Albemarle County Planning Commission
November 14, 2000

The Albemarle County Planning Commission held a meeting and a public hearing on Tuesday, November 14, 2000 at 6:00 p.m. at the County Office Building – Charlottesville, Virginia. Members attending were: Mr. William Finley, Chairman; Mr. Dennis Rooker, Vice-Chairman; Mr. Pete Craddock; Ms. Tracey Hopper, Mr. Rodney Thomas; Mr. Jared Loewenstein and Mr. William Rieley. Other officials present were: Mr. Wayne Cilimberg, Director of Planning and Community Development; Mr. Greg Kamptner, County Attorney; Mr. David Benish, Chief of Planning & Community Development and Mr. Juandiego Wade, Transportation Planner.

Approval of Minutes – October 3, 2000
The Commission moved, seconded and unanimously approved the minutes of October 3, 2000 as amended.

Matters not listed on the agenda from the Public
None were offered, and the meeting proceeded.

Review of Board of Supervisors Meeting – November 8, 2000
Mr. Cilimberg presented an overview of the Board of Supervisors November 8, 2000 meeting.

Consent Agenda

SP 00-126 – Hilltop Diner Site Plan Waiver - A Site plan waiver request for renovations to a 3,000 square feet eating establishment on 0.987 acres zoned HC (Highway Commercial).

Mr. Loewenstein moved, Mr. Rooker seconded approval of the Consent Agenda. The motion passed unanimously.

Item Requesting Deferral

ZMA-2000-007 Mill Creek North – Village Homes II (Sign #71) – Request to rezone 7.1 acres to amend the existing Mill Creek PUD to increase the allowed number of dwelling units. The property, described as Tax Map 90C Parcels D&E, is located in the Scottsville Magisterial District on Stoney Ridge Road on the south side of the Southern Parkway. The Comprehensive Plan designates this property as Neighborhood Density, recommended for 3 - 6 dwelling units per acre in Neighborhood 4. *Applicant requests deferral to November 28, 2000.*

Mr. Rieley moved, Mr. Rooker seconded approval of deferral of ZMA-2000-007 to November 28, 2000. The motion passed unanimously.

Deferred Item

SP-2000-43 Rodgers Residence (Sign #23, 24, 25) - Request for a special use permit to allow a private school in accordance with Section 10.2.2..5 of the Zoning Ordinance, which allows for private schools. The property, described as Tax Map 94 Parcels 31, 31A, 31B, 31C, and 31D, contains 12.17 acres, and

is located in the Rivanna Magisterial District on Union Mills Road [Route 616] at the intersection of Union Mills Road and Richmond Road [Route 250].The property is zoned Rural Areas [RA]. The Comprehensive Plan designates this property as open space in Rural Area 2. *Deferred from the October 3, 2000 planning commission meeting. Applicant requests withdrawal.*

Mr. Rieley asked what was the reason for the withdrawal, inquiring as to whether or not the numbers the Commission seemed to be on the verge of proposing were a reason.

Mr. Wade stated that he believed the numbers were an issue as well as the issue of the land having been sold.

MOTION: Mr. Rooker moved, Ms. Hopper seconded acceptance of the applicant's request for withdrawal of SP-2000-43. The motion passed unanimously.

Public Hearing Items:

SP-2000-55 Mt. Sinai Baptist Church (Sign # 93) – Request for a special use permit to allow a dining hall addition to an existing church in accordance with Section 10.2.2.35 of the Zoning Ordinance which allows for church building. The property, described as Tax Map 18 Parcel 31, contains 2.009 acres, and is located in White Hall Magisterial District on Simmons Gap Road [Route #663] approximately 1.4miles from the intersection Buffalo River Road [Route 604]. The property is zoned Rural Areas RA. The Comprehensive Plan designates this property as Open Space in Rural Area 1.

Mr. Wade presented the staff report, explaining that the request is for a 30x40' addition to an existing church located on Simmons Gap Road. The site is located in the rural areas surrounded by woods. There are no homes within visual sight of the home. The addition will be used to prepare communion services and for 2-25 members to congregate after church. It will occasionally be used for special programs. The addition will be constructed with material similar to the existing church. The addition will be used the first and third Sunday of each.

Mr. Rieley asked if Simmons Gap Road was a paved road

Mr. Wade responded that in this area, the road is paved.

Mr. Loewenstein asked when the existing building was constructed.

Mr. Wade responded that it had been constructed in 1892.

Public comment was invited.

Nathaniel Wright (Deacon) and James Washington (Pastor) addressed the Commission. The applicants would appreciate the Commission approving the request for the addition as it would allow them to execute the programs of the church more efficiently and without regard for weather conditions.

Mr. Loewenstein asked the applicant whether or not the addition would be attached to the existing building.

Mr. Washington stated that the addition would be attached to the existing building.

Mr. Loewenstein asked how large the addition would be in square footage.

Mr. Wright responded that it would be a 30x40' addition.

Mr. Loewenstein ascertained that this would be a one-story, framed addition.

Mr. Rieley questioned where cars parked at the current location and asked whether or not there have been problems with traffic given the current parking situation.

Mr. Washington replied that cars currently park out front where the two drives come together and there have been no parking problems. The applicant further stated that VDOT has made recommendations for changes that the applicant would have no problems incorporating.

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

Mr. Rieley noted that on rural churches, the Commission has not typically required the VDOT recommendation for a 30' commercial entrance. The suggestion that one of the two entrances be closed is reasonable due to sight distance constraints.

Mr. Rooker moved approval of SP-2000-55 subject to the following conditions:

1. The applicant shall close the northern entrance and extend the drainage ditch through the entrance area and seed. The existing fence on church property near the southern entrance should be kept clear of the road. All improvement shall be done to VDOT's approval, except for the widening of the southern entrance.
2. There shall be no day care center or private school on site without a separate special use permit.
3. Any future expansion of the church structures or use shall require amendment to this special use permit.
4. The site shall be developed in general accordance with the concept plan known as The Mt. Sinai Baptist Church Property Conceptual Site Plan by Gloeckner Engineering\Surveying Inc. dated 11/9/99. Locations of building is approximate; and
5. The applicant shall obtain approval from the Health Department.

Ms. Hopper seconded the motion, which carried unanimously.

SP 2000-56 Dennis Enterprises (Sign #93)--Request for special use permit to allow additional vehicle display parking in accordance with Section 30.6.3.2.b of the Zoning Ordinance which allows for outdoor storage and display. The property, described as Tax Map 78 Parcel 13, contains 2.748 acres, and is located in the Rivanna Magisterial District on Richmond Road [Route # 250] approximately 1 mile from

the intersection of Richmond Road and Stony Point Road. The property is zoned HC, Highway Commercial, EC Entrance Corridor. The Comprehensive Plan designates this property as Regional Service in Development Area 3.

Mr. Glass presented the staff report, noting that the proposal is the expansion of an existing use to the Dennis Enterprises site plan. The outdoor storage and display in the entrance corridor requires a special use permit. Condition #2 of SP-98-13 states that: "Vehicles shall be displayed only in areas shown on the site plan." Therefore the proposal for additional parking requires a special use permit. The ARB has taken a look at this. The ARB recommendations are included in the Staff Report (copy attached).

Mr. Glass made special note of the last two conditions that the ARB recommended regarding interior parking lot trees. The applicant has provided a plan to the ARB that shows compliance with the ARB's recommendations.

Mr. Loewenstein asked for the size of the increase in use either in terms of percentage or number of spaces.

Mr. Glass replied that there are 37 new parking spaces. He stated that the applicant originally proposed 43 new and left six.

Mr. Loewenstein asked for the number of existing spaces.

Mr. Glass replied that there are currently 156 parking spaces and the proposed spaces bring the number to 193.

Public comment was invited.

Mr. Brian Smith, addressed the Commission. He introduced himself and welcomed any questions.

Mr. Craddock asked whether or not the dirt was already there.

Mr. Smith replied that it was and is leveled out. There is a rip-rap channel going through that area that will be replaced with piping. The piping will then be covered over and parking spaces put in.

Mr. Loewenstein asked whether or not the drainage would go from the parking lot would go into the sanitary sewer.

Mr. Smith replied that the drainage from the parking lot will go towards the left of the site into a bio-filter area; the overflow will go into piping and back out into the rip raft channel.

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

Mr. Rieley clarified that the only real issue before the Commission is the display parking.

Mr. Rooker moved for approval of SP-2000-56, subject to the following conditions:

1. Vehicles on display shall not be elevated.
2. Vehicles shall be displayed only within the areas designated for display on the site plan labeled sheet 2 of 4, entitled "Dennis Enterprises, Inc. Site Plan Amendment (siterev2.pro)" with revision date of August 28, 2000.
3. The use shall not commence until a Certificate of Appropriateness is issued by the Architectural Review Board for the associated site plan amendment, to include ARB-required landscaping

Mr. Rieley seconded the motion, which carried unanimously.

SDP – 00-109 Northern Albemarle Elementary School Preliminary Site Plan and 2232 Review/Compliance with the Comprehensive Plan – Request for preliminary site plan approval to construct an 82,726 sq. ft. elementary school on a 55 acre site. This request is accompanied by a request for waiver of Section 4.2 of the Zoning Ordinance, which prohibits construction on critical slopes, and a waiver of Section 4.12.6.2 of the Zoning Ordinance, which prohibits one way circulation. This request is also accompanied by a review of the proposal for compliance with the Comprehensive Plan as required by Section 15-2232 of the Virginia Code. Property is primarily zoned RA (Rural Areas) with a secondary zoning of R-1 (Residential) and is described as Tax Map 46, Parcels 30 & 30A. The site is located on State Route 649 (Proffit Road) 840'? north of Lanford Drive. This site is located in the Rivanna Magisterial District and is recommended for Neighborhood Density uses in the Hollymead Community.

Mr. Benish presented the staff report stating that this is a request for a preliminary site plan approval for an 82,726 square foot. elementary school. The request is accompanied by a request for a waiver for construction on critical slopes and a waiver to permit one say circulation on site. The site is located on the western side of Route 649 (Proffit Road) north of Lanford Drive and is adjacent to the Chesterfield, Jefferson Village, Lanford Hills and Forest Lakes North subdivisions. The property is zoned RA and R1 and is located in the Rivanna Magisterial District and is within the development area of the Hollymead neighborhood.

Mr. Benish pointed out that the Site Review Committee has reviewed the proposal for consistency with provisions of the Zoning Ordinance and found it in compliance with all of the conditions recommended or addressed. He further stated that staff has also reviewed the site for compliance with the Comprehensive Plan and recommend its compliance with the Plan as well. The two particular issues that the Commission needs to address tonight regarding the waiver request for critical slopes: The applicant proposes to grade existing critical slopes. There is approximately 3.82 acres, or 7% of total site area. The areas of critical slope, which will be disturbed, are associated with small streams, which run through the parcel. Disturbance of these areas is necessary for the construction of a road to serve the school and for the school site itself.

Mr. Benish stated that Planning staff found no conflict with the proposal to construct the critical slopes and recommends approval of the request with a condition requiring the Landscape Planner's approval of the material for re-vegetation of the disturbed slopes especially along the trails.

Mr. Benish stated that both Planning staff and Engineering staff had reviewed the request for the one-way circulation wavier. The one-way circulation is where the bus drop-off and the parent drop-off locations on site. The Planning and Engineering Departments are also recommending approval of that site plan waiver.

Mr. Benish noted that public projects such as this also have to go through a compliance with the Comprehensive Plan process. Staff has provided the Commission with a copy of that (copy attached hereto) and finds the site in compliance with the Comprehensive Plan

Mr. Rieley seconded the motion, which carried unanimously.

Mr. Benish introduced Lisa Glass (Department of Education), Mike Stembaugh (Engineering Department) and Mark Graham (Engineering Department).

Mr. Rooker questioned the proposed timing of the improvements for the entrance to the elementary school at Route 29 with respect to the opening of the school.

Mr. Benish stated that the improvements to Proffit Road have been in the County's six-year plan for a number of years. The scheduled provided by VDOT indicates that advertisement for that project will not be until 2006. Mr. Benish further stated that almost all of the projects in the six-year plan have been moved back based on issues of funding availability and timing for new review requirements. There are no specific plans as yet.

Ms. Hopper asked when construction would begin if the project were advertised in 2006.

Mr. Benish stated that the advertisement date if February, 2006 and the construction completion date would be June, 2007.

Mr. Rooker asked what the potential would be for moving this up on the six-year plan in light of this project, which was not anticipated at the time, the Six-year Plan was passed.

Mr. Benish stated that staff is trying to pursue the possibility of moving the improvements to Proffit Road up as they meet with VDOT in preparing the proposed Six-year secondary plan review ready for the Commission's consideration. Staff has tried to have these improvements advanced above others that have been prioritized above it.

Mr. Cilimberg pointed out that there is a process that VDOT has to go through involving designs, hearings, advertising and right-of-way acquisition that play into timing as much as the funding does.

Mr. Benish added that VDOT generally estimates a four year period from beginning to end before you can go to construction with location and design public hearings and internal work to develop those plans. The funding aspect of this is that other higher priority projects that are in the process now, the cost estimates of those have gone up fairly significantly. This has cut into the pool of money available for projects prioritized below it.

Mr. Craddock asked if these improvements on Rt. 29 are all the way through Proffit Road, or from Rt. 29 to Proffit.

Mr. Benish replied that what is in the Six-Year Plan right now is a listing for consideration of improvements from Route 29 to the Proffit Road area. The improvements will be done in segments. Route 29 to Worth Crossing will probably be four lanes. The point from that point to the school generally is more of a neighborhood type road project. These estimates are based on those two areas combined.

Ms. Hopper asked whether or not the County has any authority to decide that this is a priority with VDOT and work on the road improvements.

Mr. Cilimberg responded that because the project would ultimately have to go through VDOT as a public road project, Airport Road being an example, the County taking that lead doesn't end up expediting the project.

Mr. Loewenstein stated that with the exception of Merriweather Lewis School, he could not think of any other school that's been constructed in this County in the last quarter century or more that has been sited on a road with the kind of cross section that Proffit Road has now and will continue to have in the foreseeable future immediately past the school site. He asked Mr. Benish whether he could think of one built recently on a fairly narrow rural cross section road?

Mr. Benish responded that Crozet Elementary School is similar though not exactly the same.

Mr. Loewenstein clarified that his point was that this is a lengthy process even to get that portion of the road approved. His concern is about what happens in the meantime with school busses on that road and parents in that neighborhood who will also be served by that school who are also concerned. He noted that there have been a couple of public meetings in those neighborhoods and the overwhelming concern regarding road safety; which is of great concern on Proffit Road currently. He again expressed concern over the time table and its impact on both the children and the community. He stated that he was also concerned about a larger issue related to roads. He does not see anything in the proposal and is not convinced that there couldn't be something in the proposal that would allow for some kind of access from this site to the west or north or maybe even south. He is not sure if that kind of activity aspect has been thoroughly investigated and feels that it should be, both for Comp Plan reasons and for transportation reasons. He also thinks that the Commission needs to start looking at the macro view of the transportation issues in that general area. He pointed out that there are other potential large scale developments that may go in, in the foreseeable future north of Proffit Road that could very much have an impact on the existing network of roads throughout that area. He feels that the school site is a good opportunity for the Commission to take a look at the larger view.

Ms. Hopper stated that this is an opportunity to see if the Board of Supervisors would make a request that VDOT limit any vehicle that has more than two axles on the road and keep the speeds low.

Mr. Loewenstein agreed and stated that he knows this to be something that the neighborhood has been considering for a while even though the request has not come to the Commission yet.

Mr. Rooker asked if the discussion in the staff report regarding the 25 mph speed limit meant that there was an intent to lower the speed limit on other parts of the road.

Mr. Loewenstein answered no, that the current speed limit is 45 mph. The road is a pretty heavily used commuter road right now. It is serving as a de facto eastern bypass.

Mr. Finley asked whether or not the main concern was traffic in and out of the school, noting that busses travel all over the County on roads worse than this.

Mr. Loewenstein acknowledged this but noted that this road would have more traffic because the road serves the school. Proffit Road would be the only way in and out of the school.

Mr. Finley asked for clarification on the statement that this project would give the Commission (County) an opportunity to take a look at the larger view.

Mr. Loewenstein stated that while the school is a project that has recently come before the Commission, there other projects that the Commission is currently look at up at the cross roads and north of the cross roads on 29 and east of 29 that will have an effect on that area of the County and the existing road network which is already heavily overburdened. The school is the first thing that the Commission has been able to look at that gives a clear sign that there is more ahead and this must be dealt with. His feeling is that for safety reasons the place to start is with the school.

Mr. Cilimberg noted for the Commission that the staff will be bringing some transportation improvement recommendations for this Hollymead community in a couple of weeks which are tied into the amendment recently presented regarding Town Center but also expand beyond that. Staff is also beginning work with the Charlottesville Area Transportation Study, which addresses the big picture of transportation facilities. This is tied into this Eastern Planning Initiative which covers this area and tries to identify future transportation improvement needs.

Mr. Loewenstein stated that he is interested in seeing the improvements that are recommended for the thing that the Commission has been looking at for awhile.

Mr. Cilimberg noted that most of the streets that are in adjacent neighborhoods are cul-de-sacs and most have houses in those cul-de-sacs. Pedestrian and bicycle access were worked on in this project.

Mr. Loewenstein stated that he would like to be sure that the Commission has investigated on this particular site plan every possible means of doing it at a higher level of access without the need to tear down houses. Given that the school site that the County has doesn't meet many of the fundamental DISC concepts. It is not located in the center of a development area but on the edge. It is not interconnected. It is not easy to walk to. He would like to look at other ways of connecting it with more than pedestrian paths would be worth looking into.

Ms. Hopper stated that she would like to see as many accesses as possible. She notes that there is Jefferson Village and Forest Lakes

Mr. Rooker noted that the issue of access is particularly important since this property will not only be a school but a community park and recreation facility to be used by the broader community.

Mr. Benish clarified that the discussion was with respect to car access as opposed to the busses coming through the neighborhood.

Mr. Loewenstein stated that he would like to be able to get to the school without having to go back onto 29.

Mr. Rieley stated that he agrees with all of the prior comments. He stated that in addition to the macro issues there are internal site plan organizational components to the idea that will make it work or make it more difficult. The package included confusing renderings of the site. He wanted to know to which rendering should the Commission be referring.

Mr. Benish stated that the full size attachment is the one to which the Commission should be referring.

Mr. Rieley noted that this is not the one on display. The current plans were the ones received November 7th.

Mr. Cilimberg states that Engineering staff might want to speak to the plans as there may have been some changes that may be of note to the Commission.

Public Comment was invited.

Jack Clark, applicant, introduced himself and those with him. The applicant passed out a handout that included information about the project. He stated that he is before the Commission to request two site waivers and to request the Commission's review for compliance with the County's Comprehensive Plan. The first waiver is for critical slopes. The slopes have been reviewed by a geotechnical engineer and has concluded that the soils of the site and the proposed slopes are acceptable with the compaction, protection and the vegetation establishment measures proposed for those areas.

Mr. Clark stated that the second site waiver is for some safety reasons, that is the one-way circulation on the bus loop area and the parent drop-off area of the school.

Mr. Clark explained the design process used to get to this point. A committee made up of principals, teachers, parents and staff were charged to come up with a prototype elementary school floor plan for 600 students. This prototype is designed to be used for this school as well as for schools in the future. The plan is a single story building. There are some step or level changes in the building itself. The cafeteria and the gymnasium are taller by about three feet than the academic areas.

Mr. Clark noted that two areas of concern on this project were safety and security, having single point surveillance for people entering the site from vehicles and providing natural light for the building. Mr. Clark reviewed the site plan with the Commission. Mr. Clark identified the most current site plan. He noted that the main change in the site plan was the location of two baseball field

Mr. Rooker stated that he would like know whether or not the plans to which Mr. Clark was referring were consistent with what the Commission had been provided in their packets.

Mr. Clark stepped over to the site plan and began explaining what is on the plan, pointing out specific roads, sewer lines, most buildable areas (2), the placement of the building itself, areas of fill, entrance, parking area, parent drop-off area, bus loop, service area for building, four play fields, hard surface play areas and playgrounds, access roads associated with fields for after hours use only.

Mr. Rooker asked whether or not the fields would be lighted.

Mr. Clark stated that they would not be lighted. He went on to point out walking/bike trails, still water management pond, maintenance access, existing woods that will remain.

Mr. Rieley asked how far the land slopes down from Proffit Road to the stream.

Mr. Clark replied much more than three feet.

Mr. Rieley stated that the land slopes more than 50 feet.

Mr. Clark spoke to the building orientation of the school. There is a single access point to the property for security and safety reasons. There are lots of windows to provide surveillance of people coming into the property. All of the vehicular areas are in front of the school for security and safety reasons as well. There are pedestrian bike paths provided to meet the Comprehensive Plan.

Mr. Loewenstein asked what the width of the wooded buffer to the north and to the south would be at its narrowest point.

Mr. Clark replied that it would be approximately 25 feet. He noted that there are some areas to the south that will need some additional vegetation to be provided by the applicant.

Mr. Rooker asked whether the applicant looked at the issue of connectivity in designing this site.

Mr. Clark replied that connectivity as far as pedestrian/bike path was considered but not as far as vehicular connectivity.

Mr. Finley asked whether or not the front elevation goes to Proffit Road.

Mr. Clark replied that it does not.

Mr. Rooker asked Ms. Glass to elaborate on the fact that there are no options on the connectivity issue and what was considered in coming to this conclusion.

Lisa Glass, School Department and Building Services Engineer, introduced herself. Mr. Reaser met with the Director of Planning and the Director of Engineering prior to its purchase. At the time of purchase the applicant was aware that the site was surrounded by subdivisions with cul-de-sacs and that there was not opportunity for connection of a roadway. There were only two reasonable connections

identified. Ms. Glass pointed those out on the site plan. She stated that the Comprehensive Plan calls for Powell Creak to be a greenway so a road connection was not considered there. Ms. Glass pointed out the other option for a road adjacent to the parcel.

Ms. Hopper asked why the terminus into Jefferson Village was not a reasonable option.

Ms. Glass stated that she would not recommend it. She stated that she would anticipate many complaints from the neighborhood.

Mr. Rooker asked how many people live in the subdivision to the north, stating that connectivity would serve the people living in the subdivision to the north.

Ms. Glass replied that she could not guarantee that those children residing in the subdivision to the north would be attending school at the proposed site.

Mr. Rooker stated that when redistricting happened he would hope that connectivity would be a consideration.

Ms. Hopper then asked whether or not redistricting needed to happen before the Commission proceeded with this matter.

Ms. Glass stated that that would not be reasonable.

Ms. Hopper asked what the redistricting timeline was.

Ms. Glass replied six months.

Mr. Reaser replied May 2001.

Ms. Hopper asked whether or not redistricting was ever done before you get into the planning issues.

Mr. Reaser replied no, that a site is needed before the redistricting process begins.

Ms. Hopper noted that in considering options the Commission keeps running into the issue of attendance at a particular school and therefore options of connectivity continue to get shot down.

Mr. Loewenstein stated that he did not think the lack of redistricting was a valid reason to keep putting off the issue of connectivity because interconnectivity would be a good thing regardless of where the children are coming from.

Ms. Hopper added that the use of the site by the entire community would also encourage interconnectivity, especially with all of the pressure on Proffit Road. She also noted that more access points have been required on much smaller sites.

Ms. Glass replied that typically access points are restrained for security reasons.

Mr. Rieley stated that there are policy concerns as well. He stated that as with Monticello High School, a road could be imagined on this site that runs through the property that serves the schools and play fields that does not violate the essential principal of security.

Ms. Hopper stated that what she understood Ms. Glass to be saying was that in looking at connectivity issues the Commission should also look at any security issues that might be created. She said that while this certainly seems reasonable to her this site requires more than one access point.

Ms. Glass asked if that was based on the Comprehensive Plan. She further stated that the applicant was before the Commission tonight for three reasons.

Ms. Hopper acknowledged that she knew the three reasons.

Ms. Glass stated that while she may agree with the points being made, the applicant is considering the Comprehensive Plan as it is written and asking if they are in compliance with that Plan.

Mr. Rooker asked whether or not the Commission was approving or disapproving the preliminary site plan.

Mr. Benish said that the Commission was taking action on the preliminary plan.

Mr. Rooker noted that while the Commission is being asked to determine if the project is consistent with the Comprehensive Plan it is also being asked to approve the preliminary site plan which raises consideration of issues that go beyond Comprehensive Plan compliance.

Ms. Hopper stated that the Commission could go through the Comprehensive Plan and examine how this site plan is not consistent with it, if necessary.

Mr. Finley stated that he felt that Ms. Glass does not approve of the connectivity and requested to hear her reasons from a school viewpoint

Ms. Glass stated that from a school view point given the fact that children need to get into a building and this site has been purchased the process needs to move forward.

Mr. Rieley addressed Ms. Glass stating that he thought that she would agree that the Commission needed to review the proposals from the County in the same way that it would review proposals from anyone else.

Ms. Glass concurred.

Mr. Rieley stated that the Commission hears urgency from developers daily as an issue as to why a project needs to move ahead and that this proposal needs to be treated in the same even-handed way as those.

Ms. Glass clarified that there was a site plan submitted earlier that had the baseball fields in a different location. The fields were moved and therefore the package was updated. There was also a separate

package sent asking for informal questions in advance so that the applicant would be better prepared to respond to the questions.

Mr. Rieley stated that he thought Mr. Clark made mention that it was less expensive to put the building on cut which he found to be an extraordinary statement unless Mr. Clark meant as opposed to putting it on fill.

Mr. Clark stated that Mr. Rieley was correct, stating that there are soft soils that the applicant wants to avoid.

Mr. Rieley asked how much cut and how much fill is being discussed for this proposal.

Scott Brown, Timmons Engineers, stated that it was in the ballpark of 120,000 cubic yards of material on-site that would be moved.

Mr. Rieley asked how close those numbers were, noting that he calculated one baseball field at 30,000-40,000 cubic yards.

Mr. Brown replied that those numbers came off the top of his head.

Mr. Finley asked whether the 22 students per classrooms were dictated by the state.

Mr. Clark stated that the state does not dictate to local localities, as they used to.

Mr. Finley asked if Monticello was the first school to have 22 students in the County.

Mr. Reaser stated that that is a different discussion. He did state that the School Division changed from 29 to 22 in the mid '90s

Mr. Finley asked if 22 students per classroom were the standard.

Mr. Reaser said that it was actually lower than 22 students per classroom for some elementary schools depending on the staff.

Mr. Finley clarified that he was referring to design numbers as opposed to staffing numbers noting that there is a considerable cost difference between 25 and 22.

Mr. Clark stated that School staff has met with neighboring property owners via public meetings and received positive feedback. School staff has also had several meetings with individual property owners and plan modifications have been made in response to those meetings. The soccer field has been moved further to the north. A few property owners where there are some narrow areas that were not vegetated will be vegetated. The applicant has also modified the plan as previously mentioned by moving the baseball fields. Mr. Clark concluded by asked that the Commission grant the two site waivers mentioned and find the site design in compliance with the County Comprehensive Plan.

Mr. Craddock asked if the Northern Elementary School Building Design Committee was a site-specific committee.

Mr. Clark stated that the committee was organized in 1999 and went through the initial design phases without a site. The building design therefore came out of the committee without a site. The committee has since met and looked at the site plan.

Mr. Craddock asked whether or not the general public was represented on the committee.

Mr. Reaser responded that the principals from the five potential feeder elementary schools, teachers and parents from the general public. He also stated that the School Board had public hearings input concerning the design.

Mr. Craddock asked if once the site had been chosen, were other people from the surrounding community placed on the committee

Mr. Rooker ascertained that Mr. Reaser, representing the schools, met with a number of neighborhood groups.

Mr. Reaser replied Lanford Hills, Forest Lakes and residents of Jefferson Village. There were two advertised public meetings and mailings and visits to individual residents.

Mr. Rooker stated that he assumed that there was some input from the public as a result of these meetings and contacts and changes had then been made to the site plan, mentioning the earlier statement by Mr. Clark as to the moving of the soccer field and other changes.

Mr. Clark stated that the move of the baseball fields came more from input of staff and Engineering.

Mr. Finley asked about the sustainability of Monticello and how much of that was incorporated into the design before the Commission.

Mr. Clark stated that one of the major hallmarks of Monticello High School is daylight in that building. He stated that after a visit to Monticello High School the architects incorporated the daylight into the Northern Elementary school. The design is essentially a compilation of Cale and Agnor Hurt but he big change is putting natural light in the building. Some of the energy saving measures from Monticello High School have also been incorporated.

Mr. Loewenstein asked staff what is typical number of school buses coming into the site.

Mr. Reaser stated that when the school is full it would be a maximum of ten buses; or 40 trips if they all left.

Arthur Watson, resident of Proffit Road, addressed the Commission stating that the school to be built on Proffit Road does not comply with the County's Comprehensive Plan. First, the location is on a curvy rural road; second the only way to get children to the school is to be bused or driven; third there are numerous improvements would be necessary to Proffit Road. Mr. Watson asked what land and homes

would be used to straighten out the road's dangerous curves. He also asked if the one lane wooden bridge in the strike area of Proffit that is now owned and maintained by the railroad need to be replaced at County cost and upkeep. Mr. Watson also asked what the cost of busing children year after year instead of having them walk to school. Mr. Watson would like to see these issues address before the school is built rather than dealing with them after. He further stated that the design of Proffit Road is not suitable for heavy traffic. He asked if another project with 120 parking spaces be approved for this site. He further stated that it would be negligent to place a school on this road without safety studies. Changes in the road need to be taken into account as part of the cost and the choice of the location of the school..

Mr. Watson stated that as he understood it schools are not planned ahead of time and therefore this school is on a fast track to meet the urgent needs of the community. He perceives the review by Planning staff to be minimal and lacks due diligence. Redistricting should determine who will attend the school before the school is built.

Mr. Finley left the meeting.

Mr. Rooker stated that Mr. Finley had to leave the meeting and he would; therefore, chair the remainder of the meeting. He asked for further comment from the public.

Fred Gerke, President of the Proffit Community Association introduced himself to the Commission. He stated that he was not there to speak for or against the school, stating that most residents in the area consider "this to be a done deal." He noted that on November 2nd the community sponsored a forum at Evergreen Baptist Church. He commended the School Division for seeking this meeting and its desire to work with the community. He stated that there were several County officials in attendance as well as Planning Department and Engineering Staff. The need for the school is not questioned and under the circumstances the site must be made to work. However, the site is less than ideal because of the limited access. Mr. Gerke noted that the meeting gave residents an opportunity to vent their frustration and concerns regarding the traffic and safety issues along Proffit Road and in this area of Albemarle County. Mr. Gerke stated that while the new school addresses the school needs of the County it does not address the transportation infrastructure needs. He noted that spot improvements are much like spot zoning. It addresses one need by creating other problems and negatively impacting surrounding areas. There is a need for a new holistic approach to transportation and the need in general instead of the present tardy piecemeal approach. The problem has many causes and no one easy solution. To the end of sitting down and looking at the larger picture and going beyond talking the community is attempting to form a committee to address some of the problems Mr. Gerke has mentioned and hopes that the other groups and agencies involved in transportation will participate.

Vincent Fairbrougger, resident of Lanford Hills Drive addressed the Committee. He stated that one of his concerns is that the site is on a hill and the amount of excavation to be done to the site to backfill for the school and how it will effect the community's water supply. The homes on Lanford Hills Drive are on wells. Traffic is also a concern. It has increased in the last year and the school will only make it worse.

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

Mr. Thomas stated that he feels that the urgency of the schools is superseding the safety of Proffit Road. He acknowledges that another school is needed, and needed badly. He would like to see something done to the road as soon as possible if the school is to be built on this site. The school will create a lot of additional traffic on that small road. He reiterated that he would like to see something done to that road before the school is built.

Mr. Rieley agreed. He further stated that when he looked at the plan and then drove over to the site he felt that it looked as though the building had been designed with no regard for the site. He noted that Mr. Clark confirmed that this is exactly what had happened. A Commissioner stated that the larger issue raised by the plan is how the County builds in the development areas. He feels that the County must build in a way that makes connections not only to the adjacent areas but that acknowledges the presence and the fragility of the road. This building sits 90 degrees to the road and about 30 feet lower than the road and it requires the sloping piece of land that drops more than 50 feet. It further requires a 700 foot long virtually level platform. The site is beautiful. He drew an analogy to 5th Street and the way in which the Commission looked carefully at that site and tried hard to insist on a proposal in which needs of the developer meshed with the needs of the community and the specific character of that site. This site really does have a specific character. He stated that the plan as presented is not in compliance with the Comprehensive Plan, does not justify the site waivers and does not justify the one-way circulation. He advocated stepping back and working on the shortcomings.

Mr. Rooker reiterated that he would like to see road improvements done before the school is built.

Mr. Loewenstein and Ms. Hopper agreed.

Mr. Rooker asked whether the Commission was suggesting that the matter be deferred for a period of time for staff to consider some of the comments and bring back a revised preliminary site plan.

Mr. Rieley stated that he would like to see this go back to the building design stage because putting this building that was clearly designed for a flat site on this site will not be successful.

Mr. Loewenstein agreed with Mr. Thomas regarding putting concerns ahead of safety issues and went on to state that the best design for the facility itself was becoming a secondary concern. Recognizing a clear need for the project to move along the suggestion should be that the building committee try to work this along and get it back to the Commission as quickly as it can.

Ms. Hopper agreed. She further agreed with the desire not to sacrifice safety issues. The design issues she felt she could let go to get the school built as far as prioritizing. She reiterated that the safety issues could not be compromised. She suggested that the Board of Supervisors make a request of VDOT that any vehicle above two axles does not travel on that road. Also explore the

possibility of more access points. She also recommended additional meetings by the Commission to get this done.

Mr. Rooker stated that there are two practical considerations that need to be kept in mind. The first is in terms of safety. Proffit Road is a state road. The funding for the improvements on that road ultimately have to be approved at the state level and the County does not have complete control over that process. He mentioned the transportation plan for the area. There is a 20-year road plan called CATS, Charlottesville-Albemarle Transportation Study mandated by federal and state law. It is in the process of a review now. He went on to urge the public to find out when the CATS group meets and attend those meetings and give input. He went on to state that he did not feel that they could put off dealing with the school in this case which itself is a capital improvement needed by the public. The question, therefore, is how does the Commission deal with the items on the agenda. He suggested that the Commission might want to defer this item and asked whether the deferral should be initiated by the applicant or by the Commission.

Mr. Rieley asked if the time constrictions allowed the Commission to initiate a deferral or would the applicant prefer to initiate the deferral.

Ms. Hopper stated that it would be preferable if the applicant initiated the deferral. She restated her position on the safety issues.

Mr. Reaser requested that the Commission vote on the issues.

Mr. Cilimberg suggested that if there was to be vote that the Commission first take action on the 2232 review for compliance with the Comprehensive Plan request.

Mr. Kamptner noted that, regarding the issue of compliance, the Land Use Plan does speak to interconnectivity as does the Hollymead neighborhood plan. The general land use standards also speak to public street orientation and that to the extent feasible and possible that buildings be oriented facing a public street. This has been a quick review to find some provisions and recognizing that 2232 looks for a proposed public facility being in substantial accord, not meeting every goal and objective of the plan.

Mr. Benish stated that there is language that speaks to the character of a site.

Mr. Cilimberg responded that there is a development guideline that speaks to development within the character of the site.

Ms. Hopper stated that she would like to defer the vote until the next meeting. She would like an opportunity to take out the Comprehensive Plan and go through it so that the Commission can clearly articulate to the Board why this is not in compliance.

Mr. Loewenstein stated that it would be helpful if the Commission could get large copies, to scale, of the current site plan.

Mr. Rooker stated that one of the issues raised was the idea of redesigning the school. He asked Mr. Kamptner if the design of the school itself is something the Commission could deal with.

Mr. Kamptner answered not directly. He stated that the Commission is looking at the design in relation to this particular parcel, how this particular design effects critical slopes, how this design requires the one-way circulation waiver and how this design complies with the Comprehensive Plan.

Mr. Rooker clarified that the Commission is considering the changes that the design imposes on the land and the site as opposed to looking at the particulars of the building beyond how it impacts the site.

Mr. Thomas stated that he felt that a positive safety factor is that the school does not sit on a public road.

Mr. Rieley stated that he felt this to be an excellent prototype for a flat site, noting that there is no flat site. He expressed concern that the design would require substantial modification to make it fit on this site.

Ms. Hopper stated that she believed that there is language in the Comprehensive Plan that speaks to being respectful to terrain.

Mr. Craddock stated that he was glad that the site is in the growth area and not up Route 29 where it was first considered.

Mr. Cilimberg addressed Mr. Kamptner stating that the Commission may be in a situation where this cannot be deferred without the applicant agreeing.

Mr. Loewenstein pointed out that the applicant has requested a vote.

Mr. Cilimberg noted Ms. Hopper's suggestion of a two week delay and stated that he was not sure if that was possible. The initial application was rejected and then reinstated, therefore the 60 days required in which to make a decision are almost up.

Mr. Loewenstein stated that this puts the Commission is in a difficult position that he does not particularly care to be in. He feels that this is not the way to build a school.

Ms. Hopper stated that she was willing to meet the following week.

Mr. Cilimberg said that this would only work if the applicant agreed to a two week deferral. Such a deferral will probably mean that the Board of Supervisors will end up reviewing this.

Mr. Rooker asked whether or not the package the Commission has before it contains everything needed to make an informed decision. He noted that the Commission did not get a copy of the site plan that it was being asked to approve.

Mr. Cilimberg replied that he believed that the Commission has the correct site plan.

Mr. Rooker stated that the site plan in the package is too small to read the type and that it is therefore beyond the pale to suggest that the Commission approve a preliminary site plan for a major County project that is going to cost $10 million with the site plan included in the packages. He therefore would suggest that the applicant give the Commission two weeks to have the matter come back before the Commission and in the interim provide the Commission with a readable site plan.

Mr. Reaser stated that he believed that full size plans had been submitted. He reiterated the reason for changing the ball fields.

Mr. Rooker asked when the movement of the ball fields and the revised plan were completed.

Mr. Reaser replied November 7th.

Mr. Rooker clarified that the preliminary site plan had been finalized just five days before the Commission's consideration and that now the applicant wished a decision.

Ms. Glass stated that the applicant was advised that if the revision was made by 9:00 on November 7th it would be included in your package for review in time for the Planning Commission meeting.

Mr. Cilimberg stated that staff gave the size that would fit into the report. He does not know that full size plans were requested for all of the Commissioners. He then spoke to what is "good will", stating each side's desire for the best decision and resolution. He stated that it would be wise to have the two weeks in which to further consider the matter.

Ms. Hopper stated that it would be better if all involved could work together on the resolution. She asked what would happen if the Commission does not act within 60 days.

Mr. Cilimberg asked that Mr. Kamptner address Ms. Hopper's question.

Mr. Rooker asked that Mr. Kamptner also address the issue that the preliminary site plan was only completed four or five days prior to the Commission's meeting.

Mr. Kamptner stated that the current preliminary site plan is an amendment to the plan. The resubmittal of original application 60 days ago is what started the clock. In the event that the Commission does not make a decision within 60 days the applicant has a right to go to court and compel action to be taken. They may also appeal the Commission's decision to the Board of Supervisors.

Ms. Hopper queried whether the county would sue itself.

Mr. Rooker ascertained that deferral by the Commission, does not mean that the plans are deemed approved.

Mr. Rooker pointed out that the Commission could move and approve deferral and then the applicant could take whatever action it is permitted to take under the statute.

Ms. Hopper wanted to know if the applicant was willing to work with the Commission.

Mr. Rieley stated that he heard that the applicant wanted action taken at this meeting.

Mr. Kamptner stated that the one action the Commission could take tonight that would put the issue to rest is the 2232 issue.

Mr. Reaser stated that if the Commission would give the applicant specific directions as to what is required then the applicant would agree to a two week deferral.

Mr. Rieley stated that his understanding was not that Ms. Hopper's suggestion for a deferral was to enable the applicant to fix the plan, but so that Commission could more clearly specify its concerns.

Ms. Hopper confirmed this. She asked if there was a way for the applicant to address the concerns regarding transportation, safety and access points.

Mr. Reaser responded that that is a decision that he should not be making because any change of that magnitude will delay the school one year. He stated that the applicant needs to know the desires of the Commission so they could make plans based on those desires.

Mr. Thomas asked if the applicant would forgo the safety issues just to have the school built.

Mr. Reaser answered that road safety was not a concern of the applicants since there are other schools on roads with less capacity than this.

Ms. Hopper stated that it is not just the Commissioners who are concerned with the safety issues, but the community as well.

Mr. Loewenstein wanted to ensure that if the Commission voted on this matter tonight the vote would have some meaning in the process.

Mr. Rooker stated that he believed it may be symbolic if the Commission voted it down. While it is realistic for the Commission to express its view point it may not be realistic for the process to start over with redesign of the school.

Mr. Rieley stated that he is concerned that the Commission cannot simply rubber stamp a process that has led to a bad result. The decision to design schools without relationship to their site was a bad one. He therefore does not want to endorse this proposal. He feels that a signal needs to be sent that mistakes were made in this process. He felt a signal should be sent that mistakes were made and this is not the way to go about it. He pointed out that the site plan does not meet the Comprehensive Plan, does not justify site plan waivers, and does not justify one way circulation.

Mr. Loewenstein noted that when presented with a similar scenario by private developers the Commission does not hesitate to make decisions of that nature and that it would be irresponsible of the Commission as public officials to hold the County to a lesser standard.

Ms. Hopper agreed stating that it is frustrating.

Mr. Rooker stated that he agrees and understands the positions expressed but that because of where the process is the Commission may not have significant impact on what happens.

Mr. Thomas asked if there is a time frame on the funds that are available for this school. If it is not started by a certain date are the funds are lost?

Mr. Reaser answered no.

Mr. Thomas clarified that a delay in timing would not loose the funding.

Mr. Reaser stated that the difficulty with the timing is finishing design in order to bid in April, let a contract in May and then have it open by 2002.

Mr. Rooker asked for a motion.

Ms. Hopper asked if the Commission wanted to vote or defer.

Mr. Rooker stated that it could be for either but that he felt that action would be the better route in light of the conversation.

Compliance with the Comprehensive Plan as required by Section 15-2232 of the Virginia Code
Ms. Hopper motioned that the Commission find this request not to be in compliance with the Comprehensive Plan for the following reasons:

-lack of vehicular interconnectivity with adjacent residential areas
-lack of public street orientation
-development does not fit the character and terrain of the site

Mr. Rieley seconded the motion, which carried unanimously.

Critical Slopes waiver of Section 4.2 of the Zoning Ordinance – Mr. Rieley moved for denial of the critical slopes waiver request for the following reasons:

-none of the required findings could be made
-the amount of grading required is not justifiable
-impact on aesthetic resources

Ms. Hopper seconded the motion, which carried 5-1.

One way Circulation waiver of Section 4.12.6.2 of the Zoning Ordinance – Mr. Loewenstein moved for denial of the one way circulation waiver request for the following reasons:

-concerns regarding the preliminary site plan, one way circulation may not be necessary

Ms. Hopper seconded the motion, which carried 5-1.

With no further business, the meeting adjourned at 8:35 p.m.

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V. Wayne Cilimberg, Secretary

Transcribed by Janice C. Farrar, Department of Planning & Community Development Assistant.