Albemarle County Planning Commission
Work Session and Regular Meeting
Draft Minutes October 8, 2024

The Albemarle County Planning Commission held a public hearing on Tuesday, September 10, 2024, at 6:00 p.m.

Members attending were: Fred Missel, Chair; Luis Carrazana, Vice-Chair; Karen Firehock (arrived approx. 5:15 p.m.) Julian Bivins; Lonnie Murray; and Nathan Moore

Members absent: Corey Clayborne

Other officials present were: Michael Barnes, Director of Planning; Andy Herrick, County Attorney's Office; Kevin McDermott, Deputy Director of Planning; Tonya Swartzendruber, Planning Manager; and Carolyn Shaffer, Clerk to the Planning Commission

Call to Order

Ms. Shaffer called the roll.

Mr. Missel established a quorum.

Consent Agenda

Mr. Moore motioned to approve the Consent Agenda as presented. Mr. Carrazana seconded the motion, which carried unanimously (5-0). (Ms. Firehock and Mr. Clayborne were absent.)

Work Session

CPA202100002 AC44 Growth Management, FLUM, Activity Centers Policies

Michael Barnes, Director of Planning, said that he would begin with an overview, and then Tonya Swartzendruber, Planning Manager, would delve into the details that the Commission had requested feedback on. He said that in general terms, this evening's work session would cover the document structure, and Ms. Swartzendruber would focus on the orientation of the document review, growth management policy, and the development area utilization review. He said that these latter two would find in the second part of the document, which would also include the comprehensive plan.

Mr. Barnes said that the third part of the document would begin with a topic chapter on development area land use. He said that they would provide the tools that they would be discussing, especially with the general public this month. He said that there were four major sections of the document. He said that the first was an introductory section, and it outlined major trends and issues that the County was facing. He said that it would also include the community's vision for addressing those. He said that it would include the four guiding principles and the lens of equity and climate change.

Mr. Barnes said that the second part of the document would state the growth management policy. He said that they would cover development area utilization review. He said that at the end of the process, staff would present an approach to not lose the forest for the trees. He said that they should not have to read the entire document to understand the County's objectives. He said that

as they reviewed these 10 topic chapters, the focus was on how the growth management policy was implemented in rural and development areas.

Mr. Barnes said that part three was the meat of the plan and included the 10 different topic chapters. He said that they would present this section in two halves. He said that the first was to orient the reader to the major policies of the document, and the second was to cover the goals and objectives. He said that within the first half, they will explore the major challenges, the reasons for addressing them, and the County's approach to tackling these issues. He said that they will also examine the tools available to address these challenges and how they will inform the goal statement. He said that the second half will identify specific solutions to these challenges, which will serve as the basis for the objectives and the subsequent actions.

Mr. Barnes said that the final section of the document will be an appendix, where they will compile the County's existing policies. He said that their goal was to create a streamlined document that effectively communicated their message, making it easier for readers to quickly grasp the key points as they moved through the topic chapters. He said that they would include links to items in the appendix for references made to specific projects or policies in the chapters.

Mr. Barnes said that he understood that there had been questions regarding the changes between the previous and current versions. He said that he wanted to stress that there were many similarities between the two. He said that one of the major changes they had made was to put the growth management policy at the forefront in its own section, as it was a foundational policy for everything they did in the County. He said that they had also expanded the number of topic chapters from eight to ten and reorganized the sections to provide a clearer structure.

Mr. Barnes said that they had split the original rural area and development area land use chapter into two separate chapters, one for each. He said that the transportation chapter now covered the entire County, and they had added a new chapter on resilient communities, which addressed climate change. He said that they had also aimed to use these topic areas to address specific topics, and to avoid contradictions by bringing related policies together in one spot.

Mr. Barnes said that additionally, there were some minor changes. He said that notably, Chapter 6 now encompassed parks and recreation, open space, community facilities, and community facilities and services. He said that as newcomers, he and Ms. Swartzendruber had needed time to familiarize themselves with the plan. He said that he was aware that there had been concern about the delay caused by this change. He said that he could assure everyone that the new document they were about to introduce was a reflection of the input they received during Phases 1 and 2. He said that their goal was to distill this information into a meaningful document that benefited both the Commission and the community as a whole.

Mr. Missel asked what had happened to the economic development section.

Mr. Barnes said that the Economic Development had been renamed “Thriving Community”.

Mr. Missel said that the community engagement process was ongoing and had been active. He said that all the input received to date had been incorporated into this plan, so there had not been any work done without community involvement.

Mr. Barnes said that was right. He said that the changes they had been making here were primarily structural, and they wanted to ensure the document flowed well. He said that the content had not been altered. He said that moving forward, he would like to discuss their upcoming schedule. He

said that they had 10 chapters to finalize, and they planned to complete them in a sequential process. He said that they aimed to have the first few chapters ready by the end of March, with the remaining chapters to be released over the next couple of months.

Mr. Barnes said that he was currently working on a preliminary schedule, taking into account the review process with the Planning Commission, the Board, and their respective priorities. He said that he aimed to present a schedule by the next meeting. He said that for the development area land use chapter, they would be releasing it early next week, and they would be holding two work sessions to ensure they had sufficient time to review it. He said that their goal was to complete all 10 chapters by April.

Mr. Barnes said that they would need to revisit and finalize the summation of their discussions. He said that they planned to bring the final document to them in the April to June timeframe, followed by a public hearing with the Planning Commission and the Board in July. He said that it was clear that their capacity to complete the process would be largely dependent on the speed at which they and the Board were willing to move forward. He said that they would have significant control over the pacing of the document, but their intent was to follow their lead.

Mr. Missel said that they had discussed this briefly with the Commission and the Board a couple of days ago. He said that for the Commission's reference, there were instances where the timing could feel tight, with meetings occurring close together, such as the Board meeting the week after or shortly after their meeting. He said that one of the ongoing issues was how their input was being provided to the Board.

Mr. Missel said that it was likely that there would be instances where the Board requested their input on outstanding concerns. He said that he assumed this process would involve an iterative back-and-forth, with the Board reviewing the final plan, until they reached a coordinated outcome. He said that while the process aimed for a seamless flow, there may be necessary starts and stops to ensure they were aligned with the Board and could provide their input.

Mr. Barnes said that their intent was to space out the differences between the Planning Commission and the Board as much as possible, aiming for a week to two weeks between meetings. He said that while there may be instances where the meetings were extremely tight, that was not their goal. He said that their intention was to build in enough time to either obtain the minutes or summarize the major points discussed, allowing them to bring that information to the Board's discussion. He said that he wanted to emphasize that the Board valued the input from the Planning Commission and aimed to respect that part of the process.

Mr. Barnes said that regarding public engagement, they recently held an AC44 working group meeting, and they began discussing topics that were part of today's presentation, including development area land use tools, land use categories, the future land use map, and activity centers. He said that they wanted to ensure that the Board was aware of this, as they had met with the working group the previous night. He said that they planned to attend all CAC meeting at the end of the month and would attempt to continue the meeting with these groups on a regular basis between now and April to facilitate communication and receive input.

Mr. Barnes said that their goal was to communicate effectively with the public and receive feedback, while also drawing upon several years of input to the process. He said that as they neared the end of April, they planned to hold a series of open houses to summarize the key points of the plan and gather feedback from the general public. He said that they would use this

information to draft the final document, which would be reviewed by the Planning Commission and eventually be presented for a public hearing in April or June.

Tonya Swartzendruber, Planning Manager, said that she was representing the AC44 staff team. She said that she would review a couple of key concepts from the AC44 comprehensive plan, reviewing this afternoon's presentation with the Commission and staff could take questions along the way. She said that her colleague Ms. Tori Kanellopoulos was also present to assist with any questions the Commissioners may have. She said that they would begin with the materials they received in their packet.

Ms. Swartzendruber said that Attachment A served as a memo or executive summary, giving an idea of what to expect from today's discussion. She said that Attachment B, now displayed on the screen, aimed to illustrate how the various components related to one another, allowing them to see the complete picture. She said that the highlighted or boxed text in red would be the focus of their discussion today. She said that the concepts would be contained within this section of the outline. She said that the dates highlighted in blue contained information about previous work session discussions.

Mr. Missel said that he believed what Ms. Swartzendruber referred to as Attachment B was actually provided as Attachment A.

Ms. Swartzendruber apologized. She said that it was included as Attachment A.

Mr. Moore said that there appeared to be an attachment labeled A at the top, but it was also referenced as Attachment 2 at the bottom.

Mr. Missel said that Attachment B was the larger document.

Ms. Swartzendruber said that was correct. She said that as she was explaining earlier, the blue on Attachment A referred to the previous work sessions, and the orange text on that same attachment was the upcoming work sessions, so they could start to see when they would be coming up with those.

Ms. Swartzendruber said that Attachment B was the longer document, and this was the text document that they received in Word with the text in red that housed the information about the concepts they would be discussing tonight, starting with the development area land use chapter. She said that one of the first chapters in part three, they would receive a PDF of this where they could make your comments directly on the PDF. She said that however, for this particular part, they had just provided the Commission with the straight text since there was not a lot of graphic content to it.

Ms. Swartzendruber said that by the end of this work session, they would like the Commission’s input on the two questions regarding the concepts of the growth management policy and the monitoring of the development areas. She said that they would check in on those at the end of the presentation. She said that the land use tools included in the packet were for their information. She said that as Mr. Barnes had mentioned, they would be presenting this to the public on the 30th, and they wanted to start giving them some of the information ahead of time to help them digest the material.

Ms. Swartzendruber said that to clarify, their CAC meeting would be on the 30th in Lane Auditorium, at 6:00 p.m. She said that they may hear constituents discussing it. She said that the

County had established a growth management policy with the adoption of the first comprehensive plan in 1971. She said that it designated their growth area or development areas and the rural area. She said that similar growth management policies were used throughout Virginia and across the country.

Ms. Swartzendruber said that currently, the development area was depicted in blue on the map, and she apologized if the County outline was not as clear as she would have liked. She said that the development area was essentially the blue section, which was centered around the City of Charlottesville. She said that the remaining 95% of the County land fell within the rural area. She said that the purpose of this policy was to encourage vibrant, mixed-use, dense, and walkable development in the designated development areas, supported by infrastructure and amenities, in order to protect the natural, historic, scenic, and cultural resources in the rural area.

Ms. Swartzendruber said that by designating growth areas, they can avoid sprawl and ensure the efficient and cost-effective provision of public infrastructure and services. She said that with AC44, the growth management policy had been updated to reflect community input, incorporating equity and climate action while maintaining its core purpose. She said that the policy's primary goal was to plan for the current and future community members. She said that they had clarified this by stating that the policy's areas of focus include land use, capital projects or investments, and public services.

Ms. Swartzendruber said that they also included language to support small businesses and limited public services in the rural area to support existing communities in the area. She said that they had established distinct boundaries between the development areas and the rural area, eliminating any confusion between the two. She said that the proposed language was shown on the screen. She said that she was happy to read this language aloud if needed, and she encouraged them to take a moment to review it. She said that it was essential text, and she would like to pause to address any questions the Commission may have regarding this language.

Mr. Missel said that he had written many of his comments into the document that was provided. He asked where this language was included in those documents.

Ms. Swartzendruber said that it was on Page 4.

Mr. Missel asked if the Commissioners would like to provide feedback on the proposed language.

Mr. Bivins said that there were definitional issues that he hoped staff would address as they delved deeper into this topic. He said that specifically, he would like to see clarification on what constituted historic and cultural resources, particularly in their historically conflicted area. He said that it was essential to establish a clear definition to avoid ambiguity, especially when aiming to create a welcoming space for a diverse or eclectic group of people. He said that if they claimed to be a place where everyone could feel at home, it was crucial to know what they meant by "historic" and "cultural" in this context. He said that he would appreciate examples of how these concepts and definitions were applied in practice, as it would help him better understand the context and communicate effectively.

Mr. Bivins said that for instance, when they said they aimed to be a community that grew equitably and sustainably, supporting the needs of current and future members for housing, jobs, and a healthy environment, he imagined that there would be ways to define their success and understand whether they had been successful to date. He said that if not, they needed to identify how to close the gap and what steps supervisors could take to make decisions that would shape

their community, as outlined in the strategic plan. He said that it was not apparent that they were there yet. He said that in fact, he believed they were not there now. He said that to move forward, they needed to determine what would serve as an indicator that they were approaching that point.

Mr. Bivins said that he still believed it was challenging to envision different types of housing in the development area when they looked at the overall landscape and saw that it was predominantly middle residential, but they remained neighborhood residential, which meant they had to analyze how to provide more opportunities for people with diverse, non-traditional incomes or desires that did not align with suburban housing. He said that as a suburban community, they were essentially stuck with the traditional suburban model. He said that this raised questions about the definitional pieces that shaped their historic and cultural identity, as well as the idea of whether their current status was the right one for their future.

Mr. Bivins said that when future casting, they needed to consider whether the possibilities they envisioned were achievable given their financial, land, and other constraints. He said that he was concerned that, despite the enhancements to the language of the growth management plan and future land use map, the underlying outcome may not have changed. He said that specifically, he saw that they were still essentially a single-family suburban community on a certain amount of land, which was a far cry from the more diverse, eclectic vision that he believed was possible.

Mr. Missel said that this was a valuable snapshot of their discussion. He said that to refocus on his initial question, he had asked whether the growth management policy effectively met the needs of the County. He said that in essence, that was the question at hand. He said that the growth management policy was outlined on the previous slide. He said that to clarify, he believed that the policy needed to be more clearly defined in order to determine whether it adequately addressed the County's needs or requirements. He said that for example, the missing middle aspect of residential development was one area where the policy may not be fully meeting the County's needs.

Mr. Bivins said that when looking at the future land use map, it felt like a mixture of different elements. He said that when examining this concept, he did not see it aligning with their goals. He said that he acknowledged that they had discussed this in the past, particularly in Crozet. He said that they had also explored this idea in the small area plan for Rio Road, which initially seemed like a suitable location. He said that despite the extensive discussion and work they had put into this; he did not see the desired outcome. He said that when looking at the color-coded map, with neighborhood residential areas first, followed by office flex and industrial, and then urban residential, it appeared that they may have missed an opportunity to achieve what they had hoped for.

Mr. Barnes said that it was interesting to hear Mr. Bivins discuss this topic. He said that he hoped that as they moved through the topic chapters, they would emphasize the importance of creating jobs that were both equitable and sustainable to achieve their goal of a thriving economy and protection of terrestrial and aquatic ecosystems to achieve their goal of a healthy environment. He said that he hoped that the Commissioners would point out when they were not meeting these metrics or being detailed enough.

Mr. Barnes said that he would recommend that they balance that with the fact that comprehensive plans often did not provide a laundry list of specifics, but rather offered a general framework. He said that however, he thought they could agree that it was essential to be as clear as possible about the issues they faced, the possibilities, and the solutions they had. He said that as they reviewed the objectives and action statements, he hoped they would assess whether they were

effectively addressing these challenges and whether they included measurable metrics to gauge success.

Mr. Bivins said that he believed Mr. Barnes had accurately described the point. He said that one of the challenges they would face as a community, having lived there for over 30 years, was the resistance to increasing funding to the County. He said that this resistance could be violent and loud, but more often manifesting as a murmur or vocal opposition.

Mr. Bivins said that he believed it was essential for the Board of Supervisors and County staff, including the Commissioners, to be able to articulate a clear plan for the County's future. He said that there would always be those who argued that no growth was the best growth, but the reality was that they could not sustain their current way of life without making significant investments. He said that unless they were willing to ballot off Routes 29, 64, and 250, it was an unreasonable place to live, and an unfair place to live.

Mr. Bivins said that even if he believed half of the stuff from their founding fathers, this was not an isolated community; it was part of a larger County, state, and national system. He said that as such, they must be able to articulate their needs and expectations, backed by a capital improvement plan (CIP), which would inevitably come with a cost. He said that ultimately, elected officials were making this decision because they believed it was in the best interest of the County, with input from the community and feedback channels. He said that they were not the Frozen Chosen.

Mr. Barnes said that he would refrain from responding to the commentary on that topic or the political aspects. He said that his goal was to facilitate the decision-making process. He said that he believed part of this was to clearly articulate the problems they had encountered in this topic area and present potential solutions that they thought were the most suitable. He said that when they moved to the actions, they aimed to categorize them into those that required new policies or regulations, new investments, whether in capital improvements or programmatic, or developments in partnerships and cooperation.

Mr. Barnes said that the purpose was to create a structure for decision-makers to identify the important topics, and staff was not trying to articulate how to prioritize those items. He said that he believed that staff could provide a clear articulation of this framework within the future document or writing, allowing decision-makers to weigh and prioritize these issues effectively.

Mr. Missel said that he believed that was a crucial point, as the rest of them made their comments because he had some comments that may have been too detailed for this level of policy. He said that he did not think that Mr. Bivins comments were, but as he thought ahead and listened to their comments, he realized that this would be discussed, refined, and action items would be assigned. He said that one of the questions he had was how to define high-quality public infrastructure, for example. He said that he considered this a general statement.

Mr. Barnes said that this was part two of the document. He said that it provided an orientation on their principal goals, which were centered around the County's growth management policy. He said that this policy would guide many of the objectives outlined in the 10 topic chapters. He said that they would also be following up with a summary of this information. He said that it would be a challenging task to condense the ideas into a concise yet comprehensive document. He said that as one read through it, the concepts should be clear and well-articulated. He said that the ideas in this two-paragraph statement would play out across the rural area, development area,

and topic areas, generally speaking. He said that the third one would be when they get into the weeds.

Mr. Carrazana said that he would be brief in his comments. He said that he wanted to express his gratitude for the staff's efforts in making the document more legible and accessible. He said that he believed the language used was clear and concise, and the introduction and guiding principles provided a solid foundation for understanding the process. He said that from this standpoint, he thought it was easier for someone to pick up and grasp the concepts.

Mr. Carrazana said that when considering different readers who may access this document, he was trying to put himself in their shoes. He said that to reinforce what his colleague had said, he thought it was essential to focus on measurable outcomes at a high level. He said that they should be thinking about how to incorporate these outcomes into their process, so they could avoid repeating mistakes and strive for more equitable, sustainable, and thriving communities. He said that by having a clear way to measure progress, they could ensure that their efforts were aligned with their values and principles.

Mr. Moore said that he appreciated the effort staff put into making the document more legible and using clear language. He said that he found it easy to understand. He said that the basic question on the screen was “Does the growth management policy meet the needs of the County?” She said that while many parts of the policy seemed appealing, his answer would be no, and he would keep it at the top level. He said that for him, it was related to the word "welcoming.”

Mr. Moore said that as he reflected on this policy, he recalled a motto he came across by accident, which was "to be, not to seem" from North Carolina. He said that unfortunately, this policy seemed to be more about appearing welcoming rather than truly being so. He said that he would like to share a parable from the book of Matthew, where Jesus said, "When I was hungry, you gave me food. When I was thirsty, you gave me something to drink. When I needed clothing, you clothed me. When I was sick, you visited me and took care of me." He said that however, it did not say, "When I was a stranger and needed shelter, you said, 'That'll be half a million dollars, pay in cash or mortgage'."

Mr. Moore said that the draft proposal, in his opinion, codified a one-two punch that made them less welcoming. He said that the first punch was not expanding the development area, and the second was only trimming around the edges in terms of upzoning in the development area. He said that it was still predominantly neighborhood residential, as Mr. Bivins had mentioned. He said that those two punches would likely result in homes becoming less affordable, wage workers would be pushed out, and their community would struggle to find sites for future economic development. He said that their community would ultimately suffer from that loss.

Mr. Missel asked if Mr. Moore could explain in one sentence how the growth management policy did not meet the needs of the County.

Mr. Moore said no, because it did not expand the development area and did not adequately densify the existing development area.

Mr. Murray said that he could agree with half of that. He said that he strongly disagreed with the proposed expansion of the growth area. He said that his answer to the question would also be no. He said that what he believed this proposal failed to do was provide a clear explanation, or "why," as it focused on different types of housing and uses in the rural area without adequately addressing the underlying purpose.

Mr. Murray said that he did not believe it required extensive changes, but he believed that what should be clearly articulated was that they were attempting to encourage compact, high-quality, sustainable development in the growth area, which aimed to deliver services efficiently, limit suburbanization, and prevent sprawl into the rural area. He said that was the "why" that was missing. He said that instead, they had listed various components without a cohesive vision.

Mr. Missel said that he would like to offer a few comments without repeating anything that had already been said. He said that generally speaking, if he had the opportunity to view the situation from a high level, without getting bogged down in the details, he thought it would be beneficial to focus on the overall goals and objectives. He said that for example, in the case of the “why,” he believed that some of the details would become clearer as they moved forward and could be scrutinized more closely.

Mr. Missel said that to clarify, the Board of Supervisors had decided that the growth area would not be expanded as part of this comprehensive plan. He said that the last thing he would like to mention was regarding “the development area and the rural area will have distinct boundaries without low-density transition areas.” He said that he did not understand why this item was included.

Mr. Barnes said that he believed that the intention had always been to utilize development areas efficiently, minimizing the creation of sprawl or low-density transition areas.

Mr. Missel said that if they were focusing on providing transition areas, they may miss the opportunity to create density at those boundaries.

Mr. Barnes said that he was drawing on the neighborhood model, which was one of the 12 principles, and that was his assumption for why this statement was included.

Mr. Bivins said that he wondered what had become of the Village of Rivanna, one of the designated development areas in the County. He said that it appeared to be a concept that existed on maps, but he believed it would never be developed into something of substance. He said that he was open to being proven incorrect, but he also believed it would not happen during his lifetime. He said that the previous comprehensive plan had outlined a set of ideals, which went from 48 to 28. He said that they had an appendix-like area that was not living into its designation of a development area, yet they were unable to reconcile this with the development areas that had already begun to take shape.

Mr. Bivins said that he would like to see them be able to offer the Village of Rivanna as a rural area in exchange for a certain amount in the Jack Jouett and Rio area. He said that it seemed like the organization appeared to be stagnant in this space, failing to grapple with the fact that decisions made in 2015 had not been realized nor revisited. He said that although Mr. Barnes was not present at that time, he wanted to emphasize that the Village of Rivanna was not going to develop. He said that reserving that area as part of the development area made him feel unnecessarily bound by the past decision, when they could trade it off and instead do something else.

Mr. Missel said that he wanted to check in with staff. He said that they were approximately halfway through their work session, but not yet halfway through the presentation. He asked if staff could please continue the presentation.

Ms. Swartzendruber said that she thought that a lot of this conversation would come up again when they discussed the utilization review in more detail. She said that there were a variety of tools they could use to implement the growth management policy, including revising current land use designations through area plan updates, which they would discuss further in a few minutes. She said that they could invest in infrastructure and amenities to catalyze and support development in activity centers. She said that they could also update their zoning ordinance to support high-quality mixed-use, dense development, and a variety of housing types.

Ms. Swartzendruber said that they could expand the development area boundaries. She said that however, before they could move forward, they needed to understand the actual build-out and land capacity of the development areas. She said that the most recent land use build-out analysis from 2022 indicated that there was sufficient capacity to accommodate projected growth over the next 10 to 20 years, but this depended on projects building at the high end of recommended density and intensity of uses. She said that historically, rezoning projects had been built at 58% of the maximum recommended density for the future land use category.

Ms. Swartzendruber said that this highlighted the importance of monitoring the capacity of the development areas to accommodate projected growth, and demand was a key component of long-range planning and implementing the growth management policy. She said that they were proposing a Development Areas Utilization Review that would occur every two to three years to monitor the actual build-out and capacity. She said that this review would be based on their land use build-out analysis and would include the factors listed on the screen, helping them determine when adjustments were needed using the tools mentioned on the previous slide. She said that they could go through each of these factors in more detail before delving into the land use tools.

Mr. Murray said that in the document, he noticed an F, which he was glad to see. He said that he would like to know how well the development and development areas were meeting the objectives of the comprehensive plan. He said that he observed that the F appeared to be missing in the development area utilization review.

Ms. Swartzendruber said that this was due to human error; the F should be included.

Mr. Murray said that for the record, he believed F was the most critical of these criteria. He said that he strongly advocated for F being designated as A. He said that to illustrate his point, he would like to reference Charlottesville's experience. He said that historically, the City's justification for annexation was that if it could not acquire land from Albemarle County, it would stagnate and decline. He said that however, the opposite occurred. He said that by controlling growth areas, Charlottesville's downtown mall suffered, and the City's expansion outward led to a lack of quality development at its center. He said that as they realized that resources were limited, Charlottesville was forced to prioritize, and as a result, the City developed more quality and connectivity. He said that he believed this was a prime example of what F should be designated as A.

Ms. Swartzendruber said that staff had noted Mr. Murray’s suggestion.

Mr. Moore said that his main comment here was that there were no clear benchmarks. He said that it was not a matter of reaching a certain number, at which point they would start identifying places to monitor. He said that instead, it was simply a matter of monitoring things without any clear action plan. He said that there was no declaration of when to take action. He said that without clear benchmarks, voices could always justify it never being enough, as there was no fixed goal post to set. He said that this lack of direction could lead to inaction. He said that this was his comment regarding the general approach. He said that additionally, he was curious about why

the ratio of dwelling units being built in rural areas versus development areas mattered in today's context.

Ms. Swartzendruber said that the view of where their units were being absorbed and where new units were being built, and their overall growth, should primarily be in the development areas. She said that however, there were still development rates occurring in the rural areas at present.

Mr. Moore asked if that would imply that a significant percentage of new units being built in rural areas would necessitate expanding the development area.

Ms. Swartzendruber said that she believed it meant that they should examine the tools they had available from the previous slide to determine if a combination of those could be used to encourage growth in the development areas. She said that there must be a reason why growth was not occurring in the development areas, and they needed to investigate that thoroughly.

Mr. Murray said that this led him to raise another question, and it got to the heart of the title of this review. He said that the Development Area Utilization Review was centered around the development areas, but it was clearly a rural area objective. He said that he believed that there was a tendency to view rural areas as blank space that could be easily written upon. He said that he did not think that was the case. He said that rural areas were inhabited by people, and there were farms, historic resources, natural resources, and more.

Mr. Murray said that when development areas expanded, it was clear that the rural area would be reduced. He said that if a farmer stood up and said they were running out of farmland in Albemarle County and asked them to expand the rural area to accommodate more farms, he wondered how they would think about that discussion. He said that he believed that this required them to rethink not just the development area utilization review, but to consider the entire County's uses and the negotiation between the rural and development areas.

Mr. Moore said that the land designated as rural areas in the County was 95%, so it was a 19:1 ratio to the development area.

Mr. Missel said that he would like to reiterate the question posed to them at the beginning, “Are the draft factors for monitoring development areas appropriate?” He said that he believed it was also worth considering whether there were any areas that were missing from this list. He said that he wondered if there were any categories that should be included or any that had been raised that were not suitable.

Ms. Swartzendruber said that this was inclusive of F, which she apologized for omitting.

Mr. Carrazana said that in general, he thought they were. He said that however, there were a couple of things to consider when it came to measuring some of this. He said that in their early conversations about AC44, they had discussed why they were leaving so much density on the table, and he remembered that they were concerned about not being able to achieve that density due to various reasons. He said that one of the reasons was that the economy was not there to support taller buildings.

Mr. Carrazana said that one thing that he thought was lacking was how they could incentivize density in infill properties or properties within development areas that had the necessary infrastructure. He said that not all parcels were equal, and some could support more density due to their infrastructure, while others lacked it and may be difficult to develop at a high density. He

said that perhaps they could prioritize how to incentivize that development to maximize the potential, at the very least.

Mr. Missel said that he would like to build on that idea. He said that he had the same thought, and he would like to explore the reactive versus proactive approach. He said that the components were the assessment, or understanding what they were doing, and then reaction. He said that when they identified areas where they were not meeting expectations, they needed to consider what steps they could take to address those issues and what to do with the information they now had. He said that in terms of incentives, he was not sure if that was something that was already being considered, but he thought it was worth exploring ways to encourage more density and better density ratios in residential areas.

Mr. Missel said that he had heard developers say that they could not build taller or denser, but he thought that was often a matter of perception. He said that if a developer could demonstrate that they could meet the density requirements, they would be more likely to push the envelope and create more flexibility in their plans. He said that, however, in reality, they may be more interested in meeting a smaller target, so it was essential that they were aware of the development realities and could provide guidance to developers. He said that he thought they needed to be more proactive in their assessment and market analysis to provide developers with the information they needed to make informed decisions.

Mr. Carrazana said that they had considered the gross versus net buildable area. He said that he believed this was an important step in maximizing their potential. He said that he thought they were leaving a significant percentage of what they could be doing on the table. He said that his recollection was that this was a substantial opportunity to increase density. He said that he thought they needed to explore ways to find incentives that could help them maximize that density as much as possible.

Mr. Bivins said that he thought that what they were discussing was the County's role in maximizing density. He said that there was a piece of information he was not sure where it was, but another person had mentioned an interesting equation that the land value plus the existing structures was less than the potential market price or market opportunity. He said that then he wondered how they could convince people to take advantage of that.

Mr. Bivins said that the reality was, if they were truly operating in a functioning market, and people had stated that their land plus the building on it was not incentivizing them to convert, then the question became, why was the County actively encouraging underdeveloped properties to be developed. He said that this was the opposite of what they were doing with the agricultural and forestal land approach, where they offered tax breaks in exchange for leaving the land undeveloped.

Mr. Bivins said that if they were giving up taxes on underdeveloped properties, the County should be actively rebalancing that by offering incentives to encourage development. He said that for example, if a property had a building that was underperforming, why could the County not come alongside and offer assistance to help the property owner maximize its value over a certain period of time. He said that he thought this was what the other person was getting at – how could the County actively get involved and signal that this was a community good?

Mr. Missel said that the County's level of awareness was a proactive approach, rather than a reaction to market trends.

Mr. Murray said that he believed there was another aspect to consider, which was the amount of unused surface parking or underutilized buildings that were not at their maximum height potential. He said that he thought the analysis did not adequately account for this. He said that as an example, he would like to reference the Rio Hill Shopping Center. He said that according to the formula provided, the land value was less than the improvement value, which would have excluded it from redevelopment, if he understood it correctly.

Mr. Murray said that when viewed from space, the site was mostly empty parking. He said that with the right incentives, such as structured parking, they could potentially build a parking garage and open up the area, unlocking redevelopment potential. He said that he would like to see explicit strategies for utilizing Tax Increment Financing (TIF) or other incentives to facilitate redevelopment. He said that he thought it would be beneficial to have a map of the areas that had been designated as unable to be redeveloped, versus those that could be redeveloped; to clarify the boundaries and address any questions he may have about the designation.

Mr. Missel said that parking was one of many examples that could be considered in their discussion. He said that by asking that question, they could explore what the County could do. He said that they must ask what was limiting development and identify areas where restrictions or policies may be the issue. He said that for example, restrictions related to wetlands were understandable, but asking for too much parking for something that did not need as much may need to be revisited.

Mr. Missel said that they should investigate what was taking up valuable property that could otherwise be developed. He said that the requirement for four parking spaces per thousand for commercial buildings may need to be reassessed, especially given the shift towards more people working from home. He said that this example highlighted the need for a more nuanced approach to parking requirements.

Mr. Bivins said that it was not only about people working from home; the way people shopped also had changed fundamentally.

Ms. Swartzendruber said that she would next discuss land use tools, which were crucial to the effectiveness of their growth management policy. She said that their two primary land use tools were the future land use categories and how they are applied to the Future Land Use Map, as well as activity centers. She said that other tools will be included in the comprehensive plan recommendations, such as updates to the zoning ordinance for development in the development areas and encouraging the use of Conservation Easements in the Rural Area.

Ms. Swartzendruber said that they previously presented these concepts to the Commission last fall. She said that tonight, they would like to preview the consolidated land use categories, how they were applied to the map, and the activity centers. She said that these materials would be presented to the public on Wednesday, October 30, as well as to the Board on November 6. She said that they would review these in more depth in two weeks. She said that they were scheduled to discuss these in more detail on October 22 with the Commission.

Ms. Swartzendruber said that she wanted to provide a preview of these and gather their initial questions. She said that the future land use categories in the map and activity centers support the objectives of the growth management policy. She said that these categories were intended to foster the desired features of the development areas, which were based on best practices and community input, including housing, transportation choices, a variety of land uses, walkable neighborhoods, parks, and amenities.

Ms. Swartzendruber said that future land use categories provided recommendations for future land uses and the general form and scale of future development. She said that they were used during the review process for rezonings and special use permits, as part of the consistency with the comprehensive plan review. She said that future land use categories were applied to a future land use map or FLUM with different colors for each category. She said that these uses were recommendations for development, distinct from zoning districts and the zoning ordinance, which had requirements for development that must be followed.

Ms. Swartzendruber said that the current comprehensive plan had over 20 land use categories across five area plans. She said that those plans were Places 29, Southern and Western, Pantops, Crozet, and the Village of Rivanna. She said that many of the categories were similar, with slightly different names and recommendations, and they overlapped, which could make administration and clarity challenging. She said that one of the anticipated outcomes of AC44 was having a consolidated and updated set of standard future land use categories applied across the development areas in a matching approach. She said that this was intended to standardize the designation of categories on the future land use map and provide needed clarity.

Ms. Swartzendruber said that the 11 future land use categories can be organized into the following general sections: primarily residential, mixed use, commercial and employment, and institutional and public uses. She said that the Future Land Use Map showed how these proposed categories, including 11 plus 3 legacy categories, were applied across the development areas. She said that for example, the matching approach was applied to currently designated urban residential properties, which would still be urban residential.

Ms. Swartzendruber said that more significant changes, such as changing a property from urban residential to community mixed use, would typically be done as part of an area plan update. She said that this was their first draft of an updated FLUM that they had shared, and in phase two, they shared the draft future land use categories. She said that their packet included detailed descriptions for each land use category and how the current master plan designations translated and applied to the proposed future land use map. She said that they would discuss these further in their next session in two weeks. She said that in the meantime, she would move on to activity centers.

Mr. Missel asked if it was correct that the displayed future land use map had been updated.

Ms. Swartzendruber said that it was the proposed map.

Mr. Barnes said that they had all of these different created districts, and they were attempting to match up as many of these existing districts as possible. He said that they had a few residual ones, such as the three at the bottom of the slide. He said that Downtown Crozet was particularly challenging to categorize, as it was quite specific. He said that they also had very low-density areas in Village of Rivanna and a small portion of Crozet, as well as Village Center at Rivanna, which shared similarities with Downtown Crozet. He said that what they were looking at was their attempt to consolidate these districts into a new map.

Mr. Missel said that he was sure they would have more time to review this map.

Mr. Barnes said that they recognized that one thing was that, as they revisited and refined small area plans, they may continue to make adjustments to these elements. He said that this hopefully

reflected their intent to build upon the previous plan, rather than making drastic changes that might be jarring for those accustomed to the existing layout.

Mr. Carrazana said that he assumed they had taken the master plans and combined them with other land use developments through those processes. He said that this resulted in the land use that was being presented here.

Ms. Swartzendruber said that was correct; they were combined into this map.

Mr. Barnes said that they did not intend to alter the previous small area plans, and staff viewed this current step as a consolidation. He said that if they wished to change the colors on the map, their recommendation was to do so through a small area plan, rather than at this scale. He said that this was a compilation of all the previous small area plans.

Mr. Bivins said that he would like to understand. He said that when they talked about overlays, he would like to know how they got those broad overlays. He said that it seemed that at some point, perhaps in the future, there may be opportunities for broad overlays to be utilize for developers to consider how they could earn credits for constructing a middle-residential development in what was now mostly single-family. He said that while they would not necessarily change the map wholesale, they might say that it was an area that possibly be considered if a developer came in to purchase.

Mr. Bivins said that for example, if Home Depot were to develop Fashion Square and also wanted to include housing in the back, away from Route 29, he would like to know what it would take for the County to consider allowing a mixed-use development in that area, provided it would complement the existing landscape and work well with the adjacent properties.

Mr. Barnes said that the comprehensive plan land use designations on the map were not the same as a zoning map.

Mr. Bivins said that he understood that distinction.

Mr. Barnes said that while there was flexibility within the categories to achieve some of those desired outcomes, if they wished to change a specific area to a different zoning, they believed it was best to address such changes in the context of a small area plan. He said that they would consider transportation and other factors that significantly impacted the form of development they may want to approve in a small area plan.

Mr. Bivins said that he was considering what Mr. Missel had mentioned and what Mr. Carrazana had shared. He said that as someone read this document, it was likely to be the first thing they read before they reviewed their zoning regulations. He said that this document would be the first thing that told them what they may be able to do in a specific area, which was why he raised this issue.

Mr. Carrazana said that his comment was to ensure that he understood the situation correctly. He said that he wanted to confirm that all of this information was not new or recently created by staff; it was a combination of all the master plans and small area plans.

Ms. Swartzendruber said that was correct.

Mr. Barnes said that there was a table in the packet where they attempted to show the plans they had incorporated into this map. He said that while acknowledging that they may have some nuances, the nuances were not significant. He said that he believed that over time, as different areas underwent small area plans, a new district was created to address these issues without taking a step back to reassess the overall situation and consider the potential conflicts.

Mr. Carrazana said that there was a public process in place for all area plans and engagement with the public, which was consistent with this.

Mr. Moore said that he wanted to emphasize that he appreciated how staff had taken the time to present a coherent reflection of the current reality. He said that this was a legitimate effort, and he appreciated the work that had gone into it. He said that he thought some of the denser conversations they had were focused on looking forward, exploring ways to improve and grow. He said that they had been asking questions about how they could do more and seeking solutions. He said that he believed that some of the pushback had come from the fact that this document was a reflection of the current state, rather than a forward-looking plan. He said that they were trying to pull together this patchwork of ideas into a cohesive document, rather than envisioning a new direction.

Mr. Carrazana said that some of this already had some of that forward-looking bend, because some of the area plans were looking at areas that may not be as developed today.

Mr. Moore said that he had noticed a couple of small spots.

Mr. Murray said that he appreciated the mentality behind this approach. He said that the abundance of yellow on this map was concerning, as it related to a previous issue. He said that they often discussed the redevelopment of underutilized spaces, and he believed those yellow areas were also suitable for redevelopment, particularly in older neighborhoods. He said that he wondered how they could incorporate this conversation into small area plans and set a goal for it.

Mr. Murray said that since some of these areas lacked the infrastructure found in newer neighborhoods, such as sidewalks, he thought it would be beneficial to characterize this conversation as providing infrastructure as a condition of mixed-use development. He said that this could make redevelopment more appealing to residents, as it would provide the infrastructure they needed, such as sidewalks, which they had been requesting for years. He said that he also noted that one of their eagle-eyed residents in Crozet had pointed out that the Montclair stream buffer was still not included on this map.

Mr. Missel said that Ms. Firehock had joined them at the dais.

Ms. Swartzendruber said that activity centers were places that contained a variety of businesses, services, and housing options, both now and in the future. She said that they helped identify core areas of higher intensity mixed-use development, which also helped to prioritize infrastructure projects and investments. She said that there were four center place types, each acting as a land use overlay, providing additional guidance for development along with the underlying future land use categories.

Ms. Swartzendruber said that 30 draft centers had been proposed, which was a consolidation of the 50 centers currently in the five area plans. She said that many of these centers were small and not currently or anticipated to be mixed-use. She said that the consolidated set of centers

helped focus development and public projects. She said that these centers were identified based on existing development patterns, known plan development projects, and recommendations in the area plans and estimates for current and future job and housing totals.

Ms. Swartzendruber said that there were four types of centers in the development areas: regional, employment, community, and local. She said that these were listed from higher intensity and density to lower. She said that on the right, one could see how the different land use tools fit together to implement the objectives of the growth management policy.

Ms. Swartzendruber said that activity centers were overlaid on land use categories, such as the Pantops area. She said that the land use categories and map create a base for recommendations, and in key locations, activity centers are applied as an overlay. She said that in their packets was a centers quick guide that had the details of the expected features of each type, along with a map showing the total of 30 centers across the development areas. She said that this allowed them to see the distribution of the different types.

Ms. Swartzendruber said that she wanted to close by mentioning the upcoming events and when they would be back in front of the Commission to discuss several topics. She said that tonight, they were talking about growth management policy and the development area utilization review, and they gave a preview of the land use tools. She said that they would be presenting this information to the Board of Supervisors on October 16.

Ms. Swartzendruber said that then, they would be back on October 22 before the Commission and the Board on November 6 to delve deeper into the land use tools. She said that they would be hosting a community info session on the October 30 and would return in November to discuss the development area land use goals, objectives, and actions as part of the chapter. She said that in early November and December, they would be discussing and focusing on rural area land use policies. She said that a community session was anticipated for early to mid-November, and they would follow up with the Commission in December.

Mr. Carrazana asked if they had any specific dates for the community information sessions or if they were to be determined.

Ms. Swartzendruber said that they were currently working on the November dates and required confirmation of room availability and specific dates.

Mr. Missel said that there would be numerous meetings and discussions between the Planning Commission and the Board over the next several months related to this topic. He said that Item 9 on their current agenda was the AC44 update, so it would be helpful to gain a better understanding of the Board's specific comments on the last chapter they reviewed during the work session. He said that this would enable them to stay on track and maintain a clear feedback loop. He said that he believed this would be particularly useful.

Mr. Barnes said that staff could certainly do that.

Mr. Bivins asked where Riverbend Shopping Center was located.

Mr. Barnes said that it was in Pantops, near the Food Lion.

Mr. Bivins thanked Mr. Barnes for the clarification.

Mr. Missel asked if the airport was considered an employment center.

Mr. Barnes said that that was an interesting aspect. He said that the facility had its own management plan, which would be featured in the community facilities section. He said that they had struggled with how to categorize it, deciding whether to highlight it as a distinct land use, such as an airport, or to address its underlying industrial zoning.

Mr. Missel said that it appeared that the facility was grouped with the North Fork Research Park. He said that he was simply curious as to why that decision had been made.

Ms. Firehock said that she had a quick question regarding the employment centers. She said that in the form, site, and design guidance, it stated that buildings could be two to four stories, up to six by additional consideration. She said that she was puzzled as to why they were limiting it to four stories and only up to six with additional consideration. She said that she believed that they could go taller in certain locations and, if their centers were to be successful, people needed to be able to work, densify, and have a sufficient client base to support amenities like restaurants and shopping.

Mr. Barnes said that it was potentially a good thing to do. He said that they would be revisiting this entire chapter. He said that as part of their original intention, these were major concepts being released to the public, and staff wanted to ensure that the Board and constituents were aware of these concepts. He said that, for example, when a constituent approached them to discuss employment centers, they wanted to make sure the Board understood what they meant by that term. He said that as for the numbers and details, he suggested they delve into those specifics during their upcoming work sessions on the development land use chapter.

Ms. Firehock said that she was happy to do that. She said that this was an overarching comment she had with the number of stories, which did not meet the standards they had discussed as a Commission, in which they wanted to make it easier for the development community to build at the desired density. She said that they needed to ensure that their policies and regulations were clear and effective. She said that as they had consistently reported, they were not achieving their desired density range, often falling short by half or less.

Mr. Bivins said that the topic would come back at an appropriate time for them.

Mr. Barnes said that staff was here for them. He said that he wanted to add that this was a significant issue because one of the goals they were aiming to achieve was to use this as a basis for a new zoning ordinance. He said that as they discussed these matters, it was essential to remember that the comprehensive plan could serve as a template for the zoning regulations, which were essentially the rules governing how they used their land.

Ms. Firehock said that she would like to see it go farther.

Mr. Carrazana said that he believed they had discussed this in different areas, but they were talking about it at a high level. He said that they were leaving a significant amount of density behind. He said that to maximize density, they needed to consider a specific approach. He said that he wondered how they could translate their high-level goals into tangible, achievable strategies, and then measure their progress to ensure they were meeting those goals.

Mr. Missel said that one thing he would like to note was regarding the bottom of Page 7. He said that these metrics should be reported to the Board of Supervisors for their review and

consideration every two years or as requested, starting in 2026. He said that this was pretty specific. He said that what they were hearing was that the metrics themselves, the measurements, should be subject to some discussion. He said that he thought it was essential that they had a thorough discussion about this so they could think through the implications.

Mr. Murray said that he agreed with Mr. Missel on that point. He said that as they examined this and it fell under the rural area land use policy, he hoped that when they reached that point, the future land use key would have a similar chart for rural areas. He said that industrial uses in rural areas should be characterized differently from those in urban areas. He said that he would be concerned that a facility like Yancey Mills, which provided a rural industrial use, would be treated the same as urban industrial uses.

Mr. Missel asked if the Commission had clearly and thoroughly answered staff's questions.

Ms. Swartzendruber said that she believed so. She said that they had what they needed and could give feedback to the Board in two weeks.

RECESS/RECONVENE

Mr. Missel adjourned the work session at 5:26 p.m.

Mr. Missel reconvened the Commission at 6:00 p.m.

Ms. Shaffer called the roll.

Mr. Missel established a quorum.

Public Comment on matters pending before the Commission, but not listed for a Public Hearing on this agenda

Janie Holbrook said that she was a resident of the White Hall District. She said that she had spoken in June about Eastern Avenue and Project Heron in Crozet. She said that as of August, Eastern Avenue had undergone a new incarnation under the Public-Private Transportation Act, and she hoped a P3 would be successful. She said that however, there were many risks along the critical path from a finding of public interest to completion of the bridge. She said that her first concern was the roughly $5 million gap between $17.3 million in County funding and the $23 million cost estimate mentioned by Lance Stewart at the spring town hall.

Ms. Holbrook asked if credible bids even be received. She said that secondly, the Kimley-Horn evaluation of regulatory risk was based on their own bridge design. She said that the Collins Engineering design for Project Heron was not evaluated but shortened the bridge by contributing 33,000 cubic feet of dirt. She said that costs went down when the bridge was lower and shorter, but she asked if VDOT approve a thrill-ride descent from preserved slopes to the bridge. She asked if FEMA would approve that much fill to support a roadway.

Ms. Holbrook asked what other issues would arise with an unknown design. She said that they were soon asked to approve Oak Bluff, it was reasonable to either wait until Eastern was actually a reality or to recommend three units per acre to reduce the impact on safety and traffic in the community. She said that Crozet had seen plans for infrastructure vanish before, and she wanted to present a case study. She said that Ms. Shaffer had distributed some visuals, and she would

go through them briefly. She said that Exhibit 1 showed that Eastern Avenue had been in County plans for decades.

Ms. Holbrook said that developers were to fund the construction. She said that east Crozet covered a large geography and a lot of people. She said that the Eastern extension north to Three Notch'd would provide an alternative to Crozet Avenue for many, many trips. She said that Exhibit 2 showed a possible route for Eastern along the edge of what was now Glenbrook. She said that instead of granting an easement, the site plan stubbed out Eastern into a known hazardous waste site. She said that the road became impractical.

Ms. Holbrook said that Exhibit 3 showed that several years after Eastern to Three Notch'd became impractical, the County had commissioned the Crozet Transportation Study, and consultants seemed to believe that Eastern to Three Notch'd was still an essential part of the plan. She said that signs still announced the future road. She said that as indicated in Exhibit 4, before the ink was dry on the transportation study, the Crozet Master Plan was published without Eastern to Three Notch'd. She said that the traffic study had not been corrected, and it was still being used to guide decisions for Crozet.

Ms. Holbrook said that this Eastern to Three Notch'd example illustrated why her neighbors and she were concerned about the extension south to 250. She said that a finding of public interest was not equivalent to the completion of the road and bridge. She said that completion required the completion of critical steps in the process, including receiving bids, regulatory approvals, assured funding, and the bridge being well underway. She said that only then would the built potential of Oak Bluff built at maximum density be reasonable.

Mike Perizi said that he was a former White Hall and Greenwood resident, and currently was a City resident. He said that he was here to speak on behalf of Livable Cville, an active all-volunteer group of City and County residents advocating for land use, housing, and transportation policies in Charlottesville and Albemarle. He said that they believed that vibrant communities provide a range of housing options for diverse populations in various locations. He said that in line with the County's mission to enhance the well-being and quality of life for all community members, they hoped the Commission would consider their five high-level recommendations for the next phase of the AC44 process.

Mr. Perizi said that first, they recommend making changes to permit and promote much more housing in development areas, particularly in the urban ring, to enable more people to live closer to their jobs, schools, and amenities. He said that this could be achieved by making missing middle housing easier to build in existing residential neighborhoods and increasing allowed densities on remaining greenfields and areas suitable for mixed-use redevelopment. He said that secondly, they suggested allowing more housing to be built by right and limiting the scope and instances of discretionary review as much as possible.

Mr. Perizi said that requiring discretionary review, particularly for projects that could produce the most units, created uncertainty for developers, drove up prices, and reduced the actual number of units produced. He said that thirdly, they hoped they would develop a comprehensive plan that helped residents reduce their dependence on automobiles. He said that the success of the County's investments in public transit, pedestrian, bicycle, and ADA infrastructure depended on allowing denser land use patterns in areas closest to job schools and amenities. He said that fourth, they recommend considering limited, targeted expansion of development areas, with the aim of avoiding more sprawling growth.

Mr. Perizi said that when expansion was needed, it would be possible to protect rural areas while promoting housing closer to existing activity centers. He said that for example, a 20-unit-per-acre development in the vicinity of Barracks West would be within a 10-minute bike, bus, or car ride from Barracks Road Shopping Center. He said that fifth, a crucial aspect of achieving Albemarle's housing goals was expanding affordable housing options. He said that this was one thing he wished had been discussed more thoroughly earlier.

Mr. Perizi said that he hoped the County will increase affordable housing funding to a minimum of $10 million annually, similar to the City of Charlottesville's approach, to support the thousands of current and displaced County residents who struggle to afford market-rate housing. He said that potential uses for this fund included preserving existing affordable housing like Cavalier Crossing, small-scale apartments, other developments that were leaving the Low-Income Housing Tax Credit (LIHTC) program, increasing levels of rental assistance, and creating new affordable housing units.

Items Requesting Deferral to a New Date

SP202400012 City Church

Mr. Moore motioned to defer SP202400012 City Church to December 10, 2024. Mr. Murray seconded the motion, which carried unanimously (6-0). (Mr. Clayborne was absent.)

Public Hearings

SP202400019 UVA CCU Tier III PWSF

Kevin McDermott, Deputy Director of Planning, said that he would present on SP202400019, the UVA Community Credit Union Tower Relocation. He said that this application sought to replace an existing 156-foot tower with a new 160-foot tower. He said that the height of the tower above sea level would remain the same.

Mr. McDermott said that the only difference was that there would be an elevation difference on the land where the new tower would be built. He said that the existing tower had been approved by a special use permit in the mid-1980s. He said that the provided map showed the location of both the existing and proposed towers. He said that the relocation was proposed because the property was being redeveloped, and the existing office building would be demolished, making way for a new office building.

Mr. McDermott said that the project was located in an entrance corridor, specifically on 5th Street and I-64, both of which were entrance corridors. He said that a balloon test was conducted, and the highlighted areas in the map showed where the proposed tower would be visible from these entrance corridors. He said that this project was unusual because there was an existing tower already in place; they could easily verify the visibility impacts. He said that in staff's opinion, the proposed tower had essentially the same impacts as the existing tower. He said that the ARB had concurred with this opinion and issued a Certificate of Appropriateness.

Mr. McDermott said that as one could see in this photo, there would be locations where the proposed tower was visible, but the existing tower was not. He said that staff had noted that there were just as many instances where the existing tower was visible, but the proposed tower would not be visible. He said that for example, one could barely see the balloons over the trees where the red arrow was, located on 5th Street, heading north, in front of the County Office Building. He

said that in this photo, you could see both the existing tower and the balloons showing the height of the proposed tower, off the ramp of 5th Street and I-64. He said that the proposed tower was replacing one that was 40 years old.

Mr. McDermott said that originally, it was not designed for personal wireless services, and the new tower would not have any impacts greater than the existing tower, but the new tower would be designed to meet the current and future telecommunications needs. He said that staff had reviewed this request for compliance with the zoning ordinance, and staff's opinion was that it was consistent with the requirements for approval of the special use permit. He said that therefore, staff recommended approval of the request.

Mr. Bivins said that he had an observation. He said that it appeared that a significant amount of energy had been invested in a five-foot difference, which, in reality, did not differ significantly due to the land's slope and elevation. He said that there should be a more straightforward approach to this.

Mr. Missel said that the maximum height of the tower was 145 feet above ground level. He said that he was not certain if that was the total height, or if there was an additional height beyond that.

Mr. McDermott said that yes, and they were allowed to capture an additional 20 feet above that height.

Mr. Missel opened the public hearing. He asked if the applicant had a presentation.

Valerie Long, Williams Mullen, said that she was representing the applicant, the UVA Community Credit Union. She said that she would skip through some of her slides, as they duplicated some of the information shared by Mr. McDermott. She asked the Commission to please let her know if they had questions about any of the slides she did not discuss. She said that she was sure they were all familiar with this location, both the existing tower site and the proposed relocation area. She said that this site was currently an area of a parking lot that would not be needed.

Ms. Long said that the credit union, as they may know, had been planning to relocate its corporate headquarters to this location for several years. She said that as part of this plan, they intended to demolish the existing building and construct a new one, as shown on the rendering. She said that this rendering demonstrated the relative location of the existing building from the new building, highlighting the distances from various property lines. The new tower would be located in this area, and as they could see, it would be farther away from most property lines, with the exception of the northern boundary, which would be approximately 315 feet away.

Ms. Long said that the parcel was quite large, but much of it was not developable due to floodplain, critical slopes, and a stream. She said that to accommodate future carriers, they had included space for co-location on the site, without needing to amend the Special Permit. She said that they had also preserved the existing footpath leading from the parking lot to the playfields and proposed new trees and a wooden fence around the ground equipment. She said that the existing height was 155 feet and had been approved at 160 feet.

Ms. Long said that as noted, the importance for the wireless providers was that their antennas remained at the same elevation above ground level. She said that because the new site was 10 feet lower, they were proposing a tower at 165 feet. She said that however, it would be essentially the same height at the top. She said that to illustrate this, they had a series of comparisons. She said that the first was a photo simulation of the existing tower, looking north just before the bridge

on 5th Street. She said that the next one was closer to the site, but it was the location that was tested in a balloon simulation.

Ms. Long said that the next slide showed a side-by-side comparison of the existing tower and a photo simulation of the proposed tower in its new location. She said that this was similar to another example that Mr. McDermott showed them, which may actually be from their photos, taken as one approached the interstate heading towards 5th Street. She said that the new location was also visible, but not as far down the ramp because it was a straight visual shot, similar to the existing tower.

Ms. Long said that the side-by-side comparison demonstrated the relative similarity in levels of visibility at the two locations. She said that the next image was of the existing tower as one approached the ramp heading west, with the existing building in the background. She said that the next image was the proposed tower in photo simulation in the new location are shown side by side to demonstrate consistency and visual visibility. She said that the next image was driving south on 5th Street towards the interstate, with the existing tower visible.

Ms. Long said that the photo simulation demonstrated that the new tower was also visible; the existing tower was partially hidden by a tree from this particular vantage point, but the similarity in visibility was clear. She said that finally, from the interstate, the existing tower and the proposed tower were shown, along with a side-by-side comparison. She said that there had been a question about the height, and as Mr. McDermott indicated, under federal regulations, the tower could be increased by 20 feet after approval, but the existing SUP allows for a maximum height of 160 feet.

Ms. Long said that they were proposing to build the tower at 165 feet. She said that they would prefer clarity and record-keeping purposes that the tower be approved at the requested height of 165 feet, ensuring it was clearly documented. She said that they were willing to indicate that it would not be raised in the future if that would help. She said that however, given that it was already approved at 160 feet, she believed it would be inconsistent to require it to be limited to a height of 145 feet. She said that she would be happy to address this issue further.

Mr. Murray said that he noticed that part of the existing parking lot encroached on the 100-foot buffer of the stream. He asked if the parking lot would be removed from the stream buffer when the current building was demolished and rebuilt.

Ms. Long said that she was unsure if any of that was currently in the stream buffer. She said that she believed that the buffer was delineated around it. She said that she could check that the parking lot predated the adoption of the stream buffer. She said that the preserved and managed steep slopes were marked in green and yellow. She said that however, there was no current plan to modify the parking lot at this time.

Ms. Firehock asked if Ms. Long could provide the age of the existing tower.

Ms. Long said that it was approved in 1986 and installed that either that year or early 1987.

Ms. Firehock asked if Ms. Long recalled the adoption date of their cell tower policy in Albemarle.

Ms. Long said that the comprehensive plan component was adopted in December 2000.

Ms. Firehock asked if the pole was before that policy.

Ms. Long said that was correct. She said that the ordinance was first adopted in 2004.

Mr. Missel asked if there were any members of the public who wished to speak on this item. Seeing none, he closed the public hearing, and the matter rested with the Commission.

Mr. Bivins said that they had recently gone through a thorough re-evaluation and re-imagining of the communication towers for the County. He said that he had hoped that this modest request could have been resolved administratively, rather than requiring legislative action.

Mr. Carrazana said that he had wondered the same thing, but he believed it was going through this review process due to its location within the entrance corridor.

Mr. McDermott said that the entrance corridor was not the reason for the Planning Commission review. He said that the reason was because it was not entirely clear if the previous special use permit would apply to this, so they brought this item to ensure it had a valid SUP.

Ms. Firehock asked why that was done.

Ms. Long said that the original special use permit was approved for a tower no taller than 160 feet, and they were proposing the height to be 165 feet, which was a different height and therefore required amendment of the special use permit.

Mr. Carrazana asked if the application would still be reviewed in this matter due to the entrance corridor requirements.

Mr. McDermott said that the ARB could still review the matter, but he did not believe it would require a special use permit. He said that in this case, he thought the confusion arose from the federal regulations that permitted a 20-foot extension.

Mr. Missel said that the applicant had requested that they revise the height limit for the tower to a maximum of 165 feet above ground. He asked if there were any concerns with this revised height limit.

Mr. Herrick said that he recommended that they stick with the conditions as proposed for the time being. He said that the one-time increase to 165 feet was a consideration. He said that he was willing to work with Ms. Long to ensure that any proposed language was clear and did not exceed 165 feet. He said that his concern was that if the Commission approved the proposal without conditions and simply substituted 165 feet for 145 feet, it would result in a subsequent increase to 185 feet. He said that therefore, he suggested that the Commission recommend approval with the conditions outlined in the staff report. He said that if Ms. Long would like to propose alternative language, he was happy to work with her between now and when this proposal went to the Board of Supervisors.

Mr. Missel said that he believed that this issue had come up before, and they had a similar problem. He thanked Mr. Herrick.

Mr. Missel motioned to recommend approval of SP202400019 UVA CCU Tier III PWSF, with the conditions included in the staff report. Mr. Carrazana seconded the motion, which carried unanimously (6-0). (Mr. Clayborne was absent.)

SP202400002 Midway-Martin Store Powerline Upgrade

Kevin McDermott, Deputy Director of Planning, said that he would provide the staff report on the Midway-Martin Store Powerline Upgrade, Transmission Line Phase 2. He said that this was an application to upgrade approximately 2.8 miles of the existing transmission line from Thunder Ridge Road in southwest Albemarle County to the Martin Store substation in Nelson County. He said that this was phase two of the project.

Mr. McDermott said that the first phase had gone northward and northeastward from Thunder Ridge Road to the Midway substation, located near the intersection of Midway Road and Miller School Road. He said that the existing 60-to-70-foot wooden H-poles were proposed to be replaced with 58 feet to 82.5 feet steel monopoles within the existing right-of-way. He said that he wanted to highlight that they had recently discovered an error in the applicant's narrative regarding the proposed height of the new poles.

Mr. McDermott said that the correct height was actually between 58 feet and 82.5 feet, which was substantially similar to the existing H-poles. He said that the steel monopoles would be installed within the existing right-of-way. He said that the map provided showed the location of the transmission line, which extended into Nelson County to approximately Route 151. He said that the upgrade was necessary due to the existing wooden poles being over 40 years old and showing signs of deterioration. He said that this line served almost 6,750 customers, and the replacement would improve the reliability of the system.

Mr. McDermott said that the petition was for energy and communication transmission facilities under Section 10.2.26 of the Zoning Ordinance. He said that the project affected 41 parcels of land totaling approximately 587.9 acres, with no proposed dwelling units. He said that the zoning was rural area, and the comprehensive plan recommended this area as rural area. He said that the proposal involved replacing existing poles within the existing right-of-way, with limited and temporary construction impacts. He said that staff believed that the adjacent lots would not be substantially affected.

Mr. McDermott said that the character of the nearby area would remain unchanged, as the new poles were mostly similar to the existing ones. He said that no grading was proposed, and the impact on vegetation would be limited. He said that the zoning ordinance required reliable electrical service, and the proposed poles were in harmony and supportive of the agricultural and residential uses in the district. He said that the proposal was evaluated against the relevant regulations in Section 5. He said that staff’s opinion was that it was consistent with the requirements in the Zoning Ordinance and therefore recommended approval of the request.

Mr. Missel opened the public hearing. He asked if the applicant had a presentation.

Charles Ward, Vice President of Engineering Services at Central Virginia Electric Co-op, said that it was his responsibility and that of his team to oversee substation and transmission projects within their service area. He said that this was Special Permit 202400002. He said that as the vicinity map showed, and as Mr. McDermott had mentioned earlier, the area from Thunder Ridge Road down to the County line, all within the existing easement.

Mr. Ward said that the easement was 150 feet wide, and it was currently utilized by a single transmission line. He said that approximately 40 years ago, there were two transmission lines in this easement. He said that one was removed, leaving behind the structures that were present today, which were H-frame structures. He said that as displayed on the screen, the existing line

ran along the right side of the easement as one moved south, providing an opportunity for them to relocate the new line to the center of the easement.

Mr. Ward said that upon completion of the project, the new line would be situated in the center of the easement, close to the existing structures. He said that they would then go back and remove the H-frame structures. He said that this was a radial feed system, which had no backup. He said that when the line failed, they would lose 6,750 customers until the issue was resolved. He said that they had experienced several instances of this in the past few years. He said that the cross arms and wood poles were deteriorating.

Mr. Ward said that the cross arms were particularly problematic, as they were rotting from the inside out, making it difficult to detect issues until they broke. He said that the existing pole range was 45 to 70 feet. He said that Phase 2 of the project consisted of approximately 2.8 miles from Thunder Ridge Road down to the County line. He said that Phase 1, completed in 2023, involved two years of replacing 3.4 miles of line, starting from the Midway substation, which was located just north of the Miller School, down to Thunder Ridge Road. He said that they had divided the project into two phases due to financial and manpower constraints.

Mr. Ward said that as previously mentioned, the line would be constructed within their 150-foot easement, and no additional easements would be required. He said that their easements were well-maintained, and they would not need to cut any trees or perform any other activities outside of the easement. He said that some minor trimming of trees may be necessary, but this would be limited to within the easement. He said that the transmission line upgrade was a pole replacement project, where they were replacing the conductor but not increasing its size.

Mr. Ward said that this upgrade allowed them to build a new line and then cut over to the new line, making it easier to maintain and upgrade the system. He said that they were replacing the conductor, but the poles would be the same size. He said that the poles were being upgraded from wood to ductile iron, ranging in height from 58 feet to 82.5 feet. He said that this was due to the single pole construction, which provided a more aesthetically pleasing appearance. He said that while it required a slight increase in height, the result was a visually appealing line.

Mr. Ward said that if they would like to visit the existing line, which spanned 3.2 miles, they would find it to be a well-maintained and attractive installation. He said that the current pole line was approximately 40 years old and served 6,750 members through four substations, including the Wintergreen Resort area and the pumping station, which supplied water for fire safety and other purposes on the mountain. He said that this upgrade would significantly increase the reliability of their customers and the CVEC system. He said that the ductile iron poles were resistant to damage from woodpeckers, insects, rot, and weather, and they had a natural finish that blended in with the surrounding environment, making them nearly indistinguishable from a tree.

Mr. Ward said that he understood that they were working on a new comprehensive plan, and they were aware that it was still in the process of being finalized. He said that as such, they had addressed both the AC44 and 2015 comprehensive plans. He said that the transmission line fell within the rural area three and aligned with the goals and objectives of both comprehensive plans. He said that this project was consistent with the 2015 Comprehensive Plan, which supported private electric, telephone, and other services to customers in the community. He said that it also aligned with the current draft comprehensive plan’s Objective 3.6.

Mr. Ward said that the project's impact on public facilities and infrastructure would be minimal. He said that it was a rural area with a mix of vacant, residential, farmland, and hunting property. He

said that the provided diagram showed the single monopole on the left and the H-frame on the right. He said that no impacts were expected from the proposed project due to the work being performed in an existing right-of-way.

Mr. Ward said that the design would avoid sensitive areas and utilize rubber-tracked vehicles to minimize disruption. He said that the majority of the truck traffic would be in the right-of-way, and they would work with the adjacent landowners to provide access to the right-of-way. He said that they had invested significant time and effort into the design, and the provided detailed drawing showcased their approach. He said that they even highlighted potential environmental impacts, such as trees and small streams and ponds, to ensure a thorough assessment.

Mr. Ward said that vegetation management was a significant undertaking for them, as they performed extensive work each year to cut and maintain their right-of-ways. He said that their 4,500-mile system of lines required meticulous maintenance. He said that CVEC invested over $2.5 million annually in vegetation management, a testament to their commitment to environmental stewardship. He said that they were proud to serve as the caretaker of the environment. He said that CVEC had received a Habitat Partners Certificate from the Virginia Department of Game and Inland Fisheries as recognition.

Mr. Murray said that he would like to make a comment. He said that first, he would like to express his gratitude. He said that he used to live in a house along the route of the power line that was being upgraded in the Batesville area. He said that prior to moving to Sugar Hollow, where he currently resided, he experienced a significantly high quality in power reliability through the co-op, compared to his experience with Dominion in Sugar Hollow. He said that he would like to thank them all for their work.

Mr. Murray said that he also appreciated the efforts being made to minimize herbicide use. He said that as a botanist, his wife and he had observed that some of the most critically important species of rare plants could be found in the right-of-ways of power lines. He said that minimizing herbicide use was also important, and Dominion had not adopted this approach. He said that he had seen numerous areas with rare plant communities that had been affected by herbicide use were maintained by Dominion. He said that he appreciated the efforts of CVEC.

Ms. Firehock said that this service area was within her district. She said that she understood that it would extend into Nelson County, helping with critical needs such as ensuring the pumps at Wintergreen did not fail, thereby transporting water up the mountain. She asked if the applicant could describe the service area of this line. She asked if the service area for this line was primarily within Albemarle County.

Mr. Ward said that they were located primarily within the southern part of Albemarle County, and it served customers all along their distribution line. He said the transmission line served substations, carrying power to the substations without serving specific customers. He said that the substations then distributed the power back out to customers. He said that this transmission line carried power from Midway, which supplied power to distribution lines throughout Albemarle County. He said that the line also connected with the distribution line at Martin Store, further serving customers in Albemarle County. He said that as a result, when the line went out, it could affect a large number of customers.

Ms. Firehock said that a significant outage occurred recently in Nelson and Albemarle, affecting multiple services, including gas stations and the local brewery. She said that despite this recent

incident, the service had indeed improved significantly over the last decade, providing much more reliable service.

Mr. Murray said that even when his power went out in Batesville, it returned very quickly. He said that he did not understand why his power did not come back on sooner at his house in Sugar Hollow.

Mr. Carrazana asked if there was a potential for back feeding this line.

Mr. Ward said that there was no back feed for this particular line. He said that they had reviewed back feed from other areas, and it was very expensive. He said that additionally, due to the train and the location situated near the foot of the mountains, it presented a challenge. He said that to access this area, they would need to come from Colleen and tie back into Martin's Store, a distance of approximately 10 or 12 miles across the hills. He said that they had considered this option, which would improve reliability and provide the best route to customers by offering a backup.

Mr. Missel said that he had a question regarding the vegetation management plan. He said that he was curious to know how frequently they reviewed and assessed this plan to determine if it remained suitable or if changes were necessary.

Mr. Ward said that they reviewed it yearly. He said that believed that the cycle was approximately 10 years for the entire system. He said that with a total of 4,500 miles, they completed around 450 miles per year. He said that they used a variety of methods, including tree trimming, bush hogging, and a helicopter for this task.

Mr. Missel asked if any members of the public wished to speak on this item. Seeing none, he closed the public hearing, and the matter rested with the Commission.

Ms. Firehock motioned to recommend approval of SP202400002 Midway-Martin Store Powerline Upgrade, with the conditions included in the staff report. Mr. Murray seconded the motion, which carried unanimously (6-0). (Mr. Clayborne was absent.)

Committee Reports

Mr. Murray said that there was a CCAC meeting regarding capital projects with Albemarle County Schools. He said that it was very interesting to see the various projects they were currently undertaking. He said that they discussed the new Western Albemarle parking lot, which he had the opportunity to see firsthand. He said that they also discussed the expansions of the high schools, including the addition of new units.

Mr. Murray said that it was great to see the progress being made and the efforts being put forth by the County schools. He said that one aspect that he found particularly interesting at his meeting was that the High School Center 2 would be powered entirely by geothermal energy. He said that this was a great example of how their schools were committed to sustainability and set an example for the rest of the County in terms of sustainable design.

Mr. Moore said that he had two reports to share with them, as they had not had a meeting previously. He said that the Places 29 Rio CAC met at the end of September. He said that there was a proposal expected to be presented to the Commission at some point. He said that in Belvedere, they were seeking a zoning map amendment to the original proffer, which included a

100-foot buffer zone along the railroad tracks. He said that it would allow for a future road to connect from the Belvedere neighborhood to Polo Grounds. He said that the proposal would remove the buffer zone and enable the development of homes and townhouses.

Mr. Moore said that the developer, who was also the head of the HOA, had offered to include 20% affordable units in the homes built in that section. He said that they also planned to build a connector road behind the development for internal traffic flow and a greenway to connect the trails in Still Meadow and along the Rivanna. He said that however, there was commentary as well as some confusion among some attendees, who initially thought the proposal was for a new road to connect, and it was actually the opposite. He said that staff and the developer would work out the details.

Mr. Moore said that also on the transportation front, the Citizens Transportation Advisory Committee (CTEC) met. He said that the Smart Scale proposal's cost estimates had been released. He said that notably, only $500 million was available statewide for these larger high-priority projects, despite $2.3 billion being requested for projects. He said that their chances of securing funding were not promising, but the new scoring system may change the landscape. He said that interestingly, some larger districts may be able to bring in additional funding, making them more attractive.

Mr. Moore said that they had several NoVA projects that were bringing $150 million to the table, and they were only requesting $70 million, so this ranked them significantly higher. He said that another aspect that caught his attention was that their submitted estimates were 35% higher than today's dollars, taking into account the inflation of project timelines at current inflation rates. He said that something that made him somewhat disheartened was that the price point of the Rio and Hillsdale peanut was roughly double that of the other contenders. He said that although the Rio may not be a strong contender, a few other projects could still be viable options.

Mr. Bivins said that at the Places 29 Hydraulic CAC, they heard from the Office of Housing and Housing Albemarle, who presented some interesting data that he believed the Commission should review as well. He said that this data addressed the process for implementing affordable housing, a topic the Commission had discussed in its early stages. He said that he thought it would be beneficial for the Commission to consider how this data was being implemented in the County, as it related to their discussions in the comprehensive plan. He said that additionally, he had a significant question regarding the upcoming all CAC meeting. He asked if they were all expected to attend that meeting.

Mr. Barnes said that the all-CAC meeting was scheduled for October 30. He said that he believed they were not expected to be there.

Mr. Missel said that in the past, Commissioners in attendance had been introduced by the Supervisors who were leading the meeting.

Mr. Bivins asked if it would be considered a public meeting of the Commission.

Mr. Herrick said that his understanding was that the meeting was scheduled for October 30, and the Commission had another regular meeting between now and then. He said that he suggested that unless they wished to have this meeting noticed as a Planning Commission meeting, which was open to the public, the Commissioners could attend but should not discuss public business there without it being a public meeting.

Ms. Firehock asked if they could discuss public business with members of the public or the CAC.

Mr. Herrick said that they should not discuss public business with other members of the Commission.

Mr. Missel said that in the past, they had convened the Planning Commission meeting at the same time as the public.

Mr. Herrick said that that was the other alternative.

Mr. Bivins said that that would depend on how many of the Commissioners showed up.

Mr. Missel said that, if necessary, they could all sit in different parts of the room.

Ms. Firehock said that her report was that they had a community meeting for the Living Earth School, a new proposal. She said that the location was essentially behind Walnut Creek Park, if she was not mistaken. She said that it was difficult to recall exactly where it was, but it seemed like a better property for that location. She said that the meeting was well-attended, and she thought the applicant did a good job of describing how they planned to use the property with a relatively light footprint. She said that this proposal would be coming to the Commission at some point to be determined.

Mr. Bivins asked if this was the project that was requesting to do something on Batesville Road.

Ms. Firehock said that it was the road that was extremely narrow, barely allowing two cars to pass at a time. She said that it was a dirt road, and the location was difficult to reach. She said that additionally, there was a lot of concern from the neighbors regarding the disturbance caused by the simultaneous arrival of multiple vans dropping off children. She said that in contrast, this new proposal seemed to address these concerns more effectively, as the community appeared less alarmed compared to the previous proposal. She said that she planned to visit the site to observe how they were laying out the facility.

Review of Board of Supervisors Meeting: September 18, 2024, and October 2, 2024

Mr. Barnes said that there had been two Board of Supervisors meetings since the Commission's last meeting. He said that on September 18, the Board reviewed the Piedmont Grounds Management Landscape Business, located on Route 250 West. He said that the Board approved that application. He said that on October 2, the Board received a staff report on the recommended transportation project for the Ivy Road Corridor. He said that he would ensure that was shared with the Commission this week.

Mr. Missel asked if it was referring to the transportation improvements.

Mr. Barnes said that was correct. He said that the study had been completed, and it was a bit of a multivariable calculus problem, considering various intersections from the City line to Boar's Head. He said that they had analyzed the options and determined the preferred alignment, which was endorsed by staff, VDOT, and the Ivy Corridor citizen committee. He said that another notable point from the meeting was a deferral for 1193 Seminole Trail, previously known as Texas Donut. He said that the property was located at the City-County boundary, adjacent to the Chinese grocery store.

Mr. Barnes said that the reasons for the deferral were not entirely clear, but he believed they were assessing alternative options and had mentioned that they might return with a revised proposal that could be more favorable. He said that they appeared to be considering different investment opportunities and taking advantage of falling interest rates, which may impact their investment calculations for the property. He said that he would advise the Commission to stay tuned, as it was uncertain whether the project would be revisited by the Commission. He said that it may bear a substantial resemblance to the initial project that was approved and therefore be sent directly to the Board.

AC44 Update

Mr. Barnes said that they had a lengthy discussion earlier tonight on this subject, and he would like to revisit the schedule he previously suggested. He said that he did want to remind everyone that they had three meetings scheduled for this month and three for next month. He said that this month's meetings would include their standard meeting on October 22, and they would be holding a special joint City-County meeting on the Resilient Together Initiative on October 29, which would take place in Room 241.

Mr. Missel said that one thing he would like to note is that there were 3.5 hours scheduled on their calendars for that meeting. He said that he was not sure if it would last that long, but there was also a pre-meeting next week to discuss this further.

Mr. Barnes said that yes, there was a pre-meeting scheduled for next week with the Chairs on October 15. He said that the schedule for November was November 12, 19, and 26, and all three would include 4:00 p.m. work sessions. He said that the first two sessions would focus on AC44. He said that on November 26, they would discuss form-based code. He said that these were all work sessions. He said that additionally, they were planning to bring the Commercial Solar Ordinance for a public hearing on November 19, and riparian buffer protection standards would also be presented as a work session on November 26 at 6:00 p.m. He said that they would actually have two work sessions that day.

Mr. Missel asked if these dates were included on the updated calendar.

Mr. Barnes said that yes, these were included on the sent calendar. He said that he may need to create an AC44 calendar.

Ms. Shaffer said that she would also send calendar updates to include the extra meeting this month and the three meetings in November.

New Business

Mr. Missel said that he would like to bring up a potential item that may not be new, but rather a follow-up to their previous discussions. He said that if there was a future opportunity to fit in an update on schools, the Ivy Corridor, the housing policy, and other topics that could give them a broader understanding of their current work.

Old Business

Mr. Murray said that he wanted to mention that Albemarle County had recently experienced significant flooding due to severe rains. He said that this situation presented an opportunity for

them to reflect on their comprehensive plan process and consider what happened in Asheville. He said that they should analyze whether they had infrastructure in certain areas that was too close to roads. He said that it was fortunate that they were able to avoid the disaster that occurred in Asheville. He said that as they moved forward with the comprehensive plan, he believed this was a chance for them to take a step back and reflect on their own infrastructure and potential vulnerabilities.

Mr. Bivins said that during the same time, there had been a failure of the waterworks due to excessive water intake to the system. He said that if their planning was truly committed to enhancing development areas and increasing density, they needed to consider the infrastructure requirements, including water, sewage, and electricity, that would support a viable living option. He said that the reality was that in rural areas, residents often relied on their own wells and generators, which could provide resilience during catastrophes.

Mr. Bivins said that however, in densely populated areas, such infrastructure was not available. He said that when a water treatment facility failed, all residents in those areas were left without access to basic services until the issue was resolved. He said that therefore, they needed to prioritize creating resilient infrastructure that could withstand disruptions and support the needs of residents in all areas, including the most densely populated regions.

Items for follow-up

There were none.

Adjournment

At 6:55 p.m., the Commission adjourned to Tuesday, October 22, 2024, Albemarle County Planning Commission meeting, 4:00 p.m., Lane Auditorium.

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Michael Barnes, Director of Planning

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

Approved by Planning Commission
Date:
Initials: