Albemarle County Planning Commission
August 13, 2002

The Albemarle County Planning Commission held a meeting and a public hearing on Tuesday, August 13, 2002 at 6:00 p.m., at the County Office Building, Room 241, 401 McIntire Road, Charlottesville, Virginia. Members attending were William Rieley, Vice-Chairman; Tracey Hopper; Rodney Thomas; Jared Loewenstein; Bill Edgerton; and William Finley. Absent from the meeting was Pete Craddock.

Other officials present were Wayne Cilimberg, Director of Planning & Community Development; David Benish, Chief of Planning & Community Development; Joan McDowell, Senior Planner; and Michael Barnes, Senior Planner.

Other Matters Not Listed on the Agenda from the Public:

Mr. Loewenstein invited public comment on other matters not listed on the agenda. There being none, the meeting proceeded.

Work Session:

ZMA-2002-004 Moore (Sign # 91, 92) – Request to rezone 71 acres from RA (Rural Areas) and R-4 (Residential) to R-15 (Residential) to allow for 375 residential units and commercial uses. The property, described as Tax Map 78, Parcels 59 and 59A, and Tax Map 78E, parcel A and Tax Map 62, Parcel 25, is located in the Rivanna Magisterial District on Stoney Point Road (Route 20 North) approximately 1.5 miles from the intersection of Route 250 and Route 20. The Comprehensive Plan designates this property as Neighborhood Density, recommended for 3-6 units per acre in Neighborhood 3.

AND

SP-2002-028 Moore (Sign #41, 42) - Request for special use permit to allow commercial retail in accordance with Section 18-2.2.12 of the Zoning Ordinance which allows for retail stores and shops on a single floor, compatible with the residential characteristics of the district, with a gross floor area not exceeding four thousand (4,000) square feet.

Mr. Loewenstein stated that tonight the public hearing would not be opened.

Mr. Michael Barnes, Senior Planner, stated that the applicant has been trying to shape a project to meet both the County's and the developer's needs. Basically, they were trying to narrow the issues down to make sure that they were going in the right direction. Numerous issues need to be discussed regarding the proposed density and mixture of residential types, proposal for commercial uses in the area as a Neighborhood Center, traffic, transportation issues and interconnected streets. The large adjacent parcel was part of the Luxor rezoning request. The Luxor parcel is a combination of R-1, PRD and RA zoning. The question is how are they going to serve all the parcels. He noted that the development area boundary was at the edge of this property. He stated that he would address the transportation issues first. Since this was currently zoned as such, they could expect that sometime in the future the parcels would need to be served by one of the connector roads. He addressed the history of the land use. (See the attached copy of the staff report.)

Mr. Loewenstein stated that because of the nature of this request, he asked Don Franco to assist staff in explaining some of the issues that were before them in order that they have a clearer understanding of what they were trying to accomplish.

Mr. Barnes stated that a major issue was how this rezoning will affect the traffic issues. He stated that an important question was what treatment the Planning Commission envisioned for this urban edge of the development area. He pointed out that a very preliminary proposal for the Lewis and Clark Exploratory

Center has been submitted. The preliminary plan shows an entrance directly across from Broadus Baptist Church. He stated that another transportation issue is how they want to develop this entrance in to the development area. He stated that another concern involved the land use issues. They have single-family homes, town homes, a multi-family apartment complex, and various nonresidential aspects. The topography starts at the bottom of the hill with the site rising. This site sits on a bluff of critical slopes. There is some question coming in on Route 20 southbound, concerning where the applicant is proposing stormwater ponds. The rural area could transition in to a more urban area. He asked if the Planning Commission wanted the sort of "Welcome to the Development Area" to have a more Rural Area feel due to the location of Darden Towe Park. He suggested that they start with the mixture and density of uses that the applicant has proposed on this site. He noted that there was some question that the staff was going to push the applicant to provide an increase range of product type within that area. For example if they have larger single-family homes on 80-foot lots on the street, then they ought to provide some smaller more affordable single-family homes. He stated that was the first question to start with.

Mr. Loewenstein asked if there were any questions for Mr. Barnes.

Mr. Rieley stated that one question was if it is anticipated that any of the nonresidential uses shown in purple would have access onto Route 20.

Mr. Barnes stated that the applicant has proposed that. He pointed out the proposed intersection was about 400 some feet which might be too close for the Virginia Department Of Transportation, particularly if this becomes a signalized intersection. The applicant is proposing to have this entrance here so that traffic coming in to this subdivision or passing on to North Luxor will have this centralized commercial area which creates the ability to make the project actually marketable. He suggested that they ask the applicant about the feasibility of the intersection.

Mr. Rieley asked if there was any anticipation of having another access other than the single access point to serve that nonresidential use.

Mr. Barnes stated that there was only one entrance proposed.

Mr. Rieley asked if the same road off of Route 20 would serve the commercial and or nonresidential use.

Mr. Barnes stated that would be his intent, but noted that the Virginia Department of Transportation would have to approve the entrance. He stated that they were trying to achieve some type of a split so that not all of the traffic has to use Fontana Drive to get to Route 20. He stated that was one of the potential advantages of this rezoning could be that they have multiple pathways to keep the traffic split.

Mr. Loewenstein asked Mr. Franco if he would like to comment.

Mr. Franco stated that he did not anticipate getting entrances off of Route 20 for those commercial or nonresidential uses. He stated that their question was where should the commercial center be located. When they looked at it, they thought that it was time to create a neighborhood service area at the front. He stated that they were anticipating using Route 20 as a frame. He noted that they were anticipating everything being internal through that intersection. He stated that they were projecting 1,000 trips with limited access on Route 20, but they felt that it was not going to allow them to spread out the project. He stated that they provided an access to Fontana so that the back part of it could use their entrance if they so choose. He stated that they have the continuation of the turn lane into Fontana across the Frost site to their entrance. He noted that the urban look stops at their entrance. He noted that on the special use permit they would talk about how much of the non-residential area that would be visible. He questioned whether they should reduce the amount of non-residential on Fontana. He stated that the amount and type of use would dictate what that would look like.

Mr. Edgerton asked if they had considered integrating the commercial throughout the project as opposed to just clumping it together as suggested by the Neighborhood Model.

Mr. Franco stated that since the property was on the edge of the growth area and the way the property was zoned, they would expect to use some large lots in making the transition. He noted that they feel that was the right way to approach this particular project so that the single-family detached dwellings would act as a buffer to the existing and proposed single-family dwellings.

Mr. Rieley stated that the goal and his assumption was that the applicant is looking to us for a general level of support or disagreement on various issues so that they can take it to the next level of resolution. He felt that the applicant was seeking both positive and negative feedback to a range of issues so that they can have some assurance that the next step is in the right direction.

Mr. Barnes stated that was correct. He noted that the staff report did not focus on the Neighborhood Model even though they did want to push for it to be included. He questioned how they would like to see the edge of the Rural Areas treated. He asked if they wanted it to be all single-family homes or to have a soft or hard edge. He suggested that they discuss the mixture of residential uses first.

Mr. Rieley stated that they could talk about that, but that there was a certain area of the issue of having the cart before the horse no matter where you start due to the large amount of interrelated issues. He stressed that the fundamental piece of this that needs to be resolved is the transportation one. This huge issue is relative to how people get from the northern part of Albemarle County to the eastern part that will have implications to this site. He felt that was what they should try to solve first.

Mr. Loewenstein agreed with Mr. Rieley in that would be a major topic that will affect the way that this application eventually moves forward. He noted that the mixture of uses was also going to be critically important because, among other things, it would help define the “hard edge”. It would help define what it looks like and where it goes. He stated to some degree that it all related to the infrastructure issues. He stated that the location of the site, the visibility of parts of it and the fact that it is directly opposite the park was very important. He questioned how they should define the edge to make it work. He noted that the decision would have to be made at some point. He noted that this was an ideal example of an application where the “hard edge” issue becomes paramount.

Mr. Thomas agreed with Mr. Rieley on the transportation connectivity because North Luxor is an important part. He stated that the Virginia Department of Transportation would have a lot to say about the entrance off of Route 20, but they needed to consider the visibility for the surrounding area. He suggested that they discuss the visibility issues.

Ms. Hopper asked that it should be interconnected with the topography and the grading that they had talked about.

Mr. Loewenstein stated that the visual impact does factor into this as well. He stated that if you cross the Rivanna River into the City and come up the hill and look back, you can see a very different profile up there than the way that it used to look. He stated that they have seen the visibility slowly growing towards the north. The question is where they want to draw the line on that and how close to the existing growth area boundary do they want to set that hard edge. Also, what should be in or near the edge itself how much density and what type of residential use.

Mr. Barnes stated that obviously they don’t want to abandon the design. At a certain point, the question is the Commission willing to accept some visual impact or is the direction to say to hide this as best possible because we don’t want anymore to go up there that will be seen.

Mr. Rieley stated that his target in a development area would not necessarily be designing in a way so that things are not seen, but rather designing them in such a way so that we like what it is that we see. He stated that they have to acknowledge that they were going to be building more in the development areas and outside of the development areas and we can’t treat them the same. To put an opinion on the table relative to these overall issues, he stated that he did not find the overall mix of uses that are represented in this out of line with what one would expect in an area that has this designation in the Comprehensive Plan. This is almost squarely in the middle of the Comprehensive Plan’s designated density for this area.

There is a mix of nonresidential uses, attached housing types, detached housing types and even the potential for a multi-family site. He felt that made a dramatic advantage to this particular location. That being said, he agreed with Mr. Edgerton that once you acknowledge that, then you have to acknowledge that they have a long way to go in resolving this and getting this designed so that it is something that addresses some of the other concerns that have been raised.

Mr. Edgerton stated that he shares staff's concern about the regional impact of the siting of the multi-family apartment building. He stated that with good design that it could be handled. He noted that it would have a significant regional impact particularly on the park and the property to the north. He stated that it needed to be handled with a lot of sensitivity. He noted great concern with lumping all the nonresidential or commercial at the edge of Route 20 because it would have a regional impact. He stated that he did not have any trouble with the mixture, but would like to see it mixed up more and a richness added to the schematic. He suggested that the commercial be spread along that spine and designed to work to the north and the south in less vehicular patterns. He stated that he could see that being a main street of a neighborhood that could solve a lot of the transition that is a concern.

Mr. Barnes stated that another alternative would be to bring in some of the residential in to the nonresidential portion. He stated that you might be able to accomplish both, but the one thing is that there is a high-tension power line that runs through a portion of the site. Staff does not feel that is the best place for residential to abut up to.

Mr. Edgerton stated that the segregation of uses defeats a lot of the intent of the Neighborhood Model.

Mr. Loewenstein asked if Mr. Franco had anything to add.

Mr. Franco stated that it was their understanding that the commercial or nonresidential could be offices, commercial or retail. He thought it would be easier to frame the intersection with the nonresidential. If this line were to turn residential, then they would see it framing this street and backing to Route 20. He noted that could result in the view from Route 20 to be the back of the residential units or townhouses. In regards to the power lines, staff has encouraged them to put the parking underneath to take advantage of that unused resource of land and use it in a nonresidential setting as opposed to having people underneath the power line. He stated that they did not object to moving the ponds around, but they need some feed back. He noted that they were battling how to get back to Route 20 with a residential setting and still frame that intersection and entrance.

Mr. Rieley agreed that was a very important point because it has already been done 200 yards to the south by having small houses with their rear ends directly towards Route 20. In general, all they were saying was that the purple area did not have to be all purple and the orange areas did not have to all be orange. He noted that the more they were engaged the more successful it would be.

Mr. Franco stated that the center purple was more of a 60-foot product, which would be rear loaded and have alleys. They were attempting to put the smaller houses in there and mix it up. The reason why the 80-foot lots were outside lots was because they want on-grade garages. He stated that they would try to integrate the townhouses. He noted that the roads were running at 10 percent to get up the hill. He stated that they have not ruled out an assisted living building or a multi-story building for senior housing or a high-end condominium. He noted that they did not envision it having a big rental apartment building. He pointed out that they were two different looks. He stated that in order for them to get through the rezoning, they were going to have to develop a special product that works. He stated that the question was what does it relate to. The parking would be along the edge with the buildings in the center and did not relegate to Route 20. Their thought was with the elevation change and parking coming up, most of the parking would be hidden by the grade differential and then the building would be partially hidden too. He noted that the other philosophy was to put the parking behind the building so to be in the center of the site away from Route 20. He noted that they would have to answer these questions at the next step. He stated that they would be happy to start answering them.

Mr. Thomas asked if the sidewalks would be coming out to Elk Drive as scheduled. He asked if they wanted the Rural Areas look or the urbanized look on Route 20.

Mr. Franco asked if they should fight the Virginia Department of Transportation to try to keep the entrance close to Fontana Drive or should they move that entrance and expect a signal light and a larger development, and then move the entrance to the north towards the church. He noted as they do that there is the edge question. He stated that the fundamental question was if you were driving south on Route 20 what do you want to see or what is the look that you are looking for. He asked if you were in Fontana or at Darden Towe Park looking down, what do you want to see.

Mr. Rieley asked if there was a sight distance problem in moving that entrance farther to the north.

Mr. Franco stated that it was not a site distance issue for them because they could accommodate that, but there was a small grade problem regarding the location of the center. He noted that if they moved the entrance further north, then the grades going to the multi-family area would be very steep. He asked if they would want that hard edge at their entrance and Route 20.

Mr. Barnes stated that the applicant proposed a regional basin in this area with the dam and the basin acting as a crossway for the road to cross this valley. He stated that Mr. Hirschman did the recently completed stream assessment survey. He has taken all of the streams in the development area and ranged the most "prestigious" at a score of 100 and then put the rest of them in percentile down below that. This stream ranked in the 87 percentage, which meant that the stream had a high aesthetic habitat quality. He noted that one would expect that because there has been very little development around it. They were recommending that this was not the place for a regional basin. The next question was whether the road connection in that area was important or not. He noted that staff was struggling with this, but some times it has to be a political decision. He noted that the stream ranked very highly, but that the connection between North Luxor and this area was questionable. He stated that the staff was saying that it was an environmental choice in some respects versus the interconnection choice.

Mr. Loewenstein stated as Mr. Barnes pointed out in the staff report that it becomes a case of essentially having to make a choice between one Neighborhood Model principle and another. The environmental questions in particular are a part of that. He also talked in the staff report about the possible need for mass grading in order to achieve a certain density level that would also have an impact. Again, it was the question of density versus environmental issues and so forth.

Mr. Barnes stated that the pond would serve North Luxor. The opinion was that single-family homes could probably be served with smaller basins. He noted that was another reason for not having the basin. He stated that the potential interconnection there would lead to the design. He asked if they wanted them to work towards getting a traffic split from North Luxor for the 100 homes and potentially the ones up above that or do you want to save the environmental factor and put more of the traffic down Fontana Drive.

Mr. Rieley stated that the third factor that helped to put this into perspective was the cost. He noted that putting in a bridge seems to be a reasonable compromise for the connection in order to protect that stream so that you don't put in a big fill section. He pointed out that a bridge was more expensive than a fill section, but to protect a stream in a development area was enormously important. He questioned who would pay for it, but felt that it was a matter of principle that it would be worth spending some money to protect this stream.

Mr. Thomas stated that he had walked that stream and it was a nice area.

Mr. Rieley noted that they don't have that many nice streams left in the development area.

Mr. Franco stated that he was happy to say since it was not on their property that it could be bridged. He stated that it was their intent to provide the avenue for that connection. He noted that the connection would be a big cost to them. The way it is laid out now, the three roads that run parallel could be 28 foot wide. The County would prefer to see 36-foot roads. He stated that as he introduces 1,000 trips into this from Luxor he was moving up to 36 to 38 foot roads. It becomes more difficult when they look at them to absorb the cost providing that access for Luxor because they were not dealing with the rural section of roads because they have curb and gutter and it just does not work out. He assumed that people were looking to us to make that provision.

He noted that as they make that provision that they would basically stop at their lots, and if they wanted it bridged that it was in their open space. He stated that they would make that provision and staff could work with Luxor to get the bridge.

Mr. Edgerton suggested that the three parallel roads have the same widths, and possibly have a divided median type road down the middle with smaller roads to serve the lesser units. He questioned if they could save money on the other roads since they were serving fewer units.

Mr. Franco stated that if they need to go to a divider road that he thought that they could. The problem that they encounter is that the minimum road width for the Virginia Department of Transportation where parking is not restricted on the road is 28 foot. As he understands, the County's emergency services have guided us towards 32 foot. He noted that he would not be reducing any roads below that. In some subdivisions they have roads as narrow as 20 foot, but it was his understanding that those days were gone. If there were a way that they could pursue that, they would be happy to do that.

Mr. Barnes stated that those types of issues were still being worked on, and he was not prepared to discuss that level of detail tonight.

Mr. Loewenstein stated that they needed to keep in mind that they have spent one hour on this already. He stated that they have 8 questions that staff has posed in the report which were summarized on page 7. He noted that they have talked about several of those. He asked if there were any comments relating to those questions that anyone would like to refer to staff or Mr. Franco. He asked that they try to deal with each issue on a larger scale. He noted that this was where the staff needed the Commission's input. He stated that the applicant would be coming back to us with more detail.

Ms. Hopper suggested that they go through the 8 questions one by one.

Mr. Loewenstein asked that they start with the first two questions. He stated that the first and second question was does the Commission agree with the proposed mixture of uses and do they agree with the staff that the project should attempt to diversify the range of products within a given product type. He stated that they have already discussed this, but asked if anyone had anything further to add. He noted that they were not talking about the arrangement or precisely where they were to be located, but just about the mixture of the uses.

Mr. Cilimberg stated that he thought what they said was that they support the mixture of uses and do support diversifying the range of product type.

Mr. Loewenstein stated that they also suggested the possibility that the applicant might be able to integrate the different uses better from one end to the other. The second question is does the Commission agree that the proposed density is appropriate. He stated that this has to do with the Pantops Neighborhood scale level. He stated that they touched on that. He asked if anyone wanted to say anything about that in terms of the regional planning impact.

Mr. Rieley stated that he had said yes.

Mr. Loewenstein stated that this brings up at the end the question that even if the site was visible from Darden Towe Park and the adjacent Rural Areas, how they would deal with the hard edge question.

Mr. Cilimberg stated that he heard that they support the density. He stated that they were more concerned about how it looked or was presented than the fact that it was visible.

Mr. Loewenstein stated that was correct.

Mr. Rieley stated that he thought that the hard edge or soft edge treatment of Route 20 was still an open question. He noted that one of the things that he found appealing about the arrangement and having the entrance closer to Avemore is the possibility off having wet ponds as a complimentary use to Darden Towe Park as one enters from the north. That was more appealing to him than having two scattered out entrances. He agreed with the density, but felt that the transition should be a soft one.

Mr. Cilimberg summarized what Mr. Rieley previously said. He felt that it meant that he would prefer to keep that entrance much closer to the south, which depends on where the Virginia Department of Transportation would allow it. He noted that the preference would be there than the rather significant relocation north towards Broadus Baptist Church.

Mr. Rieley agreed that part of the argument of the Virginia Department of Transportation has to be that they are applying standards for essentially a rural highway. He stated that they were talking about a transition of a neighborhood from a rural area to a developed area. He stated that the City streets were 300 feet apart and they have lights on every corner. He suggested that they evaluate these things with a different benchmark.

Mr. Loewenstein stated that the next question was about the mass grading and to what extent do they feel that the site could be mass graded to achieve a higher density. He noted that this ties in with the density questions that they talked about earlier. He stated that this goes back to the question that he asked earlier on the relative importance of one Neighborhood Model principle over another one. He stated that at this point that this was a hard balancing act. He asked for comments.

Ms. Hopper stated that sensitivity to the terrain and the design should be attempted as much as possible. She stated that it sounded like they were saying that the topography prevents establishing the grid of the Neighborhood Model.

Mr. Franco stated that the parallel roads were running about 10 percent that was about the maximum. He stated that they got rid of the interconnections running north and south. One of the reasons why was because it helped to reduce the grading. He stated that they feel that they have graded as minimally as they could.

Mr. Rieley stated that the quantity was not the grading issue, but what the final product was and how gracefully it connects to the adjacent landscape. Darden Towe Park had 125,000 cubic yards of materials moved when the park was built, which was the largest grading exercise since the airport was built. Personally, he felt that it was sympathetic to the adjacent terrain even though it was a lot of material.

Mr. Finley stated that based on what Mr. Rieley said the answer was yes.

Mr. Loewenstein stated that the fourth question has to do with whether the commercial center is in a suitable location in a Neighborhood Service scale. He stated that they have discussed that and came up with a couple of possibilities. He stated that Mr. Franco has given some input. He asked if anyone wished to say something further about this.

Mr. Barnes stated to rephrase the question, is there is some reason that you would say this is not a good area for commercial. He stated that they would keep all of the commercial as it was today along Route 250 and they don't want to increase it any more than the 20,000 square feet that has been provided at Avemore.

Mr. Loewenstein stated that he did not think so.

Mr. Edgerton stated that they wanted it, but they want it to be integrated.

Mr. Barnes stated that it was not a problem, but that they wanted it to be done right.

Mr. Cilimberg stated that the integration is the key with the idea of some main street concept potentially.

Mr. Loewenstein noted that this would need more discussion at a later date.

Mr. Cilimberg stated that one thing that the applicant did mention was the power line issue does have some influences on the uses on part of the site. In acknowledging that you would expect some of that commercial would stay concentrated.

Mr. Loewenstein stated that there was some flexibility and opportunity to integrate a portion of it.

Mr. Cilimberg agreed and added to acknowledge some of the restraints that are on the site as well.

Mr. Finley stated that it was mentioned having a Mom and Pop store or bookstore, but he questioned if it would be feasible – could they survive?

Mr. Rieley stated that they have had requests monthly for businesses associated with residential areas, and he felt this was a great place for it

Mr. Loewenstein stated that was a great component of the Neighborhood Model. He stated that it would prove itself to be effective.

Mr. Edgerton stated that the definition of nonresidential possibly meant something else other than retail and that might be sympathetic along these corridors.

Mr. Barnes stated that to jump ahead on the scale question, what they were talking about was that the Comprehensive Plan gives some guidance of 40,000 square feet defines the Neighborhood scale. If they have 20,000 square feet of commercial area across the street at Avemore, then possibly they could work it out to bring it across the street. He stated that once you have above 40,000 square feet you get into some institutional uses such as a church. He noted that traffic would be a limiting factor, but they could go in that direction.

Mr. Loewenstein stated that questions 5 and 6 deal with the desirability for a neighborhood commercial center. He stated that question 6 asks if the neighborhood service is the appropriate scale for the nonresidential area. He stated that was all wrapped up in what he was just saying. He noted that he was not sure in a very broad way that they can indicate at this juncture whether they are satisfied with the scale of the nonresidential use or the percentage of nonresidential use without seeing a little more detail on the design work.

Mr. Rieley noted that they don't even have the building footprint.

Mr. Loewenstein stated that it was really hard to judge.

Mr. Benish stated that it was within the realm of possibility.

Mr. Loewenstein stated that was a fair statement.

Mr. Barnes stated that was a concern of staff right now. The applicant is asking us how much will we let go there. Staff is saying that it is a function of design and uses that you may be proposing. He asked what they felt from the private sector would work there. He stated that they were asking if there was anything that hit their hot button that could not go there.

Mr. Cilimberg stated that there should be no big boxes.

Mr. Loewenstein asked what else they had left. He asked what guidance the Commission would like to offer or if they should stay with these questions. He asked if they have taken care of all of the questions. What guidance would the Commission like to offer relative to uses other than the things that they have already talked about? He stated that they knew there were some uses that would be seen as especially beneficial or especially negative and they have already noted no big boxes. He stated that Mr. Franco had mentioned some possibilities and he thought he heard some positive responses by members of the Commission. He stated that the proposed uses were going to be low impact in terms of their visibility or their attractiveness in terms of how they integrate in the surrounding uses which would include not only the look and the feel, but also the infrastructure. He stated that there would be a lot of questions after they see a more detailed plan. He stated that he did not think they could give any more guidance at this point.

Mr. Rieley stated that Highway Commercial uses were not appropriate.

Mr. Cilimberg stated that in the area of the environmental concern the interparcel connection was important, but how that was provided for might mean bridging versus fill. They were not interested in the stormwater facility since it is not really needed.

Mr. Loewenstein agreed that was what he heard. He asked if they had provided him with what he needed. He asked if there was something else in general that he wanted.

Mr. Barnes stated no, unless there are other issues that have been raised from the public.

Mr. Loewenstein asked for Mr. Franco's input.

Mr. Franco stated that the last question that he thought was important to them to ask would be that they were encouraged very early on in this plan to provide some integrated recreational facilities on the site. One of the questions they have is how does our site relate to Darden Towe and should they consider providing public improvements at Darden Towe as opposed to on site. In other words, they have the multi-family that would have a certain amount of recreational associated with it. They also have the townhouses and its density. In lieu of providing a small community pool on their site, would they be better spending the dollars as a community by building a pool across the street at Darden Towe and making it public or providing additional tennis courts at Darden Towe. He stated that they could spend that money and recognize that Darden Towe provides that recreational component for us. He asked if that was worth considering.

Mr. Barnes noted that you have to consider that there is Route 20 where people will be crossing. He noted that might be a barrier.

Mr. Rieley stated that some contribution to Dalton Towe Park does not preclude providing open space amenities on the site. He felt that there were opportunities on this site for trails, which was a rich one for this neighborhood and other proposed neighborhoods in the area.

Mr. Loewenstein agreed because of the topography and the views. He stated that because of the topography one does not preclude the other.

Ms. Hopper stated that there was already the safety issue of not having sidewalks for Wilton Farms and that whole area. She stated that they would have to create ways of making that crossover safer.

Mr. Franco stated that their thought was if they improved that intersection, then they would make that provision. He suggested having the walking trails on their property, but provide the pool and one-half soccer field on the other side of the road for better dollars spent.

Mr. Loewenstein stated that they were open to possibilities.

Mr. Finley felt that making use of the existing park was good.

Mr. Rieley asked if the sidewalks were currently in the pipeline.

Mr. Cilimberg stated that there was a CIP project to do that all the way up to the Elks Lodge.

Mr. Benish stated that it has been funded.

Mr. Barnes stated that the one point was the question of the traffic and Route 20. Staff recognizes that traffic is a large issue, but their intent was to look at the land use aspect to help detail the traffic issues.

Mr. Loewenstein stated that having driven Route 20 for over 20 years, the issue of traffic would be taken very seriously. He noted that they have an opportunity to make some real improvements that will be useful as they fit this in. He noted that they would address these issues thoughtfully as they move forward. He pointed out that when they get to the public hearing stage on this, that there would be ample opportunity for others to weigh in on this topic. He stated that without a real plan before them, it was difficult to discuss the real traffic issues.

Mr. Rieley stated that the Cat's plan has called for an eastern connector for a number of years. There have been a number of alignments proposed with most of them having an impact on this section of Route 20. He asked that they are cognizant of that and think about it relative to what the character of Route 20 should be as it passes this area. He stated that particularly if it is called upon to carry more traffic, then they need to make sure that the corridor is adequate and remains beautiful and safe.

Mr. Loewenstein agreed with Mr. Rieley. He hoped that the eastern connector would be considered in the future.

Mr. Rieley stated that it was their job to keep it on the table.

Mr. Cilimberg stated that they would not have the answer to the eastern connector during this process. He stated that was one of those things that they have to recognize is reality and quite honestly the nature of that eastern road is unsure. He stated that they actually talked to the MPO about that. He noted that short of that would have to be addressed from a regional transportation standpoint. He stated that this plan shows where we have attempted in a number of different ways in the existing and proposed development to provide for interconnections to try to keep some of that local traffic more local and provide for alternative ways that don't required Route 20 and Route 250 to be the only way you can get around.

Mr. Rieley stated that the longer they leave the eastern connection in flux in the category that we can't deal with that now, the fewer opportunities they would have. He felt that they have a responsibility even though it is difficult to look really hard at some of these alignments and figure out which ones are the most promising. Otherwise, they are going to find themselves boxed in and they will leave the next generation to wonder what to do.

Mr. Cilimberg stated that they had actually asked CHART to do that. He noted that was something that Mr. Thomas was involved with. He stated that they don't have all of that penned down, but they did not want to be faced with a situation that was more advanced later and to still not have any answers.

Mr. Thomas stated that there were numerous alignments proposed through members of CHART, but they were not at the point to present them to the Commission or even to move them to the MPO. The public has offered them and a couple of them go right through Penn Park. He noted that the river seems to be an obstacle in a lot of cases and the question is if we go all the way to Profit Road.

Mr. Loewenstein stated that there was an opportunity to look at trying to make this work in a phased way. He stated that they needed to get the roads in place before the development is there. He encouraged the CHART folks to pursue this as rapidly as they can. He asked if staff needs additional direction from the Commission.

Mr. Barnes thanked the Commission for the information.

Mr. Loewenstein thanked Mr. Franco for his participation and input. He stated that this was very early in the planning stage, but they will at some point open the public hearing on this matter when the rezoning and special use permit comes through the Commission.

The Planning Commission took a ten-minute break and recessed at 7:30 p.m.

The meeting was reconvened at 7:45 p.m.

Work Session:

Mr. Loewenstein stated that the next work session was on the Rural Area Comprehensive Plan Public Input Process Plan Schedule. He stated Ms. McDowell has a schedule for that and she would like to talk to the Commission about that to receive some feedback on it.

Rural Area Comprehensive Plan Public Input Process Plan Schedule – To review and discuss the basic outline and schedule for the public input process related to the review of the Rural Areas Section of the Comprehensive Plan. (Joan McDowell)

Ms. McDowell stated that on May 21, 2002, the Planning Commission held a meeting to discuss land use and at that time there was some discussion concerning public input for participation in the Rural Area Comprehensive Plan. She noted that the Planning Commission determined that we should start having public participation sections. Later she took some information, suggestions, concerns and a whole shopping list of things from the Commission. In a subsequent meeting, several public outreach options were discussed. The Commission preferred that we follow two methods: community meetings within each magisterial district (perhaps combining two similar districts) and open work sessions, at which the public would be invited to participate. The schedule has been developed with items 1 through 55. The first part of the schedule includes some of the work that they have already accomplished. The second part, numbers 18 through 22, talks about the mapping and data. She stated that right now they were working on getting the countywide maps that will be of interest when looking at the overall Comprehensive Plan, soils and critical slopes. She stated that they anticipated in October to get the parcel map data. Then they can use these maps to go into the next step, which is the community meeting. She stated that they would discuss the rural areas with each of these communities. She stated that they would first have an introduction as the first portion of the meeting and perhaps use small groups for questions. The revised schedule contains the following information:

Sections that have been presented and discussed by the Commission at previous work sessions.
Focus Group meetings and topics
Adjacent county issues related to the Comprehensive Plan
Parcel mapping and data
Public outreach meetings in each magisterial district (November – December, 2002)
Public participation opportunities in open Planning Commission worksessions
Public hearings for the Planning Commission and Board of Supervisors
Provide Rural Area information on the Country web site.

Phase I

Phase I of the Comprehensive Plan will consist of Plan sections for the following topics
Land uses
Agricultural/forestal support initiatives
Adjacent county issues
Infrastructure and community services.
Public hearings for these topics are scheduled to be completed by the end of August 2003.

Phase II
Phase II of the Comprehensive Plan will consist of Plan sections for the following topics:
Land use patterns and density/development rights
Rural Preservation Development
Design standards
Consistency with Natural Resources and Cultural Assets (Chapter 2)
Including Mountain Protection
Public hearings for these topics are scheduled to be completed by the January 2004.

She stated that they would have public sessions and open work sessions throughout the process. After they have the various meetings, we will come back for informal work sessions and public hearings. She noted that they hope to finish by August 15th of next year.

Mr. Cilimberg stated that the dotted line that runs under the third quarter down the chart is where they were today.

Mr. Benish pointed out that item 32, public meetings is in the fourth quarter of 2002. He noted that they would start those around November. He noted that their direction was that they wanted some input before you completed the process. He stated that they would schedule the input, which would be more like an open house process, and then it would go to a public hearing. This front-end public process is to help set that vision development.

Mr. Rieley stated that this was a long time and was too drawn out. He noted that if these were months instead of quarters that it would still be a long time. He stated that they have been talking about this ever since he came on the Planning Commission. He suggested that this item be kicked into high gear. He felt that the costs would be very high.

Mr. Cilimberg stated that the schedule was to accelerate this process. He noted that with the resources that they have and the staff available in the public process and this incorporates your time and the Board time at each phase, this is what they have been able to project being able to do. They are not able to get into Phase I until the beginning of next year because of the need to plan for these public sections and go out and have the public meetings in the month of November. He stated that the third quarter was now and it goes until the first of next year. He noted that was preparation, holding the meetings and you seeing what the results of those meetings are. Those things do not happen quickly. He asked that they look at how long it has taken to get some of the amendments through the process.

Mr. Rieley stated that three quarters was a long time. He stated that he was all for doing things deliberately and receiving lots of public input. He stated that two years ago Althea Hurt was here about weddings in the Rural Areas. He felt that she had a very reasonable proposal, but they said that they were working on that section of the Comprehensive Plan, so just wait on that. He stated that if he had any idea that they were looking at two years away, he would have said that was ridiculous and that they should just deal with it. He stated that this would be a multi four-year process for one section of the Comprehensive Plan. He stated that it could be done a lot quicker.

Mr. Loewenstein stated that one of the things that has happened is that as the Rural Areas portion of the Comprehensive Plan has been making its way slowly through the process, a number of other considerations have come up that have pretty significantly impacted the work on that as well. The discussions of the Neighborhood Model and some of the rural components of the Comprehensive Plan are good examples. He stated that he was not disagreeing that this is a long process. He noted that the County staff has been impacted by resource shortages.

Mr. Cilimberg stated that staff should have done this two years ago in this defined form because staff went back and forth bringing the Commission something and then working on it and bringing it back. He noted that they have been working on a vision with the Planning Commission for almost this entire period of time and still don't have a resolution on it. The Commission finally came to a point of saying they want to go out and get the public input. He noted that staff brought principles to the Commission and talked about visions very early on. The Commission ultimately came to a decision to include in this process that they wanted to go out and have a series of public meetings. He noted that there would be preparation on staff's part to bring these issues out to the public and get meaningful input. If the Commission is going to have those meetings, then they want them to be informed and you want to get valuable input that instructs you on how the vision and the principles get completed. Now if the Commission is at a point that you can go ahead and say the principles are fine and the vision is where we want it to be, then let's have the public hearing. He noted that six months would be taken out of this right off the bat.

Mr. Rieley stated that they are not fine.

Mr. Cilimberg stated that they are not fine because there has not been a resolution of how they should be.

Mr. Rieley stated that he really thinks that this needs to be condensed. He stated that a big part of why this group has a hard time giving consistent feedback is that we hear about it in 6-month intervals. He stated that it was hard to stay focused on something and maintain momentum when there are huge gaps in between. He stated that he was shocked on how long it has taken and how far they have to go. He stated that it was shocking because he thought they were at the end of this thing and now we still have another year and a half to go.

Ms. Hopper asked if the Commission wanted to reconsider the holding public sessions. She asked if that would compress the time down. She asked if there was something they could do to this model to compress it, and suggested that the Commission revisit it. She noted that over time as she digested the information, and changed her thoughts.

Mr. Cilimberg stated that was part of the reality that they have to deal with. That is why phase one and phase two are not happening at the same time. They cannot work both ends of a variety of work projects at the same time. He noted that the Commission needs to separate those out and get them done. We've allowed some reasonable time in order for the Commission to deal with these things in taking them to public hearing and on to the Board of Supervisors. We know that in most cases when you receive information and you work with it, even when meeting every couple of weeks on an item, it takes some time to get that in a form that the public hearing can be held and then you normally want to make some revisions before you make recommendations to the Board. He stated that it can easily with advertising take two to three months, which is almost standard in what you have had to deal with. He stated that staff was trying to be quite honest about the time that staff has to have. He noted that they could cut things out as was mentioned which would shorten the time.

Mr. Loewenstein noted that they asked staff to do this for us and they have done it. He stated that the easiest way to move this forward more quickly will be to cut something out of the process. That is the only thing that he could see that would make a difference. Since what they were talking about was the process, if there were things that they were going to cut then they needed to determine what they are. He noted that now is the time to talk about the process and do revisions.

Mr. Cilimberg noted that the Commission was just seeing this information for the first time. He suggested that the Commission take a little bit of time to look at it and make suggestions. He noted that staff would not stop the process, but would keep moving ahead.

Mr. Loewenstein asked if the Board of Supervisors had any significant feedback concerning the proposed schedule.

Mr. Benish stated that the Board's major concern was that they stay on schedule and a directive that staff gives accurate schedules so we can stay on track. He noted that in the past there has been a tendency to be optimistic about completing things and staff has sent the wrong message to the Board and the public on what can be completed. He noted that there were no direct comments about this.

Mr. Loewenstein stated that one of the issues that comes up in a situation like this since the Rural Areas component is a big and important piece of the Comprehensive Plan overall is the complexity of having to put these issues before the public in terms of what everyone can understand and in terms that can be responded to in a way that will elicit meaningful input that can be utilized. He noted that he was sure that was what staff and the others were grappling with right now. He asked if they should do anything specific to speed this up by cutting something out.

Mr. Edgerton stated that he shares Mr. Rieley's frustration on the length of the process. He stated that a big picture was that the Commission and staff would be finishing this when they were ready to start all over again to review the whole Comprehensive Plan. He stated that personally he did not feel that the Commission could cut out the public input since it is essential. He stated that there were two components being planned to get input on the vision statement. Also he was a little anxious how compressed it looks for sections 47 to 55. He stated that he had a feeling that there would be a lot of public input in those discussions. There will be a lot of people, specifically in the development community, who are going to have a lot of opinions about that. He stated that he would be more comfortable having those conversations with the people that have a huge financial stake in what the Commission ends up saying in that later section after we get some input on the vision statement. He felt that it would be drawn out even more on those last sessions, but he did not think it was responsible to discuss cutting any part of the public's discussion.

Mr. Finley stated that 95 percent of the land in the County is in the Rural Areas with about 80,000 people. He stated that takes time. He stated that at least looking at the dashed line that they can at least see where the end is proposed and they should hang in there to the bitter end.

Mr. Rieley stated that they should be able to get some meaningful useful public information about the way people feel about various aspects of the Rural Areas component of the Comprehensive Plan in less than nine months.

Mr. Cilimberg stated that the actual schedule was from July when you made staff aware of taking this approach through the middle of December. Then after the first of the year they would be coming back to the Commission and Board with a report, and reviewing the results with the Focus group. He stated that takes us to the middle of February. If there is some element of that you feel might not be necessary, then let's consider it.

Mr. Loewenstein suggested that Joan give us the same information on the left side of the page with calendar dates inclusive for each of those. He felt that might be helpful.

Mr. Benish stated that they are already in there, but just compressed.

Mr. Loewenstein encouraged staff to think about suggestions for any ways that any portions of the processes could be compressed further than they have been. He noted that the Commission recognizes that processes take time and that this is one of a large number of competing interests for the Commission's attention. He stated that the Commission needs to look at this list a little further. He noted that the Commission did not receive the list until tonight and had no advance knowledge of it. He asked for more time to review it. He suggested that they focus on the other things that they have not addressed, particularly any item that needs to be pulled out and talked about further. He asked that staff bring this back next week under the consent agenda or old business to allow time for each person to digest it. He asked if they could discuss this at next week's meeting after they received the additional materials ahead of time.

Mr. Benish stated that items 1 through 16 is the work that staff has done to date. Under the concept before you called for the public meetings, staff was working through a process that staff had given them a volume of information and you were actually working to get that component ready for public hearing. He stated that it was at that point of time that the Commission decided to pull back and get more public input at the front end. Phase one really picked up what we started at the top being the guiding principles, the uses in the rural areas. Staff picked up that piece and brought that to public hearing to get that done again. He stated that it was done under the assumption that we need time to reevaluate based on what we get from the vision.

Mr. Loewenstein stated that the Commission sent this in the direction that it is now going. We wanted more public input. We wanted it done in a systematized way. The only question that he could see was the timetable itself. It does not appear that we have any disagreement about the components of the process. He noted that they would talk about that more next week.

Mr. Benish stated that he wanted the Commission to understand that it looks redunctant when you look at the first 16 items and then go to 38 and start to see the same topics again.

Ms. McDowell stated that she would bring back some alternatives that they can discuss next week.

Mr. Rieley asked if the Focus Group has any feed back?

Ms. McDowell stated that they have had no feedback yet. She noted that they had an intern helping with the research, but they got a full time job. She felt that their input was very important.

Mr. Benish stated that several members of the focused group are here that includes Mr. Watson, Ms. Hobbs and Mr. Werner.

Mr. Rieley stated that they have not heard anything from the Focus group for over two years.

Mr. Loewenstein stated that they were not at that stage yet, but that they would.

Mr. Cilimberg stated that in reference to Mr. Edgerton's comment about where the Commission would be at the end of this process and then having to do it all over again. The reality under the Virginia law is that there is a five-year review. We beat that by 4 ½ years because we are constantly under review. Our Comprehensive Plan is essentially under review on an ongoing basis and has been happening since 1996 or 1994. He stated that when they were finished with the rural area, we might be at the point to say that we have finished. He stated that he felt something else would come up. One of the things that

the Board did say was that they did not want to look at until this was complete was the development area boundary. He noted that potentially he could see that one of the things that they would be in to next.

In consensus, the Planning Commission deferred action to their next regular meeting on August 20th in order to allow time for each Commissioner's individual review of the proposed schedule and staff report. They asked staff to provide a calendar showing only the inclusive dates shown on the time line. In addition, staff was asked to provide alternatives on how to compress the time schedule or condense any portion of the process.

OLD BUSINESS:

After discussion, the Planning Commission agreed that everyone would continue receiving the "Planning Commissioner Journal."

Mr. Thomas stated that a ceremony was held last week at Red Hill Elementary School concerning the first recipients of the ACE program. He noted that Tayloe Murphy addressed the crowd of about 100 persons and described Albemarle County's resources as being ahead of other State localities.

NEW BUSINESS:

Mr. Cilimberg stated that the City has invited several County staff, Board of Supervisors members and Planning Commission members to participate in an educational trip to Burling, Vermont in October. He noted that Mr. Thomas and Mr. Edgerton have agreed to go. He stated that they would not hold a Planning Commission meeting on that date.

ADJOURNMENT:

With no further business, the meeting adjourned at 8:26 p.m.

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V. Wayne Cilimberg, Secretary

(Recorded and transcribed by Sharon C. Taylor, Recording Secretary)