

Agenda

PLANNING COMMISSION REGULAR DOCKET TUESDAY, December 8, 2020 at 5:30 P.M. Virtual Meeting

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

Beginning: 5:00 p.m.

Location: (Electronic/Virtual)

II. Commission Regular Meeting

Beginning: 5:30 p.m.

Location: (Electronic/Virtual)

A. COMMISSIONERS' REPORTS

B. UNIVERSITY REPORT

C. CHAIR'S REPORT

D. DEPARTMENT OF NDS

E. MATTERS TO BE PRESENTED BY THE PUBLIC NOT ON THE FORMAL AGENDA

F. CONSENT AGENDA

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

1. Minutes - September 9, 2020 – Pre- meeting and Regular meeting

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

1. **Community Development Block Grant Coronavirus (CDBG-CV3) Funding, FY 20-21:** The Planning Commission and City Council are considering projects to be undertaken in the amended Fiscal Year 2021 Action Plan of the multi-year Consolidated Plan utilizing CDBG-CV funds for the City of Charlottesville in response to the growing effects of the historic public health crisis. In Fiscal Year 20-21 it is expected that the City of Charlottesville will receive about \$335,024 in Community Development Block Grant Coronavirus (CDBG-CV3) funds from the Department of Housing and Urban Development HUD authorized by the Coronavirus Aid, Relief, and Economic Security Act (CARES Act). CDBG-CV grants will be used to facilitate projects to prevent, prepare for, and respond to coronavirus. Information pertaining to this application may be viewed online at www.charlottesville.gov/agenda. Persons interested in this item may contact Grants Coordinator Erin Atak by e-mail (atake@charlottesville.gov).
2. **Community Development Block Grant (CDBG) and HOME Funding—3rd Year Action Plan, FY 21-22:** The Planning Commission and City Council are considering projects to be undertaken in the 3rd Year Action Plan of the multi-year Consolidated Plan utilizing CDBG & HOME funds for the City of Charlottesville. In Fiscal Year 21-22 it is expected that the City of Charlottesville will receive about \$419,367 in Community Development Block Grant funds and about \$80,594 in HOME funds from the Department of Housing and Urban Development HUD. CDBG funds will be used in the City to address neighborhood improvements Ridge Street, economic development activities, housing activities, and public service projects that benefit low and moderate income citizens. HOME funds will be used to support the housing needs of low and moderate-income citizens through homeowner rehabilitation and down-payment assistance. **Report prepared by Erin Atak, Grants Coordinator.**

3. **SP20-00001 - 1000 Monticello Road** - Piedmont Realty Holdings III, LLC, (landowner) is requesting a Special Use Permit (SUP) pursuant to City Code Sec. 34-700, to authorize a specific residential development at 1000 Monticello Road (“Subject Property”) having approximately 225 feet of frontage on Monticello Road and 110 feet of frontage on Bainbridge Street. The Subject Property is further identified on City Real Property Tax Map 57 as Parcel 36 (City Real Estate Parcel ID 570036000). The property is also known as Belmont Heights, and is currently a 23 unit multi-family residential development. The Subject Property is zoned Neighborhood Commercial Corridor (NCC). The application seeks approval of additional residential density than is allowed by right within the Neighborhood Commercial Corridor zoning district. The specific development proposed by the applicant is a new multi-family residential building with up to 11 residential dwelling units, which would raise the total number of units on the property to 34 units (up to 42 DUA). In the Neighborhood Commercial Corridor zoning district, multi-family residential buildings are allowed by-right with residential density up to 21 dwelling units per acre (DUA). The applicant has proposed that as a condition of approval, 9 of the 11 new units will meet the definition of an affordable dwelling unit per the guidelines of the Department of Housing and Urban Development (HUD), as well as the definition set forth in City Code 34-12. The Comprehensive Land Use Map for this area calls for Neighborhood Commercial, and no density range is specified by the Comprehensive Plan. Information pertaining to this application may be viewed online at www.charlottesville.gov/agenda. Persons interested in this Special Use Permit may contact NDS Planner Brian Haluska by e-mail (haluska@charlottesville.gov)

IV. COMMISSION’S ACTION ITEMS

Continuing: until all action items are concluded.

- 1. Cville Plans Together

V. FUTURE MEETING SCHEDULE/ADJOURN

Tuesday January 12, 2021 – 5:00 PM	Pre-Meeting	
Tuesday January 12, 2021 – 5:30 PM	Regular Meeting	Comp Plan Amendment - Small Area Plan – Cherry Avenue Charlottesville Capital Improvement Program FY 2022-2026 <u>Minutes</u> – October 13, 2020 – Pre -meeting and Regular meeting <u>Minutes</u> – November 10, 2020 – Pre -meeting and Regular meeting
Tuesday January 26, 2021 - 5:30PM		Joint City County PC Work Session - Housing

Anticipated Items on Future Agendas

Zoning Text Amendments –Off-street parking facilities requirements along streets designated as “framework streets” (initiated May 8, 2018), Site Plan Requirements, Accessory Dwelling Unit, Middle Density zoning and Affordable Dwelling Unit

Comp Plan Amendment – Community Vision Plan – Starr Hill

Site Plan – Grove Street PUD

Rezoning – 240 Stribling Avenue, 1613 Grove Street

PLEASE NOTE: THIS AGENDA IS SUBJECT TO CHANGE PRIOR TO THE MEETING.

PLEASE NOTE: We are including suggested time frames on Agenda items. These times are subject to change at any time during the meeting.

Individuals with disabilities who require assistance or special arrangements to participate in the public meeting may call the ADA Coordinator at (434) 970-3182 or submit a request via email to ada@charlottesville.gov. The City of Charlottesville requests that you provide a 48 hour notice so that proper arrangements may be made.

During the local state of emergency related to the Coronavirus (COVID19), City Hall and City Council Chambers are closed to the public and meetings are being conducted virtually via a Zoom webinar. The webinar is broadcast on Comcast Channel 10 and on all the City's streaming platforms including: Facebook, Twitter, and www.charlottesville.gov/streaming. Public hearings and other matters from the public will be heard via the Zoom webinar which requires advanced registration here: www.charlottesville.gov/zoom . You may also participate via telephone and a number is provided with the Zoom registration or by contacting staff at 434-970-3182 to ask for the dial in number for each meeting.

**LIST OF SITE PLANS AND SUBDIVISIONS APPROVED ADMINISTRATIVELY
10/1/2020 TO 11/30/2020**

- 1. Preliminary Site Plans**
- 2. Final Site Plans**
 - a. Chick-Fil-A (Barracks Road Shopping Center) – November 24, 2020
- 3. Site Plan Amendments**
 - a. Bank of America 1619 University Avenue - October 26, 2020
 - b. Bank of America 2103 Barracks Road – September 30, 2020
- 4. Subdivision**

September 9, 2020 Planning Commission Minutes are included
as the last document in this packet

City of Charlottesville

MEMO



TO: Planning Commission
FROM: Erin Atak, Grants Coordinator
DATE: December 8, 2020
SUBJECT: Public hearing for the proposed FY 2020-2021 CDBG-CV3 and FY 2021-2022 CDBG and HOME budget allocations for the Amended FY 2021 Annual Plan of the Consolidated Plan and FY 2022 Annual Action plan respectively.

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 20-21 CDBG-CV3, and the FY 21-22 CDBG and HOME programs. According to [HUD priorities](#), CDBG-CV3 grant funds are recommended to be used to prevent, prepare for, and respond to the coronavirus (COVID-19). This recommendation is based on CDBG Task Force recommendations for Housing and Public Service activities, and the Strategic Action Team for Economic Development activities, and the Ridge Priority Neighborhood Taskforce. CDBG-CV3 activities are proposed to respond to the growing effects of the historic public health crisis.

Also attached you will find copies of meeting minutes where these recommendations were made.

Other attachments include a memo of explanation and a list of all the projects reviewed as a result of the Request for Proposal (RFP) process.

Following the public hearing, staff is asking for a recommendation to City Council concerning the following (two separate motions):

1. FY20-21 CDBG-CV3 budget allocation
2. FY21-22 CDBG and HOME budget allocations.

If you have any questions or concerns, please contact Erin Atak at 434-970-3093

Cc: City Council
Mr. John Blair, Interim City Manager
Alexander Ikefuna, Director of NDS
Brenda Kelley, Redevelopment Manager
CDBG/HOME Task Force

City of Charlottesville

MEMO



TO: Planning Commission

FROM: Erin Atak, Grants Coordinator of Charlottesville

DATE: December 8, 2020

SUBJECT: Proposed FY 2020-2021 CDBG-CV3, FY 2021-2022 CDBG and HOME Budget Allocations

1. CDBG-CV3 Project Recommendations for FY 2020-2021:

The City of Charlottesville has been authorized a special allocation of Community Development Block Grant Coronavirus Funds (CDBG-CV3) to be used to prevent, prepare for, and respond to the coronavirus (COVID-19). This allocation was authorized by the Coronavirus Aid, Relief, and Economic Security Act (CARES Act), Public Law 116-136; to respond to the growing effects of this historic public health crisis. The City of Charlottesville CDBG-CV3 program total has an estimated \$335,024 for the 2020-2021 program year. Minutes from the meetings are attached which outline the recommendations made. It is important to note that all projects went through an extensive review by the CDBG/HOME Task Force as a result of an RFP process.

CDBG-CV3 Economic Development – In accordance with [HUD's Quick Guide to CDBG Eligible Activities to Support Infectious Disease Response](#), Revised April 6, 2020; FY 20-21 CDBG-CV funds were set aside for Economic Development Activities to align with Council priorities for microenterprise assistance. Members of the Strategic Action Team reviewed one application for Economic Development and made one funding recommendation of \$130,970 to the Community Investment Collaborative (CIC). Funds are proposed to be used to administer a minimum of 24 grants of a maximum \$4,000, and technical support to eligible microenterprises. Said grants will help businesses cover expenses including rent, payroll, replacing inventory, etc. Technical support will help owners access services to adapt to the economic environment: support in bringing businesses online, financial planning, additional cleaning, etc.

CDBG-CV3 Public Service Programs – The CDBG/HOME Task Force has recommended two public service programs. Programs were evaluated based on [HUD's Quick Guide to CDBG Eligible Activities to Support Coronavirus and Other Infectious Disease Response](#), and Council priorities for affordable housing (priority for persons who are 0-50 percent AMI), support for the homelessness and those at risk of homelessness, workforce development (including but not limited to efforts to bolster Section 3 training opportunities and partnerships with the City's GO programs, support for programs that aid in self-sufficiency, including but not limited to quality childcare), and mental health and substance abuse services. Programs were also evaluated based upon metrics included in the RFP evaluation scoring rubric. Funding will enable the organizations to prevent

and respond to the spread of infectious diseases such as the coronavirus.

The Taskforce made a funding recommendation of \$45,563.26 for the Habitat for Humanity COVID-19 Response program. Estimated benefits include providing mortgage and rental relief, emergency food assistance, childcare support, and healthcare costs to low income city residents who are experiencing economic hardship due to the COVID-19 pandemic. The Taskforce also made a funding recommendation of \$91,485.94 for the Charlottesville Redevelopment Housing Authority (CRHA) Eviction Diversion program for the for the hiring of a Housing Stabilization Coordinator to provide immediate COVID-19 rental relief.

Administration and Planning: To pay for the costs of staff working with CDBG-CV3 projects, citizen participation, and other grant related costs directly related to CDBG-CV3 funds, \$67,004.80 is budgeted.

2. CDBG and HOME Project Recommendations for FY 2021-2022:

The CDBG program total has an estimated \$419,367 for the 2021-2022 program year. The CDBG grant total reflects \$419,367 entitlement (EN) grant. The HOME total consists of an estimated \$80,594 which is the City's portion of the Consortium's appropriation, in addition to \$20,148.50 for the City's 25% required match. Minutes from the meetings are attached which outline the recommendations made. It is important to note that all projects went through an extensive review by the CDBG/HOME Taskforce as a result of an RFP process.

Priority Neighborhood – On May 4, 2020, Council approved Ridge Street to be the rotating Priority Neighborhood in FY 21-22 and FY 22-23. This helps prevent phasing of a neighborhood project over the course of the three-year period. The Taskforce for the Ridge Street Priority Neighborhood will recommend improvement projects to be carried out with CDBG funds. Staff will request that Council review and approve the Ridge Street Priority Neighborhood Taskforce recommendations.

Economic Development: Council set aside FY 21-22 CDBG funding for Economic Development Activities. Members of the Strategic Action Team reviewed two applications for Economic Development and made a recommendation for both activities. The Taskforce made a funding recommendation of \$32,056.28 for the Community Investment Collaborative to provide scholarships to assist 15-20 entrepreneurs develop financial management habits through mentorship and technical assistance, and to fund Local Energy Alliance Program of \$29,238 to foster workforce development through the creation of two staff positions.

Public Services Programs: The CDBG/HOME Task Force has recommended two public service programs. Programs were evaluated based on Council's priorities for affordable housing (including but not limited to low income housing redevelopment, priority for households at 0-50% of the area median income) support for the homelessness and those at risk of homelessness, workforce development (including but not limited to efforts to bolster section 3 training opportunities and partnerships with the City's GO programs, support for programs that aid in self-sufficiency, including but not limited to quality childcare), microenterprise assistance, and mental health and substance abuse services. Programs were also evaluated based upon metrics

included in the RFP evaluation scoring rubric. Funding will enable the organizations to provide increased levels of service to the community.

The Taskforce made a funding recommendation of \$34,000 to Public Housing Association of Residents for the Resident Involved redevelopment to prevent homelessness among residents of public housing, and to fund the Literacy Volunteers of Charlottesville and Albemarle of \$25,000 for the Beginning Level Workforce Development Tutoring program by helping 30 illiterate City residents.

Administration and Planning: To pay for the costs of staff working with CDBG projects, citizen participation, and other costs directly related to CDBG funds, \$83,873.40 is budgeted.

HOME funds: The CDBG/HOME Taskforce recommended funding to programs that support homeowner rehabilitation and down payment assistance. Estimated benefits include one homeowner rehabilitation through the Albemarle Housing Improvement Program, four down payment assistance projects through Habitat for Humanity, and providing 20 low income households with home energy efficiency solutions through the Local Energy Alliance Program, and provide down payment assistance services to four qualifying homeowners through Habitat for Humanity. The Taskforce recommended funding AHIP at \$37,352, funding Habitat for Humanity at \$24,000, and funding Local Energy Alliance Program at \$19,242.

Adjusting for Actual CDBG and HOME Entitlement Amount: Because actual entitlement amounts are not confirmed at this time, it is recommended that all recommendations are increased/reduced at the same pro-rated percentage of actual entitlement to be estimated. Should the total actual amount of entitlement received differ from the appropriated amount, all appropriated amounts may be administratively increased/reduced at the same pro-rated percentage of change between the estimated entitlement and the actual entitlement. The total appropriated amount will not exceed 2.5% total change, nor will any agency or program increase more than their initial funding request, without further action from City Council.

Attachments:

- A. HUD Quick Guide to CDBG Eligible Activities to Support Coronavirus and Other Infectious Disease Response
- B. Proposed FY 20-21 CDBG-CV budget
- C. Proposed FY 21-22 CDBG and HOME budget
- D. FY 20-21 and FY 21-22 List of RFPs received
- E. CDBG/HOME Task Force Minutes
- F. RFP Scoring Rubric Template
- G. Taskforce Scores

Quick Guide to CDBG Eligible Activities to Support Coronavirus and Other Infectious Disease Response

REVISED April 6, 2020

Grantees should coordinate with local health authorities before undertaking any activity to support state or local pandemic response. Grantees may use Community Development Block Grant (CDBG) funds for a range of eligible activities that prevent and respond to the spread of infectious diseases such as the coronavirus.

Examples of Eligible Activities to Support Coronavirus and Other Infectious Disease Response

<i>For more information, refer to applicable sections of the Housing and Community Development Act of 1974 (for State CDBG Grantees) and CDBG regulations (for Entitlement CDBG grantees).</i>	
Buildings and Improvements, Including Public Facilities	
Acquisition, construction, reconstruction, or installation of public works, facilities, and site or other improvements. <i>See section 105(a)(2) (42 U.S.C. 5305(a)(2)); 24 CFR 570.201(c).</i>	Construct a facility for testing, diagnosis, or treatment.
	Rehabilitate a community facility to establish an infectious disease treatment clinic.
	Acquire and rehabilitate, or construct, a group living facility that may be used to centralize patients undergoing treatment.
Rehabilitation of buildings and improvements (including interim assistance). <i>See section 105(a)(4) (42 U.S.C. 5305(a)(4)); 24 CFR 570.201(f); 570.202(b).</i>	Rehabilitate a commercial building or closed school building to establish an infectious disease treatment clinic, e.g., by replacing the HVAC system.
	Acquire, and quickly rehabilitate (if necessary) a motel or hotel building to expand capacity of hospitals to accommodate isolation of patients during recovery.
	Make interim improvements to private properties to enable an individual patient to remain quarantined on a temporary basis.
Assistance to Businesses, including Special Economic Development Assistance	
Provision of assistance to private, for-profit entities, when appropriate to carry out an economic development project. <i>See section 105(a)(17) (42 U.S.C. 5305(a)(17)); 24 CFR 570.203(b).</i>	Provide grants or loans to support new businesses or business expansion to create jobs and manufacture medical supplies necessary to respond to infectious disease.
	Avoid job loss caused by business closures related to social distancing by providing short-term working capital assistance to small businesses to enable retention of jobs held by low- and moderate-income persons.
Provision of assistance to microenterprises. <i>See section 105(a)(22) (42 U.S.C. 5305(a)(22)); 24 CFR 570.201(o).</i>	Provide technical assistance, grants, loans, and other financial assistance to establish, stabilize, and expand microenterprises that provide medical, food delivery, cleaning, and other services to support home health and quarantine.

Provision of New or Quantifiably Increased Public Services	
Following enactment of the CARES Act ¹ , the public services cap ² has no effect on CDBG-CV grants and no effect on FY 2019 and 2020 CDBG grant funds used for coronavirus efforts. <i>See section 105(a)(8) (42 U.S.C. 5305(a)(8)); 24 CFR 570.201(e).</i>	Carry out job training to expand the pool of health care workers and technicians that are available to treat disease within a community.
	Provide testing, diagnosis or other services at a fixed or mobile location.
	Increase the capacity and availability of targeted health services for infectious disease response within existing health facilities.
	Provide equipment, supplies, and materials necessary to carry-out a public service.
	Deliver meals on wheels to quarantined individuals or individuals that need to maintain social distancing due to medical vulnerabilities.
Planning, Capacity Building, and Technical Assistance	
States only: planning grants and planning only grants. <i>See section 105(a)(12).</i>	Grant funds to units of general local government may be used for planning activities in conjunction with an activity, they may also be used for planning only as an activity. These activities must meet or demonstrate that they would meet a national objective. These activities are subject to the State's 20 percent administration, planning and technical assistance cap.
States only: use a part of to support TA and capacity building. <i>See section 106(d)(5) (42 U.S.C. 5306(d)(5)).</i>	Grant funds to units of general local government to hire technical assistance providers to deliver CDBG training to new subrecipients and local government departments that are administering CDBG funds for the first time to assist with infectious disease response. This activity is subject to the State's 3 percent administration, planning and technical assistance cap.
Entitlement only: data gathering, studies, analysis, and preparation of plans and the identification of actions that will implement such plans. <i>See 24 CFR 570.205.</i>	Gather data and develop non-project specific emergency infectious disease response plans.

Planning Considerations

Infectious disease response conditions rapidly evolve and may require changes to the planned use of funds:

- CDBG grantees must amend their Consolidated Annual Action Plan (Con Plan) when there is a change to the allocation priorities or method of distribution of funds; an addition of an activity not described in the plan; or a change to the purpose, scope, location, or beneficiaries of an activity (24 CFR 91.505).
- If the changes meet the criteria for a “substantial amendment” in the grantee’s citizen participation plan, the grantee must follow its citizen participation process for amendments (24 CFR 91.105 and 91.115).
- Under the CARES Act, CDBG grantees may amend citizen participation and Con Plans concurrently in order to establish and implement expedited procedures with a comment period of no less than 5-days.

Resources

The Department has technical assistance providers that may be available to assist grantees in their implementation of CDBG funds for activities to prevent or respond to the spread of infectious disease. Please contact your local CPD Field Office Director to request technical assistance from HUD staff or a TA provider.

- Submit your questions to: CPDQuestionsAnswered@hud.gov
- Coronavirus (COVID-19) Information and Resources: <https://www.hud.gov/coronavirus>
- CPD Program Guidance and Training: <https://www.hudexchange.info/program-support/>

¹ On March 27, 2020, President Trump approved the Coronavirus Aid, Relief, and Economic Security Act (Public Law 116-136) (CARES Act). The CARES Act makes available \$5 billion in CDBG coronavirus response (CDBG-CV) funds to prevent, prepare for, and respond to coronavirus.

² Section 105(a)(8) of the HCD Act caps public service activities at 15 percent of most CDBG grants. Some grantees have a different percentage cap.

2020-2021 CDBG-CV3 BUDGET ALLOCATIONS
RECOMMENDED BY CDBG/HOME TASK FORCE and SAT: 11/12/2020
RECOMMENDED BY PLANNING COMMISSION:
APPROVED BY CITY COUNCIL:

A. ECONOMIC DEVELOPMENT PROJECTS

A. Community Investment Collaborative – Microenterprise Covid Response \$130,970.00

ECONOMIC DEVELOPMENT TOTAL: \$130,970.00

B. PUBLIC SERVICE PROJECTS

A. CRHA – Eviction Diversion \$91,485.94

B. Habitat for Humanity – Covid Response Program \$45,563.26

SOCIAL PROGRAMS TOTAL: \$137,049.20

C. ADMINISTRATION AND PLANNING:

A. Admin and Planning \$67,004.80 (20% EN)

GRAND TOTAL: \$335,024
ESTIMATED NEW ENTITLEMENT AMOUNT: \$335,024

**2021-2022 CDBG and HOME BUDGET ALLOCATIONS
 RECOMMENDED BY CDBG/HOME TASK FORCE and SAT: 11/12/2020
 RECOMMENDED BY PLANNING COMMISSION:
 APPROVED BY CITY COUNCIL:**

A. PRIORITY NEIGHBORHOOD			
	A. Ridge Street Priority Neighborhood	\$150,000.00*	
B. ECONOMIC DEVELOPMENT PROJECTS			
	A. Community Investment Collaborative – Financial Management Program	\$32,056.28	
	B. Local Energy Alliance Program – Workforce Development	\$29,238.00	
	ECONOMIC DEVELOPMENT TOTAL:	\$61,294.28	
C. PUBLIC SERVICE PROJECTS			
	A. Public Housing Association of Residents – Resident Involved Redevelopment	\$34,000.00	
	B. Literacy Volunteers – Workforce Development Tutoring	\$25,000.00	
	SOCIAL PROGRAMS TOTAL:	\$59,000.00	(15% EN)
D. HOUSING PROJECTS			
	A. Local Energy Alliance Program – Assisted Home Performance	\$65,199.32	
	HOUSING PROGRAMS TOTAL:	\$65,199.32	
E. ADMINISTRATION AND PLANNING:			
	A. Admin and Planning	\$83,873.40	(20% EN)
	GRAND TOTAL:	\$419,367	
	ESTIMATED NEW ENTITLEMENT AMOUNT:	\$419,367	

* Funding includes reprogrammed funds

2020-2021 HOME BUDGET ALLOCATIONS

	A. AHIP – Homeowner Rehab	\$37,352.00*	
	B. Habitat for Humanity – Down Payment Assistance	\$24,000.00*	
	C. LEAP – Assisted Home Performance	\$19,242.00*	
	TOTAL:	\$80,594.00	
	ENTITLEMENT AMOUNT:	\$80,594.00	
	ESTIMATED EN AVAILABLE AFTER PI APPLIED:	\$0.00	
	LOCAL MATCH:	\$20,148.50	

* Includes estimated EN available after program income applied

CDBG-CV3 + CDBG + HOME RFP Submissions

		Organization, Program Title	Project Contact	Program Description	Funding Requested	
CDBG-CV3	Public Service	Pearl Transit	Jael Watts	24-hr Transportation and Non-perishable Food Delivery	\$ 132,384.00	
		Habitat for Humanity	Ruth Stone	COVID Response Program	\$ 90,000.00	
		Charlottesville Redevelopment Housing Authority	Kathleen Glenn-Matthews	CRHA Eviction Diversion Program	\$ 320,000.00	
	Econ	Community Investment Collaborative (CIC)	Stephen Davis	COVID Response Microenterprise Assistance	\$ 130,970.00	
	Total Amount of Request (Public Services)		\$ 542,384.00	Total Amount of Request (Econ)		\$ 130,970.00
	Total Projected Budget (Public Services)		\$ 134,009.60	Total Projected Budget (Econ)		\$ 134,009.60
	Request Overage (Public Services)		\$ (408,374.40)	Request Overage (Econ)		\$ (3,039.60)
CDBG	Econ	Organization, Program Title		Project Contact	Program Description	Funding Requested
		Local Energy Alliance Program (LEAP)		Chris Meyer	Assisted Home Performance Worforce Development	\$ 29,238.00
		Community Investment Collaborative (CIC)		Stephen Davis	Financial Management Program	\$ 15,000.00
		Total Amount of Request				\$ 44,238.00
		Total Projected Budget				\$ 61,294.28
Request Overage				\$ (17,056.28)		
CDBG	Public Services (15% Cap)	Organization, Program Title		Project Contact	Program Description	Funding Requested
		Public Housing Association of Residents (PHAR)		Brandon Collins	Resident Involved Redevelopment	\$ 34,000.00
		Literacy Volunteers Charlottesville/Albemarle		Ellen Osborne	Beginning Level Workforce Development Tutoring	\$ 25,000.00
		Total Amount of Request				\$ 59,000.00
		Total Projected Budget				\$ 62,905.05
Request Overage				\$ (3,905.05)		
CDBG	Housing	Organization, Program Title		Project Contact	Program Description	Funding Requested
		Local Energy Alliance Program (LEAP)		Chris Meyer	Cville Low-Income Assisted Home Performance	\$ 57,000.00
		Total Amount of Request				\$ 57,000.00
		Total Projected Budget				\$ 61,294.28
Request Overage				\$ (4,294.28)		
HOME	Organization, Program Title		Project Contact	Program Description	Funding Requested	
	Local Energy Alliance Program (LEAP)		Chris Meyer	Cville Low-Income Assisted Home Performance	\$ 57,000.00	
	Habitat for Humanity		Ruth Stone	Affordable Housing Downpayment Assistance	\$ 24,000.00	
	Albemarle Housing Improvement Program (AHIP)		Cory Demchak	Charlottesville Critical Rehab Program	\$ 80,594.00	
	Total Amount of Request				\$ 161,594.00	
Total Projected Budget				\$ 80,594.00		
Request Overage				\$ (81,000.00)		



CDBG Taskforce and SAT Subcommittee Meeting Minutes

Thursday, November 12th, 2020

3:30-5:30 PM

Virtual Meeting

AGENDA

1. Introductions/Housekeeping/Minutes
 - a. SAT Committee 3:30-4:15pm
 - b. CDBG Taskforce: 4:15-5:30pm
2. Review Application Scores & Create proposal budget.
 - a. CDBG-CV3 2020-2021
 - b. CDBG 2021-2022
 - c. HOME 2021-2022
3. Other Business
4. Public Comment

Staff Contact:

Erin Atak, Grants Coordinator (atake@charlottesville.gov), (434) 970-3093

CDBG Strategic Action Team (SAT) Minutes

ATTENDANCE:

Taskforce Member	Present	Absent
Sue Moffett	X	
Kelley Logan	X	
Letitia Shelton		X
Gretchen Ellis	X	
Diane Kuknyo	X	
Erin Atak	X	

SAT Minutes

Grants Coordinator Erin Atak (EA) outlines the pre-application technical assistance process for the CDBG, HOME, and CDBG-CV3 grants. All applicants underwent an application workshop and a CDBG/HOME grant workshop session to review how to complete the web application, and the federal requirements for CDBG/HOME/CDBG-CV3.

12 applicants were met with during the mandatory technical assistance pre-application submittal phase, 8 applications were submitted for review.

EA states that one change was made to the coring rubric for all applications. This was to address the HUD timeliness requirement, (24CFR 570.902(a)). Applicants were told during the technical assistance meetings that applicants with outstanding CDBG and HOME funds may not be receiving as strong of a consideration in this review process. This change helps the City and subrecipients stay in compliance with HUD timeliness requirements and promote new applicants to join the CDBG and HOME application process.

EA states to the SAT members that they have the option to fully fund the CDBG econ applications, partially fund the applications, fund one application or not the other, or fund none of the applications.

Gretchen Ellis (GE) asks if the committee can fund an applicant more than what was requested.

EA: Yes – the Taskforce can check with Community Investment Collaborative and Local Energy Alliance Program staff in the audience to see whether they would be able to manage additional funds.

GE: Poses the question of whether the grants being awarded to microenterprises through CIC's application could be increased as we have been in this COVID state for an expended period of time – increasing the grant among would benefit businesses more.

CIC Staff member Anna speaks with the Taskforce and states that CIC would be able administer larger grants and could manage extra funding and could also help more businesses at the same small grant threshold depending on how the Taskforce decided.

GE makes a recommendation to move some of the CDBG econ overage funding into the CIC econ funding recommendation.

Sue Moffett (SM) states that she had difficulty with the LEAP application as there was an absence of data making it hard to measure effectiveness of the project aside from reviewing the purpose of the project.

GE: Poses a question for LEAP about whether that have previous experience with working with previously incarcerated individuals transition to the workforce. GE also mentions that LEAP's application is more focused in the target neighborhood.

Chris Meyer from LEAP addresses GE's questions, states they have experience with working with Home to Hope individuals. States that this is one strategy to build a workforce.

Diane Kuknyo (DK) asks Chris Meyer about whether the homes benefiting from the program will be rental properties with wealthy homeowners or low-income homeowners.

Chris Meyer from LEAP addresses DK's concern and states that this program will benefit low-income homeowners.

GE moves to fully funding LEAP and to funding CIC at the full amount along with adding the \$17,000 overage to CIC so that CIC could increase the number of microloans to the proposed businesses.

Kelly Logan (KL) seconds.

Moving to CDBG-CV3 Econ category

EA explains that the SAT members only review the economic development applications while the CDBG/HOME Taskforce review the public service and housing applications in accordance to the CDBG Citizen Participation Plan.

GE moves to fund CIC CDBG-CV3 application at the full \$130,970.00

SM seconds.

SAT recommends the final budget:

CDBG Econ
LEAP \$29,238

CIC \$32,056.28

CDBG-CV3

CIC \$130,970

SAT Committee is Adjourned.

CDBG/HOME Taskforce Minutes

ATTENDANCE:

Taskforce Member	Present	Absent
James Bryant	X	
Taneaia Dowell	X	
Howard Evergreen	X	
<i>Belmont Rep: VACANT</i>		X
Nancy Carpenter		X
Emily Cone-Miller	X	
Matthew Gillikin	X	
Kem Lea Spaulding	X	
Helen Kimble	X	
Erin Atak	X	

CDBG Minutes

Grants Coordinator Erin Atak (EA) outlines the pre-application technical assistance process for the CDBG, HOME, and CDBG-CV3 grants. All applicants underwent an application workshop and a CDBG/HOME grant workshop session to review how to complete the web application, and the federal requirements for CDBG/HOME/CDBG-CV3.

12 applicants were met with during the mandatory technical assistance pre-application submittal phase, 8 applications were submitted for review.

EA states that one change was made to the coring rubric for all applications. This was to address the HUD timeliness requirement, (24CFR 570.902(a)). Applicants were told during the technical assistance meetings that applicants with outstanding CDBG and HOME funds may not be receiving as strong of a consideration in this review process. This change helps the City and subrecipients stay in compliance with HUD timeliness requirements and promote new applicants to join the CDBG and HOME application process.

EA states that the SAT committee members made the funding recommendations for the econ applications.

CDBG Taskforce begins to review the CDBG public services applications

Howard Evergreen (HE) asks about how the taskforce can allocate the overage in public services

EA states that the overage can be directed toward another application in housing that may need it or be directed toward the Ridge Street Priority Neighborhood budgeted at \$150,000.

Kem Lea Spaulding (KLS) asks what is needed of the taskforce today.

EA explains that the Taskforce has the option to either fully fund, partially fund, or not fund the applicants, funds can also be moved to the Ridge Street priority neighborhood taskforce and to housing as needed.

Matthew Gillikin (MG) makes a funding recommendation to fully fund PHAR (\$34,000) and LVCA (\$25,000). MG states both applicants received the same score and fit within the 15% funding cap.

Taneaia Dowell (TD) seconds.

HE, KLS, and James Bryant (JB) also agreed.

KLS asks whether all the applications presented today are providing services only for the Ridge Street priority neighborhood.

EA explains that the grant is not exclusive to the Ridge street priority neighborhood. Some applicants are providing services within the target neighborhood, and others are providing services to City residents. The Ridge Street Priority neighborhood portion of the CDBG grant focuses solely in Ridge Street.

Emily Cone Miller (ECM) and MG make a funding recommendation to fully fund LEAP (\$57,000).

JB, TD, and HE second.

KLS asks whether LEAP is hiring Ridge Street residents for the job training program.

Chris Meyer from LEAP addresses this question, staff members come through the Home to Hope program. LEAP is asking for various funds from the CDBG econ and CDBG housing and HOME to service homes with energy efficiency improvements.

MG asks whether funds from the CDBG-CV3 could be moved to different funding categories.

EA answers that CDBG-CV3 is a separate grant and that those funds would need to remain separate from the CDBG and HOME.

HE and MG discuss briefly that Habitat for Humanity submitted two different applications for CDBG-CV3 and HOME, unlike LEAP who submitted the same application for multiple sources of funding. HE explains that Habitat applied for down payment assistance through the HOME grant and applied for a COVID relief rent/mortgage relief program through CDBG-CV3.

TD states a concern that she believes Habitat recruited only members through the Homeownership program.

Ruth Stone from Habitat addresses TD's question and states that the pathways to housing program through Habitat produces an applicant pool that needs financial empowerment that can be aided with CDBG and HOME.

MG makes one funding recommendation to fully fund Habitat (\$24,000) and give the remainder of the budget to AHIP.

HE ask if Habitat has outstanding funds.

EA states that a reasoning would need to be given to HUD as to why the City continues to re-award organizations with outstanding funds dating back to 2018. EA states that Habitat has outstanding down payment funds totaling \$14,813.52.

HE states that AHIP's proposal is to complete one home. Partially funding this application might make this hard to accomplish. He adds that LEAP's application aims to help more people with the funding requested.

TD agrees with HE's comments, and states that Habitat has not spent all the prior funding and is leveraging to complete said projects with some of the other projects that were funded earlier.

Cory Demchak from AHIP typically helps 10-20 homes with federal funds and assisting 1 home eliminates a lot of the admin work.

HE asks LEAP how partially funding their HOME application would affect their program.

Chris Meyer from LEAP states that a partial funding would reduce the number of homes that would get addressed.

The Taskforce moves to vote fully funding Habitat for Humanity (\$24,000).

HE asks EA whether this will work with the unspent funds.

EA states that if the Taskforce moves to recommend fully funding an application, an explanation will be given to HUD. The main concern is addressing the unspent funds with HUD and avoiding having subrecipients having to pay back HUD.

TD asks whether COVID-19 has affected projects.

EA states yes.

Emily Cone Miller (ECM) asks whether HOME funds could get moved to another funding category.

EA states that HOME funds need to remain in HOME (No).

MG makes a funding recommendation to fully fund Habitat (\$24,000) again. MG points out that the AHIP total rehab costs was over \$200,000 and that funding the proposal regardless of the amount would only assist partially.

ECM proposes funding LEAP the remaining 1/3 of the funds, and AHIP with the remaining 2/3 funds.

HE asks if AHIP received partial funding, would this affect the project?

Cory Demchak from AHIP states that receiving partial funding could affect this project specifically, but AHIP could switch to providing homeowner rehabs within the Ridge Street Neighborhood if that was the case.

Helen Kimble (HK) makes a funding recommendation to fund AHIP at 2/3 of the remaining HOME funds and fund LEAP with 1/3 of the remaining funds.

HE adds that the taskforce move to take the overage from the public services and housing category and place it into the LEAP application as they are not receiving full funding in the HOME category.

Taskforce approves: AHIP (\$37,352), LEAP (19,242) for HOME.

Taskforce begins to review CDBG-CV3

MG states that based on the scoring the fund should be divided between CRHA and Habitat. Pearl Transit's application scored significantly lower than the other two.

Members of the Taskforce state that the lack of clarity within the application poses concern.

MG asks if CRHA would be able to accomplish their activity on partial funding.

Kathleen Glen Matthews from CRHA states that the organization can scale back the scope of work offered within the application and pursue other sources of funding.

MG states that the rental assistance portion of the CRHA application was the most appealing given the current health crisis.

John Sales from CRHA speaks with the Taskforce about the eviction diversion program.

JB asks John about the role of the Housing Stabilization Coordinator.

John states that this role would work directly with families to work on repayment agreements and affordability.

JB states that homeowner eviction education during this time is a priority.

The Taskforce discusses on the CRHA application and the Habitat for Humanity covid application.

EA reminds the Taskforce that splitting up funds between organizations means less of the scope of work for both organizations would get accomplished, regarding CRHA and Habitat's application.

HE proposes splitting the funds between the two organizations (CRHA and Habitat). The funding recommendation is made that Habitat and CRHA both receive \$67,004.80.

ME mentions that he does not mind splitting the funds between the organizations and suggests that CRHA prioritize emergency rental relief.

Taskforce members discuss whether the funding recommendation should change.

TD proposes of funding CRHA with 2/3 of the public services covid funding, and the remaining 1/3 of the funding would be recommended to Habitat. TD explains that Habitat received funds in the HOME category.

TD also proposes to move the overage of econ funds to CRHA CDBG-CV3 application as there are no outstanding grant funds unspent with this applicant.

HE agrees.

Taskforce discusses on whether to split the public services funding evenly between CRHA and Habitat, or to divide it into thirds.

EA reminds the Taskforce that HUD needs justification from the Taskforce as to why the committee is recommending awarding an organization with outstanding grant funds.

Taskforce members move to fund CRHA with \$91,485.94 and fund Habitat \$45,563.26. CRHA was recommended to receive the funding overage.

Meeting Adjourned.

SCORING RUBRIC FOR CDBG-CV3/CDBG/HOME GRANT PROPOSALS



Name of Applicant:

Name of Project:

	Exemplary (3 Points)	Adequate (2 Points)	Needs Improvement (1 Point)	Missing Information (0 Points)	Score	Comments
Program/Project Description	Provides a clear description and clearly explains how it will address a Council Priority	Provides a description that adequately explains how it will address a Council Priority	Program/project description needs improvement	Proposal does not describe how it will address a Council Priority		
Program/Project Goal	Provides a clear explanation of the goal. Identifies what will be provided to whom, how many. Provides demographic information of the beneficiaries and how they will meet the income guidelines	Provides an adequate explanation of the goal	Program/Project goal needs improvement. Barely identifies what will be provided to whom and how many. Barely provides demographic information and how the beneficiaries will meet the income guidelines	Goal is missing and/or not explained. Identification of beneficiaries, number of beneficiaries, demographic information, and information about how the beneficiaries will meet the income guidelines is missing		
Need	Clearly describes how the program will directly address the needs.	Adequately describes how the program will directly address the needs using some local	Description of need needs improvement. Only state, regional, or national data	Does not describe how the program will directly address the needs and/or		

	Provides local data to describe the needs of the community <u>and</u> the beneficiaries	data to describe the needs of the community <u>and</u> the beneficiaries	provided, data not specific to clients	does not provide data to describe the needs of the community and the beneficiaries		
Outcomes	Clearly explains how proposed outcomes will be meaningful, client-focused and related to the service	Adequately explains how proposed outcomes will be meaningful, client-focused and related to the service	Explanation of how proposed outcomes will be meaningful, client-focused and related to the service needs improvement	Does not explain how proposed outcomes will be meaningful, client-focused and/or related to the service		
Strategies	Provides evidence-based strategies for how the program/project will address the need	Adequately describes how strategies address need using researched best practices strategies at a minimum	Describes how strategies address need without information about best practices or research	Does not identify how strategies directly address need		
Implementation Timeline	Timeline is detailed and realistic	Timeline is adequate	Timeline is limited or not realistic	No timeline provided and information is missing		
Evaluation Plan	Provides a rigorous evaluation plan which informs ongoing work, explains metrics and why they are used	Provides a solid evaluation plan	Evaluates some elements of its work, but the evaluation is not thorough	Proposal does not provide an evaluation plan or the plan is insufficient		
Demographic Verification	Proposal clearly describes how the agency will collect and verify <u>all</u> required information	Proposal adequately describes how the agency will collect and verify all required information	Proposal describes how the agency will collect and verify <u>some</u> required information	Proposal does not describe how the agency will collect and verify any required information		

Financial Benefits	Proposal describes how the program fully meets two financial benefits	Proposal describes how the program fully meets one financial benefit	Proposal describes how the program <u>partially</u> meets one to two financial benefits	Proposal does not describe how the program will provide a financial benefit		
Collaboration	Proposal describes how the program collaborates with other organizations to achieve a common goal using defined deliverables and metrics (ex. Clear accountability, shared management, such as MOU's or formal partnership agreements)	Proposal describes formal agreements with more than two organizations describing how they cooperate, but does not share common deliverables or metrics.	Proposal describes collaboration informally with other organizations (ex. information sharing, resource sharing)	Proposal does not describe collaboration with other entities		
Engagement/ Outreach Strategy	Proposal describes complete outreach and engagement strategies and explains how it will serve needy and underserved populations	Proposal describes some outreach and engagement strategies and how it will serve needy and underserved populations	Proposal explains that services are available to needy and underserved populations but program/project does not conduct outreach or engagement	Proposal does not provide strategies for outreach and engagement to needy and underserved populations		
Priority Neighborhood Ridge Street	Proposal describes complete outreach strategies and program/project serves residents in the Priority Neighborhood	Proposal describes some outreach and program/project serves residents in the Priority Neighborhood	Proposal explains that services are available to priority neighborhood residents but program/project does not conduct outreach	Proposal does not provide strategies for outreach to priority neighborhood residents		

Organizational Capacity (STAFF ONLY – not included in scoring)	Organization demonstrated sufficient capacity and fully met projected outcomes in previous grant year	Organization demonstrated adequate capacity and almost met projected outcomes in previous grant year	Organization capacity needs improvement, did not meet projected outcomes	The organization demonstrated a lack of a capacity		
Outstanding Funding (STAFF ONLY – included in scoring)	Organization expended all previous grant funding or is a new applicant with no prior CDBG/HOME/CDBG-CV dollars unspent.			Organization has been awarded grant funding from prior fiscal years and has been unable to spend all the funding.		
Organizational Capacity	Proposal provides clear evidence of the capacity and ability to ensure timely performance and reporting	Proposal provides adequate evidence of the capacity and ability to ensure timely performance and reporting	Evidence of capacity and ability needs improvement. Does not address the question fully	Proposal does not provide evidence of the capacity and ability		
Budget	Proposal clearly demonstrates: <ul style="list-style-type: none"> A. How requested funds will be applied to expense line items B. How the amount requested is reasonable C. That the overall program budget shows a direct 	Proposal provides an adequate budget. Adequately addresses A, B, and C	Proposed budget needs improvement and barely addresses A, B, and/or C. Proposed budget needs improvement.	The proposal does not demonstrate how the requested funds will be applied to expense line items, how the amount requested is reasonable, and does not show a direct relationship with proposed service items		

	relationship with proposed service items					
TOTAL SCORE (MAX SCORE = 45 PTS)						

CDBG-CV3	Applicant	Score	Funding request	TF Recommendation 1
	CRHA	37.3	\$ 320,000.00	\$ 91,485.94
	Habitat	37.8	\$ 90,000.00	\$ 45,563.26
	Pearl Transit	26.75	\$ 132,384.00	\$ -
	<i>CIC (ECON)</i>	34.2	\$ 130,970.00	\$ 130,970.00
Total Amount Requested (ps)			\$ 542,384.00	\$ 137,049.20
Total Amount Requested (econ)			\$ 130,970.00	
Total projected Budget (econ)			\$ 134,009.60	
Total projected Budget (ps)			\$ 134,009.60	
Request Overage (ps)			\$ (408,374.40)	
Requested Overage (econ)			\$ 3,039.60	

CDBG Econ	Applicant	Score	Funding request	TF Recommendation 1
	LEAP	29.3	\$ 29,238.00	\$ 29,238.00
	CIC	34.2	\$ 15,000.00	\$ 32,056.28
Total Amount Requested			\$ 44,238.00	\$ 61,294.28
Total projected Budget			\$ 61,294.28	
Request Overage			\$ 17,056.28	

CDBG Public Services	Applicant	Score	Funding request	TF Recommendation 1
	PHAR	39.33	\$ 34,000.00	\$ 34,000.00
	LVCA	39.33	\$ 25,000.00	\$ 25,000.00
	Total Amount Requested			\$ 59,000.00
Total projected Budget (15%)			\$ 62,905.05	
Request Overage			\$ 3,905.05	

CDBG Housing	Applicant	Score	Funding request	TF Recommendation 1	
	LEAP	36.5	\$ 57,000.00	\$ 65,199.32	
	Total Amount Requested			\$ 57,000.00	\$ 65,199.32
	Total projected Budget			\$ 61,294.28	
Request Overage			\$ 4,294.28		

HOME	Applicant	Score	Funding request	TF Recommendation 1
	Habitat	37.67	\$ 24,000.00	\$ 24,000.00
	AHIP	33.67	\$ 80,594.00	\$ 37,352.00
	LEAP	36.5	\$ 57,000.00	\$ 19,242.00
	Total Amount Requested			\$ 161,594.00
Total projected Budget			\$ 80,594.00	
Request Overage			\$ (81,000.00)	

CITY OF CHARLOTTESVILLE
DEPARTMENT OF NEIGHBORHOOD DEVELOPMENT SERVICES
STAFF REPORT



JOINT CITY COUNCIL AND PLANNING COMMISSION PUBLIC HEARING
APPLICATION FOR A SPECIAL USE PERMIT
APPLICATION NUMBER: SP20-00001
DATE OF HEARING: December 8, 2020

Project Planner: Brian Haluska

Date of Staff Report: November 23, 2020

Applicant: Piedmont Realty Holdings III, LLC

Applicant's Representative(s): Kelsey Schlein of Shimp Engineering

Current Property Owner: Piedmont Realty Holdings III, LLC

Application Information

Property Street Address: 1000 Monticello Road ("Subject Property")

Tax Map & Parcel/Tax Status: 570036000 (real estate taxes paid current - Sec. 34-10)

Total Square Footage/ Acreage Site: Approx. 0.81 acres (35,283 square feet)

Comprehensive Plan (General Land Use Plan): Neighborhood Commercial Corridor (Mixed Use)

Current Zoning Classification: Neighborhood Commercial Corridor

Overlay District: None

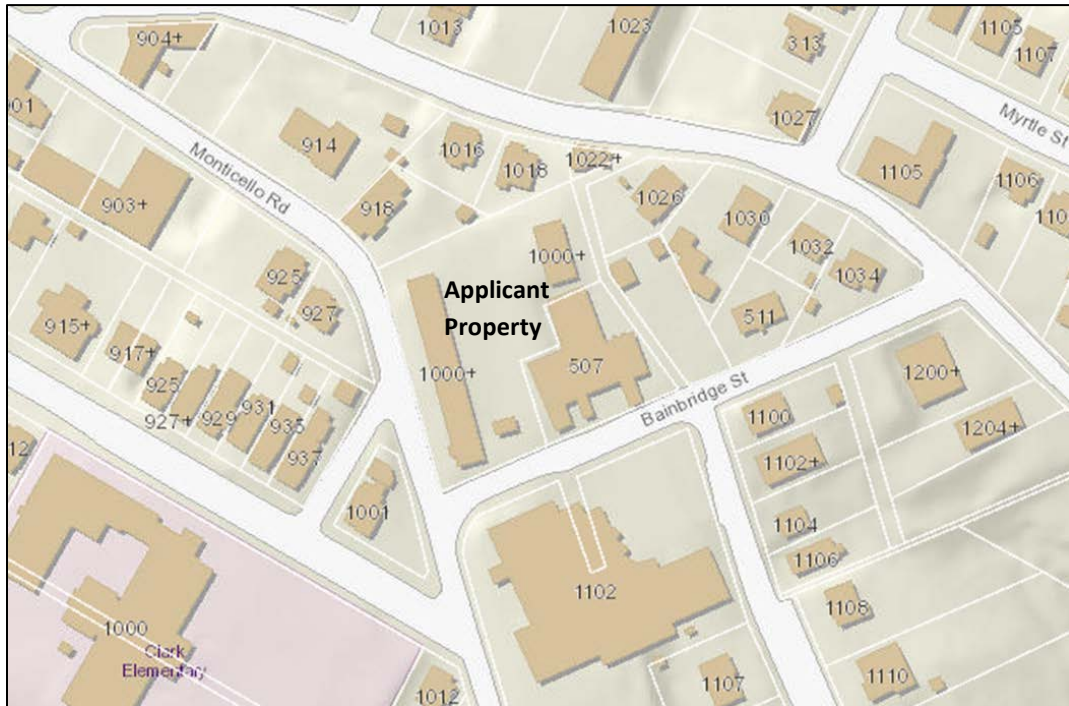
Applicant's Request (Summary)

The applicant requests a Special Use Permit (SUP) pursuant to City Code Sec. 34-700, which states that residential density up to 43 DUA is permitted with an SUP. The subject property has street frontage on Monticello Road and Bainbridge Street. Under the NCC zoning classification, 17 dwelling units could be developed by right on this site (21 DUA), per Z.O. Sec. 34-700 (Density).

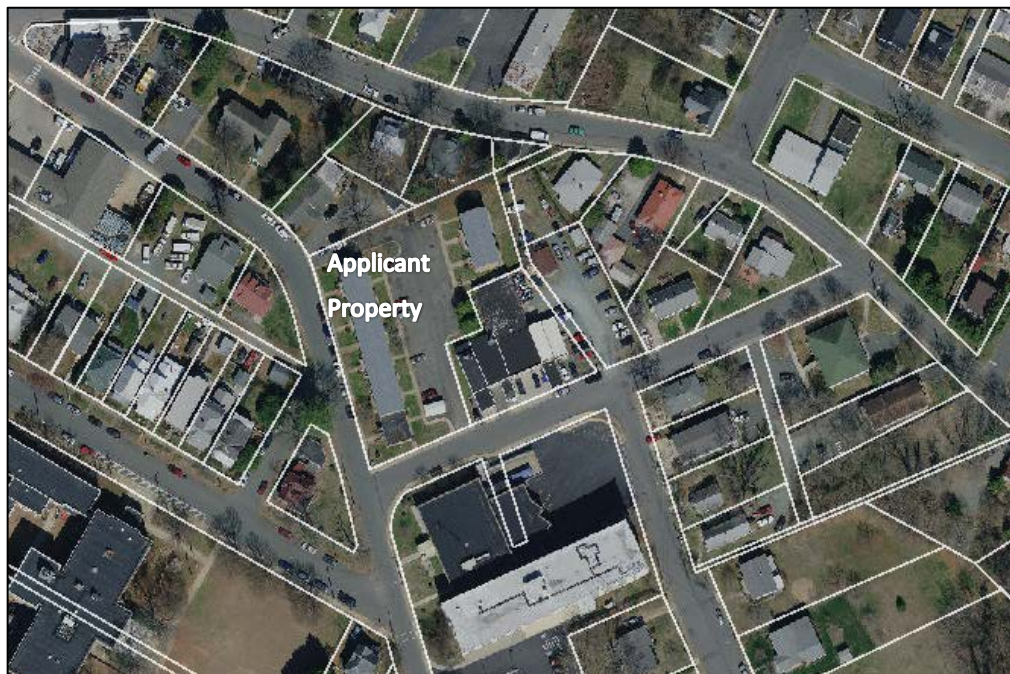
The site plan (Attachment C) submitted with the application depicts a development that would include 34 dwelling units as part of a multi-family residential project; since the development site is 0.81 acres, the proposed density is 42 DUA. See proposal narrative (Attachment A) and site plan submitted by the applicant pursuant to Z.O. Sec. 34-41(d)(1) and (d)(6).

The application narrative describes the construction a new, 11-unit building on the site, which currently contains 23 existing multi-family units, for a total of 34 units. The applicant further proposes that 9 of the 11 new units on the site will be designated affordable housing units.

Vicinity Map



Context Map 1

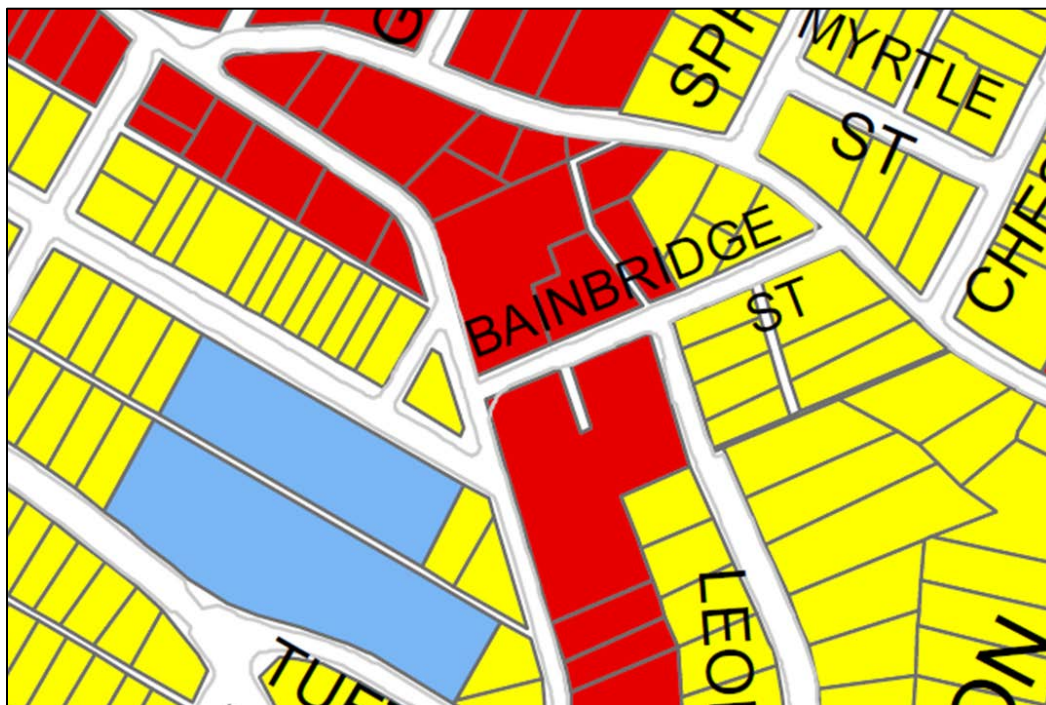


Context Map 2- Zoning Classifications



KEY - Yellow: R1-S, Light Orange: R-2, Orange: R-3, Red: B-2, Maroon: B-3, Purple: NCC, Grey: M-I

Context Map 3- General Land Use Plan, 2013 Comprehensive Plan



KEY – Red: Neighborhood Commercial, Blue: Public/Semi-Public, Yellow: Low Density Residential

Standard of Review

City Council may grant an applicant a special permit or special use permit, giving consideration to a number of factors set forth within Zoning Ordinance Sec. 34-157. If Council finds that a proposed use or development will have potentially adverse impacts, and if Council identifies development conditions that could satisfactorily mitigate such impacts, then Council may set forth reasonable conditions within its SUP approval. The role of the Planning Commission is to make an advisory recommendation to the City Council, as to (i) whether or not Council should approve a proposed SUP and if so, (ii) whether there are any reasonable development conditions that could mitigate potentially adverse impacts of the propose use or development.

Section 34-157 of the City’s Zoning Ordinance lists a number of factors that Council will consider in making a decision on a proposed SUP. Following below is staff’s analysis of those factors, based on the information provided by the applicant.

FOR APPLICANTS ANALYSIS OF THEIR APPLICATION PER SEC 34-157 SEE ATTACHMENT B

(1) Whether the proposed use or development will be harmonious with existing patterns of use and development within the neighborhood.

The properties immediately surrounding the subject property are described as:

Direction	Use	Zoning
North	Office Building/Residential	NCC
South	Industrial	M-I
East	Commercial/Residential	NCC/B-3
West	Residential	NCC/R-1S

The buildings immediately surrounding the subject property are mostly one (1) to two (2)-story buildings, primarily functioning as residences or offices. The subject property is on the eastern edge of the Belmont commercial district, which is characterized by one (1) to two (2)-story buildings with commercial uses. Most of these properties are zoned Neighborhood Commercial Corridor mixed use.

Staff Analysis: The proposed use of the property depicted in the site plan and other application materials is a residential building containing multiple dwelling units (“multi-family dwelling”). The surrounding area is a mix of commercial buildings and single family detached dwelling units. The proposed use is harmonious with the existing patterns of use within the neighborhood, and is not a change to the current use of the property.

(2) Whether the proposed use or development and associated public facilities will substantially conform to the city's comprehensive plan.

Below are specific areas of the Comprehensive Plan for which the development is in compliance:

a. Land Use

3.2: [...] Provide opportunities for nodes of activity to develop, particularly along mixed-use corridors.

b. Housing

1.2: Evaluate the effect of reduced transportation costs and improved energy efficiency on housing affordability.

3.1: Continue to work toward the City's goal of 15% supported affordable housing by 2025.

3.2: Incorporate affordable units throughout the City, recognizing that locating affordable units throughout the community benefits the whole City.

3.4: Encourage creation of new, on-site affordable housing as part of rezoning or residential special use permit applications.

3.5: Consider the range of affordability proposed in rezoning and special use permit applications, with emphasis on provision of affordable housing for those with the greatest need.

3.6: Promote housing options to accommodate both renters and owners at all price points, including workforce housing.

7.1: To the greatest extent feasible, ensure affordable housing is aesthetically similar to market rate.

7.3: Encourage appropriate design so that new supported affordable units blend into existing neighborhoods, thus eliminating the stigma on both the area and residents.

8.3: Encourage housing development where increased density is desirable and strive to coordinate those areas with stronger access to employment opportunities, transit routes and commercial services.

8.5: Promote redevelopment and infill development that supports bicycle and pedestrian-oriented infrastructure and robust public transportation to better connect residents to jobs and commercial activity.

c. Transportation

2.1: Provide convenient and safe bicycle and pedestrian connections between new and existing residential developments, employment areas and other activity centers to promote the option of walking and biking.

2.3: Improve walking and biking conditions by discouraging and/or minimizing curb cuts for driveways, parking garages, etc. in new development and redevelopment.

Below are specific areas of the Comprehensive Plan for which the development may not be in compliance:

d. Land Use

2.1: When considering changes to land use regulations, respect nearby residential areas.

Comprehensive Plan- Staff Analysis:

The General Land Use Plan calls for the subject property and areas immediately north and east to be Neighborhood Commercial land use, and the areas directly north and west of the subject property to be Mixed Use land use. The General Land Use Plan calls for Low Density Residential land uses in the vicinity of the subject property (see Context Map 3 above). The Comprehensive Plan specifies that Neighborhood Commercial areas are intended to have building forms that mirror that of low density residential zones, but with some additional commercial uses compatible with residential areas. Low Density Residential is described as single or two-family housing types, with a density of no greater than 15 dwelling units per acre (DUA). High density residential is noted as land to be occupied by multi-family residential types of housing. Residential density up to 21 DUA, which is considered high density by the aforementioned materials, is allowed by-right in the NCC zone.

Several goals in the Comprehensive Plan speak to a desire to have density as appropriate in locations that will foster developments that are walkable and bikeable to the downtown area and other centers of employment, entertainment, and education. The subject property is on the eastern edge of the Belmont commercial area, and is less than a mile from the downtown core of the City. Creating more density and housing options near the downtown core will reduce commuter congestion and may open up housing options in other parts of the City. It is reasonable to permit a moderate level of density at this location, if proper conditions are applied.

Many of the goals in the Housing chapter of the Comprehensive Plan deal with the preference for affordability in new housing projects. The applicant has proposed to make 9 units in the new construction portion of the site affordable at 80% AMI meets these goals.

The applicant has proposed a building that is 3-4 stories in height, which would be taller than any of the buildings in the Belmont commercial area, but would be comparable in

height to the tallest building on the Virginia Industries for the Blind location adjacent to the Subject Property.

Streets that Work Plan

The May 2016 Streets that Work Plan (approved September 2016 as an amendment to the Comprehensive Plan) labels Monticello Road and Bainbridge Street both as a *Local Street* typology.

The full Streets That Work plan can be viewed at:

<http://www.charlottesville.org/departments-and-services/departments-h-z/neighborhood-development-services/streets-that-work/streets-that-work-plan>

Local Streets are characterized as the majority of the street network and have no specific associated typology due to the variation of context and available space. The Streets that Work Plan notes design elements on Local Streets should not exceed the dimensions specified for *Neighborhood B* streets, and that techniques such as curb extensions are appropriate. A minimum of five (5) to six (6) feet of clear zone width for sidewalks is recommended for *Neighborhood B* streets. Sidewalks and on-street parking are noted as the highest priority street elements.

The Streets That Work Plan states that driveways should be designed to provide a continuous and level clear walk zone across the vehicular path and encourage vehicles to yield to pedestrians on the sidewalk. The proposed site plan would eliminate the existing vehicle entrance to the Subject Property on Monticello Road, which would reduce the length of the curb cut along that street. No change is shown on the Bainbridge Street frontage.

Staff Analysis: Based on the current application package, staff concludes that the pedestrian network along the development frontage is, as represented in this application, consistent with the Streets that Work Plan.

(3) Whether proposed use or development of any buildings or structures will comply with all applicable building code regulations.

Based on the information contained within the application, the proposed development would likely comply with applicable building code regulations. However, final determinations cannot be made prior to having the details required for final site plan and building permit approvals.

(4) Potential adverse impacts, including, but not necessarily limited to:**a) Traffic or parking congestion**Traffic

The applicant shows an existing total daily trip generation of 124 trips for the site. The proposed additional units would increase this to 182 trips, or a 45% increase.

Peak-hour traffic: As shown in the trip generation (Table on Page C1 in Attachment C), the morning peak hour would have 12 trips, 75% of which would be exiting the site. The afternoon peak hour would have 15 trips, with 60% entering the site.

Staff Analysis: The City Traffic Engineer has reviewed the preliminary site plan and had no concerns regarding the changes to the automobile access to the site and the increase in traffic on the adjacent streets.

Vehicular Access

The site currently has vehicular access from Monticello Road and Bainbridge Street. The proposed plan would close the vehicle access from Monticello Road.

Staff Analysis: Staff has no concern regarding the change in vehicle access.

Parking

The existing 23 units require 24 parking spaces. The additional 11 units will each require a single space per unit. The proposed site plan shows a total 35 parking spaces on site.

Staff Analysis: Based on the information provided in the project proposal narrative and site plan, it appears that the minimum parking requirements of the zoning ordinance can be met for the proposed development. Adjacent streets also permit on-street parking.

Other Modes of Transportation

The subject property is on Charlottesville Area Transit's Route 3, and is a short walk from stops on Route 1. The proposed development is also served by a complete (but mostly un-buffered) sidewalk network immediately adjacent to the subject property. Crosswalks in the general vicinity are typically unmarked.

Staff Analysis: The subject property's proximity to two bus lines, as well as the existing sidewalks in the neighborhood offer several alternative modes of transportation to automobiles.

b) Noise, lights, dust, odor, fumes, vibration, and other factors which adversely affect the natural environment

The proposed development may result in increased noise, as a result of the proposed multi-family development. The upper stories include balconies, which are a potential source of additional ambient noise in the neighborhood; however, there are no statistics indicating that, overall, the noise generated by 11 dwelling units in a mid-rise apartment building would exceed noise anticipated from an equivalent number of single-family dwellings. As to noise from motor vehicles, the trip generation figures provided by the applicant (Attachment C) will not appreciably increase the noise and fumes from automobile traffic to and from the building.

Staff Analysis: The impacts are consistent with what can be expected in a mixed-use neighborhood.

c) Displacement of existing residents or businesses

The proposed project would not displace any residents or businesses.

d) Discouragement of economic development activities that may provide desirable employment or enlarge the tax base

The proposed project is not proposing the removal of any structures, and would add 11 residential units to the City's housing stock. Staff does not anticipate any discouragement of economic development activities.

e) Undue density of population or intensity of use in relation to the community facilities existing or available

Staff Analysis: The proposed development will necessarily result in some increased demand on physical facilities and services provided. Some of these impacts, such as impacts on the City's water and sewer facilities, and public streets/ sidewalks, can be adequately evaluated and addressed during the site plan process, and final site plan approval is dependent on confirmation of adequate facilities or improvements provided by the applicant to ensure adequacy. A preliminary review of the proposal indicates the City's existing water and sewer facilities are likely to be adequate to serve the proposed development.

The subject property is located less than a mile from many amenities in the downtown area, including the Downtown Mall, Court Square, McIntire Library, Court Square Park, and Market Street Park. In addition, the subject property is within walking distance of Belmont, Rives and Meade Parks.

Staff believes park and recreation opportunities available in proximity of the subject property can adequately accommodate the proposed increase in density created by the development.

f) Reduction in the availability of affordable housing in the neighborhood

The application as presented would increase the availability of affordable housing in the neighborhood.

g) Impact on school population and facilities

The proposed project site plan (Attachment C) indicates the new residential units will be one (1) and two (2) bedroom units. The project narrative (Attachment B) indicates that the site is within the Clark Elementary attendance zone.

Staff Analysis: Because housing is open to all, there is a possibility that families with children could take residence here. Therefore, some impact could be created on school population and facilities is possible. The unit type and size, however, are likely to be less attractive to families with school-aged children, and any impact on school population from the proposed development is anticipated to be minimal.

h) Destruction of or encroachment upon conservation or historic districts

The subject property is not within any design control district.

i) Conformity with federal, state and local laws, as demonstrated and certified by the applicant

Based on the information contained within the application, the proposed development would likely comply with applicable federal and state laws. As to local ordinances (zoning, water protection, etc.), it generally appears that this project, as detailed in the application, can be accommodated on this site in compliance with applicable local ordinances; however, final determinations cannot be made prior to having the details required for final site plan and building permit approvals. Specific Z.O. requirements reviewed preliminarily at this stage include massing and scale (building height, setbacks, stepbacks, etc.) and general planned uses.

j) Massing and scale of project

The application materials depict a new building containing four (4) stories above the surface of the subject property, viewed from the Monticello Road street frontage, and stepping down to three stories above grade further into the site. The building elevations

in Attachment E show a building height of 41.5 feet. NCC zoning regulations (Z.O. Sec. 34-697(2)) restrict by-right building height to 45 feet, max.

Per Z.O. Sec. 34-698(b)(1), the subject property has no required front setback, with a maximum 10 foot setback on Monticello Road and Bainbridge Street. Per Z.O. Sec. 34-698(b)(4), no setback is required on the side or rear lot lines.

The applicant has indicated that all on-site parking will be accessed via the existing entrance on Bainbridge Street. The existing entrance on Monticello Road will be removed as a part of the construction of the new building.

Staff Analysis: The 4 story height of the new construction will be a change to the Belmont commercial zone, as this building will become a focal point for anyone looking east from “downtown Belmont” As mentioned above, the height of this building is similar to that of the adjacent industrial property, rather than the one (1) and two (2) story buildings in the commercial core of the neighborhood.

The proposed construction on the site is within the by-right limits of the NCC zoning, and the impact of the new construction is not directly related to the SUP request for additional residential density.

(5) Whether the proposed use or development will be in harmony with the purposes of the specific zoning district in which it will be placed;

The description for NCC states the district is established as *“a zoning classification for the Fontaine and Belmont commercial areas that recognize their compact nature, their pedestrian orientation, and the small neighborhood nature of the businesses. This zoning district recognizes the areas as small town center type commercial areas and provides for the ability to develop on small lots with minimal parking dependent upon pedestrian access. The regulations recognize the character of the existing area and respect that they are neighborhood commercial districts located within established residential neighborhoods.”* (Z.O. Sec. 34-541(8)).

The NCC zone allows for single-family, two-family, and multi-family residential development by-right. The proposed project is an addition to an existing multi-family residential development, which staff believes to be appropriate for the district.

(6) Whether the proposed use or development will meet applicable general and specific standards set forth within the zoning ordinance, subdivision regulations, or other city ordinances or regulations; and

Based on the information contained within the application, the proposed development would likely comply with applicable local ordinances. However, final determinations cannot be made prior to having the details required for final site plan and building permit approvals.

(7) When the property that is the subject of the application for a special use permit is within a design control district, city council shall refer the application to the BAR or ERB, as may be applicable, for recommendations as to whether the proposed use will have an adverse impact on the district, and for recommendations as to reasonable conditions which, if imposed, that would mitigate any such impacts. The BAR or ERB, as applicable, shall return a written report of its recommendations to the city council.

The project is not located in a design control district.

Public Comments Received

As required by Z.O. Sec. 34-41(c)(2), the applicant held an online community meeting on October 8, 2020 beginning at 6:00pm. Property owners within 500 feet and the Belmont-Carlton Neighborhood Association were notified of the meeting per requirements in Section 34-41(c)(2). The letter provided by the applicant can be found in Attachment F.

Several members of the public were in attendance. The attendees expressed concern about the impact to traffic on site, as well as along Monticello Road. Monticello Road is a narrow road with many competing users, including cars, pedestrians, and delivery vehicles. The attendees felt that the impact of the additional traffic from this proposed development must be considered along with other proposals in the corridor, and that Monticello Road must be closely monitored to make sure it meets the needs of all users.

Attendees also asked questions about the overall level of affordability being provided by the new residential units and the number of bedrooms in the units.

Other comments

Staff was included on several messages from adjacent residents to the applicant. These messages raised concerns about the height of the proposed building, potential noise from HVAC units, the small setbacks on the proposed building, and the traffic impact from the change to the layout of the parking and the additional residential units.

Staff Recommendation

Staff recommends the Planning Commission focus on the following items during review: impact to the surrounding neighborhood, increased traffic, access, and the pedestrian experience.

Recommended Conditions

Staff recommends that a request for higher density could be approved with the following conditions:

1. Up to 42 dwelling units per acre (DUA) are permitted on the subject property.
2. "All affordable dwelling units" shall comply with and be administered in accordance with the City administrative regulations adopted pursuant to City Code 34-12(g)".

Suggested Motions

1. I move to recommend approval of this application for a Special Use Permit in the NCC zone at 1000 Monticello Road to permit residential development with additional density with the following listed conditions.
 - a. The two (2) conditions recommended by staff
 - b. [alternative conditions, or additional condition(s)...list here]

OR,

2. I move to recommend denial of this application for a Special Use Permit in the NCC zone at 1000 Monticello Road.

Attachments

- A. Special Use Permit Application received July 14, 2020
- B. Special Use Permit Narrative dated July 14, 2020
- C. Site Plan received July 14, 2020
- D. Special Use Permit Application Exhibit dated July 14, 2020
- E. Proposed Elevations dated July 14, 2020
- F. Community Meeting notification letter dated September 24, 2020



City of Charlottesville

Application for Special Use Permit

Project Name: Belmont Heights

Address of Property: 1000 Monticello Road

Tax Map and Parcel Number(s): 570036000

Current Zoning District Classification: NCC

Comprehensive Plan Land Use Designation: Neighborhood Commercial

Is this an amendment to an existing SUP? No

If "yes", provide the SUP #: _____

Applicant: Piedmont Realty Holdings III, LLC

Address: 6535 Woodbourne Ln Crozet, Va 22932

Phone: _____ Email: drew@thinkpiedmont.com

Applicant's Role in the Development (check one): project contact: Shimp Engineering, Kelsey Schlein | kelsey@shimp-engineering.com | (434)227-5140

Owner Owner's Agent Designer Contract Purchaser

Owner of Record: same as applicant

Address: _____

Phone: _____ Email: _____

Reason for Special Use Permit:

Additional height: _____ feet

Additional residential density: 11 units, or 42 units per acre

Authorize specific land use (identify) _____

Other purpose(s) (specify City Code section): _____

(1) Applicant's and (2) Owner's Signatures

(1) Signature [Signature] Print Andrew C. Howard Date 7.15.2020

Applicant's (Circle One): LLC Member LLC Manager Corporate Officer (specify) _____

Other (specify): _____

(2) Signature _____ Print _____ Date _____

Owner's (Circle One): LLC Member LLC Manager Corporate Officer (specify) _____

Other (specify): _____



City of Charlottesville

Pre-Application Meeting Verification

Project Name: Belmont Heights

Pre-Application Meeting Date: July 13, 2020

Applicant's Representative: Shimp Engineering, P.C.

Planner: Brian Haluska

Other City Officials in Attendance:

The following items will be required supplemental information for this application and must be submitted with the completed application package:

1. _____

2. _____

3. _____

4. _____

5. _____

Planner Signature: Brian J. Haluska



City of Charlottesville

Application Checklist

Project Name: Belmont Heights

I certify that the following documentation is ATTACHED to this application:

- 34-158(a)(1): a site plan (ref. City Code 34-802(generally); 34-1083(communications facilities)
- 34-158(a)(3): Low-impact development (LID) methods worksheet (required for developments that include non-residential uses, and developments proposing 3 or more SFDs or TFDs)
- 34-158(a)(4): a building massing diagram, and building elevations (required for applications proposing alteration of a building height or footprint, or construction of any new building(s))
- 34-158(a)(5) and 34-12: affordable housing data. (i) how many (if any) existing dwelling units on the property are an "affordable dwelling unit" by the city's definitions? (ii) Will existing affordable units, or equivalent affordable units, remain following the development? (iii) What is the GFA of the project? GFA of residential uses? GFA of non-residential uses?
- 34-157(a)(1) Graphic materials that illustrate the context of the project, and a narrative statement as to compatibility with existing patterns of use and development
- 34-157(a)(2) Narrative statement: applicant's analysis of conformity with the Comprehensive Plan
- 34-157(a)(3) Narrative statement: compliance with applicable USBC provisions
- 34-157(a)(4) Narrative statement identifying and discussing any potential adverse impacts, as well as any measures included within the development plan, to mitigate those impacts
- 34-158(a)(6): other pertinent information (narrative, illustrative, etc.)
- All items noted on the Pre-Application Meeting Verification.

Applicant

Signature

Print

Andrew C. Hollman

Date

7-15-2020

By Its:

MANAGER - PIEDMONT REALTY HOLDINGS III LLC

(For entities, specify: Officer, Member, Manager, Trustee, etc.)



City of Charlottesville

Community Meeting

Project Name: Belmont Heights

Section 34-41(c)(2) of the Code of the City of Charlottesville (adopted _____, 2015) requires applicants seeking rezonings and special use permits to hold a community meeting. The purpose of a community meeting is to provide citizens an opportunity to receive information about a proposed development, about applicable zoning procedures, about applicable provisions of the comprehensive plan, and to give citizens an opportunity to ask questions. **No application for a rezoning shall be placed on any agenda for a public hearing, until the required community meeting has been held and the director of neighborhood development services determines that the application is ready for final review through the formal public hearing process.**

By signing this document, the applicant acknowledges that it is responsible for the following, in connection to the community meeting required for this project:

1. Following consultation with the city, the applicant will establish a date, time and location for the community meeting. The applicant is responsible for reserving the location, and for all related costs.
2. The applicant will mail, by U.S. mail, first-class, postage pre-paid, a notice of the community meeting to a list of addresses provided by the City. The notice will be mailed at least 14 calendar days prior to the date of the community meeting. The applicant is responsible for the cost of the mailing. At least 7 calendar days prior to the meeting, the applicant will provide the city with an affidavit confirming that the mailing was timely completed.
3. The applicant will attend the community meeting and present the details of the proposed application. If the applicant is a business or other legal entity (as opposed to an individual) then the meeting shall be attended by a corporate officer, an LLC member or manager, or another individual who can speak for the entity that is the applicant. Additionally, the meeting shall be attended by any design professional or consultant who has prepared plans or drawings submitted with the application. The applicant shall be prepared to explain all of the details of the proposed development, and to answer questions from citizens.
4. Depending on the nature and complexity of the application, the City may designate a planner to attend the community meeting. Regardless of whether a planner attends, the City will provide the applicant with guidelines, procedures, materials and recommended topics for the applicant's use in conducting the community meeting.
5. On the date of the meeting, the applicant shall make records of attendance and shall also document that the meeting occurred through photographs, video, or other evidence satisfactory to the City. Records of attendance may include using the mailing list referred to in #1 as a sign-in sheet (requesting attendees to check off their name(s)) and may include a supplemental attendance sheet. The City will provide a format acceptable for use as the supplemental attendance sheet.

Applicant: Piedmont Realty Holdings III LLC

By:

Signature

Print

ANDREW HOLZWARTH

Date

7.15.2020

Its:

MANAGER - PIEDMONT REALTY HOLDINGS III LLC

(Officer, Member, Trustee, etc.)



City of Charlottesville

Owner's Authorizations

(Not Required)

Right of Entry- Property Owner Permission

I, the undersigned, hereby grant the City of Charlottesville, its employees and officials, the right to enter the property that is the subject of this application, for the purpose of gathering information for the review of this Special Use Permit application.

Owner: Piedmont Realty Holdings Date _____

By (sign name): _____ Print Name: _____

Owner's: LLC Member LLC Manager Corporate Officer (specify): _____

Other (specific): _____

Owner's Agent

I, the undersigned, hereby certify that I have authorized the following named individual or entity to serve as my lawful agent, for the purpose of making application for this special use permit, and for all related purposes, including, without limitation: to make decisions and representations that will be binding upon my property and upon me, my successors and assigns.

Name of Individual Agent: Kelsey Schlein or Justin Shimp

Name of Corporate or other legal entity authorized to serve as agent: Shimp Engineering, P.C.

Owner: Piedmont Realty Holdings III LLC Date: 7.15.2020

By (sign name): [Signature] Print Name: Andrew C. Harwood

Circle one:

Owner's: LLC Member LLC Manager Corporate Officer (specify): _____

Other (specific): _____



City of Charlottesville

Disclosure of Equitable Ownership

Section 34-8 of the Code of the City of Charlottesville requires that an applicant for a special use permit make complete disclosure of the equitable ownership "real parties in interest") of the real estate to be affected. Following below I have provided the names and addresses of each of the real parties in interest, including, without limitation: each stockholder or a corporation; each of the individual officers and directors of a corporation; each of the individual members of an LLC (limited liability companies, professional limited liability companies); the trustees and beneficiaries of a trust, etc. Where multiple corporations, companies or trusts are involved, identify real parties in interest for each entity listed.

Name Andrew Holzwarth Address 6335 Woodbourne Lane Crozet

Name Michelle Holzwarth Address Va 22932

Name _____ Address _____

Name _____ Address _____

Attach additional sheets as needed.

Note: The requirement of listing names of stockholders does not apply to a corporation whose stock is traded on a national or local stock exchange and which corporation has more than five hundred (500) shareholders.

Applicant: Piedmont Realty Holdings III LLC

By:

Signature [Handwritten Signature]

Print Andrew C. Holzwarth Date 7.15.2020

Its: Manager (Officer, Member, Trustee, etc.)



City of Charlottesville

Fee Schedule

Project Name: Belmont Heights

Application Type	Quantity	Fee	Subtotal
Special Use Permit (Residential)	1	\$ 1,500	\$1,500
Special Use Permit (Mixed Use/Non-Residential)		\$ 1,800	
Mailing Costs per letter		\$1 per letter	
Newspaper Notice		Payment Due Upon Invoice	
TOTAL			

Office Use Only

Amount Received: _____ Date Paid _____ Received By: _____

Amount Received: _____ Date Paid _____ Received By: _____

Amount Received: _____ Date Paid _____ Received By: _____

Amount Received: _____ Date Paid _____ Received By: _____

SHIMP ENGINEERING, P.C.

Design Focused Engineering

Project Narrative For: Belmont Heights

Parcel Description: 570036000

Initial Submittal: July 14, 2020

Pre-App Meeting Date: July 13, 2020

	ACREAGE	EXISTING ZONING	PROPOSED ZONING	COMP PLAN DESIGNATION
TMP 57-36	.81	NCC	NCC with SUP for additional density	Neighborhood Commercial

Location:

TMP 57-36 has a physical address of 1000 Monticello Rd in Charlottesville, Va. The property is located in Charlottesville’s Belmont Neighborhood, within Belmont’s Neighborhood Commercial Corridor.

Project Proposal:

Piedmont Realty Holdings is the owner (the “owner”) of tax map parcel 57-36 in the City of Charlottesville (the “property”). On behalf of the owner, we request a special use permit to allow for additional density for a total of 11 additional residential units on the property. The property is currently zoned Neighborhood Commercial Corridor (NCC) and special use permits may permit density up to 43 DUA. Presently, there are 23 multi-family units on the property and this proposal would allow for a total of 34 units on the .81 acre parcel, for a total of 42 DUA on the property. The 11 additional units are proposed as a mixture of studio, one and two bedroom units and would be housed in a new single multi-family structure on the northern portion of the property where, at present, there is an interior travel way and parking area on the property. There will be no displacement of existing residents during the construction of the additional building on the property; this proposal has sited the new building on underutilized portion of the property. Of the 11 additional units requested, nine of them will be designated as affordable, as proposed as a condition of approval by the owner and applicant. Further discussion of the affordable housing provision is provided later in this project narrative.

The building will adhere to the maximum height requirements for the NCC District, 45’ and will meet applicable setbacks within the district.

The project design will establish:

- 1) Redevelopment of an underutilized portion of an existing multi-family property
- 2) A modern building design that is of a scale and design palette that compliments the existing neighborhood fabric
- 3) Building placement and stepback design that frames the street and existing pedestrian infrastructure in front of the site

Consistency with the Comprehensive Plan:

The development is consistent with the Comprehensive Plan in the following ways:

Chapter 1 Land Use

- *Goal 5.5 Revise the Future Land Use Map so that it represents the desired vision for the City's future. Pay special attention to increasing the supply of affordable housing, increasing employment opportunities for all citizens, and encourage the development of mixed income neighborhoods throughout the City.* This project designates 80% of the proposed units as affordable contributing to increasing the supply of affordable housing in the City. This project is within walking distance of several local employers including the restaurants in “downtown” Belmont and Charlottesville City Schools. This is an ideal opportunity to redevelop underutilized multi-family zoned property to provide additional units, of which the overwhelming majority are affordable, in close proximity to employment opportunities and neighborhood amenities.

Chapter 5 Housing

- *Goal 3: Grow the City's housing stock for residents of all income levels.* This project proposed both market rate and affordable units; this mixture of price points will directly contribute to growing the city's housing stock for residents of all income levels.

Impacts on Public Facilities & Public Infrastructure:

American Community Survey (ACS) 5 year estimates indicate the average household size in Charlottesville is 2.38 people¹. Using the ACS average, a multi-family development with a maximum of 11 proposed units could potentially yield 26 new residents living on the property.

The impacts on transportation infrastructure from 11 additional units will be minimal. Using ITE trip generation estimates for multi-family development, it is estimated that the proposed 11 additional units will contribute to five additional trips in the AM peak hour (7-9 a.m.) and six additional trips in the PM peak hour (4-6 p.m.). Given the location, it is plausible many residents will choose to walk or bike to conduct most of their daily errands and social interactions.

Since this project is proposed to be constructed on a portion of the site that is an existing travel way and parking area, there is not proposed increase in imperious surfaces on the property and therefore, there will not be a greater impact on stormwater infrastructure than the existing conditions.

Impacts on Schools:

This property lies within the Clark Elementary School district. After attending neighborhood elementary schools, all Charlottesville students attend Walker Upper Elementary School, Buford Middle School, and Charlottesville High School.

ACS 2018 5 year estimates show that there are an estimated 4,800 residents between the ages of 5-17 within City limits.² By dividing this estimate by the number of occupied housing units in the city, 18,613, it can be approximated that there are approximately .26 school-aged children per housing unit in Charlottesville.³ Since 11 units are proposed on the site, it is estimated there will be an additional two school-aged children within the development.

Proposed Conditions of Approval:

The owner and applicant is offering the following affordable housing condition to contribute to growing the City's affordable housing stock:

¹ ACS 2013-2017 5 YR Estimates Table B25010 “Average Household Size of Occupied Housing Units by Tenure”

² ACS 2018 5 YR Estimates Table DP05 “ACS Demographic and Housing Estimates”

³ ACS 2018 5 YR Estimates Table DP04 “Selected Housing Characteristics”

Affordable Housing:

80% of the total residential dwelling units built as a result of special use permit approval for additional residential density shall be For-Rent Affordable Dwelling Units (the “80% Affordable Housing Condition”). The rent for each rental housing unit which shall qualify as an Affordable Dwelling Unit (“For-Rent Affordable Dwelling Unit”) shall not exceed the U.S. Department of Housing and Urban Development’s (HUD) affordability standard of thirty percent (30%) of the income of a household making eighty percent (80%) of the area median income (as determined by HUD from time to time). In each subsequent calendar year, the monthly rent for each For-Rent Affordable Dwelling Unit may be increased up to three percent (3%). The requirement that the rents for such For-Rent Affordable Dwelling Units may not exceed the maximum rents established in this Section shall apply for a period of ten (10) years following the date the certificate of occupancy is issued by the City for each For-Rent Affordable Dwelling Unit (the “Affordable Term”).

PRELIMINARY SITE PLAN BELMONT HEIGHTS

TAX MAP 57, PARCEL 36
CHARLOTTESVILLE, VIRGINIA

LEGEND

EXISTING	NEW	DESCRIPTION
		BOUNDARIES
		BENCHMARK
		SITE PROPERTY LINE
		ADJACENT PROPERTY LINE
		BUILDING SETBACK
		PARKING SETBACK
		SITE TEXT
		PARKING COUNT
		TOPOGRAPHY
		INDEX CONTOUR
		INTERVAL CONTOUR
		SPOT ELEVATION
		TOP OF CURB ELEVATION
		TOP OF WALL ELEVATION
		BOTTOM OF WALL ELEVATION
		STREAM
		STREAM BUFFER
		100 YEAR FLOODPLAIN
		BUILDING
		RETAINING WALL
		STAIRS
		EDGE OF PAVEMENT
		ROAD CENTERLINE
		FRONT OF CURB
		BACK OF CURB
		CG-12 TRUNCATED DOME
		SIDEWALK
		BIKE PARKING
		HANDICAP ACCESSIBLE AISLE
		HANDICAP PARKING
		MATERIAL
		CONCRETE
		RIPRAP
		ASPHALT
		EC-2 MATTING
		EC-3 MATTING
		WETLAND
		TREELINE
		FENCE
		UTILITY
		UTILITY POLE
		GUY WIRE
		OVERHEAD UTILITY
		UNDERGROUND UTILITY
		STORM
		STORM MANHOLE
		DROP INLET
		STORM SEWER
		ROOF DRAIN
		SANITARY
		SANITARY MANHOLE
		SANITARY SEWER MAIN
		SANITARY SEWER LATERAL
		WATER
		WATER LINE
		WATER METER
		WATER METER VAULT
		FIRE HYDRANT
		FIRE DEPARTMENT CONNECTION
		GAS
		GAS LINE
		EASEMENTS
		CONSTRUCTION
		GRADING
		ACCESS
		SIGHT DISTANCE
		UTILITY
		STORMWATER FACILITY MAINTENANCE
		STORMWATER ACCESS
		DRAINAGE
		SANITARY
		WATERLINE
		GASLINE

OWNER/DEVELOPER

Piedmont Realty Holdings
6535 Woodbourne Lane
Crozet, VA 22932

ZONING

Neighborhood Commercial Corridor

SETBACKS

FRONT MINIMUM: None
FRONT MAXIMUM: 10'
SIDE & REAR MINIMUM & MAXIMUM: None

SOURCE OF TITLE

DB 2019 PG 318

SOURCE OF BOUNDARY AND TOPOGRAPHY

Boundary & topographic survey provided by Roudabush, Gale & Associates, Inc., 8/8/2019
2-ft contours provided by City of Charlottesville GIS

FLOODZONE

According to the FEMA Flood Insurance Rate Map, effective February 4, 2005 (Community Panel 51003C0288D), this property does not lie in a floodplain.

WATER & SANITARY SERVICES

Site is served by City of Charlottesville public water and sewer.
All waterline shutdowns must be coordinated with and performed by the City, and the developer must hand out notices to affected customers at least 48 hours in advance.

CITY PERMITS

- The contractor shall be responsible for obtaining a street cut permit from the City.
- A Temporary Street Closure Permit is required for closure of sidewalks, parking spaces, and roadways; and is subject to approval by the City Traffic Engineer. The contractor contact information will be provided with the final plans.
- The contractor shall provide adequate pedestrian barriers and circulation during construction.

FIRE MARSHAL'S NOTES

SITE PLAN:

- VSFPC 505.1-The building street number to be plainly visible from the street for emergency responders.
- VSFPC 506.1 - An approved key box shall be mounted to the side of the front or main entrance.
- VSFPC 506.1.2 - An elevator key box will be required if the building has an elevator.
- VSFPC 507.5.4 - Fire hydrants, fire pump test header, fire department connections or fire suppression system control valves shall remain clear and unobstructed by landscaping, parking or other objects.
- VSFPC 503.2.1 - Overhead wiring or other obstructions shall be higher than 13 feet 6 inches.
- VSFPC 3312.1 - An approved water supply for fire protection shall be made available as soon as combustible material arrives on the site. Fire hydrants shall be installed and useable prior to the start of any building construction.
- All pavement shall be capable of supporting fire apparatus weighing 85,000 lbs.
- Required vehicle access for fire fighting shall be provided to all construction or demolition sites. Vehicle access shall be provided to within 100 feet of temporary or permanent fire department connections. Vehicle access shall be provided by either temporary or permanent roads, capable of supporting vehicle loading under all weather conditions. Vehicle access shall be maintained until permanent fire apparatus access roads are available.
- Buildings four or more stories in height shall be provided with one standpipe for use during construction. Such standpipes shall be installed when the progress of construction is not more than 40 feet in height above the lowest level of fire department access. Such standpipe shall be provided with fire department hose connections at accessible locations adjacent to usable stairs. Such standpipes shall be extended as construction progresses to within one floor of the highest point of construction having secured decking or flooring.
- VSFPC 912.2.1 - The fire department connection shall be located on the street side of the structure unless otherwise approved by the fire code official.
- SFPC 507.5.1.1-Hydrant for standpipe system- Buildings equipped with a standpipe system installed in accordance with Section 905 shall have a fire hydrant within 100 feet of fire department connections. The distance shall be permitted to exceed 100 feet where approved by the fire code official.
- VSFPC 503.2.1 Overhead wiring or other obstructions shall be higher than 13 feet 6 inches.
- VSFPC 3312.1 An approved water supply for fire protection shall be made available as soon as combustible material arrives on site.
- VSFPC 905.3.1 If the floor level of the highest story is more than 30 feet above the lowest level of fire department vehicle access, then a Class I standpipe must be installed in addition to the sprinkler system.
- VSFPC 3311.1 Where a building has been constructed to a height greater than 50 feet or four (4) stories, at least one temporary lighted stairway shall be provided unless one or more of the permanent stairways are erected as the construction progresses.
- VSFPC 503.3 Marking Fire Lanes, The location and method of marking fire lanes shall be clearly indicated on the submitted plan. Fire lanes shall be a minimum of 20 feet in width. Signs and markings to delineate fire lanes as designated by the fire official shall be provided and installed by the owner or his/her agent of the property involved. Fire apparatus roads 20 to 26 feet in width shall be posted or marked on both sides "No Parking-Fire Lane."
- VSFPC 3313.1 Where required-Buildings four or more stories in height shall be provided with not less than one standpipe for use during construction. Such standpipes shall be installed when the progress of construction is not more than 40 feet in height above the lowest level of fire department access. Such standpipes shall be provided with fire department hose connections at accessible locations adjacent to usable stairs. Such standpipes shall be extended as construction progresses to within one floor of the highest point of construction having secured decking or flooring.
- VSFPC 507.5.1.1 Hydrant for standpipe system-Buildings equipped with a standpipe system installed in accordance with Section 905 shall have a fire hydrant within 100 feet of the fire department connections. The distance shall be permitted to exceed 100 feet where approved by the fire code official.

CONSTRUCTION & DEMOLITION:

- VSFPC 310.3: 310.5 - Smoking to be allowed in only designated spaces with proper receptacles.
- VSFPC 3304.2 - Waste disposal of combustible debris shall be removed from the building at the end of each workday.
- IFC 1410.1-Access to the building during demolition and construction shall be maintained.
- VSFPC 3304.6 - Operations involving the use of cutting and welding shall be done in accordance with Chapter 35, of the Virginia Statewide Fire Prevention Code, addressing welding and hotwork operations.
- VSFPC 3315.1 - Fire extinguishers shall be provided with not less than one approved portable fire extinguisher at each stairway on all floor levels where combustible materials have accumulated.
- VSFPC 3310.1 - Required vehicle access for fire fighting shall be provided to all construction or demolition sites. Vehicle access shall be provided to within 100 feet of temporary or permanent fire department connections, if any. Vehicle access shall be provided by either temporary or permanent roads, capable of supporting vehicle loading under all weather conditions. Vehicle access shall be maintained until permanent fire apparatus access roads are available.

BUILDING HEIGHTS

Maximum Allowable: 45'

EXISTING USE

Multifamily

PROPOSED USE

Building addition of 11 units total, 9 affordable units, 2 market rate units (see proposed affordable housing conditions)
Residential density of 42 DUA for TMP 57-36

LAND USE SCHEDULE

EXISTING	Area	%
Building	6,055.1 SF	17.2%
Pavement	11,949.8 SF	34.0%
Sidewalk	5,134.6 SF	14.6%
Open space	12,050.5 SF	34.2%
Total=	35,190 SF	(0.808 ac.)

PROPOSED	Area	%
Building	7,801.9 SF	22.2%
Pavement	10,878.4 SF	30.9%
Sidewalk	5,522.4 SF	15.7%
Open space	10,987.3 SF	31.2%
Total=	35,190 SF	(0.808 ac.)

PARKING SCHEDULE

Existing 23 units: (22) Efficiency/1-bedroom/2-bedroom units, 1 space/unit, 22 spaces required
(1) 3-bedroom unit, 2 spaces/unit, 2 spaces required
24 spaces required for existing Belmont Apartment units

Proposed 11 units: (11) 1-bedroom/2-bedroom units, 1 space/unit, 11 additional spaces required
35 spaces required for TMP 57-36
35 spaces provided

Per Sec. 34.977(b)(2), up to 30% of the required off-street parking spaces may be designed for compact cars:
Maximum allowable of 10 compact parking spaces
10 compact parking spaces provided

ITE Trip Generation

Use	ITE Code	IV	AM			PM			Daily Total
			In	Out	Total	In	Out	Total	
Multifamily Housing (Mid-Rise)	221	23 Dwelling Units (Existing)	2	6	8	6	4	10	124
Multifamily Housing (Mid-Rise)	221	11 Dwelling Units (Proposed)	1	3	4	3	2	5	58

ITE Trip Generation, 10th Generation Edition reflects AM and PM peak hour traffic.

SIGNS

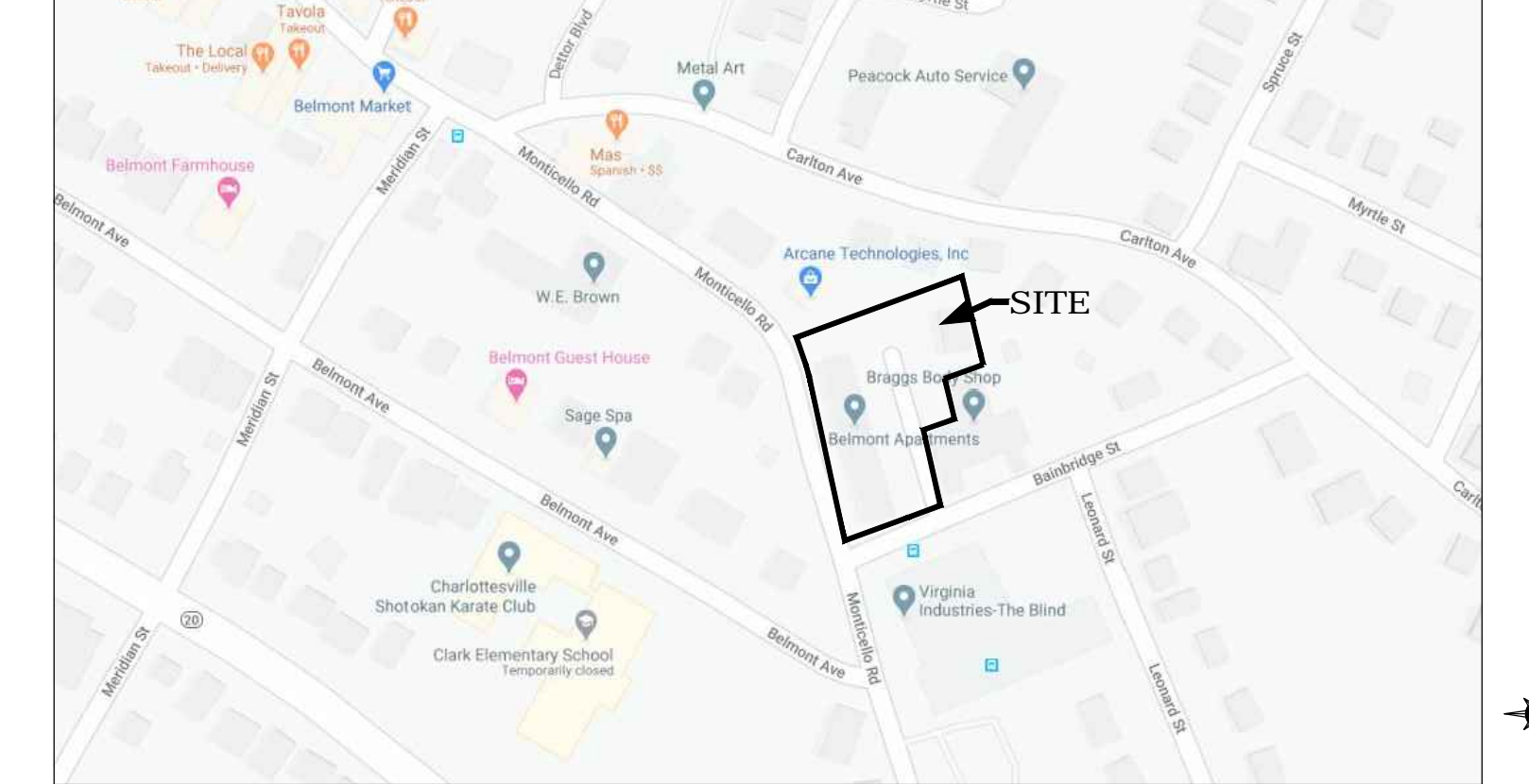
All signs and pavement shall conform with the latest edition of the MUTCD Guidelines.
A sign permit must be issued in accordance with the City of Charlottesville Sign Regulations prior to placement of any signs on-site.

GENERAL NOTES

- All excavation for underground pipe installation must comply with OSHA Standards for the Construction Industry (29 CFR Part 1926).
- The location of existing utilities across or along the line of the proposed work are not necessarily shown on the plans and where shown based on "MISS UTILITY" markings and are only approximately correct. The contractor shall locate all underground lines and structures as necessary.
- The contractor shall verify the locations of all boundaries, buildings, existing elevations, vegetation and other pertinent site elements. Contractor shall immediately report any discrepancies to the engineer of record.
- The contractor shall be responsible for notifying "MISS UTILITY" - 1-800-552-7001.
- Any damage to existing utilities caused by the contractor or its subcontractors shall be the contractor's sole responsibility to repair. This expense is the contractor's responsibility.
- All paving, drainage related materials and construction methods shall conform to current specifications and standards of the City of Charlottesville unless otherwise noted.
- An erosion and sediment control plan is required with this site plan.
- All slopes and disturbed areas are to be fertilized, seeded and mulched. The maximum allowable slope is 2:1. Where it is reasonably obtainable, lesser slopes of 3:1 or better are to be achieved.
- Paved, rip-rap or stabilization mat lined ditch may be required when in the opinion of the Engineer it is deemed necessary in order to stabilize a drainage channel.
- All traffic control signs shall conform to the 2011 Virginia Supplement to the 2009 Manual on Uniform Control Devices.
- Unless otherwise noted all concrete pipe shall be reinforced concrete pipe - Class III.
- All material inside concrete forms shall be clean and free of all rocks and other loose debris. Sub-base material shall be compacted by mechanical means. Remove all standing water from area inside forms.
- Concrete and asphalt shall not be placed unless the air temperature is at least 40 degrees in the shade and rising. Material shall not be placed on frozen subgrade.
- All existing curbs, curb and gutters and sidewalks to be removed shall be taken out to the nearest joint.
- Existing asphalt pavement shall be saw cut and removed as per VDOT Road and Bridge Specifications 2016. Removal shall be done in such a manner as to not tear, bulge or displace adjacent pavement. Edges shall be clean and vertical. All cuts shall be parallel or perpendicular to the direction of traffic.
- The contractor shall exercise care to provide positive drainage to the storm inlets or other acceptable drainage paths in all locations.
- Contact information for any necessary inspections with City: E&S inspector, NDS- 970-3182 (for the E&S inspections) Project inspectors, NDS-970-3182 (for other construction items like sidewalk, pavement patches, road, storm sewer etc) Water and Sanitary Sewer-Public Works 970-3800 Street cut, Public Works 970-3800 Other public ROW issues-City Engineer 970-3182.
- Any sidewalk and/or curb damage identified in the site vicinity due to project construction activities as determined by City inspector shall be repaired at the contractor's expense.
- A temporary street closure permit is required for closure of sidewalks, parking spaces and roadways and is subject to approval by the City Traffic Engineer.
- Per the Virginia Department of Health Waterworks Regulation (Part II, Article 3, Section 12 VAC 5-590 through 630), all buildings that have the possibility of contaminating the potable water distribution system (hospitals, industrial sites, breweries, etc) shall have a backflow prevention device installed within the facility. This device shall meet specifications of the Virginia uniform Statewide Building Code, shall be tested in regular intervals as required, and test results shall be submitted to the Regulatory Compliance Administrator in the Department of Utilities.
- All buildings that may produce wastes containing more than one hundred (100) parts per million of fats, or grease shall install a grease trap. The grease trap shall meet specifications of the Virginia Uniform Statewide Building Code, maintain records of cleaning and maintenance, and be inspected on regular intervals by the Regulatory Compliance Administrator in the Department of Utilities.
- Please contact the Regulatory Compliance Administrator at 970-3032 with any questions regarding the grease trap or backflow prevention devices.

VICINITY MAP

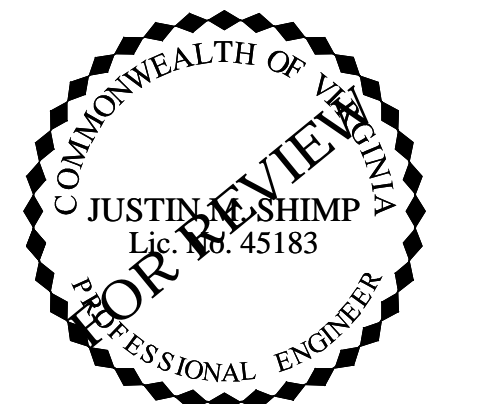
SCALE : 1"=200'



Map provided by Google.com



912 E. HIGH ST.
CHARLOTTESVILLE VA, 22902
434.227.5140
JUSTIN@SHIMP-ENGINEERING.COM



PRELIMINARY SITE PLAN
CITY OF CHARLOTTESVILLE, VA
BELMONT HEIGHTS

SUBMISSION:
2020.07.14
REVISION:

APPROVALS

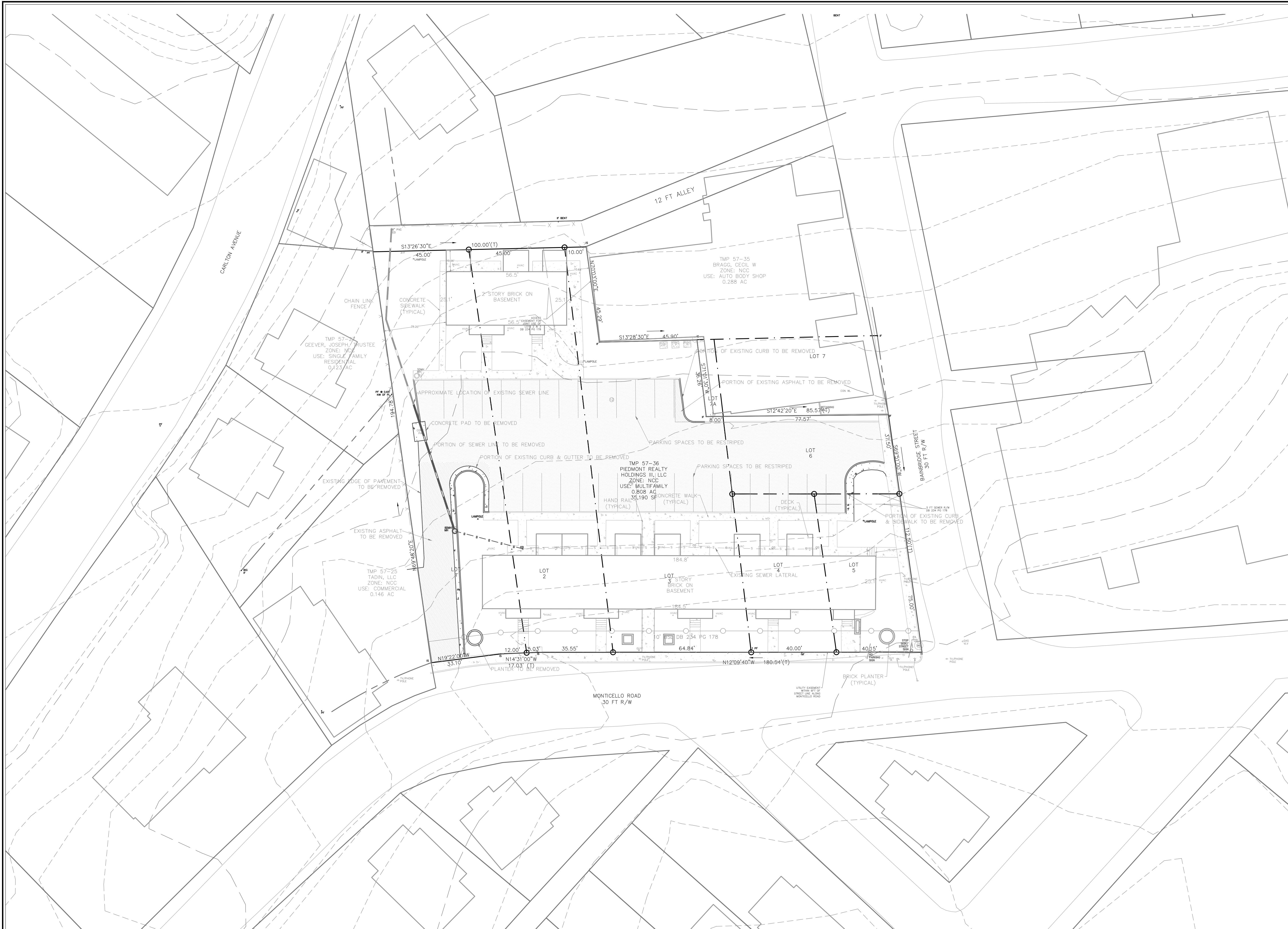
Director of Neighborhood Development Services Date

FILE NO. 20.020

COVER

SHEET C1 OF 3

C1



912 E. HIGH ST. CHARLOTTEVILLE VA, 22902 434.227.5140 JUSTIN@SHIMP-ENGINEERING.COM



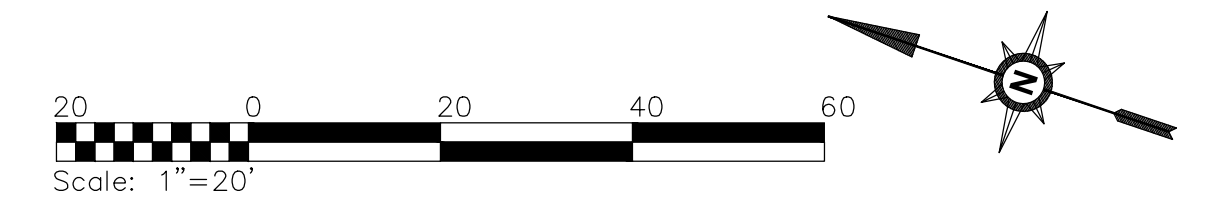
PRELIMINARY SITE PLAN
CITY OF CHARLOTTEVILLE, VA
BELMONT HEIGHTS

SUBMISSION:
2020.07.14
REVISION:

FILE NO. 20.020

EXISTING CONDITIONS

SHEET C2 OF 3



C2



TMP 57-35
BRAGG, CECIL W
ZONE: NCC
USE: AUTO BODY SHOP
0.288 AC

TMP 57-27
JOSEPH, TRUSTEE
ONE: NCC
SINGLE FAMILY
RESIDENTIAL
0.123 AC

TMP 57-25
TADIN, LLC
ZONE: NCC
USE: COMMERCIAL
0.146 AC

SHIMP ENGINEERING
LAND PLANNING - PROJECT MANAGEMENT

912 E. HIGH ST.
CHARLOTTEVILLE VA, 22902

434.227.5140
JUSTIN@SHIMP-ENGINEERING.COM



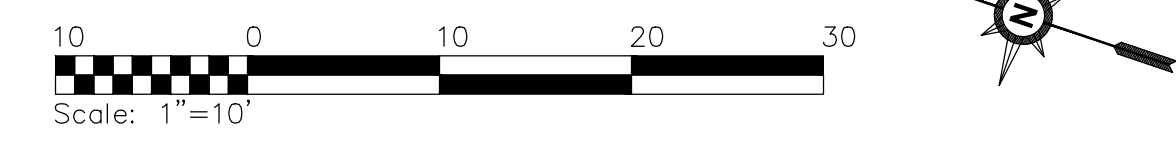
PRELIMINARY SITE PLAN
CITY OF CHARLOTTEVILLE, VA
BELMONT HEIGHTS

SUBMISSION:
2020.07.14
REVISION:

FILE NO. 20.020

SITE PLAN

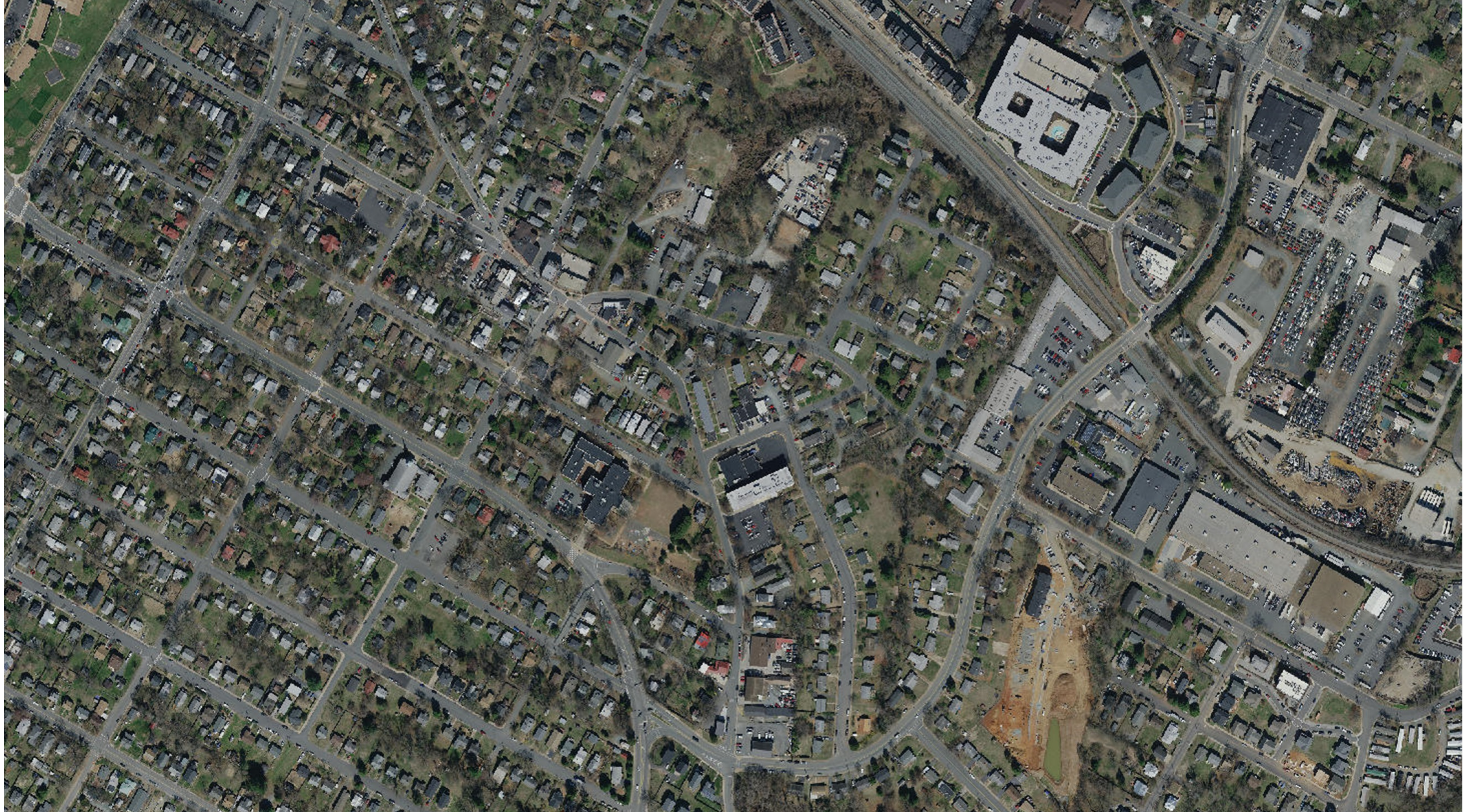
SHEET C3 OF 3



C3

BELMONT HEIGHTS SITE CONTEXT

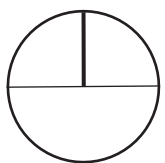
Sheet 1 of 4



TMP(s) 23-133, 23-134, 23-135

SUBMITTED 14 JULY 2020

project: 20.010



BELMONT HEIGHTS

SITE & SPECIAL USE PERMIT INFO

Sheet 2 of 4

OWNER/DEVELOPER

Piedmont Realty Holdings
6535 Woodbourne Lane
Crozet, VA 22932

TMP(s)

57-36

ACREAGE

0.808

NEIGHBORHOOD

Belmont

CRITICAL SLOPES

No critical slopes are present on the property.

FLOODZONE

According to the FEMA Flood Insurance Rate Map, effective date February 4, 2005 (Community Panel 51003C0288D), this property does not lie within a floodplain.

USE

EXISTING: Multifamily
PROPOSED: Multifamily; 11 units proposed (9 affordable units, 2 market rate units)

ZONING

EXISTING: Neighborhood Commercial Corridor
PROPOSED: Neighborhood Commercial Corridor, with special use for increased density, <43 DUA

DENSITY

COMPREHENSIVE PLAN DESIGNATION: Neighborhood Commercial
PROPOSED: 11 units proposed + 23 units existing = 34 total units, 42 DUA

BUILDING HEIGHT

Per Section 34-353 of the Charlottesville Zoning Ordinance, a maximum building height of 45' shall be permitted

SETBACKS

Per Section 34-698 of the Charlottesville Zoning Ordinance, setbacks shall be permitted as follows:
PRIMARY STREET* FRONT MINIMUM: None
PRIMARY STREET* FRONT MAXIMUM: 10'
SIDE & REAR ADJACENT TO ANY OTHER DISTRICT:
None

*Primary street: Monticello Road

TMP(s) 23-133, 23-134, 23-135

SUBMITTED 14 JULY 2020

project: 20.010

SHIMP ENGINEERING, P.C.

BELMONT HEIGHTS SITE OVERVIEW

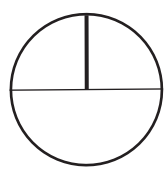
Sheet 3 of 4



TMP(s) 23-133, 23-134, 23-135

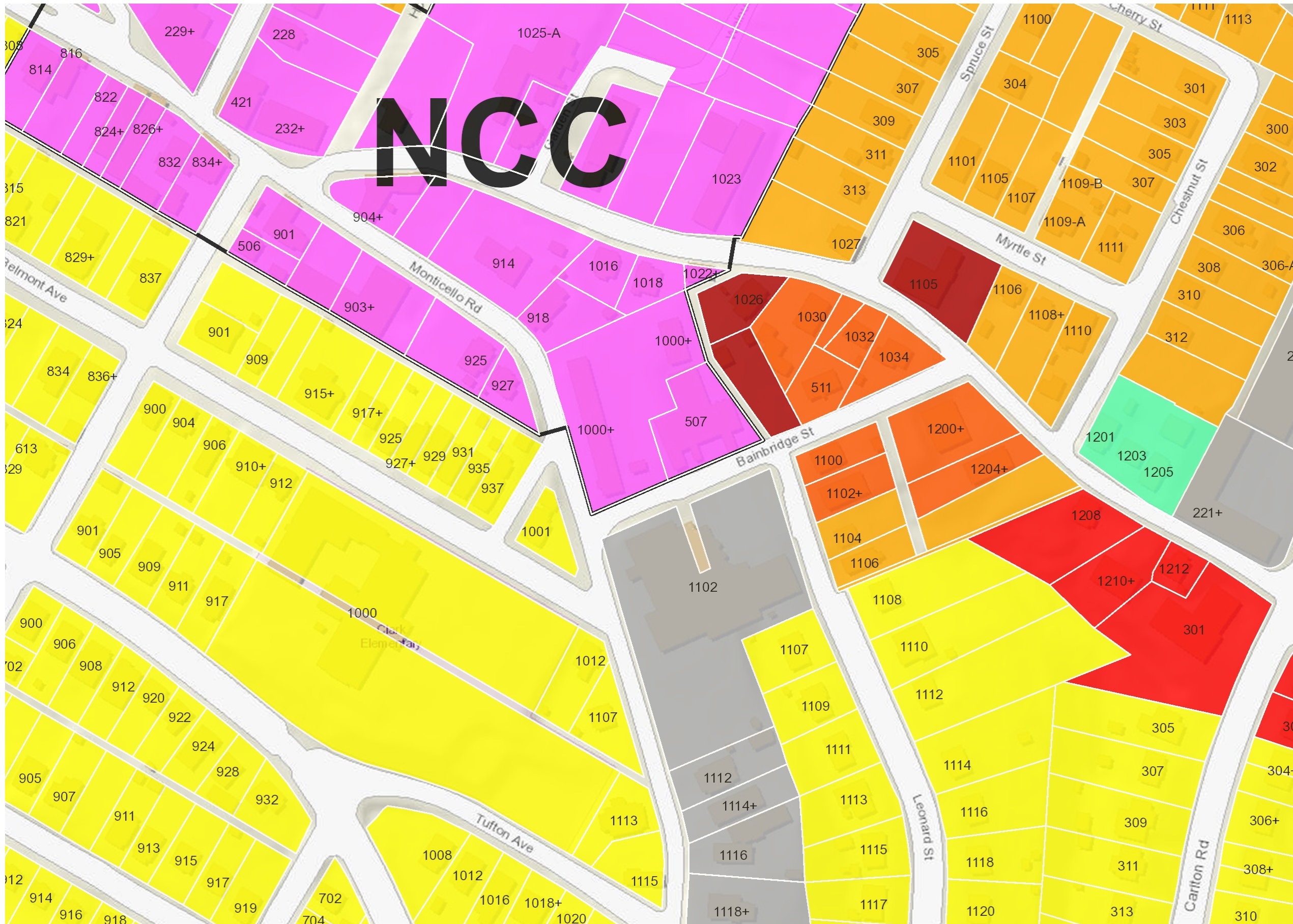
SUBMITTED 14 JULY 2020

project: 20.010



BELMONT HEIGHTS ZONING MAP

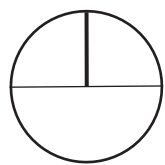
Sheet 4 of 4

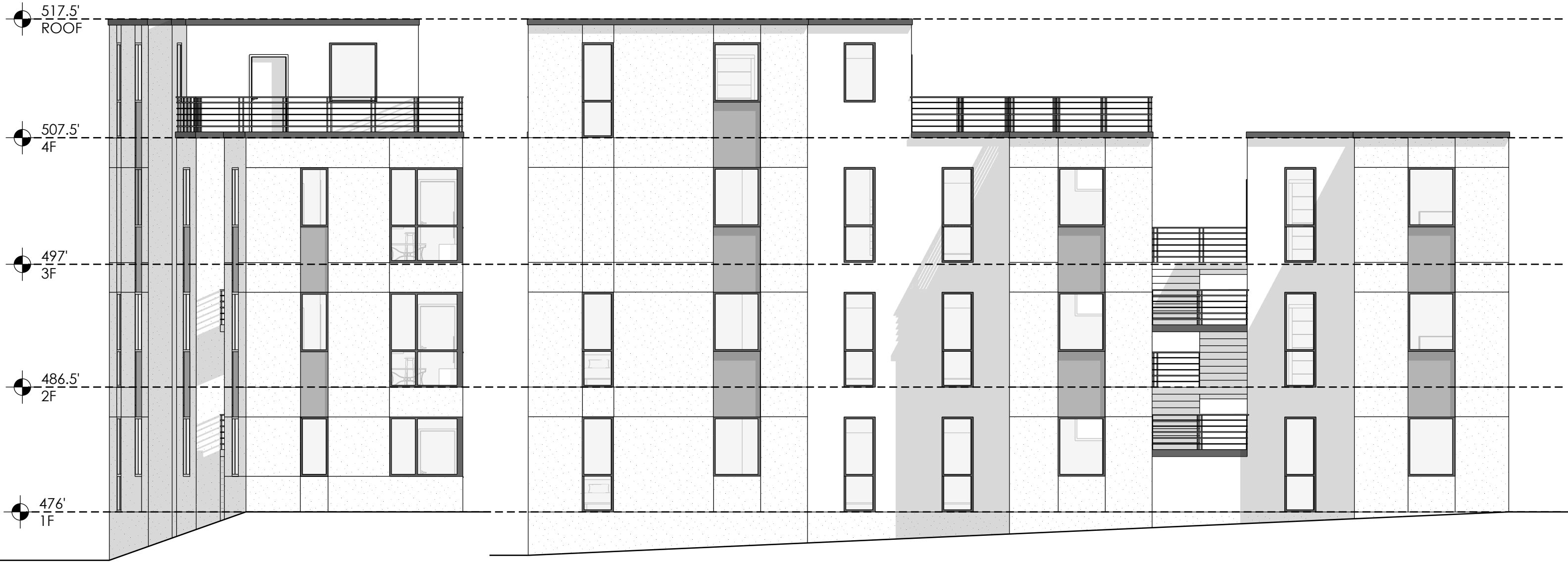


TMP(s) 23-133, 23-134, 23-135

SUBMITTED 14 JULY 2020

project: 20.010





WEST ELEVATION (MONTICELLO ROAD)
1/8" = 1'

NORTH ELEVATION (ADJACENT LOT)
1/8" = 1'









SHIMP ENGINEERING, P.C.
Design Focused Engineering

Shimp Engineering
Kelsey Schlein, Project Representative
912 E High St. Charlottesville, VA 22902
kelsey@shimp-engineering.com
(434) 227-5140

RE: **VIRTUAL** Community Meeting | 1000 Monticello Road

Dear Neighbor,

On behalf of Piedmont Realty Holdings III, LLC, we, Shimp Engineering, invite you to review information and provide comments regarding our request for a special use permit to increase the allowable residential density on tax parcel 570036000; this is a .81-acre parcel with a physical address of 1000 Monticello Road in Charlottesville's Belmont Neighborhood. This special use permit request is to increase the allowable residential density on the property up to 43 dwelling units per acre (DUA). The property currently has 23 multi-family units and, if approved, this special use permit request would allow for 11 additional multifamily units to be constructed on the .81-acre parcel, for a total residential density of 42 DUA. The proposed 11 additional units are to be a mixture of studio, one and two bedroom units, and would be housed in a new multi-family building on the property. The new building is proposed on a portion of the existing parking lot and will be constructed adjacent to the existing multi-family buildings on the property, there are no proposed changes to the existing residential units on this property with this special use permit request. Of the proposed 11 units requested, nine of them will be designated as affordable, proposed as a condition of approval by the owner and applicant.

Included with this letter is a context map identifying the property and the site plan sheet from the preliminary site plan that was submitted as part of the special use permit request. Additionally, renderings of the proposed building are included on the reverse side of this letter. To help prevent the transmission of COVID-19, we invite you to ask questions and share comments about the proposed special use permit request and City review procedures at a virtual community meeting. **The virtual meeting will be held through an online video stream on Thursday, October 8 at 6:30 p.m.**

There are several ways that you can learn more about this project, share your comments, or ask questions about this proposal:

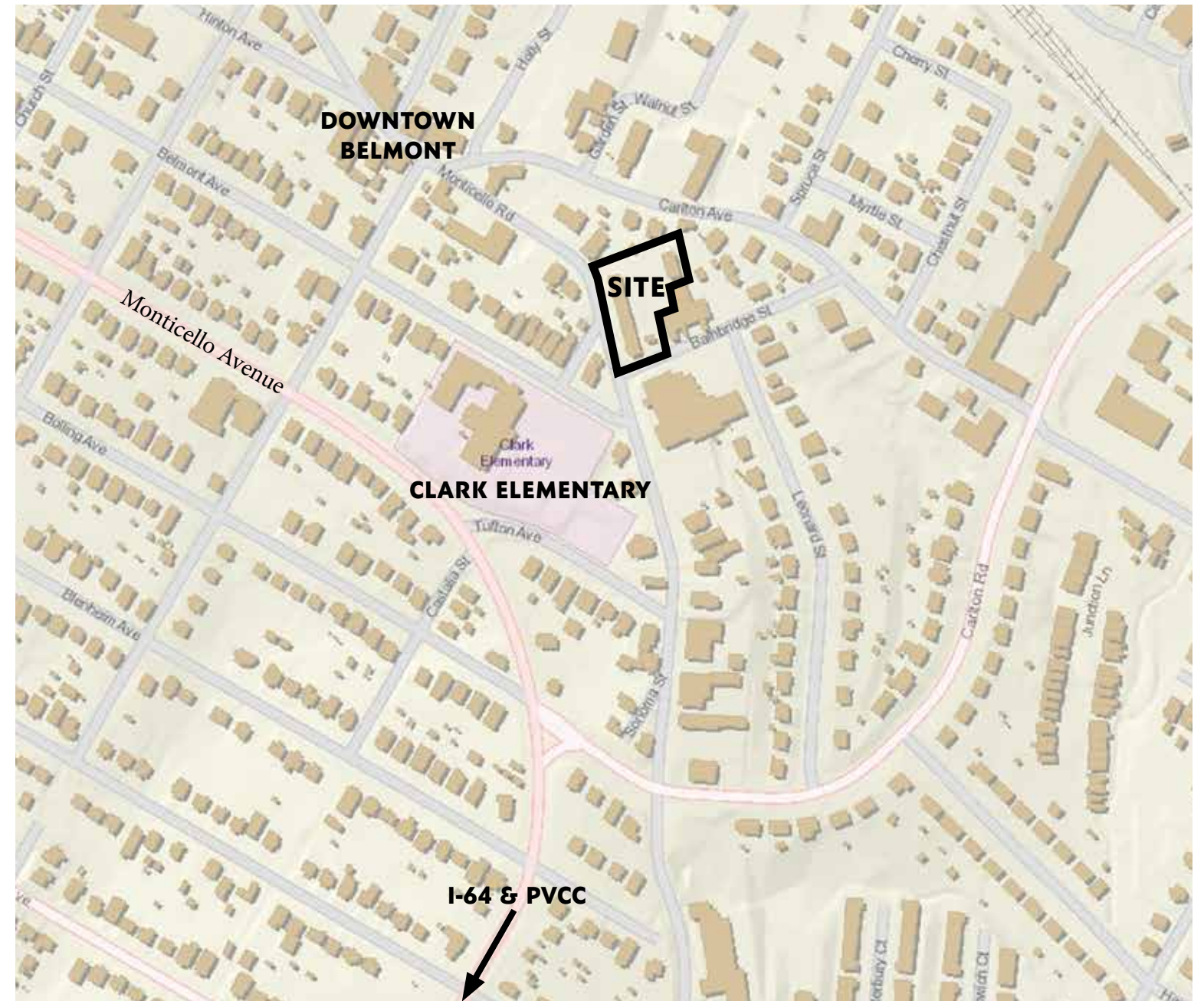
1. Attend the live virtual community meeting using the "Virtual Meeting Instructions" included with this letter
2. Submit written comments using the included pre-postage paid envelope included with this notification packet
3. Contact me directly to review the full application packet and I will coordinate with you on the best way for you to view the application. You can contact me by phone or email using the contact information provided at the top left corner of this letter or you can use the pre-postage paid envelope to write to me and request to view the plans. To help prevent the transmission of COVID-19, it is preferred that I share these plans with you digitally or by mail, however, if you'd like to come by our office at 912 E. High St. I can arrange an appointment time with you for any non-holiday Monday - Friday 9 a.m. - 5 p.m.
4. Contact the lead City reviewer directly with questions or comments: Brian Haluska, haluska@charlottesville.gov

If you choose to submit comments about this project, please do so by **November 3, 2020**. We look forward to hearing from you.

Sincerely,

Kelsey Schlein

Kelsey Schlein



Virtual Meeting Instructions:

ONLINE

Download the Zoom application.
Please visit the link below to join the webinar:
<https://us02web.zoom.us/j/87362186060>

BY PHONE/CALL-IN

Dial (301) 715-8592
Type in the Webinar ID: 873 6218 6060

If you have any questions about logging into the virtual meeting, please contact me directly, kelsey@shimp-engineering.com

1000 Monticello Road Multifamily
Proposed Site Plan



Building Renderings



Materials

- Presentation slides

Agenda

1. **Overview of recent public engagement activities (15 minutes)**

Note: A full summary of input received through December 2 is forthcoming, expected by the end of the year.

2. **Next steps (30 minutes)**

- A. Schedule and Next Steps
- B. Future Land Use Map

3. **Additional discussion (Approx. 15 minutes)**

CVILLE PLANS
TOGETHER 



Project Update & Next Steps

Meeting with the Planning Commission

December 8, 2020

Engagement Update

CVILLE **PLANS**
TOGETHER 

Public Comment Period Through December 2

Draft Affordable Housing Plan

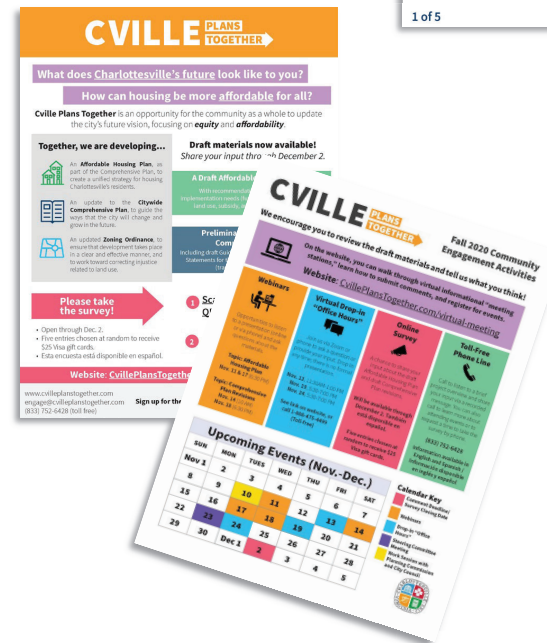
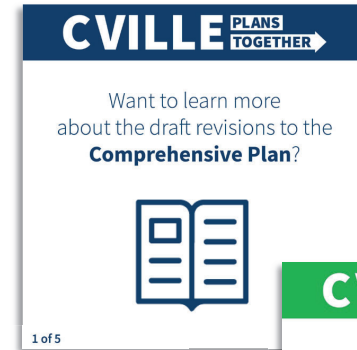
- **Recommendations** for improving housing affordability

Draft initial Comprehensive Plan revisions

- **Guiding Principles** - Overarching priorities for the entire Comprehensive Plan
- **Vision Statements** - Priorities for each topic-specific chapter

Outreach Methods

- **Peer Engagers**
 - Flyer distribution, conversations in neighborhoods
- **Project website and email list**
- **Social media** (Instagram, Facebook, Twitter)
- **Press releases**
- **Direct emails & phone calls**
- **A toll-free phone number**



Events and Opportunities

<p>Webinars</p>  <p>Opportunities to listen to a presentation (online or via phone) and ask questions about the materials.</p> <p>Topic: Affordable Housing Plan Nov. 11 & 17 (6:30 PM)</p> <p>Topic: Comprehensive Plan Revisions Nov. 14 (10 AM) Nov. 18 (6:30 PM)</p>	<p>Virtual Drop-in “Office Hours”</p>  <p>Join us via Zoom or phone to ask a question or provide your input. Drop in any time; there is no formal presentation at these sessions.</p> <p>Nov. 13, 11:30AM-1:00 PM Nov. 19, 5:30-7:00 PM Nov. 23, 5:00-6:30 PM (rescheduled for 11/24) Nov. 24, 5:30-7:00 PM</p>	<p>Online Survey</p>  <p>A chance to share your input about the draft Affordable Housing Plan and draft Comprehensive Plan revisions.</p> <p>Will be available through December 2. También está disponible en español.</p> <p>Five entries chosen at random to receive \$25 Visa gift cards.</p>	<p>Toll-Free Phone Line</p>  <p>Call to listen to a brief project overview and share your input via a recorded message. You can also call to learn more about attending events or to request a time to take the survey by phone.</p> <p>(833) 752-6428</p> <p>Information available in English and Spanish / Información disponible en inglés y español</p>
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Website:

- CvillePlansTogether.com/virtual-meeting/

Other Events:

- PC/Council Work Session Nov. 10
- Steering Committee Nov. 23

Levels of Participation

Online Survey

- 160 participants as of Nov. 30

Email/Website Comment Form

- Approximately 40 received as of Nov. 30

Four Webinars

- 12-35 people per event
- Polls and Q&A at all events

Peer Engager Distribution & Discussions

- 800+ flyers and door hangers distributed

Virtual Drop-in & Toll-free Phone Line had lower participation

<p>Webinars</p>  <p>Opportunities to listen to a presentation (online or via phone) and ask questions about the materials.</p> <p>Topic: Affordable Housing Plan Nov. 11 & 17 (6:30 PM)</p> <p>Topic: Comprehensive Plan Revisions Nov. 14 (10 AM) Nov. 18 (6:30 PM)</p>	<p>Virtual Drop-in "Office Hours"</p>  <p>Join us via Zoom or phone to ask a question or provide your input. Drop in any time; there is no formal presentation at these sessions.</p> <p>Nov. 13, 11:30AM-1:00 PM Nov. 19, 5:30-7:00 PM Nov. 23, 5:00-6:30 PM (rescheduled for 11/24) Nov. 24, 5:30-7:00 PM</p>	<p>Online Survey</p>  <p>A chance to share your input about the draft Affordable Housing Plan and draft Comprehensive Plan revisions.</p> <p>Will be available through December 2. También está disponible en español.</p> <p>Five entries chosen at random to receive \$25 Visa gift cards.</p>	<p>Toll-Free Phone Line</p>  <p>Call to listen to a brief project overview and share your input via a recorded message. You can also call to learn more about attending events or to request a time to take the survey by phone.</p> <p>(833) 752-6428</p> <p>Information available in English and Spanish / Información disponible en inglés y español</p>
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Draft Community Input Themes (So Far)

A full summary of all activities and input is forthcoming, and expected by the end of December.

Some initial “themes” of comments we are receiving include the items below. This is not a comprehensive list, as comments are still being compiled and reviewed:

- **General agreement** with the direction of the draft Affordable Housing Plan and Comprehensive Plan Revisions (from the survey)
- A need to clarify **terminology** (“soft density,” for example)
- Desire for more explicit support for **homeownership**
- Questions and concerns about the recommendation **to commit \$10M each year**, for 10 years, to housing affordability (particularly given COVID-related financial constraints)
- Concerns about the potential **impacts of housing recommendations** on existing residents, particularly those who may be at risk of displacement

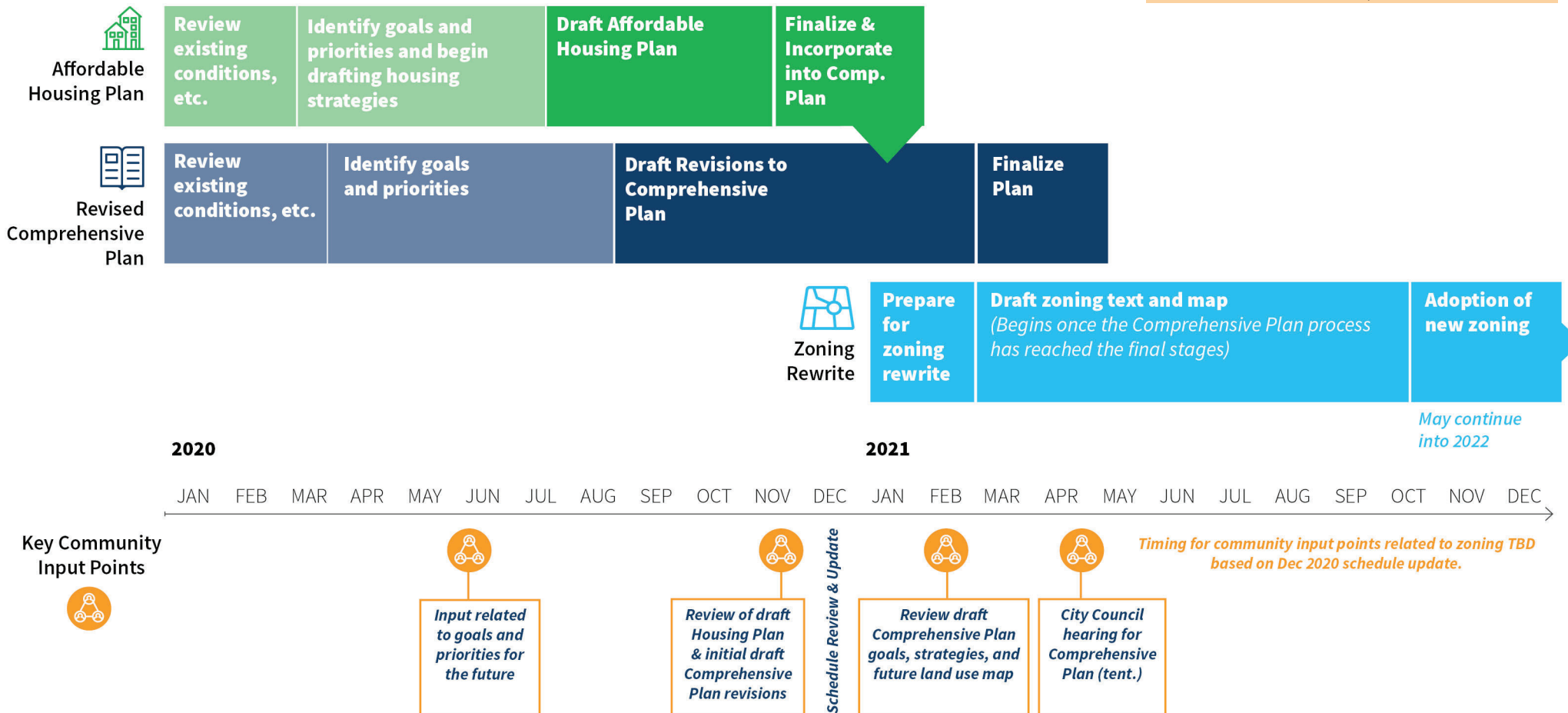
Next Steps

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TOGETHER 

Revisions & Next Steps

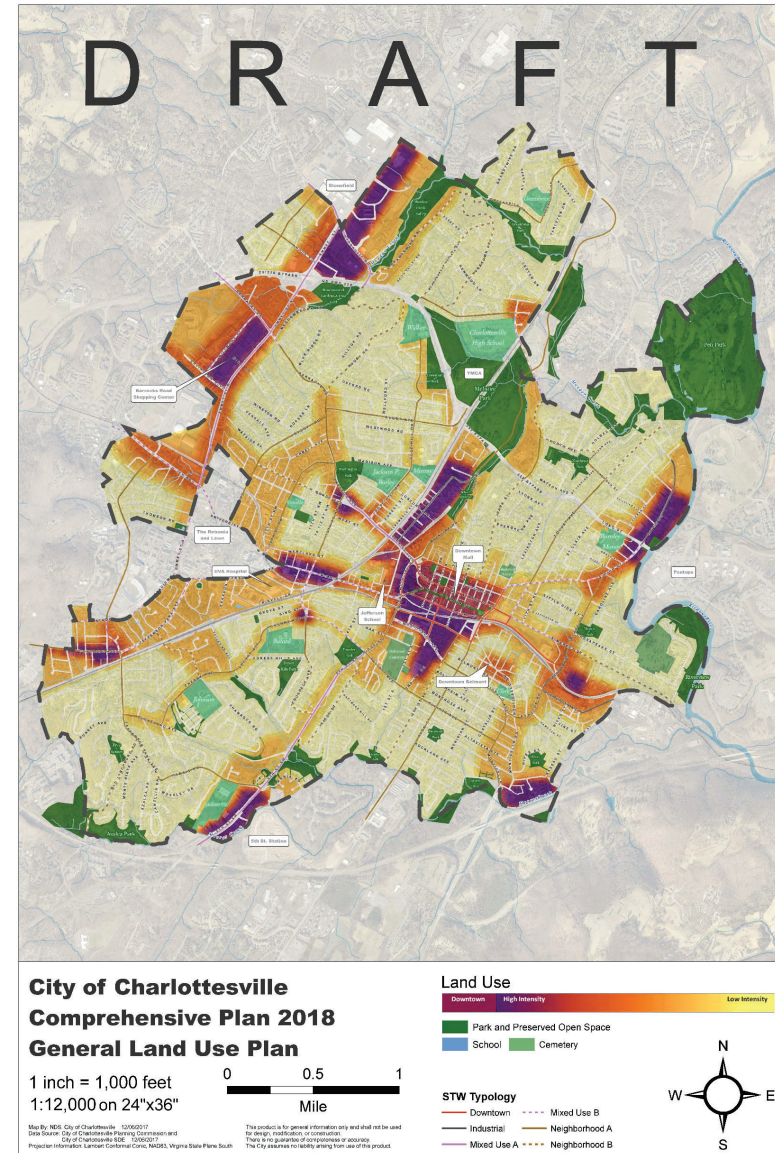
- We will work through December to **compile all community input** we received.
- **Comprehensive Plan – Next Steps**
 - Revisions to Guiding Principles and Vision Statements based on input received.
 - Revisions to the Goals and Strategies within the topic-specific chapters.
 - Revisions to the future land use map.
- **Affordable Housing Plan – Next Steps**
 - Revisions based on input received.

Current Schedule, for Discussion



Future Land Use (FLU) Map

- **The map shown here is the most recent draft from 2018.**
 - It is also available at cvilleplanstogether.com/document-media-center/, under “Related Plans, Studies, and Other Documents”
- **Looking at this last draft land use map, and considering the 2017-2018 process...**
 - If this draft FLU map went out as a current draft today, what do you think the general reaction would be?
 - What aspects of this FLU map would you like to see retained?
 - What would you like to see changed to reflect the Affordable Housing Plan recommendations and the city’s commitment to equity?
 - Are there other changes to the FLU map that you would recommend for consideration?



Contact Information



Website

- CvillePlansTogether.com

Email: Engage@CvillePlansTogether.com



Social Media

- @CvillePlans (Facebook, Twitter)
- @CvillePlansTogether (Instagram)



Toll-free Phone Number: (833) 752-6428



Minutes

PLANNING COMMISSION REGULAR MEETING
September 9, 2020 – 5:30 P.M.
Virtual Meeting

I. COMMISSION PRE-MEETING (Agenda discussion(s))

Beginning: 5:00 PM

Location: Virtual/Electronic

Members Present: Chairman Mitchell, Commissioner Solla-Yates, Commissioner Stolzenberg, Commissioner Lahendro, Commissioner Dowell, Commissioner Green, Commissioner Palmer, Commissioner Heaton

Staff Present: Patrick Cory, Joey Winter, Missy Creasy, Joe Rice, Craig Fabio, Lisa Robertson, Brennen Duncan, Jack Dawson, Matt Alfele, Paul Oberdorfer, Read Brodhead, Jeff Werner, Alex Ikefuna

Chair Mitchell called the meeting to order at 5:00pm and began review of the agenda. He asked if there were any questions on the consent agenda. Commissioner Stolzenberg asked about the lighting condition noted for the ERB application requiring that the fixture be dimmable. Missy Creasy and Jeff Werner provided background. Commissioner Stolzenberg noted that he was okay with 3000k but was concerned about requiring it to be dimmable. Mr. Werner provided background on the dimmable fixture request. Commissioner Stolzenberg noted that the diagram on page 93 of the packet did not provide a dimmable fixture and Mr. Werner noted that one was available. It was determined that Mr. Werner would gather additional information and share it in the meeting.

Commissioner Solla Yates noted that on pages 16 and 19 of the minutes his wording needs to change to “in all zones” rather than “any zones.” It was noted that he would request that change that as part of the motion he provides for approval of the consent agenda.

Ms. Creasy provided background on the family day home item.

II. COMMISSION REGULAR MEETING – Meeting called to order at 5:30 PM by Ms. Creasy

Beginning: 5:30 PM

Location: Virtual/Electronic

A. COMMISSIONER’S REPORT

Commissioner Green – I did attend a TJPDC meeting at the end of August. There was a required vote for the funding for rent relief and mortgage relief. There is money there from the CARES Act. If you need rent and mortgage relief, please go to the TJPDC website. There is a popup for more information. There is still money left at the state. The more money we need, the more money we get. If we need it and use it, there is more money for us to get. I attended the Rivanna Steering Committee about the next plans for a bike/pedestrian crossing. After being on that committee and watching these potential improvements

happening, I was elated at what we saw and how the TJPDC is moving us along. They are going to be doing some more public outreach. Make sure you are providing your input.

Commissioner Stolzenberg – I attended the PLACE Design Task Force. We discussed the 10th and Grady smart scale application plans. There are a lot of concerns that by doing this as a smart scale application rather than a small area plan, it's going to be automobile focused or road centered on that intersection. The alternative is to do a bunch of community engagement in advance, which is not funded until we get funding from the state for smart scale. We considered a motion to recommend that a small area plan be pursued for the corridor instead. We actually recommended that as the consultants for the comp plan do their outreach to the people in that area, they put out a few questions about what their vision for that intersection and corridor are. Instead of a small area plan, where we are looking at results in the future, we can combine our two efforts, keep the smart scale rolling, and start to get some good preliminary input before the full scale smart scale engagement comes through in a few years. The Chair and Vice-Chair of PLACE have resigned. We have a meeting tomorrow to discuss the future of the PLACE Design Task Force; whether it is useful in its current form, whether the Planning Commission and Council are listening to its recommendations, whether it is actively making recommendations, and how it should look going forward. Once that is decided, we will elect new officers to replace the old officers. There will be an MPO Tech meeting next Tuesday.

Commissioner Heaton – No Report

Commissioner Dowell – I attended the CIP meeting last Thursday. We are now meeting quarterly instead of annually to try to stay ahead of some of the projects that we have been discussing. A couple of the big topics that were on the agenda were the Walker/Buford reconfiguration. We are still deliberating about the configuration and moving forward on it. We voted, as a body, to table it. We are not tabling it completely. This is a project that has been talked about for the last 10 years. At this time, we came to a consensus that we did not feel comfortable spending \$350,000 on a plan that may not work, especially during the times that we are currently in. We feel that it would be important to get public input again because people may not feel the same pre-coronavirus as they do post-coronavirus. We don't want to people to think that we don't want to move forward. It is tabled for the next 3 to 6 months. Another thing that was a hot topic was the facilities maintenance update for the schools. They have been using Survey 123 to streamline their work orders and the flow of the process. We also went over different definitions of what CCS wants to clarify. We have three new categories. They have sectioned them in facilities maintenance, capital improvement projects, and facilities services. Facilities services is something we voted on as more of smaller projects, where they don't necessarily need to go through facilities maintenance to get those things done and it can be done quicker.

Commissioner Solla-Yates – No Report

Commissioner Lahendro – The Board of Architectural Review did meet August 18th. There were four Certificates of Appropriateness issued. One was deferred. We approved a letter of support for placing the Jackson Burley School on the state and national registers of historic places. That will be going to the state in two weeks. The Tree Commission met on August 26th. This was the first time we have met since last March. We spent a lot of time remembering what it is that we do. We welcomed four new members to the Commission and reviewed the mission and the committee structure. Paul Josey did run through a draft of a presentation that will be made to the City Council: The Annual State of the Forest presentation. Some of

the highlights from that include a correlation between low income neighborhoods and city areas with the fewest trees and the fact that the lack of trees increases the heat effect to those areas and creates more health issues as a result of the greater heat. Recent new developments are not providing the opportunities to provide large street trees in the planting beds along the street. There has been a lack of city regulatory oversight of new development construction that has resulted in the destruction of large, mature street trees. All of these things have resulted in a loss of 5% percent of the tree canopy in a recent 10 year period. That 5% is 400 acres of trees.

B. UNIVERSITY REPORT

Commissioner Palmer – 85% of the students have returned to Grounds in some form or another. There is information on the website regarding the testing that is occurring. There is a Board of Visitors meeting on Thursday and Friday with Buildings and Grounds Committee meeting at 8:00 AM on Friday. They are going to have on their action items the School of Data Sciences and Hotel & Conference Center on the Ivy Corridor as well as renovation of a building at the Darden Schools.

C. CHAIR'S REPORT

1. Annual Meeting
 - A. Election of Officers

Commissioner Dowell – Nominated Mr. Mitchell as Chair and Mr. Solla-Yates as Vice-Chair.

Mr. Mitchell and Mr. Solla-Yates were elected to the positions of Chair and Vice-Chair.

Chairman Mitchell – The Rivanna meeting was the first meeting that I had a chance to go to. It was a very interesting meeting. There is likely to be some additional development along the Rivanna. The group is very focused on making certain that we protect the environment and make certain that environment remains a serene place to go and to enjoy the outdoors. The group is focused on protecting that waterway and making it a nice and serene place to be. The UVA Master Plan Committee did not meet. I am not certain when we are going to meet again. The reasons for not meeting are the virus and to cut back on costs wherever UVA can. Most of the new planning studies that they have been working on have been reviewed by us. I went to the UVA, Albemarle County, and Charlottesville Land Use group meeting. We are working on getting our first bi-annual report out to you. That document is more of a visioning document. The document talks about what we want to be engaged in, what we are going to focus on. There is a laundry list of things that we thinking about focusing on. We haven't really landed on what exactly they are going to be. We are talking about things like the environment, climate, night skies, and capital plans. We are actually talking about landfills. The document that we are working on will be a good visioning document and what we want to focus on by the end of the year. We are having a kickoff meeting about the Capital Budget on Friday.

D. DEPARTMENT OF NDS

Ms. Creasy – Our chair is going to be looking at the committee appointments to see if those need to be shifted. I will send out the last version of that. If you have interest in something, you can share that interest with Chairman Mitchell. We have a new member, who will be coming on board. Liz Russell was

appointed by Council last night to the Planning Commission for Commissioner Green's position. She brings a preservation background. That will be a wonderful skillset to have with us as well as being very involved in our current community. I have worked to update the roster. I am going to send you a draft and have you provide any updates so that we can get an up to date roster. There was a message that we received from the Clerk of Council concerning the boards and commissions meeting that Council is holding on October 6th. All boards and commissions members have been invited to listen to that discussion. There will be opportunity for interaction. They wanted to schedule the time to really focus on something that they have been talking about for a while. Staff continues to work remotely. We have had our first remote site plan conference this week. We have a number that are scheduled to occur. We have had virtual community meetings for applications that are working through the process. We have a path to get every application through the department at this time. It is a little bit slower on some aspects. It does provide the best opportunity that we can for public input. We have found, with the applications that we have been working with, that we have received a good amount of input from people.

E. MATTERS TO BE PRESENTED BY THE PUBLIC NOT ON THE FORMAL AGENDA

Julie Convisser – There is a segment of road that has concerned the neighborhood. We are concerned about the public hazards of the cut thru to Morgan Court from Stribling Avenue. There are already dangers that currently exist on Stribling. Stribling is very dangerous for pedestrians, bikes, and traffic. The new development will multiply those hazards. We would like the city and developers to make a commitment to improvements for public safety. The city should take our concerns seriously. We want the neighbors to feel safe on Stribling Avenue.

Tom Cogill – I know that Morgan Court is not equipped to handle any kind of traffic. Stribling Avenue has a huge number of walkers, joggers, and bikers. I have lived on Stribling for 20 years. It's a very diverse community. It has a little bit of everything. I am for affordable housing. It would be reckless to over develop the site. It would endanger people. It would be disrespectful to the neighbors and neighborhood building out to the street. I hope that you take this into account with your planning.

Paul Josey – I am a representative of the Tree Commission. This site has 11 acres of mature canopy trees. It is one of the few sites directly on Moores Creek. It is a site with a lot of steep slopes. There is significant concern regarding this development. The roads are graded at 14.5%. This is a steep development in a sensitive area near Moores Creek. It is removing a significant amount of canopy. This is not a close walk situation. This is a very dense development.

Jason Halbert – I am speaking as the President of the Fry Springs Neighborhood Association. We are working on a letter to the developer and the Planning Commission. We would like to arrange a walk down Stribling Avenue for the Planning Commission and City Council. We have been advocating for safety improvements on Stribling Avenue. We want density and affordable housing. Council and Planning Commission need to marry these goals with a proper safe street. A letter will come this week.

Derrick Stone – Stribling Avenue is at capacity. You're going to make the problem worse. I do support the addition of low cost housing. The end of Stribling Avenue Extended is one lane and you can't fit two cars on it. It would be difficult to add more cars to the end of Stribling Avenue Extended. Adding 180 units would be triple the number of cars on Stribling. I think you should come and take a look.

Martin Quarles – I was part of the community meeting last week. There was fairly unanimous consensus regarding the site with regards to safety. There is a strong sentiment in this part of town that this project is in the wrong part of the city.

Catherine Bruce – This community does support affordable housing. \$500,000 seems to be their lip service for making money off of housing. That's what they proposed for Breezy Hill development in eastern Albemarle. Walking on Stribling is scary. I would hope that we put the resources behind this commitment for access. We will continue to have this conversation as a community and we will continue to bring this to you with the hope that you will listen to us.

John Marshall – The entire community disapproves of this proposed development. We are appalled that the neighborhood association is saying that the community is for this development. The developer had a community meeting last week and members of the community spoke out against this development. The community is against changing the land use from low density to high density.

Kevin Flynn – I want to bring up concerns already brought up by others on this project. Stribling Avenue has no sidewalks. If this is going to move forward, there needs to be safety facilities available on Stribling Avenue. There are cyclists and pedestrians dodging cars and cars dodging cyclists and pedestrians. I am also concerned about the intersection of Stribling Avenue and JPA. I am concerned about the level of density for a dead end road. There is going to be one primary access point.

Margo Smith – I will re-iterate what others have said about this location not being suitable for high density and the distance for services. I want to speak about the steep slopes and the runoff into Moores Creek. You can look at the back end of the Huntley subdivision. There was a beaver meadow. It has become a swamp because of the runoff. Moores Creek gets swamped after heavy rains combined with the runoff from these two developments.

William Abrahamson – I would like to thank you. Policy meets common sense with the Planning Commission sometimes to frustrating effect. The traffic reports make the assertion that the traffic will not be impacted directly. The traffic reports make no accounting for the pedestrian traffic at that stop sign and intersection. That should be a prerequisite for further progress of this application. The Planning Commission does have a comprehensive plan. Density has been projected in some areas.

Sarah Radcliffe – There are two things that I wanted to highlight. I feel the density is like putting the cart before the horse. There is a lot of evidence of how poorly areas have been developed when there is no infrastructure to support the density. This has been a long term problem. I would like to encourage you to come and look at the area.

Marilyn Swinford – I concur about the statements made about Stribling Avenue. Morgan Court is very narrow and goes uphill. We have a substandard intersection. Our street is not suitable to put more traffic more on it. Morgan Court is under-designed for its current uses. We have no business taking any more traffic on our street. We have no capacity to take on additional traffic. There needs to be an update on the comprehensive plan. The city has not prepared itself for this development.

Ryan Yauger – I would like to speak about the Chick-Fil-A at the Barracks Road Shopping Center on the Consent Agenda. I would like to ask for flexibility. I believe the staff has the best intention in mind. We have provided a plan that meets all city code. We hold the safety of the workers, patrons, and public at the most importance. We have concerns with agreeing to a formal condition adhering to public complaint without a definition or standard as to what that complaint is. We're not trying to be unreasonable in the future. The standard, currently in place, is the zoning ordinance. We do meet all of the standards.

Erica Williams – A neighbor indicated that Southern Development was interested in 240 Stribling Avenue for low density. The Planning Commission encouraged high density. I know that question was deferred. When will that question be addressed? It's a very important question. I didn't want it to be bypassed.

After discussion with staff, the question will be addressed when the item appears in a public hearing in front of the Planning Commission. There will be an opportunity for more dialogue between the Planning Commission and the public at that time.

Cabel Marshall – The street is not able to handle that additional traffic. There was not a full picture of the street scape included in the packet that was sent out. It shows a setback from Stribling of around 10 to 15 feet. On the plat, it requests a 0 setback from Stribling. I would imagine that they would give us a sidewalk. If that is approved, they could build their building right up to the sidewalks, which would be out of keeping with the architectural character of the neighborhood. I highly recommend that you go with the existing setbacks. I hope that this is noticed, stopped, and built with the current setbacks.

Michael McCann – You can't go up or down Stribling Avenue with the current volume of cars. I can't imagine adding more cars, especially with the blind hill. It is inherently unsafe currently. Adding any more volume without any improvements would be possibly catastrophic.

F. CONSENT AGENDA

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

1. Minutes – July 14, 2020 – Pre-meeting and Regular meeting
2. Site Plan - Kappa Kappa Gamma (503 Rugby Rd)
3. Site Plan - Chick-fil-A Barracks Rd

Commissioner Solla-Yates moved to approve the consent agenda with a small change to the minutes from the July meeting. (Seconded by Commissioner Lahendro)

After a brief discussion, the ERB for Chick-fil-A was removed from the consent agenda and added to the end of the meeting agenda.

G. PRESENTATION – JAUNT

Brad Sheffield, Executive Director of JAUNT – I wanted to update you on a new initiative that JAUNT is moving forward with that will affect the city and the county, especially in the urban fringe area. It's a pretty exciting initiative. Anybody that pays attention to public transportation is familiar with how this has evolved in the US. We see it as an evolution on what JAUNT already provides.

We are making our rounds about presenting to the various entities. The goal is to really start the conversation going on this concept. As we are starting to form it, we want to make sure we are gathering the type of input and direction that is needed to make it work all across the spectrum that we can see it being applied. The Planning Commission actually has a pretty important role. We are trying to make sure people are aware. You may hear from other sources. Our number one goal is to try to get ahead of any misinformation or incorrect information that could present the wrong idea of what we're looking to do. We wanted to get you to understand the concept of on demand. In the US, we already have something called Demand Response. JAUNT is recognized as that type of entity that provides Demand Response services. On Demand is very similar. It takes on a whole new approach to serving the community. It remains customer focused rather than fix route. It is more generalized. It looks at volume versus specialization. With On Demand, we focus on three different areas. One is connecting people to places. That means not limiting ourselves to certain areas or certain times of day but being able adapt and change the types of services that are offered based on the feedback we're getting real time. Another aspect is the cost. Right now, both JAUNT and CAT services are running fare free. This is one of those question marks going forward. Something like On Demand would take on a cost-scaled approach that is really dependent on where people are going, what time of day, distance, congestion, and a lot of different factors. This was a fairly easy thing to discuss. As we move through this fare-free approach to services during COVID, I am getting some questions I don't quite have some answers to. It's a dynamic structure that allows us to be responsive to where and how things get paid. On Demand is the immediate availability. This really changes the approach. With our typical On Demand services, people are asked to call a day ahead of time. With a fixed route, it's dependent on the schedule that is published. With On Demand, there is that immediate exchange of a request, whether it is through an app or a phone call. That immediate availability and immediate request will feed into some of the other information to help us to continue to shape and repurpose what we are offering to the public. We're doing all of this in context of some guiding principles we created. We did that because as we move forward with implementing this, you can lose sight of why you're implementing something. We put this acronym together. It was not by coincidence that it came together. One is being responsive, and not just responsive in terms of an immediate request. Being responsive to the dynamic needs of the community. One of the more impactful examples of that is during the pandemic, we are facing an unprecedented issue of food insecurity. A lot of the food banks and food sources have the resources to provide a transportation connectivity to those sources. This type of platform would allow for us to immediately respond to creating something that those people can use to access food security. That type of responsiveness doesn't exist in transit. That's where this platform really does make a difference. We have always looked at things as being inclusive. Whether it's through race or disability. We understand the importance to make sure whatever we are offering, we're taking into account the different factors that make it accessible and inclusive. From the dynamic standpoint, it looks at how different applications of this platform can be used to achieve outcomes for the community that haven't really been able to achieve before. It does offer us a whole new approach to offering transit. The one that I love the most is the empowering approach. One of the reasons why Uber has been successful and disruptive in the transit industry has been its way of offering that immediate empowerment to the users. They are able to make a request and they know Uber is responding. That's what we are looking to do. We are looking to put that power in the hands of the users to let them feel like they have communicated with transit about their needs. The last piece is being safe. Transit is held to fairly high standards of safety. We will continue to convey that to passengers, even during the pandemic, when safety and people's wellbeing is paramount.

In the transit world, we tend to come across issues, concerns, or challenges. We go off and look for a service or a platform to help solve our issue. As I started to explore this On Demand concept, I started to realize that the platforms that are offered actually open up opportunities that we may not have even considered. We're looking at it with the fact that we have this versatile piece of software that allows us to address a range of opportunities that have not been addressed in a more complete way. There are a variety of things that we have already come up with. There are those undiscovered opportunities that will start to crop up as we continue to have these public conversations. We want people to start understanding what we could do and start connecting the dots to how we get it done.

When we look to implementing this service in certain parts of the city, it is important that it is reflected in the planning documents of the city. We need to find way to make sure that those we seek funding from understand the city does embrace the concept. We don't have any exact recommendations right now to change any of the plans for the city. As the Planning Commission, you're in place to help figure out where this concept might best fit in those land use and transportation planning documents.

Commissioner Stolzenberg – I am still confused about what JAUNT On Demand is. Is it just the change to being able to request a JAUNT bus in real time by an app or phone call?

Mr. Sheffield – The reason we continue to refine the presentation is because of the desire to best communicate it in the most clear way. That is a challenge for us because it's a new concept in general for transit. What JAUNT already performs is very similar to it. In the Charlottesville community, we provide a service that we have yet to find a peer in other communities that they provide. The leap to On Demand is just a skip for JAUNT. It's a slight evolution. For a place like Richmond, it would be a big change in what they already offer. The difference would be more profound in that kind of setting than here in Charlottesville. It's just an evolution in how people can access the services. The new aspect of it is that it would be opening up this kind of service to anybody in any type of partnership that we can form. The services that JAUNT offers is limited to either somebody certified as ADA eligible because of their disability or because of a partnership with a human service agency. Those are the only two types of trips that we would perform in the city. With this platform, we would expand that to more types of partnerships and opportunities for any type of resident. In my opinion, it is fairly significant when it comes to any gaps that exist in any other services or needs that have been discussed in the past.

Commissioner Solla-Yates – How long?

Mr. Sheffield – It is coming. We are looking to have the right staffing to help move initiative forward.

Chairman Mitchell – What feedback have you gotten from CAT and UTS?

Mr. Sheffield – Both see the opportunity to create a bridge for connection to those gaps that exist. With UTS, they see it as feeding in from the ancillary areas of their services and maybe meet some needs that don't get addressed on the off peak times. With CAT, there has been conversations about how CAT extends resources dipping into neighborhoods in parts of the city that make the services become less efficient than what they could be. Something like On Demand can help feed into hubs of CAT services that then help create that better connectivity. That's the general response that we have received. They can see how it complements the services and not compete. We have no desire to create another competing option. We have a desire of creating these complementing options. The concept of On Demand actually

goes hand in hand with this concept of unifying all the different modes under one platform. As a resident, you can go from A to B and you would use an app that gives you five different solutions that might be chain linked together. Those platforms go hand in hand. In Europe, they are referred to as mobility as a service. In the states, we seem to be going through different variations of the terms. The feds are calling it Complete Trip. That's where CAT and UTS see the opportunity to make that Complete Trip concept happen.

Commissioner Palmer – Thanks for mentioning UTS and how it can feed into that transit.

Commissioner Dowell – I want to know how the presentation differs from the services already offered by JAUNT. I also want to know if you have this information available. Do you have in mind any other partnerships right now that would be able to plug into this use?

Mr. Sheffield – We went after a federal grant with Loaves and Fishes to seek that very specific food security concept and to seek funding. For the feds, they are trying to figure out how to measure the performance of this type of concept. For us, we went after the grant to help get that type of initiative up and going. We have been having a lot of conversations with some other food banks of how this kind of platform can help expand the reach and offering of their services.

Commissioner Stolzenberg – Once you're able to request ride via an app or phone call, what do you expect the turnaround time will be to get that ride? Will there be immediate feedback?

Mr. Sheffield – One of the mistakes that I made was saying that this was “Uber like.” That was interpreted as we were partnering with Uber. We are not partnering with Uber, except to maybe include them in some sort of Complete Trip concept. We are looking to do it ourselves. Under the thought of “Uber like,” is that we would offer the same type of user interface or engagement that they do. There are platforms that we are talking to that have gone beyond just a concept of transit and looked at the human side of this. There is one vendor that has a “dignity rating” built into the platform. When the trip is done, they're able to actually provide feedback on how the trip met those expectations of providing them that mobility. It is actually how well it did meeting more of that human side of the equation. That's fascinating to know how well a driver treated a passenger in the process of providing a service. It's very similar to those type of platforms. The difference is that it is going to be more behind the scenes and how some of these opportunities are going to be layered on top of each other. The users don't know until they go to access a certain destination that that type of service is presented. Somebody using this to go to work may have to pay out of pocket. Somebody using the platform to go to Loaves and Fishes may have it paid for by Loaves and Fishes. That's not a typical ride sharing type of platform. That's the power behind this kind of platform. We're able to build those partnerships. When people go to use it, they come across the opportunities on how to access the service or the destination that they are looking for. You take that complication of the mobility or the transportation out of the equation, it improves that opportunity to access the service.

Commissioner Stolzenberg – In times where a lot of people might requesting a ride for the near future, how do you deal with that situation?

Mr. Sheffield – We are going to have a few resources vehicles that are going to be dedicated for this purpose. That should help manage the expectations that would come from the request. We actually expect

that some of the ADA passengers will abandon using JAUNT for paratransit ADA services and gravitate to using this platform because they don't have to call a day ahead of time. We have a lot of people, who call up to two weeks ahead to schedule a trip to go to the grocery store. I would go back to that work of empower. I would rather empower that individual to have that choice and not be bound by this para-transit ADA structure and be able to have the same opportunities to call up at that time to go to the grocery store and make that request. We will be able to see that those clients are typical ADA clients. We can't give preferential treatment. We can see how it may relax the need for the resources on the ADA side. It will be an effort on my staff's side to continuously monitor how this evolves over the short period of time. We do know that the resources that we have can meet the needs that emerge from the sheer nature of how we schedule and maximize our resources on any given day.

III. JOINT MEETING OF COMMISSION AND COUNCIL **No hearings scheduled**

IV. COMMISSION'S ACTION ITEMS

H. Family Day Home – Discussion

Ms. Creasy – The Planning Commission, at the July meeting, provided a request for a zoning text amendment related to family day homes. We have taken this in a couple of different directions. One is that there is an opportunity to provide information from a legislative standpoint. The City Attorney provided some information to the legislative committee for the city and some information that went on to our Delegates for the state. Some of the potential changes that might need to occur would be things that would have to have state support. The City Attorney put together some informational background and submitted that to the Planning Commission back in July. We also included those materials here. The City Attorney may have some feedback on this, as we go through this discussion. I am not sure we have heard anything from that. The other direction, locally, is that our current ordinance that is on the books needs updating. It is antiquated. Many changes have occurred at the state level. We took the opportunity to provide updates to the code that would adhere to those state regulations. If someone were to come forward, we would work with them through the current state regulations. What is allowable by the state would be what we would be enforcing from a city standpoint. What this would do is provide the opportunity for an update to our code language. That would provide additional clarity to the community from that perspective. What we have brought forward is a clarification to the occupancy residential definition within the code. We have also put forth proposals on how to update the use matrices in order to reflect this. One to four children is considered to be single family. That is something we want to move forward and clear up in the matrix. Any area that allows single family residential would allow for that use. Five to twelve children requires a state license. Categories for that would allow for it to continue to be by right in the areas it that currently is, which include the business districts and. allow for it by provisional use in all the other districts that allow for residential use. The zoning staff spent a good amount of time working through potential requirements for a provisional use permit. With a provisional use permit, an applicant would apply for this and if they can adhere to each of the regulations that are put forth in the permit, we would be able to move forward with approval. The most significant item with that is the state licensure requirements. It would be a very straight forward process for the applicant to move forward. Once they get through the state process, that is a lot more rigorous, ours is just 'checking the box' at that point in time. We're hoping that you will

provide us some guidance on whether this is the direction that you would like for this to go. We have a few questions for feedback. Are there variations needed to areas where family day home for 5 to 12 children is allowable by right or by provisional use? Is there any update to the provisional use permit regulations, as we have proposed them?

Read Brodhead, Zoning Administrator – My understanding is that the Planning Commission wanted to find a way to ease the restrictions that we had in place. I was looking at some of the provisional use permits that we already have in place, such as the home occupation form and the homestay. I tried to mirror this closely to that. I also looked at Special Use Permits that were granted in the past for family day homes in excess of five children. That’s why we required that a traffic safety plan be included. That’s something that the Planning Commission has asked for in the past. That’s where we came up with the hours of operation. That would be consistent with one of the approvals in the past. We’re proposing that this be an annual permit. That gives us the ability to reset and make sure that this family day home isn’t causing issues with the neighborhood. That’s consistent with the homestay permit. It gives us a chance to re-evaluate it. The signage clause and the revocation clause are similar to what we have in the homestay ordinance. It is important to have a strong revocation clause to make sure that we find any problems that might exist. It is pretty harsh too. If you lose your permit, then you can’t apply in the subsequent years. It is pretty strict and important for preserving neighborhoods and preventing problems from occurring. The one problem that I ran into was this 30 day window. I would be required to notify all adjacent property owners of the proposed use. This slows expediting this process. We wanted to create this permit to not require them to go to the Planning Commission and allow people to get through the process quickly. Number 8 is in reaction to a state code that states that adjacent property owners should be notified. It’s a win for the adjacent property owners. It’s an opportunity for them to voice their concerns. It does slow the process. I think that was the intent of looking at this ordinance to speed up the process. It’s going to be faster than getting a Special Use Permit. It’s still going to take 30 days after they receive their licensure and submit all information.

Commissioner Lahendro – Is the 30 day a state requirement?

Mr. Brodhead – It is a state requirement that was discovered through doing some research.

Commissioner Stolzenberg – Is there any way for that 30 days to run concurrently with getting the application materials in order so that you can send the letter at the very beginning of the process?

Mr. Brodhead – I don’t see why that would be an issue. If a person came and got an application and they pay the application fee, I can send out a notice for all of the adjacent property owners. If the state licensure isn’t approved, I would have to notify the neighbors. That would be a good idea to have it run concurrently. If the state process takes 30 days, they are done after one month.

Commissioner Lahendro – I have a question about the traffic safety plan. Does that have to be done by a certified engineer or can the applicant propose a traffic safety plan?

Mr. Brodhead – I don’t know what document was submitted with that SUP. I have a feeling that the homeowner submitted a sketch showing how they propose drop off and pick up happen to make sure that the kids get safely to the residence. I wouldn’t want them to have to get a traffic engineer and go to that expense to provide some safety measures. I would have our traffic engineer review the plan and

propose comments or ways they might improve it.

Ms. Creasy – That’s what happened with one of our SUP requests. The applicant put a proposal together. We ran it by our traffic engineer for feedback. We were trying to make sure that drop off and pick up are as safe as possible.

Mr. Brodhead – The places that are going to be a problem are places where there isn’t a driveway or a sidewalk. We need to look at that. It’s important to have that, especially if issues arise. We can go back and see if they are in compliance.

Commissioner Solla-Yates – Is it possible to share the old one so that people, who are not traffic engineers can drive that?

Mr. Brodhead – I wasn’t involved in that Special Use Permit. I read the conditions. I didn’t actually look at the plan. That would certainly be helpful to provide that information to eventual applicants.

Commissioner Stolzenberg – Is there some mechanism, if needed for traffic safety that an on street parking space could be reserved during the hours of operation for drop off and pick up?

Mr. Brodhead – That would have to be something special. As far as I know, if you want to reserve a parking space in front of your property, they have to pay \$20 per day to have a space reserved for themselves. That’s cost prohibitive for a family van to have \$100 a week for drop off. We would have to come up with something else to reserve a space. That will really come in with the really dense areas of the city. I can reach out to the traffic engineer. He might want to weigh in.

Brennen Duncan, Traffic Engineer – What we would probably do in that instance is a petition to change any public parking to something else. It could be a loading zone between certain hours. That just needs a 14 day comment period of the public. As long as there wasn’t massive opposition from all of the neighbors on the street, that could be something that could be done. That would be the route that I would start with.

Commissioner Green – This was a road that barely had a shoulder with this SUP. The sidewalk was non-existent. That was where that problem was.

Commissioner Dowell – I noticed that you said that the hours were from 7 to 6 for operation. I was wondering if that was the only limit for being able to function as a day home. If they wanted to operate after 6 PM, would that be under a different definition?

Mr. Brodhead – This is just a proposed hours of operation. If you feel that it should be extended in any way, then that would be up to the Planning Commission to make that proposal.

Ms. Creasy – That is one of the main items in the Special Use Permit discussions that occurs is the hours of operation and considerations pertaining to that. We looked at what we had in house and provided a range. That was one where we thought there may be some discussion. It’s a tough one.

Commissioner Dowell – I am just thinking of a healthcare worker or job where you can’t work from

home, those shifts are not only 7 to 3. I was just wondering if someone would be able to capitalize on that underserved market as well with this provisional use permit.

Mr. Brodhead – This is just thinking about business hours. 6 PM tends to be the limit. If you feel that it could be changed, it's certainly up to the Planning Commission to mandate it or put comments in there.

Commissioner Dowell – I just wanted to see if it was an option to leave it open if someone wanted to serve the market. I didn't know if they fell under this day home provision or if it was under a different term or definition.

Commissioner Solla-Yates – Could there be some component where staff could use some discretion?

Ms. Creasy – The discretion would be the regulations in the provisional use permit. Whatever the provisions are in that permit are what we would be able to enforce. It has to have some parameters. There are different ways that people could work through that. If it's a situation where it's a 5 to 12 during daytime hours, but they have individual that they care for in the 1 to 4 range. That goes into the by right category in those situations. What we're thinking about here is the situations where someone might have 5 to 12 children outside of the normal working hour range and how to think about how they might function.

Mr. Brodhead – The home occupation talks about customers coming onto the premises between 8 AM and 9 PM. People need to get their kids dropped off early so they can get to work. Remember, this is just a proposal. I think it's important to keep some sort of hours there. If you want to open it up a little more, then that's what we will do.

Commissioner Green – That eliminates some of the neighborhood concerns when this goes out to those people for that 30 day period. If you start getting a lot of neighborhood concerns based off this application, that's going to slow things down as well. Things that have come out lately have been 7:30 to 5:30. This does open it up to 6.

Commissioner Dowell – I don't think that we need to change the hours. I would just like for there to be a clause. If somebody needs to amend those hours to suit their clients, they could.

Ms. Creasy – I think the only way we would be able to do that for the 5 to 12 range of children would be to have some sort of additional zoning function. If a care facility that was going to function within a certain time range and after those hours, they could convert to a 1 to 4 children range, we wouldn't have any regulation over the timeframe for that smaller grouping. It sounds like from this discussion, trying to see if there is any way to accommodate a family day home that would allow for 5 to 12 children after standard working hour range is what we would be trying to figure out. If there is a demand, it would have to be an allowance through special permit to do something like that. It's a very good point.

Commissioner Solla-Yates – I think what is here makes sense. I think that it will create more opportunities if we can get something finalized.

The meeting was recessed for five minutes by the Chairman.

I. 240 Stribling Avenue – Work Session

Matt Alfele, City Planner – This project has been in the works. You held a work session back in February. That's where you saw the initial design from Southern Development, who is the contract purchaser for 240 Stribling. At that meeting, the Planning Commission had a positive reaction to the design with a mix of housing types, central greens, and street layouts. There was a positive reaction to the density. The Planning Commission was looking to see greater affordability, especially below the 80% AMI, more protection from Moores Creek, and the effect on Stribling Avenue and Morgan Court. The applicant took that information from the work session on February 26th, and they did some updates to it. They submitted an actual application in August. As part of their application, they also held a community meeting on September 3rd. This was held through Zoom. This was done, as outlined in the new community meeting procedure. It was attended pretty well. There were about 40 participants. The meeting was taped and it is available for anyone to watch. The meeting is technically open for 45 days. When they held the meeting, the notice, the invitation, self-addressed stamped envelopes with return addresses, and portions of the plan were mailed out. The meeting is open for 45 days from September 3rd for people to send back comments, who could not attend the meeting in person by Zoom. The plan has changed slightly from what you saw at your work session in February. The applicant will be giving a presentation and go into that a little bit more. Some of the changes that you are seeing include a change to 181 units. The design has stayed the same. They have proffered a contribution for offsite improvements to Stribling. They have proffered 50% of the units as designated for affordable with the AMI between 25% and 60%. After the applicant gives the presentation, we can open it up to discussion. The city engineer and traffic engineer can speak to the higher level material. They have not reviewed the plan in the detail that you would get with a site plan. We can talk about the conceptual things.

Charlie Armstrong, Southern Development – We have been in the listening mode for this project. This is the third work session with the Planning Commission. I want to address some of the earlier comments that I heard from the neighbors. We absolutely agree that Stribling needs bike and pedestrian improvements. As part of this proposal, we want to help with that. I am not sure that we can do everything that everybody wants. We want to help to the greatest extent that we can. The architecture that we are showing here is just a concept. We have not designed all of the buildings at this early stage. It gives you an idea of the pedestrian feeling and place that we are going for. This is a view of the central linear green that runs down to Moores Creek at the bottom. This is a zoomed out slide to give you the larger context. We showed you a general massing illustration at the last work session. This shows the context to what is nearby. Huntley is at the bottom right. Eagles Landing Apartments, on the other side of Moores Creek, is at the bottom left. The Fontaine Research Park is at the top. It shows context in relation to other green spaces. Many are preserved. This is the overall lot and building layout. Stribling Avenue is to the left and is the primary entrance onto the site. Morgan Court and Huntley are at the top. This is a secondary entrance. Moores Creek is to the right. The Albemarle County line and the Knob Hill subdivision are at the bottom of the image. The next two slides are more detail on the conceptual landscape screening with street trees shown. We will be engaging with a professional landscape architect at some point in the process before a final site plan is submitted. The large green area shown is proposed to be permanent tree preservation along the creek and along the western edge of the property. The teal colored areas are proposed stormwater management facilities. Being this close to Moores Creek, that certainly is very important. These are proposed use matrices showing what uses would be allowed in this proposed PUD and what is

currently allowed. The current zoning of the property is R1 and R2. These are the proffers. I would like to discuss these with you tonight. They are \$500,000 toward bike and pedestrian improvements on Stribling Avenue. The bike and pedestrian master sidewalk improvement list in the bike and pedestrian master plan shows the assumed cost at \$598,000 for the sidewalk. That's worth looking into more detail. The city has not done extensive study on that yet. That does not include drainage improvements, which the street also needs all the way down to JPA. That's the cost that has been estimated. The other proffer is affordable housing. We are proffering in 15% of the units dedicated as affordable for households earning less than 60% AMI. We're trying really hard to hit a lower affordability threshold than what is city standard in city ordinances. Staff proposed five discussion points. I would ask to add a sixth discussion point to discuss. That is some feedback on the use matrix that we are proposing. Whether the uses to allow and disallow give any concern to commissioners. Are they too restrictive? Are they not restrictive enough?

Commissioner Heaton – In some of the public comments, it was mentioned that the community organization voiced their support of the project. I heard from a lot of residents that said that was not the case. Do you know how that miscommunication happened?

Mr. Armstrong – I only know what I heard at the neighborhood meeting we recently had. That was support from the neighborhood association. What was voted on was conditioned on a number of things. Maybe that's where the details are. I haven't seen the letter because it is not yet ready. I am sure that is what it is. I also know that not everybody in the neighborhood goes to the neighborhood association meetings.

Commissioner Green – We met on this at the TJPDC building. There was some robust discussion about improvements that need to happen. Have you been in discussion with the city based on the conversation we had regarding the road improvements that need to happen in that area?

Mr. Armstrong – We have. We have had a number of different conversations. We have walked the entire length of Stribling with the city engineer, the city traffic engineer, and the city bike and pedestrian as well. We have looked at a number of issues. Drainage is the hardest to solve. Right of way seems to be there in most places to be able to add a sidewalk, not necessarily for any grading that would need to be done. There is very little information on any existing drainage easements that may or may not exist. The city engineer is pretty certain that, even if there are easements, they are sufficient for adding things like storm sewer pipes to get water to where it needs to go. The right of way may be there for the replacement of sidewalk and is likely there.

Chairman Mitchell – Last year, you had a concept that was not a PUD. We thought that what you were attempting to do would work well if you morphed this into a PUD. We did encourage you to give some thought to putting together a proposal that embraced the idea of a PUD. You would have to significantly improve the road and drainage infrastructure to make that happen. I want to make sure people knew that we suggested that much better infrastructure would be needed to support that.

Commissioner Green – I do remember that. We had looked to increase the density. You can't increase density without increasing the infrastructure. We had a conversation that you will have to get together with the city to increase infrastructure in this area for water, drainage, and transportation. We did talk about a PUD at that point. You will want to pay attention to that comprehensive plan. When

we were going with the comprehensive plan, it is a very dense area in that neighborhood and in that area on the Albemarle County border.

Commissioner Russell did join the meeting during the 240 Stribling Avenue Work Session but only to listen.

Commissioner Lahendro – The PUD was something that appealed to me. This is a really special site. It has some really challenging topography and a lot of assets to it from Moores Creek to the woods. It seemed appropriate to look at a PUD. That would allow the clustering of buildings together. It would preserve some of the special features of this site. That's what we haven't seen in PUDs in the past. This looked like a good opportunity for what the PUD would allow.

Commissioner Stolzenberg – As I recall, it was already past the time where we had finished the new draft of the comp plan. We were specifically talking about the current adopted 2013 comprehensive plan. It calls for density in this area and defines low density as up to 15 units per acre. This plan does fall within that amount. It does make sense to put additional density beyond the by right amount in this area and keep that open space and the mature forest around the perimeter. This is in compliance with the 2013 comprehensive plan and is contributing towards our larger goals as a city to build more densely and to stop pushing out into sprawl. Of these 12 acres of forest, we might be losing 8 or 9 within the city. They don't do city residents that good for enjoyment of nature as private wooded areas where you are not allowed to go. They are not adjacent to things like streets and sidewalks. When the alternative to building townhomes here is building townhomes in Crozet and clear cutting some old growth forest and having the residents drive in for 25 minutes. The choice for the environment is fairly clear.

Commissioner Green – Going back to that meeting a year ago, we discussed a more robust affordable housing plan. Our wishes and desires would be there. I thought that we had discussed that this would be the perfect opportunity in this area for that to occur.

Commissioner Dowell – A thing that they did take into account is that they did increase the options of the AMI affordability. I do want to point and agree with one of the residents that spoke during the public comment. 15% is still a little bit small for me. 15% out of 181 units is roughly about 27 or 28 units. When you do 28 out of 181, it seems like a very small drop in the bucket. I am concerned about connectivity issues that go along with this plan. To get to the closest CAT bus stop, you might as well call a cab. This is an instance where the new JAUNT plan would be effective. We need to talk that out a little bit as well.

Commissioner Lahendro – Where in the development were you planning to have the affordable housing occur? Has that been decided?

Mr. Armstrong – We have not decided. What we have done in the proffer is that at least 30% of it shall be for rent units. At least 30% of it shall be for sale with a guarantee of affordability of 30 years. We have proposed some multi-family units in here as well as townhomes, which are technically single-family attached. Because of how the proffer is structured, it would almost mean that the density spread in those two types of buildings on the site. We don't like to cluster the affordable units. We

have a track record of having them integrated and central to the communities that we have built. We would aim for something similar here. We haven't identified specific lots or buildings.

Commissioner Lahendro – I have read some public comment about the fact that they believe it was targeted for the last of the phasing. There was a good chance that it would never happen.

Mr. Armstrong – We have a proffer such that five affordable units would be under construction prior to the issuance of every 30th certificate of occupancy for market rate units. It stipulates that cannot happen. It has to come along simultaneously.

Chairman Mitchell – The PUD idea will help protect Moores Creek. It allows you a little more creativity. Can you talk about your thinking with Moores Creek? What are you thinking to help protect Moores Creek? Are you going to do any development on the slopes?

Mr. Armstrong – We are requesting a critical slopes waiver for some of the fringes of the slopes. They “creep” into the middle of the site in a lot of places. They are really hard to avoid, except in a cul-de-sac arrangement. The green areas on the slide are proposals for permanent tree preservation. There are essentially two drainage areas on this site. One is Moores Creek and the other one is along the Albemarle County line. That one is a smaller drainage area. It still has some of the biggest, mature trees on the site. Those would be permanently preserved in open space. It provides a buffer against Moores Creek. We have a couple hundred feet from Moores Creek to the nearest building. It completely stays out of the stream buffer that is on Moores Creek, any wetlands, and floodplain that are down there. There is a main sewer line that runs along Moores Creek. They do mow it. Even though it is along the creek, we have another agency that does keep it clear. What we are proposing to do there is put in a multiuse trail, which is part of the trails masterplan for the city. It's actually a well-traveled path. That would be a permanent trail. It would eventually come directly to Stribling. We would connect it to our internal road system via a paved path. It is accessible to bikes, pedestrians, and strollers on a hard surface from Stribling to the Moores Creek trail.

Chairman Mitchell – Will you engage the engineers regarding the steep slope? What feedback are you getting?

Mr. Armstrong – They are engaged. I don't know if we have gotten any feedback from engineering from the city. We have submitted a critical slope detail that would come to the Planning Commission. I don't recall any specific feedback on that from them at this point.

Commissioner Solla-Yates – I looked at your parking calculations. I was expected a story of every single truck onsite, not effecting the neighboring areas. There is so much parking. What is going on?

Mr. Armstrong – The only surface parking is parallel on street parking. That limits the street scape and the pedestrian feel and more traditional neighborhood feel. There are no parking lots or designated parking surface areas. It's not parallel parking on the street, it is under the buildings. There is parking proposed under the multi-family buildings. There is parking proposed under the townhouse buildings as well. Whether people use those for cars, I don't know. That's where it is. We have found that it is pretty hard to sell or rent a unit without parking. The way those spaces are right now, I would hope that they could be converted to some other use.

Commissioner Solla-Yates – Do you have a sense about when those trails might come online for more public use?

Mr. Armstrong – I haven't thought about the timing for that. If there are any sewer improvements that need to be made there, that would have to be done first. There is no reason to do anything in those protected areas. It could potentially be early on. The only spot that would be tricky would where it connects to the existing roads. There is a building that is very close to that trail. The park along Moores Creek would be early. The connection up to Stribling and through our new roadways and sidewalks might need to wait until the building construction was complete.

Chairman Mitchell – Will the roads meet the city's standards?

Mr. Armstrong – We're proposing something a little different. If you look at the overall plan in the packet, the main roads coming in off of Stribling, going past the multi-family areas, are shown as full city standard streets with sidewalks on both sides and parking on the street. With the smaller roads that look like alleyways, we want to propose something that would be an innovative street concept. It's something that is not currently in the city standards but would be thoroughly vetted by the traffic engineering staff to make sure it does meet every standard. It's important for the street. They are shown as 22 foot wide pavement width, with buildings really close on that. It functions and looks like an alley. The homes that back to those alleyways would front on the green spaces. It's a bit of an engineering challenge for us. Nobody has looked at this part of the Standards and Design Manual before because it's brand new. We want to try it. We want to do something a little unique that would serve to create place rather than being focused on streets first. This is place first, streets second.

Mr. Alfele – That's how the Standards and Design Manual is set up. It really puts the onus on the developer to convince Public Works, the city engineer, and the traffic engineer that the innovative streets meet that section. That section really talks a lot about the meeting of ADA compliance. There was a meeting with Public Works and some other staff with the applicant. They provided this information. Public Works and Fire are really going to be important aspects of how the streets work. Public Works gave Mr. Armstrong some direction to look into on what they would want to see before they would consider taking ownership of these roads. That information was provided to the applicant. They're going to need to see a lot more information before they sign off.

Commissioner Stolzenberg – What part of the new Standards and Design Manual is this using?

Mr. Alfele – Shared Streets is one. I don't know if Mr. Duncan (Traffic Engineer) or Mr. Dawson (City Engineer) can say the exact section numbers. They are very much called out.

Mr. Duncan – There are two sections. There is one that speaks to the innovative design. I think it's somewhere in chapter 3. There is one that says "any engineering be innovative design." There are some specific sections that speak to street innovative designs. It does give 3 or 4 suggestions. There are four or five of them there. There are specific criteria that has to be met for those. That doesn't mean that those are the only ones the city would look at. If they wanted to do something different, then it is in 4.7. They would have to give us a lot of information. The ones that are in 4.7 have been vetted and have certain criteria. It's up to the applicant to decide which one of those they want to

move forward with. If they want to do something completely different, they have to do a little more ‘legwork’ on their own.

Commissioner Stolzenberg – Regardless of what we decide, every street design is going to have to be cleared by staff and the fire department?

Mr. Duncan – We have the normal city standards that need to get the rubber stamp. We still have to look at it to make sure that it’s going to work where they want to put it. We will review it further if it’s in that section.

Jack Dawson, City Engineer – Mr. Alfele can speak on some of the complications when we would have to approve that with the PUD. I would have concerns about them moving forward with that without having all of the technical details. The issues are in section 4.4: Alleys are supposed to be private streets. There is not very much engineering information provided in this packet. We haven’t fully reviewed it. There are concerns about how storm drains, water services, and sewer services are going to fit in a vehicular way. The 4.1 through 4.7 section discusses alternative roads. Most of those rely heavily on ADA compliance. There are some more ADA concerns as well. As soon as you get away from the public right of way, the ADA access concerns get a lot more onerous on the design.

Commissioner Stolzenberg – Would that be PUD time approval or would that be final site plan?

Mr. Alfele – It really needs to be PUD. One of the standards, when doing a PUD, is meeting the road standards. That’s not a standard you can adjust through a PUD process. City Council doesn’t have that authority. To take advantage of the Standards and Design section, they are going to have to get sign off from Public Works before this can be moved to a public hearing.

Commissioner Solla-Yates – It sounds like the neighborhood is comparing this to Huntley. It looks like the neighborhood was against it. The city had some problems with it. There were some compliance issues. The result had some problems. What are the differences between that and this?

Mr. Armstrong – We didn’t do Huntley. It was done in the mid-2000s. The PUD ordinance was not well defined at that point. We did another PUD at around the same time. It was a really “wild, wild, west” create your own PUD as long as City Council approved it. It was also developed under different stormwater standards. Those have changed dramatically in 2004, 2009, and again in 2014. The requirements for water quality and quantity control were really different. They had no drainage and outflow. Storm drainage from Huntley was a major issue all during construction and probably even today. When you look at Huntley, it’s a suburban design. The lots are small. It’s a winding road through topography to get from the top to the bottom of a hill. It’s not comparable to a design like this. We’re really focused on the place as a whole. For the stormwater, the differences here do way more quantity and quality control by state and city laws that are now more stringent than with Huntley. The PUD process, as an entitlement process, has gotten a lot more structure over the years. I think that is thanks to the city staff and city attorney’s office. They were finding a lot of enforceability issues with the previous PUD process from the early 2000s and wanted to make it a little more predictable. The process is a lot more robust including look at things like analyzing streets to make sure that the streets will meet city code. That’s not something that happened in the past. In the Huntley

days of PUD approval, you could have drawn it in pencil and submitted it for approval. The differences you see now are pretty stark.

Commissioner Green – The critical slopes ordinance wasn't in place at that point. The EPA standards for TMDLs were not in place. That made a huge change in how the stormwater was captured and how it was handled.

Commissioner Lahendro – I wanted to ask about the placement of Morgan Court and especially that cul de sac at the end. It's not designed with lots around the cul de sac. It looks like it was designed as if it was envisioned to go through to development farther to the west.

Mr. Armstrong – I don't know the history of that. It does essentially go to the edge of the property. It was not designed as a suburban cul de sac where you see lots ringing all the way around including a through road. Looking at it today, it looks that way.

I would like to hear more feedback from the Planning Commission on that connection. We are hearing loud and clear from neighbors, who live in Huntley and Morgan Court that they don't want a connection there of any kind to new development. We had originally envisioned this as access only. It would include daily traffic. Since then, city traffic and fire have let us know that it would be strongly encouraged with any review that they did. That would be full vehicle access so that there is a second point of access in and out on a daily basis. I agree with the condition on Morgan Court. It is not up to city standards. It's not a city street yet. The developer is still building and working on that. I don't know the exact status of that either. One thing that we discussed was the concept of making some of our internal shared streets one way. They would be oriented on a one way traffic flow. It would discourage daily use just by the orientation of the street flow of traffic to and from Morgan Court. I think most people coming and going from the site would want to get out to Stribling directly rather than going through Huntley to get there. We could potentially look at adding some one-way directional flow. That's an option that we would like to look at.

Commissioner Stolzenberg – I would like to hear more from the public about this. What I have heard loud and clear is that people on Morgan Court don't like the idea of a vehicular connection there. What do people on Stribling think about the possibility of some traffic going up Morgan instead of along Stribling? They are the ones, who would be benefitting from it. I would like to hear from people along Stribling. The traffic engineer's opinion of how much traffic would actually go along Morgan, given that it is out of the way. I think it's important that a bike and pedestrian connection exists there. A compromise between full access and no access is either encouraging or allowing exit only traffic. The only traffic would go up the hill at Morgan Court, where people are less likely to speed. They're not going downhill. There will be more of it in the morning, when kids aren't playing in the street. I would also like to see a curb cut at Morgan and Huntley and a crosswalk there.

Mr. Duncan – To speak to the distribution of trips. I would only anticipate that maybe 15% or 20% would use Morgan Court. I think we had somewhere around 70% going north towards the city and 30% heading south on JPA or heading down Cleveland towards the hospital that way. The majority of the traffic is going towards the city. If 30% of the people are heading that way, two thirds of those people are using Morgan Court and going around to Sunset Avenue and coming out at Cleveland. A third of the people are staying. It's going to depend on where you're living in the complex as well. If

you're the first house off Stribling Avenue, you're not going to drive all the way through to go out to JPA. That's how we have that set up.

Commissioner Stolzenberg – What does go up Morgan would end up on Sunset and not end up on Stribling further down?

Mr. Duncan – The majority of people, who use Morgan, are going to end up heading south, either further out and down JPA or down Cleveland. I don't see much of the benefit to going down Morgan Court just to end up on Stribling again.

Commissioner Stolzenberg – You're asking for up to 181 units. Your site plan shows 169 units. What is the difference there?

Mr. Armstrong – It's a difference between what we have drawn on the concept and setting in the use matrix a threshold. What we did with the use matrix was have a line at 15 DUA max. That's how we set that max. We haven't done the calculations to know that 181 is met. 169 is what we are showing here. It is conceivable somebody might want to have an accessory apartment in one of these homes. It's nice to have that as an option. Without coming back to the city for a rezoning, I think it is silly that those even count. That does allow that possibility.

Chairman Mitchell – I have a question for staff. It would be difficult to move forward with a PUD with this level of density unless we know what needs to be done with these streets. What is the thinking regarding sidewalks, backways, and drainage? Have we thought about that?

Ms. Creasy – Those are all elements that are typically part of the development plan. The next step would be for them to figure out how they're going to engineer this plan and receive feedback from engineering in order to move forward. They may find that there are some hiccups along the way. It might be a good opportunity to do some additional outreach so that people understand what is going on. It's hard to answer those questions because they are still in the process of putting those plans together.

Chairman Mitchell – It seems that there is going to be a lot of work that needs to get done. It's probably going to be more than \$500,000 is going to do for us. It seems that they are going to need help from us to make these streets what they need to be to do this development. Do we have any thinking about that? Is it somewhere in the Capital Improvement plan?

Mr. Duncan – We have submitted the last couple of years in the CIP for this sidewalk down Stribling Avenue. One option, if this project was to move forward, would be to take that \$500,000 and use it as a match to get more funds. It doesn't solve the issue the first day that this is open. It does give us some money to try to get matching funds from the state and move forward that way. If you're looking for same day as Huntley gets approved and built, that funding is not identified. The plans haven't been drawn up. There has been no formal engineering study as to what exactly has to be done for drainage or anything like that. The costs that we have in this CIP are approximate costs right now. We're still several years away from actually doing any improvements on Stribling even if we had the funding today.

Chairman Mitchell – We wouldn't be thinking about breaking ground on this until we knew that we had the funding and a plan to make the improvements that we need to make.

Mr. Duncan – The way that Stribling is set up right now, it is substandard from a pavement width standpoint. It varies, but it holds about 19 feet down the majority of Stribling. The standard is 20. It's only slightly substandard. It is substandard. There is no sidewalk. There are portions of sidewalks that don't connect to each other down Stribling right now. There is no continuous sidewalk. Where there is available right of way to put sidewalk, it flips from one side of the street to the other based on how the roadway weaves within the narrow right of way that is there. The current right of way varies some. The majority of Stribling is about a 30 foot right of way. Standard right of way would be 45 feet now. Even the right of way that we have is very limited. There is usually a hill or a drop off on one side of the road or the other. It's not an easy sidewalk to put in. There are going to be retaining walls, grading of driveways going back onto people's properties, and a lot of engineering that has to happen to get that done.

Chairman Mitchell – I have a question for the City Attorney. Are we going to have to invoke eminent domain to build the drainage systems and sidewalks that we are going to need to build those sidewalks?

Lisa Robertson, City Attorney – We will have to see. How you manage a project like that is you develop your plan and your specifications for that plan. You then talk to people about it. If there is a need for additional right of way, that right of way would have to be acquired. People donate it. The city would value it and offer compensation. If a person simply did not desire to sell it through the compensation offered, something like eminent domain would be a last resort.

Mr. Dawson – There is a larger concern other than just adding a sidewalk. There are probably 3 or 4 low points or sags along Stribling as you go that way. Each one of those drains to either side. It's not always clear where it drains. Before you curve that, there are existing drainage problems there. As soon as you throw a curve on one of those sides, it's not only if you can fit those 5 foot sidewalks in the right of way with a given road that varies, you will need to chase that water that was just put into a storm drainage system. You have compounded that. There is a huge unknown. It's not a perfect drainage situation. There is a lot to be uncovered in the survey and design phase.

Commissioner Stolzenberg – This is something that the neighborhood has been asking for a very long time. We have some cost estimates from the CIP. \$1.45 million was the request from last year. Is that the actual estimate? Or is that assuming revenue sharing and the actual estimate would be about \$3 million? Are we confident that we could get revenue sharing from the state? Have we engaged the neighborhood association or neighbors to ask them to dedicate that revenue in advance?

Mr. Dawson – I believe the estimate from a decade ago was \$2.2 million. The way that estimates are put together is that is a guess more than it is an estimate. There has been ongoing conversation with the neighborhood, mostly around the neighborhood CIP request. Revenue sharing with VDOT is up in the air right now with all projects. Because it doesn't rank very high in the V-Tran score, it's probably not a winner for revenue sharing or smart scale. I am not comfortable with making that guess. The other issue is whether we do it or the developer does it. It needs to get done before the developer develops it.

Commissioner Lahendro – Can you comment on the traffic count that was done and the public’s criticism of when it was done and the necessity of a traffic light at the intersection of Stribling and JPA?

Mr. Duncan – The traffic counts that were done were scheduled before the COVID stay at home order happened. Once it happened, we realized what was going on. We worked with EPR, the traffic engineer for the applicant to extrapolate what counts they did have. We had more recent VDOT counts on JPA from last year around this time. We had them take counts there as well and compare those counts with counts at other places. We had a good idea of how much traffic had dropped because of COVID. We had seen 50% in other places. The numbers that they got on JPA were about 60%. I think they did some estimates based on the Institute for Transportation engineer estimates based on households. They did a count of the area and how many vehicles should be expected on Stribling. They were about 60% there as well. We had them double those, which would put us at 120% of the estimate. We were confident the numbers we were getting were a conservative estimate for what should have been there. As far as a signal, it’s not going to come close to meeting the criteria for a signalized intersection, even with this development going in there. It would probably be too close to the intersection at JPA and Maury for it to act very effectively.

Chairman Mitchell – I did take the opportunity to go over there. I didn’t see as much traffic as I expected to see. I did get an appreciation for the environment. The street is very narrow. People were walking up and down the street. I can see when that is busy how difficult it would be to walk and have people driving by. It’s a very automobile dense area. There is a lot of off street parking but not on street parking. There are a lot of automobiles over there. Unless we can improve the infrastructure, it’s going to be difficult to put the kind of density that we’re talking about on that site. There are only partial sidewalks. Where there are parts of sidewalks, they are on one side of the street.

Commissioner Palmer – It’s a lot like East Market Street without the street parking.

Commissioner Stolzenberg – I think it’s already a dangerous situation. There are a lot of people walking and biking down that street. We have heard it in public comments. We know that street is 80% renters. We have also heard how far it is from amenities and transit. You can’t have both of those. The fact that we have so many people walking and biking shows how well connected it is. It is a 12 minute walk to the bus stop at JPA. That’s the best served bus stop in the entire city. It has 5 UTS lines and the free trolley on it. On the other side, we have the Fontaine Research Park going through a big expansion. Its way past due for these sidewalks to have happened. I think we should have funded them a long time ago. This project is the way to make it happen. If you put in 169 units, and they are conservatively assessed at \$200,000 each. We’re going to get \$320,000 a year in tax revenue. 40% of that will go to the schools per the agreement. That amount of tax revenue can finance \$2.9 million worth of bonds. Every \$10 million worth of bonds at 1.6% is going to cost \$660,000 a year in debt service for 20 years. That’s money in addition to this proffer of cash lump sum, which comes at the very beginning. We can finance these sidewalk improvements and stormwater improvements and still have money left over after financing the schools. That can look like a 10% increase in the entire CSRP. They can be any Council priority on top of giving this neighborhood the infrastructure improvements it has needed for a really long time. That’s not a guaranteed outcome. Council has to agree to put it into the CIP and stop leaving it on the unfunded list. If we let this go through, it is

incumbent on us to review the CIP and the Council decides what goes in to make it happen. It pays for itself and more. It could be a win-win combination. It could also create this onerous burden and make the problem worse if we do nothing. I don't think the infrastructure needs to be done at the time they break ground here but certainly by the time we are a few years in.

Commissioner Solla-Yates – Transportation demand management is something everyone wants to talk about. I am seeing a lot of space to store trucks. I worry that if you build it, they will come. How do you make this nightmare not come true?

Mr. Armstrong – I might have to give that some thought and get you a more comprehensive answer at a later date. We could certainly include bicycle storage facilities. That fits well with the goals here. We need to consider whether these are marketable today without as much parking. We can't build something today for a buyer that currently doesn't exist. I would like to give that some thought and see what we can figure out on that question.

Commissioner Lahendro – I am looking at the site plan. I understand that you haven't had a landscape architect involved. It concerns me to not see a development integrated with its neighbors and the site around. Instead I am seeing walls of wax magnolias around a perimeter property line creating barriers between this development and whatever else is around it. Is that intent of what you are doing instead of looking to integrate it with the surrounding?

Mr. Armstrong – That's what happens when your engineer takes a stab at a landscape plan for the purposes of demonstration. I wouldn't pay any attention to species or specific buffer designs there. The intent was to provide some sort of visual buffer to the neighbor to the east. The neighbor asked for that and wanted to have some separation. That's the origin of that particular buffer on that side. I prefer a more varied buffer style that does create some visual separation and privacy.

Commissioner Solla-Yates – I didn't see anything about the housing. You have been really responsive on the comments about housing. Our housing situation is worse now than what it was the last time we talked about this. More important to see it now.

Commissioner Green – I will leave you some final comments. For you, the task is going to be taking a look at this vacant land in the city and deciding whether we can work with city CIP, get funding somewhere to be able to develop this in a dense enough place where housing is a definite shortfall in the city. Or it is just decided that this is a by right use. Your task, as you go forward, is going to be to take a look at this. Land is at a premium in this landlocked city. Is the by right development better than time to come up with solutions? The city has to be a partner with you on this. Clearly, there is infrastructure that has to be in place. We want housing in this city. You need to take a look at this. Maybe the city partners with you enough so that there is more affordable housing in this project. To have a piece of land this large that continues to go undeveloped. This can be developed by right. Will this be developed better with a PUD than it is by right? As a PUD, we get to look at a lot of things like stormwater, streets, preserving critical slopes, and making sure there are enough trees in the area. With a by right development, the Planning Commission doesn't get to weigh in on that. I would also take a look at that matrix. Make sure what is in that matrix is a by right use is actually what you want to see there.

Mr. Armstrong – I would love to have any feedback on the matrix. If there is anything that people saw as undesirable, included or not included. That can be now or any time along the way as we continue through the process.

Commissioner Solla-Yates – I looked through it briefly. I didn't see any issues. It looked conservative to me, given these comments.

Commissioner Stolzenberg – It looked fairly similar to our R1 and R2, except that libraries are gone. Surface parking lot as an accessory use concerns me. I am not sure how it would be valid given the PUD. You have to fundamentally change the proffer development plan. It shows underground/podium parking.

Commissioner Green – I would say to take a look at the homestays when you're talking about the impact on the neighbor. You're already impacting the neighbors with this amount of new homes in the area with an infrastructure issue that you already have transportation wise and traffic wise. When you add homestays when you have constant in and out, that might be something you want to take a look at.

Commissioner Stolzenberg – I don't see a need to make it more restrictive than general R1 on homestays. The use matrix on Municode that says it's by right is not right. It should be a P for provisional use permit. Even though it says B, you still need to have a provisional use permit. As that is true, I am fine with it.

Commissioner Dowell – Do we want just a by right development that doesn't satisfy the needs or the wants of the community? It does not give us a desirable affordable housing that we seek for. Are we going to try to figure this out to make it beneficial for everyone? I am hoping that we choose the latter.

Commissioner Palmer – I think that density is commendable. It's interesting when you look at the aerial perspective. It feels like this is a remote part of the city. You go across the city line and there's this big apartment complex there. It's not like there is not a precedent. It is close to Fontaine and the rest of the university through the bus line. That's not too far away. I have noticed, with being home a lot, all of the delivery vehicles that tend to come with development with this tight road network. There may need to be some thought put into how you safely efficiently accommodate that large amount of delivery volume throughout the day that has become ubiquitous. I thought Commissioner Green's comments were really good. There is a fair amount of leverage that the city might have in achieving some of its goals with a project like this. It would be nice if this were right in the middle of the city.

Commissioner Heaton – I concur with Commissioner Palmer about the density and the direction that the city needs to go to mitigate our housing issues. It seems to me from public comment that you might have some creative thought into what Commissioner Lahendro referred to as the perimeter feeling of this development. Your creativity could be put into how this development interacts with its neighbors. It seems like an opportunity to engage with the existing community that's there that will not want more density. Go ahead and put some energy into what it looks like to the neighbors. What are these people going to be friends about? I think that would go a long way toward helping the city embrace its need for density, but also the relational connections between existing subdivisions and new subdivisions.

Commissioner Lahendro – It would be unconscionable to approve this PUD development, as much as it appeals to me, because of its traditional layout, design, thoughtfulness, and how it takes advantage of the PUDs. Unless we knew that Stribling was going to be improved, I don't know how we could approve this as an island and not take into consideration the neighbors and the people affected by it along Stribling. A partnership needs to be worked out with the city to ensure the fact that Stribling is improved when this development starts to go in.

Commissioner Stolzenberg – I agree with Commissioner Lahendro. The infrastructure does need to get in there at some point. Even if this development was not to happen, it needs to happen. I hope that the city can take this chance to really pursue the goals that we have set for ourselves in the past and to give back to the neighborhood as part of it and create these much needed improvements.

Chairman Mitchell – I would rather see a PUD than a by right development. We can't do the PUD unless we work with the city to improve the infrastructure. We need to do all the things to protect the slopes and Moores Creek.

With the upcoming vote with the Entrance Corridor, the City Attorney asked the Chairman whether Commissioner Green (outgoing commissioner) or Commissioner Russell (new commissioner) would be voting on the Entrance Corridor. Consensus was reached that Commissioner Green would be the commissioner voting on the Entrance Corridor, given that Commissioner Green had been in the meeting from the beginning.

J. Entrance Corridor - Chick-fil-A Barracks Rd

The chairman gavelled the Planning Commission into the ERB Meeting.

Jeff Werner, Staff Report – The decision is yours. In my planning and professional opinion, light glare is a significant issue in this town. What we have asked is that these lights at this new building have the ability to be dimmed if requested. They meet the color temperature criteria that we have laid out. If the applicant doesn't think that can be done, that is your decision to make. As a community, these are the design and aesthetic criteria we want to work towards. This is what we want to see for this new business in this new location.

Commissioner Dowell – We had a recent project where we had this issue with lighting. We required that they use a dimmer. What are we going to put in place so that it's not up in the air? We need to have some clear procedure in how we determine what a light nuisance is.

Mr. Werner – We get phone calls and emails about West Main Street with the building on the west side of the bridge. We ask that if the lights can't be dimmed, then turn them off. What are our capabilities via the zoning officials enforcing certain things? It gives us a tool to use. With the information that has been submitted, I would want to see a cut sheet for that fixture that meets that criteria. Absent that, this condition would cover it. I know how we have responded to complaints. There is an honest assessment and evaluation.

Ms. Creasy – What typically happens with a lighting violation request is that someone contacts staff and lets staff know they have a concern. We investigate it. Craig Fabio, the Zoning Administrator, does lots of those. He has been doing quite a few during the state of emergency. They go out with a

light monitor. They determine if it is within the criteria. If there is a concern, the first step is reaching out to the property owner to try and work with them. If that goes to no avail, then it goes through a zoning violation process.

Commissioner Green – When you go out to do a measurement, this is dark sky compliance. If there is a glare and it doesn't meet the lumens at the property, then is that a matter of being dimmable or does it have a shield installed?

Ms. Creasy – There are different ways it can be addressed. Staff will work with the individual to make it work. If it is a larger business, they have experience with that. Some of the smaller places don't. It depends on what their capability is. The idea is to get it into compliance. It's either in compliance or it's not in compliance. If it's not in compliance, people know and they let us know.

Commissioner Stolzenberg – That distinction seems different from what we are talking about in this ERB condition? If it's clearly not in compliance with the lighting ordinance, staff can enforce that? It sounds like their issue is that beyond the lighting ordinance and the objective measure of 3000K, it's well that if you get any reasonable public complaint, then you must take action. Reasonable public complaint seems like a nebulous and subjective concept.

Commissioner Green – If staff has a complaint, they investigate. If it is not in compliance, then they have the options.

Commissioner Stolzenberg – It can be an unreasonable complaint if it is in compliance with the lighting ordinance. Without the condition, you could still investigate to see if it is in compliance?

Ms. Creasy – We investigate either way. There are a number of lighting investigations we do where it is not a violation. There is also the good neighbor aspect of things. We have found that a lot of businesses want to be good neighbors. They work with the staff and they make adjustments. There may be some wording arrangement to that condition that can get it to something that will allow people to move forward with that. We have definitely found that providing this language has been very helpful when all of the lighting gets out there. If there are any problems with it, it is a lot easier to hit a dimmer button than it is to have to retrofit.

Commissioner Green – We have an ordinance that talks about spillover, which is light that spills over the property line. When a lighting engineer looks at it, they are looking at it on flat ground. The lighting engineers don't look at the overall topography. When you are doing a lighting plan, it is going to comply because it is on flat ground and flat paper. Where problems come in the community, this particular establishment is at one grade. Where you're going to have residential concerns is at the higher grade. It would be on the same plane as the lights. You're not talking about being able to control or engineer a plan for the surrounding grades. It's easier to add these things at the beginning than it is to have a lot of neighbors on the street. We have an opportunity to make it right at the beginning.

Mr. Werner – Technology is running ahead of the ordinances. The ordinance was written for light bulbs. My understanding is that the 3000K max and dimmable provides that extra if needed. With those two provisions, you're there. I understand the situation with trying to have a very clear answer.

Given that it is in Barracks Road Shopping Center, there are lights all over that place that are issues. I encourage you to come up with any language that you prefer for the second piece of that. The key condition is the 3000K and dimmable fixture.

Commissioner Green – The other part is that Barracks Road is an established place, and I don't think they have switched everything over to LED yet. Whatever you have there is there and you add a new establishment with new fixtures and new lighting, it may meet the ordinance. You are going to get calls when people change out the fixtures to LED.

Chairman Mitchell – What are we trying to achieve with this application?

Ms. Creasy – You had the single condition that was of concern. The applicant is here and can provide some background. If you needed a staff report for this, we can provide that information. It is in your court as to how you would like to move forward with the discussion.

Commissioner Stolzenberg – Can we recognize the applicant for no more than two minutes to say what their problem is?

Ryan Yauger, Bohler Engineering – I agree with a lot of the things that have been said. There is different nomenclature that we have concerns with. The first one being the dimmable aspect of it. The city doesn't necessarily have the ordinance caught up with technology to govern by. We are meeting the city ordinance. We are in compliance to the city standards for the zoning ordinance and in compliance to the shopping center standards. We feel that we are trying to be good neighbors. We are not trying to submit an application that is not in compliance. However, the dimmable aspect of it would be at a detriment in isolating to our single pad single tenant use here rather than a standardized approach for the whole city. We are willing to accommodate any city regulations in place. We feel this is above and beyond. With the back and forth with staff, we were really discussing a dimmable aspect of a fixture with a more interior fixture of a recessed bulb as part of the canopy ordering system and the canopy lighting that would be blocked by the roof of the canopy. You would not have any of the issues of the adjacent neighboring properties because it is underneath that canopy. You did not mention dimming the light pole fixtures for the parking areas. In the motion, there was a universal dimming of all lights on the property. We can certainly look into dimming the canopy. As far as the parking lots, that's our concern. By agreeing to the motion, as written, it leaves the end users operator to future subjectivity of the opinion of an individual or the opinion of the individual, even if it is a member of the public or city staff member. We are going to get a site plan approved, build that site plan, and adhere to it. For some reason at post construction it does not adhere, we are happy to oblige and revise that. It is going based on a quantifiable city standard rather than the ambiguous. The two things we are isolating are the dimming features for the canopy and leaning on the zoning ordinance for the standard of fixing in the future rather than arbitrary.

Commissioner Stolzenberg – I feel that there is disconnect there. I would think that it is the ones not within the canopy that we care about. All of the non-canopy bulbs have fixtures available that are dimmable. They can buy those off the shelf.

Mr. Werner – By looking at the information that was available, all of the fixtures had a type available that came with the 3000K lamp and a dimming control. What is being dimmed and how it is dimmed,

I am relying on the experts from the BAR. I looked at what the light fixtures listed, it was the only one that didn't meet the canopy lights at the drive thru. My intent was all of the fixtures would have the 3000K and dimmable as it seemed they were available that way.

Motion - Commissioner Lahendro - Having considered the standards set forth within the City's Entrance Corridor Design Guidelines, I move to find that the proposed design for the Chick-Fil-A at 1000 Emmet Street North is consistent with the Guidelines and compatible with the goals of this Entrance Corridor, and that the ERB approves the Certificate of Appropriateness application as submitted with the following conditions:

- **The four (4) existing magnolia trees along Emmet Street shall be maintained and protected from damage during construction.**
- **Requirement that all door and window glass be clear (not less than 70% VLT);**
- **Prohibition of signage on the outdoor umbrellas and requiring they be of a uniform color.**
- **Exterior light fixtures shall have lamping that is dimmable and have a Color Temperature not to exceed 3000K. Additionally, the owner will address any reasonable public complaints about light glare by either dimming the lamp or replacing the lamps/fixtures.**

(Second by Commissioner Heaton). Motion passed 7-0.

The chairman gavelled the Planning Commission out of the ERB Meeting.

The chairman gavelled the Planning Commission back into the regular meeting.

The meeting was adjourned at 9:53 PM until the second Tuesday of October.