

**Albemarle County Planning Commission
October 10, 2017**

The Albemarle County Planning Commission held a public hearing on Tuesday, October 10, 2017, at 6:00 p.m., at the County Office Building, Room #241, Second Floor, 401 McIntire Road, Charlottesville, Virginia.

Members attending were Tim Keller, Chair; Daphne Spain; Pam Riley; Jennie More; Karen Firehock; Bruce Dotson; and Bill Palmer, UVA representative. Absent was Mac Lafferty.

Other officials present were Chris Perez, Senior Planner; Rachel Falkenstein, Senior Planner; David Hannah, Water Resource Manager; David Benish, Chief of Community Development; Andrew Gast-Bray, Assistant Director of Community Development/Director of Planning; Sharon Taylor, Clerk to Planning Commission; and John Blair, Deputy County Attorney.

Call to Order and Establish Quorum

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

Public Hearing Item.

SP-2017-00014 Charlottesville Music Institute LLC

MAGISTERIAL DISTRICT: Scottsville

TAX MAP/PARCEL: 07700-00-00-040K0, 07700-00-00-040L0, 07700-00-00-040J0

LOCATION: 1740 Broadway Street

PROPOSAL: Use of approximately 8,000 square feet of the existing building for a music school to serve up to 500 students per year for a period of up to 5 years.

PETITION: Private schools under section 27.2 of the Zoning Ordinance.

ZONING: LI Light Industrial – industrial, office, and limited commercial uses (no residential use)

OVERLAYS: Managed Steep Slopes

COMPREHENSIVE PLAN: Office/R&D/Flex/Light Industrial – professional office, commercial; research and development, design, development of prototypes, engineering; light manufacturing, fabrication, distribution if with a non-industrial use; Parks and Green Systems – parks, playgrounds, play fields, greenways, trails, paths, recreational facilities and equipment, plazas, outdoor sitting areas, natural areas, preservation of stream buffers, floodplains and steep slopes adjacent to rivers and streams.

(Rachel Falkenstein)

Ms. Falkenstein presented a PowerPoint presentation to review SP-2017-00014 Charlottesville Music Institute, LLC.

This public hearing tonight is for a special use to allow a private school under section 27.2 of the Zoning Ordinance. The site is located on a 4.2-acre site; the zoning of the property is LI, Light Industrial shown in a blue color on the map. All the adjacent parcels within the county are also zoned LI – to the north of the property is the City of Charlottesville and the Woolen Mills neighborhood, which is essentially single-family, residential. The Comp Plan designated Office/R&D/Flex/LI with the same for the adjacent parcels as well. The existing warehouse building of approximately 51,000 square foot warehouse, the main building and then off to the side is a little office space. The site was constructed in 1989 for Data Visible Solutions, which closed in 2014. Currently on the site there are 14 tenants using the warehouse – several small startups and artisanal operations, and some moving and storage companies

The proposal tonight is for Charlottesville Music Institute to locate within the existing facility to construct a music school. She apologized for the drawings since they come from the 1989 site plans. The applicant is not proposing any exterior additions; it is all interior with the new existing warehouse. They do not have to do any site plan work so they have used the existing drawings to show what they are proposing. They are proposing to locate in the southeast corner of the warehouse, and she pointed out Broadway Street; and they want to lease 8,000 square feet or about (16%) of the existing warehouse to use as a music institute.

They plan to use the space for about 5 years while they locate a site and construct a permanent facility in the County, and then they hope to do so within 5 years to move out of this site. They have 49 dedicated parking spaces in the existing parking lot that they have negotiated with the property owner to use so they will not have to use any street parking.

Ms. Falkenstein pointed out a better of what their facility will look like within the warehouse. They are proposing to have 16 rooms for individual lessons, an area for ensemble practice where they propose to have up to 40 students for ensembles and music theory classes; and a library, a common room and offices. The proposed hours for the school would be Monday – Friday, 10 am - 9 pm on weekdays; 10-7 pm Saturday; and 12-5 pm on Sundays. Since they have the 16 lesson rooms, they plan to have up to 16 students at a time taking lessons and up to 40 students could be there for ensembles and music theory.

Staff's analysis found three favorable factors:

1. The school is proposed as a temporary use (5 years with the possibility of an 18-month extension) and will locate within an existing building.
2. There are no anticipated detrimental impacts to neighboring property owners because it is in an existing building.
3. The proposal will bring a new non-profit organization to the County and provide an additional opportunity for music lessons for County residents.

One unfavorable factor is:

1. The proposed use will result in the temporary loss of industrial inventory, though the proposal would only occupy a small percentage or 16% of the existing warehouse facility.

Staff recommends approval of SP-2017-14 Charlottesville Music Institute with the three conditions as listed on the screen. Ms. Falkenstein pointed out the third condition is the permit would expire after five years of the use commencing with the opportunity of one extension of up to 18 months.

1. The use shall be limited to no more than twenty percent (20%) of the production area as shown on the Charlottesville Music Institute Concept Plan, dated 7/17/2017 (Attachment A). All parking for the facility shall be located in areas designated on the plan, referenced above.
2. The use shall commence on or before [date two years from Board approval] or the permit shall expire and be of no effect.
3. The Special Use Permit shall expire 5 years from the date that the zoning clearance for the use is approved. Upon written request received by the Director of Planning before the 5-year period expires, the director may grant one extension of the permit for a period of up to 18 months to account for delays with siting or construction of the applicant's new facility.

Mr. Keller invited questions for staff.

Ms. Spain asked where it is located now.

Ms. Falkenstein replied that she did not believe that the business exists and it is a new start. However, the applicant is here and can explain.

Mr. Keller opened the public hearing and invited the applicant to address the Commission.

Ken Saunders, Chief Executive Officer of Charlottesville Music Institute, said we want to bring together classical music to Charlottesville with expert tuition to raise the standard of classical music for Charlottesville and to be able to create something for the community as well. So tonight, we are looking to get our phase one project off the ground to open so that we can start servicing students. We have been looking at the 1740 Broadway Street location for a number of reasons. So our proposed change of use to begin with for our phase one is a special permit just for five years and as discussed we would like to have the potential for an 18-month extension on that so the money that we make as a 501C3. He said we are moving now from an LLC to a 501C3, which will facilitate and pay for the purpose built building and we are looking to do that for our phase two hopefully in the Polo Roads area.

Mr. Saunders pointed out the things that we liked about the building as a core facility is for an excellent accessible location since it has great links to Richmond as well as

across the mountain to Staunton. It gives great access for students to come to us. It has a loading bay and we have a deal of large instruments, particularly pianos, that will need to be moved in and out, and this would facilitate for that. It has its own parking spaces, as you found out we have negotiated for 49 spaces. We had a traffic report done for you and that says there is no significant impact on the traffic in the area partly due to the timing of our operations. Our peak time for lessons will be between 4 p.m. and 8 p.m., which will not be coinciding with the industrial traffic in the area. We are aiming to sound proof ourselves for two reasons, one so that we don't have to hear the industrial noise, and two that you don't have to hear our squeaky violins over more like 500 year old technology. He said it is an investment in our community's future for all sorts of reasons. Our facility are very accomplished musicians on our director's level and we have links the Philadelphia Orchestras to the Icelandic Symphony to various orchestras in Hamburg and opera singers as well. It gives us a chance to bring those body of knowledge to the people of Charlottesville to aid to be able to listen to them in many wonderful locations that we could do performances not at this site but within the city. It also gives that access to students as well and so raises opportunities for young and old people alike to be able to see professionals working in music. We intend to build an orchestra and choir ensembles, which will be open for the whole community. He said so it will not be just school based things, but they will be things if you yourself would like to pick up a cello and come and play with our orchestra as a working adult you would be able to do that. It brings opportunities for the Charlottesville community to be able to celebrate more in classical music and giving lots more opportunities for people to go out in the evenings. There is an early retirement community here and it would be good for them to be spending money to come and see classical music giving them something to do in the evenings. We are partnering with the ABRSM, which is the Associated Board of the Rural School of Music becoming the testing center for central Virginia, which he will get into a little bit more detail in a minute. It would also be making Charlottesville on the old Steinway School's global map so we will go under the wing of the Steinway School. We aim to eventually build a professional recording studio as well, which will be a beacon of excellence but it would also allow for orchestras and choirs to be able to have somewhere to record. Currently, there is not anyway in the state of Virginia for an entire orchestra to record, and why not have it in Charlottesville.

Mr. Saunders said he would like to discuss the curriculum. He said we partnered with the Associated Board of the Rural School of Music and there are lots more people in that company with the same accent as mine. We would be bringing their examiners over from London at three times a year. Currently, the closest testing centers are Springfield, Virginia and Charlotte, North Carolina. Therefore, there is a big gap in the middle and this would really kind of net many people coming here to Charlottesville for that testing everything from the Norfolk coastline all the way from West Virginia. He said he had many links with universities and their conservatories and certainly, Sheppard University, for example, would be interested in knowing about this and have expressed an interest in it. The examination goes through an eight-certificated program; it is in both instrument theory as well as instrument

practice including voice and grade eight students often are accepted at conservatories around the world without an audition. It is actually that well respected, and in fact over 650,000 students every year in 93 countries take the ABRSM exams since it is the standard. It would be exciting to bring that to Charlottesville.

Mr. Saunders said as he said they will become an old Steinway School and so we have started a process of that. He said old Steinway is quality instruments and quality tuition; they do not just partner with anyone; it is not just about buying instruments from them although that is part of it; and it would put us with other conservatories like Yale School of Music. He pointed out in Virginia there are only four schools that come under the Steinway School, which are the Shenandoah Conservatory in Winchester, James Madison University, Liberty University and the Episcopal High School. He pointed out so this would fulfill something that the University of Virginia (UVA) is not fulfilling now, which would be very exciting for the community. Of the programs that we offer then just looking at the map that we had earlier seen; this is actually from our phase two building that we are trying to fit into a phase one. There are 16 private lesson rooms, two multi-purpose classrooms or in this case, it was shown as one large ensemble room that we would be able to divide, a music library and a recording facility. He said the technology of 500 years ago would be wonderful with the wonderful orchestral instruments but with the modern technology, they would be able to record them and help students learn faster and better. It would have a common area so there would be a place for presentations and small ensembles to play for parents. He said being actually playing in groups is something that we hold dearly to our hearts. There would also be an instrument repair, offices and restrooms. Our music programs are a community endeavor, individual music lessons with professional faculty are being offered there; and our faculty that we want to draw from Charlottesville Symphony, Richmond Symphony and the other professional orchestras he has mentioned; and the ADRSM testing center. We are also looking to do summer camp programs both internationally and domestic bringing people to Charlottesville but note that we want to run these summer camps off site from this location. We are actually looking at doing that at local universities. Mr. Saunders pointed out that it gives back to the community; it gives us links with local and international music community; international concert series, international exchanges and opportunities opens up for young and old people to use and learn musician skills in public performances. He said eventually they would like to put a recital hall and have dedicated classrooms, recording and monitoring of student's development, a music library and provide facilities for the whole family.

Mr. Keller invited questions.

Ms. Riley said it was a very exciting proposal and she thinks it is a great building and location but she has a couple of questions because it seems like you have gotten support from the Economic Development Office from the understanding that this is going to be a temporary use in an LI building. She said the question she had was

because it seemed like the long-term plan, which is to build a new facility, is actually going to be a very capital-intensive endeavor, would you be considering staying in this location if you really would not ever be able to capitalize. She knows these are all speculative questions but she guessed it gets to the core question of whether the current 5-year period is really a realistic one or is it something longer or something more flexible perhaps a better plan.

Mr. Saunders replied that our business analysis looking at starting around 40 percent of capacity moving to about 70 percent of capacity over a five-year period would enable us to be able to afford to build the building that we already had designed. Therefore, that is what would enable us to afford it.

Ms. Riley said in looking at the trip generation traffic analysis provided and the comments from the Economic Development Office that it seems a lot of the intensive trip generation is from 4 p.m. to 8 p.m. She said it has been stated it does not coincide with the current industrial uses but in fact coincide with the rest of the rush hour traffic with coming home in the neighborhood. She asked if you have had any discussion with the traffic analysts about what the impact would be on some narrow and somewhat congested roads and guessed that they predicted that you would be increasing traffic in those neighborhoods at about 21 percent increase. She asked is there any direct conversation with the traffic analysts about those things.

Mr. Saunders replied that he had lost his voice and deferred the question to Patricia Eldredge.

Ms. Patricia Eldredge, Director of Operations, replied yes, we did have a discussion regarding the traffic analysis and she thinks the selling point here concerning the lessons is that the lessons are off set – these sessions are actually one-hour blocks. As students' progress through the various stages the lessons become longer; when they take theory classes those classes are a different duration of time. So really, what we are doing is we are talking about one-half hour blocks rather than everyone showing up at the same time. That was featured into the traffic report and that is where they came out with a conclusion that there is minimal impact on traffic in that area. The concert performances are off site because this is a phase one project; phase two is the building itself hopefully on Polo Grounds Road and phase three is a 15 year plan. So this is just the core facility and the orchestra performance area is part of phase two and not part of phase one. That is why we really love this site because it has easy access from Routes 20, 250 and it serves the entire community and the entire region. It offers job opportunities to people in that area because we will be hiring adjunct faculty; we have 5 fixed salary teachers representing the 5 areas of an orchestra and then we have adjuncts that will be hired in addition as well as support people personnel for the facility itself. So it offers that opportunity to the community and a huge benefit which is it is the only type of organization in this area that offers the ADRSM Program but in addition it is open to all ages. We are talking about a community based performance opportunity so it is multi-generational. This is the core facility and this core facility repurposed at the end of five years; the

materials would be repurposed to go to the new facility, which will be larger than this. She noted it is an existing structure; the parking is already there so we saw it as a minimal impact to the community.

Mr. Dotson said he had a question following on the traffic and asked if tonight this is not before us tonight regarding the Polo Grounds Road facility

Ms. Eldredge replied no not at all since that is the permanent facility and another discussion for phase two.

Mr. Dotson said he was curious, and again we do not have to go into it, but he was thinking of the after school traffic that exists because of the sports facilities on Polo Grounds.

Ms. Eldredge replied that would all be taken into consideration once we do that. She said our intention with this core facility is that once the permanent structure is built and the materials are repurposed and recycled to that faculty is that this site will be reverted to industrial use. She said we will need storage and would be a perfect location to store any of the things that we have that need to be stored in addition to instrument repair and that sort of thing. She said this is very much the temporary use to get this off the ground to have the revenue to build the fixed building and then turn it back to its original for light industrial use that we will need.

Ms. Spain said she was a little bit confused and asked does the institute exist now and in what form. She asked do you have faculty.

Ms. Eldredge replied that we have people who are very interested in becoming faculty. We needed to through this process first before we can actually start the construction and start offering the classes. We have had lots of families that have expressed an intention to enroll their students in this. We have already talked to the various orchestras and such about hiring the adjunct faculty and among the directors; she is the only director that does not have a music background even though my family does. She said the other directors are all professionals in their field and so we have a person who is in charge of programs, a person who is in charge of the voice aspect, the artistic director and have already begun the process of exchanging information and dialogues. We had an event at Farmington, which was our introductory event, and Steinway came down and did a presentation at that event and so all of the plans are well underway. She said there is a huge amount of enthusiasm in the community for doing this.

Ms. Spain said so you have everything on paper and all the commitments but just need a place.

Ms. Eldredge replied that was correct and so we are not going forward until we know that we have the place. She reiterated that this is phase one and so orchestral performances will be either at the Martin Luther King, Jr. Center, Pavilion or

Downtown at one of the faculties there such as the Paramount. We have performance opportunities during Christmas events and all of that kind of thing. She noted the important thing is this is multi-generational and UVA's orchestras are for UVA students; high school orchestras are for students in the high school and what this does is provide an opportunity for anyone of any age to engage in the community at this kind of level.

Ms. Riley asked if Ms. Eldredge to explain this a little more because in looking at the trip generation the biggest numbers that are in addition to the numbers lessens, which are staggered. She said the ensemble looks like it is scheduled on Sundays and the theory classes are scheduled from 4 p.m. to 8 p.m. She asked is that different from the orchestral function?

Ms. Eldredge replied yes, the orchestral function is off site.

Ms. Riley asked if the ensembles and the theory classes are scheduled to occur during phase one.

Ms. Eldredge replied they are scheduled to occur during phase one and it depends on the instruments that the students are playing and available time because we have a limited number of students that we can have in the facility clearly, and because this is staggered we will be staggering those hours. The interesting thing about that site is that most of the traffic right now is construction traffic because of everything that is happening down at the end of the road at Woolen Mills and that is gone since they are leaving at 4 p.m. and that coincides. She said they are anticipating home schoolers and adults in the community to be taking lessons during the first part of the day and then students that are in high school or adults who are working and want to take advantage of either the weekend hours or the evening hours to be taking classes then. She said that some will be at grade 1, others grade 3 or grade 8, some will be taking theory classes and so it is very staggered.

Mr. Keller asked if they had a community meeting in Woolen Mills.

Ms. Eldredge replied that they did have a community meeting and there was quite a lot of enthusiasm, which is nice from our perspective.

Ms. Riley pointed out they presented to the fifth and Avon Street CAC when we were at the Monticello High School site.

Mr. Keller invited public comment.

Jeff Werner said he was speaking for himself as a resident of the City of Charlottesville. When he was asked earlier, he said as long as they are not changing the zoning, LI, that is not an issue. However, the fact that the applicant mentioned Polo Grounds Road he just feels somewhat obligated to make sure you are familiar with the history of that site.

Ms. Falkenstein asked to clarify that they are looking to locate in the Brookhill area.

Mr. Werner said Polo Grounds Road is where they tried to do Field School.

Ms. Falkenstein said no, this is an area already rezoned for mixed-use development.

Mr. Werner asked to add that a couple of years ago he coached at Charlottesville High School and one of the assistants had said the school was known for their orchestra. Therefore, he was not surprised that folks in the City of Charlottesville would be enthusiastic about something in Albemarle for an orchestra. However, he just wanted to offer some caution if this is that site, but it sounds like it has been taken care of.

There being no further public comment, Mr. Keller asked if there were any other questions for the applicant. There being none, the public hearing was closed and the matter before the Planning Commission for discussion and a motion.

Mr. Dotson said he had a comment that it seems that the only issue here is that this is using LI space that might be put to a more obviously LI kind of use. However, if LI is part of economic development arts and culture can also be part of economic development and foster tourism, hospitality and other kinds of things. Therefore, he does not feel a great concern that we are using LI space for something other than manufacturing that in fact could contribute to economic development.

Mr. Keller asked Susan Stimart if she had any interest in weighing in on this; we read your letter.

Mr. Gast-Bray asked to say one thing just as an edification piece, in a form base zone if we are moving forward we would be looking at the impacts rather than the technical land use. So in a lot of the same ways why is light industrial where it is, what are the performance elements typically, the noise perhaps factor, the moving of large equipment in and out in a lot of ways they are describing something that is appropriate in a kind of area that would be concentrating on that kind of performance. He said typically you would find it in a larger space usage and then we would be calling it a type of warehouse district. He said you could also look at the traffic and depending on the nature of the traffic, as Commissioner Riley mentioned, and judging accordingly. Mr. Gast-Bray said he hoped this would give the Commission some ideas about the future in where we will be going so they will not have to parse this quite so finely.

Susan Stimart, Economic Development Facilitator with Albemarle County Economic Development Office, commented that one of the key factors for supporting this project is this is not a defining use in the building; it is a complimentary use. She tends to agree with our Planning Director, Andrew Gast-Bray, if it were a defining use then that would tend to diminish its ability to accommodate other types of

manufacturing activity, but the use is sort of complimentary. She said this is being repurposed from its prior use as a major manufacturing enterprise and becoming something of a maker space thanks to the building's owner who is with us this evening, Morgan Ashcomb. She has provided comments, a description of it, including the other businesses that are already operating in the building. She said so it definitely has this nice evolving character to it similar to what you see in Ix Park and other facets will be developing over time in the Woolen Mills Industrial Park also in the Corridor so it is a good compliment. She pointed out it also is a temporary use.

Ms. Riley said she is very excited about this project but also because it is in the district she represents and Woolen Mills is just sort of land that is separate from the rest of the county and is adjacent to the city. Therefore, the majority of the impacts she thinks from anything that goes in this building is felt by the residents in that immediate area, which are city residents. She thinks the staff has done a very good job of looking at the traffic, but she is aware that the Hogg Waller Farm Project is coming before us right along Franklin there; Habitat has several projects and we are going to see a lot of residential development on the southern portion of Franklin. She pointed out that is why she is raising these traffic questions and thinks that in a performance-based approach they are valid questions. She noted being comfortable with the answers that the applicant has given in terms of their projections of the impact that she is hoping that they will be able to respond to carpooling or other kinds of solutions if it becomes a problem as development continues in that area.

Mr. Keller asked if there was a motion.

Ms. Riley moved to recommend approval of SP-2017-00014 Charlottesville Music Institute with the conditions outlined in the staff report.

Ms. Firehock seconded the motion.

Mr. Keller invited further discussion. Hearing none, Mr. Keller asked to comment. He said because of the nature of the community and the streets he thinks they need to be aware that what you think would be less impact with more people coming from four to eight in the evening that many neighborhoods are used to being overrun during the daytime, but that is the private time. He said that anyone that has friends in the Woolen Mills neighborhood and sees how people are walking around on those streets often without sidewalks in that area you are going to have an impact on that neighborhood and he would encourage them to tread softly in that way. However, Mr. Keller said he was in favor of the project and asked for a roll call.

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

Mr. Keller noted that the motion was approved and the request moves on to the Board of Supervisors in the near future. He thanked the applicant for bringing this to all age groups in the community.

Ms. Eldredge noted that she had some brochures and offered to hand them out to the Commission noting the final one would be on line. (Attachment 1 – Charlottesville Music Institute Sponsor Pack Sponsor Pack submitted to clerk by applicant)