Albemarle County Planning Commission
February 19, 2002

The Albemarle County Planning Commission held a meeting and a public hearing on Tuesday, February 19, 2002 at 6:00 p.m. at the County Office Building, 401 McIntire Road, Charlottesville, Virginia. Members attending were Jared Loewenstein, Chairman; William Rieley, Vice-Chairman; Rodney Thomas, Tracey Hopper, Bill Edgerton and Pete Craddock. Other officials present were Elaine Echols, Greg Kamptner and David Benish.

Mr. Loewenstein established a quorum called the meeting to order.

Other Matters Not Listed on the Agenda from the Public

Mr. Loewenstein asked for additional matters from the public. There being none, the meeting proceeded.

Review of Board of Supervisors Meeting – February 13, 2002

Mr. Benish reviewed the meeting. There were two items the board reviewed that had been before the Commission. The special use permit for the Thomas Harris garage was approved with conditions as modified by the commission. A home occupation PC, Spencer Enterprises, was also approved as recommended.

Consent Agenda

a. **Approval of Planning Commission Minutes** – January 15, 2002.
b. **SUB-01-255 Bargamin Park Subdivision** – Request to allow open space to be used for a stormwater detention facility. (Margaret Doherty)
c. **SUB-01-256 Sterling University Housing Final Plat** – Request for authorization to construct an internal private road. (Margaret Doherty)
d. **SDP-01-127 Jack Jouett Middle School Major Site Plan Amendment** – Critical Slopes Waiver. (Stephen Waller)
e. **Rt. 606 Abandonment/Dedication** – Review for Compliance with the Comprehensive Plan Virginia Code Section 15.2-2232 Relocation of Route 606 and abandonment of right-of-way for old alignment. (Juan Wade)

Mr. Loewenstein asked if any commissioner wished to pull an item from the agenda.

Mr. Thomas moved for approval.

Mr. Rieley seconded the motion, which passed unanimously.

Work Session

a. **CPA-01-03 Rivanna Village at Glenmore** – Modify the Land Use Plan element of the Comprehensive Plan by revising the following information for the Village of Rivanna: updating population and housing information, providing new headings for the recommended elements of the plan, recommending improvements to Route 250 East, and recommending mass transit to the Village. The proposed amendment would also change the land use designation for Tax Map Parcels 80-50, 93A1-1, 93A1-2, 93A1-3, and 93A1-4 from Neighborhood Density residential (Which allows for 3-6 dwellings per acre) to Community Service, which would allow commercial uses and residential density of 6-34 dwellings per acre. The proposed amendment would provide specific guidance for the area designated Community Service by recommending that a neo-traditional-traditional street system, a “main street” with retail and office buildings, a variety of housing types, offices, and commercial use not in excess of 240,000 square feet be provided. The amendment would also allow for civic buildings including schools, churches, and community centers to be included in the area designated as Community Service. The amendment would

require mass, scale, and architectural detailing of buildings that provide for a "human scale" and supports pedestrians, a well-integrated pedestrian system, including sidewalks and paths, and interconnections within the Community Service Area as well as to the rest of the Village. The amendment would recommend that development is sensitive to the location within Monticello's viewshed and that parking be minimized and buffered and shielded from nearby and adjoining properties. Finally, the amendment would allow for property formerly proffered for a school site on Tax Map Parcel 93A-4 to be substituted for provision of other needed public facilities within the area shown as Community Service. (Elaine Echols)

Ms. Echols presented the staff report.

Mr. Craddock removed himself from the discussion, as he is president of the board of the East Rivanna Fire Department.

Ms. Hopper gave one change on page 6. She asked for a correction to the first sub bullet.

Ms. Echols replied that "is discouraged" should be deleted.

Mr. Thomas asked to start with the buffering of the residential areas.

Ms. Echols said that if the plan retains this configuration, there will need to be some protection and screening provided in that area. It may be that the parking lot is not in the best location, perhaps it would be better in the interior.

Mr. Thomas said it should be buffered pretty heavily between the two developments.

Mr. Loewenstein agreed with Mr. Thomas. He pointed out that there are a number of nice, large caliper hardwoods already existing on the property. He said that he would hate to see the loss of all of the mature trees.

Mr. Rieley agreed with Mr. Loewenstein and Mr. Thomas. The areas along that line, where the houses back onto the ravine need to take priority. That area across from the tennis courts could absorb more density. The other related issue is parking. To the greatest extent possible, he would like to see the parking minimized, to the lowest level the applicant feels comfortable providing. That might help with the total amount of impervious area. If buffering is preserving existing trees, it has a greater impact than a newly created fill slope with small trees planted on it.

Mr. Loewenstein showed some photographs of the trees on the site.

Ms. Hopper said that the way the land lies, a new buffer would not be adequate. She said that is a good argument for the residential being up against that line, rather than the parking.

Mr. Rieley said that there may be some flexibility in the way the residential units engage the land, so that you enter on a higher level and have a lower story exit so it doesn't require filling.

Mr. Edgerton said that he is concerned with the amount of parking shown. He said he thought that the amount of parking was being driven by regulation. He would welcome seeing residential units moved to that location.

Ms. Echols replied that staff has not worked on the parking requirements at this time. Staff is also working on amendments that would change the amount of parking required.

Mr. Thomas said that he would like to hear some comments on the commercial development on the east end at Route 250.

Ms. Echols replied that the County has been discouraging commercial uses in this area. This CPA would be a major change from the commercial activities. She said that staff was worried about what that would look like and act like out on 250. Staff believes that the commercial activities need to be integrated inside the village.

Mr. Rieley asked where the nearest place was to by gasoline.

Mr. Benish replied that Shadwell was the nearest gas station.

Ms. Echols said that on the outskirts you would get a lot of highway commercial traffic.

Mr. Thomas asked if he had read that gas stations and mechanical shops were not permitted inside the village.

Ms. Echols replied that the report specifies commercial uses interior to the village rather than highway oriented uses around Route 250. We have not gotten into the specifics of the uses, other than those already proposed.

Mr. Rieley said that his initial reaction was agreement with the staff recommendation on this because we are working to integrate and build a cohesive community. On the other hand, there are uses that are highway related and it may be that there is a use and location that would allow for that. He said that he is drawn to having the firehouse located more conveniently to Route 250. It would be appealing to have a quasi-public facility located at the gateway.

Ms. Hopper said that the other issues need to be addressed, but not by reducing the density. She thinks that the commercial use on 250 is not the most appropriate use because it is a type of strip development. It also seems like a hazard.

Mr. Rieley stated that on the general issue of density, he agrees with the caveat that, if, in order to achieve some of the things we were talking about, there may be no way without lowering the density. He said that the texture and the mix of uses are appropriate and well organized.

Mr. Loewenstein asked the applicant to come forward and address the commission.

Mr. Frank Cox said that we have discussed with Mr. and Mrs. Milks the parking and visual aspects. We were trying to do new urbanism in the context of the County's parking requirements. We tried to squeeze in all the parking spaces that would otherwise be required.

Mr. Rieley said that this is the normal amount of parking that would be required by ordinance. He asked by what percentage could the parking be reduced if it were driven solely by the project.

Mr. Cox replied that as much as a thirty-percent reduction could be possible. On parking as well as the potential to include residential, he would say yes. He said that we have balanced the density for residential with the gross square footage of the retail/office space. Our concern is twofold. One is that the property does have ultimately less than 6 units per acre. He said that they would like to discuss the possibility of enhancing the non-residential piece. He said that they are thinking of certain uses, such as hotels and assisted living units. By virtue of how we have looked at the ground coverage, there is room to do other things. Would clearly like to ask the commission to look at how to define assisted living and nursing units in a way that doesn't overlap the density.

Mr. Rieley asked if that counts as non-residential, even though it's housing.

Mr. Cox replied that hotels and motels don't count.

Mr. Rieley said that that is an issue that should remain open and should be explored.

Mr. Benish stated that at the comprehensive plan level, we don't make that distinction. We would have to look into the rezoning and the operation of the ordinance.

Mr. Rieley said that he is pleased with the range and mix of unit types in this plan. If that is another nuance, we should leave the door open to having that included in the mix.

Mr. Cox said that they would look forward to exploring the use on Route 250, including discussions with the fire department.

Mr. Loewenstein asked if it would be possible for the commission to see them a little more in advance.

Mr. Benish said that staff could make the corrections and stay on the date already advertised.

Ms. Echols replied that because we are two weeks away, so that would not be possible.

Mr. Loewenstein said that they would explore that fully at the public hearing.

Ms. Echols said that if we can get a replacement map, we can find out from zoning if they would count those type of units towards the density. Everybody believes those uses are appropriate, but we would want to know how the density should be portrayed.

Mr. Thomas asked what is the recommended density.

Ms. Echols replied that staff has recommended 6-0, but the commission may be suggesting something smaller. It began at 6-6.

Mr. Thomas asked why is 6-6 too much.

Ms. Echols replied that if you were to equate what the existing neighborhood density residential would have out there, you would not be losing or gaining anything, but you would be adding 240,000 square feet of commercial to it. If you think that is too high, please say so.

Mr. Thomas said he thought 6 were fine.

Mr. Rieley stated that his only concern is how the assisted living might affect those numbers.

Mr. Steve Runkle said that he would like to see some flexibility between the residential and commercial density. He would like the flexibility to be able to have more residential units than 6 and still have equal or less intensity of development.

Mr. Loewenstein said he thought that made a lot of sense.

Mr. Thomas asked about the timing for highway improvement, if we do it now or do we wait until accidents are occurring?

Ms. Echols stated that those improvements were sent to the board of supervisors who have not yet acted. It is anticipated that the developer would provide some of the improvements, but they could not provide them all. There are improvements that can be made that would come in as proffers with the rezoning.

Mr. Loewenstein asked if the language needed to be more precise.

Mr. Rieley asked what we would gain by that, particularly since we have no control over when the improvements happen.

Mr. Benish said that the concern is with precision. The implication of that language is that we are going to limit development until the improvements take place. What we were trying to achieve is that we would plan appropriately to try to balance and match improvements and phasing.

Mr. Loewenstein said that it is pretty broadly stated here, it might be possible to be more precise.

Ms. Hopper said it was important to have something in there about concurrent infrastructure.

Mr. Rieley pointed out that we discussed the same issue recently, in Crozet.

Ms. Echols stated that we could say something about a mutual responsibility between the public and private sectors to provide the necessary improvements.

Mr. Rieley said that on the issue, the other side of the coin is that the public sector has to bear its share of the responsibility also. We should try to concentrate resources to make developments as good as they can be with all the onsite improvements, and rely on the public sector for the off site improvements.

Mr. Edgerton said that he liked the mix of uses, but wondered if integrating the parking with the housing units could minimize some of the concern over the parking. He pointed out that there would be four distinct phases over 12-15 years. It looks as if none of the attached units would be built in the early phases. By moving some of those attached units into the parking area, it might provide a better plan.

Mr. Rieley said he thought that was a good point, particularly if the phasing ends up with the non-residential units being developed first.

Ms. Echols verified that the commission would like to have more of the residential come in both the front of the development and in the early phases.

Mr. Edgerton said that he would prefer that. He said he thought that would give a greater opportunity to let the village grow.

Mr. Rieley suggested thinking about pervious pavement for the parking areas.

Ms. Echols said that there would be a set of proposed parking amendments coming before the commission very soon.

b. **CPA-02-01Neighborhood Model Amendments to the Land Use Plan** – Amend the Land Use Plan elements of the Comprehensive Plan by revising the words describing the growth management policy, modifying the focus of the goals for development in the Development Areas from promoting the segregation of uses and neighborhoods to goals that are consistent with traditional neighborhood development, as reflected in the Neighborhood Model adopted by the Albemarle County Board of Supervisors on May 16, 2001, and by amending the guidelines and standards for design and uses in each of the land use designations within the Development Areas. The proposed amendment would also make corresponding changes to other provisions of the Comprehensive Plan as a result of the revisions described above. (Elaine Echols)

Ms. Echols presented the staff report.

Mr. Loewenstein asked Ms. Echols to discuss how the percentages were developed, specifically how they reflect current or recent practice versus the neighborhood model.

Ms. Echols said that starting with Regional Service, 10% was the comfort level with Albemarle Place. Thus, we established 90% as the most urban project. Going down to a community service designation, that would be less urban and would require more green space at 20%. In the neighborhood service the 25% come from our residential planned development requirements. The green space is not equated to recreational amenities.

Mr. Thomas asked if space in a courtyard that is open space but paved would be included in green space.

Ms. Echols replied that what we were talking about was real green space, something vegetative. A recreational amenity would be something different. The way we are developing the neighborhood model ordinance, you could count parks as part of your green space, but not all of your impervious area.

Mr. Edgerton said that some of these categories might not be appropriate for a neighborhood model. The regional service designation is focused on dependence on the automobile. He asked if it was appropriate to try to incorporate all different categories in the neighborhood model. We are trying to get people out of their cars with this model.

Mr. Loewenstein said that was an interesting point.

Ms. Echols said that she thought that what DISC had in mind, was that, as much of the form you can get that provides a pedestrian friendly environment, you should be striving for. You can have a regional service development that provides a pedestrian friendly environment and a mix of uses. The interconnections are important, as are the places of human scale.

Mr. Loewenstein said that regional service often provides support for mixed-use development of all kinds. Conceptually it makes sense to try to emphasize the possibility of green space at a certain level, regardless of the designation.

Mr. Rieley said he thought that Mr. Edgerton raised a good point. He said he is in favor of trying to fold mixed uses into every level of our ordinances. He is concerned that we'll end up in a situation in which we have conventional big-box developments with a gratuitous row of townhouses added. Perhaps we need to reformulate it in a more fundamental way.

Ms. Hopper stated that is not how we want infill to look in the development areas. What Mr. Edgerton said is staying true to the vision of the neighborhood model.

Mr. Thomas asked if we would want the comprehensive plan to eliminate the possibility of a big box being built.

Mr. Rieley said that was an interesting question. He asked if that is something that we need to continue to accommodate.

Mr. Benish said that even if you did that, there are existing undeveloped and zoned lands.

Mr. Thomas pointed out that there is a segment of the community that needs to be serviced by big boxes.

Mr. Benish said that the numbers are trying to get us to look at an inducement or encouragement of an expected mix.

Mr. Rieley stated that in a lot of situations, the 20% number seems too low.

Ms. Echols said that we have all seen examples of how a big box can be incorporated into a larger development that has a residential component.

Mr. Thomas stated that we need to find that median.

Ms. Hopper suggested changing the name.

Mr. Loewenstein said he thought it would be a good idea to describe exactly what we mean.

Mr. Rieley stated that a big advantage to keeping the name is that we have lots of areas that are currently designated regional service.

Mr. Edgerton said that one of the advantages to including some sort of regional service is that we could take smaller communities that could not support the mixed use, and by the incorporation of a big-box the development could become more viable. He like to think that we would not limit the neighborhood model to a certain scale of development by saying that everything has to be supported within.

Mr. Rieley stated that these numbers reflect that.

Mr. Benish said that there was also a purpose and intent for these non-residential categories. There is an anticipated capacity we need to meet for future demand.

Ms. Echols said that staff was hoping to get these changes made quickly.

Mr. Rieley said it is hard to say what is right. He asked what the residential component was of the project at Hydraulic.

Ms. Echols replied that it was about 25%.

Mr. Edgerton said that it is hard to pull these percentages out of the air and not have anything to look at. He asked how this could be adjusted.

Mr. Benish said that they are general guidelines. There is flexibility in each case. What might be helpful is to provide some examples.

Mr. Edgerton said that would help.

Mr. Loewenstein stated that it would helpful to have some sort of yardstick for the public.

Ms. Echols said that part of what we have been trying to do is preserve those areas for particular uses. There is enough room in here because this is just guidance.

Mr. Loewenstein said he thought that being able to tie these to some tangible examples would be helpful.

Mr. Thomas asked if we were talking square footage or acreage in the percentages.

Ms. Echols said that with the recent developments, we have gotten information on number of units and anticipated square footage. In Rivanna Village at Glenmore they have given use a square footage figure. That seems to be a good way to measure it.

Mr. Benish stated that we anticipated that this would operate that we could go to a rezoning in an area that's regional service that has residential within it.

Mr. Rieley said that his instinct is to kick the residential up a little bit in regional service so that it can't be a throwaway item. He said that he would argue for 25%, which does not seem to be out of character.

Mr. Edgerton said that he agreed.

Ms. Hopper said that it would be nice to give staff the tools to implement the vision of the Neighborhood Model. She asked if this was enough.

Ms. Echols said that what comes after this are the changes for the by-right activities. The only thing we have right now is the comprehensive plan.

Mr. Rieley said that he is interested in some way of accounting for and giving credit for open space.

Ms. Echols replied that the Neighborhood Model ordinance would have a recreational amenity requirement to it that can be accomplished through a plaza. We are separating the green space from the recreational amenity.

Mr. Rieley said he wasn't thinking about the space as a recreational amenity.

Mr. Benish said that a small courtyard or plaza could suffice in a project, and otherwise the green space is less important.

Ms. Hopper asked if by definition, that would be a recreational amenity.

Ms. Echols said that we would look at it as the parks, open space amenity that is not required to be green.

Mr. Rieley stated that that should be better defined. All of these projects will have usable outdoor space that is paved. We need to figure in civic space.

Mr. Edgerton said that the best example locally is the downtown mall. He said that he would like to encourage the inclusion of pedestrian spaces that are not just green.

Ms. Echols said that she understood. She asked that wording changes be passed along via e-mail before the March 5th meeting.

Old Business

Mr. Loewenstein asked if there were any other changes on the committees. He said that he would clarify this year's appointments with Ms. Thomas.

New Business

Mr. Craddock asked if there was a possibility of a joint meeting with city planning on the proposed student housing.

Mr. Benish replied that a joint advisory committee would be appointed. There have been no specific, strategic discussions. It seems reasonable to anticipate such a meeting.

There being no further business, the meeting was adjourned at 7:50 p.m.