Albemarle County Planning Commission
June 26, 2012

The Albemarle County Planning Commission held a regular meeting on Tuesday, June 26, 2012, at 6:00 p.m., at the County Office Building, Lane Auditorium, Second Floor, 401 McIntire Road, Charlottesville, Virginia.

Members attending were Richard Randolph, Bruce Dotson, Ed Smith, Thomas Loach, Don Franco, Calvin Morris, Chair; and Russell (Mac) Lafferty, Vice Chair. Julia Monteith, AICP, Senior Land Use Planner for the University of Virginia was present.

Other officials present were Joanne Tu Purtsezova, Planner; Ron Lilly, Office of Facilities Management; Dan Eggleston, Fire Chief; Summer Frederick, Thomas Jefferson Planning District Commission; Rebecca Ragsdale, Senior Planner; Stewart Wright, Permits Planner; Elaine Echols, Principal Planner; Amelia McCulley, Zoning Administrator/ Director of Zoning; Ron White, Director of Housing; Margaret Maliszewski, Design Planner; Sharon Taylor, Clerk to Planning Commission; David Benish, Chief of Planning; Wayne Cilimberg, Director of Planning and Greg Kamptner, Deputy County Attorney.

Call to Order and Establish

Mr. Morris, Chair, 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:

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

Consent Agenda

Approval of Minutes: March 20, 2012

There being no requests to pull any item on the consent agenda, Mr. Morris asked for a motion.

Motion: Mr. Franco moved and Mr. Smith seconded for approval of the consent agenda.

The motion passed by a vote of 7:0.

Mr. Morris said the consent agenda had been approved unanimously.

Regular Item:

SDP-2012-00015 Ivy Fire Station at Kirtley Warehouse – Minor
PROPOSAL: Parking space grade waiver associated with a request for a minor site plan amendment to convert the existing Kirtley Warehouse to a fire station. A critical slopes waiver (was approved at the May 2, 2012 Board of Supervisors meeting). Parking space grade waiver (is for grades greater than five percent in the parking area per Section 4.12.2(C)2 of the Zoning Ordinance

ZONING: LI – Light Industrial – industrial, office, and limited commercial uses (no residential use)
COMPREHENSIVE PLAN LAND USE/DENSITY: Rural Areas in Rural Area 1 - Preserve and protect agricultural, forestal, open space, and natural, historic and scenic resources/ density (0.5 unit/acre in development lots)
ENTRANCE CORRIDOR: Yes
SECTION: 18-32 Site Plan; 18-27 Light Industry; 18-4.12.15C Maximum 5% Grade for Parking; 18-4.12.2(C)2; 18-1.4 Safety and Welfare
LOCATION: 642 Kirtley Lane off of Ivy Rd. between the Volvo dealership and the Northridge medical complex
TAX MAP/PARCEL: 05900-00-00-023B1
MAGISTERIAL DISTRICT: Samuel Miller
(Joanne Tu Purtsezova)

Ms. Purtsezova presented a PowerPoint presentation and summarized the staff report.

The item before the Planning Commission is a parking space grade waiver associated with the proposed Ivy Station at the Kirtley Warehouse site just off of Ivy Road. The request is for seven (7) additional parking spaces extending from existing, nonconforming parking spaces in the travelway between the Volvo dealership and the Northridge medical complex, which is Kirtley Lane. Please note that the Ivy Fire Station minor site plan amendment is under ministerial review by staff and is NOT before the Planning Commission at this time.

Request:

- Seven (7) additional parking spaces with a 12.7% average grade
- The existing nonconforming parking spaces range from 11% to 12% grade
- The proposed parking spaces range about the same
- A parking space grade waiver per 31.8, which allows the Board of Supervisors to approve modifications to the 5% maximum grade limit for parking areas under 4.12.15c. Because staff is recommending denial they are requesting Planning Commission review and provide a recommendation
- Section 4.12.15c limits the maximum grade of parking areas to 5%, but the request is for an average grade of 12.7%.
- Section 31.8 gives the Board of Supervisors sole authority to approve waivers. Staff has reviewed the request against 4.12.2(c)2 and 1.4, but the Board of Supervisors does not need to make specific findings in support of its final decision

Staff reviewed slides showing views of the existing conditions on site. To either side of the travel way there are parking spaces that are nonconforming and have not been reviewed explicitly by staff. However, they were looked at as existing conditions with the site plan in 2008 for the North Ridge Complex. Staff displayed views of the warehouse proposed for the Ivy Fire Station. The addresses are 640, 642 and 644 Kirtley Lane. As a comparison the approved spaces that have been reviewed by staff are very flat, whereas the nonconforming ones go upward to Ivy Road.

FACTORS FAVORABLE:

1. The proposed parking exceeding 5% would be for employees only associated with the hospital only.

2. The seven additional spaces would be similar in character/grade to the existing, non-conforming spaces along the travelway.
3. A maximum grade of 13% has been approved administratively before for a driveway; however, conditions and expectations for the use of a driveway are different than for a parking.

FACTORS UNFAVORABLE:

1. Engineering recommends denial
2. A finding that the waiver would better serve public safety, health, and welfare cannot be made.
3. Public safety and property damage concerns, particularly in inclement weather.
4. A maximum parking space grade greater than 10% has never been approved.

Staff is concerned primarily with inclement weather conditions: slippery and slick conditions while passengers and drivers are getting in and out of their cars. Staff cannot find that the waiver would better serve public health and safety. In addition, engineering and planning have checked and a maximum parking space grade waiver has never been approved for more than 10%.

Mr. Morris invited questions.

Mr. Loach asked how many compliant parking spaces are down at the bottom close to the warehouse.

Ms. Purtsezova replied that she thought it was between 11 to 14 parking spaces.

Mr. Loach said if they are going to have one engine down there, then they are talking about 3 to 5 persons. Therefore, they have enough parking spaces.

Mr. Benish noted this is not parking that is required for the fire station.

Mr. Loach said that was the one point he wanted to make. He has trouble with this only because of the engineering documentation. On page 5 it says since the Ivy Fire Station is proposed at this location at 13 percent maximum grade the travel lane may be potentially dangerous. The loss of health or property is a danger such as during inclement weather the hazardous parking conditions that otherwise could possibly be preventable accidents. Then it goes on to say the maximum parking grade space greater than 10 percent has never been approved. With that recommendation and those caveats he was not sure how he could feel comfortable in supporting it.

Mr. Lafferty noted one of the concerns was it was perpendicular parking. He realized the slope was a problem. He asked could they go to diagonal parking and put dividers so that people could walk in between. Another thought is whether this is in any way grandfathered in. He knows it has been passed through several committees before and no action has been taken.

Ms. Purtsezova said he believed he had two questions. One is whether this can be grandfathered in. The second question is whether perpendicular spaces or any other alternatives would be possible. The applicant has provided a little bit of information on that. They have said that it is not possible. They do propose on the site plan to use permeable pavers. She did not know if

that makes a difference. As far as grandfathered in she did not know how they could grandfather something that was never explicitly authorized.

Mr. Benish said they were asking for the new parking spaces. So the existing spaces will stay. The ones shown in the pictures will not change and will stay. The request is to add seven additional spaces. Any other configuration (parallel or diagonal) that would provide additional space, the applicant may best explain. However, one of the goals is just a need for more parking spaces in the general North Ridge area. They are only asking for seven parking spaces. So any reconfiguration that would reduce means they don't gain very much. There is probably some concern about the practicality of the request if they have to widen the spaces, resulting in only three or four parking spaces. He is sure that Ron Lilley has looked at some options and can answer the question.

Mr. Lafferty said the actual fire department does not need additional spaces.

Mr. Benish replied this is related to the site plan to approve the fire station, but this request is really from the Health Science Foundation to augment their parking. It is part of looking at the larger site there including North Ridge and LTECH.

Mr. Dotson asked if Health Sciences itself is requesting this as a state agency would they be coming to us.

Ms. Monteith noted that it was Health Services and it is a foundation and they are not an agency.

Mr. Randolph asked if this was in fact just a business entity would they have come to a even more rapid conclusion understanding that this parking is to be used for employees for a fire station, which is a public service, that because of the critical slopes that this should absolutely be denied. He asked if they would have even greater degree of firmness about it or the same degree of firmness.

Mr. Benish replied that staff would follow the same process.

Mr. Randolph said he wanted that on the record that there is no differentiation between the two and that they coming to this conclusion based on the merits of the application.

Mr. Benish said that is the way staff has reviewed it. They have looked at it as any other request.

There being no further questions, Mr. Morris opened the public hearing and invited the applicant to address the Commission.

Ron Lilley, with the County's Office of Facilities Development representing the applicant in this case, said that in an agreement with the University of Virginia to use a portion of Kirtley Warehouse they agreed to take a site plan forward for the necessary site changes there, which are essentially parking configuration changes and to try to obtain additional parking spaces in this row of seven as part of an agreement. There was no hard and fast promise that this is going to be provided when it was discussed. Frankly, it was not realized that a waiver was necessary for those spaces. The spaces would be used by the University for employees at primarily LTECH and that then frees up some of the spaces that would be needed down at the lower end of the site

for the fire station and other sort of site users. He hoped that clarifies that. That is why the County is taking forward something really on the University's behalf.

Mr. Lilley noted that they do have a segment of parking down at the lower end that would be permeable pavers, which have a little better traction. However, the segment they are talking about here would just be regular asphalt just like the spaces that would be extended. He hoped there is no confusion about that. From an applicant's point of view the concern for health, safety, welfare is certainly understood and he knows the University does as well. They would take the position that with the existing context of a row of 18 spaces it is pretty much like it in an existing lane that is going downhill. There is no change to the grade of the lane. Adding a segment of seven spaces is a fairly minor adjustment to an existing situation that is sensible in a case where parking is necessary. It is not to say that this would make it right, but when you look at the alternatives people may park in places that are less safe. He would take that into account. He thinks for the most part it is within the existing context with the understanding that the University is trying to do all they can to provide reasonable parking. He would ask for consideration of that. He would also say on the health safety thing that there is a bit of common sense for people who park there. As far as he knows there have been no incidents of people who park there getting up the grade or having any cross traffic concern there. They did look at alternatives of whether it would be angled or perhaps moving the proposed bay of spaces further back so they could transition to a flatter surface. But that brings its own set of problems, namely getting further into slopes and having a portion of the row of parking further inset and perhaps creating safety issues that are worse as a result of not being in line with the rest of the parking there. He appreciates the Commission's consideration in the context. Fire Chief Dan Eggleston is here for any questions. He might choose to speak to the need and the understanding with the University. To address technical questions Craig Kotarski is here from Timmons Engineering.

Mr. Morris invited questions for the applicant.

Mr. Smith noted that he had answered one of his questions about any accidents. Today he called a gentleman from the University that is involved with this situation and asked him about any incidents or accidents and he said there was no record of anything in the last 4 years. He knew they have had one bad winter in the last four years.

Mr. Lilley said he could understand where someone trying to make it up a lane of a substantial slope could have an issue. Although he knows it happens on lesser slopes as well. He has not been aware of any accidents that are posed here.

Mr. Franco asked what the width of space is.

Mr. Lilley replied that he believed the spaces were 9'.

Mr. Franco asked if there is room enough to go to 10'.

Craig Kotarski, with Timmons Group, replied that there is not room to go to 10 without reducing the number of spaces.

Mr. Morris invited public comment. There being none, the public hearing was closed and the matter before the Planning Commission.

Mr. Smith said as the representative of the Samuel Miller District he was in favor of the request. He realized the slopes do not meet county standards. History has proven that what is there has worked. He even questioned the gentleman this morning from the University why they even applied because nobody ever applied before. He asked why they did not go ahead and start using it. Are they going to tell them that they can't do it? He said they can do it since it has been done before. He has been up and down the road many times and he supports the request. He moved for approval of the request.

Mr. Franco said since the parking spaces are not required again there is not the same situation as a shopping center where there would be shopping carts and they would be worried about things getting away and hitting cars. He would be more comfortable at 10' so there was a little bit more room for doors to swing. However, he was out there today and was able to open his car door without any problem and close the car door on the other side as well. He tends to support the request again mainly because it is not a required set of parking. He would probably be more in favor if they could label it "employees only" so that it is something they know is going to be used just by the employees. He knows it is separated as far as an entrance goes, but he can support this. He seconded the motion.

Mr. Morris noted that there was a motion and second for approval. He invited further discussion.

Mr. Lafferty pointed out he was for the fire department having a place there. However, they are being asked to go against the recommendation of the engineering department and the recommendation of our own planning division. If it were a 7/11 could we do this?

Mr. Loach said what he was hearing as the conflict was they actually have two divisions of government presenting conflicting views and opinions. One is from the engineering department saying this is a safety and health issue. The one that they just heard was that common sense should allow us to overcome that, which is the problem. It may be right that there have not been any accidents. The problem is, and perhaps he spends too much time in court, is that all they need is one accident. Then the other problems they have are suppose they have an accident that is blocking the egress of the fire trucks. The language in the report from the engineering department is the reason he could not support it.

Mr. Randolph agreed with Mr. Loach.

Mr. Dotson said he visited the site today and it seemed workable. However, he worried about the precedent if they waive a standard to this extent how do they say no to the next request.

Mr. Morris agreed that was a good point. That really sums up his feelings. It seems that they should not be recommending to the Board of Supervisors something that goes so far beyond our standard at this particular time. He invited further discussion.

Mr. Franco suggested that they better understand the concern about the accidents and blocking. They are adding a couple more spaces, but they are not changing the travel way. So there may be a little bit more activity there. In his mind as far as health and safety goes they already have people walking up and down that slope. Again, maybe they are adding some more people to that slope with the extra parking spaces. However, if the driveway in general is in this 12% to 13% range and people are parking at the bottom and walking up it he was not sure he sees a whole lot of difference of having a couple more spaces other than the fact that they would have a couple

more opportunities to have problems there. Again, he goes with the fact that it has been sitting there and has been working. It is not really being required for the required parking spaces. They have the ability to control it with signage. It is on the opposite side of the building from the patient parking. He was not sure he sees the same consequence as a 7/11 where they might be asking for additional parking.

Mr. Loach said that Mr. Franco may very well be right. If the language was not such in the report he would probably go along and may be use the common sense scenario as presented tonight. That said that is not the case that is before us now with the recommendation for denial from engineering. He questioned if the county wants to take the position that they will assume the increased liability because of this. That was the other thing; too, that he was not sure what he was hearing from the position of the county and the assumption of such liability. Not only as Mr. Dotson pointed out to us that we break precedent but if the language was such that it gave him some feeling that it has more of a grade but they don't see it as being problematic even though there is the potential. But, the language is fairly clear in the report.

Mr. Smith said he had a question for staff. What happens if somebody parks there on the grass?

Mr. Benish replied he was not sure he would park there given its existing condition there. That is at someone's risk.

Mr. Franco said he thought they would have to regrade the site to make it accessible because it is coming up from the back of pavement. It is not really going to work.

Mr. Lafferty said it was mentioned before that Volvo dealership uses parking in there. In one of the photographs there is parking on both sides. He asked if there is any way to take the Volvo parking and have it serve the purpose.

Ms. Purtsezova replied she was not sure whether the Volvo dealership is inclined to do that. However, she did know there may be a shared parking agreement with the Korean Community Church, which is also listed as a minor request. However, it was recently withdrawn, but the project is still in process.

Mr. Benish noted that they were not aware of the arrangement. As far as staff can tell, the county has never approved those sites. In the LTECH site plan it did recognize that existing travel way, Kirtley Lane, and the spaces on it. There was never an actual approval of those. Any arrangement that have been made with Volvo and the other property owners is probably a private agreement. So he does not know if that is possible or not.

Mr. Franco said there was one other thing that puts it in context for him. When he was on site he had his wife drive him over there. When he opened the passenger side and his wife opened the driver's side he asked her what she thought about it. Her comment was that it was not nearly as bad as some of the spaces downtown in the parking lots. An example is where they have the farmer's market and things like that. So these spaces exist in places and for the limited number that it is it helped him feel more comfortable.
Mr. Randolph pointed out that this is the county and not the city.

Mr. Morris asked that the role be called.

Restated Motion: Mr. Franco moved and Mr. Smith seconded to recommend approval of the parking space grade waiver associated with SDP-2012-015 Ivy Fire Station at Kirtley Warehouse.

The motion failed by a vote of 2:5. (Franco, Smith voted aye) (Lafferty, Loach, Morris, Dotson and Randolph voted nay.)

Mr. Lafferty voted nay because of the recommendation of the engineering department.

Mr. Kamptner pointed out that the Commission actually needs to take another motion because to make the recommendation they need something affirmative to go on to the Board.

Motion: Mr. Dotson moved and Mr. Loach seconded to recommend denial of the parking space grade waiver associated with SDP-2012-015 Ivy Fire Station at Kirtley Warehouse based on the staff report recommendation.

The motion passed by a vote of 5:2. (Franco, Smith voted nay)

Mr. Morris noted that a recommendation for denial of the parking space grade waiver associated with SDP-2012-015 Ivy Fire Station at Kirtley Warehouse will be forwarded to the Board of Supervisors to be heard on July 11th.

Work Sessions:

Off-Site Signs

Discussion of the criteria and reviewing process for applications for special use permits for off-site signs. (Amelia McCulley)

The Planning Commission held a work session to set general direction on the following issues: Off-Site Signs - Discussion of the criteria and reviewing process for applications for special use permits for off-site signs. (Amelia McCulley)

Ms. McCulley, with the assistance of Steward Wright, presented a PowerPoint presentation entitled ZTA 2012 – 010 Off-Site Signs - Planning Commission Work Session

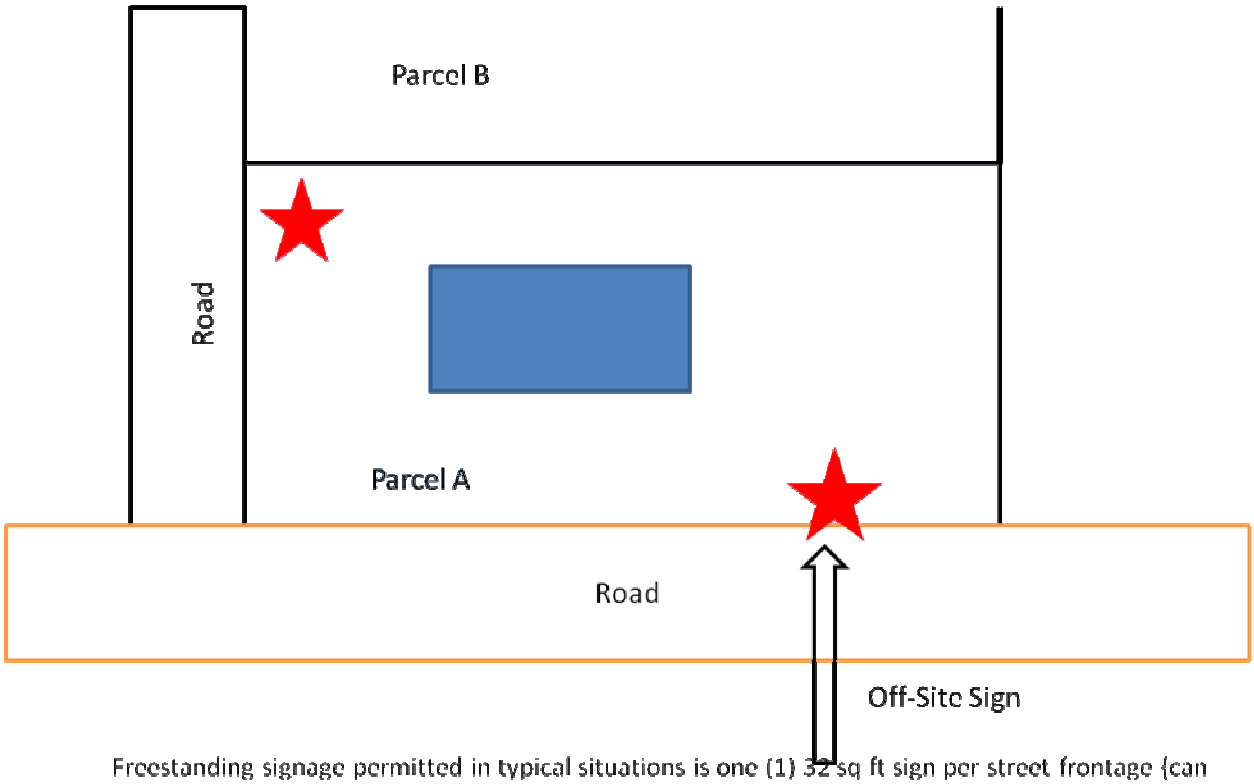
Ms. McCulley noted in July, 1992 they first did a comprehensive rewrite of our sign ordinance. At that time they decided to reduce the height and size of signs, number of signs, and proliferation of signs. They basically wanted to outlaw billboards. What they did is they said by definition a billboard is an off-site sign that exceeds 32 square feet and any off-site sign requires a special use permit with some exceptions.

She handed out a sketch for the Commission's reference as they discuss off-site signs. Staff forwarded an email from Ben Foster, local sign company owner. Mr. Foster recommends that off-site signs be an administrative review process and the criteria be based on the fact that the applicant cannot derive equivalent benefits from installing onsite signs.

Background:

- Off-Site Signs: Signs that are not located on the same lot with the use to which the sign pertains.

- Most off-site signs are allowed only by Special Use Permit (SP), except political, subdivision or temporary signs, signs within planned developments or off-site agricultural product signs.
- Approval of an S.P. for an off-site sign does not allow an additional sign or additional sign area than is otherwise allowed for the property.



Freestanding signage permitted in typical situations is one (1) 32 sq ft sign per street frontage (can also be divided into two (2) signs not exceeding 16 sq ft each per entrance). Approval of a special use permit for an off-site sign to serve parcel B allows an off-site establishment to be listed on the signs allowed for parcel A. No additional signs or sign area is provided through the special permit.

Parcel A qualifies for two freestanding signs. With a special use permit, parcel B can use part or all of one of the signs allotted to parcel A. The S.P. does not authorize an additional sign or a larger sign. It is a very confusing concept.

Focused Discussion

1. Appropriate Qualifying **Criteria**;
2. **Location** from which the Sign should *Effectively* Communicate Its Message; and
3. The **Approving Body**

Background

- Off-site sign Special Use Permits are issued by the Board of Zoning Appeals (BZA).
- In addition to the general criteria applicable to an SP, current criterion requires a finding that the off-site sign is necessary "because an on-site sign would be ineffective to communicate its message off-site because of topography or vegetation." [Section 4.15.5 c1]

Off-site sign special use permits are one of only three types of special use permits (all for signs) that the BOS has delegated to the BZA. The current criterion for an off-site sign is problematic: an on-site sign would be ineffective to communicate its message off-site because of topo or vegetation." Let's talk further about appropriate criteria.

Qualifying Criteria

- Current ordinance language is overly limiting in several aspects:
  - a) justification is restricted to topography or vegetation and does not consider many other valid factors such as safety considerations; b) does not require applicant to exhaust other remedies such as using onsite signs, subdivision signs, VDOT signs, etc.; and c) treats all uses the same whether or not they have high public safety demands (such as a hospital or nursing home).

The current ordinance language limits the qualification for an off-site sign to two factors. This does not consider many other valid factors such as safety considerations. It also does not require the applicant to exhaust other remedies for signage. Nor does it distinguish between uses as qualifying for an off-site sign.

Qualifying Criteria

a) Because many factors can impact the visibility of an on-site sign, staff recommends not limiting the factors *that are beyond the applicant's control.*
b) In addition, we recommend that the applicant exhaust other remedies before applying for an off-site sign.
c) Finally, justification based on the type of use makes some sense but can be problematic.

Under (a), staff suggests that the qualifying factors should be those factors beyond the applicant's control rather than something, such as location of the sign, that is within his/her control. As a practice, (b) makes sure the off-site sign may be the only remedy because other options are exhausted. Under c), a distinction based on the public safety needs associated with the use can get complicated if it goes beyond a hospital.

Location from which Sign should *Effectively* Communicate its Message

- This is probably the greatest point of debate. The Board recently confirmed the intent for off-site signage is not way-finding or marketing on major roadways. Current ordinance language simply requires the sign to be visible from other properties.
- Staff suggests that a sign should be visible from the primary access to the property because signs are oriented to motorists.

With the ROI for this ordinance amendment, the BOS confirmed staff's statement of intent that off-site signs are not intended for way-finding or marketing on high-volume roadways.

Staff discussed the Independence on Pantops, which was one of the applications that the BZA had for an off-site sign. The discussion was to illustrate how difficult it can be to try to figure out what is the point from which an on-site sign should be visible.

Location from which Sign should *Effectively* Communicate its Message

- If the subject property is located at the end of a road, an onsite sign at the primary access road serves limited purpose for directing traffic.

- To direct motorists, signage is helpful at major turning decisions but is not practical for every turn.

For your consideration

- Currently the Z.O. allows several types of signs which identify development with multiple establishments/tenants –residential subdivision signs, shopping center signs and planned development signs. The gap (and the SP for off-site sign) is for those establishments or tenants not located within a subdivision, shopping center or planned development.
- One option is to create a new freestanding sign type available by-right, "development sign." This is not an additional sign.
- The development sign must be located at the entrance to a road serving more than one parcel. The sign can list those tenants or businesses served by the access road. There would be very limited circumstances this would not serve and a special use permit would be necessary.

The Approving Body

- With a revised ordinance more clearly stating the intent and criteria for off-site signs, staff recommends that the BZA is the most appropriate approving body. We suggest that given the issue (an off-site sign shares onsite signage allowances), the review and timeline for a BZA application is more appropriate.

Questions or Comments

- Next step – draft ordinance language and set a public hearing with the Commission.

Staff requested input from the Commission on the three issues:

1. Appropriate Qualifying **Criteria**;
2. **Location** from which the Sign should *Effectively* Communicate Its Message; and
3. The **Approving Body**

Public comment was taken from the following person:

Neil Williamson, with the Free Enterprise Forum, noted the peach signs in Crozet he followed to turn in to the location to purchase peaches. He wondered how that rural use of signage would fit because it certainly was not on-site. What is the goal of the off-site ordinance? What are they after? It seems like the idea of preferred uses challenges his way of thinking. There was a big discussion about not regulating content – he felt this needs to be about the signs and not about the content. When a business chooses their property for a hospital or other use the signage and visibility are part of their decision making. Should off-site signs have preferential treatment based on use? He tends to think not. He tends to think if they look at the ordinance as a mechanism to serve a purpose whether it is limiting the number with bundle signs or whatever it is, he thinks if the purpose is such that it is a uniform purpose the application should be uniform as well.

The Commission commented on the information provided as follows and asked staff to take these comments into consideration in the continuing work regarding on-site signs.

1- For an emergency situation for signage – such as a road closing more than 24 hours- they need to create a class of signage to allow a business to stay in operation. Staff noted that there is provision for temporary signage and VDOT signage that can deal with this situation.
2- Be sensitive to needs of businesses coming into the county to allow their business to be competitive.
3- Solicit other localities similar in size to see how they handle off-site signs. It would be helpful to get their information.
4- Consideration should be given to the bundling of signs in one location in RA.
5- Agreed with staff's recommendation that the approving body should continue to be BZA since the process would be more timely.
6- Requested staff to work on development signs to possibly do a definition and come back to the Commission with examples.
7- Look at comparables and precedents of other communities and to understand how VDOT works to narrow approach. They have not narrowed the options enough to really understand how to approach this. It seems that understanding how the VDOT system works in terms of those blue signs would be helpful.
8- Signage should be administratively approved by staff as much as possible.
9- If something is truly unique maybe a variance is appropriate unless there is something in the ordinance that says they can't vary that. Important that they were exhausting on-site remedies. The idea is appropriate. Supports the BZA or the staff, but not the Planning Commission and the Board making these decisions.
10- The idea of a development sign sounds like something one might call a sign planning program even outside of Planned Districts where a group of people collaborate. One Commissioner called it a bundle sign. There was some support for bundle signs.
11- In our cell tower policy they were very careful to use the word visible. One Commissioner noted he gets a little nervous when they talk about "effectively" or "ineffectively" communicate since he did not know what that is. However, visible he did.
12- The extreme situation is that there are some businesses where it was assumed they pay less rent because they are on the back side. One comment was the sign ordinance should not make those primary spaces as if they were up on the main drag.
13- Don't want a "South of the Border" proliferation of off-site signs.
14- The health, safety, and welfare of the people of Albemarle County give them some ability to prioritize signage.
15- One thing that is a little off the subject but in the report again is the lack of staff. This keeps coming up that Albemarle County does not have adequate staff to do all the things that they are asking them to do or they have to do in their normal routine. The Commissioner was not saying go out and hire somebody, but noted it keeps coming up and somehow the Board of Supervisors needs to take this into account.
16- There was some discussion about having signage up for vineyards, having it all the same. Staff noted there is a fairly new provision for off-site signs by-right for agricultural products. The suggestion was made that the county might want to come up with some uniform sign and rent space instead of raising taxes. For different businesses they could have a uniform sign.

No formal action was taken.

Affordable Housing

As a follow-up to the March 20 report on affordable housing proffers, this work session includes responses to a number of questions from Planning Commissioners and a discussion of potential issues related to managing existing and crafting future proffers given significant changes in the housing development and financing markets. (Ron White)

The Planning Commission held a work session on affordable housing as a follow-up to the March 20 Planning Commission meeting. The work session included responses to a number of questions from Planning Commissioners and a discussion of potential issues related to managing existing and crafting future proffers given significant changes in the housing development and financing markets. A summary of the questions related to addressing the affordable housing needs, types of units that are being built under the proffers and if these are addressing the needs, process and procedures, financing, and other mechanisms was provided. Also included was some other issues of which he brought to the Commission in the brief time they had together back in March.

The following was initially noted by the Commission:

- What form should the proffers take?
- Should the proffers provide for actual housing units or monies in lieu of units?
- What is our goal with the affordable housing policy?
- Is there a lack of units now?

Public Comment was taken from the following persons:

- Neil Williamson, Free Enterprise Forum. He spoke to a concern that cost of cash proffers is paid by home buyers, but it does not always result in the production of new units as some of the cash is paid to rehabilitate existing housing stock. He felt that rehab is a great program, but proffer proceeds are the wrong bucket of money to help pay for it. He also expressed concern about the lack of deed restrictions or other mechanisms such as trust funds to assure that the value realized in the lower price of affordable housing for the initial buyer is passed on to subsequent owners of such housing.
- Jeff Werner, Piedmont Environmental Council. He spoke to the need for more facts, figures, and sincerity in the conversation about affordable housing and who pays for it. He offered that it is a shared responsibility for the whole community and all have to talk honestly about how the issue can be addressed.

The Commission noted the following:

- Concern about County accepting cash in lieu of affordable units in the 15 percent proffers money vs. units.
- Timeframe for people to have the opportunity to purchase proffered affordable units when made available. Look at programs that other localities have.
- Need to understand how many affordable units are needed on a yearly basis.
- Opportunity to exercise flexibility in moving from affordable units for purchase to affordable rental. Need to include the city in the discussion of demand and provision of affordable housing.

The following are to be done as follow up:

- Mr. White to send an electronic copy of the affordable housing proffers data to Mr. Cilimberg who will forward to Planning Commissioners.

- The Housing Committee has been disbanded. A work group reviewing Affordable Housing policies is being formed. Mr. White will notify Mr. Cilimberg and the two volunteers from the Planning Commission (Don Franco and Rick Randolph) of the meeting dates.

No formal action taken.

The Planning Commission took a break at 8:03 p.m. and the meeting reconvened at 8:12 p.m.

Livability Project Goals

Topics for Joint Comprehensive Plan Goals:
Historic Preservation,
Entrance Corridors, and
Environmental Resources. (Summer Frederick)

The Planning Commission held a work session to set general direction on three of the identified topics identified both through the public workshops and at the last joint Planning Commission meeting with the City where the City and County could come up with language that would be reflective of each other in the individual comprehensive plans.

Summer Frederick, with Thomas Jefferson Planning District and Elaine Echols, County Principal Planner, presented a PowerPoint presentation on the three joint comp plan goals. Margaret Maliszewski, Design Planner, was present to answer questions. Each topic was discussed with the Commission with staff requesting feedback from the Planning Commission on the following questions.

The Planning Commission provided guidance and direction in response to staff's questions regarding Joint City/County Comprehensive Plan Goals regarding Historic Preservation, Entrance Corridors, and Environmental Resources as summarized below:

Historic Preservation:
Given the City and County's differing approaches to historic preservation, are there opportunities for the City and County to create joint goal statements related to Historic Preservation?

Historic Preservation Comments from PC

- There needs to be a map of places worth commemorating and remembering and seeing
- We should continue with voluntary efforts rather than adopting a historic landmark ordinance and using regulatory methods – except for Mr. Dotson. Mr. Dotson was not at the point of saying he had made up his mind that a strictly voluntary approach is the only thing they ought to talk about. He was open-minded at this point and did not know.
- We need to take advantage of historic tourism opportunities and need maps for City and County cultural and historic resources and landscapes.
- Maybe put world heritage sites, presidential houses on that map
- Perhaps provide a map of historic trails. It is about educational opportunities.
- Cultural landscape is important to preserve
- Staff potentially needs to map conservation easements also and archeology
- Mr. Franco: We need more measureable goals on conservation easements

- Mr. Randolph: we need an inventory of historic resources such as historic structures
- Ms. Monteith: the districts are a good way to go because the pressure to designate landmarks isn't so great
- We need to see minutes of each others' (City and County PC) meetings
- Staff should map historical markers Natural Resources and Cultural Assets – contains commitments – (don't forget these) when reducing bulk

Conclusion: The County and City should work together to create a map of environmental, cultural, and historic assets together for public to see and potential tourist benefit

Entrance Corridors:
Is having two different approaches to maintaining and enhancing the Entrance Corridors appropriate?

Are there opportunities for the City and County to develop joint goals related to Entrance Corridors?

Comments from PC

Mr. Dotson –
- ECs are the threads that tie us together
- How do we link environmental corridors with the City?

- Mr. Franco – Avon Street EC is a good example of land use changes and design changes between the City and County

Conclusion: Staff should compare the City guidelines to the County guidelines – are they similar? Are they different? If they are the same, perhaps write them similarly for ease of use in both localities

Environment:
- **Water Quality**
- **Air Quality**
- **Development Area Tree Coverage**

Environment:
Are there opportunities for the City and County to create joint goals to ensure high water quality within shared waterways?

Is a joint Comprehensive Plan goal related to air quality appropriate?

Is a Comprehensive Plan goal related to expanding and maintaining tree coverage in the Development Areas Appropriate?

Environmental Comments from PC

Environment – Water/Air/Tree Coverage
- Maybe we should have an affirmation from the City that we have a strong relationship

- Mr. Franco – what are the City standards for water protection? Are they different from ours? Are there joint City-County regional stormwater basins?
- Ms. Monteith – the upcoming TMDL (Total Maximum Daily Load) regulations proposed for the Chesapeake Bay communities are going to make them the same

Air Quality

- Check in with Steve Williams on thresholds before we have to address the solutions with regulatory measures
- Mr. Lafferty – to reduce pollution, limit the amount of driving and promote multi-modal transportation and the use of bicycles. He noted that the City has been more proactive because they own their own roads. In the County it is more difficult when the property rights go up to the center of the road to expand and put in bicycle lanes.

  Conclusion: Get information on air pollution from Steve Williams before doing anything else related to air quality

Additional conclusion relating to environmental resources: The City and the County should affirm their relationship which benefits both localities.

Old Business

Mr. Morris asked if there was any old business. There being none, the meeting proceeded.

New Business

Mr. Morris asked if there was any new business.

- No meetings July 3, 2012 and July 10, 2012
- Next regularly scheduled meeting Tuesday, July 17, 2012

There being no further business, the meeting proceeded.

Adjournment

With no further items, the meeting adjourned at 9:27 p.m. to Tuesday, July 17, 2012 at 6:00 p.m. at the County Office Building, Auditorium, Second Floor, 401 McIntire Road, Charlottesville, Virginia.

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V. Wayne Cilimberg, Secretary

(Recorded and transcribed by Sharon C. Taylor, Clerk to Planning Commission & Planning Boards)