Albemarle County Planning Commission
December 14, 2004

The Albemarle County Planning Commission held a meeting and public hearing on Tuesday, December 14, 2004 at 6:00 p.m., at the County Office Building, Room 241, Second Floor, 401 McIntire Road, Charlottesville, Virginia. Members attending were Rodney Thomas, Chairman; Bill Edgerton; Cal Morris; Marcia Joseph; Pete Craddock, Vice-Chairman; William Rieley and Jo Higgins. Absent was David J. Neuman, FAIA, Architect for University of Virginia (non-voting).

Other officials present were Wayne Cilimberg, Director of Planning & Community Development; David Benish, Chief of Planning & Community Development; Steve Tugwell, Planner; Claudette Grant, Senior Planner; Juandiego Wade, Transportation Planner; Bill Fritz, Chief of Current Development and Greg Kamptner, Assistant County Attorney.

Call to Order and Establish Quorum:

Mr. Thomas called the regular meeting to order at 6:00 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 Commission moved to the next item on the agenda.

Review of the Board of Supervisors Meeting – December 8, 2004

Mr. Fritz summarized the action taken by the Board of Supervisors on December 8, 2004 to uphold the Planning Commission's action on the appeal filed by T.E. Wood- Intelos.

Mr. Benish summarized the actions of the Board of Supervisors on December 8, 2004.

Consent Agenda:

Approval of Planning Commission Minutes – September 7, 2004 & September 28, 2004

SDP 2004-00067 Rivers Edge Commercial Park Office Final Site Plan - Critical Slopes Waiver Request. – Tax Map 78, Parcel 58G (Stephen Waller)

SDP 2004-00058 Salvation Army Major Amendment Critical Slopes Waiver - Request pursuant to Section 4.2.5.2, to allow for the disturbance of critical slopes. – Tax Map 32, Parcel 41G (Francis MacCall)

Mr. Thomas asked if any Commissioner would like to pull an item for discussion from the consent agenda.

Ms. Joseph stated that regarding the Rivers Edge request that the Planning Commission was being asked to grant a waiver for on the critical slopes that it appears that the majority of the critical slopes are located outside of the property line. Therefore, it is a little bit misleading as to the percentage. She moved for approval of the consent agenda

Mr. Morris seconded the motion.

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

Mr. Thomas stated that the consent agenda was approved as submitted.

Items Requesting Deferral:

SP-2004-051 Free Union Church of the Brethren (Sign #36) - Request for a special use permit to allow

an expansion of an existing church, Free Union Church of the Brethren, in accordance with Section 10.2.2(35) of the Zoning Ordinance which allows for churches. The property, described as Tax Map 29 Parcel 57, contains 1 acre and is zoned RA, Rural Areas. The proposal is located at 4152 Free Union Road (Route 601), approximately 1,000 feet south of its intersection with Willington Road (Route 665) in the Whitehall Magisterial District. The Comprehensive Plan designates this property as Rural Area 1. (Scott Clark) ***APPLICANT REQUESTS DEFERRAL TO FEBRUARY 8, 2005.***

Mr. Thomas stated that the applicant requests deferral to February 8, 2005. He opened the public hearing and asked if there was anyone present to speak regarding this application. There being none, he closed the public hearing to bring the matter back to the Commission for an action.

Mr. Rieley moved to approve the applicant's request to defer SP-2004-051, Free Union Church of the Brethren, to February 8, 2005.

Ms. Higgins seconded the motion.

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

Mr. Thomas stated that the motion carried to defer the request to February 8, 2005.

Regular Items:

SUB 2004-00311 Profit Ridge Subdivision: Request, pursuant to Section 14-505(B), to allow a lot to access only a public road abutting the subdivision. The property is zoned RA, Rural Areas. The property, described as Tax Map 46, Parcel 33A, 36C, 37, 37A, and 38B, is located in the Rivanna Magisterial District on the east side of Proffit Road (Route 649) approximately 1 mile north of the intersection of Mossing Ford Road and Profit Road. The Comprehensive Plan designates this property as Rural Area 2. (Steve Tugwell)

Mr. Tugwell summarized the staff report. This is a request for a modification on a proposed 17 lot subdivision for Profit Ridge, to allow lot 12 to have total access on the state route and not the internal street. Accessing the lot through the rear of the lot on the internal street would cause severe degradation as opposed to accessing on the state route. Therefore, that is what the request for the modification is for.

Mr. Thomas asked if the Commissioners have any questions for Mr. Tugwell.

Mr. Edgerton asked if the roads in the proposal public roads, and Mr. Tugwell stated that were public roads.

Mr. Rieley stated that lot 12 has frontage only on Route 649. Therefore how would it be assessed if the Commission did not grant this waiver request?

Mr. Tugswell stated that it was his understanding that they could gain access from Profit Crossing, which was an internal street.

Mr. Rieley asked if that would require a reconfiguration of the lots.

Mr. Fritz stated that they could extend Profit Crossing as a public road by bringing it up so that lot 12 would have frontage on it by just simply extending the road. Rearranging the lots may be difficult simply due to the location of the critical slopes and being able to achieve building sites.

Mr. Rieley asked if this was the maximum number of lots allowed, and Mr. Fritz stated that was correct.

Mr. Rieley asked if they did one less lot and combined lots 11 and 12 if a waiver was still needed.

Mr. Fritz stated that it would work if the applicant combined lots 11 and 12. If they wanted to achieve lot 12 they could extend the public road to get frontage for lot 12.

Ms. Joseph asked staff to do a development right count and show the parcels that the lots were coming from.

Mr. Fritz stated that there were four parent parcels here with five development rights. He pointed out on the map where the development rights were coming from.

Mr. Thomas asked if any Commissioner had any further questions for staff. There being none, he opened the public hearing and invited the applicant to come forward and address the Commission.

Buddy Edwards, representative for the applicant, stated that he was present to answer any questions that the Commission might have about this division.

Mr. Thomas asked if there were any questions for Mr. Edwards. There being no questions for Mr. Edwards, Mr. Thomas invited public comment.

Jared Loewenstein, resident of 2431 Profit Road, stated that his property partially adjoins this subdivision that has been proposed. He asked to point out something that was not part of their review this evening that is for the applicant's benefit as well. There are very severe water problems in that vicinity. He stated that he would not go into all of the antidotal evidence, but not only he but numerous people in the area surrounding these parcels have experienced difficulty with wells failing in the last few years when they were experiencing drought. It appears that the Groundwater Protections Ordinance may not be able to kick in time to allow for testing on these parcels, but he felt that it actually would be to everybody's advantage if it were. He felt that 17 lots on a relatively small piece of land surrounded by other people who have had relatively modern wells that have failed is a potential prescription for difficulty if not disaster. For the protection of the developer and for those people who are buying the parcels, he felt that it would be really great if that were taken knowledge of.

Mr. Thomas asked if there any one else in the audience who would like to speak on this application at this time. There being no one, he closed the public hearing to bring the matter back before the Commission for discussion and a possible action.

Mr. Rieley asked staff how the Groundwater Ordinance will affect this proposal.

Mr. Fritz stated that he would have to refer that question to Mr. Kamptner.

Mr. Kamptner stated that if the Commission could wait a couple of minutes that he would go up stairs and pull a copy of the ordinance to answer the question.

Mr. Rieley stated that it would be very helpful if he did not mind.

Mr. Thomas asked if there was any public water or sewer available near this property.

Mr. Fritz stated that this property was not in the jurisdictional area.

Mr. Craddock asked if this is a by right subdivision.

Mr. Fritz stated that the plan in all respects, with the exception of the access for lot 12, meets the requirements of the ordinance and would have been approved administratively except for lot 12. If the applicant would simply absorb lots 11 and 12 into a single parcel, staff would be approving this administratively.

Ms. Higgins stated that if the public road were extended with a reconfiguration of lots 11, 12 and 13, then they could achieve the three lots and access the cul-de-sac. That is why she took the analysis of the staff

report to mean that there would be more degradation of the environment and a significant fill to cross, but it could be achieved. Therefore, really the only issue was allowing that. The other lots that actually have frontage on Route 649 would have a note on the plat that says that even when the house is built that they have to put their driveway back to Profit Crossing.

Mr. Fritz stated that was correct.

Mr. Edgerton stated that on Attachment C it says that the existing topography appears outdated. He asked if there was any update on that.

Mr. Rieley stated that was a memo dated October 12 that he thinks responds to Mr. Edward's letter of September 15.

Mr. Fritz stated that these were the comments sent to the applicant for site review, which then led to the revisions that are before the Commission that show the things that are on here.

Ms. Higgins stated that when she read through those comments that she thought all of that had been completed.

Mr. Fritz stated that it was provided to show the Commission what the comments were and that there was a specific requirement that parcel 12 go to the Planning Commission.

Mr. Kamptner returned to the meeting. He stated that the plat would trigger either a Tier II or a Tier III Assessment, which most likely would be a Tier III. On February 8, 2005 this ordinance will take effect. If the preliminary plat is approved prior to that date it would not be subject to that ordinance.

Mr. Rieley stated that if this plat is recorded before this ordinance goes into effect does it still come into play.

Mr. Kamptner stated that it would not apply because this ordinance does not take effect until February 8, 2005. He believed that if the preliminary plats are filed or approved prior to that date they are going to be exempt from this particular regulation, but that he was not at the Board meeting when this was approved.

Mr. Fritz stated that he did not remember if the ordinance read that it was exempt if the plat was recorded or approved.

Mr. Kamptner pointed out that a Tier III Assessment would require that the applicant submit a groundwater management plan. The Tier II Assessment is really just a study by the County staff of the existing information. He pointed out that the ordinance had been passed, but it was not effective. Therefore, there is nothing to attach a condition to at this point.

Mr. Edgerton stated that he would prefer if the applicant went with one less lot and minimized the development. He stated that he was also concerned about the water issues. He stated that based on the fact that the grade is only a problem because of the subdivision configuration, which is tied to the proprietary interest of the developer, that he was going to vote against the waiver.

Ms. Joseph voiced concern about the number of entrances on to Profit Road. She felt that there might be other ways to subdivide this property and still keep the kernel rule in mind. But, she did think that this was proprietary in this instance. She felt that the property did not have to be sliced up this way. Therefore, she could not support the request.

Ms. Higgins stated that the two absorption lots that exist have been added to lot 15. Actually there are two entrances on lot 14 that could not be taken away. This will actually decrease the number of entrances potentially onto Profit Road by the deletion of those two parcels. This did not come before the Commission with a different configuration because there are a lot of other aspects. There are other ways to do it where lot 12 would be restricted to Profit Crossing and basically have a long involved driveway

because it will meet the lot frontage requirements. But, it would have to have lot frontage on the road that serves it. She asked if they could not have the lot frontage requirements met by Route 649 and then have a driveway that goes back to the cul-de-sac.

Mr. Fritz stated that if they were to do a driveway that went through lot 11 to lot 12, then staff would be bringing that before the Commission for a private road for those two lots. He stated that staff could not approve it administratively because of the language within the ordinance.

Ms. Higgins stated that this configuration does consolidate other issues. She felt that it could be extended across the critical slopes. The idea of picking on one factor in the item under 14-237.c to decrease a development by one lot is not what this was intended to do. The criteria that it talks about truly have to do with the way the lots fit with the land. She questioned why the concern was being used in a different way than it was intended. The other thing that is not made known is that any of the lots that are less than five acres do have to have septic fields approved.

Mr. Fritz stated that Health Department approval will be required for all of the lots.

Ms. Higgins stated that there was going to be more analysis of this than is apparent on this piece of paper for the septic location. For those reasons she did not feel that they should hold this up for meeting an ordinance that has been adopted. That is kind of arbitrary to do that. This has probably been in the works for months and the all of the lots were above the minimum size of 2 acres.

Ms. Joseph stated that it was not her intent to hold this up until the ordinance comes into effect. She pointed out that she just could not support this request as it is.

Mr. Morris stated that this has been approved by VDOT.

Mr. Craddock asked if they decide to combine lots 12 and 11 does that still float a development right out there.

Mr. Fritz stated that was true because they could say that lot 11 has a development right left and they could divide it.

Ms. Higgins stated that they would have to assign the one remaining development right.

Mr. Craddock asked if two years down the road if they could come back and call that right and put an entrance way onto Profit Road.

Mr. Fritz stated that they could not because it would be back to where they are now with a lot that fronts on an internal road. The ordinance would require the access to be to that internal road unless they get a modification.

Mr. Craddock stated that the applicant could not just wait it out.

Ms. Joseph stated that it was discussed that there were lots out there that could have their own entrances that could be absorbed. She pointed out that there was one incredibly small lot that she did not think could ever meet the setbacks for building anything in there nor find a well or septic location. Therefore, the applicant is getting a nice buildable lot as a result of this subdivision. In other words, the applicant is gaining something by this and not losing everything.

Ms. Higgins stated that she agreed with her, but that lot whether it ever has a building on it or not has a right to have an entrance and it can be a nonconforming entrance. It is not located on a good spot on the road, but since there is an existing building they could add to it. She pointed out that they would not have to add to it, but they could use what is there since the entrance exists.

Mr. Rieley stated that it was an interesting example of that line between minimizing the disturbance and facilitating creating another additional lot. Because of the lot size he thinks that it would a fairly easy matter to reconfigure this so that the same number of lots could be on there without the access to Route 649. He felt that if they reduced it to the issue of is it better to have a longer driveway crossing critical slopes to get to lot 12 or is it better as it is now that he has to come down on the side that it is better as proposed. Therefore, he would vote in favor of it.

Mr. Morris moved to recommend approval of SUB-2004-00311, Profit Ridge Subdivision, with the two conditions set forth in the staff report.

1. The subdivider must demonstrate prior to final plat approval, that a waiver would not violate any covenants to be recorded for the subdivision.
2. The applicant must obtain an entrance permit from VDOT and the entrance must meet VDOT standards.

Ms. Higgins seconded the motion.

The motion carried by a vote of (4:3). (Joseph, Edgerton, Craddock – No)

Mr. Thomas stated that the motion carried.

Work Sessions:

SP 2004-00052 Kenridge/Kappa Sigma Memorial Foundation (Sign #40) - Request for special use permit to allow development of a multifamily complex in accordance with Section 23.2.2.9 of the Zoning Ordinance which allows for R-15, Residential use in a CO, Commercial Office district. The property, described as Tax Map 60 Parcels 27 and 27B, contains 16.5 acres, and is located in the Samuel Miller Magisterial District on the north side of Ivy Road (Route 250 West) approximately 1/2 mile west of the intersection of Ivy Road and the 29/250 By-pass. The property is zoned CO, Commercial Office, and EC, Entrance Corridor. The Comprehensive Plan designates this property as Office Service in Neighborhood Seven. (Claudette Grant)

Ms. Grant summarized the staff report.

The applicant, Kenridge, LLC, is seeking approval for a special use permit to allow development of an 80 unit residential complex on a 16.5 acre property. The residential units would include 7 special single family units, 27 cottages, and 46 townhouses. The site will also include 16,000 square feet of office space. The special use permit would allow for R-15, Residential use in a CO, Commercial Office district. The site will also include 16,000 square feet of office space. Currently, the applicant does not have a tenant or potential tenant for the office space. The site is also located on an Entrance Corridor. The site is developed with a main house and 3 dependent buildings. It is currently vacant. It was the former national headquarters for Kappa Sigma Fraternity and a non-profit foundation. The building is designed for office use and includes an auditorium. The property slopes down towards Route 250 and down towards the railroad track in the rear of the site. Proposed density is 4.8 dwelling units/acre. Attachment A contains the concept plans.

The applicant has requested a work session to ascertain whether the use and the scale are appropriate and whether the plan proposed is generally acceptable. Staff would also like to know how historic buildings should be incorporated into the development. The development is scheduled for review by the ARB on December 20. As previously noted, staff and the applicant are seeking guidance regarding whether the proposed use is appropriate, if the scale is appropriate, if the plan is acceptable and how should historic buildings be incorporated into this development. The concept plan shows several townhouse units located on a circular drive. The intensity of this development on the site shows no amenities nor do they know how the land lays. The applicant will provide more details and staff will conduct a more complete analysis after the Commission's discussion.

Mr. Edgerton asked if there were any questions for Ms. Grant at this time.

Mr. Craddock asked what is a special single family unit.

Ms. Grant suggested that the applicant answer that question.

Mr. Benish suggested that before the Commission goes through each question that they allow the applicant to speak. But, the Commission could do it anyway they preferred.

Mr. Thomas invited the applicant to address the Commission.

Steve Blaine, attorney representing Kenridge LLC, stated that they wanted to take this opportunity to gather information as part of this special use permit process to enable the applicant to develop a concept plan. But, he would like to put the review in context for the findings that the Commission will need to make to be able to recommend approval of the special use permit. Those would be based on the ordinance on how the proposed use would affect adjacent property. He noted that he planned to talk a little bit about the adjacent uses and how the proposed use affects the character of the zoning district. He asked how is the use in harmony with the purpose and intent of the zoning ordinance. In addition, how is the use in harmony with the uses permitted in that CO District? It is an information session on a plan, but that plan is in the context of those findings that are necessary.

Just to elaborate a little bit on the staff report, he pointed out that they are viewing this as a mixed use project. The compliments of the housing types are not fixed. The Commission has seen a rendering and a concept plan that suggests 80 residential units. That is their target for the development and that is what the performers are based upon. But, those may be a compliment of more traditional townhouses or what they were calling a six-plex that was a single level living unit like a duplex but in a six unit configuration. It was a special single-family unit that was just a treatment that the architects, Daggett and Gregg, suggested as end points or exclamation points to a design. But, they were not at all fixed. They are proposing a design that is going to be fluid. Their clients are well experienced in this process and understand that this is an evolutionary process and that the uses and the special use permit findings that we'll consider are just the first step. Obviously, this will have to be fully engineered and a preliminary site plan done even assuming that a special use permit is proposed. There are a lot of questions that they anticipate tonight that they want to demonstrate that there has been thought given to them. Representatives from McKee Carson are present to talk a little bit about some of the thought that has gone into the storm water management plan. They noticed that concern in the staff report and anticipated that there would some questions on it. The Commission will be receiving advisory comments from the Architectural Review Board.

He stated that he would like to point out some features in the plan. To the east of the property is a project, White Gables, which is a 76 unit condominium project now under construction in the first phase. The White Gables project surrounds the original manor house. In a transition of uses to the Kenridge property their client contemplates this incorporating some of the architectural and material elements that you find in the White Gables project. That could be white brick, red brick or a combination. The architects feel that it is important to continue that line of development established with the White Gables project. There is about a 180 foot setback from the right-of-way of Route 250, which they plan to continue along the frontage of the property. The White Gables special use permit contemplated a combination of the entrances for these uses along Route 250. This application picks up on that and really implements the notion that you could take several of the uses beside of Route 250 beginning with the Legal Research use on the Rosser property to the east of White Gables. The planned project for Kenridge would have a single entrance and exit on to Route 250 and a round about would be implemented. White Gables special use permit also contemplated that if the traffic warrant analysis indicated sufficient traffic generation from these projects in the future that a signal would be appropriate at that location. The White Gables owners have proffered to install that signal. The applicant in this project is prepared to supplement those traffic requirements as needed. Unfortunately, if you are in favor of signals the traffic analysis did not support a signal at this time even considering a full build out on this proposal and the other two uses. What they were going to design is a project that can implement that signal if it should be warranted in the future if not by traffic generation, safety considerations and other transportation plans.

The large white building in the center is the existing Kenridge, former Kappa Sigma Foundation Headquarters, and this plan is a way to preserve that architect. As well the building that is referred to as the amphitheatre could support uses such a community center or an office use. All of these buildings that are central to the site could support either residential condominiums or offices. The office figure that was reported in the staff report, again, is a fluid number and 16,000 square feet is probably the most office use

that they perceive of. The design of the units was done to take into account the topography. The concept plan in the staff report does include 5 foot topos. There are some significant changes in grade, particularly at the rear of this property. The product types are probably not going to be off the shelf housing product types. The housing types are going to have to be adapted to the topography. The architects have come up with multi-level living with the main entrance in the front, which is the top level, with the multi-level out the back of the properties. The concept plan shows potential complimented uses for the break down between townhouses and the six-plexes, which is not cast in stone. They have asked their engineers at McKee Carson to take some of the topography information that they have, with their experience in developing the storm water and the engineering of the White Gables site, and come up with some preliminary concepts that he could pass out to the Commission. They have two scenarios that could be used to implement this plan. Tom McKee and Mike Keller are here to explain these drawings if the Commission is interested. (SEE TWO ATTACHMENTS – Project No: 0428, dated 12/14/04 SWM Option #1 and SWM Option #2 prepared by McKee Carson and submitted by Steve Blaine) He stated that they should think at this stage of the process that the Commission would want to know some engineered solution to assure the storm water leaving the site is as pure as it should be.

Ms. Joseph asked why this information was not submitted to staff before now.

Mr. Blaine stated that it had just been completed within the last couple of days.

Mr. Rieley pointed out that there was no proposed grading on the plans.

Mr. Blaine stated that it was certainly not something that they were asking the Commission to approve. It is just something for discussion.

Ms. Joseph pointed out that normally the Commission anticipates getting comments from staff concerning this type of information. It is usually not up to the Commission to make a determination on whether the storm water looks right or not within ten minutes after receiving new information.

Mr. Blaine stated that they were not asking the Commission to do that. He stated that he would stop there and ask if there were any questions. He pointed out that representatives from McKee Carson are here if the Commission has questions.

Ms. Higgins stated that he had mentioned that the performer was 80 units and she felt that they were looking at this from a greater perspective at this point. This plan does not have the density of R-15. She asked if this request was being considered for more intensity to be closer to R-15 if you allowed R-15 by special use or could they build less than R-15 if you allow R-15 by special use. The applicant is not asking for a rezoning, but the plan does not show any where near that density. She pointed out that she was just throwing that out as a question in whether that is a factor when you are considering a special use for R-15. She asked as a process question if they should be looking for something closer to that density.

Mr. Blaine stated that their interpretation is that the R-15 is the upper limit that would be permitted by special use permit, but they could obtain approval for a lesser density.

Ms. Joseph stated that the applicant was proposing that there would be other uses within this. Therefore, the density is currently a little bit nebulous. The density is based on the overall acreage because there are other things going on there, too.

Mr. Blaine stated that the office is permitted as a matter of right in the CO District. The density is consistent with the 76 units on 7 acres, which is the density of White Gables. It is about 4.8 units per unit. They are looking at it in terms of its consistency with the approved adjacent uses, which is part of the finding that they have asked the Commission to make.

Mr. Thomas stated that he had one question about Mr. Blaine talking about the frontage as being 180 feet from Route 250. He asked if that was the setback that he was talking about.

Mr. Blaine pointed out that he had seen that on the plan as the setback for the first series of units on the eastern portion of the site. The setback may be slightly greater than that on the western portion of the site.

Mr. Thomas asked if the setback on the frontage would be even with White Gables and if that was a consideration of this project.

Mr. Blaine stated that the approach was to try to continue that line on this site. He stated that they might be saying the same thing.

Mr. Thomas stated that he had a question about the interconnectivity along the frontage. He pointed out that there is a road coming out of White Gables that is to run along Route 250. He asked if that would be interconnectivity between White Gables and Kenridge also.

Mr. Blaine stated that it would. The applicant has met with the adjacent property owners, including the owner of the Legal Research Center, to inquire about their preferences in terms of design of a pedestrian linkage. They are prepared to install along their property a pedestrian way or bicycle way. It would be nice to have something that is consistent in material and look across the entire area if they could involve three or possibly four owners. They are prepared to adapt to what all of the owners are interested in doing.

Mr. Thomas asked if White Gables has a separate entrance onto Route 250.

Mr. Blaine stated yes that they do.

Ms. Higgins stated that there were no provisions for amenities or open space described in the concept plan. Secondly, there are apparently four historic buildings and they are considering renovating two of those buildings. She asked if the applicant had any feedback or comments on that.

Mr. Blaine stated that there were four structures on the property. The two that he pointed out that they can integrate into the plan are the manor house and the amphitheatre. Then there is a single story brick house that is to the east towards the rear of the amphitheatre, but they are not aware of any historic value of that. Also, there is a barn that they are not aware of having any historic value. Therefore, those structures are not included in the concept plan. If they could find a use for them, then perhaps they could pursue that. The two structures the plan contemplates as contributing architecture includes both the main manor house and the amphitheatre, which are going to be integrated into this plan. The amenities for this type of owner would be on adjacent locations such as the Boar's Head Sports Club and Farmington Country Club. With the pedestrian linkages he did not know if people could take their golf carts, but they could certainly walk to those amenities.

There being no further questions for Mr. Blaine, Mr. Thomas stated that the Commission would discuss the following questions posed by staff as well as the ones posed by Mr. Blaine.

Questions for the Commission:

1. **Is the proposed use appropriate?**
2. **Is the scale appropriate?**
3. **Is the plan acceptable?**
4. **How should historic buildings be incorporated into this development?**

Ms. Joseph stated that it was hard to tell if the use and scale are appropriate.

Mr. Rieley stated that from his perspective it was an unfortunate way to bring forth a project at the early stages. The applicant has provided an illustrated drawing, which was very expensive to do, with no topography. He felt that a simple drawing that showed the relationship of the setbacks between the buildings and the topography, particularly on this very steep site, would have been much more helpful. That illustration shows the Kappa Sigma building with a big building behind it, which makes it look like they are at the same elevation. He felt that this was just not a good way to get started. This approach and configuration, in his view, completely overwhelms and in a way degrades the existing building. On the positive side he felt that adhering to the 180 foot setback is significant and important. Also gathering the entrances together in front is significantly important and positive.

Ms. Joseph stated that the other aspect concerning the entrances is that the applicant did state that they wanted some uniformity along there, which was very positive.

Mr. Rieley pointed out that there were three material changes along the front on the one span of their property.

Mr. Thomas stated that the Commission would like to have topo information at their next session.

Mr. Rieley encouraged the applicant to drop back and show the Commission some different approaches that organize the buildings in a way that indicate how they work with the topography, which end up with buildings making spaces instead of having a road in front with parking in front of every row of townhouses.

Mr. Thomas stated that there was probably a 40 foot drop behind one of the buildings from this level of the parking lot.

Mr. Rieley stated that there was 40 feet of fill in the front.

Ms. Higgins pointed out that based on this topo it was 30 feet.

Mr. Thomas stated that on the positive side you would not be able to see any of that from Route 250 because of the slope.

Mr. Rieley pointed out that you could not see any of that in these drawings. He felt that it was very misleading to even be looking at them.

Ms. Higgins stated that she had a different perspective regarding the mass and scale. From driving by the site she felt that there was a focal point and a central peak on the site where the building is that exists now. Most of the roads were running concentric with the topo versus against the topo. She felt that obviously someone was making the historic building the focal point. It does not show all of the landscaping across the front, which would make the site less visible. She noted that the view from the Entrance Corridor would be subject to ARB review. She felt that the materials fit in with the neighborhood. She pointed out that she was just weighing in on the scale, mass and the feel of it. She supported the cottage feel and the mixture of use on the site versus the Ednam vertical type of look.

Mr. Thomas asked if the Commission needs elevations with topos.

Mr. Rieley stated that they have fancy drawings that were very ill conceived that have just not been worked out yet. He stated that he did not think doing elevations of buildings and things like that are where this needs work. He felt that it needed work on the fundamental arrangements of some of the parts on the property and a serious discussion of whether it can support this much. It is a very difficult sloping site that has an important building on it that has other buildings that are not shown on this that may in fact be significant. He felt that staff's note about the other significant buildings was very significant. From his perspective he would like to see the Commission take a step back and look at some of those more fundamental issues of organization and the value of the other buildings to see a scale and a configuration that makes sense for this property. On this site everywhere there is an open space those buildings are surrounded by a parking lot. He felt that staff was exactly right to point out the omission of amenities on this site. That could be one of the organizing elements.

Ms. Joseph stated that was what they used in White Gables to help organize that site. There are outdoor amenities and open space.

Ms. Higgins stated that the plan lines up with an existing entrance, which is important along the frontage.

Mr. Rieley stated that the access was the strength with the connection to the adjacent property. He felt that whether the round about would work is something that would have to be studied at a different level.

Mr. Thomas stated that the Commission feels that the amenities need to be strengthened; they need open space for outdoor activities and public gatherings, and they need to have natural views.

Mr. Edgerton stated that one of the things that worked quite successfully for White Gable's plan layout that does not work here is this kind of focus on the central area. In White Gables there was a park that was going to be shared by all of the residents. He pointed out that they have an opportunity to do that on this property with the Kenridge Mansion. He stated that it looks like they have applied some very uninspired smaller units that don't really relate to the scale of the existing structure. The layout does not bring the focus that he thinks that it deserves. He stated that he could not say that the density was too great. He stated that Mr. Blaine had mentioned that the density was about the same in this project as the White Gables project. But, the parking was underground for a lot of the White Gables project and the units have all been combined with buildings that are appropriately scaled to be respectful of the White Gables house. He stated that he did not think that there was that same connection with what he sees on

the proposed various units on this site. He supported a variety of units, but at the same time he felt that they are missing an opportunity to celebrate what really needs to be celebrated.

Mr. Rieley stated that in many ways the issues that the designers have to grapple with at this scale are the same issues that were grappled with over a five year period in the development of the Neighborhood Model. They were talking about higher density, mixed use and maximizing an infill site. All of those are issues in this review. He stated that it seemed that this would be a great site for a Neighborhood Model rezoning instead of a special use permit that jams in a lot of conventional development onto a really difficult and important site.

Mr. Thomas asked if they could still keep it in relationship with White Gables.

Mr. Rieley stated that if could be if it was done well. As Mr. Thomas pointed out the main building is up high and just a step a way. He felt that there was a potential to actually get quite a lot of density on this site if it was done skillfully and really have all of the pieces fit together.

Mr. Thomas asked if there were other questions that they need to discuss.

Mr. Craddock stated that there was the issue about the house and the barn being historical structures.

Ms. Higgins stated that it was not clear if those structures were designated historic structures.

Mr. Rieley stated that something does not have to be eligible for the National Register in order to be a significant building.

Ms. Grant stated that she felt that Mr. Rieley was correct that there were two levels. The main house, of course, is pretty much known that it was a potential historic designation. Also, the building which they are proposing to save is potentially known to be historically designated. Staff has reiterated that the other two buildings, although you have to have a building that is 50 years or older in order to be potentially significant, that those are not quite 50 years old yet, but are very close. Therefore, staff believes that they also have the potential to also be historic as part of the original building or connected to the original building.

Mr. Rieley stated that the next time that the Commission reviews this that he felt that it would be great if they had some pictures of those buildings.

Ms. Higgins stated that she was confused because the auditorium was built in 1969, which was the building that they were proposing to save that was not nearly 50 years old. Then there were two others buildings that the staff report does not provide that information about. The staff report talks a lot about historic residences within one mile.

Mr. Edgerton stated that the carriage house was listed in Julie Mahon's report as part of the original site, but he was not sure where that was located. He asked if that was the storage building.

Mr. Benish stated that part of the issue was that the Commission wanted to get a little bit more information.

Mr. Rieley stated that it would be good to start with the existing conditions with a base map and basic information and then start looking at the proposal based on that.

Mr. Benish stated that they may find that it is not unusual to allow for the demolition of something that is not of great significance, but at least documentation of those is something that they would like to get. This would enable staff to kind of judge what is necessary for all of these other buildings. It appears that the applicant is committing to address the two primary ones, but they just need to follow through on the plan.

Mr. Thomas asked if the Commission feels that it was necessary to have Julie Mahon come and give us some more information or can staff give us what we need.

Ms. Joseph stated that they really only need the photographs and the locations on the plan.

Mr. Rieley stated that Ms. Mahon did not need to come unless she had some information that she wanted to share with the Commission.

Mr. Benish stated that he had spoke with Ms. Mahon before the meeting and they had left it with getting her input. He noted that he would follow up with more information and then they can judge whether she needs to come present it.

Mr. Rieley stated that the Commission feels that it is a valid issue to have Ms. Mahon's comments. He stated that because of the severe grade changes that have to be accommodated that if the whole site has to be graded that they should add up to something and not just make a lot of building pads.

Mr. Edgerton stated that he did not think that another work session would be of much use unless they do have the topographic information and some sort of grading plan as noted in the staff report. Also, they need storm water information, particularly to address that back left hand corner. He stated that he opposed the entire grading of the site.

Ms. Joseph stated that they all realize in everything that they say that the applicant is going before the ARB on Monday and the ARB will be weighing in on whether they want to see mass grading or whether they want to see trees saved too.

Mr. Rieley stated that he was not opposed to saving the trees, but he did think that when they were in the development areas that they are faced lots of times with the difficulty of minimizing grading or making the grading accommodate a denser level of development, which means more grading. He felt that they need to just bite the bullet and recognize that they will have to do a lot of grading.

In summary, the Planning Commission held a work session on SP-2004-00052, Kenridge/Kappa Sigma Memorial Foundation. The applicant requested the work session to ascertain and receive guidance on whether the use and the scale are appropriate and whether the plan proposed is generally acceptable. Staff asked how historic buildings should be incorporated into the development. The intensity of the development on this site shows no amenities nor do they know how the land lays. Therefore, due to the lack of information, the Planning Commission discussed the proposal with the applicant and provided general comments and suggestions. The Commission asked that the applicant provide more detailed information on the site, particularly topographic information, prior to their next review in order to provide more detailed comments.

CPA 2004-00005 Charlottesville-Albemarle Airport Master Plan: Proposal to amend the Comprehensive Plan to include, by reference, the updated Charlottesville-Albemarle Airport Master Plan. The applicant is seeking a resolution of intent from the Planning Commission. The Charlottesville-Albemarle Airport is located on Bowen Loop at the intersection of Dickerson Road (Route 606) and Airport Road (Route 649). The Airport is located on 558 acres and is zoned Rural Areas and Airport Impact Area (RA and AIA). The Comprehensive Plan designates this property as Institutional and is located in the Hollymead Community. The property, described as Tax Map 32 Parcel 10 is located in the White Hall Magisterial District. (Juandiego Wade)

Mr. Wade stated that this is a proposal to amend the Comprehensive Plan to include by reference the updated Charlottesville-Albemarle Airport Master Plan. The applicant is seeking a resolution of intent from the Planning Commission this evening. Just for background, the airport is located on about 560 acres and is zoned RA and Airport Impact Area. The Comprehensive Plan designates this property as Institutional and is located in the Hollymead Community.

The major recommendations from the updated Master Plan include facility improvements resulting in additional air carrier and general aviation aircraft parking, T-hangers, conventional hangers, passenger and rental car automobiles parking, and construction of a deicing containment facility. The plan recommendations also include land acquisition necessary to achieve compliance with FAA design standards for the Runway Safety Areas and Object Free Areas, as well as the Runway Protection Zones. A medium intensity approach lighting system was recommended to enhance use of runway during periods of low visibility.

The purpose of this work session is to provide the Planning Commission with information regarding the Airport Master Plan Update and also to provide for an opportunity to provide comments on this plan. Currently the 1994 plan is the guiding document for the County. This plan is usually updated every 10 to

12 years. Therefore, they were in the process of updating the 1994 plan. Staff would like to treat the master plan as an essential conceptual development plan in review and approval of site plans for improvements and will be reviewed based on the consistency with the plan when it is adopted. Bryan Elliott and Roy Lewis with Delta Airport Consultant, Inc. will present the Plan to the Commission.

On page 2 of the staff report there is some information on the planning and zoning history of this site. It goes back before 1955.

Overview/Staff comments:

The Master Plan has divided future development into three phases. Phase I improvements are proposed to take place between 2003 and 2007; Phase II between 2008-2012 and Phase III between 2013-2022. While review and comment on all phases is appropriate, staff proposes the Planning Commission focus on Phases I and II, since these improvements will potentially take place over the next ten years. The Plan is revised every 10-12 years and there will be future opportunities to review Phase III.

The Master Plan identifies the improvements below for Phase I:

1. West Side Access Road- This is a new road that will access proposed development on the west side of the airport from Rt. 743 and will be open to the public. These improvements are generally consistent with the 1994 Plan. Staff has reviewed the general alignment of the road submitted with the Master and conceptually supports it. VDOT approval of the entrance location and design will be required.
2. Snow/Maintenance Building- This building will house snow removal equipment and material. Portions of the Airport property on the west side of the runway are within the Chris Greene Lake watershed. The lake is a back-up water supply. The buildings/site will be designed and constructed to meet DEQ/EPA standards and will not have a negative impact on the watershed or the Chris Greene Lake.
3. Land Acquisition- Purchase approximately 10 acres directly adjacent to the north of the Airport property to meet the FAA runway protection zone. Staff does not foresee any concerns with the C-A Airport purchase of this property.
4. Taxiway A- Taxiway A will be overlaid to reinforce. No Comments
5. General Aviation (GA) Tenant Parking and Overflow Surface Parking - Additional parking for expanding general aviation tenants. Because Airport Road is designated an Entrance Corridor, building within vicinity of Airport Road will be subject to ARB review. The GA parking area (#46) may be subject to ARB review.
6. Deicing Containment Tank- A new deicing tank will be constructed. No Comment
7. T-Hangar- Construction of 14-16 additional hangars. No Comment
8. Conventional Hangar- Expansion of conventional hangars. No Comment
9. General Aviation (GA) Apron- The GA apron will be expanded. No Comment

The CAAA proposes the improvements below for Phase II:

1. Air Carrier Glycol Storage Tanks- This is a "Tank Farm" for storage of airline aircraft deicing chemical in an approved DEQ/EPA manner. Tanks will meet containment requirement of contents as required by the FAA. The location is not and will not have a negative impact on the watershed or the Chris Greene Lake.
2. Runway mill and overlay-No comment
3. Multi-level Parking Deck- Additional parking area to serve airport customers, including long-term parking. The plan identifies decked parking at this location (both for phase II and future phases). Because Airport Road is designated an Entrance Corridor, buildings within the vicinity of Airport Road, including these parking decks, will be subject to ARB review. Staff has no specific concerns with the use of parking decks.
4. Maintenance Hangar- Construction of a maintenance hangar. No comment
5. T-Hangar- Construction of additional T-hangars. No comment

Once the Master Plan is adopted into the Comprehensive Plan, development proposals submitted for approval will be reviewed for compliance with the Master Plan (and other applicable County codes).

Summary:

The applicant and staff are seeking Planning Commission's comments on the Draft Master Plan. A public hearing will be scheduled following this work session. Currently, the public hearing date will be January 18, 2005.

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

Mr. Rieley asked what the notification mechanism for the public hearing. He asked if only the adjacent property owners were notified. He pointed out that this was a more global issue.

Mr. Benish stated that actually for CPA's they were not required to notify adjacent property owners. A general advertisement can normally be done, depending upon the complexity of the proposal and how conceptual it is, they will not notify adjacent property owners. If directed by the Commission or Board, staff could certainly do it either way. He stated that the Airport Authority has under taken public hearing processes that are part of the FAA requirement. There was one public hearing at Hollymead Elementary School that he attended. There has been a public vetting in one round of this, but staff could do that again with the CPA.

Bryan Elliott, Executive Director of the Charlottesville-Albemarle Airport Authority, introduced Roy Lewis who is the principal planner on their job and also Jim Nixon, both of whom are with Delta Airport Consultants. Mr. Nixon is their primary engineering design consultant. As Mr. Wade indicated, they are seeking a comprehensive plan amendment to include their 2004 Master Plan Update that was adopted by the Charlottesville-Albemarle Airport Authority Board in August in cooperation to the County's Comprehensive Plan. Briefly, he would talk about the planning process that they were required to follow as part of the Federal Aviation Administration procedures as well as the Virginia Department of Aviation procedures, both of whom regulate airports in Virginia and the FAA across the United States. Next, he would go into a little detail about projects that they anticipate undertaking in the next ten years based upon the planning process. Essentially, there are about eight steps to the planning process that is delineated by the FAA. Those eight steps are pretty much encapsulated in the doorstop that the Commission has in front of them. The planning process takes about two years to complete. Essentially they start out with a snapshot of the existing facilities. They inventory all of their existing facilities and where they are at a specific point in time. From that they then develop or attempt to develop forecast of aviation demand for five, ten and twenty years. Again, they utilize demand forecasting techniques that are promulgated by the FAA. Those forecasts have to be approved by the FAA as well as the Virginia Department of Aviation before they move further into the planning process. In a nutshell, all of their aviation demand indicators are forecasted to increase over the next twenty years looking at not only air carrier passengers, but general aviation aircraft operations and the demand for the storage of general aviation aircraft on their field. Along with that goes an additional demand for automobile parking, storage facilities and other ancillary types of improvements areas on the airport. From that demand analysis they then interject what those activity levels mean to our existing facilities. Basically they go through the process of looking at each individual facility and saying can it or can it not accommodate that forecasted demand over the next twenty years. Then the next step of that is to extrapolate that onto various alternative phases ultimately leading to the development of their airport lay out plan. The Planning Commission has copies of the airport lay out plan in the notebook. It then becomes kind of the blue print for funding and development of airport projects. Essentially when one looks at an airport development project it is funded in several ways. If it is eligible for federal funding approximately 90 to 95 percent of those funds will come from the Federal Aviation Administration in the form of a grant. In order to be eligible for those grants, they must have a planning document on file. The balance of those dollars, whether 10 percent or 5 percent, is split evenly between the Virginia Department of Aviation and the Airport Authority. The typical funding for an airport project, particularly in Virginia, is 90 percent from the FAA, 8 percent from the Virginia Department of Aviation and 2 percent from the Airport Authority. There are projects that are not eligible for federal funding. When you begin to look at parking facilities or aviation fuel storage areas or any areas that generate revenue, then the funding for those projects are

completely on the back of the Airport Authority. Those are the funding measures or indicators. The plan, as currently projected for the next twenty years, will require an investment of over 90 million dollars. Over the next twenty years they see that level of investment occurring on the airport.

Mr. Edgerton asked if the County contributes to this funding.

Mr. Elliott stated no that the Airport Authority is an independent political subdivision of the State of Virginia and completely independent of the County or City in terms of funding. It is self sufficient in terms of its revenue strengths.

Mr. Edgerton asked where the funds come from for the Virginia Department of Aviation.

Mr. Elliott stated that in Virginia one-half cent of the sales tax goes for transportation funded projects. The bulk of those funds go for road construction and 2.4 percent of that goes for aviation related projects. Therefore, that is the source of funds for them. The Airport Authority would derive its 2 percent from a passenger facility charge, which is a fee assessed to airline tickets or from the airlines or their rent income that they receive from airport aviation purposes. He stated that he would like to talk about the projects that they see occurring over the next ten years. He pointed out that he would start out with some of the projects that have already been before the Planning Commission and have already been through the planning review process. First, they are in the process of undertaking improvements to the runway safety area. The FAA has a regulation for just about everything. There is a regulation that says based upon the type of aircraft operating at the airport, you must have a certain safety area off the end of the runway, which is tufted area that provides an area for aircraft in the event they should land short or go over the end of the runway. Therefore, they could do so in a safe manner. That is the project that they were currently working on right now, which involves the end of runway 3 and State Route 606 and Route 743. This project is currently under construction. The relocated portion of Route 606 will probably be open for traffic sometime early next week. Then this roadway will be closed. They will follow on within the next year to begin the relocation of State Route 743. Again, this is a safety requirement or a FAA design standard requirement. The reason that Route 743 has to move over is because a portion of the road lies within the Runway Object Free Area. That is another safety zone or an imaginary surface that the FAA has. Their desire is to relocate that roadway out of that area.

Ms. Joseph asked if there were height restrictions on the free area. She asked if they could have some things in that area.

Mr. Elliott stated that anything within these zones have to be frangible mounted so that if they are hit by an aircraft they will break away without causing any damage. All of the white towers that you see in this area are fixed by function, but they are designed that if hit by an aircraft they would break away without causing damage. In an ideal world nothing is allowed in this space and it would just be turf and graded to standards. The safety area project is estimated to be completed by 2007-2008. Moving further to the north, they have T hangar road which is for the storage of the smaller general aviation aircraft. This is a row of T hangars that are currently under construction, and will probably be finished by the first quarter of 2005. It will house an additional 14 smaller general aviation type of aircraft. For a point of reference, he pointed out that mobile home park that is at the end of the runway. He pointed out the area that would accommodate an additional two rows of T hangars for future growth as well as two smaller corporate types of box hangars. Their primary general aviation area and terminal building is accessed off of Route 606. They just placed in service a hangar, which is an 18,000 square foot corporate hangar. They are in the process of beginning construction of the expansion of the general aviation apron in the yellow area, which will add about 5,000 square yards of pavement for the storage of aircraft in that area. Moving towards the terminal building area, their plan also calls for some additional parking for general aviation customers. That parking today is directly east of the general aviation terminal area. With the growth that they have experienced in their general aviation operations they need to provide some additional parking. Their plan is to bring it to the intersection of Aviation Drive that leads into the GA terminal and State Route 606. The parking will be tucked behind the existing employee parking area for the terminal. They do have plans for further extension of the service lots for parking. During the Thanksgiving holiday they parked in excess of 200 additional vehicles, which was more than they had parking spaces for. The major

thrust over the next ten years is to proceed with the expansion to lengthen their runways. Currently the runways were at 6,000 feet. They anticipated during the planning period that the type of aircraft that operates on the field today would pretty much be the same type of aircraft that would be out there in 20 years. That includes the small regional jets that accommodate 50 to 70 passengers and some of the larger end business jet aircraft that you see. The performance criteria for those aircraft dictate that 6,000 feet is not the optimal length, but really it should be extended out to 6,800 feet. The proposal calls for the lengthening of the runway to 800 feet towards to the north rather than to the south. When that occurs several facilities will be impacted, which includes several maintenance buildings. When the runway moves to the north because of the fill requirements these facilities will no longer be operational. The plan proposes to relocate those facilities to the west side. Today west of the runway they own about 132 acres of property, which is completely wooded. In the 1994 plan they showed a proposed development in this area, but the 2004 plan extends that envelope somewhat, but also adds these aviation support functions that are currently in this area to the west side. The last major project over the next 10 years is to make this accessible to our employees would be to construct an access road off of Route 743 that would lead into this facility. Also, one of the requirements that they have under the Federal Aviation Administration is that at least once a day their public safety officers need to do a complete patrol of all the property for security and safety purposes. Currently they have an unimproved roadway that leads pretty much on the west side of the airfield. When the runway is extended most of that roadway will be demolished. Therefore, their proposal is to extend that roadway. It is a private use roadway at that point and would tie into an existing road that is to the north. Then that would tie their private road in again to allow that access completely around the air field. Again, they have submitted this plan to the Federal Aviation Administration and to the Virginia Department of Aviation. They are addressing their comments and anticipate their approval of the plan in a not too distant future. He stated that he would be happy to answer any questions that the Commission might have on their plan or proposal.

Mr. Craddock asked where the church now stands and the 200 year old Oak tree. He asked how that would be affected by the changes.

Mr. Elliott stated that their plans were to leave the Oak tree as it is. There is a group of folks who have agreed to fertilize and maintain the tree. Their intentions are to have the tree remain there as long as it lives. Pleasant Grove Baptist Church is located in this area. He pointed out that the church lies within the Runway Protection Zone. Again, the FAA would really like those areas off of the ends of the runways completely free of structures. In particular, they would like to not have any areas of congregation in that area. The County's Zoning Ordinance regulations mirror those federal regulations. But, what it does not address is pre-existing conditions. They have been working with the church now for approximately six years to try to find a way that they can keep them an active and vibrate part of the County and at the same time try to meet that federal requirement. Their proposal to the church, as it currently stands, is that they would pay the church the fair market value for their property and their building. First they would have to subdivide and donate approximately 2 acres of undeveloped land on Route 743, which they currently own, to the church. Then they would provide the church with a sum of money that both parties believe would be appropriate for them to be able to reestablish their church in this area. He pointed out that the land would have to be subdivided and rezoned for a church. If all of that comes through then they would still be faced with the problem of what they would do with this church structure.

Ms. Joseph asked if the church could just stay.

Mr. Elliott stated no because the whole purpose of acquiring the church would be to have it not there. The church has had a structural engineer from Lynchburg do a study and came back and said that it can be relocated. They think that they have identified a private resident who is interested in moving the church to their property to have it serve as an apartment, stable, art studio or something of that nature.

Mr. Rieley asked if the church did not want the building.

Mr. Elliott stated that they gave the church the option of building a new facility or relocating the church and they opted for the new facility. If they are unable to come to resolution to this it is possible that they could petition the Federal Aviation Administration for a variance. Given the extenuating circumstances of

the matter that the church has been in the community for quite some time, it is quite possible that the FAA would concur with the variance. They will continue to try to negotiate with the church in good faith, but at the end of the day if they are unable to reach resolution they could petition the FAA for a variance to allow the congregation and church to remain.

Mr. Benish asked if that was a variance to allow the structure to remain, but not the use. Or would it allow for the activity.

Mr. Elliott stated that it would allow for the activity and the structure to remain. He pointed out that it would be a compromise to the safety objective concerning the runway.

Mr. Rieley stated that as development proposals have come up in the neighborhood of the airport and expressing a concern about the broader picture of development as they continually urbanize in the peripheral if there are specific issues that they should be aware of now that are in that category.

Mr. Elliott stated that there were a couple of those issues. The first chapter of the Master Plan talks about sufficient road nets systems into and out of the airport. At one point do you reach a congestion factor such that our airport fails to serve its clientele, whether it is a general aviation customer trying to get to the airport in order to catch a flight to go somewhere or whether it is an airline passenger. There has got to continue to be an integrated link between that land accesses with the air access and try to continue to make it as convenient as possible. It is not lost upon the Airport Authority that they are literally on the edge of the Hollymead growth area as growth and development occur around the airport. Again, while their noise contours and noise impact area from a technical standpoint are all on airport property, the greater residential development in and around the airport environs create noise complaints. From a legal and technical side of things it is all very proper. But, they will continually be exposed to noise complaints because noise is such a subjective issue. What one person may perceive as acceptable noise another person may not. The more urbanized areas with more developments under the airport flight pattern they become somewhat exposed to those complaints.

Mr. Morris asked what problems that they face in managing ground water.

Mr. Elliott stated that they have to conform to a number of regulations. They are regulated by the Department of Environmental Quality in that they have a spill prevention control permit, a storm water pollution prevention plan and an oil discharge pollution prevention plan. They monitor water and have to take samples out of the detention basins after a storm event and do testing on those waters to ensure that the water quality is there. Jim Nixon, their design engineer, has worked very closely with the airport and the County staff in ensuring that all of their stormwater detention facilities adhere to the County requirements. In the overall scheme of things they are a pretty small generator of those types of chemicals. They utilize potassium acetate on the runway, which is bio-degradable. The airlines utilize glycol as well. They have units during non-storm events that basically come by and collect that material and recycle. They will begin the process of doing that during storm events. The EPA and the Department of Environmental Quality have yet to come out with standards on the de-icing collection. The only thing that they have in place now is the testing requirement, which they currently do. Until they come out with those regulations, they are still a little fuzzy about how they collect and detain that chemical. The best of all worlds is to put it into the sewer system and have it treated at Moore's Creek and sent on. But, they have petitioned on several occasions for that to occur and to make that hook from the storm drain into that, but they have been unsuccessful with that.

Ms. Joseph asked if it was ethylene glycol that they are using for the de-icing agent.

Mr. Elliott stated that it was propylene glycol and not ethylene. The airlines have their own storage tanks for those units that are double lined. They have to meet the storage requirements for the potassium acetate and the others as well. They currently meet all of the EPA and DEQ standards. When they start designing the de-icing containment or treatment facilities they will have to meet those regulations once they are promulgated.

Ms. Joseph asked if he would speak to the lighting that would be added.

Mr. Elliott stated that in phase 3 they call for installation of an approach lighting system to the north. They currently have that system to the south. These are systems typically installed and maintained by the FAA. It is an approach lighting system for aircraft. They are generally sequential, particularly when it gets to a certain level of bad weather. The lighting is shielded and basically aimed in a manner that is for the benefit of the pilot to lead them in for a landing. When the ceiling drops there will be some reflections off of the clouds that will make that light go back down. Typically on a clear evening that is not the case.

Mr. Joseph asked if it was something that was activated when you have somebody taking off or coming in.

Mr. Elliott stated that it was pilot controlled from the cockpit. In terms of the intensity level there are basically three different steps. The worse the weather the more they would want to pump up the lighting. That can be controlled internally or by the air traffic controllers.

Mr. Rieley asked when the expansion would occur.

Mr. Elliott stated that they called for that in the ultimate development, which would be beyond 20 years or beyond the year 2022.

Mr. Benish stated that staff wanted to focus in on the first two phases because they figured by the third phase they would be in another reiteration of the plan. That does not mean to deemphasize the ultimate either, because staff does want the Commission's comments on everything because once it is in the plan it will remain.

Mr. Elliott stated that the blue area was the third phase. They are evaluating what is shown on the drawing as the intermittent streams that have been identified on this side of the airport that feed Chris Green Lake and would fall under the provisions of the Water Protection Ordinance. Therefore, any facility that they develop on the west side will have to be sensitive to those areas on the Water Protection Ordinance.

Mr. Benish stated that staff was shooting for January 11 or January 18 for the public hearing. He asked for any comments from the Commission on that. Tentatively, the day meeting in February has been scheduled for the Board public hearing.

Mr. Rieley moved to pass the resolution of intent to hold a public hearing.

RESOLUTION OF INTENT

WHEREAS, the Federal Aviation Administration requires airports to have master plans in order to be eligible to receive grant-in-aid funding under its airport improvement plan;

WHEREAS, the 1994 Charlottesville-Albemarle Airport Master Plan (the "Master Plan") is the current guiding document for airport operation and development;

WHEREAS, development proposals at the Charlottesville-Albemarle airport (the "airport") are reviewed by the County for consistency with the Master Plan;

WHEREAS, the Charlottesville-Albemarle Airport Authority recently updated and adopted a revised Master Plan on August 18, 2004;

WHEREAS, the revised Master Plan identifies a number of objectives and major development projects at the airport and in its immediate vicinity, including the extension of runway 3-21, the phased development of additional parking, and the establishment of a range of airport facilities on the west side of the airport; and

WHEREAS, it is desired to amend the Albemarle County Comprehensive Plan to incorporate, by reference, the updated Master Plan.

NOW, THEREFORE, BE IT RESOLVED THAT for purposes of public necessity, convenience, general welfare and good planning and land use practices, the Albemarle County Planning Commission hereby adopts a resolution of intent to amend the Albemarle County Comprehensive Plan to incorporate, by reference, the updated Master Plan and to make any other changes to the Comprehensive Plan deemed to be necessary in order to achieve the purposes described herein; and

BE IT FURTHER RESOLVED THAT the Planning Commission will hold a public hearing on the Comprehensive Plan amendment proposed pursuant to this resolution of intent, and make its recommendations to the Board of Supervisors at the earliest possible date.

* * * * *

Mr. Morris seconded the motion.

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

Mr. Thomas stated that the motion carried.

Old Business

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

New Business

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

Adjournment:

There are no items scheduled for the Planning Commission on Tuesday, December 21, or Tuesday, December 28. The next scheduled Planning Commission meeting will be held Tuesday, January 4, 2005.

With no further items, the meeting adjourned at 8:30 p.m. to the January 4, 2005 meeting.

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V. Wayne Cilimberg, Secretary

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