

**FINAL ACTIONS**  
**Planning Commission Meeting of March 19, 2019**

<u>AGENDA ITEM/ACTION</u>	<u>FOLLOW-UP ACTION</u>
<p>1. <b>Call to Order.</b></p> <ul style="list-style-type: none"> <li>• Meeting called to order at 6:00 p.m. Chair Keller.</li> <li>• PC members present were Mr. Dotson, Chair Keller, Vice-Chair Bivins, Ms. Riley, Ms. More. Ms. Spain and Mr. Carrazana (UVa Rep.) were absent.</li> <li>• Staff members present were Tim Padalino, Tori Kanellopoulos, David Benish, Megan Nedostup, Andrew Knuppel, Andrew Gast-Bray, Andy Herrick, Frank Pohl, Marsha Alley, Marsha Cutright, and Stephanie Banton.</li> </ul>	
<p>2. <b>Other Matters Not on the Agenda from the Public</b>  Neil Williamson, Free Enterprise Forum provided a statement about the 2018 Planning Commission Annual report “Shrek and the Albemarle County Planning Commission.”</p>	<p><u>Clerk:</u>  No action required</p>
<p>3. <b>Consent Agenda</b>  <b>Approval of Minutes:</b> September 26, 2017, October 31, 2017, November 14, 2017, April 10, 2018, July 17, 2018, August 14, 2018, September 4, 2018, February 5, 2019  <b>APPROVED</b>, by a vote of 6:0 (Spain absent).</p>	<p><u>Clerk:</u>  Finalize minutes.</p>
<p>4. <b>Deferred item.</b>  <b><u>SP201800016 EcoVillage Charlottesville – Preserved Steep Slopes</u></b>  MAGISTERIAL DISTRICT: Rio TAX  MAP/PARCEL(S): 06100000021000  LOCATION: Rio Road E, between Brookway Drive and Rockbrook Drive; existing addressed structures on the subject property(s) include 480 Rio Road E.  PROPOSAL: Disturbance of preserved steep slopes to accommodate the development of private facilities (entrance, accessway, and parking) for the proposed “EcoVillage Charlottesville” development. PETITION: “Private facilities on preserved slopes” pursuant to Zoning Ordinance Section 30.7.4. b.2. ZONING: R4 Residential, which allows residential uses by right (4 units per acre). OVERLAY DISTRICT(S): Airport Impact</p>	<p><u>Clerk:</u> This matter will be forwarded to the Board of Supervisors to be heard on a date to be determined.</p> <p><u>Staff:</u> Action Letter – Recommendation as noted in the actions. (Attachment 1)</p>

<p>Area; Steep Slopes – (Managed) and (Preserved). COMPREHENSIVE PLAN: “Neighborhood Density Residential” which calls for residential use (3–6 units/acre) and supporting uses such as religious institutions, schools, and other small-scale non-residential uses; in the Development Area in Neighborhood 2 (Places29). (Tim Paladino)</p> <p><b>RECOMMEND APPROVAL</b>, by a vote of 6:0 (Spain absent), of SP201800016 EcoVillage Charlottesville – Preserved Steep Slopes for the reasons and conditions as stated in the staff presentation and amended.</p>	
<p>5a. <b>Public Hearing Items</b>  <b><u>SP201800019 Greenfield Terrace Apartments</u></b>  MAGISTERIAL DISTRICT: Rio TAX  MAP/PARCEL(S): 04500-00-00-15700;  04500-00-00-15800  LOCATION: Greenfield Terrace:  undeveloped area at the end of the cul-de-sac. Approx. 420’ from the intersection of Greenfield Terrace and Berkmar Drive, and approx. 310’ from the intersection of Station Lane and Rio Road W. PROPOSAL: Amend existing SP200000074 to remove Tax Map Parcel 04500-00-00-15800 from the existing SP. New SP201800019 to build 33 multifamily residential dwelling units in a new 39,000 sq. ft. three-story building on Tax Map Parcels 04500-00-00-15700 and 04500-00-00-15800.  PETITION: Amendment to existing SP200000074 to remove Tax Map Parcel 04500-00-00-15800. New SP to allow R-15 (15 du/acre) multifamily residential units under Section 23.2.2.9 of the Zoning Ordinance. 33 multifamily residential units are proposed on two parcels (TMP 45-157 and TMP 45-158) on a total of 1.96 acres at a density of 16.84 du/acre. Special Exception request to waive the 20’ buffer requirement for adjacent lots zoned residential per 18-21.7(c). Special Exception request to use 18-4.19 residential setbacks instead of 18-4.20 commercial setbacks per 18-21.7(a) and (b). ZONING: Commercial Office – offices, supporting commercial and service; residential by special use permit (15</p>	<p><u>Clerk</u>: This matter will be forwarded to the Board of Supervisors to be heard on a date to be determined.</p> <p><u>Staff</u>: Action Letter – Recommendation as noted in the actions. (Attachment 2)</p>

units/ acre). OVERLAY DISTRICT(S): Airport Impact Area; Entrance Corridor; Steep Slopes- Managed COMPREHENSIVE PLAN: Flex Area within Rio29 Small Area Plan – area intended to allow a flexibility of uses including residential, commercial, retail, office, institutional and employment uses. Buildings with heights of 2-5 stories, built close to the street, with pedestrian access and relegated parking. (Tori Kanellopoulos)

**AND**

**SP201900001 Amendment to Greenfield Terrace (SAME LEGAL AD AS ABOVE)**  
(Tori Kanellopoulos)

**RECOMMEND APPROVAL**, by a vote of 6:0 (Spain absent), of SP201900001 Amendment to Greenfield Terrace for the reasons stated in the staff report and the modified conditions as stated in the staff report.

**RECOMMEND APPROVAL**, by a vote of 6:0 (Spain absent), of SP201800019 Greenfield Terrace Apartments for the reasons stated in the staff report.

**RECOMMEND APPROVAL**, by a vote of 6:0 (Spain absent), of Special Exception request to waive the 20' buffer requirement for commercial districts adjacent to residential districts as stated in the staff report in Attachment F.

**RECOMMEND APPROVAL**, by a vote of 6:0 (Spain absent), of Special Exception request to waive 18-4.20 commercial setback requirements, which are per 18-21.7(a) and (b) commercial setback and yard requirements, and instead apply 18-4.19 residential setback and yard requirements as stated in the staff report in Attachment G.

5b. **SP201800021 Waldorf School SP Extension**  
MAGISTERIAL DISTRICT: Rio TAX

Clerk: This matter will be forwarded to the Board of Supervisors to be heard on a date to be determined.

<p>MAP/PARCELS: 06100000017000;  061000000172A0; 06100000017200;  06100000017400 LOCATION: The existing  Waldorf School (TMP 61-170 and TMP 61-  174) is located at 120 Waldorf School Road,  Charlottesville, VA 22901. The two parcels  proposed for school programming  expansion are located at 738 Rio Road E,  Charlottesville, VA 22901 (TMP 61-172A)  and 746 Rio Road E, Charlottesville, VA  22901 (TMP 61-172). PROPOSAL: Amend  Special Use Permit SP200600010 to include  Tax Map/Parcels 061000000172A0 and  06100000017200 to provide additional  education programming space for the  Waldorf School. The school plans to use the  existing residential buildings and convert  them into additional classrooms and  programming spaces. Any increase in  students will remain within the SP limits of  350 students. No residential units are  proposed. PETITION: Section 15.2.2(5)  Private Schools ZONING: R-4 Residential (4  units/acre) which allows residential uses;  private schools by special use permit.  OVERLAY DISTRICTS: Airport Impact Area;  Steep Slopes- Managed; Steep Slopes-  Preserved. COMPREHENSIVE PLAN: Urban  Density Residential – residential (6.01 – 34  units/ acre); supporting uses such as  religious institutions, schools, commercial,  office and service uses in Neighborhood 2 of  the Development Area of the Places29  Master Plan. (Tori Kanellopoulos)</p> <p><b>RECOMMEND APPROVAL</b>, by a vote of 6:0  (Spain absent), of SP201800021 Waldorf  School SP Extension for the reasons and  conditions as stated in the staff report.</p>	<p><u>Staff:</u> Action Letter – Recommendation as noted in the  actions. (Attachment 3)</p>
<p>5c. <b><u>ZMA201600022 Moss (2511 Avinity Drive)</u></b>  MAGISTERIAL DISTRICT: Scottsville TAX  MAP/PARCEL: 090000000035L0 LOCATION:  2511 Avinity Dr., approx. 70 feet south of  the intersection with Avon St. Ext.  PROPOSAL: Rezone property to allow for  apartments PETITION: Request for 0.9 acres  to be rezoned from R1 Residential zoning  district, which allows residential uses at a  density of 1 unit per acre to PRD Planned</p>	<p><u>Clerk:</u> This matter will be forwarded to the Board of  Supervisors to be heard on a date to be determined.</p> <p><u>Staff:</u> Action Letter.</p>

<p>Residential District (PRD) which allows residential use (3 – 34 units/acre) with limited commercial uses. A maximum of 24 multifamily units is proposed for a density of 26 units/acre. Associated with this request, is a request for a special exception to allow an exception to the minimum acreage requirement of 3 acres for a PRD.  OVERLAY DISTRICT(S): ENTRANCE CORRIDOR PROFFERS: No COMPREHENSIVE PLAN: Urban Density Residential – residential (6.01-34 units/acre); supporting uses such as places of worship, schools, public and institutional uses, neighborhood scale commercial, office, and service uses in Neighborhood 4 of the Southern and Western Urban Neighborhoods.  POTENTIALLY IN MONTICELLO VIEWSHED: Yes (Megan Nedostup)</p> <p><b>RECOMMEND APPROVAL</b>, by a vote of 6:0 (Spain absent), of ZMA201600022 Moss (2511 Avinity Drive) for the reasons and conditions as stated in the staff report and also recommend that the applicant increase the fence height from six feet to eight feet on the eastern side of the parking lot and make the most southern portion of the fence a solid material. (See Minutes for details)</p> <p><b>RECOMMEND APPROVAL</b>, by a vote of 6:0 (Spain absent), of Special Exception request special exception to allow the minimum area required for the establishment of a Planned Residential Development from three (3) acres to 0.9 acres for the reasons stated in the staff report and condition.</p>	
<p>6. <b>Regular Item.</b>  <u><b>2018 Planning Commission Annual report.</b></u>  (Andrew Gast-Bray)</p>	<p><u>Staff:</u> Make requested changes and forward 2018 PC Annual Report to Board of Supervisors as noted in the action.</p>
<p>7. <b>Committee Reports</b>  No updates provided.</p>	<p><u>Staff:</u>  NONE</p>

<p>8. <b>Old Business/Items for Follow-up</b>  Andy Herrick presented a Summary of Virginia Proffer Law (Including 2019 Amendments)</p>	
<p>9. <b><u>Review of Board of Supervisors Meeting</u></b> –  March 6, 2019</p>	<p>Mr. Gast-Bray reviewed the actions taken at the meeting.</p>
<p>10. <b>New Business</b>  <b><u>Joint PC/BOS meeting Worksession</u></b> -  Stream Health, July 9, 2019 at 6:00p.m.  Conference Room 241.</p>	
<p>11. Adjourn to April 9, 2019 Albemarle County Planning Commission meeting, 6:00 p.m., Meeting Room 241, Second Floor, County Office Building, 401 McIntire Road, Charlottesville, Virginia.</p> <ul style="list-style-type: none"> <li>• The meeting adjourned at 9:25 p.m.</li> </ul>	

**ATTACHMENT 1 - SP201800016 EcoVillage Charlottesville – Preserved Steep Slopes – Planning Commission Recommendation**

**ATTACHMENT 2 - SP201800019 Greenfield Terrace Apartments and SP201900001 Amendment to Greenfield Terrace – Planning Commission Recommendation**

**ATTACHMENT 3 - SP201800021 Waldorf School SP Extension – Planning Commission Recommendation**

**ATTACHMENT 4 - ZMA201600022 Moss (2511 Avinity Drive)– Planning Commission Recommendation**

**ATTACHMENT 5 - 2018 Planning Commission Annual Report – Planning Commission Recommendation**

## ATTACHMENT 1 -

### SP201800016 EcoVillage Charlottesville – Preserved Steep Slopes – Planning Commission Recommendation

The Planning Commission recommends approval of **SP201800016 EcoVillage Charlottesville – Preserved Steep Slopes** with the following conditions: as amended.

1. The limits of disturbance within the Preserved Steep Slopes Overlay District shall be limited to the sizes, locations, and extents of disturbance as proposed in the “EcoVillage: Special Use Permit Supplementary Exhibits” packet prepared by Shimp Engineering, P.C. and dated 2/4/2019.
2. The final site plan and landscaping plan for EcoVillage Charlottesville shall be in general accord with the “Habitat Planting Plan” and “Landscape Schedule” exhibits prepared by Shimp Engineering, P.C. and dated 2/4/2019 and subsequently revised 2/26/2019, inclusive of additional modifications, as noted in a. and b. below, and to the satisfaction of the Director of Planning.
  - a. The “Landscape Schedule” for the “Habitat Planting Plan” must be revised so that a certain portion (25% - 33%) of the tree plant materials and shrub plant materials are specified at a minimum caliper or minimum height that, at the time of planting, meets the minimum size requirements for landscaping materials as would be required within the Entrance Corridor.
  - b. The “Habitat Planting Plan” must be revised to be supplemented with additional numbers of evergreen shrubs and evergreen trees at strategic locations in the vicinity of the proposed parking area private facility in order to sufficiently provide screening for this proposed private facility within the preserved steep slopes overlay district. A certain portion (33% - 66%) of these vegetative screening materials in this vicinity shall be specified at a minimum caliper or minimum height that, at the time of planting, meets the minimum size requirements for landscaping materials as would be required within the Entrance Corridor.
3. Improvements related to stormwater, drainage, and grading shown on the final site plan and water protection ordinance plan for EcoVillage Charlottesville shall be in general accord with the same improvements and grading shown on the “Stormwater Improvements” exhibit and “Proposed Entrance Layout” exhibit for SP201800016, prepared by Shimp Engineering, P.C. and dated 2/4/2019 and subsequently revised 2/27/2019, inclusive of additional modifications as noted in a. – c. below, and to the satisfaction of the County Engineer.
  - a. All modified or newly constructed slopes to the east of the commercial entrance shall have a grade that does not exceed a 3:1 slope. Grading up to a 2:1 slope may be permitted for modified or newly constructed slopes to the west of the commercial entrance, if such grading is for the purpose of minimizing the limits of disturbance in order to prevent impacts to preserved steep slopes and to preserve existing vegetation and provided that such grading complies with the applicable Design Standards specified in Zoning Ordinance Section 30.7.5.
  - b. Drainage improvements along Rio Road East will be designed to manage the 25-year storm event without flooding.
  - c. Curb inlets will be provided on both sides of the new entrance to collect site runoff before it enters the Rio Road East right-of-way.
  - d. The specific materials and practices for the proposed “off-site bank erosion control” will be approved by the County Engineer.
4. All stormwater treatment facilities and practices for ensuring water quality compliance will be provided on-site through the use of DEQ-approved BMPs found on the Virginia Stormwater BMP Clearinghouse Website, or through the preservation of onsite forest/open space, to the satisfaction of the County Engineer.

**ATTACHMENT 2 –**

**SP201800019 Greenfield Terrace Apartments and SP201900001 Amendment to Greenfield Terrace –  
Planning Commission Recommendation**

**RECOMMENDED ACTION for SP201800019 and SP201900001:**

Planning Commission **RECOMMENDS APPROVAL** of SP201800019 Greenfield Terrace Apartments and SP201900001 Amendment to Greenfield Terrace with the following conditions:

1. Development of the use shall be in general accord with the Conceptual Plan titled “Greenfield Terrace Apartments: Site Plan,” prepared by Powe Studio Architects, with the latest revision date of January 7, 2019, and narrative title “Greenfield Terrace Apartments: Special Use Permit Application to Albemarle County” (hereafter “Narrative”), dated January 11, 2019, as determined by the Director of Planning and the Zoning Administrator. To be in general accord with the Conceptual Plan, development shall reflect the following major elements within the development essential to the design of the development and described in the Narrative:
  - a. Multifamily building
  - b. Location of parking area
  - c. Location of buffer
2. A minimum of 15% of the dwelling units permitted with the density allowed as standard level conventional development in Section 18-18.3 shall be affordable housing units. These affordable units shall not count toward any affordable housing density bonus applied for per Section 18-18.4.3 at final site plan stage.
3. As part of the final site plan review and approval, the parking lot serving the multifamily units shall be screened from the adjacent townhomes to the satisfaction of the agent.

**RECOMMENDED ACTION FOR SPECIAL EXCEPTIONS**

**RECOMMEND APPROVAL**, by a vote of 6:0 (Spain absent), of Special Exception request to waive the 20’ buffer requirement for commercial districts adjacent to residential districts as stated in the staff report in Attachment F.

**RECOMMEND APPROVAL**, by a vote of 6:0 (Spain absent), of Special Exception request to waive 18-4.20 commercial setback requirements, which are per 18-21.7(a) and (b) commercial setback and yard requirements, and instead apply 18-4.19 residential setback and yard requirements as stated in the staff report in Attachment G.

### ATTACHMENT 3 -

#### SP201800021 Waldorf School SP Extension – Planning Commission Recommendation

Planning Commission **RECOMMENDS APPROVAL** of **SP201800021 Waldorf School SP Extension** with the following conditions:

1. Development of the use shall be in general accord with the Conceptual Plan titled “Conceptual Plans: Charlottesville Waldorf School, Application for Special Use Permit,” prepared by Line+Grade, with the latest revision date of March 5, 2019, and narrative title “Charlottesville Waldorf School: Application for Special Use Permit” (hereafter “Narrative”), dated March 5, 2019, as determined by the Director of Planning and the Zoning Administrator. To be in general accord with the Conceptual Plan, development shall reflect the following major elements as shown on the plan and described in the Narrative:
  - a. General location of tot lots.
  - b. Landscaping and fence between Tax Map 61 Parcel 171+ and Tax Map 61 Parcel 172.
  - c. The early child perimeter fence along the front of Tax Map 61 Parcels 172A and 172.
  - d. General locations of the buildings and parking within the existing boundaries of TMP 61-170 and TMP 61-174.
  - e. Any new structures, parking and tot lots not shown on this concept plan and within the existing boundaries of TMP’s 61-172 and 172A must be located within the building envelope (“Building Envelope (Future)”) as shown on the concept plan.

Minor modifications to the plan which do not conflict with the above elements may be made to ensure compliance with the Zoning Ordinance.

2. Normal hours of operation for the school shall be from 8:00 am to 6:00 pm weekdays, with occasional uses in the evenings and weekend.
3. Maximum enrollment of the Charlottesville Waldorf School shall be three hundred fifty (350) students.
4. The existing landscape buffer adjacent to the Village Square residential development shall be undisturbed.
5. A sidewalk or equivalent pathway built to County or VDOT specifications, as determined by the director of Community Development, shall be constructed along Rio Road within one year of the completion of sidewalk(s) on adjacent parcel(s).
6. No structure, parking or loading area used for the school shall be located closer than 20 feet to any adjacent residential district, with the exception of the existing structure labeled “Building A: Residential Property Converted to Classroom, Admin or Storage Space” on the Conceptual Plan.
7. A special exception for setbacks will be required if the use of Building A changes from single family residential to any use other than incidental storage.

**ATTACHMENT 4 –**

**ZMA201600022 Moss (2511 Avinity Drive)– Planning Commission Recommendation**

**RECOMMEND APPROVAL**, by a vote of 6:0 (Spain absent), of ZMA201600022 Moss (2511 Avinity Drive) with the reasons and conditions as stated in the staff report and recommend that the applicant increase the fence height from six feet to eight feet on the eastern side of the parking lot and make the most southern portion of the fence a solid material. (See Minutes for details)

**RECOMMEND APPROVAL**, by a vote of 6:0 (Spain absent), of Special Exception request special exception to allow the minimum area required for the establishment of a Planned Residential Development from three (3) acres to 0.9 acres for the reasons stated in the staff report and the following condition:

1. The special exception shall include elements depicted on the exhibits entitled “Open Space Exhibit” and “Courtyard Exhibit” prepared by Shimp Engineering and dated August 14, 2018.

**ATTACHMENT 5 –**

2018 Planning Commission Annual Report

Link to Proposed Annual Report (Staff to make changes from written comments from Commissioners as discussed at the meeting.)

[http://www.albemarle.org/upload/images/forms\\_center/departments/community\\_development/forms/PC\\_Reports/2019/2018\\_Annual\\_Report\\_3.19.19\\_PC.pdf](http://www.albemarle.org/upload/images/forms_center/departments/community_development/forms/PC_Reports/2019/2018_Annual_Report_3.19.19_PC.pdf)