**Albemarle County Planning Commission**
**Draft Minutes Work Session and Regular Meeting**
**February 25, 2025**

The Albemarle County Planning Commission held a public meeting on Tuesday, February 25, 2025. at 4:00 p.m.

Members attending were: Fred Missel, Luis Carrazana, Julian Bivins, Karen Firehock, Nathan Moore, Lonnie Murray.

Members absent: Corey Clayborne.

Other officials present were: Michael Barnes, Alberic Karina-Plun, Tori Kanellopoulos, Tim Padalino, Rebecca Ragsdale, Scott Clark, Bill Fritz, Amelia McCulley.

**Call to Order and Establish Quorum**

Mr. Karina-Plun called the roll.

Mr. Missel established a quorum.

Tori Kanellopoulos, Principal Planner on the Long-Range Planning Team, said that she was joined today by Tim Padalino, Chief of Parks Planning for Albemarle County, as well as additional staff from Community Development and Parks and Recreation. She said that they would be discussing the Parks, Recreation, and Open Space chapter. She said that they looked forward to diving into the discussion after the recent snow days.

Ms. Kanellopoulos said that they would begin by summarizing the Commission's feedback on this chapter, drawing from previous phases and recent emails. She said that they would also summarize community input and then Mr. Padalino would provide an overview of the chapter itself. She said that they would then discuss the upcoming schedule and focus topics for the Commission's discussion. She said that the focus topics differed slightly from what was initially shared in the Commission's memo. She said that previously, they had identified Objectives 2, 3, and 6; however, after further review, they decided to revise their Objectives to 3, 5, and 6.

Ms. Kanellopoulos said that Objective 2, which aims to increase the amount of County-owned land used for parks and greenways, directly feeds into implementation of Objective 3, which focuses on accelerating the development of urban parks and greenways in development areas. She said that therefore, they decided to focus more on Objective 3. She said that Objective 5 was added to increase the environmental sustainability and resilience of their parks and greenways, given the significant interest from staff, the community, and the Commission on this topic. She said that overall, these objectives emphasize the need for more parks and greenways in their community, particularly in development areas, and the importance of using their parks and greenways to protect and restore the natural environment.

Ms. Kanellopoulos said that one aspect of Objective 6 was worth noting: greenways can be improved at different standards, such as dirt or paved surfaces, so from a multimodal transportation perspective, typically, a shared use path would be considered part of the transportation network compared to greenways that are only used for recreational purposes. She said that they have a few slides summarizing previous Commission feedback on this topic.

Ms. Kanellopoulos said that the Commission emphasized the need to prioritize new parks, including small pocket parks in development areas, and to reduce reliance on developers to provide open space. She said that they also suggested exploring creative funding sources for parks and greenways, improving connectivity, and recognizing the importance of parks as

community gathering spaces. She said that additionally, the Commission noted the need for adequate staffing and maintenance resources as they increase their parks and greenways.

Ms. Kanellopoulos said that they also highlighted themes related to outdoor recreation, economic development, regional collaboration, equitable access, and environmental stewardship. She said that they received a few additional emails from the Commission today on this chapter, which they had reviewed before the meeting but had not yet added to this feedback summary. She said that from a community input perspective, the Commission emphasized the need for connections to parks and trails from neighborhoods, particularly for walking and biking, as well as amenities for teenagers.

Ms. Kanellopoulos said that they also suggested increasing amenities and recreational programs, providing spaces for music and entertainment, and improving universal access, including for wheelchairs and strollers. She said that the Commission stressed the importance of sustainable land management, including tree canopy and stream buffers, and increasing access to their waterways, especially the Rivanna River. She said that they held a recent open house on January 29, which focused on environmental stewardship and parks chapters.

Ms. Kanellopoulos said that provided was a brief summary of the input they received regarding parks, which includes support for a future parks and recreation master plan and ongoing public engagement, as well as updating the parks and recreation needs assessment. She said that there was also support for acquiring and utilizing County-owned land for parks and greenways and revisiting specific recreational uses and amenities in future parks planning. She said that they noted a significant amount of ongoing interest, including feedback from this event, regarding the possibility of allowing equestrian trails in the future at Biscuit Run Park.

Ms. Kanellopoulos said that it was worth noting that this level of detail was typically not addressed at the comprehensive plan level but would be considered and assessed as part of the future County-wide parks and needs assessment update and the future parks master plan, as outlined in actions 1.1 through 1.3. She said that she would now turn it over to Mr. Padalino to discuss the chapter itself.

Tim Padalino, Chief of Parks Planning, said that he was pleased to continue the overview information of the Parks, Recreation, and Open Space chapter. He said that their goal for Albemarle County was to create a connected and accessible network of parks and trails that offered both active and passive recreation opportunities, improving quality of life, providing active modes of transportation, enhancing climate resiliency, and offering access to nature. He said that their parks, trails, and amenities would be welcoming and inclusive, meeting the needs of their growing community.

Mr. Padalino said that their first goal was to plan for the parks and recreation needs of current and future community members through a process that was equitable, inclusive, and responsive to their existing and emerging needs. He said that their second objective was to increase County ownership and use of land for parks, greenways, blueways, and recreation facilities, prioritizing opportunities in development areas. He said that their third objective was to accelerate the development of urban parks, pocket parks, and greenways in development areas.

Mr. Padalino said that their fourth objective was to increase access to County parks and trails, with an emphasis on inclusion, equity, and universal access. He said that their fifth objective was to increase the environmental resilience of County parks and greenways, while restoring the health of the natural environment. He said that their sixth objective was to expand and improve the trail networks and blueways in County parks and greenways and increase multimodal connections.

Mr. Padalino said that their seventh objective was to increase the availability and accessibility of recreation programs, classes, and facilities, including athletic fields. He said that many of these objectives and goals were not new, as they had been identified by their community in the past, and AC44 continued several themes established in their 2015 Comprehensive Plan, including developing parks and greenways, protecting natural areas, expanding access to parks and greenways, and enhancing multimodal connections.

Mr. Padalino said that in addition to these continued themes, several emerging themes had been incorporated into the AC44 plan, specifically this chapter, such as increasing County-owned land for parks and greenways, expanding parks and greenways in development areas, including pocket parks, increasing walkable access to parks and greenways with a goal of a 0.25-mile or 15-minute walk distance, and enhancing their focus on environmental resilience and sustainable land management practices, including invasive species management, restoring forests and riparian areas and streams, and conserving natural heritage resources.

Mr. Padalino said that there were a few additional points of emphasis he would like to highlight. He said that one idea is the concept of a collection of separate but interrelated projects along the Rivanna River. He said that this is an existing vision for a regional river park system, comprising greenway trail expansions, blueway access enhancements, and similar upgrades.

Mr. Padalino said that this idea is not new, as it is present in their comprehensive plan, development area master plans, and the urban Rivanna River corridor plan prepared by the Thomas Jefferson Planning District Commission (TJPDC) for both the City and the County. He said that the vision is to have a collection of parks and trails and blueway access points that become more than just the sum of their individual parts. He said that the vision spans 17 miles, from Brook Hill River Park to the future planned Buck Island River Park.

Mr. Padalino said that this would link Places 29, Pantops, the City of Charlottesville, the Monticello World Heritage Site, and the rural area in their Rivanna District. He said that the Rivanna River was the primary waterway in the Charlottesville-Albemarle metro area, and it was currently an underutilized asset with great potential to be a high-profile highlight of their region's outdoor recreation and tourism industries. He said that this presented a great lifestyle opportunity.

Mr. Padalino said that the additional emphasis relates to the need and sense of urgency around parks and recreation, community centers, greenways, and other assets. He said that they currently face a need for additional infrastructure and opportunities, but there is also a growing factor that those needs are increasing due to anticipated population growth, urbanizing land patterns, especially in their development areas, increased visitation and use, and the deepening importance of parks, greenways, and outdoor recreation to their community's quality of life, health, and wellness.

Mr. Padalino said that for example, following the coronavirus pandemic, they saw a 16% increase in visitation year-over-year in 2020, followed by an additional 14% increase in 2021. He said that in 2023, they had over 600,000 more visitors than in 2019, representing a 40% increase. He said that this trend was consistent with national trends across the country. He said that it was clear that parks and greenways were essential infrastructure for thriving communities.

Ms. Kanellopoulos said that she would provide some context on how this chapter related to the other AC44 chapters. She said that from a transportation standpoint, the trail network that was maintained at a higher standard was part of the overall multimodal network. She said that their resource management and management planning, including invasive species removal, trail siting, and stream bank restoration, had a significant impact on environmental stewardship in their parks.

Ms. Kanellopoulos said that ensuring they had sufficient parks and open space to support thriving development areas was crucial. She said that their parks also housed historic, scenic, and cultural

resources, which they could protect and highlight with signage. She said that recreation was a major draw for tourists, contributing to a thriving economy. She said that the Community Facilities chapter offered recommendations for County-owned land and parks, as well as community uses for schools during off-hours. She said that the Resilient Community chapter provided recommendations for community resilience hubs, which could be located in community centers.

Ms. Kanellopoulos said that next in this update was their revised schedule. She said that today, they had the Planning Commission Parks and Rec presentation, with the Board meeting scheduled for next Wednesday. She said that they had previously shared the community event on January 29 for this chapter, and they had met with the Board on February 19 to discuss rural area land use and growth management policy. She said that they would also be presenting to the Board on April 2 to discuss development area land use and community design guidelines, which were updated versions of those chapters first shared in Phase 3.

Ms. Kanellopoulos said that the Thriving Economy chapter would be presented to the Planning Commission on March 11 and tentatively to the Board on April 16. She said that they also had a virtual Lunch and Learn event this Thursday for that chapter. She encouraged everyone to visit the AC44 engagement website, which was the best place to access the draft chapters and provide feedback on the draft actions. She said that they also made sure to share any comments received, whether by email or at their events, with the chapter team members. She said that this way, they could spread the word and gather feedback from all parties. She said that staff was requesting feedback from the Commission on Objectives 3, 5, and 6 for today's work session.

Mr. Moore said that first, he would like to commend and thank them for listening and prioritizing urban parks and greenways as the top objective. He said that they had previously discussed the lack of County parks in development areas, where the majority of the County resided. He said that he appreciated the discussion about activating these parks in community ways.

Mr. Moore said that while this may be a tactical approach for the future rather than the high-level comprehensive planning, he believed that their parks could play a significant role in fostering community engagement and bridging divides. He said that some of the limitation he had seen in their current County parks was that they were mostly trees and trails, while other parks may be activated with amphitheaters, ball courts, and other recreational amenities. He said that he did have some concern regarding Objective 1 being to make another plan as a goal of their overarching comprehensive plan. He said that he had started off on a tangent, but he was glad to see these three objectives as a solid set of priorities.

Mr. Murray said that given that their County schools were open to the public after hours, he was curious about the interaction with the School Board in determining the optimal mix of athletic facilities to support their youth. He said that this should align with the demand for those sports and ensure that they were investing their resources effectively in providing those facilities. He said that specifically, he was thinking about the recent example of an Olympic athlete from Crozet, who competed on the Western team.

Mr. Murray said that notably, the facility they used was not a County park, but rather a separate entity. He said that meanwhile, other teams at Western Albemarle were not performing as well, yet they seemed to receive a disproportionate share of revenue. He said that he would like to know what discussions took place with the School Board regarding opportunities to better support their youth athletes.

Mr. Padalino said that Parks and Recreation did have an established connection with public schools. He said that he believed it was more with the public school staff than the School Board, but they were aware of those opportunities. He said that they had a memorandum of understanding with public schools for community use after certain hours.

Mr. Padalino said that there were some restrictions on the timing, but these applied to virtually all public school facilities, including walking tracks and trails at Lambs Lane, as well as courts and fields. He said that Parks and Recreation had access to the reservation system and helped program those courts or fields on behalf of community groups, such as leagues and other programs. He said that while there was some good collaboration, he thought there may be an opportunity to strengthen this working relationship.

Mr. Murray said that he believed it was essential that they conduct a new needs assessment and do it regularly. He said that in his opinion, this was one of the most critical aspects of this document. He said that he was concerned about ensuring that they were capturing the full range of needs, particularly the economic impact of these activities. He said that in their County, recreation encompassed a broader scope than just traditional sports like soccer, football, and tennis.

Mr. Murray said that it included activities such as hunting, birdwatching, running, cycling, and long-distance swimming. He said that they were not fully capturing or analyzing the economic impact of these various forms of recreation. He said that he had some data that he would share later on the economic impact of certain sports. He said that he would like to hear any thoughts on how they could broaden the needs assessment process to better encompass the diverse range of outdoor and indoor recreation that occurred in Albemarle County.

Mr. Padalino said that one of the primary ways they achieved this was through continued engagement with the Visitors Bureau. He said that he was familiar with Courtney Cacation and her team, particularly Chris Ritter, who focused on outdoor recreation destination development. He said that this encompassed not only promotion and advertising but also hard improvements, infrastructure upgrades, access enhancements, and trail extensions.

Mr. Padalino said that these efforts were crucial. He said that he was aware that they had recently completed their Tourism Master Plan in 2024, which contained valuable information and data on outdoor recreation. He said that he believed there was still room for further analysis to better understand everyday recreation, its economic impacts, and special events. He said that he thought that outdoor recreation could complement the County's strengths in heritage tourism, food and beverage, and special events, elevating it to a similar level of excellence.

Mr. Murray asked if some of the topics and action items discussed would be included in the Economic Development chapter, or if others may be more appropriately related to this chapter.

Mr. Padalino said that he was unsure of how to answer, but he believed that some content in each chapter would cross reference and build on each other as appropriate. He said that it was likely that a portion of the content would be found in the Parks and Recreation chapter, as well as the Economic Development chapter, so it should be in both.

Ms. Kanellopoulos said that based on some of the recent feedback they had been receiving, she believed there were opportunities in the next iteration to revisit and improve some of the cross ties.

Mr. Bivins said that he was in a pragmatic mood at the moment, given that he did not believe they would receive any additional funding unless they generated it themselves. He said that as he considered the three objectives, he would like to understand how they related to each other, particularly Objective 3. He said that he was not convinced that Objective 3 was being effectively implemented, and he would like to know more about how it would drive the initiatives they were undertaking.

Mr. Bivins said that he appreciated the efforts of the County Parks staff for Objective 5. He said that the work done in conjunction with the community advisory committee (CAC) to revitalize the

Charlotte Humphreys Park was a notable example of how a green space could be transformed the Charlotte Humphreys Park area into a usable and inviting area. He said that the park's usage had increased significantly since the renovation, and he believed that similar efforts could be applied to other areas to enhance the 5% solution of density in the development area.

Mr. Bivins said that he would like to hear more about how they could effectively implement this solution and ensure that it benefited the development areas of the County, rather than just isolated areas. He said that he would like to know more about the redevelopment efforts, such as those at Fashion Square, and who was being targeted for these initiatives. He said that he would like to know what plans were in place for Rio Hill now that it would be partially vacant following the closure of Joann Fabric.

Mr. Bivins said that he was curious about the opportunities that existed for utilizing this space, given the significant development already underway in Berkmar. He said that it appeared that they could not establish a direct connection between their properties, which had hindered their ability to collaborate. He said that perhaps they could explore the possibility of converting a portion of Rio Hill into a community green space, aligning with the objectives outlined in their comprehensive plan. He said that he was particularly looking forward to hearing more about this potential opportunity.

Mr. Carrazana said that he would like to highlight the significant opportunities presented in this chapter. He said that this aligned with their economic development efforts and the communities they were creating, including activity zones. He said that the potential for improvement was substantial, and that was why he believed they were all excited to see this chapter come to fruition. He said that he would like to draw a parallel to the Beltline in Atlanta, which he had mentioned before. He said that he recalled visiting the area with his family while his son attended Georgia Tech, and seeing the positive impact it had on the community.

Mr. Carrazana said that the concept of connecting resources, such as open spaces, to amenities like restaurants and bike rental shops, resonated with him. He said that this approach could foster economic development and create a more vibrant community. He said that he appreciated the way they were pairing this with other sections, particularly community development.

Mr. Carrazana said that he hoped it did not remain separate but rather engaged with the other initiatives they were working on. He said that he agreed that the focus should be on the acceleration of development of the parks in the urban area, because this was where economic development would be happening. He said that while there was economic development in the rural areas, they would be driving from place to place. He asked staff to discuss the tools and strategies they were considering to implement this acceleration, and how they planned to get there.

Mr. Padalino said that he believed that they had certain tools at their disposal as a Parks and Recreation Department and as a local government organization. He said that they were currently participating in the development review process. He said that when there was a legislative application, they could assess its consistency with the comprehensive plan and determine its applicability.

Mr. Padalino said that they could inform developers or applicants about the County's vision for greenway connections, open spaces, and other recreation areas. He said that they strived to work with developers to move proposals in the direction of making those connections, providing new destinations for outdoor experiences and recreation. He said that this had been one of the ways they had achieved this over the years.

Mr. Padalino said that another tool was receiving donations, such as easements and property, to help enlarge their parks, establish new parkland, or build out greenway connections. He said that

however, they lacked a land acquisition policy or a land acquisition fund, which were important and effective for implementing these broader visions more quickly. He said that the County's partnerships with various organizations and clubs were important as well. He said that they had had success in partnering with trail clubs and advocacy groups to increase access to outdoor recreation spaces, and they continued to seek out new opportunities to further this goal.

Mr. Bivins said that to Mr. Carrazana's point, he had also visited Atlanta over the past two decades and had seen firsthand how density could be leveraged for a variety of benefits. He said that when he recalled the developments around Georgia Tech and the emergence of Buckhead, it was clear that density was a key factor. He said that the question was how could they effectively leverage density in their own community to promote initiatives like parks and recreation or intentional community places. He said that density often carried a negative connotation, but when done correctly, it could be a valuable asset.

Mr. Carrazana said that he thought that was a really good way of articulating the issue of leveraging the density. He said that as he knew, what they did in the Beltline development was a great example. He said that in many areas, there were blighted properties, and urban renewal was underway with a focus on densification and infill. He said that combining these elements was key to making the most of their development area. He said that Atlanta had successfully leveraged density in areas that were previously blighted or condemned. He said that there was a specific condemned building for which they performed a structural retrofit and was now home to shops, office space, with apartments above, and the Beltline ran right through it.

Mr. Murray said that as they were discussing funding, he would like to bring up a point that he thought was relevant. He said that staff had mentioned a park acquisition fund, and he would like to highlight a common issue he had observed. He said that when new developments came on board, they often offered to create small pocket parks, but what he saw was that people rarely wanted those types of miniscule parks. He said that instead, they were eager to have a sidewalk that they had been wanting for years, located just down the road.

Mr. Murray said that the County did not have the authority to require developers to build this sidewalk, but they could offer an alternative. He said that if they had a fund, they could present the option to developers to contribute money to the fund, which would be equivalent to the pocket park they would have built. He said that this would provide flexibility and allow them to address gaps in their infrastructure, such as missing sidewalks, where people may not be as concerned about the presence of pocket parks or dog parks.

Ms. Firehock said that she had previously sent some typographical corrections to staff so that they could clarify what those typos were actually saying. She said that for now, she would focus on Objective 3. She said that Objective 3.1, where they outlined the requirements for evaluating and updating new development zoning and change in land use projects to contribute and connect to the Countywide parks and rec system, felt like a strategy for having a strategy.

Ms. Firehock said that she would prefer it if they could revisit this section and provide more concrete steps for implementation. She said that if they would like, she could meet with staff to brainstorm potential solutions. She said that one example of a potential solution was developing a connectivity master plan, which would map out the desired connections between different areas.

Ms. Firehock said that this would help developers visualize the potential for connectivity and make informed decisions during the planning stage. She said that it would facilitate the application review process and encourage better participation from developers. She said that having such a plan in place could streamline the process and ensure that developers were aware of the County's vision and requirements.

Michael Barnes, Director of Planning, said that what she was discussing was almost a multimodal plan, as opposed to traditional parks. He said that some of these places where people's connections would be were not necessarily located in a park, but some of the opportunities to create these connections were found in parks.

Ms. Firehock said that it could be a trail, a bike lane, or whatever was needed to provide connectivity to those green resources, allowing for a comprehensive plan with nodes. She said that it was similar to a master plan that her firm would create for a city. She said that this would enable clear communication and ensure that people understood the literal vision. She said that early on, it would be beneficial to propose a trail connection or alternative solution.

Ms. Firehock said that she also appreciated the idea of establishing a fund to compensate for land that may not be suitable for development. She said that for example, in the Avon Street Extended area, she had seen instances where a small, unusable space was repurposed as a dog park because they had to provide some type of green space.

Ms. Firehock said that those types of amenities were not the best because they were not large enough to really serve as recreational space. She said that sometimes they just did not get very good spaces out of those proposals. She said that they should not always accept funds in lieu of actual amenities, but in some cases, it may be best. She said that for that to work, they must have a master plan to determine what funding was necessary to achieve the vision of the plan.

Mr. Barnes said that he wanted to separate those two concepts. He said that the idea of funding towards a community space rather than a tot lot or dog park was an idea worth exploring further. He said that on the other hand, there was the issue of how people accessed the park, or more broadly, transportation in general, and how some of that transportation passed through green spaces.

Mr. Barnes said that he believed that these two concepts were indeed connected; they could not be entirely separate. He said that the Beltline, when being considered for this community, would pass through many of the stream valleys, providing a backbone for redevelopment in areas along Route 29, and also allowing for the creation of green spaces.

Ms. Firehock said that there could be grander schemes, but they also might consider smaller, more incremental approaches. She said that for instance, they may wish they had a stub trail connecting to a specific park. She said that in Charlottesville, they had success with this concept, where developers would initially plan for a specific layout, and then they would request a connection to the trail.

Ms. Firehock said that she recalled a particular development where the initial plan was laid out, and then they would say they would connect the trail. She said that the developer would then adjust their plan to accommodate their request. She said that this approach allowed them to vary the sidewalk width, street and curb and gutter design, and other elements to fit the trail connection, all while maintaining a unified vision. She said that the thinking behind the connection was well-planned and executed before any development plans were finalized.

Mr. Barnes said that he agreed that was very important. He said that hopefully, as they developed the transportation chapter, they would outline how they planned to achieve that goal. He said that while they would not provide a map with specific locations, he believed it was crucial to define the transportation strategy and priorities in the comprehensive plan. He said that this would help them determine staff levels and extract the necessary information for the bike and walking aspects of the plan. He said that the transportation network must intersect with their green spaces, and he thought there were many opportunities in the community to do so effectively. He said that this chapter seemed to focus on understanding the green spaces and how they fit into the overall transportation plan.

Ms. Firehock said that considering it from a resilient perspective, which they had been discussing throughout this conversation, to imagine a bird's eye view, if they had green fingers that connected their landscape, they were creating flyways and pathways for amphibians. She said that this was not just about a bike lane; it was about the green connectivity that might never be traversed by her or anyone else.

Ms. Firehock said that there was this habitat connectivity to consider, as well as the potential for a green finger or spur that could connect to a neighborhood. She said that currently, they had vague areas such as parks and green systems, which needed to be defined. She said that she would like to see a clear spur through a specific area.

Ms. Firehock said that, for example, when she drove home, she took Avon Street Extended and then navigated a sharp curve before reaching Biscuit Run Park. She said that as a pedestrian, she often found it difficult to navigate this area, and she thought it would be beneficial to create a more pedestrian-friendly route. She said that she was simply thinking about how these neighborhoods could connect. She said that to reiterate, she would like to see a more detailed explanation of how they planned to achieve Objective 3.1. She said that there were about five different things in there that needed to be turned into specific sentences and actions that can become a staff work plan.

Ms. Firehock said that the presentation tonight mentioned the Commission's previous comments, and she had taken note of that. She said that her broader comment was that this document needed to be more specific and objective driven. She said that in her experience, objectives should be clear and measurable, allowing them to determine whether they had achieved them. She said that for instance, instead of "explore opportunities," they should aim for more specific objectives that could be benchmarked. She said that she would like to see their objectives become more concise and actionable rather than vague goal statements.

Ms. Firehock said that additionally, she thought they could build upon their existing principles of equity, inclusion, and access. She said that these were already stated in their overarching principles, and even Objectives 1 and 4 seemed to overlap, so she would like to see more distinct objectives that address these issues. She said that she wanted to give this some attention; she would like to clarify the concept of a vision, goal, and objective. She said that when she was discussing an objective, she was referring to a specific, measurable action that they were trying to achieve.

Ms. Firehock said that there was some room for refinement in this document, and she would be happy to contribute to it offline. She said that she did not want to prolong the evening, and she was sure that no one wanted to edit a document in a public meeting. She said that she wanted to emphasize that she believed everyone's intentions were good, and they all wanted to ensure equitable access to green space.

Ms. Firehock said that for the record, people in rural areas often needed a place to walk and convene as well as those in the development areas. She said that she thought about the community in Esmont, which was a rural area with developed spaces. She said that they had done a great job creating a walking trail at the park near the school, and there were other linkages through the community that parks had explored.

Ms. Firehock said that these could be part of a master walkable plan that could really enhance that community. She said that she proposed that they have a discrete objective, such as developing a connectivity master plan for the urban area. She said that they could do this planning activity separately, either by obtaining a grant to fund it or by doing it themselves. She said that instead of waiting for opportunities to arise, they should proactively plan and evaluate the effectiveness of these connections.

Ms. Firehock said that for example, potentially more relevant to the transportation chapter, they discussed their goal of having 10-foot-wide asphalt paths in front of every development. She said that they often encountered situations where these paths were impractical due to topography. She said that instead of insisting on these paths regardless of context, they should create plans for entire corridors for developments to align with. She said that they should consider alternative solutions, such as incorporating trees and better sidewalks, or whatever else was necessary to create true connectivity. She said that they should focus the actions necessary to better connect people, wildlife, and opportunities, and ultimately achieve their goals more effectively.

Mr. Barnes said that stormwater management could be added to that as well.

Mr. Moore said that he would like to briefly comment on Mr. Murray's and Ms. Firehock's remarks. He said that one point he would like to make is that his earlier statement about some of the objectives, particularly in the first section, aligned with what Ms. Firehock had said. He said that they were emphasizing the importance of specific, measurable, and achievable goals, which was a key aspect of smart planning.

Mr. Moore said that he was not trying to lecture on the concept of smart goals, but rather highlighting that the objectives listed here, while well-intentioned, lacked specificity and measurability. He said that, for example, increasing the percentage of community members with walking access to a park was a vague goal; he wondered where they were aiming to get to and what specific metrics would they use to measure progress.

Ms. Firehock said that it was relatively easy to determine a neighborhood's walk score in Geographic Information System (GIS), and they could quickly assess what percentage of neighborhoods did not have access to a park within walking distance from their homes. She said that this could be done in just five minutes.

Mr. Moore said that he would like to add another point to their discussion with Mr. Murray regarding the schools. He said that some schools, in fact, served as community hubs, offering playgrounds, fields, and ball courts, which were integral to the school itself. He said that Mr. Bivins mentioned the Lamb's Lane campus, and he was familiar with the Woodbrook neighborhood, where a similar facility existed. He said that what he found interesting was that these facilities functioned more like parks than their actual designated parks. He said that he wondered if there was a more formal way to incorporate these types of facilities into their current initiatives.

Mr. Missel said that he would like to throw out a couple of thoughts to get the conversation started. He said that one was to position themselves where they are today, and he needed to remind himself that they were discussing the AC44 plan. He said that given that it was a 20-year plan, it was easy for him to get caught up in the details.

Mr. Missel said that he thought it was essential to zoom out and ensure that the big vision was in place. He said that even if it was not achievable in the next two or three years, having it as a goal for the next 20 years was a great objective. He said that it also set a framework for other initiatives that would help achieve those goals over the course of the 20 years.

Mr. Missel said that he had a few quick questions to just to focus on the big picture. He said that Ms. Kanellopoulos had mentioned that they were discussing horses, which was a detail. He said that she also mentioned a Countywide parks and needs assessment, which was relevant to the Parks and Recreation and Open Space chapter of AC44. He said that if they considered the overall diagram of plans and documents that touched on parks and recreation and open space, he wondered how these documents and initiatives fit together. He said that he wondered what other documents they were anticipating.

Ms. Kanellopoulos said that upon reviewing those other plans, she agreed that the comprehensive plan served as the overall guidance and provided a high-level framework, as he had mentioned. She said that the area plans, such as Crozet and Pantops, Places 29, and others, offered more detailed recommendations.

Mr. Padalino said that he thought that the missing piece of their discussion had been finding a balance between the Countywide comprehensive plan and the development area master plan. He said that they needed to avoid replicating the maps from the comprehensive plan in the master plans, instead focusing on more specific geography and detail.

Mr. Padalino said that he believed that they would then have a Countywide parks and recreation and open space plan, a Countywide document. He said that next, they would develop more specific, granular park master plans for each particular facility, building on the information from the comprehensive plan.

Mr. Missel asked for more information on the timeline for each of these projects. He asked if they were waiting for this planning to be done and then to provide more information on the timeline for each of these projects, or if they were waiting for the projects to be completed before they were reviewed and updated, or they were already existing and would be reviewed at that time.

Mr. Padalino said that they would need to develop a Countywide parks and open space master plan. He said that while they had master plans for many of their parks, not all of them did. He said that either of these plans could take several months to complete, beyond the 12-month mark. He said that creating a new master plan was not a short process, especially with the professional consulting and community engagement that would be involved.

Mr. Padalino said that the community engagement process could be lengthy, and it was often on the 12-month scale. He said that they did have existing park master plans that could be amended, which would be a shorter process. He said that the parks and recreation needs assessment, which was started in 2018, had been completed within a year. He said that this would be another opportunity to update or amend an existing plan, rather than starting from scratch.

Mr. Missel said that was really helpful. He said that moving on to resources, he would like to discuss the availability of measurable and achievable goals, as well as setting realistic expectations for the community. He said that this subject was particularly important and close to many hearts, and it also served as a differentiator for their organization.

Mr. Missel said that to achieve these goals, he would like to know what resources were currently available and whether there was a need for additional resources, such as grant funding. He said that staff mentioned an acquisitions funding plan. He said that he would like to know the vision for adding resources to support these initiatives and achieve the desired outcomes.

Mr. Padalino said that currently, they relied heavily on local revenues to the Capital Improvement Program (CIP) for parks enhancements and new construction. He said that they also pursued grant funding opportunities, although they could be unpredictable. He said that sometimes grant programs only supported maintenance projects, rather than new construction. He said that they closely monitored these opportunities and pursued them when possible. He said that a new resource available to Albemarle County was the Albemarle Parks Foundation, a standalone nonprofit organization with the mission of supporting and enhancing Albemarle County parks and greenways.

Mr. Padalino said that they frequently partnered with organizations to achieve their goals. He said that for example, the Virginia Blue Ridge Disc Golf Club constructed a golf course at Chris Greene Lake, and the Charlottesville Area Mountain Bike Club was currently funding a downhill bike area project. He said that in each case, the County provided staff support or in-kind administrative

support. He said that these partnerships demonstrated creative and effective ways to enhance their parks and greenways.

Mr. Missel said that he had heard examples of organizations like the Charlottesville Mountain Biking Association, which effectively created trails and utilized resources. He said that he recalled a statistic regarding Virginia Department of Transportation (VDOT)'s efforts to improve roads, while also focusing on increasing maintenance funds for Smart Scale projects. He said that this often resulted in significant improvements, but the maintenance line item remained stagnant. He said that he would like to know how this would impact parks and recreation, and open space maintenance, as well as how they planned to balance that with their aspirational goals.

Mr. Padalino said that it would be best addressed by department leadership who were more directly involved in the budgeting process. He said that ultimately, it came down to requesting more resources, whether that was full-time equivalent positions or operating budget. He said that as they acquired more trails and infrastructure, the need for not only routine maintenance but also inspections, eventual replacement, and upgrades grew in tandem with the increasing assets.

Mr. Missel said that finally, he would like to mention an experience with his job, which was a rezoning project he was working on. He said that the partnership they had with staff in Parks and Recreation was one of the most fruitful discussions they had had. He said that it demonstrated how, as they increased density, improvements would follow, and that there was a commitment to completing these projects at a high-quality level that the developer was proud to have them, and it showed that they would focus on quality.

Mr. Missel said that he realized that when considering developments, traffic generation, and the resulting proffers, the costs could quickly add $400,000 to $500,000 for a stoplight, another $500,000 for turn lanes, and then widening the road. He said that before long, proffers in the millions became a reality. He said that in his opinion, the benefits of open space coordination with the development community were substantial. He said that he believed this was an area where they could continue to focus their efforts on effective communication with developers and building on this success.

Mr. Bivins said that they mentioned open space, and he understood it to be a term with a specific meaning in their context. He said that they would be dealing with open space after 6:00 p.m. He said asked if Mr. Missel could please elaborate on what he meant by open space in the example he had shared with them.

Mr. Missel said that there were a couple of key aspects to consider. He said that first, in a typical zoning process, open space referred to land that was left over, often including areas such as unbuildable land, floodplains, critical slopes, and other similar areas. He said that there was the question of how to program these types of amenities within those open spaces. He said that also was "sacrificial" open space, which was an area that was buildable and strategically made sense to develop into parks and recreation facilities. He said that in his view, the value of that land lay not in building a multifamily house, but in creating a valuable amenity that could benefit the community.

Mr. Bivins said that this was revisiting the concept of leveraging density. He said that he had previously stated that they did not have open space because it was often perceived as the leftover ends of the day, but rather, they should have open space because they were actively trying to create a more vibrant and livable day.

Mr. Missel said yes, it was about creating a place. He said that when considering diversity in the offerings, unlike just building soccer fields or trails that only went through the woods, they should create space for events, activities, and ways to activate those trails.

Mr. Bivins said that on page six of the handout, it was projected that they would have 20 parks. He said that he was not sure how they planned to maintain 20 parks in a place that did not generate significant income. He said that he thought some of those parks should be woods, rather than parks, because it was very unlikely, they would be able to secure the funding to maintain 20 separate properties.

Mr. Bivins said that the experience with Charlotte Humphreys Park, where they had to work hard to secure funding and manage invasive species, made him skeptical about the feasibility of this plan. He said that he did not see how spreading that kind of effort across 20 parks would be possible. He said that he was concerned about the placement of community centers. He said that currently, they had four community centers in the south, east, and west of their community, but he was proposing to add more in the north, east, and west.

Mr. Bivins said that he thought it would be more strategic to focus on the existing centers and consider alternative locations, rather than duplicating efforts. If he had to make a trade-off, he said that he would suggest giving up three future parks for two current community centers.

Mr. Missel said that he believed the key was to consider both the improvements, parks, and additions, as well as the maintenance and potential impacts. He said that it was essential to think critically and not just focus on one aspect without considering the others. He said that if that meant slowing down in one area to ensure they were catching up in another, that was a necessary approach. He said that he was not sure how this approach was currently integrated into the chapters.

Ms. Firehock said that she had two quick comments to share. She said that she wanted to ask about Objective 6.4, which mentioned improving and expanding river access facilities and amenities. She said that specifically, she was wondering if they were also referring to the installation of improved kayak ramps and canoe ramps, allowing people to easily launch their boats.

Ms. Firehock said that currently, they lacked high-quality ramps, and she thought this was particularly important considering their aging population. She said that many of her canoe friends struggled with launching their boats, often dragging them up muddy banks or using stairs. She said that she believed it would be beneficial to build proper canoe and kayak launches, providing a safer and more accessible experience for everyone.

Mr. Missel said that it was a big-picture question regarding public safety and how it was monitored, cared for, and whether it was integrated into the AC44 plan and this overall strategy.

Mr. Padalino said that he did not believe that overall public safety had been a specific focus topic, but it seemed like it was something they should revisit to ensure they had considered how to make safety the operating principle for all their parks.

Ms. Firehock said that along those lines, for instance, there are parks where a nice deck and fishing access are available, but considering people with disabilities, such as those using walkers, wheelchairs, or disabled veterans who want to fish while navigating ramps and accessible grades, thinking about the diverse needs of various populations and the concept of equity was essential.

Ms. Firehock said that while they discussed resiliency, she would like to know if they were specifically focusing on assessing their parks and facilities, including those with creeks that may not appear to be at high risk of flooding, but could still pose a risk. She said that she had witnessed firsthand how rapidly water levels could rise, as she could have kayaked from her front door just last week in the Rockfish River.

Ms. Firehock said that the point was that their infrastructure needed to be more resilient, as they were now building structures that were previously thought to be safe from flooding but were now at risk of being underwater with increasing regularity. She said that different types of structures, such as buildings with drainage systems and designs that could withstand fast-moving water, were necessary. She said that to truly rethink their facilities in terms of inundation, they may need to consider moving some structures back or investing in new equipment and designing differently. She said that she would like to see if this topic had been or could be addressed in the analysis, as it seemed to warrant its own separate examination.

Mr. Missel said that they wanted to focus on Objectives 3, 5, and 6, and if they had any specific comments regarding those objectives, he would like to hear them. He said that after that, they could discuss the topics more broadly. He said that if there were no further specific comments, they could continue the broader discussion.

Mr. Murray said that he wanted to commend staff on a great job, particularly with Objective 5. He said that they had highlighted the importance of sustainability, and it was also noteworthy that Parks was already making strides with no-mow areas and invasive species management, which was truly great. He said that he was pleased to see that effort included in the plan. He said that he also strongly supported Objective 3. He said that in his opinion, many of these issues were interconnected, and he had heard numerous people mention the intersection with transportation.

Mr. Murray said that he believed there was a significant intersection with economic development, as they had mentioned earlier. He thought it was essential to mention in this chapter that their recreation economy generated approximately $1 billion in economic value. He said that he further believed this figure was likely undercounted, and he thought a thorough park needs assessment could reveal a much larger number.

Mr. Murray said that looking at nationwide statistics, for example, 48 million people participated in running in 2023, and they spent an average of $1,800 per year. He said that considering the number of runners in Albemarle County, this was a substantial amount of money. He said that when comparing this to other activities, such as soccer, he thought it was worth considering the economic impact of recreation in their model.

Mr. Murray said that there were approximately 14 million people who participated in soccer, which was actually significantly less than those participating in running. He said that in comparison, the number of people who participated in running was higher, and cycling participation fell just below that. He said that however, it was worth noting that birdwatching, which was not typically considered a sport, had a substantial engagement, with 96 million people participating annually, and in fact, birdwatchers spent approximately $41 billion each year, a figure that had been previously highlighted.

Ms. Firehock said that she believed that they were the most expensive outdoor user, so if one were to develop some of their trails, such as the birding trail, and advertise it in Birders Magazine, it was likely that more people would stay for long weekends, enjoying the same birds that were already present. She said that by providing amenities like bird blinds and benches, one may be able to attract more visitors and promote further economic development.

Mr. Murray said that he also wanted to mention the Birding Wildlife Trail Network, as it bore relevance to their discussion. He said that he believed a more striking omission in these objectives was the role of private lands in terms of recreation in Albemarle County. He said that numerous private landowners, including Tevin Trails, Foxfield, Panorama Farm, Monticello, and Foxhaven, offered open access, limited access, or events.

Mr. Murray said that community trails in Batesville, maintained by community members, were another example. He said that he thought they could do more to support these property owners,

ensuring that their recreational uses were allowed under zoning regulations and providing them with necessary information to navigate these complexities. He said that the County should be more proactive in acknowledging and supporting these efforts.

Mr. Murray said that Roanoke's successful community partnerships were a notable example. He said that he would love to see a similar approach implemented here. He said that it was intriguing that they highlighted blueways in rural areas but failed to recognize the importance of rural roads used for cycling and running. He said that perhaps this would be addressed in the transportation chapter. He said that he was concerned about the safety of Route 76, which was extremely dangerous. He said that Jarman's Gap, a highly used road for biking, running, and walking, provided access to the Shenandoah National Park adjacent to Crozet.

Mr. Murray said that numerous cars parked there on any given day to access the national park, and it was right next to one of their development areas. He said that he had also come to realize that hunting was often overlooked as a form of outdoor recreation, yet it was essential for many rural residents. He said that unfortunately, there were limited safe options for lower-income individuals to hunt, and they lacked a wildlife management area in the County.

Mr. Murray said that it had been previously suggested that it was not in the County's purview, but he would ask that they consider establishing a wildlife management area with assistance from the state, and there were properties owned by Rivanna Water and Sewer Authority (RWSA) that could serve as wildlife management areas.

Mr. Murray said that generally speaking, he thought that the management of parks and the activities within them were well-represented and accurate. He said that what he would like to see was a broader scope in their thinking about recreation, including its economic value, and how it related to the other chapters in this document.

Mr. Bivins said that he wanted to have a thorough discussion about the issue of shooting deer on public property. He said that he wanted to explore this topic further because, given that they were in a building that did not allow guns, he did not believe the County would want to allocate land for guns to be used, but he thought they could have this conversation at a later time.

Mr. Bivins said that he was struck by why they thought recreation in Albemarle County had a pluralistic approach to it. He said that his interaction with recreation in Albemarle County was absolutely a white glove activity. He said that he wanted to take care in analyzing the economic benefit of something so that they were not pitching themselves towards a level of inequity.

Mr. Bivins said that he was worried that their economic analysis may be biased towards luxury activities, and that they may be overlooking the needs of those who could not afford or access these types of facilities. He said that he had noticed a decline in outdoor activity spaces in the area, which he believed may be due to people seeking alternative recreation options elsewhere.

Mr. Bivins said that this had led him to wonder if they were inadvertently pricing out certain segments of the population. He said that he wanted to caution that their economic analysis should not be based on assumptions, but rather on expert analysis from individuals who specialized in this area. He said that he believed they had seen a multiplier effect in the wedding industry, which had become a significant economic driver in the area. He said that he thought they should bring in experts to help them analyze the economic benefits of this proposal, rather than relying on gut instincts or assumptions.

Mr. Murray said that this was an important point to consider, and he was hesitant to bring it up, but it was something that had been on his mind a lot. He said that one of the places his daughter and he frequently jogged, they often saw the same Black teenager who walked a mile or more to go fishing. He said that when he thought about transportation, the intersection of transportation

and recreation, and equity, that image was really important to him because he wanted to ensure that they did not make any decisions that would make that road unsafe for that teenager to fish in that stream.

Mr. Murray said that they should make sure to acknowledge that fishing was a form of recreation that they supported in Albemarle County, and they did not want to contaminate the waterway in a way that would prevent anyone from fishing there. He said that as they considered expanding their understanding of recreation, diversity, and how they intersected with these issues, he believed that this was an important aspect to take into account.

Mr. Bivins said that it could have just as easily been a white teenager walking, so he was not convinced that the racial demographic of the individual walking one mile was relevant to the example. He said that going back to the broader concept, he was thinking about the idea of a pedestrian bridge across Route 29. He said that the bridge could potentially connect to Charlotte Humphreys Park, and he hoped it would be used as intended.

Mr. Bivins said that he hoped that the RWSA, in collaboration with the bike club, would establish paths behind the Jack Jouett and Journey, and Boys and Girls Club, to connect to other areas of the community, such as Barracks Road or Garth Road. He said that the issue arose when considering the bridge's potential to unlock access to the Ivy Creek Natural Area and the boat launch on the reservoir.

Mr. Bivins said that if the bridge could facilitate access to these locations, it would unlock six different areas, allowing people to use these facilities in ways they had not been able to before. He said that as they considered their infrastructure, it was essential to think about how these pieces fit together and what they could unlock for the community.

Mr. Barnes said that he wanted to add a commentary to that discussion. He said that yes, it would be ideal to build all of that, but it also required careful consideration, prioritization, and a ranking of the major destinations they needed to reach. He said that making informed decisions about where to invest their resources was crucial. He said that he believed this was an important aspect to consider as well.

Mr. Moore said that he was about to take a different direction, considering that this was the AC44 and looking ahead 20 years. He said that he was pleased that they were discussing urban parks as the main focus. He said that he was also happy that they were discussing urban-style amenities within the urban ring. He said that additionally, since they were looking further ahead, he would like to draw from his own experience of growing up in a town with exceptional destination parks, urban parks that were truly destinations.

Mr. Missel asked where that was.

Mr. Moore said that it was Huntington, West Virginia. He said that Ritter Park was a classic example of an Edwardian-style Park. He said that if they were looking to create a destination space 20 years from now, they should consider their region's unique characteristics. He said that if they were to consider where the festivals would take place, they likely would think of the Pavilion, which was concrete, or IX Art Park, which was private.

Mr. Moore said that while some of their local parks could accommodate festivals, they were not typically thought of in that way. He said that he would like them to think about how they could create a space that could be a destination, similar to many of their rural parks, such as Ivy Creek, Chris Greene Lake, or Mint Springs Lake, which were beautiful and offered a range of activities. He said that however, he believed they were missing an urban-style destination in their plan.

Mr. Moore said that he was reviewing the Charlottesville Albemarle Convention and Visitors Bureau (CACVB) master plan, it did include arts and music, which was near and dear to his heart, but it did not prioritize these elements as a primary tourism draw. He said that however, their town was known for its vibrant music scene, and people came here to attend events and buy tickets.

Mr. Moore said that they also had a significant number of full-time equivalent artists working in the area, with approximately 1,000 people employed in the arts. He said that he thought they could incorporate arts into their parks and develop a foundational strategy for arts and cultural programming. He said that this might be where his philosophy of parks diverged slightly, focusing not just on nature connection, but also on programming within the parks.

Ms. Firehock said that she had been thinking along similar lines. She said that one of her notes mentioned that people who may not typically be park-goers, but some cities had successfully hosted geocaching events, which appealed to people's desire for adventure and exploration. She said that someone might think these events could be a lot of fun, and they might even return to the park next weekend just to experience it again.

Ms. Firehock said that while some of these events did require staff time and programming, she believed that local businesses could also sponsor them, which would help alleviate the burden. She said that she thought it was a great idea to incorporate more unusual or artistic events, such as kite-flying festivals or festivals that brought art to the parks.

Mr. Missel said that this topic was relevant to Objective 1.7, which aimed to address the issue at hand. He said that he believed there may be an opportunity to refine this objective to encompass the broader scope of their discussion. He said that upon reflection, he realized that many of the points they were discussing fell under Objective 1, which covered partnerships, funding, and resources. He asked if there were any other comments about Objectives 3, 5, and 6.

Ms. Firehock said that she had suggested some ideas, including incorporating resiliency components such as solar panels on top of buildings and resiliency features into their facilities.

Mr. Murray said that he hoped that, during the needs assessment, they would not only consider a broader perspective but also incorporate data from Strava (running, cycling & hiking app), as it provided a valuable measure of where recreation activities were taking place throughout the County.

Mr. Missel said that to recap, he would like to summarize a few key points that had been discussed. He said that one was that it was essential to consider maintenance alongside development and however the County could provide assistance with this. He said that next, taking a regional perspective and thinking about the County's unique character was crucial, as it was what they were passionate about. He said that there were opportunities to expand connections with other communities around the edges of their community. He said that also leveraging partnerships with developers, grant funds, and organizations like Charlottesville Albemarle Mountain Bike Club (CAMBC). He said that also ensuring their resources, including staffing and maintenance, aligned with their vision for parks and recreation goals was also important.

Mr. Missel said that safety and accessibility should be considered in each case. He said that activating spaces within parks could enhance diversity and the overall experience. He said that economic development, leveraging density, and measuring goals were also key takeaways. He said that their 20-year plan and sub-plans should be focused on achieving measurable and achievable goals, with a focus on activating and implementing the plans. He said that resilience, sustainability, and equity were also critical considerations. He said that he was sure he had not covered everything, but these discussion points stood out to him.

**Recess**

The Commission recessed at 5:24 and reconvened at 6:00 p.m.

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

Judy Berger, Samuel Miller District, said that she was a strong supporter of horseback riding, particularly trail riding at Biscuit Run. She said that she wished the representatives from Parks and Recreation were present to hear their discussion, as she believed they needed to be aware of their concerns. She said that she also owned Loose Horse Mobile Tack Exchange, where they bought and sold saddles, tack, and clothing for horseback riding.

Ms. Berger said that their business benefited significantly from the local youth population, with at least a third of their sales coming from children who rode horses. She said that it was likely that these young riders would continue to ride as adults and may choose to keep their horses in the County, purchasing the products and services they offered.

Ms. Berger said that as an avid horse owner and rider, she also purchased products and services from fellow Albemarle residents and businesses. She said that while birdwatchers spent approximately $1,800 per year, while they spent at least $1,800 per month. She said that this translated to substantial revenue, taxes, and economic benefits for the County. She said that the Virginia State Park Plan for Biscuit Run included language supporting the development of horseback riding trails.

Ms. Berger said that the 2015 Comprehensive Plan also referenced horseback riding trails. She said that she urged the County to move forward with these plans, incorporating horseback riding into the verbiage and supporting the thriving horseback riding industry in Albemarle. She said that additionally, she encouraged them to consider the benefits of a wider and more diverse population visiting Biscuit Run. She said that she asked that they please ensure that horseback riding was included in their plans.

Kristen Jones, Samuel Miller District, said that she was also a horseback rider in Albemarle County. She said that she believed that Albemarle County had a significant equestrian heritage, which was well-known. She said that Albemarle County was likely one of the top five or six counties in the state for horseback riding, and the number of horses and horseback riders was integral to this County. She emphasized that it was really very important, so they would like to continue being part of the big picture in Albemarle County, and that would include being able to ride in their parks.

Ms. Jones said that they currently had only two parks in Albemarle, and none of them are close to the Biscuit Run area, which would be a nice addition to fill a huge need for riding in Biscuit Run. She said that the riding trails at Biscuit Run were originally intended to be part of the state park plan, and horseback riders had been waiting for a long time to have the opportunity to ride in Biscuit Run Park. She said that she requested that the riding trails at Biscuit Run be kept in the master plan, and she thanked the Commission for their attention to this matter.

Shawnee Baker, White Hall District, said that she was speaking on behalf of the equine industry in Central Virginia. She said that for 18 years, she had managed a busy tech store here in Charlottesville. She said that Virginia had a very large equine community, and many visitors from across Virginia were drawn to their area by their facilities. She said that the horse enthusiasts who travel to their local area spend money shopping, buying gas, dining in town, riding at available facilities, and exploring the parks.

Ms. Baker said that as a result, they contribute to their community's tax revenue. She said that the local riding programs, farms, and parks were a major draw for riders from across Virginia, and

they aim to continue welcoming them. She said that the success of Preddy Creek and Pleasant Grove in this area underscores the importance of these facilities. She said that she wanted them to urge the Board to focus on developing horseback riding at Biscuit Run Park, as originally envisioned in the original Virginia State Park Plan.

Mark Gebhardt, Scottsville District, said that he was an equine business owner, representing over 700 equine enthusiasts, and a horse farm owner. He said that he was also a retired military officer and a professional engineer. He said that he would like to address the AC44 Appendix B, Parks, Recreation, and Open Space. He said that Objective 1 stated planning for the parks and recreation needs of current and future community members through an equitable, inclusive, and responsible process. He said that Objective 4 highlighted increasing access to County parks and trails, with a focus on inclusion, equity, and universal access.

Mr. Gebhardt said that Action 6.1 required constructing and maintaining sustainable trails for hiking, mountain biking, and horseback riding, offering a variety of options for different trail users. He said that given Biscuit Run was the largest park, the equine community was requesting that the Board direct staff to reinstate equine trails within the park. He said that, however, the park's plan explicitly outlined inclusion but excluded this action.

Mr. Gebhardt said that the plan did demonstrate equity and equality throughout, yet only two of the 15 County parks included equine activities on the trails. He said that it was worth noting that trails at Preddy and Byrom Parks were shared with hikers and bikers, which he believed was feasible without added cost. He said that what struck him as odd about this planning process was the staff's development of various sections.

Mr. Gebhardt said that the plan appeared to be designed to complete the economic development section, which seemed logical as the primary driver. He said that he also found it intriguing that the 2015 plan, which was a 900-page document, would make a better boat anchor than a planning tool. He said that he recommended distilling the new plan down to 50 pages, making it more practical and usable.

Mr. Gebhardt said that another area for improvement was developing metrics to track accomplishments and goals, providing an objective measure of success. He said that to achieve this, objectives and actions needed to be quantified, specific, measurable, and achievable. He said that given the insufficient funds to cover all parks, he suggested prioritizing funding and making this a priority public knowledge.

Lynn Gebhardt, Scottsville District, said that she had lived in Albemarle County on the same farm for 57 years. She said that the Governor, by virtue of authority vested by the Constitution of Virginia and the Governor of the Commonwealth of Virginia, had officially recognized Virginia Day of the Horse, whereas the horse industry directly contributed over $1.3 billion to the state's economy. She said that she respectfully requested that the Board of Supervisors direct the staff to add the horse trails back into Biscuit Run. She said that specifically, she proposed that the focus be on developing horseback riding trails at Biscuit Run, as originally contemplated in the Virginia State Park plan.

Liz King, White Hall District, said that she was the owner of Millington Stables. She said that their farm has been in operation since 1969, and she had been a part of it for 37 years. She said that for 55 years, their farm has contributed to the local community's economy, even during the COVID-19 pandemic. She said that their farm currently offers over 80 riding lessons per week, which not only provides a valuable service to the community but also supports numerous local businesses, including feed suppliers, tack stores, farriers, veterinarians, farm workers, equipment manufacturers, and tractor repair services.

Ms. King said that their program caters to a wide range of riders, from beginners to experienced equestrians, and they participate in various events, such as horse shows, hunting, trail riding, and gymkhana. She said that they utilize all the facilities in the area, including those at Preddy Creek and Pleasant Grove. She said that she had deep concern about the revised plans for Biscuit Run Park and urged the Board to prioritize the development of horseback riding trails at the park, as originally envisioned by the Virginia State Park.

Lucia Evans Morse said that she lived in the southern Albemarle district and at Kelowna Farm. She said that she was a County resident and farm owner, and they have been at that farm since the 1960s. She said that her husband and she run a horse boarding and breeding operation that was established by her late mother in 1984. She said that she was concerned about their communities, equine communities, and land use re-evaluation. She said that currently, she had 10 horses boarding on her farm. She said that this income offsets taxes and maintenance of the farm and allows her to keep it as open farming space.

Ms. Evans Morse said that if her property was no longer deemed as land use, she would not be able to afford the taxes and will be forced to sell. She said that along with land use eligibility for the equine community, they needed to focus on developing horseback riding trails at Biscuit Run, as originally contemplated in the Virginia State Park plan. She said that their farms are disappearing at an alarming rate. She said that the County needs to be supportive of the equine community and how they nurture and preserve their open land. She said that once it was gone, it was not coming back.

Anne Wicks, Samuel Miller District, said that she had lived in southern Albemarle for 33 years. She said that she was here to request that a focus be placed on developing horseback riding trails at Biscuit Run, as originally contemplated in the Virginia State Park Plan. She said that as a horse owner in Albemarle County, trail riding was her primary recreational outlet. She said that she was grateful for the two County parks, Patricia Byrom and Preddy Creek, which provide shared multi-use horse trails. She said that however, their locations on the northern boundaries of the County make access difficult and time-consuming for many residents.

Ms. Wicks said that the road to Patricia Byrom was twisty and narrow, making it challenging to navigate with a horse trailer, especially when encountering large trucks or school buses. She said that in contrast, Preddy Creek's location provides safer access and is ideal for equestrians living north of Charlottesville and those living north of Albemarle County. She said that however, its location may not serve the southern portion of the County as well as it could, particularly for those living south of I-64.

Ms. Wicks said that as someone who lives south of I-64, the travel time to Preddy Creek was substantial, taking at least an hour due to stoplights and traffic on 29 North. She said that the travel time and navigating 29 North while pulling a horse trailer through heavy traffic are significant deterrents to riding there. She said that a centrally located facility like Biscuit Run would provide easier and safer access for equestrians traveling from throughout the County, as well as the state, and especially for those living south of I-64.

Ms. Wicks said that as has been pointed out, horses play a vital role in the historical and cultural fabric of our County and contribute significantly to the local economy. She said that in the current Parks, Recreation, and Open Spaces draft, Action 6.1 of Objective 6 states that new trails should be constructed and maintained for hiking, mountain biking, and horseback riding, providing a variety of trail options for different users. She said that equestrian trails at Biscuit Run would align with this action.

Ms. Wicks said that additionally, the 2015 Albemarle Comprehensive Plan's Rural Area section states that Strategy 1F of Objective 1 should be studied to better support the local horse industry. She said that she was not aware of the progress made in addressing this strategy, but ensuring

that equestrians in Albemarle County continued to have access to trails would be a significant step in supporting the County's goals.

Tabitha said that she wanted to share her thoughts, as she was a local equestrian living near Belmont. She said that what others had mentioned was particularly concerning to her, which was that driving up Route 29 to reach Preddy Creek with four lanes of traffic was extremely hazardous. She said that she strongly believed that they needed something on the south side. She said that Biscuit Run was such a large space that it would also be ideal for horse trails, and would greatly benefit the local equestrian community. She said that that was all she had to say; she had been listening attentively throughout the meeting.

Mary Jane Strickland said that she lives in the Avinity subdivision, which was actually located next to Biscuit Run. She said that she had moved into Avinity subdivision. She said that one of the reasons she chose to live here was that she was excited about the prospect of a nearby park, which would have allowed horseback riding on the trails. She said that since they did not have any horseback riding facilities south of Charlottesville, she was particularly looking forward to this opportunity.

Ms. Strickland said that as a horse boarder, she currently transported her horse south of Charlottesville. She said that she would be thrilled if they could reinstate this feature in Biscuit Run. She said that although she had not heard much about it in recent years, she had learned that it had been removed, and many of her fellow boarders had been discussing the issue. She said that they would greatly appreciate it if this topic could be revisited to allow horseback riding in Biscuit Run.

Mr. Missel said that he would like to thank everyone for their passionate and thoughtful words, which they greatly appreciated. He said that a few of the speakers had addressed the Commissioners as the Board, and he would like to remind everyone that they were the Planning Commission, not the Board of Supervisors. He said that he encouraged the public to share their thoughts and concerns with the Board of Supervisors as well.

### Consent Agenda

Mr. Bivins motioned that the Planning Commission approve the Consent Agenda as presented. Mr. Carrazana seconded the motion, which passed unanimously (6-0). (Mr. Clayborne was absent.)

### Items Requesting Deferral

**SP202400001 Crozet Independence Day Celebration**

Mr. Murray motioned that the Planning Commission defer SP202400001 Crozet Independence Day Celebration to March 11, 2025. Mr. Carrazana seconded the motion, which passed unanimously (6-0). (Mr. Clayborne was absent.)

**SP202400022 Living Earth School**

Ms. Firehock motioned that the Planning Commission defer SP202400022 Living Earth School to March 11, 2025. Mr. Moore seconded the motion, which passed unanimously (6-0). (Mr. Clayborne was absent.)

### Public Hearing

**ZMA202400004 Flow Toyota Mercedes Slopes Rezoning**

Rebecca Ragsdale, Planning Manager, said that this was a rezoning request specific to the Steep Slopes Overlay District. She said that the request sought to amend the slopes from preserve to manage, and also to remove proffers associated with the 2016 rezoning. She said that the slopes in question were shown as yellow and green on the screen. She said that she would orient them to the property, and then they would circle back to this exhibit. She said that there were three properties involved, and the slopes were located at the rear of the property that was wooded.

Ms. Ragsdale said that one of the properties, 1357 Richmond Road, was a Flow property with Carriage Hill condos behind it, surrounded by commercial or undeveloped properties along the corridor of Pantops. She said that all of the red-colored parcels were Highway Commercial zoning, and the brown color at Carriage Hill was R-15 Residential. She said that the Pantops Master Plan showed red properties as commercial mixed-use, the brown as community mixed-use, and the green was parks and green systems, consistent with the slopes which were proposed to be amended.

Ms. Ragsdale said that the next exhibit showed the proposed rezoning areas, which included the managed slopes that were already part of a prior action in 2016. She said that this prior action had preserved the slopes in green and accepted a proffer from the developer to preserve 2.4 acres of unique land in the rear of parcels 14 and 14E. She said that this area was adjacent to the intermittent stream and the hillside of Pantops, near the Rivanna River.

Ms. Ragsdale said that the ordinance criteria for managed and preserved slopes were included in the packet, and staff's analysis had been provided in response to these requests. She said that while the slopes did not meet the majority of the managed slopes criteria, they did meet the majority of the preserved slopes criteria, as they were contiguous, abutted a water feature, and were part of the comprehensive plan's reference to the hillside system and parks and green systems designations. She said that their recommendation had been based on their analysis, which led them to recommend denying the application as it was submitted and proposing to rezone the entire area of preserved slopes to manage and remove the proffer.

Ms. Ragsdale said that they had noted in the staff report that provided additional information and an updated exhibit that they may be able to support some narrowly focused provisions in a specific area around the existing stormwater facility, but that was not the proposal before the Commission this evening. She said that to amend or change their recommendation, they would need a revised concept plan.

She said that hypothetically, if they were to revisit the map, he would like to point out the location of that smaller area on the closer-in map. He said that he was wondering if he could identify the specific area where that portion would be situated.

Ms. Ragsdale said that it referred to the area at the rear of 14A.

Mr. Carrazana said that regarding the slope map, he would like clarification on the managed slope that was visible between the two preserves. He said that he would like to be reminded of what year the slope had been altered.

Ms. Ragsdale said that it was a 2016 amendment to the Steep Slopes Overlay District.

Mr. Carrazana asked that the logic behind moving the project to a managed load be explained. He said that he was curious because, upon inspection, it appeared that all the projects shared similar characteristics. He said that he wondered what was the reasoning behind this decision, and whether it was solely based on the proffers provided.

Ms. Ragsdale said that there was a prior disturbance in that area without site plan approval, which resulted in a violation of the steep slopes overlay district. She said that as a result, the decision

was made to rezone the property to manage the issue. She said that it was agreed that management was necessary, although there may have been a small area that required correction or revisiting. She said that the rezoning was necessary to address the outstanding violation.

Mr. Carrazana said that it had already been impacted.

Ms. Ragsdale said that was correct.

Mr. Murray said that it seemed like a perverse incentive, as it appeared to encourage violations of certain regulations so they could change it to managed slopes.

Mr. Bivins asked if Ms. Ragsdale could circle the slopes that she was asking the Commission to consider tonight.

Ms. Ragsdale said that the slopes under consideration were located on three parcels, including the rear 14A and the preserved slopes along the property line of 14. She said that they had previously discussed the managed slopes, which were altered on the 14A parcel.

Mr. Bivins said that they were not looking to alter the characteristics of the yellow slope as of tonight.

Ms. Ragsdale said no; that would remain as managed slopes. She said that then, these preserved slopes were located at the rear of 14E.

Mr. Bivins said that he found that very helpful. He said that he would appreciate it if they could point out where the water management plan was located in the document.

Ms. Ragsdale said that there was no water protection ordinance buffer visible on the critical resources layer because the stream buffer was not a requirement for intermittent streams.

Mr. Bivins said that upon walking the property, he noticed something that resembled a water catchment basin area.

Ms. Ragsdale said that there was an intermittent stream present in the field. She said that there were springs and other notable features that they may observe when visiting the area.

Mr. Bivins said that he recently walked behind the Toyota dealership and noticed an asphalt paving between the Mercedes dealership and the Toyota dealership. He said that if one approached the boundary line between the two, it appeared to be a similar feature to what they saw in water treatment facilities. He said that what he was describing was likely an excavation or removal of material, rather than erosion caused by water.

Ms. Ragsdale said that there had been a prior disturbance in that area, which may be visible. She said that they had referenced stormwater facilities in that location before. She said that there were some stormwater facilities located on preserved slopes, which had been designated for that purpose. She said that there may be some designated as managed. She said that their engineering staff had walked the site, and if they had specific questions about it, they could try to provide more information. She said that she may need to refer back to this specific document to ensure they covered all their questions. She said that she was not certain exactly where he was on the site, but the applicant may have additional information that clarified the location.

Mr. Missel asked if there were stormwater management facilities adjacent to managed and preserved slopes.

Ms. Ragsdale said yes. She said that she did not put all of that in the packet because the applicant provided all of the exhibits from the prior site plans, so they did have instances of preserved slopes within this zoning district that were adjacent to stormwater facilities. She said that upon reviewing the GIS layers, these were visible, but they did not necessarily include that as a criterion requiring them to be managed.

Mr. Missel said that there was a possibility that the slopes could be considered managed, given that they were created for stormwater management facilities.

She said that they had reviewed them in the context of this application and acknowledged that only the portion that was on the property in question was relevant to this case.

Mr. Missel said that this referred to parcel 14A. He asked if Ms. Ragsdale could clarify her statement, which was that the applicants would need to submit a revised plan that demonstrated the impacts to that area, specifically stormwater management, in order to be considered a managed slope. He said that he was attempting to understand the specifics of this proposal.

Ms. Ragsdale said that they did not have a plan in place for the Commission to take action on that would define the area transitioning from preserved to managed.

Mr. Missel said that he was reviewing a plan submitted by the applicant, and he had a question regarding sheet 9 of 14, which appeared to include a stormwater management plan with designated steep slopes labeled as preserved. He said that he wanted to clarify that this plan was intended to reclassify it as managed.

Ms. Ragsdale said that that was correct.

Mr. Missel said that he wanted to know if the information provided on sheet 9 of 14 was sufficient, or if they would require additional information beyond what was provided.

Ms. Ragsdale said that they had not proposed a narrower request.

Mr. Missel said that these findings were essentially showing evidence of a past disturbance.

Mr. Barnes said that to clarify, the current proposal before them included designating all of the slopes currently visible as proposed to be managed.

Mr. Missel said that they lacked a plan that outlined how these would be used.

Ms. Ragsdale said that they had indicated that expansion of parking areas would be the use, but what they were seeking was a detailed accounting of the changes, based on the square footage that would be affected, as well as this type of exhibit.

Mr. Missel said that staff was seeking more information before making a judgment on whether the areas could be changed from preserved to managed.

Ms. Ragsdale said that was correct.

Mr. Missel asked if they had asked the applicant for that information at some point.

Ms. Ragsdale said yes.

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

Kelsey Schlein, Planner with Shimp Engineering, said that she was representing Flow 1381 Richmond LLC and Flow 1357 Richmond LLC, the property owners of these three subject parcels. She said that Flow Automotive Group operated its Flow Toyota facility and Flow Mercedes facilities on these properties. She said that she was joined tonight by Justin Shimp, the engineer for the project, and Polina Andreeva, a planner in their office, who was also working on this project.

Ms. Schlein said that the site context was familiar to all of them. She said that to the east, they had the Riviana Ridge Shopping Center further up the hill. She said that down the hill, they had Free Bridge and the crossing of the Rivanna River moving west toward Charlottesville. She said that she would provide a brief background on Flow and the reasoning behind their request for this redesignation of slopes was needed. She said that Flow had operated in Albemarle County since 2003, with 15 franchises in the County, employing over 426 people. She said that the dealerships served the entire region, and the company had made a significant investment in this area.

Ms. Schlein said that the application tonight represented the struggle at the intersection of multiple planning and land use interests. She said that the site had been used for automobile sales for the past 50 years, and the changing automobile industry demanded more space from manufacturers than dealerships in the past. She said that both Flow Toyota and Flow Mercedes were currently non-compliant with manufacturer specifications, which was the reason for their request tonight.

Ms. Schlein said that she was seeking a redesignation of slopes from preserved to managed to permit expansion of these dealerships. She said that it should be noted that any outdoor storage and display would require an additional special use permit, so if this request was approved, they would be back before the Commission again if any of those areas were designated for outdoor storage and display.

Ms. Schlein said that the blue line on the comprehensive plan designations map indicated a potential for a future roadway connection, which would also necessitate disturbance of these slopes and may become more feasible in the future if the terrain was more amenable to such improvements. She said that Ms. Ragsdale had noted that the request before them tonight was for a redesignation of all preserved slopes on these properties.

Ms. Ragsdale said that they would be back before the Commission again if any of those areas were designated before they were developed. She said that she would like to draw attention to a comment received prior to requesting that this application be forwarded to the Planning Commission. She said that specifically, the comment from staff was that they did not have concerns regarding the change in designation from preserved to managed slopes on parcel 7814A and 7814.

Ms. Schlein said that this comment, along with the staff report, highlighted the challenges in balancing multiple planning interests, including slopes preservation and economic development. She said that she believed that this application had been a struggle due to the intersection of these interests. She said that as the application had undergone changes and moved through the County process, staff had gathered more information and considered alternative conclusions.

Ms. Schlein said that she would like to highlight the two slopes mentioned in the comment letter, as well as the slopes areas that were previously thought to be favorable for designation. She said that after staff's recommendation was issued, they had conversations with staff about their potential support for the redesignation of slopes in this area. She said that they then conducted further investigation on the site, particularly after wet conditions, to identify the intermittent stream and consider modifications to their request to protect the slopes within 100 feet of the stream, even though the stream did not have a designated buffer.

Ms. Schlein said that they also looked at the potential to redesignate the rest of the area as managed. She said that she prepared slides to provide more detail, and she would present five

geolocated images to orient them to the site. She said that image one was at the top of the hill, at the break line between the preserved and managed slopes, which showed that the characteristics were largely the same. She said that image two showed the rear of parcel 14E, with clear evidence of previous disturbance in these areas, culvert outfall, and fill-in material in the slopes. She said that image three showed the area behind the Toyota parking lot.

Ms. Schlein said that this was the portion of the site where an eroded gully from a stormwater pipe going across Route 250 ended and eroded out into a constructed ditch. She said that image five showed a tulip poplar and clearly indicated a spring, which appeared to be the start of an intermittent stream. She said that following their meeting with staff, they discussed the possibility of redesignating the slopes constructed as part of the stormwater facility to serve Mercedes, but staff had reservations about redesignating the slopes further south and east along the property line.

Ms. Schlein said that they conducted further investigation to identify the stream's location and then found a potential compromise: preserving the slopes on 14E and any slopes within 100 feet of the stream's start, while redesignating the remainder of the slopes as managed. She said that she would skip through the remaining slides and return to them if time allowed. She said that she would like to draw attention to the 15,704 square feet, which demonstrated characteristics of managed slopes compared to preserved slopes.

Ms. Schlein said that they had included a 100-foot buffer offset to show the preserved slopes. She said that with the remaining time, she would review the slides and highlight the evidence of prior disturbance in these slopes. She said that the Mercedes site plan overlaid on the critical slope and steep slopes overlay map demonstrated how the stormwater facility aligned with the preserved slopes.

Ms. Schlein said that she would also pull the adjacent site plans, including the former auto superstore and construction site plans, to show the grading and soil levels in the area. She said that the Carriage Hill plans illustrated that the slopes in question had been previously disturbed and constructed.

Mr. Murray said that if these properties were re-designated and developed, the intermittent stream would still flow directly into the Rivanna. He said that it would be necessary to determine how stormwater would be treated in this new area to prevent pollutants from entering the stream and ultimately flowing into the Rivanna.

Ms. Schlein said that she believed this was one of those scenarios where they had a clear understanding of the sensitivity of the area and the context of the site in relation to the Rivanna River. She said that she believed there was potential for an opportunity here. She said that she wanted to emphasize this on the record that they would like to propose incorporating on-site treatment measures instead of purchasing nutrient credits for additional disturbance.

Ms. Schlein said that for instance, they could incorporate stormwater facilities that provide on-site treatment, rather than purchasing credits. She said that this could potentially take the form of a biofilter. She said that she believed there was definitely an opportunity for them to incorporate these types of stormwater measures, while also taking into account the site's sensitivity and its proximity to the river.

Mr. Moore said that he was wondering about the timing of the revised proposal that was being presented here, as it was not included in the staff report. He said that this appeared to be late-breaking news.

Ms. Schlein said that in hindsight, they should have sent the revised proposal to staff for consideration. She said that they felt strongly about the fact that all of these slopes had evidence

of prior disturbance, and upon visiting the site, they observed fill-in material on 14E. She said that they had felt strongly about this issue for quite some time, but it was not until they pinpointed the exact location of the stream and reviewed the minutes from the 2016 Zoning Map Amendment (ZMA) that they conducted a more thorough study. She said that as a result, they would have liked to have worked this out in advance with staff, and she apologized that they did not do so before proceeding.

Mr. Moore said that the dealerships were currently out of compliance with national manufacturer standards for parking, in terms of square footage. He said that he wondered if the slopes on the eastern side of the parcel would be sufficient to meet that need.

Ms. Schlein said that they would get very close to meeting the required number of on-site parking spaces. She said that they could pick up approximately 100 spaces, which would significantly increase their on-site count. She said that this site plan was previously submitted as a site plan for the rear of the property in the early 2000s. She said that unfortunately, it was withdrawn due to inactivity and subsequently expired. She said that to answer the question, yes, it would bring them much closer to being in compliance, and it also presented an opportunity to create additional service space if needed, which was another factor in achieving compliance.

Ms. Firehock said that it was stated that Flow Toyota was non-compliant. She asked if corporate had instructed them to have a certain amount of space for displaying and storing vehicles.

Ms. Schlein said that yes, it all came from the manufacturer.

Ms. Firehock asked if they had no means to explain to corporate that this was not Nebraska; they had hills here. She said that if they wished to establish a market in the Piedmont region of Virginia, they may need to be more flexible in their approach.

Ms. Schlein said that from her understanding, the corporate push was for the most stringent compliance effort possible.

Ms. Firehock said that she hoped they would appreciate that the market was quite excellent for these car manufacturers, offering high income and the ability to afford these vehicles, which were quite expensive. She said that forcing the landscape to meet an ideal may not be possible in this situation. She said that she wanted to emphasize this point for the record, as she believed it was essential to convey to the corporate officials pushing the local dealerships to meet an unrealistic standard in a hilly environment.

Ms. Schlein said that was a fair point. She said that in this case, the landscape behind the facility presented an opportunity to fill in the area and tie it into the existing grade. She said that there was a severely eroded ditch, which could benefit from some improvements. She said that implementing modern stormwater regulations would be a priority, as the existing conditions would not meet current standards.

Ms. Firehock said that part of the issue was a spring, and there was a crudely constructed ditch nearby. She said that she had purchased her first Toyota engine from a dealership in Maryland, and that particular manufacturer had a multi-story garage where cars were transported to and from the garage in an elevator. She said that given that their land was less expensive here, they did not prioritize it, but there were alternative ways to store cars.

Ms. Firehock said that for instance, they could create elevated parking structures or explore other options. She said that as they began to value the urban ring and keep the current growth area, perhaps they could consider alternative parking solutions. She said that she acknowledged that these alternatives may be more expensive, but they did have limited land, and they could not

create more. She said that she would refrain from further discussion for now, but she wanted to highlight that they did not necessarily need surface parking lots to store cars, which often sat idle.

Mr. Bivins said that if he understood an email he received from the Architectural Review Board (ARB), there was something else happening on this property with the redesign of the Mercedes dealership.

Justin Shimp said that he served as the engineer for all the Flow projects, said that he wanted to clarify that that question was not related to this property. He said that he wanted to provide some context to answer the question. He said that the current temporary Hyundai site, which previously housed Porsche, and was now moving to Mercedes-Benz, was undergoing renovations. He said that that was an ARB application to modify the building, but it did not impact this project.

Mr. Bivins asked what would be happening to the subject property.

Mr. Shimp said that the Mercedes dealership, which also carried other brands, was relocating down the street due to the current store being deemed too small for a modern Mercedes-Benz dealership. He said that he believed they would be repurposing the current building.

Mr. Bivins said that the green area that was being asked to be re-designated was what they were currently discussing. He said that the remaining green space on that property was no longer part of the conversation.

Ms. Schlein said that she believed that after they had identified the stream and reviewed the staff report, as well as discussed the staff's evaluation of it, they would like to remove it from consideration.

Mr. Bivins said that on page 11, he would expect to see a moving or gaining of additional parking spaces outside the display area.

Ms. Schlein said that yes, or an additional service space was being considered.

Mr. Bivins asked if service spaces were not considered outside displays.

Ms. Schlein said no; and it was not a body shop. She said that typically, a body shop was approved via a special use permit.

Mr. Bivins said that was not what they were doing. He said that they were actually talking about a garage for typical repairs and servicing. He said that as for the asphalt, would there still be a need for it between the current day Mercedes and the back of the Toyota, or would it be maintained by visiting the BMW dealership, where one could access all of their vehicles from that location?

Ms. Schlein said that yes, there would still be a connection between the two parcels.

Mr. Bivins said that VDOT was undertaking a project on that road. He asked if they were aware that they were eliminating the turn lane in front of this location.

Mr. Shimp said that the answer was yes. He said that VDOT had a project that was removing the turn lanes, except for a turn lane at Town and Country, and another at The People's Place. He said that in the next two years or so, the turn lane where cars were currently unloaded would be removed.

Mr. Shimp said that this was another factor to consider when evaluating these facilities. He said that while it was not the primary issue, he wanted to mention that the problem was not just about

storing more cars and items, but rather that customers were often told to wait for a specific number of days or weeks for their vehicles due to lack of space. He said that this was a service-related issue.

Mr. Bivins asked if they would expect customers to use the internal road to the property when dropping off or picking up cars to be serviced.

Mr. Shimp said that they would have to, yes. He said that they were working with Flow, and they recently completed a connection to link BMW to what was now Hyundai. He said that there was a small grass strip in that area. He said that they planned to build a connection there to enable safe unloading of cars from vehicles through the site from 250.

Mr. Shimp said that as a result, there was ongoing work now that Flow had acquired, and he was unsure of the full scope of the situation. He said that they had been working on that side of the street to improve it, but it was a challenge due to limited space. He said that as a result, these inches of asphalt were highly valuable.

Mr. Bivins said that the elimination of the turn lane would make the area more difficult to navigate. He said that it would have been more helpful to have an alternative means of traveling between the two properties, as they were still owned by the same person. He said that having visited the property he observed that there were more new vehicles in the back of the 7814 property, which was a joint Toyota and Mercedes dealership, than there were in the 14A property. He said that given that these new vehicles were already on display, he did not understand why a return to the Planning Commission for outdoor display was necessary.

Ms. Schlein said that considering the existing outdoor storage and display, she believed it predated the entrance corridor regulations and the special use permit required for such uses in an entrance corridor. She said that since this expansion would be establishing a new use on those properties, they would need to apply for a special use permit.

Mr. Missel said that he would like to know more about the plans for future stormwater management. He said that Mr. Murray had also inquired about this, and he was wondering if they were planning to implement underground storage, or if it was too early to determine the specifics.

Ms. Schlein said that this was something they had discussed at length before, particularly after identifying the stream location. She said that as a result, she wanted to reiterate the importance of on-site treatment and purchasing credits. She said that consequently, they would likely incorporate a surface treatment facility alongside an underground detention system as well.

Mr. Shimp said that, as he understood it, all water from Pantops drained directly into the Rivanna. He said that their previous project had involved a similar extended detention basin, which was essentially a permanent wetland. He said that however, that site lacked sufficient water. He said that the issue at hand was a large gully that had been washed out on the adjacent site, adjacent to the 14A parcel. He said that their intention was to fill this gully, pipe it, and discharge the water into a basin, which would capture approximately eight to ten acres of water from the parking lot upstream. He said that this was necessary because the area was currently eroded and contributing to sedimentation. He said that by filling the gully and installing a basin, they believed they could actually address a current problem.

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 Planning Commission.

Mr. Bivins said that if they looked upstream, it was clear that this was not the applicant's responsibility. He said that they were not the root cause of the problem; it was the large parking lot of the dealership next to them, which went all the way back. He said that they had previously

heard about a hotel being built on the upper side of the car lot there. He asked if that project was going to be built.

Ms. Ragsdale said that there was a site plan that had been submitted. She said that they did not currently have any building permits issued, but the parcel in question had highway commercial zoning, which meant that any of these parcels could be developed. She said that the hotel had successfully moved forward through the development process.

Mr. Bivins said that his point was that they had discussed having unified or shared facilities. He said that he hoped that as this hotel would contribute to the cleaning of the water, rather than placing the responsibility solely on one location that was not causing the problems.

Mr. Barnes said that to clarify, he believed that some of the adjacent properties had stormwater management. He said that the applicant had mentioned that as well.

Mr. Bivins said that they had been upgraded since then. He said that he would share this for their colleagues, if they may recall, they almost lost the Porsche dealership again. He said that Porsche was unhappy because they could not have the desired facade. He said that they should set aside the fact that it was Porsche, as the same conversation could have applied to a Subaru dealership on Route 29.

Mr. Bivins said that what he wanted to emphasize was that car dealers and manufacturers were becoming increasingly concerned with their brand image and how it appeared from the road. He said that they were instructing owners or lessees that if they did not comply, they would escalate the issue to management.

Mr. Bivins said that this could be an uncomfortable conversation, as he could attest to the difficulty of the situation when Porsche was trying to relocate from the BMW location. He said that in fact, it was BMW that ultimately led to Porsche's departure. He said that he was confident that their applicant was working diligently to do the right thing on that property.

Mr. Murray said that he had some process questions regarding the discussion about a proffer for stormwater on the site. He said that the conversation centered on the possibility of making a proffer that would address the quantity of stormwater entering the area, as well as potentially some of the quality issues. He said that he was wondering about the process for that.

Andy Herrick, County Attorney, said that to clarify, the proposal before the Commission tonight was the one that had been submitted to staff, which staff had analyzed. He said that when the Commission made its recommendation later in the evening, it must be for the proposal that had been actually submitted and reviewed by staff. He said that if the Commission wished to make a separate recommendation in addition to that, it was free to do so. He said that however, the Commission was required to make a recommendation on the plan as submitted. He said that if the applicant wished staff and the Commission to consider an alternative, it must go through the proper process of submitting that, having it reviewed, and formally submitting it to the Commission.

Mr. Murray asked if they were permitted to impose conditions on this type of project.

Mr. Herrick said that yes, the Commission could include suggested conditions as part of its recommendation.

Mr. Carrazana said that his understanding was that they were deliberating and discussing the entire application as submitted. He said that what was in front of them was the entire package, not the new proposal. He said that he was concerned about the contaminants that were present in the area. He said that he was not sure what kind of monitoring they had in place or if they had

any. He said that the presence of water flowing through the parking lot was likely picking up contaminants and entering the storm drain system. He said that this could be an opportunity to make an improvement.

Mr. Carrazana said that he would encourage the applicant to consider this as they would have to resubmit their proposal anyway. He said that furthermore, he believed it was essential to not only move the slopes from preserved to managed, but also to mitigate contaminants, as they were making improvements to this property. He said that he believed that this approach would create a benefit for both the community and the environment.

Mr. Carrazana said that there was a trade-off to consider, as they were changing from preserved slopes to managed, but in the long run, he thought this could have a more significant positive impact if it was done the right way.

Mr. Murray said that he agreed with that assessment. He said that channelized streams contributed a significant amount of sediment with each rainfall. He said that the existing channelized piece was already contributing sediment. He said that his concern now was that the preserved slopes, which were part of the original system of managed and preserved slopes, may be suffering from a gradual decline.

Mr. Murray said that when development occurred around them, it could lead to erosion and disturbance of these slopes. He said that for example, spills could occur, and drainage pipes could be installed in areas where preserved slopes were located, ultimately leading to their degradation. He said that over time, these areas may lose their quality, and it may become necessary to disturb them as well. He said that this incremental destruction of preserved areas was a concern, and he was unsure how to address it.

Mr. Herrick said that he would like to clarify his earlier response to Mr. Murray's question. He said that as this was a zoning map amendment, conditions could not be imposed on a rezoning. He said that however, the Commission could state that its recommendation was based on certain factors. He said that to clarify, if conditions were recommended, they would not be conditions imposed within the rezoning itself, but rather conditions that the Planning Commission would be making a recommendation based on.

Mr. Bivins asked if the Commission could make a motion that specifically addressed the newly outlined area, rather than addressing all of it.

Mr. Herrick said that the Commission should make a recommendation on the submission as a whole, and if it chose to make additional recommendations, it was free to do so.

Mr. Missel said that he was trying to think of a creative way to save the applicant time in this process by describing the alternative presented to them tonight in a way that allowed them to make a recommendation for approval or denial, while also considering approval if the other conditions were met. He said that it seemed they could.

Mr. Herrick said that the single most important thing before the Commission was to provide a recommendation either in favor of or against the application once it was submitted. He said that beyond that, it was up to the Commission if they wished to make additional recommendations.

Mr. Moore said that he would like to address Mr. Murray’s comments briefly. He said that sometimes, he thought it was essential to acknowledge the reality of the situation. He said that this was a highway with a history of car sales dating back 60 years, and the slopes were likely created by developers in the 1970s. He said that he was having trouble understanding the significance of preserving some of these slopes, as they were likely added for aesthetic or practical purposes at that time.

Mr. Murray said that referring to the greater area, this section of the Rivanna River was actually a highly exemplary biodiversity area, featuring a wide range of rare species. He said that one species, in particular, was known to occur only in this part and one other in the County, and its presence was a notable aspect of this ecosystem. He said that despite the area being subject to disturbance, the Rivanna River's bluffs and surrounding forest were crucial habitats that supported unique plant and animal life. He said that his concern lay in the incremental creep of development into these critical slopes and streams, which could ultimately impact the river itself.

Mr. Missel said that the "death by a thousand cuts" comment was relevant. He said that for him, each case should be evaluated individually. He said that in this instance, the evidence he was seeing, which indicated the disturbance that had already occurred, would justify further disturbance to benefit the greater good. He said that he did not see this as a common perspective in many other places, where the situation might be viewed differently.

Mr. Murray said that he agreed with that. He said that as part of the applicant's new proposal, it was intended to leave the area in a better condition than it was currently. He said that however, that was not explicitly stated in this current proposal He said that regarding this proposal, he would vote no on it. He said that if he had seen a different proposal that incorporated the elements they had previously discussed, he would vote in favor of it.

Mr. Missel said that there were two options: they could request denial and add comments, or defer it.

Mr. Herrick said that if a deferral was considered, it should be at the request of the applicant, rather than initiated by the Commission.

Mr. Carrazana motioned that the Planning Commission recommend denial of ZMA202400004 Flow Toyota  Mercedes Slopes Rezoning for the reasons stated in the staff report. Ms. Firehock seconded the motion.

Mr. Missel said that he would like to note that there was further discussion and detail provided by the applicant at tonight's meeting.

The motion passed unanimously (6-0). (Mr. Clayborne was absent.)

Mr. Moore motioned that the Planning Commission register its support of the revised proposal of ZMA202400004, contingent on keeping the preserved slopes of the western contiguous portion of preserved slopes (Tax Map Parcel 7814E) and clarification of on-site stormwater management practices that will ultimately improve downstream conditions in terms of stormwater quality and quantity. Mr. Bivins seconded the motion.

Ms. Firehock said that she did not feel comfortable with this level of motion; they did not have a formal proposal from the applicant. She said that she also did not want to recommend something that would bind them in the future. She said that the applicant had heard the Commission deliberate before the prior vote, and were therefore well aware of their thoughts on the matter. She said that she did not believe they needed to put those thoughts into a motion.

Mr. Missel said that he tended to agree because he had never heard of this type of motion being used. He said that it was a strong recommendation and a vote of support.

Mr. Moore said that he withdrew his motion. He said that he believed they had all made their points on this item.

**ZTA202400002 Data Centers**

Bill Fritz, Development Process Manager, said that this item was a zoning text amendment for data centers, Phase 1. He said that data centers as a land use had unique characteristics that could generate different types of impacts. He said that they could produce sounds at frequencies not typically associated with other land uses, and they may consume excessive amounts of water.

Mr. Fritz said that since data centers typically did not have large numbers of people working in the buildings, the need for windows was reduced, while the need for cooling facilities was increased, resulting in a distinct building appearance. He said that the energy requirements of data centers could lead to offsite impacts on the power grid. He said that given these factors, staff had proposed regulations to mitigate these impacts.

Mr. Fritz said that their proposed approach was a follow-on approach. He said that the first step was limited in scope, allowing for quick regulation of applications and mitigation of potential impacts. He said that the second step was more comprehensive, involving research into potential impacts and methods for mitigation.

Mr. Fritz said that currently, there were no specific performance regulations for data centers. He said that the County could only evaluate requests and potentially establish conditions in some commercial districts when the data center was over 4,000 square feet.

Mr. Fritz said that their proposed ordinance would continue to allow accessory data centers and data centers under 40,000 square feet in industrial districts. He said that this was necessary because many businesses and organizations operated computer systems that qualified as data centers. He said that for example, the County's own services had characteristics of a data center.

Mr. Fritz said that however, without the significant impacts generated by a large data center, this building was not considered a data center. He said that staff opinion was that accessory data centers would not generate impacts greater than those generated by the primary use. He said that however, during the Phase 2 zoning text amendment, this issue could be further evaluated, as could the by-right size.

Mr. Fritz said that larger facilities would be subject to special use permits under the proposed ordinance, allowing for detailed analysis of specific applications. He said that it was worth noting that there were no pending or proposed data centers that would be subject to special use permits or other County regulations. He said that staff was proposing limited performance standards for this text amendment. He said that the Phase 2 evaluation may indicate a need to modify these regulations and may include additional regulations.

Ms. Firehock said that staff used the size of 40,000 square feet as a benchmark. She asked how that compared to the size of a Costco.

Mr. Fritz said that he believed Costco was larger.

Amelia McCulley, Project Manager, said that 40,000 square feet was comparable in size to the Grand Home Furnishing Store located on Route 29 North, situated just north of Crutchfield.

Ms. Firehock said that that helped clarify things.

Mr. Carrazana asked if there was anything in the provisions that would prohibit multiple 40,000-square-foot developments.

Mr. Fritz said that the existing language in the ordinance, which referred to aggregate area, limited the scope. He said that this question had been raised, and staff planned to investigate it further.

He said that he intended to follow up with the Zoning Administrator to confirm that the language was being applied as intended. He said that he would ask the pointed question to get a determination to confirm that was how it would be interpreted. He said that if there was any concern that the language might not be applied correctly, staff could revisit and modify it to ensure clarity. He said that again, the intent was to limit it to 40,000 square feet per parcel.

Mr. Carrazana asked if the 40,000 square feet was limited to the built area, and it did not include the equipment yards associated with the data centers.

Mr. Fritz said that the definition referred to the gross square footage of the data center, excluding any areas outside that were not part of the data center's gross floor area. He said that he had reviewed various drafts to confirm that he had the correct language as presented.

Mr. Carrazana asked if there were any height limitations.

Mr. Fritz said that it would be the standard height limitation of the district in which it was located, so no special regulations would be required based on that. He said that this could be something that would be evaluated in a Phase 2 assessment.

Ms. Firehock said that if three-story buildings were permitted, it could result in a three-story building, but it would likely be a windowless structure. She said that this would make it more visually obtrusive and aesthetically unappealing compared to a building that, for example, was a hotel or another type of structure that blended in with the surrounding architecture.

Mr. Fritz said that whether or not someone would build a three-story, 40,000 square foot building was the question, but the answer was yes, they could. He said that these were precisely the types of projects that they wanted to pursue in the more comprehensive Phase 2.

Ms. Firehock said that they previously discussed their scarcity of flat land, and they also evaluated the commercial area available several years ago. She said that at that time, they reviewed an exhaustive spreadsheet with that information.

Mr. Carrazana said that they could very easily be 30 feet tall, depending on how the mechanical systems were stacked and arranged.

Mr. Fritz said yes.

Mr. Moore said that he would like to express his appreciation for the locality comparison data sheet, which provided a detailed analysis of their neighbors' experiences.

Mr. Fritz said that Ms. McCulley had compiled that information.

Mr. Moore said that it was very helpful. He said that he had noticed some similarities between what was proposed here and Fairfax's approach, particularly their extensive review process and consultant study. He said that he was wondering about the key differences between their proposal and Fairfax's decision-making process. He said that specifically, he would like to understand their assessment and the reasoning behind Fairfax's allowance of up to 80,000 square feet in industrial zones and up to 40,000 square feet in denser commercial zones.

Mr. Moore said that in contrast, Albemarle had a maximum of 40,000 square feet in their industrial zones and only special use permits in their commercial zones. He said that he would appreciate more information on why they had proposed these specific limits.

Mr. Fritz said that Ms. McCulley would elaborate on the details of the districts. He said that they had internal discussions regarding the inclusion or exclusion of the spreadsheets in question. He

said that this was done to give them an insight into the types of information that would be presented in Phase 2 as they continued to learn more about these matters.

Mr. Fritz said that by including the spreadsheets, they were providing them with a glimpse into the other aspects they were working on. He said that after considering the pros and cons, they ultimately decided to include the spreadsheets.

Ms. McCulley said that Fairfax employed a tiered system, as he had mentioned, with 40,000 and 80,000 square foot thresholds. She said that given the significant differences in scale and character between Fairfax and Albemarle, they deemed a tiered system suitable. She said that the increased setback requirements were justified.

Ms. McCulley said that Fairfax had additional regulations regarding equipment screening, distance to a metro, and other factors that necessitated careful consideration. She said that although they did not have a metro, they were considering expanded performance and community standards as a Phase 2 evaluation.

Mr. Moore said that the scale of the project seemed to be the key factor that made sense.

Ms. Firehock said that typically, she would assume that the resolution of intent they received here at the Planning Commission would be the result of a vote by the Board of Supervisors..

Mr. Fritz said that the process began at the Board. He said that they had not conducted a resolution of intent with the Planning Commission in many years. He said that it had been a while, but they used to submit these items to either the Planning Commission or the Board, and now they all went directly to the Board.

Ms. Firehock said that she was aware that other communities were struggling with data centers due to their extreme power demand and the requirement by the state to meet that demand. She said that there was also the conversation about solar panels and the amount of solar needed to power these data centers.

Ms. Firehock said that she was surprised to hear that, according to the chart, Loudoun County had the most data centers of any place in the world. She said that this was a shocking revelation to her. She asked if the Board's feeling was that they were about to be suddenly impacted by data centers. She said that there were currently no applications, but she wondered if, since they did not have anything in place right now it was essential that they quickly prepare for this possibility and then spend more time developing a more detailed regulation for larger facilities.

Mr. Fritz said that it was meant to be a proactive approach to prepare for potential future developments. He said that by getting ahead of the curve, they could avoid playing catch-up and ensure that they had a system in place to review these proposals on a case-by-case basis, allowing them to address them more calmly and comprehensively.

Ms. Firehock said that she noticed a citizen comment expressing concern about the clause limiting data centers to no more than 25% of the primary use. She said that the concern was that if the primary use was actually quite large, should they also establish a cap on data centers, such as no more than 25% and no greater than, or if the limitation was already addressed by the 40,000 square foot limit.

Mr. Fritz said that it would still be considered an accessory use if they limit it to no more than 25% of the total facility. He said that they did not choose to implement this cap because, first, he believed the data center would not grow to that size, and, second, if the data center was accessory to the primary use, it would mitigate the impacts because of that primary use, allowing it to operate without those impacts. He said that as a result, they did not recommend a specific cap, and that

was the logic was behind it. He said that however, staff could understand the reasoning behind putting in the cap.

Ms. McCulley said that regarding Ms. Firehock's question about the timing of this proposal, this topic was evolving at a rapid pace. She said that in the 10 days since they submitted the staff report, another locality had joined the list, bringing the total to six that were currently amending their regulations. She said that the situation was rapidly changing.

Mr. Fritz said that they were developing this language during the General Assembly's session, so they were not entirely sure what was happening. He said that to avoid getting ahead of the General Assembly, they brought a confined first-round zoning text amendment to the Commission that would not conflict with any potential actions the General Assembly might take. He said that now that the General Assembly had concluded, they could proceed with Phase 2 in a more calm and comprehensive manner.

Mr. Missel asked if there was a determined timing for Phase 2.

Mr. Fritz said that they were working on it, but they did not have a set schedule for it. He said that this was an evolving area of land use, particularly in Virginia as well as around the country. He said that therefore, they could not provide a specific timeline for this project.

Mr. Missel asked if they would anticipate it would occur within a one- to three-year timeframe.

Mr. Fritz said that it could be a matter of weeks, or a matter of years. He said that they did not have an estimate for when data center proposals would be received.

Mr. Missel said that he was wondering about the duration of this initiative or the intended lifespan of the vision behind it.

Mr. Fritz said that they believed that because it was by special use permit, if they received any proposals, they could use what they knew at the point the application was received and apply that as best as possible.

Mr. Missel said that he had one question regarding the sound. He said that he was going to inquire about the setbacks, but those, along with height and other factors, typically came later in the process.

Mr. Fritz said that accessory centers they would need to comply with the same sound and setback regulations that applied to all other uses in the industrial districts. He said that if it was a special use permit, additional provisions might be allowed. He said that it would still be subject to its own unique set of setbacks. He said that otherwise, it would be governed by the standard zoning ordinance regulations that applied to other industrial uses.

Mr. Missel said that that made sense. He said that one thing that stood out was that the generators must be housed in an enclosure that limited the sound as specified. He said that he was unclear about what "as specified" referred to.

Ms. McCulley said that she believed that rather than giving the specification of the regulation, they said "as specified by the regulation." She said that the desire to address noise was twofold. She said that one aspect was the generators, which could be of locomotive size and potentially have multiple units.

Ms. McCulley said that to address this, they aimed to limit the use of generators to daytime, weekday hours. She said that the most challenging aspect to regulate was the ongoing low-frequency hum, which could have a significant impact on people. She said that this was

particularly difficult to control, enforce, and mitigate. She said that what many localities had done was increase the setback from adjacent properties so the sound was mitigated by distance.

Mr. Bivins asked what would happen in an emergency when the generators must be in use.

Mr. Fritz said that they would be exempt from the regulation in that case. He said that the advantage was that the supplemental regulations in place provided a level of protection. He said that it was not like they would put the generator in an enclosure for an exercise and then take it out.

Mr. Bivins asked if the enclosure would be fully enclosed.

Mr. Fritz said that what they did was reference the level three enclosure, an industry term that provided a case of equal sound attenuation. He said that alternatively, they could develop an alternative solution that achieved the same level of sound attenuation.

Ms. McCulley said that this equipment must meet the manufacturer's specifications, because some generators give off emissions such as carbon monoxide and other pollutants.

Mr. Bivins said that in that case, they could not be enclosed.

Ms. McCulley said that was correct.

Ms. Firehock asked if the generators would not be running all the time.

Mr. Fritz said that the generators were for emergency purposes.

Ms. Firehock said that to clarify, these generators were to be used during power failures.

Ms. McCulley said that in the event of a power failure, redundancy with generators was necessary for continuous operation.

Mr. Barnes said that they were specifically referring to when they were performing routine maintenance or conducting testing.

Mr. Missel said that he had another question regarding setbacks. He asked if these uses would be considered in or adjacent to residential areas.

Mr. McCulley said that the current ordinance draft included a 200-foot setback from all property lines, including adjacent industrial property lines, as a precaution to prevent potential negative impacts on adjacent industrial uses. She said that in contrast, for adjacent rural areas, the setback was increased to 500 feet.

Mr. Missel asked about where residential and industrial areas were adjacent to each other.

She said that residentially zoned properties would require a setback of 200 feet. She said that a residence on rural area zoning would require a setback of 500 feet.

Mr. Missel said that he was considering the proximity of industrial areas to residential areas. He asked if there was consideration for extending the setback by another 100 feet, bringing the total to 300 feet, in order to accommodate the adjacent residential area.

Ms. McCulley said that the 200-foot was a common standard, and she could not provide exact numbers, but upon surveying other localities, it appeared to be a widely adopted setback number. She said that she appreciated the consideration of going even further from residential areas.

Mr. Missel said that he was curious about the potential differentiator and how much of the industrial land was adjacent to both rural and residential areas.

Mr. Moore said that he could confidently say they had all driven past a data center that was only 114 feet from a road. He said that UVA's data center was remarkably close to Ivy Road.

Mr. Bivins said that there was also the data center at Fontaine, and it was approximately the same size. He said that in the back left-hand corner, they were constructing a power plant, which was approximately 40,000 square feet. He said that they would be putting an accessory data center next to the power plant.

Mr. Murray asked, if they did an evaluation, how many industrial properties they had would be subject to these conditions.

Mr. Fritz said that they were working with their GIS team to develop a mapping system to analyze the data. He said that the team had provided them with some information, and staff was currently reviewing it to ensure he understood the context. He said that staff was aware that with these setbacks, there was land available for special use permits or by-right 39,900-square foot data center.

Mr. Fritz said that they knew there was available land, but staff would continue to investigate as part of the Phase 2 analysis. He said that the question remained, were these setbacks optimal or inadequate? He said that staff would begin conducting parcel-by-parcel specific analysis to gain a deeper understanding of the implications.

Mr. Murray said that it was worth stating that, due to the requirement for a buffer from the rural area, this development would preclude any non-conforming industrial area in the rural area.

Mr. Fritz said that there were two points he would like to bring up. He said that one of the requirements was that the facility must be connected to public water and sewer. He said that there were very few properties in the rural areas of the comprehensive plan that had access to both water and sewer services. He said that he believed that there were only two or three such properties, and their sizes were too small to meet the necessary setbacks.

Mr. Bivins said that he had two questions. He said that his first question was regarding the potential for an accessory data center at Willow Tree, a location that had undergone significant changes through various ownership. He said that given its unique circumstances, it was possible that the site could be cited as a suitable location to serve clients. He said that if that were the case, he wondered how they would properly cite the location and justify its suitability for such a purpose.

Mr. Fritz said that the property was rezoned as an industrial site, and as a result, it would need to meet the required setbacks from abutting lot lines. He said that if the project property exceeded 40,000 square feet, it would require a special use permit to serve a purpose other than the primary user. He said that if interior renovations were planned, the applicant would need to obtain building permits and clearances, and they would verify that the data center use was limited to 25% or less.

Mr. Bivins said that since their business is primarily serving others, this meant that even if a data center were to come forward with a request, it would still need to be designated as a special permit. He said that the reason for this was that the data center was not serving the business itself, even though its primary function was to serve others.

Mr. Fritz said that that was how they believed it would be interpreted. He said that if the total area would be over 40,000 square feet, that was assuming it utilized a substantial part of the building.

Mr. Bivins said that the legislature was currently in a waiting period. He said that according to what he had read, the committee had not reached a conclusion on the matter.

Mr. Fritz said that none of it was land use.

Mr. Bivins asked if they would be addressing it in the Joint Legislative Audit and Review Commission (JLARC).

Mr. Fritz said that there was one, which he must admit that he did not fully understand why it was necessary. He said that the bill essentially allowed for the request of sound profiles during the special use permit process.

Mr. Bivins said that JLARC was saying they needed to investigate it more. He said that this seemed like they were trying to get ahead of what JLARC determined.

Mr. Fritz said that this would certainly put them in a favorable position, as they would be ahead of the regulations. He said that as the Commission was aware, the General Assembly sometimes required that regulations be in place by a certain date, and if they were able to meet that deadline, they may be in a better position to avoid any compliance issues.

Mr. Carrazana said that he had a question regarding their second phase. He said that he would like to clarify that they mentioned that municipalities were now requiring data centers of a certain size to produce their own energy. He said that this was partly due to the fact that data centers required non-interrupted power, whereas hospitals and data centers could maintain power during outages, leaving others without.

Mr. Carrazana said that even though this may be a smaller facility, if multiple data centers of similar size were built, the collective power demand could significantly impact the grid, affecting power availability for other residents in Albemarle County. He said that this was an important consideration, as some neighboring counties, such as Loudoun, were already grappling with the issue. He said that it was essential that they revisit the use of solar energy, which, although beneficial, was a relatively small contribution to the overall solution. He said that data centers may not be suitable for solar power, as it was not a reliable source of energy.

Mr. Fritz said that they would absolutely consider that and review it as part of Phase 2.

Mr. Missel opened the public hearing.

Morgan Butler, said that he was a senior attorney for the Southern Environmental Law Center. He said that the proposal before them was an important initial effort to address a concerning gap in the County Zoning Ordinance, and he appreciated the staff's work on it and the excellent staff report. He said that as the staff report explained, the County's ordinance was being interpreted to allow data centers as a by-right use in all industrial zoning districts, regardless of size or other factors.

Mr. Butler said that this meant that the County had no ability to deny a data center proposal in an industrial zoning district or to impose additional safeguards beyond the default requirements. He said that data centers were a vital part of the digital economy, providing valuable benefits. He said that however, numerous localities in Virginia had experienced significant harm to communities and the environment when data center development occurred without thoughtful zoning protections.

Mr. Butler said that he generally supported the proposal, especially the provisions requiring a special use permit for data center proposals above a certain size in industrial zoning districts. He said that at the same time, he believed some clarifications were necessary to ensure the proposal achieved its purpose while phase two of this effort was developed.

Mr. Butler said that first, he was concerned that the proposed language in section 26.2 could be read to allow an unlimited number of data centers on an industrial site by right, as long as each data center individually did not exceed 40,000 square feet. He said that he assumed the intent was that all data center uses on a site shall not, in aggregate, exceed 40,000 square feet. He said that he recommended clarifying the language to match that intent and avoid creating a loophole.

Mr. Butler said that second, he had reservations about expanding the allowance for data centers into additional commercial districts, even by special use permit. He said that data centers seemed particularly likely to conflict with the purposes and intent of the downtown Crozet district, so he recommended reconsidering allowing data centers in that district. He said that finally, he felt the provisions on accessory data centers should be tightened up.

Mr. Butler said that he recommended including an overall square footage size limit on all accessory data center uses on a site, in addition to the 25% gross floor area cap. He said that he also recommended adding the conditions for a data center to qualify as an accessory use to the section of the draft listing provisions not subject to special exceptions.

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

Ms. Firehock said that regarding Mr. Butler's last comment, his second recommendation was that they should not make it applicable to uses allowed by special exception. She asked how they would word that in the ordinance.

Mr. Fritz said that they would simply amend item (e) special exceptions, by referencing subsection (a)(1). He said that item (e) would add to (a)(1) as one of the sections that were not subject to modification or waiver through a special exception. He said that he should change 5.16.5(E1.65(e) to read "special exceptions." He said that subsection (a)(1) and (e)(1) could not be modified or waived by special exceptions.

Mr. Missel said that the special exception consideration was part of the special use permit process.

Ms. Firehock said that an applicant could come forward and ask for a special exception, and the Commission did not rule on special exceptions. She said that typically, these requests went to the Board for consideration. She said that they were saying they could not come in and ask for that special exception.

Mr. Missel said that they could still ask for it with a special use permit.

Ms. Firehock said yes.

Ms. McCulley said that she thought it would be helpful to clarify that point quickly, as the section in question primarily applied to accessory data centers, which were by right. She said that the language they used to make those three conditions non-waivable meant that they would not be not subject to a special permit, but rather, they would be ineligible for a special exception. She said that the main consideration was that there were many unforeseen conditions.

Ms. McCulley said that for instance, to consider (a)(1) Roman numeral i, they should consider if, due to financing constraints, they needed to locate the data center on a separate parcel, or numeral ii, if they needed to contract out the operation of the data center, and the primary business

was not operating it themselves. She said that she could envision a multitude of circumstances that might lead someone to seek an exception to that.

Mr. Carrazana said that he had a follow-up question regarding the multiple 40,000 square-foot structures, which had also been brought up by the public comment. He said that he wanted to know how they would address the issue of tightening up the regulations to prevent such situations in the future.

Mr. Fritz said that they had already committed to taking that step, and they would. He said that their original intent was to limit it to 40,000 square feet, and it appeared that the Commission's intent was also to limit it to 40,000 square feet. He said that they would ensure that either the existing language was sufficient or that they proposed new language to address this. He said that this would be reflected in the comments they would submit to the Board.

Ms. Firehock said that the member of the public also suggested that they add something to the effect of data centers may not in aggregate exceed 40,000 square feet.

Mr. Fritz said that he believed they just addressed that issue.

Ms. Firehock asked if they did not need to make a motion to amend it.

Mr. Fritz said that if the Commission was more comfortable including that in their motion, they could absolutely include it. He said that staff had heard them loud and clear, and that was their intent to clarify it further if necessary.

Mr. Herrick said that to clarify a couple of procedural points, this was not an application, unlike the previous item. He said that Mr. Fritz and Ms. McCulley were not applicants in this instance. He said that as a result, timelines did not apply to this matter. He said that since this was being presented to the Planning Commission for its recommendation, the Planning Commission could make recommended changes or approve it with the following conditions.

Mr. Herrick said that there was a procedural difference between an applicant-initiated petition, such as the one previously received, and this one, which was being brought forward by staff before the Planning Commission at the request of the Board of Supervisors.

Mr. Bivins said that staff had acknowledged that they understood the Commission's comments, so they would include those modifications.

Mr. Missel asked if they had discussed the 25% of the gross floor area and the potential impacts of the size to the support systems and structures.

Mr. Barnes said that the intent was that if a 200,000 square foot facility, it would be limited to no more than 40,000 square feet of data center space.

Mr. Fritz said that to ensure that no accessory data center exceeds 40,000 square feet, they could simply state that preference, they could incorporate it into the motion. He said that staff would then prepare an amended ordinance to reflect this.

Mr. Bivins said that he was not in favor of that.

Mr. Fritz said that to help with how they carried this forward to the Board of Supervisors, if the Planning Commission did not make a motion to limit this, they would still include a summary of the discussion in their report, indicating that potentially limiting it was a topic of conversation.

Mr. Bivins said that if they were able to survive the potential cuts, he could see a data center being a viable option for the property north of town that they had recently secured. He said that in an effort to diversify their tax base and reduce their dependence on real estate, he would like to offer everyone the opportunity to explore ideas that could be beneficial in this regard. He said that he believed their staff understood that they were not providing a blank check and that they were approaching this in a more measured and responsible manner, unlike some other counties.

Ms. Firehock said that a larger data center could come forward in the form of a special use permit application.

Ms. Firehock motioned that the Planning Commission recommend the approval of Zoning Text Amendment ZTA 202400002, with the addition to clause 5.16.51.65(e), subsections (a)(1) or (b )(1) may not be modified or waived by special exception. Mr. Carrazana seconded the motion, which passed unanimously (6-0). (Mr. Clayborne was absent.)

**AFD202400008 Keswick District Review**

Mr. Missel said that they had agreed that they would have a combined staff report for all of these district reviews. He said that they would hold a single public hearing for all the districts, but would make separate motions on each district.

James Van Vranken, Conservation Program Planner, said that they would review the listed Agricultural-Forestal Districts (AFD), which was the same process for the AFD reviews they had followed in December. He said that due to the large number of reviews in total, they had decided to split them in half to make it more manageable.

Mr. Van Vranken said that the Board of Supervisors had reviewed the first batch of districts last week and had voted to follow the staff recommendation and the Planning Commission recommendation. He said that he would like to provide some context and background on the conservation program to help them understand the process. He said that in the rural area, parcels could be categorized into three broad groups.

Mr. Van Vranken said that the first category, which they were calling regular parcels, was the default and included parcels not in any conservation program. He said that the second category was parcels in temporary conservation, which currently included the AFD program. He said that the third category was permanently conserved, permanently protected land, which were parcels under conservation easement.

Mr. Van Vranken said that it was understandable that people often confused how conservation programs interacted with tax programs. He said that to clarify, regular parcels were generally eligible for three tax categories: full market tax, active agricultural and horticulture use tax, and forestry tax. He said that parcels in an AFD could also qualify for these three tax categories, and being in an AFD did not affect this.

Mr. Van Vranken said that parcels in AFDs still required active use or a forestry plan to qualify for land use tax. He said that there were parcels in AFDs that paid regular fair market tax, and those that met certain size requirements could qualify for the third type of land use tax, which was open space. He said that conservation easements were taxed slightly differently, but for all intents and purposes, it was equivalent to land use for most conservation easements.

Mr. Van Vranken said that the AFD program was a voluntary land conservation program that involved a five- to 10 -year commitment from landowners, offering benefits such as extra review for special use permits and the open space tax rate. He said that the County benefited from this program, primarily through the prohibition of small lot development rights for landowners. He said that in the rural area, the by-right lot size was 21 acres, and small lot development rights could be

thought of as exceptions to this, where landowners could build or create lots smaller than 21 acres.

Mr. Van Vranken said that those two to 21-acre lots were not permitted in AFDs, except in the case of family subdivisions. He said that this brought them to two theoretical maximum scenarios. He said that this was a theoretical outline of the main conservation value of these AFD programs. He said that districts were required to be reviewed every five to 10 years, and the following criteria were relevant for those reviews. He said that item seven regarding development rights had been a point of focus over the past year. He said that it stated that it was County policy not to include parcels without development rights in AFDs.

Mr. Van Vranken said that the concern that led to the creation of this policy was that parcels were accessing open space land use without necessarily having protected small lot development rights. He said that staff had made recommendations for the renewal of these districts consistent with this policy. He said that the AFD Advisory Committee had given a different recommendation, stating that parcels without development rights should not be removed from the districts.

Mr. Van Vranken said that the difference lay in the last two rows, where parcels without development rights were concerned. He said that staff recommended removing these parcels either immediately, if they were not facing rollback taxes, or giving them a five-year notice period if they would face rollback taxes to allow them to change their tax status. He said that staff was recommending removal; the Committee recommended keeping these parcels in the AFDs. He said that he would briefly review the individual districts. He said that the maps provided showed the parcels highlighted in pink were recommended for removal.

Mr. Van Vranken said that parcels highlighted in blue were recommended to receive a five-year notice period, allowing them to temporarily remain in the districts. He said that parcels highlighted in green were those requested for withdrawal. He said that during the district review, landowners could withdraw from the districts by right. He said that they had previously discussed concerns about the potential erosion of the districts due to this policy. He said that to clarify, the parcels recommended for removal, those in pink and blue, were mostly already developed and had already experienced erosion in the sense of losing rural character. He said that most of these parcels lacked conservation value and should not be retained in the AFDs.

Mr. Van Vranken said that if they possessed conservation value due to size, habitat quality, or floodplains, they could be conserved through other programs that would better protect them. He said that a large pink parcel, a 130-acre parcel, had significant conservation value despite lacking smaller development rights. He said that it was not being conserved by the AFD, but it was eligible for other programs and was part of an open space use agreement.

Mr. Missel said that he had a question. He said that the individuals requesting withdrawals did not necessarily have no development rights. He said that he was wondering what would be the reason for requesting a withdrawal, other than the desire to develop. He said that he was curious about the motivation behind asking for this withdrawal.

Mr. Van Vranken said that most of the time, it was a desire to develop. He said that occasionally, it was a landowner seeking to simplify their situation, eliminating some paperwork. He said that these were the only two reasons he had encountered.

Ms. Firehock said that along those lines, the parcel he was just discussing, which he had mentioned had conservation value, raised another question. She asked if he was indicating that it was not currently being actively farmed or timbered? She said that in other words, was it not being used for agricultural purposes?

Mr. Van Vranken said that this property had recently been utilized for agriculture, but he was unsure if it was currently. He said that it was intended to continue being used for agriculture. He said that the main conservation value he was referring to was due to its size, as it had the potential to accommodate six or seven subdivision lots, with the possibility of 21-acre lots, regardless of its intended use.

Ms. Firehock asked if it was recommended that the property be withdrawn because it did not have the small lot development rights.

Mr. Van Vranken said that that was correct. He said that to briefly review these districts, he would not delve into all the details, as they are summarized in a table at the end. He said that the Moorman's River District was the largest in the County, covering approximately 11,000 acres, located between Charlottesville and Crozet, primarily north of Garth Road. He said that next, they had the Keswick District, spanning approximately 7,000 acres to the east of Charlottesville, north of Keswick. He said that Kinloch was composed of about 1,700 acres to the north and northeast of Esmont.

Mr. Van Vranken said that fourth, they have Fox Mountain, a small district totaling five parcels and 437 acres, located north of White Hall, near the start of Blackwell's Hollow Road. He said that Buck's Elbow Mountain was approximately 3,200 acres northwest of Crozet, bordering the Shenandoah National Park.

Mr. Van Vranken said that Sugar Hollow was roughly 5,000 acres in size, situated close to Sugar Hollow Road, north and south of the road. He said that finally, Buck Mountain was located in the far north of the County on Davis Shop Road, with approximately 500 acres. He said that this data was summarized in the provided table, which includes the current district sizes and parcels, requested withdrawals, recommended removals, resultant size, and recommended renewal period, either five or 10 years.

Ms. Firehock said that upon reviewing the list, she noticed a few instances that warranted attention. She said that regarding the two-acre parcel owned by Bucks Elbow Mountain MMF Holdings, LLC, it seemed unusual that a parcel of this size would be located within their Agricultural Forestal District. She said that to her, it appeared that such a parcel would be more of a large garden rather than an AFD-designated property.

Mr. Van Vranken said that a policy was adopted in 2016 not to allow parcels without small lot development rights, which would include all two-acre parcels. He said that prior to that, there was no policy in place for parcels of this size. He said that parcels were previously assessed based on their values and other criteria. He said that it was possible that a two-acre parcel is part of a larger parcel, and the entire land was put in at one time.

She said that she had considered that. She said that she was wondering if there were multiple properties in the County with the same name. She said that she owned a 1.78-acre parcel in the County, but it was actually composed of three separate parcels, none of which were particularly large. She said that this was largely a relic of the past, when parcels were often much smaller. She said that she was trying to determine if this property might be attached to a larger parcel, but it did not appear to be the case.

Mr. Van Vranken said that it was also possible that the facility was created after the larger parcel joined the AFD, He said that they may have developed a family subdivision.

She said that that might make more sense. She said that she was trying to imagine that parcel going before the AFD Committee and being accepted. She said that some of these parcels must be remnants like that.

Mr. Murray asked if that two-acre parcel was open space. He asked if it was still taxable.

Ms. Firehock said that it was listed as regularly taxable. She said that she was surprised to see some of these really tiny parcels and was trying to understand how that was accepted into the AFD, but if it was split off for a separate single-family home from a larger parcel, or sold to another entity, it could be explained.

Mr. Murray said that it made sense so long as they were not two-acre parcels qualifying as open space and getting tax breaks.

Scott Clark, Conservation Program Manager, said that he was filling in for Mr. Lynch, the County Assessor. He said that to qualify for the open space tax rate, any parcel must have at least 20 acres of open space land, regardless of whether it was located in an Agricultural Forestal District or otherwise. He said that none of these parcels with less than 20 acres would qualify for that particular designation.

Mr. Clark said that in response to Ms. Firehock's question, in the early days of establishing these districts, a significant amount of this work was done by neighbors, who encouraged and supported each other, resulting in many people applying. He said that several small parcels were added to the larger parcels as part of a community effort, making the overall area more contiguous. He said that there may have been two- or five-acre parcels that joined the existing parcels with relatively little impact. He said that this was not a particularly significant part of the overall program.

Ms. Firehock said that there were not so many of them that significantly impacted the County's tax base. She asked if this gave those properties a lower tax rate.

Mr. Clark said no; it just allowed them into the district.

Mr. Barnes said that to clarify, they could be considered an AFD parcel and be subject to regular taxation. He said that in fact, many parcels were in that category.

Ms. Firehock said that that was right. She said that in the table, one was listed as ag and forestry, one was forestry, and one was regularly taxable. She said that she found it odd, because there was a logic that had nothing to do with development rights, but rather it was about creating a successful farming district with a critical mass of farmers and farms.

Ms. Firehock said that for example, if they did not have a neighboring farm, they would not have had access to a tractor or someone to spread manure. She said that having contiguous farm parcels in a district was helpful for farming. She said that however, if they were just a two-acre parcel, they were not really farming; they were not really contributing to the district. She said that she did not understand that aspect.

Mr. Moore said that even if a parcel was significantly large and lacked development rights, there was nothing to keep it from being a farm if it was removed from an AFD,

Mr. Barnes said that to that point, there were some parcels that were fairly large and had no development rights, and for that reason would be removed from the policy. He said that however, since they were so large and were farming, they could access land use taxation benefits, despite not being in the AFD. He said that he believed it was an important point to consider. He said that the issue here was addressing the parcels that did not have development rights.

Mr. Bivins said that it was also worth noting that districts were used as a way to prevent the County and the Commonwealth from taking certain actions, as they required permission from the district to undertake specific projects, such as road takings.

Ms. Firehock said that that was true for conservation easements, but she was not aware that it was the same for AFDs.

Mr. Clark said that the conservation easements had a significant impact on road takings. He said that AFDs did not prevent these takings; they merely added a layer of state review.

Ms. Firehock said that some of their development applications to this body involved situations where, for example, solar panels were proposed. She said that if a farm was within the AFD, the AFD confirmed there was no effect on it. She said that they gave their opinion, but it did not have a legal impact on the land use application.

Mr. Herrick said that he understood and appreciated the Commission's curiosity into the rationale behind the ordinance amendments made in 2016 and 2018. He said that however, he suggested that the Commission focus its attention on the ordinance criteria, specifically subsection 201(F)7 and the highlighted provision. He said that he believed that was the key issue here. He said that when the last batch of AFDs came before the Commission, the Chair's question was, on what basis should they be considering these? He said that he suggested that the Commission focus on the ordinance itself, rather than debating the merits of the ordinance that the Board had adopted nearly seven years ago.

Ms. Firehock said that they would be sure to follow the code, but she thought it was essential to understand the broader concept of an AFD.

Mr. Bivins said that he had mentioned family subdivisions, which had always been a concern for him. He said that he wondered how they ensured that the person receiving the house was actually a family member. He said that he was curious about what happened when that family member passed away, and the house was transferred to someone else. He said that he wanted to know what tracking mechanism was in place. He said that he was also interested in what happened when the County provided something, and they needed to recoup the costs when things went awry. He said that his main concern was that they needed to be able to trace the ownership and recoup their investment.

Mr. Clark said that Mr. Fritz he was more familiar with this topic than he was. He said that the subdivision ordinance had specific standards for family subdivisions, which included not only the process of subdividing but also holding periods before and after a family division could occur. He said that on the plat for a subdivision, notes regarding family subdivisions were typically included.

Mr. Clark said that in Albemarle, for example, one had to have owned the land for four years before proceeding with a family subdivision. He said that the state allowed up to 15 years, but they adhered to a four-year period. He said that once the division was completed and transferred to a family member, it had to remain in their possession for an additional four years. He said that the question was, was this holding period sufficient? He said that they could consider extending it, but this was more related to the subdivision ordinance than the AFDs.

Mr. Bivins said that in a place that values generational land ownership, four years was a relatively short period. He said that his concern was that they were losing a significant amount of money due to leakage, and the County lacked options to effectively address and close these issues. He said that for instance, he had owned his house for over 30 years and could have subdivided the two-acre lots in front of him. He said that he could have sold them and maximized his return. He said that, as a sophisticated community, they understood how to optimize their investments and minimize their taxes.

Mr. Clark said that it was worth noting that the two-acre lots created by the family subdivision, regardless of whether they were located within an AFD, would not qualify for a reduced tax rate.

Mr. Bivins said that he was using his comment about family to make a point about the cost of family division, which they did not currently track.

Ms. Firehock said that perhaps that was a topic for discussion at a later time, when they covered the rural area plan. She said that she believed they had previously touched on this subject. She said that as they had previously discussed, they needed to plan more for the rural area, but it would be a more significant effort. She said that there was now a goal in the comprehensive plan to develop a rural plan later. She said that she suggested they move the discussion of this topic to another time, as it seemed to be a lengthy discussion.

Mr. Missel opened the public hearing. Seeing no speakers, he closed the public hearing and the matter rested with the Planning Commission.

Ms. Firehock asked if the Board had already voted on this topic.

Mr. Barnes said no; the Board voted on the first section of AFD reviews, which the Commission had reviewed back in December 2024.

Mr. Carrazana said that Mr. Missel had passed on some of that information to the Board of Supervisors.

Ms. Firehock said that over the years, she had received multiple emails about the division rights, whether they exist, what the ordinance stated, and what their basis was for the decision. She said that she remained aware.

Mr. Carrazana motioned that the Planning Commission recommend renewal of the Keswick District for a five-year period, with the staff-recommended removals. Mr. Murray seconded the motion, which passed unanimously (6-0). (Mr. Clayborne was absent.)

**Public Hearings**

**AFD202400009 Moorman's River District Review**

Mr. Murray motioned that the Planning Commission recommend renewal of the Moorman's River District for a five-year period, with the requested withdrawals and staff-recommended removals. Mr. Moore seconded the motion, which passed unanimously (6-0). (Mr. Clayborne was absent.)

**AFD202400010 Kinloch District Review**

Mr. Bivins motioned that the Planning Commission recommend renewal of the Kinloch District for a five-year period, with the requested withdrawals and staff-recommended removals. Mr. Murray seconded the motion, which passed unanimously (6-0). (Mr. Clayborne was absent.)

**Fox Mountain District Review**

Mr. Murray motioned that the Planning Commission recommend renewal of the Fox Mountain District for a ten-year period, with the staff-recommended removals. Mr. Moore seconded the motion, which passed unanimously (6-0). (Mr. Clayborne was absent.)

**Buck's Elbow Mountain District Review**

Mr. Murray motioned that the Planning Commission recommend renewal of the Buck's Elbow Mountain District for a ten-year period, with the staff-recommended removals. Mr. Moore seconded the motion, which passed unanimously (6-0). (Mr. Clayborne was absent.)

**Sugar Hollow District Review**

Mr. Murray motioned that the Planning Commission recommend renewal of the Sugar Hollow District for a five-year period, with the requested withdrawal and staff-recommended removals. Mr. Moore seconded the motion, which passed unanimously (6-0). (Mr. Clayborne was absent.)

**Buck Mountain District Review**

Mr. Carrazana motioned to recommend renewal of the Buck Mountain District for a ten-year period, with the staff-recommended removals. Mr. Moore seconded the motion, which passed unanimously (6-0). (Mr. Clayborne was absent.)

**Committee Reports**

Ms. Firehock said that the Historic Preservation Committee met and they successfully adopted their rules of procedure and elected officers. She said that they also increased their membership, which was a positive development. She said that she would like to extend her gratitude to those who helped spread the word and encouraged others to apply. She said that with more members, they had a greater pool of ideas and energy, making it easier to achieve a quorum. She said that the main agenda item was reviewing language for a Historic Marker honoring Benjamin Yancey, a notable educator from the Yancey School. She said that the marker would be placed at the school, highlighting the history of the colored high school and elementary school, with text on both sides.

Ms. Firehock said that the committee was busy refining the language, but it was largely complete. She was pleased to learn that Benjamin Yancey was born in Howardsville, a fact she was previously unaware of. She said that she was now knowledgeable about this local fact and was excited about this project. She said that additionally, they discussed educational signage for Biscuit Run, but unfortunately, they were not provided with graphics or pictures, making it challenging to offer suggestions. She said that she hoped that in the future, they would have more than three days' time to provide input. She said that the proposed signage was meant to touch on the site's history, but it was not well thought out.

Mr. Bivins said that he received a presentation about the site on Hydraulic Road.The telephone company has sold the parcel, so it would allow Ferguson's to store contractor supplies. He said that he did not know when, but the item would come before the Planning Commission at some point.

Mr. Murray said that he attended the Metropolitan Planning Organization (MPO) Tech meeting and also reviewed the Unified Planning Work Program. He said that one of the most interesting aspects of the meeting was the discussion on the intersection safety program. He said that they presented smart monitoring systems that could identify pedestrians and near misses with vehicles using cameras.

Mr. Murray said that currently, these systems were only gathering data, but the goal was to eventually use this data to adjust traffic lights dynamically to prevent accidents. He said that he found this project particularly intriguing, as it would be implemented at Alderman and McCormick, Hydraulic and Lambs, Old Ivy, and the US-29 and Rio overpass.

Mr. Murray said that there was also a Smart Scale Recommendation Review. He said that a notable takeaway from the meeting was that the recent snowfall led to increased maintenance and operations costs, resulting in a decrease in construction funding. He said that out of 24 applications in the Culpeper District, only four were being recommended, likely due to limited funding.

Mr. Missel said that he found it interesting that a significant amount of money was being spent on the application process.

Mr. Murray said that he must have missed that portion.

**Review of Board of Supervisors Meeting: February 5, 2025, and February 19, 2025**

Mr. Barnes said that the Board had held three meetings since the Commission last met. He said that on February 5, they heard three items the Commission had reviewed. He said that one was the Carter Machinery, Outdoor and Storage and Display project, located next to the library on Rio Road, which passed with a 6-0 vote. He said that another item was the City Church on Rio Road, which had a large parking field, and it passed with a 5-1 vote, with Ms. McKeel voting against it due to parking issues. He said that the third item was Buck Island Solar, which also passed with a 6-0 vote.

Mr. Barnes said that the second meeting, scheduled for February 12th, was cancelled due to snow. He said that the intent was to hold a special session to discuss the Development Area Land Use Chapter and the Rural Area Land Use Chapter. He said that with the growth management policy, and the Board had previously discussed the need to review the boundaries and assess areas that may be underperforming. He said that this included considering the environmental resources on the sites, as well as areas like Keswick, where the intended densities may not be achieved.

Mr. Barnes said that the discussion also touched on the idea of establishing criteria to reduce or expand the development area, taking into account factors such as water capacity, transportation capacity, and other significant resources. He said that this was not a detailed discussion of specific parcels, but rather a conceptual idea of how to approach the issue.

Mr. Murray said that he thought it was an interesting turn of events, given that they had previously discussed not expanding the development area, but this appeared to be opening the door for expansion. He said that one of his concerns was that this may lead to a full discussion about development area swaps. He said that he had some reservations. He said that when considering all the properties collectively, he was concerned about the potential impact of development on areas such as floodplains, critical slopes, parks, and underdeveloped parcels.

Mr. Murray said that this represented a significant amount of acreage that could be used to justify a substantial expansion of the development areas. He said that he understood that some people may be open to minor adjustments, but without adequate guardrails, he found it concerning that this could be used as a justification for a large-scale expansion of the development areas.

Ms. Firehock said that they received a significant number of emails around the time of that discussion. She said that she found it unusual that they were having that discussion, as she did not know it was planned. She said that many citizens reached out to them, expressing their concerns and asking what was being done regarding the issue.

Mr. Barnes said that he thought when staff presented this, it was not the intended focus. He said that he thought one of the concerns was the floodplain and the environmental impact associated with some of the subdivisions in the area. He said that he did not think that was what they were addressing here. He said that there were a few parcels that did meet certain criteria, including those with mountaintop protection and critical slopes. He said that one parcel they were considering actually fit this description, but it was not the primary intent. He said that he thought the driving force behind much of this conversation was the Keswick area or Rivanna Village, in particular.

Mr. Murray said that in the context of Rivanna Village, they had already committed to providing water and sewer to that area. He said that the provision of water and sewer was the key factor controlling the development area and the rural area. He said that without the ability to remove the existing water and sewer infrastructure, it was not a viable swap.

Mr. Murray said that in his opinion, this was simply a matter of expansion. He said that there were some areas that had raised questions, such as the one in Fontaine, near Observatory Hill and the reservoir. He said that he had been studying the maps and had always wondered why that area was designated as a development area.

Mr. Murray said that it did not seem logical, given its steep and mountainous terrain. He said that perhaps the UVA Foundation could provide insight into the decision-making process at some point. He said that there were other areas, such as the one near the reservoir, that could potentially be subject to reasonable discussion regarding their designation as a development area. He said that nevertheless, even removing such a large area would be challenging, and finding a suitable replacement would be difficult.

Ms. Firehock said that he believed that a more nuanced evaluation could be made, as there were areas in the development area that were characterized by steep vertical slopes, requiring significant rock blasting to create a flat surface. She said that in essence, these areas were not suitable for development. She said that therefore, would they then need to expand to other locations to compensate for the fact that these mountainous areas were not viable for development?

Mr. Missel asked how the Planning Commission would be engaged in that discussion.

Mr. Barnes said that staff's intention was not to revisit those chapters at this time. He said that instead, they planned to go through all 10 chapters, which were divided into three parts: an introductory section, a growth management policy section, and the 10 chapters themselves. He said that they wanted to ensure that they were aware that this was a comprehensive package.

Mr. Barnes said that staff intended to bring it back to them by the July time frame, allowing them to review it as a whole. He said that this would give them the opportunity to see the culmination of all the discussion and input they had received, including the staff census of the Planning Commission's comments.

Mr. Missel said that it would be helpful to have a way to track changes, rather than relying on a set of documents that they all reviewed and tried to recall which changes were made. He said that this could lead to confusion, as they compared old versions and tried to remember if a particular change was included. He said that having a system similar to cloud drawings, where changes were easily visible and dated, would greatly improve their process.

Mr. Barnes asked if Mr. Missel was requesting a red-lined document.

Mr. Missel said that yes, it would be helpful to see those changes.

Ms. Firehock said that significant changes had been made to the structure since the development area chapter was discussed.

Mr. Missel asked if there was something that assisted them in tracking their progress.

Mr. Barnes said that the staff had been keeping track of the changes, although they may not have been entirely on a red-lined version.

Mr. Missel said that was fine. He said that anything to help them understand the timeline of changes would be helpful.

Mr. Barnes said that that made sense. He said that another topic discussed was the rural area land use chapter. He said that the considerable discussion in that chapter about non-residential uses in rural areas did not lead to a development area chapter that day.

Mr. Barnes said that instead, they would bring it back to the Board on April 2, which was the planned date for revisiting the Development Area Land Use Chapter. He said that because the meeting on the February 12 was canceled, the Board met on February 19 and also discussed two other items that might be of interest to the Commission. He said that there was a presentation on easements.

Mr. Barnes said that the presentation provided a lot of familiar information, but the key takeaway was the slides that illustrated how easements affected rural areas, breaking it down into three parcels. He said that as a result, they provided the requested information to the Board. He said that also on February 19, the Board confirmed their policy regarding the removal of parcels based on the zero development rights criteria in the first tranche of the AFD, which consisted of eight districts.

**AC44 Update**

Mr. Barnes said that Ms. Swartzendruber would be releasing the schedule this week, specifically on Friday. He said that he would confirm with her to ensure that the other chapters she had provided had been distributed to the Commission. He said that their next work session would be on the Thriving Economy Chapter, held on March 11, 2025.

Mr. Barnes said that Community Facilities and Infrastructure chapter was scheduled for March 25, while the Housing Chapter would be on April 8. He said that a special meeting on the Transportation chapter was scheduled to be held in the middle of the month, which would be a more in-depth discussion. He said that this meeting would be the only item on the agenda for April 15.

Mr. Barnes said that he would provide written materials, but the Historic, Cultural and Scenic Resources, as well as the final Community Resiliency chapter, would be presented on May 13. He said that their goal was to complete the 10 chapters by then and finalize the 10 chapters with the Board on June 4. He said that following this, they would need to continue public interaction, which they had already begun.

Mr. Barnes said that they had hosted a Lunch and Learn session, where community members could listen to discussions on thriving economies, which would take place this Thursday. He said that they would be holding joint community advisory committee meetings to bring in further input, and they were currently working on other ways to allow the broader community to review the document.

Mr. Missel asked about the intended timeline for the final adoption of the document.

Mr. Barnes said that staff was striving to meet a fall, early winter deadline. He said that it would be the Board's pleasure to move forward at a certain pace.

**New Business**

There was none.

**Old Business**

Mr. Murray said that today, he accompanied Supervisor Mallek and County staff to Ridge Road, where they had concerns from the property owner regarding the no parking signs. He said that there was a conflict with runners who used that part of the road. He said that they met with VDOT and discussed potential solutions. He said that, in short, they did not come up with any particularly effective solutions at this time. He said that they had some research tasks ahead of them to follow up on.

Mr. Murray said that it appeared that the best long-term solution was to explore the possibility of a private property owner donating a small area for parking. He said that they identified a suitable location for this. He said that they found a power line easement on the opposite side of the road that could potentially alleviate congestion by providing an alternative route for runners and cyclists from Decca to Ridge without having to travel extensively on the road.

Mr. Murray said that they would need to obtain permission from the property owner to utilize this easement. He said that, given that this corridor was one of the most popular, if not the most popular, places for running and cycling in the County, making it safer and reducing conflicts with other vehicles would be ideal.

**Adjournment**

At 8:37 p.m., the Commission adjourned to March 11, 2025 at 4:00 p.m., Albemarle County Planning Commission meeting,

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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)

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| Approved by Planning Commission |
| Date: |
| Initials: |