

**Albemarle County Planning Commission
FINAL Minutes June 16, 2020**

The Albemarle County Planning Commission held a public hearing on Tuesday, June 16, 2020 at 6:00 p.m.

Members attending were Julian Bivins, Chair; Karen Firehock, Vice-Chair; Tim Keller; Rick Randolph; Corey Clayborne; Daniel Bailey; Jennie More; and Luis Carrazana, UVA representative.

Members absent: None.

Other officials present were Lea Brumfield; Tori Kanellopoulos; Frank Pohl; Andrew Knuppel; Charles Rapp, Planning Director; David Benish; Andy Herrick, County Attorney's Office; Mariah Gleason; Rebecca Ragsdale; Michaela Accardi; Amelia McCulley; Jodie Filardo; Bart Svoboda; Vivian Groeschel; 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. Keller, Ms. Firehock, Mr. Randolph, Mr. Clayborne, Mr. Bailey, Mr. Carrazana, and himself.

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

Consent Agenda

Mr. Bivins asked the Commissioners if they would like to pull an item from the consent agenda. Hearing none, he asked for a motion.

Ms. More moved to approve the consent agenda.

Mr. Clayborne seconded the motion, which carried unanimously (6:0). (Ms. Firehock was absent from the vote due to technical difficulties.)

Public Hearing Items

ZTA202000001 Erosion Protection Performance Standards

Ms. Lea Brumfield, Senior Planning in Zoning, presented the Zoning Text Amendment for applying erosion protection standards throughout the County's Development Areas. She said she was joined by County Engineer Mr. Frank Pohl, who would address any engineering questions.

Ms. Brumfield said currently, the Steep Slopes Overlay District applies to slopes with over a 25% grade in the Development Areas of the County, and this applies design standards to reduce slope erosion and increase stream protection. She said these design standards include best practices for reducing erosion, and they are required whenever steep slopes are disturbed.

Ms. Brumfield said as a core value of the County is stewardship, and the vision for the County includes healthy ecosystems, the Board has prioritized stream health in the County -- an acknowledgement that development can be damaging to natural ecosystems. She said this ZTA aims to reduce that damage by requiring erosion protection standards across all slopes in the County, and not just the ones in the Steep Slopes Overlay District.

Ms. Brumfield said to achieve the aims of protecting stream health, the Board began reviewing stream buffers and other proposals in December of 2017. She said through the next year (2018), the public provided input on those proposals, and the Board continued to consider them. She said in 2019, the proposals were refined, and a total of five stream health initiatives are underway, with one of those initiatives being the ZTA before the Commission that evening.

Ms. Brumfield said this ZTA would be going to the Board of Supervisors for public hearing on July 15 and at that time, the Board will also be holding a work session to address another of the stream health initiatives to amend the Water Protection Ordinance.

Ms. Brumfield said the ZTA adopted a Resolution of Intent on December 18, 2019, and staff is bringing to the Planning Commission their recommendations.

Ms. Brumfield said currently, in the Steep Slopes Overlay District, the design standards (Section 30.7.5) include limitations on retaining walls, best practices for cut and fill, and the requirement of reverse slope benches or surface water diversions to avoid channeling. She said in the work sessions, the Board determined that these design standards should apply to the Development Area (outside of just the Steep Slopes District) to any land-disturbing activity that requires a VSMP or VESCP, which is the Virginia Stormwater Management Plan or Virginia Erosion Sediment Control Program. She said currently, this would be any land-disturbing activity that disturbs over 10,000 square feet (or 100 feet by 100 feet). She said this is not a large area.

Ms. Brumfield said that by applying the standards throughout the County, one of staff's recommendations was to apply a maximum retaining wall height of 10 feet to activities that are not in the Steep Slopes Overlay District. She said staff recommends keeping the 6 feet height limit for retaining walls that are in the Steep Slopes Overlay District to not change this at all.

Ms. Brumfield said currently, retaining walls outside of the Steep Slopes Overlay District have no height limits, and staff believes that a retaining wall height of 10 feet provides benefits of increased safety and minimizes visual impacts of new developments, but that it will not pose an undue restriction on new developments. She said staff also hopes that the 10-foot limit will provide a balance check against developing slopes that are completely inappropriate for the use that is being proposed.

Ms. Brumfield said in the past 24 hours, staff has received feedback from members of the public on the ordinance that was posted on public agenda. She said they requested feedback and clarification on two points, noting that these were excellent points she wanted to bring to the Planning Commission. She said the first was that the language in proposed Section 4.3.3-C, which addresses the reverse benches for intervals, was confusing. She said this language does currently exist and is not a change. She said it is being moved from Section 4 of the Steep Slopes Overlay District. She said the complaint was that this has been a confusing piece of language throughout its application.

Ms. Brumfield said the County Engineer has been working with his staff, and that this is not the first time they have heard this complaint. She said he is trying to wordsmith the language to clarify intent and application. She said this would not change the way the ordinance has been applied, and would not change the application in the future. She said it is just a clarification that they did not have in the draft that is before the Commission that evening.

Ms. Brumfield said the second piece of feedback was that applying design standards only to land-disturbing activities requiring a VSMP or VESCP might be removing application of the standards from potential smaller land-disturbing activities in the Steep Slopes Overlay District. She said this was not the intention of the ZTA. She said staff had hoped that the VSMP or VESCP would apply to basically any application, but staff did receive feedback that this may not have the intended outcome.

Ms. Brumfield said staff would recommend editing the current draft to continue to apply design standards to all land-disturbing activities in the Steep Slopes Overlay District and not just the ones that are requiring VSMP or VESCP, which currently is disturbance of 10,000 square feet at the time. She said the edit staff recommends is to apply it to all permitted uses by right, or by Special Use Permit, as it currently stands in the ordinance today.

Mr. Keller said it was great to see this finally happening, as this has been talked about and worked on for a long time. He said he had a specific question as to why staff elected to go with the 6-foot retaining wall height as opposed to the 10-foot retaining wall height.

Ms. Brumfield replied that 6 feet is what currently exists in the ordinance for the Steep Slopes Overlay District. She said this has been in the ordinance since the beginning of the Steep Slopes Overlay District, and staff did not want to reduce the standards in the district, but only apply them elsewhere as well, as applicable.

Mr. Keller said if he understood correctly, it would be 10 feet in the other areas.

Ms. Brumfield replied yes. She said it would be more lenient outside of the Steep Slopes Overlay District, so it would take the existing limits of 6 feet and make it more lenient because the slopes outside of the Steep Slopes District are not quite as much in danger of erosion because they are not in that classification of steep slopes.

Mr. Keller said in terms of protecting the existing topographic feel of Albemarle County, he was not sure himself that 6 feet isn't better than 10 feet, but he understands the argument.

Mr. Pohl said the 6 feet was developed some time ago for aesthetic purposes to break up what a large wall would look like. He said staff wanted to be less restrictive because this would apply to a greater area in the County to not create a more burdensome or heavily burdensome project with a higher wall. He said there was a balance as to what was the best height. He said 6 feet was seen as perhaps being too short, and 30 feet was too tall.

Mr. Pohl said they received some input from the development community, and it seemed like 10 feet was a reasonable height. He said there was a comment about why they wouldn't be made the same. He said to make it less of a review issue, problem, or confusion during review, lowering it to 6 feet would be more restrictive than allowing 10 feet, which is the reason for allowing 10 feet. He said raising it from 6 feet to 10 feet would go against the aesthetic reason for 6 feet in the first place.

Mr. Bivins opened the public hearing.

Mr. Morgan Butler (Southern Environmental Law Center) said his group had raised the second comment that Ms. Brumfield went over in the staff report, and that he wanted to elaborate on this. He said SELC is definitely supportive of the concept of extending the erosion protection performance standards to apply County-wide to all land-disturbing activities that will submit either VSMP or VESCP.

Mr. Butler said SELC just had the potential concern that Ms. Brumfield went over, and to elaborate on this, the proposed ordinance changes would move that subset of erosion protection standards out of the section where it currently exists in the Steep Slopes Overlay District and move it to a new section earlier on in the County Code. He said the new section is phrased such that the new standards will apply County-wide, but they would only apply to land disturbances that trigger a VSMP or VESCP. He said in other words, as Ms. Brumfield explained, those disturbances must meet certain size thresholds that trigger those plans in order for those standards to actually apply.

Mr. Butler said in the current section where the standards exist in the Steep Slopes Overlay District, there is no mention of a size threshold or having to trigger the VESCP or VSMP. He said in other words, they are written to apply simply at the land disturbance as to establish a permitted use. He said SELC's concern is that there may be a subset of disturbances to steep slopes that are currently subject to those erosion protection standards but, as they may be smaller than the size thresholds that trigger the VESCP or VSMP, would no longer be subject to the erosion standards if they are moved out of that section, and only apply if those plans are triggered.

Mr. Butler said SELC's suggestion was, rather than moving the standards from where they currently exist to a new section that has slightly different language about when they are triggered, to simply keep the current steep slope provisions as they are drafted, then have the new section that applies more broadly to the land disturbances that would trigger the VESCP or VSMP.

Mr. Butler expressed his appreciation to the Commission for continuing government during COVID-19.

Mr. Neil Williamson (President, Free Enterprise Forum) said he wanted to thank staff for meeting with Mr. Butler, Mr. Jeremy Schwenk, Mr. Charlie Armstrong, and himself in October of 2019 to discuss the practical implications of these and other changes that are being discussed at the County. He said this proactive approach provided everyone a greater understanding of the overall goals and objectives.

Mr. Williamson said Free Enterprise Forum raised a few minor concerns that they have shared with staff, some of which were discussed that evening, and that Ms. Brumfield and Mr. Pohl have addressed many of these minor points. He said they do have a concern about the 10-foot walls and that they believe it would be better to have 10 feet everywhere.

Mr. Williamson said he was also worried about future interpretations of Section 4.3.3-D. He said the way this is written is that all surface water shall be diverted from all cut and fill slopes. He said if a new house on a new lot has a 3-foot fill slope from the backyard down to an existing mature woodland, does the sheet flow from a couple of downspouts or even the lawn itself have to be diverted to not allow a rundown of a 3-foot slope to the woods. He said in his world, it is impractical and does not have a benefit. He said it would seem like this would prohibit sheet flow to the

woods, which is actually a best management practice in many cases. He said perhaps Section 4.3.3-D should only apply when Section 4.3.3-C-1 applies.

Mr. Williamson said from a larger vision perspective beyond the issues, this was one more step that is incredibly important to protecting stream health, but that it further reduces the Development Area. He asked when the Planning Commission would discuss expansion of the Development Areas. He said it would take a decade to have that conversation, and that he believes they should get started soon.

Mr. Williamson echoed Mr. Butler's appreciation for the Commission keeping government moving forward during COVID-19.

Mr. Bivins closed the public hearing and brought the matter back to the Commission. He asked staff if they wanted to provide more clarity on what was heard from the public.

Ms. Brumfield said the comment that Mr. Williamson had brought up was something that staff had looked at, and is something they would like to clarify. She said the Municode draft of the ordinance actually has an incorrect formatting, which was not brought to light until this particular comment. She said Section 4.3.3-D of the ordinance should actually be number 4. She said it should be reverse slope benches or a surface water diversion, with #4 being the surface water diversion. She said this was a mistake at some point, either when Municode was brought in, or earlier. She said this was a change that would clarify that it is when required as applied under C-1, which is whenever the vertical interval exceeds a particular slope.

Mr. Pohl said this would do a lot to clear the issue because what occurs in C-1 has those extra protections such as the reverse slope bench and surface water diversions, potentially. He said part of the correction they wanted to make for this was "and/or a surface water diversion" because some people are saying it is one or the other, but actually, it could be a combination of benches and diversions. He said the intent with "D" was for concentrated flows. He said he agreed that sheet flows are not an issue, as concentrated flows are. He said the second sentence of "D" talks about the concentrated flows. He said wordsmithing the introduction to "C" would help clarify those two issues.

Mr. Bivins asked for clarification on what would be moved under 4.3.3-A.

Ms. Brumfield replied that she did not think they had any changes under 4.3.3-A. She said this the section of the retaining walls that the draft ordinance the Commission had that should read correctly.

Mr. Andy Herrick (County Attorney's Office) said what he understood was the suggestion was that what is now labeled as Subsection D be moved to C-4, which is where it is currently in the structure of the Steep Slopes ordinance.

Ms. Brumfield said this was correct. She said the Municode version of the Steep Slopes ordinance has it labeled incorrectly as (d), and that she believes it should have actually been (4). She said she was not sure when that mistake occurred.

Mr. Bivins asked if staff was also talking about doing some additional wordsmithing to clarify.

Mr. Pohl said this was correct for Section C and not Sections A or B. He said he believed they

were sticking with 10 feet as the recommendation, although he knew there was an objection there. He said with regard to Section C, regarding reverse slope benches, he was not sure if this were the final wordsmith, as it could be “and/or” instead of simply “or.” He said he needed to get some input to make sure that the concern that was brought to staff’s attention that week is addressed.

Mr. Pohl said the issue is whether or not both reverse slope benches and surface water diversions may be required. He said he believes they could both be required, and staff is being challenged by someone stating that it is either one or the other. He said he wanted to make it clear that it could be both in the way that this ordinance is written without any kind of interpretation or gray area. He said there is a bit of gray area in Section 4-c.

Ms. More asked if Mr. Butler’s concerns had been addressed.

Mr. Pohl replied that when this was originally thought of, it was part of the larger discussion of stream health. He said part of that discussion was lowering the threshold of 2,500 or whatever it would be lowered to, noting that it was not decided at the time. He said it was then pulled out of that workflow, and that this may be why this was in the language as part of the VESCP program as being the trigger. He said he understood Mr. Butler’s point that if it is pulled out of Section 30.7.5, then those overlay districts would not have the same trigger that it does now, which is no threshold.

Mr. Bivins asked if this was an unintended consequence that they wanted to move forward with, or try to correct or mitigate it in some way.

Ms. Brumfield replied that staff recommends amending the draft ordinance to retain the existing application of the design standards to the Steep Slopes District.

Mr. Bivins asked if this would then be the mitigation.

Ms. Brumfield replied yes. She said staff had not intended this consequence.

Mr. Herrick said if he understood correctly, this would entail that in Section 30.7.5, that Subsections B and C would be retained, and not deleted as indicated in the attachment.

Ms. Brumfield concurred.

Mr. Keller asked what the life expectancies are of the block walls being seen everywhere as opposed to the poured concrete reinforced retaining wall.

Mr. Pohl replied that it was about 50-100 years. He said he didn’t know, as it depends on installation. He said there are geotechnical issues that can go wrong with them. He said he is not an expert on the geotechnical side, but could get an answer for Mr. Keller.

Mr. Keller said he reads online about 50-100 years, and agreed that it would depend on the construction techniques.

Mr. Pohl said he would not necessarily say that it was any different from a concrete wall if they are installed properly.

Mr. Keller said he would like to go back to the heights again. He said he respectfully did not buy the argument that because of where these might happen, they need to work and have a lesser cost for the developer if it is going to, over time, be diminishing the visual quality of the overall environment. He asked how tall the retaining walls are that step back at Lowe's, as well as the wall at 5th Street Station and the one at the new hotel on Route 250 East near the bridge over the Rivanna. He said he thinks they need to think about these massive walls that are being created instead of working with the topography of the sites. He said he thinks that the 6-foot series of stepbacks are less visually offensive than the large series of 10-foot walls.

Ms. Brumfield said she was not sure on the exact heights, but that she knows that the 5th Street Station wall is well over 30 feet tall.

Mr. Pohl said he believes it is around 30 feet. He said the ones at Lowe's are like 6-8 feet tall, or 6-10 feet. He said he did not know their heights, but that they are definitely shorter. He said he was not familiar with the other example Mr. Keller asked about.

Mr. Keller said philosophically and obviously, this was a big improvement, which is why he would support it. He said he did not agree with having these engineering solutions to everything so that the larger footprint on the smaller lot is going to be developed. He said he thinks that working with the top of the [inaudible] line on Pantops, for instance, as opposed to cutting down 2-3 stories is both an environmentally (because of hydrology and soils) and visually (because of this cut to the land) appropriate solution. He said they should be working towards standards that are better than these, but that he would rather have these standards than no standards, which is why he would support them.

Mr. Randolph said that for him, this recalls the fact that when 5th Street Station's wall went in, as they would recognize from the so-called "twin peaks" that were then constructed on Avon Street Extended, the fill was not put in correctly. He said if they are going to increase the height of the retaining walls, he would suggest it is absolutely critical that they be ensured that, as a County, they have a very thorough inspection prior to backfilling of the wall to ensure that the appropriate gravel or stone mix is placed next to the wall so that water can then move down and does not gather, and earth is not against the wall where a mass of water could, in fact, gather and expand during freezing temperatures and push out against the layer of walling that is there and shorten its life expectancy.

Mr. Randolph said it will be critical if they are going to a higher height for the wall to be ensured that they have a thorough inspection and that the backfilling does not occur until it is signed off on by the County Building Inspector.

Ms. Firehock said she wanted to comment on what Mr. Keller and on what Mr. Williamson had also mentioned -- the notion that by somewhat restricting the amount of height one can use for walls is anti, or counter to, growth in the Development Area. She said the County is awash in single-story commercial structures. She said if one were to go to a Whole Foods, for example, in Washington D.C. or Northern Virginia, they would find a two-story Whole Foods with parking underneath. She said the County is using up a tremendous amount of land, and that it is possible to avoid slopes by going taller. She said she was not talking about skyscrapers, but only two stories.

Ms. Firehock said she thinks this is what Mr. Keller was getting at -- that with better and more creative design, they can avoid over-disturbing these areas and respect some of the topography. She said she is generally in support of this, although she is somewhat disturbed by the amount of changes she has been writing down during the discussion. She said she was a little concerned about having a clean version to vote on, or to have the changes understood enough so that everyone is clear on what they voted "yes" or "no" for.

Mr. Bailey said Mr. Pohl had suggested that in what he believes will be Section C, they should add clarification of reverse slope benches "and/or" to allow for both. He asked if this would also hold true for reinserting the language of Section C in the Steep Slopes provision.

Mr. Pohl replied that he would recommend this.

Mr. Bailey said this was the only clarification he needed. He said he appreciated the work by staff to engage the development community to try to find the balance of extending this to non-steep slope areas. He said it is a challenging decision to make on the height. He said he personally has a retaining wall on his property and had to go through the process himself, so he recognizes that it is challenging. He said from that personal experience, if he had to do 6 feet and stepback on the small lot he lives in in Belvedere, he would not have had a yard left. He said getting the 8-foot retaining wall allowed him to have a backyard of 25 feet.

Mr. Bailey said there was a lot of talk about the commercial implementation of these walls, but that there is some impact on the residential and homeowners as well. He said this would increase the cost to implement a wall if they had to get to 8 feet and put in two walls, which involves additional block, tow, and other disturbances to deal with. He said he feels that staff worked hard to create a nice compromise for homeowners as well and existing residential property owners, and not just commercial development.

Mr. Bivins asked Mr. Herrick if he could put up a motion that would address the wordsmithing.

Mr. Herrick replied yes, and that he recalled that the last slide of the presentation had a proposed motion. He said he has been tracking what was discussed that evening, so if the consensus were to move forward with the staff-recommended ordinance, he would be happy to help try to navigate through a motion for that.

Mr. Bivins asked if anyone had a comment on an issue they would like to continue with. Hearing none, he asked Ms. Brumfield to share her screen to show the motion.

Mr. Herrick said if he understood the consensus of the Commission correctly, the motion would be to recommend approval of ZTA202000001 as shown in the draft zoning ordinance of the staff report, with the following changes: to clarify the reverse benches and/or surface water diversions are required for any interval exceeding 10, 20, 30, or 40 feet in Section 4.3.3-C; and the amendment of retaining Subsections B and C of Section 30.7.5; and reorganizing proposed Section 4.3.3-D to instead be Subsection C-4.

Mr. Bivins said this motion would capture the conversation.

Mr. Randolph moved to recommend approval of ZTA202000001 Erosion Protection Performance Standards as shown in the draft zoning ordinance of the staff report, with the following changes: to clarify the reverse benches and/or surface water diversions are required for any interval

exceeding 10, 20, 30, or 40 feet in Section 4.3.3-C; and the amendment of retaining Subsections B and C of Section 30.7.5; and reorganizing proposed Section 4.3.3-D to instead be Subsection C-4.

Mr. Bailey seconded the motion, which carried unanimously (7:0).

Old Business/New Business

Community Meetings

Mr. Rapp said he wanted to give an update on community meetings and the process they have undergone throughout the pandemic to make sure everyone is on the same page. He said community meetings are required in the ordinance for Zoning Map Amendments, Special Use Permits, and Special Exceptions. He said the purpose of the community meetings is to provide some input and interaction with the community, discussions and back-and-forth, questions about projects with developers and with staff so that they can better prepare these applications for the Commission and Board.

Mr. Rapp said the ordinance says that the meetings may be held during CACs, which has been frequently done in the past. He said there is also the option to waive those meetings if it is unlikely to generate any public concern due to the reasons listed. He said this does not happen often.

Mr. Rapp said with the pandemic, they had an issue with conducting public meetings and having people attend in large groups. He said they worked with Mr. Herrick and the rest of the legal counsel, as well as with other management staff, to recommend Emergency Ordinance elements that were adopted by the Board, as well as an Executive Order, addressing many different things and allowing them to have the virtual meetings. He said one item it addressed is community meetings and allowing them to conduct those through alternative means, as they could not have CACs or community meetings in person.

Mr. Rapp said they looked at many different options regarding what they could utilize with their current technology and ways to still engage staff to meet the intent of the ordinance. He said they came up with a couple of options, based on the type of projects they started implementing.

Mr. Rapp said Option 1 was for the smaller projects that were less likely to generate concern or a lot of comment. He said they utilized Microsoft Forms, which is an online feedback form, with some set questions and provided some ways for people to call in or email staff to have discussions on the projects during a two-week comment period. He said those were for the projects that are much smaller in nature and more minor.

Mr. Rapp said they did have the caveat that if a significant number of comments were received, staff would proceed with the other option, which is a virtual meeting. He said this is before they had everything set up, and they worked with developers to see if they had a way to conduct this through Zoom or another platform. He said this was successful and that they have done a few of those as a way to get those going before having the CACs back online, to start getting back to somewhat of a normal process.

Mr. Rapp presented a list to show the meetings and how they evolved. He said over the past few weeks, they have started bringing back the CACs, such as 5th and Avon, which they thought was necessary for the Albemarle Business Campus project. He said they had meetings for 29 North and Hydraulic Road, and had the Crozet CAC working on their Master Plan. He said they would

slowly be bringing these back on through a different online method calling Public Input, which is similar to Zoom, but more engaged with presenting plans and providing comments. He said those have been successful, and they continue to roll out those.

Mr. Rapp said for small projects where the requirement was waived, these included H&H Care Car that had come through the Commission, and MonU Park, which were very minor in nature. He said Scott's Ivy Exxon was a great example of using online forms, and that there was a lot of engagement that Ms. Kanellopoulos dealt with, as well as on a few other projects, which seemed to be successful. He said now, they are working back towards the virtual meetings as they unveil the CACs and get into more of a routine with the options before them.

Mr. Clayborne asked Mr. Rapp if he thought Planning Commission meetings would continue to be held online for the foreseeable future.

Mr. Rapp replied that this would be the case at least for some time. He said there is Phase III, which does not have a set date. He said right now they are in Phase II, and that Phase III would allow some larger groups with social distancing. He said this would allow up to 50 people present for public meetings. He said they will want to make sure this is done safely, and so for the immediate future, they still plan to do virtual meetings.

Mr. Rapp said that next week, the Commission will have their first taste of a much more engaged meeting with a lot of public input. He said Mr. Fritz would be coming back next week to present the Yancey Lumber project and some Special Exceptions that have been requested for their site. He said he did see the virtual meetings proceeding for a while in the future, at least until they are cleared to move forward in a more controlled setting. He said it seemed that at least for another month or so, virtual was the route they were taking.

Ms. More said she would like to have a hard copy of the packet for the meeting next week, and asked if she could pick it up the next day.

Mr. Bivins said pickups usually happen on Fridays. He said Ms. Shaffer had made many copies, and they were not being picked up. He said it seems that only two Commissioners were picking them up. He suggested that if there is a meeting coming up where a hard copy is needed, the Commissioners should let Ms. Shaffer know, as she does not produce them until Thursday for a Friday pickup.

Ms. More said oftentimes if there are back-to-back meetings, they would be at the Commissioners' places.

Mr. Bivins said that because the offices are not open every day, and because staff has a schedule they are in, Ms. Shaffer plans to do all the publishing on Thursday so they can be ready to be picked up on Friday.

Mr. Bivins said he imagined many Commissioners would want a hard copy packet for Yancey. He said if they have a sense of that now, perhaps Mr. Rapp could give Ms. Shaffer some indication. He asked if anyone else wanted a hard copy.

Mr. Bivins asked if three people needed copies.

Mr. Rapp said staff appreciated as much notice as possible. He said they have some limitations to their copy center right now, but staff would take care of these, if needed.

Mr. Bivins said it is important, since there is a public piece of this, that because the Supervisors, Mr. Rapp, and his staff have been able to keep going, there are 650 building permits that turn into a value of \$108 million of activity, which is huge. He said this is huge work that the people in Community Development have done, and while he is not comparing it to any of their sister or non-sister communities, Albemarle County kept going while some of them are just starting to keep going.

Items for Follow-Up

Mr. Benish said an appointment needs to be made to the Rivanna River Corridor Study Committee, and that back in January when they made the appointments, they only made one appointment to this committee, but there were actually supposed to be two. He said there is a homework assignment for the Commission to think about who they would want, or who would be interested.

Mr. Keller mentioned he is a member.

Mr. Benish said the Commission could let either he or Mr. Rapp know who would be interested. He said what they would have to do technically is that there is a vote on the membership, and once the decision is made and if there are multiple people interested, they can decide at the end of a meeting, or let him know what that appointment is. He said Mr. Rapp can arrange a reapproval of that list of membership. He said this can be done at the next Commission meeting, or the one after. He said there is not an urgent meeting coming up immediately, but that it should be taken care of.

Ms. Firehock said that usually, it is helpful to know when and how often these groups meet, for those who have day jobs, to know whether or not the meeting times are doable. She said Mr. Clayborne, for example, has to go to Richmond for work.

Mr. Benish said he would confirm this, but that he believed it was either a 4:00 p.m. or 5:00 p.m. meeting. He said it is also very sporadic.

Mr. Keller said this was correct. He said it is sporadic in that it is tied to the funding of the phases of the joint study with the City, County, and Planning District. He said if this were known, perhaps this would give an idea of how many meetings there will be. He said it seemed to him that there were four meetings within a two-month period, and then no meetings within a six-month period.

Mr. Benish said there was almost six months of no activity, then more. He said he was new to the project, and that Ms. Elaine Echols has come back to do some contract work. He said she would not be doing that any longer, however, and that he and Ms. Rachel Falkenstein would pick up this work. He said he needed to get a better idea on what the upcoming schedule is. He said he understood from Ms. Echols and Ms. Falkenstein that there is not an imminent meeting coming up, but that it would probably be another month or so. He said he would confirm the time and when they think the next meeting will be, so they get a better sense for the upcoming work.

Mr. Keller asked what the technical name is of the project, as the last report is on the Thomas Jefferson Planning District website and one can visit to understand the phases of the project.

Mr. Benish replied that it is called Rivanna River Corridor Study, and the committee is considered the Steering Committee.

Mr. Benish reminded Mr. Bailey that as far as committees go, the way they have functioned in the past as Planning Commissioner representatives are that the Commissioner is automatically chosen to be the liaison for the CAC in their Magisterial District. He said there will be an upcoming Places29 (Rio) CAC meeting, and that he was asked to give Mr. Bailey notice that he would be hearing from Ms. Falkenstein or another staffer about the upcoming meeting.

Mr. Bailey asked Mr. Benish if he could continue to send any email correspondence to his Gmail account, as his County email was having technical difficulties.

Adjournment

At 10:15 p.m., the Commission adjourned to June 23, 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 Services)

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| Approved by Planning Commission |
| Date: 07/07/2020 |
| Initials: CSS |