

Minutes  
**PLANNING COMMISSION REGULAR DOCKET**  
**TUESDAY, October 10, 2017– 5:30 P.M.**  
**CITY COUNCIL CHAMBERS**  
**NDS Conference Room**

**I. Commission Work Session (Agenda discussion(s))**

*Beginning:* 4:30 p.m.

*Location:* City Hall, 2nd Floor, NDS Conference

Members Present: Chairman Lisa Green Vice-Chair; Corey Clayborne, Commissioners Genevieve Keller, Jody Lahendro, Kurt Keesecker, John Santoski and Taneia Dowell

**II. Commission Regular Meeting**

*Beginning:* 5:30 p.m.

*Location:* City Hall, 2nd Floor, Council Chambers

Members Present: Chairman Lisa Green Vice-Chair; Corey Clayborne, Commissioners Genevieve Keller, Jody Lahendro, Kurt Keesecker, John Santoski and Taneia Dowell

Staff: Missy Creasy, Carolyn McCray, Lisa Robertson, Heather Newmyer, Brian Haluska, Alex Ikefuna

Call to Order: The meeting was called to order by Chairman Keesecker at 5:30 pm

**A. COMMISSIONERS' REPORTS**

Commissioner Lahendro: reported he attended a Tree Commission meeting on October 3<sup>rd</sup>. The Commission has planned for planting 37 trees at Westhaven with the CATS organization this fall. The Commission and CATS will hold a demonstration project for the residents. They are targeting Michie Drive's CRHA development for the fall of 2019 for tree planting. Our staff person reviewed Parks and Rec's proposed tree planting list for this fall. There are 129 total trees that will be planted, 30% of which are to replace dead or dying trees. The Development Committee for the Tree Commission has met with NDS and Public Works to understand the site plan review processes for SUP, PUD, and by right developments. They will focus on providing tree planting and protection recommendations for our current Comp Plan process. The Tree Commission approved the data committee's recommendations to use the five performance measures for collecting, evaluating and reporting data to reflect the current status of trees in Charlottesville. The Tree Commission raised the annual goal of tree plantings from 100 to 200. One hundred is not getting us ahead of the trees we are taking down because of disease or dead trees. We need to have a higher goal to improve the stock of trees in the city.

Commissioner Keller: reported she did not attend the TJPDC meeting this month. We received correspondence regarding The Standard and its SUP requirements. She followed up on this and it seemed that the issue concerned the pedestrian connection and the \$50,000 that was promised for job training. The issue became that it wasn't memorialized or at least the motion by Council would be the prevailing document. She was very concerned about that because it was a project she didn't support, but she does know the \$50,000 dollars for job training was very compelling and interesting and a good thing and a bonafied offer and a promise made in public. She commended Councilor Galvin for following up on that, and she followed up on it as well. How do we make sure when things like that are in the public domain, but don't make it into the motion what are we going to do about it. She followed up with Director Ikefuna and asked could we consider making a change at

the commission and she would love to see Council do it too. That we would see a motion as we are crafting it. A motion with a lot of moving parts, we could see it up on the screen, we would make sure that all of the things that were discussed during a long and complicated case; we could actually see them and check them off, and they would go to Council the way we had them because sometimes when we have a messy motion obviously it has to get word processed and made grammatically correct. She followed up with Alex and he is checking with IT. She said forgive her if she has gone out of school but she wanted to make sure it would be possible before she brought it to the rest of you. It looks positive for the \$50,000 for job training that the developer is going to keep that promise and Chris Engel is pursuing a \$50,000 match from the city for that. We should feel good about that diligent and a happy after affect seeking an old project.

Commissioner Dowell: She did not attend a meeting, but is gearing up for the CDGB Task Force. A date is to be determined at the end of the month and the task force is looking for volunteers.

Commissioner Clayborne: He attended the Board of Architectural Review meeting on September 19th, and as always there is a full docket. He picked the project presented as a preliminary discussion of the expansion of the Amtrak Station. A nice job was done articulating how modern architecture could coexist with historic architecture on the same site. The next meeting is Tuesday, October 17<sup>th</sup>.

Commissioner Santoski: Reported that the MPO Tech Committee met and the largest part of that meeting was the Hydraulic/29 study which we will hear about later on tonight. The other meeting was the Parks and Rec Committee meeting and there was a good presentation by Sarah Blech on the summer therapeutic rec program. They do a tremendous job. They had their camp broken into three entities in terms of the age groups they work with; younger children, older children, and adults. He had a chance to share with them the Planning Commission's thoughts regarding the Comprehensive Plan and we will be bringing that back to the public soon for more feedback and had some good responses from them about some of the things that were brought up in the first round or series of meetings that we had with the public. We said we would listen very closely and very thoughtfully to what was said, so there may be some surprises in the Comp Plan and the land use that we are looking at. At the same time the public is appreciative of the fact that we actually listened to the people who came out to talk to us. It was nice to have a subsection of the community saying let's wait and see what comes before us.

Commissioner Keesecker: No report

**B. UVA REPORT: Brian Hogg** said the Architect from the University came and presented Brandon Avenues' green street development and the future development of Brandon Avenue in anticipation of closing the street.

**C. CHAIR'S REPORT: Lisa Green** reported she missed the C-Tech meeting and they did have elections and she is not the chairman of that anymore. She will let you know the date for next months' meeting. We have to look at our boards and commissions, so start looking at those and think about what you want to stay on because we have to renew those. We have been meeting a lot for our Comprehensive Plan. Please pay attention because we are going to be sending out some more information and doing some more community engagement. We have had two rounds of community engagement for the Comp Plan that we have started and are talking about and a lot of discussion about affordable housing. She encourages everyone to come out and take part in the community engagement processes for the Comp Plan.

**D. DEPARTMENT OF NDS: Missy Creasy** reported our regular work session is on October 24<sup>th</sup>. We will have some other discussions so we can continue to work on the land use map draft so it will be ready for public input. On Thursday October 26<sup>th</sup>, there's a Joint Work Session with Council on the SIA Form Based Code at Carver Rec Center at 4 pm.

## **MATTERS TO BE PRESENTED BY THE PUBLIC NOT ON THE FORMAL AGENDA**

Travis Pietila, The Southern Environmental Law Center: Tonight, I'll be speaking about one of the items on your consent agenda—the initiation of a ZTA to make changes to ordinances on building height, streetwalls, and nonconforming uses.

First, we're glad to see the City moving forward to fix the problems with the current definition of building height. The general approach outlined by PLACE in the staff memo has promise, but in reading the draft language, it also seems likely to raise more questions and open other cans of worms. We're afraid it could take a while to iron out that approach. So we urge you to make sure the advertisement for this ZTA also keeps open the initial, short-term option put forward by the City Attorney's office, which was to simply eliminate the sentence about averaging building heights that has caused all of the problems. But our greater concerns are with the other items in this ZTA—those on streetwall heights and nonconforming uses, which could both have major effects across our downtown. It's also troubling that they seem designed to adapt our zoning ordinance to fit a single development project, when it should work the other way around. One of the changes would erase all streetwall and setback requirements for the entire Downtown Mall—opening the door to drastically transforming the historic core of our downtown, and really the heart of our entire region. These standards were not arrived at lightly, and they should not be thrown out just because they're at odds with a project. This piece of the ZTA should not even move forward. Another change seems to mean that a non-conforming contributing structure in a design control district—of which there are many—can be expanded without having to comply with many key standards of the zoning ordinance, such as height, setbacks, setbacks, and screening requirements. We understand staff's concern that redevelopment shouldn't require altering historic buildings to enable expansion to occur on a site, but a much more targeted change could achieve that purpose without potentially exempting entire projects from all development standards. You should only proceed with a more targeted approach, and we have ideas we're happy to share. In closing, we're surprised, and frankly, disappointed, to see the scope of these two new zoning changes being rushed forward. Unlike the building heights issue, which has been debated in a public forum for months, the other two have not been discussed before in any direct way, and the staff report for this item was only made available shortly before this meeting. Changes of this magnitude should not be initiated without giving the public a reasonable heads up and chance to weigh in.

Rebecca Quinn, 104 4<sup>th</sup> Street: She commended the commission on speaking into the microphones. She has actually had people stop her and say they have not seen you on TV recently. She has heard people say when someone comes from the public to the microphone, they are not always paying attention to the microphone. She asked Chairman Green to remind people to speak into the microphone because there are people who watch at home. This is part of our public record and the only way the record can be complete is not just the audio but the notes that your secretary takes are audible so she can make them legible.

### **1. CONSENT AGENDA**

Minutes - August 22, 2017 – Work Session

(Items removed from the consent agenda will be considered at the end of the regular agenda)

2. Zoning Text Amendment Initiation– Sections 34-557, 34-558, 34-1100, 34-1146, 34-1147, and 34-1200.

Item 2 was removed.

Motion by Commissioner Santoski Seconded by Commissioner Clayborne to approve the Consent Agenda, motion passes 7-0.

Commissioner Keller moved to initiate several zoning text amendments, as referenced in the agenda materials, in order to allow us to consider the following three items through the standard public hearing process:

- Updated provisions for how the city measures building height, including elimination of the existing sentence related to the averaging of building walls and a discussion of two alternative recommendations received from a PLACE subcommittee.
- Provisions to allow a greater than 25% expansion of a non-conforming contributing structure within an architectural design control district so long as all development standards are met for the site other than any standard that would require modification of the contributing structure itself, the expansion would not require demolition or encapsulation of the contributing structure, and the BAR has issued a COA.
- Amendment of the zoning text in the Downtown Mixed Used Corridor District, ONLY to clarify that the streetwall regulations, and related setback provisions, do not apply to that portion of a building's façade that is adjacent to Water Street, seconded by Commissioner Santoski, motion passes 7-0.

### **III. JOINT MEETING OF COMMISSION/ COUNCIL**

**Beginning: 6:00 p.m.**

**Continuing: until all public hearings are completed**

**Format: (i) Staff Report, (ii) Applicant, (iii) Hearing**

1. ZM17-00001 – 1021, 1023 and 1025 Park Street Planned Unit Development (PUD) –

**Presented by Heather Newmyer**

Commissioner Lahendro: said Ms. Newmyer mentioned duplexes on Park Street but the duplexes are actually behind the residence that faces Park Street. Are these the two duplexes that are for affordable housing?

Ms. Newmyer: said yes they are and one would front on Park Street.

Commissioner Keller: asked is that where the existing house is being demolished?

Ms. Newmyer said yes it is 1023 Park Street that is being removed and originally they had just one independent living unit but they changed that to include two units and have the temporary office on the bottom. On the other side is the stone house which they are preserving and the new school building is behind that.

Commissioner Keesecker: said the parking calculations were reduced but they were not reduced because of any reductions related to availability of transit or shared parking arrangements or off site, they just reduced the parking count.

Ms. Newmyer: They are proposing shared parking on the site. The MACAA operation goes to 3:00 pm but the idea is the second shift of the senior living center would use that parking; and the other thing they noted is that visitors tend to come in evenings and they could use those parking facilities after MACAA closed for the day.

Commissioner Keller: could you explain for the public and to assure her that when this motion is considered because it's a PUD which in affect is a rezoning, the motion will be to approve it or not approve it. She said there are a number of proffers and other agreements that go with this PUD and then it goes to Council and Council will make the final decision, which of the things in this discussion actually go with our advisory recommendation to Council.

Ms. Newmyer: A PUD request is an applicant coming forward and saying we think we have an unique proposal that would be in theory better than what a by right zoning district would get you and within that there is a more substantial review process to make sure what they are proposing can actually be done so what I mean by that is a more detailed application package that they have to include a PUD development plan which includes anything that is included and proposed in that would carry forward as the zoning district. This application is proposing only to have a school use and the senior living facility and no other uses. If the uses are not listed in the PUD development plan then the applicant further down the road would not be able to use that use unless they were going to change the PUD development plan and they would have to go through the entire rezoning process. Some of the things that we have touched on tonight are already included in the PUD development plan. For instance they are already preserving the rock hill gardens - they have to do that now. They are stating we will enter into a joint use agreement with Parks and Rec to allow access to the rock hill gardens up to Park Street or back down to John Warner. That will be required. The number of units would not be able to change, the height will not be able to change. Even the intersection improvements would not be able to change. Everything in there is required if this were to be approved and the proffer statement they are tied too as well. They are offering \$75,000 to the affordable housing fund and we would make sure that they do that.

Lisa Robertson, City Attorney: said the applicant is not required to meet all objectives; they are not requirements in and of themselves. It is almost like a little Comp Plan provision inside your zoning ordinance, but quite honestly it is not a pure list of objectives so there are some things that you might be always looking for and there are other things that you might not. There isn't a requirement to meet all of them.

Commissioner Keller said the Commission has the right to pick and choose but there isn't a requirement that they meet all of them.

Commissioner Keesecker: said one of the elements in our packet in the PUD development plan on sheet G-1, a series of partial elevations of the building itself. So we can take it the building will generally follow those concepts since they are included in this packet the provision for traditional windows over whatever the language that describes it is part of it now.

Chairman Green: said on pg. 3 of the staff report, it shows removal of the left turn lane and additional lane (intersection) on Park Street. There seems to be a lot of improvements of the road, flashing beacons at proposed crosswalks. Are those provided by developer?

Ms. Newmyer: said yes. There has been a lot of concern with neighbors saying (because they are increasing the width) are they taking anything from another property. They are actually moving their property line back so they can provide that.

Chairman Green: Is there a timeline when they will be installed?

Ms. Newmyer: said if this is approved it would go through the site plan process which would include those improvements. However long the construction process would take.

Chairman Green: said prior to the CO?

Ms. Newmyer: said yes.

Chairman Green: said on pg. 7, a temporary sales office is proposed in affordable independent living cottages on Park Street, Is there a timeframe for that to be used as a temporary sales office.

Ms. Newmyer: said they did not provide a time line.

Chairman Green: said on pg.12, you were speaking about the EMS entry, is that going to be closed on 250?

Ms. Newmyer: said they have removed that. There is not enough width and they would have to take down part of the wall. Fire and traffic said it is unnecessary they don't need it.

Chairman Green: asked do they have to have bicycle parking? She also asked about the 80% AMI, has that been discussed with Stacy Pethia.

Ms. Newmyer: yes they met with Ms. Pethia, and she went through the differences between providing for the 60% range and the 80% and the applicant choose to do the 80% range. Bicycle parking would be addressed at the site plan phase.

Commissioner Keesecker: said regarding the affordable housing proffer both in cash and in terms of the 4 units, are those calculating as a result of the FAR provided on site?

Ms. Newmyer: said no they are not partly because it's a rezoning so we only do that with SUP but also because it's a senior living facility doesn't weigh the same; we don't treat that the same as a building complex but it was their choice to come back and provide that because it seemed like big part of the discussion last time.

Commissioner Clayborne: has the applicant in anyway shared space with the community with this project.

Ms. Newmyer said the applicant has said that the MACAA school building/school house would be available if the neighborhood wanted to use it as a meeting space. The dining facility would be open to the public to have visitors come in and eat with their family members and doesn't think they would turn down someone coming in to eat.

Commissioner Clayborne: does this go to BAR and is there anything we can do to help maintain the design quality?

Ms. Newmyer said no, it does not. At least from a staff standpoint she would likely have the design planner look at that because it is a part of the PUD development plan so whatever they are building is going to be at the building permit stage will need to line up heavily with that and we would probably pull them in but it is not required to go to the BAR.

Commissioner Keller asked would you have the same attitude toward the two duplexes or some design compatibility with the existing neighborhood even though they are not in a BAR district.

Ms. Newmyer: they included on sheet G1 guidelines for both the facility and the duplexes as well.

Commissioner Keller said the agreement between Parks and Rec and the applicant, using the treatment plan that was part of the John Warner Parkway litigation because it's on the city website and is quite detailed. We couldn't require that of the applicant but we could require that of our own Parks and Rec because it is there and is quite good.

Applicant report: Kurt Wassenaar, President of Wassenaar + Winkler Architects and Planners, acting as representative for Monticello Area Community Agency (MACAA) (owner of 1021 and 1025 Park St) and New Millennium Senior Living Communities (NMSLC) (contract purchaser of 1023 Park St (owned by 1023 Park Street, LLC))

Mr. Wassenaar spoke on the many aspects of having a "intergenerational campus" that would locate a senior housing facility, containing a mix of assisted living and independent living units (151 total units proposed), on the current MACAA site (1025 Park Street), and to re-locate MACAA's operation and facilities to the adjacent "Stone House" (1021 Park Street) immediately North of the MACAA site. He proposes to restore the Stone House for MACAA's executive offices and construct a new school building behind the Stone House for MACAA's early childhood development program.

### **Open the Public Hearing:**

John Hossack, 617 Davis Avenue: said MACAA has been a good neighbor to the community for years and he supports their mission and purpose. However, he said, he still has concerns that Park Street cannot handle the additional traffic that will be generated. It is really beyond argument that Park Street for many hours of the day is gridlocked. He also said older drivers seeking to exit the site may not be able to navigate the conditions. This is fundamentally a transfer from residential use to commercial use, and that should have a very high bar to clear.

Harriet Kaplan: After spending over 2 years trying to figure out how to save MACAA and to help it flourish, we are now extremely excited about all of the synergies inherent in the project that was just described to you. Think of it! A new, modern child-development center for our area's most vulnerable preschoolers; A much-needed senior living community that will preserve most of the site's natural beauty; An opportunity for seniors and children to enrich each other's lives; and 85 permanent jobs that could represent a new beginning for some of MACAA's constituents, many of whom are unemployed or under-employed. This scenario is a far cry from what we have now: A building that has outlived its useful life and that is both too expensive to rehab and too costly to run. The bottom line is that the status quo is not an option for MACAA. Please, I urge you to grant the PUD tonight so that MACAA can go boldly into the future, continuing all of the important work

that we have done in the past and to make possible all of the important work that we plan to do in the future.

Dawn Kidd: former MACAA board member said she came to support this project. We did and have put a lot of thought to this project a process we have gone over the last couple of years. She said this will work for the community and for MACAA. Her child attended the head start program and she participated as a parent and it has helped her to grow as a parent and as a professional. This community needs the jobs which will be a positive; and the intergenerational aspect will be a positive for the kids that attend the head-start program.

Barbara Smith: MACAA's plan to bring an intergenerational campus to Charlottesville will provide increase cooperation, interaction, and exchange between people of different generations; and enable various age groups to share their talents and resources, and support each other in relationships that benefit both individuals and their community. The intergenerational community is not just one where multiple generations reside. It will bridge the generational gap by building on the positive resources that each generation has to offer each other and those around them. The elderly possess a wealth of knowledge that can be passed on to the younger generation. Many of us have said, I don't know what happened to this younger generation – cause when I was young, my neighbor would correct, redirect, and guide me and set me back on the right path. Well, neighbor, it's our responsibility to address the extraordinary needs of low-income children and families. We are to set a path for their success. To ensure those less fortunate than us to have an opportunity to better their lives. This is what MACAA has been doing for over 50 years. Providing services to help those most in need in our community to become self-sufficient. In 1964 an unconditional War on Poverty was waged. On August 12, 2017 a different kind of war was waged in our community. And, it was out of our hands – out of our control. Well, there's still a war to defeat. And that is to ensure the disadvantaged children, families and seniors are well cared for and mentally stimulated by interactions with other people which will help to sustain their lives. MACAA's longevity is a testament to our overall effectiveness. MACAA has and continues to serve as a beacon of hope for many and an inspiration to the entire community. Our current facility is falling down around us. We need not look poor to help the poor. This new campus is critical to MACAA's financial vitality and existence. And, that neighbor is in our hands and in or control. Help us in this important work of building a solid foundation for generations to come. The solidary plays in building a stronger and supportive community where all lives do matter.

Elise Cruz: I am the Senior Program Director at MACAA. I am a trained urban planner but took this position to see my city from a different perspective-from the eyes of the area's poorest, most disadvantaged, most overlooked and forgotten people. I know that many of you have expressed your support for MACAA and the programs we offer to the community and we are grateful for your partnership and trust. Tonight, I'd like to go back to my academic roots and explore this decision using a term I have a love-hate relationship with: "Highest and Best Use." This particular site is a bit of a weird one. It's bordered by a highway and a major bypass, neighbors a large city park and older neighborhoods, has a complex cultural and natural history, is one of the largest privately-owned and mostly-undeveloped parcels of land in the City, and has this unsightly, crumbling office building sitting right in the middle. From my perspective, there are few possibilities for the future of this site: MACAA continues to occupy the property for several more years. We continue to sacrifice the strength of our programs while we struggle to keep the building in working order. The structure continues to deteriorate and be an eye-sore. Some millionaire offers to buy the property, knock down the building, and build one giant mansion on the hill. Another developer approaches MACAA to build something by-right, such as squeezing 25 single family homes onto the site. This places an additional burden on the city's schools and emergency services while allowing no



affordable housing and creating a large amount of traffic during rush hour times. The City decides to take advantage of this opportunity to address needs of the City's children, elderly, and low-income residents in one project. This campus will not only help MACAA better address the causes and conditions of poverty in the region, but it will actually provide on-site affordable housing, something no other developer has offered in recent years. Its scale and design are thoughtfully integrated into the neighborhood and geography of the site. Its promise of steady, good-paying jobs and opportunity to build a program connecting low-income adults to careers is hard to overlook. And its ability to keep aging residents part of the community they love is incredibly important. When determining the "highest and best use" of a property and evaluating any proposal, we as professionals are asked to consider 4 things:

1. Is it physically possible
2. Is it legally permissible?
3. Is it financially feasible?
4. Is it maximally productive?

I would also add to this list:

"Does it make our community more wonderful?" In this case, I believe that - with the necessary approvals from the City-we will be able to answer "Yes!" to all of these questions for the MACAA Intergenerational Campus project.

Nancy Kidd: I have been director of the MACAA Hope House Family Stabilization program since 2012 and worked for another program serving underprivileged families prior to that. Over the years I have worked with people who find it difficult to financially survive in the City of Charlottesville. It is typical for them to share three major challenges: employment, transportation, and daycare. The MACAA Intergenerational Campus would provide opportunities for not only MACAA/Hope House families but others in the community. The project would create 85 permanent jobs that may be accessed through job training presently being offered to Hope House families. The jobs would be easily accessible on the CAT bus line. The added benefit of having Head Start on site would resolve daycare challenges for many. I am requesting that you approve the MACAA Intergenerational Campus application.

John Fink: said he is the Executive Treasurer of MACAA and a former Planning Commission Chairman. These proffers are well in excess of a million dollars. This is an extremely robust set of proffers and fully underscores the commitment by the developer to affordable housing in our city. Hand in hand with these proffers is the opportunity for the constituents of MACAA with training to get good jobs, Our mission statement is this From Poverty To Self-Reliance Through Education, we are making a difference, so please help us to continue to make that difference. He said our organization has severe financial challenges, their demands for services has increase and the future of our operation is in serious doubt. MACAA has proudly served this community for over a half of a century. He gave his opinions of the duties of a planning commissioner and the guidelines to consider. The city is in dire need of clear and abiding leadership. Please demonstrate your collective vision in leadership and your unwavering support of MACAA with your unanimous approval to this application.

Donna Bonsignore, 604 Davis Avenue: she continues to oppose this project and objects to the permanent loss of the two R1 zoned properties on either side that is known as MACAA Drive. In the current iteration of a PUD a double set of duplexes would occupy the south corner lot. With these duplexes all previous pretense preserving the visibility of our R1 low density neighborhood has disappeared. These duplexes were only included in an anemic response to neighbors like me and others in this room tonight who objected to the unaffordability of the senior living facility as proposed. Four units for seniors at 80% AMI plus 75,000 dollars to the city for affordable housing

falls far short to what she would expect from a deal brokered by an anti-poverty organization such as MACAA. The senior living project on the table with all of the bells and whistles is readily available at the same rates in our region. To better justify this re-zoning a facility offering subsidized senior housing featuring intergenerational opportunities would be more in keeping with MACAA's mission and it would show real progress for affordable senior housing in Charlottesville.

Constance Johnson 631 Davis Avenue: No one is against MACAA, we love MACAA. It has been a business in our neighborhood and a great neighbor. What bothers her is these people are putting a business in their neighborhood. We are R1 and single family homes there are no other businesses in our neighborhood. The current MACAA educational facilities are set back and are out of sight from our neighborhood. What they are proposing to do is tear down a single family home at the corner of MACAA Drive and Park Avenue and replace with the two duplexes, the bone they have thrown out for affordable housing. They propose to move the business office up to that beautiful stone house and the other corner would basically be a business office. Of course that eliminates the single family housing also. If this is approved a precedent will be set in our neighborhood and we will start to see other proposals for getting zoning changes and changing the character of our neighborhood. She is concerned with the numbers they are showing you for jobs and taxes; she doesn't understand how they are getting those numbers and she hopes you will look at those carefully. She wonders about the people on the lower end of the job scale; what kind of pay they are getting or good benefits. There are no low income people who will be living in that senior housing facility and she thinks that is a shame.

Nancy Carpenter: Nobody is disputing the bridge building that Mr. Drewary Brown over 50 years ago is not a benefit and not something that is brilliant here in this community. What we have to look at as a Planning Commission is what's being demonstrated and what is being advanced. A couple of the others have mention about affordable housing looking at those slides and you are talking about revenue and income that are coming to the city and what kind of jobs and revenue that's coming to the city and you want to offer \$75,000. That is an insult to the affordable housing fund. The City Council has already appropriated \$900,000 for a voucher program for a number of families here in the city. She said this RUI company could probably do a lot better than \$75,000 as a proffer to get something in this community that some community members are concerned about. She said affordable housing for senior, 80% AMI. She said she works every day with people who get \$735 a month SSI/SSDI. She said in her generation a lot of people didn't work outside of the home, a very small public benefit that comes to them every month. You should be looking at 50% AMI or less because the other problem is there is the business model for this assistance living home doesn't accept Medicaid bids, which means the poorest of the poor, the sickest of the elderly won't have the benefit of being able to utilize this facility. What will the people who will work here do for transportation because most do not own cars. What kind of proffer will they offer to bring in CAT to actually come into the facility because where the current route is now how you have to walk up the sidewalk and across the street is not the most-safest way to get over to the existing property.

Bill Gray: said I am an 81 years old man who reads to kids in the public school for 17 years. He said the experience and the interaction between seniors and the young is wonderful. Seniors and youth on one campus is nothing short of a miracle. He loves it when he walks upon a student he once read to and they remember his name Mr. Gray or they say, I remember the book you read me in 4<sup>th</sup> grade. These kids are respectful and they appreciate the seniors because they have two working parents at home.

Cecelia Mills: said we are relying on the commission and the City Council to take steps to help our community stay a community and said the proposal did not provide enough affordable housing and would not pay high-enough wages.

Paula Kettlewell, Wilder Drive, 83 years old. She can age in place because it is a neighborhood. My neighbors look after me, they know where I am supposed to be at a certain time. It ranges from three in their eighties and people with pre-school kids. It is truly a neighborhood. She 100% supports the kinds of things that MACAA is trying to do. She is not sure this is the place to do it. So many of the jobs in this establishment, the people who work there can't afford to live in this Charlottesville. The traffic has been building up since she move there. To get from Park Street to the 250 bypass going west requires nerves of steel and rapid reflexes which very few people over sixty tend to have so she is very concerned about increasing the number of us who make that split 70 second decision to cross into 250 when people are trying to get out onto the John Warner Parkway. Every time she does it she's holding her breath. Because of the traffic, people will continue to drive through neighborhoods to avoid the hold ups that are increasing on Park Street. When she read about bringing 700 construction jobs, she said what kind of traffic is that going to bring. Thank you for considering it and she believes you will make a wise decision.

Isaac Edwards: He is speaking on behalf of MACAA, born and raised here in Charlottesville and MACAA has truly turned out to be a great asset. He is a led teacher there 3-5 years old to prepare them for kindergarten. The best thing he has experienced is how MACAA involves the family so much, the community is made up of thousands of family. It takes a village to raise these kids and to set an example. This will be a great asset because the building we are currently in is not in the best shape, and is going down-hill, so this building is beneficial to the community and children so he hopes you find it in your heart to go ahead and approve this project.

Virginia Amos, 628 Watson Ave: She is a 92 year old lady who is a lifetime resident of Charlottesville who lives on Jefferson Street, walking to McGuffey and Lane High School. Jefferson Street was her family residence during her years of nursing school. This period of time dates back into the 1920's. In 1958 we build our home on Watson Avenue which was an R-1 neighborhood. She asked you to imagine Ridge Street with stately residence, bankers, lawyers and merchants. Imagine Market Street with lovely homes among them a home of a judge. Imagine High Street all the way from Becks Hill to the Rivanna Bridge with lovely residences. She remembers High Street the residence of at least 5 physicians. Some of these homes have been demolished and replaced with office buildings. All of that area was designated as R-1 in her childhood. Zoning changes have been allowed on these streets and are no longer desirable places to build a home. Currently Locust Avenue and Park Street are zoned R1 and meant for family residences. Gradually exceptions have been allowed to those in offices and other changes. This is the last remaining lovely area for residences. To allow two duplexes across the street from one who built their home is an affront to the homeowner who built in R1. To allow these changes in A1 designation and allow the exception of a senior living in a community with a 4 story building and all of the added traffic is an affront to those who built their homes with confident that this was a designation R1. Currently, it is difficult to turn from Watson Avenue in heavy traffic on Park Street. We have to depend on courtesy of drivers to motion to wait and allow us to turn to have access to Park Street. An increase would be disastrous. Traffic on Park Street will increase until it will be a congested and bumper to bumper as it is currently from Evergreen Avenue to the Bridge on the bypass. I employ you to deny the change of designation from R1 to any other and protect the current residents.

Kathleen Free: It is very confusing for her to tie the project of the intergenerational millennium together with her support for head start. It makes her feel guilty if she has one thought about this behemus building going up in her backyard. It is 75 feet from her backyard. She has strong feelings about the directions that this village is taking. In 1965 her first job was working for head start and the federal programs to establish voting rights for African Americans; both of these organizations was in Mississippi. She gets a clear sense that we are going backwards and we are putting much more into money. There is nothing lively or innovative about this project. She asked how big is each unit and how many people will fit in them. She sent a letter to Heather Newmyer. She can't believe that this is the only way to save head start in a town like this.

Jody London: She is a recipient to what Head Start offers. She is a single mother of a 4 and 2 year old. Her 4 year old is in a classroom that is somewhat dilapidated. It is hard for her to sit and listen to residents say they want to support MACAA but they are not in favor of their community being distorted by a multi-story building. To her that is hypocrisy. To not approve this program is to keep women as herself, single mother, women of color and women trying to better themselves in the situation that we are currently in. Had it not been for MACAA during her time of unemployment she doesn't know what she would have done with her daughter and where she would have been going to school. She has excelled extraordinarily, she is a social butterfly, diverse in her letters, inquisitive, thrives and made lasting friendships not only with the children in her class but with the teachers and the staff of head start so she employ you to please consider this project and give it your approval.

Martha Smith, Marshall Street: She thinks this project is the right thing for Charlottesville at this time. She seconds every complaint everybody has issued about traffic. It is ridiculous and very difficult to deal with. It is already a business an educational business resides in the property so to say oh suddenly it's a business is casting a little bit of a shadow on what's already there. Running a residential facility is a business, but its purpose is residential. She has been involved in Habitat, and seen a number of duplexes that don't look like duplexes They are very attractively styled; simple but nicely detailed and one of the entrances is on the side. She was looking at this affordable housing contribution and was a gasped - 500 per residential unit that is proposed, that is miserly. That amount should be more in the range of 3,000 a unit. Somebody is going to be making money off of these units and it would seem like a fairer contribution to the affordable housing fund would be a heftier number. 500,000 would only get us a tad over \$7,000 and these funds are a way to help the affordable housing issues at least in part to get us moving forward and hope we are able to find a solution to that.

Lane Bonner, Real Estate: There are 10 houses that surround the MACAA property, one house is Dr. Frees house and the other house is the big beautiful historic house, and the other houses are all rental houses, maybe one owner occupied. This block is a rental residential neighborhood, It's R1 but a bunch of duplexes in a way.

Rory Stolzenberg: He spoke on behalf of the renters of Charlottesville, every time you disapprove a project like this where is doesn't sound like the alternative is a bunch of affordable housing being built or 140 units of cheap housing or rather no housing being built, There is a consequence in the rest of the town and that's 140 young couples moving into the units being vacated by these elderly people moving into this new complex which means less people moving out of the rental houses to buy their first house which means rent is going to go up. Homeowners usually gain when something like this happens especially the ones nearby and he doesn't mean to suggest that anyone here is anything but well-intention. There is a transfer of wealth in place and that money comes from mostly the renters of Charlottesville, and in part a complete financial loss. He lives two doors down

from the Clock Shop but he doesn't have any invested interest in any of these projects today and he never heard of MACAA until a couple of months ago. The only way to create affordable housing in this town for everyone is to build more units.

Valerie Long: She is in favor of this project tonight, and it strikes a nice balance between all of the issues that have been raised by the commission and staff over the last few months. As a working mother with two children, she can attest to the significant incredible challenges to finding affordable child care in our community. It is incredibly challenging and incredibly expensive. There are so many studies out there that document and demonstrate the significant financial benefits when a community receives when they invest in high quality child care. MACAA is already there but this will enable them to among other things to continue to buy that high level of care but in new facility that is designed to modern standards and needs that meet our current quality standards and she thinks that has not been discussed enough. All would agree that there is an increasing demand for quality senior living facilities in our community particularly those that are well located closely to other facilities. She has worked on several assistance living facilities in her practice, (she is not in any way involved in this one) she has learned a lot about how challenging it is for families with elderly family members to find quality care, and much like the other speaker mentioned the best way to provide more affordable housing is to build more units similarly the best way to provide for competition and quality care and affordable care insure is to insure we have sufficient supply or at least more supply so that we are not creating a situation where prices are driven up due to lack of supply. She said this location near a neighborhood is actually a benefit, it allows the elderly or families who have elderly family members to live near their family members who might want to live in this building. They can be in the senior apartment buildings when that is the level of care they need and when they get to the point when they need to transition to the assistance level facility they can transition essentially in place which makes it a lot easier on everyone. To have their family member nearby would be a great benefit.

2. SP17-00002-901 River Road SUP Request-Robert High Development, LLC,

**Presented by Heather Newmyer**

### **Questions for clarity**

Commissioner Santoski: said this can only be allowed by SUP, so if the SUP was denied they could not build self-storage facility there.

Commissioner Lahendro: said you mentioned one oak on River Road. When he looked at the site there are several oaks all in a line. Are the others being removed?

Ms. Newmyer: said they are proposing to remove the one on the other side.

Commissioner Keesecker: said there doesn't seem to be a site lighting plan included in the proposal. Is there site lighting or building mounted lighting around the perimeter on to the loading and parking areas.

Ms. Newmyer: said they did not include that in this packet but they would have to abide by dark sky. She said the extra space storage facility on Hydraulic this is very similar to that and in that plan only proposed 2 light poles and others were just wall packs so it might be worth asking the applicant what their plan are for this particular site but assume it would be similar to that.

Commissioner Keesecker: said so he can get his orientation correct, the elevations that are on the last page of the set of drawings we have, the north elevation is the one that would front on Bellevue the long elevation going down the hill.

Ms. Newmyer: said yes.

Chairman Green: Will there be auctioning on site.

Ms. Newmyer: said there would not be auctioning on the site.

Commissioner Keller: asked what environmental requirements would there be if this site would be developed by right?

Ms. Newmyer asked in terms of stormwater.

Commissioner Keller: said stormwater and trees.

Ms. Newmyer: said they would have to provide 10% landscape coverage street trees and for the stormwater requirements they would have the ability to buy off site credits which is not preferable because we would want that to have a local impact.

### **Applicant report - Justin Shrimp, Robert High Development, LLC**

Commissioner Dowell: asked can he explain to her how this development establishes a mix of uses.

Justin Shrimp: said it does not and is not something we are planning to do but the Comp Plan corridor here particularly highlights business and the zoning allows by right. We are fitting in as the business element of this.

Commissioner Dowell: said in parallel two, your chose goal two in mixed use so she is having a hard time understanding how this correlates. Also, referencing the transportation goals that there is going to be bicycle rack accommodation. How would a bicyclist use your storage facility for your business or how you foresee that bicycle rack being pertinent to your business.

Commissioner Lahendro: said why did you not consider what staff proposed for mixed used; for instance a store down River Road. Why was that rejected?

Justin Shrimp: said that space always sets empty as a nice idea but has not worked out well in the past. It is one of his favorite zoning. He said if you look at what is around here it seems to us that this is a start for redevelopment in this area. He said this activity will generate the need for other types of uses but you don't see the users there for that retail or whatever that may be as part of this.

Commissioner Keesecker: how many people work in this building?

Applicant: 9-6 Mon –Sat, two employees full time. You could possibly be generating more parking more traffic. We find that our use is very neighborhood friendly to communities with less impact of traffic along with everything else. In other municipalities it is a preferred way to separate it to keep a less dense and less use.

Commissioner Lahendro: asked what benefit you provide for the residents that live in the neighborhood using the facilities.

Applicant: Our customer base is within one to three miles, though we provide units of all sizes, and a customer is not going to come from other counties to this facility. Our customer base will be very tight in the neighborhood.

Commissioner Keesecker: where will the mechanical units be placed?

Applicant: said fortunately our building is an energy efficient building one of our problem is it is so energy efficient that we put in humidifiers to make the HVAC unit work. We will set these units on the roof in a centered area that is not visible. We use five ton units throughout the layout every 3,000 square feet.

Ms. Newmyer said the site plan will be looking at screening mechanical and she is not sure about noise.

Commissioner Keesecker: asked what is the floor to floor height of the ground floor of this building?

Applicant: said the floor will typically be between 10 and 10.4 feet, floor to floor with the third floor 96 low E, so it is very minimal there.

Commissioner Keesecker: asked if it is steel and concrete.

Applicant : said it is a light gaged product. Some people say you could tear this apart and build something else later. The way these buildings are built we work off a 10 by 10 grid which is light gage but you can't go and tear 20 feet of wall out to do something else.

Commissioner Keesecker: Would you say your building is purpose built for your function only and would have a hard time adjusting to another function in the future.

Applicant: said it would not adapt. If you go to a structural steel built building or build on 4 floors or so, we could have a structural steel product. This is a light gage product with a 3 story building.

### **Open the Public Hearing**

Amanda Burbage: 1203 Belleview Avenue, 1) Self-storage is not a neighborhood-oriented use. The IC zoning district is a permissive district that allows for a wide range of potential uses. Although self-storage is permitted within the IC district, it is not a neighborhood amenity that contributes to walkability or a sense of place, but instead primarily serves those living outside of the neighborhood. A majority of those using the facility will be driving moving trucks or vehicles towing trailers, generating additional vehicle trips and placing additional burden on neighborhood streets like Belleview that already experience a large volume of speeding cut through traffic. While a sidewalk along Belleview is proposed, an amenity any developer of this site would be required to

provide, the use itself is not likely to generate any pedestrian trips. This site is a prime location for neighborhood oriented mixed-use development that provides opportunities for Locust Grove residents and Belleview and River Road employees to patronize businesses without needing to get in their cars. There are many by right uses within the IC district that would be more compatible with the surrounding neighborhood.

2). the use does not align with the City's vision for future land use in this location. The City's future land use map designates this area as a Business and Technology district intended to cater to start-up businesses and technological development. A self-storage facility with two employees is not a significant employment generator nor does it help to expand the City's tax base. At the community meeting held in our neighborhood over the summer, the applicant disclosed that the type of construction used for facilities of this sort does not allow for the building to be repurposed for another use. Therefore, if such a facility is constructed in this location, it is conceivable that it could remain there for the next 30-70 years and would not provide space for technology and innovation.

3). the use does not contribute to placemaking along the Rivanna River. While today River Road is predominately industrial in character, the prevailing development pattern turns its back on a significant natural and cultural amenity, the Rivanna River. The Rivanna is becoming increasingly valued for its environmental, aesthetic and recreational benefits as well as its potential to be a driver for economic development and placemaking in the City and in Albemarle County. As one of the few remaining vacant lots along River Road, the development of this lot will set the tone for future redevelopment along this corridor. It would be a shame to see an area with so much potential remain locked in a 20th century pattern of growth that does not recognize the value of this community asset.

David Hirschman 1107 Calhoun Street: We had a very good neighborhood meeting, Ms. Newmyer, the developer, and the engineer came. We liked that as a constructive process. Ms. Newmyer did an exceptional job communicating with us. Regarding stormwater we thought that this project is right across the street from the Rivanna River that it would be important to do their water treatment on site. The applicant is correct, all across Charlottesville most developers are purchasing off site credits so what that means is that they are spending money for water quality treatment that should be taking place for our city but is going to some type of nutrient or wetland bank in Goochland County or somewhere far away from here and that is standard practice across the state. It is something that the local jurisdictions have been wrestling with because when a development goes into a community ensuring the protection of our own water quality by shipping that money to other places. Since it is an SUP, we requested that they do take a stab at doing onsite stormwater treatment and they did provide what they refer to as infiltration facility. He encourages to stick with the condition the staff put on to work with the engineering department the viability of a good practice that will work with this site. There is a variety of good practices that could be used. He would hate to see that condition go away.

### **Closed the Public Hearing**

3. SP17-00001-201 West Water Street, Landowner Black Bear Properties, LLC

**Presented by Brian Haluska**

**The meeting was shut down by the police due to disruption.**