Albemarle County Planning Commission
February 17, 2004

The Albemarle County Planning Commission held a meeting and a public hearing on Tuesday, February 17, 2004 at 6:00 p.m., at the County Office Building, Room 241, Second Floor, 401 McIntire Road, Charlottesville, Virginia. Members attending were William Rieley, Rodney Thomas, Chairman; Calvin Morris, Jo Higgins, Marcia Joseph, Pete Craddock, Vice-Chairman; and Bill Edgerton.

Other officials present were Wayne Cilimberg, Director of Planning & Community Development; Margaret Doherty, Principal Planner; Elaine Echols, Senior Planner; Scott Clark, Senior Planner; and Greg Kamptner, Assistant County Attorney.

Call to Order and Establish Quorum:

Mr. Thomas 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. Thomas 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 – February 11, 2004

Mr. Cilimberg reviewed the actions taken on February 11th by the Board of Supervisors.

Consent Agenda:

Review of the Pasture Fence Mountain Agricultural/Forestal District - Required 10-year review of the Pasture Fence Mountain Agricultural/Forestal District. The district includes the properties described as Tax Map 13, Parcels 1, 4, 5, 8, 10, and 12. The district comprises a total of 1,323.92 acres. The area is designated as Rural Area in the Comprehensive Plan and is zoned RA Rural Areas. (Scott Clark) ***PLANNING COMMISSION MUST REFER APPLICATION TO THE ADVISORY COMMITTEE.***

Review of the North Fork Moorman's River Agricultural/Forestal District – Required 10-year review of the North Fork Moorman's River Agricultural/Forestal District. The district includes the properties described as Tax Map 4, Parcels 1, 2, 3, and 4. The district comprises a total of 270.48 acres. The area is designated as Rural Area in the Comprehensive Plan and is zoned RA Rural Areas. (Scott Clark) ***PLANNING COMMISSION MUST REFER APPLICATION TO THE ADVISORY COMMITTEE***

Review of the Eastham Agricultural/Forestal District – Required 10-year review of the Eastham Agricultural/Forestal District. The district, which is located in the vicinity of Stony Point on Routes 20 and 612, includes the properties described Tax Map 63, Parcels 1, 1A, 1A1, 2, 4, 14G, 14H, 14I, 26, 26A, 27, 28, 28A, 30F, 30G, 41A, and 41A1. The district comprises a total of 900.09 acres. The area is designated as Rural Areas in the Comprehensive Plan and is zoned RA Rural Areas. (Scott Clark) ***PLANNING COMMISSION MUST REFER APPLICATION TO THE ADVISORY COMMITTEE.***

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

Mr. Morris moved to approve the consent agenda as submitted.

Mr. Rieley seconded the motion.

The motion carried by a vote of (7:0).

Public Hearing Items:

Additions to Batesville Agricultural/Forestal District - Requests to add four parcels to the Batesville Agricultural and Forestal District, in accordance with Section 3-203 of the Albemarle County Code, which allows for additions of land to Agricultural and Forestal Districts. The first property, described as Tax Map 71, Parcel 26C, contains 23 acres. The second property, described as Tax Map 71, Parcels 26B, 26B1, and 26B2, contains 82.75 acres. The properties are located in the Samuel Miller Magisterial District on Rt. 689 (Burch's Creek Road), approximately 0.6 miles from the intersection with Rt. 637 (Dick Woods Road). The properties are zoned RA Rural Areas. The Comprehensive Plan designates these properties as Rural Area. (Scott Clark)

Mr. Clark summarized the staff report as follows:

There are four parcels being added to the Batesville Agricultural/Forestal District, which was created in May, 1990. The District was last reviewed in 2000 and was renewed for a 10-year review period. Two additions have been proposed:

- Tax Map 71, Parcels 26B, 26B1 and 26B2 (82.75 acres owned by Mary Chapin Carpenter)
- Tax Map 71, Parcel 26C (23 acres owned by Carol M. Davis and Bettye S. Walsh)

The District currently contains 712.4 acres in 22 parcels. The proposed additions contain 105.75 acres in 4 parcels. The Batesville District is located near the community of Batesville. The Open Space Plan shows this area to have important farmlands, forests, and stream valleys.

On December 15, 2003, the Agricultural/Forestal District Advisory Committee unanimously recommended approval of these additions to the Batesville district.

Mr. Thomas asked if there were any questions for staff from the Commissioners. There being none, he opened the public hearing and invited comment from anyone in the audience who wanted to speak regarding this issue. There being none, he closed the public hearing to bring the matter back before the Commission for discussion and possible action.

Mr. Rieley moved to recommend approval of the Additions to Batesville Agricultural/Forestal District as proposed.

Mr. Morris seconded the motion.

The motion carried by a vote of (7:0).

SP 2003-081 Crozet Commons (Sign #43) - Request for special use permit to allow a residential use in a commercial zoning district in accordance with Section 22.2.2.6 and 18- 2.1.3. of the Zoning Ordinance which allow for residential uses in a commercial zone. The property, described as Tax Map 56A2, Parcel 1-31, contains 1.37 acres, and is located in the White Hall Magisterial District on Rt. 240 (Three Notch'd Road), approximately 1.2 miles from the intersection of Rt. 240 and Rt. 250. The property is zoned C-1 Commercial. The Comprehensive Plan designates this property as Rural Area. The proposed master plan for Crozet includes this property within the Development Area. (Elaine Echols)

Ms. Echols stated that this request had been approved under an old special use permit, which has expired. Therefore, this was somewhat like a renewal of an old special use permit. The perspectives for the special use permit for this project is located on the bulletin board behind the Commissioners. This was one of the first Neighborhood Model type developments that staff saw

back in 2000. Since the special use permit for the project has expired, staff did not review all of the issues again for the Commission because there has not been any significant change in circumstance which would suggest that it would not be reapproved. The only significant change, which is actually in its favor, is that the property is now located within the development area of Crozet. Therefore, staff feels that it is appropriately situated. There is one item from staff's analysis that was not included that the applicant brought to our attention. The applicant has asked for a five-year period in which to vest his special use permit. Staff has reviewed the request and found that the special use permits that the Commission generally extends are for things that have a volunteer aspect to them, such as a fund raising issue for churches and private schools. Those types of uses are the only ones that staff would recommend for that particular time extension because they operate differently than what we would normally see in a commercial site plan. Therefore, staff cannot recommend approval of a five-year extension for this project. However, staff has asked the applicant to make his case to the Commission. If the Commission feels that it is worthy of a longer approval period, then they should include that with the conditions of approval. Staff's recommended conditions can be found on page 2 of the staff report. She stated that she would be happy to answer any questions.

Mr. Thomas asked if the Commission had any questions for Ms. Echols.

Ms. Joseph questioned recommendation #10 that talks about a condominium regime, and asked why they would care about that.

Ms. Echols stated that staff was looking towards making sure that the open space remained available for the residents who were part of the residential portion of the site. She noted that the applicant might want to speak to that.

Mr. Rieley asked if that condition was part of the original approval, and Ms. Echols stated that it was.

Mr. Rieley asked if the typical time period for special use permits was one year, and Ms. Echols stated that it was two years.

Mr. Rieley pointed out that the applicant was requesting an extension of time from two to five years.

Ms. Higgins asked if the adjacent parcel that belonged to Elizabeth Brown, which was zoned C-1, was a part of this application, and Ms. Echols pointed out that it was not.

Ms. Higgins stated that the plat showed a paved driveway in close proximity to the entrance. She noted that one of the conditions is that this site does not meet the requirements of the Zoning Ordinance and that a site plan is required. Whenever a plan like this is approved it needs to be in substantial accordance with the site plan. Therefore, she questioned why the driveway was shown like that. She questioned whether the applicant would have a problem with the entrance separation during the site plan review. She pointed out that there was a similar situation during the Blue Ridge Shopping Center review concerning Radford Lane.

Ms. Echols stated that staff had asked VDOT to comment on the entrance separation since the entrance location was next to a paved driveway. VDOT did not provide any comments that said that driveway would have to be closed. Staff has left the opportunity open for access for a driveway connection to this adjoining parcel during the site plan review. Potentially, this driveway could be closed when the adjoining parcel develops if it would work with this particular development.

Ms. Higgins asked if that driveway accessed more than one residence. She noted that if that driveway accessed more than one residence that it would be a problem for VDOT.

Mr. Edgerton stated that it looked like the driveway goes across the property line.

Ms. Higgins stated that she realized that this request had been approved before, and assumed that it was one of the first requests that came through for a Neighborhood Model. She pointed out that on the plan the grading lines stop in the rear when meeting the property line without meeting up with anything. Therefore, a grading easement would be required and the site plan was going to be very difficult because there was a lot stuffed on here. She acknowledged that the applicant was trying to achieve a certain density, but that she did not want the applicant to be misled that all of these issues could be achieved due to the approval of the special use permit.

Ms. Echols stated that the County's Engineers have looked at this request. One of the things that they wanted to make sure of was that this concept plan was not called a site plan because there are things that need to be worked out at the site plan stage. Generally, the Engineers thought that the project could be accomplished, and therefore staff was looking at it as a concept plan for general conformity. She pointed out that Ms. Higgins' points were all well taken, but that those issues have actually been discussed internally.

Mr. Rieley asked if in fact that this was essentially the same site plan that was approved previously.

Ms. Echols stated that it is essentially the same plan, but that there have been a few very minor changes. The changes include the addition of the detention and the area for the piping into the back towards a future detention area that would be placed on there. She pointed out that the grading in the back was not shown on the previous plan. There have been some slight adjustments in terms of where the buildings are located with the central open area. The only thing that is truly different between the two plans is that the last time we saw this that it did not show that paved driveway on the adjoining property. She noted that had just jumped at staff when they saw this plan.

Mr. Thomas stated that he remembered the project, but did not remember the paved driveway either.

Ms. Echols stated that there was one way to remedy this particular issue in order to not have an expiration date, and that would be to rezone the property to a different district that would allow this use by right. She stated that there were ways that it could be vested perhaps by being done in phases so that the applicant completes one phase of the site plan and then has the site plan vested for five years. She pointed out that the Zoning Administrator or Mr. Kamptner could explain that further if necessary. She stated that there could be two phases with the first part being to get the project under construction.

Mr. Thomas asked if there were any further questions for Ms. Echols. Since there were none, he opened the public hearing and asked if the applicant would like to address the Commission.

Cliff Fox stated that he represented Clayson Land Trust who owned the property. He pointed out that they have noticed some of the same issues and have tried to address those in the design. For example, they have been trying to eliminate the topo and grading issues in the back of the property, but that a lot of that relates to the parking requirements. He noted that the applicant did not want to rezone the property in its entirety to PD-SC or PD-MC, which would have lowered the parking requirement. The applicant wants to enable the site to have a restaurant for about 2,000 square feet, which creates a parking requirement in and of itself of 26 parking spaces for a standard sit down restaurant. VDOT is not allowing them to create any on-street parking. But that there could be six parking spaces in front of the building. He noted that going to 5.5 spaces in a PD-SC or a PD-MC regime would have reduced the parking requirements by 6 spaces. Therefore, if they could have done that, then it would have eliminated the whole grading issue in the back. He pointed out that Crozet has been looking for some flexibility in parking regimes and parking requirements in Crozet for years, but that the County has not acted on any of those

requests from the Crozet Community Association. As far as vesting, because this is a small site, they potentially think that it might evolve in phases. Typically it would be vested with the first site plan in turning the dirt and starting construction. While they don't have to have that extension on the vesting period, it would just create flexibility over time especially as things happen around it. The property to the west of 3.8 acres, which was between the shopping center and this parcel, could potentially evolve into this project and they would like the ability to flex with that. He stated that he would answer any questions that the Commission might have.

Mr. Thomas asked if there were any questions for Mr. Fox.

Mr. Rieley asked Mr. Fox what the best case was for extending the normal special use permit time frame for 2 to 5 years.

Mr. Fox stated that they called the County about a month before the expiration of the special use permit and that the deadline had expired for submittals. Therefore, even though they wanted to extend it and had actually talked about it four months prior, it would have been easier for them if they could have submitted something at the end of the expiration, but not at a submittal deadline. Because they were past the submittal deadline and the special use permit had not expired there was no way to extend. Therefore, it was their wasted energy. He pointed out that it also wasted the Commission's energy in having the special use permit come back. He pointed out that due to the number of small parcels that the Commission was going to see more and more of this.

Ms. Joseph asked Mr. Fox about the condominium aspect.

Mr. Fox stated that actually flowed into some of the existing regulations in the Subdivision Ordinance regarding setbacks and other things. The easiest way to eliminate those concerns was to go directly to a condominium regime.

Mr. Thomas asked if there was anyone else present who would like to speak regarding this application. There being none, he closed the public hearing to bring the matter back to the Commission for discussion and possible action.

Mr. Rieley stated that he would like to ask staff a question regarding the issue of parking. He noted that he was sympathetic with any applicant that wants to reduce on site parking and get more of the parking in a more urban pattern on the street. He asked what if any flexibility does the Commission have in trying to help the applicant in that way.

Ms. Echols stated when a site plan was brought in and they know exactly what the uses are that are going to be on the site, then the Zoning Administrator can review a parking study for potentially approving shared parking. There are opportunities in the future once they know what those particular uses are going to be. Therefore, there is a possible remedy there. She pointed out that she was not sure about the on street parking on Three Notched Road.

Mr. Rieley stated that it was an expression and sentiment of the Commission to work with the applicant as much as possible to reduce the amount of on-site parking since they had done all that they could at this stage of the game.

Mr. Thomas asked staff if the on-street parking was prohibited because of the State highway.

Ms. Echols stated that she did not know the answer to that, but that her impression was that it was not wide enough to accommodate on-street parking. She pointed out that there was an existing sidewalk.

Mr. Rieley asked the applicant if he would like to address the issue of on-street parking.

Mr. Fox stated that he would like to address the issue of on-street parking again. He stated that about 300 feet from this property at the Fire Station that the road width narrows down and that on-street parking extended all the way down to ConAgra. He pointed out that the on-street parking was not marked, but it was there. The idea was in the context of the whole strip over whatever period of redeveloping or just changing was to allow on-street parking along that whole area. He pointed out that VDOT did not want the on-street parking because they are looking at trying to improve the entrance into the Crozet Shopping Center and wanted a long turn and taper there. He pointed out that actually they wanted from the center line a 24 foot wide pavement that actually does nothing for this immediate parcel.

Mr. Thomas asked if there were any more questions for staff.

Ms. Higgins stated that regarding Mr. Rieley's question about the 2 to 5 year extension, that she was in support of not having this request come back ever 2 years. She noted that would give the applicant more flexibility because it looks like there would not be that much of a change on this kind of limited parcel. But, at the same time it does not meet any of those criteria and she was concerned about the precedent that could set. She suggested that if the Commission recommends approval that they request that some notation be placed on the document that the parcel next to it is clearly not a part of the special use permit.

Mr. Morris supported what had just been said since this has been on the books for 3 ½ years and that the extension to 5 years just seems a little excessive.

Ms. Joseph stated that she could not support the 5-year extension, but that now that the applicant knows the process. Therefore, if it gets to be 4 months before the expiration, then the applicant can come in and ask for an extension then.

Mr. Edgerton stated that the arguments go both ways.

Mr. Rieley moved for approval of SP-2003-081, Crozet Commons, with the conditions as staff recommended in the staff report:

1. Residential uses shall be allowed in a mixed-use development as generally shown on the concept plan entitled, "Crozet Commons Concept Plan" dated 2/3/04.
2. In keeping with the illustration entitled "Crozet Commons (color rendering)" dated 3/22/00, the following features of the development will be provided:
   a. a sidewalk and street trees shall be provided across the public road frontage.
   b. a "downtown" type streetscape shall be provided that includes the scale and alignment of building shown in the illustration.
3. A maximum of 10 dwelling units shall be allowed in the mixed-use development.
4. Residential uses may be mixed with other C-1 uses within buildings or may be in separate buildings.
5. If residential uses are mixed with other C-1 uses within a building; there shall be no commercial uses on floors above residential uses other than home occupations.
6. The following uses shall not be allowed on the parcel because of incompatibilities between residential and nonresidential uses (See Section 22 of Albemarle County Zoning Ordinance in effect on 2/17/04, attached):
   a. funeral homes
   b. movie theaters
   c. automobile service stations
   d. fire and rescue stations
   e. automobile truck repair shop
   f. medical center
7. A medical office may be allowed provided the office hours are between 8:30 a.m. and 5:00 p.m.
8. A convenience store may be allowed provided the hours of operation are between 7:00 a.m. and 11:00 p.m.

9. Interparcel vehicular and pedestrian access to the adjoining parcels shall be provided at locations shown on the conceptual plan or otherwise approved by the director of planning within the department of community development.
10. A condominium regime will be established for unified ownership and maintenance of the real property.
11. The concept plan referenced in these conditions is not considered a "site plan" meeting the requirements of the Zoning Ordinance; therefore, a subsequent site plan is required.

Mr. Morris seconded the motion.

The motion carried by a vote of (7:0).

Mr. Thomas stated that SP-2003-081 would go to the Board of Supervisors with a recommendation for approval and would be heard on March 3rd.

STA 01-08 - Comprehensive Revision of the Subdivision Ordinance – Amend Chapter 14, Subdivision of Land, of the Albemarle County Code, to comprehensively revise the subdivision regulations by amending most existing regulations, repealing or adding other regulations, and reorganizing Chapter 14 and renumbering many existing regulations. The regulations being amended and added pertain to general provisions (including but not limited to the purposes of Chapter 14 and its applicability; prohibited acts; and definitions); administration and procedure (including but not limited to application requirements for various types of land divisions, boundary line adjustments and easement plats; procedures for reviewing such plats; conditions of approval for family divisions; periods of validity of approved plats; and when and how private streets may be authorized and considerations relevant thereto); plat requirements and required documents (including but not limited to the form, style and content of plats; and the documents required to be submitted therewith including groundwater assessment information); and onsite improvements and design (including but not limited to lots and blocks, including appropriate lot location to allow access from lots onto streets or shared driveways; the coordination of streets; street standards; water, sewer and other improvements including sidewalks, planting strips and pedestrian walkways; dedications and reservations; and surety in lieu of completion of improvements). The proposed amendment will also impose a ninety-five dollar ($95.00) fee for the review of plats for family divisions, resubdivisions, easements and boundary line adjustments. The purpose of this fee is to reimburse the County for its services in reviewing the plats. This is the same fee presently imposed for the review of plats for rural divisions. The proposed imposition of this fee is authorized by Virginia Code § 15.2-2241(9). (Margaret Doherty). ***CONTINUATION FROM THE JANUARY 20, 2004 PLANNING COMMISSION MEETING.***

Ms. Doherty stated that this amendment has a lot of changes to meet our current preferred practice of subdivisions to meet current State Code requirements and to implement Board adopted policies including the recommendations of the Neighborhood Model. Staff has been working on this amendment since 1995. The original amendments were worked on by staff in what was called the Design Review Team, which was made up of members of the private sector and staff. That amendment went through staff and then staff has been working on it for years. Staff brought it back to the community in the form of a Focused Discussion meeting last July, and then to the Planning Commission for a work session in September and public hearings in October and January. Last month the Planning Commission decided to hold over the public hearing that they were having tonight to allow the new Commissioners and the public an even greater opportunity to participate. What staff hopes to achieve tonight are more comment from the public and more understanding of the key issues that they were trying to resolve with these amendments. Also, staff hopes to have a recommendation by the Planning Commission on how to proceed. The staff report identifies the substantive changes since the Planning Commission last discussed the Ordinance and includes changes, which they recommend to be made prior to the Ordinance preceding to the next step. They have continued to refine it and came up with a list of changes at the end of the staff report. She pointed out that staff also has one more minor item, and as those items keep coming up that they would continue adding to that list. Staff

provided written responses to each of the questions that they have received from the public since January, including the letter that the Commission discussed last time from Roger Ray. It also includes the letter from the Free Enterprise Forum, emails and comments that they have gotten from the public. Staff tried to address each of those in writing for your staff report. Tonight staff has prepared a presentation for your discussion. This presentation was requested previously by the Commission. It discusses how the changes actually resolve those issues that they were trying to resolve. She pointed out that Elaine Echols and Jack Kelsey were here to make that presentation.

Ms. Echols pointed out that Jack Kelsey would be giving the power point presentation and that Mark Graham and Wayne Cilimberg were available to provide answers to questions. She noted that what they wanted to do in this session was to talk about the issues that seem to be giving some members of the public the most heartburn. Those are curbing, sidewalks and overlot grading plans, which was what the power point presentation would be devoted to.

Due to technical difficulties, the Commission took a brief recess.

Mr. Jack Kelsey, County Engineer, made a power point presentation regarding the topics of urban streets, overlot grading, sidewalks, and the whole issue of rural roads versus urban streets. He pointed out that Ms. Echols would cover the portion about sidewalks. There is a need for urban streets in the development areas as a rule rather than the exception, which is how the subdivision text amendment is written. In an urban area and the development area a rural section could be requested as a waiver. Can a rural section function in a development area? He stated that yes it certainly can. Staff took a look around at some examples and felt that the rural section did quite well. He pointed out that Carrsbrook was one of them, but that the lots in those areas are rather large. He provided photographs of Steel Meadows, which has lots that are a little bit smaller. He pointed out that staff was more concerned with what is the total width to contain the infrastructure, which was why they were trying to compare that particular width and what it would be for an urban section. He pointed out that the Comp Plan was looking at pulling the houses closer and providing the streetscape. Why does the rural section not work well in our urbanizing community? The rural section is an open drainage system and is really incompatible with a neighborhood. He pointed out one example where you have riprap channels in front yards. Another common occurrence is where the road ditches need to transition to culverts that cross underneath the road. Clearance is needed for the pipe underneath the pavement and you need a certain amount of hydraulic head to force the water through the pipes, which generally forces the ditches to drop down an elevation below the road. He presented a couple of examples of lots with drainage problems, which were created by sheet flow and not having overlot drainage plans in place. He pointed out that it took a lot of staff time to deal with these types of situations, which comes in through citizen complaints. The advantage of having an urban cross section is that you have a closed drainage system and the curbs and gutters take the drainage to the drop inlets that then take the water into the underground piping system. Once this infrastructure is installed and it is stable, then it works. He pointed that they would not have to worry about having to go back out there to install a drainage system every time it got washed out. The next was effluent grading plans in development areas. One of the things which they get faced with in the development areas is a rural cross section which are small lots with compliance issues with steep slopes and stabilization. By having an overall-grading plan at least you have the ability to mass grade some of the lots to at least bring them to somewhat of a reasonably built grade. Then the builder can look at the lot and design his foundation for the particular house and then do his final grading as necessary. Steep driveways and retaining walls in many instances result from not having an overlot grading plan. He pointed out that that an overlot grading plan could be used to try to ensure some reasonable building pads of building area are being created.

Mr. Rieley asked if all of the examples that he was showing were in the growth areas and Mr. Kelsey stated that they were.

Mr. Kelsey continued his power point presentation with examples where retaining walls were used on lots. He stated that the subdivision text right now says that you do an overlot grading plan showing that each lot can at least be accessed by a driveway with a 20 percent grade. He noted that right now the Subdivision Ordinance does not speak to driveways at all as far as a standard. With the absence of any kind of overlot grading plan it is questionable where the relationship of one lot is to the next. He pointed out the County receives complaints about erosion, steepness of slopes, drainage problems and discharge from downspouts that results many times from not having an overlot grading plan. He pointed out that there was competition for space on small lots where there is limited space between dwellings. Quite often there were conflicts when trying to accommodate drainage and utility locations on small lots. Upon completion of his section of the power point presentation, he pointed out that Ms. Echols would address the sidewalk issue.

Ms. Echols pointed out two examples in Albemarle County where sidewalks are located. She stated that the ideal cross section shows the curb, the sidewalk with the street trees, and the tree line in between, which was what staff was trying to promote. The proposed ordinance would allow for different types of sidewalks, while staff would be promoting the section previously described. The Subdivision Ordinance is laid out so that it would be an agent determination on what kind of sidewalk would be appropriate for that particular street. There are not a lot of sidewalks because they are provided voluntarily, but the proposed Subdivision Ordinance would make sidewalks required. She pointed out that it takes a gross density of 4 units per acre in order to require sidewalks and most of our developments don't get a gross density of 4 units per acre unless they are multi-unit. Then, they could get some of that from the site plan process, but not from the subdivision process. On a net density standpoint, there are a lot of developments that have that kind of density, but our Subdivision Ordinance bases it on gross density. Therefore, they don't sidewalks except when staff works to get sidewalks during the preliminary and final plat and plan stage. She pointed out that was a cost of staff time to do that. There are a lot of costs that are associated with the voluntary provision of these kinds of things. There are a lot of costs associated with inspector's time during construction. There are a lot of erosion and drainage problems that Mr. Kelsey spoke to the Commission about. Every one of those developments that the Commission saw pictures of are Albemarle County developments. Our inspectors and engineers are spending valuable staff time when they could be reviewing and approving plans dealing with complaints out in the field. Adding sidewalks later could be extremely expensive, and we end up doing that from time to time. She pointed out that staff would like to eliminate as much as possible the property owners complaints because they would like to give them the kinds of developments where they are not having to complain to us about the problems. She presented examples of complaints that the County receives. Upon completion of the power point presentation, she stated that they had a couple more things to talk about from a policy level standpoint. One issue that really has not had a whole lot of public discussion is the issue of public versus private streets. The proposed subdivision text amendment makes private streets easier to get approved in the development areas. Right now our Subdivision Ordinance limits those opportunities in a sort of a by right setting to attached housing and multi-housing in the development areas. Therefore, single-family housing is definitely the exception rather than the rule. The proposed subdivision regulations would open up those opportunities more often to be able to approve private streets in the development areas that is different than the rural standard that is out there already. It would also open up more opportunities to do non-VDOT streets. There are some pros and cons to that. She pointed out that the prior Planning Commissioners, excluding the new members, had already thought through this in terms of the public and the private costs. Therefore, she would like at some point for the Commission to have this discussion. In terms of expanding private street options, she felt that they would have a lot more opportunities to obtain density in the development areas, which was a goal of the Comprehensive Plan. They would have more opportunities to use the development areas and be able to firm the VDOT street requirements, which sometimes are fairly excessive. With the Subdivision Ordinance as proposed, they would be able to do more T & D streets that are private because staff has not quite gotten all of the T & D standards accepted by VDOT. Staff is still working with VDOT on that. The maintenance on private streets is always going to be by homeowner associations. The

County will likely be called on sometime in the future with people asking that their road be updated to VDOT standards so that VDOT can take the roads over for maintenance. When they start with a standard that does not meet VDOT's requirements right now that it sets up something that could eventually become costly. She stated that her previous impression from the previous Planning Commission was that the Commission understood that and accepted what those particular ramifications were, but were looking for a better design and better opportunities to use the development areas. That might not still be the case and she puts that out there for the Commission's further consideration. She stated that it might be that Board of Supervisors might want to spend some time discussing this particular item as well. She pointed out that there were resources available, especially for overlot grading and curb and gutter issues with Mark Graham and Jack Kelsey if the Commission needs them.

Ms. Doherty reminded the Commission of the changes that are in the back of the staff report and added that the definition of parent parcel still needs to be done. She stated that staff would take notes on whatever they hear tonight, but needs direction from the Commission on how to proceed.

Mr. Thomas opened the public hearing and asked that Neil Williamson come forward to speak since he was the only person signed up to speak. After he speaks, then anyone else present could come forward and address the Commission.

Neil Williamson, Executor Director of the Free Enterprise Forum, stated that they were looking for solutions from all kinds of places. He stated that he hoped that the Commission has had a chance to read his most recent letter and attachment in their packet. They have been engaged with this issue for some time. He thanked staff for their time in answering those questions. He pointed out that he sent his letter in at the very end of last month and Thursday when the Commission received their packet that he received his reply. He noted that he had not had time to review all of that, and therefore would not seek to address all of staff's replies at this time, but did want to thank staff for addressing some of the concerns that he raised. Tonight, he asked to them to concentrate on the ripple effects that this Subdivision Ordinance might have on our community. Based on the folks seated in the back, it seems that a large number of people in the building development community are most interested in this arrangement. He stated that they were the first lines in the economic impacts for this and the business community and individuals are becoming aware of this issue. One local hotel business owner indicated that less than 15 percent of his staff lives in Albemarle County. He stated that this concerned them because of inclement weather, traveling costs, and transportation costs. All of these issues are a part of developing a County that is allowing additional development in different forms, and not mandating one form that is a costly form. Another business owner was concerned that Albemarle County was creating policies that continue to pressure ethnic and economically diverse individuals to go outside of the County. Staff has indicated that this measure has had a formal review by the community, but he disagreed. Staff mentions 1995 and a technical committee that had members of the development community in that committee. He stated that he did not believe that the real community has an understanding of the impacts of this and he firmly believed that they would have stronger comments. As this moves forwards forward, he asked the Commission to consider their concerns.

Don Franco, representative for the Kessler Group, asked to be allowed to have more than three minutes to address some of these issues. He pointed out that he received staff's fifteen-page report on Thursday and basically had three topics to cover.

Mr. Thomas asked what the Commissioner's feeling was on extending the time period.

Mr. Rieley stated that the Commission often asks speakers to clarify or expand upon their statements, which seems to be a way that they could allow this without breaking their rules.

Mr. Franco stated that he was a participant in 1995 when this process started. One of the issues that was raised in 1995 by the Design Review Committee was the topo past the property line. There is a criterion in the ordinance that requires that information be provided 200 feet on to somebody else's property. At that point in time they noted that they don't have the ability, which was the same thing that the Commission heard from Roger Ray. From this last revision, that has remained in there. Therefore, for 8 ½ years they have been dealing with that particular thing. He pointed out that they have participated in the process, but he did not know if they have been heard. He pointed out that was really what he wanted to talk to the Commission about. There are three things that are in the provisions with the first being the interconnections. It talks about in the report on how the County was not getting a lot of the interconnections now because they are not required. Functionally interconnections are hard to get. There have been a number of situations where they have tried to do that, but they have had a hard time getting the ability to make that connection even though the provision has been made. So the community wants to do this, but the problem is if the political will always be there for them to be able to do that. It is not as easy as sort of saying that the development community does not want to do it. The other question is going to be functionally how they will be able to do it. A lot of the property lines are in creeks. He asked if he would just build to the creek and leave a nice retaining wall at that property line or how would he provide for that. Practically speaking it is going to be difficult to make connections in a lot of places.

Mr. Rieley stated that since his time was up that he would like to ask him if he had another item to discuss.

Mr. Franco stated that he would like to speak about a couple more items. He stated that he believed that the overlot grading plan would help to address some of their concerns, but it was going to bring other issues to light. A rip rap ditch is easy to put in, less expensive and easier to maintain. He noted that they have a number of these structures that currently exist associated with public roads, but who maintains the piping system beyond the public road. Right now it was covered in an easement and was dedicated to public use, but neither VDOT nor the County maintains that. It goes back to the homeowners. Here is something that the County is saying that they don't want to put in because it costs more, and they don't want to maintain it because it costs something. Therefore, they would be putting in something more expensive that someone has to figure out how it is going to be maintained because right now it goes back to the lot owners as well. The different criteria that is in there needs to be looked at because right now they were saying that ditches and open systems are a problem. He pointed out that he was not sure that they should take that away as a tool. Right now according to this they are going to take that away as a tool whether it is associated with a road or just drainage through somebody's back yard. The other issue that he wanted to talk about was how these improvements on a policy basis are probably good. He stated that Mr. Graham's policy says that they need to do this if they are to get the extra density that they want in development areas. He noted that he did not disagree with that because it makes a good provision when they get into that higher density. He stated that his question would be that they have planned one community so far as a County, the Crozet Community. Did they increase the density in that growth area over what exists right now? The quick answer is no. They did not increase the density and they were not necessarily using it any better. Therefore, why were they adding these expenses? He felt that they needed to look deeper and have a better discussion on what is going on. He pointed out that sidewalks don't exist for a lot of reasons, not just because developers don't want to put them in. He noted that they were about to make private roads easier so that they could get some of the Neighborhood Model characteristics in. It has been a big fight to get to the point where curb, gutter and sidewalk are things that VDOT will buy into, but they have not in the last few years. It is only occurring recently. He felt that they did not need to mandate it in every situation. They need to realize that we are all part of this bigger process. He stated that he would be happy to answer any questions.

Frank Stoner, representative for Stonehaus Development, stated that he would follow up with a very brief comment. He felt that the issues were complex. He stated that the intentions were

good and he was supportive of a lot of what they were trying to do. Some of the examples given were due to poor design, poor installation and some combination thereof. Changing standards is not necessarily going to solve those problems. The issues are complex enough and there are always intended consequences that they know about. But, there are also unintended consequences that they never fully consider at the time that they implement these decisions. When the lighting ordinance came up several years ago and it went to the Board of Supervisors there was a huge outcry at the time that the process had not been vetted adequately through the real stakeholders. Those are the people who are going to be forced with the task with implementing the lighting plan. This is the Dark Skies Ordinance. As a result they set up a Task Force with a well-defined time in which the Task Force had to operate. The Task Force was populated with people who were directly affected by the Lighting Ordinance. Those were lighting professionals; landowners, site contractors and people in the business of actually developing these commercial properties whom were impacted. They were charged with the responsibility of coming back with an ordinance that had been fully vetted through these groups. They had an opportunity to set down on a case by case basis and evaluate the intended consequences, the unintended consequences and to design a program that worked for everybody. He encouraged the Commission to consider that with the Subdivision Ordinance because he felt that it was that complicated. Everybody wants to solve the problem. He stated that he did not like being involved in a situation where her had unhappy homeowners because something was not working, and he did not think that anybody else in this room does either. He stated that they have a sincere desire to address the problems, but he wanted to make sure that they address them holistically and they find solutions that really will work.

Ron Keeney, of Keeney and Company Architects, stated that he was here with several hats in his hand and would change hats several times. After watching the slide show that he was horrified with the nature of growth in the area. He stated that the examples were, in his opinion, aggravated by the simple fact that the houses were too close together. The lots were small with big houses. The public demands the big houses and the County with their density issues is demanding smaller lots. When those two things are put together and you get them tight, then the grade changes that have to occur between the lots end up occurring literally on the property line, which creates those types of problems. When you push for the tighter density, then you get those types of problems around the edges. Therefore, it has to be done very carefully, which is what the questioning of the Subdivision is about. He stated that because some child fell into a ditch in Reynovia does not mean that they should say that the County has to protect all of us from ditches like that all over the County. This would be like telling McDonald's that they should serve lukewarm coffee so that we don't burn ourselves. He pointed out that a lot of us could stay out of the ditches. He asked to speak as the President of the Squirrel Ridge Neighborhood Association. He stated that they were 22 lots located on a private road. He noted that they pave and plow their own road, and clean and maintain their own ditches, but that they choose to do it. Several times in their meetings they have questioned if they should improve their road so that VDOT will take care of the maintenance, and the answer from his neighborhood has been a definite no that they wanted to keep it in the nice quiet manner that it is. They have a minimum width street and the water runs off the street into the drainage ditches and they deal with it. They are very pleased with it because it is that nice neighborhood design that they all love. The other hat he would like to wear is as his mother's son. He pointed out that his mother lives at the end of a cul-de-sac in Dunlora in a house that he designed ten years ago. The water comes down that cul-de-sac and into the drainage ditch, which was adequately designed by others, and then goes underneath her driveway pipe, and down the rip rap ditch several hundred feet along her property line. He noted that it works just fine and she does not have to deal with the VDOT right-of-ways and the much larger stuff. He pointed out that he was a member of the Blue Ridge Homeowner's Association because they represent the good developers and the people in this industry that are trying to do the right thing. As a Director of the Blue Ridge Homeowner's Association he stated that he was proud to be working with the group who had worked very hard to get Neil Williamson to represent them. The letter that the Commission has from Neil Williamson speaks very well of 40 to 50 individual minds in that industry.

Josh Goldsmith, with Churchill Development, stated that he also does some home building, but that the hat that he would like to wear this evening is as a member of the Albemarle County Housing Committee. Recently they met and were working towards an implementation plan for the Comp Plan Amendment that was moved forward. He pointed out that he joined the Housing Committee in September shortly after the first meeting that Ms. Doherty spoke of that everybody came together. The first thing that he noticed was that this Subdivision Ordinance is moving forward and it is going to add cost to housing. The Housing Committee had no real connection to that. In a macro short of sense, the challenge that he sees as they work very diligently in trying to move forward with affordable housing as a product that not only meets a quota and price point, but meets the needs for people. He stated that it was not intended, but that it works against some of that challenge. He pointed out that he does not have the answer, but that he did want to pose that question because they were working very hard on it to try to figure that out. If they were required to put curb and gutter everywhere and also required adding costs to these lots, then it was going to work against that affordable housing. He stated that he had been working very hard on this issue. He noted that he had put forth a letter against the Comp Plan Amendment saying that he thought that it needed more process, and that we an industry were at the table and had brought up a lot of concerns and questions. That implementation was going to be very challenging. He noted that, in his opinion, that this adds another challenging layer. Since he did not know what the answer was that he would just keep posing the question.

Doug King stated that he was a small local builder and had a whole page full of notes, but in the interest of time he would edit them severely and just talk about choice. He felt that they were on a fast moving path towards the implementation of the Neighborhood Model not as a choice, but as a mandate. It has been promised for years now that would not be the case. He begged the Commission to move forward with the implementation of the ordinances so that they could use the Neighborhood Model as one of the choices, but to not mandate it so that these examples that you saw this evening remain a viable option for us. What you saw were bad examples, but that does not make the process a bad process. It comes back to the choice. If he wanted to live in Fontana without the curb and gutter, with the drainage swales, with the magnificent views and with an awful lot of good things that came with that neighborhood, then that should be his option. He stated that he would like it to be done well, but there are spots there where it needs improvement. But, he didn't think that the model should be thrown out. Again, the Neighborhood Model was to be "a model" and not "the model" and asked that the Planning Commission remember that.

Mike West, with R. D. Wade Builder, stated that obviously they had been in town a long time of about 38 years and he had been there for one-half of those. Over that time they have built about 3,000 houses of which he had sited quite a few of those. He pointed out that it was nice not to see any examples of his work up on the screen. He pointed out that he was one of the builders in Steel Meadows that got a good guy award. He stated that the Neighborhood Model was being conveyed as something that gives choice to people, but what he really sees it as eliminating choices for people. If that were going to be the sole path, then he would like to think as a community that they could offer more. There are a lot of people who would like to look out their back yard and see a nice swale and a nice view and not necessarily an alley and a trashcan. He stated that he really came here because the 109-page document was quite a lot to look at, so he tried to scan and get to the issues that were important. The overall grading plan is what caught most of his attention. He asked if the overlot grading plan was meant to be something that is done so that someone could get approval to verify that they are going to have lots that they can access. Or was it a regulation that was going to be policed back on them when it was done. He pointed out that he just did not know. If it was something that was going to come back and be policed on them after they are done, then had quite a few problems. One concern was that probably 80 percent of the basement plans that he had now would have some issue with the 3:1 slope near the foundation, not just with the 1:10. When dealing with houses that have garages underneath with stiff topography it is almost impossible. He stated that a lot of the sites that they looked at tonight were immature. He suggested that they go back and look at these sites or similar sites that are four, eight, and ten years old. A lot of the issues that they are bringing up are

a fact of maturity. He pointed out that people might get a lot that has a slope on it that is 2:1. In year 1 it might have grass. In year 2 it might have some low trees. In year 8 it may be fully covered with shrub. He asked if they were looking for an instantaneously solution to a problem that people pay for over the life of multiple people owning a home. He pointed out that surface drainage on three lots was rather ridiculous. He stated that he did not believe that anybody should build a driveway in excess of 30 percent. But, he pointed out that there were some driveways that he had built that had sections that were 22 to 25 percent that had landing pads from top to bottom that seem to work just fine. He asked that they leave the grading around the house to the Building Code instead of having the 10 percent slope for 10 feet in the Subdivision Ordinance.

Dave Phillips, with the Charlottesville Area Association of Realtors, stated that they looked at this as one big community and not as just an individual ordinance. Therefore, he would speak more to a broader outlook. He stated that they really see four cornerstones to the job that the Commission has to do. Staff has to balance between everything from affordable housing, proper planning, transportation and the protection of the rural area. He pointed out that he was deeply concerned that the more stringent they get and the less flexibility that we have in the growth areas that they were going to be pushing more and more growth out into the rural areas. The County has already seen a huge increase in the number of building permits over the last ten years into the rural areas. A lot of that has happened because it has become more and more difficult to get things done in the growth area. That encourages people to move out into the rural areas, which in turn creates more of a transportation problem. He suggested that the Commission be very careful to balance out these issues.

Mr. Thomas asked if there was anyone else present to speak. There being none, he closed the public hearing to bring the matter back before the Commission for discussion and possible action.

Mr. Rieley asked staff to address the concern that Mr. West raised about the provision for 10 percent slope within 10 feet of the residence. Mr. West's suggestion is that was something that was better handled in the Building Code rather than the Subdivision Ordinance.

Mr. Graham stated that staff has had examples where the houses were effectively an island with 2:1 slopes falling away on every side except for the driveway. There were houses where people could not even walk outside. They were just trying to find ways that people could actually just walk around the back of the house without having to worry about sliding down the hill. The intent was nothing less than that. What they found through the Building Code, as it was now, that there is no requirement that they have to provide there. If there is, then the Building Official has not identified it. He stated that they had to trust to the Building Official on this one.

Mr. Rieley asked if it was fair to say that this would be the expected standard. He pointed out that they had talked about waivers throughout this. He asked if it was a fair assumption that the waiver would be applicable if someone comes in as a part of their overlot grading plan with a situation in which they have a condition that they don't meet that requirement and feel that there is a very good reason.

Mr. Graham stated that was certainly their intent because they certainly did not mean to preclude the possibility of walk out basements. He noted that the way that it could be interpreted by some is that we would be effectively doing that, but that was never the intent. The intent was simply just to make sure that people could get outside their house without falling down the side of a hill. He asked to point out one thing that he had to take responsibility for because he felt that it got misapplied or misquoted, which had to do with the 3:1 yards. It does not say this, but the intent was turf where they have lawn that it be no steeper than 3:1. This has actually come up in a number of places where people have got 2:1 and steeper yards with lawnmowers. One of the things you find if you check with a lot of the lawnmower manufacturers is that they tell you don't operate this equipment on hillsides steeper than 3:1. He pointed out that he had great concern whenever he goes out and sees someone pushing a lawnmower up the side of a 2:1 hill. That

was the intent. If it was steeper than 3:1, then low maintenance vegetation is fine. It was not to say that they did not want yards to be no steeper than 3:1.

Ms. Higgins asked if he was saying that they could go steeper than 3:1 if they do the low maintenance vegetation, but the ordinance now does not read that way, and Mr. Graham agreed.

Ms. Higgins stated that the overlot grading plan goes back to 1995/1996 when they started this process. At that time there were areas, and they pointed out some extreme examples of this, where there was a percentage of about 10 percent of the lots which were getting into tight drainage issues. One of the things that came out of some of those meetings was that in the review stage when road plans or subdivision design plans came in that there were some areas that were of utmost concern. Overlot grading means every single lot and a detailed review with a lot of surveying and a lot of costs. She asked if there was any way to separate the problem areas on a piece of land, because very frankly a lot of land lies nicely, and then you get into the rougher part the land. Then it would be obvious that later on by the cuts and fill on the road plans that you are in that kind of topography. She asked if there was not a way to separate it and flag a section to say that you have to show grading and a design of this area. Do you think it is really an extreme that it has to be all or nothing? She pointed out that through their conversations with the County Attorney that they did not.

Mr. Graham stated that what he found was that they do have it through the Erosion and Sediment Control on a lot by lot basis. So as the builder would come in for a building permit they could require an erosion control plan for that lot. But, they don't have any provisions under the Subdivision Ordinance to allow us to require them to grade the subdivision with the lots. That was a problem for us.

Ms. Higgins asked if it was reasonable to assume that you could identify those problem areas and not just adopt the overlot grading plan as a standard for all areas and all lots that come in.

Mr. Graham stated that he was catching the direction that she was going in. He stated that perhaps the thing to do was to make it the standard to require overlot grading, but then allow that to be waived if they see that they get into circumstances where there is clearly not a problem. He pointed out that it was often very difficult to determine. He pointed out a perfect example of Windridge Subdivision, which was off of Greenbrier. The topography is not bad in that area. When the builder came in there twenty years ago and built those duplexes that because they did not consider overlot grading that they created a bathtub in ten people's backyard. The County had to go in there and spent $250,000 to fix a drainage problem effectively for ten homeowners. As they create more of this high density, which goes back to what Mr. Kelsey was saying earlier, they were setting up that potential for those types of problems. It is that risk to the County for that future liability to fix these problems that he was most concerned with.

Ms. Higgins stated that these issues are all kind of interrelated with the overlot grading plans and obviously there is a need in some areas. There are a lot of reasons why some of this happened had to do with developer/builder coordination and that sort of thing. She asked how he thought this was going to fit with mass grading. She asked if there would be greater limits of grading. She stated that he was actually talking about creating flat areas out of now gently rolling topography. She pointed out that most of those pictures had to do with designs. Cul-de-sacs could all drain to the center and you could put in a drop inlet and pipe it out to a ditch or open it up in a ditch, or whatever. There are all kinds of ways to get around particular design issues. But, if they mass grade there is going to be more tree removal and that sort of thing. There is another provision in here that talks about more protection of critical slopes. She pointed out that now roads are exempt from that. She asked if he saw any problems with that?

Mr. Graham pointed out that technically speaking no one is suppose to be clearing critical slopes to build that house now. An overlot grading plan clearly lets us see whether they can indeed build that house without disturbing those critical slopes. Whereas right now it is kind of on a catch as

catch can basis. The lot shows part of it in a critical slope and part of it not in a critical slope and if they catch it when they are doing it that is great. He felt that the overlot grading plan as far as saving trees really is not applicable because the trees get wiped out when they build the house anyhow. If you look at the examples, you will note that there were no existing old trees beyond the back limit of clearing. Either the developer cuts the trees as part of a mass grading plan or the builder does it as part of building a house. Even those cases where they try to save the trees, they see a lot of problems with that because the equipment operator is not as careful with the roots of the tree and the two years later the tree is dead.

Ms. Higgins asked if he was saying that the trees are going to go and that is not a concern because they are going to go anyway

Mr. Graham stated that effectively that is it. If you are going to put the development there, the trees are gone. That is the price that you pay for development.

Mr. Thomas stated that regarding Mr. Keeney's point about Dunlora, he did not know what was behind his mother's house. He asked what could be done behind there to stop that water from going onto the next property owner.

Mr. Graham pointed out that actually what they were proposing with overlot grading is only to the rear of the building area to carry the water in pipes between the houses. There are actually a couple of reasons with that with the unsightly part of that being the least of his concerns. He pointed out that his most serious concern deals with the stability issue. By changing County policy back in 2000, the drainage coming off of those public roads is now a public drainage easement. One of the gentlemen earlier spoke to that as being the homeowner's responsibility. Previous to 2000 it was the homeowner's responsibility. That was a drainage easement held in common by the property owners of the subdivision. Now that is a public drainage easement and the County is responsible for that. What he was looking to try to find for the County is a solution that assures that they do not have to go back in there for a very long time to interfere with those people's yards.

Mr. Rieley asked if the cost for maintaining that would be paid for by the County.

Mr. Graham stated that it would be a County's cost if that rip rap ditch goes out for all new subdivisions. That is a policy that the County has undertaken.

Mr. Thomas stated that was a good question, and that somebody has to make sure that it is paid for. He pointed out that the public brought up how expensive it was in developing a piece of property in trying to get interconnections. He asked Ms. Echols how they could move better in that direction through this ordinance to make that happen easier.

Ms. Echols stated that there are things that happens when land is subdivided and there is no connection made to an adjoining property and you preclude that opportunity. The next thing is that when you have a reservation on demand of the County that there is a strip of land that does not show anything. If the land is developed on either side and that connection is not made, then the people never expect that they are going to have a connection to the adjoining property. Staff's recommendation with the Subdivision regulations is that road gets built to the property line so that there is no question that there is going to be a connection to an adjoining property. For many years they have had these reservation areas, but people oppose them once the developments are built because they are afraid of what the interconnections will do. But, they still get complaints about the traffic on the roads because there is only one way in and one way out. Therefore, that is what they were proposing.

Ms. Higgins asked how they can affect the policy that talks about interconnects so that when it comes to making that physical connection that the neighborhood does not carry the weight because they don't want it to happen. She felt that was what he was asking.

Mr. Thomas agreed that it was moving towards that.

Ms. Higgins stated that one issue, which has not been a topic for anyone's conversation that spoke tonight, is there has always been a provision for dedication or reserved dedication for right-of-way. There have been instances where you could not construct it because houses were built. Part of that was because there was not a dedication or a reservation for a construction easement, which would have prevented those houses from being built within an existing easement or a reservation for easement. Therefore, the houses were built too close and the connection became a construction headache. But, then the requirement to build a road to the edge of a property line, which she had some problems with that from this perception. One is that VDOT was not going to take a dead-end section of road that goes nowhere. In a public road dedication scenario VDOT will only take a subdivision road that has three residences and they take it down to a turn around or a cul-de-sac. If you build just a T-intersection that goes to a property line, then there would be pieces of pavement built that just sit and deteriorate. There is not entity to take care of them. The second one is that the way that this is reworded, and her question is regardless of whether the other property is zoned or regardless of whether there is any plan to develop it, so that it would be built in a location or propose to where it might vary. It could possibly be an area where it would curve off in one direction or another. Therefore, they would kind of be dictating what is going to happen next. She felt that property owner has the same right to be upset that you are building a road up to their doorstep. There is a philosophy about equity when you develop. She pointed out if she was developing 200 acres and built a road system to serve, possibly with a cluster, and then she would have a reservation to interconnect with the next cluster or the next development. If she built a road of whatever the length is and she left a big space before she reached her property line, then she was building something for the next person who might come ten years from now and it was no added value to my development. Potentially the plan could change over that period of time. There has always been an understanding that if it was available, and what Mr. Franco said is that it needs to be made so that next developer could reach in. She pointed out that the Service Authority does this pretty effectively, but sewers are different and they take the whole sewer system. But it allows the other developer to come on the property and build it up to where the road ended. But, it was the idea of one developer or community absorbing the expense for an unused piece of road that they don't put lengths on it. She felt that it should not be her neighborhood's expense to promote the next neighborhood, and she did not think that this addresses it. She stated that they were so concerned about getting what we have lost on a lot of occasions that they might be able to approach it a different way and make it more rigid without saying to build pavement out there that nobody is going to use.

Mr. Graham stated that Mr. Franco made some excellent points on this question. One of which he would like to address first, which was the idea about building right to the property line. There are obviously going to be a lot of circumstances where physical constraints make that difficult or impossible to do. There was no clear intention of requiring them to literally build to the property line in that case, but they would like to see them build that subdivision stub out pass the houses on those corners. Then provide the right-of-way and construction easements to ensure that when that next property owner comes in that they can extend the house.

Mr. Thomas asked if Deerwood was an example of that.

Mr. Graham stated that Deerwood was a great example of that because there was a stub out. The stub out is actually important for the reason that Ms. Echols raised that it puts it in everybody's mind that there really is a road that is planned to go through there. If there is no physical improvement put on the ground like that, then there is going to be a battle down the road. He pointed out that he hates to put the Board of Supervisors in that position where they have 100 screaming people looking at them. Even if VDOT will not take that, then at least in establishing the road they would be getting the grade and the base set down. Then it would be very easy for somebody to come back in and put in that part and bring the road up to the current standards. He stated that nobody would maintain it. He noted that if you to more urban areas like

Fairfax, Loundoun, Prince William or Stafford or wherever that you will see that those are very popular for parking RV's and things of that nature. That is the trade off that they would have to make there. He pointed out that it was not the perfect solution. But if you want to make sure that you can get those interconnections in the future he would really strongly recommend it.

Ms. Higgins asked if he was proposing something like a stub out the depth of the adjacent lot or to the rear of the house.

Mr. Graham stated that was correct to the rear of that house.

Mr. Thomas asked if there were anymore questions for the staff.

Ms. Joseph stated that one of the things discussed with the overlot grading plans was performance criteria. She asked if that was something that he had thought about.

Mr. Graham stated that he had thought about performance criteria quite a bit. He noted that Mr. West spoke to the question of how the County would enforce this. What staff was really looking for first was for the developer doing the rough grading that would satisfy that requirement. The County can then through the erosion and sediment control plan in the agreement in lieu of a plan that goes with that building permit require that builder to maintain the grading that has been established for drainage. That gets to his drainage concerns. Then the other question is the driveway standards.

Ms. Joseph stated that he had talked about the 2:1 slope and maybe that can still be accommodated, but you have to have some other kind of vegetative cover. A lot of the erosion that happens is the result of how this stuff is planted in the first place. Sometimes there is no such thing as any kind of topsoil put down and these small plants are trying to grow on subsoil. She felt that if they start thinking about some of those aspects, too, that planting it properly to begin with could eliminate some erosion.

Mr. Graham stated that was an excellent point. The County could actually hold the developer to that right now with the erosion and sediment control standards. By referring to the handbook under low maintenance vegetation and the shrubs and other ground covers, that it pretty clearly specifies what type of soil you are suppose to use, what types of vegetation are appropriate and under what type of circumstances. That gives us some guidance. But beyond that the County has routinely deferred to landscape architects on this issue.

Mr. Rieley pointed out that the statement in the staff report that VDOT was currently amending the Subdivision Street Standards, which would require a three-foot strip between the sidewalk and curb. More importantly VDOT's amendment will also make significant accommodation for underground utilities. For the first time VDOT is allowing underground waterlines in the street, allowing the manholes in the street along the centerline on the outside of the travel line and underground wire utilities in the State maintained right-of-way. He pointed out that was so significant with everything that they have been trying to do and that Mr. Graham has been working with a committee on this.

Ms. Higgins stated that several people keep bringing up the same question about whether the Neighborhood Model is "the model" or "a model" and whether the County was implementing it in the ordinance and taking away the developer's choices. She stated that it truly was impacting and kind of overlapping a lot of these concerns. She asked what they could do with it. She asked if there was a way to separate some of these things from the implementation of the Neighborhood Model and then maybe go with all of the rest of it. She stated that she did not want to vote with the idea that there were things in there that sets policy that she was not sure that this Planning Commission has set the policy or if the Board needs to set it. The biggest one is the curb, gutter, sidewalk and planting strip issue. She stated that she liked curb and gutter and sidewalks and pathways. She suggested that the Engineering Department go out and take some

pictures of examples of this. One suggested location to look at is the road that connects between Avon Road and Route 20, which was a road that she started when she was at the County and had built. She pointed out that she did not want planting strips to go on that, but that it looks unsightly now and it was not maintained, which was located right at their school. There are some that have been done with sidewalks right up against the curb. She asked why the trees could not be optional on either side. She felt that there should be some flexibility that she would still propose to compromise on because there is narrower places, rock and topography to deal with. Being that said, she felt that this Neighborhood Model issue needs to be discussed and decided on.

Ms. Joseph stated that her understanding as she read through this that the Commission can waive everything from Section 14.400 to Section 14.432. She asked if that was correct and if that includes curb and gutter.

Ms. Echols stated that was correct.

Ms. Joseph stated that all of that could be waived. Therefore, the question about "a model" and "the model" comes to the Planning Commission in the form of a waiver. Therefore all of the questions about rock, slope and the site-specific nature of whatever comes through could be addressed in the form of a waiver request through the Planning Commission.

Ms. Higgins stated that she agreed, except that they were doing the same thing. They were talking about that someone would have to come for a waiver, but when the waiver was reviewed that it was compared to the 12 principles and to almost waive it except in extraordinary circumstance. She pointed out that she did not know what the policy. She asked if it was a policy or not a policy. If it is a policy, then the waiver instances is going to be very small. If it was not a policy and there were suppose to be choices, then the waivers should be more readily available.

Mr. Rieley stated that he would like to ask Mr. Cilimberg a question about this.

Mr. Thomas stated that he agreed with Ms. Higgins. He stated that the Neighborhood Model is a way to achieve the 12 principles of the Neighborhood Model, but it was not the way. He pointed out that you were not going to achieve all 12 of the principles in everything that comes along. Therefore, to get to that point that the waiver was the only way to get around it the way that the policy was written at this point.

Mr. Cilimberg suggested that the Commissioners look at the history. It was pointed out in the report where staff began identifying the real need for addressing the urban place differently in some of the infrastructure. It started with the 1989 plan, which was the first plan he was involved with. It was never reflected in the Subdivision. As Ms. Echols alluded to earlier, the requirements for a sidewalk, as an example, did not kick in until the density was reached for 4 dwelling units per acre. There has been a lot of development that has occurred at less than that density that has had the option of going with curb and gutter or with planting strips and sidewalks. Some of the development has and others have not. There have been issues until very recently with doing a sidewalk in association with a public road. That is something that staff has recognized, but that has changed and is not an issue anymore. Historically, the opportunity has been there without a requirement of the County and it has not been something that they have normally seen. It has been more with the recent rezoning approvals where part of the give and take of the rezoning was a proffer to provide those facilities where that has happened. In the by right case it has not been normal. Therefore, what staff has interpreted with the Board of Supervisor's decision with the Neighborhood Model Comprehensive Amendment, which again is eluded to and discussed in the report, is to make that more probable. The way to do that is essentially, as Ms. Joseph pointed out, that is to say that it is the rule rather than the exception. Then in those cases where there is good cause for not doing that because of the existing zoning in place, existing circumstances in place, physical characteristics of the land or whatever that it might become an arguable point. That could include the affordable housing aspect. He pointed out that they have

not seen much that truly qualifies as affordable housing for the many years that they have had the Subdivision Ordinance as it is. That has not happened and it is just not our market that the development community has felt that it has been able to address. He noted that there were a lot of reasons for that and it was not the development communities' fault any more than it was the whole standing of what the market is like right now down here. The development community has seen a real possibility in a different market and that has been generally what has been provided for. The bottom line is that they have gotten to a point now where staff feels that the best way to implement the Neighborhood Model is that it needed to be the rule. Then in those cases where there might be circumstances that call for something different that it certainly should be entertained and that the Planning Commission should have the opportunity to waive that. That is staff's point in where those decisions could be made and that was where they felt that there was flexibility. There is some uncertainty in development community as to how those waivers would be received by the Planning Commission. He suggested that was something the Commission might want to discuss. He asked if it should be open ended so that the developer does not know when they walk in the door to try to get a waiver what is the criteria is that they are trying to get that waiver under. He asked if there was any call for some level of waiver to be administrative. Staff feels that it is important that it be established the way that it is in the ordinance for the waivers to be allowed. The question might be for the Commission what are the criteria for the waivers and at what level should there be any kind of administrative opportunity to waive rather than the Planning Commission.

Ms. Higgins asked if they could that to come up with staff to formulate criteria where they could foresee. The theory is that right now the developer could say that they were only doing 3 lots per acre. She asked if that was a basis to waive it because the density is not there.

Mr. Rieley stated that he would not support that.

Ms. Higgins stated that if you are trying to support density and you are not going to get that density, then it kicks at 4 dwelling units because you need it for drainage, which has always been dictated before. She stated that they keep talking about criteria, but they don't have anything to go by.

Ms. Echols pointed out that there are criteria for waivers under Section 14.2.25.f.1.

Mr. Edgerton stated that there was a constant complaint from the development community that the Neighborhood Model was being pushed as the only model. He stated that he did not think that was fair at all. He pointed out that the Comprehensive Plan, which they were bound to live by, very clearly states that this is the preferred model. They were trying to push greater density in an effort to try to protect our rural lands. He felt that they have to do that because they cannot continue to spread out development across the County and hope that we can protect any of our rural lands. Therefore, if they were going to increase the density that they were going to have to do it with some sort of a model that is a preferred one. The Neighborhood Model is not the only way to develop, but it is one way that they know will allow us to do the density and do it in a responsible way. Therefore, he was weary of the argument that keeps coming back over and over again that the Commission was promoting this as the only way. He stated that it was not and that this proposed ordinance and Comprehensive Plan refers to it. He hoped that this would lead the County to a more appropriate denser developed pattern in the growth areas. He suggested that they read the words for what they say and that it is not the only way. Staff has done a remarkable job in leaving the door open for the Commission to work with the individual property owner or developer. He stated that unless the Commission was directed by the Board to abandon the Neighborhood Model that they were going the only responsible way on this.

Mr. Craddock stated that he always thought that the direction was the preferred way and not the only way.

Ms. Echols stated that there was some misinformation out there that was important to correct. The affordability stakeholders were a very active part of the Neighborhood Model. There was a staff member and Eric Strucko that sat on the Housing Committee who promoted affordable housing throughout the development of the Neighborhood Model. She pointed out that she was referring to the 12 principles of the Neighborhood Model and how important each one of those is. There never was through the Disc Process any assumption that the improvements that were going to be needed to make this a more urban place were going to reduce the cost of the housing. There was an understanding that the density could provide some cost savings, but the density was already a goal of our Comprehensive Plan. But some of the amenities in the urban areas were going to promote affordability. Sidewalks were going to provide an option for people to actually walk somewhere. Being in the development areas was going to provide the opportunity to get to mass transit. Having the opportunity to live and work in close proximity might reduce the need for several automobiles. The transportation costs for low and moderate-income people were expected to be reduced because they had closer access to the services and the employment centers where they were going. This was not looked at a more affordable way to provide housing, but there were some amenities that were going to come as a result of the more urban infrastructure that they were going to do to promote affordable housing. But it was never looked at as the way to provide affordable housing. There was a lot of discussion about that. She suggested that the Commission review the second volume of the report regarding what Disk recommended.

Mr. Thomas suggested that the Commission move in the direction of the staff taking into consideration all of their discussions. He asked if they could continue this discussion to another time.

Mr. Cilimberg stated that it was the Commission's choice.

Mr. Thomas asked what if the Commission would prefer to do that.

Mr. Rieley stated that there were a few clarifications that need to be made particularly with the stub out rather than taking it to the property line. He felt that it was important to make that distinction clear. Another issue that should be included is something about the 2:1 and 3:1 slopes. He suggested that after staff clarifies those items that it be brought back before them.

Mr. Edgerton stated that one of the speakers suggested that staff go back and look at the problem areas over a period of time to look for more maturity in the projects and that some of these issue would be addressed over time as vegetation increases. He pointed out that this reminds him of an old commercial that said pay me now or pay me later. This really speaks to something that is missing in this conversation. The development community is obviously in the business of making money. They want to minimize first cost. Sometimes minimizing first costs adds costs down the road. The County staff has explained in great detail this evening some of the burdens that have come back to the County year after year because of the minimization of the first cost. He suggested that the Commission think about this. If they are looking towards the maturity of the projects that the burden of correcting these problems does not fall on the initial developer, but it does fall on the landowners later or on the County if the issues become big enough. He stated that the Commission has the responsibility to be concerned about that as staff has pointed out. Regarding the issue on interconnections, he felt that after last week and what they all witnessed in Richmond that he thought that they should be very cautious about giving up on our commitment to interconnections especially in the growth area in the major transportation corridors. He stated that until they could provide alternatives to the Route 29 dilemma that they were going to be vulnerable to the State's wishes. The only alternative that for the growth areas is to be able to provide alternative parallel routes and that will require interconnectivity between parcels. Therefore, he felt that the Commission needed to remember that. It is a difficult issue because the neighborhoods don't want their main drag to be a thoroughfare. But as a community if they plan it that way to make the public aware of it and make it nice, then they will have a win/win situation down the road. As far as the standards for the road, he felt that the County has a

real responsibility to come up with flexible road standards that would work better considering some of the topographical issues. He suggested pushing flexibility in private road design. He stated that it was very real that the amount of money available from the County and State to maintain roads was probably going to continue to shrink. Therefore, he felt it was more realistic to think in terms of developing long term private road maintenance agreements with the communities taking care of their own roads. One of the speakers mentioned the idea of leaving the grading issues to the building inspector. He pointed out that one of his colleagues mentioned to him years ago that a Building Code was the absolute minimum allowed by law and to do less than the Building Code was a criminal act. If they were comfortable leaving things to building inspectors that they probably don't need a Planning staff or Planning Commission or any zoning at all. Building inspectors are over burdened and usually respond to crisis, and therefore he was not comfortable with leaving it to the building inspector under any situation. He suggested that if they have the opportunity to do a better job, then they should do it.

Ms. Joseph stated that staff indicated that they had been looking at performance standards for some of this and she would like to know what they are thinking about and what kinds of things that they would be looking for in situations like that. She asked staff to email her where the landscape requirements could be found. She stated that a 3 foot planting strip had been recommended, but normally there would need to be at least 5 feet to get some substantial root ball in there.

Ms. Higgins asked that staff look at Section 14.2.25.1, Waiver of Certain Requirements by the Commission, regarding the different elements to see if there were any criteria that could be spelled out so that it was not a difficult thing to consider. She asked that they make sure that it was spelled out clearly enough that someone could understand if they were looking at a proposed development of what they might have a chance for considering as a basis for a waiver. She asked if staff felt this was all conclusive or were there any additions that they might recommend. She suggested that if it was not something that the Commission wants to consider that they should shoot them down now.

Mr. Cilimberg stated that it would be good for staff to tell you what we have heard that you want us to specifically address. He pointed out that Ms. Doherty had made a list.

Mr. Thomas asked if there were any more comments before staff summarized their request.

Ms. Doherty restated the Commission's issues that should be addressed before the next public hearing:

- Clarify that the requirement for interconnections includes the option of stubbing out a road as opposed to always building the street to the adjoining property boundary.
- Write in exceptions to the proposed rule for a 10-foot pad around a house, so that 2:1 slopes are possible with alternative vegetation than grass.
- Develop performance criteria for overlot grading.
- Provide landscaping requirements or standards for street trees in planting strips.
- Provide for administrative waivers for sidewalks, curb and gutter, and street trees.

She asked if there was a consensus that the Commission wants to discuss the possibility of making the waivers' agent approval or if they were comfortable with the way they are for Planning Commission approval.

Ms. Echols pointed out that it might be that they have two tiers. There could be a certain tier that is administrative, but there are certain policy issues that the Commission would want to deal with. She pointed out that could be a possibility.

Ms. Higgins requested that staff look at the criteria and suggest which would fall into which category.

Mr. Rieley stated that a two-tier approach would be helpful.

Ms. Echols asked if there was anything that the Commission would like to have a more in depth discussion on before they made their recommendation.

Ms. Higgins stated that there were a couple of issues, which had been skipped over. These issues included Section 14.401.a and a couple of other items in the staff report. She stated that lot configuration requirements to avoid critical slopes could be improved by adding a phrase. She said that criteria for excepting critical slopes on lots should be established and maybe the size or location might be identified as exceptions. She stated that all of the critical slope waivers that have ever come to the Planning Commission, with the exception of one, have always been approved. She said that critical slope waivers always require Planning Commission approval. She said that she believes the location of critical slopes in relation to the configuration of lots asks a legitimate question, but she did not think that the proposed requirement really gets to the key point of that question. She asked to reserve time for this discussion the next time the proposed ordinance is brought to the Commission.

Mr. Thomas asked if there was anything else. He asked if the Commission needed to make a motion on a continuance.

Mr. Kamptner stated that since Mr. Thomas had closed the public hearing, the Commission could direct staff to make the changes that have been discussed and ask for a continuance.

Mr. Cilimberg pointed out that they have not even talked about the time that might be necessary for staff to pull this information together and also to look at the calendar. He asked if the Commission needed a specific deferral date tonight or if staff could come back next week with a date that would allow all persons interested to know the next step. He stated that it might be a little better for staff to think through the issues a little bit to make sure that the Commission gets the requested information and make it more certain for the public. He stated that some of the public here tonight would want to return to hear the Commission's discussion.

Mr. Morris asked that staff check the first two introductory sentences in Section 14.105 to see if that needs to be modified somehow to make it more understandable. He stated that he was not sure what they were saying there.

Mr. Thomas stated that they would move to a continuance and ask staff to inform them next week of the next hearing date. He congratulated the staff on a fantastic job and the public for the wonderful comments.

In summary, the Planning Commission held a continued public hearing on STA-01-08, Comprehensive Revision of the Subdivision Ordinance, to receive public comment on the proposed draft plan. The Commission viewed a slide presentation by staff and received comments and suggestions from the general public regarding the draft plan. The Commission requested another hearing in order to discuss the issues and concerns raised by the public and the Commission and the other issues that were not discussed. The Commission asked to continue the hearing to next week, noting that the public hearing had been closed, in order that staff could review tonight's comments and set a specific date for the next hearing.

Work Session

Capital Improvements Plan (Wayne Cilimberg, Melvin Breeden)

Melvin Breeden was present to answer any questions concerning

Mr. Cilimberg recognized Mr. Craddock who served on the CIP Technical Committee.

Mr. Rieley asked if there was anything here that they should be alarmed about.

Mr. Craddock stated yes that the alarming point is just how far that it has to go. There is so much to be done just to stay status quo, much less to go forward. When you start putting the schools, roof replacement at the Monticello Visitor's Center and the new juvenile court into this that it was a lot to do.

Ms. Higgins asked about the money for sidewalks

Mr. Cilimberg stated that there was million and a lot of that they were trying to do some of the sidewalk improvements in Crozet, which they have also sought a grant to help with that, but have been unsuccessful. This year they plan to apply for another grant, which will be a scaled back request. There is also money there for some other projects that will not be getting off the ground. As an example the Board has now approved moving forward with the Route 20 sidewalks, and it is going to be paid for out of these funds. Those prior allocations were specifically allocated towards certain projects, most of which have not moved forward yet. But they are in the process of either trying to leverage more money to do the project that would be commensurate with the planning for that area or just get the project underway because they need to get the plans approved, the properties acquired and so forth. The increases for the future are reflective of the costs that were identified primarily in the Crozet Master Plan and associated with recommendations in that plan.

Ms. Higgins asked what amount that had.

Mr. Cilimberg stated that is shown as being recommended is $1,075,000, which represents a combination of projects in the Crozet Master Plan. He stated that he could not remember of them precisely.

Ms. Higgins stated that she would like to know what its programmed for and what the list was that was considered in the committee since some of this might be for another area other than Crozet. Then she asked how much of the $1,075,000 has actually been implemented or what the status is. She pointed out that it would be helpful to know that when they were talking about the Crozet Master Plan, which was coming up in a couple of weeks.

Mr. Cilimberg pointed out that they had the plan that identifies and puts costs on those projects, but could provide a copy of the submittal that they made which reflected that with the dollar amounts.

Mr. Breeden stated that he did not have that information with him, but that he would provide it.

Ms. Higgins stated that she would like to know how much of it has been spent and which sidewalk projects are ahead of the others.

Mr. Breeden stated that this was kind of like a placeholder reserving the funds for these various projects and you really don't know the timing of them. He pointed out that many times specific appropriations have been made for projects that you have sitting there for years waiting for things to happen to make you be able to do that project. He pointed out that by lumping together this way gives you a little bit more flexibility to have the money available until everything is lined up to do the actual projects.

Ms. Higgins asked that staff give them information on the Neighborhood Plan, the Roadway, Landscaping and the Street Lamp Program so that they would know whether they were getting street lights or their programs. She pointed out that landscaping might be of interest and the Neighborhood Plan, which was a), f) and g).

Mr. Cilimberg pointed out that items f) and g) have not changed from last year.

Ms. Higgins pointed out that the CIP staff has always been burdened with a lot of projects and sometimes the Neighborhood projects, this is a reality because the schools are a top priority in the CIP program, and honestly for years the money for sidewalks rolled over and the for the street lights there is a big complicated review. Therefore, the money was there but they just did not spend it because they did not have enough staff to do it. She asked if there were any plans to hire additional staff.

Mr. Breeden stated that he would get that information to her.

Mr. Rieley made a motion to move the CIP Amendments for FY2004/05 - 2008/09 forward to the Board with their acceptance.

Mr. Morris seconded the motion.

Ms. Higgins asked if they move this forward with a recommendation that the Commission would like to see those things actually implemented and that they actually spend the money. She asked if there was some way to reinforce it. She pointed out that this was the way that the School Board does this by saying that they want this and asked if there was any way to reinforce it. She stated that this work was just not happening.

Mr. Cilimberg suggested that what they could say if they liked was that you would be recommending to the Board acceptance, but that you are particularly interested in seeing that the Neighborhood Planning projects occur.

Mr. Rieley amended his motion along those lines as stated by Mr. Cilimberg.

Mr. Morris seconded the amended motion.

The motion carried by a vote of (7:0).

Mr. Thomas stated that the CIP Technical Committee's recommendation for FY2004/05 – 2008/09 CIP Amendments would go to the Board of Supervisors with a recommendation for acceptance noting that the Commission was particularly interested in seeing that the Neighborhood Planning projects occur.

Mr. Cilimberg stated that the Board would hold a work session in March.

Old Business:

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

New Business:

Mr. Thomas stated that under new business, they needed to discuss the Committee Assignments for 2004. He stated that if nobody had any objections that he would like to stay on the same committees.

Mr. Cilimberg stated that the Planning Commission Committee membership list needed to be updated. He pointed out that they could remove any item that concerned the University representative. After discussion, the Commission asked that the list be updated as follows:

ACE Committee:
Bill Edgerton
Bypass Design Committee:

Will Rieley

CIP Technical Committee:

Pete Craddock

Charlottesville Albemarle Regional Transportation Advisory Committee (CHART):

Will Rieley

City/County/University Planning & Coordination Council (PACC Tech):

Rodney Thomas

Court Facilities Study Committee:

Pete Craddock

Jo Higgins (alternate)

Development Area Initiative Steering II Committee:

Will Rieley

Bill Edgerton

Fiscal Impact Committee:

Cal Morris

Historic Preservation Committee:

Marcia Joseph

McIntire Park Committee:

Bill Edgerton

Meadow Creek Parkway Design Committee:

Bill Edgerton

Metropolitan Planning Organization (MPO) Tech Committee:

Rodney Thomas

Mountain Overlay District Committee:

Pete Craddock

Design Standards Handbook Committee:

Jo Higgins

Mr. Cilimberg pointed out that if any others come up that they have not identified that he would let them know.

Mr. Thomas asked that staff provide the Commissioners an updated copy of the County's phone list with staff's extensions.

Ms. Higgins stated that she would be absent on March 16th and she was extremely interested in the Crozet Master Plan discussion/public hearing and that potentially a second Planning Commissioner might not be here. She asked if the hearing date could be changed to the week after that since it was in her district.

Mr. Cilimberg proposed changing the Crozet Master Plan from March 16th to March 23rd if that date would work with the Commissioner's schedules.

Mr. Rieley asked for staff's help regarding an issue that had been brought to the attention of Zoning regarding a new light on the tower at Shadwell.

Mr. Cilimberg stated that it was a tower that came down and was recolored, and because of that they had to put up a different light for FAA requirements. He pointed out that staff was currently working on that.

Mr. Rieley stated that he found out today that it was not necessary to have the white strobe light at all times. There are circumstances in which they allow them to have a different kind of light at night than they do in the daytime. If that is not necessary or required then they should take care of the matter since it was so visible from the residents in that neighborhood.

Ms. Joseph asked what next week's agenda would be like because she had to leave at 8:00 p.m.

Mr. Cilimberg pointed out that there were three work sessions on next week's agenda.

Adjournment:

With no further items, the meeting adjourned at 9:35 p.m. to the February 24, 2004 meeting.

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V. Wayne Cilimberg, Secretary

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