Albemarle County Planning Commission
July 1, 2003

The Albemarle County Planning Commission held a meeting and a public hearing on Tuesday, July 1, 2003 at 6:00 p.m. at the County Office Building, 401 McIntire Road, Charlottesville, Virginia. Members attending were Rodney Thomas; Bill Edgerton; William Rieley, Chairman; Tracey Hopper, Vice-Chairperson; William Finley; Pete Craddock and Jared Loewenstein.

Other officials present were Wayne Cilimberg, Director of Planning & Community Development; Stephen Waller, Senior Planner; Tarpley Gillespie, Senior Planner; Greg Kamptner, Assistant County Attorney; and Stephen Biel, Planner.

Call to Order And Establish Quorum

Mr. Rieley called the meeting to order at 6:00 p.m.

Other Matters Not Listed on the Agenda from the Public

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

Old Business:

SP-2003-028 Matheny Well Drilling (Sign #57, 66) WAIVERS – Request for a waiver to Section 5.2.2.1(b) to allow for outdoor storage of pipe and a request for a waiver to Section 5.2.2.1 (a) to allow for more than 25% of area devoted to the home occupation in relation to the main residence be permitted. The property described as Tax Map 84, Parcel 14E2, contains 2.586 acres, and is zoned RA, Rural Areas. The proposal is located on Kacey Lane, approximately 700 feet northwest from the intersection of Kacey Lane and Rt. 635 (Craigs Store Road), in the Samuel Miller Magisterial District. The Comprehensive Plan designates this property as Rural Areas in Rural Area 3. (Steven Biel)

Mr. Rieley stated that the first item of business was a housekeeping item from last week's meeting to take action on the waivers for Matheny Well Drilling.

Ms. Hopper stated that last week the Commission approved the special use permit and discussed the waivers. Without further discussion, she made a motion to approve both waivers for Matheny Well Drilling as presented from Section 5.2.2.1(b) and 5.2.2.1(a) with the following conditions:

1. There shall be no outdoor storage permitted except for the 5' X 21' outdoor storage area for piping as shown on the sketch plan in Attachment A.
2. The home occupation shall have no more than ten (10) visits per week.
3. No more than four (4) vehicles associated with the home occupation shall be parked on the site at any given time (one drill rig, one service truck, and two pickup trucks).
4. Hours for the home operation shall be Monday through Friday, 6:00 a.m. to 8:00 p.m.

Mr. Thomas seconded the motion.

The motion carried (6:0). (Loewenstein – abstain)

Public Hearing Items:

SP-2003-031 Albemarle County Fire Department Communications Amendment (Sign #12, 13) - Request for a special use permit to allow the attachment of an antenna, consisting of two 80-inch segments supporting communications for the County of Albemarle's Fire-Rescue services, at 148 and 165 feet on an existing 205-foot tall tower. This request is being made in

accordance with Section [10.2.2.6] of the Zoning Ordinance, which allows for radio-wave transmission and relay towers, and appurtenances in the Rural Areas. The property, described as Tax Map 91, Parcel 28, contains 234.165 acres, zoned RA, Rural Areas. This site is located in the Scottsville Magisterial District, on Carter's Mountain Trail, approximately 1 mile south of the intersection with the Thomas Jefferson Parkway (State Route 53). The Comprehensive Plan designates this site as Rural Area 4. (Margaret Doherty) ***DEFERRED FROM THE JUNE 24, 2003 PLANNING COMMISSION MEETING.***

AND

SP-03-32 Albemarle County Fire Department Communications Amendment (Sign #20 & 22) - Request for a special use permit to allow the attachment of an antenna, supporting communications for the County of Albemarle's Fire-Rescue services, at 97 feet on an existing 99-foot tall tower. This application is being submitted in accordance with Section 10.2.2.6 of the Zoning Ordinance, which allows microwave and radio-wave transmission towers and their appurtenances, by special use permit. The property, described as Tax Map 109 - Parcel 60, contains approximately 111.5 acres, zoned Rural Area District (RA). This site is located in the Scottsville Magisterial District on Fan Mountain Road approximately 4.5 miles from the intersection with U.S. Route 29 South, past the University of Virginia's Fan Mountain Observatory. The Comprehensive Plan designates this property as Rural Area 3. (Margaret Doherty)

Mr. Waller summarized the staff report.

- This proposal is for the co-location of additional antennas at two existing tower sites supporting the communications for the Albemarle County Fire Department's Fire and Rescue Services. The County is currently contracting with the City for emergency dispatching of its fire and rescue services. This month the Emergency Communications Center will be taking over dispatch functions for the City. In order for that to happen, the County would have to place one transmitter antenna at Carter's Mountain and then a back up transmitter at the Fan Mountain site. For SP-03-31, the request for Carter's Mountain, the antenna to be placed on that tower consists of two 80-inch segments. One would be placed at 148 feet and the other at 165 feet on an existing 200-foot tall tower. For SP-03-32, the request for Fan Mountain, the 7-foot by 5-foot antenna would be attached to the existing 99-foot tower at a height of 97 feet. The antenna would be attached with a bracket that would extend 5 feet from the existing tower.
- Staff has reviewed this request for consistency with the Personal Wireless Services Policies of the Comprehensive Plan and with the regulations set forth in the Zoning Ordinance for health, safety and welfare. Therefore, staff recommends approval of the requests with the conditions suggested by staff in the staff report. Some of these conditions are different mainly due to the design of the antennas. The conditions were drafted to be consistent with the current regulations under Section 5.1.4 for the maintenance of the towers.

Mr. Waller stated that he would be happy to answer any questions.

Mr. Rieley asked if anyone had questions for Mr. Waller.

Mr. Edgerton stated that at the bottom of page 7 under condition 2b, it gives the size of the antenna as 7 feet in height and 13 feet in width, but staff just said 5 feet. He questioned which amount was correct since he could not tell from the drawing.

Mr. Waller stated that he was also confused by the schematic drawings that were provided by the applicant. He suggested asking the applicant.

Mr. Edgerton pointed out that the technical data listed 151 inches and referred to a different height.

Mr. Craddock stated that the antenna on Fan Mountain was an array.

Mr. Rieley stated that the illustration was very poor.

Mr. Kamptner stated that the mechanical data on page 19 says the maximum horizontal width would be 151 inches, which was less than 13 feet.

Mr. Edgerton stated that he would wait for the applicant to answer the question.

Mr. Rieley stated that the Commission would hear both requests at the same time, but take separate actions. He opened the public hearing on SP-2003-31 and SP-2003-32 and asked if the applicant would like to address the Commission.

Tom Hanson, Director of the Emergency Communications Center, stated that unless the Commission has specific questions that he had nothing else to add.

Mr. Edgerton asked if he could clarify his question.

Mr. Hanson stated that he did not know where the 13 feet came from since his understanding was that the antenna was 5 feet in height and width.

Mr. Rieley asked if the antenna was simply an array with no webbing between them.

Mr. Hanson stated that was correct. He pointed out that the picture that was shown was exactly what the antenna looks like.

Mr. Loewenstein stated that the mechanical data of 101 inches must be incorrect. He pointed out that the illustration was on page 19.

Mr. Thomas asked if it was possible that they were using the 151 inches as the maximum and that the antenna could be extended to 151 inches.

Mr. Hanson stated that it was very possible. He pointed out that he would have to go with what the consultant supplied.

Mr. Rieley asked if there were other questions for Mr. Hanson. He stated that this discrepancy does raise an issue.

Mr. Craddock asked if this would be an improvement for the County's dispatching.

Mr. Hanson stated that the County was moving its operation to the Emergency Communications Center for all volunteer departments and any County departments. Presently they are all dispatched off of one system, which was the tower on Carter's Mountain with a backup tower in the City. This request will allow two locations on Carter's Mountain with one for the City and one for the County. Then, Fan Mountain would be the backup for the County.

Mr. Rieley asked if there was anyone who would like to speak to these two applications. There being no one, he closed the public hearing to bring the matter back to the Commission for discussion and possible action.

Mr. Thomas stated that he would like to raise the same issue brought up by Mr. Edgerton since page 18 does say that the maximum horizontal width is 151 inches. He asked if it was a possibility that they were asking for this as the maximum.

Mr. Rieley noted that this was an issue that needs to be clarified. He asked how it was limited in the conditions.

Ms. Hopper stated that the conditions say 13 feet.

Mr. Rieley stated that the applicant thinks that they only need 5 feet, and clearly what is illustrated is five feet and not 13 feet. He stated that he was a little concerned with the illustration as well. He noted that it was a mighty fuzzy array. He felt that it was important that when the County makes an application that the Commission hold them to the same standards as the general public.

Mr. Edgerton stated that he was uncomfortable with this.

Mr. Rieley asked how they stand relative to time. He asked if they could defer this for a week to request clarification on this issue.

Mr. Cilimberg stated that the requests are scheduled for next week's Board meeting.

Mr. Finley asked if they could straighten this out before it goes to the Board.

Mr. Edgerton agreed with Mr. Rieley that the Commission has required a significant amount of detail from private individuals on towers, and he thought that they need to be consistent in what they ask for. He noted that from both illustrations that he could not tell what they were approving and he had a problem with that. The other small detail was that the condition lists different heights of 97 versus 99 feet. He asked for clarification of these issues by the applicant.

Mr. Rieley stated that the Commission could act on the applications and request that clarifications are made before it goes to the Board or ask that it come back to the Commission next Tuesday with these issues clarified. The Commission could act on the applications on Tuesday, and then be heard by the Board on Wednesday.

Ms. Hopper asked if the applicant would have to agree to a deferral.

Mr. Rieley asked what the timing was on this, and Mr. Cilimberg stated that he was not sure.

Mr. Rieley stated that if they act on it and ask that additional information be put in the packet, then there was virtually no time to do that anyway.

Ms. Hopper asked to make a distinction between the 97' and 99' figures. She suggested that the 99' was the height of the tower and the 97' was where the attachment would go on the tower.

Mr. Cilimberg stated that the discrepancy was actually in the width of the Fan Mountain antenna. The conditions of approval contain a different width than what was listed in the description up front. The width needs to be clarified in the illustrations and in the list of specifications. The heights listed in the conditions were what the applicant had indicated would be needed for placement of the antennas on the existing towers. He stated that staff could work out those details to clarify whether it would end up being 151 inches or 5 feet (60 inches).

Mr. Rieley pointed out that there is a big difference between 151 inches and 60 inches.

Action on SP-03-32

Ms. Hopper moved for a one-week deferral to next Tuesday, July 8, 2003 of SP-03-32 (Fan Mountain).

Mr. Edgerton seconded the motion.

Mr. Rieley stated that SP-03-32 would go to the Board of Supervisors the day after their meeting.

Ms. Hopper added to the motion that if it ends up being 13 feet instead of 5 feet, then the drawing needs to be updated and resubmitted.

The motion carried unanimously (7:0).

Mr. Rieley stated that SP-03-32 (Fan Mountain) would come back to the Commission next week.

Action on SP-03-31
Ms. Hopper moved to recommend approval of SP-03-031 with the conditions as recommended in the staff report as follows:

The Commission recommends approval of the requested special use permit, SP-03-31 (Carter's Mountain), subject to the following conditions:

(In the event that the Board chooses to deny this application staff offers the following comment: In order to comply with the provisions of the Telecommunication Act, staff requests consensus direction from the Board regarding the basis for denial of the application and instruction to staff to return to the Board with a written decision for the Board's consideration and action.)

1. The tower shall not be increased in height;

2. The additional antenna may be attached only as follows:

    a. The highest portions of the antennas shall not exceed 165 feet above ground;
    b. The antennas shall not exceed seven (7) feet in height nor two (2) feet in width, and shall be of a color that matches the tower;
    c. The antennas shall be mounted no further than two (2) feet from the tower structure; and
    d. The antennas subject to this approval may be replaced administratively, provided that the sizing, mounting distances and heights of the replacement antennas are as proposed by the applicant.

3. With the exception of the safety lighting required by Federal Aviation Administration regulations, outdoor lighting shall be permitted only during maintenance periods; regardless of the lumens emitted, each outdoor luminaire that is not required for safety shall be fully shielded as required by Section 4.17 of the Zoning Ordinance;

4. The permittee shall submit a report to the Zoning administrator once per year, by not later than July 1 of that year. The report shall identify each user of the tower; and

5. The tower and all supporting facilities shall be disassembled and removed from the site within ninety (90) days of the date its use for wireless communications purposes is discontinued.

Mr. Loewenstein seconded the motion.

The motion carried unanimously (7:0).

Mr. Rieley stated that SP-03-31 (Carter's Mountain) was approved and will be heard by the Board on July 9th.

ZMA-01-15 Martha Jefferson Hospital at Peter Jefferson Place - Request to rezone 106.92 acres from CO, Commercial Office to PD-MC, Planned Development-Mixed Commercial to allow for the Martha Jefferson Hospital and associated uses. The property, described as Tax Map 78, Parcels 20B, 20C, 20M, 31, 31I, 32, 71 and 71A is located in the Rivanna Magisterial District on Rt. 1118 (Peter Jefferson Parkway), approximately a half mile from the intersection of Route 250

West and Peter Jefferson Parkway. The Comprehensive Plan designates this property as Office/Regional Service in Pantops. (Tarpley Gillespie)

AND

SP-01-56 Martha Jefferson Hospital at Peter Jefferson Place - Request for a special use permit to allow a hospital in accordance with Section 23.2.2.1 of the Zoning Ordinance which allows for hospitals. The property, described as Tax Map 78, Parcels 20B, 20C, 20M, 31, 31I, 32, 71 and 71A is located in the Rivanna Magisterial District on Rt. 1118, (Peter Jefferson Parkway), and approximately a half-mile from the intersection of Route 250 West and Peter Jefferson Parkway. The Comprehensive Plan designates this property as Office/Regional Service in Pantops. (Tarpley Gillespie).

AND

SP-01-57 Martha Jefferson Hospital at Peter Jefferson Place – Request for a special use permit to allow a parking structure in accordance with Section 23.2.2.4 of the Zoning Ordinance which allows for a parking structure located partly or wholly above grade. The property, described as Tax Map 78, Parcels 20B, 20C, 20M, 31, 31I, 32, 71 and 71A is located in the Rivanna Magisterial District on Rt. 1118 (Peter Jefferson Parkway), approximately a half mile from the intersection of Route 250 West and Peter Jefferson Parkway. The Comprehensive Plan designates this property as Office/Regional Service in Pantops. (Tarpley Gillespie)

Mr. Rieley stated that there were three items regarding the Martha Jefferson Hospital at Peter Jefferson Place. These requests include one rezoning and two special use permits. One of the two special use permits was requested for deferral until next week. The way that this came to the Commission in their packet created a great deal of confusion among the Commissioners. Several Commissioners read this as ZMA-01-015, SP-01-56 and SP-01-57 all requesting deferral to July 8th because deferral was at the bottom of the list and "and" was prominently printed between them. For that reason, he wanted to open the public hearing on the two requests that were not requesting a deferral, and then next week when they hear the last special use permit the Commission can take action on all three items at the same time. The deferral for a week would allow time for those Commissioners who misunderstood the agenda to scrutinize the details a little more. It will also give the persons from Martha Jefferson Hospital who brought their presentation tonight to go ahead and make their presentation and also give the public the opportunity to make comments. He asked if the other Commissioners agreed.

Mr. Kamptner stated that there was one correction. He stated that the Commission could go ahead and receive public comment on the parking structure special use permit tonight, and then open the new public hearing next week.

Mr. Rieley stated that public comment could be taken on all three requests tonight, but the Commission would not act on the three requests until next week.

Ms. Gillespie stated the applicants were really hoping to get the Commission's comments and to answer any questions. Also, the applicants were really hoping for action on the first two items. She noted that it was understood that there was a misunderstanding with the agenda. Again, it was staff's mistake and not the applicant's. Therefore, if there was anything that the Commission could do to not penalize the applicant would be fantastic. She summarized the staff report.

- Martha Jefferson Hospital is proposing a new hospital campus at Peter Jefferson Place. The proposal was originally submitted in October 2001. A work session was held with the Commission in March 2002 and several concerns were addressed at that time. The concerns were related to the visual impacts of the proposal, impacts on the open space and the visibility, scale and massing of the hospital. The applicants took the comments from March of 2002 and worked on a major redesign process for the hospital. A new proposal was presented that the Commission held a work session on in May of 2003. Staff put forth

several questions about that proposal to the Commission at that time. Overall, the Commission very well received the proposal.

- What is before the Commission tonight is essentially the same project with a few more details that have been refined. Since May, staff has been working with the applicants and VDOT to receive consensus on the traffic related impacts for the project.
- Staff analyzed this proposal in relation to the Comprehensive Plan and found the proposal to be consistent with the Comprehensive Plan's designation for office and regional service at this site.
- Staff also analyzed the proposal in relation to the Neighborhood Model and found the plan to be generally consistent with several of the Neighborhood Model principles.
- The anticipated benefits and impacts of the proposal were reviewed. The most significant impacts staff anticipated were related to traffic and transportation. Specifically, staff anticipates impacts to the Route 250/I-64 Interchange as a result of this project. In working with VDOT and the County Engineers, staff has determined an appropriate improvement to mitigate the impacts of the interchange. Those improvements include the design and construction of two new turn lanes that will be 325 feet long as well as a new signal installation. Based on cost estimates provided by VDOT, the applicants have revised their draft proffers to provide for these improvements. County staff is very pleased with this development. The Commission received a new set of draft proffers tonight.
- In addition, staff has expressed a concern that the site really needs to be served by transit. The applicants have agreed to proffer $50,000, which is the approximate cost for one year of transit and to get transit started up at this site. Again, staff is please with this development.
- Staff identified several favorable factors to this request.
    1. The health care campus will allow Martha Jefferson Hospital to provide health care to our growing population while also responding to the changing conditions of the healthcare industry.
    2. The proposal has been redesigned to mitigate the visual impacts and respond to previous staff and Planning Commission concerns.
    3. The proposal will provide interconnections between State Farm Boulevard, Route 250 and Peter Jefferson Place.
    4. The plan provides 82 acres of open space including a community park and access to the Rivanna Greenbelt Trail.
    5. A pedestrian network will support the campus.
- Staff identified two unfavorable factors related to the need for transit and also the impacts on the interchange. Staff feels that those two negative impacts have been adequately addressed with the proffer statement, which was before the Commission tonight.
- Staff recommends approval of ZMA-01-15. Also, staff recommends approval of SP-01-56 and SP-01-57 with the following condition: The special use permit approval shall not expire but shall remain in effect so long as the approval of ZMA-01-15 remains in effect. The proposed condition is really driven by the nature of this project and the fact that construction probably will not begin within the 24-month period before the special use permits expires.
- The Commission cannot legally act on SP-01-57 tonight due to staff's error, but can act on ZMA-01-15 and SP-01-56.

Mr. Rieley asked if there were questions for Ms. Gillespie.

Mr. Thomas questioned who would receive the $50,000. He asked if there was already bus service to State Farm.

Ms. Gilliespie stated that there was already bus service to State Farm. The $50,000 was the estimate to extend the bus service up through Peter Jefferson Place to the hospital site.

Mr. Cilimberg stated that the County provides CTS for service under contract. The money would be provided to the County and in turn the County would be providing it in a contract to CTS for the service to be extended.

Mr. Rieley asked if there were any other questions for staff. There being none, he opened the public hearing on all three of these items and asked if the applicant would like to address the Commission.

Jim Haden, President of Martha Jefferson Hospital, thanked the Planning Commission and staff for their help and input over the last year and some months. He asked to introduce several individuals who were present to answer questions. Those persons include: Ron Cottrell, Vice-President of Planning for Martha Jefferson Hospital; Mike Matthews, of the development company; Bob Hughes, land planner for this project and Peter Jefferson Place; Valerie Long, Attorney with McGuire, Woods, Battle & Booth; and the members of the Martha Jefferson Hospital Planning Committee. Since the Planning Committee met this evening, they just adjourned the meeting over to this meeting. He stated that the Board Chair, Lillian BeVier, and Dr. David Morris, Board member and physician; would speak after he concluded. He pointed out that as staff had mentioned, they have made significant modifications from the first work session to the second work session. He stated that the additional work provided a better plan not only for the community and the County but for the community hospital as well. The hospital was very pleased with the changes that have been made. Mr. Worrell was good enough to change his previous approvals of the property including the layout. Some of the previous concerns included the visibility impacts, the massing and development, and respect for terrain. He pointed out that Ms. Hopper previously mentioned the great parking structure in Staunton. He stated that they looked at the parking garage, took some pictures and reviewed their website. He presented the photographs to the Commission. He stated that Peter Jefferson Place was an ideal location for a community hospital. The construction of the Martha Jefferson Hospital at Peter Jefferson Place fits in the Comprehensive Plan. He asked that the Commission vote on the two parts of the request that they could do legally. If there were any questions, he would be happy to answer them. He asked Lillian BeVier and Dr. David Morris to speak for the application

Lillian BeVier stated that as part of the hospital's long range planning process, the Board analyzed the changing demographics of the communities that they serve. Not only did they find that the population was growing, but they discovered that as it grows it ages and a lot of the people who are in the process of aging are moving here. Both of these facts, the growth of the communities and the aging of the population signal an increased demand in the future for health care purposes. It became very apparent during their planning process that though their present site has been a wonderful site and served the community well up until now, it is clearly not sufficient in terms of the space it provides to permit the hospital to expand to the point that they can offer the services and facilities to meet the changing health care needs of the community in the years to come. The Board directed management to find a piece of property that would meet the changing facility and community needs of the community for the next fifty years. In their view, the Peter Jefferson site and the proposed plan presented this evening is just such a site. It is their intention to continue to develop a community hospital of which they can all be proud and will serve the community well in the years to come. She asked that the Commission approve the rezoning request.

Dr. David Morris, member of the Planning Committee and medical staff of Martha Jefferson Hospital, stated that he had been on the staff for 25 years. He stated that Martha Jefferson was truly our community hospital, which was started 100 years ago. The shares in the original building were given back to the hospital so that it was truly owned by our community. Their goal was to provide the best medical care that they could to the citizens of Charlottesville and Albemarle County. Martha Jefferson Hospital provides the vast majority of the primary care for this area and an increasing amount for the specialty care. The current facilities are clearly too small and outdated. The proposed healthcare campus will help the hospital to continue to provide for the medical needs of the community and is a wonderful thing.

Mr. Rieley asked if there was any one else who would like to address any of the three applications. There being no one, he closed the public hearing to bring the matter back to the Commission for discussion and possible action. He encouraged the Commission to address any questions to the applicants while they had their assembled team since next week when they took action on all three requests that the group might be smaller.

Mr. Loewenstein assumed that the figures for the expenses that have been mentioned quite specifically in the new proffers 7 – 9 were derived from consultation with the appropriate authorities. He acknowledged that staff felt those figures were adequate to cover the need. He stated that these figures were derived from the agencies and groups involved.

Ms. Gillespie stated that the figures for the interchange improvements came directly from VDOT. VDOT feels that amount was adequate to complete the project as described. There is a possibility that once they get into designing the plan that there could be a need for additional pavement that could drive costs up. The figures were given to the applicant by VDOT and they subsequently proffered them.

Mr. Rieley asked if the funds would be put into escrow so that they might keep up with inflation to some extent.

Ms. Gillespie stated that the applicant has offered to adjust for inflation under the Consumer Price Index and make them available upon their site plan approval.

Mr. Edgerton noted having not seen VDOT's approach, he asked if the numbers represent 100 percent of the anticipated costs of these improvements. He asked if the applicants were willing to pay for 100 percent of what VDOT was asking.

Ms. Gillespie stated that that the figures represent 100 percent of the improvements that are described. As mentioned previously, VDOT was unclear about whether or not additional pavement will be needed, which would cost $50,000. She noted that everything that was requested by VDOT, the applicant has provided.

Mr. Loewenstein asked Mr. Kamptner if there should be any specificity in the proffer about the escrow account itself.

Mr. Kamptner stated that they would look at this. He stated that the language appeared to be a little bit different from the usual language, and they would clarify that.

Ms. Gillespie pointed out that staff just received these proffers this afternoon. Therefore, staff would have to work on the form before the proffers go forth to the Board.

Mr. Rieley stated that was another reason that will give us a little time to scrutinize these. If there are additional concerns, the Commission can raise them next week. He stated that it was tough to have a four page, single-spaced document put in front of you when you sit down at the meeting. He asked Mr. Hughes to come forward to answer a question. He stated that Mr. Haden mentioned that there were some additional changes made to the plan that had been made since the last meeting. He asked Mr. Hughes if he could elaborate on the changes.

Mr. Hughes stated that at the last meeting the Commission suggested creating a low stone wall along State Farm Boulevard. He pointed out that the stone wall had been added to the plan, which was the change Mr. Haden had referred to. He noted that the plan on the wall included that specific item.

Mr. Rieley asked if there were other questions. There being none, he asked that they take separate actions to bring the matters back before the Commission next week. He stated that the Commission would not take action tonight because of the way the agenda was written. Several of

the Commissioners were of that impression. This matter is too important to rush the applications through without people having a chance to scrutinize the information in the packet.

Ms. Hopper stated that the applicant and the public needs to understand fully that this has nothing to do with anything that the applicants have done. There was some confusion with the agenda whereas the majority of the Commissioners were not prepared since it looked liked the whole thing was going to be deferred to next week. She pointed out that the Commission wants to do a thorough job. She recognized that the applicant has done a thorough job. She stated that the amount of flexibility and creativity that the applicant has shown in working with the County in its mission and even the changes to the proffer that came to them tonight show their commitment to working with the County and having a cooperative mutual relationship. The applicants should be applauded for that. She stated that it was the Commission's technical problem that was hanging this up for a week, and it has nothing to do with the applicant.

Mr. Finley asked if there would be another public hearing.

Ms. Hopper stated that there would be a public hearing on the parking, which was the third request.

Mr. Rieley stated that they would reopen the public hearing on that one because of the advertising.

Mr. Cilimberg noted that in taking action next week it would not affect the Board's review, which was the ultimate decision that gets made. All three requests are scheduled for the Board's August 13th meeting and the deferral would not affect that.

Action on ZMA-01-015

Mr. Loewenstein moved to defer ZMA-01-015 to a week from today or July 8, 2003.

Mr. Finley seconded the motion.

Mr. Rieley asked if there was any further discussion.

Mr. Edgerton asked for a little background before next week explaining how the proffers respond to VDOT's communication. He stated that he did not know if the document exists, but he would request a copy of VDOT's communications concerning the proffers that were delivered to the Commission this evening. From his reading, the proffers seem to address all of the concerns that staff expressed in their report. He stated that it would be helpful to be able to read that. He stated that he did not think that anybody was concerned about the quality of the project, but the impact on the traffic was one that staff has brought their attention to. Since the traffic impact has been addressed in the revised proffers, he felt that it would be appropriate to have a few more days to think about this.

Mr. Rieley asked Mr. Haden if he would like to address that issue.

Mr. Haden stated that they did not get the information from VDOT until today, and therefore could not respond earlier.

The motion carried unanimously (7:0) to defer ZMA-01-015 to July 8th.

Mr. Cilimberg stated that the information from VDOT has all been verbal. He pointed out that staff does not have anything in writing at this point in time and the packets were going to be delivered tomorrow. It is doubtful that the Commission is going to get anything in writing regarding this when you get the rest of your packet. He stated that staff would try to get something from VDOT that they could follow up and send to them.

Mr. Rieley asked that staff email the Commissioners a summary of VDOT's comments.

Mr. Cilimberg stated that they would do that if staff can get written comments from VDOT. But if staff could not, then they would have to provide those comments through email based on their own information.

Action on SP-01-56
Mr. Loewenstein moved for deferral of SP-01-56 to July 8, 2003.

Ms. Hopper seconded the motion.

The motion carried unanimously (7:0).

Action on SP-01-57
Mr. Finley moved for deferral of SP-01-57 to July 8, 2003 as requested by staff.

Mr. Thomas seconded the motion.

The motion carried unanimously (7:0).

Mr. Rieley stated that all three requests would come back to the Commission next week. All three requests will go to the Board on August 13th.

The Planning Commission took a ten minutes break at 6:55 p.m.

The Planning Commission meeting reconvened at 7:15 p.m.

Work Session:

ZMA-03-03 Eckerd Drug Store – Request to rezone 1.79 acres from R-15 Urban density to C-1 Commercial to allow a drug store with a drive through window. The property, described as Tax Map 78 Parcels 12, 12B and 55A4 is located in the Rivanna Magisterial District on Rt. 250E (Richmond Road), at the northeast intersection of Route 250 East and Rolkin Road. The Comprehensive Plan designates this property as Urban Density Residential, recommended for 6-34 units per acre in the Pantops Neighborhood (N3). (Tarpley Gillespie)

AND

SP-03-47 Eckerd Drug Store - Request for special use permit to allow a drive-thru retail use in accordance with Section 22.2.2.10 of the Zoning Ordinance which allows for drive in windows serving or associated with permitted uses. (Tarpley Gillespie)

Ms. Gillespie summarized the staff report.

- The applicant has requested a rezoning of a property located at the intersection Route 250 and Rolkin Road just east of the Montessori School from the R-15 Urban Density Residential zoning to C-1, Commercial zoning. The applicant is requesting C-1 zoning and not CO as stated incorrectly in one spot in the staff report. The applicant is requesting approval for a 14,364 square foot pharmacy/retail building with associated parking and access. The applicant is also requesting approval of a drive-through related to their use.
- The Land Use Plan of the Comprehensive Plan designates this property for Urban Density Residential Use. The Pantops Development Area Profile of the Comprehensive Plan recommends limiting strip commercial development along this portion of the Route 250 corridor. The applicant asserts that commercial uses compatible with Eckerd currently exist along this corridor. Staff is concerned about the conflict between the proposed zoning and the proposed use against the Land Use Plan designation for this property. Prior to bringing

this application forward for a complete review and action, staff and the applicant are seeking the Commission's guidance on the appropriateness of the proposed use and zoning relative to the Comprehensive Plan designation and the existing context of the site.

- As a majority landowner between Route 250 south of the Fontana Subdivision, west of Westminister Canterbury and east of Route 20, the Virginia Land Company has proposed a conceptual road network to the area just north of this site (Attachment C). The proposed road network includes an extension of Rolkin Road, which would run behind the Eckerd's site and connect the areas to the east and north. This alignment represents one possible scenario for creating a connection in this area. Staff recognizes that creating this connection has benefit to the Pantops area. Of consideration to the Planning Commission is the fact that this particular alignment effectively carves off an 113,430 square foot development site, which fronts along Route 250.
- The Land Use Plan designates this property for Urban Density Residential. Urban Density Residential designation provides some provisions for complimentary non-residential uses. However, staff is concerned that the location and general orientation of this use along the Route 250 corridor is in conflict with the intention of the Land Use Plan designation.
- The Pantops Development area profile recommends the following: "Limit strip development" on Route 250 east by preventing commercial development along the north side of the roadway from the Interstate 64 interchange to the Regional Service designated area." That area is just west of this site.
- The Development Area Profile specifically recommends against a use such as the use proposed or similar uses allowed in the C-1 District.
- Staff has several questions related to this issue for the Commission to consider tonight. Staff understands the applicant's perspective that the proposed use is compatible with the Route 250 corridor as it exists today. However, staff is concerned about the possible further stripping of the Route 250 corridor with commercial uses.
- Before proceeding with the complete review of this proposal, staff is seeking input from the Planning Commission. The questions are as follows:
    - Relative to the Comprehensive Plan and the existing conditions could the proposed Pharmacy and associated retail be an appropriate use for this site?

    An extensive rezoning review, including an analysis of the 12 Neighborhood Model Principles is still pending. The complete review may address some issues of form. The property is also subject to the review of the Architectural Review Board. This review may also help to mitigate some of the impacts.

    - Does the proposed road connection affect what the use of this property should be? Conversely, given its possible impact on the viability to develop the frontage site for residential, is the proposed location for the Rolkin extension appropriate?

    - Relative to the Comprehensive Plan and the existing conditions, could the Special Use Permit for the drive-through be appropriate?

Staff has a concern that the drive-through may further contribute to the commercial strip effect that the Comprehensive Plan has charged the County to limit. It should be noted that a variance was requested of the Board of Zoning Appeals to allow a roof over the drive-through window to be less than 50 feet from the adjoining R-15 zoning district. The variance was denied. The applicant will be required to adjust the site design or eliminate the roof over the drive-through with their next submittal.

- In light of the attached proposed roadway network for Luxor subdivision, does it make sense for the applicant to bisect this area, effectively creating a development site which is oriented towards Route 250? Does it make sense for this new area to be developed for residential uses, as called for in the Comprehensive Plan?

Staff stated that there were representatives present from Eckerd Drug Store as well as from Virginia Land Company. She pointed out that Jack Kelsey, of the Engineering Department, was

present to speak on questions relating to the proposed roadway network as well as the next item on the agenda.

Mr. Rieley asked if anyone from Eckerd Drug Store would like to address the Commission.

Susan Welley, developer for Eckerd, stated that it was interesting that their request came after Martha Jefferson Hospital's request because one of their representatives talked about a growing aging population. That is exactly why Eckerd Drug Store would like to be at this location. Regarding the strip commercial that was mentioned in staff's presentation, there are two elements involved. The first is a design issue. Last Monday Eckerd was before the Architectural Review Board and received a recommendation from them that they had no opposition to the drive-through or the rezoning of the property. The ARB did have some comments that they felt were very constructive, and Eckerd was in the process of revising the plan to accommodate those comments. The other thing she wanted to speak to was use. She stated that commercial was a very broad term. She stated that Eckerd would fall within the Neighborhood commercial which staff mentioned that the urban density does contemplate as neighborhood services. The Eckerd Drug Store's market area is really within a few miles of the store's location so that they would be providing neighborhood services to the Westminister Canterbury and the eventual Luxor developments. She stated that she would be happy to answer any questions.

Mr. Rieley asked if anyone from Virginia Land Company would like to address the Commission.

Bob Cantrell, of Virginia Land Company, and Tim Miller, of Rivanna Engineering, were present, but had nothing to add.

Mr. Rieley asked if any of the Commissioners would like to address the issues that Ms. Gillespie raised.

Mr. Loewenstein stated that in the staff report, staff talked about the limitations of strip development along the north side of the highway from the Interstate-64 interchange to the Regional Service designated area. He asked that she pin point where that area starts.

Ms. Gillespie stated that she could not pin point it, but asked that Mr. Cilimberg do so. She noted that it was several properties west of this site.

Mr. Cilimberg stated that it was towards the City. He pointed out the location.

Mr. Loewenstein noted that immediately adjacent to this site on both sites and across from it that there is an awful lot of commercial now. He stated that perhaps under redevelopment some of that commercial might eventually go away. He noted that he was not convinced that would be likely in our span of years. He stated that he was not convinced that the use is a bad one. Particularly since it has been pointed out by the applicant that this drug store is well located to serve a fairly large population of senior citizens, who would therefore not be required to drive additional distances to get their pharmacy needs met.

Mr. Edgerton questioned whether Giant had a pharmacy.

Ms. Hopper pointed out that Giant had a pharmacy and that there were others in the area.

Mr. Edgerton shared staff's concerns due to the fact that the Commission and Board have been urging staff to limit this type of strip development. He pointed out that he had a problem just looking at the engineering drawing. It appears that to meet VDOT's requirements of trying to line up with Rolkin Road, that they would have to grade away a significant portion of that hill in order to get access in on that property. He asked why they would go to all of that trouble to change the land from what the Comprehensive Plan suggests to create this little pad when it appears that it

would be a lot easier to come into this property a little further to the east and not have as much site work.

Mr. Thomas stated that this property has already been completely filled in since there is a pad sitting there now. He noted that this road is the entrance to the Montessori School anyway. He pointed out that was creating the network for the Pantops area.

Mr. Cilimberg stated that for clarification, the Montessori School seems to be the western end of the residentially designated area. The Regional Service essentially begins on the west side of the Montessori School.

Mr. Edgerton stated that east of the school they were hoping to have residential.

Mr. Cilimberg stated that the school was actually in the residential area.

Ms. Hopper agreed with Mr. Loewenstein in that it does look like a strip development right now. She stated that C-1 zoning was not appropriate here, even though there has been past strip development in this area.

Mr. Edgerton asked if he was correct in reading the gray patched areas as being critical slopes on the enlarged drawing?

Mr. Thomas stated that the property was very steep.

Mr. Edgerton stated that if it were not for the proposed Eckerd or the one-story building, would they need both entrances into this community or for the future roads being proposed.

Mr. Rieley stated that it seemed that they had the cart before the horse. He pointed out that they have a resolution of intent to look at the road network. The larger issue was the correct venue to discuss the appropriateness on a use that was clearly different than what was designated in the Comprehensive Plan. He suggested that the Commission take a fresh look at that piece of the Comprehensive Plan to see if there was a mistake. There are strip commercial uses across the street. He asked if the Comp Plan was unduly restricted to take the point of view that it should be residential from the north side of Route 250 from the existing regional service all the way out to I-64. He stated that he did not know the answer to it because he did not think they had looked at it from that point of view. He suggested that they first look at the rationale for the existing Comprehensive Plan designation and what the pros and cons were. Once they have done that, then they would have the framework to say what they were giving up.

Mr. Thomas stated that this portion of the highway is extremely steep. He questioned the zoning designation because Aunt Sarah's was commercially zoned and sets on the other side of the road. He felt it would be appropriate for the front of the property to be zoned commercially and then all of the land behind it to be residential.

Mr. Loewenstein stated that it was a very small frontage parcel. He agreed with Mr. Rieley that the Commission should look at that area within the confines of the Comprehensive Plan under the existing and the proposed future zoning to see how well things could be lined up. He stated that he had a hard time with the use question on this one only because it was such a small amount of frontage and he did not believe that on either side of this there would be residential development. He noted that behind the parcel was a different story. He felt that the proposed use was a low impact use compared with other possibilities. He noted that he would welcome a broader discussion about all of the issues.

Mr. Rieley stated that was the right way to look at this, not only with the existing intentions of the existing Comprehensive Plan, but with a broader look at this piece of property and how it fits into other things that are around it. He stated that for a drug store, a lot of people could walk to it on

the backside. He noted that this was different from an isolated piece of land. He felt they don't have enough information to make that decision.

Ms. Hopper stated that for a comp plan amendment they would need a large area of land around it.

Mr. Loewenstein stated that the road network would be very much a part of it.

Mr. Craddock stated that the Commission needs to look at the big picture because Martha Jefferson Hospital was coming and as a result there would be lots of support services.

Bob Cantrell, of C.W. Hurt Building Contractors, stated that Tim Miller of Rivanna Engineering could answer any questions.

Mr. Finley stated that the applicants feel that they have a good proposal. On page 2 of the staff report, it says that it was anticipated that the Urban Density Residential area would accommodate areas of non-residential land uses on the scale of Neighborhood Service and Office Service as defined later in this chapter.

Ms. Gillespie stated that this language was right out of the Comp Plan. She pointed out what she was trying to do was define what the designation was. Urban Density Residential designation states that Neighborhood Service uses may be appropriate. Therefore, she went ahead and included right out of the Comp Plan what those uses could be in the examples of uses

Mr. Finley stated that it sounds like what is proposed nearly fits into the Comprehensive Plan.

Ms. Gillespie noted that was one of the reasons why staff brought it to the Planning Commission.

Mr. Loewenstein asked what other road networks or other plans for a road network in this immediate area are currently being looked at. He stated that this was not the only one.

Mr. Cilimberg stated that there have been a few connections identified in other rezonings, but quite honestly it has been done in a piece-mill fashion. That is why staff has a resolution of intent before the Commission in order to try to tie all of this together. He stated that this area was certainly part of that.

Mr. Loewenstein stated that he would feel a lot better if they had gotten a little further into this before they reviewed Eckerd. He stated that they always manage to put in everything before they put in the roads.

Mr. Rieley stated that he didn't mind not building the roads, but he wished that they could at least start planning the roads. He stated that the point Mr. Finley raised was a good one that Urban Density does provide for a certain level of commercial development. That has to be balanced with the fact that the specific Neighborhood III Development Area Profile recommends that they should limit the commercial strip development on Route 250 east by preventing commercial development along the north side of the roadway from the I-64 interchange to the Regional Service designated area. So those things are contradictory and was one reason why they need to revisit what that mix should be and look at it within that framework.

Mr. Edgerton agreed that they needed to look at it very carefully before making a determination on an individual project. If the Commission decided that this sort of commercial development was appropriate that would be one thing, but if they decided that it was not and they encouraged this particular development, then they were going to find themselves setting a precedent that will be hard to defend. He pointed out that there would be plenty of opportunity for commercial supported development once Martha Jefferson was built.

Ms. Hopper stated that the market will be there to push the commercial development and some of the zoning is already set up for Regional and Commercial development. She felt it was important to have a Comprehensive Plan Amendment to look at it comprehensively, especially on Route 250 where there are already problems with multiple accesses. She stated that more strip development could create more traffic problems as well as being inconvenient.

Mr. Craddock asked if there were several office buildings approved between Aunt Sarah's and the existing Martha Jefferson building.

Mr. Cilimberg stated that on the frontage of Westminister Canterbury there were two more spaces for buildings in addition to the one that has already been built. Those were directly related to Westminister Canterbury and the office uses were predominantly tied to what was felt would be necessary for the population that was residing in that area for health services in particular. There was some discussion about accessibility.

Mr. Edgerton stated that there have been several comments made and they are looking at a specific proposal in a work session. The Commission was looking at a conceptual road network that supports the proposal with the Luxor Subdivision behind it. He noted that the level of detail was much more than what he thought was conceptual. Ms. Hopper just mentioned the idea of perhaps a CPA. He stated that this was an opportunity for the applicant to apply for a CPA to allow this use, which would be the appropriate mechanism

Mr. Cilimberg suggested that the resolution of intent be modified if the Commission wanted to look at the Comprehensive Plan in this area as it might relate to this proposal and the land in general on the north side along with the road system. He stated that staff should modify the resolution of intent and have the Commission go ahead and pass that to look at the road system with the land use in that area. The applicant actually has an application for a rezoning. They are going to have to decide whether they want to pursue that. The message he was hearing here was that the Commission was not inclined to recommend approval because of the current Comp Plan and they wanted to reexamine that before they act on the rezoning proposal. He pointed out that there will also be another area with a master plan, but he did not think they would be able to do that level of analysis of this at staff level. Therefore, their review would be a much more focused look at a particular plan probably no more than the level of what you might see in a framework plan type of analysis. Staff does not have the resources to do a lot more than that. But if the Commission did pass that resolution of intent to look at the network of transportation and land use related to that within that area, staff would do the best they could to try to bring something that would at least approach a framework kind of analysis. He stated that this could be clarified in a CPA, but he did think that the profile was trying to get to the idea that commercial was potentially allowable on the north side as it might relate to neighborhood development in that area or residential development. It did not mean that it necessarily had to front Route 250 because you mentioned the concern of stripped development. They would have to look at how they could refine that to be reasonable in terms of how that would be meet. One of the challenges that they know exists is commercial being located too far into the residential without any kind of accessibility or visibility from the main road that would become problematic.

Mr. Rieley stated that those were all good issues.

Mr. Finley asked where does the development area profile come from and if it was binding?

Mr. Cilimberg stated that it was part of the Comp Plan.

Mr. Finley stated that the staff report stated that Urban Density may go into light commercial, but elsewhere it says not on the north side.

Mr. Cilimberg stated that was part of what they would need to look at as part of the Comp Plan review. He stated that there was a difference between the north side of Route 250 and on the

north side within the area that is designated for residential. He felt what the language was trying to say was that the Comp Plan supports residential within that Urban Density area which might be appropriate. But the language was also saying that it does not mean that it has to be right on the north side of Route 250 in a manner that would appear as further strip development.

Mr. Edgerton stated that Mr. Finley's point was well taken. The last paragraph on page 2 in the staff report, "The Urban Density Residential provides some provisions for complementary non-residential uses." Now granted the proposed Eckerd Store is not of the scale one would call a Regional Service type of facility, although there would be some regional use of this facility as proposed. He agreed with staff's interpretation that the location and general orientation of what is being proposed was not really complimentary to the proposed residential use. He felt that it certainly would be convenient to the residents, but he felt that most of the business would be coming off of Route 250 and not from the residential community behind the store.

Mr. Rieley stated that the second bullet says does the proposed road network affect what the use of this property should be? Conversely, given its possible impact on the viability to develop the frontage site for residential. Is the proposed location for the Rolkin extension appropriate? He stated that in order to answer that responsively it needs to be looked at from a broader framework as a part of the resolution of intent to look at the road. He asked if anyone had further thoughts on that.

Mr. Thomas asked if Sarah's road was across from State Farm Boulevard.

Mr. Cilimberg stated that it does not because the road would go directly through Aunt Sarah's.

Mr. Loewenstein stated that given the small scale of this, the small amount of frontage on Route 250 with the type of use involved, he was glad that they would be looking at this more comprehensively. He stated that the use was not so terrible as others might think. He stated that he would hate to see it turned down just for that reason since they need to look at all of those values again and decide what was best for this overall area as well as this specific location. He felt that none of the four questions could be answered any better tonight given these issues.

Mr. Rieley stated that there was a general question about the drive-through. He stated that it does not make sense for the applicant to bisect this area, but they could defer that question until they found out what the alternatives are with the road network. He asked staff if they had received enough feedback.

Mr. Cilimberg stated that they have not actually gotten to the CPA yet. He summarized what he thought the Commission had said. He wanted to make sure that the applicant and staff understand that they were moving forward on how to deal with this particular rezoning and special use permit. He summarized that the Commission would not want to act on this rezoning and special use permit as it has been presented based on the existing language and designations in the Comprehensive Plan. The Commission would prefer to have both the transportation system and the land use in that area to be looked at first before making a decision on this particular rezoning and special use permit.

Mr. Rieley agreed and noted that they had heard a range of opinions about the relative sympathy for this particular use on this particular site. Virtually everybody would feel more comfortable when looking at it in a broader context.

SUMMARY

The Planning Commission held a work session to discuss the proposed rezoning and special use permit for Eckerd Drug Store. In summary, the Commission would prefer not to act on the rezoning and special use permit requests as presented based on the existing language and land use designations in the Comprehensive Plan. The Commission would prefer that the

transportation system and the land use in that area be reviewed more comprehensively before a decision is made on this particular rezoning and special use permit.

Resolution of Intent to Study Conceptual Road Network for Pantops Area – Staff proposal to study a general road network in the area of Pantops. The purpose of the work session is to receive Planning Commission feedback and adopt a resolution of intent. (Tarpley Gillespie)

Mr. Rieley stated that the last item was the road network in the area within which connections are being suggested. He asked to preference the discussion with one of the things going on with the CHART Committee. The CHART Committee was looking at the 2025 plan, which were the projects for the next 22 to 23 years. One of the things that has become apparent to a number of individuals in looking at the traffic figures on various alternatives with one of the projects was a close end eastern connector that makes a connection somewhere between Route 250 and Key West or even closer to Route 250. Another suggestion was to make a connection from the end of Darden Towe Park over to Rio Road which probably would go north to the area where the Meadow Creek Parkway is suppose to join up to Rio Road. What has become apparent is that connection does more to relieve traffic than several key corridors in the area that the Meadow Creek Parkway does or what several other connections do. It would be far less problematic than a farther out eastern connector. It gives additional significance to this connection from Route 250 somewhere through this area. It almost has to go through this area unless you utilize Route 20 part of the way. He stated that the CHART Committee's recommendations would be done within the next two weeks. He felt that connection was going to get a lot of attention.

Mr. Thomas felt that was a good point.

Mr. Edgerton stated that from what he had seen it would be accessing Route 250 somewhere to the east or west of Route 20.

Mr. Rieley stated that ideally to the east.

Mr. Edgerton asked if he was talking about the other side of the ridge or mountain, and Mr. Rieley stated no.

Mr. Thomas stated that they did not know where the actual connection would go.

Mr. Loewenstein asked what the road would connect to on the opposite end.

Mr. Thomas stated that it would be in the area of Rio Road.

Mr. Rieley stated that nobody knows exactly because the possibilities are only being discussed.

Ms. Gillespie summarized the staff report.

- The purpose of this work session was two-fold. One was to make the Planning Commission aware of some of the thoughts that staff has been presented with in relationship to making connections in the Pantops area.
- The second was to ask the Commission to pass a resolution of intent for staff to study road way connections in the Pantops area and develop a Comp Plan Amendment to reflect something that that a consensus could be reached on. Over the past year, the County has reviewed numerous rezonings, special use permits, subdivisions and site plan applications in the Pantops area. Decisions about future interconnections in Pantops have been made with many of these projects. In some cases interconnecting roads have been built. In others, provisions have been made for future road building. The time has come for greater certainty in the location of the road system so that future land development projects can provide the road in the right locations.

- Staff has formulated a series of potential transportation alternatives within the neighborhood. The Commission has some of the suggested network, with the most recent one with the Moore's Rezoning. Staff believes that these interconnections could ease the impacts of the trips that begin and end in the neighborhood by offering drivers multiple routes that are alternatives to using Route 20 or Route 250. In Attachment A was one potential road connection for Pantops.
- Staff is asking that the Commission pass a resolution of intent, which is attached to the staff report, to allow staff to study the road network in this area and present it to the Commission as a possible Comp Plan Amendment.

Mr. Cilimberg stated that based on the Commission's conversation on the last item, this resolution of intent would need to be modified to represent what the Commission said they wanted to look at along with transportation to include the land use. He noted that there might be some references that staff will want to point out. If that is what the Commission wants to do, then it would be a good idea for staff to take the resolution of intent, modify it and have the Commission act on it under the consent agenda of an upcoming meeting.

Mr. Loewenstein asked that the resolution of intent be sent in such a manner so that the Commission could see the altered language.

Mr. Rieley stated that he did not think the Commission should be looking at the roads in this area without looking at a potential alignment or several alignments for that connection from Rio Road over to Route 250.

Mr. Edgerton asked if there was a projected time that CHART was going to come up with a recommendation.

Mr. Rieley stated that the final report would be done in September, but the next meeting of CHART will be next Wednesday when they would begin taking out and putting in very specific projects.

Mr. Cilimberg stated that staff did not try to address that part here because that analysis was happening in the Regional Study. He stated that the problem was that in order to incorporate that into our work, staff needs to know that it is a project that is going to be in the plan. Currently, this is not in the plan. Staff could certainly try to find what would appear to be the best alignment location for something like that. When they start looking at this from Rio Road all the way over, then it becomes something very different and was something he was not sure they could do very well.

Mr. Rieley stated that they did not need to do that in great detail. What CHART was looking at was basically a plumbing diagram. He stated that they would be leaving out a critical piece of this if they were looking at this road system and they were leaving out the most important one.

Mr. Loewenstein suggested that the Commission look at what CHART is looking at for no other reason other than for background information.

Mr. Rieley stated that the information is not that specific.

Mr. Cilimberg stated that if that was a project that CHART was moving forward on, then the Commission would know that in a week and a half. Staff can certainly factor that into the work that is done on this CPA because they would at least know that it is something that was moving forward. He stated that staff would have to think about how they could incorporate it. He noted what he thought the Commission was saying was that they have not reserved the opportunity to establish a network when they have potentially proposed something that was very necessary.

Mr. Rieley stated that was precisely correct.

SUMMARY
The Planning Commission held a work session on the Resolution of Intent to Study the Conceptual Road Network for the Pantops Area. The purpose of the work session was two-fold. One was to make the Commission aware of some of the thoughts that staff has been presented in relation to the improving the connections in the Pantops area. The second was so staff could ask the Commission to pass a resolution of intent to conduct a study of the roadway connections in the Pantops area and develop a Comp Plan Amendment to reflect something that they could reach consensus on. The Commission discussed these issues. It was the consensus of the Commission to ask staff to modify the resolution of intent to include additional language about the land use plan in the study and bring it back on the consent agenda for approval.

New Business:

Mr. Rieley asked if there was any new business. There being none, the meeting proceeded.

Adjournment

With no further business, the meeting adjourned at 8:15 p.m. to the next meeting on July 8, 2003.

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V. Wayne Cilimberg, Secretary

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