Albemarle County Planning Commission/Disc II Meeting
May 30, 2002

The Albemarle County Planning Commission held a meeting hearing with the Development Area Initiatives Steering Committee II (DISC) on Thursday, May 30, 2002 at 5:00 p.m. in meeting room #235, at the County Office Building, 401 McIntire Road, Charlottesville, Virginia.

Those members present from the DISC II Committee were Marilynn Gale, Katie Hobbs, Tom Loach, Steve Runkle, Vice-Chairman, William Rieley, Bob Watson, Sherry Buttrick and Jeff Werner.

Planning Commissioner members attending were: William Rieley, Vice-Chairman; and Rodney Thomas. Absent from the meeting were: Jared Loewenstein, William Edgerton, Pete Craddock, William Finley and Tracy Hopper.

Staff present was Elaine Echols, Principal Planner and Wayne Cilimberg, Director of Planning and Community Development.

Others present were Marcia Joseph, Don Wagner, Cliff Fox, Gaylon Beights and Chuck Rotgin.

Mr. Rieley, Vice-Chairman, noted that since three members were not present that it was not an official meeting of the Planning Commission.

Mr. Runkle called the meeting of DISC II to order at 5:08 p.m. He questioned how DISC II could proceed unless they know what has already been agreed upon.

Ms. Echols explained that staff would make statements out of the minutes and notes and bring specific language back incorporating all the changes. She stated that staff would then schedule an additional meeting for DISC II to confirm the actual language to recommend to the Board.

Without talking about specific language, Mr. Runkle stated that he would like to recap what they decided last time. He stated that they decided that there would be clarifying language that there was not a specific geometric form intended by the Neighborhood Model. He said that the application of the principles would produce development with desired characteristics, but doesn't necessarily specify any given size or form. He noted that DISC II might not have agreed on that specific language, but certainly on that intent.

Mr. Rieley stated that there is a preferred rectilinear form, but all situations won't fit. He noted that it was not his intention to go quite so far as to say that the grid type of system is the only form appropriate.

Mr. Rotgin stated that he heard that the point was to discourage people from going back and doing what was the easiest. He suggested that the Committee talk about ways to encourage the development community to try to incorporate as many of those twelve principles as possible within any given development with the idea that the form and the specific character of that development is going to be based on a balanced and rational application of the twelve principles. He stated that it was important that this committee

flesh those words out. Since he was a firm believer that you need to develop in the growth area, he said he wanted to see language in the comprehensive plan that establishes a vision of encouraging the development in the growth areas. If that language and vision is there, then ordinance will follow.

Mr. Werner stated that if building the appropriate road network were a function of getting street issues addressed in Richmond, then he would like to have that clarified. He suggested that they get away from expressing the twelve principles as relative to a development or subdivision. The cumulative result of the application of the principles will be that the principles will exist throughout the community. He said that the net result would be that the model would begin to reveal itself in the community as these things are inserted. The Neighborhood Model will have an impact on the overall development.

Mr. Thomas agreed with Mr. Rotgin that the intent or vision of the Neighborhood Model was to open a vision to use the development principles to work for the County overall and not just for the developers, but for everyone for comprehensive growth. Mr. Thomas stated that they wanted the developer to try to incorporate the twelve principles in their plans the best that they could.

Mr. Runkle noted that he hoped that they had resolved last week what he previously spoke to. He stated that it might be just off by a matter of degree. He said that what Mr. Werner talked about concerning the overall net end result is no different from what he had intended to say when he talked about a balanced and rational approach and a resulting built environment that had the characteristics that are desired. He was not sure geometrically what that would look like. He wanted everyone to recognize that it is fine to say that they need to make these changes over time, but they also have to live in today's world.

Tom Loach stated that the Albemarle Neighborhood Association had presented the original request for DISC. The request came about because the Board was considering growth area expansion at the time. Mr. Loach said it was their feeling that DISC should look into the future development of the growth area. In 1993, the Crozet Community Study was completed with the cooperation of the Planning staff. That document looks very much like a precursor of the Neighborhood Model. He agreed with Mr. Runkle that there should be a better definition of form.

Mr. Runkle noted from his perspective that he could attempt to balance those principles which he felt were important. He stated that they would be going through a process with the Board of Supervisors and Planning Commission where they could say that this was their opinion. He stated that one situation to the next situation would not necessarily produce something that looks the same here as it does over here given the characteristics.

Mr. Rieley agreed. He gave two examples which were on each end of the spectrum. If you have a rigid model which is difficult or impossible to implement under various conditions, that is an untenable situation, he said. He gave an example of a 300 foot urban grid superimposed on an area where there is a cliff going down to floodplain. On the other hand, he said the other end of the spectrum is the reason that he is concerned that we not disembody the area and form by definition. There was a proposal outside of Crozet a couple months ago where there was an area of cul-de-sacs with townhouses. The rear ends of the townhouses faced directly onto the main road and all of them

ended in dead ends. He said it is the pattern that you don't do with this model. It was presented to the Planning Commission as appropriate in the development area because it raised the density and this was the most sympathetic way to put these buildings on this land. If we end up with language that is so vague that that kind of a pattern can be interpreted as being consistent with the Neighborhood Model, it is absurd.

Mr. Runkle stated that after all is said and done, it is a public process. The Board of Supervisors and the Planning Commission will always have the opportunity to say whether an application is balanced or not.

Mr. Loach noted that as a developer puts together a plan or a road system, he or she should reference as many of the principles and illustrations as possible to make it as compliant as possible.

Mr. Runkle stated that the development community has the opportunity to illustrate that their proposals, from their perspectives, best meet the twelve principles in a balanced and rational way. There is a rectilinear form in there; there is a curvilinear form in there, he said. There is also reference to putting in a cul-de-sac. There will be places where cul-de-sacs will be the most desired solution. He noted that his point was that it was not going to be exactly the same in every situation.

Mr. Rieley agreed that flexibility was a part of the process and supported the change in the language.

Mr. Runkle asked that they move on to the next issue.

Mr. Rotgin stated that it was critically important that the language and the vision that comes from the Comprehensive Plan reflect reality.

Mr. Runkle stated that the intent is that there be flexibility and rationalization in development proposals. The applicant needs to demonstrate why he needs something to be one way versus another. The implication to some was that everything was going to be judged against something that looks a specific way. He noted that was what was being objected to and not the principles. He asked that they move along.

Mr. Loach stated that he heard that there was a disparity in development in the rural areas and development in the growth areas. If that was so, maybe they should make a motion that they would make it tougher to develop in the Rural Areas.

Mr. Watson suggested making it easier to develop in the growth areas.

Mr. Runkle stated that the Board of Supervisors directed DISC I to deal with the development area. The principles were established and adopted without changing the Comprehensive Plan language appropriate to those principles. He noted that was what they needed to do tonight irrespective of what each person thinks the form ought to look like.

Mr. Loach suggested that they fix the disparity that makes it easier to develop in the rural areas and harder to develop in the Development Areas.

Mr. Runkle stated that was fine, but there are rural area discussions going on at the moment and it is a separate policy issue than what DISC II is trying to do tonight.

Ms. Echols noted her fear that DISC II would not complete the work at hand. She encouraged DISC II to go through the last five pages of the document distributed for the last meeting, and then they could argue over specific language at the next meeting.

Mr. Runkle noted his concern that they did not conclusively decide anything last week. That is why he wanted to recap some of these issues. He asked staff what had been decided at the last meeting.

Ms. Echols noted that that DISC II acknowledged that there were multiple methods to get to the Neighborhood Model. She said the group agreed that there needs to be a balance of principles and prioritization. She said the big words are flexibility, rationality and balance. The only specific language change, of which she was aware of, was at the end of the sentence on page three. At the end of the sentence on page three, they acknowledged that there are multiple methods to get to the Neighborhood Model.

Mr. Rieley stated that in making that motion, he had referenced a statement previously made by Steve.

Ms. Gale stated that her notes had that multiple applications of the principles will yield desirable development.

Moving on, Mr. Runkle asked if they decided anything relative to density.

Ms. Echols said her notes indicated no changes to language related to density.

Mr. Werner disagreed because he said there was general confusion in how density is used. Mr. Werner pointed out that density is a relative term. There is a potential density. There is an infrastructure capacity that results in density. He noted that there is some confusion in the discussions on how a project fits into the whole. He stated that until there was some clarification of what our objectives are relative to potential relative capacity, as far as he was concerned density was an arbritary number.

Ms. Echols asked the group if more words relating to density should be added to the Comprehensive Plan.

Mr. Werner stated that he thought there was a tremendous lack of detailed discussion relative to this issue throughout this whole document.

Mr. Runkle stated that he had made the following three points:

- If a goal was to move detached products from the Rural Areas to the growth area, the realization must be that in the short term it was like a decrease in the development.
- The implication of the Neighborhood Model will increase density. That is not necessarily true. It relates to how much we actually move out of the Rural Area and into the development area.
- There is a real disconnect economically in many cases between two individual developers and increased density and off-site infrastructure costs. What changes

density is the change in the product. This leads into a further discussion about the County taking on some role for the infrastructure.

Ms. Echols stated that the Neighborhood Model says that the density in the land use plan is what we are looking to achieve. She said that the existing land use plan, irrespective of the Neighborhood Model, lays out the ultimate density desired by the County. The Neighborhood Model describes how that density would play out. Ultimately, the change in form including streets, grading and infrastructure would support the density levels that the land use plan calls for. The Neighborhood Model is not about density. The density is in the County's land use plan, and the Neighborhood Model is about how to achieve it.

Mr. Runkle stated that the adoption of the principles has a resulting interconnective more urban form, whatever that looks like. In the short term it may increase density or it may even lead to less density if it moves detached houses from the rural area into the urban area. It has a better opportunity over time to increase density in the development areas.

Mr. Werner stated that density was not a quantitative term.

Ms. Echols noted that if they wanted to add a quantitative term over and above what the land use plan currently has, it would be different than what Mr. Rotgin has suggested. She asked if the group wanted to add something more to the text.

Mr. Runkle stated that it was slightly misleading because if a member of the public read the current language, they would assume that at the adoption of the principles, the density would go up. He noted that may or may not be the case.

Mr. Rieley stated that he would not object to a comment somewhere acknowledging the fact that the densities are dealt with at the land use component and this study or report is meant to talk about arrangement of that. In fact the density may increase in some circumstances or decrease in other circumstances.

Mr. Runkle asked the group what had been decided concerning the greater emphasis on regulatory changes.

Mr. Rotgin stated that his suggested language was to delete the second line of the italicized paragraph all the way through the end of that line and insert the word encouraged so as to read "to encourage development."

Ms. Echols agreed that was what she had noted.

Mr. Runkle stated he believed they had decided that there should be additional emphasis on the need for capital investment by the County.

Ms. Echols agreed and noted that she would bring the wording back to the Committee and Commission.

Mr. Werner stated that he gave staff a copy of the State Code discussing the official map and some of the related things which he felt was critical to be inserted as a discussion item because it does facilitate capital investment.

Ms. Echols noted that if Mr. Werner proposed to insert language relating to the official map into the existing Comprehensive Plan, it would need to be developed and reviewed by DISC II. She asked if he would be agreeable to bringing that up at some time in the future so that the group could proceed with the document before them.

Mr. Rotgin noted that he wanted to be specific on that paragraph, but he thought that they had already reached an agreement. He noted in the indented language on the bottom of page 4, a period needs to be inserted after "infrastructure improvements" and delete the rest of the sentence.

Ms. Echols agreed and noted that DISC II agreed to add a statement that it is appropriate to place further emphasis on the need for capital investment.

Mr. Runkle asked what was decided on the topic of expansion of the Development Area boundaries?

Ms. Echols stated that she had in red letters "no change proposed."

Mr. Runkle stated they were caught up to where they had stopped at the last meeting. He asked about the comments on "relegated parking." He noted that he had some written ones.

Ms. Hobbs agreed with the sentence that the last line of parking should never be the dominant thing seen from the road. She pointed out that if sidewalks and more landscaping were put in around Fashion Square Mall, then it would not look so much like a parking lot.

Mr. Werner said that current development needs to accommodate opportunities for redevelopment, especially as it relates to parking lots.

Ms. Echols stated that in an existing development situation if someone is proposing to modify a building, the County does not ask them to remove their parking area and put it behind existing buildings. She noted that there is a difference between a redevelopment proposal and a new development proposal.
She noted that the Board and Commission look at development proposals in this way. If there is an opportunity where it makes sense, especially in a new development, then they are going to ask for relegated parking. In a redevelopment, it is a different issue.

Mr. Rieley read directly from page 19 of the Neighborhood Model under relegated parking as follows, "The Neighborhood Model proposes reassessing parking standards and finding ways to make parking areas less dominant from the street. Such steps can improve the visual character of the community and make possible more functional and appealing pedestrian environment." He noted that was general language which most of them could support. He stated that there was a paragraph in which there is a general description of parking relative to commercial activity and problems. He noted that this description is not prescriptive. He noted the bullets and a list of things called "disadvantages of excess parking areas." This list includes "raises in costs to developers", "increases water pollution" and "diminishes pedestrian environment." Then there is a heading called "Ways to Reduce Excess Parking". This list includes using realistic parking standards that would result in fewer spaces for many uses and more spaces in others. He pointed out that was currently underway. The next item is to place

the parking out of the view. He said this statement is not prescriptive. The third item is to fully use off-street parking. The fourth item is to encourage and allow shared parking. He stated that after reading that, he felt all of the comments provided appropriate language for the Comprehensive Plan. He noted those were general targets, but not prescriptions.

Mr. Wagner stated that he had forgotten the terminology, but in DISC I there were quite a few discussions about the fact that in the urban area you would have the big box stores. He noted that you might have some light industrial which would be an appropriate thing to add. He noted that it was discussed and acknowledged that it was an appropriate use for this area, but would not fit the Neighborhood Model.

Mr. Runkle stated that there was some discussion of special districts particularly for those uses that were of the scale and type that were not good candidates for a mixed-use environment. He stated that some comments had been made relative to big boxes, but that DISC I had not dealt with the scale of particular users relative to the mix of uses. He noted that it has not been determined where the things that don't fit well with residential uses will go and how they will be accommodated. He pointed out that he had some concerns about the residential aspects of the relegated parking and the increased costs.

Mr. Loach stated that preferred form of the Neighborhood Model does give some latitude to use. The form that the public usually gets is the parking lot near the road with shrubbery. The Neighborhood Model gives options of ways to work around this. He stated that he wished that there was a way to have the design be consistent with the Neighborhood Model prior to regulatory changes, particularly in Crozet. He said that it would be good to look at the downtown parking area and need as one large issue.

Mr. Rieley stated the other place in which relegated parking shows up is in the goals for the neighborhoods in the development area. There is a bullet on this section that has relegated parking and the language is more specific and prescriptive. It says, "Parking for the automobile will not result in an excessive amount of paved area. Parking on the street will be the norm, and parking lots shall be provided to the rear and/or sides of the buildings." He noted that language does not suggest flexibility. He suggested that they add the word "generally" between "parking lots" and "shall."

Ms. Hobbs agreed with Mr. Rieley.

Mr. Rotgin agreed.

Mr. Loach stated that he would rather have "preferred" inserted.

Mr. Werner stated that DISC II was not saying that they don't want big boxes. They were saying that if you want to come here, you need to create the imaginative. He said that we expect more in Charlottesville and Albemarle County. If developers are truly interested in the market place, then they will find a way to come here.

Mr. Rotgin stated that the language that is in the Comprehensive Plan proposal lacked flexibility. He pointed out that currently there is no lease signed for any big box to come to the area. He pointed out that the facts are that vacant stores are not healthy for communities. He noted that if DISC II really wants to implement the twelve principles so

that people can have a place to work, live, play and shop, you have to put those uses in places where people can access them. He stated that this was a complicated issue. He stated that the strict interpretation of relegated parking behind the buildings was just not going to work. He noted that there needs to be some flexibility and recognition at least in the regional service area. He pointed out that those areas could be made reasonably attractive by berming and landscaping so that the shopping centers were screened from the road.

Mr. Runkle asked if there was consensus that the language that Mr. Rieley identified previously is adequate.

Ms. Gale stated that language would be used as a guideline when a rezoning application was reviewed. She noted that the language as written is very restrictive.

Mr. Runkle stated that Mr. Rieley had suggested that language would have to be changed to some degree to make it less restrictive and it needs to be recognized that there are other methods suggested to help address how far to relegate parking.

Mr. Rieley suggested using the term "preferred" instead of saying that simply the parking has to be to the side or rear of the building.

Mr. Runkle stated that they need to get this language adopted first, and then deal with the regulations. He noted a proposed parking ordinance that is being reviewed by the Planning Commission. He stated that in some cases the parking requirements had actually been increased.

Ms. Echols stated that general agreement was made from page 12 to add the words "is preferred" that parking lots will be provided to the rear and side of the facilities. She asked that they look at page 23.

Mr. Rieley stated that the process has to allow for people to make the case that a plan is good despite the fact there is some parking in front of the building. If this is not done, then this language goes beyond the Comprehensive Plan and into specifying the site plan. He stated that DISC II should be articulating a vision and a target, and not making a site plan requirement in the Comprehensive Plan.

Mr. Loach voiced a concern that by putting in "preferred" that it was watering the language of a proposal down too much and would be problematic to staff's analysis.

Mr. Cilimberg stated that none of the principles would be reviewed in isolation of all of the other principle. He stated that they actually would be looking at how to apply the language when they were looking at a project that is being evaluated on the principles as they work together. He stated that part of the judgement on how relegated parking is viewed will be in combination with how it is working with the terrain or what other principles will be met. He noted that you have to look at it in terms of giving staff a starting point.

Ms. Echols stated that she did not think anything would be lost by adding the word "preferred."

Mr. Rieley stated that he liked the language as it stands on page 23.

Mr. Rotgin noted that it also says that parking should never be the dominant feature. He pointed out that it was not practical for large-scale retail uses to have the parking in the rear of the building. He noted that the new Giant store on Pantops did not have the parking in the rear.

Mr. Thomas stated that they need to consider what the public prefers.

Mr. Runkle stated that as long as the language provides flexibility it should work. He pointed out that he has developed some sites where there is no building, but the infrastructure was built some time ago. He stated that the parking was planned for the front of the building. He asked that the language provide some flexibility in this type of situation.

In response to Mr. Rotgin's comments, Ms. Echols stated that she has seen places where grocery stores don't have parking in the front and use the rear access from a parking lot for customer's use.

Mr. Werner stated he would hate to see this worded so broadly that it says that strip malls are okay.

Ms. Echols suggested that the language on the bottom of Page 23 read "Parking should be located to the side and rear of structures and rarely be the dominant feature seen from the public road."

Mr. Rotgin again stated that for regional scale retail parking behind and to the sides of buildings does not work. He noted that they need some flexibility in this area.

Mr. Rieley said he feared that this exclusionary clause for regional scale development says that the existing pattern of commercial strip development is fine in the development areas. He noted that DISC'S work was predicated on a change in the way development is currently done. He stated that the group has raised a lot of legitimate points. He felt that there should be enough flexibility to make the argument at the time of an application that the location of the parking is such an important aspect that it overrides other considerations. That is a case that should be made within the backdrop of striving for a different kind of pattern. Therefore, he said he supported Elaine's suggested language of "should" or "generally."

Ms. Hobbs preferred the use of "generally" since normally you would want the building to be the dominant feature.

Ms. Echols suggested using the phrase "parking generally should not be the dominant feature seen from the public street."

Mr. Runkle suggested it say that "parking should not be the dominant visual feature."

Mr. Wagner asked where you put the loading dock?

Mr. Runkle stated that there were a whole lot of real world features that the language does not address.

Mr. Rieley suggested using “from the public road or other adjacent areas.”

Ms. Echols reiterated the latest version of the statement as “parking should be located to the side and rear of structures and generally should not be the dominant feature seen from public roads or other adjacent areas.”

Mr. Runkle suggested that it be located so to reduce the visual impact on public roads and adjacent areas.

Mr. Rotgin asked if that gives any implication that a good landscape architect could make it visually attractive.

Mr. Rieley stated that he felt that statement falls in the same category as the statement concerning the location of the parking area. He said the Commission would review such a request on a case by case basis.

Ms. Echols said that with the Neighborhood Model, DISC had been striving to get the building to be the most dominant feature on the road. A large building sitting in the middle of the parking lot surrounded by landscaping at the perimeter did not seem to be what was intended.

Mr. Rieley stated that this description was not part of the target. He asked that the parking target remain the way it is. He opposed leaving the door open for people to argue for situations that can’t work.

Ms. Echols asked if she should try to put in some language to reflect what he was saying about landscaping being one way to achieve relegated parking, but not the “preferred” way. She noted that if the language remained as currently proposed, it would imply that landscaped parking lots in the front of buildings would always be considered as appropriate.

Mr. Rieley stated that was not his intention.

Ms. Echols said that she would work on the language to incorporate the landscaping issues and come back with suggested language at the next meeting.

Mr. Rotgin stated that it was incumbent on staff to find some examples where this kind of development has worked. He stated that the whole mixed-use concept has not worked.

Ms. Echols stated that there are lots of examples of where this type of development has worked. She stated that in many ways these types of successful developments require a larger population surrounding them to support the businesses. But, she said that is not uniform in all of the examples that she has either seen or read about. She stated that she could provide examples of successful developments to the committee if they so desired. She pointed out that her preference today was to get through the Comprehensive Plan work so that staff could get back to work on the ordinance revisions.

Mr. Runkle stated that they wanted the language to be flexible enough so the developer can stand up and argue his position.

Mr. Runkle, teasing staff about their use of words, asked if neighborhood service areas should be connected to the residential areas only when possible. He noted that his response was no "even when it was impossible."

Ms. Buttrick arrived at 6:45 p.m.

Mr. Runkle stated that he could envision situations where there are many obstacles to the connection of commercial areas to residential areas such as stream crossings, terrain or a lack of agreement by the adjacent property owner to sell property or grant an easement. He noted that it should be at least recognized that there may be instances when you cannot make a connection.

Mr. Werner stated that you need to anticipate that there might be a connection made in the future.

Mr. Thomas said if you don't have connectivity from the beginning, future residents won't allow it to happen.

Ms. Echols suggested that they say "to the greatest extent possible." She directed the Committee to pages 30 – 31, the second set of comments, the third bullet from bottom. If approved, the statement would read, "Areas designated as neighborhood service should have a specific relationship to nearby and surrounding uses and to the greatest extent possible be connected to those uses for a system of sidewalks or pedestrian paths."

Mr. Rotgin suggested that it state "to the greatest extent possible to allow the connection which could be an easement."

Ms. Echols noted that the County wants pedestrian paths put in when the developer builds the project, even if it won't connect to anything right now. She noted to have to go back and require connectivity at a later date is extremely difficult.

Mr. Runkle suggested that it should state that "provisions for connections shall be made." He asked if it was the pleasure of the group to quit at 7:00 p.m.

Ms. Echols noted that the next item was going to take quite a bit of time to discuss. She suggested that they set another date for a subsequent worksession.

Mr. Cilimberg asked if staff had the wording of the last change.

Ms. Echols said she believed the Committee agreed that "provisions should be made for sidewalks or pedestrian paths to the greatest extent possible for pedestrian access through a system of sidewalks or paths.

Mr. Thomas suggested that it would be helpful for everyone to make notes of their recommendations before the next meeting.

Mr. Runkle stated that he had a couple of issues with the next topic that he made some notes on. The first issue is why should the intensity of use change by land use designation. The underlying thought is that as you go from regional service down to neighborhood service, the intensity of uses changes. With respect to the development

requirements, when there is an increase in the parking requirements, the building square footage, and the open space requirements, then all of a sudden the amount of utility that you can get out of the land in terms of building space is drastically lowered. He asked if there was any consideration given in the consideration of public green space as opposed to private residential green space and how that relates to green space overall. He stated that he was confused with how size relates to the Neighborhood Model.

Mr. Watson asked when this would go to the Board of Supervisors.

Ms. Echols stated that the current schedule was for July 30th.

The group decided the next DISC II meeting would be held on Thursday, June 6 at 5:00 p.m. Staff said she would notify the members of the location.

The meeting adjourned at 7:05 p.m. to their next meeting on June 6th.

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V. Wayne Cilimberg, Secretary

(Recorded and transcribed by Sharon Taylor, Recording Secretary)

May 30 Disc II Meeting - eke