Albemarle County Planning Commission
FINAL Minutes May 19, 2020

The Albemarle County Planning Commission held a public hearing on Tuesday, May 19, 2020 at 6:00 p.m.

Members attending were Julian Bivins, Chair; Karen Firehock, Vice-Chair; Tim Keller; Bruce Dotson; Rick Randolph; and Corey Clayborne.

Members absent: Jennie More; and Luis Carrazana, UVA representative.

Other officials present were Tori Kanellopolous; Andy Reitelbach; Charles Rapp, Planning Director; Ned Gallaway, Board of Supervisors; Andy Herrick, County Attorney's Office; and Carolyn Shaffer, Clerk to the Planning Commission.

Call to Order and Establish Quorum

Mr. Bivins called the regular, electronic meeting to order at 6:00 p.m. and established a quorum. He said this meeting was held pursuant to and in compliance with Ordinance No. 20-A(6), "An Ordinance to Ensure the Continuity of Government During the COVID-19 Disaster."

Mr. Bivins said that electronically present that evening were Mr. Dotson, Mr. Keller, Ms. Firehock, Mr. Randolph, Mr. Clayborne, and himself.

Mr. Bivins said the public could access and participate in this electronic meeting by following the link available at www.albemarle.org/calendar, or by calling 877-853-5257.

Consent Agenda

Mr. Bivins asked if any Commissioner wished to pull the consent agenda item, which was the May 5, 2020 minutes. Hearing none, he asked if there was a motion.

Mr. Clayborne moved to approve the consent agenda.

Mr. Keller seconded the motion, which carried unanimously (5:0). (Ms. More was absent, and Mr. Randolph was disconnected from the video conference during the vote.)

Public Hearing Items

SP201900002 Pleasant Green
Mr. Andy Herrick (County Attorney's Office) said it was his understanding that Pleasant Green was requesting a deferral, and so unless there was any discussion, there could be a motion from a Commissioner to make that deferral.

Mr. Bivins said he understood this, but he wanted to know if Mr. Charles Rapp (Director of Planning) wanted to share any information about that with the Commission.

Mr. Rapp said staff has had a few meetings with that applicant, and they wanted an opportunity to work through some potential items regarding the Special Use Permit, primarily related to the street crossing and how this relates to their development. He said the applicant had asked for a deferral so they can work through some of those items, regroup, and then come back to the Commission.

Mr. Keller moved to defer SP201900002 Pleasant Green.

Mr. Dotson seconded the motion, which carried unanimously (5:0). (Ms. More was absent, and Mr. Randolph was disconnected from the video conference during the vote.)

ZMA201800018 and SP201800023 River's Edge

Ms. Tori Kanellopolous, Lead Planner for the project, said this is a public hearing for a request to rezone from RA Rural Area to PRD (Planned Residential District) on two parcels totaling 32.52 acres at 2260 River's Edge Lane. She said there is also a request for a Special Use Permit to disturb preserved slopes for an accessway and for stormwater management facilities.

Ms. Kanellopolous said she would start with the context of the site, then discuss the proposed application plan for the rezoning and the proposed Special Use Permit. She said she would provide staff's recommendations and motions.

Ms. Kanellopolous noted that this application was first discussed at the March 10 Planning Commission public hearing and that since that meeting, the applicant has made several changes to the rezoning application, with an additional condition for the Special Use Permit.

Ms. Kanellopolous said the proposed development is located at River's Edge Lane, off of Route 29, and is approximately one-quarter mile from the intersection of Lewis & Clark Drive and Route 29 at the UVA Research Park. She said there are several commercial and institutional uses north of the site, and adjacent forested parcels in the rural area located to the east and south. She said the adjacent parcel directly to the south is currently undeveloped, but that it is also in the Development Area.

Ms. Kanellopolous said the site currently consists of 14 dwelling units that are currently rental units. She said the properties are bordered by the Rivanna River. She said there are two accessways that run through the property called River's Edge Road and River's Edge Lane, which create a loop. She said there is an existing basketball court near the front of the site.

Ms. Kanellopolous presented additional pictures from the site, which show the conditions of the existing accessways and the forested character of the site.

Ms. Kanellopolous presented photographs showing views of the Rivanna River and another view of the existing accessway.

Ms. Kanellopolous said the property is currently zoned Rural Area, which allows residential densities of 0.5 units per acre. She said subdividing the property, however, is not feasible. She said nearby zoning districts include Commercial, Industrial, and Residential Districts.

Ms. Kanellopolous said there are significant environmental features on the site. She said there are preserved slopes, stream buffers, and a flood plain. She said the existing accessway is in the stream buffer, flood plain, and preserved slopes. She said the proposed accessway is in the stream buffer and slopes, but is not in the flood plain. She said there are approximately 8.628 acres of land outside of these environmental features.

Ms. Kanellopolous said the property is designated Neighborhood Density Residential, and as Private Open Space in the Places29 Master Plan. She said a Neighborhood Density Residential classification calls for residential uses between 3-6 dwelling units per acre. She said the proposal is above the recommended density in the Comprehensive Plan.

Ms. Kanellopolous said the private open space and environmental features include the areas in the flood plain, steep slopes, and stream buffer. She said no residential units or parking are located within these environmental features.

Ms. Kanellopolous said this application is also consistent with relevant Comprehensive Plan policies, including the Growth Management Policy, efficient use of the Development Area, promoting density within the Development Area to create compact urban places, the Housing Policy of having at least 15% affordable units with rezonings, and having hard edges with the Rural Area.

Ms. Kanellopolous said the proposed development is within the Entrance Corridor and is providing a 50-foot forested buffer called for in the Places29 Master Plan.

Ms. Kanellopolous said the applicant proposes to rezone 32.52 acres from Rural Area to Planned Residential Development for a maximum of 100 dwelling units, with 50 units restricted to 1,200 square feet and the other 50 units restricted to 900 square feet. She said all of the units are rental, as the property cannot be feasibly subdivided.

Ms. Kanellopolous said access to the site will be provided using the existing entrance off of Route 29. She said the applicant is also requesting a Special Use Permit to disturb steep slopes to widen the accessway and to install stormwater management facilities.

Ms. Kanellopolous said the application meets the requirement for a minimum of 25% open space and proposes a variety of amenities, including trails and playgrounds.

Ms. Kanellopolous said the applicant has also requested a central sewage system, per County Code 16.102. She said the request must be approved by the Board of Supervisors. She said a central system is defined as a private system that is designed to serve three or more connections. She said this facility would be privately owned and maintained. She said the force main and pump station are the only private utility component of the water and sewer systems for this development and would connect back to public utilities.

Ms. Kanellopolous said the Board of Supervisors votes to approve a central system, and therefore allows a development to use such a private system. She said the system cannot be constructed or permitted, however, until all relevant agencies and departments have reviewed submitted plans. She said this includes the Virginia Department of Health, Albemarle County Service Authority, and Engineering. She said this approval is the first step in the process.

Ms. Kanellopolous said the Comprehensive Plan discourages private facilities in the Development Area. She said due to the unique features of the site and the private utilities connecting back to public utilities, however, staff has no objection to the request. She added that these private utilities would only serve this development, and ultimately connect back to public water and sewer, which is consistent with County land use and utility policies.

Ms. Kanellopolous said this request is included in the motion for approval for the rezoning for the Commission to consider. Ms. Kanellopolous said a similar request for a private pump station was approved in the Emerson Commons rezoning in Crozet.

Ms. Kanellopolous said Strategy 8-C in the Development Areas chapter of the Comprehensive Plan states that density should be calculated using net density by excluding areas not suitable for development including steep slopes, stream buffers, flood plain, and areas identified as Parks and Green Systems. She said the proposed development has a gross density of 3 units per acre, and a net density of 12 units per acre.

Ms. Kanellopolous said the Master Plan recommends a maximum of 51 units, using the calculation of net density. She said there are 100 units proposed, with a range of detached, duplexes, triplexes, and fourplexes, which is at double the recommended density in the Comprehensive Plan. She said all of the units are size-restricted, with a maximum gross floor area of 1,200 square feet for 50 units and 900 square feet for the other 50 units.

Ms. Kanellopolous said the applicant has included information regarding accessory units in their narrative as justification for these additional units. She said specifically, the applicant has compared the additional density proposed to be comparable to a more traditional, single-family development with accessory units, which are permitted in the Zoning Ordinance and do not count toward overall density.

Ms. Kanellopolous said the applicant compares the following scenarios, one of which is that the applicant can construct larger single-family homes, each of which can have an accessory dwelling unit (which would not count, per density). She said for example, a 3,000-square-foot house can have an accessory unit that would be 1,050 square feet in size. She said alternatively, as the applicant proposes, the applicant could construct 100 units and size-restrict the units so that the overall impact would be similar to 50 larger single-family houses.

Ms. Kanellopolous said this discussion was discussed during the March 10 Planning Commission meeting. She said Commissioners considered the possibility of other density bonuses (such as low-impact development design for stormwater management), and considered the impact of units when discussing density. She said currently, the County has density bonuses for conventional districts (such as affordable housing and preserving wooded areas), but does not have these bonuses for Planned Districts. She said the density must still be within the Comprehensive Plan designation.

Ms. Kanellopolous said there is not sufficient guidance in the Comprehensive Plan for staff to determine when it may be acceptable to exceed the Comprehensive Plan. She said therefore, staff has included exceeding the recommended density in the Master Plan as a factor unfavorable, and defers to the Planning Commission's recommendation on the requested density for the site. She said staff welcomes further guidance and discussion from the Commission.

Ms. Kanellopolous said the applicant has also requested a Special Use Permit to disturb steep slopes. She said the requested area of disturbance is 39,100 square feet. She said the County Engineer and Planning staff had no objection to the request. She said the applicant would need County Engineer review and approval of a Virginia Stormwater Management Program application that meets the steep slopes standards of County Code.

Ms. Kanellopolous said while there would be some impacts to environmental resources with this development, the County Engineer and Planning staff find the impacts to be acceptable, and find that there would not be substantial negative impacts. She said there are no buildings or parking in the steep slopes, stream buffer, or flood plain. She said disturbance of preserved slopes is necessary to allow for vehicular access to the site. She said the proposed development provides trails throughout the development to give residents access to the scenic environmental resources on the site.

Ms. Kanellopolous said the Natural Resources chapter highlights the importance of protecting water and topographical resources in the County, and especially the water quality of the Rivanna River. She said Strategy 5-C states that steep slopes in the Development Areas should be protected, and especially those adjacent to streams.

Ms. Kanellopolous said the potential negative impacts are considered against the beneficial aspects of the proposal, including providing affordable housing and directing development to the Development Areas.

Ms. Kanellopolous said the accessway will not be a private street. She said it will have the design and appearance of a rural road section, widening the existing accessway from 12 feet to 28 feet. She said the wider accessway is needed for safe and convenient vehicular travel, and for access for emergency vehicles. She said further development of the site is not feasible without widening this accessway.

Ms. Kanellopolous said there is one ingress and egress for this site. She said Fire Rescue reviewed this application and stated that one entrance and exit is acceptable, given that the units are sprinklers and that the proposed access does not require traveling through the flood plain.

Ms. Kanellopolous noted that while disturbance of steep slopes is needed for the accessway, disturbance of steep slopes for stormwater management facilities may ultimately not be needed during site planning. She said the applicant chose to include this request in case it is needed during site planning, so they do not need to return for another Special Use Permit. She said the application shows three locations for potential disturbance of slopes for stormwater management facilities, and that the County Engineer has reviewed the general locations of the proposed facilities, finding them to be acceptable.

Ms. Kanellopolous said the applicant has revised the maximum gross floor area since the first application heard on March 10. She said previously, all units were limited to 1,200 square feet maximum. She said there are now 50 units at 1,200 square feet, and 50 units at 900 square feet. She said the applicant has requested an additional 10,000 square feet of building footprint area. She said there are no additional changes in the maximum number of units from the first application, and all units must still be outside of environmental features.

Ms. Kanellopolous said the applicant has added a note, per Engineering staff's recommendations, that channelized slopes with discharge of stormwater into the stream be permitted. She said these may not be needed at the site planning stage; however, an exact design would be determined at that stage.

Ms. Kanellopolous said the applicant has also agreed to a new condition to provide 75% of stormwater treatment on site, exclusive of forest and open space easement.

Ms. Kanellopolous said staff has found the following favorable and unfavorable factors for this application. She said staff finds that the request is consistent with the majority of the recommendations in the Places29 Master Plan, Comprehensive Plan, and Neighborhood Model Principles, and is meeting the County's Affordable Housing Policy.

Ms. Kanellopolous said staff also notes that the proposal is above the recommended density in the Master Plan, and that there are potential negative impacts with steep slopes disturbances.

Ms. Kanellopolous said based on the favorable factors and analysis, as outlined in the staff report, staff recommends approval of the rezoning request and defers to the Commission's evaluation of the proposed density.

Ms. Kanellopolous said staff also recommends approval of the Special Use Permit request, and presented the conditions. She said these were the same conditions as those in the updated staff report, and as previously mentioned, Condition #6 has been added since the first Planning Commission meeting.

Ms. Kanellopolous presented both the rezoning motions and the Special Use Permit motions for the Commission's consideration.

Mr. Clayborne asked Ms. Kanellopolous if she knew what the vision of the Economic Development department is for this area of the County.

Ms. Kanellopolous replied that she had a chance to talk to Economic Development staff, who mentioned that they expect continued growth in some of the commercial and industrial uses in this area, as there are parcels with Commercial and Industrial zoning that have not been developed yet. She said there is further development that will happen at the UVA Research Park, so additional employment uses are expected in this area. She said the Places29 Master Plan mentions the UVA Research Park as an employment center.

Mr. Clayborne said there was mention that density bonuses are not spoken for, as this is a conventional type of plan. He asked if this would stop the Commission from having any conversation that evening regarding increasing the amount of affordable housing in exchange for a greater density.

Ms. Kanellopolous replied that those conversations could still take place, since this is a rezoning request.

Mr. Dotson said there was a slide with a side-by-side comparison of the original proposal and the current one. He said on that slide, there was mention of a total residential building footprint of 50,000. He said he was curious as to how this number was calculated. He said there was 1,200 square feet for 100 units, and asked if this wouldn't be 120,000.

Ms. Kanellopolous replied she believed some of those units have multiple stories, since it was a maximum gross floor area. She said that number was provided by the applicant, and they could confirm that.

Mr. Dotson said on his screen, he could not view the footprint on the current application. He asked what this number was.

Ms. Kanellopolous replied that this number went from 50,000 to 60,000.

Ms. Firehock said she had three questions. She said her first question was, in staff's opinion, if road widening to provide the access would be required for any type of residential development at this site.

Ms. Kanellopolous replied that this was the case.

Ms. Firehock said to develop this, then, some impact to steep slopes would be required. She asked if the roads in the system were intended to become public roads, or if the interior roads would remain private.

Ms. Kanellopolous said they would technically be designed as an accessway. She said since the units are not being subdivided, a private street is not required.

Ms. Firehock said she had never heard of the term "channelized slopes," and asked if Ms. Kanellopolous or the applicant could explain this.

Ms. Kanellopolous said Mr. John Anderson from Engineering was also present and that he may do a better job of explaining this.

Mr. John Anderson (County Engineering) said he also did not know what "channelized slopes" meant. He said what he has seen on the ZMA application are schematic representations for drop inlets for catch or storm pipes for conveyance. He said in the slopes themselves, there should not be any channelized flow, and certainly not on preserved slopes.

Ms. Firehock agreed, noting that this was the reason for her confusion.

Mr. Bivins opened the public hearing and invited the applicant to speak.

Mr. Justin Shimp, project engineer, presented the concept plan. He reminded the Commission that what led the project to that point was that he has to grade the parking areas, but that he doesn't have to do any grading or disturbance where the buildings are, which was key in preserving existing trees and was why the road layout ended up the way it did.

Mr. Shimp presented some images to give an idea of what the applicant wants to build. He noted some buildings in the images were in a pine forest and may not be great fire-wise design, but that he would go back to this later.

Mr. Shimp presented some images of the typical one-bedroom and two-bedroom setups. He presented another set of images to give a sense of the construction, noting that one of the images was very similar to the feel they are trying to achieve with this particular project.

Mr. Shimp reminded the Commission that the conventional development there would have about 92,000 square feet of footprint. He said unlike this proposal, where he has a very limited impact in the area where all the houses go, they would essentially clear all the trees and mass grade the area where the construction happens. He said although this would be outside of all the environmental features, there would still be a disturbance of all that area, where they have much less of that now.

Mr. Shimp said last time, they had talked about the concept of this being built off the affordable dwelling units that had been approved previously. He said places like Riverside and Belvedere have a carriage house or accessory unit which does not count towards density. He said from that standpoint, the idea of the smaller-sized units was not new for properties in the Development Area.

Mr. Shimp said in talking about the concept of accessory, the Commission had brought up that there could be a concept of bonus provisions as well. He said as staff pointed out, there isn't a calculation or guide in the ordinance for how to look at that. He said they did want to highlight some of the aspects about this project that were unique. He noted that 73% of the existing road is maintained. He said there is 80% open space, and that they are managing to save a 1930s brick house that has an interesting character. He said the building footprint is 4% of the area, and therefore has a very light impact.

Mr. Shimp said there is also a 2,600-foot trail network and opportunities in that for natural playscapes. He said this is well above the minimum required.

Mr. Shimp said they could look at these accessory units and bonus factors with net density higher than is what is typically given.

Mr. Shimp said there was an important nuance in the change to the stormwater condition. He said it says, "exclusive of forest and open space." He said in a normal scenario, one gets to count their open space as essentially an offset towards the treatment, even without buying nutrient credits. He said in this particular instance, what the County Engineer proposed (based on the comments made at the last hearing by the Planning Commission) was that they have a 75% treatment exclusive of forest and open space. He said this means that real treatment -- whether it be permeable pavers, biofilters, infiltration, or rainwater harvesting -- would be required as part of the project now.

Mr. Shimp said going through the discussion in the staff report, one of the items was about the entrance road. He said he tried to describe at the last hearing why the applicant was cutting the road down and couldn't shift it from one side to the other, or even build a bridge or structurally support it. He said the grade is steep enough that once he starts to fill out on the edge, he doesn't catch back up easily. He said that fill creates much more of an environmental impact than if they take the approach of cutting down. He said while this means disturbing some of the slopes, it limits the overall impact and is the most effective way to do it.

Mr. Shimp said the applicant was asked previously about layouts, and that they have probably done a dozen layouts or more on this property. He presented an example of a layout that has a more scattered feel and less concentration of parking. He said this is where he wanted to go in the beginning, but he found that this required essentially clearing the whole site. He said his concept of saving the trees was best achieved with the current plan, which is to cluster the parking lot in one location, then have the buildings in the forest.

Mr. Shimp said with regard to parking, they have approximately one tree for every three or four parking spaces, where the normal ordinance is one tree per 10 parking spaces. He said this meant they were bringing trees back in this plan.

Mr. Shimp presented an illustration about the unit design. He said they tie into grade at certain points, and that the parking lot as designed is to disturb that area, but not much else. He said the illustration shows that one unit will be in the upper level, one on the lower level, and stairs leading down. He said this area can essentially be undisturbed around the stave of trees.

Mr. Shimp said there was a discussion about the fire-wise standard, and that he read through this. He said in many ways, the applicant meets this, as the area of development is primarily hardwood and presents less issues than pines. He said most of the criteria is about maintenance. He said if there is a way to put some of these things in a proffer or application plan, the applicant is not opposed to it, but he also felt like there were things that the Zoning Inspector wouldn't be able to go out and actually enforce. He said it is more like a good practice for property management than it is a zoning restriction. He said he best felt that this was left as maintenance and not a zoning restriction.

Mr. Shimp said there was a question about a sewer system, and that he wanted to be clear that they were only building a pump station. He said this is a $30,000-40,000 construction that runs for sometimes decades with practically no replacement or upkeep other than changing pump impellers. He said these are very commonly used and have many levels of safety.

Mr. Shimp provided an example of a small shed where the controls and backup generator would be. He said this was provide an idea of the scale of the maintenance obligation that the neighborhood would have.

Mr. Shimp said there was a discussion about how staff identified the school impact and had a concern. He provided an illustration to give a sense of the size and scale of the project, as a reminder.

Mr. Shimp said in closing, staff had made a good point about how this was a unique type of housing. He said he is very excited about the idea of putting something on this property that is not normal. He said they could build a 51-unit luxury townhome and accessory units that would look different than this. He said they would be taking out all the trees and putting up more pavement than they have with the current plan. He said they would be housing the same number of people, but removing an income level by making more expensive units in the property that he doesn't think is necessary.

Mr. Shimp said there had been a comment about not doing enough with the roads. He said it was suggested they could be more innovative, and that while he appreciated all the suggestions, he has to work in a world where he has a parking ordinance, a fire code, and other regulations that he has to meet. He said he can take steps in the direction he wants to go but if he goes too far, he won't build anything at all, which would not be of service to the community. He said he believes they struck a good balance, and he hoped that the Commission liked the plan.

Ms. Firehock brought up her earlier question about the "channelized slope." She said she was confused as to whether Mr. Shimp was saying that the cut and fill slope was a channelized slope.

Mr. Shimp replied that he was actually not sure about this term, either. He said this was in the staff report, and that what he believed it meant is that, depending on the nature of the soils and the stream banks, they may need to disturb along the edge of the river to put an engineered stable slope into the river. He said this is an engineering channel rather than a slope, and that it would be a way to get drainage safely into the river without risking damaging the banks of the river.

Ms. Firehock asked if Mr. Shimp was talking about a drainage swale into the river, or if he was talking about channelizing the banks of the Rivanna.

Mr. Shimp replied that it would be a swale running into the river, perpendicular to it.

Mr. Clayborne said his question was about resiliency and knowing that the number of 100-year storms are increasing. He asked what kind of resiliency measures around flooding have been discussed for the project thus far.

Mr. Shimp said he had discussed this with Mr. Randolph. He said they had about a 5- or 6-foot freeboard from the 100-year storm to the unit. He said this equates it to something more than a 500-year storm, and so there is a significant margin. He said although 5 or 6 feet may not sound like much, the magnitude of water that it takes to rise the water that far is significantly higher, and would relate to storms that have never been recorded in this area. He said there is a significant cushion compared to what would be the minimum standard.

Ms. Firehock said she wanted to follow up on Mr. Clayborne's question, and asked about the road leading in and out. She said she understood the point about the dwelling units, but wondered if there was a possibility that people would become trapped in the development during high water.

Mr. Shimp replied that the road crossing is about 3 feet or so above the 100-year flood plain, and so it is conceivable that temporarily, people would be cut off. He said in that instance, he believes the Route 29 bridge would also get taken out. He said this is a catastrophic rainfall where many people have their access cut off. He said they did consult with a geologist about the rock formation, and that the bedrock in that area is highly resistant to erosion (noting these were his exact words). He said it would be a temporary situation that could happen, but he doesn't believe this would separate people from the road permanently.

Mr. Bivins opened the public comment portion of the public hearing.

Ms. Shaffer said there was no one signed up for public comment or indicating they would like to speak on this matter.

Mr. Bivins asked if the applicant had anything else to say.

Mr. Shimp stressed that while this is a higher number of units, he didn't really see it as a higher number of people. He said they have mostly 1- to 2-bedroom units and that this could be the same as 53-bedroom. He said he sees this as more of an opportunity to get more affordable housing and make a unique sort of development that is conscious and saves many trees. He said it may have a higher density, but the impacts were not an issue, and there is no traffic.

Mr. Shimp said this is the sort of design that is hoped for in the Development Areas. He said there are things as far as reducing parking that the applicant would like to be able to do, but the zoning restrictions are what they are. He said they could push the envelope as far as they can, but they always want to get it built and want people to live there and enjoy the property.

Mr. Bivins closed the public hearing.

Mr. Randolph said he did not see significant improvements from what they had previously seen. He said he remains deeply concerned that there is no secondary connecting road there into a proposed Planned Residential Development. He said in fact, what was proposed and acknowledged there that evening was a single means of ingress and egress with only 3 feet separating that road and a 100-year flood from potential flooding, and that they have seen significant flooding events in the County in the last four years. He said that two years ago, along the stretch of the Rivanna that flows past Glenmore, there were two thousand-year flood events separated by little more than a month.

Mr. Randolph said he was very concerned about the fact that they are proposing lower-income housing with no public transit, no bus stops, and putting housing in a location where it would be subject to flooding. He said this is a recipe for affordable housing failure, as well as significant costs, moving forward, for the County potentially in terms of DSS and addressing the people that would be displaced as a result of flooding.

Mr. Randolph noted there were still no proffers for purposes of education, nor for any other contingencies.

Mr. Randolph said he was also not comfortable with questions about steep slope disturbance issues being deferred to site review. He said those kinds of questions are consistent with the intent of the ordinance to be first addressed by the Commission, then by the Board, and not to be put off to staff discussion subsequent to the determination of the outcome of the application.

Mr. Randolph said he was not comfortable with the Commission making a decision about a hybrid central sewage system. He said in essence, they are setting a policy decision ahead of the Comprehensive Plan, and ahead of the Board. He said he thinks this is a decision for the Board, and the Board alone, to decide, and not for the Commission to decide as to the extent of central sewage systems and how they will work with the existing public infrastructure.

Mr. Randolph said those were some of the issues he has with the application. He said his fundamental issue is that he thinks this project proposed a shoe-horned density into a location and space that is really not suited for that density.

Ms. Firehock said she appreciated Mr. Randolph's comments. She said she also wanted to go back to the question of fire-wise, as this is a methodology for setting houses within a wooded setting but reducing the risk that catastrophic fire would harm people or property. She said it is not actually simply a maintenance matter, but has to do with how the houses are laid out and within the proximity of the trees. She said she has toured fire-wise communities across the West and has seen houses that did not burn down.

Ms. Firehock said she understood that the applicant said they would have sprinkler systems in the houses. She pointed out that this would not actually prevent the risk of a wildfire or forest fire harming people there. She said in subdivisions she has worked on; it is very important that there are two entrances so that people do not become trapped. She said adding density into this scenario, there is a greater risk that people will not be able to get out successfully if, for instance, trees were to fall across the road.

Ms. Firehock said that under the category of public safety, she is very concerned that they are developing in the woods. She said she was sure the applicant was thinking they were saving the trees, and that she agreed saving trees was a wonderful thing. She said she was not sure, however, about the density, expressing that it was too much to cram into a sensitive site. She said that while she applauded the applicant on tree conversation, she was afraid they may be putting people at risk.

Ms. Firehock said that to Mr. Randolph's point about floods, she has actually seen one stand of the 29 bridge underwater since she has lived in the area. She said storms are predicted to become more severe and have more water in them, and so the Commission needs to be aware of the issues of becoming trapped in a storm, even though it is 3 feet above the 100-year flood plain, according to the applicant. She said she remained very concerned about the issue of the one entry/exit point.

Mr. Keller agreed with Mr. Randolph and Ms. Firehock, but noted that they are finding themselves with a very interesting case and proposal. He said he believes that the best use of this parcel of land would be as a park, farm, or vineyard.

Mr. Keller said the point that Mr. Randolph made about the access, on the one hand, is true. He said on the other hand, if there was a creative way to bring people from that community (e.g. community covered golf carts) that couldn't go onto the main road but could bring people from the residential area to Route 29 (which is determined to have mass, public transit) would put a larger group of people at a lower income level close to where there are currently more employment possibilities in a very close location, adding that there was even another project for review that evening that related to this area of the County.

Mr. Keller said the Commission has approved many projects that are not as sensitive to the slopes and existing elevations of the piedmont topography. He said to his knowledge, this was the first creative proposal from a private sector entity to think about lower-cost rental units that are still fitting the profile of interest of many people in the community.

Mr. Keller said either with this, or through a special meeting, the Commission needs to think about the density issues that staff has asked them to address. He said in effect, they have done this with Belvedere, and he thinks the underlying question of establishing what that square footage could be that has been presented by the applicant is very interesting and worth further thought and investigation.

Mr. Keller said in an earlier meeting, he had brought up some of the concerns that the first two Commissioners have called attention to, but that he thinks there are other mitigating factors and that, as staff has identified, there are many positives along with some of the negatives.

Mr. Dotson said the safety points made by Mr. Randolph and Ms. Firehock are well-made. He said as he has looked at this project, it has been primarily from the Master Plan density perspective. He said staff has reported that, using net calculations, 51 dwelling units could fit on the site. He said he wants to be rigorous in defending and adhering to the Master Plan, but at the same time, he does not want to be rigid.

Mr. Dotson said another way to think about this, and that perhaps Mr. Keller was getting at this, is if the Commission thought about the square footage of the units, it might be the equivalent of under 50 dwelling units because of their small size, as compared with average units in the County. He said perhaps this is another useful way to think about this.

Mr. Dotson said the staff report pointed out that in Strategy 8-C, it indicates that the County should review the net and gross density as computed under the Comprehensive Plan versus the zoning. He said the term “review” is used, and that his guess was that when that review takes place, it will be somewhat in flux in that it is not that the Comprehensive Plan net density is necessarily right, nor that the zoning gross density is wrong. He said he thinks there will be some creative possibilities in between the two, and so he didn’t want to be so rigid as to say that the plan requires, they use net density.

Mr. Dotson said the site is quite unique and difficult, being that it is in a peninsula that is difficult to access, but that it is within the designated growth area. He said compared to other single-family units, because of their size, these will be more affordable and unique family homes available for rent. He said it is an interesting set of notions before the Commission, and that he also applauds saving the trees and disturbing a minimum portion of the site.

Mr. Dotson reiterated he wants to be rigorous, but he does not want to be rigid.

Mr. Clayborne said the Engineering team should be commended for a challenging site, and that there are a lot of strong ideas in the site design that he appreciated. He said he also shares some of the concerns his colleagues have mentioned. He said as he looks at the proposal, he sees more good elements than negative ones. He said there is certainly a need for housing, as Economic Development has a vision to continue to blossom in that area.

Mr. Clayborne said with regard to the one way in and out, this does give him some concern, but that he saw in the staff report that Fire Services seems to be comfortable with that. He said he shared the same concerns as fellow Commissioners, but that he did see more good than negative with the proposed project.

Mr. Bivins said he had a few things he was wrestling with on what he thinks is an excellent project. He said when he came to the area to go to law school, this was a place where many of his colleagues lived. He said it was accessible to those who went to graduate school and had automobiles. He said he was struggling with this being a lovely place with some houses, and that the applicant is asking for 100 units while staff calculated 51. He said he was struggling with the level of density asked for.

Mr. Bivins said in this particular location, which has less of an open feel and less flexibility to it as places they looked at such as Galaxie Farm, which had more open space. He said for him, going above the 51 units was hard for him to imagine.

Mr. Bivins said he appreciated the idea and the argument put forward that these were like accessory units, but that there is a key piece of accessory units that he is having a hard time with. He said in places with accessory units, those homeowners have bought homes with the types of mortgages that would go with the idea of having an accessory unit, as those units help with the cost of the mortgage. He said this was not the kind of thing that has been presented here.

Mr. Bivins said it was an interesting and large community and an area of Route 29 that could be helped by this kind of inventory of units, but that these were not accessory structures or an accessory community. He said these are all separately-structured houses, with a variety of sizes from studio to 3-bedroom, and that there is very little common or yote structures between what he see proposed in the excellent plans and what he has come to understand is the common requirements for what an accessory unit is, which is a single-family house or single [inaudible].

Mr. Bivins said he was struggling with how to get to a place where over 51 units is something that he would be [inaudible].

Ms. Firehock said she was not as concerned with the question of density, as the designer has laid out the units in a creative way that fit them into the landscape in a much less destructive manner, even though there is grading required.

Ms. Firehock said she was really torn about this development because she appreciated the landscape layout and how the engineer is saving trees, as this is unique. She added that the Commission will continue to see these types of tricky proposals because they are now trying to infill and fit more into the Urban Ring. She said the obvious, easy places have been taken, and so this will become a challenge more often.

Ms. Firehock said she was concerned that the County does not necessarily have good enough standards for tree protection during and after construction, compared to other communities. She said they need to grow up their ordinances somewhat. She said she actually likes the way the site has been designed. She said while it was not overly creative, it goes much farther than what the Commission typically sees. She said despite her earlier comments, she was more inclined to be supportive of the project.

Mr. Randolph echoed Ms. Firehock's thoughts in that there was much to be applauded in the application. He said if it were not in a very tight, environmentally constrained location, there would probably be universal support for it. He said he needs to be consistent with the fact that while he did express some concerns about the concentration of development that went in below Stonehenge, in Dunlora Forest, it was an appropriate development for the location.

Mr. Randolph said for him, it was not an issue of density, as it did not matter if there were 10 families there, or 50. He said the access and public safety issue of that narrow isthmus with the potential for flooding is not diminished. He said the flood waters don't care if there are 10 people downstream or 50 people there. He said that didn't change for him, and that he was still concerned that they do not see proffers on this.

Mr. Randolph said the argument is that the number of public school students is not a high number, but that the approvals of project after project are each a drip in the bucket that, over time, add up to perhaps 100 new students that are enrolled after buildout. He said this was not appropriate here for the Commission to ask of that, but that it seems to be something appropriate for the Board to raise as a concern when they look at it.

Mr. Randolph said he voted against Riverside Village, and that his primary concern with it was flooding. He said this remains a concern at Riverside Village. He said the Commission did talk about the potential for flooding across the stream, and opposed an application for a daycare center. He said the Board was not of the consistency of mindset of the majority of the Planning Commission, but that this still remains an issue for Riverside Village. He said so far, they have not had significant flooding in that reach of the river that could contribute to problems.

Mr. Randolph said he cannot, in good conscience, approve a project that months or years from now, could turn out to be a flooded site, and especially for the people living there and what the implications would be for them. He said this is especially true when these are lower-income people. He asked if they were really moving the needle for affordable housing if they marginalize low-income people in a potentially environmentally compromised location. He said he didn't see this as environmental justice. He said he was sure Mr. Shimp is aware of this as an issue.

Mr. Randolph that in good conscience, he simply cannot vote for this application in this location.

Mr. Keller said the last part of the discussion has made it seem as if the residential units would be in a flood plain. He said the reality is the access road that could likely be flooded in extreme situations. He said the residential units are actually on a high point and would not be flooded in a 500-year flood. He said he was not diminishing the fact that access being covered by water for 1-2 days, but that this was different from putting development in a place where the houses would be flooded, such as in Houston.

Mr. Clayborne said that in response to Mr. Randolph's comments, they should keep in mind that affordable housing is not the same as low-income housing. He said he would not necessarily assume that people who live here do not have means to transportation. He said when he thinks of affordable housing, he is thinking about teachers, firefighters, and that kind of demographic. He said he wanted to make sure that they are not painting a picture that may not necessarily represent the candidates.

Mr. Clayborne moved to recommend approval of ZMA201800018 River's Edge with the finding that the use of a central system that will provide connection nearby public sources is substantial per the Comprehensive Plan.

Mr. Keller seconded the motion, which carried by a vote of 5:1. (Mr. Randolph dissented. Ms. More was absent.)

Mr. Bivins asked if there was a motion or discussion about the Special Use Permit.

Ms. Firehock said she would not suggest conditioning the motion with what she was about to say, but that she would sincerely like to request that the applicant meet with a representative from the Virginia Department of Forestry before getting into the site design so they can understand more about how they can design this development to be fire-safe.

Mr. Clayborne moved to recommend approval of SP201800023 River's Edge with the conditions outlined in the staff report.

Mr. Keller seconded the motion, which carried by a vote of 5:1. (Mr. Randolph dissented. Ms. More was absent.)

Expression of Appreciation to Mr. Dotson

Mr. Ned Gallaway, Chair of the Board of Supervisors, announced that this was Mr. Dotson's last meeting representing the Rio District on the Planning Commission. He said he wanted to take a few minutes to express his appreciation of Mr. Dotson's years of service to the County and, specifically, to the Rio District.

Mr. Gallaway said when he was elected to the Board of Supervisors, he was relieved to learn that Mr. Dotson would continue on the Planning Commission. He said as a young Supervisor, he was thrilled that he had someone of Mr. Dotson's experience and approach to help him. He said Mr. Dotson has made him a better Supervisor because of his service. He said the way Mr. Dotson approaches applications and thinks through matters has made Albemarle County better.

Mr. Gallaway said he was appreciative of Mr. Dotson's efforts to get the remainder of Rio Road named an Entrance Corridor, as well as all the applications into which he put in. He thanked Mr. Dotson for his service on the Planning Commission.

Public Hearings (continued)

ZMA201900012 Hollymead Corner

Mr. Andy Reitelbach, Senior Planner, presented the staff report. He said the location of the site is located in Hollymead Town Center Area C, Block 1.

Mr. Reitelbach said this was not a typical rezoning where an applicant requests to change from one Zoning District to another. He said instead, the applicant is asking to amend the code of development and the proffers for an existing planned development. He said the applicant is requesting to increase the maximum range of allowed square footage of the nonresidential development potential in Block 1 of Area C of Hollymead Town Center.

Mr. Reitelbach said Hollymead Town Center, Area C, Block 1 is an area of approximately 6.76 acres on the south side of Timberwood Boulevard between Route 29 and Connor Drive. He said it is northeast of Target.

Mr. Reitelbach said Block 1 consists of four parcels. He said there is a stormwater management pond in the northeast corner and going clockwise, there is a Bojangles, a vacant lot with a hotel currently under construction, and a vacant lot that is the subject of this rezoning, as the property owners of this parcel are the main applicants.

Mr. Reitelbach said there are only 17,000 square feet remaining to be used in Block 1 out of the 67,000 that is currently allotted. He said the applicant is interested in constructing a 40,000-square-foot commercial mixed-use building, which is the reasoning behind this request.

Mr. Reitelbach presented an image of the vacant parcel the applicants own, and that the construction for the hotel is also on the map.

Mr. Reitelbach said the specifics of this proposal are to amend the code of development and the proffers of Hollymead Town Center Area C, Block 1, which was originally rezoned with ZMA2001-20 back in 2003. He said there have been several amendments since then, in 2013 and in January of 2020.

Mr. Reitelbach said the applicant is requesting to amend the code of development to increase the maximum nonresidential square footage permitted in Block 1 by 25,000 square feet. He said currently, 67,000 square feet are permitted, and the applicant is requesting that it be increased to 92,000 square feet. He said there is approximately 17,000 square feet allotted that currently remains because the hotel and Bojangles currently consist of approximately 50,000 of the allotted 67,000 square feet.

Mr. Reitelbach said to maintain consistency among the nine blocks of the code of development, the applicant is also requesting to amend the COD to increase the overall not-to-exceed amount for all of Area C, from 353,000 square feet to 378,000 square feet (the same 25,000 square feet).

Mr. Reitelbach said finally, the applicant is requesting to amend Proffer 1 from ZMA2001-20 simply to refer to the new COD.

Mr. Reitelbach presented a map showing the zoning of Block 1, which is all PDMC (Planned Development - Mixed Commercial). He said the map shows the Comprehensive Plan land use designation for Block 1, which is Commercial Mixed Use and supports a variety of commercial uses including office, retail, and restaurant.

Mr. Reitelbach presented a screenshot of the COD, and specifically Table A, which is the uses table that the applicant is requesting to amend showing the revised maximum nonresidential square footage amounts in Block 1, and the overall not-to-exceed amount.

Mr. Reitelbach said there are a couple of minor recommended revisions to the application that staff encourages the applicant to make before going to the Board of Supervisors. He said these revisions are to ensure consistency of the COD proposed with this rezoning with the three previous ZMAs that have been done for Hollymead Town Center Area C. He presented the two items that staff recommends revising, which include ensuring that a hotel, motel, and inn use remains a permitted use in Blocks 1 and 3 as it was originally approved. He said this was not shown in the COD for this application, and staff believes that this is simply a mistake that occurred, as the removal of this use has not been requested.

Mr. Reitelbach said staff also recommended the shading of retail uses in Appendix A of the COD to indicate which of the uses listed in that appendix would count towards retail square footage amounts. He said this would ensure that this COD remains in conformance with ZMA2001-20, as originally approved.

Mr. Reitelbach said there were a couple factors favorable for the consideration of this rezoning. He said the request is consistent with the uses in the land use designation recommended by the Places29 Master Plan. He said the amendments to the COD and proffers statement would maintain the overall plan and vision for Hollymead Town Center Area C.

Mr. Reitelbach said the one factor unfavorable is that it is expected that additional traffic would be produced with the increase of 25,000 square feet and nonresidential square footage. He said VDOT and the County's Transportation Planning team, however, have reviewed this proposal and have indicated that the existing capacity of the surrounding street system, as well as the ultimate planned extension of Berkmar Drive from where it currently dead-ends all the way to Airport Road, would provide additional capacity in the future and would not cause any traffic congestion or problems that may be related to the requested increase in square footage.

Mr. Reitelbach said ultimately, staff recommends approval of ZMA201900012 Hollymead Corner, provided that the recommended revisions mentioned are made to the COD prior to the public hearing with the Board of Supervisors.

Mr. Randolph asked Mr. Reitelbach to help him understand the concern of the CAC regarding a two-story building when the FAA restricts building structures 200 feet above in the flight path to an airport. He asked if he was missing something about this being two stories, and each story is 110 feet, so it would be above 200 feet.

Mr. Reitelbach replied that the concern about the height of the building was from many of the residents who live farther back along Timberwood Boulevard, in the Abington Place subdivision and Hollymead Walk, that a building there could potentially obstruct the views of the southwest mountains from that area. He said the photos he presented show good views of mountains in the background.

Mr. Bivins opened the public hearing.

Mr. Mike Myers, owner of 30 Scale, said he is the engineer representing Hollymead Corner. He said he started working with Hollymead Corner in 2016, when they had met with Planning staff to discuss the issue of how much square footage they had left to develop on the property. He said the owners originally purchased the property around 2005, and purchased three of the four lots on Block 1. He said they did not purchase the pond parcel, which is a stormwater management parcel with no development rights on it. He said when they purchased the property, there were 55,000 square feet, and as they sold off Lot 1 to Bojangles and Lot 2 to the hotel, they ended up giving up their square footage.

Mr. Myers said the owners are not a development group, but people who wanted to make an investment in a property and was left with 17,000 square feet of developable square footage on the lot in question.

Mr. Myers said one of the issues is that in order for this lot to be marketable and developable, they need at least 40,000 square feet to be able to make it a marketable piece and have someone show interest in it, and so they need to have an amount of square footage approved. He said they started out with 55,000 and managed to do some trading to get another 12,000 square feet swapped from another block.

Mr. Myers said traffic was highlighted as a concern. He said there was a traffic study that was formed by EPR and Bill Lynch that was done for the prior zoning and that this report had included 40,000 square feet for this parcel anyway. He said it wasn't much of a stretch for VDOT and County Transportation to be okay with what they were proposing.

Mr. Myers said the only issue is the breakdown of that square footage. He said they would like to reserve an additional 25,000 square feet for a combination of office, restaurant, and retail, depending on how the market goes over the upcoming months or years. He said they are trying to maintain flexibility instead of going with all office space, with more of a half and half mix.

Mr. Myers said the Commissioners have likely driven by this parcel over the years and seen only the stormwater management pond at the corner of Route 29 and Timberwood. He said Bojangles came up and now, the hotel (which is directly below the site) has had its foundation poured and its building is ready to go up. He said now is the time to see if they can get something moving on this corner. He said the fear is that if the square footage remains where it is, the parcel may not get developed, as it is not economically viable. He said he looked forward to the Commission backing up the request so that they can start putting something up on this corner.

Mr. Dotson said Mr. Myers had mentioned that in a previous rezoning, 12,000 square feet of nonresidential was moved from Block 2 to Block 1. He asked in this instance, if consideration was given to moving in square footage from some other property in order to maintain the total nonresidential intact.

Mr. Myers replied that this was not pursued. He said he looked at what was left, overall, and that they did not do this, as they felt the proposed increase was a small percentage of the overall envisioned square footage that is in the development program of the other developer. He said they are trying to keep their parcel running separate from the other application that was recently approved.

Mr. Dotson said Mr. Myers also made reference to, in 2008, the owner of several blocks selling one of the parcels to the HTC Hotel, which is now under construction. He asked when the owners settled on a price for that hotel site, he would assume that they looked at not only how many acres were going to be transferred but also, the dwindling amount of developable square footage. He said it seems to him that they left themselves with 17,000 square feet, and that it sounds like a self-inflicted wound for which they have been compensated.

Mr. Myers said this was before his time with the project and would defer to Mr. Simon Stapleton.

Mr. Stapleton said this was correct in one sense in that it was a self-inflicted wound. He said selling that particular lot to HTC, however, was because they were the only party interested in that particular lot and wanted to put a hotel on it. He said in negotiations, the owners offered less square footage to the hotel, but that was the minimum that they were willing to accept to build a hotel on. He said the square footage of the hotel actually ended up being slightly less than they wanted. He said they really didn't have the choice other than to give them that square footage.

Mr. Stapleton said there were at least indications from the County at that time that increasing the square footage would be a possibility later on. He said it turned out that immediately following the sale, it wasn't a possibility but then, they came back and spoke to County staff a couple years ago, who seem to be more interested in expanding the square footage. He said as Mr. Myers mentioned earlier, developers are not really interested in 17,000 square feet of a commercial lot. He said for it to be commercially viable and developable, they really need this additional square footage.

Mr. Bivins asked, for clarification, if the applicant was currently at 17,000 square feet, and what they wished to go to.

Mr. Stapleton replied that they wished to add 25,000 square feet, so the total for the whole block would then be 92,000, of which 50,000 has already been allocated.

Mr. Bivins asked if the applicant was trying to have a parcel with the ability to develop 40,000 square feet of commercial and retail.

Mr. Stapleton replied yes.

Mr. Bivins asked if there was anyone from the public who wanted to speak on this topic.

Ms. Shaffer replied no.

Hearing no further comments, Mr. Bivins closed the public hearing.

Mr. Keller said he has been thinking about the development in that area, and that he knows it is not the Commission's role to be asking for things, but to follow up on what Mr. Dotson said, he wondered whether there was anything else that the applicant was interested in providing.

Ms. Firehock said she was concerned about overbuilding retail, in general, but that she would leave the economic calculations or risks to the applicant.

Mr. Randolph said he thinks this is an appropriate location for expanded nonresidential, commercial business. He asked if not here, where, and said this seemed totally appropriate. He echoed Ms. Firehock's concern about the overbuilding of retail commercial within the County, but that this was not the Commission's call and a risk that the applicant willingly and eagerly takes. He said he did not see any problem, from a planning standpoint, with the application that would prevent him from approving it.

Mr. Dotson said he had a concern that goes back to the overbuilding of retail. He said on May 6, the Board of Supervisors heard a report from a real estate consultant that the Economic Development department had hired to address the fact that the County has an overabundance of vacant retail properties. He said at the expense of $100,000, the County has entered into an arrangement whereby this firm, over the next two years, will be working with the County with a priority on backfilling into many of those currently vacant (or soon-to-be vacant) retail properties.

Mr. Dotson said retail is not what the applicant is proposing. He said he had a concern, however, that the COD would allow this to be entirely retail. He said there is a maximum of 50,000 square feet that would be allowed for retail, and none of that has been used yet. He said Bojangles and the hotel are not retail, so the cap of 50,000 still remains.

Mr. Dotson said he would like to see an amended COD that responds to what the applicant says they want, and also is consistent with what the Economic Development Office said in supporting this. He said Economic Development wanted office there, and did not mention retail. He said he would like to see an amended COD that says, "In Block 1, the addition of 25,000 square feet resulting from ZMA201900012 shall be for office uses only." He said this leaves 17,000 that can be used for restaurants, retail, or other uses. He said in other words, in the addition, the windfall that the applicant is seeking would be for office use, which would be more consistent with the County's current situation regarding retail.

Mr. Dotson said at an appropriate time, he would make a motion to incorporate that.

Ms. Firehock said she very much agreed with Mr. Dotson about the office aspect. She said if retail is to be successful, it needs bodies who are there regularly to patronize the retail. She said she recently went through an exhaustive process of looking for office space in Albemarle County, and feels very much up on all the available office space that could possibly be rented. She said she thinks there is a dire need for more modern office spaces, and in this part of the County as well. She said she would support the motion Mr. Dotson referenced.

Mr. Dotson moved to recommend approval of ZMA201900012 Hollymead Corner with the revisions as recommended by staff, and with the addition of a footnote to Table A stating, "In Block 1, the addition of 25,000 square feet resulting from this rezoning shall be for office uses only."

Ms. Firehock seconded the motion.

Mr. Bivins asked if his understanding was correct that 17,000 square feet would be available for retail.

Mr. Dotson said it would be for retail, restaurant, or other uses as currently stipulated in the COD. He said the only restriction would be that this windfall of 25,000 would be for office.

Mr. Stapleton asked if he could comment.

Mr. Bivins replied that the Commission typically does not allow that, at this point in the hearing.

The motion carried unanimously by a vote of 6:0. (Ms. More was absent.)

Mr. Dotson commented that the Commission is not asked to act on the 35% parking reduction, but that it was noted that at the site plan stage, this will be decided based on the particular uses. He expressed an observation that check-in at hotels is typically 3:00 p.m., and that it is fairly busy at hotels from 3:00-6:00 p.m. He said that is also a time when offices typically need parking, and when restaurants would be using parking. He said he wanted to express his concern that there be, in fact, adequate parking. He said while he was all for shared use, he was not convinced that the schedules of these particular uses do not necessarily overlap.

Committee Reports

Mr. Bivins said he went to an MPO Tech meeting that day, and that they had interesting conversations about alternate means for collecting and involving the public in the public comment activities. He said they try to counterbalance the fact that when they ask for public comment, it tends to be a faithful few that always come forward, and they can think about other ways to move to communities that may not feel comfortable or have the scheduling to participate in public hearings. He said as they move forward, in some of the things they are doing with revised Comprehensive and Small Area Plans, it may be that some of those become more interested in the process.

Mr. Bivins asked Mr. Rapp if he could have Mr. McDermott speak to that, as there is a piece of software that VDOT has access to and they are looking for ways to leverage this software.

Review of Board of Supervisors Meeting - May 6, 2020

Mr. Charles Rapp (Director of Planning) said there have been no development applications since the last meeting, and that the Board had been working through their revised budget.

Mr. Rapp said the following evening, the Boyd Tavern application would go before the Board, which would be an interesting meeting with plenty of public engagement. He said he would provide the Commission with an update at their next meeting.

Old Business

There was no old business.

New Business

Mr. Dotson introduced Mr. Daniel Bailey, explaining that Mr. Bailey has been appointed by the Board of Supervisors as his successor on the Planning Commission for the Rio District, beginning June 1, 2020.

Mr. Bailey thanked Mr. Gallaway for his trust and confidence in him, and for Mr. Dotson's guidance and counsel. He thanked the Commission for their warm welcome, and to Mr. Rapp and staff for reaching out.

Mr. Bailey said he has been a resident of the County for the past 7 years and lives in Belvedere, where he has served on its HOA and as the chair of its architectural review board. He said he is also a local entrepreneur, and is the co-founder and CEO of Astraea, which is a software and data analytics company specializing in leveraging satellite data to provide earth intelligence, with a specialization in land use and land change, providing for renewable and clean energy and monitoring other economic activity.

Mr. Bailey said he has a nontraditional background and does not have the experience in planning as Mr. Dotson has, but that he brings a small business perspective to the community that is deeply interested and concerned with sustainable development and future growth of the County.

The Commissioners expressed their appreciation to Mr. Dotson, letting him know he would be missed.

Adjournment

At 8:04 p.m., the Commission adjourned to June 2, 2020, Albemarle County Planning Commission meeting, 6:00 p.m. via electronic meeting.

Charles Rapp, Director of Planning

(Recorded by Carolyn S. Shaffer, Clerk to Planning Commission & Planning Boards and transcribed by Golden Transcription)

Approved by Planning Commission
Date: 6/16/2020
Initials: CSS