

Agenda

PLANNING COMMISSION REGULAR TUESDAY, April 9, 2024 at 5:30 P.M. Hybrid Meeting

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

Beginning: 5:00 p.m.

Location: (NDS Conference Room, 610 East Market Street, Charlottesville, VA 22902)

Closed Session – FOIA Training and Legal Consultation

II. Commission Regular Meeting

Beginning: 5:30 p.m.

Location: (Council Chambers, 605 E. Main Street, Charlottesville, VA 22902 and 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 – February 13, 2024 – Regular Meeting
2. Minutes – March 12, 2024 – Regular Meeting
3. Minutes – September 12, 2023 – Regular Meeting
4. Minutes – September 13, 2022 – Regular Meeting
5. Zoning Text Initiation – Code conformity in cases of property acquisition

III. PLANNING COMMISSION PUBLIC HEARING

Beginning: 6:00 p.m.

Continuing: until all public hearings are completed

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

1.ZT24-01-01 A proposed amendment to the text of the Charlottesville Development Code, Chapter 34, Article 5 Division 5.4.2. for a lot, building or structure established in conformity with this Development Code will not create a violation of this Code as a result of the acquisition, purchase or condemnation of a portion of it by an agency of the federal, state or local government possessing the power of eminent domain.

IV. COMMISSION'S ACTION ITEMS

Beginning: following Joint meeting

Continuing: until all public hearings and action items are completed

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

1. Entrance Corridor Review
 - A. VERVE – JPA, Stadium Road, Emmet Street, Montebello Circle

V. FUTURE MEETING SCHEDULE/ADJOURN

Tuesday April 23, 2024 – 5:00 PM	Work Session	
Tuesday May 14, 2024 – 5:00 PM	Pre-Meeting	
Tuesday May 14, 2024 – 5:30 PM	Regular Meeting	<u>Minutes</u>

Anticipated Items on Future Agendas

Site Plan –240 Stribling Ave, 1613 Grove Street Extended, MACAA – Park Street, VERVE, 250 JPA, Mount View PUD (preliminary)

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.

Planning Commission premeeting and regular meetings are held in person and by 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
2/1/2024 TO 3/31/2024**

- 1. Preliminary Site Plans**
 - a. 1185 Seminole Trail – February 20, 2024
- 2. Final Site Plans**
- 3. Site Plan Amendments**
 - a. 1140 & 1142 East High Street – March 18, 2024
 - b. 1150 5th Street SW #1 – March 20, 2024
- 4. Subdivision**

February 13, 2024, March 12, 2024, September 12, 2023 and
September 13, 2022 Planning Commission Minutes are included
as the last documents in this packet.

**CITY OF CHARLOTTESVILLE
DEPARTMENT OF NEIGHBORHOOD DEVELOPMENT SERVICES
STAFF REPORT**



REQUEST FOR INITIATION OF A ZONING TEXT AMENDMENT

**PLANNING COMMISSION REGULAR MEETING
DATE OF PLANNING COMMISSION MEETING: April 9, 2024**

Project Planner: James Freas, Director & Missy Creasy, Deputy Director

Date of Staff Report: April 2, 2024

Origin of Request: City staff request to Planning Commission

Applicable City Code Provisions: Chapter 34 – Article 5, Division 5.2.5

Initiation Process

Whenever the public necessity, convenience, general welfare or good zoning practice require, the City Council may, by ordinance, amend, supplement, or change the city's zoning district regulations, district boundaries, or zoning district classifications of property. A zoning text amendment may be initiated by: (1) Resolution of the City Council; or (2) Motion of the Planning Commission. (See City Development Code §34- 5.2.5.B.1.a, which is based on Virginia Code §15.2-2286(a) (7)).

Discussion

The proposed text amendment allows that, where a governmental entity acquires a portion of a property, that property cannot then become noncompliant with the zoning ordinance. A similar section could be found in the previous zoning ordinance and should have been carried over into the new Development Code. The proposed text amendment corrects this error. Action is required as the City is currently acquiring portions of property as part of street improvement projects.

Standard of Review

If initiated, the Planning Commission shall review and study each proposed amendment to determine:

1. Whether the proposed amendment conforms to the general guidelines and policies contained in the Comprehensive Plan;
2. Whether the proposed amendment will further the purposes of this Chapter and public necessity, convenience, general welfare, and good zoning practice require such amendment;
3. Whether there is a need and justification for the change;
4. When pertaining to a change in the zoning district classification of property, the effect of the proposed change, if any, on the property itself, on surrounding property, and on public services and facilities. In addition, the Planning Commission must consider the appropriateness of the property for inclusion within the proposed zoning district, relating to the purposes set forth at the beginning of the proposed district classification; and

5. Such other considerations as permitted by law.

Appropriate Motions

- (1) For approval: the Planning Commission may decide to initiate a zoning text amendment, by making the following motion:

“I move to *initiate* consideration of amendments to City Code Chapter 34 (Development Code), Article 5, Division 5.4.2, to change code requirements adding that *a lot, building or structure established in conformity with this Development Code will not create a violation of this Code as a result of the acquisition, purchase or condemnation of a portion of it by an agency of the federal, state or local government possessing the power of eminent domain.*

- (2) Decline to initiate the process. (No motion is needed; if the Commission does not adopt a motion to initiate, then the proposal will not proceed)

Attachment

Old Code language

Sec. 34-81 - Compliance with chapter.

(a)

The regulations set forth in this chapter shall be considered the minimum requirements to protect public health, safety, comfort, prosperity and general welfare, and to provide a remedy for existing conditions that are detrimental thereto.

(b)

No land, building, or structure shall be erected, converted, enlarged, altered, used or occupied, and no building or structure shall hereafter be located, erected, constructed, reconstructed, altered, repaired or moved except in conformity with the regulations specified within this zoning ordinance.

(c)

No lot or parcel shall be reduced or diminished in area such that required yard or other spaces shall be smaller than prescribed by this zoning ordinance. This provision shall not preclude the construction of a residence on a lot of record existing before January 21, 1958. Notwithstanding the foregoing, any lot, parcel, building or structure originally established in conformity with city regulations, which is later placed in violation thereof by or on account of the acquisition, purchase or condemnation of a portion thereof by an agency of the federal, state or local government possessing the power of eminent domain shall not be considered nonconforming. (9-15-03(3); 7-21-08(2))

Draft Code language (new language highlighted)

5.4.2. Compliance with Chapter

A. The regulations set forth in this Chapter must be considered the minimum requirements to protect public health, safety, and general welfare, and to provide a remedy for existing conditions that are detrimental thereto.

B. No land, building, or structure may be erected, converted, enlarged, altered, used or occupied, and a building or structure cannot hereafter be located, erected, constructed, reconstructed, altered, repaired or moved except in conformity with the regulations specified within this Development Code.

C. A lot, building or structure established in conformity with this Development Code will not create a violation of this Code as a result of the acquisition, purchase or condemnation of a portion of it by an agency of the federal, state or local government possessing the power of eminent domain.

CITY OF CHARLOTTESVILLE
DEPARTMENT OF NEIGHBORHOOD DEVELOPMENT SERVICES
STAFF REPORT



PLANNING COMMISSION PUBLIC HEARING
REQUEST FOR A ZONING TEXT AMENDMENT
APPLICATION NUMBER: ZT24-01-01: Acquisition of Property for Public Use
DATE OF HEARING: April 9, 2024

Project Planner: James Freas and Missy Creasy

Date of Staff Report: April 2, 2024

Applicable City Code Provisions: Chapter 34 – Article 5, Division 5.2.5 and Division 5.4.2.

Summary

The proposed text amendment allows that, where a governmental entity acquires a portion of a property, that property cannot then become noncompliant with the zoning ordinance. A similar section could be found in the previous zoning ordinance and should have been carried over into the new Development Code. The proposed text amendment corrects this error. Action is required as the City is currently acquiring portions of property as part of street improvement projects.

Standard of Review

The role of the Planning Commission is to make an advisory recommendation to the City Council, as to whether or not Council should approve a proposed zoning text amendment based on the factors listed in the Charlottesville Development Code - Article 5, Division 5.2.5.D

1. Whether the proposed amendment conforms to the general guidelines and policies contained in the Comprehensive Plan;
2. Whether the proposed amendment will further the purposes of this Chapter and public necessity, convenience, general welfare, and good zoning practice require such amendment;
3. Whether there is a need and justification for the change;
4. When pertaining to a change in the zoning district classification of property, the effect of the proposed change, if any, on the property itself, on surrounding property, and on public services and facilities. In addition, the Planning Commission must consider the appropriateness of the property for inclusion within the proposed zoning district, relating to the purposes set forth at the beginning of the proposed district classification; and
5. Such other considerations as permitted by law.

5.2.5.D.1 Whether the proposed amendment conforms to the general guidelines and policies contained in the comprehensive plan.

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

a. Transportation

Goal 1: Complete Streets - Create and maintain a connected network of safe, convenient, and pleasant accommodations for pedestrians, bicyclists, and transit riders, including people of all ages and abilities.

Goal 3: Efficient Mobility and Access - Maintain a safe and efficient transportation system to provide mobility and access.

5.2.5.D.2: Whether the proposed amendment will further the purposes of this Chapter and public necessity, convenience, general welfare, and good zoning practice require such amendment.

It was intended that this code section would have carried forward from the previous zoning ordinance. The consultants had thought that a state code reference would have addressed but review of a current right of way situation did not provide the clarity that this code provision would provide.

5.2.5.D.3: Whether there is a need and justification for the change.

Without the proposed amendment, properties obtained for public purpose may become non-conforming. The negotiation process for right of way and easements for public projects is likely to be extended if private properties will become non-conforming. This could limit the pursuit of public transportation projects.

5.2.5.D.4: When pertaining to a change in the zoning district classification of property, the effect of the proposed change, if any, on the property itself, on surrounding property, and on public services and facilities. In addition, the Planning Commission must consider the appropriateness of the property for inclusion within the proposed zoning district, relating to the purposes set forth at the beginning of the proposed district classification; and

This zoning text amendment does not include a change in the zoning district classification of any particular property.

5.2.5.D.5: Such other considerations as permitted by law.

No additional areas have been identified at this time.

Public Comment

No public comments have been received at this time.

Staff Recommendations

Staff recommends that the zoning text amendment be recommended for approval by the Planning Commission to City Council as written to amend and clarify the City of Charlottesville Development Code.

Suggested Motion

1. Based on a finding that the proposed zoning text amendments will serve the public necessity, convenience, general welfare, or good zoning practice. I move to recommend approval of a zoning text amendment as proposed Division 5.4.2 (Compliance with Chapter) of the Charlottesville Development Code.

OR,

2. Based on a finding that the proposed zoning text amendments will serve the public necessity, convenience, general welfare, or good zoning practice. I move to recommend approval of a zoning text amendment as proposed Division 5.4.2 (Compliance with Chapter) of the Charlottesville Development Code with the following modifications:
 - a.
 - b.

OR,

3. I move to recommend denial of this application to zoning text amendment on the basis that the proposal would not service the interests of the general public and good zoning practice.

Attachments

1. Draft Code Language

Attachment 1

Draft Code language (new language highlighted)

5.4.2. Compliance with Chapter

A. The regulations set forth in this Chapter must be considered the minimum requirements to protect public health, safety, and general welfare, and to provide a remedy for existing conditions that are detrimental thereto.

B. No land, building, or structure may be erected, converted, enlarged, altered, used or occupied, and a building or structure cannot hereafter be located, erected, constructed, reconstructed, altered, repaired or moved except in conformity with the regulations specified within this Development Code.

C. A lot, building or structure established in conformity with this Development Code will not create a violation of this Code as a result of the acquisition, purchase or condemnation of a portion of it by an agency of the federal, state or local government possessing the power of eminent domain.



Entrance Corridor Review Board
CoA Request for 100 Stadium Road (*The Verve*)

Planning Commission Regular Meeting
Date Of Planning Commission Meeting: April 9, 2024

Project Planner: Matt Alfele

Zoning: PUD (Planned Unit Development, ZM23-00004) with Entrance Corridor Overlay (Fontaine Ave/JPA; Sub-area C.)

FLUM designation: Urban Mixed-Use Corridor

Tax Map Parcels: 160008000, 160005000, 160001000, 160002000*, 160003000*, and 160004000*. This includes the former Woodrow Street, which City Council incorporated into the project area. (* Three parcels are not within the EC; however, as a single project, the entire development is subject to design review by the ERB.)

Site Acreage: approximately 3.3 acres

ERB staff report prepared by: Jeff Werner, AICP, Preservation and Design Planner

Submittal: *Verve Charlottesville, Entrance Corridor Review*, dated March 25, 2024, sheets 1 through 72.

Relevant Code Section

100 Stadium Road (*The Verve*) is being reviewed per a Planned Unit Development (PUD) request, approved by City Council on December 4, 2023, under the pre-February 19, 2024 zoning ordinance therefore the applicable code sections (referenced below) are from that prior ordinance. However, relative to the ERB's purview and the standards for review, it is worth noting that the recently updated code is essentially unchanged from the prior.

The 3.3-acre project is located within Sub-area C of the Fontaine Avenue/Jefferson Park Avenue Entrance Corridor. The Planning Commission serves as the Entrance Corridor Review Board (*ERB*), responsible for administering the design review process in entrance corridor overlay districts (*EC*). This development project requires a site plan, and therefore also requires a Certificate of Appropriateness (*CoA*), pursuant to the provisions of Section 34-309(a)(3) of the City's Zoning Ordinance. [See note above re: applicable code.] ERB shall act on an application within 60 days of the submittal date, and shall either approve, approve with conditions, or deny the application.

Background

100 Stadium Road (*The Verve*) is the redevelopment of approximately 3.3-acres to an apartment complex with buildings of various heights (maximum height of 135-ft, 12 stories), accommodating up to 550 residential units. (The existing structures will be razed.) The project features a continuous building façade, minimally setback from the sidewalk, circling the block [counterclockwise] along JPA (east elevation), then Emmet Street (north elevation), and then Stadium Road (west elevation), to the intersection with Montebello Circle. The buildings, ranging in height from eight stories to 12 stories, predominantly feature first stories with dark brick (EIFS masonry panels) and upper floors faced with EIFS architectural panels and metal panels. The streetscape features a continuous sidewalk, stepped walls, terraced public areas, porch-like residential entrances, a segment of commercial storefronts, street trees, and landscaping. On-site parking will be concealed within the building.

Currently on the project site are nine structures: Six are two-, three-, and four-story brick apartment buildings dating from 1935 to 1961; three are dwellings, two framed, one stone, dating from 1927 to 1940. None of the properties are designated historic, nor located within a historic district. (Recently, City Council removed the IPP designation for 104 Stadium Road.)

Per the approved PUD:

- Setback (min.): Rear 15-ft; Front 1-ft; Side 1-ft
- Height (max.): 135-ft / 12 Stories
- Density* (max): 167 DUA (550 units)
- On-site parking* (min): 401

[* The ERB reviews only the aesthetic and design elements. The proposed uses, including density, parking, and traffic impacts, are not within the ERB's purview.]

Links to prior PC and City Council review of the Planned Unit Development

- Joint PC/City Council October 10, 2023 (See item #3.)
 - <https://charlottesvilleva.portal.civicclerk.com/event/1788/files/agenda/4326>
- Joint PC/City Council November 14, 2023
 - <https://charlottesvilleva.portal.civicclerk.com/event/1836/files/agenda/4421>
- City Council: December 4, 2023 (See item #13.)
 - <https://charlottesvilleva.portal.civicclerk.com/event/1672/overview>
- City Council: January 22, 2024 (Postponed January 16 meeting. See item #7.)
 - <https://charlottesvilleva.portal.civicclerk.com/event/1860/files/agenda/4559>
- ERB Preliminary Discussion: February 13, 2024
 - <https://charlottesvilleva.portal.civicclerk.com/event/1957/files/agenda/4608>

Standards for considering certificates of appropriateness.

In conducting review of an application, the ERB must apply the standards set forth within §34-310 of the City Code, which require consideration of certain features and factors in determining the appropriateness of the proposed construction. (Note: Signage shown is conceptual only. See recommended condition.)

- *§34-310(1): Overall architectural design, form, and style of the subject building or structure, including, but not limited to the height, mass and scale;*
- *§34-310(2): Exterior architectural details and features of the subject building or structure;*
- *§34-310(3): Texture, materials and color of materials proposed for use on the subject building or structure;*
- *§34-310(4): Design and arrangement of buildings and structures on the subject site;*
- *§34-310(5): The extent to which the features and characteristics described within paragraphs (1)-(4), above, are architecturally compatible (or incompatible) with similar features and characteristics of other buildings and structures having frontage on the same EC street(s) as the subject property.*
- *§34-310(6): Provisions of the Entrance Corridor Design Guidelines.*

Note: Attached is a comprehensive review of the design guidelines, reflecting both the applicant's and staff's comments.

Links to EC Design Guidelines

[EC Design Guidelines Chapter I - Introduction](#)

[EC Design Guidelines Chapter II - Streetscape](#)

[EC Design Guidelines Chapter III - Site](#)

[EC Design Guidelines Chapter IV - Buildings](#)

[EC Design Guidelines Chapter V - Corridors](#)

Summary and Staff Recommendation

With the consideration and incorporation of the comments (below) and proposed conditions (see the draft motion to approve), staff recommends approval of the CoA.

Note on the EC design guidelines (Chapters I through V): Since 2011, when the guidelines were adopted, the City has twice updated the Comprehensive Plan, each time modifying the allowable heights, scale, and intensity of development envisioned for the Entrance Corridors. As such, many of the corridor-specific recommendations in Chapter V, particularly those related to zoning, have been superseded by the Comprehensive Plan and any corresponding zoning revisions. (For 100 Stadium Road, elements of Chapter V are also superseded by the PUD approved by Council,) The broader recommendations in Chapters I through IV of the guidelines—addressing architecture, site design, landscaping, etc.—continue to be applicable and provide guidance for evaluating the visual and aesthetic impacts of a development project.

Height, massing, scale, and general spacing and locations: The heights and setbacks for this project are established by the approved PUD. Additionally, the overall scale, spacing, and building locations were presented in the designs reviewed for the PUD request. The design submitted for this CoA has some variation from that reviewed by the Planning Commission

in October and November 2023; however, it is identical to what was reviewed by City Council in December 2023 and February 2024. With that, staff assumes the heights, massing, scale, and general spacing and locations, as presented for this CoA, were deemed appropriate during those prior reviews. Therefore, this review focuses on the aesthetic elements of the project, and less so on its dimensional and spatial attributes.

Streetscape and urban form: Facing JPA, the eight-story East Building (with the side wall of the North Building) presents a building façade spanning approximately 320-ft. Along Emmet Street, the twelve-story North Building spans approximately 265-ft. As the buildings turn the corner at Stadium Road, a two-story hyphen both connects the North and West buildings and visually separates their twelve-story façades. The 290-ft façade of the West Building follows the curve of Stadium Road, dropping to a three-story section at the intersection with Montebello Circle. Compared to range of lengths for other, large-scale buildings in Charlottesville, the lengths of The Verve’s three primary facades fall in the middle. (See list in the appendix.)

The four streets essentially enclose the project within an urban-scale block of roughly 500-ft x 330-ft. While block sizes vary throughout the City, ranging from 2 to 6 acres, the majority average about 3 acres, which is reflected in this project’s 3.3-acre block. (See notes in the appendix.)

Design and materiality: The buildings feature variation in materiality and color palette (a blend of neutral, earth tones). The wall planes are articulated (physically and materially), the building heights vary, and the streetscape elements encourage pedestrian activity. All, in combination, mitigate the perception and visual impact of the building’s height, massing, and scale.

EIFS: The design guidelines (Chapter IV: Guidelines for Buildings, F. Materials & Textures) recommend against using EIFS, describing it *as a building material with long-term maintenance problems*. However, since the guidelines were adopted, EIFS (synthetic stucco) has been improved. When the appropriate product [for a location] is used and properly installed, issues related to durability and moisture problems can be resolved. In the last few years, the ERB has reviewed and approved three projects using EIFS. (The BAR has approved at least four.) The CoA for 2005 JPA included a specific condition related to the use of EIFS, which staff recommends be considered for this project. [Note: Many new buildings have been approved that feature synthetic materials such as fiber cement panels, siding and trim, brick-tile panels, metal panels that mimic wood siding, ceramic-coated panels that mimic stone or masonry, pre-cast stone, composite material panels, and so on.]

Wall detail: The ERB should discuss the vertical and horizontal lines of the EIFS panels, as indicated in the renderings (see below), and determine if there is a preference for the detail to be flush (flat with the wall) or proud (projecting from it, framing the EIFS panels), or some combination of both. The applicant expressed that this detail is not finalized, that the intent of illustrating the lines in the renderings was to communicate the *overall pattern of jointing* and the *mixture of the three tones of champagne colors*.



The guidelines do not recommend one or the other, only broadly suggesting that materials and elements offer texture and visual interest. The guidelines for details suggest the use of articulated elements and variations in the wall plane. The ERB should determine if those recommendations are achieved satisfactorily by other elements of this design, thus allowing flexibility to finalize this detail later, or if this detail must be clarified prior to approval of a CoA.

Public Comments Received

No public comments have been received relative to the requested CoA.

Suggested Motion

Approval: Having considered the standards set forth within the City's Entrance Corridor Design Guidelines, I move to find that the proposed design for 100 Stadium Road [The Verve] is consistent with the Guidelines and compatible with this Entrance Corridor, and that the ERB approves the Certificate of Appropriateness application as submitted, with the following conditions of approval:

- [Exterior lighting] Lamping for exterior lighting be dimmable, have a Color Temperature not exceeding 3,000K, and have a Color Rendering Index not less than 80, preferably not less than 90. Also, to prevent bright light and glare emanating from the garage openings, lamping for the garage lighting [immediately inside the opening] will comply with the above. Additionally, the owner will address any reasonable public complaints about brightness or glare from exterior lights by either dimming the lamp or replacing the lamps/fixtures. (Note: Compliance with the lamping requirements will be determined during review of the site plan and review of the building permit application.)
- [Screening] Any ground-level mechanical equipment and/or utility boxes will be appropriately screened. That screening will be subject to approval by design staff and must be memorialized as an amendment to the site plan.
- [Screening] Rooftop mechanical equipment will either be screened or set/located back from the wall plane so as to not be visible from adjoining properties.

- [Screening] Meters and panel boxes for utility, communications, and cable connections will be located preferably within the garage; if not, then in non-prominent locations on the side elevations only and appropriately screened. That screening will be subject to approval by design staff and must be memorialized as an amendment to the site plan.
- [Signs] Signage represented in the submittal is for context only and not subject to this CoA, unless addressed specifically by the ERB. Regardless, all regulated signage will require an approved sign permit.
- [Plantings] Variation to the specified plant species is allowed, should changes be requested by City staff during the site plan review process.
- [EIFS] The EIFS material will be a STO product, as specified. Specifically, the synthetic stucco used will be a durable synthetic material which is mechanically fastened over appropriate drainage mats with a code compliant water-resistant barrier.
- [EIFS] (*Clarification of the joint detail.*)

Alternate Motions

Deferral: I move to defer [or, *to accept the applicant's request to defer*] the Entrance Corridor Certificate of Appropriateness application for 100 Stadium Road [The Verve].

Denial: Having considered the standards set forth within the City's Entrance Corridor Design Guidelines, I move to find that the proposed design for 100 Stadium Road [The Verve] is not consistent with the Guidelines and is not compatible with the goals of this Entrance Corridor, and that for the following reason(s) the ERB denies the Certificate of Appropriateness application as submitted: [...]

Attachments

- A. Applicant's submittal.
- B. EC design guidelines re: 100 Stadium Road [The Verve]. Applicant and staff comments.
- C. August 2018 memo re: clear glass.
- D. Examples of contemporary and other buildings in Charlottesville.

Appendix

From the EC Design Guidelines, Chapter 5 (adopted by City Council March 7, 2011)
Fontaine Avenue/Jefferson Park Avenue Entrance Corridor



Overall Description: Fontaine Avenue is known locally and historically as the Fry's Spring area of Charlottesville. Fontaine continues west as an extension of the road named Jefferson Park Avenue (JPA), while JPA turns south toward Fry's Spring Beach Club. The Fontaine section of the corridor is one of the gateways to the City and University, and its commercial sections serve as neighborhood village center. The JPA section serves as a concentration of multi-unit apartment buildings for University students.

Positive Aspects

- Largely intact residential corridor serving as gateway
- Core of commercial uses to serve the area
- Mature street trees and planted median along much of corridor
- Well-defined and landscaped gateway at Fontaine research park entry
- Comprehensive transportation network with divided corridor, bus routes, bike paths, and sidewalks

Vision: This corridor transitions quickly from accommodating highway speed autos to more congested auto, transit, pedestrian, and bicycle traffic. Foremost considerations are traffic calming, provisions for pedestrian safety, and pedestrian amenities such as sidewalks, landscaping and transit stops. The neighborhood center, Maury Avenue intersection, is currently a bustling, mixed use pedestrian activity area that newer developments strive to emulate. The pedestrian and mixed-use characteristics of this neighborhood intersection should not be lost as redevelopment occurs. New mixed use and apartment project design should reflect the character and importance of this major entrance to the City and the University. Historic assets to be protected include the JPA median that formerly accommodated a trolley

line, the Fry Spring's Service Station, and the Oakhurst-Gildersleeve Neighborhood. This corridor is a potential location for public way-finding signage.

Sub-Area C: Maury Avenue to Emmet Street

- Streetscape: Overhead utilities, cobra-head lights, planted median, on-street parking, bike lanes, concrete sidewalks, canopy of trees.
- Site: Large mature site trees, some front site parking, sloped, block and wood retaining walls, split rail, and chain link fences.
- Buildings: Student housing, residential large scale, multi-family, materials include wood, stone, brick and stucco, majority of structures are of traditional designs, some smaller dwellings remain among the large-scale infill buildings.
- Recent Past/Historic: Fry Spring Service Station

Recommended General Guidelines for Sub-area: Maury Avenue to Emmet Street:

- Put utilities underground that are now located within median.
- Ensure that off street parking areas are well defined and screened as needed.
- Design new apartment buildings to break up their large scale and use traditional materials.

From the Comprehensive Plan

Urban Mixed-Use Corridor: Higher intensity mixed use development arranged along corridors between employment, commercial, and civic hubs of the city.

Goal 7. Entrance Corridors

Ensure that the quality of development in Charlottesville's designated Entrance Corridor Overlay Districts is compatible with the City's requirements and standards, and with the adjacent neighborhood's historic, architectural, and cultural resources, while allowing for reuse of structures and evolution of uses in these areas.

Strategy 7.1 Within Entrance Corridors, encourage placemaking elements and look for opportunities to support community-centered destinations.

Sub-strategies:

- Encourage site designs incorporating building arrangements, uses, natural features, and landscaping that contribute to Charlottesville's unique sense of place and character.
- Ensure that new development complements the city's character and respects those qualities that distinguish the city's built environment.
- Incorporate street trees and landscaping along streetscapes to provide shade, buffer pedestrians from traffic, and create a sense of enclosure.

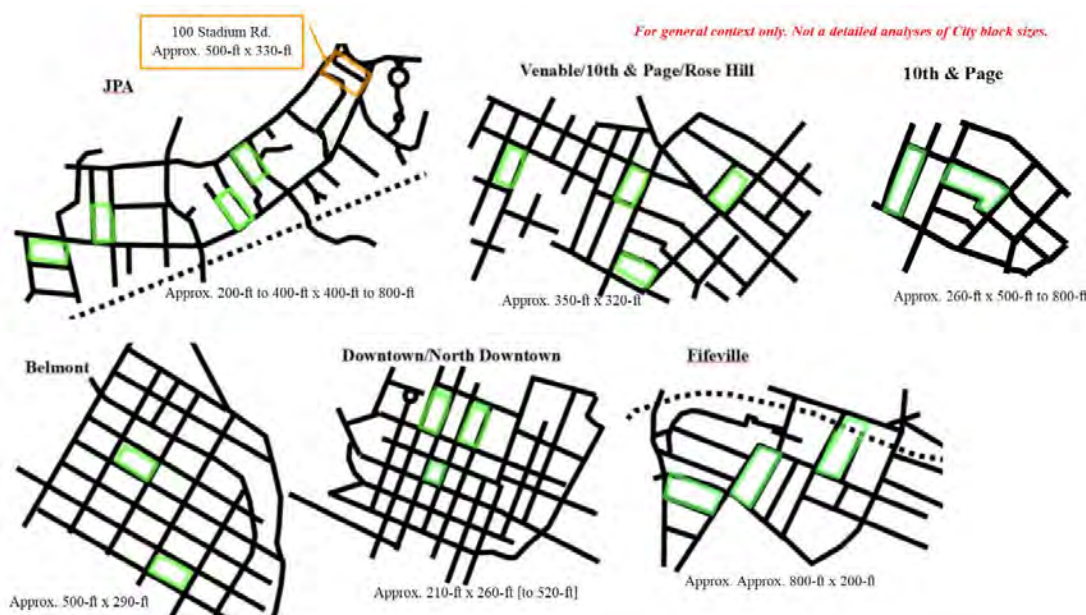
Design Staff Comments

Block Lengths

For context only. Not a detailed analysis of all blocks in Charlottesville.

Charlottesville's expansion to a small town (from less than 800 acres in the 1870s to the current 6,500) did not follow a master plan on a gridded network of streets laid out by its founders. Instead, the development pattern is the result of seemingly unplanned and arguably random, suburban-scale subdivisions that, over time—and with the occasional influence of annexation—congealed into the town we know today. As a result, Charlottesville, as a whole, lacks the traditional, standard-block, urban grid of most small towns. However, throughout the City's individual neighborhoods, there are recurring street and block patterns that provide a framework for new development.

Typical block dimensions (feet, approx.)	Primary	Side
Downtown (mall)	210	256
North Downtown	210	520
JPA Neighborhood	200 - 400	400 - 800
Rose Hill Neighborhood	350	295
Venable Neighborhood	360	320
Martha Jefferson Neighborhood	350	350
S. Belmont Neighborhood	500	290
Fifeville Neighborhood	800	200
10th and Page Neighborhood	500 - 800	260
Woolen Mills Neighborhood	680	400
Median (typical)	380	310



Building lengths and heights

For context only. Not a detailed analysis of all buildings in Charlottesville.

Building façade lengths, heights - for context only	Length (feet, approx.)	Height (stories)
<i>incomplete hotel</i> (mall)	55	11
1725 JPA apartments (JPA façade)	100	6
Monticello Hotel (Court Square)	110	10
Lewis & Clark Apartments (Water Street façade)	110	8
1830 JPA Shamrock Road façade)	124	3
2005 JPA (JPA façade)	150	7
1600 Monticello Avenue	150	5
Preston Court Apartments (Grady Avenue façade)	160	4
1815 JPA (JPA façade)	160	5
1600 JPA (JPA façade)	188	4
Main Street, facing Mall, typical building wall	196	
Queen Charlotte Bldg (East High Street façade)	200	4
2111 JPA (JPA façade)	210	3
CODE Building (Water Street façade)	215	8
1800 JPA (Maywood Lane façade)	221	3
The Omni (West Main facade)	232	6
Side streets, Downtown Mall, typical building wall	235	
Verve: North Building (Emmet Street)	265	12
Culbreth Parking Garage	285	3
Verve: West Building (Stadium Road)	290	12
2005 JPA (side elevations)	310	6
UVa Memorial Gym (Emmet St)	320	4
Verve: East Building (JPA)	330	8
City Walk Apartments (Water Street façade)	360	4
The Flats (West Main façade)	370	6
The Standard (West Main façade)	380	6
The Lark (10th Street elevation)	380	5
UVa Virginia Guesthouse (Ivy Road)	385	7
Water Street Parking Garage (Water Street façade)	400	4
Grand Marc Apartments (15th Street NW façade)	450	5
UVa Hospital and Expansion (Lee Street)	1,100	10



VERVE CHARLOTTESVILLE

ENTRANCE CORRIDOR REVIEW BOARD
SUBMITTED MARCH 25, 2024

subtext

esc

WA
WOLF ACKERMAN

TIMMONS GROUP

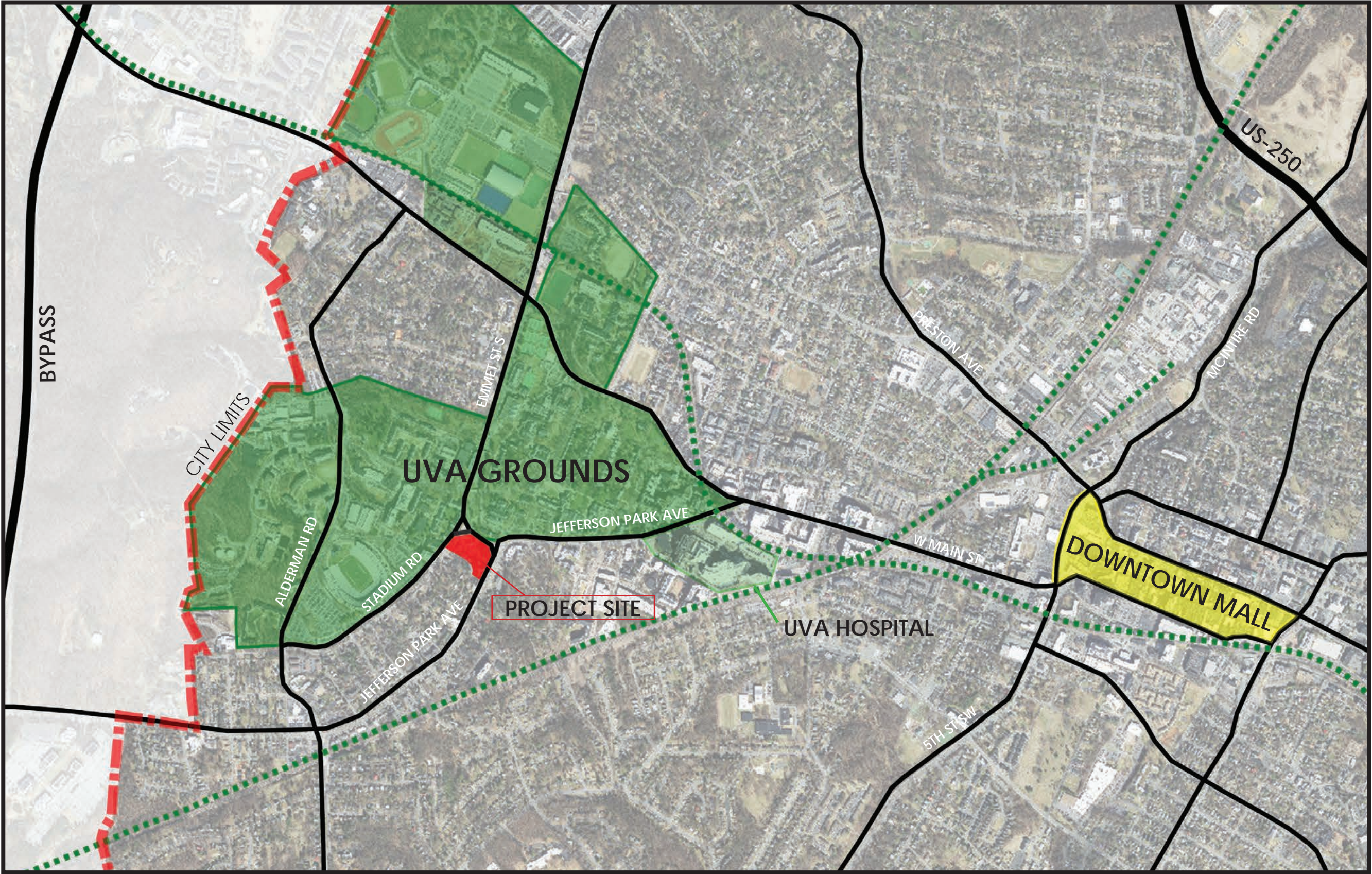
DC
DESIGN
GROUP

CONTENTS

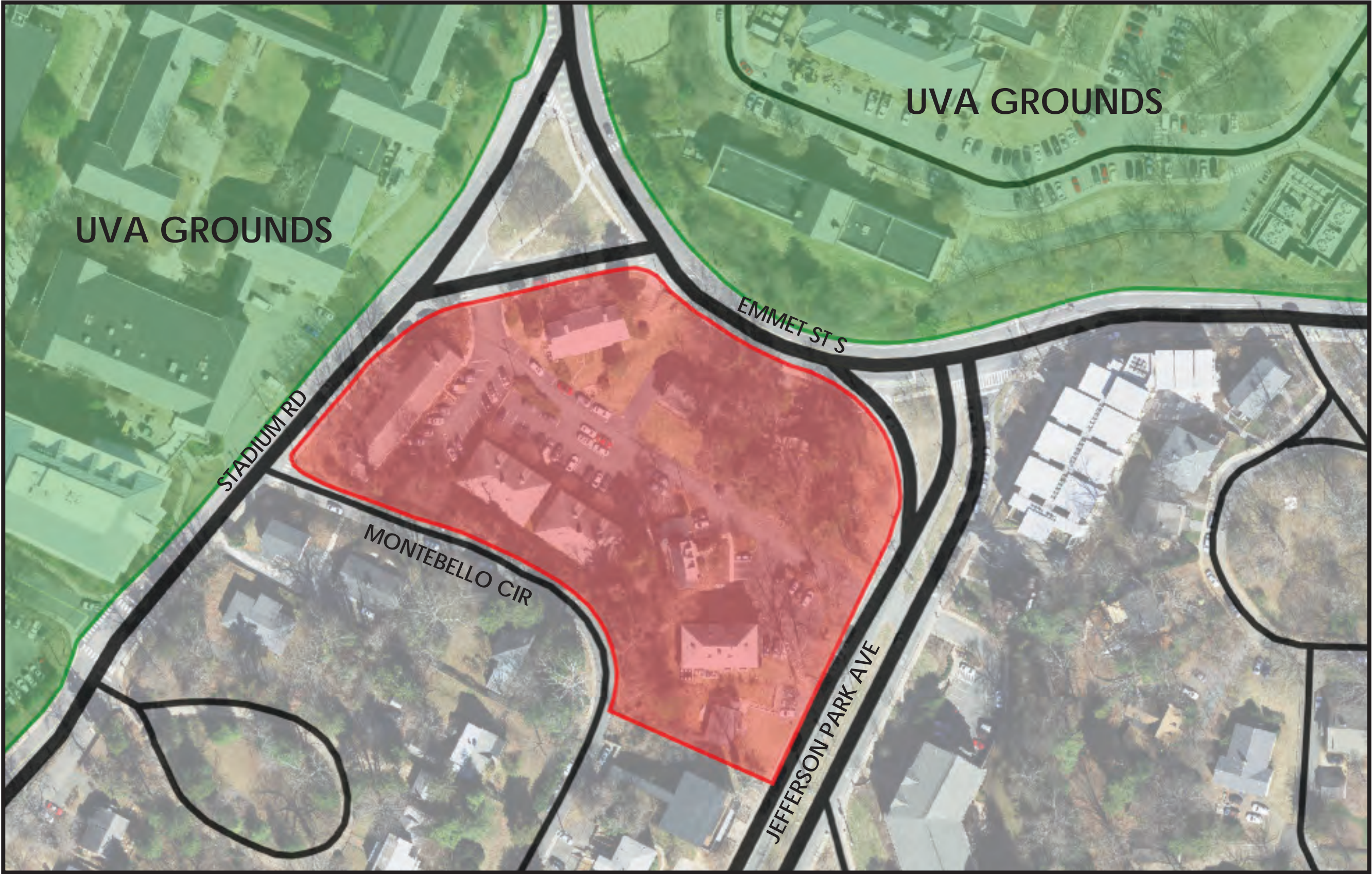
LOCATION & CONTEXT	3 - 7
RENDERINGS & PERSPECTIVES	8 - 28
ARCHITECTURAL PLANS & ELEVATIONS	30 - 40
LANDSCAPE & HARDSCAPE	40 - 54
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SUPPLEMENTARY CONTENTS & EXHIBITS	60 - 72

LOCATION & CONTEXT

SITE LOCATION



SITE LOCATION



EXISTING CONDITIONS



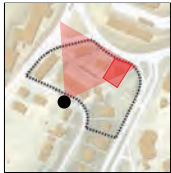
JEFFERSON PARK AVENUE - LOOKING NORTH



WOODROW STREET - LOOKING SOUTH



MONTABELLO CIRCLE - LOOKING NORTH



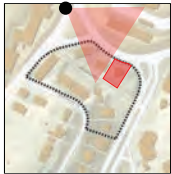
WOODROW APARTMENTS



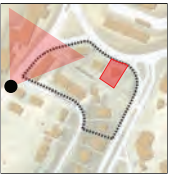
EXISTING CONDITIONS



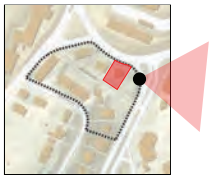
STADIUM ROAD - LOOKING DOWN EMMET STREET S



STADIUM ROAD - LOOKING NORTH



SOUTH RANGE APARTMENTS

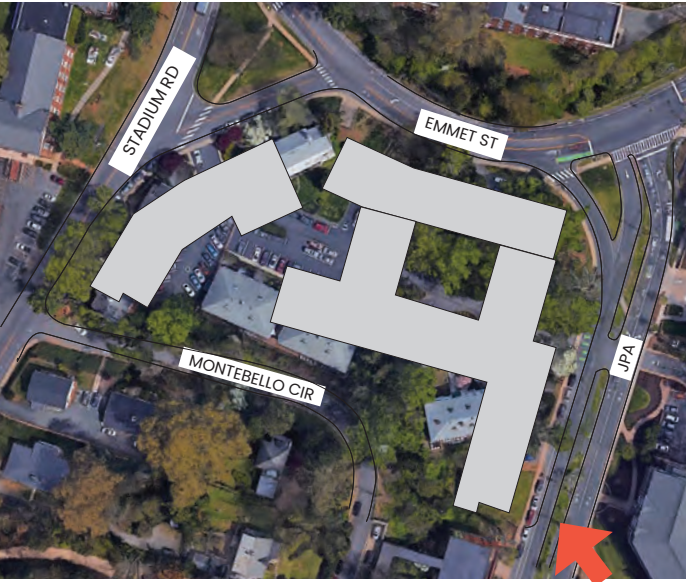


JEFFERSON PARK AVENUE - LOOKING WEST

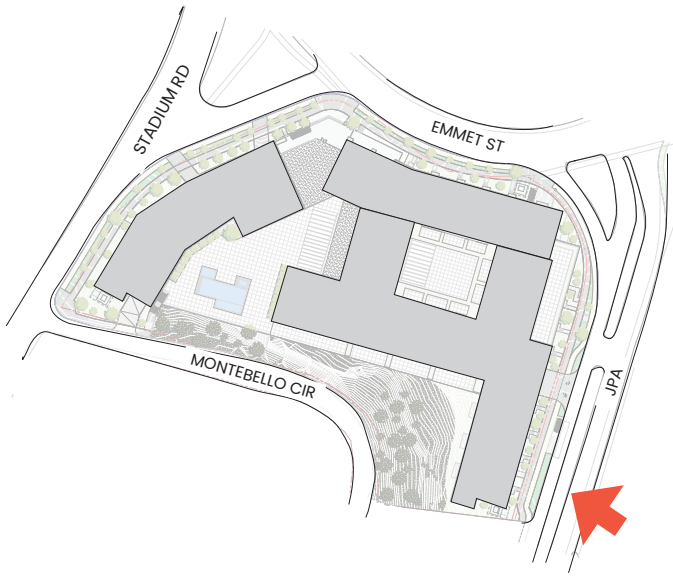
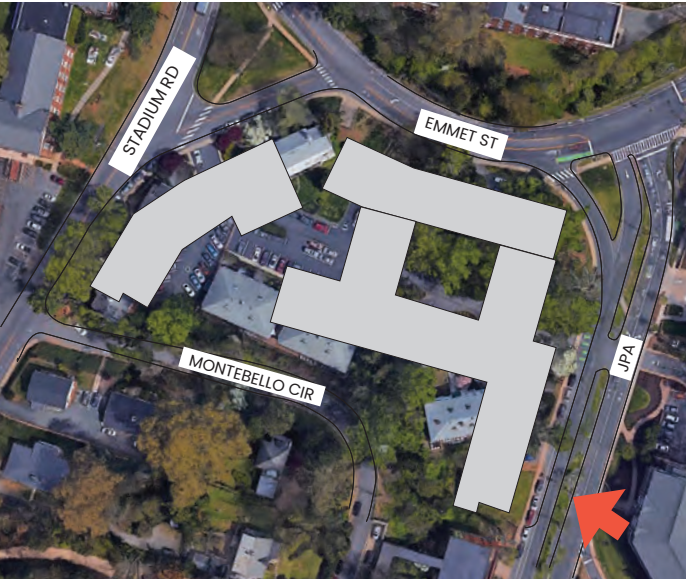


RENDERINGS & PERSPECTIVES

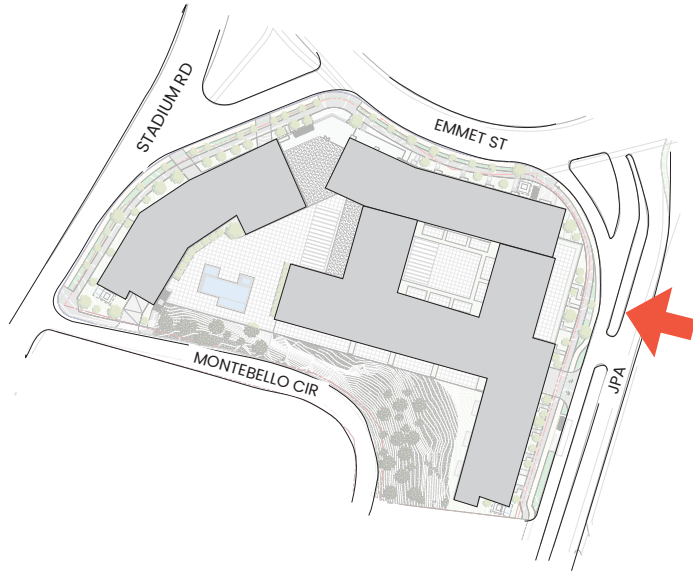
JPA APPROACH FROM SOUTHEAST



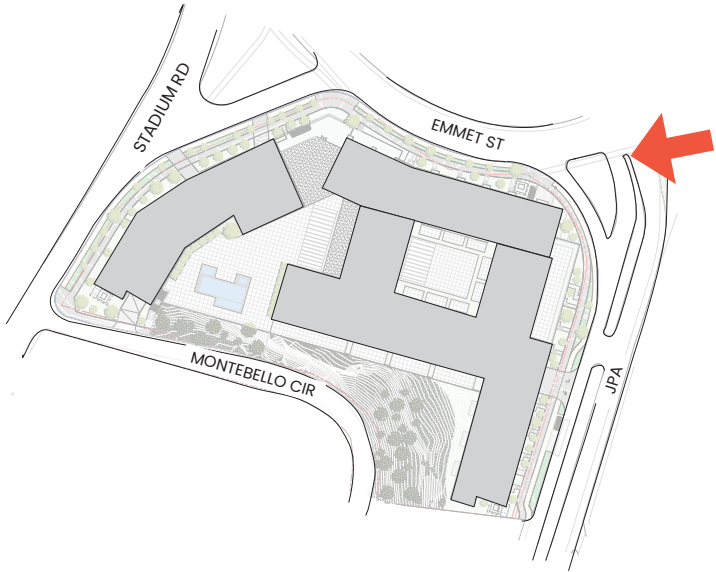
JPA STREET FRONTAGE



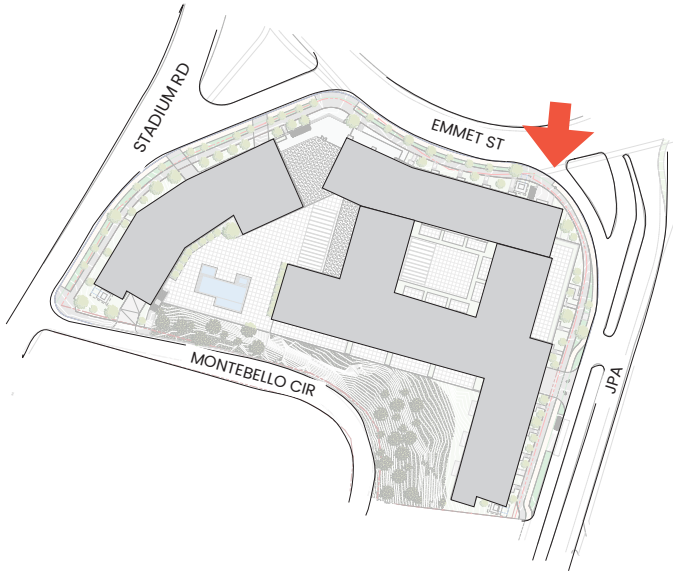
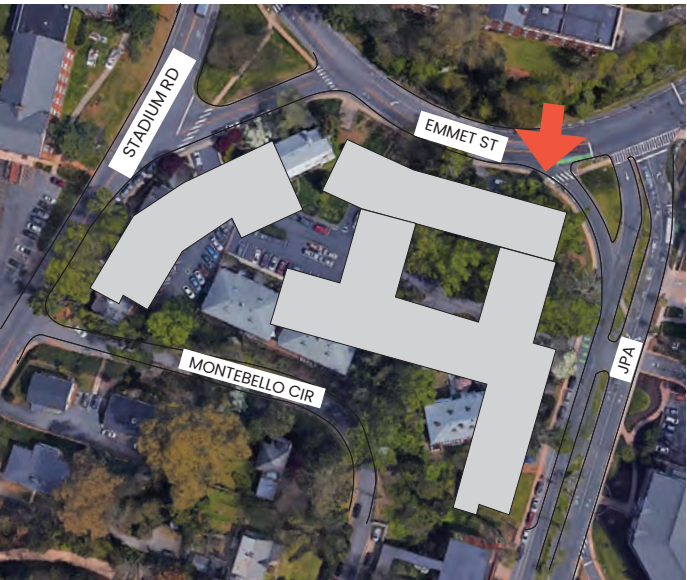
VIEW FROM EAST AT JPA



NORTHEAST CORNER JPA AND EMMET STREET



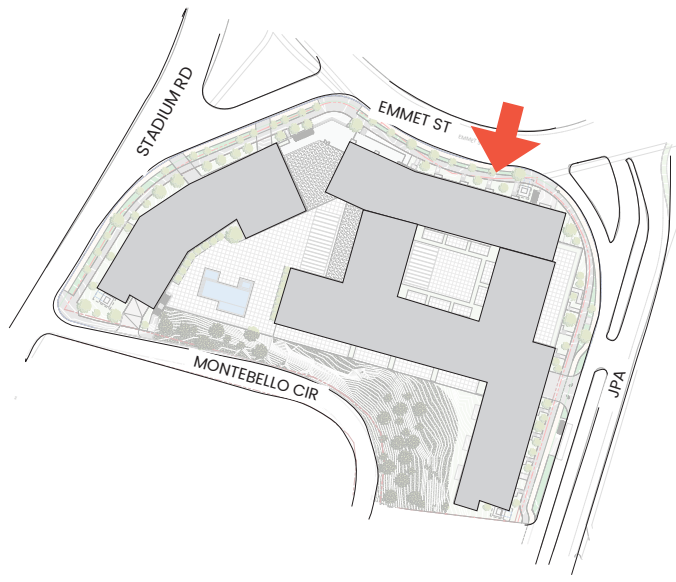
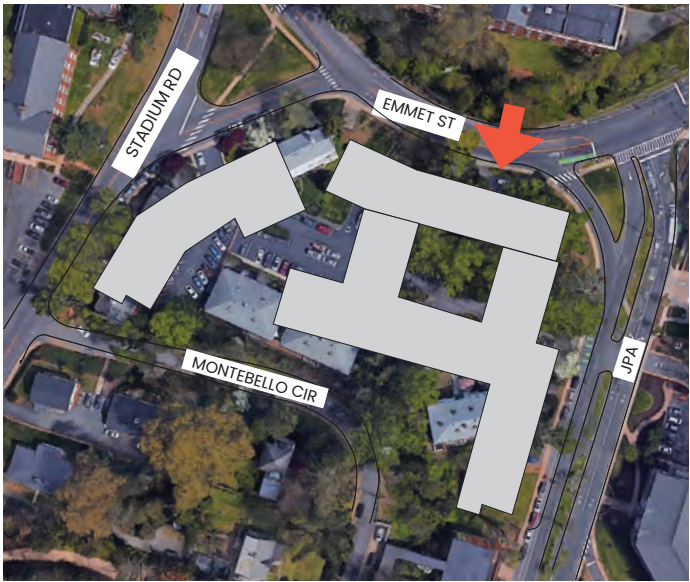
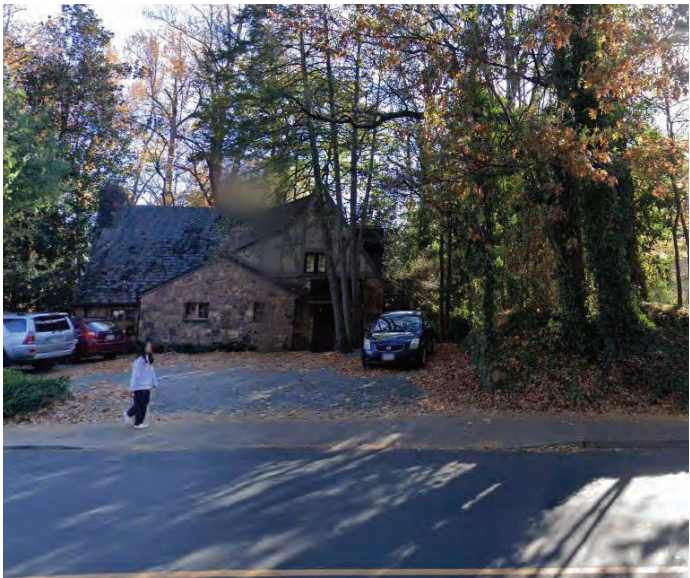
STREETSCAPE - EMMET STREET AT NORTHEAST ENTRY



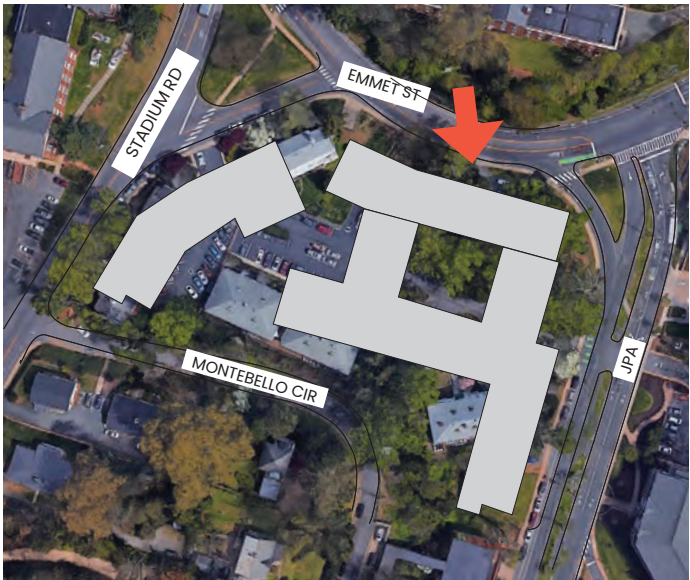
STREETSCAPE - EMMET STREET LOOKING WEST



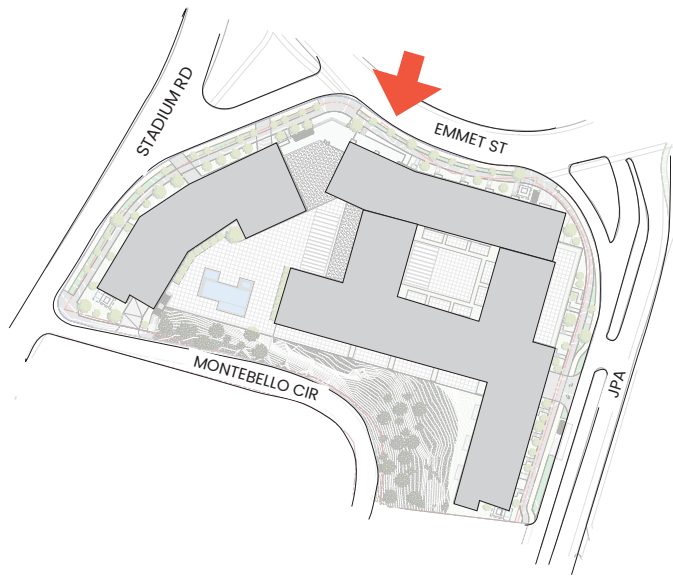
STREETSCAPE - EMMET



STREETSCAPE - EMMET



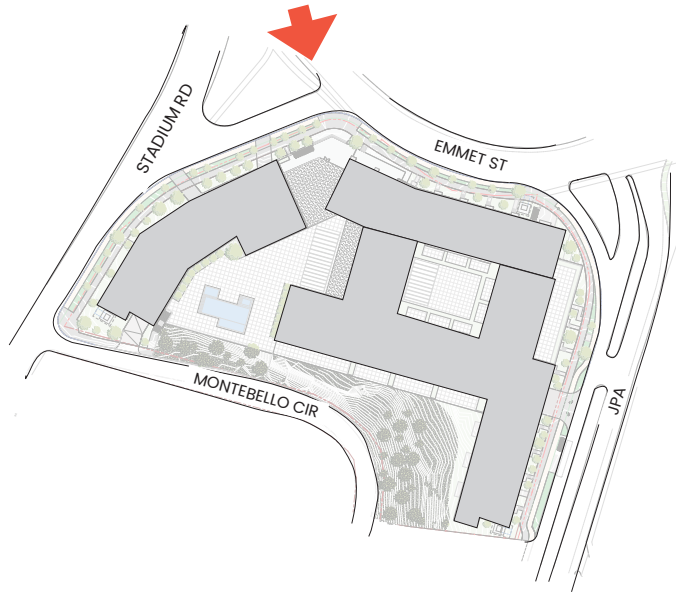
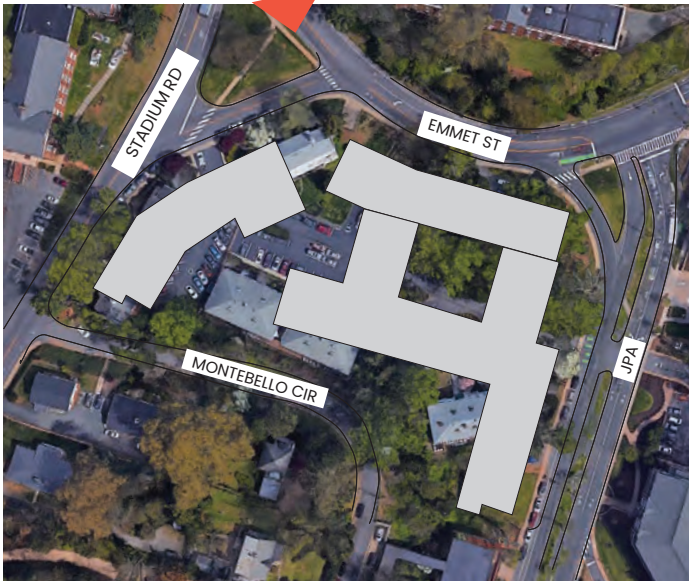
STREETSCAPE - MARKET AT EMMET STREET



STREETSCAPE - BUILDING ENTRANCE ON EMMET STREET AND STADIUM ROAD



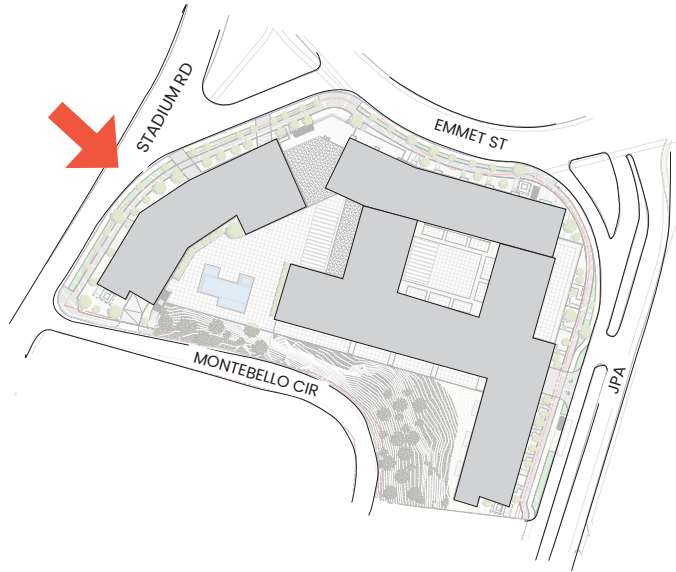
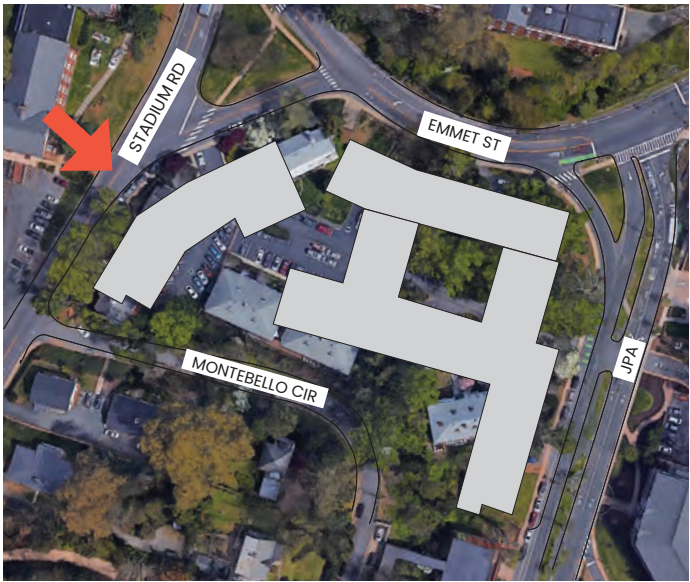
NORTHWEST CORNER



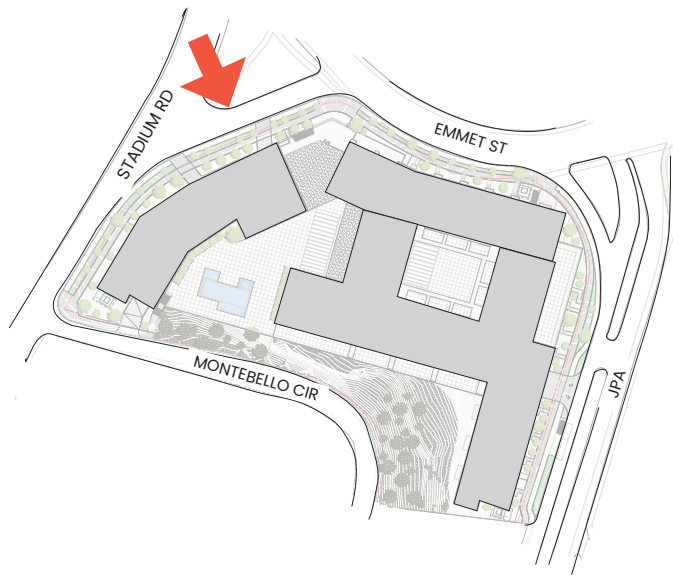
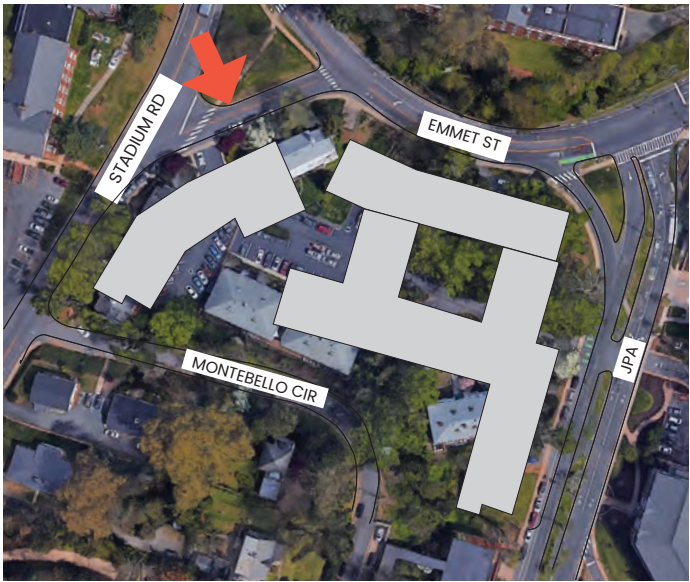
NORTHWEST CORNER



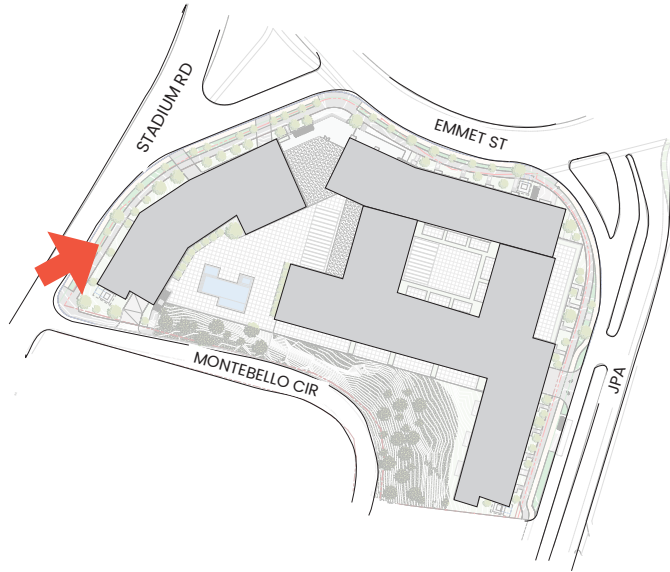
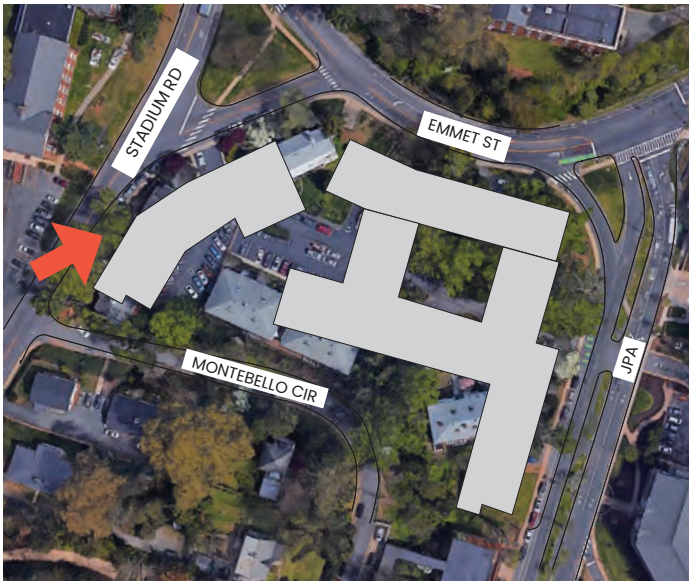
STADIUM ROAD FACADE



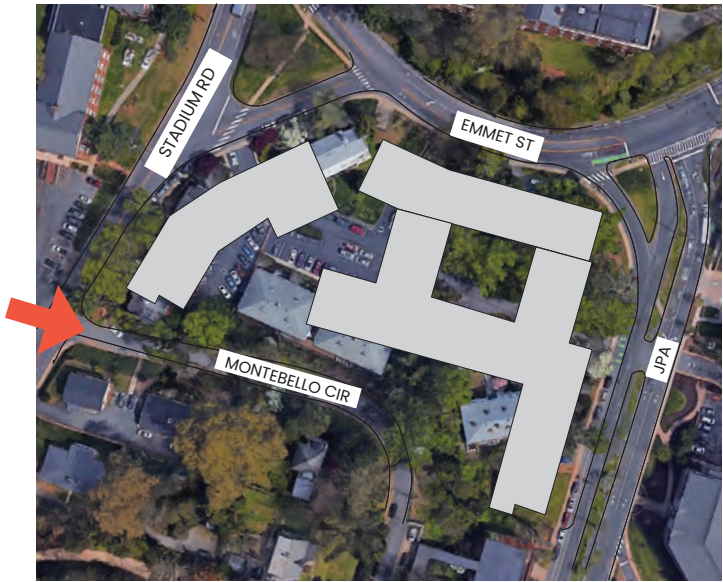
STADIUM ROAD ENTRY



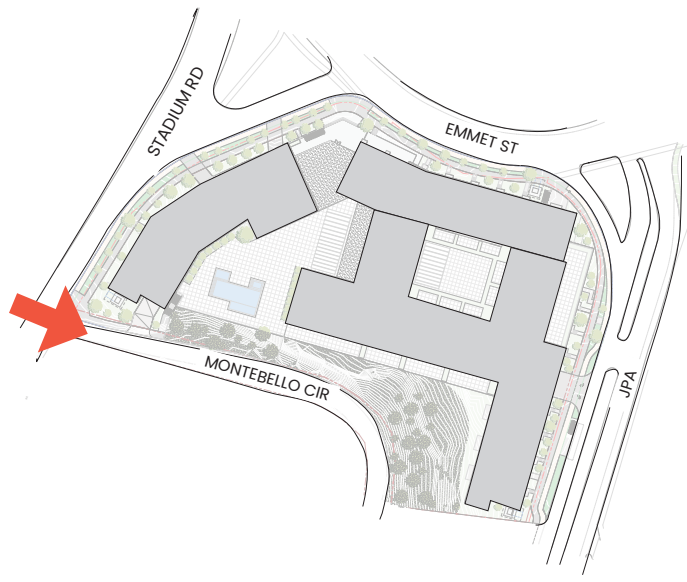
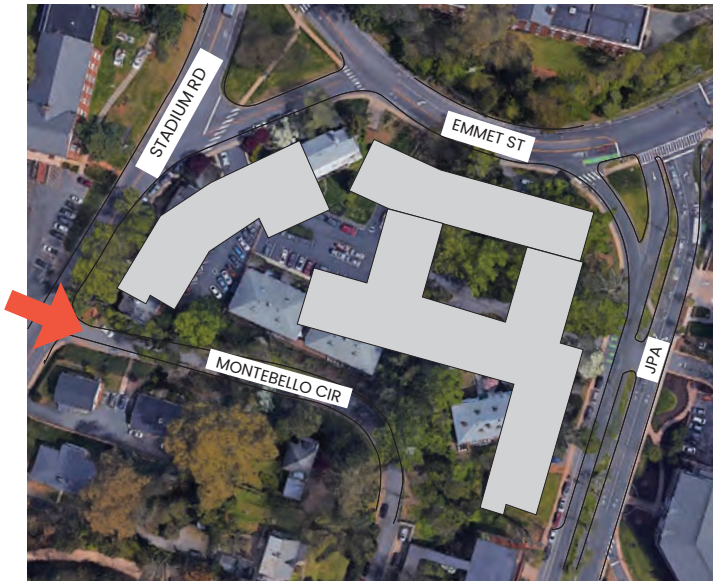
STADIUM ROAD STREETSCAPE



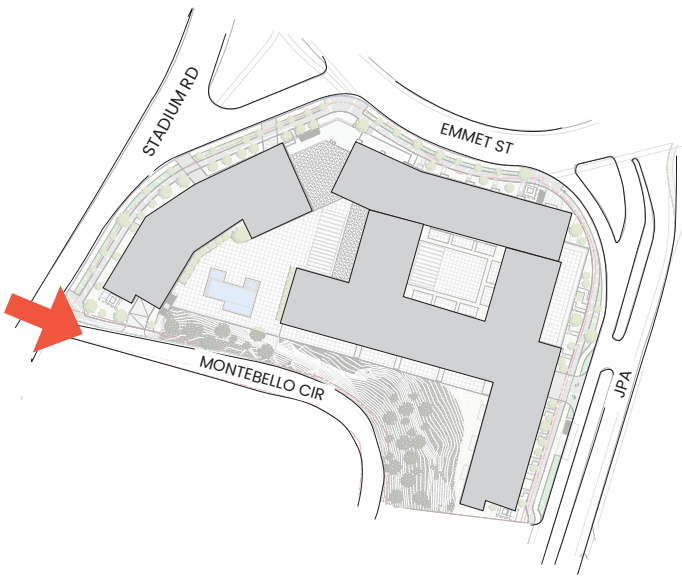
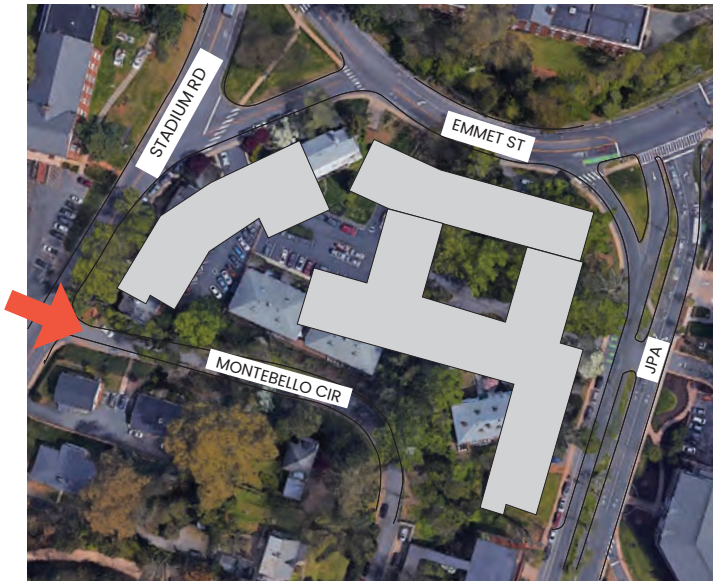
SOUTHWEST CORNER AT STADIUM ROAD AND MONTEBELLO



STADIUM ROAD AND MONTEBELLO



STADIUM ROAD AND MONTEBELLO (TREES REMOVED FOR CLARITY)



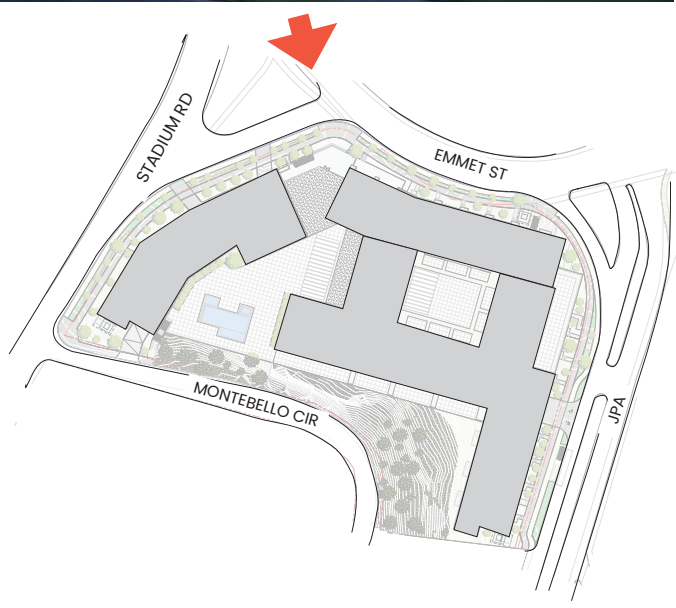
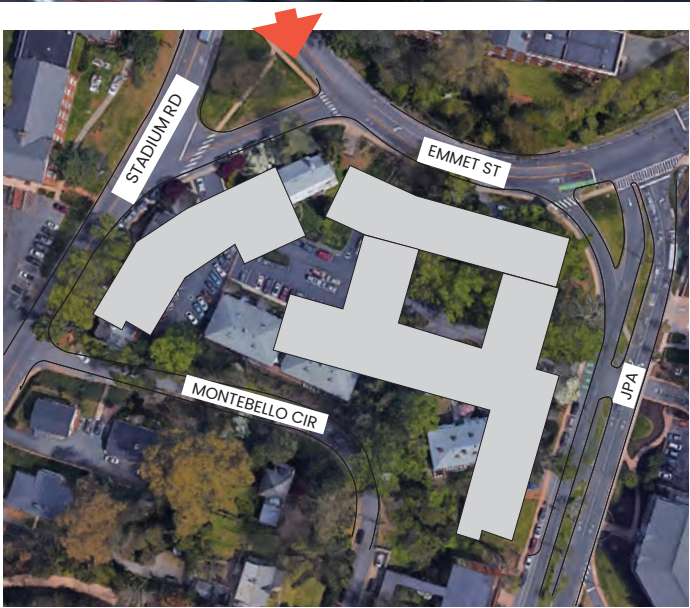
MONTEBELLO LOOKING WEST



MONTEBELLO LOOKING WEST (TREES REMOVED FOR CLARITY)

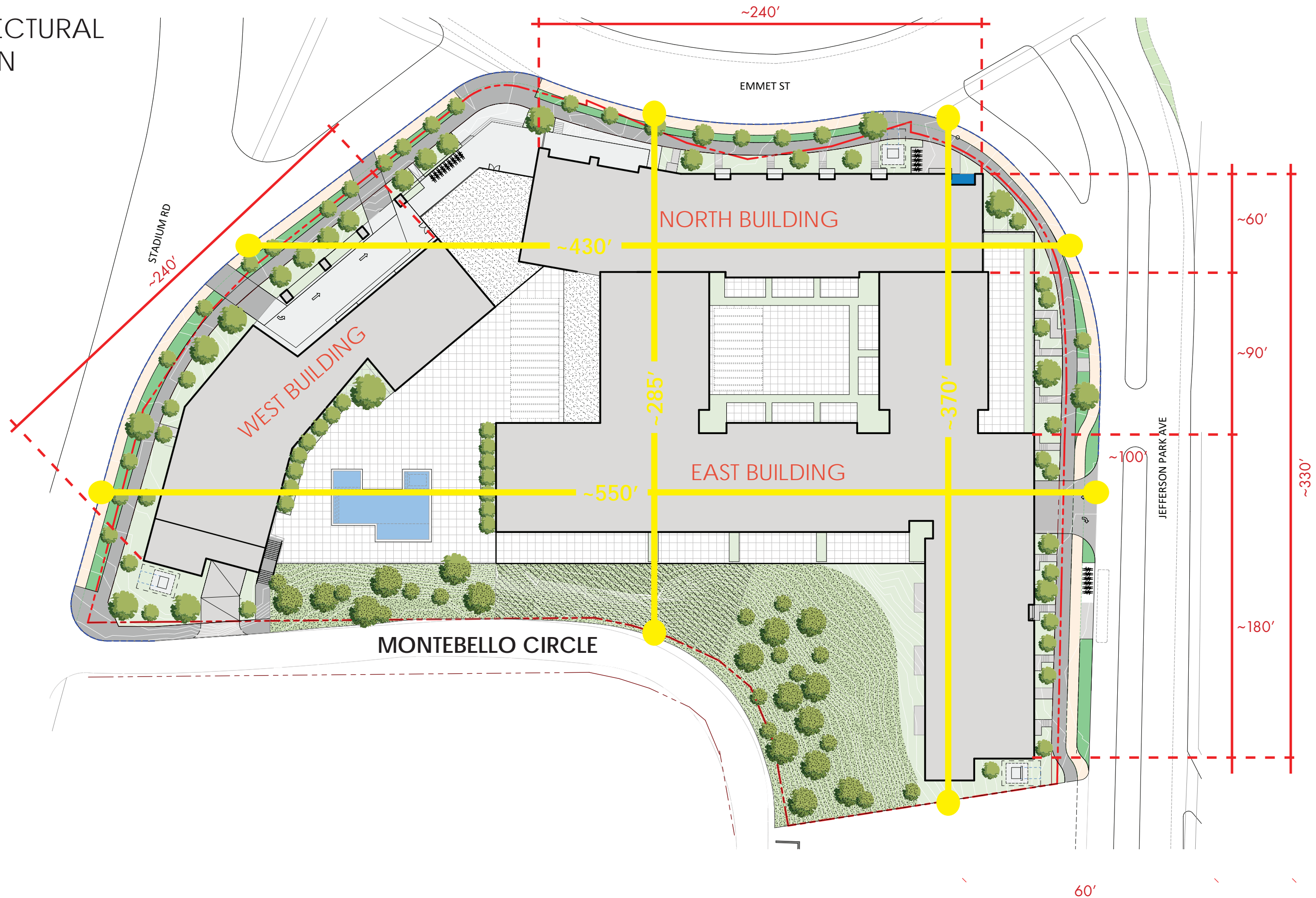


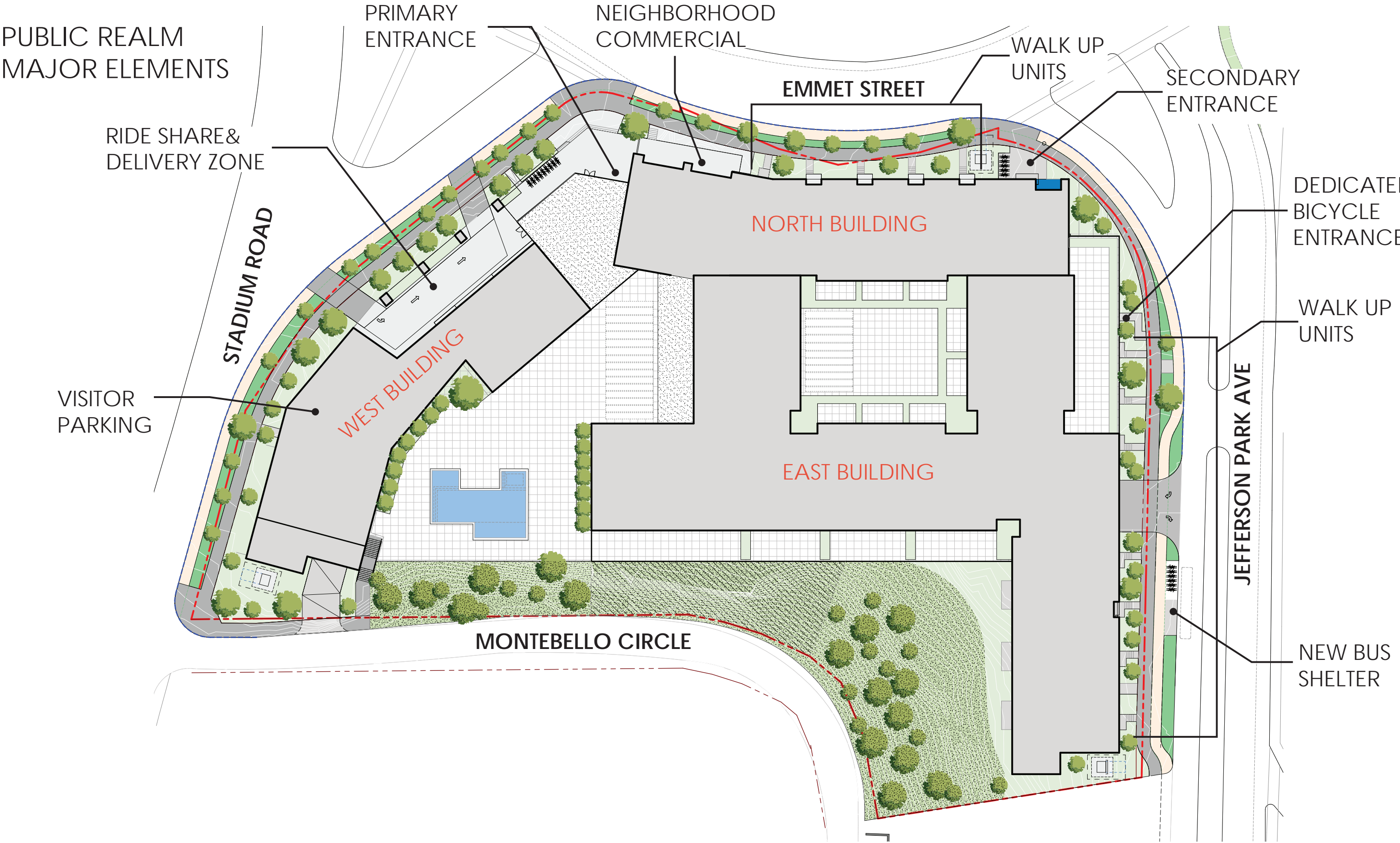
NORTHWEST CORNER



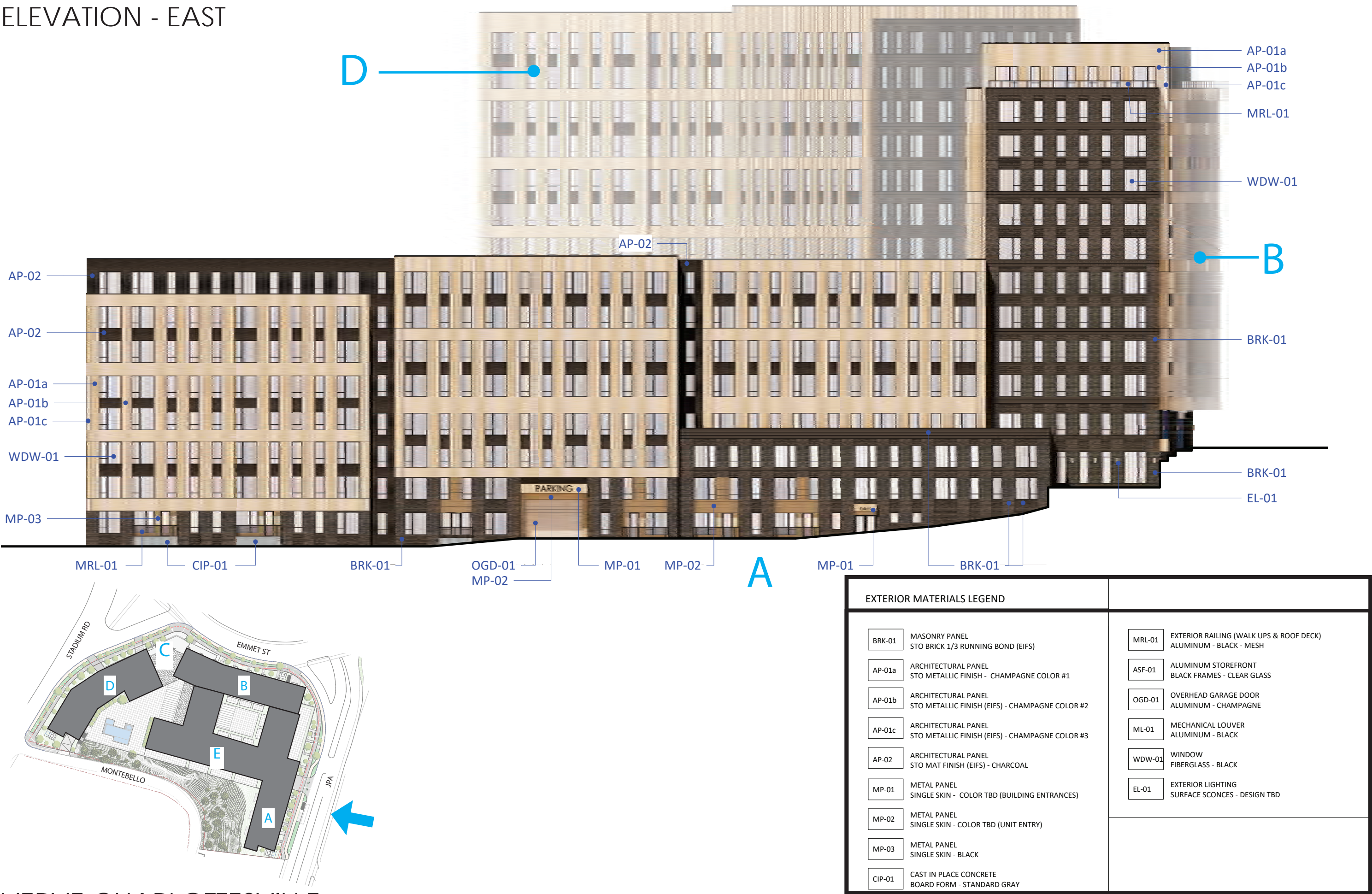
ARCHITECTURAL PLANS & ELEVATIONS

ARCHITECTURAL
SITE PLAN

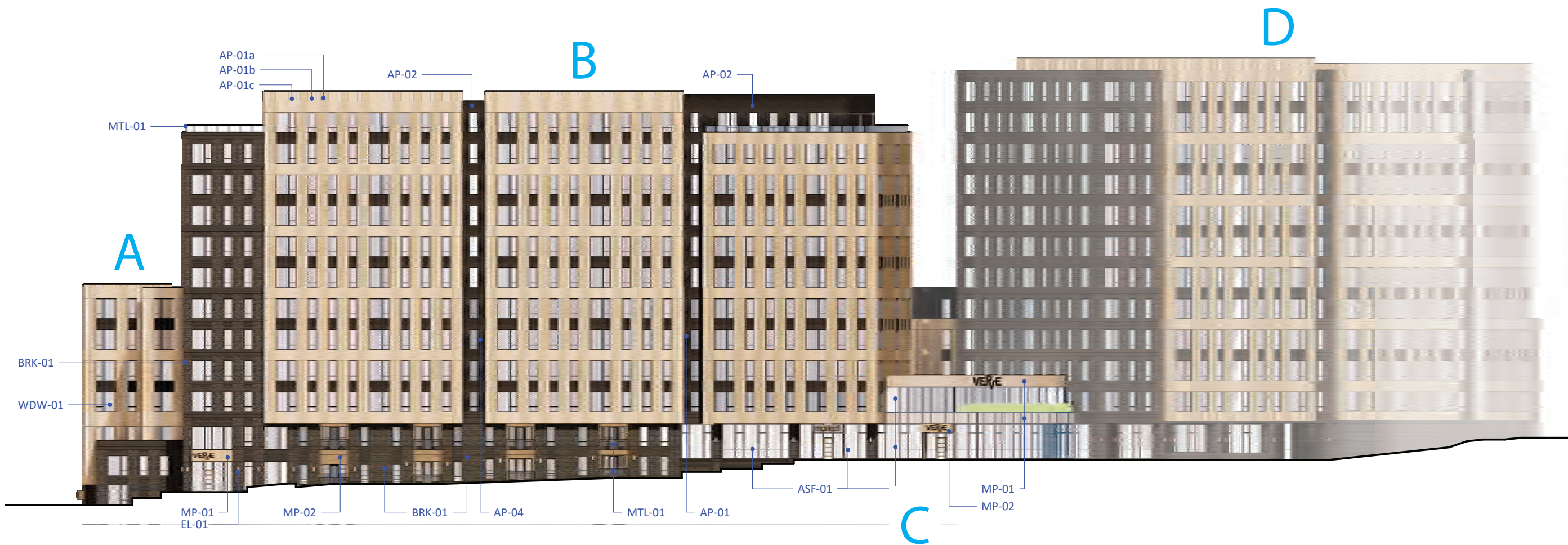




ELEVATION - EAST



ELEVATION - NORTH



EXTERIOR MATERIALS LEGEND	
<div>BRK-01</div> MASONRY PANEL STO BRICK 1/3 RUNNING BOND (EIFS)	<div>MRL-01</div> EXTERIOR RAILING (WALK UPS & ROOF DECK) ALUMINUM - BLACK - MESH
<div>AP-01a</div> ARCHITECTURAL PANEL STO METALLIC FINISH - CHAMPAGNE COLOR #1	<div>ASF-01</div> ALUMINUM STOREFRONT BLACK FRAMES - CLEAR GLASS
<div>AP-01b</div> ARCHITECTURAL PANEL STO METALLIC FINISH (EIFS) - CHAMPAGNE COLOR #2	<div>OGD-01</div> OVERHEAD GARAGE DOOR ALUMINUM - CHAMPAGNE
<div>AP-01c</div> ARCHITECTURAL PANEL STO METALLIC FINISH (EIFS) - CHAMPAGNE COLOR #3	<div>ML-01</div> MECHANICAL LOUVER ALUMINUM - BLACK
<div>AP-02</div> ARCHITECTURAL PANEL STO MAT FINISH (EIFS) - CHARCOAL	<div>WDW-01</div> WINDOW FIBERGLASS - BLACK
<div>MP-01</div> METAL PANEL SINGLE SKIN - COLOR TBD (BUILDING ENTRANCES)	<div>EL-01</div> EXTERIOR LIGHTING SURFACE SCONCES - DESIGN TBD
<div>MP-02</div> METAL PANEL SINGLE SKIN - COLOR TBD (UNIT ENTRY)	
<div>MP-03</div> METAL PANEL SINGLE SKIN - BLACK	
<div>CIP-01</div> CAST IN PLACE CONCRETE BOARD FORM - STANDARD GRAY	

ELEVATION - NORTHWEST



EXTERIOR MATERIALS LEGEND	
<div>BRK-01</div> <div>MASONRY PANEL STO BRICK 1/3 RUNNING BOND (EIFS)</div>	<div>MRL-01</div> <div>EXTERIOR RAILING (WALK UPS & ROOF DECK) ALUMINUM - BLACK - MESH</div>
<div>AP-01a</div> <div>ARCHITECTURAL PANEL STO METALLIC FINISH - CHAMPAGNE COLOR #1</div>	<div>ASF-01</div> <div>ALUMINUM STOREFRONT BLACK FRAMES - CLEAR GLASS</div>
<div>AP-01b</div> <div>ARCHITECTURAL PANEL STO METALLIC FINISH (EIFS) - CHAMPAGNE COLOR #2</div>	<div>OGD-01</div> <div>OVERHEAD GARAGE DOOR ALUMINUM - CHAMPAGNE</div>
<div>AP-01c</div> <div>ARCHITECTURAL PANEL STO METALLIC FINISH (EIFS) - CHAMPAGNE COLOR #3</div>	<div>ML-01</div> <div>MECHANICAL LOUVER ALUMINUM - BLACK</div>
<div>AP-02</div> <div>ARCHITECTURAL PANEL STO MAT FINISH (EIFS) - CHARCOAL</div>	<div>WDW-01</div> <div>WINDOW FIBERGLASS - BLACK</div>
<div>MP-01</div> <div>METAL PANEL SINGLE SKIN - COLOR TBD (BUILDING ENTRANCES)</div>	<div>EL-01</div> <div>EXTERIOR LIGHTING SURFACE SCONCES - DESIGN TBD</div>
<div>MP-02</div> <div>METAL PANEL SINGLE SKIN - COLOR TBD (UNIT ENTRY)</div>	
<div>MP-03</div> <div>METAL PANEL SINGLE SKIN - BLACK</div>	
<div>CIP-01</div> <div>CAST IN PLACE CONCRETE BOARD FORM - STANDARD GRAY</div>	

ELEVATION - SOUTHWEST



EXTERIOR MATERIALS LEGEND	
<div>BRK-01</div> <div>MASONRY PANEL STO BRICK 1/3 RUNNING BOND (EIFS)</div>	<div>MRL-01</div> <div>EXTERIOR RAILING (WALK UPS & ROOF DECK) ALUMINUM - BLACK - MESH</div>
<div>AP-01a</div> <div>ARCHITECTURAL PANEL STO METALLIC FINISH - CHAMPAGNE COLOR #1</div>	<div>ASF-01</div> <div>ALUMINUM STOREFRONT BLACK FRAMES - CLEAR GLASS</div>
<div>AP-01b</div> <div>ARCHITECTURAL PANEL STO METALLIC FINISH (EIFS) - CHAMPAGNE COLOR #2</div>	<div>OGD-01</div> <div>OVERHEAD GARAGE DOOR ALUMINUM - CHAMPAGNE</div>
<div>AP-01c</div> <div>ARCHITECTURAL PANEL STO METALLIC FINISH (EIFS) - CHAMPAGNE COLOR #3</div>	<div>ML-01</div> <div>MECHANICAL LOUVER ALUMINUM - BLACK</div>
<div>AP-02</div> <div>ARCHITECTURAL PANEL STO MAT FINISH (EIFS) - CHARCOAL</div>	<div>WDW-01</div> <div>WINDOW FIBERGLASS - BLACK</div>
<div>MP-01</div> <div>METAL PANEL SINGLE SKIN - COLOR TBD (BUILDING ENTRANCES)</div>	<div>EL-01</div> <div>EXTERIOR LIGHTING SURFACE SCONCES - DESIGN TBD</div>
<div>MP-02</div> <div>METAL PANEL SINGLE SKIN - COLOR TBD (UNIT ENTRY)</div> <div>MP-03</div> <div>METAL PANEL SINGLE SKIN - BLACK</div> <div>CIP-01</div> <div>CAST IN PLACE CONCRETE BOARD FORM - STANDARD GRAY</div>	

ELEVATION - SOUTH



EXTERIOR MATERIALS LEGEND	
<div>BRK-01</div> <div>MASONRY PANEL STO BRICK 1/3 RUNNING BOND (EIFS)</div>	<div>MRL-01</div> <div>EXTERIOR RAILING (WALK UPS & ROOF DECK) ALUMINUM - BLACK - MESH</div>
<div>AP-01a</div> <div>ARCHITECTURAL PANEL STO METALLIC FINISH - CHAMPAGNE COLOR #1</div>	<div>ASF-01</div> <div>ALUMINUM STOREFRONT BLACK FRAMES - CLEAR GLASS</div>
<div>AP-01b</div> <div>ARCHITECTURAL PANEL STO METALLIC FINISH (EIFS) - CHAMPAGNE COLOR #2</div>	<div>OGD-01</div> <div>OVERHEAD GARAGE DOOR ALUMINUM - CHAMPAGNE</div>
<div>AP-01c</div> <div>ARCHITECTURAL PANEL STO METALLIC FINISH (EIFS) - CHAMPAGNE COLOR #3</div>	<div>ML-01</div> <div>MECHANICAL LOUVER ALUMINUM - BLACK</div>
<div>AP-02</div> <div>ARCHITECTURAL PANEL STO MAT FINISH (EIFS) - CHARCOAL</div>	<div>WDW-01</div> <div>WINDOW FIBERGLASS - BLACK</div>
<div>MP-01</div> <div>METAL PANEL SINGLE SKIN - COLOR TBD (BUILDING ENTRANCES)</div>	<div>EL-01</div> <div>EXTERIOR LIGHTING SURFACE SCONCES - DESIGN TBD</div>
<div>MP-02</div> <div>METAL PANEL SINGLE SKIN - COLOR TBD (UNIT ENTRY)</div> <div>MP-03</div> <div>METAL PANEL SINGLE SKIN - BLACK</div>	
<div>CIP-01</div> <div>CAST IN PLACE CONCRETE BOARD FORM - STANDARD GRAY</div>	

MAJOR MATERIALS

BRK-01

MASONRY PANEL
STO BRICK 1/3 RUNNING BOND (EIFS)



AP-01a

ARCHITECTURAL PANEL
STO METALLIC FINISH - CHAMPAGNE COLOR #1

AP-01b

ARCHITECTURAL PANEL
STO METALLIC FINISH (EIFS) - CHAMPAGNE COLOR #2

AP-01c

ARCHITECTURAL PANEL
STO METALLIC FINISH (EIFS) - CHAMPAGNE COLOR #3



SECONDARY MATERIALS

MP-03

METAL PANEL
SINGLE SKIN - BLACK



MRL-01

EXTERIOR RAILING (WALK UPS & ROOF DECK)
ALUMINUM - BLACK - MESH

AP-02

ARCHITECTURAL PANEL
STO MAT FINISH (EIFS) - CHARCOAL



MP-01

METAL PANEL
SINGLE SKIN - COLOR TBD (BUILDING ENTRANCES)

MP-02

METAL PANEL
SINGLE SKIN - COLOR TBD (UNIT ENTRY)



ASF-01

ALUMINUM STOREFRONT
BLACK FRAMES - CLEAR GLASS

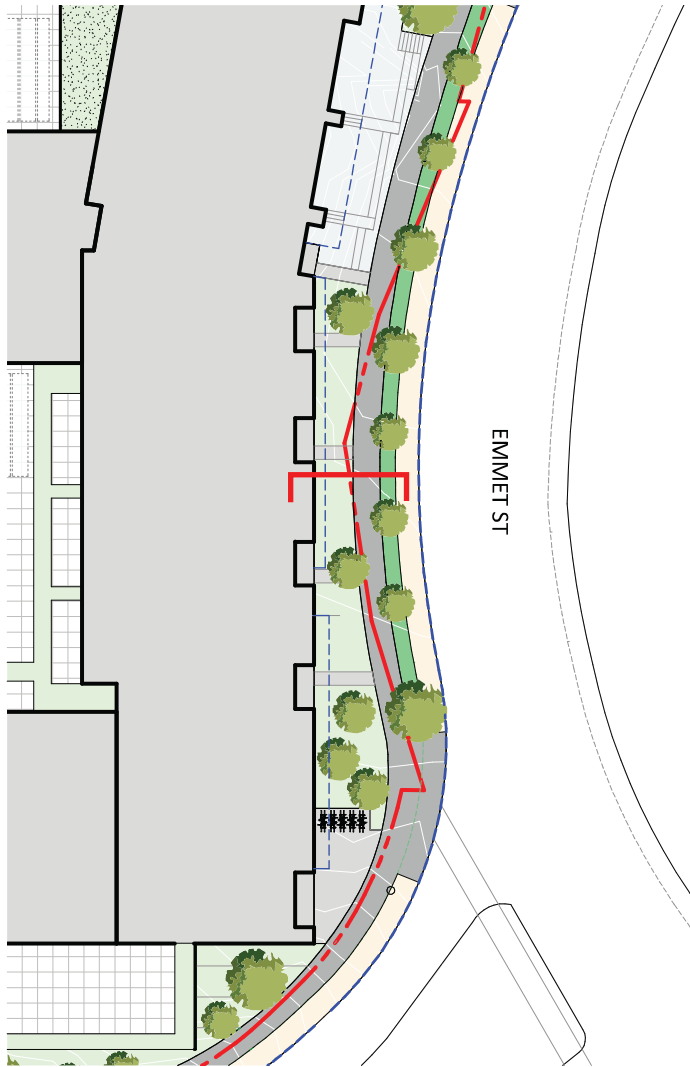
*CLEAR GLASS TO HAVE LOW REFLECTANCE TO PROMOTE
SAFETY AND OPTIMAL ACTIVE USE TO STREET

LANDSCAPES & HARDSCAPES

SITE PLAN



STREETSCAPE SECTION



Bike Lane
Raised bike lane with landscape strip separation between bicycle and pedestrian paths



Colored asphalt bike lane to differentiate pedestrian and bicycle zones



TYPICAL SECTION OF FRONTAGE, DIMENSIONAL WIDTH VARIES THOUGHOUT

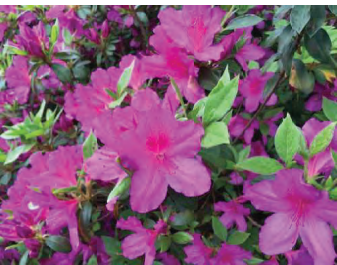
STREETSCAPE PLANTING



STREETSCAPE & PLANTING



Street Tree
Princeton American Elm



Plant Palette
Variety of native and adapted plant materials
with seasonal color for year round visual interest



Bike Lane
Colored asphalt bike lane to differentiate pedestrian and bicycle zones

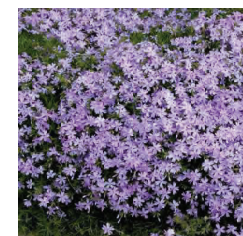
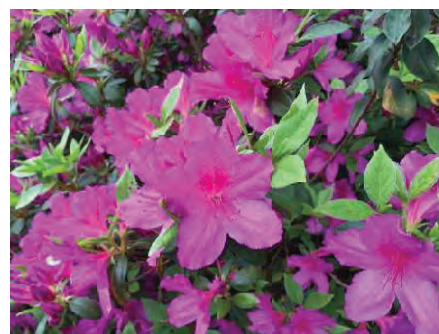
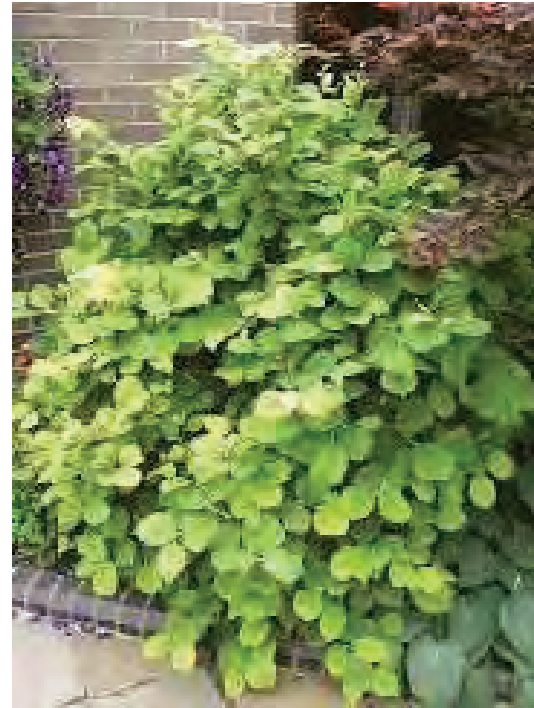


LANDSCAPE - PLANTING PALATTE - TREES

PLANT SCHEDULE								
TREES	BOTANICAL / COMMON NAME	CAL	SIZE	CONT	NATIVE	QTY	CANOPY AREA	TOTAL
BC	Betula nigra 'Cully' / Heritage® River Birch	2" Cal.		B&B	Native	4	397	1,588
CA	Carpinus caroliniana / American Hornbeam	2" Cal.	10' Min Height	B&B	Native	8	201	1,608
CC	Cercis canadensis / Eastern Redbud	2" Cal.		B&B	Native	11	124	1,364
IA	Ilex opaca / American Holly	-	6-8' Height	B&B	Native	8	54	432
LA	Liriodendron tulipifera 'Arnold' / Arnold Tulip Poplar	2" Cal.	10' Min Height	B&B		9	124	1,116
ML	Magnolia grandiflora 'Little Gem' / Little Gem Dwarf Southern Magnolia	-	6-8' Height	B&B	Native	8	118	944
MS	Magnolia virginiana / Sweetbay Magnolia	2" Cal.	6' Min. Height	B&B	Native	6	113	678
PS	Pinus strobus / White Pine	-	6' Min. Height	B&B	Native	8	118	944
PT	Pinus taeda / Loblolly Pine	-	6' Min. Height	B&B	Native	6	207	1,242
QP	Quercus phellos / Willow Oak	2" Cal.		B&B	Native	10	272	2,720
UP	Ulmus americana 'Princeton' / Princeton American Elm	3" Cal.		B&B	Native	6	397	2,382
						GRAND TOTAL	84	15,018



LANDSCAPE - PLANTING PALATTE - SHRUBS & GROUNDCOVERS



STREETSCAPE - HARDSCAPE MATERIALS



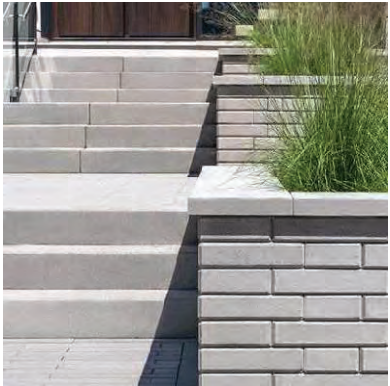
STEPPED TERRACE
WALL - CONCRETE WITH WOOD
LOOK CLADDING
(TYPE 3)



Differentiate paving type
and/or color at bike
parking



CONCRETE STEPS
poured concrete site
stairs with medium
broom finish.



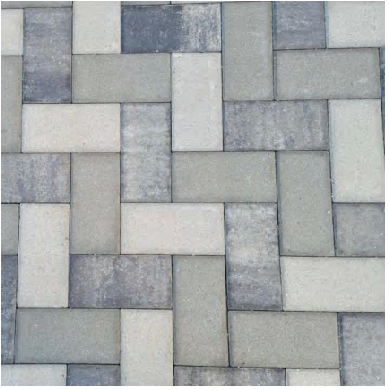
MASONRY PLANTER WALLS
Planter walls with masonry
veneer to match the
building.
(TYPE 2)

*Masonry Veneer retaining walls
to have precast/cast stone cap.



CONCRETE PLANTER WALLS
Planter walls with smooth
rubbed architectural finish.
(TYPE 1)

*Concrete planter walls to have
eased edge top.



CONCRETE PAVERS
Small module pavers in
varying layouts at paths or
small gathering spaces.

Colors to complement the
architectural palette.



CONCRETE PAVERS
Large module pavers in
varying layouts at plaza
spaces.

Colors to complement the
architectural palette.



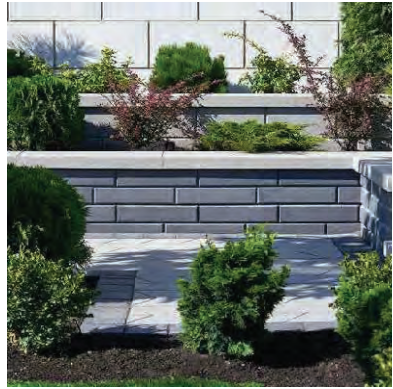
COLORED ASPHALT
Use of a colored asphalt paving
on the bicycle path to help
differentiate the pedestrian &
bicycle spaces.

Colors to complement the
architectural palette.



CONCRETE PAVEMENT
Broom finished concrete
pavement at sidewalks and
select gathering spaces.

STREETSCAPE - RETAINING WALLS



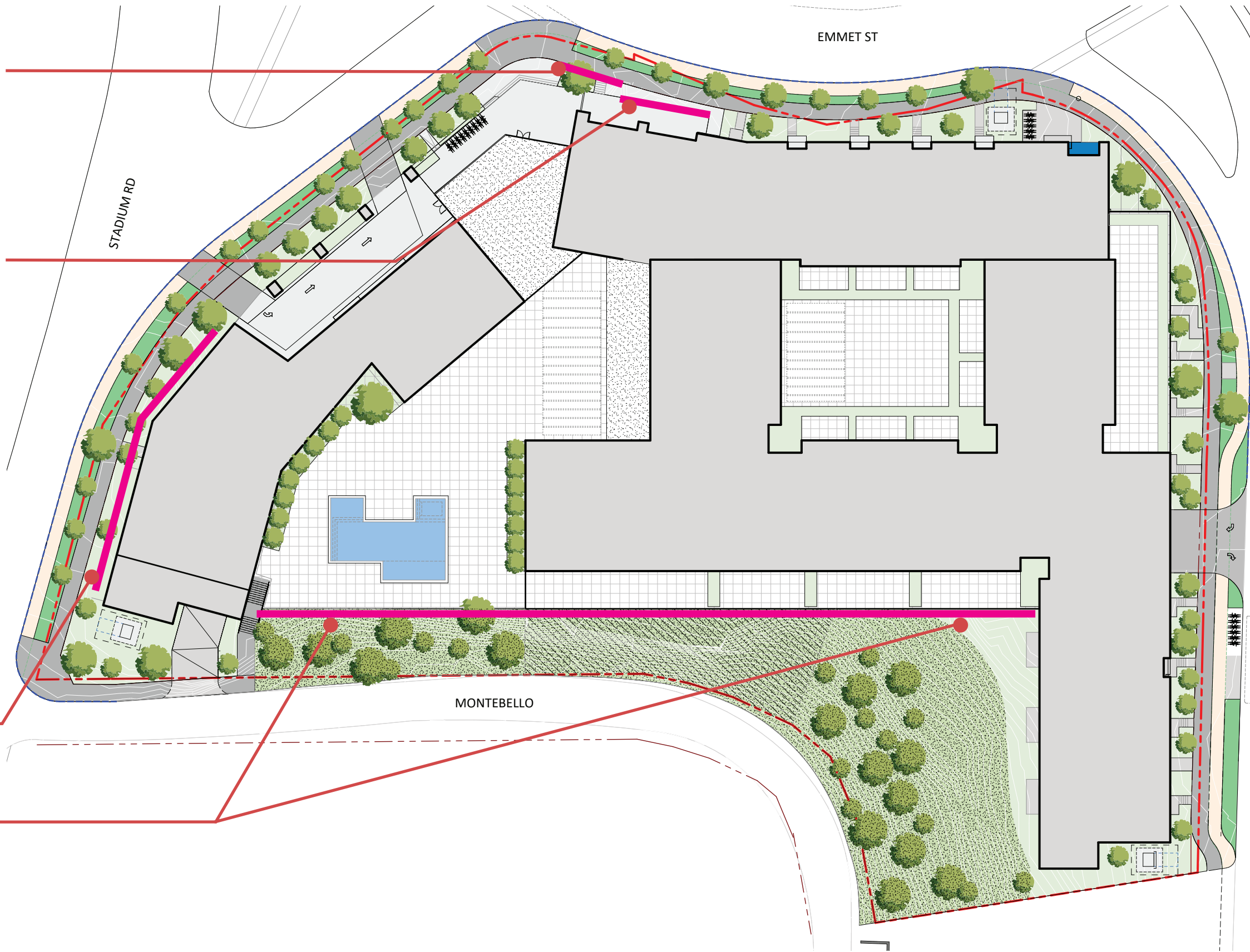
MASONRY
RETAINING
WALL
(TYPE 2)



STEPPED
TERRACE WALL -
CONCRETE WITH
WOOD LOOK
CLADDING
(TYPE 3)



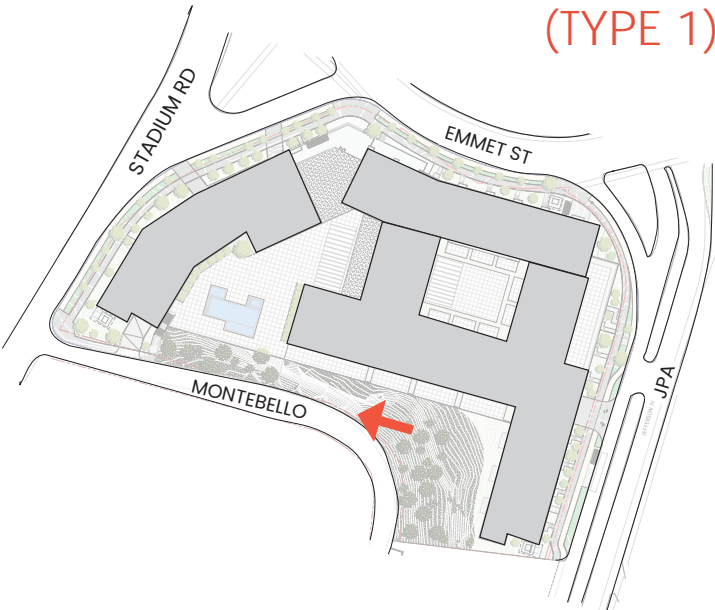
CONCRETE
RETAINING
WALL
(TYPE 1)



STREETSCAPE - RETAINING WALLS



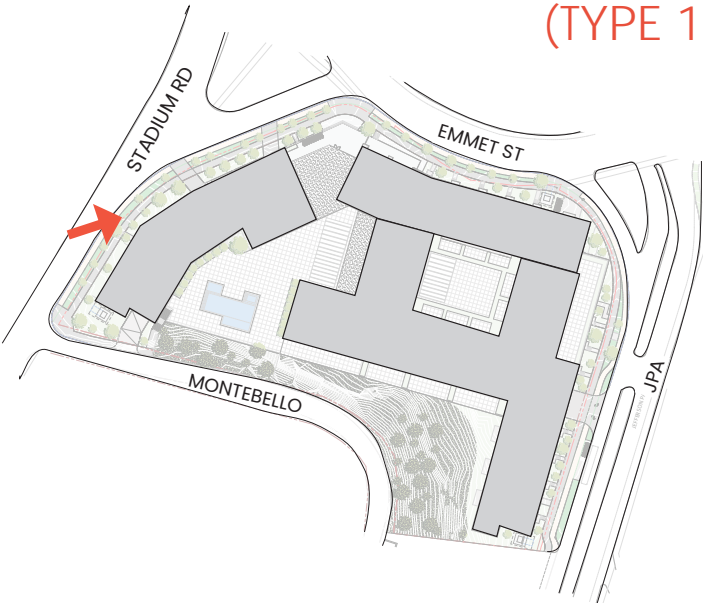
CONCRETE
RETAINING WALL
(TYPE 1)



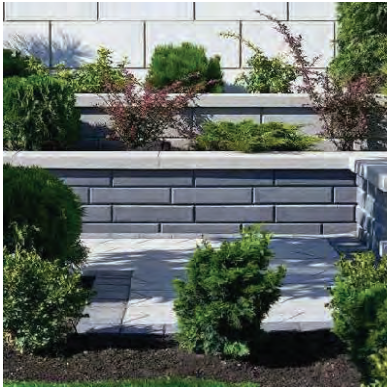
STREETSCAPE - RETAINING WALLS



CONCRETE
RETAINING WALL
(TYPE 1)

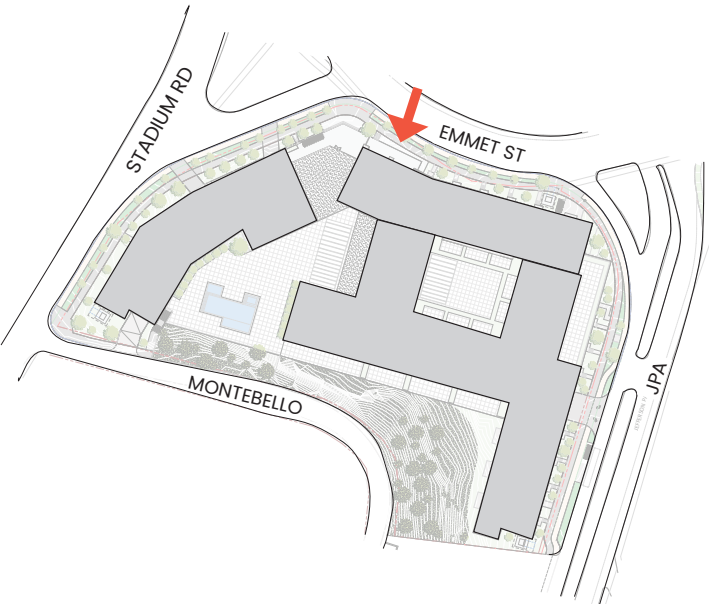


STREETSCAPE - RETAINING WALLS



MASONRY
RETAINING
WALL (TYPE 2)

STEPPED TERRACE
WALL - CONCRETE
WITH WOOD LOOK
CLADDING (TYPE 3)



STREETSCAPE - RETAINING WALLS



Masonry retaining walls w/ veneer to match the building



Bicycle Rack "U" shaped racks

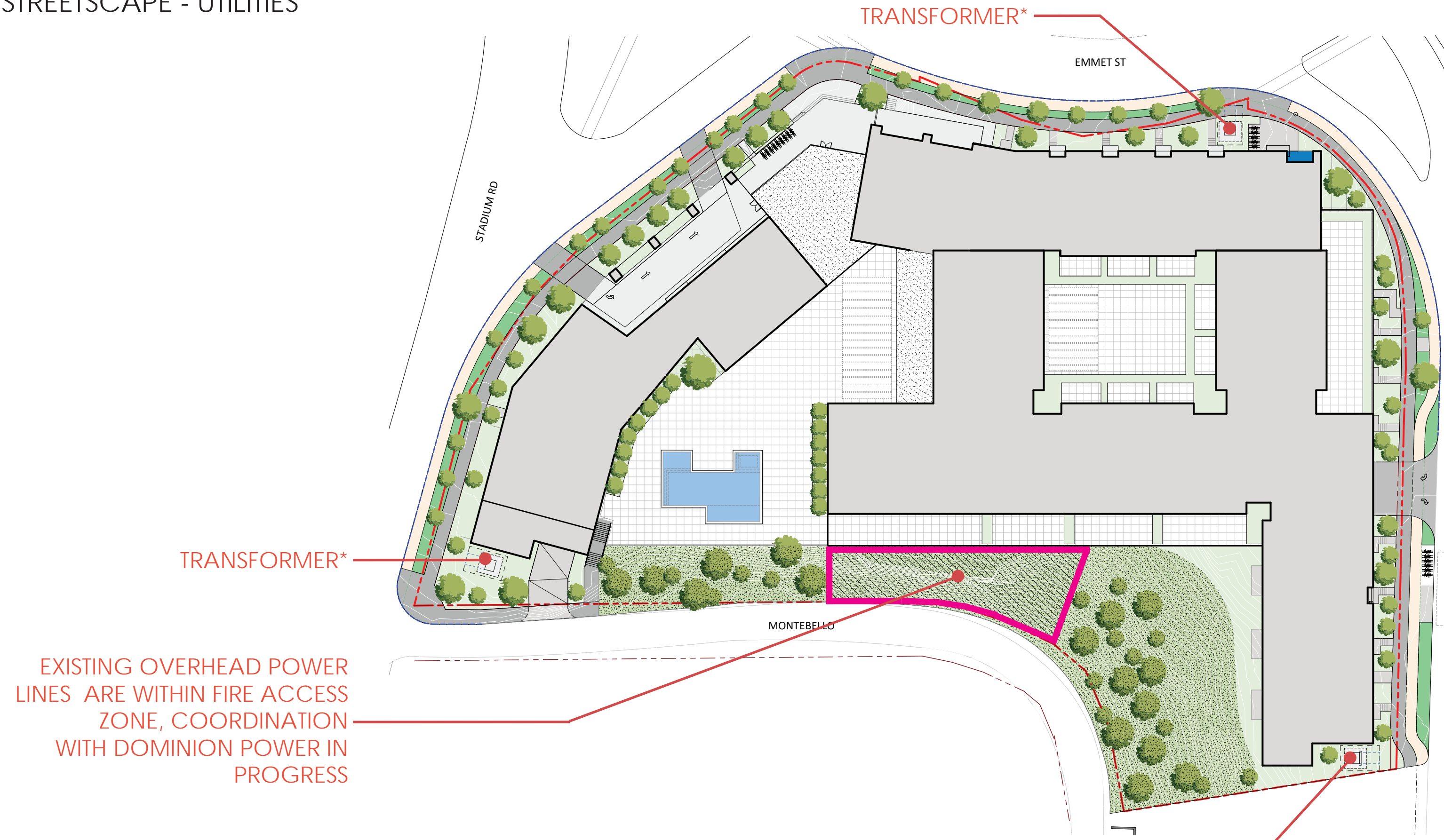


Differentiate paving type and/or color at bike parking



Concrete retaining wall

STREETSCAPE - UTILITIES



*TRANSFORMERS WILL BE FULLY SCREENED WITH VEGETATION, SUBJECT TO APPROVAL BY DOMINION POWER

SITE LIGHTING

SITE LIGHTING RENDERING



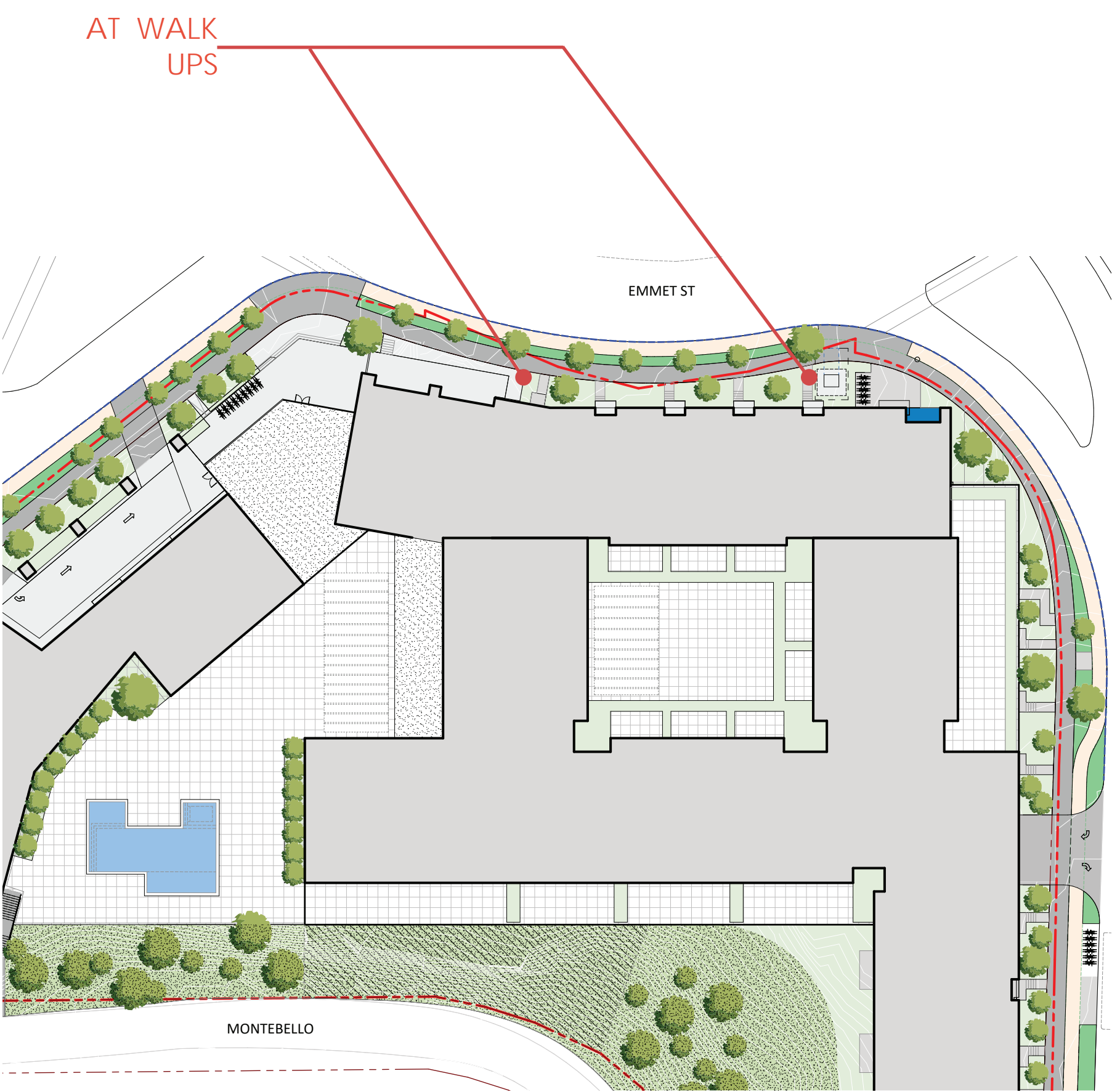
SITE LIGHTING - BUILDING MOUNTED LIGHTING



LIGHTING COMPLIANCE:
ALL LIGHTING WILL HAVE
COLOR TEMPERATURE NOT
EXCEEDING 3,000K AND
HAVE A COLOR RENDERING
INDEX NOT LESS THAN 80



WALL SCONCE



SITE LIGHTING - BUILDING MOUNTED LIGHTING



WALL SCONCE

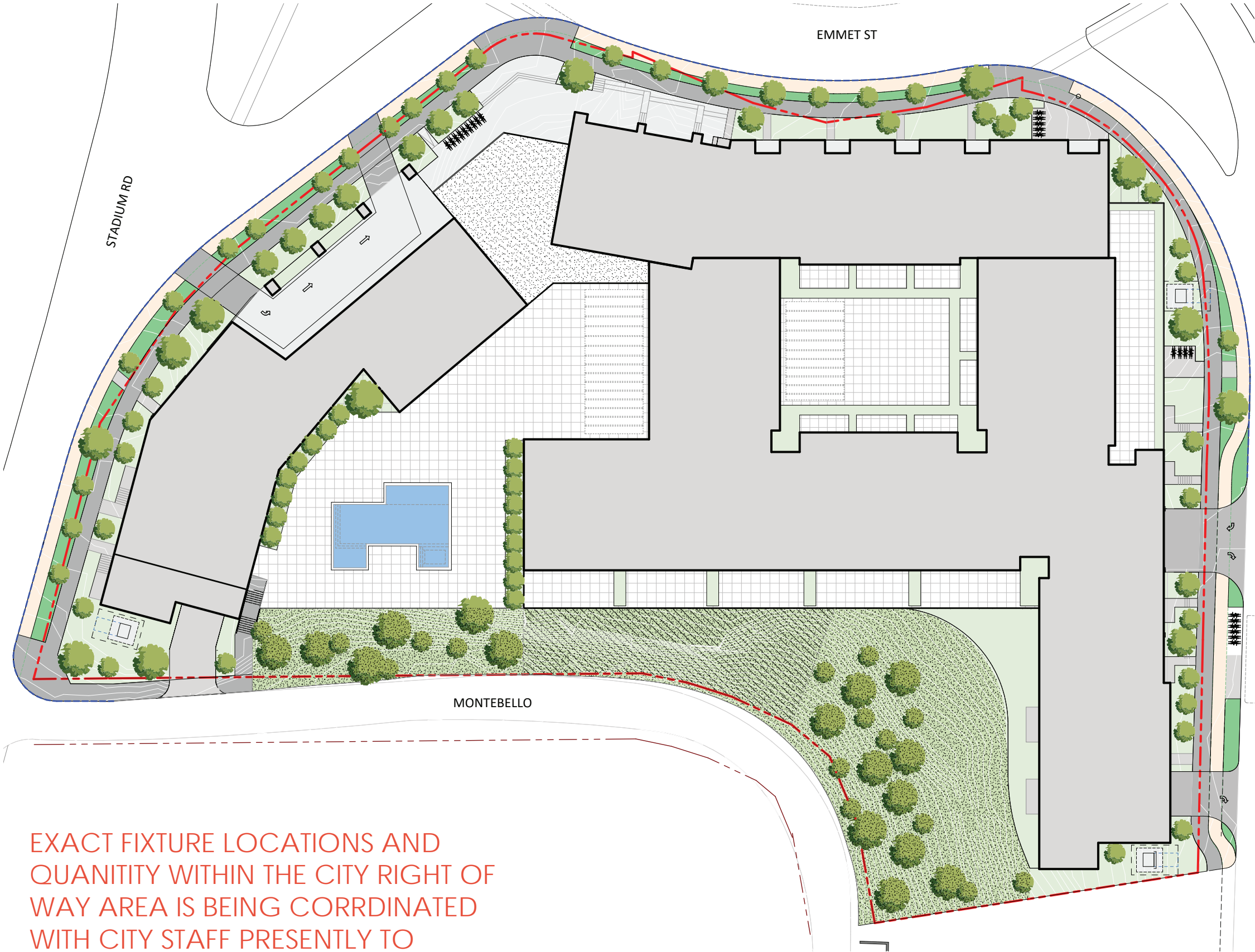
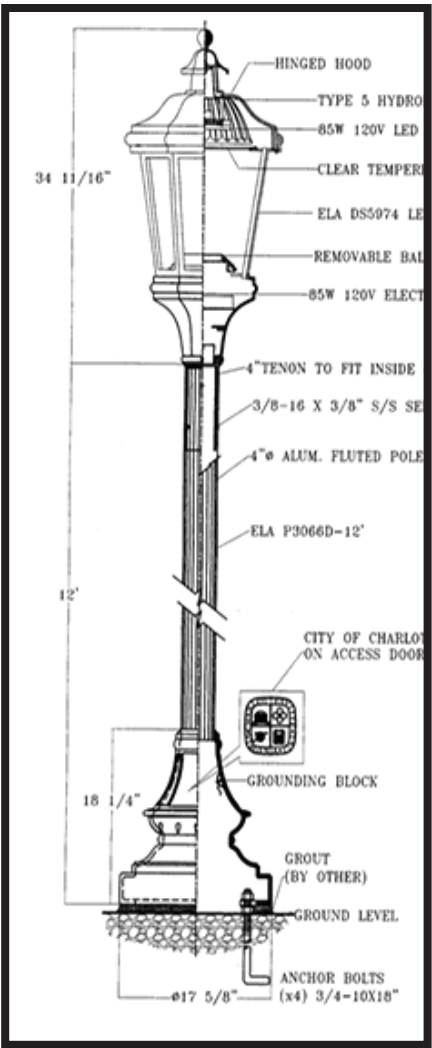


RECESSED CAN
CANOPY FIXTURE

LIGHTING COMPLIANCE:
ALL LIGHTING WILL HAVE
COLOR TEMPERATURE NOT
EXCEEDING 3,000K AND
HAVE A COLOR RENDERING
INDEX NOT LESS THAN 80



SITE LIGHTING - CITY STREET FIXTURE



EXACT FIXTURE LOCATIONS AND QUANTITY WITHIN THE CITY RIGHT OF WAY AREA IS BEING CORRDIATED WITH CITY STAFF PRESENTLY TO CONFORM WITH CITY STANDARDS

THANK YOU, QUESTIONS?



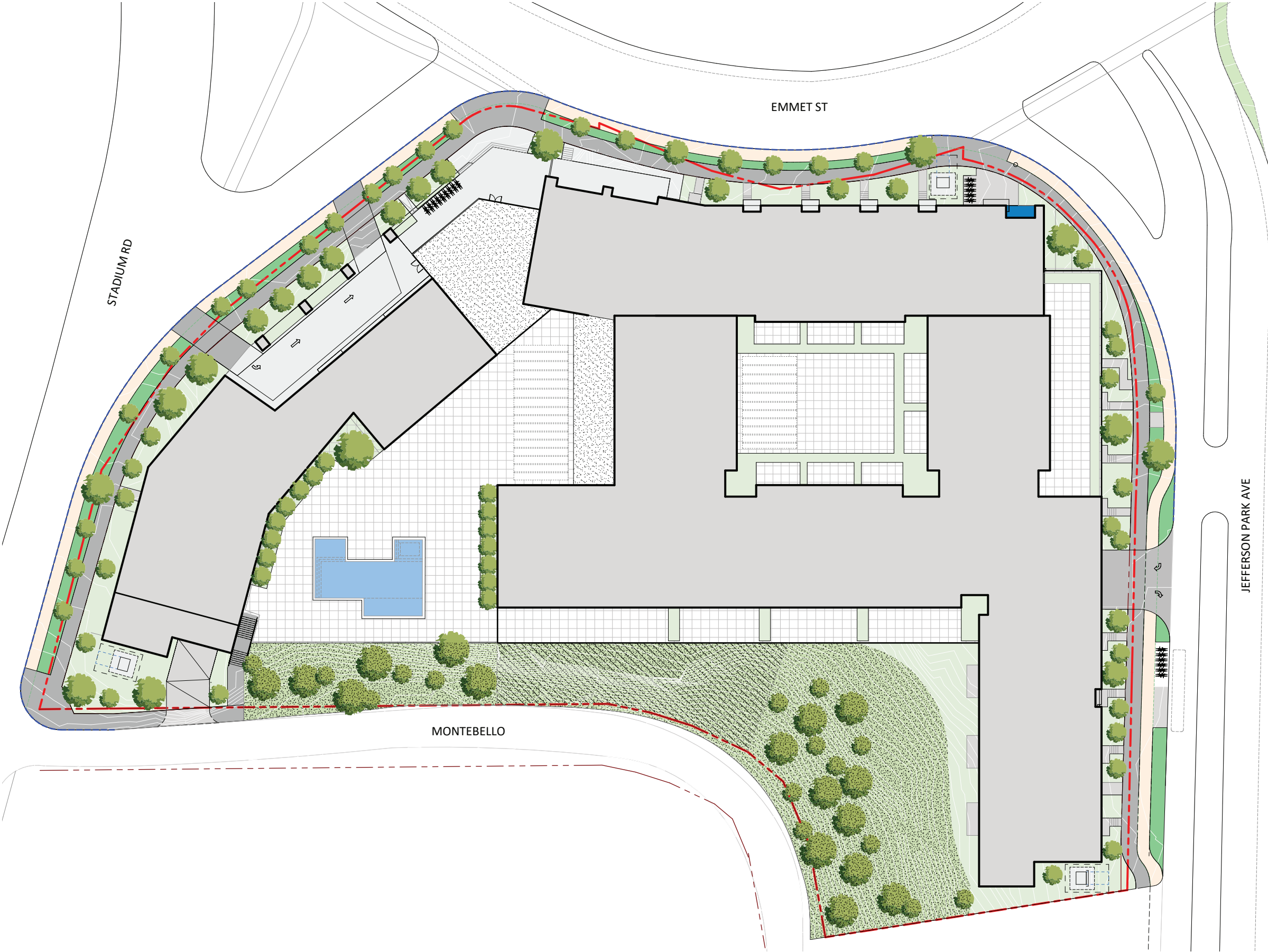
SUPPLEMENTARY CONTENT & EXHIBITS

PUBLIC REALM APPROACH

PUBLIC REALM APPROACH

Streetscape
Improvements

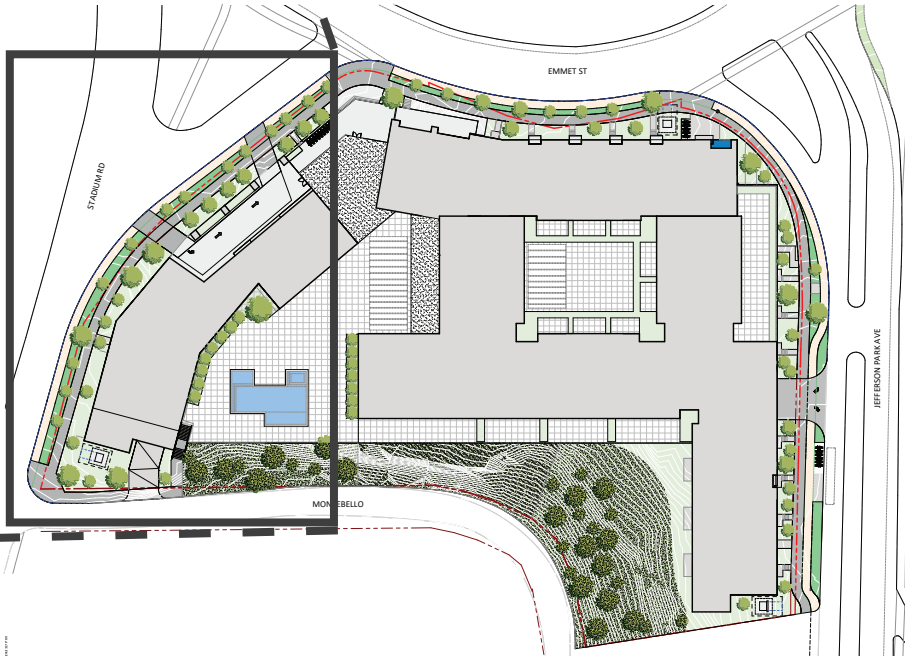
- Relocated Curbs
- Wide Raised Bicycle Lanes
- Landscape Buffer Zone
- Wide Sidewalks
- Landscape Buffer Zone at Building



PUBLIC REALM APPROACH

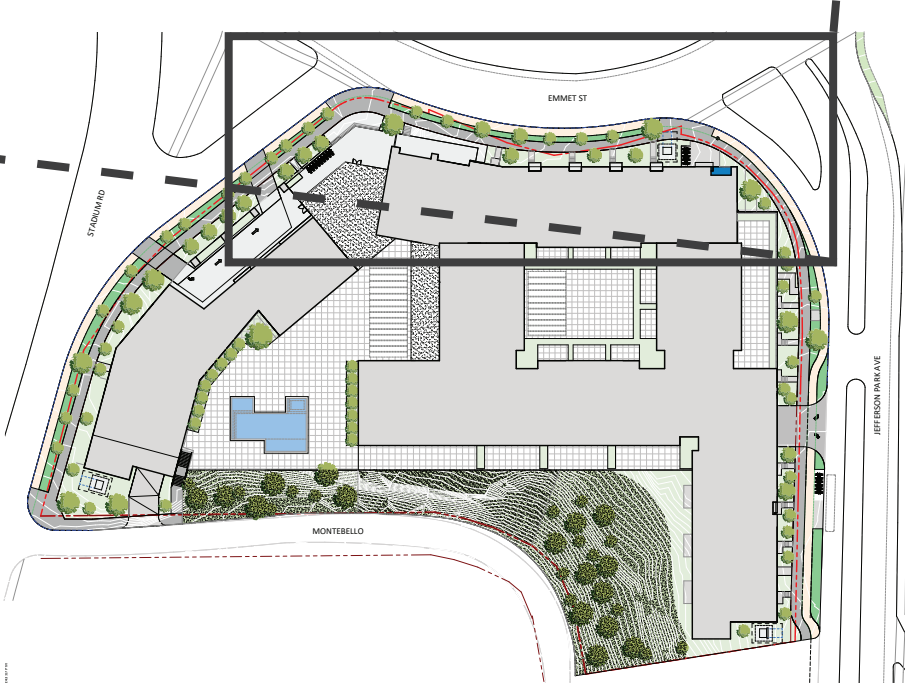
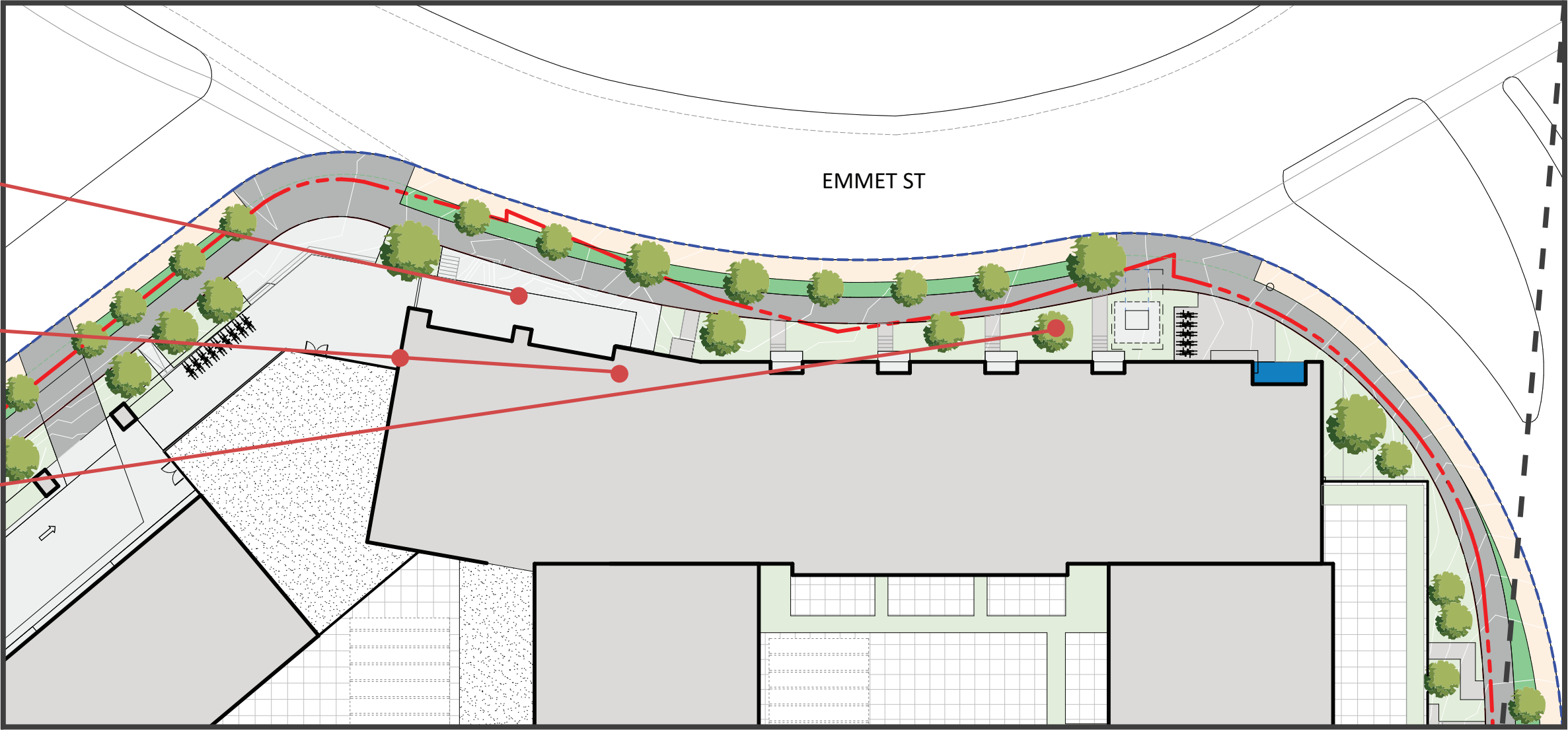
Streetscape
Improvements

- Relocated Curbs
- Wide Raised Bicycle Lanes
- Landscape Buffer Zone
- Wide Sidewalks
- Landscape Buffer Zone at Building



Re-Activated Streetscape

- Cascading Landscaped Terrace & Patio
- Future Neighborhood-Scale Retail Space
- Walk-Up Units on all Primary Frontages
- Primary Entries located at Main Corners



PUBLIC REALM APPROACH

Alternate Transit

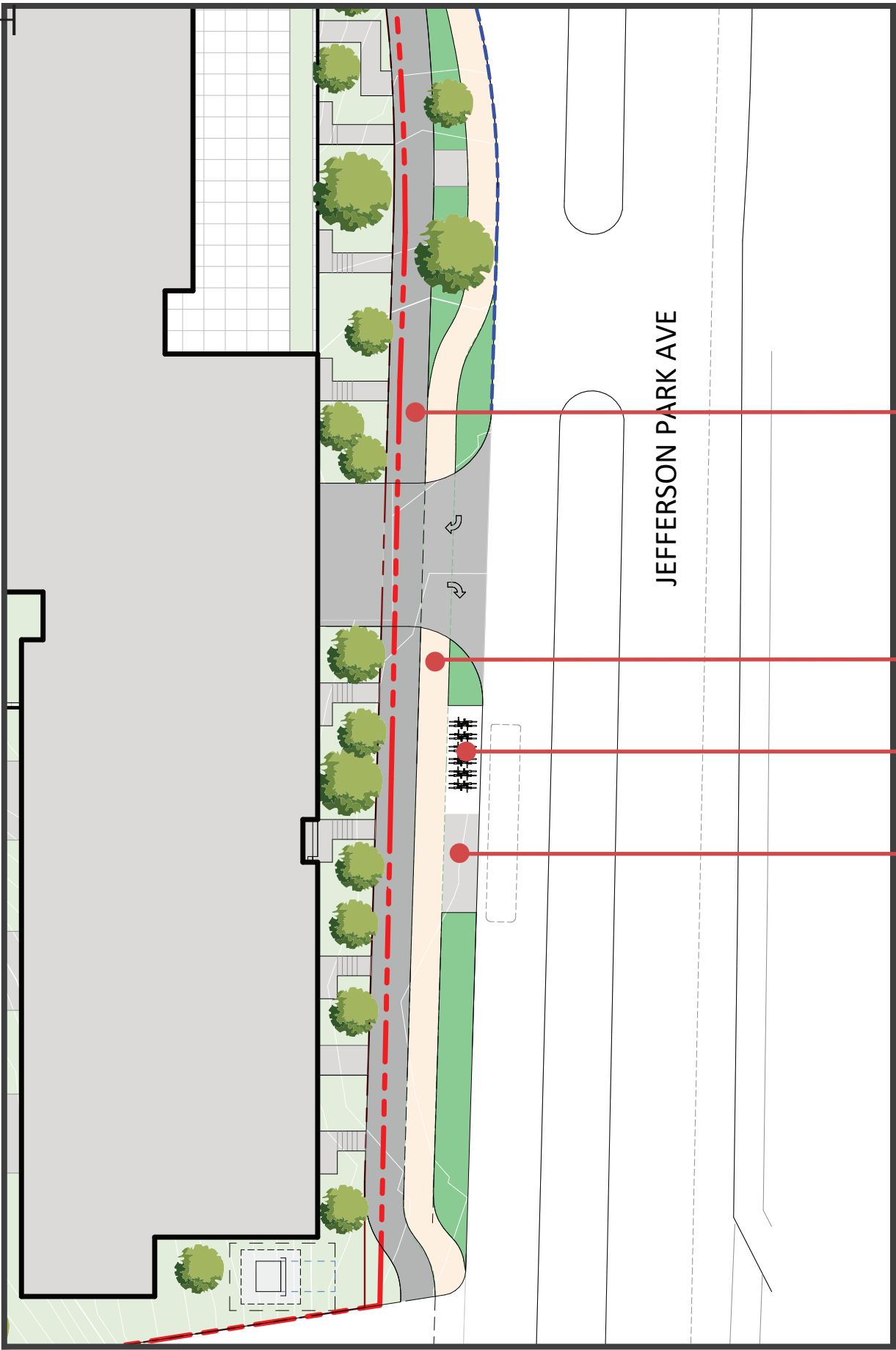
New Permanent Bus Shelter for JPA Stop

Public Bicycle Parking Spaces

Veo Bike/Scooter Hub, Exact Location on Site is TBD

Dedicated Rideshare Pick-Up and Drop-Off Zone

Improved Pedestrian and Bicycle Infrastructure



DEDICATED BIKE ONLY ENTRY;
BIKE PARKING FOR GREATER
THAN 50% OF RESIDENTS

SIDEWALK

DEDICATED BIKE PATH

PUBLIC BIKE PARKING,
SEVERAL LOCATIONS

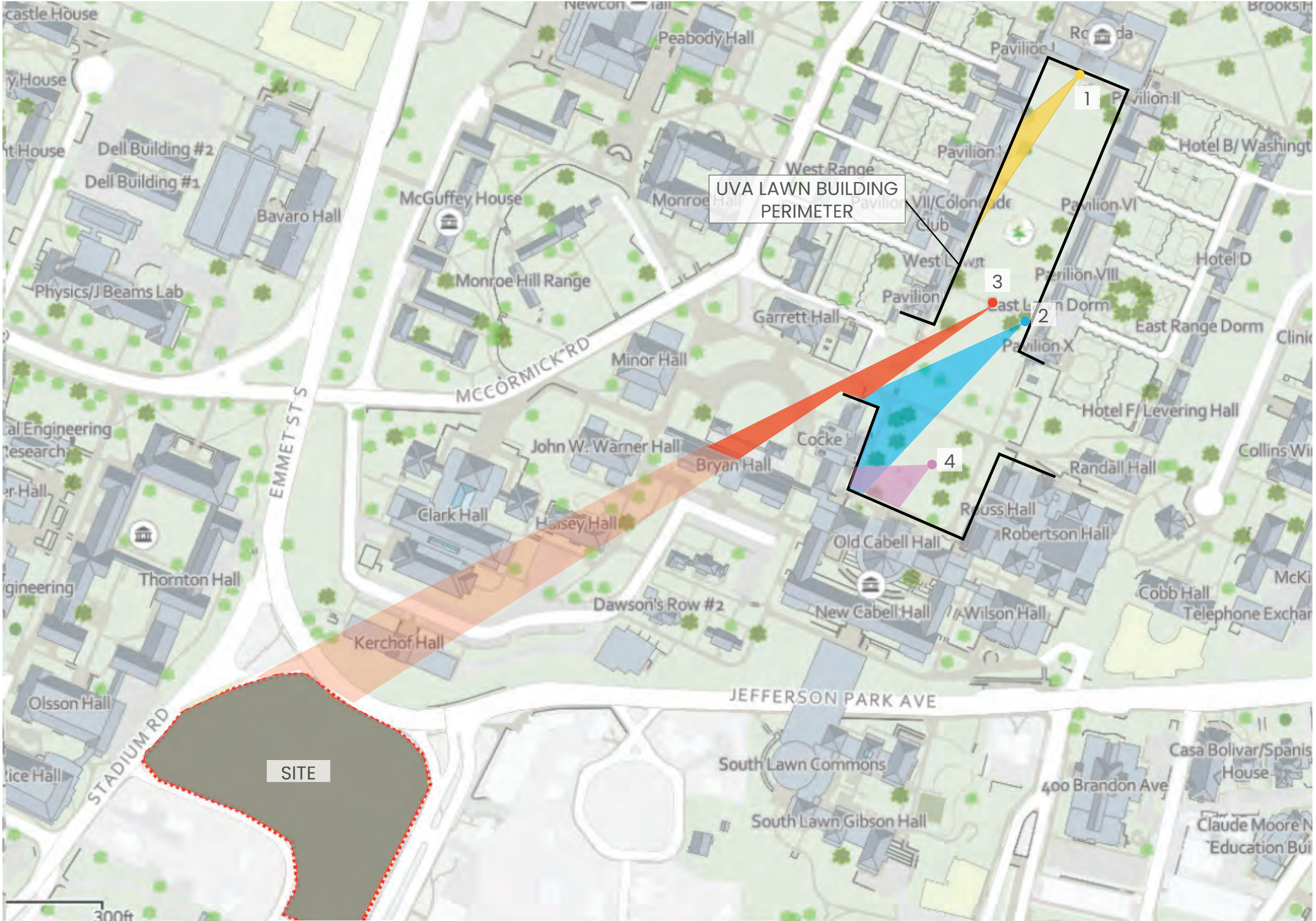
NEW BUS STOP SHELTER
ALONG JPA



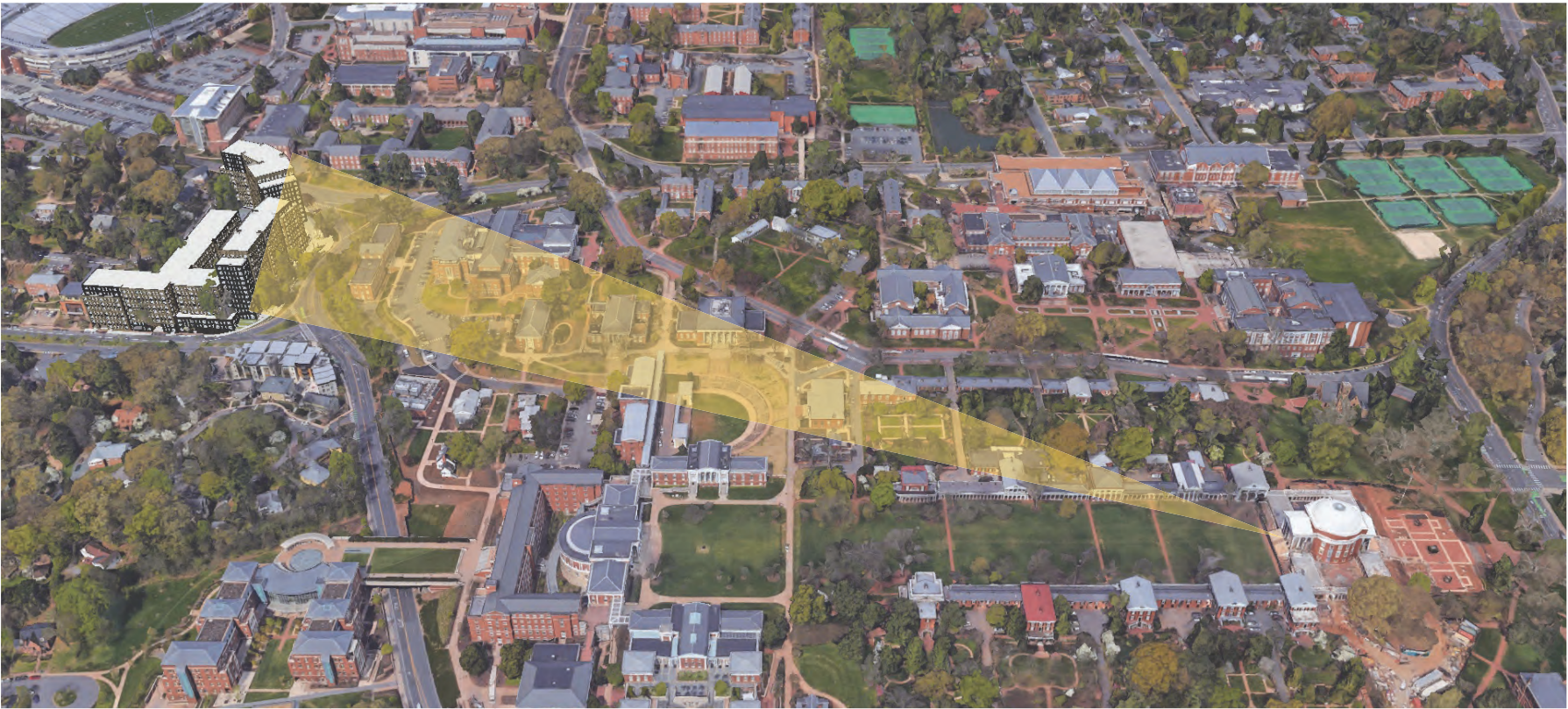
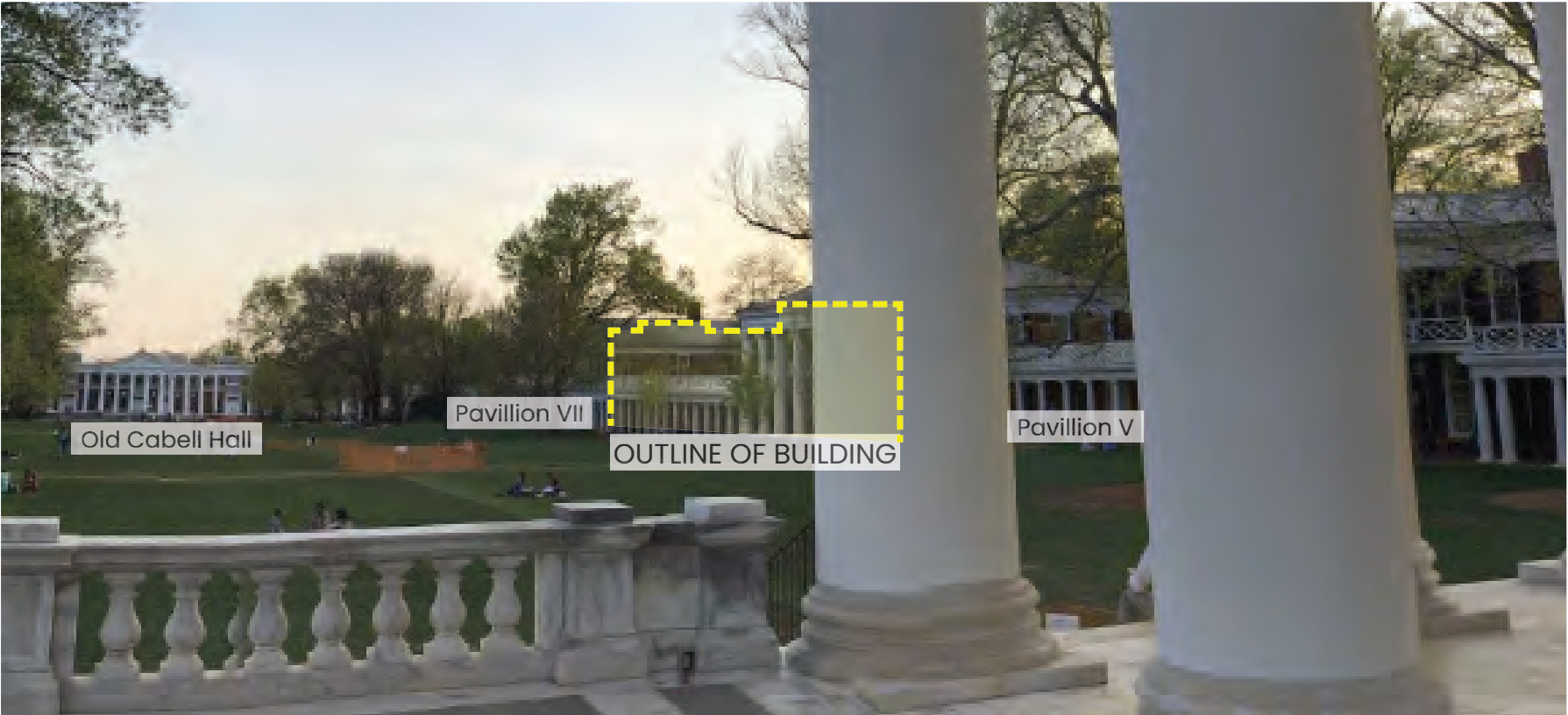
NEIGHBORHOOD CONTEXT

UVA GROUNDS

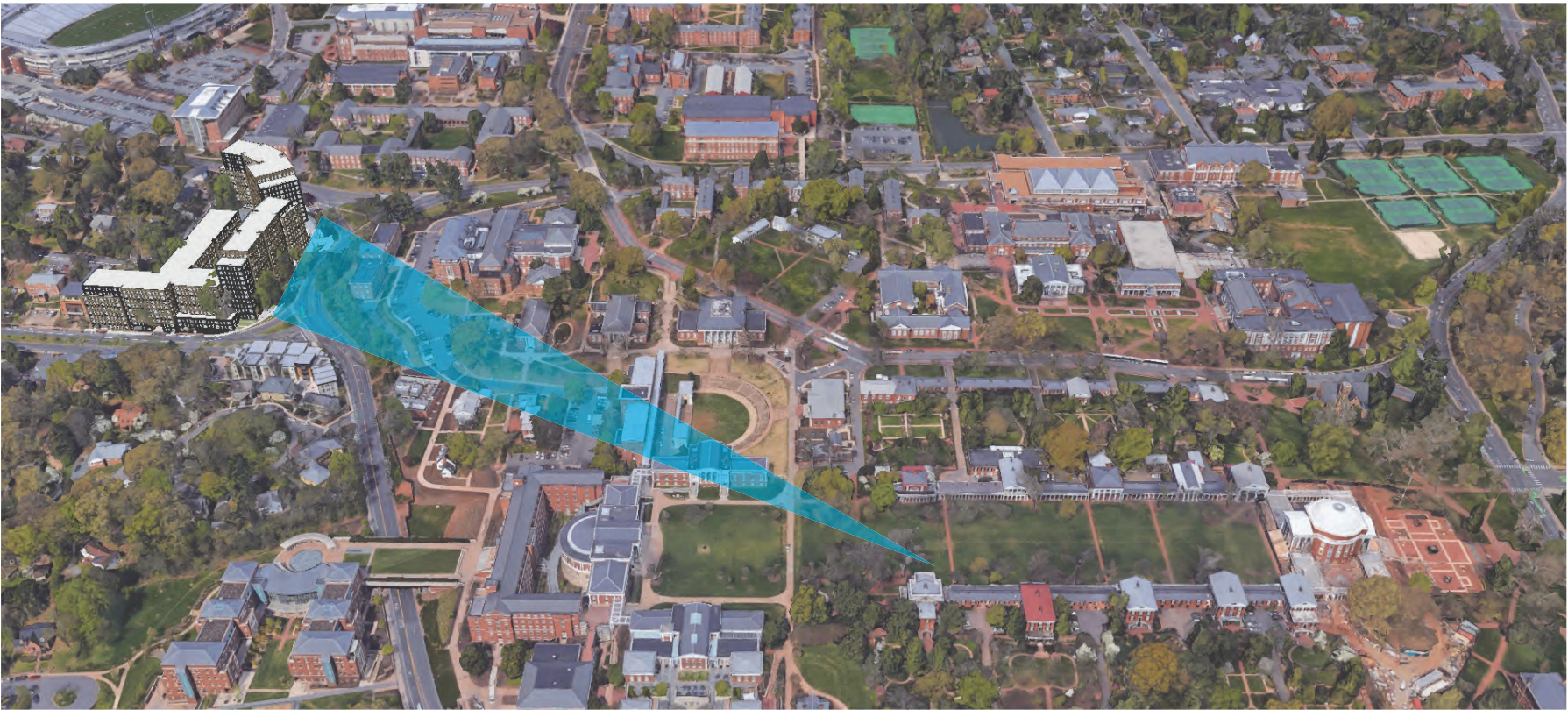
UVA LAWN VISIBILITY KEY



UVA LAWN VISIBILTY - VIEW #1 - FROM TOP OF ROTUNDA STEPS



UVA LAWN VISIBILTY - VIEW #2 - FROM EAST PAVILION



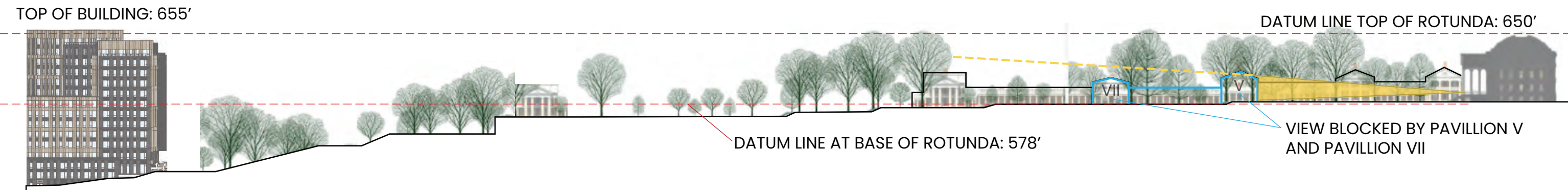
UVA LAWN VISIBILTY - VIEW #3 - FROM CENTRAL LAWN



UVA LAWN VISIBILTY - VIEW #4 - FROM HOMER STATUE



UVA LAWN VISIBILTY - CROSS SECTION



ERB Review - Entrance Corridor Design Guidelines - The Verve, 100 Stadium Road, ERB review April 9, 2024

Chapter I: Design Principles	Applicant's Comment	Staff Comment
Design for a Corridor Vision: New building design should be compatible (in massing, scale, materials, colors) with other neighboring structures that contribute to the overall quality of the corridor. Existing developments should be encouraged to make upgrades consistent with the corridor vision. Site designs should contain some common elements to provide continuity along the corridor. New development, including franchise development, should complement the City’s character and respect those qualities that distinguish the City’s built environment.	The proposed massing, scale, and site elements work together to create a pedestrian-focused environment consistent with the corridor vision. The massing is varied and transitions in response to surrounding context for compatibility with neighboring structures. The design and placement of entrances, plazas, terraces, and porches reinforce an active streetscape and breaks up scale. Exterior materials are predominantly masonry, masonry panel, and monolithic architectural panels, consistent with other buildings along the corridor. The size of the architectural panels enhances the sense of depth and gives a human reading of scale. The color palette is restrained and complements the corridor in a contemporary way instead of simply copying stylistic elements. The use of a contemporary color of brick is an approach ubiquitous of other modern projects in the surrounding area. The 3-color blend of the architectural panel provides a timeless feel and a sense of depth without appearing mottled. The landscape design along JPA, Emmet St, and Stadium Rd - consisting of pedestrian amenities, landscape buffers, sidewalk, bicycle lane, and a new transit shelter - enhances the corridor's pedestrian environment, provides continuity within the corridor, and is an improvement over other developments along the corridor.	Concur
Preserve History: Preserve historic buildings and distinctive architecture from earlier periods. Encourage new contemporary design that is respectful of historic building design.	An Ordinance removing 104 Stadium Road from the list of Individually Protected Properties was previously approved and there are no other historic buildings on the properties. The property is not in a Historic District.	Concur
Facilitate Pedestrian Access: Encourage compact, walkable developments. Design pedestrian connections from sidewalk and car to buildings, between buildings, and between corridor properties and adjacent residential areas.	The proposed pedestrian access and experience represents a significant improvement over the existing conditions and streetscapes found elsewhere in the corridor. New sidewalks, landscape buffer zones, and bicycle lanes are proposed. Primary entrances are oriented towards the street and primary intersections seeing the most pedestrian activity. A separate bicycle entrance is proposed to facilitate ease of access from the corridor.	Concur
Maintain Human Scale in Buildings and Spaces: Consider the impact of building design, especially height, mass, complexity of form, and architectural details, and the impact of spaces created, on the people who will pass by, live, work, or shop there. The size, placement and number of doors, windows, portals and openings define human scale.	The height and massing responds to immediate and surrounding contexts - varying topographies, adjacent uses, and pedestrian settings - with the taller, urban form at the most active frontages and stepping down towards the multifamily and neighborhood-scale uses. Elements such as step-downs, step-backs, voids, and locations of higher proportions of glass break down the massing to provide a sense of approachability, mark primary entrances, and give a sense of arrival. Active uses - pedestrian amenity spaces, commercial space, residential amenities, and walk-up units - activate and draw focus down to the street level. The dimensions and arrangement of windows are consistent with the corridor, and details such as a double soldier course at every other floor level and material detailing at every window provide a horizontal shadow line within a vertical window pattern.	Concur. The height, massing, and scale are consistent with the goals of the Comprehensive Plan. The max height and min setbacks have been established by the approved PUD.
Preserve and Enhance Natural Character: Daylight streams, and retain mature trees and natural buffers. Work with topography to minimize grading and limit the introduction of impervious surfaces. Encourage plantings of diverse native species.	Existing trees will be replaced at a 3:1 ratio. The project steps across the site with the topography to maintain a relationship between the building and street. A plant palette with a variety of native trees, shrubs, and groundcovers is proposed to create a landscape with biodiversity amongst species as well local pollinators to help foster a healthy habitat for native flora and fauna. Invasive plant materials will be eliminated to promote a healthy environment for both the new plant materials as well as those on the adjacent properties.	Concur
Create a Sense of Place: In corridors where substantial pedestrian activity occurs or is encouraged, or where mixed use and multi-building projects are proposed, one goal will be creating a sense of place. Building arrangements, uses, natural features, and landscaping should contribute, where feasible, to create exterior space where people can interact.	The proposed project utilizes building and entrance arrangements, active street-facing uses, pedestrian amenity spaces, and landscaping to create an engaging pedestrian environment. Differentiated building heights and a large pedestrian plaza distinguish the main building entrance and retail space. Walk-up units on Stadium Rd, Emmet St, and JPA create additional activity and interaction at the street-level. The new transit shelter on JPA will create a more inviting space for riders to gather.	Concur
Create an Inviting Public Realm: Design inviting streetscapes and public spaces. Redevelopment of properties should enhance the existing streetscapes and create an engaging public realm.	In its current state, the site does not create an inviting public realm. The proposed project will utilize a boulevard consisting of a building landscape buffer, expanded sidewalk, pedestrian landscape zone, and improved or new bicycle lanes to facilitate a comfortable and inviting public realm. Additionally, pedestrian plazas and terraces create public gathering and resting places.	Concur
Create Restrained Communications: Private signage and advertising should be harmonious and in scale with building elements and landscaping features.	Exterior signage will complement the building design and scale.	Commercial signage requires a separate sign permit. See recommended condition.
Mask the Utilitarian: Provide screening from adjacent properties and public view of: parking lots, outdoor storage and loading areas, refuse areas, mechanical and communication equipment, and other uses that have adverse impacts. Where feasible, relegate parking behind buildings.	On-site parking will be located within the building and fully screened by active uses. Storage areas, refuse areas, and mechanical equipment will be located within the building or screened by site walls, parapets, or architecturally compatible fencing.	Concur

Respect and Enhance Charlottesville’s Character: Architectural transplants from other locales, and shallow or artificial imitations of the Jeffersonian architectural style are examples of building designs that are neither appropriate nor desirable. Objectionable or incompatible aspects of franchise design or corporate signature buildings must be modified or customized to fit the character of this community.	The building design is of a contemporary nature and does not attempt to be an imitator of a traditional architectural style. It is a unique design that is not lifted from external vernacular sources.	Concur
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Chapter II: Guidelines for Streetscapes, B. Plantings & Open Space	Applicant's Comment	Staff Comment
1. Use street trees to provide shade, a sense of enclosure and to define edges.	Street trees are proposed along all streetscapes to define the pedestrian boulevard.	Concur. Tree plantings will be evaluated during site plan review. See recommended condition.
2. Include appropriately scaled trees, shrubs and other plantings to provide beauty as well as shade, within a pedestrian gathering place, and as screening for parking, utilities, and service areas.	A combination of appropriately-sized plantings, from trees to understory plantings, will enhance the pedestrian boulevard and create natural buffers.	
3. Maintain existing plantings in all public areas.	N/A - Existing trees will be replaced at a 3:1 ratio and additional understory plantings are proposed.	
4. Use hardy native species that require minimal maintenance.	The project will utilize a plant palette with a variety of native trees, shrubs, and groundcovers to create a healthy landscape while also trying to minimize maintenance.	
5. Replace damaged or missing street trees with appropriate species.	N/A - Existing trees will be replaced at a 3:1 ratio.	
6. Avoid over-used species such as Bradford pear.	While Bradford Pears are beautiful trees, they are a weak wooded tree that is subject to structural failures as the tree ages. Bradford Pears will not be used on the project. We will work with the Urban Forester to ensure that, to the best of our abilities, the project doesn't utilize species that are being over planted in the area.	
7. Use larger tree species where appropriate to space and function.	The planting design will look to follow a "right tree, right place" strategy of design. Where there is ample space for large canopy trees to grow and flourish, these will be planted to provide maximum canopy benefits for the project. In areas where space is a premium, medium canopy trees or those with a narrow growth habit will be the preferred solution.	
8. Expand use of seasonal color in plantings.	The plant palette will be comprised of trees, shrubs, and groundcovers to provide visual interest throughout the year. A variety of evergreen and deciduous materials will be used with a variety of foliage color, fall color, and seasonal blooms. Ornamental grasses will also be utilized to provide additional textural variations in the planting and an additional visual interest in the dormant season.	
9. Use landscaping to create an identity within a particular corridor or sub-area by selecting specific species, sizes, colors or shape of plants and trees.	The planting design will help to reinforce a sense of space within the various areas across the project. It will be used to help foster a sense of public vs private space and the selection of species in combination with their growth habits and plant characteristics will aid in creating an identity to the different portions of the project.	
10. Use plantings to promote visual order and help integrate buildings into the corridor.	The project will look to help create order and integrate the building into the area through the planting design and palette.	
11. Refer to the Tree Planting and Preservation BMP Manual in the Charlottesville Standards and Design Manual.	The current plant palette was selected from the Charlottesville Design Manual and will be further refined through coordination with the Urban Forester as the design progresses.	
12. Encourage day lighting of streams where appropriate.	N/A	n/a

Chapter II: Guidelines for Streetscapes, C. Pedestrian Routes	Applicant's Comment	Staff Comment
1. Provide, where feasible, unbroken pedestrian routes between developments. Place paths in a logical pattern where people will want to walk. Place sidewalks on both sides of streets where feasible and separate them from the curb by a minimum five (5) feet wide landscape zone if possible.	With a location adjacent to the UVA Grounds that sees a large amount of pedestrian traffic, a 7 to 8 foot wide sidewalk will be provided. The sidewalk will be separated from the street by a raised bike lane along Stadium, Emmet, and JPA as well as a landscape buffer which will provide 6 to 13 feet between the sidewalk and traffic lane. The proposed boulevard will significantly improve pedestrian access and better facilitate the volume of pedestrian traffic at this location. The number of curb cuts has been minimized and will be gently sloped to provide an uninterrupted path.	Concur. Bike/Ped accessibility, design, materials etc., will be further evaluated during site plan review.
2. Within developments, identify a complete internal pedestrian pathway system linking all buildings, parking and green spaces. Ensure that this network connects to public pedestrian pathways that link schools, recreation areas, and other major destinations.	All buildings are connected with a continuous pathway system with multiple connection points to the public pedestrian system at primary and secondary entrances.	
3. Add designated pedestrian pathways through larger parking lots.	N/A. There are no surface parking lots.	
4. Provide crosswalks at intersections, between major pedestrian destinations and in front of building entrances that link to parking.	Crosswalks are proposed at Montabello Circle, Stadium Road and Emmet Street, and Jefferson Park Avenue as well as at vehicular access points.	
5. Design crosswalks to highlight their visibility by slightly raising them, by making them wider, by constructing them of materials other than asphalt and by using bulb-out corners that reduce their length.	Crossings within the project boundaries will receive treatment to increase their visibility by utilizing texture and materiality that varies from roadways.	
6. Provide breaks in large building masses to allow pedestrians to pass through, particularly through shopping centers.	Due to large grade changes across the site and the orientation of surrounding public streets, pedestrian access through the site would not be an improvement.	
7. Place sidewalks throughout residential areas.	N/A	

8. Avoid excessive curb cuts for vehicular access across pedestrian ways. Where curb cuts are necessary, mark them with a change in materials, color, texture or grade.	The number and location of curbs cuts proposed intends to mitigate undue vehicular congestion on the street that would diminish the pedestrian realm. There is only one curb cut proposed for the residential parking and all other curb cuts will contain deliveries, ride-share, visitors, and building service vehicles within the building. Detectable warning patterns will be used at pedestrian crossings, as well as color change.	
9. Design sidewalks appropriately for the site and the expected amount of foot traffic. In commercial areas where foot traffic is expected, sidewalks should be a minimum of (10) ten feet. Sidewalks in residential areas can be five (5) feet, depending on the type of street and size of road.	Sidewalks are proposed at 7 to 8 feet wide with landscape buffer zones and new or improved bicycle lanes.	
10. Use brick or patterned concrete, or a combination of these materials, that relates to the existing architectural vocabulary of the corridor or sub-area.	Variation in the paving materials will be utilized to reinforce uses/spaces around the site. Typical sidewalks are broom-finished concrete consistent with the corridor.	
11. Avoid concrete curbing poured in continuous strips.	Concrete curbing poured in continuous strips will be avoided.	
12. Avoid excessive variation in sidewalk and curb materials.	Excessive variation in sidewalk and curb materials will be avoided.	

Chapter II: Guidelines for Streetscapes, D. Bicycle Routes	Applicant's Comment	Staff Comment
1. Provide for bicycle traffic along major corridors and between major destinations, with particular emphasis on connecting residential areas to schools, recreation areas, and commercial centers.	Existing bicycle lanes will be enhanced and new bicycle lanes constructed where they do not currently exist.	Concur. Bike/Ped accessibility, design, materials etc., will be further evaluated during site plan review.
2. Provide new bike paths to connect to planned or existing municipal paths or paths of adjoining developments.	N/A	
3. Provide facilities to store or lock bicycles at appropriate sites, including schools, major recreation areas, office parks, public institutions, and large commercial centers.	Bicycle racks are proposed along the building perimeter, and significant indoor bicycle storage facilities are included for residents.	
4. Develop an easily identifiable graphic system of signs and road markings to designate bicycle routes and crossings.	The project will conform with any bicycle route signage requirements.	

Chapter II: Guidelines for Streetscapes, E. Lighting	Applicant's Comment	Staff Comment
1. Use full cutoff luminaires in accordance with City lighting requirements to provide better lighting and prevent unwanted glare.	The project will utilize full cutoff and dark sky compliant fixtures as well as shields within fixtures to help limit light spillage/pollution to the greatest extent possible.	Concur. Compliance with lighting requirements are reviewed during site plan review.
2. Where appropriate, replace modern cobra-head type lamps and poles with painted metal, traditionally designed fixtures that have a base, shaft and luminaire.	N/A	
3. Consider using a different but compatible style of fixture for each of the corridors.	N/A	
4. Light pedestrian areas with appropriately scaled poles.	Light poles are proposed in the streetscape using a City-approved fixture.	Concur
5. Provide pedestrian lighting at transit stops and along paths to parking lots and other destinations.	The project intends to maximize lighting through the spacing of fixtures near transit stops and ensure the pedestrian paths are adequately lit, especially at points where there is potential pedestrian and vehicular interaction.	Concur
6. Provide lighting of intersections in high traffic areas.	N/A	
7. Include any lighting upgrades as a part of an overall streetscape plan for each corridor.	N/A	

Chapter II: Guidelines for Streetscapes, F. Street Furniture	Applicant's Comment	Staff Comment
1. Develop and use a common palette of colors, materials and design.	Furniture materials, colors and design will be coherent.	No street furniture has been proposed; however, compliance with any requirements within the right of way is evaluated during the site plan review.
2. Coordinate furniture along corridors. While they need not match, they should be compatible and not clash.	A cohesive furniture design does not exist along JPA.	
3. Place benches at key locations such as transit stops. Use traditional designs constructed of wood and/or painted metal.	The new transit shelter on JPA will include a bench and the design will be coordinated with Charlottesville Area Transit.	
4. Avoid placing too many elements on narrow sidewalks.	N/A	

Chapter II: Guidelines for Streetscapes, G. Public Signs	Applicant's Comment	Staff Comment
1. Develop a system of public wayfinding and informational signs to reflect the character of Charlottesville to be used on all corridors.	N/A	n/a
2. Coordinate the colors and design of signs within a corridor.	N/A	
3. Keep signs to the minimum number and size necessary for the use.	N/A	
4. Scale and place signs for both automobile traffic and pedestrians.	N/A	
5. Avoid placing signposts in locations where they can interfere with the opening of vehicle doors.	N/A	
6. Consider using decorative color banners within a specific corridor	N/A	

Chapter II: Guidelines for Streetscapes, H. Public Art & Monuments	No public art is currently proposed.	n/a
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Chapter II: Guidelines for Streetscapes, I. Utilities & Communication Equipment	Applicant's Comment	Staff Comment
1. Locate and screen utilities to limit their visibility from the street and from nearby development.	Building mechanical equipment and utilities will be screened from the street and adjacent properties by parapet walls, fencing, or landscaping.	See recommended conditions re: screening
2. Place existing and proposed utilities underground.	Existing overhead utilities along Montebello Circle that are located in the required fire access zone will be relocated to underground. This is currently being coordinated with Dominion Power. New connections to the building will be placed underground.	
3. Consider integrating cellular communication towers into building design so as to appear visually unobtrusive	N/A	n/a

Chapter III: Guidelines for Sites, B. Connectivity Between Entrance Corridor Areas & Neighborhoods	Applicant's Comment	Staff Comment
1. Maintain or provide a strong sense of community, by providing pedestrian and vehicular links from a corridor site to nearby neighborhoods, parks, schools and other public destinations.	Pedestrian and bicycle links will be enhanced by improved sidewalks, bicycle lanes, and landscape buffer zones.	Compliance with bike/ped requirements within the right of way is evaluated during the site plan review.
2. Use common streetscape elements, materials and designs to visually link the corridor areas and neighborhoods.	Hardscape materials, street trees and plantings, and continuous sidewalks will visually link the site to the corridor.	
3. Provide continuous pedestrian routes along corridors where feasible.	Pedestrian routes are enhanced and expanded throughout.	
4. Site grading should promote connectivity with adjacent sites.	Site grading will promote connectivity with adjacent sites.	

Chapter III: Guidelines for Sites, C. Connectivity Between & Within Sites	Applicant's Comment	Staff Comment
1. Create a complete pedestrian pathway system within a site and between adjacent sites, linking all buildings, parking areas and green spaces. Ensure that this network connects to any nearby public pedestrian pathway.	All building entries and pedestrian amenity spaces are connected to public pedestrian pathways.	Concur
2. Design pedestrian and vehicular circulation to maximize the quality and safety of pedestrian experience through:	In its current condition, sidewalks directly abut the street and curbs are not distinguished. Pedestrian circulation will be significantly improved by an expanded sidewalk network with a landscape buffer zone to separate pedestrians from vehicular traffic. Bicycle circulation will be improved by expanded and new bicycle lanes. Crossings within the project boundaries will receive treatment to increase their visibility by utilizing texture and materiality that varies from roadways.	
a. Design approaches such as “shared space” that slow vehicle speeds and enhance pedestrian experience.		
b. Designated, separate sidewalks with planted areas through large parking lots.		
c. Crosswalks at points of vehicular access routes and in front of building entrances.		
d. Crosswalks designs that highlight their visibility by slightly raising them, by making them wider, by constructing them of materials other than asphalt and by using bulb-out corners that reduce their length.		
3. Ensure that new paving materials are compatible with the character of the area. Scored concrete with broom finishes, colored, exposed aggregate concrete, and brick or unit pavers are examples of appropriate applications. Avoid large expanses of bright white or gray concrete surfaces.	As a strategy to avoid large swathes of unadorned concrete pavement, specific areas will receive alternate pavement treatments. These include colored asphalt at the bike path and unique pavement material and color at building entry points. Variation in the paving materials will be utilized to reinforce uses/spaces around the site. Typical sidewalks are broom-finished concrete consistent with the corridor.	
4. Provide passageways within large building masses to allow pedestrians to pass through, particularly through shopping centers	Due to large grade changes across the site and the orientation of surrounding public streets, pedestrian access through the site would not be an improvement.	

Chapter III: Guidelines for Sites, D. Building Placement	Applicant's Comment	Staff Comment
1. Orient the facade of new buildings to front on the corridor.	The building is oriented to create a strong urban edge, further enhanced by active uses and pedestrian amenity spaces, to define a high-traffic node within the corridor.	Concur
2. Limit setback of new buildings according to the zoning of the particular corridor.	Setbacks vary due to the unique site configuration, but the building largely fronts the corridor to create an inviting urban environment for pedestrians to interact.	
3. Limit setbacks at major intersections so that the architecture can help define the area.	Main entries and active uses are located at the major intersections further enhanced by utilizing building height, materiality, and articulation.	
4. Use compact building arrangements to reduce the feeling of seas of parking, encourage pedestrian activity and define space.	All parking is contained within the building.	
5. Strive for contiguous building arrangement along the street face, and avoid large breaks between buildings in identified development sites.	Contiguous building arrangement is present along the street face and varying heights, stepbacks, articulation, and materiality are utilized to create relief from large masses and create a visually interesting building.	
6. Ensure that larger developments orient their design to any adjoining neighborhoods and to side streets.	The proposed design steps down towards adjacent neighborhoods. In many locations, significant grade change further reduces visible height from adjacent neighborhoods.	

7. Provide breaks in large developments and building masses to allow pedestrian connections between developments.	Due to large grade changes across the site and the orientation of surrounding public streets, pedestrian access through the site would not be an improvement.	
8. Orient service areas to limit their impact on the development and any neighboring areas.	Two service areas are required due to significant grade change across the site, however they have been located to minimize their impact on the pedestrian realm and any neighboring areas. One service area is proposed off of JPA and will utilize the primary vehicular entrance. The second service area is proposed off of Montebello Circle, near Stadium Road, such that it does not impact the more heavily trafficked pedestrian and vehicular environment along Stadium Road. This service will enter and exit via Stadium Road in-lieu of continuing down Montebello Circle. Service areas are fully contained within the building.	
9. Each side of a corner building that faces a street should be considered a facade of the building for design purposes.	The proposed design considers Stadium Road, Emmet Street, and JPA as primary facades.	

Chapter III: Guidelines for Sites, E. Parking	Applicant's Comment	Staff Comment
1. Reduce the scale of parking lots by:	N/A - No surface parking is proposed.	n/a
2. Where existing parking lots are located on the street, screen such lots from the street and from adjoining development, using low fences or walls, or year-round plantings.	N/A	n/a
3. Reduce the visibility of residential garages by:	The proposed parking garage is located within the building and screened by active uses. The pick-up and drop-off zone located off Stadium Road does not contain a garage door and is designed as a porte cochere, tucked underneath the building footprint and incorporated into the building façade.	Concur
a. Not allowing a garage to become the primary architectural feature when a development is viewed from the street, especially for attached housing.		
b. Placing garages behind the building setback, preferably facing to the side or rear of attached housing.		
c. Placing garages and parking in the rear with alley access		
4. Accommodate pedestrian needs within parking areas by:		n/a
a. Providing clear pedestrian paths and crossings from parking spaces to main entrances and to the street.	Pedestrian access from the parking garage to the main entrances and public streets and pathways will be clearly marked.	
b. Planning parking so that it least interferes with appropriate pedestrian access and connections to adjoining developments.	The proposed parking does not interfere with pedestrian access around the site or to adjoining properties.	
5. Construct parking lots that reinforce the existing street wall of buildings and the grid system of rectangular blocks.	N/A	
6. The number and width of curb cuts should be the minimum necessary for effective on- and off-site traffic circulation. Whenever possible, curb cuts shall be combined with adjacent entrances.	Curb cuts are proposed to minimize undue vehicular congestion from diminishing the pedestrian realm are limited in size and quantity to only what is necessary.	Concur
7. Design any detached parking structures to be architecturally compatible with its setting or to be screened by other buildings or by landscaping. If it fronts on a street or pedestrian path, design the street level facade with storefronts, display windows, bay divisions, and other pedestrian oriented features.	N/A	
8. Bicycle parking facilities should be provided within areas where significant bicycle traffic is anticipated. They should be located in designated areas close to buildings and pedestrian paths. The design, materials, and color of the bicycle racks should coordinate with other site elements and should be well-lit for night time uses.	Bicycle racks consistent with other site elements are proposed along the building perimeter, and significant indoor bicycle storage facilities are included for residents.	Compliance with bike/ped requirements is evaluated during the site plan review.

Chapter III: Guidelines for Sites, F. Plantings & Open Spaces	Applicant's Comment	Staff Comment
1. Provide landscaping within parking areas by:	N/A - All proposed parking is contained within the building.	n/a
a. Separating parking aisles with medians planted with shade trees along the length of the islands.		
b. Including pedestrian walkways with planted medians to reinforce connectivity and separate pedestrians from vehicular traffic.		
c. Avoiding isolated islands of single trees and instead providing landscaped tree aisles between every other row of cars.		
d. Using shade trees of sufficient number and size at maturity to shade a substantial portion of the lot. Consider orientations that would provide the greatest shade during summer months. Smaller, more decorative trees can be used closest to buildings.		
2. The majority of the open space should be located at the perimeter of the site where it is visible and it should be of sufficient width and depth to provide adequate contrast to any adjoining site parking. Planting zones should be consolidated into areas large enough to give a natural character to a site rather than randomly distributed in small and narrow open spaces that do not match the context and scale of the project.	Much of the perimeter is designed to create a strong urban edge. The proposed boulevard provides wide planting zones to enhance pedestrian activity.	Concur

3. Planted areas should also be located along the public boundaries of the site, within parking areas, along drainage or stormwater management areas, around buildings, and at building entries.	Planted areas are proposed at all public boundaries, building entries, around buildings, and at stormwater management areas.	Concur
4. The existing topography should be preserved intact as much as possible to minimize disruptions in drainage.	There is a Critical Slope Waiver for the proposed project.	Concur
5. Different scales of plantings (trees, shrubs, flowers) should be incorporated into site design to the extent possible and such features as mature woods and riparian areas should be retained.	The planting design will incorporate a variety of plant types to provide a range of plant shapes, sizes, textures, and colors.	Concur. Tree plantings will be evaluated during site plan review. See recommended condition.
6. Use species appropriate for site conditions including available sunlight, water and root and canopy space.	The planting design will look to utilize the right plant types for the various spaces throughout the site. Sun exposure and spatial needs will definitely be considered throughout the project.	
7. Use trees, shrubs and other landscaping features to provide screens for service areas, parking and utilities.	Plant materials will be used to help screen service and utilities to the greatest extent possible.	Concur
8. Use large specimen street trees along pedestrian routes to provide shade and to define edges.	The planting design will look to follow a "right tree, right place" strategy of design. Where there is ample space for large canopy trees to grow and flourish, these will be planted to provide maximum canopy benefits for the project. In areas where space is a premium, medium canopy trees or those with a narrow growth habit will be preferred solution.	Concur. Tree plantings will be evaluated during site plan review. See recommended condition.
9. In the core of larger commercial and office centers, street trees and more formal urban plantings organized around public open spaces are recommended.	N/A	
10. Consider using landscaping areas that also provide storm water treatment, such as rain gardens.	While the project is currently not incorporating rain gardens and bioretention into the overall design, the planting design will utilize many of the plants that would be found in these areas. The use of native and adapted materials that can withstand periods of both drought and wet soils will be beneficial on a site with as much topographic change as this one. Many of these species have the characteristics to help maximize pollutant removal during rain events.	Tree plantings will be evaluated during site plan review. See recommended condition.
11. Refer to the Tree Planting and Preservation BMP Manual in the Charlottesville Standards and Design Manual	The current plant palette was selected from the Charlottesville Design Manual and will be further refined through coordination with the Urban Forester as the design progresses.	
12. Encourage day lighting of streams where appropriate.	N/A	

Chapter III: Guidelines for Sites, G. Lighting	Applicant's Comment	Staff Comment
1. Use full cutoff luminaires in accordance with City lighting requirements to provide better lighting and prevent unwanted glare. Lighting should at all times be designed to prevent light pollution in the form of light transmission laterally beyond site boundaries or upward to the sky.	All relevant lighting will follow the city’s cutoff luminary requirements.	Concur. Compliance with lighting requirements are reviewed during site plan review. See recommended condition.
2. Coordinate the lighting plan with the landscape plan to ensure pedestrian areas are well-lit and that any conflict between trees and light fixtures is avoided.	Site lighting will be coordinated with the landscape plan.	
3. Lighting should provide for appropriate and desirable nighttime illumination for all uses on and related to the site to promote a safe environment.	The proposed lighting is in accordance with the Entrance Corridor Guidelines and Ordinance Section 34-1000.	
4. Light pedestrian areas with appropriately scaled poles and luminaires. Their heights are typically ten to fourteen feet.	Site lighting will be human-scaled and have a consistent design style across the project. Pole-mounted fixtures above 14' are not intended for the project.	
5. Avoid using building accent lighting that is too bright and draws too much attention to the building. Reasonable levels of accent lighting to accentuate architectural character may be appropriate in individual instances when it is shielded and is not aimed towards neighboring properties, sidewalks, pathways, driveways, or public right-of-ways in such a manner as to distract travel.	Acknowledged - exterior building lighting is intended to primarily be at street level and used to accent masonry texture, walk-up unit entrances, and building entrances.	
6. Gasoline station/convenience store aprons and canopies should utilize fully shielded lighting fixtures. 7. Provide pedestrian lighting at transit stops and along paths to parking lots and other destinations.	N/A	

Chapter III: Guidelines for Sites, H. Walls & Fences	Applicant's Comment	Staff Comment
1. Choose high-quality materials and designs using materials such as brick, stone, metal, and wood. Avoid untreated wood, vinyl, chain-link, or wire fences or concrete block walls. Consider selecting materials used elsewhere on the property or the structures within the site.	Site walls and any fences will be constructed of high-quality materials.	Concur
2. Use a scale and level of ornateness of the design of any new walls and fences that relate to the scale and ornateness of the building within the site. Use simpler designs on small lots.	The design and scale of site walls and any fences will be compatible with the building.	Concur
3. Avoid exceeding the average height of other fences and walls of surrounding properties.	Acknowledged.	
4. Fences should be set back from the street right-of-way to allow a clear area for utilities and landscaping.	Acknowledged.	

5. When walls or fences stretch longer than 50 feet, use designs with texture and modulation to provide a regular rhythm without being monotonous. For example, use vertical piers (generally spaced no more than 25 feet apart) of a different material or width or height. Plantings and street trees should be used in conjunction with a wall or fence to break up a long expanse.	N/A	
6. Use paint or opaque stains on pressure treated or unpainted wooden fences.	Acknowledged.	
7. Fence stringers (the structural framing of the fence) should be located facing the interior of the subject lot, with the finished side facing out away from the subject property.	Acknowledged.	
8. Fences at intersections and driveways should comply with City requirements for site distance. (See Article IX, Division 7 of the Zoning Ordinance for detailed site triangle requirements.)	N/A	
9. Transitional screening should consist of a densely planted buffer strip to provide an adequate visual screen. The screen should be of appropriate plant materials to form an effective buffer for all seasons. Mature vegetation should be retained in such areas and supplemented as necessary by new vegetation to screen sight lines.	Transitional screening is proposed along Montebello Circle consisting of dense upperstory and understory plantings.	Screening evaluated during site plan review.

Chapter III: Guidelines for Sites, I. Signs	Applicant's Comment	Staff Comment
1. Place signs so that they do not obstruct architectural elements and details that define the design of the building.	Signs will not obstruct architectural elements.	Commercial signage requires a separate sign permit. See recommended condition.
2. Respect the design and visibility of signs for adjacent businesses.	Signs will not obstruct signs on adjacent properties.	
3. Use colors and appropriate materials that complement the materials and color scheme of the building, including accent and trim colors.	Sign materials and design will complement the building design.	
4. Use a minimal number of colors per sign where possible. Avoid jarring overly bright color schemes.	Many colors or bright colors will not be considered.	
5. Exterior illumination of signs shall comply with the City’s outdoor lighting requirements. Exterior neon is discouraged.	Sign lighting will be in accordance with the Entrance Corridor Guidelines and Ordinance Section 34-1000.	
6. Illumination of any sign shall not be directed toward any residential area or adjacent street.	Sign lighting will not be directed outward or toward any adjacent properties.	
7. Consider using a comprehensive signage plan for larger developments.	Signs will be compatible with one another.	
8. Encourage the use of monument signs with accent landscaping at the base along corridors.	N/A - No monument sign is proposed.	
9. Internally lit signs should use an opaque background so only letters are lit.	Any internally lit signs shall use an opaque background.	
10. Flashing lights are prohibited.	N/A	

Chapter III: Guidelines for Sites, J. Utilities, Communication Equipment & Service Areas	Applicant's Comment	Staff Comment
1. Locate utilities to minimize their visual impact from the street and adjoining developments.	New utilities will be located or screened from the corridor.	See recommended conditions re: screening.
2. Screen and landscape dumpsters with wood board or solid barrier wall when multiple sides of a building are highly visible.	N/A - All refuse will be contained within the building.	
3. Place utilities underground if at all possible or locate behind buildings.	N/A	
4. Screen service areas and loading docks that are visible from streets or adjoining development with berms, landscaping, structures or fences.	N/A - All service areas will be contained within the building.	
5. Site noise-generating features away from neighboring properties especially residences, or use noise barriers or other means of reducing the impact.	The generator(s) for the project are intended to be located within parking structures. If a technical reason drives the generator(s) to be on the exterior, noise attenuation enclosures will be utilized.	
6. Screen roof-top communications and mechanical equipment.	Mechanical equipment and communication equipment visible from the street will be screened.	

Chapter IV: Guidelines for Buildings, B. Architectural Compatibility	Applicant's Comment	Staff Comment
1. Charlottesville seeks new construction that reflects the unique character, history, and cultural diversity of this place. Architectural transplants from other locales or shallow imitations of historic architectural styles, for example, are neither appropriate nor desirable.	The building design is of a contemporary nature and does not attempt to be an imitator of a traditional architectural style. It is a unique design that is not lifted from external vernacular sources.	Concur
2. A distinctive identity for each corridor should be created through a combination of materials, forms and features that create a coordinated and inviting mix of buildings and spaces.	This project expands the quality of the pedestrian experience that is consistent with the goals of the JPA corridor. Contributing design elements include off-street bike lanes, landscaped vegetation zones, a bus stop, bicycle racks, and pedestrian seating areas. Walk-up unit entries are add to the approachable feel of the design. The articulated form of the buildings is consistent with other recent multi-family projects in the corridor.	Concur
3. Encourage a diversity of architectural materials, forms and styles that respect the traditions of architecture in the Charlottesville area including gable or hipped roof forms, standing seam metal roofing, brick, and wood siding.	The project utilizes masonry at street level where it is most visible from the corridor. The contemporary style of large window openings, architectural panels, and flat roofs is consistent with other multi-family developments in the corridor and throughout the city.	Concur

4. <u>New development should strive to implement the intended vision</u> rather than repeat existing inappropriate development patterns.	Acknowledged - this project does not draw from any existing precedents that are in conflict with the guidelines. It focuses on increasing density, consistent with the City's Comprehensive Plan goals.	Concur
5. New development should respect existing historic buildings and excellent examples from the recent past.	An Ordinance removing 104 Stadium Road from the list of Individually Protected Properties was previously approved and there are no other historic buildings on the properties. A HABS Survey will be completed for 104 Stadium Road in accordance with the Certificate of Appropriateness for Demolition.	Concur
6. Existing development should be upgraded as opportunities arise.	N/A	

Chapter IV: Guidelines for Buildings, C. Building Mass, Scale & Height	Applicant's Comment	Staff Comment
1. Break up the front of a large building by dividing it into individual bays of 25 to 40 feet wide.	Material changes, window openings, storefront areas, landscaping forms, and building entries are used to break up the mass of the building at street level. At upper levers, the building facades are projected outward to break up the building mass. Within those projections, color, material, and glazing is used to further articulate changes in facade depth. Building height changes along JPA and setbacks forming rooftop amenities also provide visual interest and reduce the perceived height of the project.	Concur. The walls are articulated, heights vary, the doors and windows establish multiple bays that break up the facade.
2. Use variation in materials, textures, patterns, colors and details to break down the mass and scale of the building.	See response to IV.C.1 above.	Concur
Avoid an unmodulated mass		
Use stepped-back height		
Use varied wall surfaces		
Use varied heights with regular width		
3. Use building mass appropriate to the site. Place buildings of the greatest footprint, massing, and height in the core of commercial or office developments where the impact on adjacent uses is the least. Follow setback requirements for upper story according to zoning classification of the corridor.	N/A - not a commercial development	
4. When making transitions to lower density areas, modulate the mass of the building to relate to smaller buildings. Heights can be greater if the mass is modulated and other scale techniques are adopted. Reduce height near lower density uses.	The proposed design steps down towards adjacent neighborhoods. In many locations, significant grade change further reduces visible height from adjacent neighborhoods.	The proposal is consistent with the goals of the Comprehensive Plan, which recommend this corridor transition to an area of higher density, requiring buildings that are taller and larger, and with smaller setbacks, than what is existing.
5. Use massing reduction techniques of articulated base, watertables, string courses, cornices, material changes and patterns, and fenestration to reduce the apparent height of a large building. Fake windows and similar details are not appropriate articulation. Floor-to-floor heights of a building can have an impact on the mass of a building. For instance, typical ceiling heights in a residence are 8-9 feet. First floors of office buildings or retail shops can range from 10-15 feet. Upper floors that include residential or office are generally 8-12 feet in height. When actual or implied floor-to-floor heights exceed 15-20 feet on the exterior, then a building may begin to read as more massive than human-scaled. When articulating large buildings, keep these dimensions in mind.	The typical floor to floor height of the project ranges from approximately 10'-8" to approximately 10'-0", consistent with projects of this type. 16'-0" height at retail and amenity areas are utilized at the ground level of the building to provide an appropriate interior experience and establish a hierarchical base for the building. Other material and fenestration strategies are described elsewhere in this document.	Concur
Space: Creating human-scaled spaces that are defined by either buildings or landscape features provide more friendly, inviting places.	The streetscape around the project is human-scaled and intended to create a comfortable, engaging environment for pedestrians and bicycles. Strategies of using built elements, landscaping, separation of bike paths from the street,etc.are described within these guidelines.	Concur

Chapter IV: Guidelines for Buildings, E. Facade Organization & Storefronts	Applicant's Comment	Staff Comment
1. Orient primary entrances on a building facade to the street or corridor.	The primary entrance is oriented towards the street at the Stadium Road and Emmet Street intersection.	
2. Use a hierarchy of entry design on any complex, if the building has more than one orientation, and focus main entry on street/corridor facade.	The primary entrance occurs at an the intersection of Stadium Road and Emmet Streets, where the convergence of roads creates a large boulevard area. The emphasis of this entrance is reinforced through the use of scale/proportion, creation of an architectural canopy feature, and landscape terracing. Secondary entrances are designed to be less grand.	
3. Secondary entries may be created to allow convenient access from adjacent buildings, sidewalks, parking, bicycle paths and transit stops.	A secondary entrance is oriented towards the street at the Emmet Street and JPA intersection and a bicycle entrance on JPA for convenient access to the building and bicycle parking.	
4. Orient at least part of public elevations of shopping complexes to any adjoining neighborhoods.	N/A	
5. Provide attractive facade treatments on any elevation that is visible from streets/corridors or from any primary elevations of adjoining developments and avoid use of unadorned blank walls.	Architectural detail is utilized on all outward facing facades to create visual interest. This is achieved through the incorporation of tactile materials, ample glazing, articulated entrances at walk-up units, and pattern changes in masonry components.	

6. Consider using the traditional three-part facade of cornice , pattern of upper story windows and a storefront with articulated base when designing a new building or when renovating an existing structure.	A contemporary version of this architectural concept is utilized through the use of a "heavier" dark masonry base, orderly window pattern and opaque parapet band.	Concur
7. Use a regular pattern of solids and voids for openings that relate to more traditional building design in the corridor.	N/A	
8. Use a proportion of openings (vertical or horizontal) that generally is consistent with the context of the building. More traditional designed openings are typically vertically proportioned.	The scale and proportion of typical windows is established based on the size and shape of the buildings.	
9. Strive for designs and materials that reflect the architectural traditions of the region.	Our two color approach is similar to many buildings in the area. We've chosen materials that simultaneously have a "contemporary" read, but also a "timeless" read. Masonry patterns are timeless, yet the charcoal color has a contemporary feel. The soldier courses at every other floor as well as the enhanced detailing at windows gives the sense of versatility and beauty that brick has always exuded, yet done in a contemporary way. The three color blend of champagne bronze panel gives a timeless feel in the color selection (feels like metals that come out of the earth), yet the size and arrangement give a contemporary patterning.	
10. Storefronts or large display windows should be used at the street level.	Large storefronts are utilized at building entries and retails areas.	

Chapter IV: Guidelines for Buildings, F. Materials & Textures	Applicant's Comment	Staff Comment
1. Use material changes to help reduce mass and provide visual interest.	Material changes are used in conjunction with the building form to create a dynamic design and break up the building mass.. The application of light and dark materials further emphasizes depth in the façade, enhancing visual interest.	Concur
2. Choose materials that offer texture and avoid monotonous surfaces. For example, use wood or brick or stone, or new synthetic materials that approximate the look and dimension of these materials.	Textural materials are utilized, especially at the pedestrian level to create a dynamic design. These materials include masonry and architectural panels with defined edges and alternating colors.	
3. Use quality materials consistently on all visible sides of commercial, office and multi-family residential buildings.	Materials will be of high-quality and appropriate for the scale and style of development.	
4. In Charlottesville, common building materials are brick, wood or stucco siding, and standing-seam metal roofs. Stone is more commonly used for site walls than building walls.	N/A	n/a
5. Avoid the use of building materials with long-term maintenance problems, such as EIFS (exterior insulation and finishing systems), or vinyl siding. Sustainable, utilitarian building materials such as concrete block, metal siding or cementitious panels may be appropriately used for a contemporary design.	Architectural panels, and glazing account for the majority of exterior materials on the project. Masonry is utilized at the base of the building.	See staff report re: use of EIFS.
6. Clear glass windows are preferred.	Clear glass windows will be in accordance with the August 14, 2018 Glass Discussion Report.	"Clear glass" is defined as having a VLT of 70% or greater.

Chapter IV: Guidelines for Buildings, G. Color	Applicant's Comment	Staff Comment
1. A coordinated palette of colors should be created for each development. This palette should be compatible with adjacent developments.	A warm, neutral color palette is employed consistent with other projects in the vicinity. Color use is consistent throughout all buildings in this development. The literal copying of colors from nearby historic projects is intentionally avoided.	Concur
2. Set the color theme by choosing the color for the material with the most area. If there is more roof than wall area in a development, roof color will be the most important color choice and will set the tone for the rest of the colors.	Acknowledged. The materials of the most prominent areas of the facades set the baseline for the color palette of the project.	
3. Limit the number of color choices. Generally there is a wall color, trim color, accent color, and roof color.	The color palette is very limited, especially given the scale of the development. Dark masonry and a few coordinating colors of architectural panels (to give the panels visual texture) are the primary colors utilized.	
4. Use natural tints of materials such as reds, browns, tans, grays, and greens as primary colors. Save bright accent colors for awnings and signs on commercial buildings.	Warm, neutral colors are the primary scheme.	
5. Use color variation to break up the mass of a building and provide visual interest.	A three-color approach is utilized for large expanses of architectural panel to provide visual relief.	
6. Do not use strong color that has the effect of turning the entire building into a sign.	Neutral colors are used to avoid unnecessary distraction from the building.	

Chapter IV: Guidelines for Buildings, H. Details	Applicant's Comment	Staff Comment
1. Use articulated elements such as cornices, belt courses, water tables, bay divisions, variations in wall plane and roof features to create designs of interest.	Changes in material and color, along with projecting areas of major facades are used to introduce variations in wall depth. The inclusion of roof top terraces with glass rails further help to add interest at the top of building.	Concur. See staff report re: EIFS joints detail.
2. Include human-scaled elements such as columns, pilasters and cornices, particularly at street level and on facades with a pedestrian focus.	Pedestrian-scaled walk-up unit entries are incorporated at street level that include an extra level of detail.	
3. Avoid large expanses of blank walls that are visible from the public right of way or neighboring developments.	Acknowledged - extensive glazing is used throughout the project to avoid uninterrupted facades.	

4. Avoid oversized decorative elements.	No oversized decorative elements are proposed.	
5. Avoid decorative elements that do not relate to the architecture but serve to turn the whole building into a sign.	No such elements are proposed.	

Chapter IV: Guidelines for Buildings, I. Roof Form & Materials	Applicant's Comment	Staff Comment
1. Use roof forms that complement the building design and contribute to a human scale. Avoid tall roof areas that overwhelm the height of the building’s wall. Common Charlottesville roof forms include hipped, gable, flat and gambrel.	The roofs are flat, consistent with the buildings contemporary design and so as to limit any additional building height.	Concur
2. If a shed roof or flat roof design is used, add a parapet wall to screen the roof.	Parapets are utilized throughout to screen roofs.	
3. Avoid a visible monolithic expanse of roof on large-scale buildings. Break the roof mass with elements such as gables, dormers, or parapets. Scale these features to the scale of the building.	Roof surfaces are not visible from the corridor.	
4. Consider using a special roof feature on buildings located at a gateway, a prominent corner or highlight entry bays on larger structures.	Due to the height and architectural style of this project, we did not believe it to be appropriate to add such a roof feature. Instead, architectural features such as storefront glazing is used to highlight building entry points.	
5. Steeper forms are associated with more traditional design and can be appropriate when the development adjoins nearby neighborhoods.	See response to item IV.I.1	
6. On roofs that are visible such as gable, hipped or shed designs, use quality materials such as metal or textured asphalt shingles.	N/A	
7. Any equipment located on a roof should be screened from public view.	The height of the roof of the buildings limits the ability to see equipment from the street. Any equipment along JPA, Emmet St, and Stadium Rd will be screened.	

Chapter IV: Guidelines for Buildings, J. Awnings.	Applicant's Comment	Staff Comment
1. Encourage the use of awnings at the storefront level to shield displays and entry and to add visual interest.	A canopy consistent with the design of the building is utilized over the retail storefront areas.	Concur
2. Coordinate the choice of colors, as part of an overall color scheme. Solid colors, wide stripes and narrow stripes should be considered as appropriate.	Canopy color and design are coordinated with the overall building.	
3. Awning forms may be angled or curved.	Acknowledged	
4. Use of a canopy as an illuminated sign is not appropriate.	Acknowledged - there is no intended use of a canopy as an illuminated sign	
5. Awning materials should be appropriate to the overall design of the building. Traditional cloth fabric, as well as standing-seam metal or newer rigid materials may be considered.	Canopy materials will be appropriate to the overall design of the building.	Concur

Chapter IV: Guidelines for Buildings, I. Appurtenances	Applicant's Comment	Staff Comment
1. Building service, loading, and utility areas should not be visible from public streets, adjacent developments or from access drives within large developments. Such service areas should be located behind the main structure in the least visible location possible.	All building services will be contained within the building.	Concur. See recommended conditions re: screening.
2. Mechanical equipment on roofs or sides of buildings should not be visible from streets.	Mechanical equipment will not be visible from the streets.	
3. When the mechanical equipment vents, meters, satellite dishes and similar equipment is ground mounted, screening should include either an opaque fence or wall made of the same material as the building or an evergreen hedge that screens objectionable views.	Final location of equipment is still being developed, but screening techniques such as vegetation and opaque fencing will be used to disguise it.	
4. Items such as roof ladders, railings, roll-up doors and service doors should be located on building elevations that are the least visible from public streets/corridors, adjacent developments or from access drives within large developments. Their colors should be coordinated among all these elements and with the rest of the building.	Acknowledged. There are no known conflicts with this guideline.	
5. In some cases, appurtenances may be integrated into the building design if such integration enhances the compatibility of the overall design with the corridor vision.	N/A	

Chapter IV: Guidelines for Buildings, J. Additions & Corridor Conversions	N/A	n/a
Chapter IV: Guidelines for Buildings, K. Franchise Design	N/A	n/a
Chapter IV: Guidelines for Buildings, L. Gas Station Canopies	N/A	n/a
Chapter IV: Guidelines for Buildings, M. Civic & Institutional Buildings	N/A	n/a

Chapter IV: Guidelines for Buildings, N. Multi-Family Buildings	Applicant's Comment	Staff Comment
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1. Follow the other guidelines within this chapter as applicable for the overall design of such buildings in such issues as massing and building footprint, scale, complexity of form, height and width, materials, textures and colors, roof forms and materials, etc.	Other applicable guidelines are addressed in previous pages.	Concur
2. Give consideration to placing first floor retail storefronts in multi-family buildings if they face along a commercial corridor or face a pedestrian-oriented street within the downtown.	The proposed retail storefront is located adjacent to the main entry and public plaza area to further enhance pedestrian activity and interaction.	
3. Avoid creating street front facades that are dominated by garage doors.	Only two garage doors are utilized.	
4. Ensure that the designs of such buildings are consistent with any adjoining neighborhoods and the zoning ordinance.	The proposed design will be largely unique within the corridor, however many elements are consistent to achieve compatibility and continuity.	

CITY OF CHARLOTTESVILLE
BOARD OF ARCHITECTURAL REVIEW
Summary of BAR Discussion on July 17, 2018 re: *Clear Glass*



On July 17, 2018, at the request of the ERB, the BAR regarding the definition of clear glass and the corresponding 70 VLT that has become the city's standard.

Background:

While one of several factors used in specifying glass, *Visible Light Transmission* (VLT) is generally accepted as the measure of the clearness and reflectivity of glass. High VLT indicates the glass is clearer and less reflective; low VLT indicate less clear, more reflective glass.

The city's Design Guidelines for Architectural Design Control Districts and Entrance Corridors (EC projects are reviewed by the Entrance Corridor Review Board, or ERB) both recommend "clear glass." However neither guidelines refers to a specific VLT—see citations below. Several years ago, after evaluating the criteria used to specify glass, the BAR (and the ERB) began using 70 VLT as the threshold for clear glass; tacitly establishing it as *the standard*.

Summary of BAR Discussion:

BAR concluded that VLT 70 should remain the preference relative to *clear glass*. However, they acknowledged the case-by-case flexibility offered in the Design Guidelines; specifically, though not exclusively, that this allows for the consideration of alternatives—e.g. VLTs below 70--and that subsequent BAR decisions regarding glass should be guided by the project's location (e.g. on the Downtown Mall versus a side street), the type of windows and location on the building (e.g. a street level storefront versus the upper floors of an office building), the fenestration design (e.g. continuous glass walls versus punched windows), energy conservation goals, the intent of the architectural design, matching historical glass, and so on.

Additionally, the BAR recommends that the ERB consider a similar approach in its evaluation of the glass proposed for EC projects.

References to Glass in Design Guidelines

ADC Design Guidelines

Chapter 3. New construction; I. Windows & Doors

(5) Darkly tinted mirrored glass is not an appropriate material for windows in new buildings within the historic districts.

(9) Glass shall be clear. Opaque spandrel glass or translucent glass may be approved by the BAR for specific applications.

Chapter 4. Rehabilitations; C. Windows

(15) Do not use tinted or mirrored glass on major facades of the building. Translucent or low (e) glass may be strategies to keep heat gain down.

Entrance Corridor Design Guidelines

IV. Guidelines for Buildings; E. Materials and Textures

(6) Clear glass windows are preferred.

Note: The Historic Conservation District guidelines state: *Clear glass windows (VLT of 70% or more) are preferred*. These were adopted after the 70 VLT became the tacit standard for ADC and EC projects.



600 West Main Steet (ADC District, approved 2018)



852 West Main Steet (ADC District, approved 2014)



853 West Main Steet (ADC District, approved 2013)



1000 West Main Steet (ADC District, approved 2015)



1102 West Main Steet (ADC District, approved 2015)



Blake Center (UVa) West Main



Waterhouse 216 West Water Street (ADC District, approved 2014)



310 East Main Street (ADC District, approved 1980s, 2023)



121 East Main Street (ADC District, no review)



Monticello Hotel Court Square (ADC District, no review)



CODE Building (ADC District, approved 2018)



UVA Hospital Lee Street (UVA)



UVA Hospital Expansion Lee Street (UVA)





Commonwealth Building 300 Preston Ave (ADC District, no review)



Residence Inn 315 West Main Steet (ADC District. approved 2012)



CFA 915 East High Street (EC, not reviewed)



250 West Main Street (ADC District, approved 1989)



Omni Hotel (ADC District, approved 1985)



1709 JPA (EC, approved 2023)



1532 Virginia Avenue (ADC District, approved 2020)



Dairy Central Phase 2 946 Grady Ave (EC, approved 2022. IPP, approved)



Gallery Court 1400 Emmet Street (EC, approved 2019)



2005 JPA (EC, approved 2023)



Bice Street (UVa)



Contemplative Sciences Center, Emmet Street (UVa)



1705 JPA (EC, approved 2015)



1600 JPA



Virginia Guesthouse Ivy Road (UVa)



Karsh Institute of Democracy Ivy Road and Cameron Lane (UVa)



Data Science School Ivy Road (UVa)



Rice Hall, ITE Building Stadium Road (UVa)

PLANNING COMMISSION REGULAR MEETING

February 13, 2024 – 5:30 P.M.

Hybrid Meeting

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

Beginning: 4:30 PM

Location: NDS Conference Room

Members Present: Commissioner Habbab, Commissioner d’Oronzio, Chairman Mitchell, Commissioner Schwarz, Commissioner Stolzenberg, Commissioner Solla-Yates, Commissioner Joy

Staff Present: Patrick Cory, Missy Creasy, Matt Alfele, Dannan O’Connell, James Freas, Jay Stroman, Carrie Rainey, Rob Hubbard

Commissioners gathered at 4:30 and the following motion was made.

MOTION FOR A PLANNING COMMISSION CLOSED SESSION

Pursuant to Code of Virginia Section 2.2-3712, I move that the City Planning Commission close this open meeting and convene a closed meeting for the following purposes:

1. Pursuant to Code of Virginia Section 2.2-3711(A) (8) for consultation with the City Attorney regarding legal matters requiring the provision of legal advice for legal matters related to the offer and acceptance of proffers;
2. Pursuant to Code of Virginia Section 2.2-3711(A) (7) for consultation with the City Attorney pertaining to actual litigation, where consultation or briefing in open meeting would adversely affect the litigating posture of the City Council, specifically, *White v. Charlottesville*.

Motion by: Commissioner d’Oronzio

Second by: Commissioner Habbab

Ayes: Commissioners d’Oronzio, Schwarz, Mitchell, Stolzenberg, Solla-Yates, Habbab

Absent: N/A

Closed meeting was held

CERTIFICATION OF CLOSED MEETING

I move that this Planning Commission certify by a recorded vote that to the best of each Planning Commissioner’s knowledge, only public business matters lawfully exempted from the open meeting requirements of the Virginia Freedom of Information Act and identified in the motion convening the closed meeting were heard, discussed, or considered in the closed meeting.

Motion by: Commissioner d’Oronzio

Second by: Commissioner Habbab

Ayes: Commissioners d’Oronzio, Schwarz, Mitchell, Stolzenberg, Solla-Yates, Habbab

Absent: N/A

Pre meeting ended at 5:30.

II. COMMISSION REGULAR MEETING – Meeting called to order by Chairman Mitchell at 5:38 PM

Beginning: 5:30 PM

Location: City Hall Chambers

A. COMMISSIONER’S REPORT

Commissioner Stolzenberg – At the LUPEC meeting in December, we talked about a couple of things: environmental resiliency and the ongoing resilient together planning effort for climate change resiliency between UVA, the county, and the city. There was a presentation about the effort to get a handle on all the dams around the county. Most dams are privately owned and there is very little information on these dams that could be potentially dangerous. At the January LUPEC meeting, we essentially discussed the 3-party agreement that is the basis for the existence of LUPEC. It is the basis of cooperation between the 3 entities. We had a great presentation from the county about the history of it. There was some discussion about how it was working. There was some interest in revisiting to an extent to perhaps further define how some of the processes are supposed to work. In many ways, the agreement is vague. It says things like ‘we will submit plans that are submitted to the city for rezonings. We will submit them to the other part.’ It doesn’t say what that process is. Maybe that gets more defined in discussions moving forward. We had an MPO Tech meeting in January. Round 6 of smart scale is not looking good. The criteria were changed to be very restrictive, especially for MPO and PC submissions. We do not have a lot of projects in the pipeline that are submittable. Since the 2045 long range transportation plan was adopted, in the first couple of smart scale rounds, we got a lot of stuff funded. We took a lot of stuff ‘off the plate.’ We are down to the dregs of our 2045 plan. It is good that moving towards 2050 is underway. One of the few projects that we had left was the Hillsdale South project to connect behind Kroger where Hillsdale currently ends at Hydraulic down to Angus or Holiday. Unfortunately, we can’t resubmit that, even though it is close to being scored. The requirements for the interchange justification report have changed. We would need a new interchange justification report. There is no time to do that before the submission deadline. That is a loss. This pipeline study or the Barracks pipeline study might have some projects. The Ivy Pipeline Study is much further behind and probably won’t have projects. There is probably nothing there until the next round. The big one that is likely to be submitted is a diverging diamond interchange on 5th Street at I-64. I have been assured that there are ways to make it bike/pedestrian friendly, so it doesn’t become a barrier for everybody in the southern part of the county. It will take some careful work to make sure that happens. Previously, we had submitted and lost from the city line up to Harris Street. We are not going resubmit as is. We had some discussion about potentially incorporating some number of improvements in that area into this DDI part. If we do make that bike friendly and the county is making shared stuff down there, we can complete that gap to get up to Harris Road.

Commissioner Schwarz – Since I was not here in January, I have 2 BAR meetings to report on. In December, we started our discussion on updating the guidelines. That is in progress. The big application of interest in January was a preliminary discussion for a new 7-story building on West Main Street that would wrap around Mel’s Café. It was an interesting discussion. It was interesting to see how the new zoning code might look on West Main Street. The BAR was supportive of the project and of the massing. We had a lot of discussion about the way the façade was treated more so than the massing. In this instance, the height did not seem to be an issue.

Commissioner Habbab – I had 2 meetings. The first one was the Citizen Transportation Advisory Committee on January 17th. We elected a new chair and vice-chair. We had an update on moving towards 2050 needs prioritization and the smart scale round six. There are 3 projects that are identified and 2 that are potential projects. They have not yet been identified. Those are Hillsdale South Extension and US 250/Barracks Road exchange, Ivy Road/250 Interchange, and something on I-64 and 5th Street. The second meeting was the Tree Commission meeting on February 6th. RX Fire was the consultant that was awarded the invasive plant control for this next round. They did a good job last year. We are working on the state of the forest report towards the end of March to be released to City Council. The city was awarded a grant. A subcommittee was formed to create an RFP for bid regarding the urban forest management plan and training volunteers.

Commissioner Solla-Yates – No Report

Commissioner d’Oronzio – I have 8 meetings to report on. Six of the meetings involved the deliberative process by the CAHF Committee for CAHF and HOPS allocations. We met throughout January to pull those

recommendations together. We are short on money. There are more applications than money. We also decided at the conclusion of this round that we needed to update the methodology of evaluation to meet the new code. There are some things that have been amended. We need to start fresh. The HAC met in January to do a review of the ADU Manual. The next matter for the HAC is going to be taking up the landbank. The Thomas Jefferson Planning District Commission met on Thursday. That was a wrap-up meeting for the year and a lot of the financials for the year. There was a lot of turnover on the board. Three matters regarding authorization to spend money to obtain grants to deal with transportation matters including the bridge over Rivanna River. As previously presented, the budget for that bridge had blown to \$40 million. We are working on a way to pre-collaborate and get our contingencies down to under \$30 million. The other 2 had to do with ride-share.

B. UNIVERSITY REPORT

Commissioner Joy – I am happy to report Brandon Upper Class Housing is nearing completion. It is slated for opening this summer. That will bring 350 beds with the opening of that facility. We have the Darden graduate apartment building being brought to the Board of Visitors for final approval later this month. That will shortly begin construction with a tentative projected opening in 2026. That is an additional 350 beds. We have an ongoing collaboration between UVA and the UVA Foundation working on 2 affordable housing projects. The first is in the Piedmont Neighborhood. We are teamed up with the Piedmont Housing Alliance. We are also partnering with PHO with 10th and Wertland. I will be happy to report more as those projects take shape.

C. CHAIR'S REPORT

Chairman Mitchell – I had one meeting with Parks and Recreation. We talked about things ranging from the CIP updates to dogs in the parks. We are going to be talking about dogs in the parks and in Charlottesville. I will be reporting more on that probably at the next Planning Commission meeting. There is a lot of interest on both ends. We did talk about the Meadow Creek Parkway Trail plan. The objective of that is to connect a lot of the parks throughout the city. The one thing that got my interest is the tree study update. The RFP has been awarded. The objective of that is to look at the state of the trees on Mall. There are about 91 trees that we are going to be looking at. The bulk of these trees were planted in 1976. Most of them are Willow Oak. They are in different states of health. We may have to take a few or many of them out. The difficulty will not be taking the trees out. The difficulty will be managing the root structure under these trees. What happens after these trees are no longer there and the roots will have to be managed.

D. DEPARTMENT OF NDS

Missy Creasy, NDS Deputy Director – We have a new ordinance coming out next week. We have been doing a lot of administrative activities and trying to make that process smooth. We will be ready. We have a coordination meeting on the afternoon of the day after to make sure we can assess what is happening and try to help everyone out to make that work. The final code is online right now. We also have the final zoning map in a PDF form. It is all under Zoning. If you go to the city website and put zoning in the search engine, it is the first thing that you get. This is a clear path. We have a PDF exhibit on the zoning map that takes off the overlays. We are underway with GIS updates. That will be an option too. That is not online yet. When we are live next week, we will still be getting stuff up there. If you see things that look weird, let staff know. We are taking a break from work sessions for the next 2 months. Council has taken our dates for those work sessions. I am going to post those work sessions and Commissioners are more than welcome to attend, whether you do it virtually or in-person. The first work session on February 27th is going to be about the alternative fuel study. On the 4th Tuesday in March, they are going to be talking about the decarbonization study. A lot of people are interested in those topics. We will make sure that you have the information for those meetings.

Commissioner Stolzenberg – With the new ordinance being posted online, will it eventually be on Municode?

James Freas, NDS Director – We are not intending to put it on Muni-Code. Municode, at this point, isn't equipped to handle the formatting and illustrations as presented in the code. We also see an advantage in our ability to update the code more readily as compared to our experience with Municode over the last several years. The PDF document is fully searchable. The table of contents is essentially bookmarked within the document.

Commissioner Stolzenberg – Will the existing code, as of today, be archived somewhere where we can see it?

Mr. Freas – Yes. We are looking at 2 options. One is that we believe that Municode has an archive capability. That is the first choice. The second choice is that we convert it to a PDF and put it on our website.

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

Heidi Dhivya Berthoud (1206 River Vista) – Last week, I sent you a list of requests for improvements to the Mt. View site plan, along with a list of supportive neighbors. We know that we can do a whole lot better than what has been designed. We persist in caring for our neighborhood and the city and ask for direct and meaningful dialogue with us that you represent before going any further with these plans. I have included a link to a recent article where the mayor and city manager said that they support using community benefits agreements. This is encouraging to us. Last year, a Charlottesville developer allowed a neighborhood association to help them design a new building project in the Fifeville Neighborhood. We did reach out to the Mt. View developer, Bryce Craig. Unfortunately, that conversation was brief. Many Locust Grove neighbors have given input to the city on this project. Many of us do not feel heard or engaged with. We understand the need for increasing housing in the city. We do not object to that. Many of us would like to see more affordable housing than this plan calls for. This plan has taken a mostly green space and almost entirely paved it over. For me, the existing magnificent ancient trees have me 'fired up.' The plans call for complete removal of all trees. Some are 250 to 300 years old. They are historical and biological treasures that are being tossed callously. The design could be altered quite easily without losing any housing. The trees on the northern border should be the focal green space, the part that distinguishes this development and is planned around them. If there is a will, they could be properly cared for. These multi-service trees are our lungs, our shade, our stormwater buffers, the home to many animals, and our beauty. It is not too late. This plan has too much pavement increasing urban heat. The stormwater plans could be improved with more consideration of the nearby Rivanna River. We consider the access roads unsafe.

F. CONSENT AGENDA

1. Minutes – June 14, 2022 – Regular Meeting
2. Minutes – January 9, 2024 – Regular Meeting
3. Preliminary Site Plan – 501 Cherry Avenue

Commissioner d'Oronzio – Second by Commissioner Solla-Yates – Motion passes 4-0 with 2 abstentions. Commissioner Habbab and Commissioner Schwarz abstained from the Preliminary Site Plan for 501 Cherry Avenue.

III. JOINT MEETING OF COMMISSION AND COUNCIL

Beginning: 6:00 PM

Continuing: Until all public hearings are complete

Format: (i) Staff Report, (ii) Applicant, (iii) Hearing, (iv) Discussion and Motion

No Scheduled Hearings

IV. Commission's Action Items

1. Entrance Corridor Review – 2117 Ivy Road

Chairman Mitchell gavelled the ECRB to order.

Staff Report

Jeff Werner, Preservation Planner – The item before you tonight is a certificate of appropriateness for an entrance corridor project. The request is for you to take formal action. The project is within an entrance corridor. Per the ordinance, you all serve as the design review body for projects within an entrance corridor. This project was a result of a PUD that was approved earlier this year. Under the current zoning ordinance (pre-February 19, 2024), the code sections that we are using are from that ordinance. With the new updated ordinance, your purview and the standards for review are all identical. This CoA request is for development of a 1-acre parcel on Ivy Road and Copley. There is an existing 1974 bank. It will be razed. The applicant will construct a 10-story apartment building that is oriented to Ivy Road, have a footprint of approximately 140 feet wide, and 310 feet deep. It is a brick, metal, and composite panel building. It features an 8-story tower that sits atop a 2-story podium. The east side is facing Copley, which is the east façade. Above that 2-story podium is a section of the upper floors that are set back creating an inner courtyard. Facing from Ivy Road above the podium, floors 3 through 8 cantilevers out slightly above the podium and then step back again at the 9th and 10th floors. There is an interior enclosed garage, which is accessed from Copley Road. There is a secondary entrance to a garage area on Ivy Road that is where service vehicles, trash, and recycling will be stored. There are no known historical structures and resources associated with this site. In the 1960s, there was a gas station that operated here. Staff finds the proposed design to be appropriate and recommends approval of the CoA with the conditions discussed. The design is consistent with the design guidelines relative to architectural design, form, and style relative to building place, materiality, and color palette. The design features a variety in the materiality and the color palette. The on-site parking will be concealed within the building, which is a solution consistent with the design guidelines. That entrance is on Copley Road, which is not an entrance corridor. The entrance corridor guidelines were drafted and adopted prior to the current Comprehensive Plan. They are relative to specific corridor recommendations. Things have changed with the Comp Plan and with the new zoning. We are now looking at a maximum 10-story height building that was established by Council's approval of the PUD. The height reflects the revised Comprehensive Plan, which was adopted in 2022 and is consistent with the anticipated trend of buildings that will be taller, larger, and with smaller setbacks than what is existing in this corridor and what was envisioned under the prior Comprehensive Plan. One of the conditions that I noted was to address the street trees on the Ivy Road side. There currently are some existing overhead utilities. Those will be undergrounded. I don't know where. I don't know what the result will be of what is in the ground. I raised the question of whether willow oaks are appropriate spatially for the space that is left for it. I suggested a condition that simply states the tree species, when selected, will be coordinated with UVA's landscape plan. That has been something they have been working on. It will meet the city's site plan requirements and the trees will be trees from the city's tree list and appropriate for the conditions and space above and below grade. In a conversation today with Commissioner Stolzenberg about rooftop screening and where things will be located, it would be fine adding a condition that all rooftop mechanical equipment will be located within an area of the rooftop screening. The equipment will not be taller than that screening. The screened equipment area will be whatever distance from the parapet. There are some transformers on Copley Road and a proposal to use those as a canvas for some public art. They shared a bicycle theme. I don't think they have selected anything. If you have any issues with those, I am comfortable with a decal being used and allowing me some administrative discretion on that. You can account for that however you would like. They also included some information about the balconies. One option showed a hanger rod and a clevis. Whether or not they will use that in the design, is to be determined. I don't think there is a problem if it was done consistently. It is something if you want to address. I asked them about the mortar in the podium brick. There was reference to a dark mortar. It will

be a mortar that will match the brick. I did receive an email from a resident in the Lewis Mountain neighborhood expressing concern about the design, traffic, etc. That has been circulated to you. You are welcome to address that. Given the approvals by Council, I can't recommend a change in the height, setbacks. There were other comments about traffic and parking. Those do not fall under your purview of the ERB.

Commissioner Solla-Yates – With the north elevation, there is a wall labeled 'wall for discussion.' Can you help me understand what that means?

Mr. Werner – This is going back down towards the rail tracks. It is down below street level. Whatever retaining wall will be necessary there will be a board formed, rough formed poured concrete wall. It is not visible. I don't have any problem with that.

Commissioner Stolzenberg – They must have a wall there.

Mr. Werner – Your purview is what is visible from the entrance corridor. This is down behind and below grade. I don't have an issue with a poured concrete wall. It is not stacked block. It has some texture to it. If you think they could use some cascading landscaping, you can certainly address that. What that wall is at the rear there, if it is built and as it is shown, the material is fine. Why it is being built, the applicant can address that.

Commissioner d'Oronzio – With this roof visibility and things being shorter than the screening, why are we doing this? It is a 10-story building with some cantilevers. Basic geometry says you are not going to see anything on the roof of the building.

Mr. Werner – That was my conclusion on that. Your review is what you see from the entrance corridor.

Commissioner Stolzenberg – I don't see the need for a condition there. My question wasn't about the screen. I couldn't tell where the screening physically even was. It is not on the roof layout. It is in the elevation.

Mr. Werner – I don't think there is anything wrong with what you asked in adding a condition to it.

Commissioner Schwarz – You can't see it on the street in front of the building. It doesn't mean you can't see it from two blocks away.

Mr. Werner – It is reasonable to discuss with the applicant what could be done.

Commissioner d'Oronzio – I agree. It is a matter of measuring the hypotenuse and seeing where it is reasonable.

Commissioner Schwarz – With the UVA streetscape plan that you referenced, what does it call for on Ivy?

Mr. Werner – I don't know. The notes have said that they have coordinated with UVA on that. I would say: Is it something from our tree list? Will that tree on our tree list fit there?

Commissioner Stolzenberg – Why add the coordinate part and not just the tree list?

Mr. Werner – Because one of the things the guidelines talk about is integration of an entrance corridor. The idea of using elements of that streetscape. UVA has, as you go towards The Lawn, it has a continuous type of light versus the city where we have all kinds of lights. There is nothing unreasonable about suggesting that. That is what the entrance corridor hopes we work towards.

Commissioner Schwarz – If UVA decided all their street trees were going to be 8-foot-tall dogwoods, I might have an issue with that.

Commissioner Stolzenberg – If what UVA proposed was not great, you and the applicant saw fit for a different tree to go there that was on the tree list, does that condition give you the discretion to say that you coordinated well enough.

Mr. Werner – We have requirements of the site plan. That is where the planners and zoning are saying what is required. The option would not be you don't have to put anything here. There is something that must meet the site plan requirements. What species of tree it is at this point would be what is on the tree list and what is appropriate for that location whether it matches what UVA wants. If something could be done that coordinates with UVA, that is great. Their willingness to work with UVA is commendable. When I looked at this a couple of weeks ago, I saw where Council had required the space between the curb and the face of the building. It came down to what will fit there. It is a question I get about a lot of projects. What tree will fit there? I am going to see what they come up with when they know what is underground and overground and what fits in that space, and if it is appropriate and the planners and zoning say that it is appropriate.

Commissioner Joy – I had 2 questions from your evaluation of the drawings. One question regards the transformers that are located on Copley. I know in the entrance corridor design guidelines it is clear to have infrastructural equipment not be in public visible areas. These are both public and visible. Speaking on behalf of UVA, they are prominently visible from the development immediately across the street. There is concern about the location of that. Furthermore, the real concern that I have had reviewing the plans is that there has been public comment and acknowledgement of the challenge of entering the parking deck along Copley and the limited sight lines. I am concerned that these transformers only further encumber and make safety a greater issue. I want to point out that it is interesting in the renderings that they are not included in the visualizations.

Mr. Werner – This is aesthetics. This is not a site plan. These are not the engineered drawings. What they will have to do is complete the site plan, which identifies the line of sight. Brennen Duncan (traffic engineer) won't allow something that has a blocked view. I don't know what is happening spatially, whether these transformers could go somewhere or not. It is an interesting idea. We do allow public art. We put murals and paint just about everything, every wall, and section of wall. From an art standpoint, that could be valid. It is up to you as a body. As far as the entrance in and out of that garage, there was an initial discussion about access off Ivy Road. Staff said that wouldn't work. That is not under your purview. Where cars park and access this is where site plan issues are resolved. It was to move that from Ivy Road to Copley that was a positive. If it can be moved somewhere else on Copley, you can certainly ask. That would have to be based on what the design guidelines say as far as the aesthetics go.

Ms. Creasy – We will take these notes to those who are working on the site plan.

Commissioner Joy – My other comment has to do with the overall interpretation. You mentioned a 10-story submission. This documentation that was submitted calls out a bathroom on the roof.

Mr. Werner – It doesn't matter what the use is. This building could be a solid slab of concrete or one giant empty room. What we look at is the design.

Commissioner Joy – If it is zoning and a 10-story massing as part of the entrance corridor and we are looking at documents that show an 11-story massing, that would impact the perception and whether this conforms.

Mr. Werner – The height, as it is presented to you, is what City Council approved. I don't have the latitude to recommend. A CoA does not equate to a building permit. It doesn't equate to an approved site plan. This is the

design. Designs are conceptual. Sometimes, they are very detailed. Ultimately, we would have to review a building permit. The building permit would be looked at by the planner, engineering, and zoning. If a project did not meet the zoning or what is allowed by this PUD, it wouldn't get approved. The planner knows about this issue. I know the applicant knows about this issue. If you all, as a board, feel that the height should be different, you can do that. I can't recommend that you do it. You have the right to make recommendations in your approval or you can deny the project. All actions by the ERB are appealable to Council. Even if you approve this tonight, it could be appealed to Council.

Chairman Mitchell – You suggested that height is under the purview of the ERB. I don't believe that it is. I don't believe that we can alter the height. That has already been recommended by us and approved by Council.

Commissioner Stolzenberg – The general design of the building is part of the PUD that was approved. Council saw the renderings with the height. That is formally a proffered part of the approved PUD.

Commissioner Joy – I saw the 10 stories. I understand that a PUD allows a 10-story structure. I am looking professionally at a building that is an 11-story structure. I just wanted to understand.

Applicant Presentation

Julie Filges, Applicant – I am happy to any questions that you have.

Next Slide

These were the drawings that were submitted for the entrance corridor review.

Commissioner Stolzenberg – Why is the top plants?

Ms. Filges – There is a glass railing at the top. We have planting behind. It is difficult to see in the interpretation of it. There is a glass railing there. It is shown on the plans in the roof plans.

Commissioner Stolzenberg – In the roof plans, the plantings aren't all along. They are just in little squares.

Ms. Filges – We are still working on the landscape plans.

Next Slide

On this page, you will see the conceptual street section. I know we had some conversations. There were some questions asked about the trees. When we contacted the UVA Architect, I looked at some documents that were in the public domain. I noticed that with the Emmet-Ivy Corridor Project, there was a very strong visual connection along Ivy Road with all the buildings on the corridor. There was a visually prominent streetscape. I asked the questions: Would you mind telling us what is the width of the green zone? What is the width of the sidewalk? What is the species of the tree? What is the spacing? It would be a shame to halt that visual continuity. At that point, we noticed that our green zone and walk zone were not as wide. We made the change to show a minimum 8-foot-wide green zone and a minimum 10-foot-wide walk zone. That information that we received about the streetscape helped us understand how to continue that visual continuity. We are hoping that we can use the same street tree species. That is why we have the language in the street section saying that we need to coordinate with the site plan, ECRB, and UVA. The intent is to provide a strong visual continuity. With the exact species, we will have to figure that out when we figure out the logistics of burying the underground utilities, how big the root ball needs to be, and what the maintenance issues will be. We need to dig a little deeper and present that information in site plan review.

Next Slides

These are surrounding buildings used as an example of context.

Next Slide

Here is the first-floor plan for some context. The previous site plan that we showed was the roof plan. This gives context of the streetscape and the entrance off Copley into the garage, entrance off Ivy Road, and our amenity spaces. The amenity spaces that you see (the bike room, a café, the mailroom, the main lobby, and on the floor above the fitness area) the intent to activate the corridor by providing some transparency and activity and screen the garage from view.

Next Slide

Here are the elevations.

Next Slide

With the question about the wall, it was labeled as an optional wall. We were in the early design phases. We were trying to decide whether we needed that wall structurally and for drainage. That is why we wanted to leave it there as an optional wall until we have solidified the design. What we are trying to do right now is eliminate that wall and continue the split-faced CMU. We think that drainage will work better if we eliminate the wall.

Commissioner Stolzenberg – It is optional for discussion for you and not for us to discuss.

Ms. Filges – If somebody said that they loved it, that is great. We are trying to figure out the function of the wall and whether it is going to hinder drainage. What we found out, in conversations with our civil engineer, is that we want to make sure that we handle off-site drainage. It is better if we don't have that wall there for the drainage.

Commissioner Joy – Can you explain why? Isn't there a wall behind it?

Ms. Filges – They are going to warp that area for the drainage to flow through. The property line is at that location about 5 feet, 2 inches away. We were showing the retaining wall closer to the property line. Between the property line and the building wall, we were showing that. On the plan, you can see it.

Commissioner Habbab – You are proposing removing the retaining wall and leaving the building wall.

Ms. Filges – That is correct. That leaves us space to handle the drainage from off-site. We can work with the elevation that way.

Commissioner Habbab – Is there any impact on the adjacent property?

Ms. Filges – The main concern is that area.

Commissioner Joy – Why did it show up?

Ms. Filges – We weren't sure about the retaining portion of the building.

Commissioner Habbab – Are you looking to us for guidance?

Ms. Filges – What we would like to do is eliminate it and use the split face CMU. The purpose of this is to have the discussion. Do we have a strong opinion?

Chairman Mitchell – It doesn't impact the aesthetics.

Ms. Filges – It is an additional material that you wouldn't otherwise see.

Commissioner Stolzenberg – You are probably right. We don't have a direct purview over that. The rear is an entrance corridor, in my opinion, for people entering the city by train on the Cardinal see the back. I would like for you guys to consider the aesthetics of that.

Next Slide

Ms. Filges – With the screening, we are assuming, that depending on the placement of the mechanical units, which is something that we must incorporate in the design, if you are standing on the street and we have a parapet, you are not going to see them if they are located a certain distance away from the parapet. We try to place those as close to the corridors as possible and away from the edge of the roof for safety. The plan is to concentrate the mechanical units at the center of the roof. If you are standing on the street and we have a parapet, they are screened from view. We will use our 3D software to verify that. The screening that is there right now is more of a privacy screen. That is screening the amenity space. They don't want students wandering on the roof.

Commissioner Stolzenberg – If I am looking at this west elevation, it looks like it goes right up to the edge.

Ms. Filges – It is set further back from the street.

Commissioner Stolzenberg – You described this glass railing as a pseudo cornice in your contemporary building. Why doesn't it run the length of the building? Why is it slightly symmetrical by cutting off 3 panes on the left side?

Ms. Filges – That is due to function. We are screening off the rooftop amenity. That is for safety.

Commissioner Stolzenberg – You say it is an aesthetic element as your pseudo cornice.

Ms. Filges – It is. If you look at the language of the parapet, we step the parapet in various locations as well. We weren't thinking that it was such a departure to step that or to not show it as a continuous element.

Next Slide

The materials that we are using are a composite panel and a brick. The brick is at the base of the building. It is at the first floor and the second floor at Ivy and Copley. It is a dark brick with a matching mortar.

Chairman Mitchell – The mortar is going to be red?

Ms. Filges – The mortar matches the actual field. If you look at BRK-01, it is manganese iron spot. We will use a darker mortar with that. It appears a bit monolithic with a little bit of texture. That works with the storefront as well. We are going to use a dark bronze or a black storefront. The panels that you see are composite panels. We are using a combination of gray. We have a stacked bond pattern with the texture. The intent of the pattern is that it is stacked. I think there was a slight deviation in the tiling of the rendering. The intent is that we don't want to show something that appears to be faux brick. We wanted to show something that had a texture and a color that works with the context of the surrounding area.

Commissioner Stolzenberg – Having that rendering problem made it difficult for me to visualize what this would look like with that grid pattern all the way up. It didn't look like a grid. It looked like a running bond in a lot of ways.

Ms. Filges – The goal was to present texture and to hone in on it here. The goal is to have some texture. It is meant to be stacked bond.

Commissioner Schwarz – The two grays are also a horizontal panel.

Mr. Filges – They are about 18 inches high by 8 to 10 feet long.

Commissioner Schwarz – It looks like they are scoured horizontally.

Ms. Filges – The gray panels are not scoured, only the red panels are scoured.

Commissioner Schwarz – That is another thing with the rendering.

Ms. Filges – That might be the joints between the panels.

Commissioner Schwarz – They look like about a foot tall.

Ms. Filges – They are about 18 inches high. Are you talking about the vertical?

Commissioner Schwarz – I am looking at the rendering that is on page A8. It looks like there is a strong horizontal pattern. This does relate to the joints. It would be an 18-inch high space between horizontal lines.

Ms. Filges – Yes. You will barely notice it. It is a very subtle gap. They use a joint. Somebody asked a question about caulk. The owner endeavors to provide a building that is as maintenance free as possible, also meaning durable. We don't want somebody up there having to re-caulk those joints. They offer a caulk-free joint. It is a very thin reveal. It appears to be the same color as the adjacent panel.

Commissioner Schwarz – We will see a thin vertical reveal in all these fiber cement panels. With the horizontal joints, that is a lap.

Ms. Filges – It is not a lap. It is a rain screen. There is flashing at the floor. Every 18 inches, it is a t joint.

Commissioner Schwarz – It is going to be the exact same joint horizontal and vertical.

Commissioner Stolzenberg – With this middle black square situation, it seems to me, especially on that right side where it runs a little longer than that vertical line from the edges of the windows, it is creating the symmetry in the front of that. Is that an intentional aesthetic choice? Is that driven by a building need?

Ms. Filges – Your comment is very astute. It would look better if we took the gray at the right of that center mass and carried it down. We can make the plan work. We have shown some articulation with the building by varying the thickness of the studs and the locations of the windows. What you were suggesting is that center mass looks odd where it stops at the third and fourth floor and does not connect. We would be happy to continue that. That is a very astute observation. The intent was that we would show, if we were going to favor one side of the window in terms of showing that massing in that recess with the darker panel, we would do it to the right. If you look as it moves around the building, it is shown on the right. We simply didn't carry it through there. I can't give you a good reason. It would look better if we did.

Commissioner Stolzenberg – When you say that, would you make the windows on the left? Would you put the black along the whole length?

Ms. Filges – It is a stronger elevation if we continue the black down, alongside the windows as we have done in the other locations. We have created a pattern in a language and a movement where we have the recessed black panels to the right. This would be down there. That part is recessed further back than this part. That creates some interest and some shadow in that center portion. I would pull the gray down. The black is recessed but not the entirety of it. It is just that area versus the mass in the middle. All the gray is recessed the same amount. That entire mass in the middle is all recessed whereas we have these smaller locations and smaller masses where you have the pairs like the twos. There is a pair and a pair and a pair. Suddenly, we change the language in the middle for some interest and then you go back to it when you get back around the side elevation. You have the pairs that are joined. It would be stronger to carry the language through and add that recessed panel, that black on the third and fourth floor.

Commissioner Stolzenberg – If you did that, you would have that same problem of breaking the vertical line up here. I want to emphasize that I am not suggesting a change.

Ms. Filges – We are here for conversation. I don't think there is any architect that would say they would never change anything when they are finished with it. The idea of the upper band is that it doesn't continue. We were trying to come up with the base body cap reference to classicism. It is intentionally broken horizontally. It would be a stronger vertical line in that one little area.

Commissioner Stolzenberg – Would that be an administrative modification if they wanted to do that?

Mr. Werner – This is one of the most detailed discussions I have experienced with the ERB. There are a couple of learning things moving forward. I would prefer, given the attention that this is getting, that you be very clear about what you mean. I would be much more comfortable with that. My suggestion is that you sketch it, draw it, and determine what is best so that the 3 of us agree.

Ms. Filges – We feel that is a minor suggestion and an improvement.

Mr. Werner – What I am hearing is that on the right-hand side, there is a triple window. On either side of the triple window is a vertical band of black that will be extended down.

Chairman Mitchell – Commissioner Stolzenberg will be very articulate when he puts together the motion. You have enough people saying that it is a good idea that you might want to get that included in the motion.

Commissioner Stolzenberg – Why not get rid of that whole line to the right of the window? That would make it symmetrical. Maybe, you are intentionally making it not symmetrical.

Commissioner Schwarz – The red banding is the same width on each side. It stands out more than the dark.

Ms. Filges – If you look at the other elevations, it is a language and a pattern. See how it hits the right on the other elevations. It is a continuation with the theme on all the elevations.

Commissioner Schwarz – Since it is recessed, it is going to read dark. The windows will be dark.

Ms. Filges – That is why we selected the darker material too.

Commissioner Stolzenberg – In this solution, even though you are right, this top is the cap, and it is different. I feel it still draws you to that break in the vertical line. It is doing something on that top that isn't necessarily the same material. I think the articulation is terrible.

Mr. Filges – I neglected to mention that they are recessed as well. The top stories are recessed back several feet. You are not going to make that visual connection.

Commissioner Habbab – Since it is not red brick, what are staff's thoughts on that material instead of brick?

Mr. Werner – The Code Building is a good example. That was going to be brick. They came back with a brick tile. Aesthetically, the results are identical. Since it is not stucco, I am happy. I hate it when I see something like that. The material is a durable material. I don't know how any of those things are going to age. We have brick buildings that age poorly. I am Ok with it.

Commissioner Stolzenberg – What made you guys go with that stacked bond? That is going to distinguish it from brick, which might be a good thing because it is not brick.

Ms. Filges – I am a purist when it comes to brick. It is either brick or it is not. The idea was to impart some texture to the building reminiscent of brick. We did not want to mimic the traditional UVA brick and fail. The idea is that there is some texture applied. We are using the stacked bond look so that it is not trying to mimic it so closely. If you try to do faux brick panels, it will be a horrible failure. The idea is that, visually, you still see a little bit of the color and a little bit of the texture. I don't think that it appears as brick. I have seen larger portions of this texture. It really reads more textural.

Commissioner Schwarz – Let's also remember that although the joints will be small, it is going to be tiled. They wouldn't be able to successfully do a running bond pattern. This will camouflage the joints more.

Ms. Filges – Maintenance has come up. If we were to use traditional brick, there would be some maintenance involved with that as well and structural issues. We are using it down on the first and second level where you can experience the brick at a pedestrian level. That is why it is used down there.

Commissioner Habbab – My other question was on transformers and the three transformers on Copley. Is there an alternative location for them that is out of view?

Ms. Filges – It is a very tight site. There is not a great location for that. A generator is required by code. One of the best locations for the generator room is close to that. That needs to be in close proximity. There is not really any room on site. You want those functions nearby. In terms of access, Virginia Power wants good access. They want 10 feet clear in front of there. They want to be able to come in and do what they need to do. It would be a challenge if we placed it somewhere else in terms of servicing them. The intent is to apply artwork.

Commissioner Habbab – Have we ever accepted transformers without screening? If you could make it a nice public art piece, it is fine with me.

Mr. Werner – We have problems where we put a lot of things, including trees. Dominion Power doesn't let you put its transformers inside a building. These were shown on the early drawings. The transformers are there. These didn't pop up out of nowhere.

Commissioner Stolzenberg – There is a valid point that is UVA's project over there that has that green way that opens up to this building. Right in the middle are the transformers. I agree that is less than ideal. There is not much to do about it. The art idea is a great idea. You must execute it well.

Ms. Filges – We thought it would be fun to do something referencing bicycles or multimodal transportation. It has been such a huge topic of conversation. We have the bike room located in close proximity.

Commissioner Schwarz – How graffiti-proof or graffiti-cleanable are they? Do we know that?

Ms. Filges – We have not specified the manufacturer. I know of manufacturers that produce those. They call them ‘graffiti-proof.’ I am not sure how ‘graffiti-proof.’ They have been tested for that reason.

Commissioner Joy – With the wrap, has that been confirmed with Dominion that they allow wraps on their equipment?

Ms. Filges – We are in the process of having those conversations. It was noted on the PUD.

Commissioner Joy – I have been clear about the desire to not have those on the location. There is also concern about the adjoining trees and potentially the one immediately to the left that is shown in the site plan, whether that would be possible given the proximity to the equipment.

I have noticed in the rendering along the bike storage that there appears to be a window wrap or a decal of a bicycle shown in the rendering. I know keeping clear glass as a preference. I wanted to make a note. It is unclear how much of the storefront is being proposed to have a wrap in the documents that we were provided. When I look at the ground floor, there are other elements situated there. In the renderings, it appears to be all glass. In the programming, it appears to be a mix of some program. It is hard to know what we are approving here.

In the site plan, this is another discrepancy with the renderings and uncertainty with the elevation. In the site plan, you can clearly see exterior piers at the corner of Copley and Ivy. They don’t appear to show up in the rendering. Similarly, as you go around the bridge, there are additional piers that are shown. Are they intended to be concrete? Will they be brick clad?

Ms. Filges – We are in the early design phase. We are still working with the structural engineer on the cantilevers. The intent is to cantilever as much as possible. I am sure we are going to end up having to some sort of columns. The intent is that they would be clad in brick.

Commissioner Joy – The texture is not there. There is no specific call-out tag. I know you have board form concrete as one of your elements. I wanted to confirm that those piers, if exposed, if they end up staying in the project that they would be clad in brick.

Commissioner Stolzenberg – Are you talking about the north elevation?

Commissioner Joy – It shows up in a couple of places. I don’t think you can pick them out in the elevation. It is best to look at the site plan, which is on page A5. If you look to the right of the garage entry, you can see that there are four exposed piers along the property line. If you go along to the south, there is another one right by the primary entrance to the retail commercial space. They don’t appear to show up in the renderings. I wasn’t sure what the intent was with those exposed structural elements. They don’t look wider in the plans. It didn’t appear that they had cladding on them.

Ms. Filges – We are still working on the actual calculations. The intent is that they are wrapped in brick. We will remove the board form concrete from that materials board. The only intent for that was the wall, which we will be removing. We are happy to say that there is no board formed concrete finish.

Commissioner Joy – With regards to the hanger rod and clevis at the balconies, it would be preferred to not express the hanging rod and clevis. I will defer to the voting members of the Commission whether they have a

specific concern about that. I appreciate the improvements. The University appreciates the improvements to the streetscape, the intent to match and align the sidewalks. That is going to be a great asset to the local community and to the students that are here. It will make it feel like a cohesive extension of Grounds. That has been a great improvement. As we move up that façade on Ivy, there was a step back that was proposed when it went back for its PUD approval. Having spent some time on West Main and looking at other recently approved entrance corridor projects and the language that is in the entrance corridor design guidelines, it is unfortunate that the step back isn't more pronounced. What is being shown here is more of a surface articulation and not a true step back. I look at a similar 10-story property at the Draftsman and the successful step back that happens lower in the building does wonders to tying it into existing lower-rise context. This project is surrounded with 3 of the sides. It is something that I wanted to point out. The last comment was about the west façade. It appears to be the least articulated as far as architectural interest. Some would argue that it might be the most visible as an entrance façade coming into the city. It doesn't seem to have the same level of architectural interest and variation that you see on the other facades. That will be many peoples' first moments when they feel like they are starting to enter the city because you will start to see a higher scale of development.

ERB Discussion and Motion

Commissioner Schwarz – Our guidelines are less strict than the BAR guidelines. I don't have many concerns with this project. I believe that it is well done. For future applications, something to request from an applicant when have material like this, I would like to see the joint pattern on the façade even if it is not going to be visible when it is complete because the joints are so tiny. That would have been helpful on this one. I have a concern about the trees. I would like to see them there. I would like to see them be as big as possible. I think that is everybody's goal. I want to make sure that we don't get to the end of this and there are 4 crepe myrtles or 4 dogwoods that is pathetic because of site plan issues. I don't know how we craft that into a motion. I am always optimistic about how large a tree you can cram next to a large building. I do feel that you see this in urban areas all the time where people put large street trees and they grow away from the building. They end up growing over the street, which we are trying to achieve. Whatever language we can come up with to make it more forceful that they try to find something large would be preferable. With staff's recommendation about lighting, we need to include that. The applicant has answered all my questions.

Commissioner Joy – I feel that I have covered my comments. I do want to acknowledge the opportunity to revisit some of the step backs along Ivy and how that would be positively received by the neighboring community and the University. It would make for a more compatible project to the existing context and add architectural interest into the design that is proposed here.

Commissioner Habbab – I agree with all of staff's recommendations. I am Ok with leaving the tree language the same way as it is in staff's recommendation, knowing that we will try to get as big of a tree as we can. I am also looking at that façade driving down Ivy towards the city. It is a big, blank, white clad portion of the building. I am not sure what I would change design-wise.

Commissioner d'Oronzio – I don't have any serious queries or questions about this project. The variations that we have been talking about don't seem to be driving any sort of aesthetic concerns that I have.

Commissioner Solla-Yates – I am excited about the project. Burying the powerlines is going to be a big deal. I am thinking about the approach from the west. I think that we are going to see infill in that area from adjacent property owners. I suspect that is a temporary issue. I appreciate it being raised.

Commissioner Stolzenberg – One concern we heard from Council was this idea that this building is top-heavy with the cantilever. When you agreed to step back the upper portions further from the road, I wish that you hadn't also moved the first floor back. You keep the cantilever even though you lost all that space. I like the

additional room for seating and clear walk space. I wonder if having something like a column at the corner would give it a sense of substantialness that makes it look like it is not suspended by ‘modern magic.’ On the upper portion step backs, from a purely aesthetic perspective, it detracts from the building. It would detract more if it was greater. I look at a building like The Kenworth, a great traditional building, where that upper cap is distinguished by color. It is not stepped back. It looks better. The idea of upper story step backs makes me think of the Waterhouse building, which is one of the ugliest buildings in the city. I get that people are asking for step backs. I can only see it being detrimental.

Do we want to get to a conclusion on the idea of the vertical lines and asymmetric situation? I have a few choices of what you may have been talking about.

(Commissioner Stolzenberg shared his screen to the applicant and other commissioners)

Commissioner Habbab – It seems minor enough of a change on the elevation that they could just change it.

Ms. Filges – We have had great conversations with everyone with the city and are happy to continue this conversation.

Chairman Mitchell – I am relying on you (Commissioner Stolzenberg) to organize the motion.

Commissioner Stolzenberg – Do we want anything beyond staff’s proposed conditions?

Chairman Mitchell – We have a debate on trees, the rooftop screening that we need to think about.

Commissioner Stolzenberg – It sounded that was a bit mute given where they’re planning on putting the rooftop apartment stuff.

Mr. Werner – I don’t think there is a problem with you having the condition.

Ms. Filges – We put a note on the drawings that the equipment will be screened from view. The intent is exactly what you are talking about. If you are on the street, there is a parapet. They are located at the center of the roof so that you can’t see them. We are happy to look in 3D, in terms of the effects.

Chairman Mitchell – The only remaining debate is tree size.

Commissioner Schwarz – I don’t need to push that if everyone understands that is the goal.

Mr. Werner – It didn’t come out of anything other than that we keep making spaces smaller and we want to put trees there if a tree won’t go there. I am not going to say, ‘let’s put a shrub there.’ I want it as big as we can get.

Commissioner Schwarz – My fear is after all the site plan stuff is finished, there is a big water line running under all 4 trees and we get nothing, except for something that is shrubbery. That would be a problem. I don’t know if we have, as entrance corridor review board, an ability to prevent that.

Commissioner d’Oronzio – The condition presented explicitly says ‘from the city tree list.’

Mr. Werner – If there is something underground there, you can’t put a tree on top of it. You can make them move the building. You can’t require that they put a tree on top of where it can’t go. There is a lot going on tonight that is going to be carried forward. This zoning ordinance is going to bring things like this. There is a lot to think about.

Commissioner Schwarz – As you have done your site plan process, how far have you dug into the burying the power lines and knowing how much room you have for utilities?

Ms. Filges – The owner has engaged with a consultant for the purpose of determining that. They are having conversations with Dominion right now about that. We have also had conversations with the civil engineer, the landscape architect, and the entire design team discussing those specific trees and the intent behind them. As we mentioned on the drawings, the intent is to coordinate with site plan review, entrance corridor review, and with UVA to try to provide a consistent streetscape. The intent is to provide the largest tree we can. There is the street tree list, which dictates a certain size there. We can only go so small. We're not going to. We want big trees. We can't put tiny dwarf crepe myrtles. They are not on the approved street tree list.

Commissioner Schwarz – I guess it is maybe less distrust of you as it is the site plan process.

Ms. Filges – We had a pre-meeting with utilities. It is not 100 percent designed. We are thinking about every aspect at this early phase.

Motion – Commissioner Stolzenberg – Having considered the standards set forth within the City's Entrance Corridor Design Guidelines, I move to find that the proposed design for 2117 Ivy Road is consistent with the

Guidelines and compatible with this Entrance Corridor, and that the ERB approves the Certificate of Appropriateness application as submitted, with the following conditions of approval:

- All exterior lighting and all interior garage lighting visible at the garage entrance will have lamping that is dimmable, have a Color Temperature not exceeding 3,000K, and have a Color Rendering Index not less than 80, preferably not less than 90. Additionally, the owner will address any reasonable public complaints about light glare by either dimming the lamp or replacing the lamps/fixtures.
- Any ground-level mechanical equipment and/or utility boxes will be appropriately screened. That screening will be subject to approval by design staff and must be memorialized as an amendment to the site plan.
- Meters and panel boxes for utility, communications, and cable connections will be located preferably within the garage; if not, then in non-prominent locations on the side elevations only and appropriately screened. That screening will be subject to approval by design staff and must be memorialized as an amendment to the site plan.
- The street tree species, when selected, will be coordinated with UVA's streetscape plan, will meet City site plan requirements, and, most importantly, will be from the City's Tree List among the largest varieties available within the list, and appropriate for the conditions/space above and below grade.
- All rooftop mechanical equipment will be located within the area of rooftop screening. The equipment will not be taller than the screening. The screened equipment area will be no closer than 10 feet from the parapet.

Second by Commissioner Schwarz. Motion passes 6-0.

The meeting was recessed for 5 minutes.

2. Preliminary Discussion – Entrance Corridor Review – VERVE Charlottesville

Staff Report

Mr. Werner – What do you want to see when this project comes to you possibly in a month? It was instructive earlier. There are a whole lot more walls involved with The Verve than the 4 or 5 walls at 2117 Ivy. This is where renderings serve a purpose. I use them to illustrate the project. When something comes in for the building permit, I am looking at the building elevations and the wall sections. The rendering is artwork and goes by the wayside unless it conflicts. For The VERVE and 2117, there is almost an optical illusion. You see some bending of the walls. They are imperfect and needs to be understood that way.

We normally don't do preliminary discussions. This is going to have to be something that we work into it, particularly if we do get the projects that we are anticipating. We are due to review our design guidelines.

This is a PUD approved project under the prior zoning. References are to that zoning. This project is in an entrance corridor and requires a CoA. This is a multi-parcel project. Three of those parcels are not within the entrance corridor. Since this is a single project, the entire entrance corridor provisions apply to everything. If there had been a historic project on this site, this entire project would have been reviewed by the BAR. You last saw this project in October/November. City Council saw a version of it in December. There have been some changes to that design. I asked the applicant to summarize what has changed. When they come forward with a formal submittal, what level of detail do you want to see? You don't have to respond. It gets to where renderings versus elevations versus construction drawings. There is a lot happening at The VERVE. Now is the time to set the table for what they are going to prepare and bring to you. I use the word for a successful submittal. That doesn't mean we are going to do this so that it is guaranteed an approval. That is the goal; to get a project that can be approved by the entrance corridor. That means something that is complete relative to what you want to see. There is no formal action tonight. You can thank them for their time. I will leave it to Chairman Mitchell to guide the discussion.

Applicant Presentation/ERB Discussion and Feedback

Neil Reardon, Applicant – It is helpful for us to show you what has changed, answer any questions you have, and get any feedback on what you might want to see. Our intention is to be there next month in person and present to you in a similar scope as to the previous project. We were in front of you in October of 2023. This project was heard in front of City Council as a modified version based on your input in October. That was heard in December. The PUD was approved by the City Council.

Next Slide

What we are looking at here is the main view from the northwest of the project. This is the October version that you saw and offered input on.

Next Slide

We revised the building in dramatic ways. We now have two buildings. On the site, we have a west building, which you see on the right-hand side, which bends around the curve where Stadium Road and Emmet meet. There is a void where the building is joined at the first 2 stories with a mini-market and a main entrance to the complex. There is a building on the north, calling it the north building. It is 11 stories. That is the building you see on the left-hand side of this image. We created this void and significantly modified the exterior materials from what you saw in October. This is the update.

Next Slide

This view is from the northeast of the site. This view captures the angle and the 'pork chop' at the road at where JPA and Emmet meet. JPA is on your left and Emmet is on your right as it proceeds west. Before, this option had quite a lot going on. There were lots of different volumes and lots of different materials.

Next Slide

What we did when we made some moves elsewhere on the site that you have already seen is simplify that massing and materiality. This is the 11-story building. That is the north building that fronts Emmet. What we did was regularize that rather than have so much going on. On the left-hand side of this, you see what has mostly remained the same. The material cladding and design choices have changed. The massing was very similar. We are calling this the east building. This is the building that fronts JPA. As JPA lowers in grade, this part of the project is anywhere from 6 stories up to 8 stories. That is because JPA slopes down as it goes south.

Next Slides

This view is from the southwest of the project. This would be looking north on Stadium Road. You can see our end profile of the west building located here. This was the previous version. We did make some significant massing changes to this part of the west building. The building is essentially the same size up top. What we did is contextually match some datum lines across the street and taper a step back where you see the black massing change to the gray and gold tone massing. That was intentional to try to align better with all the things we have going on along Montebello. The goal on Montebello was to hit at the 3-story datum line. Montebello has a higher grade than the rest of the site. The buildings that front the Montebello side are around 3/3.5 stories. What you see there above that is the 12-story portion of the west building that fronts Stadium Road.

Next Slide

That is the summary for us tonight. What you see there lastly is a straight-on view of the JPA side.

Part of the project is within the entrance corridor review scope. The part that is applicable to the entrance corridor is the JPA side. We wanted to make sure we had some other angles. We will bring forward imagery, next month to you.

Chairman Mitchell – Are we going to be able to see the top of this building from The Lawn?

Mr. Reardon – I can summarize that for you. We have produced diagrams. We would be happy to bring them next month if it is helpful. We have produced diagrams that illustrate that this building is not seen from The Lawn. That was a request when we reached out to UVA. That was the dialogue we had with them. We have those diagrams. I believe they might have been brought up during a portion of one of the previous public hearings. We can certainly bring those diagrams again next month.

Commissioner Joy – I want to thank you for taking us through the ‘before’ and ‘after.’ It is very helpful. I wanted to commend the team on the marked improvement that is being proposed. It is a commendable change. I appreciate the willingness of the team to listen to the concerns that came out of the community and from City Council and to be willing to adjust the design. Since we have limited materials to look at here and we are primarily looking at renderings, it seems like there is still a lot of development happening. I am going to focus my comments on overall massing. As we went through the slides, the slide of the northwest corner, that transition is tremendous. I appreciate the scaling down and the articulation of these 2 buildings with the gap in between. That is a successful move at helping to make this building feel more contextual. With the next slides (4 and 5), we are looking at JPA and Emmet Street. For many people in town, this will probably be their first visual contact with the building. The design is improved. In the new scheme, I am little remiss that there is a lack of step back in any capacity. In slides 6 and 7 where you have made a thoughtful adjustment to bring some datum line and contextualization to Montebello, I see an opportunity for a similar type of articulation at JPA and Emmet to help mitigate that initial articulation with the adjoining buildings as you scale up to the full height of the development. I look forward to seeing more about the articulation, the material palette, the elevations, and plans so I can delve in deeper to provide feedback.

Commissioner Stolzenberg – I agree that it is much better than what it was before. The massing now looks very good. A building looks better when it is taller than it is wide. I appreciate that the building was split into

two, but that you also have these different segments of that building with these full height recesses that differentiate them. The shape of the buildings looks much better. I am very happy with that. I don't like all the cladding choices. I hated all the old cladding choices. The whole alternating the cladding from one side to the other, as you go up, I am talking about the light-colored cladding. I like how you have that horizontal bar every 2 stories, which makes it visually look shorter. Those vertical elements between the windows and how those are alternating, it is not nearly as bad as how you were alternating it the last time with the black and white. Does that serve a purpose? Is this an architecture technique? Why did you do this alternating sides?

Mr. Reardon – The alternating aspect that you're talking about in the gold that we are seeing on the screen is in a 2-story configuration. The reason we do that in the 2-story configuration is to break down the scale of that 12-story volume. The pairing of 2 floors together helps break down the scale. The eye of the audience or the person experiencing it from the street, it lessens the height that they must perceive from that angle. That is the intent of arranging them in two stories.

Commissioner Stolzenberg – It seems like they are already arranged in a 2-story configuration by those horizontal lines. Why does the gold and silver pattern alternate?

Mr. Reardon – It creates a module of 2 horizontal levels together. The dark black banding in between the windows spans the gap or creates that. What you are mentioning is why does it not align purely vertically? That is intentional so the 3 tones of gold or gray here change to create that 2-story volume.

Commissioner Stolzenberg – I would like to see more renderings from the street level, especially standing next to the building, in front of it, especially along JPA. That is the most important part of how a building is experienced. If you are looking at the main entrance and you have the large building to the right and the second pseudo building, it looks like it is a blank wall there at ground level. Where there are blank walls, I want to see renderings of it.

Commissioner Solla-Yates – The word that came to mind when I was looking these changes was 'lucid.' This is a more lucid design. I understand more clearly what you are trying to do. It makes more visual sense. I agree with Commissioner Stolzenberg's comments about understanding the pedestrian experience. This is a heavily trafficked area for pedestrians, especially JPA and Emmet. Understanding that experience would be helpful. What do you want from us? What would be helpful for you to hear from us?

Mr. Reardon – Hearing the discussion on the previous project was helpful. We have notes from that with site elements, site lighting, the clunky things on the site such as transformers and generators. We have plans for all of those and articulating how we are addressing those things sounds like an important thing to discuss with you next month. It is the public realm pieces and the details of those to a higher degree than was scrutinized at the PUD level. If there is anything that is project specific to what I mentioned, we would love to hear it now.

Commissioner Solla-Yates – Overall, it makes sense. I am not concerned about the materials. I agree with the 2-story chunking. I agree that makes visual sense.

Commissioner d'Oronzio – I am agreeing with the comments I have heard thus far.

Commissioner Habbab – I like it more than the previous design. It feels less of a jumble highlighting the verticality like Commissioner Stolzenberg said with the materials and the recesses, the 2-story levels with the horizontal banding. I like the alternating panels because I feel that they help break down the scale. If it was repetitive all the way up, that would highlight a bigger, solid block, and keeping them in the same shade of color is nice. It doesn't look too much of a mess. Do you know what material you are using? It looks like it is

black brick with black storefront windows. With the panels, I couldn't tell if it was cement or metal paneling. What are you thinking there?

Mr. Reardon – We are exploring a few things. On the 3-tone material, we are exploring a couple different material types. We plan to bring that to you next month and clearly state what that is. We have always thought about it as a metal panel. The charcoal volume is a masonry at the base. We are looking at how to articulate the best version of that as it goes up. We will bring that next month. In terms of colors and tones, we plan to stick with and not alter from what these renderings are here today. A more detailed version of materiality and jointing pattern is something you guys expect and asked for in the last project. We will plan to show you some of those details in our upcoming submittal.

Commissioner Habbab – On that masonry, I really think the way you have the coursing and the soldier coursing, and the different coursing between the windows is very nice. We talked about trees in our previous application. If you have more information about that when you come back to us, it would be nice to see. On page 3 of the site plan, there is a picture of a car right on that corner. Is there a driveway there?

Mr. Reardon – It looks like there is a car coming out of the building. There is a port casare here where we pull in off JPA and exit where that car is coming out. That is a drop-off zone intended for leasing, arrivals, visitors, deliveries, and all those functions to bring those off the street.

Commissioner Schwarz – I want to echo a lot of the comments that have been said. I appreciate the color variation if you keep it subtle. It is breaking down the mass in the way that you had suggested. I am going to be interested in the materials that you choose. The brick is a rich material. The way that you are using it is being used with a whole lot of detail. Although you are using it sparingly in some small thin towers, that goes a long way in adding some richness to the building. With these metal panels, I would love to know how the joints are detailed. I would hate to see this thing turn into a large fiber cement building. If you did that, I would be concerned about wanting to know what the joints are. I don't think it is your intention. We have seen some fiber cement buildings where you see a lot of flashing everywhere. That doesn't seem like anything you are going to be doing. If it comes down to it, that would be sad. I agree with Commissioner Joy's comments on the JPA side. It is the smallest side. The buildings are much shorter on that side. It might look a lot wider. It does feel in some of your renderings to be massive for its context. If you could look at that, and make sure that you are still breaking down the mass efficiently for the JPA side, which is a more residential side.

Commissioner Joy – You have a clear, activated base. We have talked about the sort of success of the articulation in the middle. In certain areas, you have a nice transition to express a top. I know looking at the entrance corridor design guidelines, there is a desire to have a clear delineation of a top of a building. I would ask, as you begin to refine the design, in some of these instances, particularly where you have the 2-tone gold panel, that the parapet condition doesn't seem like it has as much attenuation that the brick masses have. There could be an opportunity to think about how this building meets the sky.

Chairman Mitchell – I applaud the revisions. I like what you have done here.

Chairman Mitchell gaveled the ERB out and gaveled in the Planning Commission.

The meeting was adjourned at 8:24 PM.

PLANNING COMMISSION REGULAR MEETING

March 12, 2024 – 5:30 P.M.

Hybrid Meeting

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

Beginning: 4:30 PM

Location: NDS Conference Room

Members Present: Commissioner Roettger, Commissioner Stolzenberg, Commissioner Solla-Yates, Commissioner Joy, Chairman Mitchell, Commissioner Schwarz, Commissioner d’Oronzio, Commissioner Habbab

Staff Present: Patrick Cory, Missy Creasy, Matt Alfele, Ryan Franklin, James Freas

Vice Chair Schwarz called the meeting to order. He then asked if lighting was required for the Flint Hill plan. It was noted that it was not. Commissioner Stolzenberg asked about site addressing for the location on the site plan and it was noted that the proposal was approved through the addressing process. Chair Mitchell arrived. There was a discussion about preapplication discussions for ECRB applications. Ms. Creasy noted the guidance provided to a requestor including an introduction of the project and a list of questions they are interested in having ECRB weigh in on. The presentation could be up to 10 minutes with time following for the Commission to provide feedback. Ms. Creasy provided an overview of known items for the April 2024 Commission agenda.

Chair Mitchell introduced Betsy Roettger and noted that he would have her provide an additional introduction in the regular meeting. Commissioner Solla-Yates pointed out a change needed to the minutes on the consent agenda. Mr. Freas will provide an update on the RFP noted in the media during the regular meeting. Commissioner Roettger asked for clarification on the agenda layout and items. A brief discussion of the Council’s discussion on potentially changing public hearings was held.

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

Beginning: 5:30 PM

Location: City Hall Chambers

A. COMMISSIONER’S REPORT

Commissioner Stolzenberg – I have had 2 meetings since our last meeting. The first meeting was LUPEC last month. We have another one coming up on Friday. We talked about the Fontaine Research Park, the new biotech building there, the new parking garage there, and the other space in between. They are aiming to make it more pedestrian friendly, less like a suburban research park with tons of parking. There will be more streets. All the streets have the same name. They will be adding some new names for the streets. They have started the new roundabout at the entrance, which will have a bus stop with transit service there. We had a presentation from the RWSA about the raising of the water level in Ragged Mountain. That had been long planned since they made the new dam. It was big enough to accommodate this increase. They had planned to raise it sometime in the future for resiliency and just to have more water in our supply. We had a conversation about the Fontaine interchange smart-scale project. With MPO Tech, we had a discussion about smart-scale. Hillsdale South is not going to be able to be submitted. There was some talk about some intersections on Pantops in the county. Those likely won’t be submitted again because they scored poorly last time. The things that will be submitted will be what is coming out of the Barracks Road pipeline project. I hope that you all saw the survey that VDOT sent

around. It has already closed because they are on a tight timeline. What they are talking about is a shared use path running along the south side of Barracks Road from Emmet Street out to Georgetown Road. That would require a roundabout at both exits off 250 to have enough room under the underpass to have room for that shared use path. They are talking about a roundabout at Georgetown Road. There are other alternatives in there of more conventional intersections. The long-range transportation plan is still underway. We had a lengthy discussion about that and the Fontaine Project. The Fontaine Project was a smart-scale project from several years ago. One of the big drivers for VDOT wanting to do this was that right now, as you are driving north on 29 at the 64 intersections, you must make a left turn across 29 to get onto 64 westbound. There is a lot of traffic doing that. It is dangerous. VDOT wants to divert to close out the left turn and divert those trucks to keep going up 29, go to the Fontaine interchange, and to make a U-turn and make a right. The project that was approved got most of its points off the shared use path that was in there because of its land use score. It also included a displaced left turn, in which there would free flow northbound traffic to make a left, which would be on the south side of that Fontaine bridge and have free flow back down onto 29 southbound. There were concerns raised by UVA that the plan would not accommodate future traffic from the expansion at Fontaine Research Park. It would have required a loop/turnaround point. If you want to go left but not go back on 29, you would have had to make a right onto Fontaine eastbound and make a U-turn. That would have occurred on UVA property. There was lots of discussion about this over the last 6 months. VDOT hired these consultants to look at different plans for this. All the parties have agreed on a conventional signalized intersection with lights. There will be 2 turn lanes that go into Fontaine. Overall, it will operate similarly now. There was concern that this wouldn't help with that 29 left turn issue. VDOT has determined that they can still close that left turn onto 64. MPO policy has made the decision. If it stays within the bounds and the budget of the original smart scale project, VDOT will allow it. During the design, there will be a lot of concerns to pay attention to particularly with how pedestrians and bikes on that shared use path will get through safely given that there is a free flow right turn lane into Fontaine. Those sorts of things will be determined in the future as the design progresses. The big change is that they are going with the conventional intersection for the Fontaine area. That is separate from the city's Fontaine street-scape project.

Commissioner Schwarz – The only meeting that I attended was last month's BAR meeting. The only item of interest was a preliminary discussion for a 3-story apartment building in the Venable neighborhood. There was a mix-up where the applicant had thought that the property was zoned RX-3 because that was the last thing on the latest map before the final maps were issued. It was an RX-5 property. The applicant decided to continue with their preliminary discussion with a 3-story apartment building. They did say that the 3-story project is a walkup. There is one stair. It is a much simpler building. They may end keeping it for that case. We continued to discuss our guidelines. I know that staff discussed how to move that process along.

Commissioner Habbab – The Tree Commission met last week. The Inflation Reduction Act Grant was awarded and approved. It had some hiccups. They finally worked it through. That will go to funding a canopy study, training volunteers, and the urban forest plan. RX Fire, which is a contractor that does some of the invasive control is mulching at Free Bridge. It is a property of about 1.8 acres. There wasn't anything to save there. They are going to be replanting trees in that area. They want to do most invasive control items before April. Part of that would be John Warner Parkway, Oak Street, and Quarry Park. The Downtown Mall Tree Management Plan is slated to be completed this summer. That will include what should go, what to do with all the trees, how to remove them, what trees need removal, and how you replace those trees. It is a little complicated on The Mall. Those trees are large at the root systems. If you want to remove the tree and get into the root system, it goes under the bricks. It is going to be a tough job. We will look forward to what they must share in the summer.

Commissioner Solla-Yates – I have been telling people about the new development code. It is not on Muni Code. It is on the city website. It is a PDF. It is on the city GIS website on the zoning layer.

Commissioner d’Oronzio – With the HAC updates, we are working on a land bank. We came up with a basic work plan on how to get there and scheduled a series of subcommittee meetings to get that underway. We are getting back on track on how to move that forward. Chairman Mitchell, you asked about the social Democratic Socialist Society of America’s meeting on green social housing. It was a meeting that was a panel discussion, which included Councilor Payne to discuss how a land bank in the city would fit in with a green social housing; not so much the green, which would be ubiquitous. The social, housing, and affordability was very well attended with about 80 members of the public. There was a high degree of interest. There were a couple new members of the HAC there. Councilor Oschrein was there. I gave an update to the group. Some of what they are advocating for has already happened. There seems to be a great amount of interest there. The Charlottesville Affordable Housing Fund (CAHF) Committee report is out. It is up for the meeting on the 18th. On March 14th, the CDBG Task Force is meeting. We have 5 or 6 meetings scheduled to get that sorted out. Last Thursday, The Thomas Jefferson Planning District Commission met. One item of interest to me was the Regional Transit Governance Study presentation. There is a lot of working being done and the coordinating of transportation policy and the governance of that and how to establish something on a more regional level. This was a 100-page study on how to do this. It is frustrating. There is a large couple of highlights. There is a dichotomy of the needs between the rural areas and their need for transit and what is needed and how to engineer that versus the inner urban ring and the city of Charlottesville. That work in the rural county needs a centralized coordinated body like a transit authority. Fortunately, the legislature did authorize a statute that we can fund and stand up the Charlottesville Albemarle Regional Transit Authority. There are several of those in the state. Our version has less power to acquire money than the others unfortunately. Part of this had to do with possible funding options. The short answer is that they all stink. It is the outlining counties that need the organizational structure first. The Charlottesville Albemarle Regional Transit Authority requires that the sole members of this organization be Charlottesville and Albemarle residents. They must establish it and then they can invite in the surrounding members of the commission. We are in a position where the city and county must get together so that we can invite the others in. Once we have done that, figure out how we are going to govern this thing and go back to the legislature. Part of the study was to look at similar communities like ours to see how they manage these funds, coordinate these processes. They all have a somewhat different model. There was universal appreciation for the Blacksburg model. The town of Blacksburg runs it. Christiansburg pays a little bit for their service. Virginia Tech pays for all of it. There is a lot of work to be done in terms of getting the interim group up and moving.

Commissioner Roettger – I have lived here for about 20 years. I went to school here. I came back to try out teaching at UVA. I have always been interested with what is going on in town. I went to school for architecture. I am much more interested in the public spaces that it is creating and the policies that go behind creating great public spaces. I am glad to be here.

B. UNIVERSITY REPORT

Commissioner Joy – We had our Buildings and Grounds Committee meeting at the end of February. I previously mentioned the Darden Graduate Housing. That is now formally approved. That will be 350 beds literally out the door of Saunders Hall. That will be a nice addition for the graduate experience there. There was another key project that would be helpful for this Commission to know about. That is the parking garage on North Grounds. There is 1000-car parking garage that is slated to be at the northwest corner of Massie and Copley. There are some 1960s era garden apartments that are there. Whereas we know losing housing is not ideal right now, the idea is that this consolidated parking will help enable future infill on sites that are currently surface parking. It is a strategic addition to the North Grounds. I think that it will help with some of the commuter load at the hospital and our events. It will hopefully be open in 2 years.

C. CHAIR’S REPORT

Chairman Mitchell – We are probably going to ask you (Commissioner Roettger) to take on 2 or 3 additional committees. I believe that we have at least 2 or 3 openings. There were a couple of meetings. One meeting was Parks and Recreation. The dogs and dog waste and dogs on/off leashes remains a big topic of conversation. We are just beginning that. As we get further along, I will update you on that. People are talking about it, and we are working on it. The Parks and Rec Master Plan is underway. We also talked about the garden plots. The garden plots are now available.

D. DEPARTMENT OF NDS

Missy Creasy, NDS Deputy Director – We don't have a March work session specific to the Planning Commission. City Council will be having a work session on the decarbonization study. Everyone is invited to attend that. You could attend virtual or in person. If 3 of you end up in the room, it is Ok for that to occur.

James Freas, NDS Director – The press has been reporting on an RFP released this week for on call support for design review services. The purpose is to be able to have an as needed basis, additional support for design review under the new zoning ordinance. That is the primary purpose. As we go forward through this bringing on board the new zoning ordinance, I think of it as ongoing learning and experimentation process. As we learn from our experience with the ordinance, we are aware of the value of being able to put out information on how the new ordinance works. The other role that this on call consultant will be able to provide to us is help developing those educational pieces.

We are advertising one or two intern spots coming up this week. One of the projects that we have identified for an intern to work on will be a street tree strategy working with the urban forester and Parks and Rec to look at strategies for promoting more street trees within the city and protecting the ones we have. We anticipate the conclusion of that project will include a presentation to the Planning Commission on their work. One of their work products will be an ordinance related to street trees at the end of the summer.

Commissioner Stolzenberg – Do we have a sense of what kind of firms would respond to that sort of RFP?

Mr. Freas – Architecture and design firms. We sent it out to both local and national firms.

Commissioner Roettger – They would be working for the city. The city would provide assistance for free to applicants.

Mr. Freas – It is paid by the city. It is set up now as an extension of staff time and expertise. We will see how it evolves over time. If it becomes something useful, we may offer it in the future as more of a traditional peer review where it is paid for by an applicant. Given the newness of the ordinance, we have set it up this way.

Commissioner Stolzenberg – Will they be doing plan review or general advice?

Mr. Freas – It is set up for both because it is as we need. We are in new territory. To a certain extent, what are we going to need as we go forward? We have seen an uptick, not in applications, but interest under the new ordinance. We are trying to be ready for that.

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

No Public Comments

F. CONSENT AGENDA

1. Minutes – October 10, 2023 – Regular Meeting
2. Minutes – August 9, 2022 – Regular Meeting

3. Site Plan/Subdivision – Flint Hill PUD

Commissioner Solla-Yates – Second by Commissioner d’Oronzio – Motion passes 6-0 and 5-0 with 1 abstention (Commissioner Roettger).

III. JOINT MEETING OF COMMISSION AND COUNCIL

Beginning: 6:00 PM

Continuing: Until all public hearings are complete

Format: (i) Staff Report, (ii) Applicant, (iii) Hearing, (iv) Discussion and Motion

No Scheduled Hearings

IV. Commission’s Action Items

No Additional Items

Commissioner Solla-Yates – I have something from the public that I would like to raise. I have had a few questions about public safety, especially around 5th Street. It has been some time since we have had an update from our transportation planning team. Could that be considered for the future?

Mr. Freas – I had a third item that I wanted to mention. I will be speaking on the 18th to City Council on our work program for the upcoming year. It would be nothing unfamiliar with you guys. We talked about it at a previous meeting, the projects coming out of the adoption of the zoning ordinance. In addition to that, our transportation planning program will be presenting to Council on April 15th and be doing a detailed review of everything that is happening, including a grant we received from VDOT where VDOT will be leading a study of the 5th Street corridor from Cherry all the way to the entrance of 5th Street Station.

The meeting was adjourned at 6:01 PM.

PLANNING COMMISSION REGULAR MEETING

September 12, 2023 – 5:30 P.M.

Hybrid Meeting

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

Beginning: 5:00 PM

Location: NDS Conference Room

Members Present: Commissioner Stolzenberg, Commissioner Mitchell, Commissioner Schwarz, Commissioner D’Oronzio, Chairman Solla-Yates, Commissioner Habbab, Commissioner Palmer

Staff Present: Patrick Cory, Missy Creasy, Jay Stroman, Matt Alfele, James Freas, Ryan Franklin, Carrie Rainey, Steve Hawkes, Sam Sanders, Kyna Thomas

Chair Solla-Yates called the meeting to order.

MOTION FOR A PLANNING COMMISSION CLOSED SESSION

I move that Planning Commission close this open meeting and convene a closed meeting, as authorized by the Code of Virginia Section 2.2-3711(A) (8) for 1. Consultation with the City Attorney regarding legal matters requiring the provision of legal advice, specifically, legal matters related to the notice and public hearing requirements for the adoption of the City’s new zoning ordinance; and 2. Consultation with the City Attorney regarding legal matters requiring the provision of legal advice, specifically discussion of legal matters regarding the proposed 0 East High Street development.

Motion by: Commissioner d’Oronzio

Second by: Commissioner Schwarz

Ayes: Commissioners d’Oronzio, Schwarz, Mitchell, Stolzenberg, Solla-Yates

Absent: Commissioner Habbab

Commissioner Habbab arrived.

Closed meeting was held.

CERTIFICATION OF CLOSED MEETING

I move that this Planning Commission certify by a recorded vote that to the best of each Planning Commissioner’s knowledge only public business matters lawfully exempted from the open meeting requirements of the Virginia Freedom of Information Act and identified in the amended motion convening the closed meeting were heard, discussed, or considered in the closed meeting.

Motion by: Commissioner d’Oronzio

Second by: Commissioner Mitchell

Ayes: Commissioners d’Oronzio, Schwarz, Mitchell, Stolzenberg, Solla-Yates, Habbab

Absent:

Pre meeting ended at 5:30.

COMMISSION REGULAR MEETING – Meeting called to order by Chairman Solla-Yates at 5:38 PM.

Beginning: 5:30 PM

Location: City Hall Chambers

A. COMMISSIONER’S REPORT

Commissioner Stolzenberg – We had a meeting of the MPO Tech Committee. We mostly discussed the thresholds for scoring in the long-range transportation plan that is upcoming, moving towards 2050. That will be an ongoing discussion of exactly how to model the various needs of various road segments across the MPO area. We also discussed the ongoing debate at the Commonwealth Transportation Board about changes to the smart-scale process, which are looking unfavorable toward the city. MPO Tech will be meeting monthly until moving towards 2050 is complete. Later in September, we have our joint CAMPO and Saw MPO (Staunton, Augusta, & Waynesboro) meeting to work on issues that affect both areas.

Commissioner Mitchell – I did not make the LUPEC meeting. I did send you guys copies of the agenda and what they referred to as the minutes. There is a link at the bottom of the minutes that ‘walk’ you through what the presentations looked like. The Parks and Recreation Board met. We received an update on the Meadowcreek Golf Course. Our golf course is a world class golf course. I copied you guys on the update on that as well. We did 49,000 rounds of golf last fiscal year. That is up by 6000 rounds of golf over the prior fiscal year. The golf course is back. I sent you guys a copy of our CIP request. It looks like we are going to be looking for about \$3 million in new requests this fiscal year. The RFP for the Master Plan has been awarded. It has been awarded to the organization that did the work for the county as well. I copied you guys on an interesting presentation regarding Bennett’s Village. This is going to be Central Virginia’s first truly accessible and inclusive place/space. It will be in Pen Park. It will be developed by a foundation but will eventually be given to the city. We will own it and Parks & Recreation will manage it.

Commissioner Schwarz – At the BAR meeting in August, we discussed the Greyhound Station. There is a hotel use that is considering the site. It was a preliminary discussion. No decisions were made. We also discussed how we are going to review our guidelines. There will hopefully be some progress on that shortly.

Commissioner d’Oronzio – The HAC met for its regular meeting. The zoning ordinance was the topic of discussion and some more conversation regarding the land bank, but mostly about how to go about looking at the land bank. We had a special meeting on the ADU portion of it and the updated rate of change analysis. Notice of funding availability went out for HOPS, which is the operational portion of housing providing the CAHF, CDBG, and Home. The approximate funds available is about \$575,000, CAHF is \$835,000, CDBG is \$410,000, and Home is about \$112,000. The latter two are not going to be considered until early next year by the CDBG Task Force. The Office of Community Solutions held a seminar for the process of applying for these requests for the funds. There has been discussion on the task force and CAHF and in the HAC regarding that we have several well-established players and recipients. There are several organizations that are looking to get involved with providing housing. They are not prepared for the process. We are trying to level that playing field with some seminars.

Commissioner Habbab – The nominating subcommittee for the Planning Commission election met to elect a new Chair and Vice-Chair. The new Chairman is Commissioner Mitchell and Vice-Chairman is Commissioner Schwarz. The Tree Commission met last week on September 7th. The Tree Commission sent a letter to the Planning Commission with some comments regarding the specific items in the draft ordinance. There is still some ‘back and forth’ on an RFP for the Downtown Tree Replacement Plan. We are hoping to have something in place this Fall. Work on combating invasives continues by our 2 contractors: Goat Busters and RX Fire. You might have seen them at Washington Park. Their work is done there. Next up is Azalea Park with about 2 acres. Forest Hills is 1.5 acres. Jordan Park to 5th Street Station is about 7.7 acres starting by the end of the month. Inventory of trees planted this spring was completed. We found about 12 percent mortality rate, which is great, given our expected 20 to 25 percent due to extreme weather conditions this year. Parks and Recreation put out an RFQ for new tree installations to include about 160 trees distributed across Charlottesville and some at schools to replace recent removals. Parks included Jenkins, McIntire, Starr Hill, Belmont, and Jordan Parks and several vacancies around town. RELEAF Cville will be doing some major planting in the Rose Hill

Neighborhood, including in Burley Middle School, CRHA site on Madison Street, and Washington Park. Charlottesville Area Tree Stewards is installing over 20 trees at Rives Park.

B. UNIVERSITY REPORT

Commissioner Palmer – There is a Board of Visitors meeting later this week. Items related to planning consideration in that meeting are design approval for a central utility plant at the Fontaine Research Park. That is part of the larger redevelopments going on there. There is another approval of a scoreboard at Scott Stadium. With schematic review, not being voted on in that meeting, they will see the design for the Institute for Biotechnology, which is the large research building that the central utility plant will power and give hot/cold water too and infrastructure and parking garage that will be there to support that. We are building on an existing parking lot. We are adding employees there. We are going to need more parking. There is a parking structure planned for that site. Another smaller project that is under review is the Center for Politics, which is located off Old Ivy Road. They are doing a pavilion addition on the back so they can have seminars.

C. CHAIR'S REPORT

Chairman Solla-Yates – I attended the Thomas Jefferson Planning District Commission meeting. There were many issues that were discussed including rural internet progress. Most substantively and most surprising to me were the changes to the smart-scale funding process, which I have tried to understand. My understanding is that the number of projects that we will be able to submit per year will be reduced. There are some potential reductions in funding for bicycles and pedestrian safety and some restrictions on where certain projects will be permitted. There are some potential changes to how different applicants will be judged based on their history, which is also probably bad for us. Staff is aware and MPO is closely following this.

- i. Report of Nominating Committee
- ii. Officer Elections

Commissioner D'Oronzio – Motion – I move that we accept the nominating committee's work and elect these people by acclamation or vote as is required. Second by Commissioner Stolzenberg. Motion passes 6-0.

Chairman Mitchell – I want to offer my congratulations to Commissioner Solla-Yates. You have led this board with finesse and patience. Two of the most the important things that you have gotten done is that you got Council to vote 'yes' on the Comprehensive Plan that we developed. The other thing that you got done is that you got us to the 'red zone' with the zoning ordinance. In football, the 'red zone' is the most difficult part of the field to navigate. We do not want to accept a field goal. We cannot tolerate a turnover. We have a new quarterback. We still have Commissioner Solla-Yates leading the charge.

D. DEPARTMENT OF NDS

Missy Creasy, Deputy Director – We have some busy times coming up. We are preparing for a public hearing for the development code and zoning map on Thursday. We are working through lots of logistics. We anticipate that we are going to have a lot of interested parties. We are working to accommodate people, both in person and virtual. We are going to have signups begin no earlier than 3:30. Please don't come to City Hall much earlier than that. We are going to allow the other business to conclude and then move into that. Virtual participants will have the opportunity to raise their hands in the Zoom function as we typically do. We will do some alternating between in-person and virtual participants. We are not sure if it is going to be a one-to-one. There is a lot of time gap that ends up being lost between those transitions. We are still trying to work with our logistics people

to try and make that as streamlined as possible. Simple math notes that we can accommodate no more than 30 speakers per hour. That is on the very high end. We anticipate that we have a lot of interested parties. We are trying to make things as efficient as possible. We are going to remind the people that each speaker provide their name and address and you will have 2 minutes to provide feedback. You can't share your time with somebody else. Each person is going to only be able to speak one time. You either speak in-person or you speak virtually, not both. Please sign up to speak in-person or virtually. We are planning to be here until everyone in the community, who would like to speak to this, has had their opportunity. We would like everyone to have that opportunity. We want to make sure that we have limited hiccups. We can do that if we have people signing up on time. We are working through additional items. Please bear with us. This is probably one of the largest public hearings that we have been anticipating. We are doing the best we can logistically to try and make that as smooth as possible for the community and commissioners. Ultimately when we must do that again, we will work with our Council to do that. We also have some reserve times if the Commission is not ready to provide a recommendation at the end of that hearing. We have reserve times that were on the mailings that went out to everyone. We have already advertised for the September 19th to comply with meeting notice requirements. I appreciate all the phone calls and communication that I have gotten. It has been fun to talk to people throughout the community and explain this process. Most people do not focus on land use daily. We are going to take breaks every 2 hours during this hearing and a longer break at 8:00 for some nourishment. We all want to keep moving efficiently through this process.

II. JOINT MEETING OF COMMISSION AND COUNCIL

Beginning: 6:00 PM

Continuing: Until all public hearings are complete

Format: (i) Staff Report, (ii) Applicant, (iii) Hearing, (iv) Discussion and Motion

1. **SP23-00005 – 1709 Jefferson Park Avenue** – Mitchell Matthews and Associates, LTD (“Applicant”), on behalf of Neighborhood Investments, LLC, is requesting a Special Use Permit (SUP) pursuant to Section 34-420, Section 34-353(b)(3), and Section 34-162 of the Code of the City of Charlottesville (“Code”) for the following property (“Property”): Parcel Number: 160010100 1709 Jefferson Park Avenue Charlottesville, VA, 22903

The purpose of this SUP is for increased density, additional height, modifying yard requirements, and modifying onsite parking requirements. The applicant is proposing to redevelop the Property and replace the existing (8) unit multifamily apartment building with a (27) unit multifamily apartment building. As part of the redevelopment plan the applicant is requesting an increase in density from 21 dwelling units per acre (DUA) to 87 DUA per Section 34-420; increase the allowable height from 45 feet to 70 feet per Section 34-53(b)(3); modify front yard requirements from the average calculations under Section 34-353(b)(1) to a set 18 feet along Jefferson Park Avenue and 25 feet along Montebello Circle per Section 34-162; modify the side yard requirements of 17.5 feet under Section 34-353(a) to 5 feet per Section 34-162; reduce the minimum distance between the facade of the multifamily building and the boundary of any low-density residential district from 75 feet to 58 feet under Section 34-353(b)(4), per Section 34-162; modify the yard screening requirement from 25 feet width of S-3 screening along all of the Montebello Circle frontage to 17 feet of S-3 screening for 60% of the frontage along Montebello Circle under Section 34-353(b)(4), per Section 34-162; and reduction of on-site parking from 38 spaces under 34-986 to 22 spaces per Section 34-162. In addition to the SUP, the applicant is also requesting approval of a Critical Slope Waiver (application P23-0049).

The Property is approximately 0.32 acres with road frontage on Jefferson Parke Avenue and Montebello Circle. The Comprehensive Land Use Map designates this area in the Mixed-Use Corridor. The Property is zoned Residential Multifamily (R-3) with an Entrance Corridor Overlay. This application may be viewed online at <http://www.charlottesville.org/departments-and-services/departments-h-z/neighborhood-development-services> or a copy is on file in the Department of Neighborhood

Development Services, 2nd Floor of City Hall, 610 East Main Street. Persons interested in this SUP request may contact NDS Planner Matt Alfele by e-mail (alfelem@charlottesville.gov) or by telephone (434-970-3636).

Chairman Mitchell gavelled the Entrance Corridor Board to order.

i. Staff Report

Jeff Werner, Preservation Planner – This is an ERB review of the special use permit request for 1709 Jefferson Park Avenue. This parcel is within the Fontaine Avenue/JPA Entrance Corridor. Per code, when there is a special use permit for a property within an Entrance Corridor, Council refers the application to the ERB for recommendations as to whether the proposed use will have an adverse impact on the corridor. For any recommendations as to reasonable conditions, which if imposed, would it mitigate those impacts? Regardless of this SUP being approved or denied by Council, any subsequent development of this lot would still require your design review and approval of a CoA. 1709 JPA is 0.3-acre parcel within sub-area C of the Fontaine Avenue/JPA Entrance Corridor. The parcel fronts on JPA to the east and Montebello Circle to the west. A 4-story brick apartment building built in 1972 is currently on the site. The building is set back about 66 feet from JPA. Available records indicate no buildings on this site prior to the existing apartments. There is no historic designation associated with the site or the building. This property was part of several hundred acres owned by John Perry. In 1817, Perry sold a portion of his land to the Trustees of Central College, which became the University of Virginia. Perry built behind this parcel at Montebello. It is currently owned by the University. It is on the Virginia Landmark Register and National Register of Historic Places, but no associations relative to historic matters associated with 1709. The SUP request proposes residential density be increased from 21 dwelling units per acre to 87. With that, it will require allowing increased building height to 70 feet from 45 feet, allowing a reduced setback from JPA from approximately 40 feet to 18 feet, allowing a reduced setback from Montebello Circle from approximately 40 feet to 25 feet, allowing a reduced side setback from 17.5 feet to approximately 5 feet. That would only be at the northeast corner to accommodate a portion of the building. It will allow reduced off-street parking requirements from 38 spaces to 22 spaces, allowing a reduced minimum distance to low-density zoning from 75 feet to 58 feet, and allowing a reduced landscape buffer with Montebello Circle from 25 feet to approximately 17 to 18 feet. With all these recommendations and speaking as the design staff, our recommendation is a finding of no adverse impact on the corridor. That includes the SUP. The ERB doesn't review how a building is used. It is the exterior design of the building that you review. Regarding the increase in height, it is a recommended finding of no adverse impact. The visual and aesthetic impacts of the building's height, massing, and scale can be addressed and mitigated if necessary, during the required design review process. There is no finding of adverse impact on the other issues related to the SUP. Design staff recommends the following:

- In evaluating an SUP request, the job of the ERB is to review and offer comment on only the impacts that will be visible from the entrance corridor. Tonight, you are not evaluating the design. What has been presented is conceptual.
- Because the design review process will address and mitigate, if necessary, the visible elements of the project. The SUP as requested will not adversely impact this entrance corridor.

I do not have any recommendations that would go with the SUP associated with the design. Understand that the design presented is conceptual. If there are elements of that design that you think are strong and should be retained, that should be addressed. It is fine to bring that up tonight. If you have things that you feel are important relative to the design and would like them included in the SUP, you can certainly raise them. Everything can be covered when this comes in for a CoA.

Commissioner Solla-Yates – I see tremendous potential for aesthetic enhancement, which is exciting.

Commissioner Stolzenberg – It will be better than the old one. My one concern is on the garage entrance, which is not necessarily impacted by the SUP for higher density.

Commissioner Schwarz – I am inclined to go with staff's recommendation on this.

Motion – Commissioner Stolzenberg – I move to find the visual and aesthetic impacts of the requested SUP can be addressed during the required design review and, therefore, will not adversely impact the Fontaine Avenue/Jefferson Park Avenue Entrance Corridor. Second by Commissioner d'Oronzio.
Motion passes 6-0.

Chairman Mitchell gavelled Planning Commission back into order.

Mayor Snook called Council to order.

Matt Alfele, City Planner – You will be holding a public hearing for a requested special use permit at 1709 Jefferson Park Avenue and making 2 recommendations to City Council: one related to the special use permit and one related to a critical slope waiver. Mitchell Matthews & Associates representing the owner (Neighborhood Investments, LLC) is proposing an SUP at 1709 JPA for increased density, additional height, modifying yard requirements, and modifying onsite parking requirements. You previously heard these requirements in the last presentation. The applicant is proposing to redevelop the Property and replace the existing (8) unit multifamily apartment building with a (27) unit multifamily apartment building. As part of the redevelopment plan the applicant is requesting an increase in density from 21 dwelling units per acre (DUA) to 87 DUA per Section 34-420 plus the changes to setback and height as previously reported in the entrance corridor review. The subject property is relatively small. The existing building and supporting infrastructure, parking, walkways, retaining walls, etc. already impact most of the critical slopes on site. Impacted critical slopes are on the sides of the property. The proposed development would expand the footprint of the existing building with a new building and disturb nearly 100 percent of the critical slopes on site. Staff recommends approval of the SUP request and the critical slope request but with modifications to the parking and screening requirements along Montebello Circle as outlined in the staff report. According to the city's Future Land Use Map, the JPA corridor is anticipated to go through a significant change in the coming years based off the stated goals of the plan. These goals include more intense mixed-use development within 5- to 8-story buildings. Staff is not concerned with the massing and scale as it relates to JPA or the properties abutting the site. Staff is concerned with how the building will transition from the more intense residential aspects of JPA to the smaller scale characteristics of Montebello Circle. Staff believes the entrance corridor guidelines will help mitigate the impact of the building but suggests removing the parking for the development off Montebello Circle and increasing the screening. Staff suggestion would be for 18 feet of S-3 screening along 90 percent of Montebello Circle's frontage. This would allow for more screening but leave some room for pedestrian access to the building.

Commissioner Habbab – Based on the staff report, there is no indication of how they are addressing the affordable housing requirement.

Mr. Alfele – They haven't yet chosen. They need to either provide 3 units or pay in lieu.

Commissioner Stolzenberg – We don't have the Office of Community Solutions to clarify on that worksheet. I am confused how 1600 square feet is 3 units.

Mr. Alfele – I can only reference the Office of Community Solutions analysis.

Commissioner Stolzenberg – I know that with an S-3 screen, there is an option to do an opaque wall or fence. Do we feel like the condition precludes that? Do we think that is an acceptable option?

Mr. Alfele – It would depend on the site plan. By doing an S-3 screening, that is an option if there is something that would work as an opaque wall. That option is not available in the S-1 or S-2 screening.

Commissioner Schwarz – One of the conditions was to remove the 3 parking spaces from the upper portion of the site. Is that going to reduce the number of units that they can get?

Mr. Alfele – I will let the applicant speak about that. As far as the viability of the parking, the way you would have to park those is you would have to back in because you cannot back out onto a public city street. That makes for weird parking. Staff would like to see a better transition to the lower density neighborhood.

ii. Applicant Presentation

Kevin Riddle, Applicant – The project is asking for a special use permit based on several criteria: additional density, additional height, yard reductions, a parking reduction, and a reduced distance to a low-density zone.

Next Slide

Here is a first effort we made at doing a calculation of what would be required of this project under the current ordinance for an affordable housing contribution. The owner prefers a fee in lieu to satisfy the affordable housing contribution. This calculates that fee. We realize the city is currently reevaluating the fee method and amount as part of a potential new ordinance. However, the draft ordinance is still a work in progress. It is unclear to us now where that fee calculation will land. This is what we have now to present. We understand there is likely to be conversation about this later.

Next Slide

This is to orient you. This is the site as viewed from the air. It has double-frontage. On its west front yard is Montebello Circle and on its east front yard is Jefferson Park Avenue. UVA is to the north and an easy walk away. A city bus stop is even closer to the site.

Next Slide

We have this site with the current zoning ordinance overlaid. I am going to briefly talk about the request for additional density. The 87 DUA proposed here falls within the range that can be requested with an SUP. The corridor has been identified by the city for a long time as a location where increased housing and density makes sense. There is a long history of multi-family housing here, much of it accommodating UVA students who live off campus. The existing building, at 4 stories, has 8 apartments. Current by right density will allow no more than 6 apartments. It is out of compliance with by right zoning. In this 4-story structure, the structure only occupies about 20 percent of the site. We feel that the site is significantly underutilized if it was redeveloped as a by right project under current zoning. When you consider the potential adoption of the draft ordinance, density limits would not be imposed in this zone. We think the request is consistent with the decision of the future here.

Next Slide

Here is the site embedded in the draft zoning map. You can see that the city's direction is to allow, perhaps encourage higher densities and expanded land use for properties along the corridor. Since we prepared this page, the map has been revised again. If you look at the top of the map, on the other side of Woodrow Street, the proposal is now what is called CX-5 in this map would go to CX-8. An even higher density zoning is, in the intervening months as proposed, has expanded downwards so it is now just one property removed from the host site at 1709 JPA.

Next Slide

Here is the survey of the site. You know that the yard at Montebello is significantly higher by about 54 feet, around 5 stories taller than it is on JPA. It is a very steep site. There are critical slopes. They lace the property as they do many of the properties on this side of the street. We see that there would be no way forward to develop any new building here without a waiver of the critical slopes.

Next Slides

In the following slides, we have photographs of surrounding buildings. To accommodate more housing, the trend has been in this corridor to build multi-family structures, 4 stories and taller. If you consider 1725 JPA, 1707 JPA, 1600 JPA, and 1620 JPA, they were constructed in the last 15 years. They all stand 4 stories and taller. These are more of the properties along the JPA corridor close to 1709. We are looking at properties that are up on Montebello close to the property. What you will see is a difference between properties that are on the west side opposite our side of the street and the east side. The properties on the west side typically have deep front yards. They have ample trees and planted screening. They also sit at elevations well above the street. On this side of the street where 1709 is located, the buildings typically sit very low. They are lower than the elevation of the circle. On this side, parking in front yards is very common. I would say most of the properties on this side have parking that goes from one side of the other in the front yards.

Next Slide

We are now looking at the proposal. This is a view of the building rooftops and the surrounding site at JPA. The steep expanse of concrete paving is replaced by 3 trees, an entry plaza with built-in seating, concealed trash storage, and a single-entry drive with access to underbuilding parking. At Montebello, instead of blacktop paving across the entire width and the deteriorating structural remnants of a deck, there would be 5 trees, planting beds, and a walk to the Montebello entrance plus 3 parking spaces. This reduces parking on the street by half of the current total. It also allows a pull-off area potentially for delivery vans. You will also notice the potential for a green roof and the potential for biofilters. We have not yet determined the best way forward here, whether it would be one or the other or whether it would be some combination of the 2 to help satisfy the low impact worksheet. Our team is committed to getting to at least the 10 points on that worksheet using some combination of these, possibly counting parking reductions depending on whether city staff agrees that is appropriate.

Next Slide

These are just images of the potential plantings on the site. We have tried to pick trees that would be larger closer to the street like the Kentucky Coffee Tree. They are all trees on the city's recommended list. Most would present with very nice fall color.

Next Slide

Here are 2 plans. We thought these 2 plans were good to pull from the model because they are the plan levels where the building connects to each street at each front yard. The plan on the left is the building level where it meets with Jefferson Park Avenue. This is the parking level. You can see the entry driveway leading to the parking under the building. That is where we have 19 spaces. On the right, we have the apartment level where it connects to Montebello Circle. This is where there would be a second entrance into the building and exit from it. We do propose that there might be 3 parking spaces preserved here but with a much better combination of plantings and walks to replace what is currently blacktop.

Next Slide

Here we see some comparisons on the left in white boxes, both in plan and section. They represent areas in which somebody might propose a building. On the left is what you can have by right. On the right is what could potentially be allowed based on the current draft ordinance. There have been a few small changes since we

prepared this slide. It is still very close to what you find in the language in that ordinance. The middle represents our proposal where our building will be located within the bounds of the white boxes both in section and plan.

Next Slide

We have a section here that gives you a better impression of what the building would be like relative to some of its neighbors on either side of the street. You can see that we have calculated an average grade by the city's current calculation method. Based on that average grade, we are proposing a building that is about 70 feet tall, 70 feet above that grade. We know that when people are looking at this project from Jefferson Park Avenue, they would count, and they would say that this is an 8-story building. We would say you could decide to stand on Montebello and look at the building and say that it is a 4-story building. That is one of the reasons why we have tended to stress in our materials that we consider it a 70-foot-tall building because the extreme grades and the 2 front yards offer very different impressions depending on where you are taking in this building. We think it is fine that the building does present taller on JPA. We think it is consistent with increasingly taller buildings that provide more housing along the corridor. When we go to Montebello, we think it is appropriate that the building gets to about 4 stories tall with an upper story that has a significant step back. We think that is generally in keeping with what is on the Circle. There are several 3-story buildings already there.

Next Slides

This is the elevation on Jefferson Park Avenue, the elevation on the northeast side, the elevation on Montebello, and this is the elevation as we come around on the other side.

Next Slides

The next slides will show photographs of the existing site. You can see the concrete paving that is there at the front of the property that is quite steep. Trash cans are often left out there. Not only do you have 2 curb cuts, but they are also enough together you can see there is no availability for parallel parking on the street in front of the property. We see the site standing in the front yard of the 1620 Jefferson Park Avenue apartment project. That is where Valley Road converges with JPA. You can see our proposal and some of the virtues that we think it can offer, most notably the whole connection to the street in the public realm would be altered. We have an entry court, built-in seating. That entry court connects to a lobby. Above that lobby is a space that will be set aside as a student lounge and Commons area. We think that could be helpful there where it sits on the street to have this more open, more heavily glazed storefront, where you have common uses in the apartment as opposed to bedrooms and kitchens. Those face out onto the street at the location where pedestrians would enter the project. To the left of the entry court is the driveway that would lead into the parking under the building. If you look to the right at 1707 JPA, you see a project that has taken a similar strategy. That building was constructed in 2007. You can see there what has happened with 2 sycamore trees and a smaller birch tree. Within 15 years, the screening and the canopy has developed to some size. We would anticipate that there would be the same outcome on our property within 10 or 15 years.

Next Slides

This is another vantage point from across JPA. Here is the project taking the place of the existing building. We have the 2 large coffee trees proposed on either side of the driveway. Since that driveway is going to replace the 2 curb cuts, it will be somewhere between 22 and 24 feet wide. It will give the city the potential to reclaim 2 parking spaces on the street. This photo is taken from the JPA median. It is roughly across from the 1707 JPA project. As you can see from the angle, you notice there is some small site stairs that lead up to the project. That is how tenants get up to the building. On a day with snow and ice, it would simply be hazardous to negotiate between the sidewalk and the stair. Even though that is devoted to parking, you rarely see a lot of cars parked there. Even in a car, it is hard to get up there.

Next Slide

This slide is important. It gives you the impression that we often have buildings on streets. We are not always set back from them. We are often walking up the street. In this case, you have a lot of existing trees and screening that would already be there in addition to proposed new trees. The new connection to the building happens to be closer to the street level, with much of the building's upper stories largely obscured. You can see that the site is getting leveled off. It is more important than it being easier for cars to get onto the site. It would now be very easy for people to enter the site.

Next Slides

We are on the Montebello side. We have the opposite condition here. You can see paving here instead of rising precipitously up toward the project. It goes down in a hurry. You can see the angle those cars are parked at. We feel it is a situation that is potentially dangerous in addition to being ugly. You see that we have the large beams in red that extend back to the building. They once supported a deck. It is not an exemplary project on this side. We have it with the proposed building. We think that this would be a big improvement. Not only do we have the plantings there, but we also have a dedicated pedestrian walk that leads to the front door. When it comes to the reduction of the distance between the lower density district, what we have on the other side of the street is an R-2 zone. This project is in an RX-3 zone. Currently, the zoning would require us, with a building of this size and density, to preserve 75 feet between this building and the property across the street. We think that this part of the current ordinance is a byproduct of unfortunate mid to late 20th century zoning priorities. We feel optimistic that most urban as opposed to suburban settings benefit from a better tradition of apartment buildings and smaller houses that are sometimes built near each other. You already see it in many places in Charlottesville from the Rugby Road neighborhoods to North Downtown. The city's proposed zoning aspirations, as reflected in the draft zoning do not envision imposing such significant separations between lower and higher density dwelling types.

We think this request makes sense as it allows the building to accommodate more housing while still preserving a front yard with much improved plantings and improved pedestrian access. When we get to the landscape buffer on this site, this is where we acknowledge that our request involves some compromise. Absent any other considerations, we see where the staff recommendations are coming from. We agree that it would be great to have more street tress on this side and to plant the entire Montebello yard from side to side. We have other considerations that we want to bring up. One of those considerations is deliveries. I think the staff reports envisions deliveries occurring only on the JPA side. Realistically, we think inevitably there will be some percentage of vans that will come up Montebello. The modest curb cut we have here that allows these 3 parking spaces will also allow enough room for a smaller delivery vehicle to pull off the street and get out of the traffic behind it. Not only is almost the entire Montebello yard currently a parking lot, but the paving also steeply runs down. It is inhospitable. Potentially unsafe conditions are here. It is also true if you look at the rest of the street. Parking going side to side on properties is common. By my count, there are about 30 spaces in front yards among the 7 properties that are on this side of Montebello. While we recognize what the city staff would like to see here, we feel leaving a few spaces here still gives us a better site than what is typical, not just of the existing, but of its neighbors while still allowing the owner some convenience of parking closer to upper-level apartments and the potential to allow a little more use of deliveries.

Next Slide

We are trying our outdoor amenity space requirements that we want to be sensitive to. We think these provisions in the draft ordinance make sense. Our proposal is consistent with them.

Next Slide

This is to fully explain the conditions, not only on the site but around the site. The site only has 2 crepe myrtle trees. They would be lost. We feel that what we are proposing in their place is a much better outcome. As you get closer to the site boundaries, we don't see too much to worry about there. At the top of the site, there is a mulberry tree. They are considered undesirable trees. We don't anticipate that this project would harm them. If

it did, I don't see that is a problem. The closest tree to the site is the birch tree. We would do our utmost to make sure that tree was not harmed during construction.

Commissioner Palmer – Can residents of that building get a Montebello Circle parking decal?

Mr. Alfele – No. Development of this size would not be eligible to get a parking decal.

Commissioner Palmer – It appeared from the renderings that there is no sidewalk on Montebello Circle on that side of the street. You would be adding your section of the sidewalk.

Mr. Riddle – We would be adding where there are no parking spaces. You will notice that the Montebello side of 1707 JPA has a potential delivery pull-off where there often end up being a couple of cars parked. It made a negligible little walk there. When I was looking at that property and some properties that are further south of it, I understood what city staff mentioned in their report. Maybe a sidewalk on the side is not needed. Grade situations would make it difficult to pull off. On the other hand, you could ask if other properties did something like this one and they reduced their parking by at least half. We would go from 29 or 30 parking spaces in the front yard down to 14 or so. If what was not parking in those yards became sidewalk, you can start to imagine some sidewalk on this site getting pieced together, which wouldn't be insignificant. While there is a sidewalk on the north side of Montebello, it is narrow. There are cars parked there. Montebello is one way, and it is quite narrow. If you ever go up there, you will see students and other residents walking down the middle of the street. To provide more sidewalk on the other side, that could be a helpful outcome. We could see there being some virtue in doing something like what we're proposing. We're not able to have a sidewalk run continuously side to side. We do introduce one where there is not a curb cut for parking.

Commissioner Palmer – Is there an exterior stair egress from the JPA level up to Montebello? Is that on site? Is that only through the building?

Mr. Riddle – It is only through the building.

Commissioner Habbab – If you mirror the parking spots in the planting, so you are 'nosing' into the spots instead of having to back into them.

Mr. Riddle – That was based on a recommendation we had from city engineering in our pre-application meeting. What they wanted us to do, if we were going to propose spaces as initially, we would put them as perpendicular. They felt it would be safer if people going one way on Montebello did have to back into the spaces because that would be a safer situation than having to back out of them on the one-way street. That was the reason we angled them the way we did.

Commissioner Habbab – If you substituted a loading zone for parking spaces if loading was the main driver for having something like that.

John Matthews, Applicant – We felt that a loading zone was bad.

Commissioner Stolzenberg – On one of your last slides, is that a level sidewalk on your curb cut?

Mr. Riddle – What we are proposing now, and we hope this remains a part of the project, is where you have an entry to the drive, the paving to be slightly elevated and striped so it is more friendly to pedestrians. It imposes a slow-down on anybody driving a car. It makes that crossing point stand out more.

Commissioner Stolzenberg – What is your worry?

Mr. Riddle – We realize that we are going to be, if this project is recommended for an SUP and approved, we would still have to engage the entrance review process. At that time, we could ‘zero’ in specifically on some of the details in the design including that one.

Commissioner Schwarz – If you are willing to put in the loading zone, that means those 3 parking spaces are not vital to your unit counts?

Mr. Riddle – I don’t think they are vital to the unit counts. We are asking for a reduction as it is in parking. We basically found as much parking as we could under the building. He wanted to find a few more spaces. We are convinced that they can’t keep this whole front yard covered in parking spaces. We ended up finding this compromise of three. The project could certainly conceivably go forward. It might make it tougher where the marketing is concerned because there are fewer spaces available.

Commissioner Schwarz – Did you talk about the LID agreement?

Mr. Riddle – I didn’t specifically talk about it.

Commissioner Schwarz – It sounds like we need to change one of the conditions.

Mr. Riddle – In addition to that condition, if we are talking about the parking spaces versus a loading zone and the extent of the planting buffer, there would be a few other conditions that would potentially need revision as well to account for those things, depending on where the conversation here goes.

Campbell Bolton, Applicant – The condition specifically says the LID spreadsheet points out that you will use shared parking, green roof, or bioretention. We want the opportunity to get 10 points on the spreadsheet with potentially some combination of them all, and not shared parking meaning a requirement of one of them. We haven’t worked that agreement out with city staff. We aren’t sure that we can get that approved. We don’t want the approval of that shared parking to hold the project up. Our revised condition said we will get 10 points with some combination of these, but not specifically shared parking.

Mr. Alfele – We could talk about this for a while. I didn’t want to take away the time from the public hearing.

Chairman Mitchell – You (Mr. Alfele) didn’t talk much about the critical slope. Is there anything else you would like to highlight on that beyond what is in your report?

Mr. Alfele – Nothing beyond what is in the report. Staff felt these critical slopes were not necessarily man-made, but they weren’t that important as far as the existing conditions that the slopes are in related to not a lot of tree plantings. There is already a building in the middle of the critical slopes.

Vice-Mayor Wade – I am glad that parking has been addressed. What I often get are complaints about are bikes, scooters, and things like that. I couldn’t see on the plan if there is a place in the front or easily accessible where the residents could place their bikes or scooters.

Mr. Riddle – With bicycles, we are going to offer ample storage for the bikes within the building. With scooters, we don’t have any part of the site set aside devoted to their parking right now.

Vice-Mayor Wade – We are working on getting docking stations. With this many residents, I know a lot of them are going to take the VEOs there. They will leave them on the sidewalk. People won’t be able to get around.

Mr. Riddle – It is a good point. To improve the JPA side to allow for the sidewalk to remain clear, there is probably room to the left of that entry drive for us to slightly revise the planting bed for the coffee tree and that access area that would lead to the enclosed trash area, to provide at least some room for scooters to be parked out of the way off the sidewalk.

Mayor Snook – How many people live there right now?

Mr. Riddle – I believe that it is 16 people.

Councilor Payne – To that point, is it known whether the new units would have 1,2,3, or 4 bedrooms?

Mr. Riddle – They are a combination. As currently proposed, the 27 apartments would have between 64 and 67 bedrooms. There are some 4-bedroom apartments, a few 3-bedroom apartments, and several 1- and 2-bedroom apartments.

Councilor Payne – I know that the applicant referred to 7 stories. From staff's calculations from JPA, this would be an 8-story building.

Mr. Alfele – That is correct.

Councilor Payne – I know there was a reference made to the Future Land Use Map. In the published documents available on the city website and the interactive land use map, it is currently CX-5 in the draft zoning. That would allow up to 7 stories with an affordable housing bonus.

Mr. Riddle – That is correct.

Councilor Payne – The applicant is asking for, in addition to what would be allowed under CX-5 and their affordable housing calculation in terms of payment in lieu, it does not factor in the draft affordable housing bonus or the draft inclusionary zoning ordinance. That calculation is the existing ADU ordinance.

Mr. Riddle – That is correct. When we are talking about the draft ordinance versus the current ordinance, we would want to emphasize that we have referenced the draft ordinance because we think it is a pretty good reflection now of what the city's priorities are. We think that it is important for our project to anticipate those and be consistent with the priorities in that ordinance. It is true that when it comes to certain specific areas, it is a little unknown at this point exactly how well it will 'jive' with it. It is still a project that we think is one where we are pursuing an SUP based on the existing ordinance. Regarding the height, we can request up to 101 feet. We are not requesting that high. We understand that for some people it looks tall from JPA. The housing that it will provide is a consideration that compensates for that.

Councilor Payne – I understand the situation that you are in. For Planning Commission and City Council's deliberation continue to have a lot of concern about the Future Land Use Map being a justification for approval without being selective about what is in it and excluding the affordable housing height bonus as well as the exclusionary zoning ordinance.

iii. Public Hearing

Ellen Contoni Morava (225 Montebello Circle) – We have lived in our house for 35 years. I would like to say something about the SUP application for 1709 Jefferson Park Avenue. It would have frontage on Montebello Circle. The proposed building would not be harmonious with the immediate neighborhood if that includes the

single-family homes on the west side of our narrow street. It would be taller than any of the other multi-unit buildings on the west side of JPA. The building next door to the subject property is 4 stories tall. Only one story projects up on the Montebello Circle side. The tallest building on that side of JPA is 1725 at 6 stories. Only 3 stories project up on Montebello Circle. The proposed building would project 4 stories on Montebello Circle, taller than any other building on that side of the street. This height difference isn't shown clearly in the architect's drawing. The current version of the Future Land Use Map proposes to designate the west side of JPA as CX-5, which would allow a maximum of 5 stories with a bonus up to 7 stories if affordable housing is included. The structure would be taller than the maximum allowable by the proposed rezoning. As far as we can tell, it would include no affordable housing. As acknowledged by the staff report, the building would not conform to form and height requirements along JPA. Even though the proposed rezoning would allow up to 8 stories at key intersections, the staff report points out that the subject property is not located at an intersection. Restricting the height to 5 stories should be considered. This application is another example of how developers are scrambling to exploit the current special use permit process to add height and density to the projects that go beyond what current zoning would allow by right without having to include any affordable units, which they would have to do if the proposal for inclusionary zoning is implemented. The city's inclusionary zoning analysis mentions extra height, density, and reduced on site parking as bonuses that are meant to encourage developers to include some affordable housing. Why award bonuses to the developers without the gain of affordable units that are supposed to be the justification for them? Filling up our neighborhood with high-rises comes at a cost, adding to the current traffic and parking congest, loss of tree canopy, loss of a sense of community for residents.

Anne Blenheim (JPA Neighborhood) – I know Ellen Contini Morava to be a community member that Charlottesville should be proud to have. She has worked many years for the University. She speaks with a lot of reason and balance. She has done a lot of research. I encourage every member of the Planning Commission and City Council to weigh and consider her words carefully.

Jennifer King (221 Montebello Circle) – I am here to speak against approving the SUP. I am not opposed to increased density nor to supporting growth. I believe the increases should be considered in the context of the entire neighborhood. It seems that the Planning Commission has determined that the JPA neighborhood should be a student ghetto and supports developing it as such. However, the rezoning process seems to suggest support for a diversity of populations and housing types throughout the city. I continue to struggle with understanding how it is appropriate to make an exception in the JPA neighborhood to what is considered good planning for the rest of the city. I have also heard as part of the rezoning process that there should be an appropriate buffer between different levels of zoning. I don't believe that approving an 8-story building across the street from a single-family home and reducing the buffer is an appropriate buffer. Since I believe the prevailing winds of change with respect to the JPA neighborhood are not in my favor, I ask that if you were to approve this SUP, you consider two things: not providing any parking for the development on Montebello Circle and enforcing the fact those residents should not have parking permits on Montebello Circle. Restrictions on property tax increases for single-family homeowners, who would like to remain in their homes. It seems that the Planning Commission and the city are of a mind that bringing more to live in the city will encourage fewer cars and less car traffic. Allowing developers to develop properties with fewer on-site parking spaces seems to favor this opinion. Therefore, logic would dictate that it is acceptable to not have cars on site of the property being developed. They should not be permitted to park on the streets surrounding the property. If you believe in the utopia you are attempting to create, your policies should support that. I don't have time to research the hard data. There certainly aren't fewer cars on my street than there were in the past decade. There are more cars on my street in the past decade. The most recent development impacting our neighborhood was approved at 1707 JPA. There was supposed to be a handicapped parking spot behind the building. Within 6 months of development, that turned into 2 parking spaces, no longer handicapped. Additional parking lots and spaces on Montebello Circle around this development should be eliminated in lieu of walkable sidewalks or simply allowing enough space for the pedestrian, bike, scooter, and car traffic. With respect to property taxes, I am

hopeful that you have done the math and realized that the proposed zoning changes will substantially increase land values.

Chloe Hensley (1709 JPA) – This is my second year living in the building. I only got involved in this issue on August 24th when a sign went up in my yard. I had never heard of this project happening. I talked with Ellen. I trust her judgement. She is a valuable voice to consider in this issue. I moved to Montebello for 2 reasons. I am a 4th year at UVA. I moved there because the street is quaint. At the time, it was affordable. They have raised my rent by one-third from last year to this year. It is still roughly comparable with other units on the more affordable end units near the University. This new building would not follow the 2 reasons why I picked Montebello. I don't think an 8-story building is very quaint. I am the owner of the deteriorating deck. I live on the upper floor. I like the building. An 8-story building with a glazed front is not very quaint. It doesn't fit with the neighborhood. I would support the recommendation to keep it to 5 stories. If this is the in-lieu payment for affordable housing, I don't think that would allow me to continue living in my residence. There is a correction. It is a 3-unit apartment for all of them. More than 3 people can live there.

Mo Van Der Sople (608 Cabell) – I am a graduate student with the Economics Department. My rent currently takes up more than half of my monthly income. Charlottesville's tenants are being 'choked' by a lack of adequate supply. At the end of the day, that is all it is: supply and demand. The choice to vote down increases in density is a vote to make it harder for students to afford their rent. Referring to increasing student housing as a student ghetto is racist and extremely sensitive to the fact that Charlottesville's students are a big part of Charlottesville's community. The fact that we are trying to build more houses in this neighborhood is a thing that is going to attempt to decrease car traffic all around Charlottesville. Students who can live close to the University to walk to it are students that do not require cars to get to the University. I do it. A lot of students can't afford cars and would like to be able to walk but are forced to. There is not adequate student housing near the University. Voting down this proposal is exclusively a vote against low-income students and a vote for increasing the wealth of the already wealthy homeowners that sit on land that is very valuable.

Eva (1709 JPA) – I wanted to speak on behalf of the future tenants. Parking is a problem. We want to live in a world where students can walk to school. A lot of us have jobs. We drive to places like going to Barracks Road to get groceries. It is a benefit if you have a car. A lot of students do have cars. The parking that they are suggesting is simply inadequate for the increased density that they are asking for. My roommates have gotten parking tickets because they have been parking at their house. I want that to be noted. I feel that the parking would be a problem. The streets are getting full of cars.

iv. Commission Discussion and Motion

Commissioner Palmer – It is a good location for student housing. It is close to the University and all that. From the standpoint of this conversation about parking on Montebello, I don't know what the right answer is. As a good steward or good neighbor, focusing not just on parking, but deliveries and loading/unloading on JPA should be a goal of the project. I understand the occasional need to load or unload on Montebello. I don't see a whole lot of reason you couldn't do it off JPA, assuming this building has an elevator. The Montebello side works better for bikes and peds and putting as much of that kind of parking and use up there; it is already at a higher point. If you are walking or biking, it is much easier to get to Grounds that way. I am not sure how I feel about the height. The higher the building, the more people are going to live there. You are still constrained by those 19 parking spots. How does that work in the real world? I look forward to hearing your thoughts on the affordability conundrum given what we know about what is coming versus what exists and how an SUP fits into that conversation.

Commissioner D'Oronzio – The last time this came forward, I was concerned about height and the future question about picking and choosing. I was concerned about what is presumably going to be in the new

ordinance as opposed to following the current rules and trying to thread ‘that needle.’ This is a little different in that they are not really trying to play that balance. I tend to agree that density is going to pull on the affordability issue. As one of the speakers said, the more units you have closer to the University, the tighter that is. That tends to relieve pressure elsewhere. I am not sure getting bogged down in the 2 extra stories in this case is really something to have a battle about. I am persuadable. That is where I am going with the affordability. We have the payment in lieu.

Commissioner Habbab – There are 2 or 3 issues that we are trying to wrestle with. They are the parking on Montebello, the parking requirements, and the affordable housing. Going with the cash in lieu always concerns me. I would always prefer it if the affordable units were provided on site. If you are going for an SUP, the cash in lieu is more than the bare minimum. With the height on Montebello, I hear what the residents are saying. With the parking on Montebello, there are cars up and down on that street. It is a double-edged sword. If parking is inadequate and students do have cars, then I lean towards having them have the 3 parking spots that are on their own property to help alleviate some of that, so residents aren’t parking on the street illegally or having to impact parking elsewhere in the city. We keep hearing about parking infrastructure all the time. If they can provide more, then I am not sure that I will say ‘no’ to it. I am not sure how I feel about the affordable housing piece.

Commissioner Solla-Yates – There is no new zoning. Legally, the zoning we have is the zoning we have. I am a big believer in changing our zoning. I see serious problems with our current zoning. Considering the code that we have, I see good and bad in this. I am concerned about payment in lieu. I don’t think it is adequate. I don’t think we have been given decent tools by the state on that issue. I wish it was better. Given the zoning and proposal we have, I see a lot of good.

Commissioner Stolzenberg – I don’t have any problem with the payment in lieu for a project like this. It is the amount that seems inadequate by the adopted affordable housing plan and by the imminent soon to be adopted standards we will have under the tools that we have been given by the state and have not implemented for over 3 years. I would like to see that improved. I was confused by what the applicant was indicating regarding their intentions. Regarding form, as presented from JPA, it is entirely appropriate. I worry about that garage entrance. The continuous sidewalk where you don’t have a curb cut, a pedestrian or person in a wheelchair must navigate significantly mitigates that. On the Montebello side, it presents as a 3.5-story building. It is a 3-story building with a large setback on the fourth. It hits the same height as the house across the street. It is entirely appropriate. Nothing would stop you under the existing ordinance from filling that in and building a 3.5-story house across the street that would look larger than that. With the parking, I am torn about the parking on Montebello. Usually, we have neighbors demanding more parking. I am surprised to see people wanting to get rid of it. Generally, I am sympathetic to that. There would be a lot of value in having a scooter corral and bike parking on the top. Having that potential gravitational energy so you don’t have to get up that hill, I would want to take the elevator up and go out by that entrance. There isn’t exactly room for that now with the parking situation, I don’t see the screening addition as strictly an improvement. If you walk down Montebello, you have all these apartment buildings not presenting a front door. It is an afterthought. They are sunk down. They are a story or less. I don’t think that is an appropriate way to address the street. This proposal addresses it as the front door with a small driveway. If it could be shrunk down to 2 spaces, that would still work for a loading zone in front of them. That would be great. Given the needs of the people inside the building, some people still do want parking. I am not inclined to force them to remove them.

Commissioner Schwarz – I agree with the concerns about the amount of cash in lieu option. With the massing, I am not looking at the potential new zoning code that is coming up. At the same time, that zoning code would allow 5 stories on JPA and 5 stories on Montebello. They could easily split the building. This would be better than that. It is a 3.5-story on Montebello. Do we need to memorialize the step backs? I don’t see that in the conditions. They have a step back on JPA and Montebello. The massing seems appropriate. It makes sense to

put height on JPA; not to go any higher than what this is currently proposed on Montebello. This certainly could be appropriate. With parking, I am torn. If they are going to build the building anyways without the parking, all it is doing is creating more demand for services that people with no cars can use. If we are ever going to get past that threshold where people can choose not to have a car in the city, we must have enough people who can't have a car to get the services (grocery stores) that are transit. I would be fine with eliminating the 3 parking spots. It makes sense to have some sort of loading zone up there. That seems to be an afterthought. We need to be careful about making sure that we don't force a condition where somebody is blocked off the street by unloading in the middle of it. With the S-3 screening, it doesn't make sense to allow an opaque wall between Montebello and this building. I am not sure a dense vegetative screen makes sense. In our proposed zoning code, we seem to be pushing the idea of having eyes and a front door on the street. Putting a wall between the building and Montebello doesn't seem to make sense. Cram all the street trees in there that they can. I am fine with the applicant's request to change condition 11 concerning the LID Worksheet.

Chairman Mitchell – I am comfortable with recommendation 9, which eliminates parking and eliminates loading on Montebello. I can be convinced that loading might be something we ought to give way to. Recommendation 9 is right on target. The payment in lieu is ideal for this part of the city. I don't think it is enough. I would like to see more. I am not sure there is anything we can do about the amount right now. For the University here, payment in lieu seems to be reasonable. Can staff take us through recommendation 11 and what the applicant would like to do?

Mr. Alfele – There is some confusion on the LID worksheet. When you do an SUP, it requires an LID worksheet low impact development. For an SUP, there aren't any number of requirements. It is simply a required document that you fill out. You do not have to meet a number threshold. For infill SUPs, you must reach the 10-point threshold. That is one of the points of confusion for clarification. This body has had many SUPs in front of it where your LID checklist is 0. We have had very few infill SUPs in front of this body. That is where 10 comes from. What staff was trying to do was memorialize what was in the application. Staff has no concern with what the applicant wants to change it to. Trying to do shared parking, reduced parking comes out to 3 spaces they would need to share to meet how I interpret the LID checklist for the shared parking. With changing that to what they are proposing, I don't have a concern. I do think they should meet the green roof or biofilter. It is being called out in the critical slope waiver.

Commissioner Stolzenberg – To play the best role as the Planning Commission in giving advice, I am inclined to defer to Council to play 'hardball or bad cop' on the amount of the in-lieu payment so that we can give them a general recommendation including on these items of contention. Everyone has seen the draft inclusionary zoning ordinance. I expect they will go to Council and say something else. I would like to give an affirmative recommendation including some recommendation on those 3 things.

Motion – Commissioner Stolzenberg – I move to recommend approval of this application for a Special Use Permit in the R-3 zone at 160010100 and an address of 1709 Jefferson Park Avenue to permit additional density with the following listed conditions.

- 1) Per Section 34-420: Permitted Residential density up to 87 Dwelling Units per Acre (DUA) on the Subject Property.
- 2) Per Section 34-353(b)(3): Allow building height of seventy (70) feet on the Subject Property.
- 3) Per Section 34-162: Alter the Jefferson Park Avenue yard setback requirement to eighteen (18) feet.
- 4) Per Section 34-162: Alter the Montebello Circle yard setback requirement to twenty-five (25) feet.
- 5) Per Section 34-162: Alter the side yard setbacks to five (5) feet.
- 6) Per Section 34-162: Alter the landscape buffer within the Montebello Circle yard to eighteen (18) feet wide along fifty (50) percent of the liner frontage. Landscape buffer shall be S-1 as defined in Zoning Section 34-871.

- 7) Per Section 34-162: Reduce the minimum distance between the facade of the multifamily building and the boundary of any low-density residential district to fifty-eight (58) feet.
- 8) Per Section 34-162: Alter the on-site minimum parking requirement to nineteen (19) vehicular parking spaces. In addition, the applicant will work with the City's Traffic Engineer to develop a Master Parking Plan for the site. This plan will be kept on file with the City and may be updated or altered from time to time with authorization of the City's Traffic Engineer. The plan shall indicate how the developer will distribute available parking spots on site, how potential residents are informed of their parking opportunities, and any possible offsite parking arrangements for residents, etc....
- 9) Per 34-157(b): On-site vehicular parking shall not be permitted within the Montebello Circle yard(s) or right-of-way. Nothing within this condition shall prevent loading and unloading within the Montebello Circle yard or designating a space for such activities so long as condition #6 is met.
- 10) Per 34-157(b): The applicant shall provide a minimum of 2,400 square feet of Tree Canopy as illustrated in the application materials (sheet 14).
- 11) Per 34-157(b): The applicant shall implement measures on the City's Low Impact Development (LID) worksheet to achieve a minimum of 10 points. The applicant's checklist (page 8 of the application and sheet 36 of the application materials) notes a combination of shared parking, bioretention, and/or green rooftop; however, other measures from the checklist may be substituted with approval from City Engineering if the measures indicated become impractical as the project develops.
- 12) 34-157(b): The applicant shall construct a continuous raised sidewalk along the frontage of Jefferson Park Avenue to ensure pedestrian safety crossing the vehicular entrance to the site. Nothing within this condition relieves the applicant from adhering to standards found within the City Standard and Design Manual (SADM).
- 13) 34-157(b): The applicant shall provide short term bicycle and/or micromobility parking within the Montebello Circle yard. These elements must be located on private property and not within the City right-of-way.
- 14) 34-157(b): The applicant shall provide stepbacks that are substantially consistent with the application materials. Specifically, sheet 18 of the Mitchell Matthews drawings, 1709 JPA Progress Draft, dated July 18, 2023.
- Motion to Approve Amendments/Changes to Original Motion – Commissioner Stolzenberg – Second by Commissioner Habbab. Motion passes 6-0**
- Motion to Approve SUP – Commissioner Stolzenberg – Second by Commissioner Habbab – Motion passes 6-0.**

The above motion does have the changes and amendments that were discussed below.
Commission Discussion Following Motion

Commissioner Stolzenberg – I would propose an amendment to the motion, to remove condition 9.

Chairman Mitchell – Do you want to remove all condition 9 or just the loading part? We have consensus that parking is not a good idea. We don't have consensus with loading.

Commissioner Stolzenberg – I heard a few people say parking was a good idea.

Commissioner D'Oronzio – In some respects, we have the privilege of 2 front yards here. If we can figure out some way to maximize that or if the applicant can figure out a way to maximize that, and they proposed one. I don't object to the parking being up there. I am not sure what the logistics will look like.

Chairman Mitchell – We have a motion that has been amended. Is the Commission willing accept the amendment?

Mr. Alfele – As you are looking at this and taking recommendations on conditions, I would consider looking into conditions 6 and 8. If you don't alter those conditions, it could impact parking ability if you want parking on Montebello.

Chairman Mitchell – It is suggested that we need to modify conditions 6, 8, and 9. Are those the ones you want to modify? If you would like to modify them, how would you like to modify them?

Commissioner Stolzenberg – Does staff have a recommendation for how that (Condition 6) might be modified to accommodate a loading zone and scooter parking?

Mr. Alfele – My recommendation would be to change the percentage. Staff would still stick with the S-3 screening. S-3 screening doesn't necessarily mean they must do an opaque wall. It gives the Director the option if a design at the site plan level is appropriate. I think you can cut down the percentage that screening needs to take up. 60 percent would be adequate to allow for things like scooter parking, the loading zone, but still allow them that percentage to take up screening for the rest.

Commissioner Schwarz – With the S-3 screening, the physical wall is not vegetative. A built wall is an option. The screening is still meant to be opaque in a sense.

Mr. Alfele – It is. If the Planning Commission feels they are looking more to engage the street and they don't want to cut it off, S-1 or S-2 would be appropriate. Be aware that leaves the planting option. There isn't an option for a wall under S-1 or S-2.

Commissioner Habbab – I would be for not having a wall and just planting. Otherwise, we are going to have a wall between the road and the building.

Commissioner Schwarz – I would be for having street trees.

Mr. Alfele – You want to consider some type of screening. The code requires, in that separation between these 2 different uses, it talks about a screen separation. In altering that requirement, you want to consider a screening. I wouldn't just leave it blank. That is going to default back to the code screening requirement.

Commissioner Stolzenberg – Is it also intended to include across a street?

Mr. Alfele – It is 75 feet from the façade to low density residential.

Commissioner Schwarz – I am thinking S-1. S-1 buffer screen requires an open landscaping scheme. It is generally to be utilized between similar land uses. Planting allowance by the S-1 designation consists of the following: understory trees, hedges, any type of planting. I want to say a vegetative screen is not required. Tell them that they need to use street trees.

Mr. Alfele – If the body decides the screen is not required, I would call it out. What you don't want to do is leave it ambiguous to say 75 feet. If you are reducing that requirement per this code section, I would spell it out that screening is not required.

Chairman Mitchell – The consequences of doing that would be what?

Mr. Alfele – You would still need to do street trees. As the code is written, it calls out 75 feet. It talks about screening. It is calling a separation from façade to low-density residential that is planted with additional

plantings. If you are reducing the separation, I would also address the screening by saying ‘no screenings requirement is appropriate’ if that is what this body wants to do. You need to call it out.

Commissioner Stolzenberg – Where Commissioner Schwarz and I are running into concerns is that a landscape screen is different than a landscape front yard and street trees. With the intent of obscuring rather than being a front yard. A lot of the homes on the street have a fair amount of screening as their front yard landscaping.

Commissioner Schwarz – If we were to remove the screening requirement, how much of the landscaping are we allowed to pick at as part of the entrance corridor review?

Mr. Werner – At the top of Montebello, there is a power line overhead. You have a steep slope and a slender side yard. There are the tree cover requirements that are in the ordinance. There is a certain number of trees that are going to go there regardless. I am looking at the top of that hill from a different view than a design. What are the limitations of what you can put there?

Commissioner Schwarz – Those power lines are going to be a problem. How are we going to deal with that?

Mr. Werner – From an entrance corridor perspective, this is top of the hill, behind the building. Is it something you must address? You certainly can address it.

Commissioner Stolzenberg – I am willing to say ‘at least’ and ask one screen. Any interest in mandating outdoor bicycle storage or scooter corral up there?

Commissioner Schwarz – I would like to include ‘the building should include these step backs at least as deep as are shown in the current application.’

John Matthews, Applicant – With the step backs, we would like for a little flexibility.

Commissioner Stolzenberg – With the bike storage, put a condition to require short-term bicycle spaces or a micro-mobility corral on the Montebello Circle yard.

Critical Slope Waiver Application

Commissioner Palmer – The purposes to improve the environment. We are seeing a much better landscape as an outcome.

Commissioner Stolzenberg – We talk about conditions to require bioretention or green rooftop. We had changed it to be 10 points from either of those or others. Are we Ok with keeping the same language?

Mr. Alfele – Staff’s preference would be to keep the same language in the staff report as it relates more to the critical slope application.

Motion (Critical Slope Waiver) – Commissioner Stolzenberg – I move to recommend approval of the critical slope waiver for Tax Map and Parcels 160010100 as requested, with conditions, based on a finding that the public benefits of allowing the disturbance outweigh the benefits afforded by the existing undisturbed critical slope, per Section 34-1120(b)(6)(d)(i) and Due to unusual physical conditions, or the existing development of the property, compliance with the City’s critical slopes regulations would prohibit or unreasonably restrict the use or development of the property, per Section 34-1120(b)(6)(d)(ii) with the following conditions.

1. The applicant shall implement measures indicated within their Low Impact Development (LID) worksheet (page 8 of application SP23-00005 and sheet 36 of the application materials. These include:
a. Bioretention. Percent of site treated must exceed 80%. Biofilter surface area must be >/- 5% of impervious drainage area. 8 points or 1point for each 10% of site treated.

or

b. Green rooftop to treat >/- 50% of roof area. 8 points.

2. The applicant shall provide a minimum of 2,400 square feet of Tree Canopy as illustrated in their application.

Second by Commissioner d’Oronzio. Motion passes 6-0.

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

Kay Slaughter (1508 Short 18th) – State code and local law require your review of the current project on East High for conformity to the city’s Comprehensive Plan. This includes transportation facilities, the streets, and the public parking lot. The proposed resolutions states that the widening of Caroline Street and Fairway Avenue including new sidewalks would meet the goals of the Comp Plan to improve public access to the Rivanna River, trails, and the transit stops. The expansion would violate transportation strategy 7.1 of the Comp Plan that speaks specifically to transportation projects, impacts on the floodplains, and other sensitive resources. 7.1 states that the city ‘ensure transportation projects are cited and designed to avoid sensitive environmental resources and natural resiliency features such as floodplains, stream buffers, and wetlands.’ Other documents further support this approach. Widening Caroline and Fairway and building sidewalks are transportation projects under 7.1. This new impervious surface will exacerbate flooding within the floodplain, wetlands, and stream buffers of the Rivanna and those adjoining Meade Creek, which is adjacent to the property. It goes under Fairway Avenue. Caroline and Fairway Avenue already have traffic signs warning drivers and pedestrians ‘Street May Flood.’ Caroline and Fairway are transportation projects not in conformance with the Comprehensive Plan. I urge you to amend your motion to find that none of these designated roads are in compliance with Section 7.1 of the Comprehensive Plan.

F. CONSENT AGENDA

- 1. Minutes – March 6, 2022 – Regular Meeting**
- 2. Minutes – June 13, 2023 – Regular Meeting**

Motion to Approve – Commissioner d’Oronzio – Consent Agenda – Second by Commissioner Solla-Yates – Motion passes 6-0.

III. COMMISSION’S ACTION ITEMS

Continuing: until all action items are concluded

- 1. Resolution – 0 East High Street “findings” with written reasons in accordance with Code of Virginia, § 15.2-2232(B)**

i. Staff Report

Carrie Rainey, City Planner – On August 8, 2023, the Planning Commission held a public hearing and reviewed the public facilities associated with the 0 E High development project pursuant to Virginia Code Section 15.2-2232 and City Code Section 34-28 to determine if the general character, approximate location, and extent of the proposed improvements are substantially in accord with the City’s adopted Comprehensive Plan or part thereof. Following the public hearing, the Planning Commission took a vote on this matter. Code of Virginia, 15.2-2232(B) requires that the Commission communicate its findings to City Council indicating its approval or disapproval with written reasons for its decision.

Councilor Payne – What will be the process after the Planning Commission takes a vote?

Jay Stroman, City Attorney – We received 2 appeals. Once these findings are voted on, those would be delivered to Council. Given timing constraints of the Code of Virginia, we would anticipate recommending that Council take up both appeals at its first meeting in October.

Motion – Commissioner Solla-Yates – I would like to propose that we pass the language as presented in the staff packet. –

AND BE IT FURTHER RESOLVED that this Planning Commission confirms that the general character, location, and extent of the following public facilities are not substantially in accord with the City's Comprehensive Plan or parts thereof, as amended:

1. Public Road A and Public Road B: Several goals of the Comprehensive Plan underscore the importance of preserving and enhancing environmental resources such as floodplains, and the importance of a complete street network to improve connectivity and distribute traffic. Public Roads A and B are dead-end streets without further connection to the surrounding public street network which violates Goal 1 of Chapter 6 of the Comprehensive Plan, which stresses the importance of street interconnectivity. The lack of further connectivity with other streets is also in violation of Strategy 3.1 of Goal 3 of Chapter 6 of the Comprehensive Plan and the Connections and Access Guiding Principle of the Comprehensive Plan.

The proposed roads would also violate Strategy 5.8 of Goal 5 of Chapter 7 of the Comprehensive Plan. Existing natural features which make the area of the proposed development more resilient to the harmful effects of flooding would be replaced by impervious, asphalt streets that would likely increase flooding from runoff when it rains in this area. These proposed roads are not sustainable and fail to avoid the reduction of natural resiliency features in this area of proposed development, in violation of Strategy 7.1 of Goal 7 of Chapter 6 of the Comprehensive Plan. In addition, these roads would violate Recommendation 2 of the Environmental Protection Recommendations of the Urban Rivanna River Corridor Plan because they Rivanna River Corridor. The roads are within the Rivanna River floodplain but offer no measures to enhance the floodplain and its natural resiliency features. The construction of these roads would not protect the natural environment on the area of proposed development, which violates the Charlottesville Plan Priority Area stressing the importance of keeping Charlottesville green. The construction of impervious infrastructure is not environmentally responsible in violation of Goal 7 of Chapter 6 of the Comprehensive Plan. These streets cut through existing plant and wildlife systems, disrupting the interconnectivity of these systems in violation of Goal 5 of Chapter 7 of the Comprehensive Plan. These roads fail to protect the existing ecological functions of the Rivanna River Corridor in violation of Recommendation 1 of the Development and Redevelopment Recommendations of the Urban Rivanna River Corridor Plan.

2. Public parking lot within Lot B: Several goals of the Comprehensive Plan speak to importance of protecting habitats, particularly in areas within the Rivanna River corridor, as well as floodplains and natural areas along waterways. The construction of an asphalt parking lot that crosses an existing floodplain would damage sensitive natural resiliency features in violation of Strategy 7.1 of Goal 7 of Chapter 6 of the Comprehensive Plan. The construction of an impervious, asphalt parking lot in the floodplain would violate Strategy 5.8 of Goal 5 of Chapter 7 of the Comprehensive Plan because this would damage, not preserve, natural features on the area of the proposed development. Much of Lot B is covered in grass, which can provide wildlife habitat, infiltration of stormwater, and other ecological benefits. Installation of a parking lot will reduce the grassed area and the benefits it provides. The

construction of an impervious parking lot in the floodplain does not protect the natural environment in violation of the Comprehensive Plan Priority Area stressing the importance of keeping Charlottesville green. The construction of impervious infrastructure is not environmentally responsible in violation of Goal 7 of Chapter 6 of the Comprehensive Plan. An asphalt parking lot would reduce groundwater recharge in this area, violating Strategy 5.2 of Goal 5 of Chapter 7 of the Comprehensive Plan. This parking lot fails to protect the existing ecological functions of the Rivanna River Corridor in violation of Recommendation 1 of the Development and Redevelopment Recommendations of the Urban Rivanna River Corridor Plan.

BE IT RESOLVED that this Planning Commission confirms that the general character, location, and extent of the following public facilities are substantially in accord with the City's Comprehensive Plan or parts thereof, as amended:

3. Widening of Caroline Avenue and Fairway Avenue: Several goals of the Comprehensive Plan speak to the importance of improving public access to the Rivanna River, trail networks, and transit stops. The widening of Caroline Avenue and Fairway Avenue includes a proposed public sidewalk connection, which will connect pedestrians to the Rivanna River trail network through the proposed public trail on Lot A in accord with Goal 1 of Chapter 6 and Strategy 3.1 of Goal 3 of Chapter 7 of the Comprehensive Plan and Recommendation 4 of the

Recreational Activities Recommendations and Recommendation 9 of the Multi- Purpose Trails and Bridges Recommendations of the Urban Rivanna River Corridor Plan. The proposed public sidewalk will also provide pedestrian connections from the existing transit stop on Fairway Avenue to both the existing public sidewalk network and the Rivanna River trail network in accord with Goals 1 and 5 of Chapter 6 of the Comprehensive Plan.

4. Lot A, including public trails included therein: Several goals of the Comprehensive Plan speak to the importance of increasing public access to the Rivanna River and trail network. The public trail network proposed on Lot A will provide an additional public connection to the Rivanna River and trail network in accord with Goal 1 and Strategy 8.7 of Goal 8 of Chapter 6 and Strategy 3.1 of Goal 3 of Chapter 7 of the Comprehensive Plan as well as Recommendation 4 of the Recreational Activities Recommendations and Recommendation 9 of the Multi-Purpose Trails and Bridges Recommendations of the Urban Rivanna River Corridor Plan.

Several goals of the Comprehensive Plan also speak to importance of protecting tree canopy and habitats, particularly in areas within the Rivanna River corridor, as well as floodplains and natural areas along waterways. Lot A is part of a larger tree canopy patch, and such patches can provide wildlife habitat, infiltration of stormwater, and other ecological benefits. The donation of Lot A will allow the City to preserve and protect the environmental resources on the lot in accord with Goals 3 and 5 of Chapter 7, Strategy 13.1 of Goal 13 and Goal 15 of Chapter 9, and the Priority Area to keep Charlottesville green of the Comprehensive Plan as well as Recommendations 2 and 8 of the Environmental Protection Recommendations of the Urban Rivanna River Corridor Plan.

5. Lot B, including public trails included therein, but excluding the parking lot: Several goals of the Comprehensive Plan speak to importance of increasing public access to the Rivanna River and trail network. The public trail proposed on Lot B will provide an additional public connection to the Rivanna River and trail network in accord with Goal 1 and Strategy 8.7 of Goal 8 of Chapter 6 and Strategy 3.1 of Goal 3 of Chapter 7 of the Comprehensive Plan as well as Recommendation 4 of the Recreational Activities Recommendations and Recommendation 9 of the Multi-Purpose Trails and Bridges Recommendations of the Urban Rivanna River Corridor Plan.

Several goals of the Comprehensive Plan also speak to importance of protecting habitats, particularly in areas within the Rivanna River corridor, as well as floodplains and natural areas along waterways. Much of Lot B is covered in grass, which can provide wildlife habitat, infiltration of stormwater, and other ecological benefits. The donation of Lot B will allow the City to preserve and protect the environmental resources on the lot in accord with Goals 3 and 5 of Chapter 7, Strategy 13.1 of Goal 13 and Goal 15 of Chapter 9, and the Priority Area to keep Charlottesville green of the Comprehensive Plan as well as Recommendations 2 and 8 of the Environmental Protection Recommendations of the Urban Rivanna River Corridor Plan. Second by Commissioner d'Oronzio. Motion passes 5-1.

ii. Commission Discussion and Motion

2. Discussion – Zoning Ordinance Update

The meeting was adjourned at 8:04 PM.

PLANNING COMMISSION REGULAR MEETING
September 13, 2022 – 5:30 P.M.
Hybrid Meeting

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

Beginning: 5:00 PM

Location: City Space

Members Present: Chairman Solla-Yates, Commissioner Russell, Commissioner Stolzenberg, Commissioner Schwarz, Commissioner d’Oronzio, Commissioner Mitchell

Staff Present: Patrick Cory, Missy Creasy, Remy Trail, Carrie Rainey, James Freas

Chair Solla-Yates called the meeting to order at 5:00pm and began by asking commissioners about timeframes for a retreat. It was determined that Saturday Oct 22 was a day when all were available, and staff will work on logistics to see if that can come to fruition. Chair Solla-Yates then asked for questions concerning agenda items. Commissioner Russell asked for details on what the CDBG project would accomplish and Ms. Atak provided the project details. Commissioner Stolzenberg asked if the funding requested will cover the cost of the project. It was noted that amount will make up the difference of the project when adding what is already budgeted.

The meeting moved to questions about the Mount View PUD application. Commissioner Russell asked general questions about PUD zoning. Commissioner Schwarz asked about stormwater comments that had been made by the public. Ms. Creasy clarified the state requirements for nutrient credits and how the applicant was the party with the decision making as to how it would be addressed. It was asked how the multiuse path would continue as it appears to dead end and it was noted that it would connect to the portion of Otter Street already in place. Brennen Duncan, traffic engineer, provided clarity on the sidewalk waiver request for River Vista. Commissioner Stolzenberg noted the importance of continuity of sidewalks in this area. Mr. Duncan noted the desire for connectivity and additionally noted the importance of the connection to Landonia. It was clarified that parts of Landonia are unaccepted right of way. Commissioner Schwarz noted that the public comments had referenced access to the site though the church parking lot and if that had been explored. Mr. Duncan noted that that connection did not appear to work as well as River Vista.

II. COMMISSION REGULAR MEETING – Meeting called to order by Chairman Solla-Yates at 5:31 PM

Beginning: 5:30 PM

Location: City Space

A. COMMISSIONER’S REPORT

Commissioner Russell – No Report

Commissioner Stolzenberg – MPO Tech meets next Tuesday morning. We will be discussing the Safe Streets For All Grant. I am looking forward to more committee assignments.

Commissioner Mitchell – I participated in a BZA (Board of Zoning Appeals) meeting. That was a variance request to reduce a setback. We approved the setback. The applicant wanted to build an enclosed inhabitable area on top of a porch and build a story on top of that. Tomorrow, Parks & Rec will meet for the first time in a

few months. On Friday, LUPEC will meet. The focus will be on 5th Street. The county and the city will be presenting.

Commissioner Schwarz – I had Planning Commission training.

Commissioner d’Oronzio – I went to school. One portion of my morning was attendance at Shanghai for the aftermath of my transportation discussion. It is fine. They gave us the basic data dump.

B. UNIVERSITY REPORT

Commissioner Palmer – We are busy at UVA. There is a Board of Visitors meeting Thursday and Friday. You can find the materials on the BOV website for that. Construction around Grounds is very busy. We have the Ivy Corridor happening. The public realm of that is under construction. I think The School of Data Science is topped out. It is coming along very well. With The Hotel and Conference Center that is planned there is laminating the parking garage, we will soon be breaking ground in October. There is McIntire School expansion in addition Cobb Hall, they are calling Shumway Hall. That will back up to JPA and be the most visible aspect of it at JPA and Brandon Avenue. That is breaking ground in early October.

C. CHAIR’S REPORT

Chairman Solla-Yates – The Thomas Jefferson Planning District Commission met and sent out money for new internet to rural areas. I have news from former Commissioner Lahendro, who attended a Board of Architectural Review meeting. The BAR met at the Levy Building to review material samples for the new courthouse building. During the meeting, they issued certificates of appropriateness for the new Courts Building design and demolition of the building at 210 West Market Street. Upon approval of a building permit for the new apartment building, the existing building must be documented prior to demolition. A certificate of appropriateness was denied for the following: installation of grates on the fountains on the Downtown Mall. The Charlottesville Plans Together steering committee met on August 29th. Commissioner Lahendro and I attended. We were updated on everything you have seen and the documents that you have seen. There were some interesting questions, which I have gotten clarity on. It is worth sharing. How inclusionary zoning will interact with the medium intensity areas? How output regulations will work and the role of stacked townhouses to provide affordable homeownership. It will be good to know these things.

i. Report of Nominating Committee

Commissioner Stolzenberg – The nominating committee has met and decided to renominate Chairman Lyle Solla-Yates as Chair Liz Russell as Vice-Chair.

ii. Officer Elections

Commissioner Mitchell – I move that we accept the nomination of the nominating committee as recommended – Second by Commissioner d’Oronzio. Motion passes 6-0.

D. DEPARTMENT OF NDS

Missy Creasy, Deputy Director of NDS – Our bylaws for the Planning Commission allow for the Commission to change the meeting that coincides with an election day. Our November meeting would be the 2nd Tuesday, which is Election Day. If you have interest in changing that, we will have to know now, so that we can do that. I know in the past, that was included in the bylaws because there were commissioners who were involved in election activities and didn’t want to miss those. The last couple of times I have asked commissioners about

this, they have been Ok with keeping it on Election Day. We will have to adjust if there is a concern with having a meeting on Election Day. Chairman, I know that we had talked about making the announcement about the BAR individual so that they would have that individual for their meeting next week. Is that still a possibility this evening?

Chairman Solla-Yates – Commissioner Schwarz will be representing the Planning Commission on the BAR.

James Freas, Director of NDS – On September 27th, you will have a joint meeting with City Council to discuss the zoning rewrite project, in particular, the Diagnostic and Approach Report. That meeting is about getting your feedback and reactions so that we can move forward into the drafting phase. That is drafting the zoning ordinance itself and the map. Be thinking about what questions you might have. If you are inclined, share those questions in advance. It will help us immensely. We have a building code official after a 2-year hiatus. Mr. Chuck Miller started with us on August 29th. He has been with us for a couple weeks. He is already making great strides in getting us caught up on plan review. He is already making a big difference. Brian Haluska has moved into our Support Services Manager position. In that role, he will be overseeing our customer service functions, our new online permitting system, and our data services functions. He has formally moved into that position and demonstrating improvements in that and helping us prepare for the reopening of City Hall on October 3rd.

Commissioner Stolzenberg – Given how much there is to discuss at the work session, is it a typical work session that is 2 hours? Are you making any provision or backup plans if we need extra time like another work session?

Mr. Freas – Our goal is to keep it within that work session. We have spoken about it being a 2-hour work session but understanding that it likely could go beyond 2 hours with the active engagement of Planning Commission and Council. We need to hear from you guys to move that project forward. This is an essential meeting for that process. Should we follow up on that question?

Commissioner Mitchell – It would be helpful that we know what the structure and the flow of that meeting will be.

Commissioner Stolzenberg – What decisions need to be made? At the last work session, we went for about a half hour about critical slopes and entrance corridors, which are 2 of the main decisions to be made.

Mr. Freas – In advance of that meeting, we are going to provide a sheet that shows all the places where we have made changes from the draft you have. We are going to give you the pages that have changed as opposed to the entire document. There will be a cover memo. We are going to do a brief presentation. The primary purpose is to hear from all of you and your colleagues on Council. Our presentation will highlight what we see as the most important questions, particularly those arising out of the public comments we have heard.

Commissioner Stolzenberg – Will we get that public comment?

Mr. Freas – The piece of the packet that you will have in advance is a summary of all the public comments received.

Commissioner Stolzenberg – My last question is about what the other commissioners have said and whether we should share that with each other.

Mr. Freas – We can provide those comments.

Chairman Solla-Yates – Something that I have found helpful is having questions shared in advance and going around the room.

Mr. Freas – I don't think we are limiting the conversation with that set of questions. That can provide a structure that will easily get us through the first 2 hours.

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

Peter Krebs (Preston Avenue) – I work for the Piedmont Environmental Council. I wanted to speak in favor of the CDBG project. I was on the CDBG Task Force for Belmont-Carlton. This type of work is the type of projects that we discussed in that context. The lower Avon area is also a priority community. It checks that box as well. You will hear more from staff about the project. It is part of a planned Greenway system that will connect lower Avon Street to 5th Street coming out around Willoughby. We know it is difficult to get across town. Imagine getting from the Habitat Houses on Avon Street over to 5th Street, you would have to walk up a big hill. This is a direct connection. We already know about their planned improvement (bike/pedestrian improvements) along Avon Street and 5th Street as well. This is also part of a gigantic gesture we are working on between south 6th Street, Willoughby, 5th Street Station, and all the way to Biscuit Run and Southwood. This is a small but important piece of a large puzzle. Please vote in favor of that. I did mention the previous CDBG project, which was a Franklin Street sidewalk project that is being handled a different way. I understand that element of it. It is still an important project, especially with what is going on with Carlton and Broadway. Let's not lose track of that Franklin Street sidewalk. It is great to hear you talking about Safe Streets. The county is very excited about it. TJPDC is excited about it. We know that working together is the best way because that is how we live. It is also more appealing to funders to see localities working together.

F. CONSENT AGENDA

1. Minutes – August 31, 2021 – Work Session

Motion to Approve – Commissioner Russell – Second by Commissioner d'Oronzio – Motion passes 5-0 with one abstention (Commissioner Schwarz).

G. FY 2022-2023 CDBG SUBSTANTIAL ACTION PLAN AMENDMENT TO THE CONSOLIDATED PLAN

Erin Atak, Grants Coordinator – The city receives grant funding from the US Department of Housing and Urban Development each year. The funding that we will be talking about is the Community Development Block Grant (CDBG). As part of the public participation process, the Planning Commission must provide recommendations with all CDBG activities brought forth by the Task Force. For FY22, CDBG was awarded \$414,907 on May 13, 2022. The request for proposals that the CDBG Substantial Action Amendment is what the Planning Commission will be reviewing today amounts to \$178,394.34. On September 21, 2021, City Council set priorities for FY22 for the CDBG Program. The request for proposals was based on City Council's CDBG priorities, the 2018 Consolidated Plan and HUD CDBG national priorities. For the RFPs, they went through an extensive review by the CDBG Task Force. As a result of the competitive RFP process, today's discussion will be focusing on the areas that the CDBG Home Task Force reviewed as a result of that competitive RFP process, which includes housing and priority neighborhood public infrastructure. Under the competitive RFP process, all applicants were required to undergo a mandatory technical assistance meeting with the Grants Coordinator prior to applying to the city. During these sessions, all applicants were able to meet with the Grants Coordinator, go through the grant requirements, and talk about their potential CDBG program. I met with four interested applicants. We received two applications at the end of the RFP period. The other two applicants realized that the CDBG would be better suited for them in the upcoming RFP season for the next fiscal year. We will probably see them again. The city did impose restrictions on this RFP cycle with regards to

timeliness and having ‘shovel-ready’ projects. Anyone who did not meet that requirement or who had outstanding balances with current CDBG funds were considered ineligible to apply. This was shared with the Task Force and all applicants prior to the RFP window. The CDBG Task Force has recommended the following activities for approval into the Substantial Action Plan Amendments. The first one under priority neighborhood public infrastructure is the Charlottesville Parks and Recreation. Estimated benefits for that activity includes construction of the bicycle pedestrian ADA accessible bridge to connect Jordan Park to the developing Moore’s Creek Trail between Avon Street and 5th Street at \$171, 655.34. Under housing, the Arc of the Piedmont was recommended for HVAC replacement of their Shamrock Group Home. Estimated benefits include replacing their 30-year-old HVAC system in the group home benefiting up to 7 developmentally disabled individuals. The funding recommendation is \$6,739.

Commissioner Stolzenberg – A commenter earlier mentioned that it would connect to Willoughby. Is 5th Street near Willoughby? I know there is a rock hop across Moore’s Creek. Are there any plans to make a bridge across there?

Chris Gensic, Trail Manager – At the moment, we don’t have plans to bridge Rock Creek. This is a developing system. There is a sewer line that gets you to 5th Street between Brook Wood and Willoughby. You meet the sidewalk and bike lanes there. Should we ever cross over the Willoughby side, that would be something that gets you to Willoughby directly. For now, this is one piece of the puzzle. We are working our way up the stream.

Motion – Commissioner Russell – I move to approve the CDBG Action Plan as presented – Second by Commissioner Mitchell. Motion passes 6-0.

Council was called to order.

III. JOINT MEETING OF COMMISSION AND COUNCIL

Beginning: 6:00 PM

Continuing: Until all public hearings are complete

Format: (i) Staff Report, (ii) Applicant, (iii) Hearing, (iv) Discussion and Motion

- 1. ZM22-00002 – Mount View PUD** – Shimp Engineering, on behalf of Mount View Baptist Church, Mount View Properties, LLC, and Route 250 Houses, LLC, (collectively, the “Owners”), the owners of the properties, has submitted a Rezoning Petition for 908 St. Clair Avenue, 1133 Otter Street, 1221 Landonia Circle, and 1201 Landonia Circle, also identified on City Real Property Tax Map 49 as Parcels 65, 72.1, 72, and 73 or Tax Map Parcels 490065000, 490072100, 490072000, and 490073000. (the “Subject Properties”). The Subject Properties have frontage on St. Clair Avenue, Otter Street, Landonia Circle, and River Vista Avenue, and contain approximately 3.4 acres or 148,100 square feet. The petition proposes a change in zoning from R-2 Two-Family Residential (current zoning) to Planned Unit Development or PUD (proposed zoning) subject to certain proffered development conditions (“Proffers”) and the development plan submitted by Shimp Engineering on behalf of the Owners.

This rezoning would allow the creation of a PUD referred to as “Mount View PUD” comprised of two blocks (“Block 1” and “Block 2”) and containing up to 72 dwelling units at an approximate density of 22 dwelling units per acre (DUA). 60 multifamily residential units in six (6) structures up to 35 feet in height are proposed for Block 2. The opportunity for additional permitted uses is proposed for Block 1 including the possibility of 12 dwelling units; which may be single-family, two-family, or multifamily dwellings; daycare facilities, outdoor parks and playgrounds, art studios/workshops, consumer services

businesses up to 2,000 square feet, and retail uses up to 2,000 square feet. However, no additional uses beyond the existing house of worship in Block 1 are proposed at this time. The following characteristics/amenities are proposed in the development plan: 60 multifamily residential units within six (6) buildings that are three (3) stories in height, including one (1) partially exposed basement story, vehicular access provided from both Landonia Circle and River Vista for Block 2, a central open space located within Block 2 and accessible from Block 1 via pedestrian facilities, a multi-use path 10 feet in width connecting the improved area of Otter Street with Landonia Circle within the Otter Street right-of-way, and landscaped screening buffers adjacent to neighboring properties on River Vista Avenue and Landonia Circle. The general usage specified in the Comprehensive Plan for the Subject Properties is General Residential.

The Proffers state that: (1) four (4) residential units constructed within the area of the property shall be Affordable Dwelling Units accessible to residents with income below 65% of the area median income with affordability provisions guaranteed for 10 years through recorded covenants; (2) three (3) residential units constructed within the area of property shall be Workforce Affordable Dwelling Units where the monthly cost of rent, including any tenant paid utilities, does not exceed 125% of the Fair Market Rent by unit bedrooms for the Charlottesville MSA and reserved for rental to residents with income below 80% of the area median income with affordability provisions guaranteed for 10 years through recorded covenants; (3) the required Affordable Dwelling Units shall be constructed prior to the issuance of the certificate of occupancy for the 55th residential unit; (4) after a period of 90 days of marketing the Affordable Dwelling Units and Workforce Dwelling Units, if no lease agreement is executed with a tenant meeting the household income requirements then no household income limit restrictions will apply; (5) construction entrances for site development and construction on the Property shall not be permitted to connect to River Vista Avenue; and (6) a screening fence shall be installed in the location shown on the development plan and may be comprised of masonry, composite, painted or stained lumber, or alternative material as approved by the Director of Neighborhood Development Services, with chain link and screening mesh specifically prohibited. This screening fence shall be a minimum of six (6) feet in height unless a lesser height is agreed upon by the Owners and owners of adjacent properties where the screening fence is installed along the common boundary line and a record of said agreement is provided to the Director of Neighborhood Development Services. If at the time of construction of the screening fence an adjacent property owner has erected a fence along the common boundary line, the screening fence requirement may be waived in the location where the adjacent owner's fence is constructed, and the screening fence must be constructed prior to the issuance of the first certificate of occupancy for a residential unit within Block 2, with the limits of Block 2 depicted on the development plan.

Information pertaining to this application, including the staff report and materials submitted by the applicant, may be viewed online at www.charlottesville.gov/agenda. Persons interested in the rezoning application may contact NDS Planner Carrie Rainey by e-mail (raineyc@charlottesville.gov) or by telephone (434-970-3453).

i. Staff Report

Ms. Creasy – Kelsey Schlein of Shimp Engineering, PC, acting as the Owners' agent, has submitted an application pursuant to Section 34-490 seeking a zoning map amendment to change the zoning district classifications of the above parcels of land. The application proposes to change the zoning classification of the Subject Property from "R-2" (Two-Family Residential) to "PUD" (Planned Unit Development) subject to proffered development conditions.

Under Section 34-41, City Council may grant an applicant a rezoning request and should consider several factors set forth within Section 34-42. When evaluating a proposed PUD, in addition to the general

considerations laid out in Section 34-42, City Council and the Planning Commission should also consider certain factors specific to the construction of a PUD, as specified in Section 34-490.

Comprehensive Plan

The proposal does meet some goals of the Comprehensive Plan by providing additional housing options within the neighborhood and in proximity to Burnley-Moran Elementary School and commercial properties on Long Street (Route 250 Bypass). However, staff is concerned that while the proposed development includes multiple smaller buildings, these buildings are not “house-sized” in relation to the surrounding neighborhood and no improvements are proposed for existing streets such as River Vista Avenue beyond the entrance to the development.

The 2021 Comprehensive Plan Future Land Use Map designates the Subject Properties as General Residential. General Residential allows additional housing choice within existing residential neighborhoods. Form should be compatible with current context, including house-sized structures with similar ground floor footprint area and setbacks as surrounding residential structures. Up to 3-unit dwellings including existing single-family splits, accessory dwelling units (ADUs), and new housing infill are noted as uses. 4-unit dwellings are also permitted if the existing structure is maintained. General Residential recommends allowance of additional units and height under an affordability bonus program or other zoning mechanism. Staff finds that the proposed number of residential units do not meet the limits of the General Residential category and the proposed ground floor footprint areas are larger than those of surrounding residential structures.

Streets that Work Plan

St. Clair Avenue, River Vista Avenue, Otter Street, and Landonia Circle are all designated as Local Streets in the Plan. Local Streets are found throughout the city and provide immediate access to all types of land uses. Local Streets do not have priorities and Neighborhood A or B design element priorities, as laid out in the Streets that Work Plan, should be evaluated when determining design elements.

Staff is concerned that the proposal does not include completing the sidewalk network on the southern side of River Vista Avenue (where the development is located) or providing pedestrian access from the development to Long Street (Route 250 Bypass) via Landonia Circle and therefore does not meet the recommendations of the Streets that Work Plan. The PUD Development Plan does propose on-street parking on Landonia Circle in line with the priorities noted in the Streets that Work Plan. A multi-use trail is proposed for the Otter Street right-of-way, which can subsequently be considered for acceptance as a public facility by City Council if applicable standards are met.

Bicycle and Pedestrian Master Plan

The 2015 Bicycle and Pedestrian Master Plan designated St. Clair Avenue as a proposed shared roadway bicycle facility. The Master Plan also recommends sidewalk installation on the western side of St. Clair Avenue. No improvements are proposed for St. Clair Avenue in the PUD Development Plan. However, the proposed multi-use trail in the Otter Street right-of-way would provide a connection from the development to St. Clair Avenue.

Sec. 34-42(a)(4)

The Subject Properties and most of the surrounding properties are currently zoned R-2 Two-Family Residential District. The R-2 district was established to enhance the variety of housing opportunities available within certain low-density residential areas of the city, and to provide and protect those areas. The R-2 district consists of quiet, low-density residential areas in which single-family attached and two-family dwellings are encouraged.

Staff finds the proposed physical characteristics of the PUD generally align with the allowable characteristics of the surrounding R-2 Two-Family Residential District. The proposed maximum height aligns with the allowable maximum height in the R-2 district. Staff is concerned that the setbacks for the PUD are smaller than is permitted in the R-2 district, but the PUD Development Plan proposes dispersing the multifamily residential units throughout Block 2 in several smaller buildings of a scale more like the neighborhood and proposes landscaped and fenced buffering to minimize the impact of reduced setbacks on the surrounding community.

Staff finds the proposed multifamily residential use is not in line with the purpose of the R-2 district but does align with some objectives of the PUD district such as promoting a variety of housing types. Staff is concerned that uses such as daycare facilities, which currently require a Special Use Permit (SUP) in the R-2 district, would be permitted by-right in the PUD and would not be subject to the additional review provided by the SUP process. The City Traffic Engineer has noted that most of the generated traffic shown in the Traffic Impact Study (Attachment D) is created by the proposed daycare facility use.

Staff is concerned that the by-right development of a daycare facility could create unmitigated impacts to the surrounding neighborhood. The additional non-residential uses proposed in the PUD Development Plan are generally limited to Block 1 and are of a smaller scale but may still impact the neighborhood. Section 34-501(a)(2) requires any non-residential uses proposed (such as art workshops, consumer services, and general retail uses) to be at least 75-feet away from the perimeter of the PUD. However, these uses may impact neighborhood traffic patterns regardless of their location within the PUD development.

The Traffic Study indicates River Vista Avenue and Landonia Circle can effectively handle the increase in traffic. The City Traffic Engineer has noted that most of the traffic impact for what the Study shows is driven by the daycare use, not from the residential uses. The City Traffic Engineer finds that the surrounding streets could sustain the development including the daycare facility, but notes the daycare is the main traffic generator in this scenario.

PUD Standards of Review

Staff does not find the proposed development to be designed in a particularly innovative arrangement with regard to building placement, open space, or environmentally sensitive design. While proposing the multifamily residential units within several smaller buildings better fits the context of the surrounding neighborhood, staff notes most of the proposed residential units are separated from the central greenspace by surface parking lots and include minimal building-adjacent greenspace for residents.

The proposed multifamily residential use is not harmonious to the surrounding residential neighborhood and no transitional use is provided between it and the existing single-family and two-family dwellings adjacent to the proposed development. However, a portion of the development is adjacent to commercial property fronting on Long Street (Route 250 Bypass) and does provide a transitional use between the commercial area and surrounding residential neighborhood.

However, staff finds that while the proposed buildings have a larger footprint than the surrounding homes, the townhouse style layout with façade and roof differentiation, lower building heights and topography changes, and additional screening minimize the apparent size of the buildings and better align the proposed development with the patterns of existing development.

Non-standard road design

The applicant is proposing street improvements to the River Vista Avenue and Landonia Circle public rights-of-way in the vicinity of the development. Staff notes that the PUD Development Plan references at least one street that may be difficult to design and construct in accordance with current City standards. At the present time (and without the benefit of specific engineering details) it appears that it would be difficult for a street to be

constructed in compliance with the development standard in City Code 29-182(c) (maximum allowable street grade is 8 percent; however, the City Engineer can vary or grant exceptions to the requirement--not to exceed 10 percent--after following the process in 29-36).

By city ordinance this determination will not be made until the time a site plan is submitted for review and approval by the City. (The PUD Development plan only sets out a conceptual layout for proposed streets, see City Code 34-517(a)(3)(d) and (e), not a design-for-construction plan). According to the City Attorney's Office, if City Council were to approve this PUD Development Plan and Proffer, the legal effect of that approval is that the landowner can pursue the necessary development approvals under the provisions of the current zoning/subdivision ordinances. (Va. Code 15.2-2307)

Council approval of a PUD and related proffers does not guarantee approval of any particular design plan, if--when officially submitted--they do not comply with the applicable zoning or subdivision ordinance standards. In these circumstances, the landowner/developer assumes the risk that, if construction plans cannot be prepared to provide for street improvements that meet applicable grades, then the burden will be on the landowner to either amend the PUD Plan/proffers or identify some other solution.

The applicant has applied for a sidewalk waiver request for River Vista Avenue in order to construct sidewalk on only the western side of the street. The sidewalk waiver request will be heard by City Council along with the rezoning application. However, staff is concerned that no improvements to the existing River Vista Avenue sidewalk network are proposed. The existing network on the southern side of River Vista Avenue, where the proposed development is located, includes multiple gaps where no sidewalk exists. Staff is also concerned that no pedestrian connection through Landonia Circle to Long Street (Route 250 Bypass) is provided. Staff believes the development as proposed does not provide adequate external connections to facilitate pedestrian access to and from the development.

Proffers

Affordable Housing proffer summary (Alex to cover instead?): The Owner shall provide affordable housing within the Property. 3 dwelling units shall be For-Rent Workforce Affordable Dwelling Units reserved for rental to low and moderate-income households having income less than 80% of the Area Median Income (AMI), where the monthly cost of rent, including any tenant paid utilities does not exceed 125% of the Fair Market Rent (FMR). 4 dwelling units shall be For-Rent Affordable Dwelling Units reserved for rental to low and moderate-income households having income less than 65% of the Area Median Income (AMI), where the monthly cost of rent, including any tenant paid utilities does not exceed the Fair Market Rent (FMR).

The Affordable Dwelling Units shall be reserved as such throughout a period of at least 10 years from the date on which the unit receives a certificate of occupancy from the City's building official. Notwithstanding the household income limits identified, if, after a period of 90 days of marketing an available Required Affordable Dwelling Unit no lease agreement is executed with a tenant or tenants having a household income equal to or less than those limits identified, then no household income limit restrictions for prospective tenants for the available unit shall apply throughout the duration of the lease agreement between the landlord and tenant and any subsequent consecutive renewal periods thereof.

Staff Analysis (Office of Community Solutions): Staff would like to see assurances that an allowance for any tenant-supplied utilities (i.e., those utilities/services not provided by the landlord) will be subtracted from the proposed rents. Staff would like to see a longer Rental Affordability Period. Staff would like to see assurances that vouchers will be accepted.

An acceptable marketing plan on how to market the designated affordable units should be provided to the City's Office of Community Solutions prior to the certificate of occupancy of the proffered units.

When completed and occupied, the owner shall provide an annual report on affordability compliance for the affordable unit(s) on a template provided by the City's Office of Community Solutions.

If an affordable unit is not leased in 90 days to an eligible tenant, then no household income limit restrictions for prospective tenants for the available unit shall apply throughout the duration of the lease agreement. We have the following concerns:

- There are no assurances or presumptions on the extent and seriousness of marketing these affordable units.
- There should be no timeframe to find a qualified tenant and enter into a lease agreement. If a unit is proffered to be affordable, it should remain affordable for the entire affordability period.
- The marketing plan should clearly identify how the owner has a current waitlist of qualified tenants and/or will be working with partner entities to identify a pool of qualified tenants well before completion of construction.

The applicant noted reservation of right to make changes to the affordable units. The city would consider the changes if they are reasonable and would not result in the segregation of units or reduction in the size of the unit(s).

Based on these comments, the Office of Community Solutions finds the proffer is not consistent with either the Charlottesville Affordable Housing Plan, nor the Comprehensive Plan. We recommend that you reject the proffer in that it does not guarantee affordable units, and/or does not provide for affordable units for a significant length of time.

Construction Entrance summary: Construction entrances for site development and construction on the Property shall not be permitted to connect to River Vista Avenue.

The City Traffic Engineer does not believe prohibiting construction traffic on River Vista Avenue will cause a negative impact on the community. Some construction activity on River Vista Avenue will be required to construct the entrance into the development. Staff agrees this proffer may limit impacts to the surrounding neighborhood during construction.

Screening Fence summary: A screening fence shall be installed in the locations shown on the PUD Development Plan (adjacent to properties to the north of the development) and may be comprised of generally opaque materials approved by the Director of Neighborhood Development Services. The screening fence shall be a minimum of 6 feet in height unless a lesser height is agreed upon by the Owners and the owners of adjacent property where the screening fence is installed along the common boundary line. If, at the time of construction of the screening fence, an adjacent owner has erected a fence along the common boundary line, the screening fence requirement may be waived in the location where the adjacent owner's fence is constructed. The screening fence must be constructed prior to the issuance of the first certificate of occupancy for a residential unit within Block 2.

Staff agrees a screening fence will provide additional buffering between the proposed development and surrounding neighborhood. Staff is concerned the provision to allow waiver when an adjacent owner has constructed a fence will not be sufficient to ensure adequate buffering. Staff is also concerned that the fence may not be constructed until the first certificate of occupancy, as installing the screening fence earlier in the construction process will provide buffering from construction activities on-site.

Staff Recommendation

Staff finds the proposed development, as presented in the application materials, could contribute to some goals within the City's Comprehensive Plan and provide additional housing options in a development that seeks to minimize impacts on the built form of the neighborhood through a series of smaller buildings. However, staff

recommends the Planning Commission recommend denial as the proposed uses do not align with the Future Land Use Map of the Comprehensive Plan, the affordable dwelling unit proffer does not meet the Comprehensive Plan or the City's Affordable Housing Plan, and the proposal does not provide sufficient connections to the larger public pedestrian network and nearby CAT bus stop.

Commissioner Mitchell – I want to talk about the recommendation from staff. The recommendation is to deny the application. The way I read the report, there are 3 broad reasons for denial. The first reason is that it is not consistent with the FLUM (Future Land Use Map). The second is that the affordability component is not consistent with the proposal from the housing group. It is not consistent with the Comprehensive Plan. The third is that there are connectivity issues as it relates to pedestrians and CAT. The report does a really good job of 'walking us through' the reasons. Pages 16 through 20 does a really good job of walking us through why the affordability component isn't consistent with what the HAC, Housing Allowance Program, and Comprehensive Plan does. For the public and in layman's terms, if you could 'walk us through' why it is not consistent with the FLUM. Is it the density that this is going to drive? The next question is if we could find a way to make this consistent with the affordability objectives of the Comprehensive Plan, could we then allow for increased density considering a housing affordability overlay? What can the applicant do to improve the connectivity? When the applicant presents, it would be good enough to offer rebuttals and their perspectives on these 3 concerns, that would be helpful to me.

Ms. Creasy – With the first question, we are looking at the Future Land Use Map that was recently approved. I outlined what is called for under General Residential. We also take into perspective the location. The area where this parcel is located is an area that is completely General Residential, except for what is fronting on Long Street. That is in a mixed-use corridor. We don't have any medium residential in this area because the thought pattern for putting that in had to do with being on major corridors. There is one a couple of blocks over off Locust and Calhoun. In this area, there currently is not very good connectivity. There are some proposals as part of this that could lead to some better connectivity. If you look at where we are now with the site, the connectivity and reaching the site did not meet any of the principles for a higher density because of those pieces.

With affordable housing, what they have proposed is what they are choosing to propose for affordability. That is what we have to evaluate at this time. It was evaluated based on the plans that we, as a community, have been working through from an affordability standpoint. There is no guarantee of affordability with some of the language that is included in there. The length of affordability was a concern because it was short. The criteria that they have used for the percentages of affordability are not in line with the plans that we are moving forward with. It is their opportunity to provide this language. We have all these new studies and all this new information we have put together as a community. It made sense to evaluate this proposal based on that and provide you with that data moving forward. We don't have anything currently that would be an overlay for a different type of affordable housing. In this case, there is a lot of guidance in our current housing documents. They could potentially use some of the material from the documents that we have put in places as a community to create an affordable situation with the information that they currently have.

With connectivity, if you have been to the site, it is a complicated site. There are a lot of things that didn't come together. On paper, it looks different than when you are there. We had Mr. Duncan (traffic engineer) talk earlier about the sidewalk. We can have him review that again if we need to and review some of the entryway concerns.

The next one is the applicant rebuttal. They will have a lot of things to share with us once we get there.

Commissioner Mitchell – The affordability overlay is not explicit in the Comp Plan. I thought that it was implicit or an implied desire to have an affordability overlay and allow this additional density if affordability was brought to bear.

Ms. Creasy – There are a lot of criteria that have been discussed through the diagnostic, which you guys will be talking about in a couple of weeks and within the inclusionary zoning information that you will be talking about. That is going to ‘feed’ into the codes that would move forward for the zoning aspect of things. There is a lot of interest. We talked about the General Residential where some of the criteria there was allowing for bonuses for affordable housing if you keep and maintain the current existing units. There are a lot of criteria that are going to be built into the new code that will allow that to be everywhere that is zoned a certain way rather than just in certain areas.

Commissioner Russell – The Comp Plan does mention ‘affordable housing overlay’ one time. It is a sub-strategy. What I remember was the consultant not thinking an overlay would be as effective but wanting us to use inclusionary zoning as the tool. I have not listened to all the steering committee meetings. I had stopped listening when the steering committee started questioning the inclusionary zoning. Does it do enough? I think we will be talking more about the overlay.

Commissioner Stolzenberg – Under General Residential, it says ‘allow additional units and height under an affordability bonus program or other zoning mechanism,’ which is the same concept as we were talking about the overlay. The question is whether this is more than you would expect as a bonus. It gets weird because this is one big lot versus many small lots. It is not supposed to be subdivided.

Commissioner d’Oronzio – I have worked through the balance of the affordability piece.

Commissioner Stolzenberg – I was going to ask what the mixed-use heights were. It is 5 stories up to 8 stories at key intersections. That is to the south. I did have a question for the Office of Community Solutions report. There was one part of that discussion of affordable housing talking about whether utilities would be included. The proffer says, ‘means a dwelling unit where the monthly cost of rent including any tenant-paid utilities does not exceed the amount for the 2 one-bedrooms.’ Is that enough? Are you looking for more?

Alex Ikefuna, Director of Community Solutions – After everything is added up, it is within the affordability of the tenant. Based on the inclusionary zoning, the project that is happening right now, the recommendation is the affordable housing plan. If you add everything up and it is above 60 percent AMI, it is extremely difficult for those beneficiaries out there. What the applicant is proposing is that it is going to make it difficult and create challenges for those people out there that are going to be benefiting from the program.

Commissioner Stolzenberg – What do you mean by difficult?

Mr. Ikefuna – The ability to meet the rent requirement is going to be a challenge.

Commissioner Stolzenberg – The rent is less than 30 percent of the income that the limit is set at? Are you saying that the range is too small? It would be hard to find someone between the 60 percent or so that the rent is affordable to and 65 percent limit.

Mr. Ikefuna – When it goes above 60 percent, it becomes challenging. If you listen to the comments at City Council, you know what we are getting is that 60 percent range. The deputy city manager currently is preparing to go to City Council to change that affordability target instead of 80 percent AMI to be 60 percent AMI and below.

Commissioner Stolzenberg – In the standard 34-12 regulations, the income limit is 80 percent. The rent is fair market rents, which is a little under 60 percent AMI. If you lower the limit to 60 percent, are you saying that you’re targeting rent lower than fair market rents? Would that continue to be the rents we are targeting?

Mr. Ikefuna – We are targeting the rent to be at 60 percent AMI.

Commissioner Stolzenberg – Fair market rent is 58 percent.

Mr. Ikefuna – That and below. The level where the applicants who are looking for housing can use the vouchers. This application did not refer to any acceptance of vouchers.

Commissioner Stolzenberg – When we did 209 Maury four years ago, we did a Comprehensive Plan amendment to change the map along with the zoning code. This seems like a case where that would make sense. It is General Residential. We heard from several other churches that they wanted to provide housing. We switched them to high density. This is a big mostly vacant lot. We have heard from many people. It came through in the Comp Plan that we want to maximize the use of vacant lots so that there is less change within already built-out neighborhoods. I could see a decent argument for changing this to medium density residential. Is that something we would consider for an application like this where it wouldn't comply with the FLUM? Is that extra overhead where we can maybe consider that in our heads but not bother with the paperwork or fold it into any amendments, we make next year? Why did we do it that one time and not other times?

Ms. Creasy – In the other situation, there were areas that were similar land use. It would be an island. That would probably be a difficult conversation.

Commissioner Stolzenberg – You can make an argument that the plan calls for transition zones. This would be a transition from 5 to 8 stories. I don't want to make that argument here. I want to understand when we would consider a Comp Plan amendment. Did the applicant at 209 Maury propose a Comp Plan amendment?

Ms. Creasy – The code does allow someone to recommend amendments during certain periods of the year. I believe that met that timeframe. They submitted that as part of the request.

Chairman Solla-Yates – What is house size? Specific to this area, the homes fronting on Landonia are duplexes. They have a larger footprint on the ground. Is that a house?

Ms. Creasy – We don't have a definition in the zoning ordinance that says house size. It is more the compatibility with the surrounding area that ends up being the focus. The evaluation of what is currently within the area, not just in one portion, but surrounding the site. It is a different size.

Commissioner Russell – The duplex you are talking about is 2000 square feet. That is about what the other houses are.

Councilor Pinkston – As things evolve with the new zoning rewrite, will PUDs still be a thing that we do?

Ms. Creasy – That is a good question. That is one of those items that we will be evaluating as part of this review.

Councilor Pinkston – I can see why there would still be some value in having that tool. In this case for example, Commissioner Stolzenberg was trying to make the case for how this might be 'feathered' into a high intensity. I can see why one might want to make that argument. At the same time, this is like a donut hole. What do we want to do with this donut hole? How can we make the most use of it for the whole community? I assume there will still need to be some sort of mechanism like that. The questions of how you would connect a PUD to the surrounding area would be something we would have to think through.

Vice-Mayor Wade – A lot of my comments have been addressed. What I heard is that staff is recommending denial. My comments were concerning the conditions, particularly about the affordable housing and marketing. It seemed really complicated. I was a planner for many years. What I tried to do when I wrote them is because we were reading conditions in proffers that were done many years before. We must assume that whoever is reading them now is not here. The way they are written there is so much wriggle room in there. It seemed like you could have an elephant to shuffle in there. I didn't understand the marketing. I can tell 4 or 5 people in the community about affordable housing somewhere and it will be filled. You can tell people that they have units. You can market it in certain magazines, and nobody would know about it. I also have concerns about the longer

period that came up. I understand the concerns about the pedestrian connections, and you must be there. As we are seeing now, we are going back and filling in the gaps and trying to address it with the schools. A lot of my concerns have been covered.

Councilor Pinkston – With respect to the affordable housing piece, has anyone tried to do a conversion of what is in this document, the PUD, the housing language there. What would be expected with the new inclusionary zoning? It would be interesting to know what new inclusionary zoning would be required in this case in terms of bonus.

Commissioner d’Oronzio – I believe it was 16.

Commissioner Stolzenberg – If this was General Residential and a road was built through it and subdivided, what would be the by right?

Commissioner Russell – It was 16 lots. That could be 16- 3-plexes. If you include an affordability bonus in all of them, the maximum would be 30 units with 5 being affordable on block one. The big one would be 50 units, including 10 affordable. That is the one project we are looking at tonight with the block one with the smaller church lot having 30 units with 5 affordable units. That assumes the church is not there.

Ms. Creasy – This is the back of the napkin using the few criteria that are set in the code and raw land. We know there are lots of circumstances that come into play. Those are potential numbers. There are circumstances that aren’t considered as part of that.

Commissioner Stolzenberg – That is figuring out the General Residential by right scenario. If you imagine a situation where we are looking at this rezoning in a year after we do the inclusionary zoning ordinance. For a multi-family development, the IZ report would say 10 percent affordable at 60 percent AMI at 99 years.

ii. Applicant Presentation

Justin Shimp, Applicant – I appreciate the effort that was made of the 3 factors. We have some compelling information that says that this meets General Residential. We think that we make a strong case. With the affordable housing, I would like nothing better than for Charlottesville to have an ordinance that we all like. We have been going back and forth project by project to get something that we try to get that makes sense. I feel that it gets more complicated, not simpler. I know that is in process. For the moment, we are working with what we have. We started this project 18 months ago. The submittal of the affordable housing information we put in was in February or March. Some of the latest inclusionary zoning came out a couple weeks ago. If our material doesn’t match that, we haven’t seen it. We are open to other discussions about how to make that work. The questions that came about illustrate how it is best handled in an ordinance that is easily enforced across all projects and is simpler for applicants, landowners, engineers, and for those submitting these plans to work through. I have one final comment on the affordability. It was said by staff that our proffer is written such that after 90 days, the unit would not be affordable. That is not the case. The rent is locked in. There is a marketing period, which is only marketable to somebody at the 80 percent or below AMI. When that marketing ends, the rent is still stays the same. Somebody who makes more money could apply for the unit. The origin of that is a concern that if you have these affordable units, what if no applicant comes along in 90 days. It seems that shouldn’t be the case. We left that in there because it is not clear to us if there is a city department that has a list of these people to help get those tenants in line. Moving forward, that is something we can work on revising or maybe even removing. That is the reason it is there. The rent would change. If no qualified person comes forward that makes enough money, we would still be able to rent the unit out to someone else.

Next Slide

This is a rendering of the project. What you will see is the layout. We have larger buildings set towards the commercial buildings that are behind. At the bottom of the page is the Bank of America building. You will see

the church to the left of the page. The residential neighborhoods are at the top of the page. If you look between the 2 large buildings that back up to the bank, there is that pathway in between that goes down to the shared use path. There are 2 sidewalks. Each of those sidewalks go to courtyards. Those are units that have a first level courtyard. Each unit has a little side patio that feeds off the side there. We have been creative and trying to figure out ways that every unit has a nice little space to it, whether it be a small unit or one of the 3-bedroom units.

Next Slide

The site context is important in thinking about what part of General Residential and that transition zone makes this make sense to us for the different typology of houses we have here. Everything in the brighter color is a non-single family residential type use: school, River Road, Rivanna Terrace Multi-family, The Hudson on River Road, and Pantops Mountain. This site is positioned next to some residential but also adjacent to a lot of other uses, not single-family residential.

Next Slide

This is a useful map. Look at the 1500-foot radius from that 250/River Road intersection. What you see is that concentration of zoning that is not single-family. That was part of the inspiration for pushing to a higher density and a different unit type. There is a bank next to us. There is some residential. Within eyesight of this is the bypass, River Road, and all the commercial uses. It is a different location than any General Residential. With the very top of this page, it would feel weird to have that kind of development up in those neighborhoods. The proximity to what is really a major intersection, we would have 5- to 8-story buildings in the future. It makes sense to make something a little higher intensity, a little more buffering, and provide housing that can be connected to a lot of places.

Next Slide – Concept Plan

Here is a more detailed CAD lined drawing of our concept plan. The things to highlight here are what you heard about in the proffer presentation. Adjacent to the lower density is the screening buffer and a screening fence. At the bottom of the page is that 10-foot multi-use path. That is part of our connectivity. We do get people, even without further offsite improvements, from the neighborhood up to St. Clair on a shared-use path. Otter Street is not perfect but also has low traffic as far as getting up to St. Clair. We have some thoughts about the connection that the city is interested in.

Next Slide – Access to Parks & Schools

This is a connectivity map of where you can get to from here as part of our inspiration for what this planned density was looking at. This is a convenient location by car and even on foot. You can get around with the number of parks. You can get around to the Rivanna Trail and get over to the school. It is around 10 minutes to the school and 10 minutes to the Northeast Park. The orange lines are potential future sidewalk connections. Those are the 2 missing pieces that the city engineer pointed out.

Next Slide – Access to Public Transit

We are zooming in more but focusing on that connectivity. You can see all the bus stops within the 5-minute walk of the site. We have easy access to those bus stops from the property, minimally using that shared-use path and the Otter Street connection, possibly connecting through River Vista.

Next Slide – Density in the Right Direction

We look at this site and the General Residential framework laid out in the Comprehensive Plan. This description is what the Comprehensive Plan lists. It notes the 2.5 stories, 3-unit dwellings that we discussed plus the additional unit for affordable. It says, ‘consider ways to support townhomes in this category on a site-specific basis.’ That is why when you zoom out and look at this site in the context of being a block off Long Street. This is not your average General Residential location. To us, that says that this should be geared that direction. We

took the idea of a townhome; what if we divide that up. Instead of being a \$600,000 townhome, it is a series of rentals that are much more affordable and gets more density to a broader public. We looked at a couple of adjacent lots. What if the zoning has changed and this is General Residential. You take any of these parcels and have an 0.121-acre lot and allow 3 units by right. That is essentially the kind of density we are calling for in the General Residential looking at examples of these lots. If you take our project and divide that out, we have the 72 units maximum, including the future phase. That is 22 DUA. It is not different than what type of density you are envisioning in the Future Land Use Map. If you look at the context of the site-specific location, the provision for townhomes, the thought that these structures could be townhome form, serve a broader population being divided up into residential smaller units, that made a lot of sense.

Next Slide – Townhouse Form in Local Context

You see townhomes frequently mixed within single-family residential. In Albemarle County, if you are in R-4 or R-6 zone (middle density), you often see it. There are some townhome structures on Park Street that don't ruin anything. They're nice. Riverside Village is a project that we did in Albemarle County. In that picture on the left of Riverside Village, the units that have their back to you. Those houses are duplexes. The unit across the street is 6 units. It is a townhome over a basement apartment. Those 6-unit buildings are smaller 2-unit buildings across the street. With regards to the size of a home, it can vary a lot. This is a situation where that form of townhome is like what we are proposing. It fits in that neighborhood beautifully. If this was to be built by right in the current R-2 zoning, the structures that you see on the lower side of that page are what you would get, massive duplexes. To think that a large footprint is not going to happen in the current market, it is. How many people are going to be living there is the question. One more neighborhood in the city is Cherry Hill. It is a mix of some small lots, single families, and some townhomes. The townhomes and single families can coexist together.

Next Slide – Comprehensive Plan Analysis

In the Comprehensive Plan looking at these broader goals, the language speaks to having the townhome type structure. We hit the accessibility. We can maybe improve that in one way. We want to explore that. We really work with the grades on this to get this density in a way that it does not seem like large structures.

Next Slide – Designing for Creative Density

Here is a breakdown of what we want to do. This is a 15-unit building that looks like a 5-unit townhouse row. What you have in this picture (yellow) is a stacked townhome structure with firewalls on each side. It is a flat unit on each level. Those are 2 bedrooms. At the end, that unit is a 3-bedroom unit. Below that are 2 efficiencies. On that lower level, those efficiencies walk out on grade. They have patios beside them with those walkways connecting them. Each of those units has a nice, private patio accompanying it.

Next Slide – Designing for Varied Density

This is a project out in Crozet. These were the affordable units. They were stacked units. These were the affordable units for that project. They are about 5 years past their limit. They were 10-year affordable. They still rent for affordable rents today. They were structurally designed to be an affordable unit. After the period of affordability was over, they have stayed that way. It is something we are trying to do here. Ultimately, the affordability people want is at a low scale. It is going to require subsidy. You can create structures that don't cost a fortune to build and don't require government loans. You see all the apartment complexes. They all have pools, clubhouses, and all these amenities because they must. The financing mechanism requires them to do that. Inherently, you are required to build luxury apartments because that is how you finance them via HUD-secured 40-year loan. The small builders who are doing these projects don't do that. They don't have the access to that. They also don't do the alternative, which is LI HTC and your tax credit, which gets you that affordability. This townhome product allows you to build a structure that does not have to have a lot of luxury amenities and does not have elevators. With some creative thinking, it provides accessible efficiency units that will be affordable for the affordability period. They will stay affordable through their lifetime. That is what we

must be thinking about to get enough housing supply here structurally, so we don't have to restrict it. There is adequate supply where rents don't increase 10 or 15 percent. This kind of density with this kind of unit is a good way to approach it.

Next Slide – Massing Diagram

Design Develop made a nice model for us. This is looking from the commercial side. You can see the 3 stories on this side. That is the premise of this. From the commercial side looking up, you have 3 stories. From the residential side looking down, it is 2 stories.

Next Slide

This is the view from the church looking down. The closest units are 2 stories on that side. The basement at grade exiting towards a shared-use path is on the right side there. The upper side is the same. The structures up on the residential side are 3 townhome units. They are about 66 feet wide and 40 feet deep, which is about 20 feet narrower and 10 feet shallower than that duplex at Riverside Village. That is 20 percent smaller in footprint than the market wants to see. The smallest buildings are residential and the larger building back up to the commercial.

Next Slide

You are looking from the entrance up towards the church. This is that little section of units on the far right of the page.

Next Slide

This is at the ground level. You can see the church steeple in the background. On the left side, you can see the 2-story nature of those buildings. That is the same feel you would have if you were in the residential neighborhood on River Vista looking down towards those units. It is a 2-story townhome.

Next Slide – Perspectives

These are a couple of rendered views. This is the uphill side of those units. That is the 15-unit building. Down to the left would be that little patio space where the efficiencies are located. All the units have some sort of outdoor space (porches or outdoor patios).

Next Slide

This is a close-up view of the 3-story side. You will see these will be the walkout on grade. The accessible units will be across this level. That would include all the efficiencies that would be accessed from that ground level accessible side. It would take people on fixed income who need accessibility and affordability. Those units are structurally for them.

Next Slide – Proffers: Affordable Housing

We will go over one change. The city code is a little funny about what proffers can be amended or introduced during a meeting. What we did here, from discussions after this was submitted, was that there is essentially a problem with using the FMR or 125 percent FMR because the voucher pay rates aren't tied to that. They are tied to a rate set by the Housing Authority. Our proposed amendment is that instead of having three at 125 percent and four at FMR, we would do all 7 at the CHRA payment standard. It is simple. If somebody has a voucher, they qualify for one of those seven. That number might change each year. Our rent will be set by what CRHA says is the payment standard for that year. We thought that was cleaner. A comment was that under the current standard, if the payment standard dropped 99 percent of FMR, the voucher holder would qualify for the unit. We wanted to avoid that. The intention was always for those people to be able to access these units. At one time, we understood that 125 percent was voucher eligible. It is for certain funding but not for all of it. To simplify everything, if most of the vouchers come from the CRHA and the payment standard is whatever it is, we will accept that as the rent limit. That is the amended proffer. We have a possible solution to the off-site

sidewalk. With the way the city code is written, we may need to bring that up between now and City Council. I don't know if we can introduce something new now. For the sake of discussion, I am not introducing this as an actual proffer unless I am told that I can. We are open and willing to fill in those 2 missing pieces of sidewalk on River Vista. Those comments didn't come to us until the staff report. They were mentioned earlier by some of the neighbors. It has been on the radar. We went out there and looked at our survey. We have had some surveying work done since the beginning of the project. I think that is buildable. We will have to talk about how that can be integrated. We would like to move forward tonight with the understanding that is a concern. We are prepared to address it. We may not be able to include that proffer officially tonight.

Next Slide

This is an illustration of where the screening fence was specifically proffered in yellow highlights. There was some language that people had a question about. We said that if the neighbor had a fence and they don't want us to build one, we wouldn't have to.

Commissioner Stolzenberg – Are you going to put this up before construction or at the end of construction?

Mr. Shimp – It could be done at the beginning. We are not going to hit it. It could be done at the beginning.

Commissioner Russell – What about Phase 2?

Mr. Shimp – We don't have any proffered fences or screening on that side of it.

Ms. Creasy – There was a question about a change to the housing proffer from what is currently provided to a different criterion. The other question had to do with whether they could add a proffer without advertisement.

Javier Gomez-Jacome, City Attorney – In both cases, they are substantial changes and relative to what we advertised as would be going forward. This would be something where we would want to defer, amend, and then re-refer for a hearing with the changes that were made. They are reasonably substantive, relative especially to how we put this forth in our announcement.

Mr. Shimp – The Planning Commission can make a motion on the recommendation that is before you. Proffers can be amended. A new public hearing would be needed before the City Council. That is how we understand it. We are not sure if they are understanding the Planning Commission. This is what is expected to get fixed. Does it need to go back to the Planning Commission or does a new public hearing suffice with City Council so that those items would be re-advertised? That would be our preference.

Ms. Creasy – The Planning Commission can provide a recommendation. Proffers can change within the code limitations. Council can hold an additional hearing. They can choose whether they are going to take an action or whether they are going to kick it back to the Commission. That is the process.

Mr. Jacome – If it was put forward as recommendations from the Commission, that would then be heard in final form by Council. I would be Ok with that.

Commissioner Mitchell – The recommendation that we make needs to be based on the application as it exists tonight.

Ms. Creasy – That is correct.

Commissioner Mitchell – I wonder if Mr. Ikefuna can tell me what he thinks about the amended proffer on the affordability.

Mr. Ikefuna – The focus of the city, even with the inclusionary zoning that is going on at 60 percent, that is the target. The proffer change being proposed stays close. There are several issues that we listed, which the applicant hasn't addressed. They include the affordability period. Ten years is going to be fast. The city is looking for a much longer affordability period with options to renew if possible. The marketing plan hasn't been discussed. It is easy to say that we can talk to CRHA. It is more than that because we must reconsider this timeline of 90 days. After 90 days, if you don't hear anything from anybody, that is it. In the opinion of OCS, that is not it. We don't think that the 90-day requirement makes any sense. It doesn't help the city in terms of meeting the affordability period. This alone is just part of the overall staff recommendation. There are still several issues here that the applicant needs to discuss.

Commissioner Russell – Amending it to be the amended proffer statement as presented, would that potentially mean that those 7 affordable units could always be rented by or only rented by people at 80 percent AMI? We never get that deeper level of affordability. The way it is right now, we are trying to get a definitive decision on that. That is what it is because it is easy for those people at that income level to find a house to rent. Most of the people that need housing are at 60 percent AMI or lower.

Commissioner Russell – My question is related to how you are factoring in that DUA and whether it is considering blocks one and two.

Mr. Shimp – We count the whole density over the whole project.

Commissioner Russell – How would it factor? You are factoring that whole entire site where the church is. There is just more open space. Most of your development is more skewed towards that 29 DUA.

Mr. Shimp – Keep in mind we have a lot of 400-square-foot units among that 29. That also skews the number up. That is a positive. It is a number worth comparing. You need to look at the whole acreage. If we got rid of those efficiencies and made more 2 and 3 bedrooms, it would be back in line. Is it a better project? I don't think so.

Commissioner Schwarz – Looking at your setbacks that are listed on the plan that you have given us, in comparing that to the massing plan of where the buildings are, I am curious why there seems to be a big difference. You have small setbacks. What you are describing is that building out seems to be pulled back much further from the property lines. If the buildings truly are going to be pulled back further from the property lines, why are you requesting small setbacks?

Mr. Shimp – The side setback is 5 feet, which is the current R-2 setback. Our structure height doesn't exceed the R-2. Our structure size, in many ways, is not that different from a height adjacent to a property standpoint than what would already be there. The other setbacks are 20 feet.

Kelsey Schlein, Applicant – We have 10 feet off the property boundary. You were talking about the 2-story mass in the presentation and how the 2-story mass is adjacent to River Vista. The buildings that we have behind the homes that front on River Vista are further than 10 feet. We could increase that setback a little. Another issue with the setback is that we could increase it more, but we do have porches and covered porches on all of these. We could increase it more. We are accommodating for the porches with the setbacks that we have provided.

Commissioner Schwarz – When we approve a PUD like this, the actual construction needs to closely match what has been presented to us with the 3D renderings and the site plan.

Ms. Creasy – They are giving development criteria. They are basically creating the zoning for the site. This is what is referenced for that review.

Commissioner Russell – In the past, we have said, in general keeping with renderings shown on slides.

Commissioner Schwarz – The main mass of the buildings is significantly further back than 10 feet. I can see where they have porches and things sticking out.

Commissioner Stolzenberg – Would the green space be open to the public?

Mr. Shimp – Technically not. It is not dedicated to the city. Hopefully people get along. In an official sense, no. It is a green space for the neighborhood. They will all be maintaining it.

Commissioner Stolzenberg – With Landonia Circle, the engineers have told us that it is going to be hard for these standards. Do you have a plan for that?

Mr. Shimp – It is difficult. It is not impossible. The issue would be that under the current regulations we would probably have to put a lot of retaining walls along the edge of the right-of-way. It can be done. Should it be done? We don't know. We would hope that we could work with city staff on the site plan and might require some amendments to code or may require us to be creative with something else. It is essentially our risk what the city attorney spelled out. There is a benefit to that connection. I think everyone in the city we have talked to agrees with that. We need to find the right solution. We may have to build some retaining walls. That is the cost that we must incur. It might become some other solution. We can get the easement from the neighboring property owners. There are other ways it can be done. We don't know how people will cooperate with that or what exact measures will be needed. It can be done. We would prefer it to be done with a different slope. That will potentially involve changing some codes or getting special exceptions that we haven't yet worked through. That is our risk.

Commissioner Stolzenberg – If you were to proffer the sidewalks along River Vista, I know one of the properties in that gap has a parking pad that is about the size of a car and is partially in what is probably the right-of-way that would be used for that sidewalk. How do you deal with something like that? Do you extend that parking pad back?

Mr. Shimp – If they extended the right-of-way, we would cut it at the right-of-way line and pour concrete right to it. A sidewalk could be constructed. We would fill in whatever gap is in there.

Commissioner Stolzenberg – The parking pad is moved forward. It would probably be too small.

Mr. Shimp – I don't see why we wouldn't do that. The developer is a local developer, who has been around 50 years. He has no need to go to the immediate neighbor and anger them over something that is as trivial as \$300 in concrete. I don't see that being a problem to resolve.

Commissioner Stolzenberg – These are the changes to quantity of units, rent, and income limits. Are there any other changes you were thinking about, such as duration?

Mr. Shimp – Communicating with the developer as we are discussing, they are open to dropping that duration. The 10-year duration is a different story. I can't think of a project that has 30-year, 99-year affordability without some kind of subsidy. If you look at something beyond 10 years, this is like a \$200,000 donation to affordable housing when you make these reduced rent restrictions on this kind of project. Could it be 11 or 12 years? Sure. It is hard to figure these things out. It would be much easier for us moving forward if there was 'it is going to be

30 years or nothing.’ We could do 30 years or nothing. By our standpoint, you could vote up or down. We have some knowledge going in. When prices are negotiated with property owners and the land you are buying, it is with certain expectations. If we say that we need you (property owner) to shave another \$500,000 off your income for the X number of years, that is what we’re talking if you extend it from 10 years to 30 years. The developer is losing more rent income. They still need to build the project. I understand those concerns. At a high level, I must ask the question: to look like we have a policy that gives clear guidance. Are all the people in need of housing in this town better off or worse off if this is approved? It is like saying ‘we don’t have our 30 years, deny it until we figure out what we are going to do about that policy.’ How much is that accomplishing? If somebody comes forward to us with some specific guidelines we can talk about, we are happy to entertain those things. It is tough to toss things out. We started pairing these numbers, this project 18 months ago. A lot of this information that came out about what you are looking for is after that time. As far as 90 days, they are open to removing that marketing restriction, such that it would stay to that 80 percent and below, and not be eligible to rent it to anyone above that.

Commissioner Stolzenberg – With regards to out-year rent subsidies, the time value of money is a thing. Money that is 20 years out is discounted. Your rent, as your building ages, is going to change and probably get lower. That is a bigger conversation than we will get into in depth as we talk about the IC report that came out. Moving away from the big parameters of an affordable housing proffer, we have come a long way since I joined the Commission in how these proffers are worded so they can be administered properly. For the most part, your proffer adherence to the regulations adopted under 34-12g, which provide a set of standard operating procedures for how the city should manage your units. On top of that, you make changes to those major parameters of how it works. You have been involved in a lot of these proffers over the years. Why is it that the text of this proffer has regressed to an early 2019 level? There is no discussion of how the city is supposed to administer these. Things that OCS is talking about like a marketing plan. Those things and acceptance of vouchers are all covered in the standard operating procedures. They add a lot of clarity and a lot of ease of enforcement. You have given us a vague proffer with the big parameters and none of the details.

Ms. Schlein – In this amended proffer, we are just changing an amendment to the rent cap, the income limit, and how for those 7 units. Everything else in the proffer, the reference to the declarations approved in a form by the city attorney, which that standard declaration references the SOP. All that language that we presented within our proffer statement that we presented months ago on this application we would like for that to stay today for enforcement. We don’t want to do a regression for how these are enforced and evaluated. In presenting this payment standard, it was just new information that we received over the past few weeks. The 125 percent with the CISRAP vouchers isn’t always secured. That is a city-funded program. That funding might not be funded every year. Using the payment standard might be a simpler mechanism to ensure voucher accessibility.

Commissioner Stolzenberg – I don’t mean this stuff. I mean the original proffer statement. I would disagree that saying the written declaration of covenant would be approved by the City Attorney would require adherence to 34-12g. As far as I understand a proffer, unless you write it in this proffer, it does not apply. Unless you are saying, ‘I will be subject to the standard operating procedures,’ I don’t see how the City Attorney can require you to put that into your covenant.

Ms. Schlein – It was never our intent to forego any type of marketing plan or to forego many of the items that are brought forth in the standard operating procedure. We will be happy to clarify that in this proffer statement.

Commissioner Stolzenberg – Let’s get into those specific things that aren’t mentioned in your proffer statement. Standard operating procedure requires you to do a mix of units commensurate with a mix in your project. Are you proposing that these efficiencies that naturally rent at roughly affordable rates are the ones that will be affordable?

Ms. Schlein – In this case, we are proposing a mixture of units. It would be roughly proportional. It would be a mixture between efficiencies 1, 2, and 3. That is what we have discussed.

Commissioner Stolzenberg – For us to enforce it, it needs to be in the proffer statement. Prior to providing them with the 55th CO, we typically see that they are provided as you build it. If you were to balance out on this project by 10, you would seem to not have to provide any affordable units altogether. That would seem like a problem to me.

Ms. Schlein – It was more intended that in block 2, which is where the primarily residential units are concentrated, the proposed maximum buildout there allows for up to 60. The design that we have worked up is 59. Prior to that project being completed, all affordable units would be provided on the property within block 2. That was where the 55 number comes from. In our mind and presenting it that way, it was an assurance that the affordable housing would be provided when this project came off the ground. I hear what you are saying. That is something that we can clarify. I know it is in the standard operating procedures. It calls for not concentrated in a particular building or not concentrated on any one floor. It covers all those assurances. That wasn't the intent in presenting the 55. It was to ensure that they were constructed if the church units never came online.

Commissioner Palmer – The only thing I didn't hear mentioned when I was reading through some of the public comments was a statement about stormwater and how you are treating that on the site. The comment was that it would be great if more of the stormwater was handled on site. I didn't hear anything in your presentation about whether it is or isn't.

Ms. Schlein – There is a provision in state code. That code specifically says that operators executing land disturbance activity (developers), shall be allowed to utilize off-site options. It doesn't say 'may.' It says 'shall.' We have had this experience in other localities where we have explored stormwater on site as part of a rezoning or special use permit action. That was found to be unenforceable because of the word 'shall' in that section of code that allows for offsite options. It is something that we have looked at. That is the section of code that we are looking at and evaluating our options.

Mr. Shimp – Albemarle County told us that this is essentially unlawful to proffer that we would have onsite. We couldn't use credits. I have had 2 projects in the last year where we had to do some sort of onsite water quality. You get a quantity benefit from that too. If we have good soils that work, we may do an infiltration system here That would treat water quality onsite. I am 'miles away' from knowing if that is feasible on the site. There are circumstances. Even if you are permitted to use the credits, you must use onsite treatment of quality because you get a benefit to your quantity component of that. I don't want to say that we won't. We shouldn't proffer it. I couldn't tell you right now what we are going to do. We still must do soil borings.

Commissioner Stolzenberg – Are those permeable pavers guaranteed?

Mr. Shimp – It is called out in the plans.

Chairman Solla-Yates – Why is the church doing this?

Mr. Shimp – What we know is that the church and the developer have known each other. They got together. The church has this land, and the developer was interested in doing a project. The money for them will be useful in renovations and the ongoing expenditures of the church and helping their church grow. They are also interested in the daycare component. I talked about that in the traffic context. The PUD gives them a by right daycare, which we know is very needed. There are concerns about that being a special use permit. We have tried to help some small operators start daycare. It is hard enough to start a daycare without having to go

through zoning. We felt that is something that if somebody in the community wants to do that, we should make it as easy as possible. The church did have an interest in changing their zoning to permit that use.

Commissioner Stolzenberg – Your use matrix seems to be based on an old R-2 use matrix where family day homes (6 to 12) are by special use permit only. That was changed in 2020 thanks to Chairman Solla-Yates. You have those by special use permit in your use matrix PUD. Would you be willing to change that? It seems weird in a 3-bedroom if they want to have a family day home or 6 kids to be the only ones in the city who couldn't do it. I have received assurances from Lisa Robertson (City Attorney) that you were allowed to do that tonight.

Mr. Shimp – We should change that. Childcare is a big problem. We should make it easier, not harder for people to run those small businesses.

Councilor Payne – My thought is like other projects that have come before us. The criteria we should be evaluating the affordable housing component on is the inclusionary zoning, which we now defined. We should try to stick to that at 10 percent of units at 60 percent AMI or less for 99 years, which is what is in the inclusionary zoning report based on a market analysis of what was financially feasible. If it was accurate that is not feasible for a developer, then we should rip up our inclusionary zoning report. I am expecting their market analysis was not that far off. The affordable housing proffers are not meeting that standard yet. Overall, it is obvious that this density fits in with General Residential and residential uses. This is the kind of density and project that, if our zoning rewrite encourages, then it would be a success. I want to figure out how we can get to 'yes.' The affordability proffers are not quite there yet.

Councilor Pinkston – Is the focus tonight on Phase I?

Ms. Creasy – We have the non-church building phase. That is where the details have been denoted. They did provide some general parameters for Block 1 with the church building. Those parameters would be included in this PUD zoning.

Councilor Pinkston – Is the 72 units just in Block 2? Is that for the whole site?

Ms. Creasy – It is 60 for the first block and up to 12 for the second block.

Commissioner Stolzenberg – Are those specified separately?

Ms. Creasy – They are going for a specific number. They have noted 60. We would likely hold them to the 60 in the one block.

Councilor Pinkston – Phase I/Block 2 would have 60 units. Seven units are being put forward as affordable by those criteria. That is for Block 2 in terms of the units. Block 1 might not have any affordable housing. The maximum number of units is 72 on this whole site. If they do 7, that is 10 percent.

iii. Public Hearing

Kristin Szakos (Otter Street) – I am here to speak in strong support of the Mount View Housing Development proposed for the lot beside my house. I served 8 years on City Council and sat through many of these meetings. During my time on Council and at Planning Commission meetings, I watched repeatedly in frustration as countless good proposals for denser housing in the city were denied because they were not perfect. The result of those years of denials and zoning that encouraged large houses on individual lots is a crisis and an unsustainable shortage of housing. Developments have been pushed further and further out into surrounding counties to house people who work, shop, and play in the city. The resulting traffic as people commute to those distant homes

morning and evening creates congestion and environmental degradation and a reduced quality of life for the people forced to spend their non-working times in their cars. This project is not perfect. It offers what I hope will be one of many responses to that crisis. We need housing. We need middle-range affordable housing and affordability at all income levels. We need to be courageous and bold in responding to the trend that is making Charlottesville a boutique city where only the rich can afford to live. I agree with staff recommendations on longer affordability and an assurance of Section 8 vouchers. I hope the applicant will agree to those conditions. I agree with my neighbors, who urge the applicant to handle a majority of stormwater on site rather than relying on credits. Runoff from this parcel uphill and so close to the river needs to be carefully handled. When our family moved to Locust Grove 30 years ago, it was one of the only city neighborhoods we could afford. The small houses and short setbacks had created a community of working-class families who helped one another, talked to one another, and walked their children to school. We love Locust Grove. We want it to be a community where people can live near where they work, be less dependent on cars, and enjoy their diverse, friendly neighbors. This project will help preserve the character of our neighborhood by providing a mid-range affordable option in a community served by transit, sidewalks, and good schools.

John Hossack – Please recommend denial of this application to City Council for the following reasons. The revised application appears to consider concerns previously shared. Upzoning to the PUD in this setting undermines the need for medium intensity residential in R-2 and General Residential in the new FLUM. If you upzone, as proposed here, it creates a question as to whether the classifications in the new Comp Plan mean anything. It undermines the basis of the proposed upzoning currently underway. It creates the impression that exceptions are approved to do whatever, wherever, and whenever. The architecture is demonstrably inconsistent with adjacent established homes. It is up to 35 feet tall and lacks the qualities of adjacent buildings. 35 feet might be permissible in medium intensity residential neighborhood. Part of the current wording would be by right. This development serves as a warning to residents of medium intensity residential neighborhoods that apartments of similar height may be approved by right, more likely in an uncoordinated design. Medium intensity residential has low representation among lots owned by the Planning Commission and Council members. It is problematic that the church has its parking spaces empty 160 hours a week. It would inconvenience the church very little. Stormwater should be handled on site and not payment in lieu. It is incredible to have the developer write their own traffic impact study. It is too conflicted to do this job properly. There is little evidence that city staff at the time to vet it. They left the experience of adjacent residents does not match the statements in the impact study. 250 and adjacent streets are overloaded in the peak hours. Eastbound is backed from Free Bridge to Locust. The Planning Commission and Council would be wiser to get a long-term and medium-term transport plan in order before approving developments such as this. They have allowed the adjacent county to travel all over this neighborhood by the constant inaction. Ongoing dangerous conditions undermine the focus on pedestrian and bicycle alternative transport.

Elizabeth Alcorn (Calhoun Street) – In the current form, I am encouraging the Planning Commission not to support it. We have a serious traffic problem in the neighborhood. The traffic engineer just looked at the donut hole and did not look at the donut. I live on Calhoun Street, which was mentioned by the developer as being a thoroughfare going to the park. It is a thoroughfare for county residents to use as a bypass against and away from 250. During rush hour, we have heavy traffic cutting through from 29 north, John Warner Parkway, and Rio Road crossing North Street past the park and down Bellevue. Calhoun and Bellevue are small streets. We have 12 feet on Calhoun Street between parked cars. We also have a bus going through there. One of my neighbors had her car totaled while it was parked on Calhoun Street because of the narrow width of the street and the traffic. Until this problem is fixed, there should be no development going on in the neighborhood. If you fix the traffic, I encourage no access from vehicular traffic from this development onto River Vista or Otter Street. All traffic should exit 250. 250, River Vista, and Otter Street should be reserved for pedestrian and bicycle traffic due to the traffic problems that are already existing in Locust Grove. The other reason this project should be denied is because of stormwater runoff. You are 1000 feet from the Rivanna River. This neighborhood has inadequate stormwater facilities. We have failing stormwater and lack of gutters throughout

parts of the neighborhood. We have clogged storm drains that are not being maintained. St. Clair has been on a map for stormwater improvement. It has not happened. Until stormwater and groundwater in the neighborhood are dealt with, any developer should be required to deal with all stormwater on property. The city has inadequate stormwater facilities for these old neighborhoods. We need to continue to provide neighborhoods with stormwater improvements and traffic improvements.

Brandon Collins – I urge you to take no kind of action on any of this. The proffer on affordable housing needs serious attention. It is good to consider why proffers are there. If you had a robust and amazing affordable housing plan for this development, it would offset the number of concerns that came from the staff about the design and development of the property. I am not a big fan of the staff chiming in on how people should build things on their properties. They had a lot there and very little discussion on that this evening. One way we can say that we can be comfortable with this is to hear that this is going to provide a deep amount of affordability in terms of the income levels that are served, the number of units, and the length of time these things are affordable. Looking to the inclusionary zoning is a good step in the right direction. As a proffer, what you are looking for is for something above and beyond so that you can do something above and beyond what is allowable. In several ways, this whole proposal isn't ready. We should be supporting the development of this area and greater density to provide affordable housing for all income levels. We can do better. It is insulting to hear that a subsidized property is somehow providing luxury housing because of federal requirements. If you are operating the property as you propose and accepting vouchers, you will be receiving a subsidy. Whether you are or aren't, it is going to be the same amount of money as it is for low-income communities that provide additional amenities.

Elizabeth Hand (907 St. Clair) – I am across the street from Mt. View Baptist Church. With what happens with this proposal, I will be watching. My comment is coming from a resident of the neighborhood but as a follower of Jesus Christ. Within my heart, there is a great love for our neighbors and a great desire for their wellbeing. I don't want my opposition to the proposed rezoning to be construed as a rejection of growth in our neighborhood, community or a rejection of people who need affordable housing. My issue with this proposed rezoning is that the number of units is several times higher than the surrounding community. Many people have already made the comment that if you were to look at medium density or general density, you would be looking at something slightly less than this and not completely outrageous compared to the rest of the community. In terms of the number of units proposed, it is not consistent with the neighborhood. My main concerns have already been addressed in letters sent to the Planning Commission and City Council. The density was slightly too high to match with the surrounding community, no addressing of the stormwater treatment on site, and the lack of clarity on the affordable housing. Traffic is a serious problem. In terms of walkability and pedestrian friendliness in our community, Burnley Moran Elementary School is across 250. They enroll 275 students. Of those 275 students, 45 of those students can ride to school on a bus. They prioritize those students. There are over 60 students on the wait list for the bus line. The remaining 230 students, despite efforts to delineate the crosswalk, 83 students arrive to school walking. Everyone else is in their car. That is another indication that the traffic situation makes it unfriendly and terrifying to pedestrians. We must focus on this before trying to develop any further.

Josh Crown (North Avenue) – I have been in this house about 14 years. This neighborhood has seen almost no new housing being built at all, even though we are 1 mile from the Downtown Mall. It is one of the least walkable neighborhoods in the city. That is because there are no retail amenities, no non-residential uses in the neighborhood are allowed. It is almost 100 percent single-family residential. That makes it unwalkable. Our neighborhood, looking ahead, is never going to become walkable until we can increase the density to support non-residential mixed uses. Lack of density is what is holding back walkability in our neighborhood. The pedestrian connection recommendation in the staff report was confusing. There are a lot of problems with pedestrian connectivity. If new housing is being denied because it is now walkable, those are the kinds of things that will create the incentive to improve connectivity. It is like we are being stuck in a mid-century car centric

world when the neighborhood has a lot of potential and should be allowed to grow and prosper. I am hearing a lot of technical details about why this project isn't perfect that I don't pretend to fully understand. From a layman's perspective, it seems if we wait around for perfect projects to appear, we will never build anything. The housing crisis will get worse. On a high level, we make it so difficult for normal people to live in a home in a place they like in a community that they want to be a part of. It is frustrating. We should let the builders do what they do.

Stuart Walton (1212 River Vista) – I would ask that the Planning Commission not to approve this as it stands now. I have zero problem with the quality of the building. I don't think it matches the neighborhood as it stands now. My request for denial at this time is because I feel this development has been pushed through too fast without some major details being worked out. I know that Josh and Kristin spoke to getting hung up on small details. The connector to River Vista is right beside my house. All I hear are reasons why this shouldn't happen. Exceptions to the rules are being made. That is why we are here. It is zoned R-2 for a reason, but we are going to forego that rule. The grade of the road going from the development up to River Vista is beyond what is allowed. That rule is set for a reason. It is a safety standpoint. You are saying that we're going to forego that rule. The term was that the city engineer will grant an exception. I don't want any exceptions when it comes to safety. When it comes to parking on River Vista, I don't have a driveway. A lot of houses here don't have driveways. If we do, it happens to be one car. Each house might have multiple cars. River Vista is a 1-lane road. What I am hearing is that we are going to forego or overlook rules that involve safety when you have a 1-lane road because there are so many cars parked on the road. I believe there are 60 parking spaces for 72 units here in this development. The overflow parking is not going to fit on Landonia. It is going to spill over to River Vista. We are putting more cars in a tight area and overlooking rules on safety. I don't want to downplay the need for affordable housing. These things must be addressed prior to the approval of this development. These details cannot be overlooked before approving this. There are too many things at stake.

Adam – A lot of this meeting was impenetrable to me. This is troubling to me from the perspective of a democracy and community development. It is difficult to get here and wait 2.5 hours through a meeting and try to understand it. We are overwhelmingly committed to the promise of having denser development with affordable housing. This is important for environmental reasons and issues of equity. The promise, with respect to environmental sustainability and equity is predicated in many ways on issues of accessibility and connectivity. These are things that allow us to be less car centric. These are things that allow people who cannot afford cars to get to places of work either on foot, bike, or through mass transit. This is not necessarily an easy place to live in terms of walkability. Sidewalks are only on one side of the street. All these things make it difficult. There are many streets around here because of the parking on both sides, they are effectively 1-lane. Getting down the road is akin to waiting to take turns to go under a bridge. We have slower traffic by accident of lack of design. I am not sure how I feel about this. Part of the issue that happens is there is currently no bus service for kids going to school. Even when there was bus service, the kids would have to walk up to Locust. Now, they are having to be on the street as cars are trying to push off to the side to take turns. While I am committed to the goals of the project, I have a hard time supporting it in the absence of more substantial and public facing information about the traffic impact. There was a mention of proffers for connectivity and extending sidewalks. In the absence of a more substantial plan on that front, I have a hard time supporting this.

David Hershman (Calhoun Street) – It interesting to hear my neighbors weigh in on this. We have had some meetings with the city. We appreciate Brennen and Carrie having 2 meetings with us as the neighbors. What I want to bring up is a little different observation of what we talked about. Someone referred to the back lot as a vacant lot. It is really the backyard of the church. That church has an existing parking lot, which is not used efficiently. If they do a daycare, there would be a lot of drop-offs and pick up. More asphalt and more paving results in more runoff. Equally important is that it gets hot. This is part of our climate dilemma. We are creating so much asphalt and heat island for the city. Looking to the future and as we change zoning and development patterns, we need to look at more efficient use of impervious cover. In this case, there was a refusal, even with

some of the neighborhood weighing in, that maybe shared parking or a more efficient use of the impervious surface could be designed into the project. The impervious surface is replicated to serve the development in the back and continued inefficient big swath of impervious cover up front next to the church. We are just creating more. We need to get creative with this. We want density, housing to be more affordable. We don't want to cover everything with asphalt. Creative solutions are there. It takes a willingness and a design approach that would allow that to happen. In this case, it doesn't seem to be happening.

iv. Discussion and Motion

Commissioner Mitchell – Our city has a housing problem. We don't have enough houses in the city. This application and the site that relates to this application would go a long way to address the housing problem that we have. It is a wonderful site to develop. What I also like is that we can increase the density in that area, build a nice development, and not tear down a lot of trees. Our city's canopy would not be negatively affected. I like that about this a lot. We need to vote on the application that has been presented, not the application we want it to be.

Ms. Creasy – That is correct. It is what is before you this evening.

Commissioner Mitchell – I like the fact that we can increase the density and address the housing problem with this application. We need to get the issues fixed to the infrastructure. We need to get the issues fixed with affordability. My tendency at this point will be to vote against this. If my colleagues agree that we should vote against this, Council still has the opportunity later to address the issues that need to be addressed such as the infrastructure issues, the proffer, and the sidewalks that the applicant would be willing to address. The applicant also suggested that they would be willing to work with staff to address some of the affordability issues. I would ask Council that if we deny this, to direct staff and others to work with the applicant to address the infrastructure issues and the affordability issues.

Commissioner d'Oronzio – It is a good spot for higher density. I agree that we have infrastructure and material issues with the site. We can't work through the site engineering problems while we are trying to approve at this stage. It would be nice if we could, but we can't. In terms of handing that off to the site plan and the engineering issues, that if we move forward, we are assuming that it is all going to work out. If it doesn't, they don't build. With the sense of the perfect being the enemy of the good, I do have empathy for that position too. As a larger issue, for the next year to 18 months, we are going to be dealing with the same series of questions that we are dealing with here. We have an existing set of rules that is changing. We think they are going to change in this way, but they haven't yet. We have a 'foot in each world' and we are trying to 'muddle through' and make it work. Our options are to 'muddle through' and make it work or go on sabbatical for a year. Maybe in 6 months, I am going to feel better about that second option than I do at this moment. It seems to me that we are going to have to make a bunch of decisions with rules that we don't quite know. I have a belief that increased density forces and defines the services that follow it. I am reluctantly positive but with the same caveats that Commissioner Mitchell mentioned. If there are these revisions, Council will need to take that finer point.

Commissioner Russell – One of my struggles and issues with this application is the framework that we are being asked to review it. We are being asked to review it as a PUD. I don't think it meets a lot of those objectives as outlined in city code. I like some of the things that it is doing. When you look at the site, this PUD is trying to 'shoehorn' its way in by ignoring the church parcel. I am not convinced that there is any real intent for that Phase 2 to ever be acted upon. The point about the daycare uses for the church, and I understand the issues that parents have with daycare in the city. I certainly see the need. It is a shame that there is no better or more viable process to make that easier for businesses. That is maybe something we can consider. I agree that we need to find solutions for smaller developers to be able to help contribute in a way that is economically viable to the affordable housing picture. I also understand that our affordability non-profits can't compete with

market rate developers for acquiring land. How do we balance the flexibility to keep open parcels and projects that might be great candidates for deep affordability projects and LI HTC tax credits. I feel hesitation in this plan and perhaps undermining the work and the intent of what we are doing with our Comprehensive Plan in trying to convince the public, especially in General Residential neighborhoods, that infill development can work within existing neighborhoods, contexts, and scale. I am not sure that we would be doing that in this. Maybe it is not necessarily about getting the most out of the site. That was something you mentioned earlier, Councilor Pinkston. Getting the type of development and the affordability we want and need for this community.

Commissioner Schwarz – I don't have a whole lot to add that hasn't already been said. Councilor Payne summarized my thoughts. Let's try to make this work. It makes sense. It seems like changing the Future Land Use Map to show medium intensity there as a transition from the corridor intensity that was shown along 250 seems to make sense. The big holdup seems to be the affordable housing. Our Comp Plan has affordable housing as part of it. We have the inclusionary zoning report, which is the best that we currently have. My understanding is that it is about 10 percent of the units are supposed to be at 60 percent AMI or less for a period of 99 years. We need to hold future development to that. I recognize the concerns with traffic and parking. That seems to be a concern that we have everywhere. We are in the middle of a reckoning on traffic and parking. We don't seem to take it seriously. It is about time that if we are going to get our Comp Plan to work, we will have to take it seriously. I would vote denial just on the affordable housing component.

Commissioner Stolzenberg – I agree with what has been said so far. I have no problem with this density. The scale is very appropriate. Two stories adjacent to the nearby homes is eminently reasonable. We need to make the most of our vacant lots. We have language in the Comprehensive Plan to that effect. We have language in the Comprehensive Plan about transition zones, transitions, height, and intensity. This provides that from that 5- to 8-story area next door. Whether in the exact text of the Comp Plan or the Future Land Use Map, this fits the text of General Residential. Whether it would be appropriate for an amendment that we don't want to do the paperwork or whether it makes sense to have that transition zone because it is at an edge between 2 different designations, those are open questions that probably don't matter. As a PUD, it is great in a lot of ways. I remember watching the community meeting in Albemarle County for Montclair in Crozet, which is the same sort of family-sized townhomes or family-sized multi-floor 3-bedroom units on top of efficiencies, which are naturally rent for less and are more affordable. I remember thinking that this is great and innovative. I would love to see this come to the city. There is no way it works in our existing zoning. PUDs are for making innovative things work. This is a great example of that. From a connectivity perspective, it is a great commute without getting in your car. It is going to be possible for people to go downtown without driving day-to-day. I appreciate finishing off those interrupted sidewalks, which is a scourge in this city. This is a bad case of how easy it is to fix it. I would note that while thinking about finishing sidewalks, staff noted your connection down to Landonia doesn't go all the way. There is a 20-foot chunk at the bottom. Maybe you should think about finishing that too without having to walk in the street. From the 'nuts and bolts' perspective, if you put all the affordable housing parameters aside, you basically agreed that you would fix all those things. You must fix it. I am disappointed in you guys after these years of back and forth on how these texts work. You didn't include the basic language. With the parameters, the payment standards thing is reasonable. It makes sense for helping people attach vouchers. Giving a preference or heads-up to CRHA, so that vouchers can try attach is a good idea and should be in our SOP. How that fits into our IZ ordinance, the parameters, in terms of duration, doesn't. In terms of rent, it does. It is at about 60 percent AMI. That income limit is where things get 'squirrely.' This is going to need to be a bigger discussion. If you set the rent at 60 percent AMI and the income limit at 60 percent AMI, only people exactly at 60 percent AMI can find that unit or people lower can, but they are cost burdened anyway. You probably want a little bit of flex room in there. I don't know how we figure that out in the long run. I am glad that we're not going to do it the way the county originally did where you reset after 90 days. Half their affordable homes were sold at market rate. I appreciate the rents are set at levels that 60 percent AMI can afford. From that perspective it is all right to move forward.

Chairman Solla-Yates – I went to the site yesterday. It is hot on that parking lot. There are no trees. In many ways, this is an exciting site. It is accessible from McIntire Park to there and to Riverside. It is obvious that something can fit well at this site. I am not sure that this is perfect. I don't think anybody thinks this is perfect. This is going in the right direction. I hear efforts to put it further towards the right direction.

Councilor Payne – The perfect being the enemy of the good argument, while I understand why it is necessary, because of the status quo. If we accept that we are all working in good faith to try to make it happen. Nobody is secretly throwing out any reason they could because they don't want anything approved ever. That argument can get a little simplistic for the fact that it is at this stage. When Council votes on it or the only time we have the leverage and power to make it any better. Regardless of what you do, Council is going to be working with staff to try to figure out how to make it work. I still share the same concerns I had earlier while also wanting to get to 'yes.'

Councilor Pinkston – I agree with what Councilor Payne had to say. The situation with traffic on Calhoun is factual. In a city this old and with the history that we have had, we want to do something progressive, new, good, and worthwhile in this location. We are being tripped up by the fact that we have not kept up with our traffic or sidewalks. It is hard when you are trying to vote on something like this. You see the value of the project. There are very real things that are mentioned. When the design is worked out, it won't be an issue. The traffic is an issue. More work will have to be done on this proposal with staff. In general, it is a good project in a good place. I look forward to further conversations on it.

Vice-Mayor Wade – I feel the same way. This dialogue this evening was very helpful. I walk in this area a lot with neighbors. This dialogue was very good. With the comments and the feedback, we got today, we can get from Ok to good if these changes are done before it comes to Council with working with staff and input, we got. I can attest to the cut-through traffic on Calhoun and Bellevue and those streets. That is a longer-term issue that we need to address. This is not going to assist it with that. This input and dialogue were helpful for me.

Motion – Commissioner Mitchell – I move to recommend denial of ZM22-00002, as it exists today, on the basis that it is not consistent with the Comprehensive Plan. Second by Commissioner Russell. Motion passes 4-1 with one abstention (Commissioner Stolzenberg).

IV. COMMISSION'S ACTION ITEMS

Continuing: Until All Action Items Are Concluded

The meeting was adjourned at 8:50 PM.