Albemarle County Planning Commission
August 1, 2000

The Albemarle County Planning Commission held a meeting and public hearing on Tuesday, August 1, 2000 in the County Office Building. Members attending were: Mr. William Finley, Chairman; Mr. Dennis Rooker, Vice-Chairman; Mr. William Rieley; Mr. Pete Craddock. Other officials present were: Mr. David Benish, Chief of Community Development; Ms. Elaine Echols, Senior Planner; Mr. Steven Waller, Planner; Mr. Eric Morrisette, Senior Planner; Mr. Juandiego Wade, Transportation Planner; Mr. Jeff Thomas, County Engineering; Mr. Steve Snell, County Engineering; Mr. Glenn Brooks, County Engineering. Absent: Mr. Rodney Thomas; Mr. Jared Loewenstein; Ms. Tracey Hopper.

Approval of Minutes – June 27, 2000, July 11, 2000 and July 18,2000
The Commission moved, seconded, and unanimously approved the minutes of June 27, 2000 as presented; the Commission moved, seconded and unanimously approved the minutes of July 11, 2000 and July 18, 2000 as amended.

Other Matters Not Listed on the Agenda from the Public
None were offered, and the meeting proceeded

Consent Agenda:

(SDP 00-040) Westminster Canterbury Pool House Addition Minor Site Plan Amendment – Proposal to construct a 1,450 square foot addition to the existing pool house, which includes a request for a waiver of Section 4.2.3.2 to allow construction on critical slopes.

The Commission moved, seconded, and unanimously approved the Consent Agenda as presented.

Items Requesting Deferral:

SP-2000-15 CFW Intelos--CV206 (Route 654) (Sign #30) - Request to attach telecommunications equipment to an existing VEPCO power pole in accordance with Section 10.2.2.6 of the Zoning Ordinance. The property, described as Tax Map 60, Parcel 81, contains 1.322 acres, and is located in the Jack Jouett Magisterial District. The property is located on Magnolia Drive, off of Montvue Drive (west of) and (north of) Barracks Road [Route 654]. This general area lies approximately one mile west of the intersection of Barracks Road and Georgetown Road. The property is zoned RA, Rural Areas. The Comprehensive Plan designates this property as Rural Area [Rural Area 3]. *Deferred from the July 18, 2000 Planning Commission meeting. Applicant requests deferral to August 8, 2000.*

MOTION: Mr. Rieley moved, Mr. Rooker seconded approval of deferral of SP 2000-15 to August 8, 2000. The motion passed unanimously

Deferred Items

SP-2000-18 CVR-336 Union Run (Sign #36 & 37) - Request for special use permit to allow the construction of a 65 foot tall wooden telecommunications pole, in accordance with Section [10.2.2.6] of the Zoning Ordinance. The property, described as Tax Map 79 Parcel 10, contains 866 acres, and is located in the Rivanna Magisterial District on the north side of Richmond Road [Route # 250] at the intersection with Louisa Road [Route #22]. The property is zoned RA, Rural Areas and EC, Entrance Corridor Overlay District. The Comprehensive Plan designates this property as Rural.Area 1. *Deferred from the June 20, 2000 Planning Commission meeting.*

Mr. Waller presented the staff report, noting that the application is for construction of a 50-foot wooden pole and associated communications equipment in 1600 square foot lease site on undeveloped portion of Edgehill Farm. He said the property is located in the Shadwell area and is adjacent to Interstate 64, State Routes 22 and 250. Mr. Waller said that the Board of Zoning Appeals has granted a variance allowing the facility with conditions as noted in the attachment he presented. He mentioned that the variance is for the facility described in this application only, and a tree conservation plan identifying all trees that have a diameter of six inches or greater within 25 feet of the proposed tower site shall be prepared by the applicant and submitted with the building permit application for the tower. The plan shall note any trees to be removed to make space for the tower and its features, and including the driveway; the cutting of trees within 75 feet of the tower site shall be limited to dead trees and trees of less than six inches in diameter, except those trees identified on the plan as necessary for establishment of the towers. Removal of any trees or their limbs shown on the plan is prohibited unless recommended by an arborist for the health of the tree, or is required by public utilities.

Mr. Waller said that the Architectural Review Board has issued a certificate of appropriateness for the facility with conditions as outlined in his staff report. He stated that staff recommends approval of the special use permit with the 12 conditions listed in the staff report. Mr. Waller added that staff recommends approval of the site plan waiver with conditions as outlined in his staff report. He presented pictures of a test balloon flown at the site to illustrate tower visibility. Mr. Waller said that the conditions of the variance were not included as conditions by staff.

Mr. Finley asked how far out the radius from the site extends that prohibits the cutting of trees.

Mr. Waller responded that the variance approval stipulates that trees within a 75-foot radius of the pole itself will not be disturbed.

Mr. Rooker mentioned that there was no condition relating to the ground equipment.

Mr. Waller replied that the ARB has already reviewed the application and imposed conditions relating to screening the ground equipment.

Mr. Rooker asked if the ARB Condition relating to screening of the ground equipment should be added in the Commission's action.

Mr. Kamptner responded that the Commission could make it a condition of the special use permit.

Mr. Waller mentioned that the screening plan is shown in the site plan presented.

Mr. Rieley suggested referencing that plan.

Mr. Waller said that one of staff's recommended conditions is that the facility be built as specified in the site plan.

Mr. Rooker asked Mr. Kamptner if he felt the conditions were adequate.

Mr. Rooker and Mr. Rieley agreed that the site plan reference be included as a condition.

Mr. Kamptner noted that staff Condition Three references the ARB Condition No. 1. He added that all of the conditions should be incorporated into the Commission's action. Mr. Kamptner pointed out that there is a discrepancy between the BZA radius and the radius mentioned in Mr. Waller's staff report regarding tree cutting.

Mr. Benish suggested using the 75 feet figure from the BZA rather than 200 feet figure mentioned in the staff report.

Mr. Craddock asked if the antenna panels would be eight-foot on the monopole, as the illustrations seem to show a five-foot panel.

Mr. Waller suggested asking the applicant for clarification.

Public comment was invited.

Ms. Valerie Long, counsel for Triton/PCS, addressed the Commission. She introduced Mr. Jaymar Joseph, consultant for American Tower.

Ms. Long illustrated on a map presented the location of the proposed tower facility. She indicated that Triton is prepared to accept the conditions recommended by staff and also requests a site plan and setback waiver.

Ms. Long pointed out that the facility is a strict compliance with the proposed wireless policy, emphasizing that the can panel antennas will be flush mounted to the pole, will be the same color as the pole, and will not extend above the top of it. She indicated that Triton would be happy to incorporate ARB screening recommendations into their plan, noting that the ARB has recommended six-foot pine trees, in addition to the proposed landscaping.

Ms. Long reported that Triton had initially planned a taller facility, but after conducting visibility tests decided on the current design. She that they have reduced the tower height by 15 feet as suggested by the ARB and staff. Ms. Long stated that their surveyor conducted a tree-height survey of every tree within the lease area; he determined that the tallest tree was a 52-foot tree.

She noted that many trees in the area were between 40 and 50 feet.

Mr. Rooker asked how far these trees were away from the tower site.

Ms. Long responded that the tallest tree is approximately 18 feet from the tower. She confirmed that the 75-foot radius would include all the trees shown on the plan. Ms. Long added that the shortest trees in the area – 40 feet – would provide screening from Route 22. She noted that the balloon used in testing was in visible from the interstate when floated at 50 feet; and was minimally visible from Route 22 and Route 250. Than with Ms. Long distributed photographs illustrating the balloon test and tower site depiction.

Mr. Rieley asked what type of camera was used.

Ms. Long replied that a standard disposable camera was used.

Mr. Rieley mentioned that disposable cameras usually have a wide-angle lens.

In response to Mr. Rooker's question, Ms. Long stated that Triton would not need a parking space as originally planned. Staff noted that the condition number two in the site plan waiver would not be needed.

Ms. Long asked the 200-foot figure mentioned in the staff report be consistent with the BZA recommendation of 75 feet.

Staff confirmed that the certified tower height would need to be obtained after the facility's construction.

Mr. Craddock asked about the reference to painting of the metal tower.

Ms. Long responded that the pole would be wooden, and suggested that reference to metal towers be disregarded.

Mr. Craddock asked about the panel height.

Ms. Long responded that they would be 96 inches, the standard height for Triton.

Mr. Craddock indicated that a sketch seems to indicate them to be 5 feet.

Ms. Long stated that the rendering is not intended to be to scale.

Mr. Craddock asked about the large cherry tree, and wondered what would happen if VDOT cut it down.

Ms. Long replied that the drip line is on the Edgehill property, and the ARB and BZA have been insistent that Triton not cut down any trees. She emphasized that they would not take down any trees to gravel. "If there has to be an area where they have to move it back little bit to stay away

for the trees, that's what they'll do."

Ms. Long added that Triton has relocated the access road because the originally planned position was located on a blind curve on Route 22, which did not meet with VDOT approval. Ms. Long confirmed that their electric utilities would be located underground.

There being no further public comment, the matter was placed before the Commission.

Mr. Rieley commented that this application point out the limitations of the criteria generally used to evaluate such proposals. He explained that while the pole would be shorter than many of trees within the 25-foot zone, it will be one of the most visible tower sites of all those previously granted if it is approved.

Mr. Rooker said that it complies with all the requirements of the policy manual, according to staff, and the applicant has taken number of steps to reduce visibility. He stated that the pole is the type the Commission has been encouraging applicants to use, and it may be nearly impossible to find sites that are entirely concealed. Mr. Rooker noted that the tower site will be separated from the Historic property by the interstate.

Mr. Rieley indicated that he did not feel alternative locations were explored.

MOTION: Mr. Rooker moved, Mr. Craddock seconded approval of SP 2000-18 with conditions modified as follows:

- Conditions need to be renumbered for a total of 13 conditions;

- Eliminate Condition #3a;

- Modify Condition # 6 to state "……Except for the tree removal expressly authorized by the Director of Planning and Community Development, the cutting of trees within 75 feet of the tower shall be limited to dead trees and trees of less than 6" in diameter measured at 6" above the ground, except those trees identified on the plans as necessary for the establishment of the towers."

The motion passed in a 3-1 vote, with Mr. Rieley dissenting.

MOTION: Mr. Rooker moved, Mr. Craddock seconded approval of a site plan waiver for SP 2000-18, with conditions modified as follows:

1. Approval of an erosion and sediment control plan prior to the issuance of a building permit;
2. Elimination of this condition.

The motion passed unanimously.

MOTION: Mr. Rooker moved, Mr. Craddock seconded approval of a setback waiver for SP 2000-18, in accordance with the plan titled "Triton/PCS, Inc. CVR 336G Union Run. The motion passed unanimously.

ZMA-00-004 Fontaine Research Park (Sign # 57 & 58) - Request to amend Proffer #6 of ZMA 92-03 to expand the 389,000-sq. ft. development limitation to 495,000 sq. ft. The property is located on approximately 53.52 acres zoned C-O (Commercial Office) and FH (Flood Hazard Overlay District). The site is described as Tax Map 76, Parcels 17B & 17B1 and is located on the south side of Fontaine Avenue, east of and adjacent to Route 29. This property is located in the Samuel Miller Magisterial District and is designated in the Comprehensive Plan for Office Service uses in Neighborhood 6.

AND

SP-00- 021 Fontaine Research Park (Sign #66 & 67) - Request to extend the duration of SP 92-13 for uses in accord with the provisions of Sections 23.2.2.11 (supporting commercial uses), 23.2.2.12 (Research and development activities, including experimental testing), and 23.2.2.13 (Laboratories-Medical and Pharmaceutical).

Ms. Echols presented the staff report, the noting three mistakes that need to be corrected: the Board of Supervisors date (September 13th, not August 6th); request is for an increase of 106,000 square feet, not 104,000 square feet; a special use permit is needed for this project. A she explained that the Fontaine Research Park is an existing office park owned by UREF; five out of the seven approved buildings have been built on the property. UREF would like to have eight buildings total and an additional 106,000 square feet, more than they additionally planned. She said that the request from UREF is to amend the proffers and the application plan to reflect the eighth building and the additional square footage.

Ms. Echols said the staff has reviewed the proposal in relation to the Comprehensive Plan and in relation to the proposed Neighborhood Model. She indicated that the plan has several excellent aspects in relation to the Comprehensive Plan: the proposal would be for infill of an existing park rather than expanding outward; the design of the existing development has a central green which provides for internal orientation; and parking is not the dominant feature on the site. Ms. Echols said there are several aspects where the rezoning does not meet the goals of the Comprehensive Plan: pedestrian access is not provided into the park or throughout the park; additional traffic improvements are warranted according to VDOT and county staff, but the applicant has not offer to make any traffic improvements; the proffers are not ready to be acted on and they need more work; the application plan itself is on a very small scale and many of the features shown on the 1992 plan are lost. Ms. Echols added that the greenway planned is not shown, and there also needs to be more detail on stormwater management.

Ms. Echols explained that staff recommended deferral to the applicant, but the applicant felt that the item should come before the Commission for their input. Since the staff report went out, the applicant's agent has spoken with staff about the greenway and pedestrian access at the entrance to the park. She indicated that there have also been discussions about stormwater management but nothing firm has been worked out. Ms. Echols concluded that staff does not feel that the application is not good, there is just too much information lacking.

Mr. Rooker reported that he visited the property, and the applicant had a plan that was more detailed then what is being presented. He indicated that that plan showed significant pedestrian connections between buildings, and the applicant indicated at that time that there would be connections made to the sidewalk into Fontaine.

Mr. Finley asked if staff felt they needed more information regarding stormwater management, since that is usually worked out the site plan level.

Ms. Echols replied, "The building slopes down to the critical slopes and the stream, and the floodplain, and the stormwater is shown [at a higher elevation] than that." She explained that staff wanted to know more about that at the rezoning stage, so that stream buffers would not have to be disturbed for stormwater.

Mr. Rooker commented that the plan he saw on this site had a stormwater detention pond, which appear to be in a lower area than the building. He asked if the applicant had indicated a willingness to share the cost of road improvements.

Ms. Echols referenced an e-mail from the applicant, which states that they agree that the improvements in VDOT's letter would address existing and future impacts at the intersections. The applicant indicated that they did not see the fairness in the research park bearing the costs. Ms. Echols said "I would hope that the opportunity would be available for more discussion on these particular points, but in getting them to [the Commission], there was no opportunity."

Mr. Finley asked if all eight unfavorable factors needed to be resolved in order to gain staff approval.

Ms. Echols responded that staff would want real proffers, especially as they relate to traffic improvements. She added that the City has expressed concern about the impacts of traffic on Fontaine. Ms. Echols emphasized that the more time spent all on reducing traffic peak hours, the fewer the needs are for widening. She added that the Greenway is in the Comprehensive Plan, and is an essential item that needs to be addressed. Ms. Echols noted that the sidewalk that gets you into the parking shown on the original plan master plan, and should have been provided with the very first site plan. She mentioned that staff also needed more stormwater management information and a legible application plan. Ms. Echols concluded that in combination, all of these issues are important. She stated that there is time for these issues to be worked out prior to the Board of Supervisors consideration of the item.

Public comment was invited.

Mr. Steve Blaine, representing UREF, addressed the Commission. He commended staff for their work on the application. Mr. Blaine explained that the applicant hired a consultant to conduct a traffic study, and met with VDOT on three occasions where City Planning staff was present. He emphasized that there are University research grants that need to be fulfilled; however, there needs to be sufficient lab space for them. Mr. Blaine said the planned road improvements will address existing conditions, and the applicant did not want to proffer further improvements

without first demonstrating the commitment they have already made under the 1992 proffers. He stated that the applicant is willing to consider transportation demand management in an attempt to reduce traffic generation. Mr. Blaine noted that the University is already working on this issue, and mentioned that the existing van service that shuttles patients and employees from the hospital to the research center hosted 13,000 riders last year. He added that UREF will encourage employers at the Research Park to promote awareness of transportation demand efforts, and continue to look for ways to include the Fontaine Research Park within the University transit system.

Mr. Blaine presented a larger version of the master plan it was submitted with the application, highlighting the pedestrian improvements shown. He emphasized that there will be a pathway and pedestrian system within the park, and agreed to state this in a proffer. As Mr. Rooker suggested, Mr. Blaine agreed to include the pedestrian plan in the overall application plan. Mr. Blaine noted that most pedestrian traffic would be coming off of Fontaine Avenue, and the applicant could bring a sidewalk up the main entrance; another possibility would be to bring up a trail by the AI MR building.

Mr. Rooker asked why the pedestrian access from Fontaine shown on the original plan was never completed.

Mr. Blaine replied that he was not aware that it was shown on a plan, but the applicant could proffer that now.

Mr. Rooker and Mr. Rieley expressed concern that the original application plan may not have been met.

Ms. Echols noted that staff was more concerned with external pedestrian orientation, rather than internal pedestrian movement, with the 1992 application plan. She said that an amended application plan could reflect these improvements.

Mr. Blaine indicated that the applicant would be willing to offer a standard greenway proffer.

Mr. Rooker asked about stormwater management improvements.

Mr. Blaine responded that the engineers have looked at that preliminary, and have determined that the water should run downhill and the stormwater pond is downgrade from the building site. "If they get into engineering in see that they have to reroute it, that's going to be requirement of the site plan." Mr. Blaine added that amending this master plan is not waiving any site plan requirements.

Mr. Rooker asked Mr. Kamptner if stormwater management should be dealt with as a proffer.

Mr. Kamptner replied that the Water Protection Ordinance would address this, but added that the applicants could always proffer more than the minimum required.

Ms. Echols stated that the applicant's planned location for the stormwater pond is just up from some critical slopes.

Mr. Blaine introduced the applicant's engineer, Jeff Lightheiser.

Mr. Lightheiser indicated that there is a sediment basin at the base of the hill, which is 30 feet lower than the lowest building pad of the new construction. "We're going to have to work the pipe around the hill to get it down there, but we will pick up all that water and get it to with upgraded stormwater management facility at the base the hill. It will stay outside of the buffers and outside of the critical slopes."

Mr. Rooker asked if they were something that could be proffered to address this.

Mr. Kamptner suggested having the applicant proffer the location of the facility, so engineering could examine it.

Mr. Jeff Thomas of County Engineering addressed the Commission. He emphasized that engineering's primary concern would be the size of the stormwater facility, not the location. Mr. Thomas said that the sediment basin will have to be enlarged with the new construction, and engineering wants to make sure it doesn't encroach on the critical slopes and stream buffer.

Mr. Rooker asked if that issue would be properly dealt with at the ZMA level or at the site plan level.

Mr. Rieley expressed an interest in dealing with it at this level, noting that the Commission could be faced with a waiver request in the future that would be difficult to turn down.

Mr. Craddock noted that he would like to hear more about traffic also.

Mr. Rooker asked if, based upon the traffic study, the applicant had given any thought to cost-sharing for the left turn lane coming out of the facility itself, and the extended ramp coming off of I-64. He mentioned that the applicant should be fully responsible for the cost of the left-turn lane coming out of the research park; the cost of the offsite improvements should be shared, based on what the impact of the new development is.

Mr. Blaine responded that any improvements would benefit traffic movements as a whole in the area, but agreed with the rationale of what Mr. Rooker said.

Mr. Raymie Kemp of Raymie Kemp and Associates – traffic engineer for the project – addressed the Commission. He stated that his traffic study addressed the problem of traffic stacking from Route 29 onto Fontaine, as well as the issue of the turn radius at the bottom of the hill in the northbound lane.

Mr. Rooker suggested getting a specific proffer from the applicant regarding the cost-sharing for necessary improvements.

Mr. Finley asked Ms. Echols if she could get together with the applicant and further discuss this.

Ms. Echols indicated that staff and the applicant could meet. She said that staff has suggested that the MPO committee may be a good source for discussing the issue, as it is comprised of both county and city representatives. She said that staggering work times is a logical way to address the traffic problems – which occur mostly at peak times.

Mr. Rooker said he would like to see information about the level of service on the property, and what impact the current research park has, and what the future development will mean. Mr. Rooker commented, "The facility itself is a real attribute to the community. It's a well done research/office park…that has an entirely internal focus with green space." He stated that if anything, the FAR for the facility is low. "I think the application itself is in the community's interest, and I think it's good project. But I think there are some details that need to be tied down before I'm comfortable with it."

Ms. Echols responded that the traffic study done is fairly extensive, and finds that the level of service is an "F" in the morning and evening commute hours. She emphasized that the research park is responsible for about 30% of the traffic put on the roads during peak hours. Ms. Echols stated that staff has been looking at things that could be done in the peak hours that would [postpone] widening and signalizing that area. She added that staff has also been looking at taking access from the City through the back of the property.

Mr. Kemp noted that the street is painted with a three-lane approach to Fontaine Boulevard, and was paint striped for two. He said that with repainting and traffic signal modification, the intersection would be improved. Mr. Kemp added that VDOT's main concern is for the northbound ramp operation where it comes into Fontaine. He said that VDOT suggested adding a lane along Fontaine between the northbound ramp and Ray C. Hunt Boulevard.

There being no further public comment, the matter was placed before the Commission.

Mr. Finley said he agreed with Mr. Rooker. "This is a successful development here, and anything we can do to facilitate or expedite getting it going and getting a new building is good for the community."

Mr. Rieley said he agreed with staff on every point. "I think that each of these issues have to be addressed in the substantive way. We've never approved any rezoning … on the basis of vague assurances of goodwill. We need serious proffers that deal in a real way with traffic issues; we the plans enhances staff in time for them to review them that are legible…we meet the issue of a greenway dealt with." He said staff's suggestions to deal with traffic in a substantive way were "right on target," especially the initiative to deal with traffic coming from the City to try to get it off of Fontaine. Mr. Rieley added that he would like to know what the level of service would be without the 25% the park adds, to help assess the park's impact.

Mr. Rooker emphasized that he would like to see a specific proposal for cost-sharing of traffic improvements. He said it would be helpful to do the extent to which the improvements being

discussed – the additional left turn lane on Ray C. Hunt, the extension of the ramp off of the 29/250 Bypass – will affect the level of service.

Mr. Blaine re-addressed the Commission. He said it was helpful to the applicant to hear the Commission's comments, and felt that most concerns could be addressed. Mr. Blaine stated that they would like the item reconsidered at the Commission's next available meeting.

Mr. Kamptner mentioned that the advertising for this item seems to indicate that just two parcels of the whole park would be rezoned, but the proffers – such as the pathway – would apply to the whole park. He cautioned that the item may have been improperly advertised, and suggested readvertisement for the entire parcel.

After some discussion, the applicant and the Commission agreed to hear the item at their August 29th meeting, so that the Board could consider it at their September 13th meeting.

MOTION: Mr. Rooker moved, Mr. Rieley seconded approval of deferral of ZMA 00-004 and SP 00-021 until August 29, 2000.

Commissioners requested additional information from the applicant:

- Proffers from the applicant regarding road improvements, traffic management, and cost-sharing, as well as pedestrian amenities;
- Information on traffic levels of service, including information of possible access from the rear of the property, and possible staggered work hours to alleviate traffic problems at peak traffic times;
- Information on the level of service without the 25% this property adds and the degree to which this property affects the level of service;
- Legible plans for staff and the Commission;
- Better information on stormwater management;
- More concrete responses to staff concerns;
- Information on pedestrian access and sidewalk location.

The motion passed unanimously.

Mr. Rieley asked staff to furnish a copy of the list of items the Commission would like to see with a rezoning.

SP-00-025 Woolen Mills Warehouse (Sign #45) - Proposal to amend SP 97-039 for additional fill in the flood plain of Moores Creek to accommodate an altered warehouse site. The site is 7.903 acres and is zoned LI, Light Industry. This property, described as Tax Map 77, Parcel 40R, is located on the south side of Franklin Street, between the Charlottesville City Limit and Moore's Creek. This property is located in the Scottsville Magisterial District and is recommended for Industrial Service in Neighborhood 4.

Mr. Morrisette presented the staff report, noting that the plan first came to the Commission and Board of Supervisors in 1997 for fill in the flood plain. He said that the original request came in as a preliminary site plan and fill in the flood plain request. Mr. Morrisette explained that it got

approval from the Board for construction, of two buildings and one building has been constructed. Another approved building has been redesigned, including a shift in positioning, which requires fill in the floodplain for one corner of the building. Mr. Morrisette said that staff feels it is a minimal amount of fill, and the Moore's Creek floodplain is driven largely by backup of the Rivanna River as it floods.

Mr. Morrisette said that one adjacent property owner has expressed some concern about what the fill would do. He added that county engineering has reviewed the proposal and determined that the impact would be minimal. Mr. Morrisette said that the applicant has offered to remove the same amount of cut from the floodplain to counterbalance the fill; however, staff feels that cutting could disturb the wetlands in the area. He noted that the applicant need a major site plan amendment to accomplish what's proposed. Mr. Morrisette mentioned that the shared parking is what needs to be approved.

Mr. Rieley asked what the area of cut would be cubic yards.

Mr. Morrisette responded that he was not given that figure, and suggested that the applicant or engineering provide that data.

Mr. Steve Snell of County Engineering said the volume is roughly 800 cubic yards.

Mr. Glenn Brooks of County Engineering clarified that staff took the 2400-foot area and multiplied it by three feet deep to get that figure.

Mr. Rooker asked if the determination was that this would have a minimal impact on the flow of Moore's Creek.

Mr. Snell responded that the flooding in those areas is not cause by Moore's Creek, it's caused by the Rivanna backing up.

Mr. Rieley asked approved the building on pilings was discussed with the applicant.

Mr. Snell responded that that is not allowed in the code; any type of structure is not allowed in the floodplain.

Mr. Morrisette added that the only way the ordinance allows for it to actually fill above the floodplain and build on that.

Mr. Rieley commented that that restriction is surprising, as it is more damaging that building on pilings.

Mr. Morrisette surmised that it may be for insurance reasons.

Mr. Snell indicated that the pilings could get undermined, causing structural damage.

Mr. Rooker commented that communities along the eastern U.S. are built this way.

Public comment was invited.

Mr. Katorah Rowell addressed the Commission, noting that this is a project for AHIP.

Mr. Rowell explained that he originally proposed the structure to have no added fill, just a raised building edge, but had to revise his plan when he found it wasn't acceptable. He mentioned that only five feet above the bank would be impacted during a 100-year storm. Mr. Rowell added that the main floor of the building would be seven feet above the floodplain.

Mr. Rooker asked if he had submitted a specific plan for stabilization of the fill area.

Mr. Rowell replied that there would be plantings, as well as an EC-3 Fabric, and required plantings in the BMP pond. He noted that David Hirschmann, County Water Resources Manager, had met the applicant on site and was satisfied with the plans.

Further public comment was invited. There being none, the matter was placed before the Commission.

Mr. Rieley said that he has mixed feelings about the proposal, as flooding is getting worse with increased development. "It's only because it really is a pretty small area."

Mr. Rooker asked Mr. Rieley if he felt the potential for cut in another area of the floodplain would be more damaging than helpful.

Mr. Rieley replied, "I think so."

MOTION: Mr. Rooker moved, Mr. Rieley approved SP 00-025 with conditions as presented by staff. The motion passed unanimously.

MOTION: Mr. Rooker moved, Mr. Rieley seconded approval for a request for cooperative parking associated with SP 00-025. The motion passed unanimously.

Other Public Hearing Items:

ZMA-2000-001 Covenant Church – Applicant seeks approval to rezone 0.611 acres from C-1 Commercial, to CO, Commercial Office. Property is described as Tax Map 61, Parcels 154C (portion of) and is located on the north side of Rio Road East, east of the existing railroad. The subject site is the existing Covenant Church. The property is located in the Rivanna Magisterial District and is designated for Neighborhood Service in Urban Neighborhood 2 of the Comprehensive Plan.

Mr. Morrisette explained that property was originally R-4, and was rezoned in 1994 by the Board of Supervisors to C-1; however, the county action letter was misprinted as CO, so the property has been mis-zoned for the past six years. He said that the condition and board acted on the item

in June to correct the mistake; however the staff report and public advertisement mis-labeled the property, thus prompting another hearing.

Mr. Rooker said that because the Commission dealt with the item with some specificity before, there is probably no need to discuss it in detail.

Public comment was invited.

None was offered, and the matter was placed before the Commission.

Mr. Morrisette mentioned that staff asked the applicant not to come to the meeting.

MOTION: Mr. Rooker moved, Mr. Rieley seconded approval ZMA 2000-001 with one proffer as presented. The motion passed unanimously.

SP 00-032 Free Bridge Auto Sales - Request to amend Special Use Permits 92-022 and 99-034, in accord with the provisions of Section 30.6.2.b of the Zoning Ordinance, to expand the outdoor display area of this automobile sales/repair facility. The 1.132-acre property is locate don the north side of Route 250 (Richmond Road). It is described as Tax Map 78, Parcel 57B and is located in the Rivanna Magisterial District. The property is zoned HC (Highway Commercial) and EC (Entrance Corridor Overlay District), and is designated for Regional Service uses in Neighborhood 3 of the Comprehensive Plan.

AND

SDP 00-062 Free Bridge Auto Sales Major Amendment – Request for waiver of Section 4.2 of the Zoning Ordinance to allow disturbance of critical slopes, to allow construction of a 2,938 square foot building addition and increase the display parking for auto sales at Tax Map 78, Parcel 57B.

Ms. Amarante presented the staff report, noting that Free Bridge Auto Sales on Pantops Mountain is requesting the amendment to increase their display parking area, as well as building site renovations in conjunction with the request. She noted that the applicant is also requesting a waiver to disturb critical slopes. Ms. Amarante said that the proposal is characteristic of other car dealerships in the Pantops area, and the Comprehensive Plan designates the property for Regional Service. She noted that the Architectural Review Board has determined that the character of the area will not be changed by expanding this use, and it will be in harmony with the purpose and intent of the EC District. Ms. Amarante added that the ARB has reviewed the request, and has expressed no objection to the proposed use, but has recommended conditions as outlined to the staff report. She concluded that staff recommends approval subject to conditions listed in the report.

Ms. Amarante mentioned that the construction of an additional 42 parking spaces for display will necessitate disturbing critical slopes. She added that the Engineering Department has reviewed the request for a waiver of critical slopes, and has recommended approval by stating that given the small size and location of the slopes, no problems are anticipated with regard to soil

movement, excessive stormwater runoff, or siltation of bodies of water. She added that the design planner for the ARB has reviewed the request and found that those substantial loss of aesthetic resources would result by allowing grading on the slopes. Therefore, staff also recommends approval of the critical slopes waiver request.

Mr. Rooker asked if all the additional parking would be added to the newly acquired 1.132 acres.

Ms. Amarante confirmed this, noting that the previous special use permits have dealt with the additional properties acquired, and this SP deals just with the parking on the parcel.

Mr. Craddock asked if the existing building would be removed, and replaced with it new structure.

Ms. Amarante replied that this is an amendment to the major site plan approved by the Commission last year. She noted that one of the ARB condition is to give the applicant a choice of keeping the building location where it is now, moving it closer to 250, or moving it back with additional plantings to screen the automobiles. Ms. Amarante said that the site plan can be approved administratively once the Commission acts; the ARB will also review the item again.

Public comment was invited.

Mr. Katorah Rowell addressed the Commission. He said that the owner found it was better to build a new structure and improve the overall setting.

There being no further public comment, the matter was placed before the Commission.

Mr. Rooker said that the plan is an improvement over the existing facility, and the conditions incorporate the original ARB conditions.

MOTION: Mr. Rooker moved, Mr. Rieley seconded approval of SP 00-032 with conditions as recommended by staff. The motion passed unanimously.

MOTION: Mr. Rieley moved, Mr. Craddock seconded approval of SDP 00-062 (critical slopes waiver) for Free Bridge Auto Sales.

New Business

Eastern Planning Initiative – Review of Plans – Thomas Jefferson Planning District Commission.

Mr. Wade introduced Hannah Twaddell and Mr. Bill Wahner of the Thomas Jefferson Planning District Commission.

Ms. Twaddell explained that the project was funded by the Federal Highway Administration with the goal of designing a computer model that looks at the land areas today and how development patterns have happened, and gives the option of "trying out" alternative scenarios for long-term development (50+ years out). She stated that "community elements" are incorporated into a

regional plan for growth, taking into account environmental constraints and other impacts. Ms. Twaddell said they have identified about 20 different patterns or community elements that exist in the region today, looking at land in 30-acre sections.

She said that rearranging some elements – buildings, streets, etc. – can lead to an urban mixed-use environment (like Downtown Charlottesville), or a suburban mixed-use environment with more open space, one or two larger streets, and fewer housing types. Ms. Twaddell said that the computer model allows her team to try out different configurations for future use, and mentioned the similarities to DISC. She added that town and village concepts are also being considered, along with a transportation model for the region.

Mr. Rooker asked when the transportation model would be complete.

Ms. Twaddell responded that their consultant has set up their system to feed into the existing Menu PT system, which is already used for transportation modeling. She said that the development patterns experimented with will be run through the model for an outcome as to what types of density, gross population, and related costs would be involved in establishing a transportation network.

Mr. Rooker asked when the software would be ready.

Ms. Twaddell said they would be able to model transportation this fall.

Mr. Rooker commented that it would be helpful for the county to be able to use their transportation models to see how they impact traffic movements, given VDOT's plans for road "improvements" in the area.

Mr. Finley asked what model they were using.

Ms. Twaddell responded that it takes forecasts of jobs, population, school enrollment, and other demographic data drawn from the county's Land Use Plan, then takes the data and assigns it to the region based on density in zones. The Menu PT system then takes the data and forecasts traffic patterns.

Mr. Finley noticed the few mentions of rural areas in the plan.

Ms. Twaddell said that the TJPDC Advisory Committee is well represented by rural area advocates such as the Piedmont Environmental Council, as well as developers.

Rural Area Transportation Study (Year 2015)

Mr. Wahner addressed the Commission.

Mr. Wahner said that the RATS plan has been developed over the past year to help coordinate land use and transportation planning, as well as interrelating rural and urban transportation plans. He said that the CATS study is federally mandated, and RATS deals with things outside of the

urban areas. Mr. Wahner noted that VDOT has projected out for 2015 also, which are identified in the RATS report. He said that the study is "long on information, but short on recommendations."

Mr. Rooker asked to what extent the rural areas have the capacity of making recommendations that can be heard at the state level as opposed to cataloging information about what the state plans to do.

Mr. Wahner said, "I hope that this will be another tool, another voice for our region in arguing our case persuasively to VDOT…we're building a case for that."

Mr. Rooker asked if there is a mechanism in place to establish road priorities on a regional basis for recommendation in the rural areas.

Mr. Wahner replied, "No. Not at all. This is the only thing we have that even approximates that right now." He said that rural counties are not as far along as urban areas in their transportation planning.

Mr. Finley asked if the PDC was in touch with VDOT.

Mr. Wahner responded that they are, and are trying to find a more effective tool for persuading VDOT.

Old Business

After some discussion, the Commission agreed to hold their next DISC worksession on August 15, 2000 at 4:00 p.m.

Mr. Rooker stated that it is important to get Board action along the way in the DISC process, perhaps after the Commission adopts sections dealing with the principles. "It would be an absolute catastrophe to go through 100 hours of worksessions…to find out it never passes at the Board of Supervisors."

Mr. Benish said he would try to get some feedback from the Board on their plan for dealing with the adoption of the DISC principles.

There being no further business, the meeting was adjourned at 9:00 p.m.