

**Albemarle County Planning Commission
August 23 2016**

The Albemarle County Planning Commission held a regular meeting on Tuesday, August 23, 2016, at 6:00 p.m., at the County Office Building, Lane Auditorium, Second Floor, 401 McIntire Road, Charlottesville, Virginia.

Members attending were Mac Lafferty, Pam Riley, Jennie More, Daphne Spain, Tim Keller, Chair; Karen Firehock, Vice Chair and Bill Palmer, University of Virginia (UVA) representative. Members absent were Bruce Dotson. Ms. Firehock arrived at 6:08 p.m.

Other officials present were Rebecca Ragsdale, Senior Planner; Scott Clark, Senior Planner; John Anderson, representative for the County Engineer; J.T. Newberry, Senior Planner, Elaine Echols, Acting Chief of Planning; David Benish, Acting Director of Planning; Sharon Taylor, Clerk to Planning Commission and John Blair, Senior Assistant County Attorney.

Call to Order and Establish Quorum:

Mr. Keller, Chair, called the meeting to order at 6:02 p.m. and established a quorum.

Other Matters Not Listed on the Agenda from the Public:

Mr. Keller invited comment from the public on other matters not listed on the agenda. There being no comments, the meeting moved to the next item.

Public Hearings

SP-2016-00015 Springhill/Towneplace Suites (Signs 59 & 60)

MAGISTERIAL DISTRICT: Rio

TAX MAP/PARCEL: 061Z0-03-00-00200

LOCATION: 1305 Seminole Trail (approximately 900 feet north of the intersection of Greenbrier Drive and Route 29)

PROPOSAL: Establish a 192 room, five story hotel with associated structured parking (see SP201600016 for structured parking information)

PETITION: Hotel, motels and inns under Section 22.2.2(7) of the Zoning Ordinance.

ZONING: C-1 Commercial – retail sales and service; residential by special use permit (15 units/ acre)

OVERLAYS: Entrance Corridor, Managed Steep Slopes, Airport Impact Area

COMPREHENSIVE PLAN: Urban Density Residential – residential (6.01 – 34 units/ acre); supporting uses such as religious institutions, schools, commercial, office and service uses; Urban Mixed Use (in Centers) – retail, residential, commercial, employment, office, institutional, and open space in Neighborhood 2 of Places29

(JT Newberry)

AND

SP-2016-00016 Springhill/Towneplace Suites Parking Structure (Signs 59 & 60)

MAGISTERIAL DISTRICT: Rio

TAX MAP/PARCEL: 061Z0-03-00-00200

LOCATION: 1305 Seminole Trail (approximately 900 feet north of the intersection of Greenbrier Drive and Route 29) PROPOSAL: Establish structured parking associated with a 192 room, five story hotel (see SP-2016-00015 for hotel information)

PETITION: Stand-alone parking and parking structures under Section 22.2.2(9) of the Zoning Ordinance.

ZONING: C-1 Commercial – retail sales and service; residential by special use permit (15 units/ acre)

OVERLAYS: Entrance Corridor, Managed Steep Slopes, Airport Impact Area

COMPREHENSIVE PLAN: Urban Density Residential – residential (6.01 – 34 units/ acre); supporting uses such as religious institutions, schools, commercial, office and service uses; Urban Mixed Use (in Centers) – retail, residential, commercial, employment, office, institutional, and open space in Neighborhood 2 of Places29 (JT Newberry)

J.T. Newberry said that he would be taking the Commission through these two applications tonight. He started with a quicker overview of the parcel showing both the comprehensive plan map and the zoning map. The comprehensive plan calls for Urban Density Residential as well as Urban Mixed Use in centers and the capital C on the map is designating this as a community center. The zoning map on the right in the slide shows this parcel is zoned C-1, Commercial, and the area to the north and east of the site is Planned Unit Development. The aerial map shows some of the existing vegetation around the subject parcel as well as some of the surrounding uses.

Overview of Request:

- The request is to establish a 192 room, five-story hotel and associated two-story parking structure/
- The existing buildings will be demolished.
- As we will see on the concept plan there is an approximately 0.75 acres outparcel that is being reserved for future development.
- Along with these requests was a special exception request for the stepback from the right-of-way. For structures over three stories there would be a 15 foot stepback so this request was to exempt the building for stories four and five.

Concept Plan:

In the concept plan you may notice some of the features that has been here since we first had our preapp meeting. The parking structure is in the northeast corner of the site. The applicant can give an overview of some of the other features.

Economic Information:

He thought a graph to highlight some of the information provided by the Economic Development Office would be helpful. The graph show some of the assessment information for the site since 1996. The land value, as you can see, has consistently grown over time whereas the improvements have remained steady or decreased.

Factors identified: HotelFavorable:

1. The hotel supports and complements the existing mixture of uses in a Community Center.
2. Redevelopment of the site will result in stormwater controls where none currently exist. This was one of the things that was brought up during the community meeting.
3. The redevelopment of the site will transform an underutilized commercial property as demonstrated by the assessment information.
4. The request is consistent with the Comprehensive Plan.

Unfavorable:

1. No direct pedestrian connection to the parcel to the north is provided.
2. Some landscaping used to mitigate visual impacts from the development are not located on the subject parcel's property.

Factors identified: Parking structure:Favorable:

1. The parking structure is not anticipated to be visible from the Route 29.
2. The request is consistent with the Comprehensive Plan.

Unfavorable:

1. Some landscaping used to mitigate visual impacts from the development are not located on the subject parcel's property.

Recommended Conditions

1. Use of site shall be in general accord with the concept plan "Concept Plan for Springhill/Towneplace Suites" dated 06/02/2016, last revised on 06/05/2016, as determined by the Director of Planning and the Zoning Administrator. To be in general accord with this plan, development and use of the site shall reflect the general size, arrangement and location of the proposed hotel, associated parking areas (including the parking structure) and interparcel connections. Minor modifications, as approved by the Zoning Administrator, to the plan which do not conflict with the elements above may be made to ensure compliance with the Zoning Ordinance;
2. No parking shall be permitted between the right-of-way and the primary structure located on the Future Development Parcel, as identified on the Concept Plan.
3. The landscape plan shall be subject to approval by the Architectural Review Board.

Notably missing from this slide is condition #4 which is present in the report. After working with the County Attorney's office it was determined that there is no legal basis to really require the pedestrian connection to the north. But, the three other conditions remain unchanged.

The next two slides are recommended motions for both the hotel and the parking structure. With that he offered to take any conditions that the Commission has.

Ms. Firehock arrived at 6:08 p.m.

Mr. Keller said he had questions about the outparcel given the urban design discussions the Commission has been having about urban form. He asked why we are not seeing the hotel encouraged to be closer to the roadway and for some sense of what the form of that outparcel development might be.

Mr. Newberry suggested the applicant may be able to better answer that question in terms of why they felt it needed to be pulled back to the middle and rear of the site. One of the conditions is meant to address that concern with the condition being that there would be no parking in between the right-of-way and whatever structure is built on that outparcel. He asked Ms. Echols if she would like to expand on that at all.

Ms. Echols explained that because we have two different uses that are expected on the property and right now we are only dealing with the hotel that we acknowledge that this is what the applicant wanted to do and have hope that when the parcel that is going to be developed at the front comes in that it will do a better job at meeting our urban design principles. However; we probably won't be able to require it unless it is a special use permit.

Mr. Keller pointed out his second question on this would be to our counsel for an explanation on not being able to ask for that pedestrian connection to the north.

Mr. Blair replied that the only thing we could possibly require is asking the applicant to request it. However, as that is another parcel that is owned by a completely different owner we don't really have the ability to require an access easement onto that property, and there is no legal ability for the applicant to compel the owner to grant the easement.

Mr. Keller said just as a follow up on that in our last meeting we had a number of discussions of subdivisions that seemed to have had those stubbed out connections. He asked what makes this different from those. It seemed to have been part of the development plan for a number of existing subdivisions that have that.

Mr. Blair pointed out that was part of the interconnectivity in the comp plan and suggested that maybe Ms. Echols can better explain that.

Ms. Echols agreed that Mr. Blair was correct since those are public road connections and we were expecting that the public will be driving across all of those roads. In this particular case we have private property owners with connectivity across one property through another property to the grocery store property. So there isn't a direct public benefit there in that becomes sort of a public access way; but, it is a little gnarly.

Ms. More questioned the landscaping being used to mitigate visual impacts not being on the property. In the staff report she noticed that it appears that some of the landscaping being referred to is actually on the county's detention facility easement and then possibly the grocery store site. She asked if staff can explain a little bit about where the majority of that landscaping is.

Mr. Newberry suggested that they go back to the aerial map and see if he can grab the electronic laser. He pointed out the detention facility that is north of the Charlottesville Area Association of Realtors (CAAR) property where he would estimate that area to be. As you are coming down Hillsdale Drive he thinks it provides the most significant buffer towards this development. He would say from the northeast property corner sort of parallel to the back corner of Food Lion over to where you see the Fairfield site he believes all of this belongs to the Food Lion.

Ms. More thanked Mr. Newberry.

Ms. Riley said in the annual report you point out that there is currently no storm water management. She was wondering if he could describe that because he had also indicated that some of the residents that came from Cross Hills they were concerned about the current situation with storm water management. She asked what is happening with the storm water runoff and is it going into the detention pond behind there. She asked if he could describe the current conditions a little bit more.

Mr. Newberry replied the current conditions on the site right now is there is a concrete swale that sort of catches sheet flow from gravel and even the very old broken up paved areas in the back. My estimation in going out there with Water Resources is that the rain water comes off the back of the site, captures that concrete swale, and flows towards the county's detention facility. If you go out there on site you can see where the water jumps over a drain that is supposed to be going down and then it eventually makes its way to the pond anyway to the detention area. But, there is a lot to be desired for what is there now.

Ms. Riley suggested that perhaps the applicant can tell us a little bit more about what their underground detention structure is supposed to look like. She asked if he had any comment to give us about a boundary line description.

Mr. Newberry replied that Water Resources and Engineering just indicated that really anything would be an improvement to the site. He said we wanted to make sure that any development of that outparcel would also be accommodated by the volume of the underground facility; and, the applicant has assured us that is true. The size of the site out front we were wanting to make sure that was also going to be treated, and our understanding is that conditions will improve.

Ms. Spain said to follow up on that some of the community members suggested capturing rain water off the roof or making a green roof, and asked has the applicant explored that or is that a question for the applicant.

Mr. Newberry replied that he would have to let the applicant answer that.

Ms. Firehock asked if it is certain that there is adequate capacity in the sanitary sewer because staff said they need to connect to a different sewer line in the Dominion Engineering Report.

Mr. Newberry replied that he would let the applicant expand on that a little bit further; but, there is no objection from Albemarle County Service Authority (ACSA) in terms of for water or sewer.

Ms. Echols noted that ACSA typically tells us that if there are any issues and they say no objection that there is sufficient capacity.

Mr. Keller opened the public hearing and invited the applicant to come forward and give his or her presentation. He noted they would have ten minutes and then you will get a warning light towards the end.

Jim Daly said he represents Daly Seven Corporation and was happy to say that he was here 19 years ago when we built our first Marriott Hotel in Albemarle County that Marriott Fairfield Inn is leasing. He is happy to be back 19 years later to develop this combination hotel, the Marriott Springhill Suites and the Marriott Townplace. With me tonight is my project manager, Mark Dowdy that also developed the first hotel 19 years ago; Tom Murphy with Olive Architect; Mike Meyers and Dustin Green from Dominion Engineering who can address the water control measures; and Dan Tilley who is also with Daly 7, our real estate department. Just to address a couple of questions he has heard regarding the outparcel he pointed out that the layout of the hotel leaving the outparcel was strictly based on the engineering plan to get the best use of the site and the widest area of the land to actually be able to put the hotel on there. This property has a Flaming Wok Restaurant in the front and two metal buildings behind it being served as a glass company. From my perspective he thinks it will greatly enhance the area and be quite an improvement when they finish with the construction of this project, and he looks forward to doing that.

Mr. Daly said regarding the pedestrian access the biggest hurdle we have is the elevation difference. Moving to the north our property sits about 25' higher than the Food Lion Shopping Center below us. Any access that we could provide would be a very steep stair well that would be towards the back of the shopping center, which he does not feel very comfortable with the safety and security situation. If people slip back there nobody would ever know it. It is not a regularly accessed area between the two properties because of the difference in elevation, which is from the applicant's perspective. He said my primary concern would be the safety and the security of our guests if they tried to access the Food Lion or the Applebee's Restaurant; he would prefer that they drive for the safest route. With that he would ask the engineering company to come up and address some of the other questions unless you have some other questions for me as the applicant, and thanked them.

Mark Dowdy with David Southern said the steepness is quite a concern when talking about the stairwell going down towards the Food Lion and Fairfield. He has talked with Catherine Hall, our insurance and benefits manager, and she was concerned about having a steep exterior stairwell since in our company slip and fall claims are our biggest claim. It is about 70 percent of our insurance claims. He pointed out not all of those are exterior falls, but it can be as simple as somebody slipping off the curb the wrong way and if someone gets hurt we are liable for the medical. It is not always a

liability claim; but, we are always responsible for medical bills. For that reason she had concerns about a stairwell. If we had a stairway we would take out part of the natural vegetation that is on the hillside now. For security we would have to illuminate it and probably have security cameras. If we illuminate it, it would attract your eye towards the development more than the natural vegetation would screen it now. Those are the reasons why they would prefer not to have a stairway between the two properties.

Ms. Spain asked could a person go out to 29 and walk around.

Mr. Dowdy replied that there is a sidewalk that goes between 29 and Fairfield all the way around to Applebee's and so the sidewalk would all be along 29.

Ms. Spain said so there is a way for the clients who stay there. She thanked Mr. Dowdy.

Mr. Palmer pointed out that the sidewalk stops on 29 where you turn in to go down towards Food Lion; and, that road does not have a sidewalk along it which is the one that accesses Food Lion and Toys R Us.

Ms. Echols pointed out staff has a visual that shows where the sidewalk system is.

Mr. Keller said that the Commission would like to see it now.

Mr. Newberry said he would go through some pictures. In the first picture shows the corner of the site or sort of the intersection with Route 29 and the sidewalk going down to Branchlands. Next is a quick picture that looks like the people might be cutting through the site. The next picture shows the front and back of the Fairfield's site. He pointed out just past where the right lane must turn right it kind of looks like people jump over there and cut through the site. But, this is where the sidewalk ends with Branchlands so there is not much of place to turn and walk to get to the site. Certainly you could cut through those trees and get to the Applebee's. The next picture is looking back up towards 29 along Branchlands, and it looks like there is some anticipated connection to be there one day; however, right now it is not there. While we are talking about it he did draw this graphic that is not easy to read; however, it shows some different possibilities of distances. From the edge of the hotel using the sidewalk along Route 29 going around to the Food Lion it would be just over a third of a mile. The bright teal represents what a vehicle trip would look like. Unfortunately, getting back to the hotel would require a U turn with the intersection with Greenbrier. So that is about 1.3 miles. Then if there were any sort of pedestrian connection you would really be achieving the kind of walkability the comp plan talks about in terms of a quarter mile or less in terms of distance traveled. He thinks that is where our heads were when we were looking at this; however, staff feels we have investigated it fully and understand the challenges with doing it.

Mr. Dowdy apologized because he thought the sidewalk continued all the way to Applebee's.

Ms. Spain asked if there were any plans to have that sidewalk to Applebee's completed.

Mr. Newberry replied not currently.

Ms. Spain said okay so the person would walk down the vehicular entrance, get off the sidewalk and then walk down to the restaurant or the Food Lion through the parking lot, and Mr. Newberry replied that was correct.

Ms. Riley said she went over to the site today to look at the slope and it is very steep. There are similar stairwells in Charlottesville though that do actually end up being parking lots, and so it is not out of the question. On the issue of liability she realizes this is private land and was just curious about the out parcel; what the topography is there in terms of the slope; and, is there potentially a better pedestrian connection there.

Mr. Dowdy replied that the boundary between the upper parcel, the Food Lion and the Fairfield is all roughly over 20'.

Mr. Keller asked if there were any other questions for the applicant or the applicant's group.

Mr. Dowdy noted that Mike Meyers would like to address the storm water.

Mike Myers, engineer with Dominion Engineering, said we put together the special use permit package and looked at the issues, such as storm water and the utility connections, and he would just run through quickly what our plan is. With regards to storm water management, as you see on the plan as to what Mr. Newberry had alluded to before, that right now it is predominantly a paved site and the water just runs off to the back edge of the property and uses that concrete ditch at the edge of the property and goes down eventually to the detention pond. Actually where it goes is a four-bay to a pretreatment pond for one that is further south. There is also some talk about expansion of that pond with the Hillsdale Drive plan, which is a different topic and down the way a little bit. As designers of storm water requirements what we propose to do here is actually to provide an underground vault. He does not have a final design on it; but, the underground vault is going to be used to pull back a volume of water and essentially release it at rates that would mimic the predevelopment rates. We are not talking about meeting the current outfall rates with all the pavement; we are talking about going back to where the site was covered in grass, trees, or whatever and do our best job to mimic the outfall that leads to say it was quicker than it did back then. That is sort of our challenge that we will work on with the county engineering staff to get through those issues and provide actual engineering computations to support our design.

Mike Myers said with respect to water quantity, which is a different topic than the quantity and the detention vault that slows down the water, the requirement is basically to reduce the amount of pollutants that are going to be washed off site. We looked at this preliminarily with the special use plan. The idea of a green roof is something we can certainly consider. He pointed out what ends up happening with a green roof often times

is though the cost of putting a green roof in it requires substantially fortifying the building foundation and ends up being sort of a prohibited type of thing. It is certainly something that is on the menu of items that we can pick. We probably will opt for some small but actually quite large structural components, like a filtera, that essentially is a curve inlet that cleans the runoff as it goes in and gives the benefit of a tree in the middle of the filtera that grows. It actually sucks up those nutrients so it actually will be a benefit. He was not sure; but, they may have seen those around town. We don't have a whole lot of space as you can see by the site and the urban nature of it. So the other things we will consider will be the other sort of prefabricated or pre-engineered systems, like there is something called a jelly fish filter or a storm chamber and we will work with the suppliers of those to make sure we provide adequate information in the plan to be reviewed and approved with engineering staff.

Mr. Myers said finally he wanted to address the sanitary sewer issue that came up about the connection. He explained the way this site sits now from 29 it slopes across the site down to the back of the property, and the existing sewer is actually up towards the out parcel, which is higher than the hotel. So one option would have been to pump our sewer up to the manhole and use that. But, often times sanitary pumping is not ideal for a hotel where you don't have to worry about this maintenance of the pump system. So there is actually a revenue where you can tie into the sewer in Hillsdale. We have done some research to show we have an easement or the right to connect to that line in Hillsdale and it will provide gravity flow so hopefully that will clear that up. He was happy to answer any more questions you might have on anything.

Ms. Spain said she had one question about the pavement. She asked is it possible to have pervious pavement.

Mr. Myers replied absolutely, pervious pavement is another one of our options and we have sort of a design kit that we use. It certainly cost a little more than asphalt; but, it does provide a lot of bang for the buck. We are restricted by the slope of the parking lot because we can only do it on very flat slopes, which sort of restricts its use. We will certainly investigate that as we move into the site plan stage and work out the fine details.

Ms. Spain thanked Mr. Myers.

Mr. Palmer said in terms of the storm water and impervious area on that site of the future development parcel it says that it is existing asphalt to remain. Is there any reason you couldn't just take that out now and provide some permeability there?

Mr. Myers thanked him for asking because actually one thing he forgot to mention is the storm water system that will be designed for the outparcel. He pointed out because it is all going in the same direction it makes sense to build one system for both from a cost and engineering point of review. With respect to reducing that area to grass, it is something we could consider because it is something he imagined as part of the water quality and quantity requirements and we could convert asphalt to grass. But, in order for that to actually work we would have to put a permanent easement on that grass so

they could never disturb it again. So creating green space is certainly one way to address it that is allowed. He thinks in this case they would tend not to choose that on the south parcel just for those reasons.

Mr. Keller invited other questions for staff. There being no further questions for staff, he asked if other members of the applicant's team wished to speak. There being no further applicant comment, he asked Ms. Firehock to invite public comment.

Ms. Firehock said there were two people signed up to speak Jim Daly and Tom Murphy. Since both were representatives for the applicant, she invited other public comment. There being none, the public hearing was closed to bring the request back for discussion and action.

Mr. Keller invited discussion and asked for thoughts on the project.

Mr. Lafferty said he had no questions because this was the second time he had seen this and would like to make a motion. Mr. Lafferty moved to recommend approval of SP-2016-00015 Springhill/Towneplace Suites with conditions outlined in the staff report with the elimination of condition #4 that the pedestrian access has been eliminated.

Ms. Riley seconded the motion.

The motion passed unanimously by a vote of 6:0:1. (Dotson absent)

Mr. Keller asked for a motion on SP-2016-00016

Mr. Lafferty moved to recommend approval of SP-2016-00016 Springhill/Towneplace Suites Parking Structure with the conditions outlined in the staff report.

Ms. Spain seconded the motion.

The motion passed unanimously by a vote of 6:0:1. (Dotson absent)

Mr. Keller noted that SP-2016-15 and SP-2016-16 would be moving forward to the Board of Supervisors.

The meeting moved to the next agenda item.

(Recorded and transcribed by Sharon Taylor, Clerk to Planning Commission)