Albemarle County Planning Commission
February 12, 2013

The Albemarle County Planning Commission held a public hearing on Tuesday, February 12, 2013, at 6:00 p.m., at the County Office Building, Auditorium, Second Floor, 401 McIntire Road, Charlottesville, Virginia.

Members attending were Ed Smith, Bruce Dotson, Don Franco, Thomas Loach, Russell (Mac) Lafferty, Vice Chairman, and Calvin Morris, Chairman. Mr. Franco arrived at 6:19 p.m. Absent was Richard Randolph. Julia Monteith, AICP, Senior Land Use Planner for the University of Virginia was present.

Other officials present were Andrew Sorrell, Senior Planner, Elaine Echols, Principal Planner; Amelia McCulley, Director of Zoning/Zoning Administrator; Amanda Burbage, Senior Planner; Stewart Wright, Permits Planner; Wayne Cilimberg, Director of Planning; Sharon Taylor, Clerk to Planning Commission; and Greg Kamptner, Deputy County Attorney.

Call to Order and Establish Quorum:

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.

- Nancy Carpenter, a member of the Transit Riders Association of Charlottesville, noted the CAT transit study currently underway and asked that the County plan for and commit to fully fund public transit routes in the County, Mr. Lafferty encouraged Ms. Carpenter to contact TJPDC to get on the agenda of the CHART Committee.

- Lena Marie, a member of Transit Riders Association of Charlottesville, an advocate of environmental causes, and a user of public transportation, encouraged the county to provide public transit.

There being no further comments, the meeting moved to the next agenda item.

Review of Board of Supervisors Meeting – February 6, 2013

Mr. Cilimberg reviewed the actions taken by the Board of Supervisors on February 6, 2013.

The Commission requested staff to bring the Community Development Work Program to the Commission for discussion at a future Commission meeting.

Work Sessions

ZTA-2012-00010 Off-Site Signs
Review and Discussion of Proposed Ordinance Changes to Provisions for Off-site Signs
(Amanda Burbage/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. (Amanda Burbage/Amelia McCulley)

Amanda Burbage with the assistance of Amelia McCulley and Stewart Wright, presented a PowerPoint presentation entitled ZTA 2012 – 010 Off-Site Signs - Planning Commission Work Session (See PowerPoint Presentation)

Public comment was taken from the following person:

Morgan Butler, with the Southern Environmental Law Center, offered the following thoughts:
Because of the impact that signs can have on the scenic values of the community they follow these sign ordinance proposed changes closely. Since they are early in the process he just wanted to offer some observations, questions, and suggestions, as follows:

1. Looking at the ordinance it appears that off-site directional signs are already exempted from a special use permit requirement. Section 4.15.5(d) has the exception for certain off-site signs, which says a special use permit shall not be required for off-site directional, political, subdivision, or temporary signs. It is confusing. It is a great idea to provide a definition of directional sign in the ordinance. It is great to bring those in and put some parameters on it. However, he thought it would be helpful just to clarify it up front. If the intention is that those should only be allowed by a special use permit then let's make sure the language reflects that.
2. Supported the idea of exhausting other options before being able to do an off-site sign. One of the other options mentioned is on-site signage. It is important to point out that on-site signage would include different locations on site where they could put their signs if someone can't intentionally put it in a spot where it is not visible and then say oh now I am entitled to off-site signage as well.
3. It sounds like there would be a limit on the number and the size of the off-site directional signs. Suggested it might be important to have a restriction on the height beyond the height restrictions that are already in the sign ordinance for freestanding signs so they don't have the taller signs on the sides of roads where they are not necessary.
4. Supported emergency medical facilities by right. He was not quite as comfortable with the idea of by-right for different public uses because that opens the county up to charges of unfairness and that the county gets to have these signs but businesses can't.
5. If have an off-site sign it is not supposed to add to the signage allowed on the parcel where one is putting it. He wondered if there should be a similar restriction if there is a parcel and they are using an off-site sign somewhere else. Shouldn't that count against the signage one is allowed on the parcel so they are not getting two bites at the apple.

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.

- "Effectively communicates" is vague. Troubled about "not clearly visible" because if he saw the edge of the sign it would be clearly visible but he still could not read it. Suggested saying where it is not legible or the sign face is not clearly visible. Otherwise, it was still not very clear.
- Agreed with Mr. Butler's suggestion to exhaust all other possibilities.
- Bundle signs are a special kind of directional sign. Instead of creating that as a new category it seems what they are saying is they encourage them to bundle their directional sign rather than thinking that is somehow something different than a directional sign. It seems to be the same thing.
- The slides shown were real world examples and staff was encouraged to have more real world examples. The Independence has been mentioned. Suggestion made to include the shops in the back of Woodbrook as another example, or the Kegler's site, or Belvedere which has not been built yet. Suggested using a site with multiple ownerships along a common road, such as an LI area where there is a series of small businesses none of which is on the main road. Staff should think through some more real world examples.

- Other clarification – In a couple instances they talk about within a certain zoning district - is that the businesses in that zoning district or the signs in the zoning district or both? That should be clarified.
- Interested in the comparison chart on different communities - however, Charlottesville was missing. Since they just approved sort of a joint goal on Entrance Corridors and striving for some consistency it is important to look at Charlottesville and let them look at what they are proposing, too, so that they have their input as well.
- The definition that is used for bundle signs refers to businesses. If they are talking about some of the scenarios drawn up, what are they going to do with an empty lot? In other words, there is not a business there yet. The language ought to consider sites as well. Maybe they are not advertising it, but they are starting to have the right to bundle the sign or put the bigger sign there.
- Questioned the effectiveness of signage. Is there a minimum size that is effective? That is the size they should go for rather than the maximum. Maybe bigger is not better in terms of data in reality.
- Look at whether they need the two different classifications. If it is more confusing than helpful they can bundle it together into one term. Staff will come back in public hearing with the draft ordinance and get this resolved.

Work Session

CPA-2013-00001 Comprehensive Plan Update

- Review of Monticello Viewshed Recommendations
- Review of Priority Areas for Southern and Western Neighborhoods – Neighborhoods 4 – 7
- Review of Neighborhood Model Design Guidelines

(Elaine Echols/Andy Sorrell)

Topic: Monticello Viewshed

Staff Presentation

Andy Sorrell provided a PowerPoint presentation and staff from the Thomas Jefferson Foundation (TJF), Natasha Sienitsky, also provided background on the recommendations for the Monticello Viewshed Section of the Comprehensive Plan draft.

Thomas Jefferson Foundation stressed the need to address viewshed concerns in the county's pre-application process with potential developers.

After the presentation, the Commission opened the topic for public comments. There being no public comment, the matter was before the Planning Commission for discussion.

Commission Comments

Commissioners made the following comments or asked the following questions:

- How was the draft viewshed map done? Thomas Jefferson Foundation staff answered that a more thorough analysis was done using GIS to include the viewsheds of Mont Alto, Tufton and Monticello.
- It was noted that the proposed viewshed map was done as if no trees existed in the viewshed.
- It was questioned why the city was cut out of the map. It would help to see how the City is related to the proposed viewshed especially since there is a connection between the site line from Monticello and the Rotunda.
- It was suggested that Thomas Jefferson Foundation establish a volunteer group that could "certify" when a developer meets viewshed guidelines – something like a friend of Monticello's

Viewshed group – maybe such a group could establish a relationship and they could issue certificates that could be hung on a wall for display to customers?

- It was noted that any landowner in the viewshed area could impact it – not just developers – what about a landowner replacing a roof or something else like that? All landowners need to be aware of the guidelines.
- What is being done now to preemptively protect views? Thomas Jefferson Foundation is working now to identify properties whose development could impact the viewshed. Thomas Jefferson Foundation plans to reach out to these property owners to let them know about the design guidelines so they are aware of them.
- Could the viewshed be prioritized such as areas that are just in Monticello's viewshed versus areas in the viewsheds of Tufton and Mont Alto?
- Do Agricultural and Forestal Districts or properties being reviewed for ACE consider being in the viewshed in the ranking or review criteria? Should they if not?
- As you get farther away from the viewshed – it would seem some aspects of the design guidelines would become less critical (such as native plantings and architectural articulation). Thomas Jefferson Foundation staff noted that is why it is important for developers to contact Thomas Jefferson Foundation early in the process so they can determine what may or may not be the higher design priorities for that particular project and site.
- What happens when there is a conflict between the design guidelines and existing county regulations? When the Neighborhood Model and Entrance Corridor (EC) regulations are updated, they should work to incorporate the elements of the design guidelines so there is no potential for conflict.
- How will the guidelines be applied? Are they really mandatory in special uses and rezoning? Is it fair that they are stricter for rezonings and with special use permits?
- Some Commissioners felt that as guidelines it would not be a conflict because they were only guidelines and not regulation.
- Some Commissioners felt that specific locations on the terrace of Monticello looking in the direction of the Rotunda should be the priority viewshed area and that other viewsheds (like Mont Alto and Tufton) be secondary.
- Some Commissioners were okay with the larger viewshed map (that included Monticello, Mont Alto and Tufton) if the guidelines would only be voluntary for the whole area. If any aspect were to be mandatory (such as proposed in discretionary reviews) some felt the viewshed should be more precisely defined (such as only for Monticello) but that including other areas in the map makes things more complicated.
- Some noted that they did not like the term "voluntary" and felt that it was a slippery slope to then becoming mandatory. It should be clear that the design guidelines are voluntary.
- An idea was offered that the primary viewshed be defined as what is visible from the house and lawn and all other views are secondary.
- Some agreed with staff's recommendation to keep the viewshed and guidelines as they are today.
- The County should set a good example and comply with any guidelines, just as it wants other entities to comply with those guidelines.
- The design guidelines should be revised to better reflect their intent – the language in the guidelines needs to be tightened up and priority areas be defined for the guidelines.

Conclusions and Directions to Staff

There is an interest in two levels of mapping. One is specific as to what can be seen from Monticello itself, and a second level would contain the larger area. However, all parcels identified on the maps would not actually be visible. Location of trees, buildings, and topography affect visibility. Nevertheless, the maps would provide a reference point and they could be put in the plan.

Second, the level of expectation needs clarification. The guidelines aren't clear and they don't address the issue where a parcel is identified on the map but isn't really visible. The most desirable outcome is that the people who are developing property will consult with Monticello on what they are doing. Monticello can help them find a way to minimize visual impacts. Ultimately, the Commission will need to decide how far it wants to go with application of the guidelines.

It is important that consideration be given to what is manageable for staff. Staff doesn't want the County to artificially impose an overlay district that is not really in existence. If the Commission thinks an overlay district is needed, it should be discussed at that level and the zoning ordinance should be amended.

Staff will take their best shot based on what they have heard and then work with Monticello or the Thomas Jefferson Foundation staff on the guidelines. Whatever staff comes up with, it will be included in the full draft of the plan that will come for public hearing in March.

Topic: Priority areas proposed for Neighborhoods 4-7 (Southern and Western Neighborhoods)

Staff Presentation
Andy Sorrell provided a PowerPoint presentation on the recommendations for the Priority Areas for Neighborhoods 4 - 7.

After the presentation, the Planning Commission opened the topic for public comments.

Public Comment

- Nancy Carpenter, a member of the Transit Riders Association of Charlottesville, asked to pay attention to the proposed Route 3 alignment in the City Transit study and keep in mind the COB 5th Street stop and ensure the necessary infrastructure is in place there for transit such as sidewalks.

Commission Comments
Commissioners made the following comments or asked the following questions:

- It is important to show sidewalks to the City limits on Avon Street.
- The future roads like the Sunset-Fontaine Connector should be in priority areas.
- Describe the relationship of the priority areas to the framework of a master plan.
- Do the priority areas relate to the CIP? It appears a little confusing.
- Who would be responsible for maintaining the surfaces of the rights-of-way that contain future connector roads?
- Check on a more recent study (than the referenced 1994 one) that UVA completed on the Ivy Road Corridor.

The Planning Commission took a break at 8:29 p.m. The meeting reconvened at 8:34 p.m.

Topic: Neighborhood Model Guidelines

Staff Presentation
Elaine Echols provided a PowerPoint presentation on the recommendations for the Neighborhood Model Design Guidelines section of the Comprehensive Plan draft.

After the presentation, the Commission opened the topic for public comments.

Public Comments

- Travis Pieleta, on behalf of Southern Environmental Law Center, stated that more diagrams were needed and that when other sections are referred to in the document there should be a vision of what that reference says and why it is important – not just a link without an explanation. Also preferred the existing wording for terrain and grading around streams on page 33.

Commission Comments

- Some Commissioners noted that relegated parking wasn't helpful to businesses today and that its inclusion in the neighborhood design guidelines should be reviewed again. Others noted the need for relegated parking with a focus on interconnected streets. Some noted that parking to the side of a building is better than the back.
- It was said that there are many factors involved in how well relegated parking works and making an area a social place. When the example of the Luxor office building is used, having the parking in the back makes for a much more attractive building front.
- It was noted that pedestrian activity may become more of a priority when there is less separation between low-volume vehicular roads in walkable places. Pedestrians should be given more of a priority in such places
- Page 10 should reference the need for narrow streets. Fire and Rescue needs to be brought on-board with the concept.
- Some Commissioners noted they liked the term principles vs. expectations – some noted that principles of design would be a better term.
- Several Commissioners noted they liked the images used and diagrams.

Tentative Schedule Discussed:
Wayne Cilimberg said he knows there is an interest in making sure the public has an opportunity to review the document and provide comments up front. Staff understands that the Commission is not going to make the decision on the night of the hearing. A new public hearing schedule is being recommended which will allow for more public review of the documents as well as staff to work with county attorney's office on advertising to get prepared for the public process.

The proposed tentative schedule was provided as follows:

- **March 26 – new proposed PUBLIC HEARING date**
- March 11 -- Document available
- March 15 (tentative) -- Open House during day
- March 19 -- Any written comments from public to be provided to Planning Commission
- March 26 – Public Hearing
- Planning Commission review opportunities in April
- Decision desired by end of April

Commissioners would be expected to meet frequently during the month of April

The Planning Commission agreed with the schedule.

Old Business:

Mr. Morris asked if there was any old business. There being none, the meeting moved to the next item.

New Business:

Mr. Morris asked if there was any new business.

- No meeting scheduled for February 19, 2013.

- THE NEXT PLANNING COMMISSION MEETING WILL BE ON TUESDAY, FEBRUARY 26, 2013 AT 6:00 p.m.

Adjournment:

With no further items, the meeting adjourned at 9:14 p.m. to the Tuesday, February 26, 2013 meeting at 6:00 p.m. at the County Office Building, Second Floor, Room #241, 401 McIntire Road, Charlottesville, Virginia.

V. Wayne Cilimberg, Secretary

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