Albemarle County Planning Commission
Work Session and Regular Meeting
Draft Minutes October 28, 2025

The Albemarle County Planning Commission held a public meeting on Tuesday, October 28, 2025, at 6:00 p.m.

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

Members absent: None.

Other officials present were: Michael Barnes, Director of Planning; Khris Taggart, Senior Planner, Syd Shoaf, Senior Planner, Rebecca Ragsdale, Planning Manager, Kevin McDermott, Deputy Director of Planning, Francis MacCall, Deputy Zoning Administrator, Stacy Pethia, Director of Housing, Jenny Tevendale, Senior Assistant County Attorney; and Carolyn Shaffer, Clerk to the Planning Commissions.

Call to Order and Establish Quorum

Ms. Shaffer called the roll.

Mr. Missel established a quorum.

Public Comment on matters pending before the Commission but not listed for a Public Hearing on this agenda

There were none.

Consent Agenda

Ms. Firehock motioned that the Planning Commission approve the Consent Agenda as presented. Mr. Clayborne seconded the motion, which carried unanimously (7-0).

Items Requesting Deferral

ZMA-2024-00005 – Belvedere Amendment

Michael Barnes, Director of Planning, said that the Belvedere subdivision had a rezoning application before the Commission tonight. He said that the proposal essentially modified some of the original proffers and added townhouses to the project. He said that the applicant had some issues they were working through and had requested deferral. He said that this past week, they had requested to defer the item until December 9, 2025. He said that if the Commission was amenable, staff would recommend they make a motion to defer the item until that date specific.

Mr. Moore motioned that the Planning Commission defer ZMA-2024-00005 Belvedere Amendment to the date specific of December 9, 2025. Mr. Murray seconded the motion, which carried unanimously (7-0).

Public Hearing

SP-2025-00003 – Flow HCDJR Outdoor Storage, Display, Sale Expansion

Khris Taggart, Senior Planner, said that he would be providing staff's presentation for the special use permit (SUP) application. He said that as with all special use permits, they would need a recommendation to forward to the Board. He said that for context, the subject property, located at 960 Hilton Heights Road, contained the Subaru, Honda, and Chrysler Dodge Jeep Ram showrooms, along with associated outdoor displays. He said that the display area highlighted in red on the map, located in front of the Honda and Chrysler Dodge Jeep Ram showroom building.

Mr. Taggart said that the special permit request was for the expansion of outdoor storage and sales of vehicles in the Entrance Corridor Overlay District, which he would subsequently refer to as the outdoor display. He said that to accommodate this expansion, the property owners acquired approximately one-third of an acre of land from the Virginia Department of Transportation (VDOT). He said that the concept plan showed that a portion of the existing landscape area along the frontage would be converted into paved parking, including triple stack parking arrangements on both the northern and southern sides of the right entrance. He said that to mitigate this expanded outdoor display, the concept plan includes new landscaping consisting of large shade trees, ornamental trees, and shrubs between the frontage and the display area.

Mr. Taggart said that motor vehicle sales was a by-right use in the zoning district, but outdoor display was a special use that required review under Section 30.6. He said that this review limited the factors to be considered when determining whether the outdoor display was consistent with the entrance corridor design guidelines. He said that the Architectural Review Board (ARB) applied these guidelines and reviewed this request in September of this year. The ARB voted to recommend no objection to the SP request, with conditions that were standard for this type of request.

Mr. Taggart said that the conditions are listed in the report and included in the presentation, which they could review further if necessary. He said that the favorable factor for this request was that the outdoor display use would be consistent with the entrance corridor design guidelines if the ARB's recommended conditions were upheld. He said that for this reason, staff recommended approval of the special permit for outdoor display. He said that staff was available to answer any questions and had drafted a motion for the Commission to consider.

Mr. Bivins said that he had a question about a VDOT-related issue at this location.

Ms. Firehock said that to clarify, the outlined trees in the drawing were the existing trees that would be cut down. She said that then, new trees would be planted out towards the road.

Mr. Taggart said that that was correct.

Ms. Firehock asked if there had been any work to analyze the tree canopy equivalency, in other words, how long it would take them to replace the tree canopy that would be removed.

Mr. Taggart said that the applicant likely could answer that best, but from staff's perspective that would likely be reviewed as an aspect of a site plan amendment done after the SUP to match the canopy calculations.

Mr. Missel asked if the applicant had acquired an easement from VDOT or if they had acquired the actual land.

Mr. Taggart said that it was a land acquisition.

Mr. Missel asked if utilities on the site would preclude them from doing some plantings.

Mr. Taggart said that there were easements, and the new proposed landscaping was located in front of those easements, closer to Seminole Trail. He said that the proposed landscaping was situated outside of the easements, which ran behind and between the display area.

Mr. Missel said that he had a final question regarding the crosswalk. He said that he noticed that the pathway led to and from the entrance, and he was wondering if there would be a striped crosswalk included in the design.

Mr. Taggart said that he was not sure, so he would defer that question to the applicant.

Ms. Firehock said that she noticed in the conditions from the ARB that they stated they could not park display vehicles on sidewalk or paved areas. She asked if the display vehicles needed to be in parking spaces or somewhere else.

Mr. Taggart said that the display of vehicles must be parked in the paved areas depicted on the plan. He said that they could not be parked in the landscaped grass areas, essentially.

Ms. Firehock said that currently, there was a sidewalk-type of bump out with a car parked on top of it. She asked if that would be allowed per these new conditions for the SUP. She said that she was trying to understand what exactly the ARB was restricting.

Mr. Taggart said that no, that would not be allowed.

Ms. Firehock said that currently, they were allowed to do that, but the ARB was imposing additional restrictions.

Mr. Taggart said that the site's history included past code violations related to parking in areas not permitted by the existing Special Permit, the primary purpose of which was being amended.

Ms. Firehock said that she understood they had very limited space at this site.

Mr. Missel asked if the applicant had a presentation.

Justin Shimp, Shimp Engineer, said that Ms. Firehock was correct in noting that they had no space, and that was the primary reason for their request. He said that he would present a brief overview. He said that he was the engineer for this project, and Chris Marshall from his office was also present, serving as the project manager for this and other Flow projects in Charlottesville, Albemarle County, and surrounding areas.

Mr. Shimp said that this site was the location of the Honda, Chrysler Dodge Jeep Ram dealership. He said that Subaru was also present on the site, but the special use permit primarily addressed parking for the other dealerships, not for Subaru. He said that this site was situated near Route 29, and he believed everyone was familiar with its location. He said that the area of amendment shown in this three-dimensional view currently displayed parking, landscaping, and a significant amount of grass.

Mr. Shimp said that his work with Flow began several years ago, and it led him to this site, where they identified the need for additional parking. He said that in research, he found that due to the very steep slope on the right side. He said that what VDOT did when they took the right-of-way for the Route 29 widening was to angle the parking area over, as shown in this picture. He said that this discovery revealed that the area was unnecessary, and they were able to request to purchase it from VDOT.

Mr. Shimp said that to provide some context, Flow Automotive was a prominent business in the area. He said that Don Flow, the owner, was a University of Virginia (UVA) graduate and invested in Charlottesville. He said that the company employed 465 people and contributed significantly to

the local economy, providing services for many residents who needed car maintenance and wanted to purchase vehicles. He said that they had been working with them on all but one project, and their capital expense in Albemarle County was approximately $60 million, with about halfway of that spent so far.

Mr. Shimp said that one of the challenges they faced was the existing parking arrangement, which was not ideal. He said that the area was also used for County police training and other activities, making it unreliable and a security concern for the company. He said that as a result, they had limited space on the site and were short of the required parking spaces, with approximately 400 spaces needed to meet manufacturer standards for the five or six brands represented. He said that one could observe that the site lacked adequate parking, although the manufacturer standards were different from County standards. He said that upon visiting the site, he discovered an opportunity to purchase the small strip from VDOT.

Mr. Shimp said that development began in 2003, initially as the Brown Auto Park, which was the main project. He said that revisions started in 2022, and a site plan was created for the Subaru side. He said that he became involved shortly after and was asked about parking, where he noticed the available space. He said that they finalized the purchase with VDOT between July and September 2023 and July of this year. He said that the process had been ongoing, and the display area showed the existing trees to be removed, as seen in the picture.

Mr. Shimp said that the earlier picture showed the trees that would be preserved. He said that to address Ms. Firehock's earlier question, they were losing approximately 12 larger existing trees while adding 22 new trees. He said that they did not follow a straight canopy approach but instead worked with ARB to exceed the bare minimum due to the proximity and replacing more mature trees. He said that this was how the design ultimately took shape.

Mr. Shimp said that the provided picture showing the future landscaping displayed the proposed green trees, with the existing trees' shadows and the solid green representing the new trees. He said that this concluded his presentation. He said that he was happy to answer any additional questions the Commission may have, but this was a familiar process, and it presented an opportunity to acquire more parking for this auto dealership.

Ms. Firehock asked if the area below the gray line on the map was originally going to be graded by VDOT.

Mr. Shimp said that that was right. He said that the area between the gray and the pink was right-of-way, and because the slope started immediately at the hotel, they initially thought they could start at the top of the slope to begin the easement, but the land happened to be flat at the top, so it was a usable piece of property.

Mr. Barnes asked if Flow had graded it to be flat at some point.

Mr. Shimp said that he believed the area was left in that condition from the right-of-way creation. He said that it appeared that no subsequent work was done on that area. He said that the site, originally developed by Toyota and built according to the 2002 McKee Carson plan, with grass that was left over and landscaped in some places. He said that there were numerous utilities in this area, which ran parallel to the gray line. He said that notably, there were no utilities directly adjacent to the back of the sidewalk on Route 29. He said that this allowed them to proceed with planting the required ARB landscaping while acquiring the property, as most of it was acquired and could not support landscaping due to existing easements.

Ms. Firehock asked why two trees near the road were being removed if they were not in the way or in the parking area.

Mr. Shimp said that those trees would remain.

Ms. Firehock said that it was a bit confusing.

Mr. Clayborne asked if they could consider pervious pavement for the display area.

Mr. Shimp said that it would be paved in some way, but it was possible they could do pervious pavement. He said that it was a cost-prohibitive choice but would undoubtedly be a benefit to stormwater management.

Mr. Clayborne asked for clarification as to whether the applicant would consider installing pervious pavement for this expansion.

Mr. Shimp said that he would provide the owner with the options for stormwater compliance, one of which was pervious pavers, which required consideration of cost, maintenance trade-offs, and other factors. He said that they had found that using underground chambers with filters, such as sediment filter mechanisms, was a preferred approach. He said that typically, they opted for this method, which often involved on-site stormwater treatment, even though it was not required. He said that the underground chamber's sediment capture capabilities were a key aspect of its functionality, making it a popular choice among users who found it more cost-effective and easier to maintain.

Mr. Missel asked if there was maintenance involved for cleaning the filters.

Mr. Shimp said that yes, they must be vacuumed out.

Ms. Firehock said that she had a follow-up technical question. She said that for permeable pavement, she was not referring to the interlocking pavers that allowed grass in between them. She said that she was referring to the solid interlocking pavers, which had a layer of sand underneath. She said that this setup provided some water quality filtration as the water passed through the sand and was then absorbed into the ground.

Ms. Firehock said that she was curious to know if this method was more effective in treating water quality compared to the chambers Mr. Shimp mentioned, which had a sediment trap primarily for volume control. She asked if Mr. Shimp knew whether the permeable pavers provided better water quality control.

Mr. Shimp said that he knew that each measure was tested by the state and given a treatment capacity. He said that the filters had about 80% sediment capture capability, which the state cut in half for treatment quality measure calculations. He said that he doubted the pervious pavers were more than 50%. He said that however, this site likely did not have good soil underneath, so it may not be very effective in improving the quality.

Mr. Missel said that all the stormwater management aspects would be discussed and reviewed at the site plan stage.

Mr. Shimp said that was correct.

Mr. Murray said that since the project was already going to happen, and changes to landscaping were planned, it was worth considering how to handle stormwater management. He thought that while it was clear that the community and the Commission would support the applicant addressing stormwater in some way. He thought that if a better solution could be found, that would be beneficial. He said that the landscaped areas, currently just grass, could be enhanced by incorporating features such as lower-height shrubs and stormwater management elements, even within the utility easement.

Mr. Shimp said that he understood. He said that they would be following all state regulations for stormwater runoff and determine the appropriate method for implementation.

Mr. Murray said that they had the utility lines above, and he assumed that was why they had placed the lower shrubs there, as a result of the power lines crossing over them.

Mr. Shimp said that that was correct; the trees were on either side of the power lines.

Mr. Murray sked if there had been any discussion with utility companies about installing those underground.

Mr. Bivins said that that line ran down the side of Route 29, and these high-tensity lines tended to run above ground for maintenance purposes. He said that this line was likely feeding into a continuation of the line at Rivanna Station, where they had to increase capacity on Route 29 South to manage energy flow between the institution and the university. He said that he believed it had carried data at one point, but he did not know if it still did.

Mr. Bivins asked Mr. Shimp to consider adding in the names of the other dealerships at this location, as there were many others than those they initially included. He asked if they had considered extending the northern parking lot up a bit, as there was available land to do so.

Mr. Shimp said that the slope began immediately after the existing parking lot. He said that as soon as one passed the edge of the parking lot, the slope became very steep, making it practically unbuildable.

Mr. Bivins asked if the parking spaces for the new display area would be back-to-back or if there would be an aisle.

Mr. Shimp said that they would be back-to-back in quadruple stacks.

Mr. Bivins said that he wanted to confirm that the green trees would be the new trees.

Mr. Shimp said that the proposed trees were the dark green ones, while the existing trees that would remain were outlined in green.

Mr. Missel asked if they would be striping a crosswalk across the entrance.

Mr. Shimp said that he believed it was already there; however, it was part of VDOT's right-of-way along Route 29 so they would be the ones to do that in any case.

Mr. Bivins said that further north from the south side of this property was a sign that says, "turn right at the next signal," and the next signal's words were so small that people made the turn prematurely. He asked if this application were approved, whether there would be a conversation with VDOT to potentially move the sign or take the words "next signal" off so people would not get so confused.

Mr. Shimp said that he would note that the sign had been there before Flow owned this property. He said that however, he acknowledged the problem, as he had almost made that mistake himself. He said that he would clarify that Flow could not change the sign whatsoever, as it was in VDOT's right-of-way.

Mr. Bivins said that it would definitely improve traffic flow and safety if they moved that sign. He said that additionally, if they put more vehicles closer to the edge of the property, it would indicate to drivers that they needed to go farther before making the turn to the hotel. He said that they also parked cars at the Kohl's.

Mr. Missel opened the public hearing. Seeing no speakers, he closed the public hearing and the matter rested with the Commission.

Ms. Firehock said that she had one additional question for staff. She said that the applicant had indicated they would be planting twice as many trees as were currently on this parcel, but the plan itself said that it was only conceptual, and the exact number of trees and shrubs would be determined at a later date. She asked if they could assume they would be relatively the same, despite the disclaimer.

Mr. Taggart said that it would be safe to assume that because the site plan would need to be reviewed by the ARB, it may not be possible to replicate the exact match, but it would likely be very close.

Mr. Moore motioned that the Planning Commission recommend approval of SP-2025-00003 Flow HCDJR Outdoor Storage, Display, Sale Expansion with the conditions as recommended in the staff report. Mr. Bivins seconded the motion, which carried unanimously (7-0).

ZMA-2025-00004 – Attain on 5th Street Phase 2

Mr. Missel asked if two public hearings were necessary for the Attain items or if one public hearing would suffice.

Mr. Barnes said that he believed one public hearing would be fine. He said that there was also a special exception (SE) that the Commission did not need to provide a recommendation on, and it would be forwarded to the Board.

Syd Shoaf, Senior Planner, said that he would be presenting the staff report on four applications related to Attain on 5th Street Phase 2. He said that these applications included two rezoning requests and two special exceptions. He said that the subject property, located at Tax Map Parcel (TMP) 07600—00-00-054A1, spanning 14.5 acres and situated between Interstate 64 and Old Lynchburg Road, with access points through Wahoo Way and Old Lynchburg Place.

Mr. Shoaf said that the property was initially developed as a student housing facility in 2002, under the names Sterling University Housing and Cavalier Crossing. He said that there were currently 13 existing buildings on the site, consisting of 12 multifamily residential units with 144 units each, and one leasing office. He said that the property was zoned R-10 Residential and situated within several designated areas, including the Entrance Corridor, Airport Impact Area, and Steep Slopes Managed and Preserved Overlay Districts.

Mr. Shoaf said that the surrounding properties include the 5th Street Apartments to the east, the Region Ten Community Services Office to the west, the Albemarle Business Campus to the north, and the Fifth Street County Office Building to the south. He said that the subject property had been designated with three Comprehensive Plan designations: Urban Density Residential, Parks and Green Systems, and Community Mixed Use. He said that tonight, he would present the two rezoning applications, followed by the two special exceptions.

Mr. Shoaf said that the main application, ZMA-2025-00004, sought to rezone the 14.5-acre parcel from R-10 Residential to Planned Residential Development (PRD). He said that the applicant was proposing to add 165 multifamily units, dispersed among five new buildings, resulting in a gross density of 21 dwelling units per acre. He said that the applicant also planned to reduce the overall parking capacity from 660 spaces to 460 spaces, which was one of the special exceptions, and he could elaborate on this further at the conclusion of his presentation.

Mr. Shoaf said that the property already featured existing amenities, including a dog park, basketball court, volleyball court, clubhouse, and pool, and additional amenities would be provided at the site plan phase if this rezoning were to be approved. He said that the applicant was also proposing a 65,000-square-foot passive recreation area, depicted as light blue on the map. He said that in addition, they planned to enhance pedestrian and bicycle connectivity to and

within the site by installing new sidewalks and crosswalks to connect existing buildings and future connections to and from the site.

Mr. Shoaf said that they were also proposing a shared use path along their frontage on 5th Street and improvements to the existing bus stop at the corner of 5th Street and Wahoo Way. He said that provided was a map for context of the existing and proposed shared use path facilities around the subject property. He said that currently, there was an existing substandard path from the 5th Street Apartments development that extended south to Ambrose Commons, approximately four feet wide and protected by an existing guardrail.

Mr. Shoaf said that several funded projects in the area included a VDOT project to construct a roundabout at the intersection of 5th Street and Old Lynchburg Road. He said that the adjacent property for the Albemarle Business Campus will construct a shared use path along its frontage from the subject property to the corner of Old Lynchburg Road. He said that other improvements on Old Lynchburg Road would also enhance connection between the County and the City of Charlottesville for amenities such as the Rivanna Trail and Azalea Park. He said that additionally, the County was pursuing a pipeline study for improved connections across Interstate 64.

Mr. Shoaf said that for this project, the applicant was proposing a new shared use path along its frontage to its eastern property line. He said that it ended at a substandard facility, approximately 270 feet from the existing sidewalk at the 5th Street Apartments development. He said that regarding housing, the County's Housing Albemarle policy, approved in 2021, recommended 20% of new units on site as affordable. He said that an arm of this policy was the Affordable Rental Housing Incentive Program (RHIP), approved in 2024, required 20% of total units to be affordable at either 60% area median income (AMI) for 30 years for rental housing or 80% AMI for 40 years for owner-occupied housing.

Mr. Shoaf said that RHIP was a separate grant application acted upon by the Board. He said that Dr. Pethia, the County's Director of Housing, was present tonight to answer any questions regarding Housing Albemarle and RHIP funding. He said that the applicant was proposing 165 additional units for this site, and under the Housing Albemarle policy, the applicant was required to provide 20% of the new units as affordable, resulting in 33 affordable units. He said that the applicant met the Housing Albemarle recommendation, which was sufficient for this evening's discussion.

Mr. Shoaf said that, however, the applicant was also pursuing RHIP funding, which required 20% of the total units on the site to be affordable. He said that with the total units, if this rezoning were to be approved, the applicant would be required to provide 62 units to qualify for RHIP, exceeding the affordable housing requirements. He said that this was a separate action by the Board of Supervisors and not part of the rezoning before the Commission this evening.

Mr. Shoaf said that in summary, staff identified three positive aspects of this application. He said that firstly, the request aligns with the land use recommendations for the Southern and Urban Neighborhoods Master Plan. He said that secondly, the proposed rezoning met the strategies outlined in Albemarle's Growth Management Policy to promote density in the development area and aligns with the housing recommendations. He said that lastly, the request was consistent with the Comprehensive Plan's neighborhood model principles. He said that staff found no concerns with this application, and based on this, staff recommended approval of the Zoning Map Amendment request.

Mr. Moore said that he knew that a lot of the existing apartments on this property were four-bedroom apartments and were being converted into one- and two-bedroom apartments with this rezoning. He asked how many bedrooms would be in the new development, including the new units being built.

Mr. Shoaf said that the site was originally developed as student housing in 2002, so there were a number of three- and four-bedroom student housing units, for a total of 528 bedrooms. He said that with this new proposal, they were shifting to a more traditional multi-family development, with 309 units.

Mr. Barnes said that it was not a direct one-to-one comparison.

Mr. Bivins said that perhaps the applicant could provide more information on that.

Mr. Barnes said that they did not consider that from a staff perspective. He said that they were focused on traffic generation based on unit types and other factors.

Mr. Carrazana asked if the 62 affordable units were contingent on receiving a grant.

Mr. Shoaf said that from his understanding, yes, and the applicant could elaborate further.

Mr. Clayborne said that he was seeking some clarification on tracking the housing policy. He said that prior to the adoption of the new housing policy, a rezoning would typically require that 15% of the units be affordable at 80% AMI. He said that he was wondering if this rezoning was required to have 20% affordable units, or if it was just a recommendation.

Mr. Barnes said that it was a policy, not a regulation. He said that when they referred to a requirement, he interpreted that as something that was mandated in the ordinance, such as a minimum number of parking spaces per bedroom. He said that this policy was applied to rezoning applications, and applicants were evaluated based on their ability to meet the policy requirements.

Mr. Clayborne asked if the previous 15% affordable at 80% AMI was a recommendation and not a requirement in their old housing policy.

Stacy Pethia, Director of Housing, said that that was correct. She said that the 15% of total units at 80% AMI, which was the previous policy, was a recommendation, not a requirement. She said that currently, the County did not have an ordinance that would require affordable housing with rezonings.

Mr. Clayborne said that it was good to know that these were just strong recommendations.

Mr. Missel said that according to what he understood, the affordable units being discussed were contingent upon the RHIP award. He said that if the RHIP award was not received, the decision to build 15% affordable units at 80% or any other percentage was at their discretion.

Dr. Pethia said no. She said that the main difference between Housing Albemarle and the RHIP was that Housing Albemarle recommended 20% of new units to be affordable, whereas RHIP targeted 20% of total units, including those already in existence. She said that in this case, RHIP would provide a rebate of property taxes paid, contingent on the property taxes for the entire parcel, not individual buildings. She said that as a result, they would have to increase the number.

Mr. Bivins said that they had received a note indicating a change in Attachment 3. He said that upon reviewing it, he noticed that in the previous attachment, there was an option for a cash proffer. He said that however, in the current page 6, this option was no longer included or offered. He asked, if the grant was not realized, what would be the applicant's obligation, as stated, and what was the required amount of affordable units for a certain duration.

Dr. Pethia said that would be 20% of the new units that were being proposed.

Mr. Shoaf said that he would like to add that since RHIP was a separate application, it needed to be sorted out before this application went to the Board of Supervisors.

Mr. Murray said that the subject property was located in the dam break inundation zone. He said that he would like to know if staff could elaborate on the additional requirements that were imposed on properties within this zone.

Mr. Shoaf said that if a property was located within the dam break inundation zone, if this project was approved by the Board, it would be subject to the different site plans and subdivision plats, and so on. He said that it would be sent to the Department of Conservation and Recreation (DCR) for them to review and assess the impacts on the dam break inundation zone.

Ms. Firehock asked if any units were within the dam break inundation zone.

Mr. Shoaf said that he did not believe so. He said that there may be a portion of the site included in the zone.

Ms. Firehock said that she was having trouble locating the specific information regarding the shared use path. She said that she would like more information on whether it was contiguous or practical.

Mr. Shoaf said that according to the proposed map, the shared use path was depicted as green at the bottom of the map and was built to VDOT standards. He said that it was constructed along the frontage of the property, located on 5th Street. He said that it ended at the property line, and upon inspection, it appeared to terminate at a substandard facility. He said that this was being documented in the staff report, although it was not a factor that would be considered unfavorable. He said that there was an existing sidewalk at the 5th Street Apartments, which would have been a more suitable location for it to end; however, it ended at a facility along 5th Street.

Ms. Firehock asked if staff had a recommendation as to what could have been done better in that instance. She asked if anything could be done differently.

Mr. Shoaf said that within this rezoning application, he did not think there was much for staff to comment on. He said that the applicant was meeting the County's requirement along their frontage.

Ms. Firehock said that it was at least noted that it was less than ideal and that someone would have to walk along this weird, skinny strip between a guardrail, which was not the safest route.

Mr. Barnes said that to clarify, the Ordinance was trying to get to the facility to the edge of the property. He said that a gap existed between there and the 5th Street Apartments. He said that while there may be opportunities for the applicant to proffer something, but staff did not push it that way and were mainly focused on getting to the edge of the property. He said that however, it would be negligent if they did not mention that VDOT had questioned that segment.

Mr. Barnes said that they had been working with VDOT, and they had received recent comments indicating that VDOT was worried about the termination at the substandard facility. He said that they were taking the position that some level of connectivity was better than none at all. He said that in this case, this was an improvement, moving them in the right direction.

Ms. Firehock said that she had not surveyed the site in person, but it appeared from the provided materials that the issue could be fixed. She said that they had received applications in the past where the path ran into a cliff, but in this case, it could be fixed. She said that however, there was no promise of that.

Mr. Barnes said that the applicants' engineers may be able to elaborate on that point. He said that a noticeable grade drop-off from 5th Street was in this location.

Ms. Firehock said that it would likely be expensive to put in a sidewalk or create a buffer between the guardrail and the path. She said that even with unsafe walkways, people would still walk on them.

Mr. Bivins said that he recalled the ABC development was planning to provide some improvements, including funding improvements for a roundabout and a bus stop. He said that perhaps they could release this applicant from that obligation, and they could instead fix the sidewalk. He asked if there was any clarity that could be provided regarding those past discussions.

Kevin McDermott, Deputy Director of Planning, said that to clarify, the ABC development had a shared use path that was being built in conjunction with the VDOT project and the developer's work. He said that specifically, the section from Old Lynchburg to Wahoo Way would be constructed by both parties. He said that the ABC development initially proffered a bus stop on the southern corner of their property, but VDOT's design for the roundabout led to the bus stop being relocated to the south side of Old Lynchburg Road.

Mr. McDermott said that VDOT would construct this new bus stop as part of the roundabout project. He said that the developer had offered upgrades to the existing bus stop east of Wahoo Way and was also providing the shared use path from Wahoo Way to the edge of their property, adjacent to the bus stop.

Mr. Bivins said that that was very clarifying, and he thanked Mr. McDermott for the explanation.

Mr. Missel asked for the staff report on the steep slopes rezoning request.

Mr. Shoaf said that the second rezoning application was to rezone 0.55 acres of Steep Slopes Preserved to Steep Slopes Managed in order to construct the additional proposed buildings. He said that staff conducted a thorough review by analyzing and comparing the characteristics of preserved and managed slopes, as outlined in their Ordinance, and concluded that these slopes met the criteria for managed slopes.

Mr. Shoaf said that a previously approved site plan from 2002 provided evidence that these slopes had been previously approved to be graded with the original development on this property. He said that the map accompanying this presentation illustrated the concept plan for preserving these steep slopes for the new buildings on site. He said that based on this analysis, staff recommended approval of the zoning map amendment request.

Mr. Murray said that he noticed there was a man-made lake nearby, and the surrounding slopes were managed rather than preserved. He said that he would like to consider making all of those slopes preserved in the future, as they likely fell within the riparian buffer.

Mr. Shoaf said that he was unsure of the location of the riparian buffer, but to address the first question, yes, it was a manufactured stormwater management facility located there.

Mr. Murray asked if buffers would be applied to standing bodies of water such as that, even if it was a retention basin.

Ms. Firehock said that they may not want trees directly at the edge of the pond.

Mr. Missel asked if the applicant had a presentation.

Valerie Long, Attorney with Williams Mullen, said that she was representing the applicant, Bonaventure Holdings and its entity that owned the property. She said that she was joined this evening by Sam Tricoli, Director of Asset Management for Bonaventure, and Clint Shifflett with Timmons Group, the Civil Engineer for the site. She said that she provided an aerial image that

showed the extent of excess unused parking, particularly in this area and the entire back section, which was previously open. She said that also provided was a zoning map, showing how this was located within a patchwork of other zoning districts.

Ms. Long said that for context, this property was located off of 5th Street, with Wahoo Way and the entrance. She said that the existing bus stop was also shown. She said that another image showed the mature property, built a long time ago, with kudzu helping to screen the buildings from the entrance corridor. She said that the entrance from Old Lynchburg Road was also shown, which was located on the opposite side of the project. She said that the existing site plan indicated where the new buildings would be located or proposed to be located in the vacant parking areas.

Ms. Long said that there were currently 12 buildings, with 144 units and 660 parking spaces, as they were built as student suites requiring 1.25 spaces per bedroom. She said that there had always been too many parking spaces. She said that Phase 2 of the proposed project involved the brown buildings, with 165 new units in five buildings. She said that the concept plan showed the proposed location of these buildings in relation to the aerial plan. She said that the proposed upgrade to the existing asphalt path would be a shared use path, meeting VDOT standards, typically 10 feet wide. She said that the applicant was also proposing to upgrade the existing bus stop, making it more comfortable for everyone.

Ms. Long said that this area highlighted showed where the proposed off-site improvements would be located. She said that they had worked closely with staff to identify opportunities to upgrade the existing sidewalk and pedestrian connection. She said that all of the areas in yellow on the site plan indicated new sidewalk connections, including some that would be required due to the new Phase 2. She said that staff had pointed out some crosswalks that could be added, and they had identified areas where new sidewalk connections were needed.

Ms. Long said that additionally, she would like to highlight the connection here, which appeared to have been intended to be built originally but was not for some reason. She said that similarly, there was an issue with the connection on the other side. She said that through their efforts, they received valuable feedback from staff on how to improve those connections, and a result, they could now demonstrate a direct pedestrian connection from one side of the community to the other, which they believed was a significant improvement.

Ms. Long said that she also wanted to discuss the preserved steep slopes. She said that they were man-made slopes, shown on the existing site plan for the buildings. She said that they met the criteria for managed slopes, and notably, the property line roughly formed the boundary between preserved and managed slopes. She said that this was consistent along the interstate, regardless of whether the slopes met the criteria or not, if they were in the right of way, they were managed; if they were on private property, they were preserved.

Ms. Long said that as noted, they were proposing that 20% of the total unit count between Phase 1 and Phase 2 would be affordable, totaling 62 units. She said that this was contingent on the Board's approval of the RHIP or tax abatement program. She said that she would like to provide a breakdown of the Phase 1 units, 144, and Phase 2, 165. She said that this increased the density from 10 units per acre to approximately 21, which was significantly higher and more consistent with the Comprehensive Plan designation of up to 34.

Ms. Long said that they had mentioned the off-site improvements they were proposing, and she had also included some information on the existing amenities. She said that Bonaventure had been renovating the existing Phase 1 units and had also made improvements to the existing amenities, such as converting a basketball court to a pickleball court and upgrading the clubhouse area and leasing office. She said that they had conducted a traffic study as part of the rezoning application, and to their surprise, the number of trips actually decreased when adding 165 new units.

Ms. Long said that this was due to the higher trip generation estimate of student suites compared to non-student suites. She said that the good news was that, combined with the future roundabout, there were no recommendations for any road improvements. She said that she would also like to provide more information on the shared use path situation out front. She said that there was an existing path, and Bonaventure had committed to building a new path as part of the project. She said that the area shown was an aerial view, and the yellow areas indicated steep slopes. She said that there was also an existing asphalt path all the way to this point.

Ms. Long said that while it was not ideal, it was worth noting that the existing terrain was quite expensive to upgrade due to the steep slopes. She said that if one was standing near the bus stop at the entrance to Wahoo Way, they could see the entrance looking north towards the interstate. She said that they had taken photos this morning, so they were very current. She said that although the current standards were not being met, this area was functional and usable. She said that there was a segment, or area would be upgraded to a standard 10-foot-wide path by Bonaventure. She said that there would be a significant amount of fill dirt needed to make that work, which would be a considerable expense.

Ms. Long said that, however, they believed it would be a substantial improvement. She said that another photo showed the path looking from the opposite direction, south on Fifth Street, towards Wahoo Way. She said that this was the end of the sidewalk at the entrance to the adjacent community, 5th Street Place at Afton Pond Court. She said that again, the path was present, although it was not ideal; it was functional and usable but upgrading it further with these utilities and the steep grade was challenging. She said that they had pulled the site plan for reference. She said that the segment in blue represented the path that Bonaventure would upgrade to a standard shared use path, while the yellow represented the existing asphalt path.

Ms. Long said that they wanted to highlight the other utilities, easements, and existing managed steep slopes for reference. She said that it was not an easy project to make those improvements. She said that additionally, she wanted to emphasize the project benefits. She said that this project was infill development in the existing development area, resulting in a higher density rate, which was a more efficient use of the limited development area land. She said that Bonaventure was making substantial improvements to the existing student suites. She said that they were converting the three and four-bedroom units into two and three-bedroom units, making them more suitable for families and non-students.

Ms. Long said that they would have affordable units if the grant program was approved, and they would be making improvements to the pedestrian network. She said that there would be no impact on traffic, and the offsite improvements would be made. She said that they had provided some of the updates and renovations to the phase one units. She said that Bonaventure had been renovating them and re-leasing them. She said that some of the previous residents from Cavalier Crossing had been able to stay and find new roommates, and they had had resident events to help people meet new roommates. She said that this had reduced the need for residents to rent a bedroom with strangers.

Ms. Long said that they had provided examples of the renovations, the standards and conditions of the units before Bonaventure took over, and the quality of the renovations they were making. She said that the building renovations continued to be underway, and she could do the math on the bedroom count change if the Commission would like. She said that originally, the bedroom count was 528. She said that following the renovations, the Phase 1 bedroom count would be 384, and the Phase 2 new units would have a bedroom count of 250. She said that therefore, the new bedroom count was 634. She said that it was an increase in beds, but Bonaventure was confident that the redevelopment would work very well.

Mr. Moore said that he wanted to ask about the affordable housing incentive. He said that their County policy required that 20% of the units be priced at 60% of the AMI for a 30-year period to qualify for the property tax discount. He said that the proposed plan, however, would allocate 10%

of the units at 60% AMI and 10% at 80%. He said that this deviated slightly from their policy. He asked why this variance existed in the proposal.

Ms. Long said that that was what the project could support. She said that doing 20% of all the unit count at 60% AMI did not make it viable. She said that it was a real challenge. She said that originally, they had considered a cash option, as Mr. Bivins noted, but it proved to be unwieldy due to the lack of policies in place for managing and reviewing it. She said that they ultimately decided to focus on 20% of the new unit count only. She said that the County had expressed a desire to see more affordable units on site during some of their meetings, and they were flexible with them on the AMI mix. She said that as a result, this project did provide an opportunity for housing that could accommodate a variety of income types and income levels.

Mr. Bivins said that he thought some of the buildings could have been built higher and accommodated a higher density of units. He said that he understood the buildings at the front of the property could not be that tall, but those farther back could have been higher.

Mr. Murray said that he agreed with what Mr. Bivins had said about the height.

Mr. Clayborne said that he wanted to thank Ms. Long for the applicant's willingness to be creative in providing affordable units. He said that this was one of the only developments they had seen with 60% AMI at all, so this did not happen often. He asked Dr. Pethia if the grant program enacted in 2024 had seen much interest so far from developers.

Dr. Pethia said that this was the first application in front of the Commission that was applying to the grant program. She said that staff was in conversation with a number of different projects, but they had not moved forward yet.

Mr. Clayborne said that there may be potential for them to reconvene the collective group that met two years ago. He said that although unrelated to this current application, he believed there may be an opportunity for them to revisit this group if they were not seeing any progress.

Mr. Carrazana said that he had not seen any projects come forward with the grant program, so he would like to hear how the process had been so far for the applicant and what the estimated timeline was for completing it.

Ms. Long said that they were in the early stages of the process because the rezoning application had undergone a review process, where they received feedback and refined their affordable housing plan. She said that initially, they were not proposing to include 20% of all units in the affordable housing, but rather just the new ones. She said that however, after receiving feedback from the County, they emphasized that they would like to see more affordable housing, and she was open to being flexible with the AMI breakdown.

Ms. Long said that as a result, Bonaventure had to re-examine the numbers and work with two different investor groups to determine what could be done. She said that this led to a new commitment, but the application had not yet been submitted to the County. She said that there was a significant amount of paperwork involved in the application process, which they hoped to complete soon. She said that the County would review the application, and they anticipated that this would take some time.

Ms. Long said that they hoped to receive an answer before they presented the rezoning application to the Board of Supervisors. She said that this may occur at a different meeting, or potentially earlier in the same meeting, but they would need to know the outcome before the public hearing on the rezonings.

Mr. Carrazana asked if the 62 total affordable units were inclusive of both the 60% and 80% AMI units.

Ms. Long said that yes, that was the current proposal.

Mr. Carrazana asked if the split would remain the same whether they did the 33 or 62 units.

Ms. Long said that the proposal outlined that if the grant was approved, it would provide tax abatement incentives, and specifically, 20% of the 309 units would be affordable, with 10% at 80% AMI and 10% at 60% AMI. She said that if the grant was not approved, they would need to determine their next course of action.

Mr. Carrazana asked if the 20% affordability for the new units would still apply in the case that the grant was not approved.

Ms. Long said that they would need to reevaluate and determine what worked. She said that that was the challenge. She said that the grant program was crucial to making it successful at 60%; however, even that did not cover the gap. She said that prior to the March 2024 adoption of the new grant program, the expectation was that 15% of new units would be affordable at 80% of the AMI for 10 years. She said that since then, the dial for AMI, percentage of units, and term of affordability had all shifted. She said that shifting those variables resulted in substantial financial impact. She said that the grant was 15% of the total tax, which was an important figure to factor into the financial calculations of the project.

Mr. Clayborne said that he was still not completely sure about the affordable housing process. He asked what policy would be in effect if the grant was not approved. He asked if it would be the 15% or nothing.

Ms. Long said that the expectation was that 20% of the new units would be affordable at 60%, per the policy, but it was unclear whether the Board would be amenable to a different mix of AMI. She said that this was a challenge for the developer, as they must ensure the commitment was financially viable. She said that they hoped the grant would work out, as they knew in that case, they could certainly provide the 20% affordable with a blend of AMI. She said that they would have to reevaluate and see what could work if the outcome was different.

Mr. Missel said that the bottom line was that the grant program had to work out.

Mr. Bivins asked how many affordable units they would have if they did not build Phase 2.

Ms. Long said that if they did not build Phase 2, currently Phase 1 did not have any affordability restrictions because it was built as a by-right project. She said that in practical terms, however, some of these units would be priced between 80% and 120% AMI. She said that she was unsure of the current rent rates.

Mr. Bivins said that right now, no inventory had to be there, so there became a potential of inventory if there was a grant. He said that if the grant was approved, it would cover the entire property, and that was how they potentially would get 62 affordable units.

Mr. Clayborne said that he was grappling with the idea that things may have been better before this policy was implemented. He said that theoretically, before the policy was passed, it seemed that they were almost guaranteed to receive the 15% at 80% AMI threshold. He said that however, as the ordinance did not guarantee this, he was now uncertain about what to expect. He said that the numbers had shifted from 80% to 60%, and it appeared that they were now facing a more challenging process. He said that he was left wondering which scenario was better, pre- or post-policy implementation.

Mr. Clayborne said that it seemed like more proposals were not even considering it as an option; the 15% at 80% AMI was seen almost as if it was a given, even though now that he was thinking about it, he had always believed it was a requirement. He said that however, it appeared that it

was not a requirement after all, and now it was like a big debate. He said that he was struggling to understand which was better.

Ms. Firehock said that she would like to discuss the layout of the proposed development. She said that specifically, she was concerned about the two apartment buildings that were replacing the rows of parking at the top. She said that she had trouble visualizing what those buildings would be like in reality. She said that although they had provided brown blobs and some calculations from their engineers, it was difficult for her to imagine that those buildings would be pleasant to live in, especially being situated in the middle of a parking lot. She said that in contrast, the other units had trees surrounding them and seemed more appealing for living. She said that she was curious to know if they could provide some insight into the design of the buildings that would be replacing the parking lot.

Ms. Long said that she was not sure if they had designed them yet, but the vision was for two-story buildings with garages on the ground floor and units above them. She said that it was an attempt to be creative with infill development in an unused parking area and providing a variety of housing types.

Ms. Firehock asked if they could assume there would be landscaping around them.

Ms. Long said that at the site plan stage, the site plan regulations would likely require plantings, similar to what would be required for a total greenfield site.

Ms. Firehock said that she noticed the building in the corner of the site, which appeared to be situated in a more desirable area for residences. She said that although she did not have a site survey, she wondered if it was possible to expand that building. She said that being located in that corner offered a more pleasant setting, with a view of the pond and surrounding trees. She said that it seemed like it would be a more suitable location to increase density, rather than placing it in the middle of the parking lot.

Ms. Long said that she understood and agreed that Ms. Firehock's point certainly made sense. She said that she would take that back to the design team for consideration.

Ms. Firehock said that there was a large building located in the top left corner, so it seemed like they could replicate that in this other corner.

Ms. Long said that she saw her point that it seemed like it would fit in better.

Ms. Firehock said that there was buffer and space that made it seem more pleasant than being stuck in the middle of an urban heat island, surrounded by pavement on all sides. She said that even landscaping improvements could not completely mitigate that.

Ms. Long said that there was a vision of potentially incorporating different unit types with the garages, which would not be typical of a standard multifamily development. She said that she appreciated the feedback, and she was glad to hear that they were open to exploring more height and building density, as well as increasing the number of units.

Ms. Firehock said that in general, she was supportive of reducing parking and adding units. She said that they applauded developers for coming forward to take advantage of the Comprehensive Plan and their expressed desire for density. She said that she was not asking them to share their site plan tonight, but it did bother her that there was this potential for a much more pleasant residential setting in that corner of the site, as opposed to the middle of the parking lot.

Mr. Murray said that he also wanted to emphasize the opportunity for green rooves on the new buildings, which would greatly improve the efficacy of stormwater management on the site. He said that he hoped the developer would take this into consideration as they designed out the site.

Ms. Long said that they appreciated the suggestions, and she was not aware of the information Mr. Murray had shared earlier regarding the different types of pervious pavers. She said that she appreciated the feedback.

Mr. Murray said that the Soil and Water Conservation District had done a significant amount of work on permeable pavers, as it was one of the areas they funded. He said that he was familiar with their efforts because, as an associate director, he had firsthand experience with their work. He said that if the applicant was seeking more information, they could certainly provide it.

Mr. Missel opened the public hearing.

Michael Monaco, White Hall District, said that he served as Chair of the Crozet Community Advisory Committee (CAC), although that was not his capacity here tonight. He said that he was representing Livable Cville, an organization that wished to express its support for this plan, this site, and this project. He said that Livable believed this represented a real opportunity for good, smart growth in the urban core of Albemarle County, particularly within development areas where they should be developing.

Mr. Monaco said that this development would make it easier for people to live where they worked and worked where they lived. He said that the improved internal walkability, added bus shelter, and enhanced shared use path along 5th Street, as well as the reduction in parking spots, all contributed to advancing principles of good, smart development. He said that it presented a forward-looking perspective on mobility and transportation in new and infill development in Albemarle County. He said that they also saw this as an opportunity to create homes for people at various income levels.

Mr. Monaco said that they were aware of the RHIP grant and were hopeful that the process worked well. He said that they were glad to see that some residents were able to retain housing or remain in their homes when Cavalier Crossing changed ownership, although this was a disruptive experience for many residents. He said that Livable Cville believed that this site plan represented a chance to create more affordable housing in this location and make something positive out of the site where Cavalier Crossing was. He said that they believed that this project advanced Albemarle County's goals around growth, mobility, housing, and they expressed support for that.

Mr. Missel closed the public hearing and the matter rested with the Commission.

Mr. Carrazana said that he would like to commend the applicant for this meaningful infill project, which represented a rare opportunity to revisit and capitalize on lost development potential, increasing density in the area. He said that he encouraged them to consider increasing the density even further. He said that currently, the project was expanding from 6 to 34 units, and he believed that the applicant had mentioned aiming for 21 units. He said that while parking remained a consideration, he thought that some of the comments made today, such as removing the units from the heat island area and increasing density in the other buildings may potentially offset some of the parking concerns.

Mr. Carrazana said that he strongly advocated for exploring higher density options and additional infill development in this location, which had been acknowledged as ideal for such development. He said that he understood the challenges with affordable units, and he hoped that the grant would be approved, allowing for units to be priced at 60% of AMI. He said that this would provide a more affordable option, as the area median income continued to grow, and the current numbers were still not considered affordable. He said that reaching 60% AMI would provide more meaningful affordability, so he hoped they could figure something out with the grants.

Mr. Clayborne said that he believed this project accomplished several positive things. He said that it was the first one he had seen that had reached the 60% AMI mark. He said that his

subsequent comments would be more focused on a global perspective and their overall approach. He said that as the new housing market was gaining momentum, it was essential to track data closely. He said that he would love to see the County take a more proactive approach, where they were not just reacting to issues, but rather working together across all disciplines - including the Board of Supervisors, the Planning Commission, staff, development, and the community - to proactively workshop solutions, similar to how they did two years ago.

Mr. Clayborne said that this project had been on the books for a while, and he felt that it was moving at a glacial pace. He said that he wanted to emphasize that this was not a criticism of staff, but rather a recognition that something was not clicking. He said that whether it was the funding or the approach, something needed to change. He said that he expected to see more progress by now, and he feared that if they did not do things correctly, they may end up worse off than before, despite the intention to improve with their new Housing Albemarle policy.

Ms. Firehock said that construction costs had doubled and tripled in some cases. She said that people did not have the same ability to meet their policy today.

Mr. Missel said that he thought Mr. Clayborne's question of whether they were worse off was important to address. He asked if Dr. Pethia could address that and give her thoughts on whether they were missing something.

Dr. Pethia said that they were not worse off. She said that the Board had requested that Housing Albemarle not be fully implemented until an incentive program was approved, so while Housing Albemarle was adopted in 2021, the Board did not approve an incentive program until three years later. She said that the result was that this was really just getting started. She said that the staff's efforts over the past three years had laid the groundwork for moving forward once the incentive program was approved.

Dr. Pethia said that if they examined the affordable units already in the pipeline, there were approximately 2,100 to 2,200 units, all at 80% AMI. She said that however, about 20% of the County's households fell at or below 80% AMI, meaning that 20% of their households could not afford to purchase or rent any of the units currently in the pipeline. She said that this represented a significant number of households.

Dr. Pethia said that since all of the proffered units currently in the pipeline were priced at 80% AMI, it limited the availability to a very small group of people. She said that she did not mean to imply that 80% AMI households did not deserve affordable rent; it was just that they were leaving 20% of their households in the County without affordable housing options. She said that unfortunately, this number was growing, particularly with the current unemployment situation, including federal layoffs.

Dr. Pethia said that they were not worse off, but rather, they were facing a growing need. She said that staff was scheduled to review Housing Albemarle and reassess these issues. She said that they were waiting for the Planning District Commission's updated housing needs assessment to be completed. She said that preliminary data was expected to be released in January, which would provide a foundation for their future decisions. She said that it did not make sense to make changes to their housing policy until they had this data, as changes were likely to come. She said that they simply wanted to wait until they had a solid understanding of the new numbers before reassessing their County policies.

Mr. Missel said that he had heard anecdotally that people who could afford 80% AMI affordable units were actually less likely to rent right at that number. He said that they were actually more likely to choose units at a higher price, so that made it even more difficult to rent the affordable units. He asked if Dr. Pethia had seen this occur.

Dr. Pethia said that she had not heard of that, but something she had noticed was that some of the 60% AMI units that had recently become available, such as those at Hickory Hope, were having trouble finding people who could qualify to move into them. She said that considering their current area median income was $125,800, for a family of four, that would be $100,000 per year in salary to meet the 80% AMI, which knocked the rents and for-sale units way out of reach for 20% of their households in the County.

Mr. Missel said that in their future discussions, it would be interesting to know how many people with a 60% AMI were having difficulty renting apartments. He said that to him, it seemed that there was a disconnect between the number of people who were ready to move in and the actual availability of rentals.

Dr. Pethia said that it was due to how the low-income housing tax credit properties worked, those rents were set by the state in order to make them affordable for the developer and the renters. She said that as a result, lower-income households faced difficulties renting these units without additional subsidies that do not currently exist. She said that several factors are at play, and the competition for these limited resources was intense. She said that those who managed to secure a spot on one of these lists were fortunate, while those who do not were left struggling even more.

Mr. Clayborne said that he was glad to hear that they were not in a worse position than expected. He said that if 80% of the units came online and were not being used, then perhaps having fewer units overall at 60% was acceptable. He said that he was not sure if this was the right approach, but 60% did seem like a reasonable threshold. He said that he was also pleased to hear that there was flexibility in the design of some of these solutions, as he had heard that the applicant would revisit this with staff and there would be a push and pull to determine what was acceptable.

Mr. Murray said that as they went through the AC44 process, they discussed the vast areas of unused parking areas in Albemarle County. He said that considering those issues, he was excited to see this project come forward, as it addressed the issue of underutilized parking. He said that as they evaluated projects like this, he hoped they could consider how to accurately calculate the capacity of the growth area.

Mr. Murray said that this project demonstrated that they had more capacity than they were currently using. He said that he thought this project highlighted the importance of not over-expanding the Development Area. He said that if they had done so, projects like this would not have been viable. He said that he believed this project was a great example of what they were striving to achieve, and he thought they needed to aim to achieve more of it.

Mr. Bivins said that he disagreed with Mr. Murray's last statement. He said that the costs of developing a greenfield site versus redeveloping within a developed site were vastly different in terms of logistics and investment considerations. He said that whether he chose to build something from scratch or renovate in this particular location, investors would come to different types of projects, depending on the risk and their desired level of involvement. He said that there was a balance that needed to be appreciated, saying that increasing something would have eliminated this issue oversimplified the situation.

Mr. Bivins said that what he would say was that investors in this environment were playing an interest rate game, and they must commit funds over a 30-year period, where they could not predict their cost of money or opportunity cost. He said that as a result, if anything, he would suggest reducing the length of time required to attract investors. He said that perhaps they could explore alternative approaches, such as adjusting percentages. He said that however, he firmly believed that asking investors to commit to freezing their funds for 30 years was unrealistic in today's environment, where interest rates and money were moving at a different pace.

Mr. Bivins said that there were other investment opportunities available, as well. He said that what he recalled was that in the past, they had been able to achieve more affordable housing through

density bonuses, where there was a nexus between increased density and the need to bring something to the table. He said that however, the current message to developers was to do everything by right, and they often put in place barriers to affordability because it simplified the process.

Mr. Bivins said that as he saw it, the conversation should shift to finding ways to provide flexibility to both the County and developers, so they could come to a mutually beneficial agreement that balanced their investment goals with their need for affordable housing. He said that this was also about addressing the economy of their area and the changing job profiles. He said that they could discuss all the affordable housing they wanted, but unless they made significant changes to their job profiles, this problem would persist and worsen. He said that as they moved forward, he was concerned about the issue of widening the gap between those with assets and those who did not have the ability to create assets.

Mr. Bivins said that one of the things that bothered him was that they had a park, Azalea Park, located nearby the subject property. He said that however, there was an outsized difficulty in accessing it. He said that he hoped that someone would mention a discussion between the City and County regarding some type of improvement, which could potentially lead to increased access. He said that however, it appeared to him that they had created spaces that catered primarily to car-driven activities, while neglecting the needs of those who preferred more walkable, stroller-friendly, or bikeable areas.

Mr. Bivins said that in this case, the park was inaccessible to those who needed it. He said that this was a crucial point to consider as they discussed the use of land, as they must also think about how to encourage people to use the full range of available spaces. He said that nonetheless, he wanted to emphasize that he was supportive of this project and would support the applicant in exploring ways to increase density on the site, even if it meant considering taller buildings.

Mr. Barnes said that one of the projects they were moving towards, with a bid coming up, was a sidewalk system. He said that they had attempted to work with VDOT to make it a shared-use path, but they had encountered engineering issues. He said that the outcome would be that they would be able to access the other side of Interstate 64 for the Rivanna Trail. He said that the City had recently purchased the portion of Azalea Park, expanding it to include the area between Moores Creek and the interstate. He said that ultimately, users would be able to access Azalea Park. He said that they were working on other bike and pedestrian connections in the area, as well.

Mr. Bivins said that Riverbend had mentioned that they would be spilling some of their people onto a road further down that way. He said that this was creating a sort of energy in that area that could not be accommodated. He said that when one drove down that road to access Fry's Springs, the area was not conducive to pedestrians. He said that they should be thinking about how to make that area more pedestrian-friendly.

Mr. Moore said that he believed that other people had shared similar thoughts with him regarding this proposal. He said that he appreciated certain aspects of the project, particularly the developer's willingness to collaborate with County staff and incorporate affordable housing into the project. He said that he also appreciated the consideration of increased density, as it was a suitable location for it. He said that having agreement from both Livable Cville and the Piedmont Environmental Council (PEC) was a positive step.

Mr. Moore said that however, he recalled a headline from last year in Charlottesville Tomorrow, which read "Residents are being kicked out of one of the area's most affordable apartment complexes to make way for luxury units." He said that this was true; Cavalier Crossing, although in need of renovation, was a very affordable option, with residents paying $560 per month for a

bedroom in a shared apartment. He said that there were scant few places in Albemarle where someone could find a comparable deal.

Mr. Moore said that the AMI for a one-person household was around $85,000, making it difficult to find affordable housing in this area, even at 60% AMI, the rent would be approximately $1,300 per month. He said that he acknowledged that the County chipped in some funds and Bonaventure had assisted in the relocation of those residents, but for the folks that were living in this apartment complex previously, it was unfathomable that it would cost 2.5 times as much to stay after the renovations.

Mr. Moore said that he could not fault the applicant for this, as Bonaventure was a company, and companies had to make a profit. He said that he appreciated the developer's willingness to work with County staff in this instance, but from a broader perspective, he believed they were still failing to provide affordable housing options for those who worked for wages. He said that they were relying on private developers to provide affordable housing with an incentive that was difficult to define.

Mr. Moore said that he thought they still needed a social housing sector, and this was an example of a situation where the County could have stepped in and bought this apartment complex in order to operate as a social good. He said that this was a good private proposal, but it shed light on the issue of their need for a secondary affordable housing market in perpetuity.

Mr. Missel said that he would reiterate that promoting infill development was key, as well as incorporating the shared use path. He said that the parking issue had been a persistent concern, which they had discussed many times previously. He said that this project was a great example of how to utilize excess parking for additional units. He said that for the record, he wanted to emphasize that the Commission strongly supported the application for the RHIP grant and requested that it be approved.

Mr. Missel said that he thought that this project could serve as a case study, and to the applicant he would say that it would be beneficial to receive feedback on how this was progressing and where it could be improved in advance of potential discussions that Mr. Clayborne had recommended, which he wholeheartedly agreed with. He said that a continued dialogue with developers, staff, and others was crucial. He said that he believed these points resonated with everyone.

Mr. Missel said that he would like to echo the importance of tracking data and metrics, as had been mentioned by Mr. Clayborne. He said that he thought this was a vital aspect of the discussion.

Mr. Missel motioned that the Planning Commission recommend approval of ZMA-2025-00004 Attain on 5th Street Phase 2 (R-10 Residential to PRD Planned Residential Development) for the reasons stated in the staff report. Mr. Carrazana seconded the motion, which carried unanimously (7-0).

Mr. Missel motioned that the Planning Commission recommend approval of ZMA-2025-00005 Attain on 5th Street Phase 2 (Steep Slopes Preserved to Managed) for the reasons stated in the staff report. Mr. Murray seconded the motion, which carried unanimously (7-0).

Committee Reports

Mr. Missel said that as a reminder, the all-CAC meeting was scheduled for Thursday night in Lane Auditorium, and he encouraged everyone to attend, as these meetings were often informative and engaging.

Ms. Firehock said that the Historic Preservation Committee had lost their meeting space because early voting was taking place there for the election this year.

Mr. Murray said that at the October Metropolitan Planning Organization (MPO) Tech meeting that there was a significant discussion about the interchange on Barracks Road. He said that the proposal to increase the lanes to two lanes there sparked interest in how pedestrian traffic would be accommodated. He said that currently, many people walked along that area to get to housing developments in Charlottesville. He said that he found the discussion to be very interesting and a concern that warranted further attention. He said that he planned to be more engaged with this issue, and he encouraged the rest of the Commissioners to look into it as well.

Review of Board of Supervisors Meeting: October 15, 2025

Michael Barnes, Director of Planning, said that one item was considered during the evening, and that was the adoption of the AC44 Comprehensive Plan update. He said that it was adopted that evening. He said that they were currently working at the staff level to develop a detailed implementation plan and strategy, which they hoped to present to the Commission in the near future.

Mr. Missel said that he congratulated staff on the approval of the Comp Plan.

Mr. Barnes said that he wanted to give his thanks to the Commission, as their discussions were always interesting, albeit lengthy at times. He said that he sincerely appreciated all of their input on the Comprehensive Plan.

Mr. Barnes said that on another note, as Mr. Missel had mentioned, this Thursday would be the all-CAC meeting. He said that it was not intended to be a public meeting for the Planning Commission. He said that if they planned to attend, which they were encouraged to do but not required to, he wanted to be aware that discussions about business between the Commissioners should not occur. He said that this was to ensure that they did not run afoul of public notice and Freedom of Information Act (FOIA) regulations.

Jenny Tevendale, Senior Assistant County Attorney, said that the Commissioners could attend but should not congregate nor discuss business. She said that they could be in the same room without it being an official meeting as long as they did not join together and discuss official matters of the Planning Commission.

Mr. Barnes said that the other item he wanted to mention was that the deferred item, Belvedere Amendment, was moved to December 9, so the Commission's November 25, 2025, meeting would be held at 6:00 p.m., and the December 9 meeting would also begin at 6:00 p.m.

Mr. Murray asked when the Riparian Buffer Ordinance would be coming back before the Planning Commission

Mr. Barnes said that it was on the Commission's schedule for their December 9 meeting.

Adjournment

At 8:00 p.m., the Commission adjourned to November 18, 2025, Albemarle County Planning Commission meeting, 6:00 p.m.

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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:
Initials: