

**Albemarle County Planning Commission
May 3, 2016**

The Albemarle County Planning Commission held a regular meeting on Tuesday, May 3, 2016, at 6:00 p.m., at the County Office Building, Room 241, Second Floor, 401 McIntire Road, Charlottesville, Virginia.

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

Other officials present were J.T. Newberry, Planner; Rebecca Ragsdale, Senior Planner; David Benish, Acting Director of Planning; Sharon Taylor, Clerk to Planning Commission and Greg Kamptner, Deputy County Attorney.

Call to Order and Establish Quorum:

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

Committee Reports

Mr. Keller invited committee reports. There being none, the meeting moved to the next agenda item.

Other Matters Not Listed on the Agenda from the Public:

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

Public Hearing Items

4a. SP-2016-00006 Generations Montessori School

MAGISTERIAL DISTRICT: Rivanna

TAX MAP/PARCEL: 06200-00-00-025C0

LOCATION: 1525 Stony Point Road

PROPOSAL: Request for approval of a private school for up to 50 students in the existing Broadus Memorial Baptist Church facility.

PETITION: Private schools under Section 10.2.2.5 of the Zoning Ordinance. No dwelling units proposed.

ZONING: RA, Rural Areas - agricultural, forestal, and fishery uses; residential density (0.5 unit/acre in development lots)

ENTRANCE CORRIDOR: Yes

MANAGED AND PRESERVED STEEP SLOPES: Yes

FLOOD HAZARD OVERLAY: Yes

SCENIC BYWAYS OVERLAY: Yes

COMPREHENSIVE PLAN: Urban Density Residential – residential (6.01-34 units/acre); supporting uses such as religious institutions, schools, commercial, office and service uses within Neighborhood 3 – Pantops Master Plan. (JT Newberry)

Mr. Newberry presented a PowerPoint presentation on SP-2016-00006 Generations Montessori School. In an overview of the area staff pointed out the area being proposed for a private school for up to 50 students between the ages of 2 months and 6 years old. The property is located on Route 20 North and lies right at the edge of our development area and rural area. The property is zoned Rural Areas, but is designated for urban density and green space. It is difficult to see the development area boundary, but it goes right across the northern edge of the property.

In the concept plan proposed by the applicant there are no external improvements proposed. The existing playground on site will be utilized as well as a field across the lower parking area would be a play area for the children. Pictures of the site were shown to give a better sense of the proposal. He pointed out the entrance on 20 north; a side view of the residence that is adjacent to the entrance; the mature

wooded buffer at the back of the residence that buffers the play area proposed on the concept plan; and going down the entrance way there is a partial view of the parking lot. There is plenty of parking available for instructors during the week. The community meeting was held at this location. He pointed out where the entrance of the school would be located and the existing playground on the concept plan. There are some stairs available for the children to use when walking out to the play area.

Staff has identified factors which are favorable. Factors favorable to this request include:

1. The request is consistent with the Comprehensive Plan.
2. Multiple private schools have operated in this location without creating significant impacts to adjacent properties.
3. The request serves an unmet and growing educational need in the community. At the community meeting we heard from several members of the community as well as a representative of the church that talked about there being an unmet need for school space for children.
4. The proposed use utilizes an existing building, which provides for a more economical use of land. It also alleviates some of the pressure to move further out into the rural area for land.

No unfavorable factors have been identified.

Staff recommends approval of SP-2016-00006 Generations Montessori School subject to the conditions as shown on the screen, as follows:

1. Use of site shall be in general accord with the concept plan "Generations Montessori School in Broadus Memorial Baptist Church" signed and dated by Rita Pace, 04/11/2016, as determined by the Director of Planning and the Zoning Administrator. To be in general accord with this plan, development and use of the site shall reflect the general size, arrangement and location of the existing church facility and outdoor play areas. Minor modifications to the plan which do not conflict with the elements above may be made to ensure compliance with the Zoning Ordinance;
2. Enrollment shall not exceed fifty (50) students; and
3. The hours of operation for the school shall not begin earlier than 8:30 A.M. and shall not end later than 5:30 P.M., each day, Monday through Friday, except that occasional school-related events may occur after 5:30 P.M.

Mr. Keller invited questions for staff.

Ms. Firehock asked is it necessary to define occasional.

Mr. Newberry replied it was helpful because there is another use in the zoning ordinance about day camps and boarding camps and having that language is consistent with other private school conditions. It also helps differentiate between a uses that would potentially require a different special use permit. He spoke to zoning at length about how to differentiate between boarding camp and day camp uses. From the types of activities that the applicant described having occasional he thinks helps differentiate that.

Mr. Dotson noted staff mentions in the summary and oral presentation that there have been multiple private schools. In the staff report you indicate that there was a school by the name of Frost that had a limitation of 18 students and it was an interim use for maybe 2 years. He asked have there been other schools of the same scale of 50 students.

Mr. Newberry replied the applicant could probably describe the other school that was there. He knows about the capacity of Frost Montessori from their special use permit request. However, the other school that has been known to operate there did not receive a special use permit approval so he had less information about that. However, the applicant can probably can tell you more.

Mr. Dotson said in terms of the information staff got from VDOT was there any concern expressed about the sight distance. Visiting the site at 8:30 or 8:45 this morning many people were coming in as he was

leaving the site. Many people were coming in from Route 20 heading into town, and it took me a bit of time before he could safely get out. He was wondering did VDOT offer any comments about that sight distance.

Mr. Newberry replied not sight distance in particular; but, VDOT was concerned about the volume on Route 20. They did an enhanced analysis than what was initially thought about the capacity of Route 20 to accommodate the use. That alleviated all of the volume concerns. However, they do encourage the property owner to consolidate entrances with the adjacent Cascadia. If that ever becomes an opportunity it would be consistent with the access management guidelines to consolidate entrances. But, sight distance was never brought up as a concern.

Mr. Dotson said the conditions would say no earlier than 8:30 a.m. I am guessing the applicant asked for 9:00 a.m. and you are trying to be flexible and maybe give a little start-up room. Is that the reason that is basically what the applicant asked for?

Mr. Newberry replied yes, staff talked about it with the applicant and felt like that was something that the site could accommodate and some additional flexibility was useful there.

Mr. Dotson thanked staff and noted he would follow up on that with the applicant.

Mr. Keller invited further questions for staff.

Mr. Lafferty pointed out in the application narrative if they request to offer clubs and enrichment days, summer camps and cooking club is there any control over the enrollment of those.

Mr. Newberry replied in discussing those enrichment days the enrollment would never exceed what is proposed as a condition here. In fact, he thinks the applicant can explain further to say that they don't anticipate it even coming close even one-half. But, in terms of a condition they assured me that it would never approach the enrollment cap.

Mr. Keller opened the public hearing for applicant and public comment and invited the applicant to address the Commission.

Ms. Rita Pace said she was present with her daughter, Christina Pace to represent the application. This is an opportunity that I had. She was a teacher at Frost Montessori, which staff mentioned, for 11 years. In 2005, she finished my second Montessori training for a degree and though how wonderful it would be to actually have a program that children could start in infancy and go all the way through the Montessori program. The schools in Charlottesville at this point in time no one is offering the infant class and we found out that it was a huge need so much so that only through word of mouth we right now have 7 applications that they would like to begin in August if the school is approved and another to begin in January. The first year our capacity we are thinking is starting at 16. So we have been so fortunate to have the community behind it. She also would be doing this project with my daughter who is a very well respected teacher in the community. It is something we are very excited about. We are very compassionate about it.

Mr. Keller invited questions for the applicant.

Mr. Dotson said he was wondering about the start time. Perhaps this is something unique to Montessori, but he knows that a lot of schools and a lot of parents that have to be at work by 8 a.m. would like to be able to drop off a child at 7:45 a.m. for pre-care before the actual school day starts. He was guessing that could be a limitation on your school if no one can arrive before 8:30 a.m. He asked what her thoughts were on that.

Ms. Rita Pace replied that she feels very comfortable with that. She has worked in the toddler community

for years and thinks early arrival for children that young is a very long day. So for the first years we have decided that we were going to have our school hours being from 9 a.m. to 3 p.m. with an initial pickup at noon as well if they would like to only have them come for 3 hours a morning. Then the other children can be picked up at 3 p.m. She does understand for the working community that could be something that would make it more difficult. But, again we are there for the children, and ultimately it makes a better day for them that they are not there that early in the morning and then staying. By the time we get to our 5:30 p.m. dismissal that would be the older of the 3 to 6 year age and then we would be able to offer a longer day and longer dismissal. She noted that Mr. Dotson was correct in that their hours are basically from 9 a.m. to noon or 9 a.m. to 3 p.m. But, they wanted to leave a little bit of flexibility in there.

Mr. Dotson said when you might operate a summer program that would have maybe older siblings of some of the children in your school you still think that 8:30 a.m. would not limit you.

Ms. Rita Pace replied that it really will not. So our camp hours are basically 9 a.m. to 1 p.m. or 9 a.m. to 3 p.m. in the summer. That is what we have set up and the parents are very happy with that. We have a good reputation of working with children. We've started working with a great data base through my data base at Frost with older siblings who have been there and we have not found it to be a limitation. Again, as Mr. Newberry mentioned our summer camps are typically 18 as an average. We have gone up to 21, but 18 to 21 and not the 50 capacity.

Mr. Dotson said the other question is on the play area shown on the generalized concept plan which is unfenced. Granted the paved area next to it he would describe as a driveway rather than a street or a road; but, nonetheless it is going to get traffic with people coming and going to pick up and drop off their kids. He has some concern since that is unfenced about safety. So he would like to know what your thinking is on that question.

Ms. Rita Pace replied that our play times would not have anything to do arrival and dismissal if it was not in the actual fenced in area. This would just be areas in the morning when the cars are not there that we would be able to take the children out in the field and let them run around. There are also other beautiful areas around the church that are grassy that the children can be in. She had studied the area a lot and the traffic patterns going in and out of the church and we have not seen it be an issue at all. If there ever would be an issue then we would change it immediately. The arrival and pick up times would never be at the time that they would be in the field area.

Mr. Dotson said he was not familiar of what the licensure requirements are under the state; but, do they look at the safety of the outdoor areas as well as other things.

Ms. Christina Pace said they started working with Social Services and will continue moving forward with that. But, part of working with Social Services is having them come in and do an inspection of the classroom and the grounds. They have done an initial inspection at our first application meeting to see if we needed any outdoor lighting or things of that nature. But, it would definitely be included in their final approval process.

Mr. Dotson said they felt that it was a safety issue they would require you to fence the play area, and Ms. Christina Pace replied absolutely.

Ms. Rita Pace pointed out that they have seen the area and when they showed it to her she did not put any red flags up about it at all. We have been working very closely with them. We want to make sure that this school is done properly.

Ms. Christina Pace said she would like to go back and answer the question about the other school that was there. There was a program there called Y-Aspire After School Program that was approved up to 50 children as well. It was an afterschool program. She does not really know how late it operated; but, she would say if it was an afterschool program it was probably at least 5:30 or 6:00 p.m. But, she did know that the number was 50 or at least that was what was related to me during the time.

Ms. More questioned the drop off and pick up times. It looks like you are starting out within the first year with no more than 15 student and then building from there. She wondered with the way the parking lot is configured do you have a plan - Will it be parents walking the children in or will there be a cue of cars for drop off? Do you anticipate any problems with flow and as you grow being able to handle that much all coming right for a 9 a.m. start time

Ms. Rita Pace replied that they are planning on doing a valet service where the parent pull up, we get the children out of the car, and bring the children into the school. So they really do not have to park. The only parents that we are asking to park are the children who cannot walk on their own. So the infants will obviously be carried in by their parent. But, other than that we will do the valet parking. Several schools in the area have done that and it works beautifully. It saves a lot of time getting the children in and out of the car and it is easier for the parents. So that is our plan of what we would like to do for our arrival and dismissal as well.

Ms. More asked if she sees a way they can configure with the parking lot to accommodate for that. She personally prefers that type of drop off.

Ms. Rita Pace noted it even has a lower level for parents as well if they just wanted to pull in there if they needed to. So it is really nice because it sort of two tiered.

Bill Palmer asked if they anticipate using the park across the street, Darden Towe, for any of their daily use, and Ms. Rita Pace replied no.

There being no further questions for the applicant, Mr. Keller invited public comment.

Cal Morris, from the Key West Association and a member of the Broadus Memorial Church, pointed out the congregation voted unanimously in favor of having these folks here. We have a large facility. It is the largest facility in the Pantops area and the only area that can really accommodate a public hearing. We don't want the church setting idle where there are possibilities to serve the public. Mr. Dotson in answer to your question he pointed out the Y-Aspire After School Program group was a group sponsored by the YMCA and really was partnering with the Stoney Point Elementary School identifying at risk children that once they hit home they were alone. So they had a program and they used our facility. Unfortunately, they ran out of funding, but that was the specific area. Mr. Lafferty in your particular question what we have found is of the 50 people that have used the facilities in the Montessori group 45 of them have traveled from 250 moving north into the Broadus area. Only 5 have come from the north traveling south. So actually the turning in and out and so on is much friendlier to the people coming in and going out.

There being no applicant rebuttal, Mr. Keller closed the public hearing to bring the matter back to the Planning Commission for discussion and action.

Ms. Firehock said it sounds like a great proposal since she is a graduate of Montessori at a young age.

Mr. Keller concurred with Ms. Firehock since his children attended a Montessori school. He thinks that Mr. Dotson was actually providing some coaching about the time frame. He would encourage the applicants to think about it. If there was a desire to have a longer day or if there was a need to enclose an area would that require it coming back and going through the special use permit process amendment.

Mr. Newberry replied that the hours of operation would because those are specified as a condition. Enclosing an area to comply with a Social Service license the zoning administrator and the director of planning would have to make a determination based on the concept plan whether or not it would be considered an essential element of the concept plan.

Mr. Benish noted if the Commission wants to change the hours of operation that is your prerogative and under the conditions you can do so. Adding hours is not going to be harmful to the applicant because making the opening hours earlier is not damaging or harmful to the applicant. We simply reflected, as he

understands, just gave them an additional time within their requested timeframe. However, if the Commission feels that an eight o'clock start time is more comfortable.

Mr. Keller asked if the applicant would have to pay the fee if they were going to come back in and went through the whole process again.

Mr. Benish replied yes, they likely would.

Mr. Keller said he was assuming that was why our fellow commissioner was going down that path to free them.

Ms. Firehock said the applicants can operate within those hours. Even if we set it earlier they can still start at 9 a.m. It just gives them the flexibility.

Mr. Lafferty asked if the applicant has any problem with making the hours wider such as starting at 8 a.m. and finishing at 5 p.m.

Mr. Keller noted we are getting a thumbs up from the applicant.

Mr. Lafferty suggested changes the operating hours in the motion.

Motion: Mr. Lafferty moved and Ms. Firehock seconded to recommend approval of SP-2016-00006 Generations Montessori School with conditions outlined in the staff report, as amended, to add an extension to the operating hours from 8:00 a.m. until 5:30 p.m.

Mr. Dotson noted just under discussion he would say that does not help a parent who has to be at work at 8:00 a.m., and he was thinking 7:30 a.m. as a friendly amendment.

Mr. Lafferty said he was fine with that friendly amendment.

Ms. Firehock seconded the friendly amendment.

The motion carried by a vote of 6:0 (Spain absent) with the following conditions, as amended.

1. Use of site shall be in general accord with the concept plan "Generations Montessori School in Broadus Memorial Baptist Church" signed and dated by Rita Pace, 04/11/2016, as determined by the Director of Planning and the Zoning Administrator. To be in general accord with this plan, development and use of the site shall reflect the general size, arrangement and location of the existing church facility and outdoor play areas. Minor modifications to the plan which do not conflict with the elements above may be made to ensure compliance with the Zoning Ordinance;
2. Enrollment shall not exceed fifty (50) students; and
3. The hours of operation for the school shall not begin earlier than **7:30 A.M.** and shall not end later than 5:30 P.M., each day, Monday through Friday, except that occasional school-related events may occur after 5:30 P.M.

Mr. Keller noted that SP-2016-00006 Generations Montessori School would be forwarded to the Board of Supervisors with a recommendation for approval to be heard on a date to be determined.

The meeting moved to the next agenda item.

Public Hearing Items

- 4b. **SP-2015-00031 Rio Salam LLC – Motor Vehicle Sales**
MAGISTERIAL DISTRICT: Rio
TAX MAP/PARCEL: 061W0020A00200

LOCATION: 1189 Seminole Trail. East side of Seminole Trail (Rt. 29), 200 feet south of intersection with Greenbrier Drive (Rt. 866).

PROPOSAL: To permit the sale of motor vehicles associated with existing auto repair shop and proposed body shop.

PETITION: Motor vehicle sales in communities and the urban area as designated in the Comprehensive Plan under Section 22.2.2(8) of the Zoning Ordinance. No dwelling units proposed. Concurrent with SP application SP-2015-00034.

ZONING: C1 – Commercial, which allows retail sales and service; residential by special use permit (15 units/ acre).

ENTRANCE CORRIDOR: Yes

AIRPORT IMPACT OVERLAY: Yes

COMPREHENSIVE PLAN: Urban Mixed Use (in Centers) - retail, residential, commercial, employment, office, institutional, and open space within Places29 Master Plan. (JT Newberry)

AND

4c. SP-2015-00034 Salam LLC – Body Shop

MAGISTERIAL DISTRICT: Rio

TAX MAP/PARCEL: 061W0020A00200

LOCATION: 1189 Seminole Trail. East side of Seminole Trail (Rt. 29), 200 feet south of intersection with Greenbrier Drive (Rt. 866).

PROPOSAL: To permit a body shop in conjunction with the existing auto repair shop and proposed motor vehicle sales.

PETITION: Body shop under Section 22.2.2(12) of the Zoning Ordinance. No dwelling units proposed. Concurrent with SP application SP-2015-00031.

ZONING: C1 – Commercial, which allows retail sales and service; residential by special use permit (15 units/ acre).

ENTRANCE CORRIDOR: Yes

AIRPORT IMPACT OVERLAY: Yes

COMPREHENSIVE PLAN: Urban Mixed Use (in Centers) - retail, residential, commercial, employment, office, institutional, and open space within Places29 Master Plan. (JT Newberry)

Mr. Newberry presented a PowerPoint presentation on two special use permit requests for SP-2015-00031 Rio Salam LLC – Motor Vehicle Sales and SP-2015-00034 Salam LLC – Body Shop.

History of Request:

- Mr. Altallal came to our office seeking a business license to expand an existing auto repair shop with a body shop as well as some limited motor vehicle sales.
- We went through several different ways of accomplishing this with two mandatory pre-application meetings in March of 2015 and June of 2015.
- The application was officially accepted for review in December of 2015
- The applicant attended the Places 29-Hydraulic Community Advisory Committee (CAC) Meeting on January 11th, 2016

Area Map and Overview of Request:

Staff reviewed an area map in the slides and pointed out the property was located on 29North near the intersection with Greenbrier Drive. The applicant's proposal focuses on the back structure and area of the site at 1189 Seminole Trail, which is where Mr. Altallal operates his existing auto repair facility.

The concept plan in Attachment B was submitted by the applicant. The concept plan shows the specific areas for parking and storage for vehicles to be made available for sale and for body shop vehicles that are awaiting repair to be held. It also shows the customer parking and the existing chain link fence around the back area of the site.

In a virtual field trip on this request Mr. Newberry pointed out the following in the photographs:

- The frontage along Route 29 as you approach the vantage point of this picture is from within the

city of Charlottesville because the property is located right on the city/county line. Moving forward staff pointed out looking down the subject parcel you can see just barely the front of his store. As you go back, staff pointed out where the concept plan identifies some customer parking. He pointed out the front of the existing auto repair facility and the proposed area for motor vehicle sales. It is tucked behind the C'ville Oriental Grocery Store and also on the side of his building.

- Looking north from the city of Charlottesville to the side of his shop, there is existing vegetation that lines the back storage area. As we go back around the site he just wanted the Commission to be able to see the existing wooded buffer on the vacant parcel behind the applicant's site. You can see that the visibility right now is buffered by this vegetation.
- Circling back after walking up Greenbrier Drive coming down Route 29 staff noted the vantage point looking south. As you turn into the site you can see that the visibility of the C'ville Oriental Market and the adjacent building to the north, which is currently occupied by a cleaning company, eliminates visibility from the Entrance Corridor.

Favorable Factors:

1. The request is consistent with the Comprehensive Plan.
2. The proposed uses utilize an existing building, which provides for a more economical use of land.

Factors Unfavorable:

1. VDOT prefers consolidation of entrances; however, the traffic impacts do not appear to warrant the changes to the frontage at this time.

Staff Recommendation:

At the proposed size and scale, staff recommends approval of both special use permit requests, subject to the following conditions:

- Use of site shall be in general accord with the concept plan "Concept Plan for Salam, LLC" signed by Salam Altallal and dated 5/3/2016 as determined by the Director of Planning and the Zoning Administrator. To be in general accord with this plan, development and use of the site shall reflect the general size, arrangement and location of the sales area, parking area for sales vehicles and parking area for body shop vehicles. Minor modifications to the plan which do not conflict with the elements above may be made to ensure compliance with the Zoning Ordinance;
- Not more than five (5) vehicles may be made available for sale outdoors at any time.
- Not more than five (5) vehicles may be parked or stored outdoors for body shop work at any time.

For consideration the motions have been split up for each special use permit request. There is a proposed motion for motor vehicle sales and a proposed motion for body shop. With that, Mr. Newberry offered to take any questions.

Mr. Keller invited questions for staff.

Mr. Lafferty asked will the motor vehicle sales be the ones that have been repaired or will the applicant be bringing stuff in from auctions.

Mr. Newberry replied that his understanding is the applicant would like to purchase vehicles from auction and repair them to make them available for sale.

Ms. Firehock noted she cannot see the scale on the concept plan since it is too blurry. She asked if this request falls in under the Entrance Corridor review and has that been conducted.

Mr. Newberry replied for the Entrance Corridor review staff looked at this plan and determined that there would be no impact on the Entrance Corridor based on the existing buildings and where the limitations of the parking areas are on the concept plan.

Mr. Dotson noted he had one small technical question. In looking at the concept plan the parking for the sales vehicle would appear to be right on the property line and the city/county line. He asked do we require any setback for parking when we are dealing with adjacent commercial districts; or, perhaps he is

taking this too literally and that at the site plan stage any setback would be addressed.

Mr. Newberry agreed that the existing final site plan will need to be amended to reflect the parking areas, and he was not aware of any setback for parking in this area.

Mr. Dotson asked if staff has had comments from the city on this, and Mr. Newberry replied no.

Mr. Keller opened the public hearing for the applicant and public comment and invited the applicant to address the Commission.

Salam Altallal, the applicant, said he has the transportation company and many times has needed to buy cars from the dealer and they charge him a lot. After three or more years in business he was thinking why he went to the dealer to buy cars and not the auction. So he went three or four times with his dealer friend to the auction and saw the difference in price he had paid when he bought cars. Thus, he decided to take that dealership license so he could buy many cars from the auction; fix any problem in the cars; and then use the cars in his business. At the same time he can sell the car to public people at the cheaper price because he knows what that means when he takes the car from the dealer's high price. Thus I put this idea in my mind to say okay he would buy the car for his business and sell it to public people if they need a car; fix it and sell it at that price for the dealers.

Mr. Keller invited other questions for the applicant.

Ms. Riley noted that this is more of an aesthetic question about the appearance of property since she drove over there today and thinks it looks like a great business. She knows it is not required in this process; however, she was just wondering along the side where the vegetation is whether there is any interest on your part to do some additional landscaping or just to improve the appearance of the property.

Mr. Altallal replied that he will do both of them since he has a big area where he can put the fence that may take 100 cars and he buys 1, 2, 3 cars in maybe a week or more. He has a lot of space and parking and if anything is extra he can put it in there. He has a good relationship with his neighbors. He is very happy with his neighbors and they are happy with him. That is the idea that came to him because he had finished at the university and had learned a lot from his education. He bought the cars from the dealer and they charged him a lot so he decided to take this license and buy some cars at a cheaper price and the extra cars if he buys two or three he can sell to the public at a cheaper price.

Mr. Keller thanked Mr. Altallal and asked if there were any other questions.

Mr. Lafferty said he assumed Mr. Altallal had worked out some kind of agreement about the customer parking lot next to the Oriental Market since it is the one closest to 29 where it looks like there would be parking parallel to the Oriental Market.

Mr. Altallal replied he parked on his side and not on the building line. He parked here for three years and now he parks all the customer cars there. He did not have any problem with his neighbor and will talk with him and ask him again to double check so maybe when he needs to take the license they will say it was okay.

Mr. Newberry pointed out to Mr. Lafferty that the owner of C'ville Oriental Market did contact staff and was concerned since he thought that the vehicles were going to be parked out in front of his store. However, once the owner of C'ville Market saw the concept plan he had no issues with it.

Ms. More pointed out on the same map it was showing those five spots that were just in question; however, there is secured parking area for sales vehicles up to five. She questioned the potential for more than five cars to be for sale at one time and if that is a different area that they would be stored in.

Mr. Newberry replied no, actually that was delineated on the concept plan just to demonstrate that there was room. The sales area right now is outside of the chain link fence. But, staff was very sensitive to the

Entrance Corridor and wanted to demonstrate there was room behind the building for the sales vehicles if they needed to be moved from the area outside to the back. It was just basically confirming there was room for all the vehicles associated with these uses to not impact the Entrance Corridor.

Mr. Dotson asked can the Commission combine the two special use permits into one motion, or do we need separate motions.

Mr. Kamptner suggested the Commission should have separate motions.

Mr. Keller invited public comment. The being none, the public hearing was closed to bring the matter back to the Planning Commission for discussion and action.

Motion: Mr. Dotson moved that the Planning Commission recommend approval of SP-2015-31 for motor vehicle sales for the reasons outlined in the staff report and with the conditions shown in the staff report.

Mr. Lafferty seconded the motion.

Mr. Keller invited further discussion.

Ms. More apologized since she did not mean to stop the things from moving forward; but, it was mainly just the comments she noticed from the summary of the community meeting that was held with the Hydraulic CAC. It did not sound like there was a lot of concern. However, there was some questions about paint fumes and staff provided information about the remaining review process that would address those concerns. There was an email that Commissioner Dotson shared today, which she did not know if everyone had a chance to see, that sounds like a Rio Citizen Advisory Committee (CAC) member is asking that question and requesting that it be deferred so they could meet about it. However, it would seem after talking with Commissioner Dotson that the appropriate CAC was the Hydraulic CAC. She asked if that was correct. She just wanted to make sure their email concern was addressed and to draw attention to it.

Ms. More said she does not know what other CAC's do with the process; however, she knows that the Crozet CAC struggled some with accommodating the timeline for the community meeting because often times not all the information is available and then having time to go back and to revisit it once VDOT has made their report and there are other concerns that might arise. That is the CAC's responsibility to choose how they choose to handle that. But, she knows that is something that the CAC in Crozet struggles with to revisit after the community meeting to make sure all that additional information is pulled in. She just wanted to point that out. She did not know if the member of the Rio Community CAC was aware of that process having already taken place at the Hydraulic Community meeting. She would encourage all of us to provide help to CAC's and try to follow up with staff reports and things like that. Sometimes the community meetings are lacking in information because they are held early in the process and you find there is a lot more of the stuff that plays out. Sometimes it does not require any attention; but, sometimes it does and she just wanted to draw a little bit of attention to that in light of the email.

Mr. Lafferty agreed that Ms. More is bringing up a very good point in there are some other things that we need to consider when a project is just over the line between one Community Advisory Committee (CAC) and the other; should they be notified; and do we have a mechanism that notifies the contingent people there because the timing of information is very important. He suggested when you get a group of people together you should give them as much information as possible.

Mr. Keller agreed that it was all good points. He suggested the Commission hear from Mr. Newberry.

Mr. Benish pointed out first, this property is not on the boundary; the boundary is Rio Road and so this property squarely in the Hydraulic District. If something was on the boundary staff would determine whether both CAC's would need to be notified or to have a unified meeting. So we do take that into consideration. We have also scheduled items that are actually outside of the CAC areas in the rural area, but that are on the fringes with some of the CAC's as well. Staff does take that into consideration.

Mr. Benish pointed out the community meeting as it is structured in the ordinance is intended, while not required by ordinance, is strongly encouraged to be an early meeting notice. The purpose of it is to make the community aware that there is a proposal out there. There is no requirement for follow up community meetings. Again, the intent was to provide an early notice to the community so that they were aware of the project and we could seek the community's input or clarify concerns about what the proposal is with the community. Community meetings (CAC's) are not always used for those community meetings. When it is convenient to use them we do. Quite often we use the CAC in the Pantops community; however, we have also held the community meetings outside of the CAC area. So it is not mandated that the community meetings be done at a CAC; however, staff tends to if there is one existing to consider using those. But, that is a decision that we make on a case by case basis.

Mr. Newberry said he would add that the community meetings he had attended there occasionally has been a frustration that there is not more information available. Staff does our best to get contact information for anybody that is there and follow up as it becomes available. He believes our current guidelines ask for the meeting to be within 30 days of receiving the application so it is unlikely that we will have some of the bigger comments available to us at the time and so we are really just answering questions about review process. However, if we can get the contact information he thinks people have been relatively satisfied being a part as it goes through the review process.

Ms. More said she was sensitive to the timeline for the community meetings and thinks the ones that she has set in on as a liaison for the Planning Commission with the Crozet CAC that the planners have done a really good job in outlining for the community in attendance and the CAC what that process looks like. This was back in January so there has been ample time for people to access that information. So she understands that and thinks that staff have done a good job laying out that timeline and then getting that information out if the CAC requests. However, she just thought it was an opportunity to draw attention to that process.

Mr. Lafferty said he was just wondering if a project came in and the developer said they are putting this on R-6 land but are grandfathered. But, R-6 is 6 dwelling units per acre and by some manipulation it suddenly goes to R-16 or R-18 would you require a public hearing. It seems to me that is two different projects.

Mr. Keller suggested finishing with this applicant and project since there is a motion and maybe under new business the Commission could continue this discussion.

Mr. Lafferty replied that he thinks that is wise.

Mr. Keller thanked Mr. Lafferty and asked if there is any further discussion on this motion.

Mr. Newberry noted that there were some minor edits in the conditions between the staff report and what is on the screen that he had worked with Mr. Kamptner on. He suggested in the motion that the Commission call attention to the conditions on the screen versus in the staff report. He thinks that would be the most accurate and up to date conditions.

Mr. Dotson noted that was exactly what he intended.

Mr. Keller asked for a roll call.

The motion passed by a vote of 6:0. (Spain absent)

Mr. Keller noted that SP-2015-00031 would be forwarded to the Board of Supervisors with a recommendation for approval on a date to be determined.

Motion: Mr. Dotson moved and Mr. Lafferty seconded that the Planning Commission recommend to the Board of Supervisors approval of SP-2015-34 authorizing a body shop based on the analysis of the staff and the conditions as shown on the screen.

1. Use of site shall be in general accord with the concept plan "Concept Plan for Salam, LLC" signed by Salam Altallal and dated 5/3/2016 as determined by the Director of Planning and the Zoning Administrator. To be in general accord with this plan, development and use of the site shall reflect the general size, arrangement and location of the sales area, parking area for sales vehicles and parking area for body shop vehicles. Minor modifications to the plan which do not conflict with the elements above may be made to ensure compliance with the Zoning Ordinance;
2. Not more than five (5) vehicles may be made available for sale outdoors at any time.

The motion passed by a vote of 6:0. (Spain absent)

Mr. Keller noted that SP-2015-00031 and SP-2016-00032 would be forwarded to the Board of Supervisors with a recommendation for approval to be heard on a date to be determined.

The meeting moved to the next agenda item.

4d. ZTA-2016-00005 Family Day Home

The Planning Commission held a public hearing to receive comments on its intent to recommend adoption of an ordinance amending Sec. 18-5.1.56 to reduce the maximum number of children receiving child care services in a dwelling unit that would be considered and regulated as a single family use from 5 to 4 children, and to reduce the minimum number of children receiving child care services in a dwelling unit licensed and regulated as a family day home by the Virginia Department of Social Services from 6 to 5 children, all as provided by Virginia Code § 15.2-2292 and other State laws. (Rebecca Ragsdale)

Ms. Ragsdale presented a PowerPoint presentation on ZTA-2016-00005 Family Day Home.

This is a zoning text amendment that the Planning Commission adopted a resolution of intent on a week or so ago for an amendment to the family day home regulations. It is a straight forward simple change and being done in response to a change to the State Code regulations for Family Day Homes that will be effective July 1, 2016.

When we say family day homes we are talking about in home child care and within a dwelling unit it is allowed in all our Residential, Rural Area and Planned Development Districts in any dwelling type. (RA Rural Areas and Residential (PRD, PUD, NMD VR, R-1, R-2, R-4, R-6, R-10, R-15). If you are caring for 12 children or less in a dwelling then it is called a family day home. That does not include your own children or children that live within the household.

The summary of the changes is related to the number of children you can care for that does not require a social services license or a zoning application. Right now you can care for five (5) or fewer children and it is treated as a single family use and no zoning application is required or licensing by the Virginia Department of Social Services. Caring for 6-12 children requires DSS Social Services license and our zoning application process that we have set up in compliance with those supplemental regulations in Section 5.1.5.6.

The change that will go into effect on July 1, 2016 is that number will go down from five (5) to four (4). Four (4) will now be the new number for how many children you can have in your family day home without having to go through the licensing processes with the county or the Department of Social Services. This zoning text amendment would change the number to four (4) children in care and require a clearance for five (5) to twelve (12) children. This is proposed so that our ordinance is consistent with a change to the Code of Virginia effective July 1.

The proposed change in Attachment B of the staff report is as follows:

Family day home definition:

A child day program offered in the **dwelling unit** of the provider or the dwelling unit that is the home of any of the children in care for one **(1) through twelve (12) children under the age of thirteen (13), exclusive of the provider's own children and any children who reside in the home**, when at least one child receives care for compensation. For the purposes of this definition, a child day program is a regularly operating service arrangement for children where, during the absence of a parent or guardian, a person has agreed to assume responsibility for the supervision, protection, and well-being of a child under the age of thirteen (13) for less than a twenty-four (24) hour period. (Added 10-3-01; Amended 9-11-13)

The change will be to those numbers that are at the beginning of the supplemental regulations. There won't be any changes to the definition within the ordinance. So going from four (4) to five (5) is the change.

The Planning Commission does not talk about family day homes very often because it is a zoning clearance application. So that means that they are typically reviewed by staff and they don't go through the public hearing process. Staff confirms the following:

- a) Social Services License
- b) Fire Marshal
- c) Compliance/Review by other agencies (Building Official, Health Department, etc.)
- d) Parking
- e) Entrance and access
- f) Traffic Limits

The Commission also saw the abutting neighbor notice requirement for this type of application, which can lead to the need for a special exception for a family day home. If a special exception is required then it is typically heard by the Board of Supervisors. So we have approved twelve (12) family day homes under this process that has been in place since 2013. Staff has four (4) under review right now. There have been three (3) so far that have needed a special exception.

It is a response to the State Code changes so staff recommends approval of the draft ordinance as it is provided in Attachment B.

Mr. Keller invited questions for staff.

Mr. Lafferty asked staff to go back to the first chart. The way that reads in the right hand column care for less than four (4), and does that mean three (3).

Ms. Ragsdale replied that it was 4 or less.

Mr. Lafferty noted it needs a bar underneath the less sign to mean less than or equal to, and Ms. Ragsdale replied it would be corrected.

Mr. Lafferty asked if staff has any reason why the state changed it from five (5) to four (4).

Ms. Ragsdale replied there were a number of fires and incidents in a year or two prior so they not only changed this part of the regulation, but there are some other changes on the Social Services side of things that were proposed.

Mr. Lafferty asked if it was okay if four children burn up as long as you don't have the fifth one.

Ms. Ragsdale replied that she thinks that during the amendment process there was consideration for the safety of how many children that you are able to evacuate if there is an emergency. The five (5) to twelve (12) bracket or tier requires the Fire Marshall inspections and they are required to do the emergency planning and drills on a regular basis.

Mr. Keller opened the public hearing and invited public comment. There being none, the public hearing was closed and the matter before the Planning Commission for discussion and action.

Motion: Ms. Riley moved and Ms. Firehock seconded to recommend approval of the draft ordinance in Attachment B of the ZTA-2016-00005 Family Day Home staff report.

The motion passed unanimously by a vote of 6:0. (Spain absent)

Mr. Keller noted that ZTA-2016-00005 Family Day Home would be forwarded to the Board of Supervisors with a recommendation for approval on a date to be determined.

The meeting moved to old business.

Old Business

Mr. Keller invited old business and noted that he knew the Commission has two items. He invited Mr. Lafferty to continue his train of thought on his prior discussion.

- Discussion held on community meeting process and factors that could potentially trigger a second public meeting.

Mr. Lafferty said that he did not know that they can solve this here; but, he thought that Ms. More has brought up some interesting things about the way we handle these kinds of public meetings and if the project changes substantially the public should know that it has gone from a few houses to a conglomerate of houses. He was not sure how they should handle it; but suggested setting up a meeting with staff to discuss this.

Ms. Firehock said she thought staff had just responded that they tried to let the people who come to the meeting who sign their names and provide contact information know about changes. She did not know if they have a daily change notice that goes out; but, she thinks that was what she had heard. However, she thought that staff had responded is all she was saying.

Mr. Lafferty said he thinks staff had responded. He noted that may be true; however, it is also true that if the development was going to triple in size more people may have come out and been more vocal and they ought to have the opportunity to do so. He thinks there should be some point where it triggers a second public meeting.

Mr. Kamptner pointed out they will have notice of the project, which is advertised. If they sign up for a mailing list they will be updated and receive notice when the staff report is available. Also, signs are posted on site. One of the purposes of the community meeting is just allow the community to be aware that it is at the early stage; but, they also have to be invested and follow the project as it goes through the entire process. The community meeting is not designed to lock in a project at the point where the community meeting is held because there may be some revisions. As Mr. Newberry and Mr. Benish explained staff has not done its analysis yet so things are obviously going to change after that community meeting.

Mr. Benish noted that he did not think there had been a case where we had a community meeting where it has changed radically. But, he thinks staff would take that into consideration if what was requested was a 100 unit development and they changed it to 300 units because that actually pretty substantially changes the application that we started the review with to begin with. So that would kick into place another round of revisions. Since it would be like a new request in a way he thinks they would consider whether staff would contact and re-hold another community meeting. However, that is usually not the case. Usually an applicant will move forward with the project that they have invested upfront money into and it does not change unless it changes based on comments that have been received through the review process. He pointed out this would be for legislative acts because community meetings are not required for by right developments; but, staff would certainly consider if the request changed radically whether a community meeting or some type of notification be provided.

Ms. More explained her only point was just because the community meeting is such an initial part of the process that with our newer Citizen Advisory Committees (CAC's) forming just to help provide that guidance in a way, whether it is the chair or whether someone is assigned to follow that application, to look for changes that might be of interest to the CAC. She said her point was to help because there is limited information at that initial onset and the CAC responsibility to follow.

Mr. Benish clarified that the way it is structured in our code it is an early notification process. However, he knows staff has gone back out and the applicants have come back to CAC's to discuss revisions and staff certainly encourages that as necessary.

Mr. Riley said she thinks it is the areas that don't have CAC's that are probably the most challenged to be notified. However, her role as the liaison to her local CAC is to play the role you are talking about and all of the Commissioners who serve on the CAC's have the ability to contact staff and/or read the minutes from the ARB and all these various tools. It is a learning curve to do that; but, she thinks that is part of the job.

Ms. More agreed that part of her statement was providing that support to CAC's, which she believed the newer CAC's could use in figuring out how to work that out with their chair. We have a process where anything she sees that might be of interest she just sends to the chair and he decides to send it out to all the notification groups. Then the CCAC can decide if it is something they want to take up or not since it is additional information or just a process for the newly formed groups. Her main point was what our role is as a way for helping them.

Mr. Benish said not to belabor the point; but, when staff provides advice to the applicant on how to hold the community meeting the way it is structured it is the responsibility of the applicant to take on most of the work of holding the meeting. However, staff determined the notification area and discussed the venue where the meeting should be located. Staff will typically contact either the Board member, the Planning Commission member or both. It is a standard to do a community meeting; but, if staff feels like there is a reason that we don't need to do a community meeting we get that clearance from the Board member of the Planning Commissioner. He pointed out Mr. Dotson, as an example, is involved in the CVS at the corner of Rio and Hydraulic and it is one example where we determined that probably a community meeting was not necessary. We worked with Ms. Diantha McKeel on the project that you saw today on the garage to determine whether we need to do a notification for the community or let the CAC function for that purpose. Staff will be working with one or both the Board member and Commissioner in making that determination.

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- Discussion about determination of notification area when project lies on boundary of two CCAC's with a suggestion that both CCAC chairs be notified of the community meeting.

Mr. Dotson said he thinks Commissioner Lafferty raises a good point about the Places29 CAC's that while Rio Road for instance is the border between the Hydraulic and Rio CAC a project on Rio road on either side would be of interest to the other. So he was wondering if it would be doable just to say when one Places29 CAC is going to be hosting a community meeting that the chair of the other two simply be notified. We don't want there to be separate community meetings in each of those areas since that defeats the purpose. But, at least if they were notified it is simpler just to make it automatic than to judge well this is near the edge but that one is not; but, just go ahead and do it.

The Planning Commission moved to the next topic.

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- Discussion of scheduling future work sessions on four educational session topics in May/June/July/August period.

Ms. Firehock said Mr. Benish was talking about upcoming work sessions and what they might be used for. She thinks the affordable housing one has been punted along to August as the soonest date that we

would have available. She believed that the mid-June work session would be looking at a work session on proffers and also farm breweries. She asked if that is correct.

Mr. Benish replied tentatively right now, which he would pass out next week another tentative agenda for the next couple months, there are two work sessions that staff feels have some kind of time sensitivity. That is the work session that zoning has the lead we would like to have on the farm wineries, distilleries, and breweries. Also, a work session that Mr. Kamptner will have the lead on to discuss status of proffers and proffer policies.

Ms. Firehock asked if staff feels those both could be accommodated in one work session. That is the question because obviously they are both big topics.

Mr. Benish said they are big topics. So depending on the amount of discussion you feel like you need for those. If you think each are going to be longer than an hour, then you are looking at a meeting that is between the 8 and 9 p.m. time frame.

Mr. Keller said he thinks he needs to weigh in having just been in these four round table sessions. My sense, and he thinks you are going to be hearing from staff that has been working on that, that there could be enough of a turn out on this and there are certainly big issues to be grappling with that they should have our full attention just as he thinks the proffer requires our full attention. Even if they have to fill in one of those open meeting dates he thinks each one should have its own day.

Mr. Benish said he was fine to do what they are comfortable with. He thinks they would have to move the proffer work session because the staff involved with the farm wineries have been saying that there would be a work session on the 14th. He thinks that date has been committed to.

Mr. Kamptner said the 14th date is flexible. The proffers can be moved. The one thing he can do is give the Commissioners something in writing ahead of time because there are some issues that even right now the Commissioners need to be aware of, which they have already talked about. One is having discussions with people who may be applying for rezonings after July 1st because we need to be very careful about talking to them about proffers addressing impacts. Those types of discussions may factor into all analysis even though the application is being submitted after July 1st. He can get a memorandum to the Commission. He is doing training with Community Development next week so things are being written now; he can get something to the Commission in the month of May and a broader discussion can be held in July if necessary. He asked about June 21st.

Ms. Firehock noted that Elaine Echols had another item for the July meeting potentially.

Mr. Benish said there were two other work sessions that they needed to schedule which one is on the Clifton Inn request, which is actually a zoning text amendment to consider amendments to the historic inns and taverns provision in our ordinance to allow for expansions of those facilities. So that needs a work session. It could go as late as August. The Commission's recommendation to the Board was to expedite that. So we have to balance the expectations for that proposal as well. We have those two and could do on either date. We could do affordable housing in July and the Inns and Taverns in August. He thought it might provide a little bit more time for the affordable housing to get constructed. It would not conflict with the VAPA Conference that some of your invitees are attending. By going back to the proffer date he thinks they do want to get that to the Commission as soon as they can. So in June your June 21st meeting has 3 items on it. He can never predict how long 3 items can take. If you add the work session onto that you are still talking about what would be a long meeting. June 28th is a no meeting week. It was a meeting that was not identified in your calendar for the Planning Commission as a meeting night. You can set a special meeting and use that date. You would have 4 meetings that month. But, if you want a single meeting time it would be good to know that so that you can arrange your calendars since it is the beginning of the summer vacations and such. That was a date that we had let you know at the beginning of the year that was not going to be a meeting date. So he did not know what your schedules are. Those are the two options in June.

Ms. Firehock asked the Commission's pleasure in whether they would rather have a longer meeting or an additional meeting.

Mr. Keller noted the consensus of the Commission was to have an additional meeting.

New Business

Mr. Keller invited new business.

Mr. Keller said the in-house cheat sheet, the format for the chair, does not have a component for hearing from the public at the end of the meeting. It seems like they did that in the past, and other times did not. He asked is it the pleasure of the group to not hear from the public at the end or to open it up and have that opportunity.

Mr. Dotson asked if the question was should we have two opportunities or one. From his observation most of the time the chambers at empty at the end of the meeting.

Mr. Lafferty said if information is gained in the meeting the public may have questions at the end and he thinks they should give that opportunity.

Ms. More agreed as long as it is not a repetition to something heard at the beginning of the meeting.

Ms. Firehock cautioned against at the end of the night having people come back to reiterate why we made the wrong decision.

Mr. Dotson suggested trying it for three months.

Mr. Keller agreed it should be done on a trial basis in the spirit of openness and transparency for citizens to be able to speak to the Commission.

Mr. Dotson said he did not hear whether it was for items not on the agenda, and Mr. Keller replied that he thinks it should be for everything.

Ms. Firehock said what she was objecting to was controversy items that she could imagine.

Mr. Keller asked if the Commission had any objections to Mr. Williamson's request to speak. There being none, he invited Mr. Williamson to speak.

Neil Williamson, Free Enterprise Forum, said it was a great example when he spoke to the Board of Supervisors about where they placed matters from the public they placed it prior to the consent agenda but after the agenda has been approved. It is prior to the consent agenda because there may be items on the consent agenda that the public wishes to speak about. This evening you had a discussion about CAC's and in his role he was live tweeting some of that discussion. He understands the Commissioners have already received an email from someone who received those tweets. There are a number of people that are concerned about the level of support the CAC's have and the level of professionalism some of the CAC's are operating under. Right now he knows that on three of the CAC's sites there are not all of the minutes that belong there even though those minutes are referenced in other minutes. That has to do with staff and he thinks that is an important thing that should be discussed. He knows that there was an issue recently about noticing meetings and those things happen. But, if you are going to give the CAC's all that power you need to give them the support necessary to properly use that power. With regard to this idea of speaking on things not on the agenda and on the agenda that when he leaves at the end of the night it is usually you and me. He does not generally get up and speak against or for; however, there have been times when the Commission has had discussions when he firmly believes that part of the discussion could be enhanced with a fact that he may have, and that fact is helpful, hopefully, to your further deliberations about such a subject including the CAC's. So he would encourage the Commission

to leave it open and encourage them to make it a test because he doubts they will have a lot of comments. But, it is worth a try. He thanked the Commission for the opportunity to speak.

Ms. More said she would like to say my comment about the CAC was specific to that application and the email that we got today. She just wanted clarification because she was not clear on how the divide was between the Rio and the Hydraulic CAC and just wanted to be certain that the meeting was held with the right people. That was all of her intention of bringing it up; although, she believes a good conversation came out of it that was specific to that applicant in the community meeting that staff had referenced and she just wanted clarification.

Mr. Keller thanked Ms. More and noted that was the spirit which he took it. The reason he brings that up is because there is a lot of discussion at all levels of government about the citizens being heard. It seems that often at the end of the meeting people are actually better informed, and as Mr. Williamson said sometimes that information can be added to the record. So he likes the idea of it being a trial. He sees how it could maybe make the Commission be here longer in the evening when they had a really contentious item for discussion and people want to continue talking about it. However, it seems depending on how we do it and until we have tried it that he did not know.

Mr. Benish asked if the Commission wants to do it before or after old business, is it the absolute last item or do you want to have an opportunity to discuss new and old business after the public comment. You can defer that to Mr. Keller at a later date, but staff just needs to know where to put it on the agenda.

Mr. Keller said he would like to hear from the two long serving members what their thoughts are.

Mr. Dotson said his initial reaction would be before new or old business because if we heard something that might bring up some new business so he would say before.

Mr. Lafferty said his inclination would be after just because some of the old business and new business may have some hints about something that may give him a little chance to say something in part as wisdom.

Ms. Firehock noted that typically the Commission only hears from Mr. Williamson at the end of the meeting.

Mr. Lafferty said he was flexible.

Mr. Keller suggested that someone make a motion so that we have it as part of the record and let's put it in the terms of a three month trial period.

Mr. Dotson moved and Mr. Lafferty seconded that the Planning Commission experiment for the next three months with having a second opportunity after all of the public hearings and before new and old business to have comments under the same time limits we customarily use on topics not on the agenda.

Mr. Keller said he wanted to have some discussion because he thinks it should be open for all topics and if they are going to do this technically he should be making an amendment to the motion. He made a motion to accept that but all topics would be available. He asked if they need to vote on that.

Mr. Dotson pointed out that they would vote on his motion, but they need to get a second.

Mr. Lafferty said he did not think Mr. Lafferty's motion limited the topics.

Mr. Keller replied yes, Mr. Lafferty limited the topics to what is on the agenda.

Mr. Dotson clarified his motion was for topics not on the agenda.

Ms. Firehock seconded Mr. Dotson's motion.

Mr. Keller noted they had to have a second on Mr. Dotson's motion first. So we have a second on Mr. Dotson's motion; and, he would propose modifying that motion to opening it on all topics.

Mr. Lafferty seconded the amendment on the motion.

Mr. Keller asked for a voice vote on the second motion.

Mr. Lafferty agreed that the vote would be on the second motion first that would allow the discussion from the public to include all items not necessarily on the agenda.

Mr. Dotson noted the only portion you are amending is my restriction that the comments would not be on things that had been on the agenda.

Mr. Keller agreed that was correct, and Ms. Firehock concurred.

The motion passed by a vote of 4:2 on Mr. Dotson's motion. (Firehock and Dotson voted nay)

Mr. Kamptner pointed out that Mr. Keller's motion is before the Commission for action.

Mr. Dotson pointed out his amended motion is what is now on the floor.

Mr. Keller asked for a roll call.

The motion passed by a vote of 6:0 (Spain absent).

The Commission agreed to experiment for the next three months with providing a second opportunity after all of the public hearings and before new and old business to receive public comments under the same time limits the Commission currently applies, and to allow comments on all topics, instead of limiting them to those matters not on the agenda.

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

Adjournment

With no further items, the meeting adjourned at 7:26 p.m. to the Tuesday, May 10, 2016 Albemarle County Planning Commission meeting at 6:00 p.m., Room 241, Second Floor, County Office Building, 401 McIntire Road, Charlottesville, Virginia.



David Benish, Acting Secretary

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

Approved by Planning Commission
Date: 8-9-2016
Initials: sct

