

**Albemarle County Planning Commission  
FINAL MINUTES November 17, 2020**

The Albemarle County Planning Commission held a public hearing on Tuesday, November 17, 2020 at 6:00 p.m.

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

Members absent: Luis Carrazana, UVA representative.

Other officials present were Rachel Falkenstein; Michael Accardi; Lea Brumfield; Charles Rapp, Director of Planning; Herrick, County Attorney's Office; and Carolyn Shaffer, Clerk to the Planning Commission.

**Call to Order and Establish Quorum**

Mr. Bivins said the meeting was being held pursuant to and in compliance with Ordinance No. 20-A(14), "An Ordinance to Ensure the Continuity of Government During the COVID-19 Disaster." He said opportunities for the public to access and participate in the electronic meeting will be posted at [www.albemarle.org/community/county-calendar](http://www.albemarle.org/community/county-calendar) when available.

Ms. Schaffer called the roll. All Commissioners noted their presence except for Mr. Carrazana, who was absent.

Ms. Firehock called the meeting to order and established a quorum.

**Consent Agenda**

There were no consent agenda items.

**Work Session**

**Rio29 Form Based Code**

Ms. Rachel Falkenstein, Planning Manager for Community Development, said she was joined by Ms. Michaela Accardi and Ms. Lea Brumfield to present the draft Rio29 Form Based Code.

Ms. Falkenstein said their presentation would start with some project background, then move into some development scenarios that are a demonstration of possible development under the proposed form-based code.

Ms. Falkenstein said the bulk of the time would be going through the code section by section and hearing questions and discussion from the Commission. She said in that portion of the meeting, staff would go through three sections of the code at a time, then pause for discussion on those three sections before moving onto the next three. She said there will be three of those chunks, with nine sections to cover. She said they would tie everything together at the end of the work session by talking about next steps and future work that staff has identified so far as they have gone through the process of drafting the code.

Ms. Falkenstein said she would offer some project background and overview, knowing that there

were some Commissioners who were not on the Commission when staff last presented this to the Planning Commission. She said this project resulted from the Rio29 Small Area Plan, which was adopted by the Board of Supervisors in 2018 and sets a vision for the area. She said the area under discussion is concentrated around the intersection of Rio Road and Route 29, which consists of about 400 acres of land and is a half-mile radius from the intersection. She said any areas of single-family residential were excluded.

Ms. Falkenstein said the plan calls for a vision of redevelopment and transformation of the Rio29 area to a multimodal future with a connected network of streets designed for all users. She said these streets would allow for cars and pedestrians to safely use the street space. She said it also envisions a network of public spaces (which was an important element of the vision to community members), as well as development that is mixed-use and vibrant.

Ms. Falkenstein said the slide on the screen listed specific recommendations from the small area plan, and that the one outlined on the screen referred to implementation steps to move the vision to reality. She said staff was there to speak that evening about this and about updating the zoning regulations so that the regulations match what are called for in the vision. She said the Plan specifically calls for form-based code as a possible tool to implement that vision, but to do so in a way that achieves some level of flexibility for creative design and market forces, while giving the community a level of certainty of forms of development that can be built.

Ms. Falkenstein said she would turn the presentation over to Ms. Accardi to talk about the engagement and work done by staff in 2020.

Ms. Accardi, Senior Planner 2 in Community Development, said she would give a quick overview of where the project has been. She said after the Board adopted the small area plan in 2018, the Board directed staff to begin work on this project in early 2019. She said this transition from a visionary document to a ready-to-adopt code document is a lengthy process and one on which staff collaborated with community members as well as fellow staff. She said this included internal staff technical working groups and a wide range of community engagement efforts, from a project steering committee that met several times to public workshops that were held at various locations in the County, focus groups, and work sessions with the Planning Commission and Board.

Ms. Accardi said all this work produced a framework document that is included as the second attachment in the staff report. She said it is essentially an outline document with all the key concepts that staff heard support for throughout 2019. She said staff has used this framework document to guide drafting the code over the past year.

Ms. Accardi said in addition to using that framework, staff has been collaborating with County internal departments and divisions such as the County Attorney's Office, Parks and Recreation, Facilities and Environmental Services, and others. She said they have also been working with transit partners such as the Virginia Department of Transportation (VDOT), Charlottesville Area Transit (CAT), and JAUNT.

Ms. Accardi said a major portion of staff's work that summer and fall had been collaboration with the Form Based Codes Institute (FBCI), which offers peer review services and convenes a group of form-based code experts that range in background from architects and developers to code administrators and municipal elected officials. She said this group reviewed an earlier draft ordinance and provided a range of comments, which staff discussed with the FBCI. She said they would walk through some specific feedback they heard from FBCI.

Ms. Accardi said FBCI also has a partner firm they work with on their development scenarios process. She said Dover, Kohl & Partners is a firm staff worked with which provided some scenario modeling. She said Ms. Brumfield would be presenting a scenario for each character area. She said that one of the firm partners, Mr. Joe Kohl, grew up in the Rio29 area, has distinct memory of a very rural Rio29, and was able to share some of his contextual knowledge of the place. She said it has been fun to work with him and learn that history.

Ms. Accardi said staff also reconvened the Steering Committee for the project in October, which had reviewed an earlier draft as well. She said in the past week, there have been virtual sessions with property owners, community members, and the development community. She said staff sent out postcards to all the tenants and property owners in the area to invite them. She said in addition to the work session with the Planning Commission, there will be a work session with the Board of Supervisors in December.

Ms. Accardi said she had just shared information on the history of the project, and that staff was excited to share the draft form-based code with the Planning Commission. She said it was based on the feedback she just shared, and that staff would receive the Commissioners' feedback on the current code content, to be incorporated into the revised draft to share with the Board at their December work session. She said staff would also spend some time that evening hearing the Commissioners' feedback on how to prioritize future work.

Ms. Lea Brumfield said she would present the development scenarios. She said part of the contract with consultant services, as Ms. Accardi described, included demonstrations of whether the code could achieve the goals envisioned for the Rio29 area, as well as if the regulations were even feasible for developers.

Ms. Brumfield said staff wanted to get a better feel for the development types, density, types of forms they are asking for and to see what will happen under the code. She caveated for the Commission and any members of the public listening that these scenarios were not proposals, nor design requests. She said they are simply an exercise in imagination, as shaped by the draft form-based code requirements.

Ms. Brumfield presented a slide on "Core Existing Conditions" that showed the first of the three scenarios prepared (one scenario for each character area). She said the first site shown was the corner of Rio Road and Route 29, which is currently dominated by disparate single-level retail and parking lots. She said as a "Core" site, which is intended to be the densest and most urban-type character area, this would naturally change.

Ms. Brumfield said this would be a key site for the Rio29 area because it is one of the faces of the area. She said it would include a large, prominent civic space that staff envisions to be adjacent to the Northside Library area. She said the scenario model shows incorporation of some of the existing structures (such as a two-story retail building) into the more dense, taller, new developments. She said it still relegates parking to the rear and incorporates many of design elements such as larger sidewalks, more interesting and articulated facades, smaller block sizes that are broken up either by pedestrian passageways or by vehicular streets, and a more generally welcoming area while allowing for a great deal of density.

Ms. Brumfield noted that even in the exercises of imagination, they cannot get away from having brick in Albemarle County. She said the scenario does include a large civic space, and even with

buildings four stories and taller, there is still a welcoming and inviting feeling. She said the architectural details are interesting, and there are plantings that are required. She said it is a more activated space.

Ms. Brumfield said moving onto the “Flex” conditions, the slide on the screen showed a more phased infill of large parking lot areas. She said the development scenario shows the potential option for adding dense mixed uses and residential office above retail. She said the scenario model included a parking garage, a central civic space, and pedestrian streets providing safe walking areas in between buildings. She emphasized that this was phased and was not a matter of everything being knocked down and having to go. She said this was about creating more density and infill in a site where there is currently a lot of parking. She said there are some out buildings that would be redeveloped under this, but the large retail would still remain and could possibly be used for a different use.

Ms. Brumfield said from the street view, one could see the wider sidewalk requirements. She said there are spaces for walkers and bikers and, at the end of streets, sidewalk dining and seating. She said this would make the streets more activated, bring people in, and make it more inviting and welcoming to pedestrians and to everyone in general.

Ms. Brumfield said the scenario on Berkmar Drive is a site that is owned by the County, located between the fire station on one end and a mixed medical office building on the other side. She noted that the scenario on the slide was simply a possibility of what could happen in the code under “Edge” development. She said looking at the scenario, one could see that this area could be potential affordable housing space. She said a walking trail could be incorporated at the rear, as well as a large sidewalk in the front. She said there would be much more density and that people would be within walking distance of the uses being encouraged from retail and offices. She said everything else would still be within this mixed-use area and could easily be slotted in.

Ms. Brumfield noted that there is somewhat of a buffer in between the Edge development and the development to the rear, which is single-family housing. She said this is something that is required on the Edge property developments because staff is sensitive to existing neighborhood conditions.

Ms. Brumfield presented a scenario street view, explaining that it was simply something staff hoped to spark in the imagination. She said this was something that Commissioners, developers, and property owners could look to not only as a guide for what they have, but perhaps as an inspiration to make Rio29 even better than the scenario modeling could even come up with.

Ms. Brumfield turned the presentation over to Ms. Falkenstein to start the review of the draft code itself.

Ms. Falkenstein said what Ms. Brumfield presented was a good example of how all the individual sections are tied together to hopefully create the vision that the community has articulated for the area. She said staff would now present each section for the code to dissect it for the Commission and highlight some key changes to the code that staff has made since last speaking to the Commission about the framework in 2019.

Ms. Falkenstein said before presenting each section, she would highlight a couple of overarching edits that staff has built into the draft currently before the Commission. She said they have incorporated quite a bit more detail than the outline the Commission last saw with the framework

in 2019, and that part of this included provisions for administrative modifications (which are approved by staff) and special exceptions (which are approved by the Board).

Ms. Falkenstein said staff built into the draft ways that people could have some flexibility to accommodate for scenarios that they may not be able to predict, as well as ones they may be able to predict (e.g., tree preservation or reuse of existing buildings). She said they also created some graphics and diagrams to help explain some of the regulations and make them easier to understand. She said they have also refined and created more detail by working with the agencies and partners that Ms. Accardi mentioned as well as peer reviewers.

Ms. Falkenstein said lastly, a major change the Commission would see is the removal of the incentives section, which is no longer a separate section within the code. She said staff has incorporated quite a few of the recommendations from the incentives section as standards throughout the code, and that later staff would discuss their reasons for that.

Ms. Falkenstein said a first big section of the code is the administrative section, which talks about some of the processes pieces of how it works. She recalled that last time staff spoke with the Commission, staff was recommending that the zoning ordinance be an optional overlay district. She said a reason for this was that it gave property owners additional uses and density that are not allowed with the current zoning, which would hopefully make this attractive for people to want to opt into. She said it also enables mixed-use development through a by-right process where currently, the zoning ordinance does not have any mixed-use zoning districts that are by-right and mixed use requires a rezoning process. She said hopefully, these two things combined will incentivize property owners to want to opt in.

Ms. Falkenstein said the optional overlay district also allows the County to include and affordable housing requirement. She said this cannot be done through zoning when mandated, but that the optional overlay allows this because it is not mandated.

Ms. Falkenstein said lastly, to achieve the consistency with the goal outlined in the small area plan about the timing and allowing the area to transition over time, recognizing that not all property owners are in the same place or perhaps not ready to opt in at this time, this will hopefully allow those property owners to do so in the future when they are ready.

Ms. Falkenstein said the feedback staff has heard since they drafted the framework (mostly from the FBCI, but also from the Steering Committee which met in October) was that they should include more information about overarching goals for the project and context within the zoning ordinance document. She said it was bare bones in the beginning, and so the stakeholders thought the context could help people understand what they are looking for and what the vision is without having to read the entire small area plan. She said this information has been added.

Ms. Falkenstein said there was also a lot of feedback from property owners and the form-based code reviewers about wanting to incorporate existing buildings and redevelopment as well as allowing for a phased redevelopment. She said some provisions have been incorporated for this.

Ms. Falkenstein said there has been some concern expressed (especially from the FBCI reviewers) about this being an optional overlay. She said she does not think they fully understood the context about how much density and flexibility in uses they are adding with the optional FBC. She said hopefully, this is enough incentive for people to opt in.

Ms. Falkenstein said lastly, there was a point made about incorporating graphics and illustrations, which staff has tried to do.

Ms. Falkenstein said the draft code currently before the Commission does incorporate much of that feedback. She said it is still an optional overlay district. She said it does allow for phased redevelopment, and keeping in mind some of the larger parcels, staff has incorporated a process where an applicant can opt into the form-based code and still phase development of their property. She said property owners can submit redevelopment plan can show if the applicant is interested in incorporating existing buildings.

Ms. Falkenstein reinforced that the development review process is a by-right process that would be staff reviewed and, unless the applicant were asking for a special use or special exception, staff approved. She said the Architectural Review Board (ARB) standards have been incorporated into the draft so that applicants do not have to go before the ARB if they are on an Entrance Corridor site, which encompasses most of the Rio29 area due to its two Entrance Corridors.

Ms. Accardi said the next section in the code was another big, overarching piece, which is the regulating plan. She said this is essentially a map of the area that is subject to the code regulations. She said generally, in form-based codes, there is some methodology or rationale for separating different parcels from one another and in this case, staff has carried over the small area plan's character areas. She said that on the map shown on the screen, the red represented the Core area, the white was Flex, and blue was the Edge.

Ms. Accardi said in the framework document from December 2019, staff showed the civic spaces (called "amenity spaces" at the time) in green swaths that tended to align with parcel boundaries. She said she would talk about the feedback staff heard and why there has been a transition, and that this was the biggest change the Commission would note on the slides to follow.

Ms. Accardi said staff heard feedback, primarily from the consultants, that identifying street locations on the regulating plan is a common practice for form-based codes. She said she would later discuss why that was not there. She said the consultants also recommended providing more guidance on civic space types and where they should be located.

Ms. Accardi said on the current draft, the Commission would see there is a transition from entire parcels as civic spaces to points. She said these points indicate the general location and type of civic spaces that should be provided. She said the goal in these points is to allow for some flexibility in location, given that staff does not have a way to predict exactly how redevelopment will occur. She said several of them are placed at the boundary or intersection of several parcel lines so that multiple property owners can contribute. She said this also allows staff to ensure there is clarity on what the underlying character area is for each parcel so that if buildings are on a site or surround a civic space, there is no uncertainty about their building or street standards. She said this provides greater clarity.

Ms. Accardi noted that the streets regulating plan was not something that staff incorporated into the draft. She said staff understands this is an important piece, but they know there is further work needed to understand the optimal street networks that would work in the area. She said the current code references the small area plan, and that staff will talk later in the presentation about prioritization of this future work.

Ms. Brumfield said in looking at uses, when staff wrote the framework, there was a large shift in

the way the County would handle uses, from very specific and named specific uses (e.g., musical instrument sales and repair) to a broad and flexible category (e.g., retail). She said as the code strongly emphasizes form over function, most uses were permitted throughout the area without any large restrictions.

Ms. Brumfield said staff did propose new use categories, such as artisan manufacturing for small-scale industrial uses with extremely low impacts, in response to the desire for such space in the County for artisans, craftspeople, small breweries, very small manufacturing. She said there are also temporary uses for property owners to make use of buildings without redeveloping them to create a livelier streetscape, in the meantime, before developing.

Ms. Brumfield said the feedback, however, indicated that the regulations for temporary uses were too narrow. She said in response, the current draft expands temporary uses regulations and explicitly permits uses in existing structures to provide that productivity for properties so that dead, deserted areas are not created while the property owners are waiting for the right time to develop.

Ms. Brumfield said staff also expanded use categories in response to the practicalities of being a Dillon Rule state where if they can't name it, they can't do it. She said they explicitly required additional legislative review for uses that are fundamentally form-based and generally incompatible with the vision of Rio29. She said specifically, this includes gas station canopies, drive-thrus, additional single-family dwellings, and the wireless towers that already require legislative review throughout the County for all things.

Ms. Brumfield opened up the work session for discussion or questions on the three presented sections of the draft ordinance. She reminded the Commission staff would discuss the other six sections of the ordinance later in the presentation.

Mr. Bivins offered the public a chance to provide comment first before the Commissioners would start their discussion.

Ms. Schaffer said there was no one from the public with their hand raised.

Mr. Bivins opened the discussion to the Commissioners.

Mr. Firehock said she made her comments by page number and asked what page number the first three sections went up to so that she could comment on the appropriate sections. She said others could make their comments and questions while staff was pulling this information.

Mr. Randolph said on page 3, under "Purpose and Intent," under "B" in the second sentence, it talks about local streets within the Core, prioritizing walkability and pedestrian comfort, with automobile movement as a secondary focus. He said his question related to e-bikes and if there was any discussion staff had about provisions for charging e-bikes in the Core area of the Rio29 buildout. He said this, along with internal and external storage architecture and infrastructure, will be critical here moving forward. He said he thought specifically about the source of electricity for people to be able to charge up an e-bike if they ride it in this community and their battery runs low.

Ms. Falkenstein said staff was not currently including provisions for charging stations, though it would definitely not be precluded. She said there are standards in the street standards section (the next section that will be discussed) about parking and bike storage. She said there was

nothing specified for charging, however.

Mr. Randolph said this was fair enough and that he was probably getting too far into the weeds. He said his next question was about page 5, under C1-b. He said there is an allowance for a single-use artisan manufacturing building within the Edge character area with a footprint no larger than 20,000 square feet. He said he was curious as to how staff came up with 20,000 square feet rather than 18,000 or 22,000, for instance.

Ms. Brumfield replied that the 20,000-square-foot size was copied from a different code. She said staff did actually plagiarize a lot in this code. She said if there was a different number to consider, they could, but this was the size another code had for their similar use of artisan manufacturing (which was called something else in their code).

Mr. Randolph said when talking about the Edge, and in light of next week's discussion, he wanted to raise a question. He asked if it were not the case in the character areas (Section 20C.5 on page 10) and not standard planning methodology that they try to concentrate density in the Core, and if they move out to the Core and come to the Edge where there is an interface with the Rural Area, density becomes reduced. He asked if this were not incorporated in the character area on page 10 as a guiding principle.

Ms. Accardi replied that it was staff's intent to include this in describing the Edge character area as less intense in development than the two other areas described prior. She said density is not something that is included in this form-based code as a provision, and so lower heights and smaller forms are inherent and would be lower in density because building standards are really how density is regulated. She said it was not unlike the current ordinance's number calculation they regulate with dwelling units by a certain land area. She asked Ms. Falkenstein and Ms. Brumfield if they had anything to add.

Ms. Brumfield replied that what Ms. Accardi said addressed it. She said what they are trying to focus on, with the lower building heights and larger build-to ranges, is allowing for buildings that create less density. She said instead of doing a numbers game so that developers try to figure out exactly the right numbers, it is focused on what works best for this site and for this part of the character area. She said this is what will focus the development towards the Core as opposed to the Edge.

Mr. Randolph said he understood and that using the term "density" was perhaps not appropriate in form-based code, but that Section 20C-5(c) does say that the Edge character area exhibits less intense development. He said he took "less intense development" and synthesized this down to say, "less density." He said he would use the two terms with great care but that in the future, and a week from then, they would be looking at increased intense development at the Edge, and he wanted to remind everyone on the Commission that this is inconsistent with what is being recommended under form-based code and under normal planning procedures under the Comprehensive Plan. He said he could not escape the opportunity to bring this point up.

Mr. Randolph said the use provisions on page 13, 3E, state that residential and commercial manufacturing spaces and a live-work dwelling may not be sold, rented, or subleased separately. He asked staff if they had had any conversations about whether this restrictiveness of no selling, renting, or subleasing may actually limit the attractiveness for people to build that kind of housing (live-work dwelling units) if they cannot rent or sublease them, and if this would reduce the viability of that concept. He asked if staff had put time or thought into whether this is really practical

economically.

Ms. Brumfield replied that regarding the live-work units, staff worked very closely with the requirements for the International Building Code and Virginia standards for that. She said the way a live-work unit would work is not necessarily about having the uses in any real separated areas. She said it would be a loft area above a studio, or a large lofted area, or a single office space that may be separated where if one rented them separately, it would be more disruptive and not necessarily more viable. She said these are intended to be perhaps part of an incentive for artisans to live in that area. She said there are programs that help developers build these types of spaces by providing grants for them.

Ms. Brumfield said these spaces are intended to be used for artists and craftspeople who are working out of their homes. She said this sets aside the space and makes it more attractive as opposed to simply being a loft-style studio that rents for \$3,000 per month.

Ms. Accardi added that a mixed-use building where there is a first-floor office or retail and residential above, even if it is two or three stories, is allowed by the nature of this broad use category approach. She said staff heard feedback about the importance of artisan manufacturing and live-work units, and so by calling out these use categories and being more specific about the live-work unit being one where the rental of the living space and workspace is tied was a goal to be very specific about that use in the case that someone wanted to do something geared towards artists.

Ms. Accardi said she hoped that she clarified that this area does not preclude a mixed-use building. She said this was simply calling out a specific artisan-based live-work space.

Mr. Randolph thanked staff for the answers.

Mr. Bivins said across Route 29 was not the Rural Area and that there was some difference between this and what the Commission would be hearing the following week. He said they were still in the developed areas, but that it was outside the form. He suggested that while Mr. Randolph's point was well taken, there is a slight difference.

Mr. Randolph agreed.

Mr. Keller said he thought this was an amazing step beyond what staff had done. He said he knows how long staff has been working on this in the full journey. He said this is a big and important step forward in this experiment, emphasizing that this is an experiment. He said form-based code is not something that is accepted overall, although they are seeing many good examples from around the country in addition to failed examples.

Mr. Keller said he thinks there is one significant component that is necessary if they wish for this plan to be more than a generic one, and better than what they would hope from Northern Virginia. He said this is the fact that they need to address the views to the Blue Ridge and Southwest Mountains. He said he would go so far as to suggest that in Section 20C.2, there be a fourth element that says something to the effect of, "A community that exemplifies our Virginia piedmont with its mountains, hills, and valley views."

Mr. Keller said to that end, he agrees with the consultant reports about identifying streets, and that it seems to him that they do need to move forward in identifying streets and a layout that

provides public views down those streets to the mountains. He said there was an hour-long discussion when former Commissioner Daphne Spain was on Commission, and they explored this idea of views into, views out of, and views to that surrounding countryside in the distance and what that would provide that would allow this area to be unique and special.

Mr. Keller said he thinks what staff has provided thus far is a good, basic framework, especially in the architectural elements. He said in terms of landscape, urban design, and form, he thinks a staff that includes people with landscape architecture and urban design degrees, they need to go to that next level before the code goes to its final version.

Mr. Keller reiterated that the Commissioners did not all agree on this. He said some Commissioners noted there would be views from within the buildings, while others said there could be view opportunities up the streets. He said this brings up two points. He told Ms. Brumfield that in one of her examples, she showed a street that culminated with the building. He said he believed it was the second example, and perhaps Ms. Brumfield could show this again while he spoke so that there could be a discussion.

Mr. Keller said if they do not think more about the layout of the street locations, then they are not thinking about where the views are broken off. He said in his last discussion, he used an example of the City of Charlottesville and where the building next to ACAC actually blocks the First Street view. He said the old agricultural supply building was not high enough to block the view, but the new high-rise building behind it blocks those mountain views of the Southwest Mountains.

Mr. Keller said if the County wants Rio29 to be a special place, they have to think about more than just the architectural form. He said he believed Ms. Firehock would weigh in on the landscape components later. He said this was an overarching landscape and view discussion that needs to be thought about. He said as much as a form-based code lays out parameters, there is an opportunity to lay those parameters out in this. He said he thinks it is the only major component he saw that was missing that would not be that difficult to tweak.

Mr. Keller said the problem he sees is that he is afraid it directly relates to the civic spaces and views in and out of those that are being created, which relates to the memo from Mr. Jeff Richardson (County Executive) and whether or not there will be a commitment from the public sector for the infrastructure for those beyond the maintenance of the infrastructure after they are provided by the private sector.

Mr. Keller said he realizes what he is bringing up has embedded within it other major structural issues, but he would encourage fellow Commissioners, staff, and Supervisors to think about this. He said if they want this to be better than just the best of the generic and to have it possess the qualities of Albemarle County, they must address this.

Ms. Firehock said she would try to limit her comments to those that relate to pages 1-15. She said she wanted to echo Mr. Keller's comments, and she did recall the work session early on where she raised the concern about how, even with encouraging innovative design, there are many cookie-cutter designs out there, and if they do not harken to the piedmont character and native materials, they will end up with another "mall" type of experience, or "Anytown U.S.A." She said she did not want to sound negative, however.

Ms. Firehock said page 8 refers to the plaza needing to be surrounded on all sides by buildings or roads. She said perhaps she was missing something there, but she did not understand why

they needed to specify that. She said even in some of the images staff showed, the plaza or park gathering space was in more of an open setting. She said she did not know if there was a reason for the language, but she did not think it was a necessary design component, unless staff was saying that they are trying to create an outdoor room and the only way to do so is by surrounding it with physical structures (such as roads and buildings), which is actually not necessary. She said one can create outdoor rooms with vegetation, landscaping, sculpture, and other things.

Ms. Firehock said she wasn't sure if she needed staff to respond to this, but she was requesting that this definition be changed to come up with something that is more flexible. She said the same was true for public green, which also notes that it must be surrounded on all sides by buildings or roads. She said she did not think this was necessary.

Ms. Firehock noted that she did send the document to Ms. Falkenstein and Mr. Rapp with her comments.

Ms. Firehock said on page 9, under the definition of "square," it is primarily a hardscape outdoor civic space, and she questioned why it needed to primarily be hardscape or why this needed to be specified. She said if they want it to be something that is reinforced and structural so it can stand up to gatherings, there are other types of 'scapes such as grasscrete and other structural forms that can withstand the public stomping on them without being degraded. She said she was trying to think about both stormwater and aesthetics.

Ms. Firehock said regarding the through corridor, she had a question rather than a comment. She said it is a high-capacity, high-speed street, and she wanted staff to explain to her what this means as far as how "high-speed" is defined and if it is something they want to have through here. She asked if this was referring to Route 29 rather than an interior street.

Ms. Brumfield replied that the only through corridor is Route 29.

Ms. Firehock said this needed to be defined so that everyone knows what this is referring to. She said on page 11, her question was why the linear park doesn't thread all the way through. She said she understood that at some points, they will run up against a building. She said that while there are not any pedestrian overpasses over Route 29, and Rio Road will supposedly be easier to cross if the streets end up looking anything like earlier drawings staff presented, the linear parks should be a thread that thread throughout the development. She said for instance, if she were to abandon her car once she reaches this sector, as has been suggested, she could then get on this linear park and go wherever she wished. She said it was somewhat of a tall order to ask if there was some way the linear park could thread through and that the disparate parts be joined together.

Ms. Falkenstein said it is shown better in the small area plan, but the linear parks connect to a network of shared use paths. She said perhaps they were not as natural in their setting as the linear parks. She said the linear parks that are delineated are existing areas of greenery, stream, or natural areas that currently exist. She said this is why staff did not call out any other areas, but it was not to say that there couldn't be more linear parks.

Ms. Firehock said they could then have some shared use paths that would have green elements that might make it feel as if one is still continuing along some sort of green path throughout the development.

Ms. Falkenstein said this was correct.

Ms. Firehock said page 12 talked about the different use types. She said she wondered about the use type of music venues and performance spaces.

Ms. Brumfield said these uses would fall under Entertainment.

Ms. Firehock said this was covered, then. She said she was imagining the artists and musicians coming together. She said on page 12, it talks about wireless service facilities. She said she wondered if there was any way under the form-based code to have special screening for those facilities. She said she had pictures she could send of examples of designs in places just outside Portland. She said clock towers, church steeples, and various ideas have been used to hide these facilities in plain sight that make these towers to be located without realizing they are there. She asked if this could be addressed somewhere in this form-based code.

Ms. Brumfield replied that it would probably not be in this form-based code, and that this might be able to be addressed under a future work program item where they look at this as a larger County-wide factor that would apply to multiple areas and not just to the Rio29 Form Based Code.

Ms. Firehock said they talk about disguising these facilities in the Rural Area by making them brown to blend with the trees and not going above the tree line. She said she was specifically thinking about how they can fit more of these facilities in the Urban Area and do a better job of blending them in. She said she has seen them done successfully in other places and hasn't seen anything like this much in the area yet except for a flagpole in Charlottesville that is a tower.

Ms. Firehock said she had a final comment on this section. She said regarding page 15, she had a bigger comment that she already sent a note to the Commission about as to why they would not have green streets as part of the standards or desires. She said at the last work session, she brought up using streets for stormwater management and having bioswales, terraboxes, and different manners of ways in which they can make the streets attractive aesthetically while also treating stormwater. She said this is gone now, and the response she received from staff was that it will perhaps be addressed later. She said she is concerned that the streetscape they are currently showing is not actually reflecting this at all, and she had some trouble with having these very standard, basic street cross sections that do not show anything in terms of stormwater infiltration or any progressive green strategies.

Ms. Falkenstein said this was getting into the next section, and so they would discuss this further. She said staff recognizes the importance of this and wants to do this work, but they (as an organization) have some internal work to do to develop design standards for these things. She said they are not in a place to have this currently, and so they could not quickly draft up regulations to require and review them. She said this is identified to be future work.

Ms. Firehock said for anyone from the public who was listening and perhaps thinking she was proposing something far out, there are bioswales along Route 29 right now. She said there are bioswales at the County Office Building, as well as permeable parking spaces. She acknowledged that the County needs to up its game because they lack a lot of the urban design standard requirements they would have if they were a city. She said they are turning into a mini city around Charlottesville, meaning that they have to create a lot of standards that they do not have.

Ms. Firehock said they have done this before, however, and what they have in the draft code as cross sections are not regulations, but sketches. She said she would still want to push to sketch

in some of the things they would like to see, understanding that they still need to develop more coherent standards. She said she understands that if a developer wants to propose something, they do not want the County to say, "Thank you for doing that. Now we have to scratch our heads while we figure out how to permit it." She said while she has sympathy for this, on the other hand, she does not think the sketches show the vision she thought they had in earlier drawings of this very form-based code. She said they had been there but now were not.

Ms. More said she was made aware that people from the public who were trying to attend were having trouble getting into the meeting. She said those who were in the meeting seemed to be in because they received a link from the clerk. She said it was possible that there were others who wished to be listening and watching who possibly were not able to.

Ms. Schaffer said she shared the link that was on the calendar. She said the same one the public used to get in was the one on the calendar.

Ms. More said she wanted to circle back to Mr. Randolph's comment about the Edge. She said the chart on page 12 talks about how single-family detached would only be a special exception in the Edge. She asked if this was correct.

Ms. Falkenstein replied that this was correct.

Ms. More said she would prefer to not see it in the code at all, as she had trouble figuring out how this fits with the bigger vision. She said she supposed that if it was in the code and the vehicle to get there would be a special exception, perhaps that was some needed flexibility. She said she had a hard time wrapping her head around what they were looking at, what the goal was here, and how it would fit. She said she had some comments around what Mr. Randolph was referring to regarding the Edge, and she was somewhat shocked to see single-family there. She said she supposed it was something they were allowing (but not encouraging) as a special exception.

Ms. More said her other comment, which Ms. Firehock already touched on, was the idea about the hardscape requirement around the plaza. She said she was not sure about that, and she felt that Ms. Firehock expressed her thought well about not locking this in as a hardscaped area when there are other alternatives and creative ways to create a plaza. She said she either misunderstood or was echoing what Ms. Firehock said about the plaza.

Ms. Falkenstein said they would get into the standards for civic spaces later in the presentation, and so this could be an appropriate place to talk about those, as they would be able to see them all side by side and in context.

Mr. Clayborne said this was a great presentation thus far, and his comments were general in nature. He said in the front end of the document, it may be nice to talk about how this is an opportunity to celebrate the spaces in between buildings. He said he did not see this being defined anywhere in the front end, and that it was not an alley. He said when talking about streets, it seemed to all be vehicular. He said the way that staff showed the images of the existing conditions, it was clear that those spaces in between were afterthoughts. He said one could see electric meters, asphalt, etc. but with the form-based code, he believes there is an opportunity to do something nice in between the buildings and create spaces of excellence.

Mr. Clayborne said in the front end, it might be nice to set the stage of why they are doing this and the benefits of it, from an architectural perspective.

Ms. Brumfield replied that there is a pedestrian street she would be discussing later as one of the civic spaces.

Mr. Bivins said he wanted to go back to the idea of what is a public view and what is purchased, in the hopes of lining up with Mr. Keller on this. He said this is a space that could have marvelous public views. He said particularly with the focus on the greenspace, linear parks, and squares, they were not just looking at the point in front of or below them, but are giving people spaces to expand their visions away from the space to the environment. He said he was struck by the difference the Lawn has with Cabell Hall at the end versus the Lawn without Cabell Hall, and how there is a very different statement that comes from that community if one could envision the Lawn without Cabell Hall and what this says to a person when he or she stands there and looks to see what the future and possibility could be.

Mr. Bivins said the elevation at this intersection is inviting and is a place where there is some interest in elevation there. He said they should not forget the fact that they have some unique opportunities with the intentional green and gathering spaces to let people have not only the place that they are standing, but the place they are looking out to.

Mr. Bivins said on page 5, under 20C.3.5, it talks about how wherever there is a violation of conflict between the FBC and other sections of the code, the requirements set forth in the FBC will prevail. He said this was basically saying that the FBC wins in a tie, and that the tie will be determined by the FBC. He said he was fine with this, but he thinks it puts a heavy burden on the form-based code to be able to speak and live in a way where a dispute can also be resolved. He said this is a big thing to hang on this code, and he did not doubt they could do it, but it struck him as something that staff will need to be aware of as they put this through to the final version.

Mr. Bivins asked if it were not possible, when defining terms such as “landscape,” “natural area,” “pedestrian passages” (which he noted he was excited about), “plaza pocket park,” “public greens,” and “squares” that they also offer some flexibility, so they encourage people with perhaps incentives, with this being an alternative “it” place or special place. He said some of those pieces that Ms. Firehock mentioned could be incorporated there.

Mr. Bivins mentioned the brick that staff had brought up and how he has seen brick done differently in places like London. He said given where they are and the history they have about Monticello, Highlands, and the University, they can be a place that starts to craft a new narrative about what public spaces look like. He said they do not have to be a place that is only chained to that view of what public spaces look like, and they can craft a view that honors it while allowing them to be a place of innovation and craft spatial forms that deal with spatial data. He expressed that people would want to come to the area to do something new and interesting rather than something more traditional. He encouraged there to be a way to be able to be forward thinking.

Mr. Bivins said he has said before and would say again that he hoped someone would have the ability to up into the Core area. He said he believed he would be assured that this would happen because his concern again is that they do not know how they are going to get across Route 29. He said he knew how they would get across Rio Road, but did not know how they would get across Route 29. He said it was not to be morbid, but he was remembering a young man who just died trying to get to 29th Place. He said they were at the point of determining how people should move around in a community. He said he has struggled with the idea that people will go from east to west across the road. He said he does believe they will go from north to south, but he struggles

with the idea of east to west and west to east.

Mr. Bivins said Mr. Keller wanted to offer further reflections on this section of the code.

Mr. Keller said he hoped he did not come across negatively because he actually feels very positive about the document. He said he simply believes there is a major component that will make it better. He said he has some specific quick items to cover. He said on page 4 under "Civic Space Standards," while he realized this was under exemption, perhaps there was a more appropriate place to mention the views into and view out of. He said this did not have to be to streets but to other elements, and that he believed this to be important.

Mr. Keller said on page 7, regarding alleys, he hoped that because this is a place for provisions, it does allow the opportunity for there to be storefronts within the alleys. He said the firm that he and Mr. Rapp used to work for designed a storefront that used to be next to the It's About Thyme Restaurant in Culpepper. He said there are so many opportunities lost in Downtown Charlottesville because they do not have that. He said to build in an opportunity for busy, gritty places that could have a shop as well as being a place where people could take things in would be useful.

Mr. Keller said under "Definitions" on page 9, he would suggest including something such as "primary scenic views" and that within this he was not just thinking about landscapes, or building facades and features, statues, and fountains. He said there could be another category called "secondary scenic views." He said if they have those as definitions, they are then providing a subliminal message to the designers that they might add some of those features, as Mr. Bivins was just speaking to.

Mr. Keller said he thought Ms. Falkenstein, Ms. Brumfield, and Ms. Accardi did not necessarily hear what the Commission was talking about at a meeting some time back (as they may have not attended it), but there, he had mentioned a consultant's study for Charlottesville that mentioned building shadow. He said given the different façade heights, he thinks building shadow is important, that it should be under "Definitions," and that it should be something that the County should be asking developers to tell them. He said they should be asking if the building will cast shadow across civic spaces and if it will gasket across streets and facades of other buildings during different times of year. He said a year-round building shadow study is an important part of what they should ask for later from the development community and that therefore, it should be included under "Definitions."

Ms. More said she did not have many comments for the other sections, and so she would use her current time to say that while staff has done an amazing job with the document, looking back on all the information that has brought them to this point, they are very much aware that they are looking at four quadrants that has something serious separating them. She said in the past, they have seen staff contemplate ways in which they might move pedestrians and bicyclists from quadrant to quadrant.

Ms. More said she did not know if this was what staff was asking from the Commission that evening, as they were more into the details, but she did not want to let go of that piece because it is important to her to see how these four spaces, which have a barrier between them, will interact with each other. She said this lies on the County, in her mind, to have some sort of process, as she would have liked to see in the attachment.

Ms. More said they would not want to commit to something and that initially, roads were being drawn on some places where property owners did not like seeing the County going ahead and making decisions. She said although they were not there yet, there were obvious places where they will need to have pedestrians safely cross from one quadrant to another. She said perhaps something is coming forward that will be coupled with what they were seeing that evening that gives the Commission the piece about the County investing in making this area successful.

Ms. More said this was her biggest takeaway, without nitpicking, of everything she read that evening. She said she thinks staff has done an amazing job, but she was still left with knowing that they have a long list of projects that need to be funded, and to make the area successful, they will have to create a way for people to move from one space to the next where there are two major, busy roads as a barrier. She said her overarching comment about all of this is that she feels that somewhere, as this moves forward, there must be some acknowledgement or tentative commitment on the County's part that they are willing to invest in this, just as they are expecting other people to invest into this idea.

Mr. Bivins asked staff if there was anything, they wanted further clarification on before moving forward.

Ms. Falkenstein replied no. She said this was great feedback, and staff would likely have to gather together as a team to figure out what they can address and what will have to be future work. She said to Ms. More's point, staff completely agrees that this is a huge challenge for the area and is something that will likely have to be addressed outside of form-based code. She said it will probably have to be a County-initiated project in cooperation with VDOT if they are looking for an additional crossing point on Route 29. She said the small area plan does call for two crossing points (one north and one south of Rio Road), but it is a massive undertaking to cross a wide road like Route 29, so they will have to give it some thought and somehow have to incorporate it into the County's Capital Improvements Program.

Ms. Falkenstein said they could move onto the next sections when the Commission was ready.

Mr. Bivins suggested doing so. He said those members of the public who wanted to speak should let Ms. Schaffer know so that when they come to the break point, they will be ready to jump in.

Ms. Falkenstein said the next section was about street standards, which begin on page 15. She noted this was a larger section due to its many graphics, and that it ran through page 27. She said the slide on the screen showed an image of the draft framework staff brought forward in 2019, which identified the different street types and also included street components and amenities. She said she could speak to Ms. Firehock's points, and that this image was where a bioswale was shown in the tree median, which scoops down to accommodate for the bioswale. She said the Commission would soon see the updated graphics that do not include this. She said she would speak to why this is.

Ms. Falkenstein said the next slide listed feedback staff received from the consultants on this project. She said they recommended staff identify street locations in the regulating plan, and staff is recommending this as a future work piece. She said they asked staff to identify street standards that would be applicable to smaller parcels and where exemptions might be made for smaller parcels, and to clarify ownership and maintenance of streets.

Ms. Falkenstein said the draft before the Commission included updated street sections. She said

she would call out Ms. Accardi and Mr. Rapp for doing some great work on the street sections and creating the graphics on the slide. She said the street sections do not include the bioswale that Ms. Firehock mentioned because the street sections are now requirements and illustrate required elements of the code. She said that because bioswales are not being required, the street sections do not show them. She noted this was not to say that someone couldn't propose it and have staff review it. She said there was nothing to preclude it, but there would be a review process that the County would have to go through with VDOT for these kinds of elements.

Ms. Falkenstein said new street types have been added, and pedestrian passages and alleys have been incorporated. She said neither of these are required street types, but they are optional, and there are standards that accompany them for when a developer would like to include those types. She said they have refined street components, sidewalks, bike lanes, and which streets would need those. She said they have also refined standards for streetscape elements and have incorporated elements such as street furniture, street lighting, and street trees. She said sections and diagrams have also been updated.

Ms. Falkenstein said the next slide showed a 2D diagram of the street view. She said as she mentioned before, small parcels are exempt from block sizes, which is an update from the previous plan. She said the reason is so that small parcels are not overly burdened by having to build a new street through their project. She said if there is only 50 to 80 feet of street frontage, building a street through a property would be problematic. She said staff incorporated some other modifications in anticipation of some scenarios that may preclude the ability to meet the street standards.

Ms. Falkenstein said lastly but importantly was the element of ownership and maintenance. She said the consultant team hammered the point home to staff that they need to identify who owns and maintains streets. She said the FBC proposes streets will continue to be dedicated to VDOT as they currently does in other areas of the County, but that the FBC is requiring other elements beyond what VDOT currently agrees to maintain and above their minimum standards (e.g., wide sidewalks and other elements in the pedestrian realm).

Ms. Falkenstein said staff held a work session with the Board of Supervisors, who agreed that those elements that VDOT will not maintain can be dedicated to the County, and the County will maintain those moving forward. She said this has been incorporated in the draft.

Ms. Accardi presented a screenshot of the early sketch-up models staff was doing for the building standards for the different character areas. She said one can look at the code and see all the progress that has been made since some of the early concepts. She said in the framework document, there is a chart with different building standards that staff had taken from the small area plan and vetted with community members through different venues. She said there were ground-floor ceiling heights, block length, and build-to lines.

Ms. Accardi said staff heard feedback from FBCI to reconsider the height minimum that was put forth for the Core. She said they had previously had three stories as the minimum for the Core, and it was recommended to allow for redevelopment of existing buildings and incremental development over time. She said staff also heard through development of the scenarios they shared with the Commission that the block size of requirement can sometimes be challenging, depending on the existing conditions and unique site features such as utilities or topography. She said staff included some additional flexibility she would talk about.

Ms. Accardi said the consultants asked staff to consider allowing counterflow streets along Route 29 by adjusting the build-to line to a build-to range. She said there was at least one example of a counterflow street that exists today.

Ms. Accardi said the current draft changes the minimum height required for the Core to two stories. She said generally, heights across the character areas would range from two to five stories. She said there are bonus factors of height bonus provided for developments that provide above the required affordable housing, which staff would talk more about during the section on affordable housing requirements. She said up to seven stories could happen in the Core if affordable housing was provided above the requirement.

Ms. Accardi said additionally, the block length is more flexible now in that with the incorporation of two new street types (alleys and pedestrian passages), these street types can break up a block instead of requiring a full street section, like a local street that requires curb-and-gutter that is different and above and beyond the standards that would simply break up the face of a building.

Ms. Accardi said staff has also added a standard that was recommended called a “maximum average distance” between ground-floor pedestrian entrances, which is to ensure there is a frequent number of pedestrian entrances so that there is not a perception of being pedestrian-friendly without actual entrances.

Ms. Accardi said there was a shift from a build-to line to a build-to range. She said this allows more flexibility for where a building can be located while also ensuring that it is not too far back from the street and is aligned with the parking standards that locate parking next to a building or at the rear of it.

Ms. Brumfield said going back to the framework, staff had proposed minimum parking standards of requiring one space per 1,000 square feet, and 0.5 spaces per hotel room. She said they did impose a parking maximum, which is new for the County. She said they included provisions for shared parking agreements between different uses and parcels, and incorporated street parking towards parking minimums. She said they also permitted types of parking that were previously by special use permit or not permitted at all, namely structured parking, on-street parking, and other similar provisions.

Ms. Brumfield said staff did include the structured parking in by-right regulations because while they would like a completely walkable mixed-use development with primarily internal or transit trips, they realize that as Rio29 evolves, a best-case scenario would be for the first stages of development to create a park-once area. She said they would eventually transition towards transit and pedestrian trips over time, but they do have to work within the framework of what is going to be buildable (and feasible) for the area now when they do not have the investment that CAT and JAUNT have talked about wanting in this area with additional service and a mixed-use area that has both live and work all within a walking distance right now.

Ms. Brumfield said to that end, staff has received feedback suggesting incorporation of rideshare requirements from members of the Commission, and they were also urged to consider additional design guidance on structured parking. She said the proposed draft does incorporate parking standards with non-parking uses and facades on multiple sides of a building, screening, building articulation, and the addition of bicycle parking requirements for both long-term and short-term bicycle storage, which could very easily incorporate e-bikes if this demand were to be raised.

Ms. Brumfield said as staff worked on the draft through the COVID-19 pandemic, it also became clear that pickup and drop-off would become a more standard part of the urban landscape. She said they also included design standards or requirements for pickup and drop-off zones in the parking standards. She said spots near the entrances of buildings would be used for food pickups and deliveries, rideshare (e.g., Uber and Lyft), general deliveries, and store-front loading for small retail spaces. She said these spaces are blocked off so that they will not block traffic nor impede bike lanes. She said the drivers would hopefully not drive up the sidewalk as some particularly creative delivery people have done in other parts of the city.

Ms. Brumfield said she would open the work session for discussion on those three sections, and that they were covering pages 15-35 on streets, building, and parking before moving onto the last section.

Mr. Bivins asked if there were members of the public who wished to comment before the Commission starts their discussion.

Ms. Schaffer said no one had their hand raised.

Mr. Bivins opened the discussion to the Commission.

Mr. Bailey said there was a chat window noting that there were a few members of the public who would like to speak.

Mr. Chris Hawk (Piedmont Environmental Council) said he just transitioned to the Albemarle area and would be taking over Mr. Sean Tubbs' role at PEC. He said his single comment on this section was about seeking clarity on the short-term and long-term nonresidential bike spaces. He said it seems like 4,000 square feet versus 10,000 square feet requirements for the bike parking spaces seems flip-flopped, and so he wanted clarity on that.

Mr. Bivins welcomed Mr. Hawk to his new role.

Ms. Brumfield said she would address the short-term and long-term bicycle parking. She said staff did incorporate more spaces for short-term so that there is more turnover. She said this was one per 4,000 square feet in retail and an area that has offices where multiple people would be coming in and out and using that space; whereas the long-term would be one space per 10,000, where many people would store in a bicycle locker or the like. She said there are more spaces per bedroom, and so it evens these out. She told Mr. Hawk to contact her if he had additional questions.

Ms. Firehock said one of her thoughts, which may be different than what staff proposed on page 22, was about how they have the wide landscaped median down the middle as one design, with trees in the middle that take up room, then traffic lanes for the cars, bike lanes, another planting strip, and the sidewalk. She said they start to get a lot of space requirements for fitting all this in that configuration. She said an alternative they may want to consider sketching out is instead of having a tree line median down the middle, not having the wide median, which gives them more width on the sides between the cars and sidewalk.

Ms. Firehock said they currently have a problem where they do not have wide enough planting beds all over the urban areas in the County, and there are dying trees. She said this would give them an opportunity to provide some real separation between pedestrians and the traffic rather

than having the median down the middle. She suggested that staff consider drawing one other cross section that gives them a wider median between street and sidewalk, to have substantial trees there, instead of trying to fit everything into the travelways.

Ms. Firehock said she spoke to Ms. Falkenstein and Mr. Rapp before the meeting to understand the document, and that there were some opportunities to have different road widths from VDOT. She said she thinks they need to create some kind of plan, and then VDOT will give them flexibility to have some narrower street widths that will affect some of the internal streets. She said it was not mentioned in the document, and so she was glad to see this because she was concerned about the VDOT standards for all the streets.

Ms. Firehock said for street lighting, she wondered if they should try to adopt some kind of standard street lighting style. She said she wondered how they would create an identity for the different quadrants, and if people would be putting up light poles in different styles, or if the County would adopt some sort of street furniture and lighting styles to go along with the look and aesthetic they are going for.

Ms. Falkenstein replied that this is a future work item staff has identified. She said it was simply not in their capacity with the timeframe they were given. She said it would take more time and work, although staff does recognize the need for that.

Ms. Firehock said everything that had green stormwater infrastructure was optional, and she was not going to debate why that was, but she believed it to be a shame. She said she would like the County to be able to do something special in this area that makes this attractive to why people would want to locate in this zone – that it not only has lovely plazas, pedestrian ways, and linear parks, but that it also has more progressive stormwater treatment. She said to that end, she would love if staff could sketch a couple more green rooftops on some of their top-down drawings. She said she knew that green rooftops were not required, but she wanted to push the envelope a little.

Ms. Firehock said they talked about appropriately sized street trees on page 25. She said they do not have standards for street tree planting, nor for soil volume. She said they do not have a way to ensure that the trees that are planted will live a long time, noting that the average urban tree lives 7 to 9 years and that half of all street trees in the United States do not make it past that. She said this did not need to be addressed in the form-based code, but there need to be standards for keeping trees alive if they are going to bother having that.

Ms. Firehock said on page 33, they had talked about spaces for Uber, Lyft, or whatever rideshare company might pull up to pick up someone. She said she wondered about having staging areas where they can all wait because drivers tend to wait in one location and then dispatch. She said if they are not given a place to wait, they will take over the corner of someone's parking lot. She said she did not know if this was even possible to put into the code or imagine, but she thinks it is necessary to allow for that.

Ms. Firehock said currently, the County does allow for variable-space sizing in parking lots so that if one drove their smart car, giant pickup truck, bicycle, or moped, they can park in a different sized space. She said unfortunately, it has been explained to her that the County standards are such that once one starts to vary their parking spaces, they are required to make a wider travel lane in the parking lot. She said she has never heard of this anywhere else, which did not mean it didn't exist elsewhere, but she found it bizarre.

Ms. Firehock said when she spoke to Mr. Rapp, he said this and many other parking matters in the County need to be addressed. She said she wondered if they are going for form-based code and are already doing things with the parking and how much space they have to have per 1,000 feet, if they could do something about the variable space size. She said for those who are not familiar with the concept, it allows for meeting parking standards while shrinking the size of a parking lot, which then makes more room available for plazas, wider pedestrian ways, or putting trees in large enough tree wells that they do not die in 7 years. She said they were talking about having trees in parking lots as well, and so she would like to see the County address this through the form-based code if possible.

Ms. Firehock said she did send other picky comments in the document, which she would share with the rest of the Planning Commission. She said she did not want to take up the entire meeting with some things that may be considered minutiae.

Mr. Clayborne asked how they can elevate the importance of sustainable design and resiliency with respect to the buildings. He said he saw where affordable housing was being incentivized. He said he felt that the other two issues he just spoke of are important as well, so much so that they should not be swept under the rug. He said when he does a word search for sustainability, it shows up one time in the entire document. He said all the references to green are more about parks and greenways. He said looking at the amount of energy consumption that buildings take up in the United States, it is almost too hard to ignore that they should be elevating that. He said he would love to hear comments about the conversations staff had with the consultants on the topic of sustainability and resiliency and how it is worked into the code.

Ms. Falkenstein said this is definitely an important topic to them as staff and as a County, being that Climate Action Planning is their top strategic goal. She said they identified in their list of future work she provided in the attachment green building and low-impact development design standards as future items. She said this is something they want to allow (and that it would not be precluded), but in order to incorporate standards and requirements, staff needs more work internally to develop the design features and to have some standards to review the proposals against. She said currently, it is allowed, and there is nothing that says one cannot do it. She said it simply is not something that is required at this time.

Ms. Brumfield said when staff first drafted this code, they included standards for all these things. She said they had lists of the LEED standards and green energy standards. She said one of the comments they received on their peer review was to paraphrase the County Attorney's Office: if they have more than three priorities, they have no priorities. She said based on this, they chose to focus on incentivizing affordable housing.

Ms. Brumfield said as Ms. Falkenstein said, none of this is precluded, and they would encourage anyone who wants to do that. She said currently, they do not have this prioritized, and it is on the future work plan. She acknowledged that this is something they value, but it is not something that is number one in this particular form-based code iteration.

Mr. Clayborne asked if it was fair to say that there is a point in time where those future work plan items all collide into this one form-based code, or if staff was saying that this code could be adopted, and the sustainability piece would still be on the backburner because there was not enough capacity to get it done.

Ms. Falkenstein replied that future work items are anticipated to be after the code is adopted. She

said staff has a timeline from the Board that calls for the adoption by first quarter of 2021. She said staff is bringing this draft forward and after the Board's work session in December, given their support, they will schedule for public hearing, recognizing that form-based code is typically not "one and done" where a locality walks away from it. She said they plan to continue to work on it as they go, the code can become more sophisticated as the organization gains capacity.

Ms. Falkenstein said many of the items identified on the future work are likely things staff could look at County-wide, such as landscaping standards and sustainability measures. She said it is in staff's work program to update the Comprehensive Plan and the broader Zoning Ordinance after they conclude this project and another long-range project they are working on.

Mr. Keller asked if they should have provision and design standards for above-level parking up building connections for pedestrian ways. He said examples would include two conference hotels across the street from one another, or two buildings across the street from one another that had the same office in it that was so wealthy because of its internet work that they could afford to have that skyway connection.

Ms. Accardi replied that staff would get into the architectural design standards later, but they did not have specific standards for an elevated pedestrian walkway or connecting buildings. She said they would be subject to the same facade, transparency, and articulation standards, however. She said this was not something staff envisioned being very common and in need of specific standards in the code.

Mr. Keller said this seemed fair. He said what is cool about form-based code, from his experience, and something that he and Mr. Clayborne received training from the institute on, was the idea of trying to think of every variable. He said now, he would ask about the "Jetson" variable: should they be asking the developer to define a landing zone or parking space for drones. He said this could conceivably conflict with pedestrian uses on the ground level and perhaps should be on an upper level. He recognized that perhaps this seemed far out, but it seemed to him that what staff has the opportunity to do is think about all scenarios, as far-fetched as this one may be, and others that are more realistic. He suggested that perhaps this was one for staff to have fun with when considering the variables.

Ms. Accardi replied that this was not something staff had considered, to date.

Mr. Bailey said his comments dovetailed in the same vein as Mr. Keller's futurist comments, but on page 33, which talks about pickup and drop-off zones and the requirements for those, in the age of self-driving cars being on the horizon. Some people in Core areas won't want to own a car but will want to share one through a self-driving service, he does wonder about section 5d, which says that uses requiring less than five parking spaces do not have to have a pickup and drop-off area.

Mr. Bailey said as they are thinking about the parking standards, what they have today, and building for the future, and that this will take some time to adopt and implement the form-based code, he thinks about lack of temporary parking in the future as likely being on the horizon in this time range. He said staff did not have to necessarily respond, but perhaps incorporating more temporary parking, park-up and drop-off, was something to consider. He said as Ms. Firehock alluded to in the ridesharing, he thinks this will only become more progressive in the future.

Mr. Bailey said his next comment was about design standards and sustainability around solar and

other alternative rooftop materials, and that he would reserve this comment for the next section.

Mr. Randolph noted that boulevard and avenue streets (both of which will have the highest speed traffic through the area) both provide provision for bicycle lanes. He said most sane cyclists (among which he would perhaps unjustifiably count himself) would, as much as possible, seek to avoid ever setting a bicycle tire in either one of those localities. He said instead, most cyclists prefer to ride on what is described as a local street, where there will usually be slower (i.e., safer) traffic. He noted that there is no provision for bicycles, however.

Mr. Randolph said indirectly, the planning process tries to concentrate the cyclists in the least attractive and most dangerous roads where bike lanes are provided. He suggested that staff think about some way to at least include bicycle arrows here. He said perhaps it is not a dedicated space, but there needs to be some way to make these local streets in the Core and Flex/Edge area accessible and comfortable for cyclists. He said this was one thing that immediately stood out for him.

Mr. Randolph noted that on 23D, regarding shared-use paths or two-way cycle tracts, this reviewed/approved by VDOT and the County Transportation Planning staff. He said they really do not have bicyclists represented on the County Transportation Planning staff, to his knowledge, and that VDOT is not necessarily a particularly bicycle-friendly organization. He said VDOT is becoming a little more aware, with time, that there are people who actually get around on two unmotorized wheels.

Mr. Randolph said he does think staff needs to look for some way that there be other kinds of input on these shared-use paths rather than both of those bodies. He said he was not minimizing the County Transportation Planning staff, but he thinks there needs to be some other representation and voices there to weigh in on bicycle use.

Mr. Randolph said regarding the street furniture at the bottom of page 25, under 5, the critical question will be who pays for it and who maintains it. He said the answer early on was to create special districts. He said he happened to know, through four years of recent experience, that the Board has not really embraced the concept of special districts and yet, proposed in the code is a high degree of infrastructure-intensive material. He said he thinks they have to push to try to look for a funding formula because otherwise, all of this will be built initially, paid for by a developer or a P3 partnership where taxpayers will also pay, and overtime if there is not money set aside to maintain or repaint it, it will begin to deteriorate, which would be unfortunate.

Mr. Randolph said that on page 30, for the build-to range measurement, they have indicated that the façade should be built to at least 66% of the site's street frontage. He said what is presented is basically a square or near-rectangular building. He asked what would happen if someone wanted to put up Frank Lloyd Wright's Bartlesville, Oklahoma building with four sides to it, or the BMW building in Munich, which are four round buildings attached to one another. He said alternatively, they could look at Torre Agbar in Barcelona, which is completely circular.

Mr. Randolph said what they are proposing that he is concerned about is basically saying that the form must follow the build-to range measurement and therefore, they are minimizing room for creativity by specifying a 66% minimum. He said he thinks they need to look for a way that someone could buy four lots and put up one large circular building, which would provide greater open space around their buildings as a result of that. He said this was just something else to consider.

Mr. Randolph said lastly, under number 6 (“Modifications to Maximum and Minimum Parking”), he wanted to know if they should provide bicycle parking spaces in the roadway. He said everything that seemed to be proposed would include internal bicycle housing, or bicycles being somewhere near a building. He said certainly in countries like Denmark and Holland, the bicycles are treated as vehicles (which they are, under Virginia Code), and thereby they are in the roadway in a dedicated parking space. He said this was something else to consider, going forward.

Ms. More added that Mr. Randolph’s last comment probably channeled her father the best, out of everything else he said, that bikes are treated like cars. She said she would let him know he was channeled that evening when she talks with him.

Mr. Bivins said when talking about drop-off and pickup, this seems to be in the interior part of the project. He said since they are putting entrances on the boulevard and avenue, he wondered if there would be facilitated drop-off and pickup there as well to facilitate people moving into those buildings, if those are primary entrances, and not make someone park, get out, and walk in. He said this would facilitate the person using that type of service, and so he would like there to be some thought as to how to do that.

Mr. Bivins said since Mr. Randolph brought up e-bikes, given the Thomas Jefferson Planning District is about to do something about charging points in town for vehicles, he would also like to see dedicated places that can offer charge. He mentioned how other countries have used lampposts or have replaced parking meters to make charging stations for vehicles. He said he wants to think about how to charge the non-Tesla vehicles.

Mr. Bivins said while they have not spoken a great deal about, but perhaps they were about to discuss it, is the question of what a pedestrian passage is, and what is an alley. He said Mr. Keller referred to something that he had worked on in the past. He said the whole idea is that pedestrian passages do help to create the general atmosphere and mystery about a space, as those are the places that are tucked in that have surprises, allow people to discover them, and allow businesses to lease space that provides flexibility in who can come there and the cost of that space. He said if these are living areas and not just transit spaces, he hopes they really do think about how they can put pedestrian passages into a living, vibrant space rather than an afterthought.

Mr. Bivins said the same was true for alleys. He said he has been told that alleys are where garbage cans will be placed, and he hoped it would be something different it was not at the backside of the building but perpendicular to the street.

Mr. Bivins said these are all types of things where they allow a diversity of businesses to have space there. He said perhaps it is innovative space or someone, like an artist, who has a live-work space and studio there as opposed to having a studio on the main road. He said there could be studio or gallery entrances either on a pedestrian passage or an alleyway that allows more flexibility in terms of how people can afford those spaces. He asked that they include them as partners in the design being created.

At 8:05 p.m., Mr. Bivins announced a short recess.

At 8:10 p.m., Mr. Bivins called the meeting back to order.

Ms. Accardi resumed the work session with architectural design standards. She presented an

overview slide of what was shared with the Planning Commission in November 2019. She said the map on the left showed the parcels in gray that are within the Entrance Corridor Overlay District, and that most of the area is subject to those guidelines.

Ms. Accardi said staff included a proposal in the framework for an administrative process to review a project's compliance with the Entrance Corridor guidelines. She said this was probably the least developed portion of the framework. She said there were topics mentioned that they wanted to be able to draft, but the content wasn't there. She said the topics of transparency, material, color, façade articulation, lighting, parking structures, and screening of equipment in services areas were included and mentioned.

Ms. Accardi said the feedback staff heard was slightly different for this topic because they were developing this, which was exploratory in nature, to get to where they currently are. She said the consultant shared several precedents with staff for other codes that regulated facades, ensuring that they are different and pedestrian friendly. She said the consultants also provided recommendations for design standards that were outside this scope of work, but could be incorporated, some of which staff already mentioned about green buildings.

Ms. Accardi said staff has also been collaborating with the ARB in 2020 via virtual work sessions and online feedback forms prior to discussion about these topics, and plan to reconvene with them on this draft as well. She said the ARB has been engaged and supportive of this administrative process for incorporating the Entrance Corridor guidelines.

Ms. Accardi said this part of the code can get wonky, but she hoped the diagrams would help. She said the overall goal of this section is to ensure that buildings are of a human scale, meaning they are pedestrian-friendly and have some variation, but that the County is not overly prescriptive in architectural style. She said there is transparency included as a standard, which is highest on the ground floor of the Core (in the most urban areas), steps down in the Flex and Edge, and is generally lower in the upper stories.

Ms. Accardi said there is also the concept of a façade's segment length that is included, which is basically the maximum length of a wall that can be without a plane change or materials change. She said a visual or physical façade break is how it is worded in the code. She said the diagram on the bottom right of the slide demonstrates this, and it is a function of the building height. She said this was something staff spent time discussing with the ARB. She said there are lots of numbers that exist in the world of form-based codes, and the function of having it to be two times or double the building height seemed to be a space that staff was comfortable with, based on feedback from the consultants.

Ms. Accardi said additionally, the goal is to incorporate the Entrance Corridor guidelines into the code. She said there are minimum planting requirements by street type, lighting requirements, screening standards for mechanical service and loading areas, and a chart or table of permitted and prohibited building materials, hoping to still keep this at a high enough level so there is flexibility in creativity of design. She said the goal is to ensure that there are high-quality materials used, and not to be prescriptive about them.

Ms. Brumfield said going back to the draft framework, staff originally called the next section "Amenity Standards." She said they recommended required amenity spaces on each parcel redeveloped under the form-based code, and a property owner would be required to dedicate a specific portion of their site to public use. She said this would be similar in spirit to current County

requirements for open spaces, but more dynamic and active. She said instead of open spaces being reserved for the residents of the development, the spaces would be open to the public, which would create a truly public, urban fabric of the landscape. She said they are trying to bring pedestrians out of their cars, onto the sidewalks, and into the shops, and these amenity spaces will do that.

Ms. Brumfield said staff proposed requiring plantings and a lot of green spaces, but the primary use for these spaces would not be for quiet enjoyment, but for active enjoyment. She said this means people will be walking, dining, bringing their lunch and coffee out to hang out with friends, attending outdoor movie nights, having festivals and farmers markets, playing soccer on the field, and having public library events. She said these are all active events one can only have when they have actual public spaces.

Ms. Brumfield said during the drafting of the code, staff switched the name of the requirements from “amenities,” which is normally a term used for spaces that are available to residents and employees. She said they require amenities such as tot lots, but these are not meant to serve the public. She said the tot lot is meant to serve the residents of that development.

Ms. Brumfield said staff chose a different name, “civic spaces,” to emphasize that these are public, civic-minded spaces that are intended to be owned by the Populus.

Ms. Brumfield said the feedback staff required included reducing the required amount of civic space. She said when they actually calculate the numbers, however, on any site less than 2 acres in size, in the Core area, there is currently an exemption to permit cash in lieu if one is within a quarter mile of a large County-owned space identified in the regulating plan. She said staff believes this is a generous space, and for anything that is a very large redevelopment of a site, they do want a large public civic space there.

Ms. Brumfield said staff did incorporate feedback about pedestrian passages. She said they created additional guidance on civic spaces for the locations and having requirements that are clearer in general. She said if one is looking at the draft code, they are looking at the actual requirements after all the diagrams on pages 47 and 48. She said this is something staff went in depth on and made many changes to.

Ms. Brumfield said another thing they talked about at the Board work session on November 4, was the desire for the County to own and maintain civic spaces. She said this would create a public space that is controlled, maintained, and perhaps has design standards in the future that are consistent throughout.

Ms. Brumfield said with the current draft of civic space standards, there is a range of different types. She said they can do indoor civic spaces such as a public art gallery or meeting space (like City Space in Charlottesville), a linear park (such as the Chicago 606 Greenway), small squares, or pocket parks. She said they envision pocket parks to be somewhat of a catch-all where they can have anything from a community garden to trees and tables for people to sit and enjoy places outdoors. She said they are trying to create green oases throughout the area.

Ms. Brumfield said to address some questions from earlier, staff did add provisions for pedestrian streets. She said they are envisioning something similar to the Downtown Mall that includes seating, access to surrounding buildings, plantings, and either shade or art and focal features. She said this would include either working with artists to create installations or putting fountains

in.

Ms. Brumfield said the different sizes and forms of the civic spaces do have different requirements that are geared towards their intended uses, but staff left in a lot of flexibility. She said it was not to say that a certain type of civic space must have a bench at every 15 feet in the area, for example. She said they do have diagrams Ms. Accardi skillfully created that demonstrate the requirements. She said they would be in the actual code of the ordinance and are the required minimums. She noted these diagrams did not represent the design or layout one has to use, but showed the elements and minimum standards.

Ms. Brumfield said staff does envision a lot of active programming in these spaces, and they are trying to look at a living, breathing urban space. She said they are especially trying to do this in a way that does not exclude someone who perhaps cannot afford to live in that particular part of the County. She said perhaps they do not have a job that brings them to this part of the County, but there is still a desire for this to be a part of the public fabric that people can access throughout.

Ms. Brumfield said one element she wanted to highlight was the cash in lieu option. She said on the regulating plan, staff did identify general areas where they are requiring large County-owned civic spaces. She said in the small developments, if there is less than 2 acres in the Core (which is a large size in the Core), or if there is less than 1.5 acres in the Flex, or a less-than 1-acre development in the Edge character area, and are within a quarter mile of one of the County-owned civic spaces (which covers a fairly large portion of that area), one could contribute cash in lieu to the development and maintenance of these civic spaces.

Ms. Falkenstein said she would end the presentation with the last section of the code, which was about incentives and affordable housing. She said staff did remove the incentives section, and that the slide on the screen was a reminder of what it had looked like. She said in the framework, they had several non-required building elements that they assigned a points system to so that people could achieve additional height if they met a certain number of points. She said it was very preliminary and when they brought it out with the framework, they recognized it needed some more work.

Ms. Falkenstein said staff worked on this further and based on feedback they received from both the consultants and members of the Steering Committee, they determined they should remove the section. She said the reason was that first of all, they needed to identify one or two priorities and figure out how to incentivize those. She said they also needed a little more detail and clarity. She said staff also heard from a couple of local developers that they felt as if people were only going to use the section to do the bare minimum to get the bonuses allowed. She said this was not necessarily desired, and so the priorities should be identified.

Ms. Falkenstein said staff has identified affordable housing as a priority. She said before talking about this, however, she wanted to discuss a couple of things staff incorporated into the draft that were listed in the incentives section. She noted they were not completely doing away with all these concepts. She said in terms of the civic space types Ms. Brumfield had just presented on, staff has added additional civic space types that talk about amenity space and trails. She said the pedestrian passages and alleys are new street types, with pedestrian passages qualifying for both streets and civic spaces. She said bicycle storage is now a required element and is no longer listed as an incentive.

Ms. Falkenstein said she wanted to show that staff was not doing away with all of the concepts,

and some of them have been incorporated throughout the draft. She said in terms of the green building design and low-impact development and green infrastructure discussed earlier, staff recognizes the importance of those and need further work on them before incorporating standards or incentives. She said this was not to say, however, that someone could not come in and incorporate these elements voluntarily.

Ms. Falkenstein said the affordable housing section is still incorporated into the draft before the Commission. She said it is very similar to what the Commission saw in the framework. She said staff is incorporating the bonus height that was previously in the incentives section and writing it in this section of the form-based code where someone can achieve an additional story or two if they meet a certain standard listed in the code. She noted that the required percentages match what was included in the housing policy that the Commission recently reviewed and are based on local market research to make sure these numbers pencil out.

Ms. Falkenstein reminded the Commission that because this is an optional overlay, they are allowed to include an affordable housing requirement because of the way it is structured as optional.

Ms. Falkenstein said this concluded all the sections of the code. She said they would pause for discussion, and reminded the Commission there was one additional topic to cover that evening, which was future work and next steps.

Mr. Bivins asked Ms. Schaffer if anyone from the public had their hand raised.

Ms. Schaffer replied there was no one with their hand raised.

Mr. Bivins opened the discussion to the Commissioners.

Mr. Keller said he had a question about something he believed everyone had discussed some time ago, when they had the first draft. He said now that they have the consultant comments, and as he knows this has been done in other cities, he wanted to know if staff could briefly discuss why they should not go with the full form-based code without allowing a current zoning underlay option.

Ms. Falkenstein replied that there were a couple of reasons for that. She said a good part of it was simply the political will to do so. She said not every property owner on Rio29 is in the same place right now. She said some property owners embrace it while others do not want it or are not interested at this time. She said the community feedback staff heard was a main reason. She added that the optional overlay has a couple of advantages, including the affordable housing piece she just mentioned.

Ms. Falkenstein said the way the process is another advantage. The form-based code is a by-right process that provides clarity and certainty. She said it introduces quite a bit more density and intensity of uses that are not allowed today. She said someone looking to redevelop their property would have the option of going through a rezoning or going through the by-right process of form-based code, with a wide variety of uses to choose from under the form-based code.

Ms. Falkenstein said hopefully, this would lead people towards the optional form-based code district but if not, they can go through their traditional process, and staff will still review development against the Rio29 Small Area Plan.

Mr. Keller said he believed this was a good and fair response, and that it was important to have it out there for the public.

Ms. More said what she believed she saw here was that staff was leaving in some flexibility for how this might take shape. She said when staff talks about these spaces, she feels that they are leaving a flexibility that is important because, using Crozet's plaza as an example, the idea behind the space (which is a larger space) is that it can be used for multiple purposes. She said while it might be a large space, people have worked closely to figure out ways that it will not be an overwhelming space for a family picnic or intimate type of gathering. She said it can expand in some ways to be a smaller farmers market, yet reinvent itself even more so to be a possibly larger gathering space for an event like Fridays After 5, once it is safe to all get together again.

Ms. More said she likes having the spaces serve multiple purposes and not be so strictly programmed that they may become unusable or not lend themselves to what people might find themselves there wanting to do. She said in one part, staff talked about having the moveable pieces.

Ms. More said she liked how staff described changing the term "tot lot," which implies a neighborhood use, to the term of "civic space." She said in the past in different neighborhoods, spaces are created, and often times existing neighborhoods around the new development are told that the place will be open for everyone. She said it often turns out, however, that neighbors of that community feel like it is theirs and not someone else's to come to and use, which is unfortunate. She said she liked that staff was making it very clear what the intent is for these spaces.

Ms. More said she also liked how staff talked about making places for people to want to sit, and that anyone who can sit there can. She said they are in a place these days where they (as a County and community) need to say that this is okay. She said she appreciates this part and the thoughtfulness staff had to take the time to define what the intention is behind creating the spaces.

Mr. Clayborne said he had a couple of questions, with the first being around transparency requirements. He asked out of curiosity if they should be putting anything into the code that takes building orientation into consideration. He said if one were to meet the requirements, depending on the façade and orientation, the building may require shading to control heat gain and so forth. He asked if those conversations were a part of developing the language.

Ms. Accardi replied that staff has specified the transparency requirements are only for the facades that face streets and civic spaces, and that she believed Mr. Clayborne was suggesting additional shading requirements and provisions alongside transparency. She asked if this was correct.

Mr. Clayborne said his comment was more about north, south, east, and west and how the sun angles play into that. He said he was tying in sustainability, ultimately to get a high-performance building but flexibility in how they get there, in a sense. He asked if thought was given to the south side, for example, with a low winter sun. He asked if those types of conversations were occurring as staff thought through the transparency requirements.

Ms. Accardi replied that those were not in the code as written, but were well-taken as a note. She said she thinks staff is currently challenged with developing standards for the whole area, but that they would take this comment into consideration, which was in line with the green infrastructure

and building design piece as well.

Mr. Clayborne said his second question was about the mechanical section. He asked if they wanted to give any thought to perhaps controlling the size of louvres on the primary façade. He said there was talk about building equipment, [inaudible], and building transformers. He asked if [inaudible] maintain this on primary facades.

Ms. Brumfield informed Mr. Clayborne that his feed had broken up.

Mr. Bivins asked Mr. Clayborne to resume his statements starting at his point about louvres.

Mr. Clayborne turned his video camera off to enhance his audio feed. He asked staff if they wanted to give any thought or consideration to indicating any maximum louver sizes on the primary facades. He said in the mechanical section, staff talked about building equipment, appurtenances, transformers, and meters, and so he wondered if they wanted to give any thought as to louver sizes on primary facades.

Ms. Brumfield replied that this had not been part of the discussion, but that staff could look into it.

Mr. Keller said when he was talking about the shadows, he did not tie that to sustainability, but he thinks there is an issue of a first building of a certain number of stories that could conceivably cast a shadow that could have environmental effects on a future building, which is one of the reasons why he was talking about shadow studies as well as the pedestrian experience on the street level. He said he thinks these are all tied in, and that it is a relatively easy computer query for staff to think about this in terms of standards and how that might be a requirement of applicants.

Mr. Bivins said on page 29, they talk about a pedestrian passage and on page 44, they talk about a pedestrian street. He asked if these are the same thing.

Ms. Brumfield replied that they are not. She said a pedestrian passage would be a passageway through a building. She said if Mr. Bivins is familiar with the new workspace that is going up at the edge of the Downtown Mall, next to the Omni, this is going to have a pedestrian passageway through it that will be public access, and essentially a street inside a building.

Mr. Bivins said he was familiar with the concept and was making sure the two terms are not the same thing.

Ms. Brumfield said a pedestrian street is just that.

Mr. Bivins asked if it was not a pass-through and just stops at the end, according to the code. He noted that the code mentioned bollards and said if they are bollards, then he could pass through it.

Ms. Brumfield said a pedestrian could pass through it.

Mr. Bivins asked if the pedestrian passage on page 29 was only for pedestrians as well.

Ms. Brumfield replied yes.

Mr. Bivins asked if they were named differently, but served a similar practice.

Ms. Brumfield replied that the pedestrian passage specifically goes through a building.

Ms. Accardi clarified that the pedestrian street in the civic space section has additional standards that are mentioned and requirements that are above the pedestrian passage. She said the pedestrian passage is something that can break up a block length instead of requiring that a developer have a full street section, but maintains the break in façade as a pedestrian walk.

Mr. Bivins asked if the pedestrian passage is covered, similar to what he would find in France and London. He asked if these are places that move between streets but are actually covered merchant places.

Ms. Accardi replied that they could be, but this was not required.

Mr. Bivins said whereas, the pedestrian street is not covered.

Ms. Accardi confirmed that the pedestrian street is not covered, and that it does have the additional diagram.

Mr. Bivins said this was on page 44.

Ms. Accardi said that those annotated elements are not called out.

Mr. Bivins said he had thought that this was a covered place where one could have a different level of business there because there are smaller storefronts, and it does not have the full range that there would be on an avenue, boulevard, or local street. He said now, he understood.

Mr. Bivins said as he and Ms. More mentioned earlier, how the County takes on these civic spaces is really whether or not this will have the leverage to go forward in a big, dynamic way that is being envisioned. He said he did not know how they would do this but at some point, when they perhaps get ready to say what they are going to say, one thing the Commissioners might consider putting forward is to say that the County really needs to have a significant skin in this game.

Mr. Bivins said he was struck by the enclosed civic space, which he thinks is brilliant. He said he would want it to be owned and designed by County staff and would not want this designed by anyone else. He expressed that staff has the talent to design it, and that he hoped they would instead of getting someone else to do it.

Mr. Bivins said he wanted to send a message to the Supervisors saying that to make this work, they will have to put this in their budget. He said they may have to create something that they have never wanted to create, which is a Public Works department. He said if they are going to walk into an emerging, suburban/urban/exurban places that they are asking people to live, it will have to be maintained. He said otherwise, all they will have are a bunch of green zombie parks like they have going across Route 29 now. He said if all they are going to do is create Zombie Land, he is not in a position where he is going to support this. He said if what they are going to do is invest in the area and make it a focal point and launching point for who they want to be as a community, the County will have to get into this, and he thinks it could really work.

Mr. Bivins said what he heard that evening were all positive comments about the work staff has done, and he hoped that staff would take from each Commissioner that they are on their side with

this. He said they just want it to work.

Mr. Bivins said he was a little confused about what Section 20C-13 is. He asked if it is part of the form-based code or not.

Ms. Falkenstein replied that it is part of the form-based code. She said anyone opting into the form-based code would be required to provide affordable housing.

Mr. Bivins said he hoped staff got from the Commission that they are so pleased with what they have done. He said he knew it felt late in the hour, but that what staff had done was very cool, and he hoped that the people who were listening to this, and those who Mr. Rapp would update about this, would hear that the Commission is excited. He said it was nearing 9:00 p.m., but he thought the code was really cool.

Ms. Falkenstein thanked Mr. Bivins for his comments. She said staff is excited about the project and to be this far along in it. She acknowledged that there is still work to be done and that this is a starting point, even though they are hoping and planning for adoption of the draft (in which they will incorporate feedback where they can). She said there is more work to be done to really achieve the vision, provide continuity, and provide the design standards needed to see these spaces come to life.

Ms. Falkenstein said staff has provided a preliminary list of future planning and design work with the staff report (Attachment 4). She said staff took a pass at providing some prioritization of the work and identified three top priorities of the list, with one being the street network regulating plan. She said another priority is to further civic space design guidance, which was not to say they would design every civic space up front, but that they would provide standards for required facilities that would be incorporated into the code. She said if one wanted to incorporate benches or seating, they would need to be built with certain materials and be sited a certain way.

Ms. Falkenstein said the third priority was transit planning. She said they did not talk about this much that evening, but there were some transit standards built into the draft. She said staff has had some conversations with their transit partners, recognizing the importance of transit to the area, as it is part of the vision and at two important crossroads in the community. She said they would be more proactive with their transit planning in making sure that before development goes in, they identify their transit and facility needs for the area.

Ms. Falkenstein said she wanted to check in with the Commission to see if they agree about the three priorities being the highest. She asked if there was anything they wanted to add to the list or any recommended changes to future work.

Mr. Clayborne said staff had done an awesome job, but that he could not help coming back to the sustainability piece. He said when one builds a building that will be there for 50-75 years, to him, it is too critical not to elevate the importance of sustainability for that reason alone. He again told staff they did a great job.

Mr. Bivins asked if this would be a new section, or if it would be under the Green Building LEED Design Standards.

Mr. Clayborne said he assumed it would be the latter.

Mr. Randolph said the three priorities Ms. Falkenstein identified as the highest all made sense, as everything would follow consequentially from them.

Ms. Falkenstein said staff would take this feedback and move it forward. She said she had a final slide to share to let the Commission know what was coming next.

Ms. Accardi said next steps on the project were to incorporate the Commission's feedback and comments where possible, alongside the property owner and community member feedback staff received, into a refined draft for the Board of Supervisors that staff would share (likely in a similar format) in December. She said as Ms. Falkenstein mentioned, the Community Development work plan has this project being completed in the first quarter of 2021, so if all goes well with the Board and they support moving forward with this work, public hearings would be scheduled in early 2021. She said there would be a public comment period for the final draft where anyone could comment and allow staff time to incorporate those before public hearings.

Ms. Accardi thanked the Commission for their comments and feedback.

Mr. Bivins thanked staff and said the Commission looked forward to seeing them back soon. He said staff had mentioned that at some point, they were willing to take queries from Commissioners if they wanted to share something with them. He asked if they were still willing to do that.

Ms. Falkenstein replied yes and said the Commissioners could still reach out.

### **Committee Reports**

Mr. Randolph said the Village of Rivanna CAC met that Monday, November 16, and there was about an hour-long conversation about what the Planning Commission will tackle on November 24 (Breezy Hill). He said he has prepared remarks that he will send to the Planning Commission after they receive their packets. He said he did not want his thoughts to shape or influence the Commissioners in any way without them first having an opportunity to see what the staff report is. He said these would likely go out that Friday or Monday.

Mr. Bivins said he looked forward to seeing those.

### **Review of the Board of Supervisors**

Mr. Rapp said there had not been a Board meeting on November 11, in honor of Veterans Day.

Mr. Rapp said there is one public hearing and one action item for next Tuesday evening, November 24, with one of those properties being within the small area master plan for designation.

### **Old/New Business**

Ms. More asked Mr. Clayborne about a painting project he had been working on at his home. She also shared a story about Mr. Bruce Dotson and about a lunch together.

### **Items for Follow-Up**

There were no items.

## Adjournment

At 8:49 p.m., the Commission adjourned to November 24, 2020, Albemarle County Planning Commission meeting, 6:00 p.m. via electronic meeting.



---

Charles Rapp, Director of Planning

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

Approved by Planning Commission
Date: 12/15/2020
Initials: CSS