



COUNTY OF ALBEMARLE PLANNING
STAFF REPORT SUMMARY

Proposal: CCP202200001, Botanical Garden of the Piedmont, McIntire Park	Staff: David Benish, Development Process Manager
Planning Commission Public Hearing: January 10, 2023	Board of Supervisors Hearing: n/a – Planning Commission’s finding forwarded to Board for information only.
Owner: City of Charlottesville	Applicant: Botanical Garden of the Piedmont
Acreage: 14.7 acres for the botanical garden, approximately 3 acres located in the County	Comprehensive Plan Consistency for: Botanical Gardens within McIntire Park land located in the County.
TMPs: 06100-00-00-193A0 Location: 950 Melbourne Road. Southwest corner of the intersection Melbourne Road and John W. Warner Parkway.	Zoning/by-right use: R4, Residential.
Magisterial District: Rio	Entrance Corridor: Yes
School Districts: N/A	Proffers: None
Proposal: To establish a botanical garden facility with gardens/grounds, visitor center, and meeting and events spaces and associated parking area .	Requested # of Dwelling Units: N/A
DA: X RA:	Comp. Plan Designation: Public Open Space
Character of Property: Undeveloped portion of McIntire Park	Use of Surrounding Properties: Parks and institutional uses
Factors Favorable: 1. The location, character and extent of the proposed public facility is consistent with the County’s Comprehensive Plan, specifically the Places29 Master Plan’s <i>Future Land Use Plan</i> and the <i>Parks and Green Systems Plan</i> . 2. The proposal is consistent with the City’s East McIntire Park Master Plan.	Factors Unfavorable: 1. No unfavorable factors as it relates to the proposal’s consistency with the Comprehensive Plan.
RECOMMENDATIONS: Staff recommends that the Commission find the location, character, and extent of the “Botanical Garden of the Piedmont” public facility and public use thereof, as proposed, to be in substantial accord with the Comprehensive Plan, for the reasons identified as favorable factors in this staff report.	

STAFF CONTACT:

PLANNING COMMISSION: January 10, 2023

BOARD OF SUPERVISORS: N/A

BACKGROUND

The Botanical Garden of the Piedmont organization has entered into a 40-year lease with the City of Charlottesville to construct a botanical garden on 14.7 acres of land within McIntire Park. Approximately three (3) acres of this proposed site lies within Albemarle County. Site is located at 950 Melbourne Road, at the southwest corner of the intersection of Melbourne Road and the John W Warner Parkway (JW Parkway) (Attachment 1).

Public uses are permitted by-right in all zoning districts. However, if the proposed facility/use is not specifically identified in the locality's Comprehensive Plan, a review for the facility's compliance with the Comprehensive Plan is required by Virginia Code. The botanical garden proposal has been determined to be a public use, but it is not sufficiently identified in the County's Comprehensive Plan and therefore necessitating this review.

PURPOSE OF THE REVIEW

A Compliance with the Comprehensive Plan Review ("CCP Review" or "2232 Review" in reference to the Code of Virginia statute which necessitates this type of local review process), considers whether the general location, character, and extent of a proposed public facility are in substantial accord with the adopted Comprehensive Plan. It is reviewed by the Planning Commission, and the Commission's findings are forwarded to the Board of Supervisors for their information; no additional action is required of the Board. The Commission's action is only related to the appropriateness of the site for the proposed public use and is not an action or recommendation on whether the facility should be constructed.

CHARACTER OF SURROUNDING AREA

The proposed site for the facility is undeveloped open space currently with varying level of vegetation, from wooded areas and areas of undergrowth and open area. The topography is from relatively flat to rolling to topography. Several streams are located on the site.

The surrounding area consists of the JW Parkway and linear park to the west, the Norfolk Southern Railroad and Charlottesville High School to the east. Melbourne Road and the high school's football field is located to the north. The nearest residential areas are east of the John Warner Parkway on Melbourne Road (Melbourne Park) and west of the railroad and across Melbourne Road from the high school.

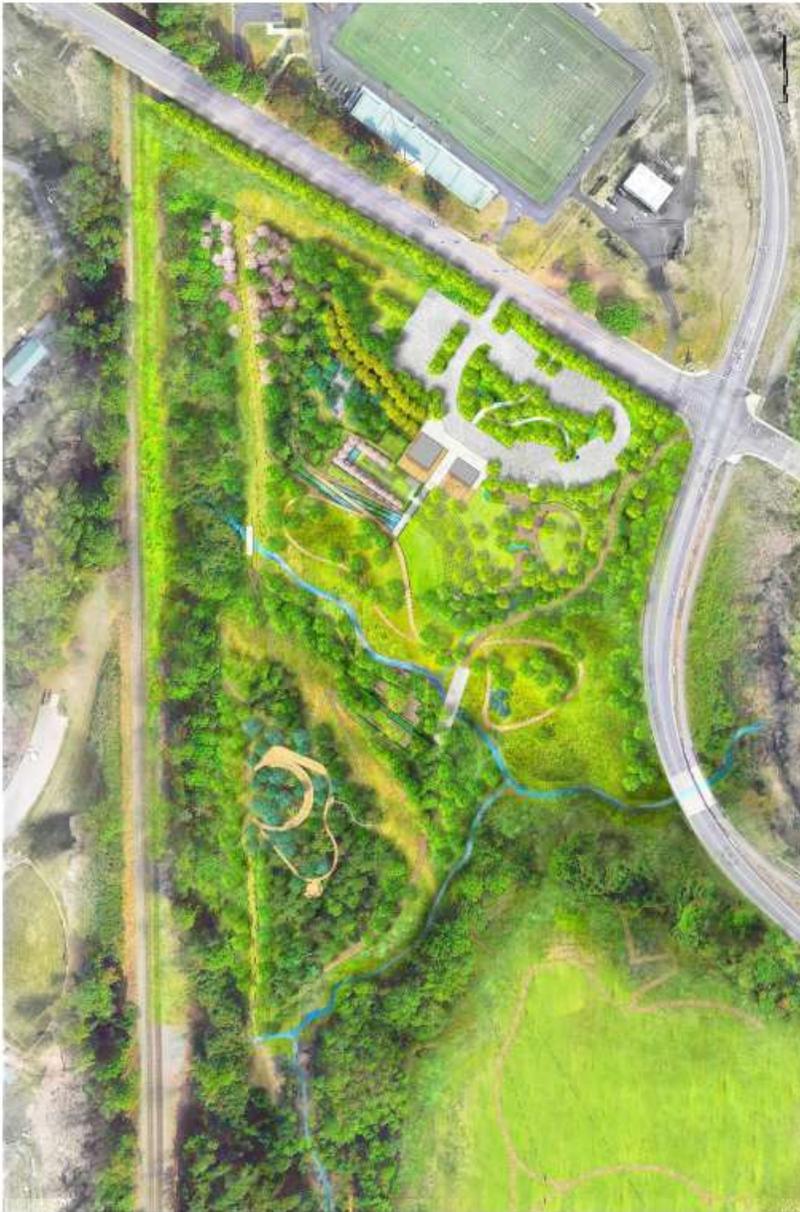
PLANNING AND ZONING HISTORY

There is no recent planning (development applications/actions) or zoning history on this site. The property has been zoned R4, Residential since the early 1980s. The JW Parkway was completed in the County (to Melbourne Road) in 2011, and in the City (and through this property) in 2013. It was open to use in 2015 with the completion of the Route 250 Bypass interchange.

SPECIFICS OF THE PROPOSAL

The applicant has provided an application and narrative that describes the project (Attachment 3).

The botanical garden would be developed and operated by the Botanical Garden of the Piedmont (BGP) on 14.7 acres owned by the City of Charlottesville and considered a part of McIntire Park. A conceptual plan of the facility on the full 14+ acres is provided below.



Approximately 3 acres of the total 14 acres is in the County and subject to County land use regulations. The applicant has noted that the area of development on land within Albemarle County “is for the Children’s Discovery Garden, the Garden Pavilion (a small, three-season event space), and the parking area with its central entry garden for capturing and filtering pavement surface water. These elements are all considered Phase I of the Garden construction.” (See image below)



The following is a summary of the components of the 14-acre site and its operation.

- Access to the gardens will be admission-free, per requirement of the lease agreement with the city.
- Anticipated hours of operation on a typical day will be from 9:00 – 6:00 with hours extended at either end of the day to accommodate special events.
- Open Seven (7) day per week, except for some major holidays.
- Anticipate four large events annually – a fall festival, winter light display, spring celebration, and summer exhibition.
- Public buildings will include:
 - a visitor’s center which will house our offices, meeting rooms, library/exhibit space, toilets, catering/café areas, and a gift shop;
 - a garden pavilion which will be a small, three-season event space with toilets, a heat source, and a wet lab for STEM programming;
 - a landscape maintenance shed.
- One amphitheater (500-600 capacity) and one main-event green (150-200 capacity) are proposed.
- One main parking lot containing 82 spaces, plus 3 spaces for buses is proposed. An overflow parking area will also be provided on-site. Additional marked on-street parking is available on Melbourne Road (up to 60+ spaces). Shuttle services can also be provided as needed from the high school and/or other remote parking locations (see Attachment 4)

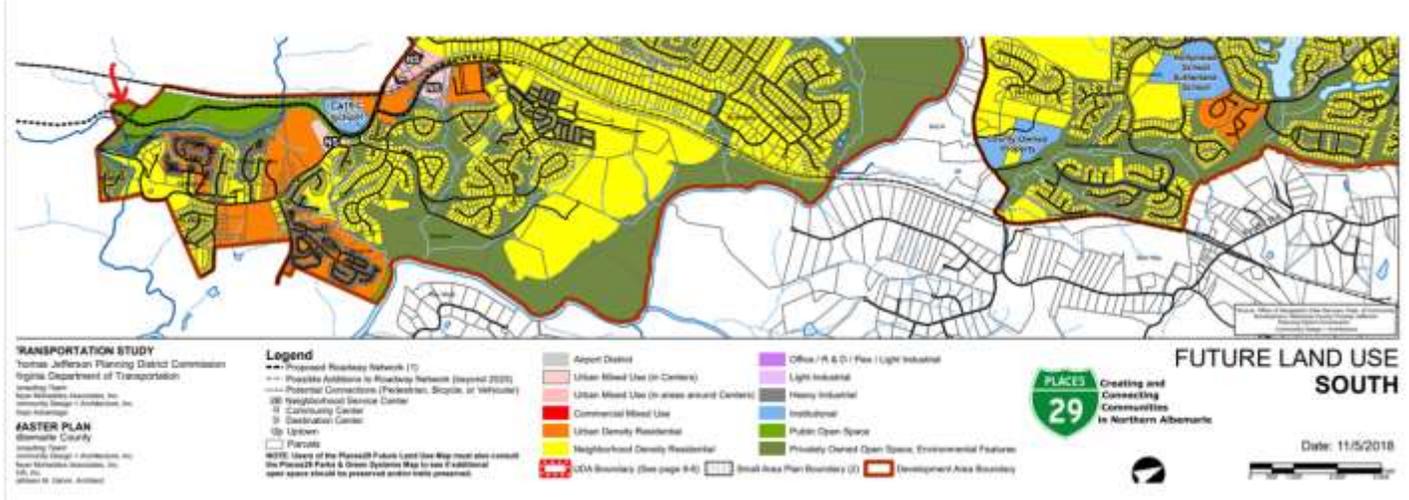
COMMUNITY MEETING

The required community meeting was held at the Places29 Rio Community Advisory Committee meeting on December 8, 2022, in the County Office Building (McIntire). No other public attended the meeting. The CAC offered their support for the proposal.

CONSISTENCY WITH THE COMPREHENSIVE PLAN

Staff provides the following information for the Planning Commission to consider regarding the compliance of this proposal relative to the County’s Comprehensive Plan.

Master Plan Recommendations – The Places29 Master Plan’s *Future Land Use Map (South)* designates this area for Public Open Space, based on the property’s location within the City’s McIntire Park and JW Parkway linear Park.



The Master Plan’s *Parks and Green Systems Map (South)* also recommends this area for “Parks & Public Open Space.”



The following text, found on page 4-7 of the Master Plan, describes the expectations for areas recommended for Parks or Public Open Space:

Parks and Public Open Space. This designation allows for a range of public recreation and open space uses. This designation is used in Centers and the areas around Centers to provide for public activities. It is also used in combination with Privately Owned Open Space to define the edges of some Neighborhoods (see Land Use Table LU2). The Future Land Use Map shows Public Open Space as a lighter, brighter green (than Privately Owned Open Space described below).

Primary uses: public open spaces, such as parks, greenways, trails, and other public open spaces.

Secondary uses: related institutional uses. [Provided below]

Institutional. This designation allows for a range of civic uses, such as schools, libraries, parks, recreational facilities, water treatment facilities, and other similar uses on County-owned properties (see Land Use Table LU2).

Primary uses: schools, libraries, parks, recreational facilities, and water treatment, and similar facilities.

Secondary uses: any related facilities that support the primary uses.

Staff Comment: The botanical garden public facility, and related activities, is consistent with the recommendations of the Master Plan. The botanical garden provides for open space, recreational, and civic uses consistent with the uses noted for lands recommended for *Parks and Public Open Space* use. Botanical gardens are a feature not uncommon to public parks.

The character and extent of the proposed activity is consistent with the recommendations of the Comprehensive Plan and Master Plan. The site is surrounded by other public uses/spaces, including McIntire Park, the JW Parkway linear park and shared use trail, Charlottesville High School, and the high school's football field. These public areas are compatible with the proposed facility/use and can provide supporting services, such as area overflow parking. Melbourne Road also provides additional on-street parking to support the facility during peak usage, if necessary. Staff has counted 60+ spaces along Melbourne Road. Access to the site is good. The site is located near arterial roads (Rt 250 Bypass and John Warner Parkway), pedestrian and bike facilities/paths, and potential transit service.

This CCP application has been reviewed by Architectural Review Board and transportation planning staff. JW Parkway is a designated Entrance Corridor Road. ARB staff expressed no concerns with the present concepts for the project. A site development plan will be required for the development of the site and a certificate of appropriateness from the ARB will also be required for final site development plan approval.

Transportation planning staff expressed no major concerns with the proposal but suggested that sufficient parking be ensured for larger scale events. Staff believes overflow parking is sufficiently addressed (Attachment 4). Staff would encourage the Botanical Garden of the Piedmont to continue to coordinate activities, including scheduling of major events with the administration of Charlottesville High School.

Though not specifically cited in the County's Comprehensive Plan or Places29 Master Plan, this proposal is consistent with Eastern McIntire Park Master Plan adopted by City Council. The current Master Plan's land use recommendations were intended to recognize that this property is part of the McIntire Park land area and would be subject to park activities and enhancements.

SUMMARY

Staff finds the following factors favorable to this request:

1. The location, character and extent of the proposed public facility is consistent with the County's Comprehensive Plan, specifically the Places29 Master Plan's *Future Land Use Plan* and the *Parks and Green Systems Plan*.
2. The proposal is consistent with the City's East McIntire Park Master Plan.

Staff finds the following factors unfavorable to this request:

1. No unfavorable factors as it relates to the proposal's consistency with the Comprehensive Plan.

RECOMMENDATION

Staff recommends that the Commission find the location, character, and extent of the "Southern Albemarle Convenience Center" public facility and public use thereof, as proposed, to be in substantial accord with the Comprehensive Plan, for the reasons identified as favorable factors in this staff report.

ATTACHMENTS

[Attach 1: Location Map](#)

[Attach 2: Aerial Map](#)

[Attach 3: Applicant's Project Narrative](#)

[Attach 4: Applicant's Response to Parking Concerns](#)