Albemarle County Planning Commission
FINAL Minutes February 18, 2020

The Albemarle County Planning Commission held a public hearing on Tuesday, February 18, 2020 at 6:00 p.m., at the County Office Building, Lane Auditorium, Second Floor, 401 McIntire Road, Charlottesville, Virginia.

Members attending were Julian Bivins, Chair; Karen Firehock, Vice-Chair; Tim Keller; Jennie More; Bruce Dotson; Rick Randolph; and Luis Carrazana, UVA representative.

Members absent: Corey Clayborne.

Other officials present were Michaela Accardi; Andy Reitelbach; Stacey Pethia; David Benish, Chief of Planning; Andy Herrick, County Attorney's Office; and Carolyn Shaffer, Clerk to the Planning Commission.

Call to Order and Establish Quorum

Mr. Bivins called the regular meeting to order at 6:00 p.m. and established a quorum.

Mr. Bivins acknowledged that in the audience, there were students attending from the Department of Urban and Environmental Studies.

From the Public: Matters Not Listed for Public Hearing on the Agenda

Mr. Bivins asked if there were any matters from the public not listed for public hearing on the agenda that anyone would like to speak to.

Hearing none, Mr. Bivins closed matters from the public and moved on to the next item.

Consent Agenda

Mr. Bivins asked if anyone cared to pull the item that was on the consent agenda.

Ms. More moved to approve the consent agenda. Mr. Keller seconded the motion, which carried unanimously (6:0). (Mr. Clayborne was absent.)

Public Hearing Items

ZMA201900014 Commercial Development TMP #61-134A

Ms. Michaela Accardi, Senior Planner, presented the staff report. She said TMP 61-134A is an undeveloped and forested 0.9-acre parcel located on the east side of the 1400 block of Route 29 (Seminole Trail). She said it is immediately south of Fashion Square Mall and located adjacent to the BB&T at the south of the site, and near the Courtyard by Marriott.

Ms. Accardi said the property's current zoning is Planning District Shopping Center (PDSC), and the proposed zoning for this application would remain PDSC. She noted this is not a conventional rezoning application, but is a request to approve the application plan for the property. She said she would explain this more in-depth when she provides an overview of the proposal.

Ms. Accardi said the property is located within the Entrance Corridor Overlay District and the Airport Impact Area Overlay District. She said it includes managed steep slopes, and that by-right uses on the property include shopping centers, retail sales, and service uses as well as residential (up to 15 units per acre by Special Use Permit).

Ms. Accardi said the property is located within the Places29 Master Plan and the Rio-29 Small Area Plan. She said the Rio-29 Small Area Plan designates it within the "Flex" future place type, which is intended to have the highest amount of flexibility in building form and use. She said the Small Area Plan states that buildings can have a range of heights and uses, but that buildings should be comfortable for pedestrians.

Ms. Accardi said the Rio-29 Small Area Plan includes more detail than other long-range plans in that it has specific form and site design standards, including that for height, the buildings should be between 2-5 stories tall. She said buildings should be set back 3-10 feet from the edge of the right of way, and buildings on boulevards should be stepped back above 4 stories, or 50 feet. She said buildings with larger footprints should avoid blank walls. She said parking should be relegated to the side and rear of properties, as well as include landscaping to screen from streets. She said block sizes should be between 300-400 feet in length.

Ms. Accardi said the Rio-29 Small Area Plan also envisions the area as a place enhanced through conservation, with a network of sustainable and usable public amenity spaces. She said it includes a future conservation network plan that shows a shared use path along the subject property's frontage on Seminole Trail. She said the shared use paths are intended to be multifunctional, serving as both recreational amenities and commuter routes.

Ms. Accardi said the Small Area Plan includes a future connectivity plan that will highlight Seminole Trail as a thru corridor, and that those significant changes along this travel way may not be feasible. She said it calls for a shared use path along the length of the corridor.

Ms. Accardi said the property owner and applicant are requesting approval of a Zoning Map Amendment application plan for the subject property's portion of an existing Planned Development Shopping Center. She reiterated that the proposal is not a request to rezone the subject property or otherwise amend the zoning map. She said the subject property's existing zoning is PDSC, and the proposed zoning is also PDSC.

Ms. Accardi said the first phase of this application plan includes a proposal for Phase I, or 0.5 acres of the site, proposing a 1.5-story retail structure with parking, landscaping, and a 14-foot-wide shared use path along Route 29. She said Phase II is undetermined, or undisclosed, and identified as future development that would require an amendment to the application plan to address that phase.

Ms. Accardi said in summary, she would highlight staff's evaluation of the factors favorable and unfavorable. She said the factors favorable are that this Phase I proposed use is permissible within the existing zoning district, and would also bring this portion of the existing zoning district into compliance with the requirements of Zoning Ordinance Section 8.5, which requires an approved application plan.

Ms. Accardi said the proposed development is consistent with multiple applicable Neighborhood Model principles. She said the proposed development provides a 14-foot shared use path along Route 29, which is consistent with multiple portions of the Rio-29 Small Area Plan.

Ms. Accardi said the rear portion of the site (noted as Phase II in the application plan) is reserved for a future phase of development. She said this phased approach enables timely response to redevelopment of the Fashion Square Mall property and future construction of a new avenue that is identified in the Rio-29 Small Area Plan, between Route 29 and Hillsdale Drive.

Ms. Accardi said the factor unfavorable is that the building height in the proposed Phase I of the project is 1.5 stories, which is inconsistent with the recommended height standards in the Rio-29 Small Area Plan, calling for between 2-5 stories.

Ms. Accardi said with these factors in mind, staff recommends approval of the ZMA, with a couple minor note revisions. She said one is an addition of a note on the application plan that indicates that the proposed Phase I building could support multiple stories for future construction, making it consistent with the Small Area Plan in the future. She said a second requested minor note is that the Entrance Corridor note in the first requirement listed is redundant, given that it is Entrance Corridor Guidelines.

Mr. Randolph referred to page 7 of the staff report, under "Respecting Terrain and Careful Grading of Terrain." He asked, given the topographic characteristics of the site, how the site could ever meet the criteria of respecting terrain and careful regrading of terrain. He asked if it was the case, by the varied terms of the Neighborhood Model criteria, that it makes it very difficult for a site such as this one to meet the criteria.

Ms. Accardi replied that this question was fair, given the size of the property and that at this phase, there is just half of the 0.9 acres being developed.

Mr. Randolph said he looked at staff's statement saying that the principle is generally not met, and that in reality, given the constraints of the site, the applicant is doing everything possible within the constraints of the site to meet the principle. He said he was rephrasing this because looking at this alone, he sees this as an objection or a potential objection where, in fact, based on the criteria, the applicant is doing the best they can.

Mr. Randolph referred to the section about human scale dimension, and asked if the expectation of staff was if this evaluation will be ready by the time this application goes before the Board of Supervisors.

Ms. Accardi replied she didn't believe so, but that she would defer to Mr. Benish.

Mr. David Benish (Director of Planning) said the "pending" relates to the fact that the ARB does have some control in their final Certificate of Appropriateness. He said staff was comfortable with how the ARB would evaluate that site in this location.

Mr. Randolph said it may be the case that the Board will see this, and then the ARB will see it.

Mr. Benish said this was possible.

Mr. Randolph said he didn't see this as a deal breaker for the Board, but that he was curious in the terms of the timing.

Mr. Benish said he did not check with Ms. Margaret Maliszewski as to the schedule of it, but that this was his understanding. He said the applicant may be able to answer.

Mr. Benish said the staff report refers to a future street interconnection that by phasing the project, it could make it possible to accommodate that connection. He asked if Ms. Accardi could show this visually or speak more about it to help the Commission understand it.

Ms. Accardi said there is a future connectivity plan, which is included in the Small Area Plan, and calls for a future avenue in the area. She said in the applicant's narrative, there was a note to this allowing for future redevelopment of the larger Fashion Square parcel that could be consistent. She indicated on the plan to a blue hatched line, which represented the proposed avenue.

Ms. Accardi said she and Ms. Falkenstein have shared this during a number of the work sessions on form-based code, that this is a conceptual future street network plan and not one that would require an exact location of the avenue. She said given the parcel's small size, however, in relationship to the larger Fashion Square Mall redevelopment, this was something that was included in the narrative by the applicant.

Mr. Dotson asked if, looking at the image Ms. Accardi presented with the traffic signals shown, this was in the current driveway into Fashion Square, and not on the actual parcel.

Ms. Accardi replied that Mr. Dotson was correct that this was not actually on this parcel, but relates to it.

Mr. Benish added that it was likely conceptual, so the concept is that the east-west connection would be somewhere in that general area.

Mr. Dotson said as a result of the project going forward and the bank that is already there, there is no point of connection to Route 29 that is not already developed, so he assumed it would be at the existing light.

Mr. Dotson said the size of the building on the diagram said 0.10 of an acre, and that he assumed this meant a roughly 4,300-square-foot building. He asked if 10 parking spaces was normal for a building of that size, or if this was small, given the mattress store use.

Ms. Accardi said that as part of the application, staff has Transportation Planners review, and that in the staff report, there is reference to the expected number of vehicle visits per day. She said this number is low, and that while this might be a smaller parking area than other developments seen, that the amount of parking is accommodated based on the needs of the business.

Mr. Dotson said the reason he asked this question was because if, by chance, a mattress store didn't go on the site, if there would be enough parking to accommodate other commercial uses that would be allowed by the PUD.

Mr. Benish replied that the uses would be subject to a zoning clearance, and part of the zoning clearance is to determine the adequacy of parking. He said if the future use required additional parking, either that use would not receive the zoning clearance, or additional parking would need to be arranged for.

Mr. Bivins opened the public hearing and asked to hear from the applicant.

Mr. Scott Collins, representative of the applicant, noted that Ms. Accardi did an excellent job in the staff report in presenting the conditions of what the applicant was asking for. He said one thing to note was that this was somewhat of a challenge for the owners, when they wanted to come forward with the project, and how it relates to Fashion Square Mall. He said the owners thought long and hard about how to make this project work for their current needs while not negatively affecting what could ultimately happen on the property with the ultimate redevelopment of Fashion Square Mall, if and when it happens at some time.

Mr. Collins said they came up with the application plan based on the current standards of what the owners needed for today's demands, and how it could be implemented and help with the ultimate planning and the goals that Albemarle County wants to achieve in the Places29 plan, knowing that many of those goals cannot be achieved until some redevelopment happens on that parcel. He said they put together the best application they could that incorporates all those aspects.

Mr. Collins said one thing that had somewhat changed since the first submission of the application in November was that the applicant went through the ARB process, and that the application for the ARB resulted in the height of the building being somewhat taller than they had first contemplated. He said the building itself is 21 feet height across half of it, and then it steps up to 27.5 feet tall on the other half. He said it is roughly about a 2-story building to provide the height that is desired in the Rio-29 Small Area Plan.

Mr. Collins said the applicant had a good meeting with the ARB about the building. He said the majority of the discussion was about the materials and how the building works along the corridor. He said the scale of the building seemed to work well, especially with the pedestrian pathway being installed on the front of the property, and how it relates to all the other aspects.

Ms. Firehock said she understood from the application that the intended use was a mattress store. She said mattress stores come and go quite often, and so she was curious as to the ability of the space to be able to be used for other retail in the future. She asked if there was anything in the design that would make it difficult to convert it down the road.

Mr. Collins agreed that mattress stores do come and go often, and that is why the applicant has laid out the building as shown on the plan. He said they went through many different iterations of the building, and that the way it is placed allows the parking in the drive aisle to go up the side of the building. He said if the back half is ever redeveloped, it is a great spot to put a podium parking deck, or put parking tucked underneath the building and then build over top. He said there are many options, and the design and current layout does not preclude anything from being redeveloped, which was taken into consideration.

Ms. Firehock asked if Mr. Collins was saying that the building would have sufficient constructional integrity, that it could go up several stories if a future user, for example, wanted to put offices or apartments above it.

Mr. Collins replied yes, adding that it is also set up to where, in accordance with the Rio-29 Small Area Plan, the building (being along the road) is stepped back. He said coming in with a parking structure behind it, stepped back, and went up with the building behind it, it would provide 2-3 stories along Route 29, and then stepping up and going to 4-5 stories would be in keeping with the plan.

Mr. Keller asked if there would be significant cut and fill.

Mr. Collins replied no, explaining that the site sets up about 2.5 feet higher than the BB&T bank, and that the retaining wall at the back of the site between Phase I and Phase II is only 6 feet in height. He said it ties back in quickly, and that there is not a lot of cut and fill required. He said they had to bring up the site somewhat, as there is rock there, but that by bringing up the site by 1.5-2 feet, they stay out of the rock.

Mr. Bivins opened the public comment portion of the meeting. Hearing none, he brought the matter back to the Commission.

Mr. Dotson said he would proceed with making a motion if there was no further discussion.

Mr. Keller said he wanted to further drill down into what Mr. Randolph had brought up, noting that he would be bringing up this matter on other projects as well. He said in this case, the applicant has answered about the front, and that in many ways, it will be more about the back parcel in his discussion.

Mr. Keller said the Commission has discussed their concern about changing the topography in a number of development areas, and that he believes they need to think about what the shelf life of the retaining walls is going to be. He said in this particular area, there are a number of significant retaining walls that are having an impact on what people think of as the beautiful rolling topography of Albemarle County. He said in this case, they have an answer that there will be little cut and fill, and a more minimal retaining wall, and that he was therefore less concerned.

Mr. Keller said the Commission has to think, as Ms. Firehock often notes, that the changes in topography are also a change in hydrology, and that there are significant impacts from that as well. He said he simply wanted to point this out because as they work towards what the form-based code will allow them to do, they need to make sure that there are significant site components to that as well. He said as Mr. Randolph said, they need to be looking at the careful grading and regrading of terrain and the impacts on not just one site, but the surrounding sites.

Mr. Dotson commented that this area of Route 29 would become the "mattress capital of the region." He said he intended to make a favorable motion.

Mr. Dotson moved to recommend approval of ZMA201900014 Commercial Development, with the noted revisions outlined in the staff report.

Mr. Randolph seconded the motion.

Ms. Firehock commented that since it is a significantly wooded site, she hoped that when the applicant gets to the parts of their site plan for landscaping, they will consider having a nice canopy over some of the spaces. She said shaded pavement lasts longer, and treed shopping areas are more attractive to people, as they tend to spend more per item. She said she hoped the applicant would keep this in mind.

The motion carried unanimously (6:0). (Mr. Clayborne was absent.)

SP201900007 Tandem Friends School Pavilion

Mr. Andy Reitelbach, Senior Planner, presented the staff report. He said this is a Special Use Permit that is an amendment to a previous SP (SP2015-21).

Mr. Reitelbach presented a map of the location of the Tandem Friends School. He said it is an existing private school campus on a parcel of approximately 24.5 hours. He said it is located on Mill Creek Drive, across from Monticello High School, is slightly east of the Monticello Fire Rescue Station, and slightly west from Mill Creek Drive's intersection with Scottsville Road and the Stone Creek apartment complex.

Mr. Reitelbach presented a zoomed-in aerial view of the campus and the site of the new building being proposed with the SP.

Mr. Reitelbach said the current zoning of the Tandem Friends School property is R1 Residential (1 unit per acre). He explained that other certain institutional uses, however, such as private schools, are permitted by Special Use Permit within the R1 Zoning District. He said other nearby zoning districts include the Planned Residential Development of Stone Creek apartments, and R15 (which is the zoning designation where the public buildings of Monticello High School and the Fire Rescue Station are).

Mr. Reitelbach presented a map showing the Comprehensive Plan designation in the Southern and Western Urban Neighborhoods Master Plan. He said the Tandem School site (shown in yellow) is Neighborhood Density Residential, which recommends residential as the primary use, but does recommend schools (such as Tandem) as secondary uses.

Mr. Reitelbach said all around the Tandem School's property are Institutional designations, where Monticello Fire Rescue Station, Monticello High School, and the properties to the south (which are owned by either Albemarle County or the County School Board) are located. He said there is Urban Residential Density, farther to the east, where the Stone Creek apartments are located.

Mr. Reitelbach said the proposal for the project is to amend an existing SP (SP2015-21). He said the request is to permit one new pavilion-type building on the campus to be used as dining and meeting space for the school. He said it would be approximately one story, with a mezzanine, a covered porch, and garage doors along the sides to allow the space to be opened to the elements when the weather is nice (or to be closed during inclement weather).

Mr. Reitelbach said that in a future phase, the applicant has also indicated that they would potentially like to include a kitchen in the space as well. He said this is covered within the Special Use Permit, all within the approximately 4,500 square feet covered footprint that the applicant is requesting with the Special Use Permit. He said there is also a deck proposed for the eastern side of the building.

Mr. Reitelbach said new sidewalks are proposed to be constructed to provide pedestrian access to the building from the other buildings on the campus.

Mr. Reitelbach said the maximum number of students allowed by the existing Special Use Permit will remain the same, at 250. He said none of the entrances onto Mill Creek Drive or being changed with the proposal. He said the traffic circulation is not changing, and that it was only the sidewalks for pedestrian uses that would change. He said there is also additional right of way provided for fire access, as shown on the concept plan.

Mr. Reitelbach presented the concept plan being provided by the applicant, showing what is proposed. He said the large inset was a close-up view of where the new building is being proposed. He said the building is being proposed in the lower-right of the concept plan, which is the northeast corner of the site. He said it is adjacent to other buildings, and helps to further enclose the quad. He said the deck can be seen to the bottom of the building.

Mr. Reitelbach said staff has developed conditions recommended for the Special Use Permit: that the development shall be in general accord with the concept plan that was shown, and shall reflect the major elements listed, including building orientation and size, location of building, limits of disturbance, and parking lot layout and landscaping; and minor modifications to the plan, which do not conflict with the elements that may be made at the site plan stage, to ensure compliance with the Zoning Ordinance.

Mr. Reitelbach said Conditions 2 and 3 are being carried over from the previous Special Use Permit, which is that additional buildings may only be authorized by a new special use permit, and that total school enrollment shall not exceed 250 students.

Mr. Reitelbach said Condition 4 is new condition for the application, which is to provide a curfew for amplified sound at the building at 10:00 p.m. Sunday through Thursday nights, and through 7:00 a.m. the following morning; and for Friday and Saturday nights, 11:00 p.m. through 7:00 a.m. He said the reason for this is that with the pavilion building being open and having the garage doors, it would not be as sound proofed as other potential buildings could be. He said this would ensure that there are some limits on amplified sound in the building to ensure that neighbors are not negatively affected by any sound that may occur. He added that this building is closer to the property line than the current buildings are.

Mr. Reitelbach said staff recommends approval, with the four conditions.

Mr. Dotson said he had a question about Condition 4. He said he had trouble visualizing the hours and wanted Mr. Reitelbach to state them again.

Mr. Reitelbach replied that there would be hours for Sunday nights through Thursday nights.

Mr. Dotson asked if this was only referring to nighttime.

Mr. Reitelbach said the curfew would be only between 10:00 p.m. at night and 7:00 a.m. the following morning on each of the weeknights (Sunday night, Monday night, Tuesday night, Wednesday night, and Thursday night). He said the curfew would be 11:00 p.m. through 7:00 a.m. on Friday nights and Saturday nights.

Mr. Dotson said the way Mr. Reitelbach explained it was clearer than the way it was written.

Mr. Reitelbach said staff could clarify and work on the language prior to going to the Board of Supervisors.

Ms. More asked if Mr. Reitelbach could go back to Attachment 1 (the aerial view). She said she was having trouble orienting herself with the concept plan, and asked if the location was where the star was located on the view.

Mr. Reitelbach replied yes. He said the site of the new building is roughly where the star is on the slide. He explained how the photos of the aerial views were oriented.

Mr. Bivins said going through the list of SPs that have been approved, there have been a number approved where there didn't seem to be any corresponding building on the plan. He asked if, as a point of reference, there was a sunset on SPs.

Mr. Reitelbach replied there was not on this particular SP. He said there were sunsets on some SPs that have been approved previously.

Mr. Bivins said on this property, for instance, there are three things for which there are SPs, but they don't appear.

Mr. Reitelbach replied that there is not a sunset on this particular project.

Mr. Bivins opened the public hearing to hear from the applicant.

Mr. Bill Adams (Trane Architects) and Michelle Schlesinger (Tandem Friends School) represented the applicant. He said he would start by having Ms. Schlesinger say a few words about the program.

Ms. Schlesinger said as seen clearly on the concept plan, the applicant has indicated where the pavilion would be. She said they have designed the space to close out the quad of the campus and have everything be in reference to the quad. She said the goal for the space is to provide a multiuse space that will primarily be used for dining for the students, as well as for meeting space and other uses throughout the school day.

Ms. Schlesinger said as mentioned in the application, this does not increase the number of students the school is asking to have as part of their program, and that they will be staying with the 250 maximum of the existing permit. She said they do not feel that any of the conditions that have been placed, with the noise restrictions and so forth, would hamper the program.

Mr. Adams presented an image showing how the pavilion completes the figure of the quad. He said what Tandem was looking for was a different kind of space than what they currently have. He said the space is an outdoor type of space. He said the color is a recessive color that doesn't stand out. He said the massing is carefully calibrated to go with the existing buildings and not present too much mass on other parts of the parcel.

Mr. Adams said the building will not have air conditioning, but will be open and have views to the quad and community. He said for security purposes, they can shut the garage doors, as well as for selected winter use. He said it is seen as a swing space, and that the main assembly area is about 1,750 square feet. He said the total of what is currently proposed is slightly under 3,000

square feet, and that part of this is the porch, while another part is the service area to the north. He said the kitchen would be a later addition of about 1,000 square feet.

Mr. Randolph asked what the applicant is proposing as the source of heat during the wintertime for the facility.

Mr. Adams replied they were considering a number of options. He said in the energy code, they can heat just the bathrooms, and it will be a low-energy building, since this is an outdoor area and the use patterns are such that there may be a morning assembly for 20 minutes, and then the building won't be used again until the afternoon. He said they are considering radiant heat for the main area, which is acceptable under the energy code.

Mr. Randolph asked if the school was highly successful in terms of fundraising and exceeded their goals, if their desire would be to allow the building to be full enclosed and heated so that they would get year-round use in a heated facility, in a best-case scenario. He asked if what they were looking at was a phased development and that the first step was to get the building in, with drawdown capability to block out wind and rain. He said it is a less-than-ideal environment for year-round, and that despite a warming climate in Central Virginia, they can still get cold weather there. He asked if this was the first step and if the goal, going forward, would be to build more of the structure based on the backbone being put in.

Mr. Adams replied that they are examining different options for HVAC in the building. He said they knew it would not be air conditioned at all, and will have two large industrial-type fans. He said they are considering radiant heat for the floor, which is a different approach as well, and that there is the possibility of having a gas-fired forced air system in the building as well, which is efficient.

Ms. Schlesinger added that the goal of the program is to keep the building as sustainable as possible and to provide shelter for the students as they are currently using the space. She said they do not currently have a space that is covered for them to eat in during the day, or to have additional meeting space for one of the school's divisions. She said they anticipate having the space open for the majority of the time, and that it would be locked down in the evenings to protect assets (e.g. chairs, tables) that would be in the space. She said the goal is to have it primarily open.

Mr. Dotson asked if this building would also augment the summer camp programs.

Ms. Schlesinger replied that they would definitely be using the building year-round.

Ms. Firehock asked if anyone from the public cared to speak.

Hearing none, Mr. Bivins asked if the applicant wanted to add any comments. Hearing no further comments, he closed the public hearing and brought the matter back for discussion and action.

Mr. Randolph moved to approve SP201900007 Tandem Friends School Pavilion, with the conditions in the staff report. Ms. More seconded the motion, which carried unanimously (6:0). (Mr. Clayborne was absent.)

Mr. Bivins said the application would move forward to the Board of Supervisors.

Work Sessions

ZMA201900003 Albemarle Business Campus (Formerly Royal Fern)

Mr. Andy Reitelbach, Senior Planner, presented the staff report. He said as part of the work session, he would briefly review the proposal and the history of the project. He said the applicant has expressed interest in being able to present a presentation of his own, and asked if the Commission would allow that in between staff's presentation. He said finally, they would review the questions that were posed in the staff report and further discuss the Commission's interpretations and thoughts on those questions.

Mr. Reitelbach said ZMA201900003 is currently called "Albemarle Business Campus," but that it was previously before the Commission on October 8, 2019 and was known at that time as "Royal Fern."

Mr. Reitelbach said the property consists of two parcels and a portion of a third parcel in the Southern Development area at the intersection of Old Lynchburg Road and 5th Street, roughly across the street from the County Office Building on 5th Street. He presented a slide showing the different parcels that make up the property. He said the property is surrounded by several neighborhoods such as Sherwood Manor, Cavalier Crossing Apartments, Brookdale Apartments (to the west), and a small convenience store (the Oak Hill Store) on Country Green Road (to the southwest), Region 10 offices (to the north), and COB 5th (to the south, across 5th Street).

Mr. Reitelbach said the applicant proposes to rezone the 13.63 acres of land, which includes 8.55 acres of land on the eastern side of Old Lynchburg Road, and 5.08 acres of land on the western side. He said there are currently three zoning districts that make up the property, which are R2 Residential (which allows 2 residential units per acre); R10 Residential (10 units per acre); and CO Commercial Office.

Mr. Reitelbach said the applicant has expressed an interest in rezoning to Planned Unit Development. He said as part of this, the PUD would be mixed use, with a residential portion on the 5.08 acres on the western side Old Lynchburg Road; and the commercial service shopping center uses, which would include a mix of retail, office, hotel, and self-storage on the eastern side of Old Lynchburg Road, which is 8.55 acres.

Mr. Reitelbach presented street-level views of the site in different areas, noting that this is a disjointed property on multiple sides of Old Lynchburg Road, with multiple intersections in the area.

Mr. Reitelbach presented the application plan that the applicant most recently submitted for Albemarle Business Campus. He said this is the site of the property on the western side of Old Lynchburg Road, which is designated as Block 1 in the application plan. He said here, they are proposing a maximum of 128 units of multifamily or townhouses, with no retail or commercial in this location.

Mr. Reitelbach said on the other side of Old Lynchburg Road, at the intersection with 5th Street and across from the County Office Building, is Blocks 2 through 5. He said there is no residential proposed there, and it would be a max of 225,000 square feet of the commercial service and shopping center uses spread across the four blocks, with the commercial and service uses designated for Blocks 2 through 4, and the commercial shopping center use at Block 5. He said the applicant has proposed putting a road through the center of those blocks to connect Wahoo

Way at Cavalier Crossing and Old Lynchburg Road.

Mr. Reitelbach said as part of the submission for this application, the applicant has submitted four Special Exception requests, including reducing the minimum acreage requirement of the PUD from 100 acres to the 13.63 acres that the property contains; waiving the requirement for building permit issuance for commercial service uses and shopping center uses (noting there is a certain timeline where building permits have to be issued for a certain amount of the residential uses before the commercial service and shopping center uses, and that this would waive that timeline); and waive the requirement that there be a specific ratio of the total gross floor area in the commercial and service areas of the PUD.

Mr. Reitelbach said with the application, the applicant has included two proffers. He said one proffers out certain future uses, specifically in the Highway Commercial Zoning District, which would be prohibited in the shopping center area and would otherwise be permitted in the shopping center area. He said the shopping center area of a PUD allows any use of Highway Commercial, Commercial Office, or C1 Commercial by right.

Mr. Reitelbach said the applicant has also proffered certain transportation improvements for the intersection of 5th Street and Old Lynchburg Road in the adjacent corridor. He said there are three options that the applicant has provided, including either installing a traffic signal at the intersection; provide $450,000 cash to the County for transportation improvements; or provide $225,000 cash to the County in dedication of right of way for improvements. He said part of the reasoning for those options is that there is still an ongoing corridor study along the 5th Street Corridor by VDOT, which is not expected to be completed until the summer.

Mr. Reitelbach said he would provide a brief history of the project. He said it was first submitted to the County in March of 2019, and approximately a month later, in April 2019, a community meeting was held at the 5th and Avon Community Advisory Committee.

Mr. Reitelbach said about six months later, in October of 2019, the Planning Commission held a public hearing on the original submittal, after several revisions, with staff's comment. He said at that public hearing, the Commission voted 7:0 to recommend denial of the rezoning and the five Special Exception requests that were associated with it.

Mr. Reitelbach said on November 20, this item went to the Board of Supervisors, and the Board voted 6:0 to refer the application back to the Planning Commission, at the applicant's request, due to proposed changes to the rezoning request that the applicant had wanted to make. He said those changes were made and were resubmitted to staff in December of 2019. He said those changes are what was in the application plan and staff report presented to the Commission as part of this work session.

Mr. Reitelbach said they are now in the February work session that the applicant had requested when he resubmitted the application in December 2019.

Mr. Reitelbach presented three questions he had posed in the work session staff report, which includes, *"Does the Planning Commission recommend other zoning districts for this project, such as another Planned District, or a combination of various zoning districts?"* He said the Planning Commission had expressed a concern about the proposed PUD Zoning District at their October meeting.

Mr. Reitelbach said the second question is, *"Does the Planning Commission recommend other types of uses in this area, specifically in the eastern portion, at the intersection of 5th Street and Old Lynchburg, which is designated as Community Mixed Use?"* He said the applicant is still proposing a variety of commercial uses in the area, but that he has removed all proposed residential uses in that area that were included in the first iteration of the project.

Mr. Reitelbach said the third question is, *"Are there interconnections or other transportation or public amenity-related features that the Planning Commission sees as being able to more successfully achieve a goal for a cohesive neighborhood for the proposed PUD, or in this area?"*

Mr. Reitelbach said the applicant had requested to present some information of his, and if this was an appropriate time, it would work best within his presentation.

Mr. Bivins asked if there were any questions for Mr. Reitelbach.

Ms. Firehock remarked that it was a strange site bisected by a very wide road. She asked for history on how this site came to be considered one parcel. She said this why she struggles when they have conversations about the cohesiveness and connectivity of the site, when there is a large road in the middle of it.

Mr. Reitelbach replied that he was not sure of the entire history of the site, but that the area to the right (that appears to be one parcel) is TMP 76-46A, which is part of the same legal parcel as the triangular area with a tail on the west side of Old Lynchburg Road. He said TMP 76-46F is all one parcel, even though it is split by Old Lynchburg Road. He said the small area he identified as a portion of 76-46F to be rezoned is actually part of the legal parcel that Region Ten is on. He said their parcel is also split by Old Lynchburg Road. He said 76-54 is the other triangular shaped parcel up against Wahoo Way and Cavalier Crossing, directly across the street from the County Office Building. He said this is the legality of the parcels and how they fall into real estate.

Ms. Firehock said she understood the parcel boundaries, but that this was what was making it difficult to review the site.

Mr. Reitelbach offered to look more into the exact history of the parcels and provide the Commission with more information.

Ms. Firehock said she didn't know if this was necessary, but that she was only trying to understand it.

Mr. Randolph echoed staff's recommendation to remove the relationship between both of the sites, as there is no symbiosis, integration, interconnectivity, or natural environment for systemic operation between the two areas. He said they are distinctly different, and that the applicant is now treating them as separate entities even more so. He said it is important for the Commission to look at them as discrete, separate entities, and not as two entities that have some sort of common connectivity between them.

Mr. Bivins opened the public hearing (although it was a work session) and invited the applicant to come forward.

Mr. Kyle Redinger, developer for the site, said he could answer the question about the strange layout of the site. He said VDOT realigned Old Lynchburg Road in the 1980s, and the whole site (from the boundary edge, to Region Ten, to Cavalier Crossing) was one big farm. He said they then split it, which cut off a portion of what is now Region Ten, and split the site into two.

Mr. Redinger acknowledged Mr. Randolph's comment that the sites are different and are being treated differently. He said he believes the connection between the two is important from a transportation standpoint, which is one of the reasons they are considering this as a full application.

Mr. Redinger said the Albemarle Business Campus is a business center with positive impacts to Albemarle County's economic, transportation, and placemaking needs. He said they are aware of where the site is, but that he wanted to reiterate how valuable the site is for an office park. He said it is one of the last few greenfield sites in Albemarle County with easy transportation access, and so one can get onto I-64 and be anywhere in town very quickly from the site, and be able to get to Downtown Charlottesville or UVA in 5-10 minutes. He said it is a very attractive site for future office tenants.

Mr. Redinger said the site is also an opportunity zone, which is important because the County chose to designate the area as a place for revitalization through federal tax incentives. He said this means two things for the site, relevant to the Commission. He said the tenants that will want to locate there will be there, or want to be there, for 10 years. He said there are federal tax incentives that don't kick in until one has been at a location for 10 years. He said it also means that he and his development team will be there for 10 years, and that they are not planning on doing anything with the site other than develop it.

Mr. Redinger said he was not there to try to argue for PUD or the type of ordinance, but that he wanted to say it was very important to think about the site in the context of a connection to what's a larger residential area. He said that interconnectivity and how the site flows from a very dense residential area to the very important future intersection at Old Lynchburg and 5th Street should be kept in mind while going through the presentation.

Mr. Redinger said his vision for the site has four pillars. He said the first is that it is an opportunity zone, and so some economic development should be done there. He said secondly, he wants to make the site attractive. He said he has lived in the area for almost 40 years and wants to make the site attractive to the community and the Commission.

Mr. Redinger said he wants to contribute positively to the community and that every year, they hear about budget shortfalls in schools and various impacts that aren't being paid for. He said with a site that is predominantly commercial, they can have a very positive impact to the community.

Mr. Redinger said he also wants to be a good citizen by managing his impacts through constructing specific improvements and proffering those improvements, such as the traffic light, that are directly related to the project.

Mr. Redinger presented the proposed site plan for the most important part of the site, adding that he had only shared it with staff a few days prior. He said the layout takes the block plan that many of the Commissioners had had issues with, for a variety of reasons, and sheds much more detail into the types of uses, structures, and how the site will be organized, moving forward.

Mr. Redinger said he would go through each of the uses of the buildings and the scale and massing of the site. He said Buildings A and B are 1-1.5 story retail uses. He said he considers these uses more important for having visibility to the road, and could include uses such as a café, urgent care, or other professional office. He said these would be uses that serve the broader community, with tenants who want so many vehicles per day or access to the road, which is important for many retail tenants.

Mr. Redinger said combined, those buildings are only 10,000 square feet, and that the intent here was to put in buildings and make a place for future tenants that serve the broader 100-acre residential community as well as people within the site. He said they want people to come there, stay, and work there, or live across the street. He said he doesn't want people to drive from far away, but wants to draw them into the site.

Mr. Redinger said the buildings are also arranged in a way to frame the intersection. He said he wasn't sure exactly how the VDOT traffic study would come out, but that he had a feeling that with whatever improvement is proposed there, the intersection will be very important, and that it will be nice to frame it with nice architecture.

Mr. Redinger said Building C serves as an anchor tenant. He said it is a 20,000-square-foot pad not to exceed 3 stories, or 50 feet. He said they look at this as a building that would be attractive for the types of professions that Albemarle County is looking for. He said he likes to use the example of WillowTree, as this was a very successful project where a desirable employer was brought to the County, and that there are many benefits associated with that. He said they are therefore designing a site around a core tenant, with a prominent location in the site.

Mr. Redinger said Building D/E is a mixed-use building, with retail on the ground level. He said the building will actually be 2 stories underground and 3 stories above-ground, so it is technically 5 stories, but the topography allows to bury much of the stories, so the massing of the building will be set back and not easily visible from the road. He said it will be designed in a way that will make it look very similar to an office building.

Mr. Redinger said Building F is the only building that he is asking for some flexibility of uses. He said the reason is that it will take 5-10 years to build out the site and that hopefully, there is not a recession. He said in the future, they don't know if a hotel or more office would be more appropriate there. He said he would rather do office there, but that he didn't know what the right use is, at this point.

Mr. Redinger said a lot of time was spent in the first Planning Commission meeting on how they are going to arrange the green space and open space in the community, and so there are four distinct areas in the site plan that he believes will be very usable and attractive to tenants in the community. He said the first was Park 1, which would be a pocket park located on the corner of the intersection with a bus stop, and will draw people into what he imagines to be a seating area for a café or restaurant. He said this would be something that is covered and will invite people in from a multi-use or pedestrian trail into the site.

Mr. Redinger said Park 2 is a 5,000-square-foot park, which is a primary amenity for the main office building but could be used by anyone on site. He said it is an open space with some picnic tables or benches. He said he could imagine a professional worker coming out of the office, going to buildings near Area 1, picking up a coffee or sandwich and comes back to the park to sit and have a working lunch with their team.

Mr. Redinger said Area 3 is another pocket park amenity space for the tenants in that building.

Mr. Redinger said Area 4 is a fenced-in dog park, noting that Albemarle County is a very pet-friendly area and that there are many companies that allow employees to bring pets to work. He said he would like to have an area for the animals to run free in during the day.

Mr. Redinger said none of the buildings have impacts on the schools, and they all are very net positive contributions to Albemarle County's taxes.

Mr. Redinger said one of the challenges with designing an office park or campus is that a lot of parking is needed, especially for a suburban office park. He said there is some conflict with Entrance Corridor guidelines about how parking is relegated, and how much parking is visible from the street.

Mr. Redinger said they have not rendered the plan yet, as he imagines they will make some changes after the meeting, but that the site is a "big bowl," and the entrance won't be at street level, but slightly lower. He said one can imagine the trail sitting at street level, with at least two rows of trees on either side of the 14-foot multiuse trail. He said when the trees are fully grown and the site is mature, he believes the relegated parking will be relatively invisible and will look somewhat similar to Cavalier Crossing. He said the buildings would rise slightly above the tree line and be visible from the street.

Mr. Redinger reminded that this will all be under the purview of ARB, and that the applicant is working with a local architect on the initial design of the buildings to get a better sense for how the site will look, which he will present at the next meeting.

Mr. Redinger said the connectivity component is very important to the applicant, and that there are trails and connections to just about every adjacent property from their property. He said they are doing everything that County Transportation Planners have asked them to do when it comes to walkability, pedestrian access, and multiuse trails. He said the internal connections are all walkable and are all around the parks and how they connect to each other. He said they have proposed to do crossings from one side of the street to the other so that if people are walking from the larger residential community, they can easily access the site without using their car.

Mr. Redinger said they have also designed the site in a way to proffer their traffic impacts, noting that they still have to do a full traffic study, based on any changes from the meeting. He said they have designed it in a way, if the County decides that they want a roundabout, for instance, to do that. He said they have also proffered to build a full traffic light, if the roundabout is not the ideal option.

Mr. Redinger said to Mr. Randolph's concern, this is a different site across the street. He said he didn't think it was a strong commercial site, for access and visibility reasons. He said looking at the adjacent parcel with the Brookdale Apartments, they have replicated that design on their parcel. He said there are five buildings, and that 15% will be affordable at 80% of AMI or lower.

Mr. Redinger said they have also proffered a usable, central amenity space, which had been another concern from the Commission. He said that would be a clubhouse, pool, or some combination of those things.

Mr. Redinger said in summary, he hoped he achieved the goals about the design of the site. He said as next steps, he would love to hear and incorporate the Commission's feedback, adding he was there to listen and learn. He said he was impartial to the type of zoning requirement and code used. He said he really liked the design they have, and if there are additional things that need to be included, this can be done under a different type of ordinance.

Mr. Redinger said they would do their final traffic study and come back with renderings of the project. He said they will submit the revised plan. He said he tried to simplify Mr. Reitelbach's questions somewhat for the Commission, as he presented those questions.

Ms. Firehock opened the public hearing and asked if anyone wanted to speak.

Mr. Matt Bonzac (1143 Cottage Green Way) said he lives down Country Green Road from the proposed development. He said he was happy to hear that the applicant is considering putting in a traffic light, which they had not talked about previously. He said a traffic light is desperately needed there, even if the plot never gets developed.

Mr. Bonzac said he was concerned about pedestrian connections, noting that the sidewalks in that area are not great, and that along Country Green Road, there are no sidewalks. He said he would love to get sidewalks as part of this project, if possible.

Mr. Bonzac said he was also curious if there were any plans to mitigate loss of forested area. He said forests are good for the climate, and if more trees could be planted elsewhere to make up for this, it may be helpful.

Mr. Redinger said he believe they were doing all the sidewalks that were asked for. He said he hadn't considered the tree replanting elsewhere, but did consider solar panels on many of the building roofs. He said tree replanting was certainly an option they could consider.

Mr. Bivins brought the matter back to the Commission for questions.

Mr. Randolph asked if Mr. J.T. Newberry (Economic Development staff) could answer questions about opportunity zones on the property.

Mr. Newberry said he had no plans to make any comments that evening, but was happy to talk about opportunity zones. He said the applicant covered what they think would be the attraction of the area. He said he and Mr. Roger Johnson (Economic Development) get to know people who are interested in taking advantage of the federal program. He said through the grapevine, there is no obligation to report or make known anyone's intent to take advantage of the tax opportunities, but they do believe that a large part of the County's targeted industries would benefit from using opportunity zones, and that they do not have much space for them to locate. He said they believe that this site would be attractive for several of those industries.

Mr. Newberry said they could get into the mechanics of some of the opportunity zone legislation. He said it was just finalized in December, and the whole country is continuing to get its arms around all the different ways it can be used. He said there are some places using it for social good, and others using it strictly for business purposes. He said it is a flexible program and that Economic Development would be excited to see it in a place there for those businesses to be a part of.

Mr. Randolph said the main question he was asking Mr. Newberry to clarify for the Commission (and for the Board, going forward) was if both of the properties before the Commission that evening potential opportunity zones. He said as he recalls looking at the map, he did not see that it jumped over south to the western/southern portion of what is proposed, and that it was only an opportunity zone on the northern/eastern side of Old Lynchburg Road.

Mr. Newberry said he believed the full site under consideration was within the opportunity zone. He said it is a layer within the GIS web, and that the Census track covers the entire area.

Mr. Randolph asked if it was Mr. Redinger's understanding as well that the entire property was an opportunity zone.

Mr. Redinger said yes.

Mr. Keller noted that when they first heard about opportunity zones, it was about an economically distressed community where new investments, under certain conditions, may be eligible for preferential tax treatment. He said he keeps seeing this morphing into an opportunity to shelter massive amounts of capital gains. He asked Mr. Newberry if in Albemarle County, since there is an opportunity zone to the north and one to the south, he sees any opportunity for economically disadvantaged people to benefit from this. He said that from the outline and from the applicant's information, it seemed to him that it was not really fitting the framework for those sorts of individuals to benefit.

Mr. Newberry said he understood Mr. Keller's question, and that this was something that the entire country is trying to understand. He said there were a series of work sessions that the Treasury Department held trying to come up with ways that investment could be tracked, as well as outcomes such as the number of jobs created, the increase in average wage for an area, the household income that changes over time, and whether the investments that took advantage of the program resulted in something tangible for the people there.

Mr. Newberry said he believed that time would tell, and that there was nothing immediate by the letter of the law that would require that. He said it truly is a more flexible way for capital to reach projects and businesses, as it can be used for real estate as well as for operating businesses. He said to the extent that people have greater access to capital, and they're able to utilize that to provide opportunities they wouldn't otherwise be able to, he believes this is where they will see the change. He said much of this so far, in the case studies he has seen, has not been something that has been required by the law, but strictly coming from the owner of a site; or that with the owner of a business that wants to grow and create those opportunities, it's been an intent by the property or business owner more than through the law.

Mr. Bivins said what the Commission was there that evening to do was to have a discussion about the ZMA. He said while he appreciated the conversation about opportunity zones, as it was relevant, he hoped that the questions would move them along, and not necessarily result in debating the pros and cons of an opportunity zone that evening.

Mr. Randolph said he was not into challenging opportunity zones, but was trying to determine whether the site lends itself to opportunity zones. He said he also wanted to know the consequences of being designated as an opportunity zone, or if the application was consistent with what opportunity zones are purportedly designed to do.

Mr. Randolph mentioned that at a TJPDC workshop on opportunity zones, Kristen Dolman pointed out that one of the problems with opportunity zones is gentrification. He said what they are looking at on the northern portion of the two sites is definitely gentrification in terms of businesses. He said they are not looking at affordable housing at 60% AMI, or 40% AMI, which would meet the requirements of the constituents. He said this is why he is trying to look at the opportunity zone aspect, as it adds a dimension of a public good to the project, and that he is trying to define whether this is going to provide a return for the County, and if they will get something positive that is discernible and official for the community as a result.

Mr. Bivins suggested that the Commission move through the staff questions, as one of the questions would be an opportunity for Mr. Randolph to get to this piece.

Mr. Randolph agreed.

Mr. Reitelbach continued the staff presentation with the three questions posed by the staff report.

Mr. Reitelbach said the first question was, *"Does the Planning Commission recommend other zoning districts for this project, such as another Planned District, or combination of districts?"* He said this was for the various reasons that there are residential components versus commercial office, and the fact that there is a major road that bisects the property, splitting it into two areas that don't have many natural connections.

Mr. Reitelbach presented a map of the current zoning of the site in the area. He said depending on the parcel, the site is a mix of R10, R2, and CO zoning. He said there are several other zoning districts in the immediate area as well, including C1, R4, PRD, R15, and R6. He said the current by right development of the property, using all potential bonus factors, is up to 73, and that is only if the applicant was able to use all the bonus factors. He said the overlay zoning districts for the site are the Entrance Corridor, with all portions of the property being in the Entrance Corridor; the Airport Impact Area; and that managed steep slopes appear on the property on both sides of Old Lynchburg Road.

Mr. Reitelbach said the application has come in as Planned Unit Development (PUD), and that there was a lot of discussion about whether this zoning district was appropriate at the previous Planning Commission meeting in October. He said PUD is one of only two mixed-use districts that allows a full mix of uses in the Zoning Ordinance. He said the other is the Neighborhood Model District, which would allow a full range of commercial and residential uses. He said a code of development is not required in a PUD the way it is in an NMD, as the sections of the PUD Ordinance refer back to the existing Zoning Ordinance, Chapter 18, Section 4. He said all sections of the PUD Ordinance can be waived or modified by the Board, depending on the given situation.

Mr. Reitelbach said other possible zoning districts that were mentioned in the staff report include NMD, which is a mixed-use district that allows a full range of commercial and residential uses. He said it is a planned district that would allow for open space to be included, the rough conceptual layout of the site (including roads and buildings), and various uses to be designated for certain blocks. He said the NMD, however, can be somewhat difficult on staff to administer once it gets to the site plan and subdivision level because there is an individual code for every NMD zone instead of using what is the existing Zoning Ordinance.

Mr. Reitelbach said there is also the potential for a mixture of zoning districts. He said there is other planned development, such as the Planned Residential Development, which may be more appropriate for the residential component on the west side of Old Lynchburg Road; and Planned Development Mixed Commercial, which allows a wide range of commercial uses, including almost all by-right uses that are allowed in HC, CO, and C1 Commercial Districts. He said there are only a few not permitted in PDMC, such as storage yards. He said there is also a range of conventional districts that may be appropriate, including the ones mentioned, but that none of those individually could incorporate all the various uses that the applicant proposes for the site.

Mr. Reitelbach said the second question is, *"Does the Planning Commission recommend other use types in this area, or does the variety of commercial uses meet the intent of the Community Mixed Use designation that's in the Southern and Western Urban Neighborhoods' Master Plan?"* He presented a map of the Master Plan showing the Community Mixed Use area, which is the part of the property on the east side of Old Lynchburg Road. He said a portion on the west side is Urban Density Residential. He said it is important to note that the County Office Building across the street is designated as a Center of the community in the Master Plan.

Mr. Reitelbach said Community Mixed Use is the main focus of the question. He said the applicant is proposing several blocks, including commercial shopping center and commercial service areas. He said that in the Community Mixed Use designation, it does state that no individual building should be over 60,000 square feet, with a 60,000-square-foot footprint, and the applicant is proposing maximum square footages in each of the blocks, with some of them going over the 60,000-square-foot requirement. He said the applicant does not specify whether that maximum square footage would be multiple buildings, or would be all in one building.

Mr. Reitelbach presented a slide further showing the Community Mixed Use area and the various types of development that are recommended. He indicated to buildings fronting on the road, and to an area where Community Mixed Use would be an interesting location, as it is on the edge of an Entrance Corridor. He said those buildings along 5th Street, according to ARB guidelines, should also front along 5th Street, along the Entrance Corridor, to meet those guidelines.

Mr. Reitelbach presented a portion of the application plan that the applicant has provided, showing the strip of land along 5th Street. He said at the intersection is "parking prohibited" to potentially better encourage those buildings to front along 5th Street, as the ARB guidelines call for.

Mr. Reitelbach said the final question is whether there are interconnections or other transportation, or other public amenity-related features that the Planning Commission sees as being able to help successfully achieve the goal for a cohesive neighborhood in the area, especially since it is an infill site and does include a property that is bisected by a major road that goes north-south from the County into the City.

Mr. Reitelbach presented the parks and green systems plan for the Southern Neighborhood, which designates a proposed greenway trail along 5th Street going from the I-64 interchange south, along 5th Street to the intersection where the property is located, and further south, towards Southwood.

Mr. Reitelbach said the applicant has proposed in the application plan to provide a multiuse path in that area along 5th Street from Wahoo Way down to Old Lynchburg Road.

Mr. Reitelbach presented a slide showing the proposed interconnections that the applicant has included on the application plan. He said he was including both the existing asphalt paths and sidewalks that are there, as well as proposed sidewalks in the area, both in the residential area and on the commercial side.

Mr. Bivins said they would take each question separately.

Mr. Keller asked if the Special Exceptions requested were tied to the PUD, and if they would therefore be covering them in the subset question.

Mr. Bivins said this was correct. He asked for feedback on the first question posed by staff.

Ms. More said in Mr. Reitelbach's summary for question 1, he talked about the Planned Development Mixed Commercial, which would require a Special Use Permit for residential. She asked if this would still allow the flexibility that the applicant spoke about with Building F.

Mr. Reitelbach replied that the PDMC could give the applicant more flexibility on that specific building. He said the Special Use Permit is specifically for residential uses, so that could limit any future residential uses in that building. He said the SP for residential in the PDMC does refer back to the R15 Zoning District in the Zoning Ordinance, so that can provide some additional limitations that perhaps more residential planned development would not have.

Ms. More asked if in the applicant's scenario, the SP would be needed to do the residential that the applicant was showing.

Mr. Reitelbach said this was correct.

Ms. More asked if in the future, it could allow for an SP in order to do residential over commercial.

Mr. Reitelbach replied that it could.

Ms. More said she personally felt that, having looked at all the other possibilities, that the PDMC seemed feasible. She acknowledged that it added another layer with the SP, but that it seems to possibly be the cleanest option. She said she still pushed back on the original request because the property was not 100 acres, and needed more Special Exceptions. She said the other option (NMD) is staff intensive and requires a code of development. She said she was in line about what staff recommends for Question 1.

Mr. Dotson said on Question 1, staff has a much better understanding of the nuances of the different zoning districts than he, as a Commissioner, did. He said what the staff argues makes sense to him. He said the applicant has said he was not hung up on any one district, as long as he can accomplish his objectives. He said if the applicant was intent on a PUD, then he would

have to make a much stronger argument. He said he presented a graphic that showed a 100-acre area, and that there would have to be an argument or narrative that went along with that graphic. He said he supports staff's direction in Question 1.

Mr. Dotson said in a way, this reminded him of the Commission's discussions early on with Southwood, where they were only looking at Phase I but had asked for a vision of the total project so they can see how Phase I fits in. He said he was still feeling this here, with this application. He said he didn't get an overall view or rationale. He said this is called a "business park," but other than calling it that, he didn't see how that's given life, as he sees the different buildings and apparently, if he added them up, it would be 225,000 square feet.

Mr. Dotson said WillowTree was mentioned, and that this site could be like WillowTree. He said WillowTree was drawn by the ambience of Woolen Mills, but that someone else might be drawn by the ambience of a green field site. He said somehow, he was not getting a vision for what the Albemarle Business Park is really about.

Mr. Keller concurred.

Ms. More asked if because Mr. Dotson found that the way the site is broken up, it was difficult to envision it.

Mr. Dotson said it is difficult.

Ms. More said she was feeling this way about it, but also recognized that it is a difficult property. She said to her, PDMC makes the most sense, even though it feels disjointed and difficult to make it feel whole. She said she appreciated the graphic that showed the entire area, even though she agreed that the applicant needs to make a stronger case for that.

Mr. Randolph disagreed with Mr. Dotson, as he was not comfortable with staff's recommendation for Blocks 2 through 5 that Community Mixed Use is the appropriate land use category. He said in terms of Block 1, he agreed that Planned Residential Development requiring an SP is appropriate.

Mr. Randolph said the Comprehensive Plan and Master Plan calls for a maximum of 60,000 square feet of commercial when a property is designated Community Mixed Use, but the applicant is proposing to build a maximum of 225,000 square feet of nonresidential on this property -- nearly four times what the plans call for here. He said the very intensive, nonresidential, commercial development is something that they will first have to identify with this property.

Mr. Randolph said that while staff is comfortable with the types of business uses to be exempted on the site, he submits that the Commission will be well served to carefully assess the uses that would be permitted. He said each of those uses have different traffic impacts in this congested corridor, and so the Commission and the Board need to know more specifically what the proposed businesses are because of the traffic impacts. He said rather than speaking vaguely about theoretical traffic impacts, they should be talking realistically.

Mr. Randolph said the applicant clearly desires to attract businesses off of 5th Street, which is why there is a continued unwillingness to have the proposed businesses facing internal to Blocks 2 through 5. He said they are facing outward, onto the street. He said if Blocks 2 through 5 primarily have street-facing businesses on the ground floor, then their greater drive-by appeal aspect must

be factored into the requested Traffic Impact Analysis (TIA). He said they know that the more businesses that are geared from the street, the more business that they will attract from the street. He said this is an indisputable correlation.

Mr. Randolph said the key question on the Blocks 2 through 5 property is what land use designation best fits the location of the property, given the unfolding pattern of development along 5th Street Extended. He said this is not taking place in isolation, and that there is a lot of dynamic change going on on 5th Street, especially down and across the street at Southwood. He asked if Planned Development Mixed Commercial really more accurately descriptive of the developer's expressed intention there than Office/R&D/Flex/Light Industrial for what Blocks 2 through 5 would be. He said he sees this much more as that category rather than Community Mixed Use. He said if it is that category, then they need to approach it, based on that criteria.

Mr. Randolph said he also thinks the applicant's description of uses strikes him as more consistent with Crozet Commons or the VNB Building at Pantops than the Old Trail Village Center, which they use as an analogy and is geared toward multimodal access and serves an immediate, defined community. He said there is not an immediate, defined community in this proposal.

Mr. Randolph said these were his concerns under Question 1. He said he didn't think they had the right classification for Blocks 2 through 5.

Mr. Carrazana asked if the traffic analysis was scheduled for the summer.

Mr. Reitelbach replied that the study of the corridor that VDOT is conducting is scheduled to be completed in the summer. He said the County Transportation Planner has requested (specifically for this application) an updated TIA to consider the new uses that have been proposed with the addition of more commercial uses in the project.

Mr. Carrazana asked if there had been any other traffic study done by the applicant, or anyone else.

Mr. Reitelbach replied that there was a TIA done for the original submission of the application, but not with the revised submission (which includes more commercial on the eastern side, and only residential on the western side).

Mr. Bivins asked Mr. Reitelbach to tell the Commission what he had heard from them regarding Question 1.

Mr. Reitelbach said what he gathered is that there is concern about the disjointed nature about the properties, as well as that PUD calls for 100 acres in the ordinance, and this property is well below 100 acres. He said perhaps other zoning districts are more appropriate, and not the more cohesive zoning districts like the PDMC and the PRD. He said Mr. Randolph indicated that the uses may not reflect the land use designation, which is an important consideration as well in looking at the zoning district for the property.

Mr. Bivins asked if he sensed that the Commission landed on a single place with the more residential piece (Block 1).

Mr. Reitelbach said this would be more of Planned Residential Development.

Mr. Dotson said in terms of logistics, if a downside of some of the alternative districts is the requirement for a Special Use Permit, and if that is being perceived as having to do a ZMA first, then come back to go through another process, he wouldn't imagine that there is a problem with doing those simultaneously.

Mr. Benish said those are actually typically done simultaneously. He said North Point was approved as a PDMC, with a Special Use Permit for the residential component, and that the same was true for Hollymead Town Center. He said Peter Jefferson Place was a PDMC that had a residential component. He said in those three examples, the SP was evaluated simultaneously and approved based on an application plan, so it can be lumped together, or the two rezonings can be reviewed simultaneously, taking two actions on them.

Mr. Bivins asked if given that there were exemptions being requested, they should give feedback on those now, given that they were still on Question 1. He also asked if, given that Mr. Reitelbach heard that the PUD is not endorsed, this negated the need for the Special Exceptions.

Mr. Reitelbach replied that the Special Exemptions really only apply to the PUD, so if there is no support for PUD, there is really no reason to consider those Special Exemptions.

Mr. Bivins asked the Commission if they affirmed the position that there is no support for PUD for this application. The Commission indicated this was the case.

Mr. Bivins asked to move on to the second question.

Mr. Reitelbach said the second question is, *"Does the Planning Commission recommend other use types in this area, or does this variety of commercial uses meet the intent of the Community Mixed Use designation that is currently in the Southern Western Neighborhoods Master Plan?"*

Mr. Keller said this is where he would go back to the real purpose of opportunity zones.

Ms. Firehock said she felt, in a way, that the staff questions were out of order. She said she felt that Question 2 should have been the first question.

Ms. Firehock said this may be an opportunity for the applicant to respond, but she was looking at the office park model, and harkened back to when office parks became popular in the 1970s and 1980s. She said she worked at Fontaine Research Park and had the experience of going to a big building in an office park with nothing else to do but go to other big buildings that look exactly the same, with the feeling of being trapped there and then having to get into her car to have to drive out of the office park to get anything real done at lunch time, or for mental health. She said she has seen new office parks designed where they have greenway trails and other amenities.

Ms. Firehock said when the applicant harkened to the Woolen Mills site, she didn't get that connection at all because that site has green amenities where they are working on the trail over the creek and people will be able to take nature walks, giving it an ambience. She said with the proposed site, she was questioning the market for the office park use, as they are all over Northern Virginia and she finds them dreadful. She said she is questioning the need for more massive, box sites. She said the thing she sees coming into the region that is more promising are startups and businesses that can find flexible, expansive space. She said the problem is that when looking for office space in this area, one finds 10,000 square feet at a time, which is not very helpful.

Ms. Firehock said the idea that this opportunity zone will realize its full potential by an office park with big, box buildings stuck there, and then across the way there would be traditional garden apartments, urges her to push the applicants, as she was not seeing the sort of innovation and design that would draw her there.

Ms. Firehock gave a headquarters in Redlands, California as an example. She said there are 4,000 people working there and that the place has been beautifully landscaped, so it feels like a park. She said what the applicant has is more of the Fontaine model, with the boxes and sea of parking. She acknowledged that the applicant put in a couple green parks in, but pointed out that they don't connect, so it doesn't lend to people walking for exercise. She also pointed out that the dog park was far away from some of the buildings and doesn't lend itself to convenience.

Ms. Firehock said she appreciated that the applicant showed the Commission a design, as they had complained the last time that they didn't have one. She said she was not seeing the imagination or the thing that would make this a vibrant area and outcompete the rest of the market. She said she worried that there would be a lot of empty buildings sitting there.

Ms. Firehock said when they get into the uses, she thinks an office park would be more successful if there were condos and office space together, and a café to have coffee and tea at. She said she feels that it needs to be mixed use for it to be something really different and make people want to move their business there.

Ms. Firehock said she has a small company, and the last four hires she made were not from the area because she couldn't find the talent there. She said it is a difficult market for firms to come to, even with UVA.

Mr. Carrazana said in the spirit of a work session and putting ideas out, he believes the applicant can have an organizing element there, but they have to perhaps look beyond their site. He said they have a greenway that they are taking an effort to address. He said perhaps this could be more of an identifier and organizer to the site in terms of how they look at their buildings, parking, and the relationship to the street and to the pedestrian way.

Mr. Carrazana prefaced that it is on a completely different scale, but that in some ways, it reminds him of what Atlanta is doing with the beltline, the type of developments that abut the beltline, and how this is transforming areas. He said some of them are new developments, while others are adaptive reuse, with both being successful. He said the applicant may want to look at that example and see how it was developed. He said it was perhaps not the old Fontaine model (adding that they were completely redoing Fontaine).

Mr. Carrazana agreed with Ms. Firehock that the County has too many of the types of office parks proposed. He said he understood that what the applicant was showing was not their final site plan, but that they had more to work with there than they were giving the site and the area credit for. He said they already have an identified greenbelt that runs through the space, and that they should think about what that could develop. He said perhaps what they are building with their project is a start to get other people thinking in a similar way.

Mr. Randolph said Mr. Carrazana made a very good point. He agreed with Ms. Firehock that if the project were changed, mixed commercial would be appropriate. He said as they were looking at it currently, however, in terms of Blocks 2 through 5, unless there is a residential component, he didn't see the fit.

Mr. Randolph said to answer Question 2, his primary concern is that the placement of a grocery store in Blocks 2 through 5 would add dramatically to the overall traffic impacts of the development. He said the "devil is in the details" in terms of what the uses are on the site.

Mr. Randolph said that with Mr. Carrazana's point of capturing the opportunities there, he didn't see the imaginative project yet. He read the statement that said, "This gateway project along the 5th Street Corridor should be attractive, innovative, and as green as possible." He said he didn't see that here. He said he saw more of an effort to put a small green space in. He said there is an opportunity to do something innovative in this corridor, especially in affordable housing, which he would address later.

Mr. Dotson said something that he thinks would help him as the proposal moves forward, and that perhaps staff should do rather than the applicant, is a picture that begins with 5th Street Station and comes down past the County Office Building, then goes on to Southwood. He said he wants to see what is there now, what has been approved to be there in the future, and then what could be there on greenfield or any parcels redeveloped to see if some of these things could be connected. He said the question then becomes what role the proposed site could play in achieving that. He said this was a broader perspective, and therefore perhaps not appropriate for the applicant to do, but that he believed staff could provide this, as it would give the Commission a context.

Mr. Dotson said in Question 2, for instance, staff says, "The closest commercial center is 5th Street Station." He pointed out that this would not be true for much longer. He said he wanted to see what else is there, and what kinds of uses would go into the nonresidential portion of Southwood.

Mr. Dotson said he thinks about target industries, and that the applicant should think about the business campus in relation to those target industries and if there is any opportunity there for those. He said it sounded more commercial and less about target industries. He said if economic development is a key component, he doesn't think it has been developed enough in the narrative.

Mr. Randolph said this is why he submitted that perhaps Flex/Light Industrial would be a more appropriate use on the site.

Ms. More said she agreed with what some of the others had said, and appreciated that the applicant offered the Commission an image. She acknowledged that this is an initial concept, and that the applicant was hearing a lot of points that would give them the ability to work with that. She said without having seen anything before, it was difficult, and so seeing the image (even though the applicant wasn't necessarily getting positive feedback about it) was still giving the applicant feedback. She said she believed the applicant had the ability to be creative and take information away from the session to think about the types of uses that will create the space they were imagining, as well as the uses that may not and may be listed to the things not allowed.

Mr. Bivins asked Mr. Reitelbach to tell the Commission what he heard from them on Question 2.

Mr. Reitelbach said he heard Mr. Carrazana's comment that using the multiuse path or greenway called out in the Master Plan could be used as a backbone or an axis. He said he heard that the applicant should determine what uses would be appropriate there, and how to have those uses interact with both the roads and nearby uses, and with the uses in and among the development.

He said he heard that the Fontaine Office Park model is not an appropriate use for the area, and innovation should be considered.

Mr. Reitelbach said Mr. Dotson had encouraged looking at the entire corridor of 5th Street from Southwood all the way up to 5th Street Station in order to understand what is there, what could be there, what the future for this whole corridor could be, and how this specific property could fit within the entire corridor.

Mr. Bivins said one thing they didn't hear come back to them was the whole idea of the amount of square footage that was in the plan and blocks, and whether or not they thought that the square footage there was aligned with how it is being presented. He said this is embedded in some of the pieces about whether or not it should all be commercial.

Ms. Firehock said she was more interested in mixed use, meaning she means residential is included.

Mr. Bivins said where he was going to with this was that it seemed there was much more of an appreciation for it not being simply a commercial space, and for it to not also be a space that lends itself to asphalt. He said there is a hope that there will be more of an integration with green space, since it is a greenfield site.

Mr. Randolph said therefore, Mr. Bivins just addressed Question 3.

Mr. Bivins said he also wanted to remind everyone that a developer doesn't have to deal with an opportunity zone, and that this is an option that is at the person's disposal and not an obligation. He pointed out that the developer did not say that he wanted a nexus between him and government.

Mr. Bivins said while they were pushing what particular areas in the County might be considered as opportunity zones, it was done based on what the area looked like. He said this was not the County's decision, but took place down I-64 and is not anything that a developer has to do. He said they are basically attracting money, and one could look online to see where the money is going. He said to date, it hasn't been running into Albemarle County for these kinds of projects.

Mr. Bivins said an opportunity zone is not the golden egg for getting a project done. He said it might help, but it won't necessarily be 100% of the funding.

Mr. Dotson said the question was raised about how much commercial would be appropriate. He said it would be helpful if staff could give examples, if one possibility is 60,000 square feet, of something the Commission is familiar with that is 60,000 square feet. He said he would like an example that is familiar of 225,000 square feet (which is three Lowe's).

Mr. Dotson said a hotel use was mentioned, as well as affordable housing. He said there is a connection, as hotels generate many jobs for people who require affordable housing. He said this is another linkage, as well as public transit, between several of the dimensions of the project.

Mr. Randolph said Rivanna Village is 60,000 square feet as far as the maximum amount of commercial space set aside there.

Mr. Bivins said Mr. Dotson may be looking for an example of a building. He said they were asking staff for examples of what those different square footages would look like.

Mr. Reitelbach presented the third question: *"Are there interconnections, or other transportation or public amenity-related features that the Planning Commission sees as being able to more successfully achieve this goal for a cohesive neighborhood for the proposed PUD?"* He said relating back to Question 1, he knew that PUD had not received much endorsement from the Commission, and so this question could be for any other zoning district, or in general for the property as far as how to achieve the cohesiveness while providing the amenities and interconnections.

Mr. Keller said looking at the interconnection between 2 and 3 on the plan, the open space and the green space was still remarkably small in relation to the number of parking spaces and the impermeable asphalt that would most likely be there. He said when discussing about 3 and mass transit and the types of uses that would attract different types of vehicular trips, it is also important to think about a future plan for a parking deck, as they are seeing in many communities where they plan for it, and as they grow and the amount of surface parking decreases, whether there is actually the ability to add other uses in to where that first phase parking is, whether they be commercial, industrial, or residential.

Mr. Randolph said in light of the current discussion about trying to provide a mix of jobs that would lend themselves to a variety of income earners, and especially lower income earners, and given the proximity to another opportunity zone in the City and to the 5th Street Corridor, there is the public transportation aspect. He said he would like to see space set aside there for a transit stop on the west side of 5th Street, and some involvement in trying to provide a facility on the east side as well. He said people coming to this facility to work could get on board a bus, whether it be JAUNT or CAT, or headed to UVA, and have access to transportation. He stressed that this would be critical here.

Mr. Randolph also asked to look beyond the 80% AMI (noting it is conventional) and look at a lower level, given the need within the community in terms of housing. He said there is an opportunity to be creative on the site and that he was looking for that.

Ms. More said she believed the design contemplated a stop there, and they would have a coffee shop or restaurant entry way there.

Mr. Dotson harkened back to a recent project placing the two buildings that are retail-oriented right at the location where Old Lynchburg joins 5th Street. He said at the major intersection, the example showed two small, 10,000-square-foot buildings there. He said it made him think of 999 Rio Road, where Belvedere joins Rio and putting commercial there.

Mr. Dotson said it looked as if the applicant's entrance to the entire commercial area was 160 feet back, more or less, as he scaled it on the screen. He said he anticipated adding to a problem there, if there is not some better way to access that commercial.

Mr. Dotson observed that there is a possibility of a traffic circle. He said it looked like that would take up the green space that was on that corner, if the traffic circle was the example. He said since green space is a concern, he took note of this.

Ms. Firehock said when talking about the idea of people living on one side of the street and potentially going to work at the office park on the other side, the transportation would have to be done very well because she thinks about Route 29, where her office is, and she cannot safely cross the road, as there is no crosswalk or walk light signal. She said she has to get in her car and drive across Route 29. She said because the road will continue to become busier, she does not know how they can make the two sides connect very well.

Ms. Firehock said she appreciated the applicant's efforts to contribute to the transportation costs, such as contributing to a roundabout or traffic light. She reminded everyone that the last time they asked the Transportation Planner what the cost of those improvements would likely be, what the applicant was offering for the circle was a drop in the bucket compared to what the actual cost would be. She said it is also difficult to cross around traffic circles because if lights are put in them for pedestrians to be able to cross, then the circle is ruined. She cited DuPont Circle in Washington, D.C. as an example.

Ms. Firehock said when she was in college, she lived in a garden apartment across from a shopping mall, but because of the great bike lanes, she was able to ride her bike to school, through the woods, go shopping, and do everything on her bike. She said there is this opportunity there with the site to create a green pathway where a worker could potentially ride a bike. She clarified that she did not mean along Old Lynchburg Road. She said there are ways the applicant can consider weaving some connectivity through their site, so it becomes attractive to locate your home or business in or near that site.

Mr. Keller expressed that he would like to see the transportation planning up front and the urban design scheme worked out up front. He said if they had the area plans, then they would be giving a direction for the development community to either agree and fit in with, or to respond with a creative alternative. He said the piecemeal approach puts the developers and the community at a disadvantage.

Mr. Bivins said the piece of Question 3, for him, is the whole idea of what cohesive means, and what a neighborhood is. He said those two pieces for Question 3 were very critical to him, as he thought through this. He said they could have a neighborhood of people who worked what was once the traditional day, 9-5. He said there is a university community, a community that has a residential treatment center (Region Ten) behind it, and across the street, an emerging townhouse/apartment community that is near some older communities.

Mr. Bivins said the whole idea that this new place should be something that tries to cohesively bring those disparate parts together is a hard thing to do. He said he also believes that the applicant's reputation has the ability to do it, from what he has been told. He said there are solutions to this land use that could have the project be a place that is a centering place as opposed to one that pushes the communities away from each other.

Mr. Bivins said that while he has heard for the last few years the issues about how they are getting people in and out of neighborhoods, this is something that a number of the senior members of the community, as well as the Supervisors, will have to wrestle with. He said they will have to figure out, in very deep ways, how to move people around and not simply people who are without means, but people who would like a serious decision on not having to use a car to get places on a daily basis. He acknowledged that some of those conversations were already taking place.

Mr. Bivins said that for him, the whole idea is not just about how to move people back and forth using public transportation, or through nonexistent roundabouts, but about what the development will do for the community, which includes the University, commercial, institutional, and whatever will be achieved at Southwood. He said the question was if the proposed site was a place that, in fact, could serve as a transition between the communities. He said this was his hope for the space.

Mr. Bivins asked Mr. Reitelbach what feedback he had gathered regarding Question 3.

Mr. Reitelbach said for Question 3, he heard that cohesiveness is important not only within the property, but within the greater 5th Street Corridor and the greater community. He said there are very different communities and neighborhoods there, and different residential groups and commercial areas such as Southwood, University students, or the various subdivisions there. He said the question was about how to help them move in and among the area, around the whole region. He said an important piece of this is looking at public transportation with the existing bus stop that is there and across the street at the COB, and how to connect those and ensure that there is more effective public transportation component along 5th Street and for the development.

Mr. Reitelbach said another piece was ensuring that housing is provided for the people who would potentially work at these businesses, or any other nearby areas (e.g. 5th Street, Region Ten), and how to connect to UVA. He recalled the mention of 80% AMI affordable housing, or potentially lower than 80% AMI.

Mr. Reitelbach said it was also mentioned to consider access into the site specifically, in terms of accessing the retail space, and that Mr. Dotson had brought up 999 Rio Road. He said the layout of the site should be considered so there are not traffic backups on 5th Street, which then gets into the greater issue of transportation around the greater corridor and region.

Mr. Benish added that the traffic circle also potentially conflicts with the open space.

Mr. Benish said it could be useful to give the applicant a chance to make sure the Commission has answered their questions.

Mr. Bivins said he was willing to do that, but he also wanted to give the Commission an opportunity to add anything. Hearing none, he invited the applicant to come forward again.

Mr. Redinger thanked the Commission for their feedback, noting there were many points to consider. He said in the uses of the site, perhaps it wasn't clear, but that they had already eliminated drive-thrus and auto mechanics. He said he didn't believe that they had eliminated grocery stores, but that those didn't work with the site plan layout. He said their biggest abusers of traffic impact were taken out of the site. He said that didn't mean there couldn't be a small, boutique grocery store there, but that they wouldn't see an Aldi or Whole Foods there.

Mr. Bivins said he could see something like Reed's there.

Mr. Redinger agreed that a Reed's would work. He said he didn't see many of those tenants coming around, but that he would certainly consider it.

Mr. Redinger said on the building size, the 60,000-square-foot footprint was something that they designed for each of the buildings in there, but that they never understood that 60,000 was a limit for the entire site, and would have never considered the project if they could only do one building compared to what they already have approved by right.

Mr. Redinger said it was a question of whether the storage building was too big for the site, as that is the only building that is over 60,000 square feet. He said the solution for that building was to keep the pad at approximately 20,000 square feet (the same size as the other buildings), but put two stories underground so they are not seen, then have the scale or massing be equivalent to everything else in the community. He said that is how they have addressed that sort of exemption, if it becomes a design challenge going forward.

Ms. Firehock asked what Mr. Redinger meant by having two stories underground, and if the meant they would be basements.

Mr. Redinger replied yes. He said on their storage building on Pantops, they have two below-grade floors that they access.

Ms. Firehock asked if this meant two stories below street grade, underground.

Mr. Redinger replied yes.

Ms. Firehock said she understood the grade change. She said she thought he meant that two stories would be literally, entirely underground.

Mr. Redinger replied that this is, in fact, what he meant. He said the site plan would clarify some of this.

Ms. Firehock asked if this would be self-storage.

Mr. Redinger replied yes. He said this relates to another comment that was made about having smaller spaces for startups. He said he is part of the Charlottesville Angel Network, which funded 40 local Charlottesville-area companies at $5-6 million in the last five years. He said they are competing with the Downtown Mall, noting that there are three new, large office buildings going up Downtown as well as the Dairy Building. He said that is their competition for space, but that they don't have opportunity zone, but he does. He said for a smaller tenant who doesn't have $35 per square foot for a new, Class A office, they go in E, which is mid-end, and that this would fit well on his site.

Mr. Redinger said the parking in the back, along Region Ten, is below grade, which is two stories below road grade for the main access road, and so that building is hidden using the underground component and topology of the site.

Mr. Keller asked to go back and clarify for Ms. Firehock. He explained that these buildings were not below ground, but that the topography is dropping off. He said it is what they used to talk about as a walkout basement in a house.

Ms. Firehock said that this is what she had thought.

Mr. Keller said they were not talking about below-ground workspaces or storage spaces.

Mr. Redinger said the Woolen Mills comparison was for the type of employer. He acknowledged that this site was nothing like that one, and that Woolen Mills was the repurpose of an old building on a much different site than his. He said the site comparison was not accurate, but that he wanted to express that he wanted to attract that type of employer because they are high-paying jobs.

Ms. Firehock said Mr. Redinger has to give them something "cooler" than Fontaine Research Park.

Mr. Redinger agreed, expressing that he didn't want to see big buildings with asphalt. He said he believed that they could do a much better job in calling out the green beltway and showing the Commission something much more unique. He said he has been talking to potential brokers and commercial tenants, and that the opportunity zone component of it makes it attractive for them.

Mr. Redinger said he had a good understanding of what he is supposed to submit, and would work with staff on the Zoning Ordinance. He said the only challenge is having a mixed-use product, acknowledging that Ms. Firehock likes the idea of mixed use, and that he tried to achieve that by having different uses in different pad areas. He said when he thinks about how to do that here, doing those projects are difficult to finance and that is difficult to find the types of tenants needed on a suburban site. He said if they were in Downtown Charlottesville, it would be easier. He said this would be the most challenging thing for him to do.

Mr. Redinger said they could potentially do mixed use in Buildings A and B. He said the challenge for those is that they would have to put elevators in the building, which drives up the cost and makes them less competitive with Downtown Charlottesville.

Mr. Redinger said he has had conversations with some people in the County, and that they expressed there is a huge shortage of all kinds of office space. He said he has a gym that is in a warehouse district, and that they are paying double what Richmond people are paying for a comparative space. He said they are truly lacking commercial space, and that if they do well with building anything on the site, they will attract tenants very quickly, even if it is a more traditional office park.

Mr. Redinger said with the orientation of Buildings A and B, the signage would be oriented to the street, as that is what tenants want, but that the access to those buildings will be from internally to the site. He said there could also be two accesses, citing the Cava building as an example (across from the CVS at the intersection of 29 and Preston). He said the entrance is not noticed due to the way it is architected, but that 95% of the customers are entering through the parking lot site. He said they would do some elements there that will be attractive for that.

Mr. Randolph said what would be helpful, when Mr. Redinger brings this back to the Commission, is to show them where he foresees the entrances being to A, B, C, D, E, and F.

Mr. Redinger said when he comes back, the questions about building scale, and how this looks and feels with the greenway, would be addressed through some type of 3-D rendering that will give a better feel of the site. He said this would explain how the intersection with the business stop will look and feel, rather than just showing 2-D squares.

Mr. Randolph brought up the point of looking at strategic priorities for Economic Development. He said Mr. Redinger is running up the banner of being commercial space being critically needed within the County. He said there is also a need for flexibility for businesses in terms of what kinds of activity they will be utilizing. He said mixed commercial is limiting in some ways whereas, if looking at a potential broader range of users, having it be flex space or light industrial allows them to attract businesses that are perhaps more the profile of those four strategic priorities, which allows to better utilize the site in all the ways the applicant wants to utilize it. He asked the applicant to consider this as a potential added benefit.

Mr. Redinger agreed, and said he had plans to do much of this in the area of E and F, and that they could think more creatively about how to do F as a nontraditional office design.

Mr. Keller said he had a question for everyone to think about, and that perhaps Mr. Redinger could provide a succinct answer, as he had a storage building plan. He said they are encountering a number of proposals for the new type of climate-controlled, multistory storage building. He said in Gainesville, there are two towers framing the streetscape of the city with five- or six-story storage buildings. He asked what was going on with this phenomenon, and if the proposed site was really the best place to have a storage building. He asked if they should be thinking about having a storage building park somewhere with multiple developers, and if storage was the new thing that should be taking up these types of prime spaces. He said this was a question for everyone to reflect on.

Mr. Redinger said the location for storage area is very valuable, as it is very close to UVA and would be the closest storage building to most of the students attending UVA. He said the industry is fascinating and tends to get overbuilt in boom periods. He said in major Tier 1 markets, it is massively overbuilt, and that rents are substantially declining in those markets today.

Mr. Redinger said because of the Zoning Ordinance there, they could only do it in Highway Commercial zoning, or through a rezoning, so it has been limited because the dirt and land is so expensive and traditionally, it chases out the major players. He said historically, they have only had local people with single-story buildings, and now land prices have now caught up to the point where the economics make sense for storage. He said he would imagine it would get overbuilt there in the area too, and that hopefully it would not be around his project. He said on Route 29, there is a fear that there is too much supply.

Mr. Keller asked Mr. Redinger how many stories he was envisioning for the storage building.

Mr. Redinger replied that it would be three stories above grade and two stories below grade.

Mr. Redinger said Shimp Engineering is somewhat unsure of the exact zoning approach the applicant should take in their next submission. He said he would love to do something like that site plan and would like to be very specific about the building masses and scale. He said he knew that this was jumping the gun on zoning, but if they could work towards something like that, he was happy to submit a specific site plan.

Mr. Bivins said there were brilliant staff who heard everything that was discussed that evening, and so this is a conversation he would ask Mr. Redinger to have with them, as the Commission is not going to tell him what zoning he should have. He said he would ask Mr. Benish and staff to sit with Mr. Redinger at an appropriate time to have a conversation about what they have heard, and what options are available to get to what he needs.

Mr. Benish said the conclusion was that it was more about the types of uses permitted and not permitted, their relationship to traffic, and providing a mix of uses on the site than the actual zoning district. He said there was some acceptance for mixed commercial as a possibility, but that it was really about what is permitted, what scale it uses, and what its impacts are to transportation. He said staff would come back with that, and could check back in with the Commission as they move through that resubmittal.

Mr. Bivins thanked Mr. Redinger for hearing the Commission's feedback, acknowledging that Mr. Redinger was hearing feedback on a project that means a lot to him, and that there are timing pieces that are critical. He said Mr. Redinger hopefully had enough information to do some deeper work with his team, and that the Commission looked forward to seeing what he decides to bring it back.

At 8:43 p.m., Mr. Bivins announced a 10-minute recess.

At 8:52 p.m., Mr. Bivins called the meeting back to order.

Presentations

Housing Policy Status Report

Ms. Stacey Pethia, Principal Housing Planner, said she would give an update on what has been named, "Housing Albemarle," which is an update on the affordable housing policy.

Ms. Pethia gave a brief recap. She said in 2004, the current affordable housing policy was adopted into the Comprehensive Plan as an appendix. She said there were minor changes to that housing policy during the 2015 Comprehensive Plan update.

Ms. Pethia said in April of 2019, the Thomas Jefferson Planning District Commission released the Housing Needs Assessment Report, which indicated that currently, there are approximately 10,700 households within Albemarle County that are paying more than the recommended 30% of their income for housing. She said they felt that this was a good time to look again at the housing policy and how they could update it to begin addressing those concerns.

Ms. Pethia said in July of 2019, the Planning Commission passed a Resolution of Intent to amend the Comprehensive Plan by amending the Housing Policy.

Ms. Pethia said staff has been following a three-step process that started with community engagement, which ran between September of 2019 and December of 2019. She said there is a policy recommendation development, which has been ongoing since October, and creation of a policy implementation strategy. She said they are on track to have that strategy finished in March of 2020, along with the draft of the Housing Policy.

Ms. Pethia said staff held three community meetings in October. She said the first session evolved around learning, which was staff providing information to the attendees about housing needs in the community, about the regional housing plan, and how the update process would work. She said the second session oriented around listening, which gave the residents who attended the meeting the opportunity to talk with staff about their experiences with housing. She said the final session was oriented around solutions, with discussion about potential policy and program tools to address needs in the community.

Ms. Pethia said the discussion topics focused on five broad themes, and one was housing in the community. She said this included what types of housing exist there now, what they are missing, how people felt about housing and if it was really meeting their needs, and needs and concerns around affordable housing. She said it also involved the community vision for housing, including what people want their neighborhoods to look like, what types of housing are needed, and what they want their communities to look like in the future.

Ms. Pethia said they also discussed barriers to affordable housing. She said when looking at housing needs, the question was to what issues residents are running up against in terms of being able to access housing they can afford. She said there were discussions about the possible policies and programs that could be used to address housing needs in the area.

Ms. Pethia said that through those conversations, there were a number of points that rose to the top. She said first and foremost, there is a lot of concern that housing in Albemarle County is far too expensive for many families who live there. She said there is also concern that there is a lack of accessible housing for seniors and people with disabilities. She said residents identified a need to protect the existing, older neighborhoods and do not want to see them gentrified nor deteriorated.

Ms. Pethia said a lack of affordable housing has wide-ranging impacts, and that residents pointed out that many of the jobs in the area are service-oriented and don't pay a high enough wage for those workers to afford to live in Albemarle County. She said this leads to increased traffic, as well as difficulty for local employers to attract the employees they need.

Ms. Pethia said the residents highlighted the need to address community environmental and sustainability issues. She said this related to public transportation routes and how the County doesn't have enough, and doesn't go places that they need. She said there were discussions about energy efficiency and upgrades to housing.

Ms. Pethia said through the review of all the comments received, there were four main barriers to housing that were identified. She said there were supply-side resource barriers (including a lack of affordable land), a lack of funding, policy and programmatic issues (e.g. the zoning code possibly needing an update to make different housing choices available), and community-based barriers (e.g. NIMBYism and a lack of awareness among community members about affordable housing needs, and how this can be fixed).

Ms. Pethia said that since 2019, she has been working with a nine-member stakeholder committee that includes a representative for seniors; local developers; a for-profit developer of affordable housing; a local employer who relies on service industry employees and is concerned that his employees cannot afford to live in the county; a representative from IMPACT; a Regional Housing Partnership member; a low-income household representative; representatives from the homeless community; homeowners; and the City of Charlottesville (to talk about ways to coordinate efforts).

Ms. Pethia said currently, they are finalizing the policy recommendations. She said she is working with some of the planners to go through the housing chapter of the Comprehensive Plan and look at how they can make the Housing Policy and that chapter work together.

Ms. Pethia said staff still anticipates being able to hold a joint work session in April with the Planning Commission and Board of Supervisors. She said this will be the first time looking at the complete draft and receive feedback from both bodies on that document.

Ms. Pethia said once staff has those comments, they can incorporate them into the policy document and then put it out for public review and comment for about six weeks, between May and June. She said they would then receive those comments, finalize the draft, and present that to both the Planning Commission and Board of Supervisors in August and September for final approval and adoption.

Ms. Firehock said she hoped Ms. Pethia was spending a good amount of time looking at the link between transportation and affordable housing. She said the southern part of the County has a lot of affordable housing, but the cost of maintaining vehicles to try to get up to where the jobs are in Charlottesville makes it difficult. She said the transportation piece is critical in allowing people to access the affordable housing that the County has while being able to get to work without having to own two or three cars.

Mr. Keller asked if the Planning Commission will have an opportunity to see the work that Ms. Pethia is doing on the Comprehensive Plan and working on the housing portion of that before the joint meeting.

Ms. Pethia replied that she would get something out and week or two before that meeting.

Mr. Keller said that there has been a lot of rural information coming from the TJPDC, and that Ms. Pethia had been hoping that some of that would be available at a later stage. He asked if this information had become available.

Ms. Pethia replied yes. She said she received the raw data that was used in that report and that she would need to pull that data out.

Mr. Keller asked if the three-city ADU study that Ms. Pethia has been involved in would be part of the discussion as well.

Ms. Pethia replied that there is a recommendation for an Accessory Dwelling Unit program in the policy and that this was her addition to it.

Mr. Keller asked if there would be some data around this, noting that she had said the area has more ADUs than Portland or D.C. per capita or per resident.

Ms. Pethia replied that she did not have that data and would need to track it down.

Mr. Keller said he has been interested in factory-built housing as a component, and whether there would be any necessary code changes for modular units built in factories to be utilized so that they could be smaller square footage, but they could grow.

Ms. More suggested coordinating with the Department of Social Services.

Ms. Pethia replied that Ms. Phyllis Savides from DSS is on the stakeholder committee.

Mr. Dotson said he had a question he didn't expect Ms. Pethia to be able to answer, and prefaced it by saying that year ago, a writer described affordable housing as the "conscience of growth management," meaning that if growth management adds to housing costs, people should have a conscience and do something about affordable housing at the same time.

Mr. Dotson said realistically, 10,700 households was a lot. He asked what percentage of success the County could realistically expect (e.g. help 1,000 people, or all 10,000, or more as there will be more in the future). He said it would be useful to have some sort of benchmark as to what is possible, and what other people are able to achieve. He said often, they may measure their success by the inputs. He said if they adopted three new measures, for instance, perhaps those new measures would produce 50 more housing units.

Ms. Pethia replied that the 10,700 households cover all income ranges, and that there are actually households that are above 100% AMI that are paying more than they should for their housing. She said that is their choice, so she is not necessarily concerned about those. She said the number of cost-burdened households is expected to increase to about 14,000 by 2040. She said the 10,700 households are already living in homes and that the County does not necessarily need to build more, but needs to find ways to help them afford what they already have.

Ms. Pethia said it is estimated that they will need approximately 11,700 additional housing units across all income levels by 2040 just to meet demand. She said if what is currently in the pipeline are built, about half of those units are covered. She said they would need to build about 200 additional units per year at whatever price range to actually meet need. She said hopefully, being able to meet that need will help bring down the cost of housing, acknowledging that this is a long shot, in some cases. She said with that, they would be putting other measures in place to help encourage the inclusion of affordable units in that 11,700 number.

Mr. Dotson said this was very helpful, as it makes him think that it is not a futile effort.

Ms. Pethia agreed.

Mr. Carrazana said in the 10,700-household number, it was clarified that there was no income level to that.

Ms. Pethia said this was correct, and that she could provide a breakdown by income level.

Mr. Carrazana said it could be two family income earners that are making over $200,000 a year and perhaps bought a bigger house than they could afford.

Ms. Pethia said the vast majority of the cost-burden households are below 50% AMI and tend to be renters. She said the majority of the need is at the lower income levels.

Mr. Carrazana wondered if there was an income level adjustment, what this number would be.

Ms. Pethia said she would have to look at this.

Mr. Randolph said he had just returned from Monroe County, FL, which is the southernmost county in the United States, and they were hit by Hurricane Erma years ago. He said he was intrigued to read while he was there that they are building mini-housing on county-owned land at Marathon, which is 49 miles away from Key West, which is the major employment center in

Monroe County. He said there is only one way of getting from Marathon to Key West, which is down US 1, meaning someone has to have a car or get on a bus, which is a long trip.

Mr. Randolph said he was struck by the fact that Monroe County made a commitment on their land and is setting aside the tiny houses at $60,000 each they can build for the families who are still dislocated because the federal government has done nothing in terms of addressing the housing needs for people who were displaced in Southern Florida, let alone getting into any discussion about Puerto Rico.

Mr. Randolph said it reminds him that as Albemarle County continues to grapple with affordable housing, they have to think about ways in which the County can be the landowner and therefore, incentivize the development of smaller units, which are affordable for people who are homeless or at the lowest AMI rates, to at least be sure that they have housing available. He said this problem, as Ms. Pethia identified, will only get worse because the chasm between the haves and the have-nots continues to widen in the County and the City of Charlottesville.

Mr. Randolph said he applauded everything Ms. Pethia had in the policy update, but that they would need to look at other models. He said he thinks the Commission and Board (who raised a lot of questions about Southwood) will find that they will need to look at other tools, going forward, to address the housing needs in the community.

Mr. Randolph said everywhere he goes, he thinks about affordable housing, as it is inescapable and ends up being the overriding issue, whether one is in ski county in Colorado or in Monroe County in Southern Florida. He said they are grappling with affordable housing because people who do the basic work that allows an economy to function are displaced and cannot afford to live where the jobs are, so they have to live elsewhere. He asked who will provide that housing.

Ms. Pethia said the need for smaller home sizes was frequently discussed during the community meetings.

Mr. Bivins said he has been trying to push for a number of years to get an inventory of County property to be able to explore meaningful ways and what it might look like if the County were to be a serious partner in the development of some of that property. He said even if it was something for first responders and first-year teachers, it made him happy, adding that he was a big fan of council housing.

Mr. Bivins suggested speaking to UVA, as the bulk of UVA's grounds is in Albemarle County. He said UVA is seriously thinking about how it is going to address housing non-students. He suggested speaking to Mr. Carrazana because given the amount of land they own, and which they own through UVA Foundation, they have some opportunities which could be helpful.

Ms. Pethia said those conversations are happening through the Regional Housing Partnership. She said both Supervisors McKeel and Gallaway are members of that group, and that UVA is often discussed in those meetings.

Ms. Pethia said she was in the process of planning the second Regional Housing Summit, which is scheduled for July 8, 2020 at The Omni. She said the tiny house topic was scheduled for discussion. She said there is a group she has worked with in Pittsburgh that works with homeless veterans, and that worked with one of the boroughs outside of Pittsburgh. She said the borough donated land and is building a tiny house community for the homeless veterans.

Committee Reports

Ms. More said the Crozet CAC met the week before, and they had a discussion about the Crozet Sports Complex, which would be coming to the Commission.

Ms. More said they also discussed Bamboo Grove, which is a project from Chris Fuller and is a small rezoning. She noted it is also in the stream buffer and that Mr. Fuller has been doing research about how not to use poison to kill the bamboo. She said Mr. Fuller has done research about keeping the bamboo as a buffer, as well as techniques that can stop the bamboo growth.

Ms. More said they ran out of time at the meeting and did not receive a Master Plan update.

Mr. Randolph said he would recommend that everyone on the Commission look at the opinion column in the Washington Post from that day, regarding climate working for the best, but preparing for the worst. He said this was at the top of his mind, explaining that he owns a timeshare on the Atlantic and that he had posed a question to the annual meeting of residents there about what they are doing in terms of resiliency. He said they had nothing planned, and the community said that they would defer to the City of Key West and the State of Florida, neither of which have any plans on how to address the rising ocean. He said the column points out that there needs to be less focus on resiliency and more on retreating.

Mr. Randolph said the column talks about things that he thinks are valuable for the Commission to deal with, as climate change doesn't mean they will have ocean front property in Albemarle County, but does mean that their streams and overall watershed will be much broader because there will be more inundation and precipitation. He said the author helped work with New Orleans on their problems and that it is not overly alarmist to start thinking about exit strategies that work under the most severe scenarios, such as moving existing cities, retrofitting old ones for explosive growth, creating new settlements, and mitigating thousands of miles of polluted shorelines, which will be expensive and complicated.

Mr. Randolph said the column goes on to say that sadly, few politicians will go there because their planning for the future extends precisely as far as the next election. He said the column urges architects and planners to sound the alarm to get real about climate change.

Mr. Randolph said an inundated coastline is not just a national security issue, but it is the future. He said an inundated watershed is not just a county security issue, but it is the future and is rapidly coming upon them. He said because they had two thousand-year rain events in a row, he would urge staff to develop, through the GIS, a look at what the County will look like if they have a 5,000- and 10,000-year flood. He noted that using those terms may seem surreal, but to have a stress test of what the impact would be if they had those flood events, where the water would go and who would be affected.

Mr. Randolph said the time was now before them to start grappling with this and not to postpone it. He said they knew that their current state standard of measuring everything by a 100-year flood is archaic and needs to be changed. He said the County cannot change that, but what they can do is at least, as a body, be aware of the implications of increased precipitation and how it affects lowland communities. He said most of the people who will be affected will traditionally be lower-income people.

Ms. Firehock said she did a resiliency plan for the City of Norfolk, which is now under full implementation and is on their website. She said last year, she also finished a study of 12 cities looking at how their trees can be better utilized as part of their stormwater management strategies, and created a modeling tool to show how much water trees take up in different storm events. She said this was something she was looking at in Albemarle's urban ring, as they develop and start to lose canopy, and what that means for increasing problems with inundating water. She said they do not have enough area to design their way out of it with only stormwater ponds. She said as they continue to pave, they are going to see increasing problems with managing the water.

Old Business

Mr. Benish reminded the Commission about responding on the subject of a possible joint meeting to speak about housing with the Board of Supervisors. He asked Commissioners to respond to the email sent out about scheduling the meeting.

New Business

There was no new business.

Review of the Board of Supervisors Meeting - February 5

Mr. Benish said at the February 5 Board of Supervisors meeting, there was only one item that the Board acted on that the Planning Commission had previously reviewed, which was ZMA201900011 Seminole Lane. He said this is the commercial area along Route 29 North, across from Walmart. He said the Board approved that rezoning as recommended and reviewed by the Commission.

Mr. Benish added that the Planning Commission would be receiving a new calendar, as there had been some changes made.

Adjournment

At 9:23 p.m., the Commission adjourned to March 10, 2020 Albemarle County Planning Commission meeting, 6:00 p.m., Lane Auditorium, Second Floor, County Office Building, 401 McIntire Road, Charlottesville, Virginia.

David Benish, Interim Director of Planning

(Recorded by Carolyn S. Shaffer, Clerk to Planning Commission & Boards, and transcribed Golden Transcription Services)

Approved by Planning Commission
Date: March 10, 2020
Initials: CSS