

**Albemarle County Planning Commission
Final Regular Meeting Minutes
September 10, 2024**

The Albemarle County Planning Commission held a public hearing on Tuesday, September 10, 2024, at 6:00 p.m.

Members attending were: Fred Missel, Chair; Luis Carrazana, Vice-Chair; Corey Clayborne; Karen Firehock; Julian Bivins; Lonnie Murray; and Nathan Moore.

Members absent: none

Other officials present were: Michael Barnes, Director of Planning; Andy Herrick, County Attorney's Office; Syd Shoaf, Cameron Langille, Bart Svoboda, and Carolyn Shaffer, Clerk to the Planning Commission.

Call to Order and Establish Quorum

Ms. Shaffer called the roll.

Mr. Missel established a quorum.

Public Hearings

SP202400015 Knight Berkshire Mixed Use

Syd Shouf, Senior Planner, said that this proposal sought a special use permit to allow 15 multifamily residential dwelling units in the C1 Commercial Zoning District. He said that the subject property was about 1.05 acres, located north of Charlottesville at 615 Woodbrook Drive. He said that it was zoned C1 Commercial, and the Comprehensive Plan designated it as Urban Density Residential. He said that the adjacent property to the southwest was Agnor-Hurt Elementary School. He said that to the north were multifamily residential units, and properties to the southeast and northeast were zoned C1.

Mr. Shouf said that currently, the site hosted a one-story building with a footprint of approximately 6,500 square feet, which was currently used as a dental office with a rental office space in the rear. He said that the first proposal, SP 202400015, sought a special use permit to allow 15 multifamily residential dwelling units in the C1 Commercial District. He said that the other two proposals were two special exception requests that the Commission was not required to make a recommendation on, but it could provide comments which would be included in the transmittal summary to the Board.

Mr. Shouf said that the first special exception request aimed to reduce the 15-foot step-back requirement to zero feet, and the second request sought to allow disturbance in the required 20-foot use buffer. He said that he presented the proposed concept plan if the special use permit and the special exceptions were to be approved by the Board. He said that the applicant proposed a building with an approximate footprint of 7,880 square feet, spanning four stories. He said that the ground floor would serve as an office and commercial space. He said that the top three floors

would house 15 residential units.

Mr. Shouf said that the plan included 37 shared parking spaces and a proposed stormwater facility. He said that after consultations with Albemarle County Public School staff, they requested the removal of a proposed future connection to Agnor Hurt Elementary School, as there would be a future connection to a multifamily site two parcels north. He said that the special use permit application had been reviewed according to the factors for consideration as outlined in the zoning ordinance.

Mr. Shouf said that staff believed that the proposed special use permit would not negatively impact adjacent parcels, would not change the character of the nearby area, would remain in harmony with the C1 commercial zoning district, and was consistent with the comprehensive plan. He said that a condition had been drafted for this application, requiring the development to generally align with the provided conceptual plan. He said that staff identified three essential elements: the location of the building envelope, the location of the parking areas, and the building height.

Mr. Shouf said that there were three positive aspects: the use was consistent with the review criteria for special use permits in the zoning ordinance, it aligned with the Places 29 master plan, and it provided additional commercial and residential units for local residents. He said that there were no concerns from staff. He said that staff recommended approval with the conditions as recommended in the staff report, and to remove the proposed future connection to Agnor-Hurt Elementary School.

Mr. Murray asked if the bottom units would have to remain as commercial uses.

Mr. Shouf said that that was correct. He said that this was not a rezoning application, but rather a special use permit to allow for 15 residential units on the site. He said that as it would continue to be a C1 commercial zoning, it would retain commercial by-right uses.

Mr. Moore asked for more information about the setback requirements.

Mr. Shouf said that there were two special exception requests. He said that the first request was to reduce the 15-foot step back requirement to 0 feet. He said that § 18-4.20 required minimum a step back of 15 feet for buildings above 40 feet in height or above the third story, whichever was less. He said that the applicant was seeking this change for a proposed four-story building, which would currently require a 15-foot step back.

Mr. Shouf said that the second special exception concerned the disturbance of the required 20-foot use buffer for commercial districts. He said that the applicant had cited three reasons for this disturbance: (1) to maintain the existing entrance, which was already encroaching; (2) to connect to an existing stormwater pipe; and (3) to facilitate a future pedestrian connection to Agnor Hurt Elementary School, which was no longer relevant and would be removed.

Mr. Shouf said that the disturbance involved grading and extending the existing curb line to allow the existing wood retaining wall to remain. He said that this would enable a larger building footprint and additional parking area. He said that the second disturbance was in the rear 20-foot use buffer to allow a storm pipe connection to an existing facility. He said that conditions included being in general accord and the locations of the two disturbances.

Mr. Bivins asked to revisit the proposed exception for water used for sewage or runoff. He said that he wanted clarification on whether this exception allowed for a new storm water connection to an existing storm pipe. He said that he wanted to know who currently owned the existing storm pipe.

Mr. Shouf said that at this moment, he was uncertain. He said that he believed the applicant could provide more detail.

Mr. Clayborne said that he had a question regarding the allowable uses within the C1 zoning classification. He said that he was curious if the allowable uses changed when housing or residential was combined with it. He asked if all the existing C-1 uses that were allowable were still allowable in this scenario.

Mr. Barnes said that they were, unless there was a specific reason to further restrict them.

Mr. Missel opened the public hearing.

Kendra Moon, Line and Grade Civil Engineering, said that she was joined here by Dr. Jay Knight, who was the owner of the parcel. She said that the existing zoning map was a little outdated. She said that the parcel just across the street had recently been rezoned to allow for an increased density of 34 dwelling units per acre. She said that this parcel was surrounded by residential uses to the northeast and commercial uses to the south and east, with Agnor Hurt to the west. She said that the current building was a one-story, approximately 6,500-square-foot structure, and there were 23 parking spaces in front.

Ms. Moon said that the existing dental operations would largely remain the same. She said that the dental operation would still operate from 8 to 5, Monday through Thursday, with the office closed on Fridays. She said that this background information became relevant for the parking agreement. She said that there were about eight employees per shift and approximately three patients per hour on site. She said that in the proposed condition, the existing parking in front would remain, and the building would be demolished and relocated slightly southeast, though the layout of the site would largely remain the same.

Ms. Moon said that the building footprint had been slightly increased to just under 8,000 square feet and would not exceed four stories. She said that this building was set back from the road further than was typical for commercial properties, due to the presence of an existing water main and sewer main, as well as easements to ACSA. She said that consequently, there was no proposal to relocate these utilities. She said that the existing storm pipe through the back of the site was a remnant of the original plans for the north and south parcels, which were permitted together.

Ms. Moon said that the proposed increase in parking spaces on the site totaled 37. She said that the operation of the dentist office would remain largely unchanged from its current state, which was advantageous for the proposed residential units as they would predominantly be vacant during the dentist office's operating hours. She said that they were requesting a shared parking agreement that would allow them to reduce the overall parking requirement on the site by up to 35%. She said that they currently did not have the architecture for the building, but they were planning a mix of unit types, including one, two, and three bedrooms.

Ms. Moon said that 20% of the units were proposed to be affordable. She said that there was an anticipated increase in traffic during the morning, with about eight trips to or from the site. She said that they were requesting a reduction to zero feet for the step back from the road, as this was set back further from the road and should not pose an issue for pedestrians. She said that they believed their proposal was consistent with the comprehensive plan.

Ms. Moon said that it was an urban density residential zone with recommended density between 6 and 34 units per acre, and they were proposing 15 units. She said that they were including affordable housing, with three units designated as affordable, and the proposal fit with the neighboring commercial and residential properties. She said that they did not anticipate this to have a negative impact on neighbors.

Ms. Firehock asked if there would be outdoor seating on the site.

Ms. Moon said that currently, the area in the rear was still turf or just an open space, so they did not have the details of what an amenity space would look like yet. She said that there was an opportunity for various uses on this site. She said that she had shown a large possible bioretention area, but the space could be used for different things.

Mr. Murray said that when viewed from space, that part of the County was covered with a lot of pavement. He said that as they increased density, there would inevitably be more parking and larger buildings. He said that they would also meet state requirements for addressing stormwater volume. He said that he was curious about their thoughts on addressing stormwater quality. He asked if they were considering any initiatives such as green roofs, permeable paving, or a biofilter, to improve the quality of stormwater in addition to its quantity.

Ms. Moon said that permeable pavers could be an effective solution for the new back portion of the site or a biofilter. She said that although they had not detailed it yet, they were presenting possible underground detention or biofilter options. She said that the choice between these options may depend on the soil quality in this area. She said that if the soil was good, a biofilter could be an excellent choice because they could infiltrate the water into the ground rather than diverting it elsewhere. She said that they would definitely consider these options as they developed the site plan.

Mr. Bivins asked if the units were for rent or for sale.

Ms. Moon said that they were rental units.

Mr. Bivins asked if there would be a variety of one-, two-, and three-bedroom units.

Ms. Moon said that they did not have architecture at this time. She said that their plan was to engage with an architect once this project was approved.

Mr. Bivins asked if there would be an elevator.

Mr. Shouf said that he would need to check in with the building code staff regarding that matter.

Ms. Moon said that they would meet the building code requirements.

Mr. Moore said that he was aware that stormwater runoff had become an issue as they crossed Route 29 and encountered waterways that fed past Woodbrook and beyond. He said that the use of permeable pavers in the back would be a nice touch. He said that he was curious about the 20% affordable units at 60% AMI and whether this was part of a long-term plan. He said that this was the first time they had such a provision.

Mr. Missel asked if the existing storm water pipe was sized correctly for the additional flow.

Ms. Moon said that she believed that the pipe was 24 inches. She said that it was designed to handle overflow from an existing pond, but they had not investigated the details. She said that this structure was located within an easement, which implied that if they needed to increase its size downstream, it would be possible. She said that the existing pipe fed into a detention pipe downstream. She said that as long as they were decreasing the flows, it should be sized appropriately.

Mr. Missel asked if storm water management had to accommodate the front parking area.

Ms. Moon said no. She said that there was an existing pipe in the front parking lot that fed into the system in the back.

Ms. Firehock said that they could install a green roof on the new building to provide amenity space.

Ms. Moon said that she could have a lengthy conversation about green roofs. She said that they only provided such a small credit, so with the cost of implementing them, they would still be required to purchase nutrient credits.

Mr. Murray said that there was some local funding available for cost sharing for green roofs through the Stormwater Conservation District. He said that this funding was one of the few cases where it could apply to new construction. He said that it could offset costs by several thousand dollars, potentially up to \$10,000.

Mr. Missel asked if the applicant was comfortable not installing the connection to Agnor-Hurt.

Ms. Moon said yes. She said that was a comment from staff during the initial pre-application meeting. She said that they presented it, but then, after discussions with the public schools, they removed it.

Mr. Missel said that the parking spaces were designed for the uses present on the site. He said that it was great because the residents would be gone during the dentist's office hours. He asked if this was still a true assumption since more people worked from home.

Ms. Moon said that while writing the shared parking analysis, she had the same thought. She said that the statistics she found were few and far between, but they indicated that about 35% of people worked from home fulltime in 2024. She said that she felt comfortable proposing this, assuming that 70 percent of residents would be away during the day. She said that the required space for the dental clinic was higher than the anticipated number of staff and patients per hour. She said that they felt comfortable with the amount of parking.

Mr. Murray said that the Virginia Conservation Assistance Program had a cap of \$30,000 for green roofs.

Mr. Missel closed the public hearing.

Ms. Firehock said that she appreciated the use of shared parking, which was a common practice during her time on the Charlottesville Planning Commission. She said that she also supported the idea of adding residential units to this site. She said that residents living nearby would have no excuse for neglecting their dental health. She said that the site was currently underutilized, so the proposal was a good use of space.

Mr. Carrazana said that they did not often see mixed-use development, especially in a meaningful way. He said that currently, commercial development made up 25% of the area. He said that they needed to see more of this. He said that he saw densification as a positive aspect. He said that at UVA, they had significant experience with permeable pavers. He said that unfortunately, they did not work well in parking areas due to oil. He said that the oil saturated the pavers, causing them to lock, clog, and become difficult to maintain. He said that they were not very effective in areas where cars were driven, and liquids were spilled.

Mr. Clayborne said that conceptually, he believed this was a very efficient use of space, as his colleagues had also expressed. He said that as the design continued to evolve, he encouraged everyone to consider the livability aspect. He said that currently, it did not feel like a place he would want to live, with just a sea of asphalt surrounding it.

Mr. Murray said that this was the type of development he wanted to see more of. He said that both commercial and residential buildings stacked on top of each other, like this, would be ideal for him. He said that he had already expressed his desire for a better commitment to stormwater treatment quality on-site.

Mr. Bivins said that he would have been open to additional height for the project. He said that this could allow for some interesting architectural forms, such as balconies, providing outdoor space for residents. He said that if the project were higher, they could also incorporate a setback, which would be beneficial. He said that he was generally supportive of this project.

Mr. Moore said that he believed it was a good use of the space. He said that he had also driven by the location recently and it was clear that it was an easy walk to the grocery store, school, and bus stop. He said that it was also in a prime location for some dense housing, and it was adjacent to existing and soon-to-be dense housing.

Mr. Missel said that if they had a site like this and could go high enough, they could tuck the parking underneath, making the economics work with the commercial. He said that this would free up some green space.

Mr. Moore said that the special exceptions made sense given the location.

Ms. Firehock said that she believed the special exceptions were straightforward.

Mr. Moore motioned for the Planning Commission to recommend approval of SP202400015 Knight Berkshire Mixed Use with conditions stated in the staff report, and to update the concept plan to remove the proposed future connection to Agnor Hurt Elementary School. Mr. Bivins

seconded the motion, which carried unanimously (7-0).

Adjournment

At 7:50 p.m., the Commission adjourned to October 8, 2024, Albemarle County Planning Commission meeting, 6:00 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: 10/07/2024
Initials: CSS