

**PLANNING COMMISSION REGULAR MEETING**  
**November 12, 2024 – 5:30 P.M.**  
**Hybrid Meeting**

**I. COMMISSION PRE-MEETING (Agenda discussion(s))**

***Beginning:*** 5:00 PM

***Location:*** NDS Conference Room

**Members Present:** Chairman Mitchell, Commissioner Stolzenberg, Commissioner d’Oronzio, Commissioner Joy, Commissioner Schwarz, Commissioner Solla-Yates, Commissioner Yoder, Commissioner Roettger

**Staff Present:** Patrick Cory, Missy Creasy, Matt Alfele, Kellie Brown, Dannan O’Connell

Chair Mitchell called the meeting to order. He noted that the consent agenda will be broken into two parts. The first will contain the minutes and the second will include the items related to the MACAA project. Mr. Schwartz will provide his disclosure concerning the MACAA items. Chair Mitchell asked if there were any questions about any consent items which there were none. There was a brief discussion about the electronic meeting policy.

Chair Mitchell asked Commissioner Solla-Yates to provide an overview of information he had shared. Commissioner Solla-Yates provided feedback from a presentation where a community provided allowance for neighborhood commercial in historic structures that had served as commercial in the past and asked if that was something that could be explored. Ms. Brown noted that staff is putting together the work plan and including consideration for commercial in residential areas was a good idea. It was noted that this could be included with other zoning items in need of review and study. There are a number of items for the work plan and priority setting will be needed to determine how best to accomplish.

**II. COMMISSION REGULAR MEETING – Meeting called to order by Chairman Mitchell at 5:30 PM**

***Beginning:*** 5:30 PM

***Location:*** City Hall Chambers

**A. COMMISSIONER’S REPORT**

**Commissioner Stolzenberg** – I have had a couple of meetings since our last meeting in September. We had a LUPEC meeting in September. We received updates on the Rivanna Station Futures project. The county bought some land around the Rivanna Station for future expansion. There was an update on the North Fork Discovery Park and an update on the Ivy Pipeline study that VDOT was doing. I was not at that meeting. I cannot give you any details. We had a LUPEC meeting in October about the AC44 Albemarle County’s new Comprehensive Plan. It has this concept of activity centers. We learned about staff’s thinking on how those would work in AC44. We also had an update on the regional water supply and the various improvements that RWSA is planning on that. You might have heard that there is an ongoing discussion with DEQ about how much they are allowed to take out of the Beaver Creek Reservoir for Crozet and the need to expand it in the future or find another water source for Crozet’s growth. We had an MPO Tech meeting in October. This meeting was bleak. We submitted a smart-scale application for the 5<sup>th</sup> Street diverging diamond to get a center running shared use path over the bridge. The main reason for selecting a DDI was that it was thought not to require a bridge replacement, which would make its cost something that was possible. After the application was submitted, the VDOT bridge team determined that a full superstructure replacement would be necessary. The cost for that

came in at \$80 million. We will see in January if that is funded. It is not looking good. We also got an update from the Ivy Corridor. From that meeting, they are going to package it into different sets of projects that can be submitted separately. The new rules say that if you do a corridor study and it says a bunch of projects, you must submit them all together as one package for smart scale. VDOT is about to launch new stars studies. One of them is the Emmet and 29 interchange. Another one is 29 from Hydraulic to Woodbrook. That will be focused on safety at intersections from Hydraulic up to Lowes. There is one in the city. That will be the West Main-Ridge-McIntire-Water Street-South Street intersection in developing a plan for future smart scale submissions for that. There will also be new pipeline studies. One will be on 5<sup>th</sup> Street because the DDI will not be funded. They will be taking another look at what to do there. There is also a pipeline study for 29 at exit 118 at the 64 interchange. It is not looking good for us to get anything funded through smart scale in the future. We should take the projects that are funded and execute them.

**Commissioner Schwarz** – With the BAR, there were 2 things of note. At the last meeting, we looked at a 9-unit apartment building on Gordon Avenue. This was supposed to be a final review. We had seen it some time ago. The developer chose to cap it at 3 stories and 9 units for construction type. If there were 10 units, one of them would have to be affordable. We had to defer it because it had some issues with the zoning code that needed to be addressed. We were unsure if there were some parts of it that met the zoning code or not. I think staff was going to look at it again. We looked at the café guidelines. We completed the review of a section. The philosophy that was adopted was to try and limit the privatization of The Mall. The guidelines were tailored towards more transparency through the café spaces. There were no big changes. That will go to Council sometime this winter so that everything is adopted before the next café season starts.

**Commissioner Solla-Yates** – Virginia Department of Housing and Community Development got together the single staircase Advisory Group for one last meeting to discuss the finalized report on updating our building code to allow safer and more affordable missing middle housing. We have made some tweaks. I added some historical and urban design things. I am excited about it. It is looking, based on the national changes, we will be getting a 4<sup>th</sup> story of single staircase design. The 5 and 6 remain a question mark. The Pew Charitable Trusts shared some initial data from a report they have been working on looking at New York City and Seattle. They took a similar analysis to Virginia. We don't have a lot of single staircase new construction to study. Looking at old and new multifamily and single-family detached, we found new multifamily remarkably safe. It was a huge safety improvement. The more multifamily we can build in Virginia that is new and up to code, the better. It is nice to see the data.

**Commissioner d'Oronzio** – I attended a panel discussion and tutorial on the HOPS application as a panelist at the end of September. The HOPS (Housing Operations and Support) application period closed on the 18<sup>th</sup>. I think the CAHF opened on the 18<sup>th</sup>. We have revamped some of the questions and some of the materials surrounding that. Most of them have been administrative. The HAC has had 2 meetings since our last meeting. They were both free forums. We did have a discussion in September regarding the lived experience, people on boards & commissions, and the problematic nature of that and what could be done. The HAC did not have a solution to solve this problem. We also had a discussion in September on the final runup to the landbank presentation on October 7<sup>th</sup> to City Council. That went quite well. Sunshine, myself, and Nicole Scro presented that and fielded questions. We thought that went as well as it could have. In the October HAC meeting, we discussed ongoing plans regarding tax abatement programs. The TJPDC met twice. The September meeting was primarily housekeeping. In November, we had a couple of items. The first item is the working update for the hazard mitigation plan, which the region must keep rolling for FEMA to be willing to give us money when it 'hits the fan.' We had a discussion of the upcoming regional housing summit in March. That is happening March 13<sup>th</sup>, 14<sup>th</sup>, and 15<sup>th</sup> in and around The Omni. It was a resounding success last year. This year, they have not yet put together the rest of the budget. There are sponsorship opportunities out there. They have a packed agenda for that. I will give more details for that.

**Commissioner Roettger** – The Tree Commission is working on the State of the Forest or Urban Canopy Report. There has been some positive movement on hiring someone for an urban forestry management plan. This is under Parks and Recreation. They have done more evasive plant removal. There are always some questions and thoughts about research on how to maintain as many trees as possible and have more trees. I don't know if it would be worth doing a work session. I thought it might be interesting to talk about some of these strategies. I have been to some reviews at UVA where there is a studio looking at building some small houses on lots testing out the zoning code. They are calling them ADUs. There is a landscape architect working with them looking at strategies for how homeowners might control the new water runoff from new pavement and new housing.

**Commissioner Yoder** – No Report

## **B. UNIVERSITY REPORT**

**Commissioner Joy** – I have several items I would like to update the Commission on. It is primarily construction and planning updates across Grounds. With Fontaine, construction for Fontaine Central Energy Plant is underway. The underground utilities, which includes geothermal wells, the foundation walls, and the slab on grade are now complete. The steel erection begins this week. The plan is expected to be completed in early 2026. With the Fontaine Parking Garage, the pre-cast erection is underway. That project is on track for completion in the Fall of 2025. With the Manning Institute of Biotechnology, they are currently pouring the first of the 2 crane pads. They have an estimated December arrival for the first crane. Foundations are expected to be completed in early 2025. With the North Grounds, there are 2 projects going on. The first project is a renovation of the house, which includes a 5000-foot addition for programming and event space. The site has been cleared. Utility and infrastructure work is underway. The second project associated with that area is a new access drive from Leonard Sandridge Road to the Center for Politics. That construction is mostly complete. Lights will shortly be installed. This will become the primary access point, not just for construction, but the only access point to the Center for Politics. The existing one, which is access from Crestwood Drive, will be closed. With UVA Health, there are a couple of updates. The design of the FED out of the remaining floors is underway. There is a CM selection process. This is to build out the floors that were in the new hospital wing. It is only interior construction work. Last Saturday, the University and UVA Health sponsored a community workshop in western Fifeville that invited the public to visit University owned sites on Grove Street and Oak Lawn to see the historic Fife family property. The point of this was to let people see the properties in person and have them offer ideas for the future use and activity and to discuss how these projects can complement and support the neighborhood and community. With the Emmet and Ivy Corridor, construction is ongoing for the Karsh Institute of Democracy. That is in the foundation phase. It is on track for a Summer 2026 opening. The Virginia Guest House and Conference Center is nearing completion of the exterior envelope. It is on track for a Fall 2025 opening. On December 5<sup>th</sup> and 6<sup>th</sup>, there is a Board of Visitors meeting. There is going to be a schematic review for the Center for The Arts. This project will house UVA's museums, the School of Music, and The Tessa & Richard Ader Performing Arts Center. Student housing for the Emmet & Ivy Corridor will be brought for design review. This proposed site is located at the western most parcels of the 14-acre development that sits near Copley Road and span between the railway and Ivy Road. The proposed North Grounds Parking Garage will be for design approval with the goal of starting construction this fall. At the start of this academic year, 338 students moved into Gaston and Ramazani Houses, which are the latest dorms on Brandon Avenue. The Darden student housing recently broke ground on their 218-apartment unit building. That offers their grad students a mix of 1-, 2-, and 3-bedroom configurations. With the projects at Wertland and Piedmont, they are moving ahead steadily. The developers, Piedmont Housing Alliance, and Preservation of Affordable Housing are working on pre-construction activities, such as site assessments, community engagement, and early design concepts. The University is negotiating partnership agreements with the developers, which will hold them accountable for creating high quality communities that will be affordable and well maintained for many decades. Each site is unique. It continues to progress on its own timeline. The timing for construction depends

on financing and entitlements. Based on conversations with the developers, construction will not begin before 2026 for Wertland and 2027 at Piedmont.

### **C. CHAIR’S REPORT**

**Chairman Mitchell** – Parks & Recreation has been focused on the Master Plan. There is a lot of work going into that. We are hoping to ‘land the plane’ in February. It looks like there is going to be a new park that is in Kindewood. It is going to be nestled inside the Kindewood Complex. We are excited about adding that park to the Parks & Recreation portfolio.

### **D. DEPARTMENT OF NDS**

**Missy Creasy, NDS Deputy Director** – We will start getting ready for the work session that you will have on November 26<sup>th</sup>. That will be on the CIP. That will be in preparation for a hearing on the CIP (Capital Improvement Program) in December. We do have a big agenda for December. We have a few items. We will not be holding a work session in December.

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

No Public Comments

### **F. CONSENT AGENDA**

**Commissioner Schwarz – Statement of Disclosure** – I need to recuse myself from voting on any portion of the Consent Agenda that deals with MACAA. I consult for the architect that is working on those projects.

**Motion to approve Items 1 through 4 on the Consent Agenda** – Commissioner d’Oronzio – Second by Commissioner Solla-Yates – Motion passes 7-0.

**Motion to approve Items 5 and 6 on the Consent Agenda** – Commissioner d’Oronzio – Second by Commissioner Solla-Yates – Motion passes 6-0 with 1 abstention (Commissioner Schwarz)

1. Minutes – September 19, 2024 – Regular Meeting
2. Minutes – September 24, 2024 – Work Session
3. Minutes – November 8, 2022 – Regular Meeting
4. Minutes – August 27, 2022 – Work Session
5. Subdivision – MACAA – 1025 Park Street
6. Site Plan – MACAA – 1025 Park Street

### **III. PLANNING COMMISSION PUBLIC HEARINGS**

*Continuing:* Until all public hearings are complete

*Format:* (i) Staff Report, (ii) Applicant, (iii) Hearing, (iv) Discussion and Motion

### **IV. PLANNING COMMISSION ACTION ITEMS**

#### **1. Electronic Meeting Participation Policy**

- i. Staff Report

**Ms. Creasy** – In August, you had mentioned moving forward with an electronic meeting policy. We had a draft in September. There were some items that the Attorney’s Office was still reviewing at that time. We took that back. We worked through those concerns. The draft before you has been signed off by the Attorney’s Office. It meets the state code requirements. It meets the guidance that we have been given by Council pertaining to meetings. Their electronic policy will need to be updated based on some changes that the state made. I am sure they will be going through that process in the future. You have the opportunity to review this and to either adopt, adopt with changes, or decline the policy. If the Commission decides to move forward with the policy, we will put it on a cycle so that it is reviewed annually. That will give us the opportunity for you to provide comment and for us to stay in tune with whatever state or local regulations come forward.

**Commissioner Schwarz** – For personal reasons, you only get two per year. If you have a medical condition or disability, you get as many as you need.

**Ms. Creasy** – That is correct. That one is more open.

ii. Commission Discussion and Motion

**Motion – Commissioner d’Oronzio – I move to adopt this electronic meeting policy. Second by Commissioner Solla-Yates. Motion passes 7-0.**

*Continuing:* until all public hearings and action items are completed.

The meeting was adjourned at 6:00 PM