

**Albemarle County Planning Commission
Final Minutes Regular Meeting April 9, 2024**

The Albemarle County Planning Commission held a public hearing on Tuesday, April 9, 2024, at 6:00 p.m.

Members attending were: Fred Missel, Chair; Luis Carrazana, Vice-Chair; Corey Clayborne; Karen Firehock (remote); Julian Bivins; Lonnie Murray; and Nathan Moore.

Members absent: none

Other officials present were: Kevin McDermott, Deputy Director of Planning; Andy Herrick, County Attorney's Office; Andy Reitelbach; Rebecca Ragsdale; Margaret Maliszewski; and Carolyn Shaffer, Clerk to the Planning Commission.

Call to Order and Establish Quorum

Ms. Shaffer called the roll.

Mr. Missel established a quorum.

Ms. Firehock said that she was located in Howardsville, Virginia, and she requested to participate in the meeting remotely due to a bronchitis infection.

Mr. Bivins motioned to allow Ms. Firehock to participate in the meeting remotely, which was seconded by Mr. Moore. The motion carried unanimously (7-0).

Public Hearing Items

ZMA202300016 Stonefield Code of Development Amendment – Motor Vehicle Sales and SP202300019 Stonefield Outdoor Display/Storage

Mr. Missel said that there was consensus from the Planning Commission to combine ZMA202300016 and ZMA202300019 into a single public hearing.

Rebecca Ragsdale, Planning Manager with the Planning Division, was accompanied by Margaret Maliszewski, another Planning Manager who had also worked on this item. She said there were two items on the agenda, which would be combined into one presentation covering both items, followed by separate actions for the Commission.

Ms. Ragsdale said that the subject matter was associated with Stonefield, zoned Neighborhood Model and had a code of development which lists the permitted uses. She said that there was an application plan and proffers related to this matter. She said that the rezoning proposal aimed to amend the use table within the code of development to include motor vehicle sales of up to 4,500 square feet in certain blocks. She said that if more than 4,500 square feet was required, it would still need a special use permit. She said that currently, motor vehicle sales required a special use permit, so this amendment would include two tiers.

Mr. Ragsdale said that a special use permit was also required for the proposed outdoor storage or display of vehicles, limited to about 10 parking spaces. She said that this location was in the entrance corridor, which necessitated the special use permit. She said that the property in

question was located at the corner of Seminole Trail, or Route 29, and Hydraulic.

Ms. Ragsdale said that as shown on the map provided, the two areas where the use was proposed were 1951, which included the old Pier 1 space, some adjacent spaces to that, and 1954, which comprised some other spaces adjacent to the Regal Movie Theater. She said that the comprehensive plan designated this area as urban mixed-use, with auto uses contemplated. She said that automobile service and sales were proposed as secondary uses, which were minimal and limited, fitting well within the master plan's guidelines. She said that consequently, they had no concerns regarding this aspect.

Ms. Ragsdale said that they reviewed the proposal's location alongside the Architectural Review Board's recommendations for approval. She said that this analysis focused on the spaces near the Regal Theater and those proposed adjacent to the potential showroom and sales office. She said that additionally, that they included a closer look at the areas surrounding the theater. She said that the existing landscaping effectively screened the parking lot, preventing any negative impacts from the parked vehicles. She said that cars were situated in existing parking spaces, so no additional landscaping was recommended.

Ms. Ragsdale said that they considered the consistency of the proposal with the master plan guidelines and believed that, given its size, scale, and nature, it aligned with the original intent of the Stonefield code of development. She said that as a result, staff recommended approving both proposals: the rezoning to amend the code development and the special use permit for outdoor storage and display, adhering to the Architectural Review Board's conditions. She said that these conditions included parking spaces being within the existing striped spaces and vehicles not being elevated anywhere on site.

Mr. Clayborne asked if this would require charging stations anywhere on the site.

Ms. Ragsdale said that they anticipated having charging stations installed in the current parking spaces for potential display purposes.

Mr. Clayborne asked if they were anticipating some there.

Ms. Ragsdale said they were. She said that the applicant could clarify that further.

Mr. Clayborne said that he understood that this item had been presented before the ARB. He asked if there was any plan to install building-mounted security cameras to monitor vehicles, or similar measures. He said that he was unsure if this topic had been discussed with the ARB, but knew that these were very valuable assets.

Ms. Ragsdale said that she would allow the applicant to address that; however, she believed it was not discussed at the ARB.

Mr. Bivins said that he could not identify which were Blocks A, B, C, D, and G on the plan. He said that he did not believe they were included in the packet.

Ms. Ragsdale said that she thought it was. She said that it was from the Code of Development, focusing on Neighborhood Models. She said that uses were determined by blocks, and A represented the area anchored by the Trader Joe's. She said that A was home to building 19, while C was where the movie theater was. She said that to clarify, the layout consisted of A, C, and B as commercial blocks, with an additional commercial block located in G.

Mr. Bivins asked if approving the proposal would not only benefit one vendor but also allow another vendor located nearby to conduct sales there. He asked whether they could potentially permit an additional vendor to participate without obtaining a special use permit.

Ms. Ragsdale said that yes, the rezoning was meant to allow such flexibility.

Mr. Bivins asked if they would allow staff to say no vehicle elevation as opposed to having to go through the ARB.

Ms. Ragsdale said that the flexibility pertained to motor vehicle sales and was based on the underlying use. She said that if a proposal ensured no visible vehicles from the entrance corridor, it might not require revisiting ARB or the SP process. She said that the SP was very specific in terms of the permitted vehicles, allowing 10 spaces in the reviewed location.

Mr. Bivins said that if another vendor or manufacturer sought to engage in direct-to-consumer sales, they would need to secure additional parking spots allocated to them, as the current ten spots are reserved exclusively for the expected dealership expansion.

Ms. Ragsdale said that there were ten approved spots for use by anyone who wanted to use them.

Mr. Bivins asked if another manufacturer would have to get spots allocated to them.

Ms. Ragsdale said yes.

Mr. Bivins said that he was troubled by the fact that they needed to go to the ARB to get six parking spaces. He said that as this was his neighborhood, he knew that there could be 20 Teslas at any point in time over there. He said that by chance, they could have 20 Teslas parked in a line. He said that the fact that they had to go to the ARB to get permission to park six Teslas next to the structured parking for the movie theater felt like they had wasted a lot of people's time as well as staff's time and people's money.

Mr. Bivins said that it was a parking lot, so at any point in time there could be at least 15 or 20 Teslas parked over there. He said that as they reconsidered this situation and the idea of what constitutes sales and services in the ordinance, they must be flexible with a specific vendor type that deviates from traditional automobile vendors. He said that they should not treat them the same as, for example, L.L. Bean selling kayaks. He said that they needed to adapt their ordinances to accommodate this new approach to direct-to-consumer sales.

Mr. Missel said that for the record, the ARB did review the kayaks on the L.L. Bean.

Ms. Ragsdale said that they indeed did, and she included it in the historical record.

Mr. Carrazana said that they had previously handled the outdoor display with the Home Depot.

Mr. Bivins said that in the future, he hoped that they could engage in a conversation with the ARB so they may focus on matters not related to trivial issues. He said that Ms. Maliszewski would keep him straight on this issue, but he believed they could use their time better.

Margaret Maliszewski, Planning Manager, said that they all agreed. She said with the zoning ordinance changes, that their aim was to alter the requirement for a special use permit concerning outdoor displays by replacing it with design standards. She said that these standards would

represent the typical conditions of approval.

Mr. Bivins said that they did not have that many outdoor displays, so perhaps they should address the holiday displays. He said that they were all aware of the Frank Lloyd Wright building on Park Avenue and 56th Street, where Mercedes and Porsche had their building. He said that while this would not be that it would be taking over half of the Pier 1 spot, but the fact that times change and Albemarle County should be able to change, too. He said that they would not be Frank Lloyd Wright, but they could create some freedom for this new way for people to sell vehicles, and Stonefield was a perfect place for that.

Mr. Missel opened the public hearing. He asked if the applicant would like to address the Commission.

Steve Blaine said that he was representing Stonefield. He said that project manager Kendra Wallsman was present as well. He said that he would confess that he did not have any unique images because Ms. Maliszewski and Ms. Ragsdale had created exceptional slides, which he used during the community advisory committee meeting and would not go through them again.

Mr. Blaine said that they were requesting the ZMA because they were amending the code of development. He said that when they initially wrote the development code, they were less experienced and perhaps more earnest. He said that Frank Cox and he were the authors of the original code, and when considering an urban destination neighborhood model, they did not envision a conventional auto dealership.

Mr. Blaine said that it was simple to categorize it as a special use permit. He said this was an example of what Mr. Bivins had been discussing in regards to the evolution of business models. He said that the Tesla business model, for instance, did not involve displaying numerous car models on the floor. He said that in a way, it was a return to the past; when he was growing up in Chicago, Mercedes and Cadillac dealerships showcased their vehicles in office building lobbies. He said that they had come full circle.

Mr. Blaine said that he concurred with the comments about the need for the ARB. He said that Tesla initially applied on its own but withdrew after learning about the process. He said that fortunately, Stonefield, along with the O'Connor Group, recognized the potential benefits and brought them back into the project. He said that in that case, they had to resubmit the application. He said that he understood and agreed with their stance on this matter. He said that consequently, Tesla remained within the County rather than the City. He said that that was an example where it could make a difference.

Mr. Bivins asked if Mr. Blaine could elucidate on whether there would be chargers at this location.

Mr. Blaine said that there would be additional chargers for the display models. He said that there were currently six to eight Tesla chargers already present.

Mr. Missel asked if there were any members of the public who wished to speak on this item. Seeing none, he asked the Clerk if there were any speakers signed up online.

Ms. Shaffer said that there were none.

Mr. Missel closed the public hearing and the matter rested with the Commission.

Mr. Moore said that he would find another parking spot when he visited the coffee shop.

Mr. Bivins said that to foster economic growth for shopping and commercial locations, they must adopt a flexible approach to what constitutes commercial development. He said that this flexibility is crucial as consumer behavior evolves over time. He said that by cultivating synergy and energy at Stonefield, they could potentially attract high-quality businesses, benefiting the community. He said that introducing diverse establishments, rather than focusing solely on vehicular traffic, can serve as a model for their other shopping centers. He said that despite his lighthearted skepticism, he genuinely believed in this strategy.

Ms. Firehock said that she supported the SUP and this development. She said that she recalled her experience when she purchased her first car, a Chevy Nova, in an elevator-operated office building in Bethesda. She said that it was efficient and space-saving. She said that she always thought about the fact that the car dealerships at Pantops had the best views, yet they were unappreciated because there were just a bunch of dead cars sitting out there. She said that she would like to see more of this small-scale retail auto sales, and she was sure it would be quite tasteful, so she had no concerns.

Mr. Bivins moved that the Planning Commission recommend approval of ZMA202300016 as stated in the staff report. The motion was seconded by Mr. Murray.

Mr. Bivins said that he would request that when this item is brought before the Board of Supervisors, the packet should contain the information regarding A, B, and C.

Mr. Missel said that Mr. Bivins' request was noted. He called the vote for recommendation of approval of ZMA202300016.

The motion passed unanimously (7-0).

SP202300019 Stonefield Outdoor Display/Storage

Mr. Bivins moved that the Planning Commission recommend approval of SP202300019 as stated in the staff report. The motion was seconded by Mr. Clayborne and passed unanimously (7-0).

Adjournment

At 7:42 p.m., the Commission adjourned to April 23, 2024, Albemarle County Planning Commission meeting, 6:00 p.m.



Michael Barnes, Director of Planning

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

Approved by Planning Commission
Date: 04/23/2024
Initials: CSS