

**Albemarle County Planning Commission
September 25, 2018**

The Albemarle County Planning Commission held a public hearing on Tuesday, September 25, 2018, at 6:00 p.m., at the County Office Building, Lane Auditorium, Second Floor, 401 McIntire Road, Charlottesville, Virginia.

Members attending were Tim Keller, Chair; Bruce Dotson, Julian Bivins, Jennie More, Daphne Spain; Pam Riley, Vice-Chair and Luis Carrazana, UVA representative. Karen Firehock was absent.

Other officials present were Bill Fritz, Manager of Special Projects; Megan Nedostup, Principal Planner; Tim Padalino, Senior Planner; Andrew Gast-Bray, Assistant Director of Community Development/Director of Planning; Sharon Taylor, Clerk to Planning Commission and Andy Herrick, Assistant 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.

The meeting moved to the next agenda item.

Public Hearing Items.

PROJECT: SP201800007 – 1895 Avon Street Extended

MAGISTERIAL DISTRICT: Scottsville

TAX MAP/PARCEL(S): 090000000035A1

LOCATION: 1895 Avon Street Extended, Charlottesville, VA 22902

PROPOSAL: Limousine and other motor vehicle rental service on 1.5-acre parcel.

PETITION: "Motor vehicle sales, service, and rental" per Section 26.2(a) and Section 24.2.1.25 of the Zoning Ordinance. No new dwellings proposed.

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

ENTRANCE CORRIDOR (EC): No.

OVERLAY DISTRICT(S): Steep Slopes – Managed.

COMPREHENSIVE PLAN: Office / R&D / Flex / Light Industrial – professional office, commercial; research and development, design, development of prototypes, engineering; light manufacturing, fabrication, distribution if with a non-industrial use.

(Tim Padalino)

AND

PROJECT: SP201800008 – 1895 Avon Street Extended

MAGISTERIAL DISTRICT: Scottsville

TAX MAP/PARCEL(S): 090000000035A1

LOCATION: 1895 Avon Street Extended, Charlottesville, VA 22902

PROPOSAL: Automotive detailing service on 1.5-acre parcel.

PETITION: "Automobile, truck repair shops" per Section 26.2(a) and Section 24.2.1.2 of the Zoning Ordinance. No new dwellings proposed.

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

ENTRANCE CORRIDOR (EC): No.

OVERLAY DISTRICT(S): Steep Slopes – Managed.

COMPREHENSIVE PLAN: Office / R&D / Flex / Light Industrial – professional office, commercial; research and development, design, development of prototypes, engineering; light manufacturing, fabrication, distribution if with a non-industrial use.

(Tim Padalino)

Mr. Keller asked if the Commission could handle the two items as one public hearing, and Mr. Herrick replied that the Commission can have a single public hearing but they need to be handled in separate votes.

Tim Padalino, Senior Planner, said the two special use permit applications involve a special exception request and he prepared a staff report presentation that covers everything comprehensively for both the two special use permits and the special exception. He said the request is for the same applicant, Albemarle Limousine and the primary contact is Mr. Mike Meyers, professional engineer of 30 Scale, LLC. The subject property is tax map/parcel 90-35A1, located on Avon Street Extended in the Scottsville Magisterial District; in Neighborhood 4 and the Southern Urban Neighborhoods. In looking at the map, the subject property identified is a 1½-acre property and it does currently contain an addressed structure, which is 1895 Avon Street Extended. The property contains some managed steep slopes in the rear of the property as shown on the critical resources map and is zoned LI, Light Industrial.

Mr. Padalino said regarding the future land use designation in the Southern and Western Urban Neighborhoods Master Plan this property is designated for Office/Research & Development/Flex/ and Light Industrial uses, which encourages professional office and commercial, research & development design, light manufacturing, fabrication and similar uses. Mr. Padalino pointed out the existing conditions on some site photos taken at the end of August on a much warmer day and that he would move through everything else rather quickly and leave space and time for questions if necessary. He pointed out the existing structure and a view of the existing site looking south down Avon Street Extended towards the intersection with Scottsville Road and Route 20.

Mr. Padalino said regarding the proposals for the two special use permit applications that SP-2018-07 would be for limousine and other motor vehicle rental services for Albemarle Limousine and SP-2018-08 would be for automotive detailing services that corresponds with Virginia Auto Detailing business. The proposal also includes a two-story addition to the existing garage structure shown a moment ago as well as a request for a special exception relating to

the proposed location of about 7 parking spaces and a parking canopy within the 30' side yard setback for off-street parking spaces and within the 30' disturbance buffer. It is the same improvements and same 30' dimension. Next, is an image taken from the project narrative, a conceptual rendering, showing how that two-story addition and other site improvements would be configured and how they might look. He pointed out that they would be reusing the existing entrance with updates as will be required by VDOT and approved in reusing the existing parking lot as well of a portion of the existing structure on site. He said there are just a few more renderings and as noted he will move through these somewhat quickly and can come back if necessary. He said next is an image of the conceptual plan submitted with the special use permit applications and he has included a slide that shows everything in more detail.

Regarding a summary of the staff review of these two special use permit applications, staff have identified the following factors of this proposal which are favorable and unfavorable:

Factors favorable to this request include:

1. The proposed uses are consistent with the Master Plan future land use designation for future uses.
2. The proposed uses represent a redevelopment project within the Development Areas. The proposal would improve a previously-developed, currently vacant or underutilized site; and does not require tree clearing, significant grading, or increased impervious surface area.
3. The proposed uses would generate economic activity and support job opportunities.
4. The proposed uses that would occur outdoors would be substantially or fully screened from the Avon Street Extended public right of way.

Factors unfavorable to this request include:

1. Although the Concept Plan shows a "Potential Sidewalk" near the front of the property along Avon Street Extended, the application materials do not explicitly contain a formal commitment to providing this sidewalk.

RECOMMENDED ACTIONS:

Based on the findings described in this report and factors identified as favorable, staff recommends approval of special use permit applications SP-2018-00007 and SP-2018-00008 with the conditions as noted in the staff report and as contained on the slide.

Mr. Padalino said that he would provide some information about the special exception request, again, this is relating to the 30' side yard setback requirements for off-street parking in this district as well as a 30' disturbance buffer. He said this is the conceptual plan for the special exception request – the green area shows that 30' dimension as measured from the side yard. There is a hatched area showing the existing encroachment from the previous use and

improvement of the site. The darker green area shows where the proposed landscaping would go and that landscaping would be in addition to the proposed screening that would be sited along the side yard itself, so screening and landscaping are slightly different proposed ways to mitigate that requested encroachment.

Staff found that the request of the special exception as proposed has several favorable factors.

1. The side yard setback area and disturbance buffer zone has previously been developed and used by one or more prior owners, and therefore this special exception request does not require removal of any existing trees or any significant grading;
2. The proposed mitigation for this request includes the installation of a double row of evergreen shrubs along a portion of the side yard setback area and disturbance buffer zone where the existing vegetation along the southern property boundary is less than twenty (20) feet wide, as well as approximately 1,000 square feet of new landscaping visible from Avon Street Extended;
3. The proposed improvements would result in an improved site design, for the following reasons:
 - a. it reuses existing impervious surface area to support the redevelopment and efficient reuse of the subject property; and
 - b. it includes mitigation practices (described above) which meet the minimum screening requirements and which exceed what would otherwise be the minimum required landscaping, to an area that has previously been developed but which is otherwise unimproved; and
4. This requested special exception (as proposed in the application materials) does not otherwise constitute any harm to the public health, safety, or general welfare.

Therefore, staff recommend approval of the requested Special Exception to modify the side yard setback requirements specified in Section 4.20(b) of the Zoning Ordinance and to modify the disturbance buffer zone requirements specified in Section 26.5(c) of the Zoning Ordinance, with the conditions as listed in the staff report.

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

- c. The double row of evergreen shrubs for screening the southern property boundary.

Mr. Padalino noted that there were several motions made available for your reference throughout the evening and separate votes are required for the special use permits and the special exception request. Mr. Padalino said that concludes my presentation and he would be happy to answer questions.

Mr. Keller invited questions for staff.

Mr. Dotson said the landscaping says evergreen shrubs for the vehicles parked in the buffer zone and asked if there are any specification about the size and other details.

Mr. Padalino responded that the only detail he saw in the application materials was a reference to an approximately 1,000 square feet but not necessarily material specifications in terms of size or other species.

Ms. Riley asked about the large screened gate.

Mr. Padalino responded that there was some information including digital renderings and the 3-dimensional models that are conceptual in nature. He said the idea discussed and shown would be a sliding gate that provides functions for security and screening. He said it is a board fence that has gate utility to it and then the idea would be to have a raised planter bed with some type of screening vegetation planted in there. He noted when distributed to other divisions for review there was some concern how viable that might be but thinks staff was planning to look at that in more detail during any subsequent planning process.

Ms. Spain asked for clarification on page 7 in Section d) gross floor area should not exceed 3,000 square feet; the proposed floor area of Albemarle Limousine is 3,700 square feet. She asked if that is part of the special use permit request.

Mr. Padalino responded that no, it is not part of the special exception request and this would be more a factor of evaluation as opposed to a legal limit. He said it is there for evaluation and you are correct it does exceed that recommended 3,000 square feet.

Ms. Spain said that it was not that far enough over the maximum to cause concern for staff, and Mr. Padalino agreed.

Mr. Bivins asked staff to provide clarity to page 8 under your recommended action condition of approval #2 – in what the difference would be between sidewalks that met the County's standard and VDOT standard. He asked if we have a preferred standard is this not the place that would say a sidewalk that meets County standard.

Mr. Padalino responded that it certainly is something we can distinguish this evening but he thinks in preparing these recommended conditions there was a comfort level with as long as it met either specification that would be okay. He said as far as actual differences in terms of width or material, he actually cannot speak to that.

Mr. Bivins said as a follow-up given Spring Hill Village is slated for the land on the southern border if it would be helpful to have a sidewalk in front of this business that would be similar in type to the sidewalk that is expected when Springhill is built.

Mr. Padalino responded that it was a good idea and suggestion to have a consistent treatment and specification.

Mr. Bivins replied that he did not know how we do that but he would like that to happen.

Mr. Keller opened the public hearing and invited the applicant to come forward.

Mr. Mike Myers with 30 Scale said he was representing Albemarle Limousine tonight in regards to the special exception that Tim did such a great job in summarizing that he would give a quick presentation and answer questions. He said Albemarle Limousine currently operates on 175 South Pantops in an existing office building and being the owners of this property are looking to move their office to this site. The applicants are proposing to redevelop this site by cleaning up the existing block building and the addition next to it. Mr. Myers said because it is a redeveloping site and making use of a site not being currently used they think it is a great project. He said there were a couple other advantages and things to note - there will be very little traffic generated by this use and there is very low traffic volume; and it is probably in order of 20 vehicles per day by the ITE trip generation charts traffic generator.

Mr. Myers said one of the questions that came up was about the shrubs and pointed out that during the site plan they will propose actual species for those shrubs. He said they vision those to be part of the 3' to 6' high Arbor Vitae type shrubs that would provide screening for the headlights from the cars that are parking underneath the canopy facing towards the Spring Hill Village project and that would block the headlight glare. He said there was a question about the fence and that it is proposed to be some sort of wood board on board fence that would actually provide adequate screening for some of the busy vehicles that would be parked in the rear of this site that would be screened from the folks driving along Avon Street.

Mr. Myers said regarding the sidewalk question that they found when looking at the sidewalk construction that this project is industrially located right next to Snow's Garden Center as well as other industrial uses along Avon Street Extended; going north there is no sidewalk for a half mile on Avon Street Extended on our side of the street from Avinity and the final plans for Spring Hill Village have not been submitted. Mr. Myers pointed out that was why we put on the plan potential sidewalk since we were thinking that may be something especially without a sidewalk at this time that might not be the best idea since it is not connected to anything and it

may not in the near future. He said the sites to the north are developed so they would not individually come in and build sidewalks and that was one of our concerns moving forward with the sidewalk requirement. Mr. Myers asked that to be considered and brought up during the site plan stage of the project and let the county engineer make that final decision and he would be happy to answer any questions.

Mr. Keller invited public comment. Hearing none, he closed the public comment and invited the applicant to come back for questions.

Ms. Spain asked do you have an estimate of about how much it would cost to construct that sidewalk, and Mr. Myers responded that he had not done an estimate on that and would believe it would be in the neighborhood of thousands and that the sidewalk would also be the construction of curb and gutter and curb ramp construction.

Ms. Spain said she was trying to get a sense if would be less than \$25,000 but it sounds like it is going to be less, and Mr. Myers responded perhaps and if you are trying to separate out the sidewalk.

Ms. Riley said just a follow-up question about the sidewalk that the communities in the area have been working on a Corridor Study that we just had funded but for many years, we have been working on multi-modal ways for both pedestrians and bikes to connect throughout the area. Ms. Riley said the sidewalks are an important component of that and so she was hoping you are open to the condition of sidewalks as part of this.

Mr. Myers responded that he thinks we would be open to have it as a condition for that reason and pointed out another issue that there is an existing bike and pedestrian trail on the other side of Avon Street Extended that extends all the way across to the Mill Creek residents and development. However, if part of your requirement we would be fine with it and do not want to hold it up for that. He said although, we are not 100% in agreement with it, but can live with it

Mr. Dotson said thinking ahead to the residential element next door that he was trying to envision the residents next to the proposed use and the thing that comes to mind is the 12 to 16 vehicles that have those annoying backup noise. He asked what is the typical pattern when they come to the site; do they back into their space and are the beeping back up sounds not heard. He asked what kind of vehicles park on the carport closest to residential.

Mr. Myers responded that the way he understands it the larger cars that have the beep would be in the back and those are the larger 47' and 32' long, which are the only ones that have the warning signal. He noted that those are used so infrequently that maybe once per day because those vehicles are usually taken on long trips or go out of town. He said the use of the larger vehicles would not be a whole lot happening and for a certain length they are required to have that.

Mr. Dotson asked what kind of vehicles would be on the carport.

Mr. Myers responded that there was also the detailing shop associated with it and the limousine service also has sedans and Mercedes or regular car type vehicles and those would be detailed and kept perhaps underneath that carport. He said it would not be the vans but just the typical vehicle.

Mr. Dotson said that one of the graphics made it look like when the large vehicles return home they back in and he would assume that would be at the end of a day's work and during the morning when it might be most disturbing to the neighbors perhaps they would just simply drive out.

Mr. Myers responded yes, that is a great point and the way that he believed that it is done. He said the way we modeled it was to have the cars come in and back up at the end of the day and then the next day it was easier to pull out with the situation we have.

Mr. Keller said as a follow-up are you doing wedding venues and bringing the vehicles back late after bringing folks back to town possibly after mid-night and if the vehicles with the backup sounds are backing up close to those houses.

Andrea Sidharth, representative for the applicant, responded that it would be after midnight and they back up just a short way and end up parking on the side that is closest to Snow's as opposed to the residential. She said regarding the kinds of vehicles that would be parked underneath the overhang that would be sedans and SUV's.

Ms. Riley said at the CAC meeting there were some questions about the detailing operation and we were under the impression that all of that activity would take place inside the buildings. She asked will there be detailing on the exterior outside in the driveway and the yards and when would that activity take place.

Ms. Sidharth responded that would all happen during daytime hours and if there is any work that takes place outside it would be a quick spray down with water and then it goes inside where all the work is done in the garage bays.

Mr. Keller closed the public hearing to bring it back for discussion and action. He suggested that they handle each of these items separately for our discussion tonight. He said for the folks in the audience we apologize for having some technical difficulties there is a hesitation in picking up speakers. He said the first item was SP-2018-0007 and invited comments.

Mr. Bivins said moving forward that he would like a change to condition #2 that says the County or VDOT specification after keeping with the Spring Hill Village sidewalks so there can be a placeholder that can be there during the site plan for this project so at one point in time there

will be sidewalks contiguous to this project. Mr. Bivins said given our previous conversation about Biscuit Run and if in fact whatever X years that is going to become an additional thoroughfare to an open park space, then it is clear that the things that the people pass as they get there should have a level of curb appeal.

Mr. Keller invited further discussion.

Ms. Riley moved to recommend approval of this special use permit with the recommended conditions of approval as outlined by staff in addition to condition #2 that stated that the consistency of the sidewalk be with that of the sidewalk of Spring Hill Village.

Mr. Herrick noted that the only complication with that of course is that other sidewalk does not yet exist so if this sidewalk were constructed first perhaps the condition would be imposed on the other parcel to ensure consistency with this parcel.

Mr. Keller said since we have a VDOT representative here this evening it might behoove us to hear what they would recommend as the standard. He said we have a roadway that is building out at a pretty fast pace so the questions really for us on the Planning Commission is about the continuity of that edge treatment, curb and gutter as well as sidewalk.

Adam Moore, Assistant Resident Engineer for the Charlottesville Residency, said the sidewalk in this corridor he would say is most likely not to fit a textbook section because if it is going to be complete it is going to have to connect the dots in front of the existing parcels regardless of redevelopment. He pointed out that what you see is a certain amount of flexibility in the arrangement of the sidewalk to the edge of the road or most often curb and gutter. He said without knowing the specific drainage situation along this frontage it is hard to say what would be necessary to make curb and gutter as well as a sidewalk work in this small section. Mr. Moore said that he also does not remember exactly what is called for in the Springhill Village Plan as we mentioned. He said if there is a desire to have a sidewalk across this frontage there is a certain amount of flexibility to be able to fit it in with minimal lateral offsets from the edge of the road. He said typically we like to have at least 3 feet between the edge of the road and the sidewalk and in some very constrained instances especially in redevelopment projects you could work with less.

Mr. Keller invited questions. Hearing none, he thanked Mr. Moore.

Megan Nedostup, Principal Planner, said she just wanted to mention that the Springhill Village Initial Site Plan actually came in this week. She said they had a previous initial; they are resubmitting revisions but she just looked up what the standard was for a sidewalk that they had previously approved and it was an 8' wide sidewalk along Avon Street and would just offer that information.

Mr. Keller asked how much setback from the curb and gutter to the sidewalk, and Ms. Nedostup responded that she did not see that dimension and staff would have to figure that out.

Ms. More said we have a motion on the floor and she was comfortable with it the way it was but asked if you want to add anything. She said it says it is meeting County and VDOT specifications so what we heard from VDOT is not knowing this specific site that they would have to evaluate that for drainage. She said therefore she was comfortable with #2 the way it was.

Mr. Herrick said one alternative would be to leave # 2 the way it is and another alternative might be to have #2 but to say that it shall meet County or VDOT specifications and allow for interconnection with adjacent parcels or something to that effect if that is the concern.

Mr. Bivins said that he liked the modification offered by council having it be consistent with any planned development along the sidewalk; he did not want to have a disconnection there.

Mr. Keller said there would be direction for staff at this next stage.

Mr. Dotson asked staff to put back up the picture showing the existing condition looking from the driveway across the street at the church.

Mr. Padalino replied yes, that was the slide showing the edge condition.

Mr. Dotson asked where would the parking area be and if the existing trees would be removed to put the carport in.

Mr. Padalino replied that it was a little tough to say because the entrance would be modified and will actually be restricted a little bit to meet commercial entrance standards and he was going to cross reference this photo with the special exception request plan.

Mr. Dotson pointed out in just looking at the photograph it looked like there was some evasive kudzu or something else growing up the trees. He said if those trees are to be part of the buffering then there should be a commandment on the part of the property owner to do whatever you do when you have an evasive species so those trees that are intended to be preserved are not killed.

Mr. Keller asked if the motion made needs to be fine-tuned.

Mr. Herrick responded that there would need to be a friendly amendment made and accepted by the initial mover.

Ms. Riley replied yes, she was interested in the friendly amendment and asked how it would read.

Mr. Herrick responded that the language he suggested which Mr. Bivins seemed to find acceptable was a sidewalk meeting County or VDOT specifications and allowing for interconnection with adjacent parcels shall be constructed as shown on the conceptual plan prior to the issuance of the Certificate of Occupancy as the language of condition #2.

Ms. Riley said yes, that now there was an additional friendly amendment potentially regarding the buffer and the preservation of the existing trees as a buffer.

Mr. Dotson said that he was not offering that as additional condition but was hoping to call it to staff's attention to follow up that if those are important trees they be treated in a way to preserve their life.

Mr. Herrick noted to Mr. Dotson that your comments would be taken into account on the special exception request that would be up for a motion and vote later.

Ms. More seconded the motion made with the friendly amendment.

Mr. Keller asked for a roll call.

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

Mr. Keller said the Commission would move on to the second piece of this. He asked if there was any further discussion on the vegetation.

Mr. Herrick noted that SP-2018-08 is actually the special use permit for the auto detailing service and the buffers would be taken into account in the special exception request.

Ms. Riley recommend approval of SP-2018-08 for 1895 Avon Street Extended.

Mr. Dotson seconded the motion.

Mr. Padalino recommended that the same modification recommended with SP-2018-07 condition 2 happen with SP-2018-08 condition 2; however, it is a little bit odd because it is two uses and two permits for one project but the language for both of those conditions should be modified.

Mr. Herrick suggested that it would be simpler to administer all the conditions from SP-2018-07 that were also carried over into SP-2018-08 including the modified condition for #2 plus all the other conditions as originally proposed.

Mr. Keller asked if we need a friendly amendment to add those in and Mr. Herrick responded yes, unless Ms. Riley was already including that as part of her motion.

Ms. Riley said she would be willing to include that as part of my motion.

Mr. Dotson seconded the motion.

Mr. Keller invited further discussion. Hearing none, he asked for a roll call.

The motion was approved by a vote of 6:0 (Firehock absent).

Mr. Keller asked for discussion or a motion on the special exception.

Ms. Riley moved to recommend approval of the special exception with the note to the staff about the interest in preserving the trees in the buffer area.

Ms. Spain seconded the motion.

Mr. Keller invited further discussion. Hearing none, he asked for a roll call.

Mr. Herrick asked before the roll was called if that includes all of the conditions that were recommended in staff report, and Ms. Riley responded yes.

The motion was approved by a vote of 6:0 (Firehock absent).

Mr. Keller noted the request would go forward to the Board of Supervisors at a date to be determined with a recommendation for approval.

The meeting moved to the next item on the agenda.