

**Albemarle County Planning Commission
Final Minutes Regular Meeting June 11, 2024**

The Albemarle County Planning Commission held a public hearing on Tuesday, June 11, 2024, at 6:00 p.m.

Members attending were Luis Carrazana; Corey Clayborne; Karen Firehock; Nathan Moore; Lonnie Murray

Members absent: Julian Bivins; Fred Missel

Other officials present were Michael Barnes, Director of Planning; Andy Herrick, County Attorney's Office; and Carolyn Shaffer, Clerk to the Planning Commission.

Call to Order and Establish Quorum

Ms. Shaffer called the roll.

Mr. Carrazana established a quorum.

Consent Agenda

Mr. Clayborne motioned that the Planning Commission adopt the consent agenda, which was seconded by Mr. Murray. The motion passed unanimously (5-0). Mr. Bivins and Mr. Missel were absent from the vote.

Other Matters Not Listed on the Agenda from the Public

There were none.

Public Hearings

ZMA202300015 1928 Scottsville Road

Syd Shoaf, Senior Planner, said he would be giving staff's presentation on Zoning Map Amendment application ZMA 202300015 1928 Scottsville Road. He said that the rezoning request was for a 1.32-acre lot from R1 Residential to R10 Residential. He said that the subject property was located south of the City of Charlottesville between Avon Street Extended and Scottsville Road. He said that the tax map parcel number was 90-24, and the address was 1928 Scottsville Road.

Mr. Shoaf said that the property currently contained a one-story single family dwelling unit and detached garage. He said that the property currently had R1 residential zoning, as shown in green on the map. He said that adjacent parcels to the north and south also had R1 residential zoning. He said that across Scottsville Road to the east, it was zoned Rural Areas, while across Avon Street Extended to the west, it was zoned Planned Residential Development, which was part of the Avon Park 2 subdivision containing 28 townhouses and two single-family detached houses.

Mr. Shoaf said that the subject parcel falls within the entrance corridor and the airport impact area overlay district. He said that the subject property was within the Southern and Western Urban

Neighborhoods Master Plan and the future land use was designated as Neighborhood Density Residential, which allowed for three to six residential units per acre.

Mr. Shoaf said that for this application, the applicant was requesting a to rezone the entire 1.32-acre parcel from R1 residential to R10 residential. He said that if approved, the applicant intended to construct a proffered maximum of eight single-family townhouse units for a density of 6.06 dwelling units per acre. He said that the primary access to the site would be from Scottsville Road via Research Way.

Mr. Shoaf said that the eight townhouses would front an internal street, which would also provide future inter-parcel connectivity to the parcels to the north and south. He said that additionally, the applicant proposed an emergency access lane from the internal street to Avon Street Extended, as shown on the screen. He said that the proposal included two street guest parking spaces, open space, a recreation area, and a stormwater management area.

Mr. Shoaf said that pedestrian bicycle facilities were also proposed, including a pedestrian pathway along Scottsville Road, a 10-foot shared use path along Avon Street extended, sidewalks within the site, and a Class A primitive path along the emergency access way. He stated that the applicant had provided a proffer to develop the property in general accord with the concept plan, which included the following five major elements. He said that this was also included in the staff report.

Mr. Shoaf said that in summary, staff found two factors favorable. He said that the request was consistent with the land use recommendations of the Southern and Western Urban Neighborhoods Master Plan. He said that the second factor favorable was that it provided transportation improvements consistent with the recommendations of the Southern and Western Urban Neighborhoods Master Plan, including a new shared use path along Avon Street extended and a pedestrian path along Scottsville Road. He said that staff recommended approval of Zoning Map Amendment request ZMA 202300015 1928 Scottsville Road.

Mr. Clayborne asked if affordable housing was a requirement for this development.

Mr. Shoaf said that affordable housing was not required as part of this development because it was less than ten units total.

Mr. Clayborne said that he would assume there would be one unit designated as affordable.

Mr. Shoaf said that it was not required.

Mr. Murray asked if Mr. Shoaf could address the letter they received regarding the easement and its effect on the neighboring property.

Mr. Shoaf said that there was a letter received regarding ACSA and future sewer and water connections to the site. He said that the letter was received over the weekend, allowing the applicant to provide more details. He said that as of right now, that would be addressed at the site plan stage upon approval of the application.

Mr. Moore asked if the emergency access would include a road or just a pathway.

Mr. Shoaf said that the applicant could probably provide further details. He said that Fire and Rescue noted that it should measure at least 20 feet in width, but he was unsure what material it would be made of.

Mr. Moore asked if there was a plan to connect the pedestrian and shared use paths between parcels, or if they would just be working parcel-by-parcel until they all connected along Avon.

Mr. Barnes said that staff was working diligently on addressing that concern. He said that in this particular area, there was a shared-use path farther up Avon Street on the same side of the road as the current location. He said that they were attempting to build a shared-use path along this portion of the corridor along Avon Street.

Mr. Carrazana opened the public hearing. He asked if the applicant had a presentation.

Amy George said that she was from Roudabush and Gale, representing the client requesting a rezoning of the property. She said that she would discuss some design considerations they took into account to move forward with this project. She said that she would provide an overview of the neighborhood where the development was located.

Ms. George said that the property was situated on the southern side of the southern neighborhood. She said that many recent developments in the area were townhouse developments. She said that when designing this project, they considered matching the new structures to the existing neighborhood and taking into account the surrounding areas and previous developments.

Ms. George said that they also wanted to respect the site's topography, which was significant due to the property's small size. She said that there was approximately 30 feet of grade change between Avon Street Extended and Scottsville Road. She said that as a result, they aimed to build something that would allow them to utilize the site without taking too much of it away. She said that for instance, walkout basements were planned along Scottsville Road, and units facing Avon Street would have first-floor access above the garage.

Ms. George said that the property measured 200 feet wide, which was quite small, so they requested permission for only eight units. She said that they also asked for emergency access to Avon Street due to the topography and their desire to minimize cut-through traffic. She said that ensuring that school buses were redirected and reducing cut-through traffic in the surrounding neighborhoods was crucial during the layout process, as it was a concern for their client. She said that this factor was one of the considerations they took into account.

Ms. George said that she would address the extension of water and sewer lines. She said that the sewer line would connect to a sanitary sewer manhole located on the north side of Spring Hill Village, which was approximately 1,300 linear feet of sanitary sewer. She said that at this time, they had only completed preliminary concept layouts. She said that they were committed to working with ACSA and VDOT to minimize construction-related disruptions, such as easements or demolition, in the surrounding neighborhood.

Mr. Moore said that he noticed that Anna Beth Lane terminated at both ends and he assumed that future developers might want to extend and connect neighborhoods there. He asked about the factors taken into consideration when siting a road and placing it on the sides.

Ms. George said that she sited it in the middle of the site, so it was more balanced between the different grades. She said that the existing grade on Anna Beth Lane on both ends was flush with the existing grade, so it was not a significant grade change between the properties that could connect with the subject property.

Mr. Murray said that he liked where they had located the stormwater management facility. He asked if they had given any thought to what that would be like.

Ms. George said that they had considered using a biofilter and planned to add landscaping to the biofilter, similar to many other biofilters in the area. She said that this illustration represented the area it would encompass at this point in time.

Mr. Murray said that he was glad to hear that because it definitely added value to the neighborhood to have something with attractive native plants and to provide benefit to biodiversity to stormwater quality and not only the quantity.

Ms. Firehock asked if Ms. George could provide further information regarding the applicant's planning for the open space on the property.

Ms. George said that at this time, the plan was for a pathway to go through it, which would be landscaped along the roadways but left natural.

Ms. Firehock asked if the townhouse residents would have a place to go outside and have a barbecue or other passive activities.

Ms. George said that the area above the stormwater management pond would be available for use.

Ms. Firehock asked if it would be a community gathering place of some sort.

Ms. George said yes, exactly.

Mr. Carrazana said that in lot eight, it was going right up to the property line, so he assumed there would be a setback.

Ms. George said that yes, they would adhere to the standard setbacks established in the zoning ordinance.

Mr. Carrazana asked if they would be required to maintain a setback.

Ms. George said yes.

Mr. Carrazana asked if there were any members of the public who wished to speak on this item.

Roger Schickedanz said that he resided at 1858 Scottsville Road. He said that the Commission had received the letter he sent previously. He said that he would try to summarize the issue quickly. He said that ten years ago, he faced a similar situation with Spring Hill Village. He said that they were planning to put in their townhouse development and there was going to be a right of way cut back for VDOT to provide a turn lane. He said that at the time, he was concerned that

the old stone stair, which predated the right of way and goes from his house down about six feet to the road to allow him to cross Route 20 to reach his mailbox, would have to be removed.

Mr. Schickedanz said that fortunately, to cut the story short, that was all avoided because VDOT retracted the need for the turn lane, and Spring Hill Village, along with himself, were able to convince the County to remove those requirements from the final approval. He said that he was now faced with a similar situation again. He said that instead of a turn lane, there would be a water and sewer line coming through, which would be a quarter mile from Spring Hill Village as part of their plan. He said that it was not hypothetical, as he presented in his letter, but what they were planning to do.

Mr. Schickedanz said that this would cause some disruption to the stairs, sidewalk leading to it, driveway apron, and stone pillars between the right of way and his property affected by construction. He said that he was unsure about ACSA requirements; they may need regrading or a retaining wall. He said that therefore, he wanted protection and that through all this, he had something behind him. He said that this was why he asked for this proffered because it was not an easement, unnegotiated, in the right of way, but pre-existing structures. He said that there was a precedent for having done this as a proffer in the past with Spring Hill Village.

Mr. Schickedanz said that it was legitimate to ask for another proffer in this case. He said that finally, he wanted to say that he had been happy with the green buffer protection along Route 20 with Galaxie Farms, Stone Creek, and Spring Hill, which had trees. He said that however, those trees must be removed now for the water and sewer line installation, exposing it. He said that he worried about density and tight site as Avon Extended converged with Route 20, and that this project was too dense for the property.

Mr. Carrazana asked if the applicant had a response to the public comment.

Ms. George said that she would like to address the fact that currently no water line was proposed for Route 20. She said that they planned to obtain water from the high side of the site, Avon Street, while the low side of the street was Scottsville Road. She said that the sanitary sewer had to go in that area. She said that they were committed to working with ACSA and VDOT to find a solution that satisfied all parties and caused minimal impact.

Mr. Carrazana closed the public hearing.

Mr. Clayborne asked if a project disrupted or damaged someone's property there would be automatic repair or compensation given to the property owner whose property was affected.

Mr. Herrick said that he was not entirely clear on where the right-of-way limits were. He said that a utility could not build on property that was not in the right-of-way or that belonged to another owner. He said that he was not familiar enough with the exact right-of-way line to determine whether the historic stairs were within the existing right-of-way or if additional acquisition by VDOT or the utility was necessary.

Mr. Herrick said that this issue would be resolved between the property owner and either VDOT or the utility to ensure that all improvements were within public rights-of-way or within right-of-way acquired by the utility. He said that a utility could not build on private property without acquiring the property first.

Mr. Barnes said that he would add that regarding the stone pillars, which were referenced as being on Mr. Schickedanz's property, Mr. Herrick's guidance regarding them was likely straightforward in relation to any impacts associated with those. He said that the stone stairs within the right-of-way may present an interesting scenario; they probably did not fall under a VDOT permit. He said that he was unsure how they would be handled.

Ms. Firehock said that if the stairs were within the right of way, the term "right" implied that VDOT or a utility company with an easement could access the area as needed. She said that she was uncertain how to write a condition requiring them to restore the area to similar quality and material, but it would be nice if they could.

Mr. Clayborne said that he heard from the public speaker that maintaining an ability to walk across the street to access the mailbox was important, which was why he asked the question.

Ms. Firehock said that she wondered how to write a condition that would encompass that every attempt would be made to satisfactorily maintain the safety of crossing the road.

Mr. Herrick said that because this was a zoning map amendment, there were no conditions attached in the way there would be for a special use permit. He said that the applicant could make proffers, which it had in this case. He said that it was not appropriate for additional proffers to be required; if the applicant chose to make proffers or revise its proffers between now and the Board meeting, that was its prerogative.

Ms. Firehock said that they could not request proffers from the dais. She said that they could just make it known that the Commission believed it would be beneficial to maintain the integrity and structure of the existing features.

Mr. Moore said that he believed the message would be well-received by ACSA based on his time on the board there. He said that the staff of ACSA did not go around trying to tear stuff up. He said that he understood that these old stone stairs were likely one of a kind, and that memo could probably be sent.

Mr. Moore said that he agreed with the comments made thus far. He said that this corridor was highly utilized by cyclists coming from the rural area via that road. He said that he was pleased to see the pedestrian improvements implemented there. He said that he believed anything they could do to enhance pedestrian access further would be positive. He said that he was glad to see those improvements being made.

Mr. Carrazana said that it was important that they connect it, so they had a continuous stretch of bike ped path along the road.

Mr. Murray said that in the Board of Supervisors' legislative agenda, he wished they had the ability to include the ability to establish a fund that people could contribute to instead of requiring on-site green space improvements. He said that he believed this would allow them to make more improvements through contributions, similar to their affordable housing fund. He said that seeking permission from the General Assembly to create a green space contribution fund may be beneficial.

Ms. Firehock said that other cities had similar funds. She said that for instance, Charleston had a greenway fund, which allowed developers to make donations, and those contributions supported the creation of trails and greenways within the city.

Mr. Murray requested that staff suggest adding such an item to the legislative agenda in the future.

Ms. Firehock motioned that the Planning Commission recommend approval of ZMA202300015 1928 Scottsville Road for the reasons stated in the staff report, which was seconded by Mr. Clayborne. The motion passed unanimously (5-0). Mr. Bivins and Mr. Missel were absent from the vote.

Ms. Firehock said that she would like to add that the Planning Commission recommended that the applicant work with VDOT and any other involved utility companies to make every effort to restore anything disturbed to its former quality and integrity, including stairs, columns, and retaining walls, in order to maintain the historic character of the beautiful road and residences along it.

Adjournment

At 8:05 p.m., the Commission adjourned to Tuesday, June 25, 2024, Albemarle County Planning Commission meeting, 4:00 p.m.



Michael Barnes, Director of Planning

(Recorded by Carolyn S. Shaffer, Clerk to Planning Commission & Planning Boards; transcribed by Golden Transcription Services)

Approved by Planning Commission
Date: 07/09/2024
Initials: CSS