one way in and one way out.

Applicant: said it is a two way.

Commissioner Keesecker: asked to describe what is going on in the courtyard you have created off of West Street.

Applicant: said the massing and breaking down of scale and stepback of the 10 feet puts a massive wall against residential which is normally something we do not do. It is important to break-down the scale and the massing and the articulation of these buildings up against a residential character and residential buildings. Even though part of this is still commercial right here on the corner. He said this is intended to be open space which would allow more breathing for bringing light and air into the project of these units. We can see entrances to the ground floor units along a number places even along 10<sup>th</sup> Street. We are putting units that have entrances to the exterior exits of projects having a door, and putting eyes on the street where people can interact. When walking along West Street, it is 4 stories and the 5<sup>th</sup> story here is a lower scale and you see the open space which has a much more which should be appropriate and is appropriate for a residential scale as opposed to a street wall. We will have small lawns which will make a very nice streetscape along 10<sup>th</sup> Street.

Commissioner Santoski: Tell us about the space on the corner of West and 10<sup>TH</sup> and the space on the corner of West and Wood (the north south alley).

Mr. Henry: The community room is in phase one, actually it's with an entrance onto Preston Avenue and that is to activate it as part of the retail and commercial experience. We want people using that space for as many hours of the day as possible. This corner of 1500 feet is broken out as retail space and that idea came out of a community meeting where people told us there used to be a corner store or corner market. The first floor of the building is designed with ceiling height of 12 or 13 feet. A retail use would fit perfectly on the corner of 10<sup>th</sup> and West. It would be low intensity neighborhood oriented.

Commissioner Keller: asked would there be any entrances accessible to and from West Street.

Mr. Henry: the corner would have an entrance. Through our community conversations over the past year, we learned that there is a lack of accessible, local, and affordable meeting space for community groups like the 10th and Page Neighborhood Association and City of Promise. The Dairy Central team has designed the first level of the historic Monticello Dairy building to satisfy this need. The plan as currently drawn includes a 1,902 square-foot community/event room with modern A/V equipment and with access to a kitchen and conference room. This space will be available free of charge for monthly 10th and Page Neighborhood Association meetings, and available at a low rental rate for other community groups as the need arises.

Commissioner Keller: Would there be any entrances to any portion of this corner that would have an entrance on it?

Mr. Henry: said careful attention has been paid to the location of entrances and exits from parking areas to encourage drivers into entering and exiting the project primarily along Grady Avenue and 10th Street rather than West Street. Traffic engineers have concluded that the existing infrastructure can handle the additional traffic with minimal impact to current levels of service.

Commissioner Dowell: asked is there a reason why this huge project is only going to have affordable housing if you get the additional height and density especially considering the neighborhood you are building in?



Mr. Henry: said it is extremely expensive from an investment standpoint to be bringing a project like this forward to provide this many housing units in a city that needs housing at all price points. The more units you can put into a project the more opportunity to actually bring the cost of all the units down that allows us to do that.

Commissioner Dowell: said the SUP should be an additional count for affordable units, that is why she is having a hard time supporting the SUP.

Ms. Davies: said Mr. Henry is very committed to being part of the solution to Charlottesville's growing housing affordability problem under the formula prescribed by the City's Affordable Housing Ordinance in Section 34-12. The project would require 5 affordable dwelling units to be built (on or offsite), or some equivalent amount paid to the City's affordable housing fund. Dairy Central has committed to building these 5 units plus an additional 15 units, for a total of 20 units, on-site, at 80% of AMI as a condition of SUP approval. This equates to 4 times the amount required by City ordinance and represents 30% of the additional units that would be provided as a result of this Special Use Permit request.

Additionally, the team is proposing that the City partner with the us to further increase affordability of the on-site units by providing a 10-year real estate tax abatement of 50% per year. The reduction of the real estate tax burden on the project would allow some of the 20 on-site units to be offered for rents at 40-60% of AMI, providing affordability on a variety of levels. The 4.35 acre development does not have any existing residents, and therefore, there will be no displacement of residents from this site. Increasing real estate tax assessments reflect rising property values.

Chair Green: said to take time to look at shared parking.

Mr. Henry: said the project team is in discussion with the city Parking Manager to analyze the feasibility of dedicating some portion of these spaces for public use, allowing for a reduced parking burden on future development sites along Preston Avenue. Additionally, the Dairy Central project will be constructed in phases, allowing for adjustments to parking needs as the project develops. The Dairy Central team has also heard concerns about overflow parking competing with local residents for limited on-street parking spaces surrounding the building. The project team understands this concern and is willing to support the neighborhood in petitioning for additional permitted parking on neighborhood streets with adequate enforcement from the City traffic police.

Gavel out of Planning Commissioner  
Gavel into Entrance Corridor

#### ERB – Recommendation on SUP request:

Discussion and Recommendations: Before City Council takes action to permit the proposed use; they must consider the ERB's opinion whether there are any adverse impacts to the entrance corridor (EC) district that could be mitigated with conditions. A special use permit is an important zoning tool that allows City Council to impose reasonable conditions to make a use more acceptable in a specific location, and to "protect the welfare, safety and convenience of the public."

In staff opinion, the proposed SUP request for additional density and height will not have an adverse impact on the EC district. The added density does not impact the building visually; and the additional height will comply with the Entrance Corridor guidelines for Building Mass, Scale and Height; especially in light of the width of the adjacent public right-of-way.

The required entrance corridor review will address visually important elements, including the landscape plan, building materials and type of windows.

Commissioners Lahendro moved to find that the proposed special use permit to allow additional density and height at 946 Grady Avenue will not have an adverse impact on the Preston Avenue Entrance Corridor district Seconded by Commissioner Keesecker, motion passes 5-0.

Gavel out of Entrance Corridor  
Gavel back to Planning Commissioner

Recess 7:40 pm  
Return 7:50 pm

### Preliminary Discussion - 140 Emmet Street North

The Subject Property is located within one of the City's Entrance Corridors, is in close proximity to the University of Virginia as well as the 14 acre-site that will house the future redevelopment by UVA once their Ivy Corridor planning process is complete, and is an area that experiences high volumes of vehicular and pedestrian traffic. Because of the factors mentioned, how the Subject Property's redevelopment creates a sense of place and tailors its design to the pedestrian experience is important. In addition, the Subject Property's location is of importance in the City's Smart Scale Emmet Streetscape Project, a planning process that kicked off in February 2018. The Emmet Streetscape Project is for the design of streetscape improvements along Emmet Street from the intersection of University Avenue and Ivy Road to Arlington Boulevard.

Heather Newmyer report: 1) Special Use Permit – The preliminary proposal calls for a 7-story building that will exceed the maximum height allowed by-right in the URB Zoning District. The maximum height allowed in the URB District is sixty (60) feet; however, per Sec. 34-757, up to eighty (80) feet is allowed in this zoning district via a special use permit. a. Per Sec. 34-157(7), the Entrance Corridor Review Board (ERB) is to provide a recommendation to City Council regarding if the SUP request would have an adverse impact to the district, and for recommendations as to reasonable conditions which, if imposed, that would mitigate such impacts.

Mr. Vipul Patel, site owner said on May 4 a fire burned the family-owned Excel Inn & suites. He expressed how this continues to be a difficult time for his family, but this is an opportunity for a new beginning. He said his family purchased the Inn in 1981. He said there were many offers for the property, but he decided to keep it and build something new. Patel's proposal features the Gallery Court Hotel that has 72 rooms and 92 parking spaces with seven stories. As the site is located in an Urban Corridor Mixed Use District, the developers must petition City Council for a special use permit to build above 60 feet. The developers must also receive a certificate of appropriateness from the Charlottesville Board of Architectural Review that verifies the building fulfills certain design requirements.

The submitted project description says the proposed name dates back to the 1950s, when the hotel on the property was known as the Gallery Court Motor Hotel. The background information for the project also says Martin Luther King Jr. stayed at the hotel on the property when he came to speak at the University in 1963.

The maximum building height allowed by right in the zoning district is limited to 60 feet. The city is examining the area closely as part of the streetscape project that aims to improve landscaping and automobile, bicycle and pedestrian infrastructure in the area.

Daniel Hyer: said the scale of this building should be appropriate given the context of what is happening on this corridor. We are aware of this coordination and integration of items and we are willing to play ball and make this corridor something that could be great.

Neal Bott: Architect, said he calls this UVA contemporary. We are using limestone looking stone and the middle will be brick and aluminum glass windows and the top would be metal panel in a lighter color. The building is 7 stories and the first two levels will be the garage on Ivy Rd. The third level will be the public level of the hotel. The upper 4 stories will be the guest rooms. They want to makes the garage look part of the building so the windows are very similar to the hotel windows, the only difference is the grills in them. All of the hotel functions will be on the ground level.

Eugene Young, said we are locating the sidewalk to appropriate the public space in order to -activate the street edge. He said the landscape facing toward Emmet Street is a buffer strip to integrate the infrastructure engaged with Lambeth Apartments and grounds. He went on to give some history of Dr. Martin Luther King, who spoke at Cabell Hall on March 1963; a few weeks later he was arrested in Birmingham; May 30<sup>th</sup> the sit in at Buddy's segregated restaurant across the street from the hotel occurred and about a month after that the "I have dream speech" took place. He said all of this occurred in a span of about 3 months. He said they are considering not making an memorial but an illusion to what happened here. There is a possibility to put a quote in the arch sit wall as people can gather and sit. That is their intention for the sidewalk.

Commissioner Keesecker: asked if you can tell us about the roof space.

Mr. Young: said at the sky level the rooms are L-shaped and part of the garage roof top to 1) reduce the impervious area on the roof so we scale back the stormwater management requirement; 2) when you are viewing down on the roof you are not just looking at all of the infrastructure.

Chair Green: asked is there an occupied roof designated as a terrace or the roof top bar?

Mr. Young: said yes it is designated to serve guest as a terrace or a roof top bar. , Realizing parking is essential, we have a 1-1 ratio for guests. We do what we call a hot breakfast, a conference room, and are not marketing the site as a bar.

Commissioner Lahendro: said there is parking on the top level, and is this parking under the green roof.

Mr. Patel : said the parking deck is not visible from anywhere else. The covered areas are all for the parking. The roof for the parking is on the back side and that is where the green roof would be located.

Chair Green said when they are ready to come back on a formal agenda to us requesting a SUP on the consent agenda will be an item that says the SUP will not adversely affect the Entrance Corridor just as we just discussed. When they are ready considering whether we approve the SUP or with conditions or not; they will come back with an Entrance Corridor Review with materials, etc. At that time we will have a vote.

## 5. Hydraulic/29 Transportation Plan Presentation – Alex Ikefuna

The City of Charlottesville and Albemarle County expressed interest in a joint Small Area Plan to address land use and transportation issues in the Hydraulic-Route 29 Intersection Area. Because of the inter-jurisdictional interests, the City, County and the Charlottesville-Albemarle Metropolitan Planning Organization (TJMPO) in partnership with the Virginia Department of Transportation (VDOT), expressed a mutual interest in establishing an agreeable framework for coordinating and providing planning and engineering studies necessary to provide a Transportation and Land Use Development Plan for this geographic area. The main area of study includes the Route 29 Hydraulic, Route 250 Bypass and Hillsdale highway intersections and surrounding that directly influence current and future traffic, bicycle and pedestrian travel patterns within this portion of the Route 29 Solutions Program encompassing approximately 600 acres; 300 acres in the City and 300 acres in the County. The area is bounded by Greenbrier Drive/Whitewood Road in the North, US Highway 250 in the South, Meadow Creek in the East and North Berkshire Road in the West.

The transportation plan will be presented to the Planning Commission in April, at its regular monthly meeting and will include a request to formally endorse the land use and transportation plans. This will subsequently go to the City Council for consideration. What scenario 1, 2 or 3 option 3 at that point.

The City intends to partner with the Thomas Jefferson Metropolitan Planning Organization and Albemarle County in submitting application for Smart Scale funding to implement the intersection improvement this summer.

All related information on the process can be accessed at: [www.route 29 solutions.org](http://www.route29solutions.org).

Motion by Commissioner Dowell to adjourn until the second Tuesday in April, Second by Commissioner Keesecker.  
Adjourn 9:10