

**PLANNING COMMISSION REGULAR MEETING**

**July 8, 2025 – 5:30 P.M.**

**Hybrid Meeting**

**I. COMMISSION CLOSED SESSION (Agenda discussion(s))**

***Beginning:*** 5:00 PM

***Location:*** NDS Conference Room

**Members Present:** Commissioner Solla-Yates, Commissioner Schwarz, Commissioner d’Oronzio, Commissioner Stolzenberg, Commissioner Yoder, Commissioner Roettger

**Staff Present:** Patrick Cory, Missy Creasy, Matt Alfele, John Maddux, Kellie Brown, Jeff Werner

**MOTION FOR A PLANNING COMMISSION CLOSED SESSION**

Pursuant to Virginia Code § 2.2-3712, I move that the City Planning Commission close this Open Meeting and convene a Closed Meeting for the following purposes:

1. Per the legal authority in Virginia Code § 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 Planning Commission, specifically, *White v. Charlottesville*.

**Motion by:** Commissioner d’Oronzio

**Second by:** Commissioner Solla-Yates

**Ayes:** Commissioners d’Oronzio, Solla-Yates, Stolzenberg, Yoder, Roettger, and Schwarz

**Absent:** Commissioner Mitchell

**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. Any Planning Commissioner who believes that there was a departure from these requirements shall so state prior to the vote, indicating the substance of the departure. The statement shall be recorded in the Planning Commission’s Minutes.

**Motion by:** Commissioner d’Oronzio

**Second by:** Commissioner Solla-Yates

**Ayes:** Commissioners d’Oronzio, Solla-Yates, Stolzenberg, Yoder, Roettger, and Schwarz

**Absent:** Commissioner Mitchell

**II. COMMISSION REGULAR MEETING – Meeting called to order by Vice-Chairman Schwarz at 5:41 PM.**

***Beginning:*** 5:30 PM

***Location:*** City Hall Chambers

**A. COMMISSIONERS’ REPORTS**

**Commissioner Stolzenberg** – We had an MPO Tech meeting on June 17<sup>th</sup>. The big news is that CAT is applying for a federal, low-no emission grant for an expansion of the CAT yard down Avon Street including new facilities for charging electric buses and new maintenance facilities. That grant deadline is coming up in a couple days. We will know in a few months if they received it. If so, they will have significant expansion in their capacity and newer facilities to maintain buses. A Transportation Demand Management (TDM) Study is getting underway at the MPO. They will be looking at mode-share, how to get people out of cars, and use BMT. That is updated from the original scope that was: Do we have enough parking downtown? The LUPEC meeting was cancelled. I did attend a DHCD building code cycle single-stair study group on behalf of Commissioner Solla-Yates, who was at the beach. We managed to achieve consensus with all the code officials and fire officials in the room on Commissioner Solla-Yates' 4-story single-stair proposal with some minor caveats that I will not go into here.

**Commissioner Schwarz** – At the June BAR meeting, we reviewed several interesting projects. We approved the hotel on 218 West Market Street. We will see if that moves forward through construction. That is a 6-story hotel. We looked at an interesting addition to a house over in the Rugby Road/14<sup>th</sup> Street area. It was an interesting interpretation of zoning. It is adding a duplex on the back of an existing house. There were 8 bedrooms in each unit. It is obviously student housing. The BAR was supportive of that project. That was a pre-application conference. There was no action taken. We had another pre-application conference for a 7-story apartment building on 7<sup>th</sup> Street Southwest. This is on the site of the large radio antenna that is just south of West Main Street. It is proposed for that. The big issue is that there are 2 houses from the 1800s located on the site. The discussion was how to either incorporate or respect those houses with the construction of this large apartment building directly behind them. We will not have a meeting this month.

**Commissioner Solla-Yates** – I have a draft change to the Virginia Building Code for 2027. This one is called More Affordable Elevators. I am trying to make it an approachable name. The current building code banned what I consider a classic safety elevator, mandating only elevators that can accommodate an extra-large stretcher with the hope. While everyone wants an extra-large stretcher, that would be great. What has happened, is that it has just banned all elevators for all missing middle housing, which was not intended. They were not trying to get rid of elevators or harm people who need elevators. This proposal is to re-permit affordable, smaller elevators. The Virginia AARP is joining on this. It may succeed. This is coming out of the Charlottesville Comprehensive Plan effort to legalize the missing middle affordable and accessible housing.

**Commissioner d'Oronzio** – The HAC meeting was focused on the dissolution of the OCS (Office of Community Solutions) and a discussion of the land bank work program. January 27<sup>th</sup> is the target date for passing a land bank ordinance. There is some continued development work to be done and hopefully make some adjustments to where we are presently. The TJPDC did not meet. They do not meet in July. I can report from other parts of my remit of the Community Development Block Grant. It looks like we know what the money is. Yesterday, Council took the appropriate actions to take the money and allocate it.

**Commissioner Roettger** – I sit on the Tree Commission. They are recruiting some new members. We had a small meeting this month. They continue to work on policy, education, and advocacy. They have a cool, new program happening where they are educating neighborhoods about invasive vines on trees. They have been doing some cool walks and training for people to cut their own vines. It really seems to be taking off as a person-to-person activity. It has been a hard couple of weeks talking to residents, who have nothing to do with UVA. I am unsure about the future partnerships there. There has been a lot of uneasiness with the zoning. We can hopefully be patient and work together.

**Commissioner Yoder** – No Report

## **B. UNIVERSITY REPORT**

**Commissioner Joy** – Not Present

## **C. CHAIR'S REPORT**

**Chairman Mitchell** – Not Present

## D. DEPARTMENT OF NDS

**Missy Creasy, Deputy Director** – I wanted to let you know that Chairman Mitchell is out of town today. He also has some other circumstances and may not be here in August. He is getting ahead of the game. He has already appointed a nominating committee for Chair and Vice-Chair. In September, we have our annual meeting where you will vote for a new Chair and Vice-Chair. The nominating committee will be reaching out to people about your availability on that. We will report the nominating committee at the August meeting. They will officially do their business. They will be out there doing things. I wanted to make sure you guys knew about that.

**Kellie Brown, NDS Director** – I was asked to present a brief update on the current situation regarding our development code. I am going to offer a couple of brief remarks this evening. On June 30<sup>th</sup>, the Charlottesville Circuit Court granted a default judgment in the case of White vs Charlottesville after the city's outside counsel failed to meet a required deadline to respond to the plaintiff's amended complaint. As of today, we are still operating under the 2024 development code pending the Circuit Court's issuance of a formal ruling. Despite the June 30<sup>th</sup> decision, building permit applications, including trade and fire permits, are continuously being accepted and processed. All zoning related applications are temporarily on hold pending further legal and procedural guidance. Affected applications are those listed in sections 34-5.2.1 through 34-5.2.17 of the development code. Most notably, it includes new construction, additions, site modifications, and changes in use. We are continuing to review applications. We are not issuing any approvals until we have a formal ruling from the judge. If you have any questions, you can ask. I am limited in what I can share at this time.

**Commissioner Roettger** – If I was a developer or homeowner working towards the new code, are they able to come in and meet with someone about that? Would you rather they wait?

**Ms. Brown** – They are welcome to reach out to us. We do have a statement on the main Neighborhood Development Services web page that includes the information that I just shared with you today, with contact information for Mr. Alfele as our Development Review Manager. They are welcome to get in touch with us about this specific circumstances.

### 1. Affordable Housing Tax Abatement Exploration Project

**Alan Peura, Staff Report** – On April 21<sup>st</sup> at a City Council work session, staff gave a presentation on the topic of an affordable housing tax abatement program. Tax abatement had been raised and briefly discussed during the zoning rewrite process, the process that culminated in the inclusionary zoning ordinance in late 2023. At that work session, Council expressed interest in looking at the tax abatement concept. They charged staff with taking a deeper dive to perform due diligence, researching whether an affordable housing tax abatement would be an effective jump start to progress towards the city's goal of increasing affordable housing in Charlottesville. As part of this due diligence, we are conducting a great deal of community engagement to discuss this idea. Thus far, we have made a presentation to the Housing Advisory Committee, the Chamber of Commerce, the developers group CADRE. We have also met with representatives of Livable Cville. This evening as part of this community engagement, we would like to make this presentation to the Planning Commission.

What is tax abatement? Tax abatement for affordable housing would be a reduction in real estate taxes to serve as a financial performance-based incentive to building affordable dwelling units. Currently, we are focusing on rental housing projects, not for sale housing, particularly, the larger projects that are subject to the inclusionary zoning ADU requirement. The purpose would be to improve the financial feasibility of building affordable housing while preserving the revenue tax base.

What is the recent history and the legal mechanism for this concept? In 2022, the Virginia General Assembly approved and codified in the Industrial Development and Revenue Bond Act, a provision to allow local governments working with Economic Development Authorities to reimburse a defined amount of real estate tax on the new incremental value of new affordable housing projects. It is under that authority that we are considering the program. Other jurisdictions in Virginia have created similar affordable housing tax abatement programs, including the city of Richmond and Albemarle County. The county's program provides a 15 percent tax abatement for up to 30 years for projects that provide at least 20 percent affordable dwelling units. Because Virginia does not allow local government to directly abate the real estate tax owed for affordable housing, programs may create a tax abatement calculation at the front end of the program with a performance grant distribution at the backend. In other words, the incentive is a formula calculated through a real estate tax abatement. The abated tax amount is reimbursed to the developer after they have paid their full tax bill, and the abated incentive amount would be refunded. Virginia law requires that an affordable housing tax abatement be administered jointly between local government and an economic development authority. Should Charlottesville create a land bank authority, we believe it may be able to be administered jointly with the land bank.

Let's look at an example to be sure we understand how this works. Let's say under the tax abatement program, the tax incentive is a percentage applied to the increment tax due that is based upon the new increment value of a new housing construction project. That amount would be refunded to the developer. The increment value is the difference between the higher assessed value after construction minus the lower assessed value before the project. That is considered the base. The increment tax due is the difference between post construction tax and the pre-construction real estate tax. On the screen in front of you, we have an old property that needs to be developed that is currently valued at \$100,000 and pays \$100 of real estate tax. After the construction, that same property is now valued at \$250,000 and pays \$250 of real estate tax. The increment would be that post-construction value that post-construction tax minus the base (the \$100,000) and the \$100. In this case, if the tax incentive was a 50 percent abatement on the increment tax. In this case, that increment tax due is \$150. The developer would receive a tax incentive of \$75. When that developer receives their first post-construction tax bill, in this case it would be \$250, because we cannot abate that tax directly. They would pay that full \$250, and they would receive a \$75 tax abatement credit.

The outcomes of this example are that the developer gets a real estate tax abatement that defers some or all the cost of the ADU requirement. Developers can monetize today the value of that tax abatement so that they can use that to get the financing for their construction. The city would get the remaining portion of the non-abated new revenue that would not exist but for the new housing construction. In this example, the city now gets \$175 of tax revenue, the \$100 from the original base and the remaining \$75 increment. In this situation, the ADUs that the inclusionary zoning ordinance are striving for would be built and increase the affordable housing stock.

Why tax abatement research and analysis now? Because the new zoning ordinance includes the 10 percent ADU building requirement for larger projects. This creates a new financial constraint to the ongoing operating revenue of rental housing. That constraint can be quantified as the difference in revenue between market rate rents and the affordable rents for those 10 percent ADUs that are required. There is discussion that this financial constraint may be a material impediment to rental housing construction. I have heard some call this an unfunded mandate. At the same time, the affordability of housing construction is rising, including land costs, construction costs, labor costs, and interest rates remain high. Will those costs remain high and potentially trend higher going forward given our uncertain environment? What is the quantifiable impact of the ADU requirement? How significant is that cost within the context of all these other increasing costs? Would a tax abatement incentive have an impact to jumpstart housing development? For example, the city of Boston in 2024 found that a tax abatement would have little to no impact on housing construction within the context of all those other higher costs. They determined this after they conducted a due diligence market analysis and a study. At that time, they did not create a tax abatement program. A tax abatement may be an option to provide a financial incentive to make market rate housing developers whole in part from this new financial constraint. We don't know that yet.

While a primary driver of this idea is that 10 percent ADU requirement for larger projects, questions for future study could be extending an abatement opportunity to smaller projects that don't hit the ordinance requirement but still build affordable units. Perhaps the abatement would have no minimum size to be eligible. That is an option that will need to be studied more. Discussion, as a future effort is due to the complexity of smaller infill projects and their potential for subdivision.

Would tax abatement be a good strategic fit for Charlottesville? That is why the first step will be research study and a detailed data driven market analysis. The benefits and costs are mostly understood. Whether the Charlottesville market demands this program is not fully understood, hence our study. The benefits of tax abatement include the following:

- It supports long-term housing affordability goals.
- It aligns with the 2021 affordable housing plan and the 2023 strategic plan.
- It uses future revenues, not existing general fund allocations to fund affordable housing.
- It may be a more sustainable option to fund affordable housing going forward rather than using grants and current revenue from bonding.
- It spends city funds after projects are delivered at the end of the pipeline rather than early in.

There are the following costs:

- Committing future revenue for as long as 15, 30, or more years in a tax abatement is a risk and a cost.
- Committing future revenue well in advance of knowing what the city budget needs will be, what the priorities will be in those 15, 30, or more years down the road.
- It creates budget risks going forward in the event of an unforeseen budget emergency.

How do we know this program would be needed? Aren't market rate rents so high in Charlottesville that the market rate revenue will subsidize the 10 percent ADU reduction? If not, how much should we abate taxes? Starting in late June, city staff is working with a consultant 3TP Ventures on a comprehensive city housing market analysis to help us establish the extent to which the program may or may not be needed. 3TP is looking in detail at those cost drivers of housing construction to ascertain the specific cost of the ADU requirement. To help determine what the true cost impediments are to housing construction such as material, labor, financing, etc., and help us keep those costs distinct from the actual costs of the 10 percent ADUs. This analysis will also help us determine the degree that market rate rents can indeed subsidize the ADU cost. The goal of this analysis will help us achieve 3 things.

- Clearly and objectively establish if an abatement program could jump start housing production or if the project would remain feasible despite an abatement.
- If so, an abatement is called for, the study will help us quantify the need and help devise a tax abatement formula that might keep the developer whole in all or in part from the ADU requirement so we can effectively incentivize housing construction.
- We hope this analysis may guide us to the consideration of whether to target different abatement levels to different geographic areas of the city. Perhaps tax incentives should be higher where market rate rents are lower. Incentives should be lower where the market rate rent is higher and can potentially subsidize the cost of the ADUs. We hope the analysis will allow us to consider other incentive options as well.

What are the policy options and the other tools that city government could use to address the new ADU constraint? There are the grant programs that we currently have like the CAHF and HOPS. We could increase the funding for these grants. Grant funds cannot be awarded to for-profit developers. Grant funds come from current city revenue or obligate bonding capacity, committing current funds today for ADUs that will not be delivered until the future. Current revenue and bonding capacity may well be needed for other city government priorities like education, public safety, and parks. On the other hand, a tax abatement program uses future real estate tax revenue that will come from the new added increment value of future development. You protect base revenue that government services depend upon and commit a portion of that added increment revenue for new

priorities like affordable housing. This again may be an optimal way to make funding affordable housing more sustainable for city government going forward. In the meantime, while we are working with 3TP to complete our due diligence market analysis, some of the policy issues that will be looked at include starting with the high-level options. If we did a tax abatement, should a tax abatement simply make the developer whole from the 10 percent ADU requirement? Should it potentially be more generous to kickstart housing by adding an additional tax incentive beyond that 10 percent? If that was the case, how much more generous would need to be identified? It may be that the option that we fall on is that tax abatement does not provide a meaningful ability to address financial feasibility given all those other costs, and we come down where Boston came down and opt not to go forward. From these high-level framework concepts that we hope to address through this market analysis, we might also want to consider that we would need to consider other policy options such as the maximum percentage of new incremental tax revenue to reimburse via an abatement. In the earlier example I outlined, I hypothetically threw out the concept of a 50 percent tax incentive. Is that the right number? Could it be 10 percent? Richmond's model goes up to 100 percent tax abatement on that increment tax due over 30 years. We will need to consider whether eligibility for the abatement start at just meeting the 10 percent requirement or should we require something more than that? Should eligibility depend upon just meeting the 60 percent AMI requirement? Should eligibility for an abatement require going deeper? How many years should the abatement last? Should abatements be granted anywhere or targeted to specific areas? Could an abatement payment schedule be frontloaded and scaled down over time? Some developers in some areas prefer that. It allows them to frontload the revenue that they are going to get, which can improve their financing options. Should it provide bonus opportunities again for building more ADUs than are required building deeper affordability?

The outcome options of this due diligence effort are likely to be either: determine that this is an incentive that makes sense and consider a recommendation to go forward or determine the tax abatement does not provide a meaningful ability to financially incentivize affordable housing. Through the study, look at other options that we might be able to consider if we feel that we need to do something to incentivize construction in the face of an unpredictable future.

Toward this goal of completing a market analysis, we are working with the consulting team from 3TP Ventures, which includes Mike Calahan and Jeremy Goldstein, who will be managing this project in the market analysis and data research. We introduced the consultants in our CADRE presentation. It was attended by people from Livable Cville. We did that so communications can be opened up to help them gather real data from developers, who are doing or considering real projects here in Charlottesville. As 3TP moves towards completing their research and analysis, we will work with them to present a preliminary report that allows additional community dialogue about their findings and preliminary conclusions. The study has been launched.

**Commissioner Solla-Yates** – I have heard good things about the Baltimore program. Rather than a fixed percent, it looks at the specific unit. It says that you are charging 50 percent of market rate therefore your credit is 50 percent of market rate. Is that a reasonable approach?

**Mr. Peura** – It is a model that we are looking at carefully and doing some extended research on. My understanding is that the Baltimore model requires the developer submit detailed financial statements that say what they are charging in rent for the affordable units. Here is what we could charge if we were doing market rate rentals. There is the difference in Baltimore abates at a portion of that real time actual gap between market and affordable rates. I am not aware of what percentage of that gap they are abating. That is the basics that I know about the program. You are right. That is a model that merits a lot of attention.

**Commissioner Solla-Yates** – We have gone to some trouble to create a comprehensive plan that outlines areas where we want more activity, more services, especially around parks, schools, and with adequate transportation

facilities. I don't have a formula in mind. If we could consider that when we are looking at this, that would be wise.

**Mr. Peura** – I am making note of that. In the scope of work that we gave to 3TP Ventures, it included looking at various sub-markets and to look at those other incentive goals that we have in our plans. When we talk about transit line, workforce housing might be located on transit lines. Sub-markets are going to depend on the developability of certain geographic areas, construction types, and the rental rates. There are some abatement programs I have seen where the abatement is lower where they know that the market rate rent can be pushed up a little because it is a high demand area. We are asking 3TP to look at those things as well.

**Commissioner Yoder** – What is the timeline for the 3TP study? Do you know when they will wrap up?

**Mr. Peura** – We are hoping that they will wrap up sometime in early to mid-fall so that we can have them present some preliminary findings to the community, a next to final draft, and allow some dialogue and have them hear input before they move towards a final draft. By the end of the year, everything should be wrapped up from the consultant perspective on this. This is our timeline goal.

**Commissioner Yoder** – Let's say that recommendations come out of this study with some options for a tax abatement program. Do you know if this would come through the Planning Commission and then to Council? Is this purely a City Council decision about the city budget?

**Mr. Peura** – I am not sure what the process will be should something go forward in terms of moving from an idea to a recommendation to an actual proposal. I am not prepared to know that at this point.

**Commissioner Solla-Yates** – I would suggest being ambitious. We will learn things as we go. We have a clear idea of what happens when we are not ambitious on getting what we want.

**Commissioner d'Oronzio** – One of the fundamental questions is whether we do it. I think we do it. My instinct is that we go big. We should be ambitious and look at being aggressive with this. I am curious to see what the consultants come up with in terms of numbers and how they approach this. The more I think about it, the more unmanageable that spreadsheet becomes.

**Mr. Peura** – One of the reasons we selected 3TP is because they have experience in this area. They are currently working with Charleston. They have worked with Tampa on similar questions and what they have built, which is their intention for us. Regardless of whether the market analysis recommends that we go forward, they are going to build us a model that we can use to be able to project out different incentives would do to help make a proposed housing project pencil out. That will include abatement options. It may include other incentive ideas that they have been working on in Charleston, Tampa, and things we learn from you and our community engagement. The end product will be recommendations, data to determine the if, and a model so that if this program was to go forward, we would have a way to help project out the costs and the impacts on the budget and the ability for any of these incentives to help developers move forward with the project.

**Commissioner Stolzenberg** – When we have seen these sorts of financial models of developments in the past and whether things are feasible or not, we often view it as a black and white question. The model puts in certain inputs. It is a yes and a no. What you find is every development and every site is different. Seeing how the market would react to each input or assumption changing by 10 percent and looking at what the incentive would do to that marginal project, it will all succeed or all fail. It is a spectrum of projects. Some will become unviable as we add costs. At the margin, as you add an extra incentive, will become viable. Looking at it that way would be much more helpful than what we have seen in the past.

**Mr. Peura** – That is an excellent suggestion. I know that they are aware of that. I know that the model they demoed for us with Charleston. It does that. I will reinforce that message. It is an excellent suggestion.

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

**James Snyder** – I am bringing to you some concerns that the owners of Oak Grove, Oak Lawn, and 5<sup>th</sup> Street Flats Condos have about the RX-5 zoning between 4<sup>th</sup> Street and 7<sup>th</sup> Street. Our properties are on 5<sup>th</sup> Street Southwest. We saw the article about the 7-story student housing project. We would like to take the chance to talk with the planning staff about the impact that the 7-story zoning will have on our properties. Our cottages, which are 20 years old and stable, were rezoned to 7 stories. We had no idea about this rezoning. We have prepared some maps and other exhibits that we could share with the Commission because the impact of the 7-story student housing project on historic properties and on our properties would be devastating to our property values and to Fifeville in general. The cottage-style housing that was built 20 years ago is a stable, well-maintained transition between the railroad tracks, developments of proper scale that are the kinds of things being done all over the country. This kind of cottage and small-scale development has been a good transition and has been stable. We have been rezoned to 7 stories. Our properties are adjacent to the new properties purchased by the Housing Redevelopment Authority. This makes no sense in terms of what is on the ground and protecting Fifeville. There are several historic homes that would be dramatically affected. The excavation with no setbacks required in the current development zone would undermine our properties and make us untenable to continue to maintain these properties into the future. We had no knowledge that we had been rezoned to 7 stories. This is a good time to take a pause and talk to the Planning Commission and planners to see if we cannot pause. Seven stories on the south side of the railroad tracks is bad planning.

## **F. CONSENT AGENDA**

No Items for Consent

### **III. PLANNING COMMISSION PUBLIC HEARINGS**

None Scheduled

### **IV. PLANNING COMMISSION ACTION ITEMS**

#### **1. Entrance Corridor Review - 1185 Seminole Trail**

**Vice-Chairman Schwarz called the Entrance Corridor Review Board to order.**

#### **i. Staff Report**

**Jeff Werner, Preservation Planner** – Before you tonight is a Certificate of Appropriateness (CoA) for the redevelopment of 1185 Seminole Trail.

This CoA request is for the redevelopment of a 4.04-acre site on the east side of Rt. 29, approximately a mile north of the 250 Bypass. There is an existing 1-story commercial building that was built in 1995. It will be razed to accommodate construction of a multi-story, 267-unit residential building and a parking structure. This project has been approved, has an approved preliminary site plan. With that, the project is being reviewed under the prior ordinance.

1185 Seminole Trail is within sub-area A of the Rt. 29 north entrance corridor. You all serve as the entrance corridor review board. It is your responsibility for the design review within the city's entrance corridor overlay districts. This development requires a site plan. With that, it then requires a CoA per provisions of Section 34-



309 of city code. Per that code, the ERB shall act on an application within 60 days of the submittal date. That is when we have a complete application. You shall either approve it, approve with conditions, or deny the application. Any appeal would go to City Council.

It is a skinny site. It is unique. It is long on the east-west axis. It is fronting on Rt. 29. The primary façade will have a 5-story elevation. At the rear on the right facing Hillsdale Drive, the building is 6 stories. The new building is aligned on an east-west axis. From the front to back, it has 3 bays that extend from that building into the north and enclosing 2 courtyards. At the rear, you can see the large rectangle. There is a parking structure or a structured parking garage. It is concealed from Rt. 29 by one of the bays. When you are reviewing an entrance corridor, it is essentially what is visible from the corridor.

This is a selected rendering from the application. The bays have gabled roofs. They will either be standing seam metal or asphalt shingles. Either is acceptable. The applicant has not made a decision on which they will use. In the sections of the building between the bays are flat roofs behind a parapet. The exterior walls are articulated as we require. They feature brick panels, cement board siding, and cement board panels. On the ground floor, the doors and windows are set back within the opening. It is that traditional punched opening within a masonry. On the upper floors, the windows are not recessed as much. There are some issues with colors. On this, you will see that there is that L shaped shadow around each window. That is a separate-colored brick panel that is set back about 1 inch creating that image of the traditional punched windows. The design is a contemporary interpretation of typical and traditional architecture in element style and its building materials, gabled roofs, flat roof with parapet bricks, siding, closed courtyards, covered entrances, and private balconies. It is typical of Charlottesville.

In reviewing a CoA request, you as the ERB, will apply the standards set forth within Section 34-310 of the city code, which requires consideration of certain features and factors in determining the appropriateness of the proposed construction. Those are the overall architectural design, form, style of the building, structure of the building, including but not limited to massing and scale to the exterior architectural details and features of the subject building, the texture materials, & color, the materials proposed for building, the design and arrangement of the buildings on the site, the extent to which the features and characteristics in the prior items are architecturally compatible or incompatible with similar features and characteristics of other buildings within the same entrance corridor, and the application of the provisions of the entrance corridor design guidelines.

The staff recommendation is that the project generally meets the standards and guidelines for a CoA within an entrance corridor. We recommend approval of the CoA with the conditions that I have listed in the suggested motion for approval.

**Commissioner Yoder** – In the suggested motion, we have some conditions. I don't know much about lighting from the garage and how it impacts things. The report does not go into detail about why these conditions are here. I wonder if you could tell us more about that. I am also curious if these things are additional requirements than what is already there in our standards and guidelines that we have for builders.

**Mr. Werner** – Yes and no. The lighting issue has been one for a long time. We have gone a long way in solving some of that. The primary issue was with the new LED lighting technology. There is that 'glare bomb' that you see. Some of these cars today have the headlights that blind you. That is around 10,000K color temperature. Several years ago, the BAR came up with a condition of 3000K color temperature, dimmable, and a color rendering index of 80, preferably not less than 90. The color rendering index is more when you have a lot of lights like this. If you are in a stadium setting or on The Mall, it is how realistic that light renders colors. If somebody complains about it, dimmable is the ability to lower the brightness. The color temperature seems to be pretty good with that brightness and glare. The color rendering index is an aesthetic. We have applied that for some time to the BAR. With the Planning Commission, it has been applied in other situations. That is the

development of that lighting thing. It was adopted in the 2023 code. It is not in the old code. That is why we continue to use it as conditions. It is always helpful to explain. When you have a garage without walls, you get lights shining into other buildings and houses. We have tried to, as best as we can, address that with the vehicular lights. The first time that came up was in 2005 with JPA. This condition is from that. Going back to the interior lighting, our rules address exterior lighting. Sometimes, the lights that are just inside the garage can be just as bad. That is the evolution of that. Hopefully, it is fully codified. For this project, it would be. It is the evolution of things. For example, with entrance corridor signage, I review that administratively. One thing that we have been trying to do for years is to get away from internally lit signs that give off a red glow. We don't have an ordinance that says that. For entrance corridor signs, you have some say over that visual aesthetic. In the new ordinance, that has been addressed.

## **ii. Applicant Presentation**

**Chuck Rapp, Applicant –**

### **Next Slide**

This site is on the northern end of the city at the city-county line along Rt. 29.

### **Next Slide**

This is a birds-eye view of the site. You have Rt. 29 with primary frontage on Hillsdale to the rear. The post office is immediately adjacent to it. It is a relatively flat site. There is an existing parking lot there.

### **Next Slide**

These are some existing photos of the site. Primarily, it is a large parking lot. There are 2 entrances off Rt. 29 and a secondary entrance off Hillsdale.

### **Next Slide**

This is an illustration of our site plan with landscaping on it. It shows the general layout of the proposed multi-family building. As mentioned, there is the large, structured parking attached to the building and a small amount of surface parking as well. We have 2 amenity courtyards. There are some unique challenges to some utilities that run through there. There are multiple gas lines and major sewer lines that are running through the site that are highlighted there with some of the utility easements that we are working with some of the landscaping and building configuration. We were able accomplish some street trees along Rt. 29 using more of a columnar tree, the Regal Prince Oak. There is landscape screening adjacent to the parking lot to screen the adjacent property. There is a mixture of trees and shrubs. There are a few existing trees along Hillsdale. We have added in some little leaf linden. There is this large open area adjacent to Hillsdale where we have added some additional plantings to reforest the site and bring that urban canopy back.

### **Next Slide**

Site lighting for the most part is just lighting that outdoor parking lot. It is a typical razor type fixture, full cutoff, dark sky compliant. It is just to illuminate that exterior parking. Most of the parking is interior with that deck. That is the only site lighting that is proposed at this time.

**Ryan Kautz, Applicant –** I am going to briefly talk about the exterior of the building.

### **Next Slide**

Starting at the closest spot to you, that is a 5-story façade. It does drop off to be 6 stories in the back. The site is relatively flat. Towards the back, it does drop off enough to get a 6-story at the base. We are designing that as a type 3A construction. The back portion that does have the 6 stories has a small concrete podium area. In general, the layout of the design is this 'E-Shape' with these 2 courtyards. The courtyard that is closest to you in

this picture here is slightly larger. That is more of a public, active courtyard. The secondary courtyard is more private. We have these 3 wings that are identical protruding out from that. In general, the architectural language for this is this modern interpretation of a vernacular architecture. We are using that in a lot of ways to create this dynamic expression in the city, this gateway element there. It creates a nice visual break with the massing and the roof forms. On the right side of the image, you can see these larger roof forms. It steps down as you go to the left, which is to the north on Seminole Trail. We are stepping that down in scale and using several scaling items, scaling techniques to break that down as well. You can see that we have a light gray brick as a primary façade material along Seminole Trail and those 3 other facades in the courtyard that step back. They are all facing out towards the front. We have a secondary material, which is this wood-look fiber cement panel, which is at this smaller gable as well. We have the large gable on the right side of the image and then the small gable. What that does is allow us to have a flat roof area on the back side where we can have mechanical units on the roof.

### **Next Slide**

This is the view from Seminole Trail. We are using those scaling techniques at the corner creating large, ganged windows. These are all punched windows. We can cobble them together to create larger looks. Those are ganged together. At the base is where we have our amenity space. That is going to have a retail look to it where it will be glowing at night, very active at the base, which is something we want along the street there. That amenity space builds all the way through the building to the other side. It is going into the courtyard as well. As we go to the left side of this image, you can see in the distance that is where we have our pre-cast garage.

### **Next Slide**

This is looking around the corner. This is the longest part of the façade and one of the main reasons that we wanted to introduce the gable forms. We can imagine if this was all flat roofs. It might be a long, linear design. These gable forms provide a nice focal element for your eyes to stop on. It diminished the effect of the length of the building. Even with the hyphens between those gable forms, breaking those up a little bit as well help reduce the sense of scale of the building as it goes down the street.

### **Next Slide**

On the Hillsdale side, we are taking what was a secondary material (woodwork fiber cement), and that becomes a primary material on this façade here. We do have a secondary lobby entrance on this side and some amenity space at the base there. That is a way to create a focal point at this side of the building as well. You can see what is in the gray brick at the bottom of the image here. That is that lower 6<sup>th</sup> level that is in the concrete podium.

### **Next Slide**

The final image that we have here wraps around the building on Hillsdale. You can see how we are wrapping the garage. The garage is completely wrapped. It is either wrapped by units on the south side or by screening on the north and east side. These screening panels are conceived of as these vertical battens. We have done this a lot where the vertical battens are randomized so that they block the light from the cars and the lights from the interior as well. You can see the trees in the foreground. They are faded back. A lot of this is going to be screened by the trees as well.

### **Next Slide**

This is the final image looking at the courtyard. You can see how we have different sides. On this side of the courtyard, it is primarily a fiber cement panel above that amenity space at the base. You can see all the glazing and openness of that. It is a different façade type than we have on the other side facing the street.

We have 2 different types of brick, the light gray & the dark gray at the base, multiple colors of the fiber cement panel, and the fiber cement wood-look siding, which is on the bottom left.

**Commissioner Solla-Yates** – Do you have any issue with the proposed language from staff?

**Mr. Kautz** – It is acceptable.

**Commissioner Roettger** – It is a hard site. Nobody wants to be next to rt. 29 north. The breakdown of the scale works nicely. The Gables have a little bit of a Danish or European look. It is nice and clean. I guess this is unrelated to the entrance corridor. The pool is on the north side. Are you trying to block the post office building? I feel like it buffers the pool not being on the traveling side.

**Mr. Rapp** – With the pool in that corridor, we have tried to push it out as far as possible so that you get some sun. That has been a focus. You have a large gas line that runs through the parking lot.

**Commissioner Roettger** – This is going to be new for us. We are hoping that Rt. 29 will become a more walkable place. We need housing. It looks pretty clean. The materials are nicely laid out to get the scale toned down in a place where scale is meaningless out there right now. This will hopefully set the standard for what is to come.

**Commissioner d’Oronzio** – I want to agree with you on most of that. Considering the neighbors that you are dealing with, particularly to the south, I do not have a diplomatic way to describe the aesthetic of that parking lot.

**Commissioner Stolzenberg** – On the gables, you have these vertical dark elements. Can you talk more about why those are in there? Are they aesthetic? Are they functional?

**Mr. Kautz** – It is primarily aesthetic. When that large gable end, it could become visually too massive, too monotonous. We sometimes do get vents at that area as well. That could be incorporated. The reason for the length of that and the size of that is primarily the aesthetic, just to break it up.

**Commissioner Stolzenberg** – Why did you go for this shade of brick?

**Mr. Kautz** – We did not want to go for a reddish brick. We wanted to do something a little more modern and contemporary. It has an earthy feel to it. It feels natural as opposed to a bright white brick or something like that. The way that we were approaching it, it almost feels like stone, but it is done with brick. That color with the wood tone seemed to have a nice combination with that and the darker brick at the base.

**Commissioner Stolzenberg** – I know that staff made some suggestions along the lines of a more prominent cornice-like feature. I am assuming those are for the flat roof segments. Can you talk about why you did not opt to incorporate those?

**Mr. Kautz** – In a more contemporary roof form, we wanted to keep it relatively simple. Instead of having a more traditional roof overhang or cornice piece, just keep it more modern and simplified, but done so in a way that it details a nice, simple, and clean detail for that.

**Commissioner Stolzenberg** – I think you suggested a uniform base element.

**Mr. Kautz** – We did respond to that comment. We did increase the dark brick at the base a little bit around certain areas. We did not want to take it all the way up to the base, all the way up to the top of the first level. We liked the idea of some elements of the brick coming to the ground, instead of everything being floating.

**Commissioner Stolzenberg** – I agree with Commissioner Roettger. I am impressed with how this project looks for an old zoning ordinance project done by right. It looks pretty good, even with gables roofs and no cornices. I am Ok with it.

I have a couple of questions for Mr. Rapp. These are going to be centered around Chapter 3, the site design chapter of the ECRB Guidelines, particularly the connectivity portions. Looking from Hillsdale, I noted in the text that it said there is going to be a sidewalk. In the rendering it almost looks like there is a large grade change. Is that a rendering error?

**Mr. Rapp** – It is a rendering issue. With the sidewalk along Hillsdale, the sidewalk is expanded to 8 feet where possible where we don't have the bump out for the parking. The whole sidewalk runs along Hillsdale, the building exit out there. The backside near the post office is almost level with Hillsdale. It was an issue. There is a fence line along the post office that might have been grabbed when the service model was created.

**Commissioner Stolzenberg** – I am glad to see the pedestrian connection with Hillsdale since that is probably where most residents will be going on foot or on bike. They are not going to be going up 29 on foot most of the time and throughout the site. I do have a concern about that sidewalk crossing the garage entrance. I hope you will do some kind of treatment to that entryway. If a pedestrian is walking up from Hillsdale and trying to get to the northern or western part of the site, they can safely cross that. My larger concerns are about how this site connects with adjacent parcels, not via 29 and Hillsdale. It is 800 feet deep. The guidelines talk about pedestrian pathways within a site and between adjacent sites. I assume that you are aware that there is a proposal for development on the adjacent site on the Albemarle side. Are you working with them at all?

**Mr. Rapp** – There have been communications. I am not part of the same team. There has been some dialogue there.

**Commissioner Stolzenberg** – What I am looking for is some sort of inter-parcel connectivity at least for pedestrians to get through that parking lot to that next site over. If 2 large buildings end up next to each other, people are going to know each other. You have that Wawa at the corner that people are going to be walking to. If someone lives on the wing next to the garage and they need to walk to Wawa by going all the way to 29 and walking up, it is going to be twice as far as cutting across in the way the adjacent site is currently proposed. It would be nice to see some sort of accessible pedestrian pathway to interconnect or provision to do it. In Albemarle County, there are much more stringent requirements to interconnect between parcels than we have in our old zoning code and even new zoning code. I am wondering if you have given any thought to trying to comply with the spirit of those and what the impediments might be.

**Mr. Rapp** – It is a valid suggestion. As it is now, we have the 8-foot expanded sidewalk along 29. A lot of it will have to do with how that site shakes out as to where that connection should be. You don't want a sidewalk that is going to run right up to a building. I remember some of the original plans for that property from years ago. I know it is evolving. I am not opposed to trying to make a connection once that site is flushed out as far as how it works for the timeline on this project.

**Commissioner Stolzenberg** – The tricky part that I am thinking about is you cannot know that is guaranteed to happen as a project and what the final design will be. I want to make sure that there is a provision for that happening in the future for whatever project happens second that it will be able to connect somewhere. I am leaning towards wanting to include this as a condition, the pedestrian equivalent of a stub street like you would

see in a county subdivision. I am struggling with how to word that. I am wondering if you have any suggestions for how you can incorporate that or how you would suggest I incorporate that idea.

**Mr. Rapp** – I might defer to city staff to figure out what language would be appropriate for how they would like to do that. I know each locality is unique with that language and with how to craft it. As far as where it would go though, the site is tight as it is now. I hate to break it apart. The only spot I could think of would be at the end of the parking bay before you get to that open forested area.

**Commissioner Stolzenberg** – That seems like the area. On the north side, there is technically 2 properties. One is the VIA site and is that site that is being talked about for development. I am not sure that the big one goes that far back. The way to do it would probably be to cut across through one of your landscaped parking breaks. I don't want to be overly proscriptive. I just want to create provisions for a future midblock connection.

**Mr. Werner** – It is difficult to have a condition that requires the neighbor to do something. If you wish to, you certainly can craft a condition and put it in there. You are having a conversation now. If it does not work, they can even ask Council about it. What we have traditionally done with the BAR, is treat it as a recommendation. That is not binding. There are ways to suggest it, recommend it, encourage it with encumbering them with something that may not be approved.

**Commissioner Stolzenberg** – The way I am thinking about it though is that it would be like a stub connection that would not necessarily connect to anything if the next site did not develop. When it develops, it will be there for them to connect to.

**Mr. Werner** – This is one of the complicating things of at what scale can you start to extend things when you are just looking at the site. I don't know how you would word it.

**Commissioner Stolzenberg** – I think this is in the scope of the ECRB because we have these extensive guidelines on mid-site connections. For this corridor, we have such a long block length that those midblock connections become important. Maybe the way I would phrase it is just to have a midblock pedestrian connection to the property line on the north side.

**Commissioner d'Oronzio** – I applaud and endorse your intent. With the next site over, who knows how they are going to flush it out and develop it. Anything beyond 'recommend strongly that they be very proactive in putting in some sort of midblock in conjunction with the neighboring property.' I don't want to cause an expense for them to put something that goes nowhere. It is a dead end at our transformers.

**Commissioner Stolzenberg** – I imagine what I am suggesting, 10 to 15 feet of sidewalk, is not a major expense for you. What I am saying is not too onerous. Feel free to correct me if that seems wrong.

**Mr. Rapp** – My only fear is if we don't have a sidewalk over there, it is a sidewalk to nowhere.

**Commissioner Stolzenberg** – Until it is to somewhere, which is how roads work in new subdivisions in the county. In the county, the site plan review process, when a stub road exists, they require that you extend to it.

**Mr. Rapp** – That is for vehicular, which makes sense. I have a hard time pushing the sidewalk there when we have a couple hundred feet to one side. We have no idea what is going to happen on that adjacent site. We know that the screening is required for a reason, for the benefit of both properties.

**Commissioner Stolzenberg** – We are talking 400 feet in either direction from the middle of the site. That is significantly more than a city block downtown. The length of this site is 3 city blocks downtown.

**Commissioner Schwarz** – The next developer could do exactly what this building has done and put a big, long sidewalk all the way across there. Would it be difficult to add it later construction-wise or even a procedure site plan wise?

**Commissioner Stolzenberg** – They could orient it the opposite direction.

**Commissioner Schwarz** – Would it be difficult to add it later from either a construction-wise or procedure-site plan wise?

**Commissioner Stolzenberg** – The difficulty of adding it later is that they could say ‘no.’ I would be fine with putting it in a condition that if they ever build it, you must let them build a pedestrian connection to the pedestrian network on your site. Those people are not going to be able to get to Hillsdale otherwise. Those people are not going to be able to bike to anything in our new mixed-use area in our plan. The problem with that is that we cannot put the condition forcing them to do something in the future post site plan. That is why I am suggesting building it as a stub, so that is there to make the connection once that is built out if they choose to do it.

**Commissioner Roettger** – Are you talking about an amenity courtyard and extending one of those sidewalks as a crosswalk? All it is a sidewalk. It takes out one tree. It is a little stub on the other side.

**Commissioner Stolzenberg** – Either take out one of those grassy strips or lose one parking spot. You are way over-parked anyway. I imagine that it would not be too onerous.

**Commissioner d’Oronzio** – You are not prescribing where it goes. You want it somewhere along that line because events might overtake us.

**Commissioner Stolzenberg** – I don’t want to be overly prescriptive here. I would rather you not put it at the first spot next to 29. Somewhere in the middle area would be ideal. I want to add the least restrictive, least prescriptive condition.

**Commissioner Schwarz** – I would like to know what is being proposed in the renderings is what we are going to get. Are there going to be downspouts? I am wondering how that is going to work on the rt. 29 façade where façade bumps out.

**Mr. Kautz** – There will be downspouts. We have done this condition on other projects in the past where we have that a 1- or 2-foot separation between the brick. There will be a transition piece there. When we have the downspouts, we typically try to color-match it, so it goes away. We will get that transition piece as it goes down to the brick portion as well. We also try to minimize the visual impact of that, putting them in locations where they are tucked into a corner or things like that. I know that is not possible on that façade.

**Commissioner Schwarz** – It is a long façade. I guess it will be the same thing for the flat roofs. Are you expecting to drain that off the side through scuppers.

**Mr. Kautz** – That is typically downspouts.

**Commissioner Schwarz** – We will be seeing some metal tubes around the sides of the buildings. You have mentioned fiber cement. It is a lot of fiber cement. Where are the joints going to be? Are you going to use battens?

**Mr. Kautz** – We prefer to use reveal joints between them rather than the battens when possible. Anywhere there is a panel, that would be the preferred method to use.

**Commissioner Schwarz** – Would there be opposition to us putting a condition that you would have to use an extruded joint? If you do battens, it is going to be a different look from what we are looking at, which then moves onto the wood-look fiber cement. What is that? Are they planks? Are they panels? What makes it wood-look? Is it the laminate of something on it?

**Mr. Kautz** – The main wood-look fiber cement that we use is a product called Nichiha. There are other ones out there. That is the kind of main brand for it. It is a panel. They come in lengths. I think they are 10 feet by 18 inches. They have 3 grooves. From a distance, they are very convincing. They have a lot of variety and texture to them. The color changes. It does not just look like a painted piece of something that is a painted wood color. It looks like wood from a distance.

**Commissioner Schwarz** – That only has visible horizontal joints? It is going to look like vertical siding with a horizontal strip.

**Mr. Kautz** – That is correct. When we have them vertically oriented, you won't see the joints this way. You will see at every floor level.

**Commissioner Schwarz** – There are wall sconces in the application. Where are those going?

**Mr. Kautz** – Those are primarily at the entries.

**Commissioner Schwarz** – Are they going to be at all the balconies?

**Mr. Kautz** – I don't think that we have them at balconies.

**Commissioner Schwarz** – That was most of my concern with those. The mechanical units are going on the roof. Is that correct?

**Mr. Kautz** – That is correct.

**Commissioner Schwarz** – The project narrative talks about utilities being screened from Hillsdale. What kind of utilities are we thinking? Where are they going? Is there a big transformer that is going to be hiding in those trees on the northeast corner?

**Mr. Kautz** – We will have transformers. I don't recall where those are going to be located. I am not sure if we have figured that out yet.

**Mr. Rapp** – With utilities, HVAC condensers will be on the roof. The only thing that would be on the site would be trash, which is internal. It would be electric transformers that I am aware of.

### iii. ERB Discussion and Motion

**Commissioner Roettger** – I like Commissioner Stolzenberg's suggestion. I am not sure how to word it. It is difficult. With that whole area, there is nothing to respond to. A suggestion that someone might cross a boundary would be great. I am Ok with the look.



**Mr. Rapp** – Can I suggest we have a midblock crossing or a parking lot crossing as a condition of the site plan approval. We have a few more comments to address in the site plan. We are close. It seems like that could be taken care of with the site plan.

**Commissioner Stolzenberg** – The end of your parking lot is still adjacent to the future development site. It would be good to put it there. My other comment would be that it would be nice to find a way to activate that grassy area in the northeast. I know it is hilly in parts.

**Commissioner Schwarz** – I know that with the entrance corridor rt. 29. It seems to me that Hillsdale is going to be the more urban corridor at some point. We are stuck in this weird thing where rt. 29 must look nice. I feel this project is ignoring Hillsdale. I am curious why you have not put more building mass back there and wrap the garage more and followed along Hillsdale more. I am also curious what is going to happen. You have a clump of trees and a big grassy area. Is that your stormwater?

**Mr. Rapp** – No. There is a primary sewer line that runs through there. There are 2 primary gas lines that run through there. We cannot put a building there. We cannot do anything there.

**Commissioner Schwarz** – I see the utility easement, which cuts a diagonal. There is still a big chunk.

**Mr. Rapp** – Open areas are where there is an easement. The stormwater for this site is underground underneath the second amenity space. It does discharge into that area where there is a culvert that goes underneath Hillsdale. That area is essentially acting as a small stormwater basin.

**Commissioner Stolzenberg** – To add to your point about Hillsdale being the main corridor, that is true. That is the fundamental idea with this whole parallel grid system that led to the Hillsdale extended project that got Hillsdale extended all the way to Hydraulic. Our guidelines predate that project. I do think they are outdated in that respect. You will keep that in mind as we update them. I agree that Hillsdale is the important frontage there.

**Mr. Werner** – To your question and something that Commissioner Schwarz had asked me earlier relative to the Hydraulic and rt. 29 small area plan. What had been shown here in the plan was for this parcel to be a road connecting to and beginning to create that network of streets. The result is a street. We know that this will be the new bypass slightly north of Kmart. It is resulting in a street and a sidewalk connection between rt. 29 and Hillsdale. It is accomplishing some of the things east-west that had been envisioned in that small area plan. It is not a total loss in the sense of connectivity and moving towards what we had hoped would be realized with that small area plan. It is not a perfect solution. As far as that middle of the parcel connection, I was offering that as a perspective.

**Commissioner Schwarz** – It is frustrating. I see what is happening. There probably is not much we can do with it. It seems a little unfortunate. It looks like you cannot put trees there. When talking about the garage and screening the lights, this screen concept that you have provided is vertical slats. You will see straight into the garage between the slats.

**Mr. Kautz** – We think you are going to be seeing it obliquely. Typically, you are not as often looking straight onto it.

**Commissioner Schwarz** – My concern is garages because safety concerns tend to be brightly lit from the inside. That tends to be the problem that we see around town. Parking garages are glowing so brightly that it becomes a problem. You have so much of this garage exposed to your neighbors and Hillsdale. I wonder if that technique is going to be sufficient. I know we are going to put a condition in to make those lights dimmable. At

some point, you or the owner are going to say that you don't want to dim it anymore because it is not safe for people inside. I wonder if that is going to be a problem.

You have done a good job with the massing and materials.

**Motion to Approve – Commissioner Solla-Yates – Having considered the standards set forth within the City Code and the Entrance Corridor Design Guidelines, I move to find that the proposed redevelopment of 1185 Seminole Trail is consistent with the Guidelines and compatible with the goals of this Entrance Corridor, and that the ERB approves the Certificate of Appropriateness application as submitted with the following conditions:**

- All exterior lighting and interior lighting visible from the garage will have lamping that is dimmable, has a Color Temperature [CCT] not exceeding 3,000K, and has a Color Rendering Index [CRI] 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. [Note: This condition addresses two light sources: exterior lighting refers to all site and exterior lighting fixtures; interior lighting visible from the garage refers to all lighting fixtures within (inside) the garage.]
- The owner will address any reasonable public complaints about vehicular lighting emanating through the north or east walls of the parking garage, particularly at headlight level. [For ex, screening to mitigate glare and brightness of vehicular light visible outside the garage.]
- 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.
- Rooftop mechanical equipment will be screened or otherwise located so as to not be visible from the corridor.
- 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.
- A bicycle and pedestrian pathway at the applicant's discretion which will enable pedestrians and bicyclists to move safely and conveniently from the site to the adjacent property to the north.
- With the wood-look fiber cement panels, they will use a product similar to or equal to Nichiha to be evaluated by staff. The goal is for it look like plank siding and will be long lasting and durable.
- The other fiber cement panels will use extruded metal joints to minimize the appearance of the joints.

**Second by Commissioner d'Oronzio. Motion passes 6-0.**

*Continuing:* until all public hearings and action items are completed.

## **V. ADJOURNMENT**

**Vice-Chairman Schwarz gavelled the ERB out of session and gavelled the Planning Commission back to order.**

The Meeting was adjourned at 7:34 PM.