FINAL ACTIONS Planning Commission Meeting of September 25, 2018	
AGENDA ITEM/ACTION	**FOLLOW-UP ACTION**
1. **Call to Order**. • Meeting called to order at 6:00 p.m. by Chair Keller. • PC members present were Ms. Spain, Ms. More, Chair Keller, Mr. Bivins, Vice-Chair Riley, Mr. Dotson, and Mr. Luis Carrazana (UVA Rep). Absent was Ms. Firehock. • Staff members present were Tim Padalino, Bill Fritz, Megan Nedostup, Andrew Gast-Bray, Sharon Taylor and Andy Herrick.	
2. **Other Matters Not on the Agenda from the Public** • None	Clerk: No action required
3a. **Public Hearing Item.** **PROJECT: SP201800007 – 1895 Avon Street Extended** MAGISTERIAL DISTRICT: Scottsville TAX MAP/PARCEL(S): 090000000035A1 LOCATION: 1895 Avon Street Extended, Charlottesville, VA 22902 PROPOSAL: Limousine and other motor vehicle rental service on 1.5-acre parcel. PETITION: "Motor vehicle sales, service, and rental" per Section 26.2(a) and Section 24.2.1.25 of the Zoning Ordinance. No new dwellings proposed. ZONING: LI Light Industrial – industrial, office, and limited commercial uses (no residential use). ENTRANCE CORRIDOR (EC): No. OVERLAY DISTRICT(S): Steep Slopes – Managed. COMPREHENSIVE PLAN: Office / R&D / Flex / Light Industrial – professional office, commercial; research and development, design, development of prototypes, engineering; light manufacturing, fabrication, distribution if with a non-industrial use. (Tim Padalino) ***AND*** 3b. **PROJECT: SP201800008 – 1895 Avon Street Extended**	Staff: Action letters – Recommend approval of SP-2018-7, SP-2018-8 and Special Exceptions as noted in actions, with the conditions as shown in **Attachment A**. Clerk: This matter will be forwarded to the Board of Supervisors to be heard on a date to be determined.

	MAGISTERIAL DISTRICT: Scottsville TAX MAP/PARCEL(S): 090000000035A1 LOCATION: 1895 Avon Street Extended, Charlottesville, VA 22902 PROPOSAL: Automotive detailing service on 1.5-acre parcel. PETITION: "Automobile, truck repair shops" per Section 26.2(a) and Section 24.2.1.2 of the Zoning Ordinance. No new dwellings proposed. ZONING: LI Light Industrial – industrial, office, and limited commercial uses (no residential use). ENTRANCE CORRIDOR (EC): No. OVERLAY DISTRICT(S): Steep Slopes – Managed. COMPREHENSIVE PLAN: Office / R&D / Flex / Light Industrial – professional office, commercial; research and development, design, development of prototypes, engineering; light manufacturing, fabrication, distribution if with a non-industrial use. (Tim Padalino) **RECOMMEND APPROVAL,** by a vote of 6:0 (Firehock absent), of SP-2018-00007 with the conditions outlined in the staff report, as amended, and shown in **Attachment A.** **RECOMMEND APPROVAL,** by a vote of 6:0 (Firehock absent), of SP-2018-00008 with the conditions outlined in the staff report, as amended, and shown in **Attachment A.** **RECOMMEND APPROVAL,** by a vote of 6:0 (Firehock absent), of the Special Exception with the conditions as outlined in the staff report with the note to staff about the interest in preserving the trees in the buffer area as shown in **Attachment A.**	
3c.	**PROJECT: ZTA201800005 – Section 35 – Fees** ZTA 201800005 - Fees The Planning Commission will hold a public hearing on September 25, 2018 at 6:00 p.m. in the County Office Building, 401 McIntire Road, Charlottesville, Virginia 22902, to receive comments on its intent to recommend adoption of the following	Staff: Action Letter – Recommend Approval of ZTA-2018-00005 as noted in the actions. Clerk: This matter will be forwarded to the Board of Supervisors to be heard on a date to be determined.

	ordinance to amend Chapter 18, Zoning, of the Albemarle County Code: (1) Amend Section 18-35.1 (Fees) in order: (i) to delete the fee for a citizen-initiated zoning text amendment; (ii) to delete the fee to defer scheduled public hearings at the applicant's request, but to extend existing notice fees to the re-advertisement and notification of a public hearing after advertisement of a public hearing and a deferral is made at the applicant's request; (iii) to require applicants to pay calculated notification and legal advertisement costs for citizen-initiated zoning map amendments solely pertaining to proffers that do not affect use or density, when the board of supervisors authorizes alternative application and procedural requirements under Section 18-33; (iv) to add a fee of $1,770 to reapply for a zoning map amendment or a special use permit that is substantially the same as a withdrawn application, when authorized by the Board of Supervisors; (v) to add an Initial notice fee of $435, to be provided in conjunction with application, for preparing and mailing notices and published notice, except for uses under Sections 18-5.1.47 and 18-5.2A, or applications submitted under Section 18-30.7.6, for which there would be no fee; and (vi) to add a notice fee of $220 for farmers' markets for published notice under Section 35.1(c)(7); (2) Amend Section 18-35.2 (Calculation of Fees in Special Circumstances) to limit the availability of the reduced fee when there is a simultaneous review of an application for a zoning map amendment or a special use permit and a site plan or subdivision plat to only when an application for a special use permit for outdoor display and sales is reviewed simultaneously with a site plan; (3) Amend Section 18-35.3 (Mode and Timing for Paying Fees) to allow zoning application fees to be paid by credit or debit card; (4) Amend Section 18-35.4 (Fee Refunds) to allow initial notice fees to be refunded if a zoning application is withdrawn within 70 days after the date the application is officially submitted; and (5) Amend Section 18-35.5 (Pre-Existing Use Fee Waiver) to eliminate pre-existing use fee waivers for zoning text amendments.	

	The proposed fees and fee increases are authorized by Virginia Code §§ 15.2-2241(9) and 15.2-2286(A)(6). A copy of the full text of the proposed ordinance amendments is on file in the office of the Clerk of the Board of Supervisors and in the Department of Community Development, County Office Building, 401 McIntire Road, Charlottesville, Virginia. (Bill Fritz) **RECOMMEND ADOPTION,** by a vote of 6:0 (Firehock absent), of ZTA-2018-5 Section 35 - Fees draft ordinance found in Attachment B of the staff report.	
3d.	**PROJECT: SP201800004 – Peabody School Amendment** MAGISTERIAL DISTRICT: Scottsville TAX MAP/PARCEL(S): 076M1000001500 LOCATION: 1232 Stony Ridge Road, at the intersection of Stony Ridge Road and Southern Parkway PROPOSAL: Amend Special Use Permit (SP2012-030) to expand enrollment of a private school to increase maximum number of children from 210 to 240 (30 additional students) within a proposed addition to the existing school. Also, proposed are two special exceptions from ZMA1995-019 and ZMA1996-021 to allow a disturbance of the buffer along Southern Parkway for an egress only access to Southern Parkway; and to allow disturbance of the conservation area for a sports court. No residential units proposed. PETITION: 20.4.2 and 23.2.2(6) School of Special Instruction; 8.5.5.3 Special Exceptions ZONING: PUD- Planned Unit Development-residential (3-34 units per acre), mixed with commercial, service and industrial uses (ZMA1995-019 and ZMA1996-021). OVERLAY DISTRICT(S): Managed Steep Slopes; Airport Impact Area COMPREHENSIVE PLAN LAND USE/DENSITY: Industrial – manufacturing, storage, distribution, office and commercial activities related to industrial use and research and development. (Megan Nedostup)	Staff: Action Letter – Recommend Approval of SP-2018-00004 and denial of Special Exception request as noted in the actions. Clerk: This matter will be forwarded to the Board of Supervisors to be heard on a date to be determined.

	RECOMMEND APPROVAL, by a vote of 6:0 (Firehock absent), of SP-2018-4 Peabody School Amendment with the conditions outlined in the staff report, as amended and shown in **Attachment C.** **RECOMMEND DENIAL**, by a vote of 6:0 (Firehock absent) of the requested special exception request for SP-2018-00004 Peabody School Amendment because under the conditions there will be no ingress/egress off Southern Parkway into the school.	
4.	**Review of Board of Supervisors Meeting –** September 5, 2018 and September 12, 2018. Mr. Gast-Bray reviewed the actions taken on above date.	Staff: • No action required.
5.	**Committee Reports** Daphne Spain reported: - Places29 North CAC met last Thursday that served as the community meeting for the Montessori School on 29 expansion. - Pantops CAC met last night with two major issues – the Commonwealth Senior Living Center request for removal of parking spaces to allow for consolidation of offices and the Pantops Master Plan. Julian Bivins reported: - The Long Range Transportation Plan will hold an open house on October 17 from 5:30 to 7:00 p.m. at East Water Street at TJPDC for public input on how to improve and enhance pedestrian and bike connections. - Places29-Hydraulic CAC met last week with discussion on the Charlotte Humphries Park on Whitewood Road about how to bring other people in to take care of the street space. - He thanked the staff who came and spent some time helping people to understand a zoning approval that took place around the Roslyn Farms property. Tim Keller reported: - The Steering Committee for the Rivanna River Corridor Plan Phase One had a meeting and update last week with a presentation. Jennie More reported: The Crozet CAC met last week.	Clerk: No action required.

	Tim Keller reported: The Rivanna River Renaissance Conference will be held this Friday beginning at 10:30 a.m. in the auditorium.	
6.	**Old Business** • Discussion held on resolution of intent process and by-law change.	
7.	**Items for follow-up**. - Luis Carrazana, UVA Representative, discussed some email questions about City/County/Uva projects/programs of mutual interest and offered to get a presentation here and make information available to access on the website.	
8.	**New Business** **Mr. Keller announced**: • Tentative Meeting Schedule distributed. • No Planning Commission meeting on Tuesday, October 2, 2018. • The next meeting will be on Tuesday, October 9, 2018 in Auditorium at 6:00 p.m. (Note: Firehock, More and potentially Keller will not attend.)	
9.	Adjourn to October 9, 2018 Albemarle County Planning Commission meeting at 6:00 p.m., Auditorium, Second Floor, County Office Building, 401 McIntire Road, Charlottesville, Virginia. • The meeting adjourned at 8:59 p.m.	

Attachment A – SP-2018-7, SP-2018-8 – 1895 Avon Street Extended and Special Exception requests – Planning Commission Recommendation
Attachment B – ZTA-2018-5 Section 35 – Fees – Planning Commission Recommendation
Attachment C – SP-2018-4 Peabody School Amendment – Planning Commission Recommendation
(Note for clarity – Attachment C incorporates the final amended conditions (not the conditions in the staff memo)

Attachment A –
SP-2018-7, SP-2018-8 – 1895 Avon Street Extended and Special Exception requests – Planning Commission Recommendation

Recommended Conditions of Approval for SP-2018-7 and SP-2018-8:

1. Development and use of the Property shall be in general accord with the conceptual plan entitled "Conceptual Plan / 1895 Avon Street Extended" (hereafter "Conceptual Plan") prepared by Michael Myers, PE, CFM, dated July 18, 2018, as determined by the Director of Planning and the Zoning Administrator. To be in general accord, development and use shall reflect the following major elements shown on the Conceptual Plan:
    a) Landscaping in the locations shown on the plan;
    b) Screening comprised of a screen fence (sliding gate), screening fence, and landscaping;
    c) Sidewalk along Avon Street Extended right of way;
    d) Location of building addition and other structures; and
    e) Location and extent of parking areas.

2. A sidewalk meeting County or VDOT specifications shall be constructed as shown on the Conceptual Plan prior to the issuance of a Certificate of Occupancy.

3. The building mass, shape, height, and amount of architectural detail of the two-story building addition shall be similar to the perspective renderings contained in the Project Narrative, and shall be compatible with the existing building, as determined by the Director of Planning at the time of Building Permit review.

4. Any replacement landscaping along the Avon Street Extended frontage shall consist of street trees and shrubs, to be approved with the Final Site Plan.

Special Exception Requests – Planning Commission Recommended Conditions of Approval

The Planning Commission **recommends approval of the requested Special Exception** to modify the side yard setback requirements specified in Section 4.20(b) of the Zoning Ordinance and to modify the disturbance buffer zone requirements specified in Section 26.5(c) of the Zoning Ordinance, **with the following conditions**:

1. The development and use of the side yard setback area and disturbance buffer zone shall be in general accord with the Special Exception Request application materials (including Letter of Justification and Conceptual Plan) prepared and submitted by Mr. Michael Myers, PE, CFM, dated July 30, 2018. To be in general accord, the development and use of the property in the area of the side yard setback and disturbance buffer shall reflect the following major elements in the Special Exception Request application materials:
    a. The location and extent of the parking spaces and parking canopy;
    b. The area of re-claimed landscaping; and
    c. The double row of evergreen shrubs for screening the southern property boundary.

Attachment B –
ZTA-2018-5 Section 35 – Fees – Planning Commission Recommendation

The Planning Commission recommends approval of ZTA-2018-5 – Fees draft ordinance found in Attachment B of the staff report.

Attachment C – SP-2018-4 Peabody School Amendment – Planning Commission Recommendation

1. Development of the use shall be in general accord with the conceptual plan titled "Peabody School Application Plan for Special Use Permit," prepared by Collins Engineering, with the latest revision date of July 16, 2018, as determined by the Director of Planning and the Zoning Administrator. To be in general accord with the Conceptual Plan, development shall reflect the following major elements within the development essential to the design of the development:
    - Location of parking areas and turn arounds
    - Open Space
    - Landscape Buffer
    - General location of Classroom Expansion
    - General location of Amphitheater
    - General location of Sport Court Recreational Area

   as shown on the plan.
   Minor modifications to the plan which do not conflict with the elements above may be made to ensure compliance with the Zoning Ordinance.
2. The maximum enrollment shall not exceed 240 children.
3. Notwithstanding the Application Plan dated July 16, 2018, all direct vehicular access from and to the *site shall be limited to Stoney Ridge Road.*
4. A sidewalk or equivalent pathway meeting County or VDOT specifications and allowing for interconnection to adjacent parcels shall be constructed along Southern Parkway within one year of the completion of sidewalk(s) on adjacent parcel(s).

RECOMMEND DENIAL of the special exception request for SP-2018-00004 Peabody School Amendment because under the conditions there will be no ingress/egress off of Southern Parkway into the school.