Albemarle County Planning Commission
February 14, 2017

The Albemarle County Planning Commission held a public hearing on Tuesday, February 14, 2017, at 6:00 p.m., at the County Office Building, Room 241, Second Floor, 401 McIntire Road, Charlottesville, Virginia.

Members attending were Tim Keller, Chair; Daphne Spain, Pam Riley, Jennie More, Bruce Dotson, Mac Lafferty and Bill Palmer; University of Virginia Representative. Absent was Karen Firehock, Vice-Chair.

Other officials present were Andrew Gast-Bray, Assistant Director of Community Development/Director of Planning; Mark Graham, Director of Community Development; Emily Kilroy, Community Engagement Specialist; Lee Catlin, Assistant County Executive; Sharon Taylor, Clerk to Planning Commission and John Blair, Deputy County Attorney.

Call to Order and Establish Quorum:

Mr. Keller, Chair, called the regular meeting to order at 6:00 p.m. and established a quorum.

From the Public: Matters Not Listed for Public Hearing on the Agenda.

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

Presentation:

Rio/29 Small Area Place, Phase I and Phase II Crossover Worksession

Mr. Keller stated that this was a work session to discuss the Rio/29 Small Area Place, Phase 1 and Phase II Crossover.

Mr. Mark Graham, Director of Community Development, stated that he thought it was important to provide a timeline perspective to the project. He explained that Mr. Gast-Bray started with the county on October 1, and immediately afterward, the Board of Supervisors adopted the county's strategic plan. Mr. Graham noted that their top priority pursuant to strategic plan objectives was this Rio 29 area, and the plan breaks it out into three phases: the first phase is the vision as discussed at the January 18 joint work session with the Board and the Commission, with a plan to move it forward to the Board in March. He stated that this would be followed up with phase II, which is a concept that focuses on this as a land use plan. Mr. Graham noted that the Board's language does not speak to a land use plan; it speaks to by-right forms of development and proactive rezoning that improves the balance between the commercial, industrial, and residential tax base. He stated that staff anticipates that this would require a change to the county's Comprehensive Plan and Land Use Plan, but that is not in place right now. He added that the Board has the third phase, which is the implementation of those recommendations, and from the time the recommendations are presented to the Board to implementation is supposed to be done in seven months. Mr. Graham commented that this was a very aggressive timeframe, and wanted to emphasize that this was the direction the Board has given to staff – who were trying their best to move it forward and stick to the timeline. He stated that he had shared this with Mr. Gast-Bray, and while the Commission was not mentioned in the objectives, staff has been trying to elicit the Commission's input along the way. Mr. Graham noted that this

presentation was one of the first of many steps he anticipates in the process over the next year and a half. He stated that staff was not expecting a decision from the Commission, but he would welcome their input.

Mr. Keller stated that there were some procedural questions that various Commissioners would like to address, and suggested they could handle that under new business.

Mr. Andrew Gast-Bray presented a PowerPoint entitled, "Overview of Rio/29: Developing a New Land Use Process," which focused on the potential for a new land use process for Rio 29. He stated that in January, phase one was presented to the Commission, with findings that may be adopted or endorsed to allow them to move forward. Mr. Gast-Bray stated that staff wanted to ensure the Commission understood the point at which they arrived at the end of phase one and what they would be looking at with phase two, which wouldn't necessarily require action at this time. He commented that the future vision with phase one was transformational, meaning that it is not "business as usual," and the consulting group talked about transformation to go from single use areas to more clustered and integrated patterns – part of the vision as embraced by the public. Mr. Gast-Bray noted that they also talked about transformation to walkability, a 10-20 minute walkable community, organizing future development and redevelopment into walkable nodes. He said that three potential nodes were defined, with phasing for each, with priority one being Rio/29.

Mr. Gast-Bray reported that they would also be talking about phase two, which would include a more detailed design of the Rio/29 node discussed in phase one. He stated that they would also talk about a transportation strategy for the vision, and form-based code, zoning, infrastructure, and other implementation strategies were important in phase two – including the development of a pilot area-specific program. Mr. Gast-Bray said that he would also discuss the elements of phase three, the impacts of the process itself, and public engagement.

Mr. Gast-Bray stated that most leading planning and architectural organizations advocate transit-oriented development in areas that can manage it, with Rio/29 qualifying in that regard. He said that the Urban Land Institute talks about "pulse nodes," which are clusters of areas that are also transit-oriented even if they are not destination points for transit – so they are basically organization of places for walkability, or arterials for pedestrians. Mr. Gast-Bray commented that designing that way was very efficient and very cost-effective for communities and localities, and was also in high demand economically. He stated that in the case of the small area plan, the consultants showed up to three nodes, with public comments addressing those and the centers or cores of the nodes being distinguished from the outskirts. He said the centers were much more clustered and oriented for "complete place" in comparison to the older town center format. Mr. Gast-Bray stated that the nodes could accommodate a different mix of land uses than at the periphery, with retail being best served at the center, especially close to transit, because it allows access. He noted that demographic studies show that people are willing to walk further if they are only doing it twice per day instead of frequent trips, so the node periphery is mostly residential.

Mr. Gast-Bray reported that market-supported development opportunities were done based on trending for business as usual, and the consultants referenced transformation in this context. He stated that if desirable places were established, they may generate more development than with typical developments – so it may encourage people to move to Albemarle versus adjacent counties, because there would be offerings that were currently unavailable or too expensive. Mr. Gast-Bray noted that as the Commission identified in the January 18 presentation, these did not take into account what was already in the pipeline, such as hotel rooms.

Mr. Gast-Bray stated that the three major points concluded by phase one are: organization around up to three phased nodes; the Rio/29 area as the top priority, with clustered uses within it; and differentiation of use categories determined by proximity to nodes, with retail, commercial and residential in the core and more residential and commercial in the outer ring. He added that staff would be asking the Commission to adopt that vision, which was very consistent with the Comprehensive Plan in philosophy and description, but not in the details of execution – which would be determined by the process going forward.

Mr. Dotson asked about the rationale for having commercial in both the core and outer ring, as shown in the presentation.

Mr. Gast-Bray responded that there may be differentiation, and the commonly discussed "bid-rent" theory in planning purports that people want to locate based on their desired parameters and are willing to pay more to be closer to those that are important to them, such as a business wanting to be on Main Street.

Mr. Dotson suggested using terminology that would make this clearer, as people often view retail as a subcategory of commercial, so perhaps using terms such as "office" or "micro-commercial."

Ms. More asked if development that currently existed in the pipeline would be acknowledged in the phases as the concept proceeds, noting that Brookhill is at the northern boundary of the small area plan and should be taken into consideration due to the potential impact on the node given its scale, size, and concept.

Mr. Gast-Bray confirmed that it would be addressed in the phases as they proceed.

Ms. More stated that she would like to clarify the projections on population and units to be built over the next 20 years, which were presented to the Commission during the joint work session with the Board.

Mr. Gast-Bray responded that he did not bring that slide but would talk about it.

Mr. Keller stated that the feedback from the community has been the desire to have workplaces integrated into this, as the reason for discussion of walk and transit is so that people can walk to work and possibly even have onsite daycare for their children. He said that while the term "commercial" is used in this presentation, there is no terminology addressing workforce, beyond the retail and service-type jobs. Mr. Keller emphasized that this was missing in this concept, as well as in other schemes for new development as cities move out from their core. He also asked Mr. Gast-Bray to address his assertion that the node development would be less transit-oriented, as the primary access is still a roadway – which did not even have divided bicycle lanes. Mr. Keller emphasized that to him, this was a "no-sell piece" that was poorly done and needed to be corrected before going to the Board of Supervisors.

Mr. Gast-Bray responded that he would take that under advisement and wanted to make some distinctions within materials, adding that there would be more detail in phase two – including housing opportunities, office requirements, etc. – which would be expanded upon in their discussion of development forms. He stated that the image showing the roadway was just part of the visioning process to transform the node into more of a walkable place.

Mr. Dotson commented that the first slide called this plan "transformational," and he assumed this meant 20 years at the earliest, and 40 for full implementation. He stated that using the Downtown Mall in Charlottesville as an example, the vision would still be achieved – and it would be important for the county to set their vision as an ongoing process, rather than just an end state.

Mr. Dotson said he agreed with one of Mr. Gast-Bray's points in terms of implementing this in phases, but emphasized that they also needed to remain nimble in the process. He stated that the default assumption was possibly focusing on the core intersection, but if an opportunity arose elsewhere, he would want to act on it, as part of a "transformational" vision was to gain momentum. Mr. Dotson said that if a good idea came along for node three, for example, he would like them to be strategic and ready to respond. He added that this was an "art."

Mr. Gast-Bray responded that he did not disagree, but said that it was preliminary for him to say what the mechanisms would be, and they would be discussing the process and implementation. He added that even if they wanted to, this was not something they could easily do today, so the mechanisms must be studied.

Ms. Spain asked how involved the county's Economic Development Office has been with this process, and whether the new director for that office would be incorporated into the discussion.

Mr. Gast-Bray responded that the county's economic development plans were essentially driving this discussion, and the Board's prioritization of this stemmed from those efforts. He said that the business community has been trying to push the county toward this more future-oriented approach, rather than continuing with the way things have always been done. Mr. Gast-Bray added that their discussion of phase two may help provide framework for these discussions and help hone their questions.

Mr. Gast-Bray stated that pursuant to phase two, the details of what might be at the Rio area need to be fleshed out more than just the gross numbers provided, with a template to be developed. He said that they would also explore the elements of and implementation strategies for form-based code (FBC), if they elected to use it, and specifically the hybrid FBC to which he continually refers. Mr. Gast-Bray stated that conventional zoning use-density was the primary consideration in Euclidian zoning, which is the form of zoning defined in the early 20th century – which is really "one size fits none" for the modern world. He said that FBC still had use in terms of density, but was considering the form in much more detail, including what it looked like and how it was arranged. He said that with transportation and economy added to FBC, it yields an integrated hybrid model, which he would subsequently refer to as just "FBC" in the remainder of his presentation.

Mr. Gast-Bray explained the difference between FBC and other forms of development, stating that Euclidian zoning focused on segregating land use, regulating density and setbacks – but this constrained economy and transportation, as the elements are separated. He stated that FBC addressed the relationship between buildings and streets, identifying the desired form as well as the uses and designed to achieve a desired performance and character of development, in addition to just regulating a certain use in a square on a lot. Mr. Gast-Bray said that FBC integrates transportation, especially transportation-oriented and park-once design, as well as economy, into the requirements. He stated that Euclidian zoning relied mostly on words and text, particularly through zoning ordinances, whereas FBC uses pictures and diagrams to offer more guidance and verticality integration as to how the elements fit together. Mr. Gast-Bray said that FBC could take the Neighborhood Model and Places 29 work and proactively implement

those concepts on the ground, in an integrated fashion. He noted that it could also integrate transportation networks and transit opportunities.

Mr. Gast-Bray stated that in terms of how FBC might be implemented, there were locational aspects pursuant to specific locations for buildings, massing and frontage, the location of parking in relation to the street, and the potential for vertical uses. He said that they could also consider design to a certain extent, which could range from general to detailed. Mr. Gast-Bray stated that to integrate the economy and transit aspects, they would need to be put together, which is where an FBC template could be used. He noted that in the process for Crozet development, they looked at locational aspects and appropriateness, with the concept of a "transect," or slow/gradual transition from a high-intensity area in the center out to the outskirts. Mr. Gast-Bray said that a single-family detached home, for example, would ideally not replace a three-story building in the heart of main street. He stated that with the Crozet planning, citizens and planners ended up focusing just on the downtown area and did not adopt all of it – going through an understanding of the process as a whole. Mr. Gast-Bray said the county would be looking at the same kind of process for Rio/29 and the other nodes, but would also be considering the different forms of FBC in which they would be integrating roads into land use categories, as transportation capacity was an integral part of functionality.

Mr. Gast-Bray stated that they would also be looking at building massing and frontage review, and parking location was key to encouraging pedestrian use. He said that in considering this aspect, they needed to think in a more specific way about FBC elements – such as stipulating vertical mixed use. He presented examples of different localities that have used FBC to achieve desired forms of development. Mr. Gast-Bray stated that they would also need to look at design review, with integration of streetscape and intersection recommendations into the plan. He noted that one of the most limiting factors in development, as well as an area of intense public interest, was intersection capacity – so it needed to be addressed. Mr. Gast-Bray mentioned that DCD was a conventional code that took elements of FBC and mixed them in, and at this stage, staff was just bringing ideas to the table.

Mr. Gast-Bray said that the only way to do an effective job of integrating transportation modes – transit, pedestrian, bicycle, and parking – they must be specific about what those elements would entail. He stated that the models currently available cannot handle multiple permeations of what transportation modeling is, so they had to be specific. Mr. Gast-Bray said that a template was designing a key area at the center of a node in a way that met all objectives, such as incorporating mixed affordability, as this would address more than 80% of targeted/needed development and the best return on investment occurring in and around the nodes. He added that only about 5 to 10 key nodes in the development area would be needed to address all future growth, so it was achievable to focus in on a few areas. Mr. Gast-Bray agreed with Mr. Dotson's earlier comment about the need to be flexible, but said they also needed to be thinking about the impact of focusing everything in one node and the potential for "cannibalizing" another node. He emphasized that localities often identified much more mixed than there was to go around, so communities struggled to get it going, and stated that the most critical area for managing traffic infrastructure while enabling critical transit and multi-modality also occurs at these nodes.

Mr. Gast-Bray presented an image of development that had used a form-based code, identifying what planners thought they would get with Euclidian zoning and pointing out that FBC allows for more specificity. He pointed out the size of a core area that could be achieved with a template for Rio/29, with another template providing a general, less specific FBC area surrounding it, and outskirts such as neighborhoods only needing small tweaks to achieve better transitions with the

planned areas. Mr. Gast-Bray said that staff feels they can get the templates and FBC strategies for phase two completed by October, but there are a lot of elements involved so this is a tight timeframe.

Ms. Spain noted that the model includes by-right development, and asked if all of the areas referenced were in the entrance corridor.

Mr. Gast-Bray responded that it depended on exactly where they were, but confirmed that much of it is in the entrance corridor.

Ms. Spain also asked who was working on this, and whether it included planning staff.

Mr. Gast-Bray responded that planning staff was working on setting this up and bringing the tools to the table for implementation, but as part of phase two, staff was seeking the same grant previously awarded to assist with the design aspects of this. He stated that there were different component pieces of the program, all of which were part of the origination of phase two, which would determine the elements brought forth. Mr. Gast-Bray said that stakeholders including the general public would also be involved later in the process.

Ms. Spain clarified that her question was related to the point at which the Planning Commission got involved with the process, and asked whether they were supposed to be working in tandem on rezoning the areas where the nodes exist – because her understanding was that the forms were not possible by right.

Mr. Gast-Bray responded that her assessment was correct in many cases.

Ms. Spain asked what the Planning Commission's role would be in this process.

Mr. Gast-Bray explained that as a part of this process, the county would be trying to identify exactly what they want, and from there they would need to back-design so that the code and process enabled them to achieve the desired form. He said that a big part of that would be engaging those who were directly impacted by this, which would be stakeholders – and an overly complex process may end up discouraging people from doing what the county wants because it is harder. Mr. Gast-Bray clarified that they want to be looking at what they want to achieve, how they want to achieve it, and the mechanisms of making it happen all at that point. He said that the Planning Commission has an important role as an advisor and as a manager for parts of the process, such as a Comp Plan amendment, which staff also envisioned happening around the October timeframe. Mr. Gast-Bray added that staff hoped the Commission would also be participating in the public process over the course of phase two as well.

Mr. Lafferty commented that he was still not clear on who was making the decisions right now.

Mr. Gast-Bray responded that there were no decisions to be made right now.

Mr. Lafferty asked who the "we" would be in making those decisions.

Mr. Gast-Bray replied that this was a Board of Supervisors initiative, so planning staff was addressing the Board – at this point, addressing the requirements the Board wanted staff to bring to the table. He said that the "we" was similar to the process seen thus far, with improvements to methods of engagement as they move into phase two because it is so integral

and necessary to the success of the small area efforts. Mr. Gast-Bray said that they have all seen great plans that never get implemented, but that can't happen if they are going to be successful. He stated that currently they were compiling the information and applying for a grant for additional funding to help this move forward. Mr. Gast-Bray said that the view is to start bringing the tools to the table to identify the desired outcome on the ground, adding that the "we" is Albemarle County, but they would be working in tandem with the City of Charlottesville, particularly given the transit focus. He added that the Rio/29 plan would very likely be working in parallel to the Hydraulic process, emphasizing that it needs to be working in this way. Mr. Gast-Bray stated that as public representatives, Commissioners could reach out to their constituents and encourage them to join in the process, because that would make it better.

Mr. Lafferty stated that if he had understood what was going to happen at this meeting, he would have invited neighbors, as this was an excellent opportunity for the public to be introduced to these topics.

Mr. Dotson said he was trying to understand what a template is, stating that he understood an image depicting what a given area could look like and saw that as a way to build enthusiasm, opening minds for some possibilities and providing a rationale for public money to be put into this piece of infrastructure. He stated that he also saw the potential for micromanaging and rigidity, and he wanted Mr. Gast-Bray's thoughts on that. Mr. Dotson stated that pursuant to Ms. Spain's question regarding the involvement of the county's economic development office, sometimes the best approach is for the county to get out of the way. He asked if this plan was imposing a new roadblock or set of expectations, or if it was pointing the way.

Mr. Gast-Bray responded that it was incumbent on them to point the way, which was part of this process, and there was a spectrum in terms of how specific they could be – with places that were extremely specific with architectural guidelines. He added that in some European cities, those elements are extremely specific right down to architectural elements, but in his opinion that was too rigid for Albemarle. He stated that the other extreme would be a massing diagram showing how the building relates to the street and where the parking is. Mr. Gast-Bray stated that they could do anything in between, and what was right for Albemarle County was all to be defined, so they needed to be sensitive to that flexibility. He emphasized that if they did nothing, they would continue to get the same things they didn't want, because everything is trended and based on precedence, and projects were financed based on that history. Mr. Gast-Bray said that in order to change from single-use, single-story development, they would have to be more forceful in encouraging something different.

Mr. Dotson stated that they often defined economic development as it related to the target industry study, and the Rio/29 geographic area, most of the uses were residential, office, commercial/service business – but not the target industries. He asked if the target industries were located somewhere else in this plan.

Mr. Gast-Bray responded that there was some flexibility within this system, but research and development industries typically would not want to locate on a main street. He stated that a store using contained gases such as Home Depot or Lowe's, for example, could not be located with residential. Mr. Gast-Bray said that more typically, those types of uses would be located in the outer ring of the core development, as they want to be adjacent to residential areas so customers and employees can access those businesses. He presented an illustration of the core area using a template, stating that they can model the transportation performance based on those uses, incorporating multi-modal transit based on that design. Mr. Gast-Bray commented that one extra turn lane could make a huge difference in modeling, so they could

set up a template as a minimum standard to address target needs. He noted that the template allowed them to define performance, which then essentially became the "by right."

Mr. Keller stated that he wanted to point out something that the Commission had been dealing with over the years, citing the example of Hollymead Town Center – which included a central concept of having small home operations within the residential area. He said that the developer came back to the county and said there was not a market for that, and a Commissioner asked if there would be homeowners' association covenants placed on the residential to protect its character – and the response was "yes." Mr. Keller stated that when talking about an evolution of uses, as seen in the greater Charlottesville area, he was concerned that having homeowners associations coming behind in the development process would preclude the natural evolution of places to have a mix of living and home occupations. He asked if there were ways staff could think of to help constrain the homeowners associations from enacting rules and regulations that were counter to the end goals of form-based code.

Mr. Gast-Bray responded that one of the things used judiciously in this process is "flex space," and these types of developments typically have retail struggling at first because there is not enough housing to support the locally based retail market. He explained that they need some retail to start the development, but they would want more retail when the development builds out. Mr. Gast-Bray said that flex space is designed in such a way that anything can be put in – as long as there is a form that can be extricated and re-adaptable to what the end use is. He stated that with retail, they would want a higher ceiling and the ability in the future to have at-grade or at-sidewalk level entrances. Mr. Gast-Bray said that flex space accommodates a variety of housing forms that can be adapted into retail space in the future. He stated that another technique was constraints on the covenants and restrictions, as long as they were meeting the guidelines, during the approval process for the development. Mr. Gast-Bray emphasized that there were ways around this for HOAs, but these were techniques across the country that did work. He said that targeted housing mixes, such as those including 15% affordable housing, have been done successfully done in other places. Mr. Gast-Bray stated that they needed to think in terms of time, and some aspects could change.

Mr. Keller stated that the county would soon be faced with a project in downtown Crozet, reiterating Mr. Dotson's point about retaining flexibility, and what Mr. Gast-Bray was referring to was a "pure strain" of FBC development. Mr. Keller stated that the Form-Based Code Institute representatives with whom he has interacted have talked about how difficult it has been to get funding for vertical mixed use. He said that Stonefield, for example, was supposed to be vertical mixed use, but that did not happen. Mr. Keller suggested that they talk about ways they might be able to push things in a direction that they all agree on, and they should be realistic and candid about concepts where the market had not yet caught up.

Ms. Riley asked staff what kind of economic development incentives they envisioned going forward to encourage this kind of development.

Mr. Gast-Bray responded that he did not want to get too far along on that process.

Mr. Keller commented that this was a great discussion forum, and encouraged other staff to provide input.

Ms. Lee Catlin stated that she appreciated the opportunity to provide input, stating that there were key positions related to economic development currently being filled, but the Board of Supervisors had recently held a discussion about continuing to move initiatives forward during

this time of transition. Ms. Catlin reported that despite the vacancies of County Executive and Director of Economic Development, the Board has emphasized that initiatives needed to progress. She said that the economic development strategic plan was in the process when former Economic Development Director Faith McClintic was in the position, but did not get completed, and the county is in the process of hiring a consultant to get the plan to a draft state and get it to the Board within the next few months. Ms. Catlin noted that this would allow the work of that plan to be happening in parallel with the FBC work and help to inform some of the decisions that would be part of that.

Ms. Catlin stated that there had also been a lot of discussion about courts and the possibility of county administrative offices moving away from downtown, and the county has issued an RFP for a development advisor to help assess the logistics and impact of moving the courts and/or county administrative functions into an urban area of the county. She noted that Rio/29 would be an area getting some consideration. Ms. Catlin mentioned that the County Executive hiring would happen first, and the Board was in the final stages of getting a search firm to do that, with the hope of that happening in the July/August timeframe. She said that the Economic Development Director search would happen immediately after that, and it would be best to do as much of that work as possible in a parallel process. Ms. Catlin stated that specific items such as economic development incentives would be discussed during the strategic plan work, which would engage the Planning Commission as well as the development advisor.

Mr. Gast-Bray stated that if they did adopt a form-based code, it may require significant changes in the review process within applicable districts, and they would not want the more desirable development to be more difficult to achieve. He said the review processes during the development of the FBC would be analyzed and assessed for any required changes or improvements, so that all projects in all zoning districts can be better. Mr. Gast-Bray stated that FBC may actually produce a better process, even though it is more complex, and a key element of a successful FBC is administrative efficiency through clearly defined and streamlined application and project review process. He said that this was the case because it was a lot clearer to developers because the expectations were explicitly stated and there was a lot less back and forth with developers. Mr. Gast-Bray stated that comprehensive rezoning of areas to FBC district reduces the need for as many zoning map amendments, because there has been specificity about what expectations and predictability that was important to future economic development. He noted that the Board and Commission would remain a part of the FBC review process, directing staff regarding implementation and enforcement of the code, and being the authority needed when staff were challenged in that enforcement. Mr. Gast-Bray said that if a new by-right system was developed, the Board and Commission backed it up and would have already vetted the system ahead of time.

Mr. Lafferty asked for confirmation that Mr. Gast-Bray had said this would be done by October.

Mr. Gast-Bray responded that the design elements ready to be modeled were expected to be ready by then.

Mr. Lafferty stated that the County Executive was not expected to be hired until August, so he would only have two months to get up to speed on this.

Ms. Riley said she was still struggling to understand the concept of the template, and asked for clarification.

Mr. Gast-Bray explained that they could have a development as shown in his Creek Street

example in another locality existing at Hollymead, or Pantops. He emphasized that they were trying to vet one of these – Rio/29 – all the way through so they understand it, and they would define the intensities based on the development numbers pertaining to future growth so that it was focused in the development areas. Mr. Gast-Bray stated that once they had a model and template implemented, including the necessary code, they could go from node to node and place to place in the county. He noted that Crozet was the county's first real venture into using FBC at all, and now that they've learned from that they can raise the bar and do something more significant like Rio.

Mr. Lafferty asked for confirmation that rezoning of the land would be required to implement form-based code at Rio/29.

Mr. Gast-Bray responded that it was quite possible that rezoning would be required.

Mr. Lafferty asked if he anticipated any pushback from property owners.

Mr. Gast-Bray responded that staff hoped to engage them in the process, adding that there were many ways of accomplishing FBC – including tweaks to existing zoning based on these elements. He stated that he did not want to preempt the public participation process, and through that, staff hoped to have those owners become champions of this approach. Mr. Gast-Bray emphasized that this was the kind of development that people across the country wanted, and it was performing better economically than other older forms of development. He stated that everyone wanted to be at a pedestrian mall rather than an indoor one, and he hoped the appeal of this approach economically would be enough incentive to have those landowners participate in the process and develop the right place for Albemarle County.

Mr. Lafferty asked how much of the land in the Rio/29 area was by right.

Mr. Gast-Bray responded that staff had not yet defined that, but said that he could accommodate in the infill spaces the entire projected growth for Albemarle County until the year 2100, with nothing there built above six stories.

Mr. Lafferty offered the caveat that this would mean they all wanted to live there.

Mr. Gast-Bray stated that he was not saying they would want to do that, but there was enough space in between the buildings to accommodate it, without removing any buildings.

Ms. Emily Kilroy, Community Engagement Specialist, addressed the Commission and stated that the public engagement plan was something they did for all major public county initiatives, in an effort to be deliberate about what they are trying to achieve and who they are trying to reach. Ms. Kilroy presented the first two goals of public engagement as inform the public and educate stakeholders, which she said was important in the FBC process because the concept was not familiar in this community. She stated that there was a "snowball" of questions and concerns about the process, so staff wants to ensure that the public is included along the way. Ms. Kilroy emphasized that FBC is a way to implement the Rio/29 Small Area Plan, which the community has been involved with over the past nine months – and providing plenty of opportunities to weigh in on how this would unfold at Rio was critical to the public engagement plan.

Ms. Kilroy explained that the first block of public engagement would be the FBC initiation piece, and staff would be before the Commission and the Board in March, but would repeat the information in a more refined way in the spring, with the community included. She stated that

staff also wanted to ensure that the information gathered at community meetings and initiatives was brought to the Commission and Board, so they could take it into consideration as they fulfilled their roles in the process. Ms. Kilroy added that staff also wanted to establish realistic expectations, as the process timeline was very aggressive, and they wanted to get as much public education and feedback done toward the October phase two goal. She said staff also wanted to make sure to convey to the public how their feedback was being used, so that was all wrapped into the feedback process.

Ms. Kilroy reported that the engagement activities were focused around three critical periods: April would be the initiation part at which time the concept would be introduced to the public, along with presentation of phase one findings; May/June would include program development, including a series of meetings to get people involved with the work of Board and staff, and with the agencies and commissions working on the project to help form the vision; August would involve staff bringing back their findings and reengaging the public to elicit additional feedback.

Ms. Kilroy stated that with phase one, staff was successful with targeted outreach to specific groups, with a mixture of high-tech and high-touch efforts and those would be repeated for the second phase. She said there was a project website and would be press releases to garner media attention, and there was an active Places 29 Master Plan mailing list. Ms. Kilroy stated that the county did a series of YouTube videos that were viewed hundreds of times each, with the first defining small area plan and why citizens should engage with it; and the second providing an update on phase one findings and directing people to an online survey, with that feedback provided to the consultant for use in their information as presented in January. She noted that it was not a scientific survey, but was an opportunity for people to provide online comments since a lot of people cannot come to meetings.

Ms. Kilroy stated that they also did a lot of in-person events, with successful phase one focus groups – including business stakeholder focus group meetings that involved landowners who own land in the Rio/29 area. She said that staff heard very strongly from those landowners that the uncertainty of the current process, with a long rezoning timeframe that had an uncertain outcome perceived as a barrier – so they were seeking up-front expectations from the county. Ms. Kilroy stated that they also engaged young professionals through targeted events, as there was a lot of focus on where millennials would be living in the future and what they were looking for, and those conversations proved to be very helpful. She said there were also questions asked of a broader audience, with the intention of getting feedback on what people liked and didn't – and people seemed to be more comfortable with the pulse node concept versus large buildings that could create a canyon effect.

Ms. Kilroy mentioned that the Tom Tom Founders Festival was hosting a Hometown Summit focusing on cities of 100,000 to 1,000,000 people, and this year's would focus on the Rio/29 Small Area Plan. She said that this event would spotlight place-making, multi-modalism, and economic development – including a discussion of what amenities in the small area would attract a growing startup might move when they were ready to become a small business. Ms. Kilroy stated that staff was also looking to do a series of three to four charrette meetings with a steering committee of individuals who would help build the template, with a core group of people invited but all meetings open to the public. She added that they would also be hosting a refinement event for the broader community, to be held at City Space in August.

Ms. Spain commented that the county was preparing to engage in CAC work over the next few months, and asked if some of the FBC work could be folded into those meetings, because it won't just be people in the Places 29 area who would be using these nodes – it would be the

entire metro region. She stated that because of the tight timeframe, the sooner they can introduce the concept of form-based code the better, as the Board would be dispersing funding to neighborhoods, and it would be helpful to have people learn the language related to FBC. Ms. Spain stated that she did not want to add another layer of work for staff, and she was thinking of this as a way to combine efforts and get a head start on what was going to go on already.

Ms. Kilroy stated that all of the CACs would be convening later in February, so that would be a good opportunity to start planting that seed.

Mr. Gast-Bray stated that the Pantops Master Plan was supposed to have begun, but staff felt it was premature given all the work at Rio – so this could actually provide an excellent learning opportunity for all the CACs.

Mr. Dotson complimented staff on the use of "high-tech, high-touch" as a distinction. He stated that he was trying to discern whether the public process was aimed at a template or was aimed at the first few steps of developing a form-based code, and asked whether it was a given that an FBC was in the future.

Mr. Gast-Bray stated that staff was bringing these tools to the table, but the public process may steer them in a different direction. He said they had to be specific, because they know certain things work and certain things don't – and his estimation was that there would be a template with strategies for FBC to enact the template, but what panned out would result from the public process. Mr. Gast-Bray stated that if they did not approach things this way, people end up doing the same things they've always done, so they need to be shown that something else could be done.

Ms. Kilroy said that in looking at form-based code, people could come to an understanding that this may not be right for Albemarle right now, but focusing energy on this approach will help get the county to a more robust process – rather than leaving it open to a full range of opportunities to improve the zoning code.

Ms. More commented that the form-based code for the DCD in Crozet was not taking to the extreme, which in some ways allowed for flexibility, and development was just now happening in the area. She stated that many community members have targeted the master plan as an opportunity for refinement, and this has worked well for the county with developments like Piedmont Place. Ms. More commented that CACs could benefit from this knowledge and terminology, as it would help them get one step ahead when plans are reviewed.

Ms. Riley stated that zoning can be a very abstract thing, and she wondered if there could be a more experiential way for people to understand the desired transformation. She stated that design diagrams and presentations were helpful, but asked what they could do onsite to bring people there to demonstrate visually what they were talking about.

Ms. Kilroy responded that the FBC process would involve some visualizations similar to what was presented at this meeting, which superimposed bike lanes and a new commercial form onto the current streetscape. She stated that staff would try to show, using Photoshop, what has been done in other places and what might be done here, but bringing people onsite would be an important approach for staff to take.

Ms. More stated that Ms. Riley's point was excellent, and at one point someone came to Crozet with 3-D modeling that showed various viewpoints for downtown development. She said that

this was a very different experiencing than seeing just a visualization, and the community was very impressed with it, although she was not sure of the cost.

Ms. Kilroy agreed that this was something that staff could explore, adding that she had attended the Crozet presentation, which was done by a local company.

Mr. Gast-Bray added that what had been presented was a template.

Mr. Keller commented that meetings like this that provide an opportunity for a free-flowing discussion and candidness from staff. He stated that there have been a number of examples where this has not happened in the county, and the County Executive's Office has been so insular that staff has commented to him that they don't know where the ideas are coming from and how they are being articulated. Mr. Keller said that this evening demonstrates that they are perhaps in a new era, and he encouraged Mr. Gast-Bray to include Commissioners in the "we," as they have felt excluded. He stated that it was great to hear from the County Executive's Office about the process, but there were affinity groups within county government that have great ideas but feel excluded from the inner circle of these discussions. Mr. Gast-Bray noted that the affinity groups with staff members handling the wineries discussions brought that item back to the Commission several times – and had the courage to say it wasn't ready to be launched yet, but should be further explored.

Mr. Keller mentioned to staff that when they talk about what they're learning for public forums, he would like for the Commission to see that – prior to staff making decisions about what they would present for vote. He stated that the Commission has been used in the Deschutes Brewery and the economic development package to rubber-stamp or just endorse items to pass up to the Board, but there is a brain trust on the Commission that could really be involved in expanding the ideas and focusing on parts that may not work. Mr. Keller commented that work with some of the CACs has been frustrating, such as the meeting on the proffers for which the Commission had no advanced notice or knowledge.

Mr. Keller stated that the prospective courthouse relocation was another example, with the Commission not having an opportunity to provide input, although he understood that there were many political issues involved. He said that as excited and supportive as Commissioners were of the economic development plan, there were benefits in having it stopped where it was – because staff was going to propose land use changes that stemmed from that office, without involving the Commission in discussions of the pros and cons of rezoning certain areas. Mr. Keller acknowledged that this was a time of change and transition, but it was also an opportunity for them to work together in the county. He said that in the city and other urban areas where there is concern about gentrification, there are advocates within the social justice community who are concerned about form-based code – perhaps even more so than zoning. Mr. Keller stated that staff needed to be aware of this and strategize as to how to engage that community as part of these discussions.

Mr. Keller thanked staff for the presentation and said the Commission hoped to see the process evolving along the way, with opportunities to provide input. He stated that Travis Pietela of the Southern Environmental Law Center was present and had wanted to comment.

Mr. Travis Pietela of the SELC addressed the Commission and stated that the organization was glad to see the FBC process moving forward, as this part of the development area presented many opportunities for redevelopment and advancing the county's vision as set out in Places 29. He thanked staff for their work to bring this forward, and for the various public input

opportunities provided thus far. Mr. Pietela stated that regarding proposed land use alternatives, the SELC would caution against spreading redevelopment potential and county resources too thin. He stated that the current car-focused, strip-development pattern that dominates this area has been a major barrier to creating the vibrant, mixed-use, pedestrian-friendly environments envisioned by Places 29.

Mr. Pietela said that avoiding the continuation of this pattern should be a central goal of this plan, and while the SELC is not opposed to identifying multiple activity nodes, they support the approach of keeping the primary redevelopment focus on the Rio/29 intersection, which they view as having the greatest potential in the near term. He stated that it may also be beneficial to consider whether particular quadrants of that intersection should be prioritized, to help ensure they are able to achieve the desired level of activity. Mr. Pietela said this concept of being spread too thin was also relevant in terms of county resources, as planning for this redevelopment – along with any offered incentives – will be more resource-intensive if spread over wider and more numerous areas. He stated that despite that potential, the county should be prepared to respond to opportunities in other areas.

Mr. Pietela noted that since one of the proposed activity nodes was near the South Fork, the SELC urged the county to ensure that water quality stayed at the forefront in discussions of land use in the area, and this part of the Rivanna had been deemed impaired for failing to meet state water quality standards, largely due to excessive storm water runoff from development. He said that if this area were to be selected as an activity node, the SELC recommends scaling back the level of development from what would be proposed at Rio and 29, as well as ensuring to incorporate ample green space and encourage heightened stream protection for new development. Mr. Pietela said they also urge the county to carefully consider the types of uses for the area, with low-impact uses that directly relate to the river – such as public parks and outdoor recreation facilities – seeming particularly appropriate.

Mr. Graham stated that he would like to reiterate that staff has been starting with this process and was struggling with it given the accelerated schedule, but did want to work closely with the Planning Commission – and the suggestions from Commissioners were almost verbatim the questions that staff had been asking internally. He added that there were obviously a lot of opportunities for collaboration as they move forward, and he was looking forward to an exciting year.

Ms. Catlin stated that she appreciated the Commission's candid comments, as that was the way they had to work in partnership, and she and Ms. Kilroy would be happy to come back to meetings whenever they were invited.

Mr. Keller responded that they have a standing invitation.

Ms. Catlin said the Board of Supervisors have provided an aggressive timeline, as Mr. Gast-Bray and Mr. Graham have shared with the Commission, and this process was also an opportunity for additional candid conversations, which Commissioners could also have with their Board members. She stated that staff looks at this as a partnership effort, and looks forward to continuing to engage with the Commission.

Mr. Keller commented that if the Commissioners are kept in the loop, they would be able to advise their representatives – but often things were sent back to the Commission when they haven't been seen beforehand. He said he would like that aspect to be tweaked in the process globally over the next year, ahead of the introduction of the new County Executive.

Mr. Dotson stated that there needed to be a real balance between the integrated form-based code, but also with staff resources – finding individuals who were able to uphold these principles but also be flexible enough to see different ways to achieve those principles. He said there was a danger in focusing on high form and not enough on high touch, particularly with tight budgets, and he hoped that planners could be appropriately assigned to help transform the area. Mr. Dotson emphasized that it was not just a matter of knowing the form, but also selling it, marketing it, and making connections between the pieces, and there was a lot of "touch" needed to make this work.

Commissioners agreed that they could end the work session and proceed with committee reports, and Mr. Keller thanked staff.

Committee Reports

Mr. Lafferty reported that CTAC and the MPO Technical Committee had met, and they had reviewed the funding structure for transportation, as they were beginning to revise the long-range transportation plan, which took about two years to accomplish.

Ms. Spain reported that at the Places 29 CAC meeting, Transportation Planner Kevin McDermott gave a thorough presentation on the projects that were currently in development, those with requested funding from VDOT, and priorities associated with future projects. Ms. Spain commented that there was never enough money to do everything, which was why the priorities were established.

Ms. Riley reported that the Village of Rivanna CAC had met on January 23rd, and there was a presentation and discussion on the Rivanna Village development, which was acquired in November 2016 by the Robinson Development Group out of Norfolk. She said that CAC member Tim Culpeper presented and fielded many questions, and she noted that Rivanna Village was located at the entrance of the Glenmore community along Route 250 and Glenmore Way. Ms. Riley stated that most of the focus was on the first phase of the project, which would entail 97 units.

Ms. Riley reported that the 5th and Avon CAC met on January 19th and received an update from Brian Roy on the Woolen Mills project. She explained that Mr. Roy was planning to have about 55% of the project as residential units, and had recently received notice that the floodplain requirement had been lowered by five feet – so his next steps were to work on the floodplain wall and the rezoning. Ms. Riley stated that they also had a presentation to discuss the county community-driven grant program.

Ms. Riley reported that the Historic Preservation Committee met on January 23rd, and it was her last meeting as Ms. More would be taking over as PC liaison. She stated that most of the meeting was comprised of a presentation by Jeff Werner from the Piedmont Environmental Council regarding the historic bridge survey that he and others were working on for VDOT.

Ms. More reported that the January CAC meeting had a light agenda, with group members discussing their specific interest areas such as schools, transportation, downtown, etc. – so those people would be the contact points for those particular projects, including doing research and bringing it back to the group. Ms. More said their February meeting would take place on the 15th, and Kevin McDermott would be present.

Ms. More reported that the ACE Committee meeting had been moved several times and was now scheduled for March. She noted that the Historic Preservation Committee would meet later in February, and she would be serving as the PC liaison.

Mr. Dotson reported that the Places 29/Rio meeting had focused primarily on the Board of Supervisors' program of neighborhood-based improvement projects, and one of the members had been very serious about taking this on – conducting an online survey, meeting with neighbors, and developing a page and a half list of potential projects to be discussed in the future. He stated that at this point, the group was waiting for a meeting with all of the CACs regarding the nature and details of the funding process, with Ms. Kilroy coordinating that meeting.

Review of Board of Supervisors Meeting –February 8, 2017

Mr. Gast-Bray reported that all of the initiatives, including Foothills-Daly property, Planned Parenthood, Tommy Shull's Wrecker & Repair, and Oakleigh were all approved as the Commission had recommended. He noted that Oakleigh was approved for "Option A" only, which is for the assisted living facility, and the approval did not follow the Commission's recommendation – accepting cash in lieu of constructing units.

Old Business

There was none presented.

New Business

Ms. More mentioned that a year ago, the Commission was given list of projects, many including master plan updates and projecting out several years at what they could expect to see in terms of project timelines. She stated that with the small area plan and its timeline, the Pantops plan and Crozet Master Plan all underway, it would be helpful to have the list of projects and updates.

Mr. Graham responded that it would be possible for staff to provide this, and he was scheduled to address the Board of Supervisors on March 8th. He stated that the Board's strategic plan objectives, approved in October 2016, had put a lot onto Community Development, and they had allocated money for part-time staff to come in and do routine plan reviews so that experienced staff could focus on the Comp Plan and land use strategies and shift them onto other work program items. He said that rather than have that detailed list of projects, he was supposed to talk to the Board about an approach as to what they want to focus on, and the possibility of expediting some smaller things that are out there – such as zoning amendments.

Mr. Graham stated that there was interest in by-right RA churches on a small scale, as there were examples of a church adding a rector's house or building something else, which could likely be done by right. He said that a question had arisen regarding zoning being based on gross or net density of the property, which was a fairly simple thing in terms of a line item put on an ordinance but had a lot of implications for community and property owners in terms of their property values. He said that once that was done, he would be happy to come back and discuss the projects with the Commission.

Ms. More said that a timeline outlining those projects was very helpful. Ms. More added that she really likes getting the tentative future agendas and finds it very helpful to have that to look ahead. She said having that is actually a helpful tool even though she knows it is subject to change.

Mr. Graham replied that we appreciate that and we will certainly build that into whatever we are coming back with.

Mr. Blair pointed out at the last meeting Chair Keller had spoken about a very technical change to your rules of procedure that if there are not consent agenda items that the Chair may waive that portion of the meeting. He said the rules of procedure provide that there needs to be notice given at the meeting preceding the meeting in which you will be presented and voting on the change. So if the Commission does not mind the March 7 meeting he could have the materials for you to vote on at that meeting if this could serve as notice to the Commission.

Mr. Keller thanked Mr. Blair and Mr. Gast-Bray for the presentation..

There being no further business, the meeting moved to adjournment.

Adjournment

The Commission adjourned their meeting at 8:08 p.m. to March 7, 2017 at 6:00 p.m.

With no further items, the meeting adjourned at 8:08 p.m. to the March 7, 2017 Planning Commission meeting at 6:00 p.m., Lane Auditorium, Second Floor, County Office Building, 401 McIntire Road, Charlottesville, Virginia.

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Andrew Gast-Bray, Secretary

(Submitted by Sharon C. Taylor, Clerk to Planning Commission & Planning Boards)

Approved by Planning Commission
Date: 9-5-2017
Initials: sct