Albemarle County Planning Commission
February 15, 2000

The Albemarle County Planning Commission held a meeting and public hearing on Tuesday, February 15, 2000 in the County Office Building. Members attending were: Mr. William Finley, Chairman; Mr. Dennis Rooker, Vice-Chairman; Mr. William Rieley; Mr. Jared Loewenstein; Mr. Rodney Thomas; Ms. Tracy Hopper; Mr. Pete Anderson. Other officials present were: Mr. David Benish, Chief of Community Development; Mr. Greg Kamptner, Assistant County Attorney. Absent: Mr. Pete Craddock.

Approval of Minutes – February 1, 2000

The Commission moved, seconded and unanimously approved the minutes of February 1, 2000 as amended. Commissioners complimented Ms. Golden on her work on this set of minutes.

Review of Board of Supervisors Meeting – February 9, 2000

Mr. Benish informed the Commission that the Board had considered the ZMA and SP for Hydraulic Dental Center, and approved the ZMA with the proffers as recommended by the applicant; in their approval, the Board decided not to put any square foot limitations on the offices, determining that the site and site plan requirements will govern that; they also did not require a setback from Hydraulic Road to be the same as the adjacent office developments, determining that the site characteristics were different. All other Planning Commission recommended conditions with the SP were approved. The Board also held a public hearing on the CIP; the only projects requested from the public were to lease available office space in Earlysville for a library branch and request for sidewalk improvements in Crozet.

Other Matters Not Listed on the Agenda from the Public

Mr. Bob Watson asked Commissioners to review a brochure from the Charlottesville Area Association of Realtors and the Virginia Association of Realtors on preserving Virginia's quality of life through responsible growth.

Item Requesting Deferral:

ZMA 99-12 Airport Road Office Complex – Request to rezone 1.637 acres form R-4 Residential to CO Commercial Office to allow for commercial offices. The property, described as Tax Map 32C Parcel 3-1 is located in the Rivanna Magisterial District on Airport road [Route #649] at the intersection of Airport Road and Deerwood Drive. The Comprehensive Plan designates this property as Neighborhood Density, recommended for 3-6 dwelling units per acre in the Hollymead Community. *Applicant requests deferral to February 22, 2000*.

The Commission moved, seconded and unanimously approved deferral of ZMA 99-12 to February 22, 2000.

Public Hearing Item:

Ms. Hopper abstained from discussion and voting on this item.

SP 99-68 Beverage Tractor & Equipment Co. – Request for special use permit to allow outdoor display and storage of farm equipment in accordance with Section 30.6.3.2(b) of the Zoning Ordinance, which allows for outdoor storage, display, and sales in the Entrance Corridors. The property, described as Tax Map 79 Parcel 4P, contains 2.56 acres, and is located in the Rivanna Magisterial District on Richmond Road (Route 250E) at the northeast corner of the intersection with Hunter's Way (Route #1146). The property is zoned Highway Commercial (HC) and Entrance Corridor (EC). The Comprehensive Plan designates this property as Rural Area 2.

Ms. Pickart presented the staff report, noting that the proposal is for display of farm equipment in a 6,000 square foot space located at the front of the property situated at the corner of Route 250 East and Hunter's Way. A special permit is required because it is outdoor display in an Entrance Corridor; the original approved site plan shows the outdoor display area, which was approved before the EC overlay district was established. Ms. Pickart said because the display use was discontinued for more than two years, the permit is now required to bring the use into conformity.

Ms. Pickart explained that existing site conditions do not match what is on the site plan, particularly regarding landscaping; a violation has been issued. The plan has been reviewed by the ARB, and they approved it subject to conditions, which relate primarily to landscaping at the front of the property. She noted that a letter has been received from an adjacent owner, indicating that trees have been removed from the back of the site; the owner would like to see the trees replaced. Ms. Pickart said the violation letter covers the removal of the trees, and a site plan amendment would be required as part of the process of abating the violation and addressing the ARB conditions. Staff recommends approval with conditions as outlined in the staff report.

Public comment was invited.

Mr. Charlie Beverage addressed the Commission. He commented that according to Mr. Dillard, the adjacent landowner erected a silt fence at the back of his property during some construction there, which killed the trees, which Mr. Dillard then removed. Mr. Beverage said that they would be glad to replace the trees as the ARB has stipulated. He added that he is a Massey-Ferguson dealer.

There being no further public comment, the matter was placed before the Commission.

Mr. Rieley noted that the marks on the map next to Route 250 are the remnants of the old Three Notched Road, which was originally surveyed by Thomas Jefferson as a part of his Shadwell survey.

Mr. Rooker said there should be a sign out there denoting the history.

Mr. Rooker moved, Mr. Thomas seconded approval of SP 99-68 with conditions as presented by staff. The motion passed unanimously, with Ms. Hopper abstaining.

Work Session

CPA 98-03 Hollymead

Mr. Benish asked how Commissioners would like to proceed in their discussions.

Mr. Rieley said he would like to see the staff perspective from one step back, "what's the vision here, what are we trying to achieve, and what's the objective."

Mr. Benish said that at the Commission's October worksession on the item, there was a general consensus that there should be an area that would provide for a Town Center-type of concept to serve the Hollymead area. There were discussions at that time about the general locations of commercial and industrial designations within the specific quadrant of study; at that point, the entire area south of Airport Road and west of Route 29 all the way down to the edge of the development area, which is a "large amount of acreage." Mr. Benish noted that the consensus was to focus more to the quadrant of the Hollymead Development Area and look to achieving a neighborhood center or town center that would serve the community. He said that staff went back with the applicant to work toward a concept that would create this type of center to serve the Hollymead area.

Referencing a map presented, Mr. Benish explained that staff has proposed a roadway network that would generally serve the area. He said that the Commission had agreed in the October meeting to focus in on the area with the various commercial designations near the major intersection for Hollymead. There were concerns raised about the ultimate layout for the roadway network. Staff has tried to develop a concept for the area, with a road system that incorporates more of a through-street and perpendicular gridded pattern of streets.

Mr. Benish said that there was discussion of changing land use designation, especially the Regional Service strip in the area, and indicated that staff's concept – developed with the applicant – provides a neighborhood center that provides a mix of Regional Service, Industrial Service, and Office Service in a higher-density urban setting. He noted that the goal is to provide a use that is more Community Service level uses that serve more of an immediate community area, instead of a regional area. Mr. Benish mentioned that the Community Service – Mixed Use designation is similar to what staff recommended in the Brass, Inc. proposal.

Mr. Rieley asked about term "higher-density" urban setting, and asked for a basis of comparison.

Mr. Benish responded that the density would be higher than what is currently along 29, and more urban that the county's current urban area development pattern. "What we are trying to begin to lay out are more specific expectations for proximity of buildings to streets, infrastructure design that accommodates walking with more town features – 10-foot sidewalks, parallel parking, smaller, lower-speed street designs…more in keeping with that sort of design setting."

Mr. Thomas commented that he liked the layering and variety of uses.

Mr. Benish said that staff has tried to designate a central area for urban design, which will provide a full range of uses that could serve the community day and night, with a mix of uses that could make the area a destination point. He added that there are some constraints to some of the impending road improvements that might create some barriers to getting a really good integrated community design throughout, so "approach areas" have been designated. Mr. Benish pointed out one such corridor area divided by the VDOT proposed parallel road, which staff and the applicant would like to see built in an attractive urban design with sidewalks and landscaping. However, based on VDOT's traffic projections, the road may be a four-lane divided roadway, making crossing more difficult.

Mr. Loewenstein stated that it is inaccurate to assume that most of the traffic to and from the Town Center would be locally generated, rather than regional. He said that in that location, that close to a major highway, and that close to Greene County, the center will attract people from Greene, Northeastern Albemarle, and Northwestern Albemarle also. Mr. Loewenstein wondered if the map considered was large enough when

transportation issues come to play. "I think it's going to put more traffic onto roads both large and small in the area far outside the boundaries of that map, and I think it's going to attract more traffic in as well."

Mr. Rooker asked if there were proposed traffic counts available for the parallel road.

Mr. Katorah Rowell, the applicant, said that the estimate is for 10,000 vehicle trips per day.

Mr. Benish said that staff and the applicant would like very much to keep the parallel road a two-lane roadway, but recognizes that it may be a situation where the road has to be something else.

Mr. Rooker commented that Berkmar Drive handles a great volume of traffic, and is a two-lane road. He added that he dislikes seeing the retention of "Regional Service" designation along Route 29, because that changes the character of the kind of development there. Mr. Rooker added that the Commission had generally agreed that a single designation for the area was favorable.

Mr. Benish said that one reason they retained the Regional Service designation is that in terms of the inventory of Regional Service land, there are few remaining areas for that designation in the future. He said that the Brass, Inc. application raised the issue of whether a regional study is needed to determine how much Regional Service and Commercial is needed, and how much land is currently available for this. Mr. Benish added that this plan should include the restriction used in Brass for multi-story buildings to be used for single-users of more than 65,000 square feet. He added that the recommendation is to retain a 100-foot strip of vegetative buffer along Route 29 and orient the structures to the internal parallel road or side streets instead of 29.

Mr. Rooker expressed concern that some uses permitted in Regional Service would not be appropriate for a Town Center type setting, and noted that there are no proposed restrictions on uses in this plan. "Most of the design elements that have been included in the Community Service part of this…[don't] appear to me to carry over to the part of this property being designated Regional Service."

Mr. Benish commented that the first two pages of the design standards apply to both. "One thing to keep in mind is that we are at a Comprehensive Plan level, and this sort of thing might go into too much detail to articulate those sort of [subtleties]….Maybe this should be better left to rezoning." He said that staff could consider a whole new designation to replace the Regional Service, or identify uses that would not be appropriate for the Regional Service strip.

Mr. Rooker commented that there is a whole list of Regional Service uses that would not be conducive to the desired design elements.

Mr. Benish mentioned that the Commission had initially recommended that the Comprehensive Plan be amended with a whole new land use designation. He explained that staff feels uncomfortable doing that at this point, with DISC nearing completion of its recommendations.

Mr. Rieley stated that a new Town Center designation is what the area needs, noting that Mr. Benish's description of a vision for the area is essentially a town center for the Hollymead neighborhood. "If that's our target, then I think things like a parallel road…the Community Service and Regional Service in general as designations are really not helpful tools for us to get there." He added that the Commission was somewhat hamstrung by the limitations of Community Service during the Brass, Inc. deliberations. "We don't need to make that problem for ourselves on this because we have the opportunity to really stand back and do planning based upon what the objectives in this area are."

Mr. Rieley asked about the parallel road proposal which is "clearly a part of the strategy to make Route 29 a surrogate interstate." He added that he is concerned about it because "it is not a model for a good urban street section, and if we're going to build a town, we may not want to build it on the bones of what VDOT wants to give us in the way of these through-roads." Mr. Rieley mentioned that he is also concerned about the Regional Service being "strung out" along 29 with its back turned to 29. "We're sort of pushing around the same old pieces rather than creating a new pattern."

He said that it is important to consider the "fundamental aspects that make a town as we think of it, and one of the most important things is the relationship of the buildings to the streets and what you do with parking as a result of that. If we end up with the same old pattern of a big block of a building surrounded by a sea of parking and we put it in a different gridded street section, we've achieved a little bit, but it's pretty minor compared to what I think the target should be if building a Town Center for the Hollymead Community is the target." He concluded that he would like to take that objective and try to craft a Town Center designation that will deal with all of those issues. "I have an awfully hard time figuring out how Regional Service in almost any form gets into this as a component of a Town Center for the neighborhood of Hollymead."

Mr. Finley asked how long the strip had been Regional Service.

Mr. Benish said he thought it had been designated in 1992, but added that it is still zoned Rural Area, and is restricted in the Comp. Plan not to be rezoned until the mobile home park has 100 lots approved. He noted that there is a piece of property adjacent to the Regional Service strip that has 13 heirs, making it a difficult situation to deal with.

Ms. Hopper asked where ZMA 99-12 is located in relation to the town center.

Mr. Benish illustrated this on the map.

Mr. Finley asked how much leeway the county had in re-designating land.

Mr. Benish said that the Commission would have complete freedom to do that, as "there isn't any underlying zoning in place that's going to restrict you from having take effect those changes in the Land Use Plan you want." He added that the other issue is the fact that a Comprehensive Plan amendment was proposed by the applicant and was approved by the Board on the basis that he was going to be providing affordable housing in one location for a Regional Service designation in another. "That was a decision that was made at one point in time, and we're at another point in time now. You have to weigh what the expectations were with the Board's action at that time, and how comfortable they are with that sort of change. From my perspective, it's eight years from [then]; circumstances can change."

Mr. Benish said that staff approached this plan with the need to have some Regional Service areas designated for the future, and wanted to investigate whether there was a way to allow the appropriate Regional Service uses.

Mr. Thomas asked about the need for a 100-foot buffer between the actual highway and the parking lots would be.

Mr. Benish said that staff is recommending that the wooded area along the highway be preserved, recognizing that the topography rises to a ridgeline where the parallel road is and beyond. "Depending on

what the final elevation is behind that buffer, it could be sitting up above the buffer or it could be down below. A lot of that's going to be dictated from how that parallel road's going to ultimately be designed." He added that the drop is not as dramatic as you head south, but is at the northern end, and encouraging two-story buildings will increase the chance for them to be visible. "It's going to be a difficult area to camouflage."

Mr. Rooker mentioned that the Hampton Coliseum area along I-64 contains a lot of Regional Service with its back toward the interstate, "and it looks absolutely horrendous." He added, "that's certainly something I think this community should avoid on Route 29, which is one of our major Entrance Corridors – maybe the primary Entrance Corridor to our community." Mr. Rooker said that in Hampton there is a giant Sam's with some 12-foot trees in an attempt to screen the building.

Mr. Rooker said that he understood a fairly clear direction from the last worksession, that a Town Center designation was desired for the Hollymead area property.

Mr. Benish stated that he interpreted the Commission's intent as wanting a non-residential Land Use designation that's Town Center that could apply anywhere in the county. He added that staff thought that the Commission's desire for a Town Center could be accomplished within the community profile of Hollymead, not something that is generated for the general purpose of serving any area in the development area. Mr. Benish said that staff is trying to create a definition and standards for development for a Town Center for Hollymead, but without creating a "whole new color" for the Land Use map.

Mr. Rooker commented, "I think you could accomplish for this area what you want to accomplish for this area with any name given to the designation….but if you design this area based upon an assumption that VDOT is going to build a four-lane, high traffic, high speed road through that area, that's what you'll get." He emphasized that when VDOT original pursued the 29 North Corridor Study, their consultant recommended that 29 North be turned into a limited-access facility between Charlottesville and Culpeper, which was opposed by every community along the way, including a unanimous vote by the Albemarle Board of Supervisors to oppose the concept.

Mr. Rooker said, "What we're doing now is looking at a Land Use re-designation that is being done with respect to achieving a result for VDOT that our community is clearly opposed [to]." He mentioned that Greene County was recently faced with somewhat of an ultimatum with VDOT to make 29 a limited access road. "I don't think we should approach this Comprehensive Plan change with a predisposition toward achieving a transportation result that the community opposes."

Mr. Benish mentioned that the CAT study does recommend that the Meadowcreek Parkway be extended to a roadway that is similar to the parallel road system. He said that staff has been fighting for two years to keep the road locations further from Route 29, but added that staff favors a general concept that the quadrant be served by a central spine roadway that could relieve 29 and provide crossing connections. "This road in some ways is consistent with what our regional plan is calling for."

Mr. Loewenstein said, "I think we may have to face the likelihood of some kind of parallel road near this area, near this configuration because the decisions that have been made and the directions that we've been going with planning for a long time about extensions to the Meadowcreek Parkway out as far as Airport Road."

Mr. Rieley commented that he is not opposed with a parallel road or gridded street system with streets parallel to 29. "What I'm suspicious of is where they connect up, and the degree to which they are through-

roads. I think that should be pursued from the perspective of what's most advantageous to the county, not what the current state scheme for moving traffic through this corridor is."

Mr. Loewenstein said, "I think it's a matter of trying to figure out the balance between doing what might work in a focused area with a parallel road somewhat along the lines that have been recommended by previous studies, without turning it into too much of an invitation for VDOT to come in and make something more out of it." He added that he concurs with what the Board has said about the road configuration in the larger sense.

Mr. Finley asked what the Board has said about the parallel roads.

Mr. Benish responded that the Board has not commented on this particular request, but in the 29 North Corridor Study, they recommended a concept for a parallel road system that was part of a limited access roadway design for 29 that they were opposed to. "The idea was to encourage access management as opposed to limited access roadway."

Mr. Rooker stated that if the Comprehensive Plan change is approached with the assumption that the road will be a divided four lane high speed road moving lots of traffic, then one kind of community will end up there. He added that when VDOT gets to the public hearing stage regarding road placement and design, they will point to anything in the Comp. Plan that supports their case.

Mr. Benish noted that staff did not address the number of lanes for the parallel road, but can certainly be specific in terms of road width and lanes.

Mr. Rieley asked if the road would be a locally-funded or VDOT-funded roadway.

Mr. Benish said that it would be VDOT funded, adding that VDOT will build two lanes of the roadway, and will require developers to build the remaining component. He noted that VDOT wants the reservation for 100 feet road width.

Mr. Loewenstein commented, "We may be looking at something that we don't want to look at and might have to."

Mr. Finley said, "That's the point. Realistically, should we plan…[for] what we're hearing that it might be….how could we oppose the idea?"

Mr. Rieley said that one way that the county could influence the ultimate outcome would be to designate the road as a community street, and take the steps necessary to be sure that it is, including building it with local funds, [even if it's only one block]."

Mr. Rooker commented, "I think the ultimate plan that VDOT will go forward with for this road will be significantly influenced by the community's designations in the area." He added that the access management plan that came out of the 29 North Corridor Study was a plan that would be agreed upon between VDOT and the community. "That's a two-way agreement, not a dictation." Mr. Rooker suggested approaching the CPA with what we expect and want for our community.

Mr. Finley asked what the community wants out there.

Mr. Benish replied that staff has met with Forest Lakes and Hollymead, but have not yet gone to all the neighborhoods, believing it is best to have some clarity on the direction so that the public would be aware of what the potential change might be.

Mr. Thomas asked how Hollymead residents would access the Town Center, as it would be on the opposite side of Route 29.

Mr. Benish responded that Hollymead is a much larger area than what is developed now. "We see this more as a neighborhood center type of area that sort of serves a sub-area of Hollymead in the short term, but as this whole Hollymead area builds out, this really could become and should become sort of the core area serving that whole community." Referencing the map, he pointed out the proposed location for at-grade intersections, adding that staff is interested in designing the center to accommodate pedestrians and provide transit service.

Mr. Rooker mentioned that there were some design elements with the Brass, Inc. projects that may be transferable to this CPA.

Mr. Benish said that what the Commission and staff worked on with Brass is also incorporated into this CPA.

Mr. Rooker asked about the Brass requirement that prior to rezoning, a master plan for the entire property showing the layout, grading, character, and scale of the project would be developed and submitted. He wondered if a similar concept could be incorporated with this project, so that the expectation of what would be seen at a requested rezoning would be set out for the applicants.

Mr. Benish noted that on the first page of the staff report under Land Use, it is stated that "development of this area shall be pursuant to approval of an overall development plan for the Community Service, mixed-use area and the Route 29 parallel road service area." He added that staff could go back and be more specific, although about half of the property owners in the Regional Service and Community Service designation areas have not indicated a willingness to participate.

Mr. Rowell explained that in the application process, he can only deal with his 37 acres in the complex. He said that that would set the example for future rezoning applications in the area, in keeping with the Town Center vision. Mr. Rowell emphasized that he does not want to see a 4-lane divided highway, and is working towards a town street type scheme for the area, adding that he is not sure what mechanism needs to be used to prevent VDOT from building a wide road.

Mr. Rooker said, "If we don't articulate what we expect, then they have an open playing field."

Mr. Benish noted that some specific standards regarding the parallel road need to be established, that could be included in the description of the mixed-use town center, and also defined separately as to what the community expectation for that road is.

Mr. Steve Runkle addressed the Commission, stating that the Town Center should be in that vicinity to serve the Hollymead area, because it presents an opportunity to create a park that could serve as the entry point for a pedestrian bike system along Powell Creek, and could potentially create an underpass that would get pedestrian access to the east side of 29 and connect with Hollymead and Forest Lakes, and possibly even the Rivanna Greenbelt. He added that it would be best to keep the Town Center 1,500+ feet off of 29, not

right on the highway. Mr. Runkle said that he views each of the four quadrants in the area as centers, which should be connected.

Mr. Finley recalled that the Regional Service designation had evolved from other discussions of plans for the area.

Mr. Benish explained that staff came up with an original proposal that changed the shape of Regional Service, and the Commission directed staff to go back and look at the general area for a unified concept. He said that staff is trying to create a unified concept, with the important part being what is recommended for the Town Center, whether it's couched as a county-wide Town Center or just Hollymead. Mr. Benish said that he understood Commissioners to want more specificity about what could be included in Regional Service, if the designation should be used at all.

Mr. Rooker emphasized that he is looking for a unified designation in the area, as is articulating what is expected for the roads, and specifics of what might be expected in a rezoning.

Mr. Finley asked about the commitment between the trailer park and the Regional Service.

Mr. Benish explained that when the Comp. Plan was amended to include the Urban Density residential (for the trailer park), staff recommended against the amendment, but the Board recommended using that area for Urban Density Residential, with neighboring parcels to be used for Regional Service and Office Service, based on the applicant's request. He said that the Board indicated that at least 100 units in the mobile home park had to be platted for a request for rezoning to be submitted on the site, and the site had to come in under a planned development; the Comp. Plan also says that the property is limited to three access points.

Mr. Rooker asked if Mr. Runkle's suggestion for connecting the greenway along Powell Creek to the area along the east would be incorporated.

Mr. Benish read a passage from the staff report indicating the plan for "open space park amenity," which is intended for the north end of the area. He added that when the final plan amendment is done, the greenway would be drawn across 29 and connected to the greenway running up Powell Creek to the west side.

Mr. Rooker said that if that is in the Comp. Plan, that may impact how VDOT deals with road improvements in the area.

Mr. Benish said that staff will go back and look for a way to include this as a single designation.

Mr. Finley asked how other Commissioners feel about the plan.

Ms. Hopper asked if the Town Center designation would be newly created out of DISC.

Mr. Benish replied that DISC will recommend a whole pattern of development set by neighborhood plans, and if this CPA is to be looked at in that context, it would be done after the neighborhood plans are done. He said that staff feels confident enough that the four quadrants identified are clear-cut enough that planning can proceed without undermining the larger community-level planning. Mr. Benish added that DISC would suggest looking at the transect of development pattern to try to incorporate the larger concept development which has community centers in walkable areas supported by residential development. He noted that as DISC is implemented and the Land Use Plan is modified, there may be new designations created that are more friendly to mixed-use development.

Ms. Hopper said that while it is logical to wait for DISC, she is concerned about leaving a blank slate for VDOT's road proposals.

Mr. Benish said there is a lot of interest in the area, and development proposals in the area are forthcoming. "In the perfect world you'd wait…but it's going to take a while to get to the point of having a plan and having a plan developed. We have meetings daily on these properties for development, so it will be too late for some of these properties by the time it comes in."

Mr. Loewenstein said, "It's not the best timetable to be on, but I think it's better to have an opportunity to influence things on this portion of that quadrant now…I think that in the broadest sense, this probably does [fit] pretty well with some of the concepts that would naturally come out of a look at that larger piece…what we finally end up with in details on the map remains to be seen, but I think the general approach is what [we already have]. I'd prefer not continuing to wait for an unspecified time before DISC is done and before its recommendations can be fully studied and implemented."

Mr. Benish suggested showing the area on the map with a different sort of "hatching" that says "see notes in Hollymead for Town Center development." He added that he understands the reservation about Regional Service because of the intensity of that use and its associated expectations.

Mr. Loewenstein asked for a more specific list of permitted uses in Regional Service. "I know there's a lot of stuff on that list we wouldn't want to see [done in this location]."

Mr. Benish said that staff envisions the C-1 and CO zoning districts to be the principal zoning districts, with C-1 intended to be a downtown type district. He noted that C-1 permits department stores, but limits size based on the Comp. Plan designation, which Community Service limits to 65,000 square feet except for multi-story uses. Mr. Benish mentioned that staff is also looking at the parking standards for the area, trying to centralize and create cooperative parking.

Mr. Runkle asked how the plan would be implemented, whether under existing zoning or through changes in zoning.

Mr. Benish said the Planned Development could be used as much as possible, with some Zoning Text Amendments needed.

Mr. Thomas said he was hoping to avoid another Brass situation, adding that it is important to have a plan ahead of time prior to developers coming in with applications. He added that he likes the Regional, Community, Residential mix.

Mr. Finley said he likes the mix also, but expressed concern that a property owner who thinks his land is slated for Regional Service may be surprised if that designation is changed. "There is a such thing as property rights, you know."

Mr. Benish suggested looking at specific types of uses, such as the Highway Commercial designation.

Mr. Loewenstein said the zoning is still RA.

Mr. Rooker commented that there are no property rights being taken away from anyone, as the property is zoned RA.

Mr. Rieley said it would be useful for everyone if there were a design component to the plan, to show what is meant by maximum building setbacks, massing, breaking up parking, etc., and how to configure something like Wal-Mart in a way that is compatible. "If we can somehow make more material what those principals mean on this particular piece of property, I think we're going to be a lot better off. The next step in that is figuring out how to make it easy to do that, rather than difficult. You can't build this scheme under Albemarle County zoning ordinance now. We need to have a compelling vision, but then we need to go through and figure out how to make it both possible and easy to build in that way."

Mr. Benish stated that he is hopeful that DISC recommendations will become the template that also renders a vision of what is desired. He added that staff can look at ways to present visuals of what is wanted in this CPA, adding that the applicant's rendering for Southpoint was somewhat of the basis for the agreement for the CPA.

Mr. Rooker suggested "borrowing some of those concepts" with some degree of specificity and incorporate them in this CPA now. "There may have to be some Zoning Text Amendments that run parallel to this, but we have to find a way to make the concepts that we're pursuing workable….general statements without some degree of specificity don't necessarily lead you where you think you're going."

Mr. Rieley commented that sometimes plans meet your words, but not your vision.

Mr. Benish said it is difficult for staff to translate pictures into the words of the ordinance.

Mr. Rooker noted that the DISC presentation had a number of specifics in words and pictures. "There's no reason why we can't take some of that and incorporate it with some degree of specificity in what we're doing now."

Mr. Rieley clarified that what he wants to see in terms of design is a site-specific design that doesn't illustrate Comp. Plan principles that can be put anywhere, but something that says "this is how a Town Center on this site could develop." He added, "You would expect individual proposals to vary from that, but to adhere to the principles. That's why I favor a specific Comprehensive Plan designation for this particular site."

Mr. Finley said, "No matter what we do, who says that developers are going to spend their millions [to come up] with a better plan. If we're too specific, we might be quenching some of their creativity."

Ms. Hopper asked for Mr. Anderson's opinion, as he sits on the DISC Committee and also has a planning background.

Mr. Anderson said, "To implement…the ideas behind DISC, we really need to be looking at a larger picture than just what's shown on the [small] diagram." He added that it is important to look at the big picture in order to understand the smaller pieces of it, especially regarding the road configurations. Mr. Anderson said the small sketch is too specific, adding that roundabouts are not pedestrian-friendly. He added that developers should be held more closely to the artistic renderings they present.

Mr. Finley commented that the Southpoint development "sailed right through" because a detailed drawing of the plan was presented.

Mr. Rooker noted that in that situation, the CPA change referred specifically to the schematics presented. "We can tie him to what he presented in order to obtain a Comprehensive Plan Amendment, when he rezones the property and what's presented in order to obtain that rezoning."

Mr. Anderson mentioned that in his professional experience in planning and architecture, he was held to the drawings he presented.

Mr. Benish agreed that in the future, drawings could be incorporated to depict what the county's expectations are in terms of development. He stated that another draft of the CPA could be done by mid-March for Commission review, with a public hearing scheduled for the end of March.

Old Business

There was no old business presented.

New Business

Noting his concern about insufficient materials presented in the past, Mr. Rieley presented a list of twelve items (Attachment "A") that he would like to see included with each rezoning application. Mr. Rieley stated that his intention is to have Commissioners articulate what their desires and expectations are in the way of material that comes with rezoning applications, so that there is a minimum amount of information available in order to make sound decisions. He noted that his objective is to be able to present to staff what those expectations are, and wanted to make sure that the entire Commission agrees.

Mr. Finley said he feels it is broad for the Commissioners to come up with without fairly good review, including the County Executive and County Attorney. "There are some pretty heavy requirements for someone who's seeking rezoning. A lot of investment before he's really got a hold of anything."

Mr. Rieley responded, "I didn't propose these as requirements for a rezoning application. I proposed these as information that the Planning Commission pass on to staff of information we would like to see in the packets that we get." He mentioned that he first request – having maps at a standard scale that are legible – doesn't seem to be a contentious issue, yet maps are consistently presented that are illegible and of no scale. "I don't regard that as an onerous requirement for either staff or for an applicant for a rezoning, but maybe somebody else does."

Mr. Finley suggested presenting the request to Planning, and let them come back with ideas. "There may be ramifications there beyond what we can deal with."

Mr. Rieley said that first the Commission needs to come to consensus on what should be asked for, then present it to staff.

Ms. Hopper commented, "In some ways it's a wish list that might be broader than what we can get, but it's a wish list."

Mr. Rooker suggested having the Commission consider a Resolution that these are the kinds of materials that they would like to see with rezoning requests. "It has no legal stature. It doesn't impose a requirement on an applicant. It's not a part of the ordinance. It's a request to staff to the extent possible with rezoning requests, we'd like to see these kinds of things." He added that in the past, sometimes you get the items needed, and sometimes not. "We have been asking for those things, often late in the game, from an applicant, and it's somewhat unfair to an applicant that he shows up for a rezoning and we're starting to ask for these kinds of things when…it's never been communicated to him that we expect these things."

Mr. Rieley said his view is that if someone is making representations to the Commission, there should be enough information to know whether that's possible or not. "If we grant rezonings based on information that's not complete, once that rezoning is put in place, you're stuck with it; and we've been stuck with several rezonings recently that should never have been rezonings in the first place. And they were rezoned that way out of the best of intentions, but based on the wrong information. This is partially an attempt to make sure that we have a minimum of the kinds of information that we ought to have."

Mr. Loewenstein said he has often lamented about the lack of information presented with some applications, but acknowledged that some requests presented by Mr. Rieley may not be fully possible, given the state of staffing and data access in the Planning Department. "I've been concerned for a long time about our inability to act with enough information to make a really good planning decision, which is going to ride with that property even if the situation changes, and what we think we've approved never gets built." He added that he has noticed a continuing trend away from a standard reporting format in staff information. "This would help a lot, I think, [to] get us towards a more uniform approach."

Mr. Finley wondered how much the applicant would need to do prior to the rezoning request.

Mr. Loewenstein responded that things like getting a standardized scale map could be done by staff, not the applicant.

Mr. Rooker recommended taking one week to look at the items, then consider a Resolution of Intent at their February 22, 2000 meeting that the Commission would like to see this type of information, along with recommendations that anyone may have with respect to language, content, etc. in the requirements.

Fellow Commissioners agreed.

Mr. Finley expressed concern that staff may be burdened with additional requirements.

Mr. Rieley emphasized that the Commission needs to articulate what they want, then have staff respond to the request.

Ms. Hopper said there is an upcoming VDOT meeting regarding the 250 East Corridor, and asked how Commissioners handled attending the meetings and disseminating information from the meetings. Ms. Hopper and Mr. Thomas indicated that they would be attending. Mr. Rooker noted that at VDOT public hearings, there is no official Planning Commission stature with respect to those meetings.

There being no further business, the meeting adjourned at 8:30 p.m.

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V. Wayne Cilimberg
Secretary