

**Albemarle County Planning Commission
Final Work Session and Regular Meeting Minutes
February 27, 2024**

The Albemarle County Planning Commission held a public hearing on Tuesday, February 27, 2024, at 4:00 p.m.

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

Members absent: Karen Firehock

Other officials present were: Michael Barnes, Director of Planning; Kevin McDermott, Deputy Director of Planning; Bill Fritz; Ben Holt; Andy Reitelbach; Andy Herrick, County Attorney's Office; and Carolyn Shaffer, Clerk to the Planning Commission.

Call to Order and Establish Quorum

Mr. Missel called a recess until 6 p.m.

Establish Quorum

Ms. Shaffer called the roll.

Mr. Missel established a quorum.

Consent Agenda

Mr. Clayborne motioned that the Commission approve the consent agenda as presented. Mr. Carrazana seconded the motion, which carried unanimously (6:0). (Ms. Firehock was absent)

Public Hearing

ZMA202300006 Woodbrook Apartments

Andy Reitelbach, Senior Planner, said that this was a rezoning request for four parcels of land located between Berkmar Drive and Woodburn Road, at the terminus of Woodbrook Drive. He said that he had highlighted the four parcels that were the subject of this rezoning request on the image in front of them. He said that the Rivanna Reservoir could be seen in the upper left-hand corner of the screen, while Woodburn Road was identified going north to south on the left side of these parcels. He said that Agnor-Hurt Elementary School was directly to the south of the subject property, and the SPCA property was to the northeast of the subject property. He said that he had identified Lowe's in the lower right-hand corner of the aerial view.

Mr. Reitelbach said that currently, all four of these parcels were zoned R6 residential, which permitted six units per acre. He said that by-right, based on the size of this property at 7.202 acres, the property owner could develop 43 residential units, not including any sort of bonus factors that may be possible. He said that the only overlay zoning district for this property was AIA, Airport Impact Area. He said that surrounding zoning districts included one parcel zoned R15 directly to the south, commercial properties zoned C1 to the east and northeast, and rural areas directly across Woodburn Road to the west. He said that Woodburn Road was the designated boundary between the development areas to the east and rural areas to the west.

Mr. Reitelbach said that rural areas were to the west of Woodburn Road, while the Places 29 Master Plan designated the area to the east as urban density residential. He said that urban density residential recommended residential uses between six and 34 units per acre, along with small-scale secondary uses that support the neighborhood. He said that residential building height was recommended at a maximum of four stories or 45 feet. He said that the surrounding comprehensive plan land use designations included institutional areas to the south, such as Agnor-Hurt Elementary School, office R&D flex light industrial areas to the northeast, and urban mixed-use areas around centers to the east. He said that the designated center was farther east on the other side of Berkmar Drive.

Mr. Reitelbach said that there were four parcels currently zoned R6 at 7.2 acres. He said that existing uses included several single-family detached houses along with accessory structures. He said that the applicant sought to rezone the property to PRD with proffers. He said that the applicant aimed for a maximum of 244 multifamily units, which equated to a density of 33.9 units per acre, at the top of the recommended range for urban density residential areas. He said that the maximum recommended density in UDR was 34 units per acre.

Mr. Reitelbach said that there were two buildings facing Woodburn Road on the west side of the property, while a third building was directly to the east. He said that two residential buildings were located more interiorly on the east side of the site. He said that most of the buildings proposed had a height range of three to four stories; however, the building farthest to the east, closest to the Woodbrook Drive entrance, was proposed to be five stories.

Mr. Reitelbach said that there were five multifamily buildings in total, with Buildings One and Two fronting Woodburn Road, and Buildings Three through Five located internally within the site. He said that the height range for four buildings was three to four stories, while the fifth building, farthest to the east, was proposed to be five stories. He said that there were two access points: one from Woodburn Road and another utilizing an easement that granted the property owner access to the cul-de-sac of Woodbrook Drive.

Mr. Reitelbach said that since this was a PRD, there was a minimum requirement of 25% open space throughout the site. He said that on the application plan, the applicant had determined that meeting the minimum requirement was possible. He said that there was a cemetery in the northeast corner of the property, with half of it on the subject property and half on the adjacent SPCA property. He said that the applicant proposed fencing around the cemetery and providing access through designated parking spots for descendants to visit the cemetery.

Mr. Reitelbach said that the applicant proposed a continuous pedestrian path connecting Woodbrook Drive entrance to Woodburn Road entrance. He said that the applicant suggested 15% affordable housing at 80% AMI, consistent with current County policy. He said that two special exceptions were requested: waiving the step-back requirement for all buildings in the development and reducing the minimum rear setback from 20 feet to 10 feet.

Mr. Reitelbach said that the applicant had proposed two proffers: contributing \$10,000 to the County's capital improvement program for constructing a crosswalk and pedestrian signal on Berkmar Drive and Woodbrook Drive and providing pavement markings on Woodburn Road from Agnor-Hurt Elementary School to the subject property's northern boundary due to the lack of markings currently.

Mr. Reitelbach said that regarding the school impacts of this development, based on the numbers provided by ACPS and yield ratios, it was anticipated that this development would generate

approximately 43 students in total across all three school levels. He said that this project would involve approximately 20 students at Agnor-Hurt Elementary School, eight students at Burley Middle School, and 15 students at Albemarle High School.

Mr. Reitelbach said that currently, Agnor-Hurt and Burley schools were under capacity; however, Albemarle High School was over capacity. He said that High School Center 2 was recently approved by the Board of Supervisors, and its rezoning was also approved recently. He said that this project was moving forward with its site plan.

Mr. Reitelbach said that the positive aspects of this rezoning request included four points: the request was consistent with the uses and density recommended by the Places 29 Master Plan; the request was consistent with 12 applicable neighborhood model principles; the request provided affordable units at 15% of the total number of units constructed, consistent with current County policy; and the request had proffered improvements to Woodburn Road and a cash contribution to the capital improvement program.

Mr. Reitelbach said that there were two primary concerns associated with this development: the proposed development would result in additional student enrollment at area schools, particularly at Albemarle High School, which was already over capacity; and one of the buildings, Building Number Five, which was the most interior building on the site, was proposed to be five stories high, one story higher than the maximum recommended by the Places 29 Master Plan. He said that staff recognized that this building was located at the rear of the property, interior to the site, and closest to existing commercial uses. He said that staff recommended approval of ZMA 2023-00006 Woodbrook Apartments.

Mr. Bivins said that he would like to pose a question to their counsel regarding the proffer for Woodbrook Drive and the signal. He said that the current proffer amount was \$10,000. He asked if they had ever considered how they addressed inflation or whether proffers could include inflation adjustments.

Mr. Herrick said that proffers were voluntary submissions made by developers. He said that the County was limited to considering the proffer that the developer had offered rather than what anyone might consider to be the ideal proffer. He said that if the Commission believed that the developer had not adequately addressed the impacts of its development, the Commission had the ability to simply recommend denial of the project overall. He said that the County did not have the ability to go back and essentially alter the proffers, because they were voluntarily offered by the developer.

Mr. Bivins said that the developer could implement an inflation adjustment.

Mr. Herrick said that nothing would prohibit a developer from offering that as part of its proffer package.

Mr. Bivins asked how much the road improvements would cost.

Kevin McDermott, Deputy Director of Planning, said that they did not cost out or provide an estimate for upgrading that intersection and installing pedestrian crossings. He said that currently, he knew that the landings did not meet the current ADA requirements; therefore, pedestrian heads would need to be installed. He said that he did not have an exact cost estimate; however, he could confirm that \$10,000 would not cover the full cost of upgrading for pedestrian crossings. He said that this amount would only cover a small portion of the total cost.

Mr. Bivins said that at the Woodburn Roadside, there appeared to be an indicator suggesting that there would be a path connecting Building Envelope 1 to the school. He said that this path may be intended for young people to safely access the school or the sidewalk nearby. He said that it was unclear whether the \$10,000 would contribute to this path or if there was an expectation that the County would cover the costs of ensuring pedestrian safety when the path crossed the road near the school.

Mr. McDermott said that his understanding was that they were constructing that portion of the path. He said that he believed it was intended to connect to something on campus.

Mr. Reitelbach said that the pathway would extend up to the property line. He said that the applicant agreed to collaborate with the school system in order to identify the optimal final position for this pathway.

Mr. Clayborne said that he sought clarification regarding cemetery protection near construction sites. He said that he was inquiring if there were available standards that offered guidance for cemeteries in close proximity to construction. He said that he had come across a recommendation of five feet; however, this distance appeared quite close, potentially within reach of construction activities. He said that this seemed unusual, prompting him to raise this concern. He asked if there were any applicable standards.

Mr. Reitelbach said that he was not aware of any standards. He said that there may be standards from the Virginia Department of Historical Resources.

Mr. Carrazana asked if any archaeological studies had been performed at the cemetery.

Mr. Reitelbach said that he was not aware that any archaeological studies had been conducted in that location. He said that the applicant may be able to provide more information regarding what types of studies or archaeological digs had taken place in that area thus far.

Mr. Bivins asked whether they needed to conduct an AIA determination for this particular property.

Mr. Reitelbach said that for this particular case, since it involved a rezoning for a planned district, the AIA determination was essentially part of the rezoning process.

Mr. Missel said that he had a question regarding the 25 percent open space requirement that was mentioned. He said that he believed that the applicant was convinced they could meet this requirement. He asked how staff verified and quantified open space.

Mr. Reitelbach said that the open space could encompass various types, such as landscape buffers, amenity areas, tot lots, recreational facilities, and similar features. He said that in the application plan, the applicant included a list of proposed open space types along with their respective percentages and acreage within the property. He said that this information satisfied the requirements stated in the application plan. He said that during the site planning stage, they would verify that at least 25% of open space was provided in accordance with the plan.

Mr. Missel opened the public hearing.

Valerie Long, Williams Mullen, said that she was representing the applicant. She said that Megan Nedostup was also present, along with several representatives from GW Real Estate Partners, the applicant, who was a local company. She said that Rob and Will Gordon, among others from GW, were there too, as well as Scott Collins from Collins Engineering, the civil engineer for the site.

Ms. Long said that the site in question was formerly part of the Western Bypass right-of-way, which they believed was a suitable location for repurposing into residential use. She said that it was situated near existing apartment complexes, a school, the SPCA, and various shopping and destination locations.

Ms. Long said that the development area was right on the edge of rural land, with the west side of Woodburn Road being rural. She said that there was a wooded buffer on the west side of Woodburn Road that helped establish a boundary between rural areas and development areas.

Ms. Long said that the illustrative plan outlined their proposed development for this location. She said that it identified amenity areas and the five buildings, one of which was five stories. She said that improvements along Woodburn Road and a second entrance were proposed. She said that a future access easement for interpersonal connection was proposed.

Ms. Long said that the project offered numerous benefits, such as meeting comprehensive plan goals for efficient land use at high residential density. She said that the development provided 34 units per acre and committed to affordable housing while satisfying neighborhood model principles. She said that it improved multimodal transportation, including a path throughout the site, and was close to many locations, making it suitable for rental housing. She said that teachers at Agnor-Hurt Elementary School would be nearby. She said that it satisfied several County goals for climate action.

Ms. Long said that this was the application plan showed building envelopes, travel ways, parking envelopes, and green areas as amenity spaces and open space. She said that one sidewalk connected to Woodburn and Woodbrook, as shown in the Places 29 Master Plan. She said that sidewalks were provided throughout the project.

Ms. Long said they proposed a pedestrian and bike connection, and they would collaborate with the County school facilities team to identify the most suitable location for this purpose. She said that they wanted to demonstrate their commitment to creating a pedestrian connection to the school property. She said that regarding the amenity areas, there was a dog park located at the top, a pool and clubhouse in the middle, and a tot lot near the school parcel.

Ms. Long said that the dog park location next to where the SPCA would be situated was compatible. She said that there would be other amenity areas like fire pits, gathering spaces, and outdoor amenity spaces. She said that they had placed sidewalks wherever possible. She said that there were bus stops within walking distance for added convenience. She said that this location was ideal for individuals who preferred not to use their cars or those who wanted to minimize their car usage.

Ms. Long said that it was also close to shopping destinations in the Rio Hill Shopping Center and other establishments along Berkmar. She said that they proposed improvements along Woodburn, such as a six-foot street tree buffer and a sidewalk. She said that they needed space for utilities and additional planting strips before the building to enhance the appearance of that side of the property. She said that this would create a clear boundary between the rural area and their development. She said that this project would contribute to various elements of the County's Climate Action Plan, such as improving bike and pedestrian infrastructure, increasing sidewalks, and maximizing density in development areas, among others.

Ms. Long said that other provisions in their projects were fairly standard. She said that the project benefits included: consistency with the comprehensive plan, enhancing multimodal

transportation, the location, sustainability elements, and all commitments under their plan. She said that the \$10,000 was for the pedestrian crossing at Berkmar. She said they were aware that this was not the full amount for the sidewalk. She said that in conversations with staff and their traffic engineer, given the existing number of residences in the area, they worked to identify what a proportionate amount would be toward that future improvement.

Ms. Long said that regarding cemetery standards, she was not aware of any other requirements. She said that the boundaries of the cemetery were clearly delineated on a recorded plat, allowing them to know exactly where it was and mark it in the field. She said that staff usually required tree protection fencing around such areas, placed five feet away from the boundaries. She said that this had been done on other projects before. She said that they had discussed maintenance of the plot with a descendant of someone buried in the cemetery.

Mr. Carrazana asked if Ms. Long could provide information about which buildings they had requested the step-back amendment for.

Ms. Long said that they were requesting it for all of them. She said that the step-back requirement applied to any buildings after their third story. She said that this four-story building proposal suggested a 3-4 split, which may mean that the requirement was not necessary for this particular building. She said that buildings 1, 2, and 3 were four stories, and Building 5 was a five-story building. She said that they requested that all of them be included. She said that unfortunately, the ordinance did not specify that the step-back requirement was intended solely for buildings along roads. She said that it applied to every building within a project, regardless of its location.

Mr. Carrazana asked if buildings 1 and 2 were intended to have four stories.

Ms. Long said that was correct.

Mr. Carrazana asked if there were available drawings or elevations of those buildings. He said that he recalled that during the discussion about the landscape, there were some related visuals presented. He said that he was unsure if they were retained or not.

Ms. Long said that she did not have an elevation of it; however, she had another design. She said that she was attempting to demonstrate an appropriately large, but not too large, span between the pavement and the building to create a comfortable and inviting pedestrian environment with street trees and sidewalks. She said that the applicant would dedicate land as necessary for these improvements.

Mr. Carrazana asked if there were nothing that would relay what they were asking for with the step-back.

Ms. Long said that she did not have any drawings other than she could use her cursor to indicate the fourth floor. She said that the step-back would require a 15-foot distance. She said that if the step-back were required, it would have a substantial impact on the layout of the apartment units and the number of units that could be provided in all of the buildings. She said that given that they wanted the building to be set back far enough to avoid concerns or canyon effect along that road, they also needed to supplement it with the elements shown here.

Mr. Carrazana asked if this was also an area where they requested a reduction in setbacks.

Ms. Long said no. She said that the setback request applied specifically to this area where it abutted a commercial property. She said that the side or rear currently had a 20-foot setback. She

said that they were requesting a reduction to 10 feet, which would be consistent with all other properties in the area and allow for a 10-foot buffer.

Mr. Carrazana asked if Ms. Long could explain the purpose of the 50-foot buffer represented by the purple line.

Ms. Long said that during the SPCA property's recent rezoning, a special use permit was granted, possibly within the last five to 10 years. She said that the property was initially zoned R6. She said that upon approving the permit, the Board mandated a 50-foot vegetated buffer to be established between dog walking areas and potential kennels or similar facilities and any future residential residences. She said that this buffer served as a separation measure and was shown for context.

Mr. Clayborne said that he was struggling to visualize the massing and scale in comparison to the neighboring buildings. He said that he understood that there was topography data available for this area. He said that Building 5 was situated at a lower elevation; could they please clarify if it rose up in relation to its surroundings. He said that if Building 5 was five stories, he would like to know how its height compared to the surrounding structures. He said that it was difficult for him to provide his input without these visuals for reference.

Ms. Long said that the area surrounding it consisted of commercial properties or similar establishments. She said that Building 5 was initially proposed for five stories. She said that the existing residential apartments in this location were previously approved. She said that the structure was a commercial building, specifically a commercial condominium. She said that the entire area consisted of commercial properties, including the property owned by the SPCA.

Mr. Clayborne asked if they were the same height. He said that he was referring to the aspect of massing and scale.

Mr. Moore said that the apartments called Perch were four stories.

Ms. Long said that she had some images to depict the area. She said that the adjacent buildings were built more than 20 years ago. She said that there could be more efficient use of land with four-story buildings there as well.

Mr. Clayborne asked if it would be towering over other buildings.

Ms. Long said that she did not think it would. She said that there was quite a distance between the buildings, along with parking and a 10-foot landscaping buffer. She said that the proposed landscaping plan was meant to ensure the applicant's intent for the building to not directly face the back of a commercial building or parking lots. She said that the proposed design included a double row of parking spaces and a 20-foot setback from the property line. She said that there was a 50-foot wooded buffer surrounding the area as well. She said that the decision to place a five-story building in this location was made after considering various factors, such as maximizing the number of units while providing sufficient parking, amenities, landscape areas, and buffers.

Ms. Long said that the original concept plan included five-story buildings throughout the development area; however, this would have exceeded the comprehensive plan's designation. She said that the challenges of providing adequate parking and amenities for higher density led to the conclusion that a five-story building in this location was the best option. She said that

comparing this location to alternatives, such as placing four-story buildings at the edge of the development area, the chosen location offered better balance and functionality for the project.

Mr. Clayborne said that he did not have any issues with density whatsoever but wanted to offer some constructive criticism. He said that with all due respect, if they were requesting special exceptions regarding height and massing, it would be highly beneficial to demonstrate how these proposed changes related to the surrounding area, particularly if they were not by right. He said that if they were seeking approval for such changes, providing visuals would be extremely helpful because at present, he was merely examining rectangular structures, which could be quite challenging. He also said that he was curious as to why there were no proposed solutions to mitigate the effects on local schools.

Ms. Long said that utilizing the school's student calculator estimates that a total of 43 students could reside there. She said that this figure also took into account the number of students who could live there if the property were developed under its R6 zoning, which would be 40.

Mr. Clayborne asked if Ms. Long was stating that it would be the same outcome.

Ms. Long said correct. Ms. Long said that the existing R6 zoning allowed for a maximum of 43 units per acre to be built. She noted that coincidentally, this project at 244 was estimated to yield approximately 43 students. She said that this number was not over and above what would be yielded by a by-right development; it was the total number of students. She said that she did not go back and analyze how many students would be added with by-right development or the incremental increase in students.

Ms. Long said that they understood the capacity challenges at Albemarle High School and knew that both the County School Board and Board of Supervisors had taken steps to address them. She said that they believed that the location of this development, next to an elementary school that had capacity, would be particularly attractive for families with young children, young teachers, and young professionals. She said that it may be less appealing for families with teenagers, but the planned amenities would make it a nice community for those with teenagers as well.

Mr. Clayborne said that he would like to discuss the design philosophy behind the project, focusing on the target population and circulation concerns. He said that there were approximately 43 school-age children in the area, and there may be more under school-age children present. He said that the project featured numerous children within its scope, and upon examining the image before him, he noticed buildings surrounded by expanses of asphalt. He said that this raised concerns about pedestrian and vehicular circulation for him. He said that the tot lots and green spaces appeared randomly placed in odd shapes and locations, which prompted a discussion about the design philosophy concerning the intersection of people and cars on the site and how this solution was chosen over alternative options.

Ms. Long said that the multifamily project presented similar challenges in accommodating necessary parking spaces, sidewalks for pedestrian access, and strategically placing amenity areas for resident convenience. She said that while not public roads, parking lot travel ways required slower vehicle speeds for resident safety, particularly around children. She said that the applicant team could discuss their experience in managing these challenges in their existing communities. She said that sidewalks had been prioritized wherever possible within the project area, including pedestrian paths around surface parking. She said that these paths facilitated safe movement throughout the project, such as from homes to the tot lot or pool area. She said that while caution was necessary, these design elements aimed to provide a safe environment for residents of all ages.

Mr. Clayborne said that he comprehended that this was a concept which may evolve and appear 50 times different. He said that he merely wished to bring this to their attention.

Mr. Murray said that regarding service parking, he knew that in Charlottesville, many apartment complexes now had parking spaces located underground beneath the building. He said that during discussions, they may have considered requesting additional height for the structure; however, this would not have allowed for sufficient density due to the limited number of parking spaces. He asked if there was a height at which underground parking would become commercially viable for their project.

Mr. Murray said that his second question was if, since their design did not appear to accommodate stormwater on site, they had explored ways to handle this issue more effectively. He said that many apartment buildings were well-suited for features like green roofs, which could help mitigate stormwater impact. He asked if they had considered incorporating such design elements into their project to exceed state requirements and minimize the impact on the nearby reservoir.

Ms. Long said that the applicants had not yet reached the point of addressing stormwater management at the rezoning stage. She said that as part of the rezoning application, they must demonstrate their ability to accommodate stormwater management requirements by presenting conceptual designs. She said that on sheet 6 of 8, they proposed a potential location for an underground facility in the area. She said that it was possible that nutrient credit purchases or other measures would be necessary in addition to this proposal. She said that at the site plan stage, applicants could consider further improvements. She said that the Service Authority and the Rivanna Authority provided comments during the review process, which would be taken into account during the VSMP and ENS permitting processes at the site plan stage.

Mr. Murray said that underground storage primarily focuses on addressing quantity rather than quality.

Ms. Long said that there might be more required.

Mr. Murray said that green roofs would be an effective method for improving building quality. He said that they would contribute to enhancing overall quality.

Ms. Long said that the applicant was hearing these comments, which she believed were very helpful. She said that in this location, having structured parking, particularly underground, was cost-prohibitive due to the expense of digging down for parking below grade. She said that the building may need to be substantially taller, and rents would have to be higher to cover additional construction costs. She said that on another project they had worked on, they had to scale back the height because they could no longer afford the structural parking. She said that even though their rents were high, and their area's median income was high, they were not sufficient to cover the additional costs of structured parking. She said that she hoped that this would change in the future.

Ms. Long said that in 10 years, things might be different, and they could add a new building in one of the currently designated parking areas by amending the zoning. She said that this new building could have parking underneath, even if it was just surface parking with a six-story building instead of four. She said that this would be like an at-grade parking space, similar to those found at a beach house. She said that this presented a challenge. She said that she wished that it were better. She said that aside from the comprehensive plan, the site could potentially handle twice

the density, if not more, than what they were proposing without creating traffic impacts or other issues, given its location.

Mr. Murray said that regarding the comprehensive plan, he hoped they could eventually reach a point where they could provide subsidies for structured parking. He said that this would help make certain areas more viable.

Ms. Long said that would be great.

Mr. Bivins said that he had one question regarding this matter. He asked if it was possible for the applicant to request an exception for parking. He asked if they were allowed to grant such exceptions. He asked if they could consider allowing the applicant not to adhere to the parking ordinance.

Mr. Reitelbach said that there was no specific allowance for special exceptions to reduce parking requirements. He said that however, the applicant could request the zoning administrator to examine parking requirements and other forms of transportation, such as transit access or multimodal access, as substitutes for parking requirements.

Mr. Bivins said that he would like to know what the product mix would be there. He asked if he would observe efficiency/studios, or if he would only see one, two, and three bedrooms, and perhaps four bedrooms.

Ms. Long said that no decisions had been made yet regarding the unit mix.

Mr. Bivins said that he would encourage some efficiency/studios if that was possible. He said that in his view, the rear of the property should be considered the back, although from Berkmar, it appeared as the front. Consequently, he said that the mass of the buildings from Berkmar would be quite significant. He said that if he could have his preference, he would request that the five-story building be positioned where building four currently stood, as it would face less competition from dogs walking on the adjacent property. He said that this suggestion was made in case only one building was allowed, but he would strongly advocate for all buildings to be five stories tall, and to ask for a parking exception.

Ms. Long said that the engineer clarified that Building 5's location was the lowest point in the elevation.

Mr. Bivins said that he acknowledged the topographic map's information from her but emphasized that his main point was not that. He said that if he stood in front of the commercial building or even went behind it, it would still be lengthy. He said that if he was in the Woodbrook Court area, which was a semicircle leading out onto Berkmar, it would still be tall. He said that he proposed that if they were only going to have one building, they should place it in the middle and address the doors. He said that he genuinely preferred that they have all five of them. He said that they should have all five and make them five-story buildings.

Mr. Bivins said that he would also suggest requesting an exception for parking. He said that he believed that this area, given their project and other projects nearby, could handle some density without causing issues. He said that he would like to point out to staff that this area did not make sense to him. He asked why they did not redraw the rural area next to the reservoir. He said that they had an isolated road that currently had development on one side and rural land on the other. He said that when driving down there, he understood his colleague may be uneasy, but they could protect that area.

Mr. Bivins said that when driving down there, it would seem strange that they did not have similar density on the left side of the road. He said that it would be beneficial to have a conversation about having some density on that side of the road as well. He said that if he understood correctly, Ms. Long said that for Berkmar Roadside, they were requesting an exception for the setback but not for anything on the north side of the property.

Ms. Long said that was correct. She said that they were not requesting anything on any other side.

Mr. Bivins said that he was attempting to maximize its potential by adding as much development as possible. He said that this was because most proposals they received did not reach full capacity. He said that they should exceed expectations and build beyond the standard density. He said that he understood that this may be met with some resistance from fellow architects. He said that he was simply trying to optimize this area, which he believed had minimal issues.

Ms. Long said that she agreed. She said that she believed that was what they had done in terms of balancing costs and practical realities for needing to have a certain amount of landscaping, accommodating underground utilities, maintaining a modest buffer around amenity areas, and providing sufficient parking. She said that they would be requesting a parking reduction as part of the site plan review. She said that even with this reduction, it still resulted in them needing more parking, although not as much as currently required by the ordinance. She said that this proposal was what they desired, but she was not certain if it was entirely compliant with the current regulations, as it assumed a reduction in parking requirements.

Mr. Bivins said that he had been contemplating ways to create more space for community building due to the tensions witnessed in various communities. He said that he would continue to ask how they could design spaces that foster community and provide a location where individuals could gather comfortably without feeling segregated based on age. He said that the goal was not to create another parking lot or tot lot, which he personally disliked. He said that they should aim for a community space where people of all ages could come together. He said that if the clubhouse may serve this purpose, they must consider its limitations and potential issues. He said that he would challenge them and their applicants to explore alternative methods for creating intentional spaces that promote community gathering.

Mr. Moore said that he would echo some of Mr. Bivins' comments. He said that this particular parcel or set of parcels was ideal for redevelopment and increased density. He said that it was conveniently located near a grocery store, transit lines, and a school. He said that remarkably, it had very few overlays that restricted its development. He said that he was unsure of the specifics.

Ms. Long said that she had never experienced one without at least one managed slope. She said that Scott Collins also mentioned the same sentiment. She said that they had to scrutinize their surroundings carefully, but there were no buffers or steep slopes present.

Mr. Moore said that he agreed with Mr. Bivins that he found the proposed density in this area suitable for this location. He said that what was currently present was commendable. He said that if the development expanded to this extent, he would be open to considering something greater than proposed. He said that he had two minor questions that he would like to address, which were also raised at the Rio 29 Community Advisory Committee meeting. He said that one was regarding the small red arrow at the bottom left corner crossing into Agnor-Hurt Park. He said that he appreciated its proximity to a school; however, he was also aware that this was merely a bus lane without a crosswalk or any other safety measures. He asked Ms. Long to discuss how people, particularly children, might navigate this situation.

Ms. Long said that unfortunately, the design did not consider accommodating pedestrians in the future. She said that initially, there was no pedestrian infrastructure installed, which might be due to the area being rural and not having enough students to walk there. She said that nevertheless, they believed that incorporating pedestrian facilities made sense for similar reasons. She said that to proceed, they would need to build these facilities while considering input from County school officials and ensuring safety measures were in place.

Ms. Long said that perhaps a dirt path could be constructed alongside the existing sidewalk on the opposite side. She said that children could use the grassy area as a temporary footpath until more permanent solutions were implemented. She said that this would be the safest option, avoiding children crossing the street or bus lane altogether. She said that creating a safe walking route was essential for the well-being of small children living in this community. She said that currently, there might be an informal footpath in place due to the lack of proper infrastructure.

Mr. Moore said that it was likely that children had made some.

Ms. Long said that the playground was located within a park where children would visit. She said that the area featured soccer fields and other amenities. She said that the park was adjacent to a County park, situated next to the school.

Mr. Moore said that he would emphasize getting those conversations with the school initiated as part of the plan, which he understood was what they had described. He said that the other issue, and this was relatively minor, but it was one of those things that could sometimes be overlooked. He said that it was one of those situations where a member of the Community Advisory Committee mentioned that the woods behind the building were where staff at the SPCA often walked dogs, frequently those with behavioral issues. He said that considering the proximity of a dog park to these woods might not be ideal due to dog behavior.

Ms. Long said that she agreed that it could be a potential issue. She said that there was a significant difference in grade in that area, which meant that there would need to be a point of vertical separation. She said that she hoped that the retaining wall, located at a higher elevation, would provide enough physical separation to avoid problems. She said that while she believed that location was best for the dog park, she hoped that dogs could get along. She said that the dogs would also be separated by the fence. She said that dogs who lived there would be inside the fence, and they trusted that SPCA dog walkers had trained their volunteers well.

Mr. Missel asked if there were any comments from the public. Seeing none, he asked the Clerk if there were any online speakers.

Ms. Shaffer said there were none.

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

Mr. Carrazana said that he agreed with his colleagues that this would be an ideal location for increased density. He said that he was unsure of what they could do or not do in terms of parking in the site plan. He said that he encouraged exploring options for reducing minimum required parking. He said that podium parking was expensive due to its at-grade nature, but they needed to consider it in the County. He said that they had already discussed this in AC44 meetings, and he anticipated more conversations about it in the future. He said that while he was not certain that this would be the ideal opportunity to implement such changes, it may require building much higher than five stories to accommodate them.

Mr. Carrazana said that he suggested considering combining some of these open areas during site plan discussions to create larger spaces. He said that although the school across the street offered some green space, they primarily functioned as landscaped areas rather than true public green spaces. He said that those were the factors he would highlight. He said that he believed they had already been discussed, and he agreed with those comments. He said that he wanted to echo Mr. Clayborne's point, which was something they had repeatedly brought up in this forum.

Mr. Carrazana said that it primarily concerned staff members, because when they reviewed submissions seeking exceptions for setbacks or step backs, and they failed to provide necessary information, it made their decision-making process difficult. He said that this large development involving significant investment, so they should expect minimum standards, a section cut, an elevation, or contextual information to evaluate what they were being asked to relinquish. He said that in this case, they were not given enough information to assess the 15-foot step-back requirement. He said that this issue had arisen multiple times, and he wished they could integrate these requirements into their exception guidelines.

Mr. Barnes said that he believed they could make that a requirement in the future.

Mr. Clayborne said that the information provided was crucial for them to serve effectively. He said that without this data, it was difficult for them to communicate efficiently with their staff and offer appropriate counseling. He said that he concurred with the other Commissioners' remarks.

Mr. Bivins said that he did not plan to vote on the exceptions. He said that he was unaware that they had a role in this process unless the chair felt that it should fall under their jurisdiction.

Mr. Missel said that was correct.

Mr. Bivins said that they did not have an obligation to speak on this matter. He said that while he appreciated his colleagues' desire for this, he believed that if it must be placed anywhere, it should be with the floor above them. He said that when they considered it, he suggested they provide some evidence or documentation. He said that he did not plan to examine the Ses; he just planned to examine the ZMA.

Mr. Herrick said that Mr. Bivins' statement was accurate. He said that the Planning Commission had the authority to provide feedback on special exceptions if it chose to do so; however, he said that ultimately, this decision lay with the Board of Supervisors.

Mr. Carrazana said that they could certainly provide their recommendation regarding whether they believed it was appropriate to do so at that site or not. He said that without the necessary information; however, the Board was essentially making decisions without their fully informed recommendation.

Mr. Moore said that he did not have much to add. He said that once again, he was merely reiterating his belief that it was a suitable lot for housing, which he hoped would be accessible for working people.

Mr. Missel said that he appreciated their input and wanted to emphasize that they should not undermine the importance of adding density. He said that density was particularly crucial in areas designed for it but that they must also consider the balance of quality of life. He said that overcrowding a site could lead to an undesirable living environment. He said that he knew

everyone agreed; he was emphasizing that this aspect should be taken into account during future development objectives.

Mr. Missel said that he felt that recreational spaces had been somewhat overlooked in the plan. He said that the triangle was merely a byproduct of parking configuration because they could not accommodate triangular parking zones. He said that despite this, there was a commitment to sidewalks, connectivity, adjacency to the school, and so forth. He said that their discussions on transportation had been intentional and beneficial.

Mr. Moore motioned to recommend approval of ZMA202300006 Woodbrook Apartments, for the reasons outlined in the staff report. Mr. Bivins seconded the motion, which passed unanimously (6-0). (Ms. Firehock was absent from the vote.)

Adjournment

At 9:10 p.m., the Commission adjourned to Tuesday, March 12, 2024, Albemarle County Planning Commission meeting, 4:00 p.m. in Room 241, regular meeting at 6:00 pm in Lane Auditorium.



Michael Barnes, Director of Planning

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

Approved by Planning Commission
Date: 03/12/2024
Initials: CSS