Albemarle County Planning Commission
August 9, 2005

The Albemarle County Planning Commission held a meeting and a public hearing on Tuesday, August 9, 2005 at 6:00 p.m., at the County Office Building, Room 241, Second Floor, 401 McIntire Road, Charlottesville, Virginia. Members attending were William Rieley, Rodney Thomas, Calvin Morris, Jo Higgins; Pete Craddock and Marcia Joseph, Vice-Chair. Absent was Calvin Morris, Bill Edgerton, Chairman; and David J. Neuman, FAIA, Architect for University of Virginia.

Other officials present were Wayne Cilimberg, Planning Director; Margaret Maliszewski, Design Planner; Jan Sprinkle, Chief of Zoning; David Pennock, Senior Planner; Louise Wyatt, Zoning Enforcement Manager; Bill Fritz, Development Review Manager and Greg Kamptner, Deputy County Attorney.

Call to Order and Establish Quorum:

Ms. Joseph called the regular meeting to order at 6:00 p.m. and established a quorum.

Other Matters Not Listed on the Agenda from the Public:

Ms. Joseph invited comment from the public on other matters not listed on the agenda. There being none, the meeting moved on to the next item.

Review of Board of Supervisors Meeting – August 3, 2005

Mr. Cilimberg summarized the actions taken by the Board of Supervisors on August 3, 2005.

Consent Agenda:

a. **SDP 2005-061 Commonwealth – Greenbrier Center** – Critical Slopes Waiver Request. (David Pennock) (Tax Map 61W, Section 3, Parcel 6A)

b. **ZTA 2005-006 Amendment for Minor Administrative Changes** - Resolution of Intent to amend various sections of the Zoning Ordinance to provide clarification and improve ease of administration. (Louise Wyatt)

Ms. Joseph stated that there was one item left on the consent agenda, which was a critical slopes waiver request for SDP-2005-061 for Commonwealth – Greenbrier Center. She asked if any Commissioner would like to pull that item off of the consent agenda for discussion or if there was a motion.

Action on Consent Agenda for SDP-2005-061:
Motion: Mr. Craddock moved, Ms. Higgins seconded, that the consent agenda be approved.

The motion that the consent agenda be approved passed by a vote of 5:0. Commissioners Morris and Edgerton were absent.

Ms. Joseph stated that she had asked that ZTA-2005-006 Amendment for Minor Administrative Changes be pulled from the consent agenda because it was not clear exactly what was being changed and what the process would be for making these changes. She asked if Ms. Sprinkle or Ms. Wyatt could provide an overview for the Commission.

Louise Wyatt, Zoning Enforcement Manager, stated that the question was about the process. The last time that a housekeeping/administrative ZTA was done was 2001 to make minor corrections, clarify things and make any relevant updates. This ZTA is an aggregate of things that have been collecting since 2001 of things that staff wanted changed. Staff has cited about ten proposed changes in the staff report and there are probably about another ten that they may be looking at adding. There are four purposes: 1) clarification to improve interpretation and application. For example, right now there is nothing in the Code that makes it apparent that a site actually needs to stay in compliance with the approved site plan.

Therefore, staff wants to add language like that, which would simply codify the existing practice. 2) Staff also hopes to correct some errors. For example, right now the equation to calculate density is wrong in one of the sections. 3) To update new or changed ordinances of State law to bring it into accordance with the new Subdivision Ordinance and some new State provisions. For example, right now there nothing in the ordinance that deals with sites with less than 4 parking spaces. Staff hopes to capture something in that. Most of these are really minor administrative changes. Staff is not planning to solicit any sort of public input on this at this time because most of the proposed changes are pretty straight forward. But when they come before the Commission with a public hearing if there are ones that the Commission wants pulled that they believe desires public input they would be more than happy to do that at that time.

Ms. Higgins stated that she mentioned that there were ten listed and they had ten to add. She assumed that if the changes were not on this list, then those changes were not covered under this resolution of intent.

Ms. Wyatt stated that when they worked with Mr. Kamptner they tried to word it generally enough that they knew there might be some additional ones that they wanted to capture. She asked Mr. Kamptner if that was correct.

Ms. Higgins asked if the resolution of intent will actually list the sections that the proposed changes apply to. Obviously, they must have specific sections that this applies to. The one item that she would have pulled this for was listed under # 3, which says changes to make the Zoning Ordinance consistent with the Subdivision Ordinance. She asked if that was minor or major. She pointed out that the Commission has many times talked about inconsistencies in the Subdivision Ordinance and she did not think that falls in the minor category.

Ms. Wyatt stated that proposed changed was actually relatively minor. It is merely a reference to the ordinance and involves talking about discharge waters in Section 32.7.2.3 that just changes some wording to make it in accordance with the Subdivision Ordinance. Therefore, it is just a minor change.

Mr. Kamptner stated that the resolution on the back of the executive summary was drafted as broadly as possible to cover all of the types of amendments that they intend to address by this resolution. If through the process they determine that there are substantive changes that would not be covered by this resolution, then staff will come back with a new resolution.

Ms. Higgins asked if that means if it is not listed on the front then they would do another resolution.

Mr. Kamptner stated no, it would mean that it does not fall in the category of the second recital. Resolutions have been proposed in the past that did not specify what Code section would be amended. Most resolution that the Commission currently sees will identify specific regulations that they know will be amended and any other related sections of the zoning ordinance that they determined also need to be amended.

Ms. Higgins stated that the one that says remedies about requirements for site with less than four required parking spaces. Historically, less than four parking spaces was a category that was not like a parking lot. Therefore, there were not specific requirements related. She asked why staff was under a housekeeping thing that would now bring those into some sort of standards when they have not been subject to standards before.

Ms. Wyatt stated that was probably the one that staff had a question as to whether or not it might be considered a substantive one.

Ms. Higgins stated that would bring up the issue for everybody when they need to have a couple of parking spaces for a very small business or a home occupation. But, usually those were not subject on purpose. Therefore, that proposed change had surprised her as being a housekeeping item.

Mr. Kamptner stated that the resolution cites Section 4.12 as one specific regulation that will be changed to address this particular remission in the parking regulations.
Ms. Joseph asked if they foresee some sort of work session so that the Commission could get more information about the kinds of things that staff wants to see changed. She pointed out that was a philosophical difference and they don't know what kind of regulations are going to go along with this.

Ms. Wyatt stated that staff would be more than happy to schedule that with the Commission.

Ms. Higgins stated that she did not feel that change was a housekeeping item because it was more of an issue. She stated that she was unsure why that had not been addressed before. But if it was not on the list, then she would have felt more comfortable with it. She felt that it was something that was changing the ordinance with a specific impact to things that they had been trying to potentially make easier to do and that sort of thing.

Mr. Rieley stated that item was on the list.

Ms. Higgins stated that it was, but was inconsistent with those proposed changes that were just housekeeping, corrections and clarifications. It is a separate category to itself. It is not just fixing it to make it agree or correcting language that is not correct or explaining how to calculate something. It is actually are they going to go back now and pick up something that has been left as not being required. Typically in the ordinance now it is talking about parking lots having curb, gutter and sidewalks. But, less than four parking spaces have been excluded. She asked if Jan could explain if that was something that has caused a problem.

Ms. Wyatt stated that this proposed changed had come about with a zoning violation of someone who was needed required parking and he was parking on just a grassy area on his back lawn. Therefore, staff wanted to be able to require some kind of surface treatment so that it was not merely parking there. They also were looking at excluding the RA zone from this requirement. That was the specific thing that prompted discussion of this.

Ms. Higgins stated that one proposed change does not fall under the description of the others because it was more of a change and not just a correction or amendment.

Ms. Joseph asked if there was some way that they could separate the two.

Mr. Kamptner stated that the way the resolution was drafted is that it lists several classes of types of problems that staff is trying to address. The last one is to eliminate inadvertent omissions which create gaps in regulations, e.g. zoning ordinance section 4.12 contains no parking area regulations for sites having fewer than four required parking spaces. It is possible that there may be a class of regulations that fall within that category that may be substantive in nature because there are currently gaps in regulations. So to call all of this housekeeping may be a little misleading because the closing of these gaps may impose substantive requirements.

Ms. Joseph stated that what she would like to avoid is just hitting the public with this and coming to a meeting and having all of these changes without having any input prior to the writing of some of these changes.

Mr. Rieley stated that there was a public hearing process and advertisement. He presumed that was where the specificity in the issues will come in.

Mr. Kamptner stated yes, it may be as they go through this they may find that there is more than just this one parking regulation that is a gap in regulation and substantive in nature and they may very well have the preliminary public input or the round table work session work shop with the public and allow them to get their comment in early in the process.

Mr. Rieley stated that he did not have any problem procedurally putting all of these within one resolution of intent personally.

Mr. Thomas agreed with Mr. Rieley.

Ms. Sprinkle stated that this was the way staff handled it in 2001 with the last ZTA for housekeeping. When anyone had a question on whether this was substantive and whether it needed to be pulled out they just pulled it out and that went through its own process at a different time. Therefore, staff can bring the Commission what they think is falling under this resolution of intent and if the Commission does not like it, then they will just scratch that part of it and keep going. Staff will get as much as possible adopted and then bring back the things that they need more work on.

Mr. Cilimberg stated that resolutions of intent don't commit them to change any thing. It establishes the scope that they are going to look at. The Commission can make a decision in your process of review to take everything to public hearing, take some of it to public hearing and put some of it aside. Or they can ask for some of what they are seeing is taken out for more specific public input. It would probably be good for the Commission to see this in a more defined version in a work session, and then they can decide at that point what they are most comfortable with going with from there to the public hearing process.

Ms. Higgins stated that if this involves things that should be done and has not been done since 2001, but it is also a big staff commitment to work through all of these issues and she was going to point out that the one thing on the work plan that seems to be way in the future is our plan to look at how to do rural areas development/cluster development and that has been taken off the table since a year ago in 2001. She felt that this looks like a staff commitment that if she could take the time that they are using in this and put it on where she felt that it most needed, that she would choose not to do this now.

Mr. Cilimberg pointed out that this is different staff in that it is not the same staff doing the work. So it really would not make a difference there. Again, that is an important point to understand.

Mr. Kamptner stated that he would work on both of those issues.

Ms. Higgins stated that it seems that it would be zoning staff and Mr. Kamptner. She pointed out that the County was still out there with anything over 20 lots with no way to do anything.

Mr. Cilimberg pointed out that the Commission would be looking at that issue with the Board next month at a work session.

Ms. Higgins stated that the Commission has not done a resolution of intent to proceed to look at what potential ways to modify the ordinance that they want to pursue.

Ms. Joseph stated that the Commission will have to wait until the September Board meeting to discuss that issue.

Ms. Higgins stated that this ZTA seems to be a lower priority than that is.

Action on Resolution of Intent for ZTA-2005-006 Amendment for Minor Administrative Changes:
Motion: Mr. Rieley moved, Mr. Thomas seconded, for approval of the resolution of intent for ZTA-2005-6 Amendment for Minor Administrative Changes as presented.

The motion for approval of the resolution of intent for ZTA-2005-6, Amendment for Minor Administrative Changes, passed by a vote of 5:0. Commissioners Morris and Edgerton were absent.

Mr. Cilimberg pointed out that these kinds of changes could save staff some significant time in the actual administrative and regulatory process.

Items Being Deferred:

ZMA 2004-012 Luxor Commercial (Sign #86): Request to rezone 3.523 acres (portion of Tax Map 78,

Parcel 55A4) from R-6 (Residential) and R-15 (Residential) to PDMC (Planned District Mixed Commercial) and to rezone 1.377 acres (Tax Map 78, Parcel 55D) from C-1 (Commercial) to PDMC to allow a 1,500 square foot bank and 80,000 square feet of mixed commercial in a planned development. The properties, described as Tax Map 78, Parcel 55A4 (portion thereof) and Tax Map 78, Parcel 55D, are located in the EC Entrance Corridor Overlay District and the Rivanna Magisterial District on the north side of Route 250 East between the Montessori School and Aunt Sarah's Restaurant. The general usage allowed in the PDMC zoning district is large-scale commercial with a broad range of commercial uses under a unified planned approach; the PDMC zoning district does not have a density range. The Comprehensive Plan designates this property as Urban Density and the general usage recommended under this designation is residential. The recommended density range is 6-34 dwelling units per acre in Neighborhood Three.

AND

SP 2004-038 Luxor Commercial Drive-In Window for a Bank (Sign #86): Request for a special use permit to allow for a drive-in window for a bank in accordance with Section 25A.2.2 of the Zoning Ordinance which allows for drive-in windows serving or associated with permitted uses within PDMC. The property, described as Tax Map 78, Parcel 55A4 (a portion thereof), contains 23.168 acres, and is pending a rezoning to PDMC (ZMA-04-12).

AND

SP 2005-001 Luxor Commercial Drive-In Window for a Coffee Shop (Sign #86): Request for a special use permit to allow for a drive-in window for a coffee shop in accordance with Section 25A.2.2 of the Zoning Ordinance which allows for drive-in windows serving or associated with permitted uses within PDMC. The property, described as Tax Map 78, Parcel 55A4 (a portion thereof), contains 23.168 acres, and is pending a rezoning to PDMC (ZMA-04-12).

AND

SP 2005-002 Luxor Commercial Veterinary Office (Sign #27): Request for a special use permit to allow for a veterinary office in accordance with Section 25A.2.2 of the Zoning Ordinance which allows for veterinary offices and hospitals within PDMC zoning. The property, described as Tax Map 78, Parcel 55D contains 1.377 acres, and is pending a rezoning to PDMC (ZMA-04-12). (Sean Dougherty)
DEFERRED FROM THE JULY 12, 2005 PLANNING COMMISSION MEETING.
APPLICANT REQUESTS DEFERRAL TO THE AUGUST 30, 2005 PLANNING COMMISSION MEETING.

Ms. Joseph stated that the applicant was requesting deferral from the July 12 Planning Commission meeting to August 30. She opened the meeting for public comment and asked if there was anyone present to speak regarding Luxor Commercial. There being no one, the public hearing was closed and the matter placed before the Commission for action.

Motion: Mr. Rieley moved, Ms. Higgins seconded, to accept the applicant's request for a deferral for ZMA-2004-012, SP-2004-038, SP-2005-001, and SP-2005-002 Luxor Commercial to the August 30, 2005 meeting.

The motion passed by a vote of 5:0. Commissioners Morris and Edgerton were absent.

Ms. Joseph stated that the Planning Commission deferred the requests to August 30, 2005.

Public Hearing Items:

SP 2005-018 Car Max (Sign #9) - Request for special use permit to allow outdoor display of vehicles in accordance with Section 30.6.3.2 (b) of the Zoning Ordinance which allows for outdoor storage, display and/or sales in the EC Entrance Corridor zoning overlay district. The property, described as Tax Map 78, Parcel 10 contains approximately 5.112 acres and is located in the Rivanna Magisterial District on the north side of State Route 250 East at 1448 Richmond Road, currently the site of the White House Motel. The property is zoned HC Highway Commercial and EC Entrance Corridor. The Comprehensive Plan designates this property as Regional Service in the Neighborhood 3 (Pantops) Development Area.

(Margaret Maliszewski)

AND

SDP 2005-057 Car Max - Request for preliminary site plan approval for construction of 4 buildings totaling 13,612 square feet for use as automobile sales and related service on 5.112 acres zoned HC Highway Commercial and EC Entrance Corridor. (David Pennock)

Mr. Fritz introduced a new Planner, David Pennock, who came to Albemarle County from Hanover County. He pointed out that he was working on the critical slopes waiver request for Car Max.

Ms. Maliszewski summarized the staff report.

- The applicant, Car Max, proposes to construct an automobile dealership, including the outdoor storage/display of 184 vehicles at the site currently occupied by the White House Motel on Route 250 East.

- The intent of the special use permit requirement is based on potential impacts to the Entrance Corridor. The ARB has reviewed this proposal for its impact on the Route 250 East Entrance Corridor and had no objection to the request for the Special Use Permit with a condition related to landscaping.

- There are several automobile dealerships with outdoor sales/display of vehicles in the immediate vicinity of the subject parcel along the Route 250 East Entrance Corridor. Landscaping and the method of vehicle display are issues of potential concern related to the impacts of the proposed use on the EC.

- Consequently, staff is recommending approval of this Special Use Permit with conditions related to landscaping and vehicle display. There is also a critical slopes waiver request associated with this proposal that would normally be on the Commission's consent agenda. It is listed with the special use permit because they are related.

- The recommended conditions are as follows:
  1. Final site plan approval is subject to ARB approval of the landscape plan (submitted with the site plan). Landscaping shown on the plan may be required to be in excess of the ARB guidelines or the Zoning Ordinance.
  2. Vehicles shall not be elevated anywhere on site.
  3. Vehicles shall be displayed only in areas indicated for display shown on the plan entitled "Car Max Preliminary Site Plan" prepared by Charles J. O'Brien, Architect and dated July 18, 2005. Display parking shall be only in designated parking spaces, as identified on this plan.

- Prior to final site plan approval, the applicant shall provide documentation that all easement holders do not object to proposed construction, grading, planting, etc. in their easements.

Ms. Joseph asked if there were any questions for staff.

Mr. Craddock stated that on the left hand side it said C/E lot that runs vertically. He asked what that meant.

Ms. Maliszewski stated that was the parking lot for customers and employees.

Ms. Higgins asked if the display parking was shown in orange, and Ms. Maliszewski stated that was correct.

Ms. Maliszewski stated that the gray highlighted area were spaces to be used for other than storage and display such as customer service, employee, etc.

There being no further questions for staff, Ms. Joseph opened the public hearing and invited the applicant to address the Commission.

Tony Curp, Director of Real Estate for Car Max out of Richmond, Virginia, stated that they were a national retailer for used automobiles and a Fortune 500 Company. They are very happy to announce that last year they were elected as one of the one-hundred best places to work in the country. They were originally started by Circuit City. The whole idea was to provide a pain free experience in buying a car. It has been extremely successful for them. Last year their sales were over five billion dollars and they continue to grow. This site is part of their expansion plans. At this point they were trying to do somewhere between 8 to 12 new stores per year. They spent the last several months working with County staff and the ARB to come up with a site plan that they feel is compatible with the existing uses in the Entrance Corridor. That is the plan that they have before the Commission. They accept all of the conditions recommended by staff. They brought the team architect and engineer with them tonight to answer technical questions. They also brought a model for the Commission's review. If there are any questions, he would be happy to answer them.

Mr. Thomas stated that it was one of the best models that he had ever seen. It really depicts the elevations and answers a lot of the questions about the site.

Ms. Higgins pointed out that there was about a 12 foot fall on the site.

Mr. Curp stated that they have some limited sales spaces up front with some of the sales spaces pushed back, which was part of their negotiations in the last couple of months.

Mr. Rieley stated that staff and the ARB have done a very commendable job in getting the Commission a very clean package to act on.

There being no further questions for the applicant, Ms. Joseph invited comment from other members of the public. There being none, she closed the public hearing to bring the matter back before the Commission for discussion and possible action.

Motion: Mr. Rieley moved, Mr. Thomas seconded, that SP-2005-018 for Car Max be approved subject to staff's recommended conditions.

1. Final site plan approval is subject to ARB approval of the landscape plan (submitted with the site plan). Landscaping shown on the plan may be required to be in excess of the ARB guidelines or the Zoning Ordinance.
2. Vehicles shall not be elevated anywhere on site.
3. Vehicles shall be displayed only in areas indicated for display shown on the plan entitled "Car Max Preliminary Site Plan" prepared by Charles J. O'Brien, Architect and dated July 18, 2005. Display parking shall be only in designated parking spaces, as identified on this plan.
4. Prior to final site plan approval, the applicant shall provide documentation that all easement holders do not object to proposed construction, grading, planting, etc. in their easements.

The motion passed by a vote of 5:0. Commissioners Morris and Edgerton were absent.

Action on Critical Slopes Waiver:

Motion: Ms. Higgins moved, Mr. Thomas seconded to approve the critical slopes waiver for Car Max.

The motion passed unanimously by a vote of 5:0. Commissioners Morris and Edgerton were absent.

Ms. Joseph stated that the critical slopes waiver was approved. She stated that SP-2005-0118 would go to the Board on September 14 with a recommendation for approval.

Old Business:

Ms. Joseph asked if there was any old business. There being none, the meeting proceeded.

New Business:

Ms. Joseph asked if there was any new business. She pointed out that Mr. Edgerton wanted to talk about the logging loophole, but that there is no meeting next week. She asked Mr. Cilimberg if that item could go on the agenda for August 23.

Mr. Cilimberg stated that item could be placed on the August 23 agenda, and that Mark Graham would be here to be a part of that discussion.

Mr. Rieley asked if staff anticipates that this item will take a lot of time.

Mr. Cilimberg stated that he did not think so, but that Mr. Graham wanted to explain where they are right now in considering the Water Protection Ordinance provisions that relate to what came up in this particular concern about the loophole for silviculture.

Ms. Higgins stated that she had two questions about that. The first question was why they are talking about it, but the Commission has not done a resolution of intent.

Mr. Cilimberg stated that the Commission would not be a part of that because actually that is handled by the Board of Supervisors. The Water Protection Ordinance is in the Board's purview and they would pass any resolution if they wanted to make a change.

Ms. Higgins stated that her second question, which could be left to the discussion, was the reference to the issue as a loophole, which she was not comfortable with. Back in the day when the Water Protection Ordinance was first put together there was a large and continued effort representation from the Farm Bureau and the related components of that. At that time it was not considered a loophole. She acknowledged that it has been used. She suggested that staff go back and review David's Hirschman's documentation about that because it was specifically silent and allowed that per all of the public input at that time. She stated that if they are going to be rolling forward with that issue very quickly that she just wanted to bring that up. She suggested that it might be worth looking into.

Ms. Joseph stated that it was a big issue, which would be looked at by the Commission on August 23.

Ms. Higgins stated that she had one question for Mr. Kamptner. The Commission has had several different actions requested where the site has been subject to zoning ordinance violations. Each time these situations come before the Commission she has tried to remember to ask this question later regarding situations where the site is not in compliance or the antenna was left and there was a zoning violation. In some instances zoning was working on the violation and in others they were not. She felt that the Planning Commission would like to have some advice. It does not say in the ordinance, but if you have a zoning violation or have had ten zoning violation or none that you would get any different consideration. She stated that there were some things that the Commission could weigh into their decision. But for the one with the antennas the attorney was actually called back up to the podium to ask the question about that violation and it had been corrected by that time. She asked for some basic information on can the Commission consider it, is it appropriate or is that really a zoning violation that is out of the purview of some new application that is in front of them. She felt that they were using it to beat somebody up to get something done and she was not sure that was a role for the Planning Commission. She pointed out that she was uncomfortable with that. She asked for Mr. Kamptner's comments.

Mr. Kamptner stated that his consistent advice has been for the Planning Commission to consider each application on its merits. The extent to which a violation comes into play typically is when the County has cited the owner with a violation and the permit would eliminate the violation. The stream crossing is probably the most typical violation and the special use permit granted for stream crossings authorizes the use subject to the conditions. Therefore, it seems to be a way of addressing not only the violation, but it also brings the activity into compliance with the regulations. He stated that their advice to the Commission

was to just consider the application on its merits. There have been several applications where the violating conditions were legitimately considered where the applicant was asking to intensify a particular use where, with the existing use, the applicant was not able to stay in compliance with the zoning regulations. The cumulative impacts that possibly might have resulted from that expanded use did not justify granting the special use permit in that case.

Ms. Higgins stated that there were cases where they can consider them, but there are other cases that they should not.

Ms. Joseph stated that it was considered on a case by case or site by site basis. The Commission has to determine what has happened and if it is intensifying something that is already in violation and if the violation is part of what the applicant is asking for.

Mr. Rieley stated that the Commission has had cases where it was very pertinent and it was part of the staff report and conversation.

Ms. Higgins stated that she just wanted to know if there was some legal precedence that says that the Commission can consider these zoning violations or not.

Ms. Joseph pointed out that was why Mr. Kamptner was present to help guide the Commission through these issues.

Mr. Kamptner stated that with site plans and subdivision plats the Commission has less leeway in the extent to which it can consider an existing zoning violation and whether it is going to approve a site plan or a plat. That discretion is zero. But, for special use permits in certain circumstances where the Commission is looking at the impacts on the neighborhood, there are criteria that the Commission would apply. But, if the zoning violation has a close connection to those criteria, then they can come into play. We have never taken the approach that "you are in violation now and the Planning Commission is going to recommend denial", and he would advise against that approach. The consideration of the permit needs to be in the context of the criteria that the Commission applies.

Ms. Higgins stated that there was one situation where the applicant cannot even bring the matter back to the Commission until they have been in compliance or thirty days.

Mr. Kamptner stated that was the request where they were asking to really intensify the use.

Ms. Higgins pointed out that she just wanted to talk about this matter when they did not have a similar request before the Commission.

Ms. Joseph distributed an email of an item, which the Commission was mentioned in, that the Board will be looking at tomorrow. Therefore, she thought that the Commission might want to know that they are looking at changing the process or if there are ways that they can speed up the development review process in community development. Some of it has to do with reduced Planning Commission review of site plans and subdivisions. She felt that the Commission might want to know what is going on because she could not remember this coming before them. (See Attachment – Executive Summary dated August 10, 2005 Community Development Process Improvement Work session to Consider strategies for improvements of development review processes in Community Development.)

Mr. Cilimberg pointed out that information was being provided to the Board at their request by Mr. Graham.

Ms. Joseph questioned why Mr. Graham did not talk to the Planning Commission about what their input was in terms of their review of site plans and subdivisions.

Mr. Rieley asked if ministerial reviews are no longer going to be before the Planning Commission, would critical slopes waivers not be heard by the Commission any longer.

Mr. Cilimberg stated that the ordinance would have to be changed for that to occur because the Planning Commission is identified for waivers and modifications such as that as the deciding voice. He stated that he thought it was intended to reflect the site plans themselves rather than the waivers that would be subject to the Planning Commission review under the ordinance.

Mr. Kamptner pointed out that the Board could set an internal policy that varies under particular circumstances to help improve development review processes.

Mr. Cilimberg pointed out that the joint work session with the Board that had been planned for September 7 has been moved to the afternoon of September 14 at 4:00 p.m.

Ms. Higgins stated that she would be absent on Tuesday, September 6, 2005.

There will be no Planning Commission meeting on August 16.

There being no further new business, the meeting proceeded.

Adjournment:

With no further items, the meeting adjourned at 6:56 p.m. to the August 23, 2005 meeting.

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V. Wayne Cilimberg, Secretary

(Recorded and transcribed by Sharon Claytor Taylor, Recording Secretary)