Albemarle County Planning Commission
November 11, 2003

The Albemarle County Planning Commission held a meeting and a public hearing on Tuesday, November 11, 2003 at 6:00 p.m., at the County Office Building, Room 241, Second Floor, 401 McIntire Road, Charlottesville, Virginia. Members attending were William Rieley, Chairman; Rodney Thomas; Bill Edgerton; Pete Craddock and William Finley. Absent from the meeting was Jared Loewenstein.

Other officials present were David Benish, Chief of Planning & Community Development; Susan Thomas, Senior Planner; David Hirschman, Water Resources Manager; Juandiego Wade, Transportation Planner; and Greg Kamptner, Assistant County Attorney.

Call to Order and Establish Quorum:

Mr. Rieley called the regular meeting to order at 6:05 p.m. and established a quorum.

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.

Review of Board of Supervisors Meeting – November 5, 2003

Mr. Benish summarized the actions of the Board of Supervisors on November 5, 2003.

Consent Agenda:

SUB 2003-207 Langdon Woods RPD Preliminary Plat: Request for preliminary plat approval to create 19 development lots and one preservation tract as a Rural Preservation Development on 142.24 acres. The development lots range in size from 2 - 8.43 acres, the preservation tract is 43.57 acres. The property is zoned RA, Rural Areas and is described as Tax Map 9 Parcels 27, 27A, 27B, 28A, 28A1, and 28A2. It is located in the White Hall Magisterial District on Simmons Gap Road [Route # 663], approximately 1.25 miles south of the intersection of Route 603 and Route 633. Comprehensive Plan designates this property as Rural Areas in Rural Area 1. - Tax Map 9, Parcels 27, 27A, 27B, 28A, 28A1 and 28A2. (Margaret Doherty)

Approval of Planning Commission Minutes – September 16, 2003

Mr. Rieley asked if any Commissioner would like to pull any item from the consent agenda for discussion. There being none, he asked for a motion.

Mr. Thomas moved to approve the consent agenda as presented.

Mr. Finley seconded the motion.

The motion carried by a vote of (5:0). (Loewenstein - Absent)

Public Hearing Items:

CPA 2003-04 Crozet Master Plan - Request for a Comprehensive Plan Amendment to amend the existing boundary of the Community of Crozet as recommended by the proposed Crozet Master Plan. This amendment would remove the southeastern quadrant of the Community, generally encompassing the property located south of Lickinghole Creek and Lickinghole Basin extending from the eastern boundary of the Development Area to a point on the north side of the Rt. 250W (Rockfish Gap Turnpike), east of the Clover Lawn development. The amendment

would add a portion of the historic Crozet downtown area located north of Rt. 230 (Three Notched Road) and Rt. 788 (Railroad Avenue) to the Development Area. (Susan Thomas)

Ms. Thomas stated that the Commission has discussed this particular recommendation of the master plan several times in the last year in various settings. This issue first arose during the master plan process about one year ago when they first saw the framework plan, which was the mid-point product in the master plan process. The consultants and staff had thought that the boundary amendment issue would come up as a fringe area issue. They thought about it and talked about it. She felt that the citizens were really ahead of them because as staff unveiled the framework plan, which was a much less detailed version of what they saw on the wall today, they were immediately asked about the downtown area. Concerns were raised that they did not look at downtown as a whole since they stopped at the development area boundary. She pointed out that might be technically where the boundary is, but for the life of the community downtown means that whole central crossroad district. In a sense they had to scurry a little bit and move forward with really grappling more publicly with that particular issue. The Planning Commission and Board of Supervisors held two joint work sessions on the framework plan and then the final presentation in July. At each one of those meetings, this issue received some attention, explanation and real watching by the citizenry. Staff has been concerned about the real community of Crozet that lies outside the technically defined developed area for a long time because historically that is really where at least the heart of the residential settlement was. Crozet has older areas of pockets of development throughout the whole downtown area, but certainly a lot of it is located on the northern section. She pointed out that there was an interesting article in the "Whistle" not long ago about the history of the very first school in Crozet, which was where Crozet Baptist is currently located. That shows us that the St. George Avenue area was very much a part of downtown. Staff has never been exactly sure how to deal with this issue because of the whole emphasis of Lickinghole as the sedimentation basin. This sedimentation basin really acts as the filter for runoff coming from the development area that protects the Mechums River and then, of course, protects the larger reservoir. The only trouble was that it was great for new development, but it did not do anything for the existing downtown area that lay north of Three Notched Road and Railroad Avenue. Therefore, they were not doing a complete job. She felt that this issue has concerned a number of people over the years. She stated that David Hirschman, Watersource Manager, was present tonight to discuss what he had found from going out in the field and inspecting the area. She pointed out that Parrot Branch and Beaver Creek Reservoir have really had no protection. She felt that this plan amendment to move the northern boundary to encompass not every single developed neighborhood of Crozet, but most of them, is something that is perhaps long overdue. She stated that she wanted to go up to the map and explain how the consultants arrived at this particular boundary area and also to talk about the southeastern quadrant. She pointed out that the Commission was given a map from the jurisdictional notebook. The striped portion in the lower right corner indicates the area of the southeastern quadrant of the community of Crozet that is proposed for removal from the development area. The darker part of that indicates the portion of that area approved for water and sewer service. There is a portion of the development area not approved for water and sewer at this time, but the majority of the southeastern quadrant as you can see has that darker shading in the striped area. If this were approved, they would be removing some areas that are currently approved for water and sewer service. She pointed out that the Fox Chase subdivision was probably a major portion of that, which was actually an approved development that was actually underway.

The origin of this northern boundary issue beyond just the community discussion and the sort of staff level concern came up one day when Planning, Engineering and the technical consultants were meeting to try and talk about transportation issues and implementation. One of the engineers looked at this confluence area and said that it looked like it was pretty steep and narrow in this location. He suggested that it might be possible to construct a regional stormwater facility that might really catch what is coming down Parrot Branch and the other branch, which would make some real improvements in Beaver Creek. When David Hirschman and others began to look into what was the best way to go about correcting the water quality problem in

Parrot Creek, there turned out to be some things that could be done that may be a little more suddle. These changes would have some other benefits besides the single regional basin, but they noted that the concept was the same. There is an area where they could install some stormwater facilities in the area all the way up to the elementary school that would address the water quality issue and also maybe provide some public amenities. The first thing the consultants did was map the watershed that drains roughly to this point, which was the blue line. They were not looking to expand the development area boundaries because as all of you know Albemarle County has really made a commitment to try to maintain those boundaries and do a better job of the form of development within them. Staff was really looking at what it would take to address the environmental impact. At the same time the southeastern quadrant had been looked at very carefully for the potential for new neighborhoods, hamlets or centers. Staff found that the Lickinghole system was established far enough away from the heart of the community and massive enough that it was going to be very difficult to make that connection between the southeastern quadrant. There was almost no where else with the exception of possibly this one area. However, to connect in either direction was going to be difficult. As they looked at the northern area to solve the water quality problem and at the southeastern quadrant from the standpoint of environmental sensitivity, interconnections and all the principles of the Neighborhood Model, a kind of balance began to emerge. Whereas they could have wrapped in the entire watershed on the North, the intent was not to vastly expand the development area. They wanted to capture the developed portion of the area so that they could address the issues, which also created some redevelopment opportunities. She pointed out that there were some areas of Crozet that are established neighborhoods that don't fall within this particular concept of wrapping in the downtown, but they are definitely the lower density more removed areas farther away from the downtown area.

Mr. Rieley asked staff to trace the boundary on the map and then talk about the staff report.

Ms. Thomas stated that the consultants showed the boundary as starting roughly north of the eastern edge of the Acme property, which was where you first get into the extended downtown. The proposed boundary heads north towards Parrot Branch and then it follows along the south side of the water course to a point that would be west of the ConAgra freezer about a third of the way along the row of houses between Great Value and ConAgra. Then it heads northwesterly crossing the property east of the new elementary school. It follows along the elementary school's northern boundary, comes along Ballard Road, cuts over almost due west and angles north to take in the water tower and then comes back to Railroad Avenue. This description is in the staff report. With consultation with David Benish, they made a slight change. She stated that development area boundaries are always tough to set because they are not intended to follow property lines. Staff tries to find a geographic feature to use that makes sense in terms of definition, but they don't always succeed. They thought it would be much clearer if they simply said that it was going to Parrots Branch and follows Parrots Branch to the confluence area with the other southerly creek. It then follows the northern part of Parrot Branch all the way to the school's eastern property line. It then goes straight up the eastern property line and follows the rest of the proposed boundary. Staff simply made that recommendation to make the boundaries a little bit easier to define. There is nothing inherently better about it. You could argue that it was better to leave this confluence area out or you could argue that it could go in. She felt that there were good arguments on either side, but that was the change that staff made. Instead of the red line sort of skirting the edge of the flood plain, staff took it to the creek or branch just for the ease of definition. They followed the northern branch and then instead of angling north they went all the way to the property line at the school and then over. So that was a change that staff took the liberty of making, but they wanted to tell the Commission about it. She recognized that the Commission might want to change that further.

Mr. Thomas asked if the Northern Branch was included and if when it gets to the confluence area if it goes north.

Ms. Thomas stated that in the description that it did, but pointed out that this map was the consultant's and they did not outline it that way. The consultants stayed along the southern tributary and then headed in a northwesterly direction wrapping in a little bit of the adjacent property next to the school. She stated that the consultants might have been thinking about the potential for school expansion possibilities or some type of public feature that would be located adjacent to the school or other possibilities. She pointed out that the consultants might have felt that it was a nice road alignment. She pointed out that this was not a real road, but just a possibility shown for a connection between the school and Three Notched Road. They were very short on connections and virtually have none in this part of Crozet. She felt that they were looking for an opportunity to make a connection. She pointed out that everything within the heavy red line drains to Lickinghole. Everything to the north of it does not. Staff's red line would be the new boundary and they would have to construct some stormwater management facilities to handle that runoff. That is really the major motivation for doing this. She stated that David Hirschman would speak next on the watershed issues.

David Hirschman, Watershed Manager, stated that he had a nice map that shows the watershed in this area that would answer all of their questions. Beaver Creek Reservoir was kind of a unique beast in our system. When you think about Beaver Creek, the people who drink the water out of the reservoir actually are upstream of it and their runoff also goes into it. Therefore, it is sort of a closed loop if your yard, rooftop or road washes off into your very own water supply, which is unique to Crozet. When you think about South Fork for instance, the people who drink the water are downstream of the reservoir and the other people who are not on the system are upstream. Therefore, Crozet was unique in that regard. For that reason and for other reasons that have to deal with the soils and the slope of that watershed, there have been water quality problems in the reservoir. This summer the alga levels have been quite high compared to the other reservoirs. There are pretty wild swings in the pH due to the algae decomposing, which was not an unexpected situation when you have your developed area upstream of your water supply. Of course, that whole arrangement is based on history and where they decided to build the reservoir. It is something that they have known about and have been concerned about for many years. So when this discussion happened it sort of sparked some thinking and some studying about what could be done about not only the existing development that drains into the reservoir, but if the growth area expansion does take place, the future as well. Therefore, this was a good discussion. He stated that the map showed the entire Beaver Creek Reservoir in red so that they could see that the part that they were talking about was the whole watershed that included Parrot Branch and the two tributaries to the west. He pointed out that it was a very small part of the entire watershed.

Mr. Hirschman stated that this was the outcome of their stormwater master plan. As part of that project they looked at all of the development areas for regional stormwater basins. They looked at about ten of those in Crozet, but there were a lot of them that did not quite make sense. In the northern area, the map shows the watershed that they were talking about.

Mr. Rieley asked if the boundary of that was consistent with the boundary that the consultants did.

Mr. Hirschman stated that this was a watershed map and not the development area map. He pointed out that everything north of the blue line drains to Beaver Creek and everything south of the blue line drains in Lickinghole Basin. He stated that there was a possibility to be able to restore some of the wetlands and to prepare the old dam that was only 5 or 6 feet tall. That obviously would not be a major stormwater facility, but it would be a place so that the water could slow down and settle out before it goes down in the reservoir.

Mr. Rieley asked if it would create any low standing water in the area or would they just put a low pipe in and let it come up in a storm condition.

Mr. Hirschman stated that you would probably create a little bit of standing water, but it would not be open water. It would be more like a wetland situation with just a few inches of water. He stated that there were already a lot of wetland plants there, and therefore they basically would be enhancing what was already there. Again, they would not be building a big dam or not flooding it because frankly they could never get a permit to do such a thing. As you move up in the watershed it branches into Parrot Branch north and Parrot Branch south. On Parrot Branch north right at the stream down from the school site there is a great location for a type of basin that not only could be used for stormwater, but perhaps some type of expansion of outdoor learning for the school. The school has an existing stormwater structure that has never worked, and they have been eager to replace that. That would be another potential advantage of that particular location. South branch would not be an ideal location. But, if you needed to pick up the stormwater in south branch, then that would be a possibility. But, it would be a little bit harder to get a permit for it.

Mr. Rieley stated that was because that it was in stream.

Mr. Hirschman pointed out that all of these were in the stream. Therefore, the permitting becomes a significant factor. They have gone as far as defining the probable size of these facilities for the height of the dam and the storage behind the dam, but the next step would be to meet with the regulatory agency and see if there was any possibility of getting permits. This scenario with these three would certainly help the existing development that is in Crozet and perhaps the future development as well.

Mr. Rieley stated that the in stream measures that he was talking about would receive runoff from both sides of the drainage from the development area as well as the agricultural side. Therefore, the in stream measures will help no matter where the pollutants are coming from.

Mr. Hirschman pointed out that with the topography you could only built them so big and you would not want huge structures out there. As shown here, they are basically sized for the development. He stated that you could build them bigger in order to have a lot more capacity and a lot more pollutant removal, but at some point it becomes a trade off between the environmental impact of the dam itself and the benefits that it provides to the watershed.

Mr. Edgerton asked if it would help by trapping sediments.

Mr. Hirschman agreed that it would help trap sediments, nutrients and anything that washes off to slow it down.

Mr. Edgerton asked if it would slow it down and protect the Beaver Creek Reservoir.

Mr. Hirschman pointed out that the big problem in Beaver Creek Reservoir has really been the alga, which was a nutrient problem. He pointed out that these wet basins are quite effective at reducing the nutrient loads.

Mr. Thomas asked what the alternatives would be if the regulatory agency would turn them down for the permits. He asked if it would require more money to put it into compliance with what they require or what would happen.

Mr. Hirschman stated that it was a matter of providing mitigation either off-site or elsewhere, which ends up being more money. The more mitigation that you have to do requires more money. Our stormwater master plan identifies a lot of mitigation opportunities. He pointed out that all of this could fit together very well. He stated that what they want to do with the regulatory agencies is not just go in with this isolated case, but they have a plan for all of the development areas. Therefore, they would go in and tell them what they wanted to do. He pointed out that they would tell them that these are the five basins that they wanted to build and here are the

mitigation sites. He felt that they would look fairly favorable upon the request, but they don't know that until staff meets with them.

Mr. Rieley asked if there was a plan B if they don't.

Mr. Hirschman stated that there was none. He pointed out that this plan was going to be highly feasible because it was just enhancing an area. He stated that Plan B could be if you wanted to expand a development area you would put in off line measures or basically on site measures. Certainly if you were going to deal with this part of Crozet, then that is what you would have to do anyway. You would have to put something between the development and Parrot Branch to intercept the runoff. So this whole scenario of expanding the development area is likely a combination of on site stormwater as well as hopefully the regional basins. He stated that you don't want to mess around with your water supply in this area. The American Water Works Association and their philosophy of water resource protection are called multiple barriers. The treatment would be the first barrier and then as you move up in the watershed you want a lot of other barriers to prevent pollution of your water supply. This would be consistent with the multiple barrier approach on site regional with anything that you could do in the watershed plus the treatment. Over the years there have been a couple of underground storage tanks and spills in the old part of Crozet and it was a real chaos because the travel time down to the reservoir was very quick. He pointed out that if you compare that with the South Fork of the Rivanna that was a 260 square mile watershed. It would be just a quick zip with a petroleum spill that floats on the water which would in the water supply in no time. He stated that this had no connection with the Crozet Master Plan. It is simply a study that staff did for stormwater.

Mr. Edgerton asked if there was any assurance that they would be able to get the mitigation and get the approval for the permits from the authorities on that.

Mr. Hirschman stated that he hoped to get that answered fairly soon, but they were still getting the packets together to submit to DEQ.

Mr. Rieley stated that another element of this was how the property was currently zoned. He pointed out that they had to consider the potential of what could happen in this area.

Mr. Hirschman stated that frankly this study was based on the existing zoning and so it assumed for these two for a water shed of impervious cover of 35 percent, which was about a quarter acre lots. If it was added to, then they would have to revisit this to see how much bigger they would have to be based on the land use. They would still be a part of the development area, but more low intensity. He stated that he did not think that they would want to load up that area with gas stations and places that store a lot of chemicals and things of that nature.

Mr. Finley asked how much farmland flows into the basin.

Mr. Hirschman stated that there was a pretty big chunk of it that was farms, particularly the large parcels. He stated that he did not know how intensively those areas are farmed, but he thought that most of those areas were grassland. He stated that if there was a lot of cattle and a lot of fertilizer being applied that would be a source as well. But, urban streets and yards definitely do contribute to those types of pollutants also.

Mr. Craddock asked if the westerly one was on the school property.

Mr. Hirschman stated that the dam was just off the school property. There really is no good site to keep everything on the school property, which was what they had looked at first but was just not there due to the topography. He pointed out that just to the east of it was very favorable. He stated that the school would like to get rid of the current facility.

Mr. Rieley stated that the bench marks for water quality for impervious areas is something like a-half of an inch of water over the impervious area storage.

Mr. Hirschman stated that generally what you try for is called four times the water quality volume, which was basically two inches of rain on the impervious surfaces.

Mr. Rieley stated that you would calculate the volume based on that. He pointed out that would change for the land that was in agricultural use. The other is the additional runoff that you get when you have to detain for the detention.

Mr. Hirschman stated that he did not believe that you would want to try to put detention into these because they are strictly for water quality. If you wanted to build for detention you would get into a lot of other design issues. In that case the detention would have to be provided on the site and the water quality provided in the basins.

Mr. Rieley thanked Mr. Hirschman for the information.

Ms. Thomas stated that Attachment B is a revision to the existing community profile, which is the section of the Comp Plan that talks about Crozet. On page 15, the third bullet down staff did include in the recommendations that no intensification of development shall take place until such water quality measures are in place. She felt that it was important for the life of downtown that there might be some redevelopment opportunities or maybe even some very limited new development opportunities with this boundary amendment. But, they would not want that to happen until they were fully prepared for it in terms of having those water quality measures in place. She felt that it would be quite limited. It does not add in a whole lot of new undeveloped area. The boundary amendment to the north mostly captures developed areas.

Mr. Rieley stated that was an important point.

Mr. Thomas asked staff regarding the development areas where would she anticipate that the development area could expand to. He asked if it would stay on the north side and if all of that drainage that is being taken care of now take care of the expanded growth area.

Ms. Thomas asked if he meant if the boundaries were to move out yet again. If so, she would think that they would expand to the west, but that was not something that staff was encouraging or particularly wanted to happen. She pointed out that at least to the west that it would be draining to Lickinghole Creek. However, at the western edge of the community now they had a golf course on a particular area that staff feels forms a pretty effective development area boundary.

Mr. Thomas asked if staff would expect the expansion to go back into the area that they were trying to get to the north now.

Ms. Thomas stated that she thought that they were trying to remedy an existing situation and probably would not go further to the north. She pointed out that was just her opinion.

Mr. Rieley stated that the rationale for this inclusion does not apply to the next one.

Mr. Finley asked if the new addition to add on would split some parcels. He asked if a farm that had development rights if they could pull those over into the new urban area rather than building on rural areas.

Ms. Thomas stated that she would answer the first question and leave the second one for Mr. Benish. She stated that a number of parcels would be split, which was pretty common for development area boundaries unless the parcel lines follow a natural feature really closely.

Looking at this, there are some parcels that would be traversed by the line. On the second one she felt that Mr. Benish probably has the best answer.

Mr. Benish asked if his question was on those split parcels and if the rural area development potential could be used in the development area side. He stated that if a property was split and part of it was in the development area that it was probably going to be subject to some legislative act for rezoning. They could be using the existing zoning, but he thought that there are mechanisms by which they could probably review essentially a rezoning of that area, that was in the development area, reflective of the development potential of the whole property and then set aside the area in the rural area consistent with our Comprehensive Plan. He pointed out that it was a hard question to answer without having the specific example, but he could envision mechanisms by which they could do that. He stated that you would have to have a willing applicant that would want to be a party to that.

Mr. Finley asked if they could do a cluster development.

Mr. Benish stated that if he was willing to subject his property to a rezoning process by which he would proffer not to develop in the rural side of it in exchange for developing consistent with whatever recommendation that they do have for that development area side. He stated that was an important thing to point out that right now they have not made any significant recommendations about how to use or reuse this site because they were relying on the existing zoning until they complete the master planning process. Theoretically, there are ways to do that.

Mr. Craddock asked if some of that was going to happen in the southeastern part with the part that was coming out.

Ms. Thomas stated that there might be some parcel lines that cross Lickinghole Creek, which was the proposed boundary there. She pointed out that you run into a lot of environmental constraints down there such as flood plain and steep slopes which kind of limit the potential maybe more than up above. She stated that could theoretically happen.

Mr. Benish stated that there were only a couple of split parcels.

Mr. Rieley asked if there were any other questions for staff. He stated that it might be better to come back to this after they take public comment because some people might be affected by the relative location of that line. One of the things that occurred to him was the logic of utilizing the existing natural features for the clarity of the lot lines. Today they have the ecological capability to take a line on a map with GPS coordinates essentially and superimpose that on the ground with great precision. He suggested that Ms. Gale discuss this in greater detail. He stated that it makes sense to get the line in the best place on the map and not necessarily push it to natural features unless there was a good driving reason to do that. He suggested that others might want to comment on this issue. Since the County was essentially the applicant, he would open the public hearing and go directly to the speaker's list. He stated that the first signed up speaker was Tom Loach.

Tom Loach stated that they have a problem. He asked to read the Commission how the new supervisor for White Hall has characterized the new master plan. It reads as follows, "***The plan is unrealistic and unworkable.*** I am convinced that it will speed up development and increase traffic congestion and create urban sprawl in the area surrounding Crozet. It will surely be very costly to the tax payer." He goes on to say, "What concerns me most, however, is the plan has been developed by a very small group of people with the backing of special interest. And finally as your supervisor, my top priority will be to lead a process which encourages the members of the Crozet community to be involved." He pointed out that in the three paragraphs summarized he says that it is a bad plan, it was an illegitimate plan and he plans on changing it. He stated that what he does not want to see and what is apparently going to happen is that the community will be caught between a rock and a hard spot when they were going forward on a plan that the new

supervisor believes is unrealistic and unworkable. There is another problem in as much as he has called the master plan the establishment of an urban center in Crozet. With this, a lot of people are now under the impression that any new development will be at much lower density levels in order to prevent that urban density even though as we know that the master plan was done at a by right development level, i.e. the lowest common denominator. He stated that his recommendation for the Planning Commission is really that they put a halt on any moving forward with the master plan. He felt that the community has the right to hear what the new process is going to be if there was going to be a new process to change the master plan and where they were going. He stated that there was a lot of confusion in the community.

Larry Martin stated that he was an officer in the Beaver Creek Hill Corporation which owns several of the parcels that Parrot Branch traverses. He stated that they had just gotten this information and have not had a chance to digest it. He asked that the Commission to at least allow enough opportunity to talk with staff and figure out how this gets fits in. It is obvious that everyone wants to protect the water shed. One thing that occurs to him as a lay person in listening to this is that the water shed boundary, which was slightly north of the creek, may be a more logical area for the boundary for the growth area rather than the center of a creek. He pointed out that the water shed that runs off the land north of the creek runs into the creek as well. If you are going to put stormwater retention on the creek then you should do both sides of the creek. He felt that there were questions like that which he felt that they as a property owner would like to address with staff at some point or with the Commission to make sure that it is well thought out. He stated that he was not prepared to do that because of the short notice, which went out last week on this. He stated that they were for water protection and using the property wisely, but would like some thought process to go into where the boundary is. As he understands it, the water shed that goes into Parrot Branch as opposed to going over in the Beaver Creek side is just slightly north of where you have proposed. He stated that they could possibly go there. He felt that the growth area should be well thought out. As Mr. Rieley pointed out quite well, you can define it now with pinpoint precision with GPS rather than following the natural boundaries. He stated that his comment primarily was that the land owner would support doing things to protect the water sheds and other things, but let's make sure that wherever the growth area boundary is located that it is well thought out. He stated that they would like the opportunity to be able to continue to work with Ms. Gale and staff to try to make sure that makes sense.

Eric Keyes stated that his family owns about 122 acres that is in the area that you plan to remove from this. It is the farthest southeast quadrant. They purchased this property in 1968, which was 35 years ago. They wanted to use the property for residential and agricultural uses with the idea to eventually develop the property when the time came. They had quiet enjoyment of the property for many years until the Crozet area plan started coming together. At that time activity started and damage to our land started. He noted that they did not raise a fuss over this because they felt that the time to develop their property might be near. First they endured the construction of over a mile of the Crozet sewer through their property as well as the loss of an additional acre for the construction of a big sewage pumping plan. They did not fight the County on this. Next the County condemned and took 43 acres of their land to construct the sediment lake needed to catch the run off in the Crozet area. That action also caused another 26 acres of their land to be land locked on the other side of the lake so that they could not even sit foot on it. They accepted the County's second offer for payment of this damage even though it was less than full value. So now today after suffering the brunt of the damage needed to develop the whole Crozet area, we feel that it is extremely unfair for the Commission to deny our development rights with this property. The reasons given for the denial is that this is an environmentally sensitive area. They feel that it is no sensitive than any other area. He asked that they remember that all of the area in question drains into the sediment lake which was taken from them by force. On their portion of the property, they would be providing around 120 homes with a lot of open space. Also, they have substantial acreage that is not in the development area. They are planning to deed a substantial amount of that to the County for amenities. Although the area that is the closest to Mechums River could be made available for access to the lake, ball fields, and tennis courts and such. They feel that it would be very fair for the County to stay in partnership with them. He

asked that they please be fair and let them keep their development rights that they have earned so that together they could make Albemarle County a little bit nicer place to live.

Mr. Finley asked how the County was going to take his development rights.

Mr. Keyes stated that the County was talking about taking the development rights from them by taking them out of the Crozet Master Plan. He stated that currently they were in the plan and he would ask that they not take them out.

Mr. Rieley stated that the next speaker was Mike Marshall.

Mike Marshall stated that he had been the President of the Community Association in Crozet for many years and currently was the Vice-President. He asked to remind them of the two main principles of the Master Plan as seen from the view point of the citizens. The first one was that the identity of the town remains the center of town, which he called the overpass area or the main business district. The second principle was that Route 250 to the south of town basically be maintained as a scenic by-pass. They were trying to anticipate the growth and say that they don't need a by-pass if they preserve the current quality of Route 250. The plan as envisioned by the citizens wants the main commercial development to happen in the current downtown and not out on the highway. If you look at the current boundary and imagine that if they take a paint brush down the middle of the downtown mall and divided the mall in half and said that one-half was officially in Charlottesville and the other half was officially not in Charlottesville. That is what the business district in Crozet currently faces with the watershed distinction that is manifested in the current growth area boundary. When the Crozet people looked at the Master Plan and said that you are leaving out the north half of our town and then advanced the idea of adding the north part of the town to the growth area was so that any future planning of the business district would consider the entire business district intact underneath the same terms generally. That way it would not have one-half of the town in the growth area and the other half out of it. When the Crozet people talked about expanding the boundary, they were trying to just add areas that are already developed and not add new agricultural land that is potentially exploitable into the expanded boundary. Now obviously, the boundary was a little negotiable, but that is not their intention. Their intention was to specifically get the business district attached north and south of the track. He pointed out that they would like to see an alignment accomplished. The other thing was that their business district had some problems such as it was hard to park in there as well as other difficulties. The people have asked that the County consider a zoning overlay area around that business area where they might get some exemptions from some parking regulations, setbacks and some other things. But they basically acknowledge certain historical facts about the business area. It would not make sense for them to ask for a zoning overlay area which had one-half of it outside of the growth area. They see that it is necessary to get the entire business district inside the same terms in order to also get consideration for the overlay district. He pointed out that he was grateful for the County to be thinking of all of these watershed rationales and he thought that those areas ought to be attended to. But, what the people want is the plan to recognize the north downtown. He suggested that the dam that was built there ought to be as large as can be reasonably made. If you look at the water supply for Crozet for the future, it is all on the Beaver Creek basin. He stated that he did not know why they would not build some more ponds farther up those tributaries so that in the event of a drought could be released into Beaver Creek where it would accessible to the treatment plant. He felt that it made sense to impound five or more areas to be used for drought relief.

Mary Rice stated that she had been very involved in the whole Crozet Master Planning process. She stated that she would reiterate a lot of what Mr. Marshall said. What they heard from the residents through the whole master planning process was the emphasis on downtown. There was a lot of concern about where the money was going to come from for redevelopment. That was her main interest in having this swap made so that the County could invest in public facilities and work collaboratively with the private sector. She voiced concern about hearing about consequent rings coming off the current boundary areas. She also voiced concern about any

consideration of the expansion of this growth area even ten years down the road. All of the people who have worked on the master plan would be very concerned to hear about an expansion of that growth area and certainly hoped it was not something that they would consider in the future.

Mr. Rieley stated that concluded all of the speakers on the list. He asked if there was any one else who would like to speak. There being none, he closed the public hearing to bring the matter back before the Commission for discussion and possible action.

Mr. Thomas asked if this was right moving this area to the north or leaving it where it was. He agreed with protecting the scenic highway and Lickinghole Creek.

Mr. Thomas stated that he had one more question for staff. He stated that he easily understands the desire of the community to incorporate into the master plan the historical downtown and that there is real value to that rather than going out and developing additional green field sites to perhaps allow the growth areas to incorporate some of the properties that have already been developed and have the infrastructure. There is a lot of logic to that and hopefully that will only reinforce the sense of community for the property. He stated that he was struggling with the portion that was being recommended to be added in the northern section. He felt that it was not part of the northern downtown area. There was property on the north of the string of existing houses that was not currently developed, which was being proposed to be included in the additional growth area. That area was to the north of the Con Agra Plant. He stated that he was trying to figure out how that argument fits with the need to include the historic downtown area. He asked how much flexibility there was and from the consultant's perspective what is the value of including more of the area than just the historic downtown area. If there is a justification he would like to hear that from Ms. Thomas. He asked Mr. Benish if he was looking at this from a water control issue would he recommend the inclusion of all of this area. He pointed out that he got the impression that his answer would be no, but he would like to specifically ask the question.

Ms. Thomas stated that the northern boundary addition has so many angles to it and you can talk about it from all of those angles. One of the really interesting themes that ran through the entire Master Plan process was the way in which people came forward and said that there use to be a more diversified healthier local economy than there were now. They felt that they have become more of a bedroom community to Charlottesville. Not only has that meant lost opportunities for small business in Crozet, but it has meant a steady stream of cars on Route 240 and Route 250. This has created a completely different feeling to whole neighborhoods that have been sort of vacated during the day. Fairly early on in the process during the first small task force group of the downtown group, they said that they would like to recapture some of that variety that they use to have. Well some of that will be the result of private investment. But there also has to be enough of a reservoir of possibilities for existing business and others to just sort of expand, relocate or shift in some way so that becomes a reality. As they worked their way through the plan, they worked on that concept through this employment district concept. So much of that was directed towards solving the kinds of problems like transportation on Route 240 and Route 250 that they really could not solve very well in any other way. They have been wrestling with the Route 250 corridor for a number of years. They have been very committed to maintaining it as a scenic corridor and yet its traffic volume grows every day. It became pretty apparent that the healthy downtown in the heart of the community needed the opportunity to capture some of the local diversity, which was all wrapped into providing a few opportunities for people to grow their businesses or start a small business. She pointed out that Acme has a wonderful opportunity for redevelopment. Staff wants to give the opportunity to have a few undeveloped parcels to come into the development area to give a little bit of that flexibility. She pointed out that they could not just have one spot for a business, but need to have a little bit of choice. She stated that there might be some possibility for a small downtown housing opportunity in that area. The master plan makes some suggestions for the use of this area. But as you can see the undeveloped areas in that northern addition are pretty much lower intensity, lower density uses. There is a little bit around Con Agra or around that downtown strip where Great Value is location, but generally

adjacent to the creek or adjacent to the school they were not seeing the real bright colors and it was not really recommended. She stated that for Crozet to recapture some of that vitality it would be good for them to be able to have some flexibility. She pointed out that she was sort of excited about the potential of that with very careful limitations.

Mr. Benish stated that they should keep in mind that potential was a residual of the goal of providing for water protection. Once you put those facilities on the stream that facility does capture those areas. Therefore, whether it is developed or not the undeveloped areas are a residual benefit that provides for that opportunity. Staff is cognizant of the goal of really not intensifying development, but once you put those facilities out you are crafting those locations to capture the existing development and you will pick up the potential to use those undeveloped areas. He stated that they were just taking advantage of that opportunity to some degree to meet with what Ms. Thomas is speaking of. He felt that the details and what staff recommends for those areas is the next step in this process. He stated that they might want to keep it very restrictive and very limited or be more creative with it. The idea was that they would get the boundary defined that does protect that area and then they will figure out how they would allow for intensification, if any, as being the next step.

Mr. Rieley stated that it seemed that the consultants actually kept the boundary away from the creek on the south side of Parrot Branch to keep the stream itself in the rural area. To keep the stream out of the development area was one of the reasons that he liked that line that the consultants drew. He felt that there was rational to keep the stream in the rural area.

Mr. Edgerton questioned how the inclusion of this area in the downtown area would affect the water quality.

Mr. Hirschman stated that redevelopment in this area would have a lot of benefits because you see the buildings but you don't see the massive parking lots that currently are just a straight flush into the creek. The redevelopment would allow modern stormwater management to come in with the redevelopment. Looking at the downtown commercial properties the same thing applies. With some minor intensification of the use, the balance might be that you would be getting some benefits for the water shed. To develop a significant amount of undeveloped land with new residential and more yards with fertilizer, that on balance would have a negative impact. Whatever happens, they would certainly want it mixed so that the buffers were protected and stormwater management was provided. It might mean that a regional add on site would be called for due to the significance of that area.

Mr. Edgerton asked if the mitigation that he proposed in the plan did not anticipate the addition of this land.

Mr. Hirschman stated that when they conducted the study this issue had just come on the table.

Mr. Edgerton stated that he looked at the three things that Mr. Hirschman feels has to be done regardless of this area being added. He pointed out that when Mr. Hirschman said that they have no assurances that the authorities will even allow us to do that, then he has some real concerns about adding more impact to this. He suggested that they find out about the mitigation possibilities before they start adding to the problem.

Mr. Hirschman stated that in terms of increasing the size, it was something that staff would have to revisit. He pointed out that it does not answer the questions about the permitting. He pointed out that he felt that there was room to play with increasing the size of the dams. He pointed out that currently they were shown as 12 foot structures.

Mr. Finley stated that he had a question for Mr. Marshall. He asked if the section that he was talking about previously was included in the new proposed addition.

Mr. Marshall stated that he wanted to express why the people of Crozet thought this line was drawn the way it was. When you emphasize down town you would presume that it would attract more cars to it. The people asked that there be a road to carry the traffic around down town that had no business there. When the planners looked at that question, they drew the road that was west of Con Agra. That was why they understood the boundary to be established that way so that the potential feature road would be inside the growth area if the boundary was enlarged. Also, that was why east and north of that was not to be included in the additional area. The road would be potentially drawn in, but no additional farm land incorporated in the growth area.

Mr. Rieley stated that even if the southeastern quadrant was kept in the growth area and the master plan was adopted, it would be very similar to the rural area development level. It was always according to the consultant's recommendation to very lightly develop in that area. Nevertheless, he stated that he could certainly understand why Mr. Keyes feels that the rug is being pulled out from under him to an extent. He stated that he could understand why he had one attitude towards the donation of land for the Lickinghole basin when his land was potentially within the growth area and might have an entirely different view if it was not in the growth area. Then to have that change after the fact he could understand his concern. He asked to which degree the future Commissions or Boards would take into account the history of that property. If this was in the rural area and in looking at a rezoning request or a planned development request in that area is there flexibility to take into account the history of that property and the concerns that he has raised.

Mr. Benish stated that based on the County's policy and approach to the growth management policy in our development area, the rural area process that they have in place for our decisions about zoning designations is whether it is consistent with our rural areas and development area designations. He stated that they have no other zoning district that is consistent with the rural areas other than their rural areas zoning district. Therefore, while it was not impossible for future Commissions and Boards to take in past considerations and history of properties, it could set a pretty dangerous precedent in terms of the consistency in the way that they apply their growth management policy. He stated that if they call it rural areas, then they want to treat it for rural areas. He felt that the safest approach if they want to recognize the past history of the property would be to look at some other way to designate the property that identifies that history from the past and what their future expectations are. They have tried very hard to not to allow for zoning districts other than rural area districts in areas that are designated rural. That is an important component of their Neighborhood Model and growth management process to create those hard edges and treat rural areas rural and development areas as development areas. As a staff person looking at what they would be recommending to you, while there are some unique circumstances here, once they make this policy decision, he would find it very hard for staff to recommend to you to treat it differently than any other rural area property.

Mr. Edgerton asked how important the exclusion of that area from the growth area is. He asked how important it was to balance this out by pulling this area out.

Mr. Benish stated that what he heard from the community planning process was a very strong concern and interest in protecting the Route 250 west corridor and its rural character and the impacts of traffic from new development. He felt that was a very strong theme that they heard from the majority of the community. He felt that theoretically that was very important and staff has tried to follow through on that goal or objective. In terms of the issue of trade off, staff was also trying to stick with a County policy and approach of not expanding development areas. Therefore, obviously they addressed two important issues here in protecting water quality, recognizing the rest of the down town area and also protecting the Route 250 area. The Route 250 area is the south gateway into the Crozet area. Staff feels that this was a nice balance. He felt that they could stand on their own. If it was a necessity to trade off one for the other, he felt that it was more important to stay focused on what the benefits and goals are of each one of those areas.

Ms. Thomas stated that they had received comments from two groups who meet regularly with staff to express interest and concern about the corridor.

Mr. Rieley stated that there are two issues. One is the overall issue of whether to recommend this boundary amendment to the Board. The second one is whether some fine tuning of that line should be made and whether they should advocate the line as it has been shown on the consultant's map or the somewhat altered one that is described in the staff report. He stated that an approach that he would feel comfortable with is to recommend approval of the master plan boundary amendment along the lines that were shown on the staff report. He noted that his rational was that it addresses the transportation corridor on the north side and it acknowledges the importance of protecting the stream itself by holding the line back from the stream. He felt that the answer to the concern about keeping the development area boundaries along the natural features could be answered simply by a very accurate description of that.

Mr. Edgerton asked if he said as recommended by staff.

Mr. Rieley stated that he meant by the consultant's line. He stated that he proposed using the graphic rather than the verbal description. He stated that he would leave the possibility open for that to be refined somewhat between our meeting and the Board meeting.

Mr. Edgerton stated that the staff recommendation is adjusted to that since it goes to the center of the stream as opposed to leaving the buffer out of the growth area.

Mr. Rieley stated that it would go to the North branch of Parrot Creek at the fork. He stated that he was convinced on the issue of the southeastern quadrant. But, he also asked that staff prepare for the Board a comparison between the density that was proposed when they saw the framework plan at their joint meeting for this area and what the development level with the current rural area zoning and rural area designation would be so that they would at least know the order of magnitude of the amendment. He stated he was not familiar with where the area was to be designated to be served by sewer. He felt that they should ask that the Board receive the best information possible.

Mr. Benish stated that would give them what the current study proposes in this option, which was for an alternative to what was in the study right now. The study does show it as a much lower density area.

Mr. Rieley stated that seems to be a fair trade off or comparison.

Mr. Thomas asked staff to respond to Mr. Loach's comments.

Ms. Thomas stated that staff was proceeding ahead with the master plan review because they were in the second year of the process. She felt that the public process exceeded their expectations in terms of numbers of involvements. So until staff was directed differently, they were moving forward with the review.

Mr. Rieley stated that their role was to give the best advice possible to the Board. He asked if anyone would like to frame a motion.

Mr. Thomas moved for approval of the recommendation for CPA-2003-04 with the boundary amendment as proposed by staff.

Mr. Rieley stated that the minutes could reflect the requests of the staff.

Mr. Kamptner agreed and pointed out that the boundaries that they are recommending are the ones on the staff map on page ten.

Mr. Thomas stated that the change was instead of following the creek and he agreed with Mr. Kamptner.

Mr. Rieley stated that the staff could take care of that. He stated that the motion fails for the lack of a second. He asked if there was another motion.

Mr. Craddock made a motion for approval of the request with the northern boundary being as spoken by staff tonight and with the inclusion of the southeastern quadrant in the development area.

Mr. Kamptner asked staff if the verbal description included any territory beyond what was advertised.

Ms. Thomas stated no, that she did not believe that anything had changed tonight to add area to what they had discussed.

Mr. Benish suggested that they use staff's recommendation.

Ms. Thomas pointed out that the added area was broader and narrower in others because staff's recommendation used the school parcel boundary, but the motion used the creek boundary. Therefore, it added a little area around the creek and probably squeezed up to the school a little bit more. She pointed out that the proposed boundary was a little to the east of the school.

Mr. Benish stated that the same properties were affected.

Mr. Craddock stated that the motion was to recommend approval of the request conditioned upon the northern boundary as verbally described by staff, which was right along Parrot Creek and then up behind the school and that the southeastern quadrant would remain in the growth area.

Mr. Finley seconded the motion.

The motion carried by a vote of (3:2). (Loewenstein – Absent)
(Rieley, Edgerton – No)

Mr. Rieley stated that the recommendation for approval would go to the Board with the northern boundary as described by staff and that the southeastern quadrant would remain in the growth area.

Mr. Benish stated that if it was going to be included, then staff would continue to follow the recommendations of the master plan or framework plan for that area for the southeastern quadrant.

The Planning Commission took a ten minutes break at 8:54.

The meeting reconvened at 8:13 p.m.

Work Session:

Six Year Secondary Road Plan - The Planning Commission will review the draft 2004-2010 Six Year Secondary Road Priority List and VDOT's proposed 2004-2010 Construction Program. The Planning Commission will discuss the changes to the List, review new requests from staff and public, and receive updates on the Southern Connector and Rural Rustic Roads Program. The Planning Commission may request another work session or forward to the Board of Supervisors for consideration. (Juandiego Wade)

Mr. Wade summarized the staff report. He stated that the purpose of this work session is to provide the following:

- Initial overview of the Six Year Road Plan process;
- General review of the existing projects on the County's priority list of road improvements and potential projects to be considered for inclusion in this year's revision of the list; and
- Opportunity for Planning Commission to discuss the County's existing priority list or other potential projects/issues.

He stated that today they would focus on the annual review of the six year plan, which would specifically be the County's priority list. VDOT's list is the construction plan that is the implementation tool for the County's priority list. Each year they go through this process and the County uses the criteria base rating system to prioritize these projects. This year there are several new projects. There are several changes in VDOT's plan for this year. Most of the changes are noted on page two. But the biggest change is Jarman's Gap Road that came out a few months ago. The cost went from roughly five million dollars to ten million dollars. This 5.2 million dollar increase caused all of the projects below it to be moved down, which caused sort of a rippling effect except for the unpaved road projects. There will be a public hearing on this tomorrow night at the Crozet Fire Department from 5 to 7 p.m. There are several changes that the County would like to consider adding to the list this year, which begins on the top of page 3. There are 19 new projects. Two of those projects are from public requests and the other projects are coming from either some type of initiative from the County such as CHART, the Crozet Master Plan or the 29/250 Study that staff would like consideration of to be added to the list. There are a couple projects to note such as the Hydraulic and Greenbrier intersections. Staff does not know exactly what those intersections will look like yet, but they will be working with VDOT and the City on those intersections. Staff has already started a phase 2 and they were going to be having several meetings and public hearings next week.

Mr. Finley asked how many of the projects were requested by the public.

Mr. Wade stated that only two of the projects came from the public, which included Blufton and Free Union Road that are paving projects and a culvert installation. He pointed out that there was a lot of flooding in the Free Union Road area on Tasmania Drive. VDOT has been trying to work with that particular landowner, but they could not satisfy him in the extent of the work that they want to be done. This was caused since that work can't be done with the regular maintenance fund because there possibly has to be some right-of-way acquisition, and therefore it had to be put in to the spot improvement. He pointed out that 17 out of the 19 projects from the list were basically from staff.

Mr. Benish stated to elaborate on that a little bit, they were trying to keep the priority list up to date to keep the wish list consistent as the consolidated projects that they would like to construct.

Mr. Wade stated that a couple of other roads that staff would like to consider adding based on the Crozet Master Plan are the Main Street and Meadows Road and also the Avon Street Extended to the Fifth Street Connector Road. This particular project was always part of the Southern City Study, but this is different from the connection that is south of I-64. This is the site that would go through the Willoughby site. He pointed out that both of the projects were in the plan, but this one was a higher recommendation.

Mr. Craddock asked particularly on the north section what the chance of VDOT ever building it as opposed to when the applicant comes through for a rezoning and that they have to build it.

Mr. Wade stated that the chances are that it would probably get done sooner if an applicant comes in because it was based on where it was on the list. He noted that there were a lot of projects ahead of this project, unless the Board of Supervisors decides to move it up. He stated that it would probably eventually get done, but it may be a few years.

Mr. Benish stated that besides that they were having VDOT agree that the Southern Parkway is eligible, as Mr. Wade has noted in the report. There is a question on whether VDOT feels like that project is eligible for VDOT funding so it is quite possible that the northern route would fall under that same situation. But again, for planning purposes and to be able to document the projects that they want to see constructed it is important to document it on this master list of projects.

Mr. Finley asked if he knew where Route 601 and Tasmania Drive is located.

Mr. Wade stated that it was a private road and pointed out that there was a map in the packet. He pointed out that it was about 3 or 4 miles from the Hunt Country Store.

Mr. Finley stated that was a very dangerous place. He pointed out that one night last week he nearly wrecked in that area. He stated that you could not see the water in the road that gets up to your headlights and then the next thing you know you are hydroplaning.

Mr. Wade stated that for this particular project they have been trying to work with this gentleman for the last year and a half. There has been communications all the way up to the District Administrator to try to resolve this, but VDOT was only able to do some work out there that was not to the applicant's satisfaction. VDOT has said that if they do any more work that it has to come in this category. He stated that he knew the applicant very well and he was trying to work with VDOT.

Mr. Finley pointed out that they have cleared a lot of property adjacent to the road and that had increased it by thirty percent.

Mr. Wade stated that he was not sure if he did it or VDOT, but the applicant said that the work that VDOT did certainly did not help the situation. The applicant has indicated that he has been out there for many years and the situation has not gotten better. He referred to page 5 on the Unpaved Road Projects for Route 702, which is a project that part of it is in the County's development area. It is not eligible for the Rural Rustic Roads or Pave in Place projects. Currently the project extends from Fontaine Avenue Extended to essentially the camping area. Staff proposes to modify this from an Unpaved Road to basically a spot improvement to take care of the areas where it is really needed. This request was received five or six years ago from the doctors that go out there every year. That is essentially how the project got on the list that it is dangerous. Staff wants to work with VDOT. Ironically they just received notice that because it was coming up on the list they are having a scoping meeting to determine what they were going to do with this and the meeting will take place next week. Staff has recommended that instead of it being a paved project all the way that it be a spot improvement so that they could go in this area and tighten up on the areas and clear some bushes and pave some of the area.

Mr. Benish stated that they wanted to fix the washboard eroding areas of the road for strategic locations rather than doing comprehensive paving from end to end.

Mr. Wade stated that the Rural Rustic Roads was talked about last year. It was a project that VDOT has that will pave the road in places where the traffic is under 500 trips. The Board of Supervisors did not fully endorse this project last year because some of the Board members wanted to see what a project would look like and asked staff to develop some guidelines as to how they would go through this process. Staff did go through that process which was in the last attachment. Staff will be starting the first project that they were going to go through with that in the spring which would be Route 633 Heards Mountain Road.

Mr. Finley questioned the third bullet and asked who and when would VDOT get the trip rate.

Mr. Wade pointed out that staff has already identified all of the projects in the Six-Year Plan that are eligible for the Rural Rustic Roads and they have plenty that they can do. He pointed out that

VDOT determines the trip rate periodically. He noted that there was some flexibility in looking at the road itself.

Mr. Finley questioned the second bullet on how they would limit growth along the road through zoning and planning.

Mr. Wade stated that if the road was in the Rural Areas they could say that they don't anticipate significant development along the road, which was usually enough to satisfy VDOT. He pointed out that VDOT would look at each road individually to see if could be used for through traffic or something like that. He stated that most of the roads on their unpaved lists that they already have eligible for Rural Rustic Roads won't be a problem. Those projects eligible for the Rural Rustic Roads have three R's in parenthesis.

Mr. Rieley stated that he had one concern to raise. A number of years ago, Gerald Fisher who was previously the Chairman of the Board took another job dealing with the secondary roads within the state. When he was in that position, he asked his staff to analyze the best way to spend money to make roads safer throughout the state. The answer was unequivocal that the best way to spend money and to make roads safer was to improve the shoulders. He felt that was very interesting and that there was one project on Garth Road that fits in that category and he felt that it makes sense to pursue that to get it paved and have shoulders wide enough for bicycles. But he also said that on the bottom of the list for the worse thing that you could possibly do was to pave a road unpaved without at the same time changing the geometry to accommodate the fact that it was unpaved. He said that statistics show time after time that if you just pave the road and don't do anything else you make it much, much less safe. He wondered why they were pursuing a policy that has been demonstrated statistically that makes roads less safe. He asked to see some statistical information on this. This information came from the Highway Research Council. He asked if they could get some more information on this before they start spending money paving over roads without improving the shoulders and the site distance and all of the other things that go along with it to make the design speed consistent. He felt that it was great to see how they could make the most out of these programs, but he felt that they also need to look at it carefully.

Mr. Wade stated that he could certainly can get some information from the Research Council. VDOT did go through the lists and looked at all of their requirements and that was something that VDOT has always taken into consideration. It was paramount to what they do to take safety into consideration. He stated that Augusta County was the first locality to really use this program, and all of the roads that they had were straight or only had gentle curbs in the projects that they used the program on. He pointed out that Heard's Mountain does not fit in that category, but VDOT made this determination.

Mr. Rieley suggested that the Commission make their own determination. He stated that they certainly have people in Engineering that can look critical at these things. If the statistical information is as clear as Gerry Fischer told him it was, then he thought that they were not spending public money well if they are making roads less safe.

Mr. Thomas pointed out that an example would be a road in Stony Point called Dark Mountain Road that they paved. They did not straighten out any curves or widen or improve the drainage ditches on the sides. He stated that road was pretty dangerous which was an example of a bad way to do things.

Mr. Wade stated that was something that the Rural Rustic Roads would not do. They would not do anything that had to do with drainage.

Mr. Edgerton stated that one of the last sentences under Rural Rustic Roads says that VDOT implemented the Rural Rustic Roads program with the concept to pave more roads with limited funds and doing so with no or minimal encroachment beyond existing ditches and without compromising the safety of the road.

Mr. Rieley pointed out that might be a contradiction.

Mr. Edgerton agreed that it was a contradiction since it was impossible.

Mr. Wade pointed out that some of the history behind this was that was what most people complain about is unpaved roads and they have been complaining to the legislators who came out with pave in place. But the program was so restrictive that it really did not get anything done and so they went back. He stated that if VDOT had their way that they would pave all roads conventionally with a 50 foot right-of-way and cut down trees, etc. There were so many people that did not like that so that was why they were trying to address the concerns of most of the citizens. As you look at the list, most of the projects were Unpaved Roads and people calling and saying that they wanted them paved. Although it was not a consensus, when they meet with them staff determines if the community really wants that road paved. He stated that they had made some excellent points.

Mr. Rieley stated that there might be a middle ground in which you do a project like Heard's Mountain, which may be limited to the existing ditches in a lot of places. He noted that it might only be a good project if you can do it with three or four spot improvements.

Mr. Benish stated that he thought that the Board was actually where they are. They were encouraged by and large by the fact that this might be a type of improvement option that was not excessive on some roads and that has been a concern that paving a road way actually would damage the character of the road so extensively that it could cause a reaction that was negative and felt that this project was a overkill of a road way. He felt that there was enough reservations about the project that they have not jumped into this full force, but the idea was that let's try one and see how it works and see what they would be getting. He pointed out that staff was taking this one as an experiment. There is a larger policy issue that there was less dollar per mile cost for unpaved roads and they could do a lot more paving in the rural areas.

Mr. Rieley questioned whether that would be a good thing.

Mr. Edgerton asked who determines if the safety has been compromised.

Mr. Benish stated that VDOT theoretically would be the determinant of that based on their general criteria and on whether this roadway was something they felt comfortable enough meeting their criteria and was something that they could do. They look at this as sort of an old style paving project. He pointed out that they use to do this a lot by putting tar down with gravel on top and going over it with a roller a couple of times. It was sort of sticky gravel in some of their minds. He stated that some of them don't see this as having any significant difference and it was more of a dust control issue. Now whether that is true or not or whether that higher level of paving increases the speed he was not sure.

Mr. Rieley stated that he had a great example of that from some time ago where they had a road that was designed for a 35 miles per hour design speed. Before the road was paved he took a class out there and told them that the road was designed for a 35 miles per hour speed and asked them to drive it at that. He stated that if you drove that road at 35 miles per hour it felt like you were going 80 miles per hour. Normally you can only drive 15 to 20 miles per hour on an ungraveled road, but if you pave the road you can drive much faster. He stated that people drive substantially faster on paved roads, which was the reason that the geometry was so important.

Mr. Benish stated that shoulder treatment was actually a policy in the Comprehensive Plan that they will continue to try to follow up on a little bit more with VDOT. They have been doing a few more shoulders than normal particularly on primary roads. They have a Comprehensive Plan recommendation that suggests that for road maintenance purposes that they make roads a little more safer and accessible for bicycles. We have not identified that as a particular project other

than the project that they suspected that was going to require acquisition of right-of-way in Barracks Road. He pointed out that they might see more of those as they go through an effort to try to get roads paved and the shoulders widened. He noted that they try to do that in bike lanes when they resurface and they go to a higher level of surfacing to use the plant mix. When they go to a plant mix they typically widen the shoulders a little bit more and when they get to that level of traffic where they start striping the road. He stated that they use that when they have the opportunity to get the road wider.

Mr. Rieley stated that when you make it 3 feet then you have a bike lane.

Mr. Benish pointed out that when you take a 11 foot travel way and make it 10 feet, then you pick up an extra foot there.

Mr. Edgerton pointed out that he had read a report several years ago in NPR about safety issues and the white stripe along the edge on rural roads, particularly at night, was very important for safety.

Mr. Benish stated that they would not see any specific projects or line items for sidewalks, bike lanes or transit, but they were enabled under the State Code to utilize secondary funds for those purposes. He stated that Mr. Wade and he had talked about it and felt that they were not ready to look really comprehensively and strategically at it and to talk about that. He stated that they were losing so much money in the secondary plan to keep the priority projects going to start to add other things in. He pointed out that they were cognizant about that and are looking at how they might use that.

Mr. Rieley stated that CHART added 25 million in the 20/25 Plan for non-automobile related improvements, which was ten folds in what it had been in the past.

Mr. Thomas stated that the big thing was the bike lanes.

Mr. Wade stated that there was just one other thing that he would like to point out. He stated that VDOT had been trying for years to get the Southern Connector eligible for secondary funding and VDOT said that it was not eligible. Staff has worked with VDOT to give them information to determine that it was eligible. They told us last year that it was eligible for revenue sharing, which essentially means that they would pay for one-half of it. He pointed out that they told the Board that they would work with VDOT in the course of the year to see whether it could become fully eligible for it. He stated that they were told a day or so before the staff report was printed that they had determined that it was not eligible for actual revenue sharing, but they had already received that in writing. He stated that they had someone new come in and look at it that said that they should not give them funding at all. He stated that they have received the letter stating that it was eligible for revenue sharing so staff feels confident that it will be.

Mr. Rieley asked what the reason was that it would not be eligible.

Mr. Wade stated that they did not know yet, but that it has to do with proximity to other connections with I-64 and other streets in the City. He stated that staff does not understand it because it seems to be the same type of road as the others on the list.

Mr. Benish stated that they would continue working with VDOT on that issue.

Mr. Wade stated that concludes the comments that he had. He stated that it was up to the Commission whether they want to have another work session. He stated that they would like to get the Commission's position on the 702 paving and whether they support staff's request to have spot improvements there on the paving.

Mr. Benish stated that this issue would probably not go to the Board of Supervisors until January. Therefore, they did not need to rush through this. He pointed out that the Commission has time next week if they wanted to absorb all of this and come back to it. He pointed out that it was up to the Commission on how to handle this.

Mr. Rieley asked what was the pleasure of the Commission.

Mr. Thomas stated that he had one more question. He asked why the Jarmans Gap Road project was increased by 100 percent. He asked if the road had been expanded to four lanes.

Mr. Wade stated that basically the project's estimate had not been updated since 1994 or 1995. He pointed out that VDOT was being super conservative now because they have been criticized a lot for their estimation on costs. He stated that it might not be ten and a half million dollars, but they want to make sure that they come out with some money left over. He stated that currently VDOT was looking at these projects and updating them so this should not happen again.

Mr. Rieley asked how long that section would be.

Mr. Benish stated that there was some vertical work that has to be done and there was a fair amount of right-of-way even though it was a two-lane section. He pointed out that it was 1.5 miles long and was curbed with sidewalks and bike paths. He stated that there was going to be a widening of the cross-section.

Mr. Wade stated that project was listed to go to Route 684, but staff is going to try to work with them to may be not go that far.

Mr. Edgerton stated that the estimated allocations number is coming from VDOT and if he was reading this correctly the County is going to get four million dollars to spend and then they had a juggling act between their priorities and our priorities for 2004.

Mr. Wade stated that was correct. He pointed out that they could see the impact that a five million-dollar increase would have.

Mr. Edgerton stated that he was trying to look at the list and decide whether anything would get built.

Mr. Wade asked if the Commission supports staff's position on Route 702 regarding the spot improvements.

Mr. Edgerton pointed out that the road dead ends.

Mr. Craddock stated that there was suppose to be sort of a rustic camp back there.

Mr. Rieley asked if staff needs an action from the Commission tonight.

Mr. Benish stated that they don't need an action, but they would like to actually have it from them eventually. He stated that if the Commission wants that Rustic Road information that staff could try to look into that and see if they can get any prior to Christmas time and put something together for them. He stated that staff would like to get this to the Board in January and staff would like to have an action by then.

Mr. Edgerton stated that he would like to try to marry the estimated allocations with the projects as a chart assuming that the allocations come in as estimated. He asked what is going to happen in the next 8 years.

Mr. Benish asked if he meant projecting out the wish list.

Mr. Edgerton stated yes because he was having trouble getting a handle on this because it looks like they keep adding to the list because of the process, but you really don't know where you are going.

Mr. Wade pointed out that that has never been done and could be very depressing news. He stated that some of the projects don't have any estimate at all, but felt that it would be interesting.

Mr. Benish stated that they could provide a ball park estimate.

Mr. Edgerton stated that one of the criticisms that they face is this constant complaint about allowing growth to occur without any handle on when the infrastructure will be done.

Mr. Benish stated that staff could set a public hearing if the Commission wanted it. He stated that they would not set a work session for next week, but would go back and work on this and try to get something to them by December. Once the Commission receives that information, then perhaps they could act on it.

Mr. Rieley stated that it was clear that the traffic situation is going to get worst and there was not enough money to take care of the cars that are going to be on the roads.

In Summary:
The Planning Commission held a work session on the Six Year Secondary Road Plan to review the draft 2004-2010 Six Year Secondary Road Priority List and VDOT's proposed 2004-2010 Construction Program. The Planning Commission discussed the changes to the List, reviewed new requests from staff and the public, and received updates on the Southern Connector and Rural Rustic Roads Program. The Planning Commission requested another work session before forwarding this to the Board of Supervisors for consideration.

Old Business:

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

New Business:

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

Adjournment:

With no further items, the meeting adjourned at 9:53 p.m. to the November 18, 2003 meeting.

V. Wayne Cilimberg, Secretary

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