Albemarle County Planning Commission
December 19, 2006

The Albemarle County Planning Commission held a meeting and a public hearing on Tuesday, December 19, 2006, at 6:00 p.m., at the County Office Building, Second Floor, Auditorium, Second Floor, 401 McIntire Road, Charlottesville, Virginia. Members attending were Eric Strucko, Jon Cannon, Marcia Joseph, Chairman, Bill Edgerton, Duane Zobrist, Pete Craddock and Calvin Morris, Vice-Chairman. Julia Monteith, Senior Land Use Planner for the University of Virginia, representative for David J. Neuman, FAIA, Architect for University of Virginia was present.

Other officials present were Wayne Cilimberg, Planning Director; Juan Wade, Transportation Planner; David Benish, Chief of Planning; Claudette Grant, Senior Planner; Mark Graham, Director of Community Development and Greg Kamptner, Deputy County Attorney.

Call to Order and Establish Quorum*:*

Ms. Joseph called the regular meeting to order at 6:10 p.m. and established a quorum.

Other Matters Not Listed on the Agenda from the Public:

Ms. Joseph invited comment from the public on other matters not listed on the agenda. There being none, the meeting moved on to the next item.

Review of Board of Supervisors Meeting – December 13, 2006.

Mr. Cilimberg summarized the actions taken by the Board of Supervisors on December 13, 2006. He asked the Commissioners to note the following on their calendar:

- There will be a follow up work session from last week's discussion with the Board on January 3, 2007 from 3:00 to 4:00 p.m. in reference to the Mountain Overlay Ordinance. The information received last week will be part of that ongoing discussion and hopefully the Commissioners still have that. If not, the information is available on the Board of Supervisors website as part of last week's agenda.

Items Requesting Deferral:

ZMA 2006-005 Avinity (Sign #75)
PROPOSAL: Rezone 9.35 acres from R-1 Residential (1 unit/acre) to PRD Planned Residential Development (3-34 units per acre with limited commercial use) for a maximum of 124 units at a density of 13.26 units/acre, with proffers.
EXISTING COMPREHENSIVE PLAN LAND USE/DENSITY: Urban Density Residential (6.01-34 units/acre) and supporting uses such as religious institutions, schools, commercial, office and service uses.
ENTRANCE CORRIDOR: Yes

LOCATION: Avon Street Extended (Route 742) approx. 1/2 mile south of intersection with Mill Creek Drive
TAX MAP/PARCEL: TMP 91-14, 90-35J, 90-35K, 90-35I
MAGISTERIAL DISTRICT: Scottsville
STAFF: Elaine Echols
APPLICANT REQUESTS DEFERRAL TO THE JANUARY 23, 2007 PLANNING COMMISSION MEETING.

Ms. Joseph asked if any one was present to speak regarding the request. There being no public comment, the matter was placed before the Board.

Motion: Mr. Morris moved, Mr. Craddock seconded, to accept the applicant's request for deferral of ZMA-2006-005, Avinity to January 23, 2007.

The motion carried unanimously (7:0).

Ms. Joseph stated that ZMA-2006-005, Avinity was deferred to January 23, 2007.

Work Sessions:

ZMA 2005-017 Biscuit Run (Signs #52, 56, 63)
PROPOSAL: Rezone approximately 920 acres from R-1 Residential (1 unit/acre), R-2 Residential (2 units/acre) and RA--Rural Area: agricultural, forestal, and fishery uses; residential density (0.5 unit/acre) to NMD Neighborhood Model District - residential (3 - 34 units/acre) mixed with commercial, service and industrial uses. Maximum number proposed residential units: 3,500. Commercial uses proposed also.
PROFFERS: Yes
EXISTING COMPREHENSIVE PLAN LAND USE/DENSITY: Neighborhood Density Residential in Neighborhoods 4 & 5-residential (3-6 units/acre) and supporting uses such as religious institutions and schools and other small-scale non-residential uses.
ENTRANCE CORRIDOR: Yes
LOCATION: Between the east side of Old Lynchburg Road and the west side of Route 20; adjacent and to the south of the Mill Creek subdivision, adjacent and to the west of the intersection of Avon Street, Extended and Route 20.
TAX MAP/PARCEL: 90/5, 90/6D (portion), 90/17D, 90-A/3,
90/A1-1, 90/A1-1E, 90/15A, 90A/1A, 90A/1B, and 90A/1C.
MAGISTERIAL DISTRICT: Scottsville
STAFF: Claudette Grant

Ms. Joseph noted that ZMA-2005-17, Biscuit Run is not a work session as listed on the agenda. It will be a 20 minutes presentation from the applicant to go over some of the proffers that have been offered and the project itself. She acknowledged that there were some City Planning Commissioners present. The discussion of the traffic is scheduled for the Commission's January 30 meeting. At that point it will be a work session and the City Planning Commission will be invited again to participate. She apologized for any miscommunication that happened. Staff will present the staff report, comment will be taken from the applicant and then public comment will be taken.

Ms. Grant summarized the staff report and presented a power point presentation.

The applicant is proposing to rezone approximately 920 acres from R-1 and R-2, Residential to Neighborhood Model District. Approximately 3,100 residential units, a school and a neighborhood center, which would include commercial uses, are proposed. A 92 acre park site is proposed for some adjacent land zoned rural area. This park site was originally part of the rezoning request, but is not longer proposed to be rezoned.

The purpose of this evening's meeting is primarily for the applicant to provide the Commission an overview of the traffic impact analysis addendum and present information regarding the proffers that relate to transportation impacts as identified by the applicant.

Some background information regarding this particular aspect of the Biscuit Run submittal is that on June 13 the Commission held a work session to discuss the scope of the traffic study. The original traffic study was submitted in September. Reviewers include the City of Charlottesville staff, the MPO staff, VDOT staff and County staff. Several comments and requested changes resulted from the September study. A copy of this information was included in the Commission's packet.

In response to staff's comments the applicant submitted an addendum to the traffic study on December 4, 2006. The traffic studies are very lengthy and detailed. Staff is working on review of the December 4 addendum submittal and currently does not have completed analysis to provide the Commission.

Some quick pertinent changes that staff has noticed are:

- The decrease in total proposed residential units from 4,970 units to 3,100 units.

- The applicant has verbally specified that the interconnection between Biscuit Run and Biscuit Run and Mill Creek will be pedestrian. The initial traffic study did not specify the details of this interconnection.

- Last, the applicant has stated that the neighborhood center will be of a neighborhood scale and not regional. The neighborhood center is proposed to be located towards the eastern portion of the site near Route 20 and where most of the residential density for this development is proposed to be located.

- Proffers have been submitted and included in the Commission's packet.

- The applicant has met with the City regarding traffic impacts on City streets. Correspondence from the City to the applicant has also been included in the Commission's packet.

- In conclusion, no action on the proposal is sought this evening. As previously mentioned this is primarily an information meeting.

- In terms of our future schedule with the Biscuit Run project, the following schedule has been tentatively set.

January 16, 2007 – (Next meeting) At this meeting a revised application plan, Code of Development and proffers not related to transportation will be discussed as found from staff review.

January 30, 2007 – The traffic studies (TIA), traffic proffers and transportation proffers will be discussed based on staff review.

February 6, 2007 – Tentatively scheduled summary meeting at which time staff can tie up any loose ends.

February 10, 2007 (Saturday) – Public Forum scheduled where the public has the opportunity to come and speak and ask questions related to the project.

February 27, 2007 – Planning Commission Public Hearing is scheduled.

April 11, 2007 – Board of Supervisor meeting is scheduled.

If there are any questions Juan Wade, Transportation Planner, and herself are available for questions.

There being no questions for staff, Ms. Joseph invited the applicant to address the Commission.

Steve Blaine, representing the applicant Forest Lodge, LLC, said that as reported the forum tonight is to hear a brief overview from us about the proffers and a little bit about the traffic study. They don't want to get too much into the details of the traffic study because they appreciate that the reviewing agencies have not included their analysis. That information will be provided at the January 30 meeting as mentioned. Tonight they want to listen again to more comments. They appreciate the availability of the Planning Commission from the City to be here to hear their rationale for their proffers and hopefully they will be in a better position to direct staff on some particular concerns for their analysis and then have a very productive work session in January.

There are two things that he wants the Commission to take away from this meeting. In Biscuit Run they have an excellent opportunity here for some growth management planning where they can leverage private dollars for public improvements in the infrastructure that can really have a beneficial impact to accommodate growth for the next 15 to 20 years. They also have in Biscuit Run through this Neighborhood Model in this capacity an opportunity really to be transformational in altering some of the habits that they have obtained over time in transit use of motor vehicle and some of the benefits that they recognize now that come from the Neighborhood Model.

He felt that any discussion of transportation infrastructure has to first start with the Comprehensive Plan. Why does the Comprehensive Plan designate this area for growth? A lot of time they hear about the Comprehensive Plan and it designating the growth areas to have growth in an area and to discourage growth in the rural area. They lose sight of the fact that it is not an abstract 5 percent of the area of the County that they have just designated. It is an area that has been designated because the infrastructure is already there or readily available. It is important as a back drop for Biscuit Run because the Comprehensive Plan deliberately intends housing for this area because there are important high capacity transportation corridors already in place. In a power point presentation he noted that is illustrated by this stepping back to 30,000 feet and looking at the Comprehensive Plan overall in the green lightly shaded area, which is the growth area surrounding the central business district of Charlottesville. The darker green shown in the slide is the Charlottesville City limits. The Biscuit Run property is at the southern extremity of the growth area is shown in the lighter shade. What they see here is at least 3 high capacity transportation corridors in Fifth Street certainly from their future entrance on the north end becomes a 4-lane facility. Route 29, Fifth Street and Route 20 are already existing high capacity transportation corridors. The challenge in looking at a rezoning of this is how can they take advantage of these existing high capacity corridors and make sure that they are enhanced or maintain a free flow through the future planned development in anticipated growth of the area. It is a sharp contrast if you look at these corridors compared to the northern end of the growth area where they really only have one significant high capacity corridor in Route 29. In some sense their planning has almost been upside down because they have these transportation corridors on the south end of the growth area that have been under utilized and they yet have a disproportioned amount of growth in the northern end of the growth area.

The emphasis that they are taking to give a preview of their proffer strategy is that these other corridors, which are still vital corridors to this central business district being Old Lynchburg Road in the City and Avon Street through our proffer strategy can be less viewed as a regional corridor and more of a local connector. As they go through the proffers he would go more into detail of that.

Mr. Blaine presented a booklet entitled “Biscuit Run Traffic Work Session” for the Commission’s review. The traffic study is one that the County requested to be done. They received input from VDOT, the City as well as the County. It is unprecedented in terms of its scope. It is much above and beyond what is typically done in a project of this size. It is extremely conservative and over engineered. He presented an illustration showing the overall traffic study area. There are 12 intersections within the City limits that were studied. The study asked them to assume over the next 15 years that there would be an annual 2 percent growth in traffic not just in the County but also in the City. Then on top of that they were asked to layer in the traffic generation from Biscuit Run. So there was double counting in that sense. The traffic study analysis and the scope that they were asked to conduct does not take into account the full transportation benefits in the Neighborhood Model. They were asked to use the conventional trip generation tables, which did not account for internal capture trips that were part of the foundation of the Neighborhood Model.

One of the major selling points of the Neighborhood Model was how it might actually transform life style with attitudes and behavior in terms of the automobile and making it more appealing for alternative modes of transportation. Therefore, they would have pedestrian friendly, sidewalks and trails. They have blocks that are shorter lengths that are more conducive to non-vehicular modes of transportation. As the Torti Gallas plan shows, they have 2 areas where they would anticipate a village center that would provide employment as while as well as services within the community. The obvious benefit from the transportation standpoint was the residents of Biscuit Run would have these opportunities within the community and thus reduce the external trips to the external road network. They have also located a school within the central portion of the project. It their expectation and vision that these homeowner associations would work with the school district to actually implement programs like "Walk to School." They can make this happen in Biscuit Run.

They have a huge opportunity to integrate a trail system for the existing residents in the southern neighborhoods 4 and 5 and future residents in Biscuit Run into an overall community wide trail system, which includes the Rivanna Trail System. There is an internal trail system linked underneath I-64 linked to the City. This internal trail could be used by cyclists and pedestrian to really provide an alternate mode for transportation. Even Chuck Proctor of VDOT recognizes that they don't fully account in their traffic analysis these alternative modes of transportation and he is a fan for the trail system.

They have an opportunity for enhanced transit with our plan. The plan shows a connecting road from Route 20 through the project up to the high capacity area for Fifth Street where it is 4 lanes. This provides a loop for transit, which makes it more efficient for bus service.

There are some residents in Mill Creek that are very concerned about the impacts to Avon Street Extended. He had a Foxcroft resident comment that doesn't this eliminate the need for the Southern Parkway. They are not advocating that the Southern Parkway has to come off the road plan or the Comprehensive Plan. The Southern Parkway is proposed for a link from Avon Street to Fifth Street in this general area. Their proposed connector would provide a preferred length between a higher capacity transportation facility and Route 20 and Fifth Street. It obviates the need for this movement for people who are coming up Route 20 and want to cut over to Fifth Street to have to make the movement on Avon Street and cut over on the Southern Parkway. He felt that people were starting to see that and that is what they hope to accomplish.

In terms of their proffers what they were asked to do is assume that there will be no state or public funding for our relative build out. What they did in their proffers as they looked at the projected build out the need for improvements and looked at what improvements that they could actually most likely bring about that would have the greatest efficient impact on the road network. They have proffered to widen Route 20 from the southern boundary all the way to Route 53. That is about a 5.5 million dollar cost for construction. That is 2.3 miles. That would be the largest single contribution to a public road that he is aware of in Albemarle County. When he mentioned that to Bruce Davies, who is our Commissioner on the Transportation Board, he said wow. He said that he would like to meet and talk about how we could make certain that they can

make sure that this road can happen. He acknowledged that staff and VDOT were going to look at their cost estimates of this, but he would submit that 5.5 million, which was about $500 per linear foot, should cover the cost of design and construction. They understand that there are right-of-way and utility challenges here.

What they are trying to do with this proffer strategy is making certain that they are enhancing the main transportation corridors that have a regional impact. So they do that by widening and making Route 20 a safe and efficient corridor by widening it to 4 lanes and providing the link to the high capacity Fifth Street. They acknowledge that there are potential choke points with one at Sunset and Fifth Street. They would propose signal improvements to keep the free flow at the juncture. They acknowledge a potential choke point at Interstate 64, which they propose turn lane improvements at this juncture. So the strategy is to have these be the commuting points to the central business district and take the emphasis off of Avon Street, which their vision becomes more of a local connector or local street for the communities along Avon Street. They can do such things such as putting long green times for movements here and a long red time for a left turn. So commuters coming up to the central business district will find this as a preferred route as oppose to making the cut through on Avon Street. If they can keep Fifth Street as a free flowing high capacity corridor it provides an alternative to those commuters who perhaps are using Old Lynchburg Road, which should be a neighborhood street. They are aware of the City's budget and their proposal to make traffic calming improvements on Old Lynchburg Road. They would support those and provide whatever support they can from a technical standpoint. They are in communications with the City about overall network improvements and ITS improvements that would involve the integration of signals not just in the County, but also in the City, so they would have an integrated signal system with on-site cameras that can make field adjustments as traffic conditions warrant. They would like to do this with concurrence with the County and State with an overall integrated approach before they talk about who is responsible for what portion of those improvements.

In conclusion, he wanted to just leave them with what they think is an opportunity for making deliberate infrastructure planning and leveraging the private dollars that their project can contribute and then in using that for the generation of planning to not miss the opportunity to implement the Neighborhood Model perhaps in the most significant way that they may see for a long time.

There being no questions for Mr. Blaine, Ms. Joseph noted that there was a list of persons signed up to speak. The first person on the list is Jean Chase.

Jeanne S. Chase, resident of Old Lynchburg Road for 30 years and as a member of Fry's Spring Neighborhood Association, asked what the plan is for taking the high volume and speeding traffic off of our neighborhood street of Old Lynchburg Road. It is a very present problem. Old Lynchburg Road was never to have been used for such as seen in the history of deliberations of this area involving traffic. Once again she reminded the Commission that Old Lynchburg Road is a city residential street of 25 miles per hour from Azalea Park to JPA, which is narrow with no shoulders, sidewalks and blind curves. Over 45 residences have driveways that open onto this stretch of road. What is the plan? They need to hear the voices from the developers, from UVA,

from both the City and County Planning Commissions as well as from the County's Supervisors and City Council as to what the Comprehensive Plan is going to be to deal with the current and future traffic problems. By hearing those voices it is a stamp of approval to what is happening now, which is totally unacceptable to the Fry's Spring Neighborhood. Many pedestrians make their way along Old Lynchburg Road from both County and City residences to the bus stops on JPA or to walk the distance into the City to their destinations. Currently they have problems with people using the City residential street as a high speed cut through ignoring the 25 mile per hour speed limit by many miles over the posted speed ignoring the pedestrians and safe driving practices. Our marvelous City Police Traffic Division is being stretched thin. They are one of the largest neighborhoods in the City of Charlottesville. Our neighborhood needs relieve. The volume of traffic on our residential street needs to stop. She asked that the Commission delay action on Biscuit Run until there is something in place to solve the current and future traffic problem. She asked where the traffic from Biscuit Run be directed to come? She asked where the traffic will be directed to from the new Woodlands, which recently started as a development of 300 units to be ready by August, 2007.

Vanthis Nguyen, resident of 1116 Little High Street, spoke in opposition to the request. She noted that what they were planning to do was to give away almost 1,000 acres of woodland and streams to be destroyed forever. It will be done to make a few developers rich. She asked that the Commission be mindful of what they want to leave behind. She encouraged the Commission to resist this trend to pave over everything and to further the deadening of ourselves. She asked that the Commission preserve the County, the natural world and the planet for the future generations. She was not sure if they remembered the slogan of their youth, which was be a realist, demand the impossible.

Doug Arrington said that he lives in the 1100 block of Old Lynchburg. The road at this point is over traveled. He spoke in opposition to the request. There are a number of driveways and private roads that come onto Old Lynchburg Road that were approved 20 to 30 years ago. He happened to live on one of those. Traffic coming south on Old Lynchburg Road at best during the day the best one can do is listen for traffic coming and then pull out and hope that no cars are coming. He did not see the reality in Biscuit Run not impacting Old Lynchburg Road. He did not see how it could not if for no other reason than the traffic generated going south. There already exist safety concerns resulting in accidents in this area, which deal with the traffic congestion. These existing problems need to be addressed for public safety.

Peter Hedlund, resident of 204 Todd Avenue and Vice-President of the Fry's Spring Neighborhood Association, spoke in opposition to the request. Recently more than 90 percent of the residents of Old Lynchburg Road in the City signed a petition supporting the closure of Old Lynchburg Road at the County line. Narrow and lacking sidewalks makes anyone who has ever traveled on Old Lynchburg Road acknowledge that it is not designed to handle large volumes of traffic. The Fry's Spring Neighborhood on Old Lynchburg Road in particular have become overwhelmed with the current levels of traffic and are very concerned about any additional traffic created by the Biscuit Run Development. Their neighborhood lies directly between Biscuit Run and the University

of Virginia. The quickest way to get from one to the other is through our neighborhood traveling Old Lynchburg Road. He was not sure that traffic calming efforts would be sufficient to narrow the traffic on Old Lynchburg Road. In addition to Biscuit Run, other projects such as the Woodlands, the Granger property and the 474,000 square foot retail development between Fifth Street and Avon Street will all impact our neighborhood. The Southern Area B Study recommended a connector between Fontaine Avenue and Sunset Avenue Extended. While this is not a silver bullet to deal with all of the future traffic, it would be a significant step in the right direction. While this development may fit into the County's Comprehensive Plan the people in the Fry's Spring Neighborhood will ultimately pay the price.

John Pfaltz, resident of 153 Rugby Road, said that he has briefly looked at the addendum to Ramey Kemp & Associates Traffic Impact Analysis Report for the Biscuit Run Development dated November, 2006. Based on a rather incomplete comparison of the addendum with the original report, he had 2 observations and 5 questions that he hoped would be answered at the January 30 meeting.

Observations:

1. Although only 75 percent of the residences are being proposed (3,100/4,100), the resulting peak traffic is only dropping to 90 percent of the expected traffic described in the earlier report. The reduction in dwelling units has little effect on the area traffic.
2. The conclusion of the former study listed 5 roads that would need to be widened (page 54), 4 in the city and 1 in the county. These are not listed in the amended report, although indirect reference is made on page 74. Similarly, the need to widen the bridge on Fifth Street Extended over I-64 is discussed in the addendum (page 9), but not listed in the recommended improvements (page 76). There is a lot of money involved in widening a bridge.

Questions:

1. Why is there no change in the expected vehicles per day (ADT at the 6 sites listed on page 8 of the first report) as shown in Figure 4-A, B, C, D. Were these not recalculated?
2. Why is the only through cross connection (page 2) slanted so as to facilitate traffic from Route 20 to Old Lynchburg Road, but to discourage traffic in the reverse direction?
3. What is the nature of the retail that "is not expected to be constructed as a regional traffic destination?" (page 1)
4. Why has the connection to Mill Creek South been deleted? Are they not expected to patronize the retail center?
5. At intersection #16, Mountainwood and Old Lynchburg, there are more vehicles entering the city past Azalea Park in the PM peak hour (398) than in the AM peak hour (355). This is contrary to intuition (Old Lynchburg Road is the major route to the University and its Medical complexes) and contrary to behavior at other intersections bordering the city. For example, at intersection #9, Avon Street and Southern Parkway, we have 1,107 entering the city in AM peak hour and only

627 in PM peak hour. Is there an explanation for this phenomenon? (Attachment: "Remarks to Albemarle County Planning Commission 18 December 2006")

Jack Marshall, representative for the 300 members of the Advocates of Sustainable Albemarle ASAP. It seems that Albemarle County has backed itself into a corner knowing that Biscuit Run will disrupt traffic in the County and knowing that it will require new schools to be built, impose tremendous demands on water and sewer, raise taxes to pay for more infrastructure and more about the impacts of this development of an unprecedented scale for our community we nevertheless seem to do little as the developers change the character of Albemarle County. One of the maddening things is that these powerful interests in most part are working within rules that we have set. It makes one wonder if our planning apparatus is so short sided and feeble that we have no choice than to let our future be determined either by accident or by the desires of a handful that make a profit from relentless development. Twenty-six years ago County leaders including the Commissioners recognized the population growth in the Rivanna Reservoir Watershed would have unacceptable consequences. They took the long view and changed the rules. They made the courageous and far sighted decision to rezone a huge amount of the County. That was a quarter of a century ago. It still stands as a grave decision. It is time to ask new questions about those old decisions. What do we learn from the apparent inevitably Biscuit Run Development and from the County's inability to access it in the context of the cumulative impact of the many other developments approved in an endless stream. Does our community need a new vision of something that reflects a new awareness of the cost of growth? Of course it does. It is time to ask ourselves what we want to become. Will our community honestly be improved with 3,000 to 4,000 new homes and 7,000 new residents and their cars or another 50,000 or 100,000? When do we stop? How will the Biscuit Run development help those of us who are here now? They can define and control our demographic destiny. One step is to support the comprehensive plan amendment requested by ASAP, Sierra Club and Citizens for Albemarle. This common sense amendment would the require the County to identify an optimal sustainable population size or range for our community and then it could help guide future County planning that involves land use and development decisions. Imagine if they had that now. How would their decision be based in the context of the other developments being approved? If they can't avoid Biscuit Run development now, please spare us future ones.

Tom Olivier, a member of the Executive Committee of the Piedmont Group of the Sierra Club said that he was speaking on behalf of that group. Their group represents approximately 1,100 members. The Sierra Club is dedicated to the protection of our environment and is greatly concerned about population growth and its consequences such as sprawl. The Biscuit Run proposal if built will add thousands of residents to the Scottsville District. Obviously, such a development will alter the site on which it is built. Over the past year in work sessions there has been much discussion in revision of the site plan aimed at protecting open space resources on the site. The Sierra Club commends those efforts. However, Biscuit Run if built will have major impacts on the surrounding still largely rural areas of the Scottsville District. No doubts there will be some benefits perhaps in better or more convenient shopping. However, there will be many more negative impacts including more traffic, the need for more school facility,

more air pollution, water quality degradation, wildlife habitat loss and fragmentation. The potential negative impacts of Biscuit Run and surrounding areas of the Scottsville District appears to have gotten very little attention even though those effects may be the most important. The Piedmont Group of the Sierra Club believes that the decision on the Biscuit Run proposal should be withheld until they have a much fuller understanding of its impacts on the surrounding rural areas. Finally, the Advocates for the Albemarle Sustainable Population or ASAP has proposed that Albemarle County identifies a sustainable optimal population size for the Charlottesville/Albemarle community and then require consideration of the state of our population relative to the optimum in land use decisions. This optimal would be a kind of best trade off between the benefits of development and the need to protect our environment. The Sierra Club has endorsed the ASAP Optimal Population proposal. They believe that if it was established already it would provide a much needed big picture guidance in considering proposals such as Biscuit Run.

Doug Corwitz, resident of Mill Creek South, asked to start with a simple question.

- "Why do you live here? Majestic mountain vistas, the sounds of a song birds at sunrise, beautiful woodlands harboring babbling streams…these are but a few of the qualities that make our area so special.

- Although our time here is short, the decisions we make today will have a lasting impact on the land. As stewards of the gifts that have been bestowed us by nature it is our solemn responsibility to be worthy caretakers.

- After hearing the revised proposal by the developers of Biscuit Run, at the November 14th and December 19th Planning Commission meetings it was difficult to imagine how we could even consider ourselves respectful of our environment.

- What has happened to our values and priorities? What is happening to our quality of life in Albemarle County? We have brought upon our pastoral land the destructive power of chain saws and bulldozers. We continue to destroy that which brought us here. Where will it end?

- There's no better time than the present to bring a halt to destructive growth. Hundreds, if not thousands, of properties sit vacant for people to find homes. And many thousands more homes have already been zoned for further development in Albemarle County. It's time to put a stop to the self-destructive madness of growth.

- There will be studies, discussions, public forums, analysis, debates, negotiations, proffers, readjustments and ultimately votes. Biscuit Run is currently zoned for 900+ units. No more damage need be done. Enough is enough. Be a steward of our priceless gift and say no to the rezoning request.

Don Sladous, resident of 104 Fourth Street, asked to talk about the difference between the person and the individual. A lot of people get these terms mixed up. He asked that the County build for people and not just for cars. Instead of putting all of the resources in making these giant sprawl communities that increase the traffic they could put their

resources towards things like a train system of sorts. He felt that people would use a train system if they did not build more roads. It is about putting infrastructure in place. He asked the Commission to vote no on the Biscuit Run proposal and the shopping center. It is going to kill the traffic into the city. When he walked to the meeting this evening he found the front door locked and he had to go to the parking lot entrance. He asked that the Commission take this into consideration.

Christine Gesture, resident of 1090 Old Lynchburg Road, said that the foot of her driveway was directly across the street from Forest Lodge Lane. Therefore, she could not be any closer to this development. She said that her husband commutes on bike to work everyday on Preston Avenue. She asked that the development be made small and that they put bike lanes in from the City to Walnut Creek Park. She fears the safety of her children and husband on Old Lynchburg Road and would really appreciate the addition of a bike lane. As you make decisions for our community, please remember how deeply it affects our lives.

Armstrong Straus, resident of City, acknowledged that there is a certain amount of development allowed by right. He feared that if this process goes anything like Hollymead or North Point that ultimately the Board of Supervisors would pass it after a lot of going back and forth with the developer. He suggested that the County consider the Neighborhood Model that is based on public walkability since they are asking the developers to fit into that kind of way of building. But yet the County does not provide the walking, biking and transit facilities that make that kind of development possible. The Commission does not have a lot of say in what type of transportation infrastructure gets put in, which makes their job difficult. The one major thing he would like to say is that they need to have walking, biking and transit facilities that are going to make it worth the developer's while to build the kinds of places so people can use those forms of transportation.

Tassey Oswald, resident on Old Lynchburg Road, said that the presentation was very disturbing. She did not understand what Biscuit Run is benefiting by cutting down almost 1,000 acres of woodlands, which makes this area such a nice place to live. She opposed the proposed development. It seems to be benefiting developers who don't live down there. It is a bad idea.

Shawn Vista, resident of 234 Montavista in the City, acknowledged that growth was enviable and going to happen. But, they do have the chance to change things. The growth needs to be better managed. It is important to think about what is going to happen to the outside community. He urged the Commission to make sure that transit is provided so that it is safe for the pedestrians and bicyclists. He encouraged the Commission to consider the safety concerns on Old Lynchburg Road and to respect the City.

Bruce Halaven, resident in southern Albemarle, said that he was deeply moved by the comments that he had heard. He commended everyone for taking time out of their holiday schedule to come and voice their opinions tonight. He asked that the Commission to listen and take into consideration all of the comments.

Shirley Dorrier, resident of Scottsville, said that she found Route 20 one of the most beautiful drives in the State of Virginia. But, it will not be when they add the 4,000 new units at Biscuit Run. It is ridiculous to say that will not change Route 20. It is one of the most historic roads in the State of Virginia. She asked that Biscuit Run not be allowed to be so big. She requested that the Commission make the development as small as possible and preserve the County.

Wren Dalton Olivier, resident of Albemarle County, asked to echo some of the sediments that had been made. She asked that the Commission think about what another 50 years will do to our County if they continue to do what they are doing. Mr. Blaine said that they need to accommodate growth. She questioned if they really need to do that. She suggested that they think about what we want to do with our County and the kind of life we want to have here.

Jennifer Conner, resident of Little High Street, echoed and endorsed every comment that has been made tonight. In the past she commuted once a week to work along Old Lynchburg Road. She felt that the map was not very clear in the presentation regarding bike and pedestrian walking trails. In this process she hoped that was clarified. She hoped that those things come through the entire process and don't get lost along the way or shuffled to the back. As a bicyclist she noted that this area was currently very dangerous and with the proposed development she feared that it would worsen.

There being no further public comment, Ms. Joseph reviewed the upcoming schedule one more time. On January 16 at the Planning Commission meeting there will be a revised application plan, Code of Development and proffers not related to transportation to be discussed in a work session. The Commission invited the City Planning Commission. On January 30 at 6:00 p.m. the Commission will be having a work session discussing traffic and transportation proffers. On February 6 there will be another summary meeting. On Saturday, February 10 there will be comment session, with the time and location determined at a later date. On February 27 there will be a Planning Commission public hearing. Then on April 11 there will be a Board of Supervisors meeting. These are all tentative dates depending on what type of information comes out at each of these meetings. But, that is the schedule so far. She asked if Mr. Blaine had any responses to what had been discussed.

Mr. Blaine said that since the evening was late that he had nothing further to discuss unless there were questions.

There being no further questions, Ms. Joseph thanked everyone for coming.

The Commission took a break at 7:23 p.m.

The meeting reconvened at 7:40 p.m.

New Business:

Ms. Joseph asked if there was any new business.

- **Review of Community Development Work Program considerations and priorities**

Mark Graham reviewed the Community Development Work Program considerations and priorities. He passed out an email he sent to the Commission last night. (See Attachment) During the last year staff has started a five year work program with the Board of Supervisors, which will be reviewed annually with the Board. This five year work plan was to recognize that there were a lot of different strategies that people have interest in seeing the County undertake. Given that it has become increasingly important for us to prioritize this. This work program really only reflects about 10 to 15 percent of the department's total time. The other 85 to 90 percent of our time is spent on items that are called for by the ordinance either in reviewing plans, building permits or doing inspections. That is the bulk of our work. The time we can spend on it depends on how much is not being eaten up by the regular items in reviews, permits and inspections.

Of this 10 to 15 percent that represents this work program the first priority is the County's Board Strategic Plan. There are a number of things within that Strategic Plan that are reflected in this work program.

1. Master plans are a specific objective of the board's strategic plan to be finished 2010.

2. Rural Areas Strategies - Implementation

After that the remaining time is what we get for everything else. He pointed out a number of things where significant progress has been made in the last year, which includes:

- The Pantops Master Plan has moved forward.
- Places 29 is moving forward and will be before the Commission later this year.
- The Rivanna Master Plan will begin later this spring.

Mr. Morris felt that the Pantops Master Plan has proceeded quite well with staff's assistance. He suggested that staff work on the various master plans as opposed to hiring outside consultants even if additional staff needs to be hired.

Ms. Joseph said that the point was that staff is so familiar with the area and really just jumped right into that process with Pantops and have done an excellent job. They know the area and what they are talking about. They are working on it continually and not in San Francisco or wherever else we get consultants from. She commended David Benish and Rebecca Ragsdale for a remarkable job on Pantops. She was so impressed with the quality of work that they are getting from them versus other stuff that they are given that is not quite there that is being retrofitted from another community. Staff knows our community, what is going on and talk to people everyday and being gifted planners have done a terrific job. She would love to see master planning done by our staff much more in the lead and just getting a little bit of outside consulting. But,

that does not fit into the staffing at this point in time. That is why they might possibly need to hire more planners.

Mr. Edgerton concurred and suggested that staff might suggest that they could take some of the money for outside consultants and fund staff to be doing master planning internally. He asked that staff get that message to the Board.

Mr. Graham replied that he would bring the Planning Commission's perspective on this to the Board that they like internal staff working on the master plans. He appreciated the compliments to staff.

Mr. Cilimberg noted that they were not planning to go out and hire an outside consultant for the Rivanna Master Plan. They are planning to use the Planning District Commission because they are actually doing transportation work for the eastern area of Albemarle into Fluvanna and Louisa. It is an opportunity to kind of pair up with them, which takes some weight off staff's shoulders. But, the Pantops Plan has given us a good template, process and product to work from as they work with whatever consultant assistance they get. They have to stay in the lead. A lot of what staff is looking at is to take the weight off our shoulders for some of the things that are not about the quality of product, but is about work that needs to get accomplished to get the product done.

Mr. Graham said that is an interesting point because one of the things that they have learned with master plans is that it takes almost as much to manage the consultant as it does to just go ahead and do the work yourselves.

Ms. Joseph noted that when the Commission had their first retreat they talked about how much they really wanted to get involved in the planning process and staff really gave it to us. It has been productive. She appreciated that also.

Mr. Benish thanked the Commission for the compliment. He noted that the Pantops Plan is a nice example, but they should not forget that it is a simple plan. There is not transportation component to it and they are not doing design guidelines. There is a lot of stuff that they don't have the capability in-house to do. It would be difficult and costly to get transportation planners. The Pantops Plan is a simple plan and does not compare to what Places 29 Plan or even the Crozet Plan.

Mr. Strucko agreed that master planning warrants consideration of increasing staff and in putting public funds to building that expertise and adding that capability.

Mr. Graham noted that there were a couple other things that were happening.

- One is economic development policy discussion. They are trying to get that scheduled with the Board in February. That is to review the existing policy in the Comp Plan with the Board to see if there is any new direction that they want to get or whether they are comfortable with the policy as it currently stands.

- Next, is the Community Facilities Plan. They are trying to hold off on that. There are a couple of things going on. Parks and Recreation are trying to get some

updated standards for their facilities. Also, the Rivanna Solid Waste Authority on the solid waste side is trying to undertake a strategic plan, which is going to take them at least a year. So it does not make any sense to try to bring those sections forward until they get some new information from those groups.

- Phasing and Clustering has died. They are not doing anything else with it. On the other hand the Mountain Overlay District has gone beyond the original recommendation from the committee. Now the Board is looking at that plus the possibility of whether parts of it can be expanded to the entire rural area.

- Staff has deferred work on the critical slopes and the overlot grading because they are trying to see where they are going on the MOD materials. Whenever they make those changes they will do the changes to the development area and the MOD and everything altogether. If they are going to change this section, they should do it at one time.

- There are some new initiatives that the Board has expressed interest in. Those initiatives include the following:

    - The Development Review Task Force Implementation
    - Transferable Development Right proposal (This will be a very big undertaking and require a lot of staff time.)
    - Other Rural Area Protection Strategies
    - Sustainable population projections and correlation to the master plans (This is possibly looking at the capacity of the land to hold development.) In discussing the concept of priority areas within master plans, the concept of developing sustainable population projections that would be used for master plans and future Rural Area planning. In reviewing this concept, the essential first step would be to reach agreement on assumptions/standards that would be used for developing such as projection. Staff also notes that no other communities have been found that use this approach. Thus, the County would be inventing an entirely new process. Staff believes that drafting those assumptions could be done by a Board appointed committee with minimal staff involvement but the process of incorporating this work into the Comprehensive Plan would be a major undertaking. Applying those assumptions to the master plans could be done as a routine part of master plan review or development once it was in the Comprehensive Plan.

  In general, the Planning Commission felt that this was a very intriguing notion, but it looks like it could use a little better definition if they are serious about moving it forward in trying to understand what they are going to do.

    - Green Building / Sustainability Initiatives. This concept was discussed with the County Board at a September 13th work session. Staff is currently working on three areas: 1) documenting existing County efforts, 2) exploring how to facilitate stronger interest in green building with the development community, and 3) exploring how to improve communication

and understanding with respect to green building efforts. If there is interest in expanding beyond that effort, staff believes it may be necessary to prioritize this work against other initiatives.

- Enhanced Erosion & Sediment Control Program. Several Board members have expressed an interest in how the County's Erosion and Sediment Control program could be improved. Staff has been investigating possible strategies. A higher level of protection will require additional resources, by the County and/or developers, as well as raise construction costs. As such, staff anticipates these initiatives would require significant resources to adopt and implement.

- Cash Proffer Policy. Staff noted from the April discussion that a proffer policy was among the initiatives postponed for consideration. Since then, the Board decided the Fiscal Impact Committee could initiate work in this area by developing a better understanding of impacts related to development. To date, staff's involvement in this effort has been minimal. The next step of developing a proffer policy and adopting it into the Comprehensive Plan would require significant staff resources.

That is a summary of the new things that have come up since April. He asked if the Commission has any other items.

Mr. Craddock questioned the County policy on existing businesses cutting off interconnection on private property against the benefit of the public. He noted several cases that have occurred on Pantops such as Carriage Hill and questioned the County's commitment to this problem.

Mr. Edgerton suggested that there be a stronger proffer policy on interconnectivity.

Mr. Zobrist noted that there was one area in the erosion area that staff could do something about. On any site plan approval staff makes sure that they have all of the necessary easements. But, there is no easement on the water or drainage issues onto the neighbor's property. Staff just looks to see if they meet the minimum levels on the erosion and not how much water is dumped onto the next property. It should be incorporated into the erosion control process a mechanism to make sure that people are not dumping water onto their neighbors that they are not allowed to.

Mr. Cannon asked staff to pinpoint in the work program where attention will be given to moderating or curtailing future growth in the Rural Areas. He asked that get focused on one or more of these projects that they are doing. He suggested that the Commission have a list to concentrate on to explore other options or tools to be used to protect the Rural Areas.

Mr. Zobrist suggested that more agricultural land be put into easements. He suggested that the public needs to be educated in order to understand the benefits.

Mr. Strucko suggested that the Commission give some consideration to communicating with the Board directly in coming up with some policy directions that they suggested that they engage in.

The Commission discussed how to focus on County wide issues with the Board at the upcoming follow-up work session regarding the Mountain Overlay District on items to help limit growth in the Rural Areas. There are many other things except those concepts in the Mountain Overlay District that could be used as tools. The question was whether these regulations from the MOD could go to the Rural Areas in general.

Mr. Cilimberg noted that all of the concerns discussed were in their lists and were in the strategic plan for the County. So the question is how quickly they can get to each one of them within the framework of the resources available. He felt that the Commission was saying that they feel that the Rural Area in general is a priority. So those things related should be a priority.

Mr. Graham reiterated that what he heard and what he would like to communicate to the Board is that the Planning Commission has a very strong interest in making Rural Area protection the highest priority and that is where the emphasis for the work plan should go.

The Planning Commission agreed with Mr. Graham.

Mr. Strucko said that he would like to get more specific in how they should get there. The Planning Commission, as an advisory body, should be willing to say that they think the Board should: strengthen the critical slopes ordinance, the stream buffer ordinance, change the ACE Program priorities and require erosion and sediment control plans. He would like to provide a list to the Board of those specifics and say that the Commission thinks this is direction that the Board should at least consider.

Ms. Joseph felt that the specifics could be given to the Board with the understanding that they have to be vetted by the community first by receiving public input. The Commission needs to listen to the public's input first and possibly make some adjustments on various issues such as the green buildings.

Mr. Edgerton felt that Mr. Strucko's list were items that staff deals with on a daily basis. He supported the Commission coming up with a shopping list that they want the Board to consider. He asked that the Commission help staff carry the message to the Board.

Mr. Cilimberg felt that the Commission has arrived at some points of having made some pretty clear recommendations. One of them may have been dismissed to date. But, he thought they could take the opportunity to reemphasize when they are sitting with the Board those things that they think are important. The Commission can confirm those aspects of the Mountain Overlay that they feel are very important.

Mr. Edgerton asked the Commission to pass a resolution to pursue a green building initiative in the Comprehensive Plan. He knew Sean Dougherty has been working on

this. He made the suggestion on November 28 that they pass a resolution. The Commission has the authority to do that. He went to Dennis Rooker last spring and got on the September agenda. In September he suggested directly to the Board that they consider adopting a resolution to amend the Comprehensive Plan to follow the City's and the University's lead. There seemed to be enthusiasm in the room, but they seemed too busy to do it. He asked that the Commission support his motion to move ahead to more fully develop an amendment to the Comprehensive Plan to integrate green building as the preferred standard in Albemarle County. Personally, he was willing to work with staff and help write this amendment to bring to staff and the Commission for consideration.

Ms. Joseph asked if there was any other further discussion.

Mr. Zobrist noted that he would have to defer until he had a chance to speak with Supervisor Wyant.

Mr. Edgerton noted that all he was asking for is to come up with a draft for a comprehensive plan amendment, which will then be considered by staff, the Commission and the Board. They are not adopting anything; he just wanted the Commission to start working on it.

Mr. Zobrist said that he would support it.

Motion: Mr. Edgerton moved, Mr. Morris seconded, to pass a resolution to say that the Commission wants to pursue a green building initiative and plan to incorporate a green building policy in the Comprehensive Plan. The Commission requested staff to draft a comprehensive plan amendment to start the process and offered their assistance.

The motion carried unanimously (7:0).

Old Business:

Ms. Joseph asked if there was any old business.

- The next MOD work session with the Board is January 10 from 3:00 until 5:00 p.m.

- There will be several 4:00 p.m. work sessions planned on Places 29 for January 16 and January 30. Staff will email these two dates to put on your calendar as planned work sessions at 4:00 p.m.

- The election of officers will be held at the January 9 meeting. A suggestion was made that the Commissioners should consider re-electing Marcia Joseph as Chairman.

- The Planning Commission will not meet on December 26, 2006 or January 2, 2007.

- The next Planning Commission meeting will be held on Tuesday, January 9, 2006.

- Last week the Commission reviewed and rejected the notion of access being provided for the expansion of Glenmore through Running Deer Subdivision. There was some concern whether Running Deer was going to be used as access. The Commission made a decision not to do that. Since that date there has been at least one conversation by a member of Glenmore with VDOT regarding not having Running Deer as an access. Their belief is that VDOT would want to see that. That was not in any preliminary comment that staff every got from VDOT. Staff wanted the Commission to be aware of that. This was a mistake on staff's part because they should have given the Commission VDOT's comments even though they were not even speaking to any of that issue. They did not have that in the Commission's packet. The VDOT's comments strictly addressed what was internal and coming out the gate essentially. The question of Running Deer was not in front of VDOT and they have not analysis it, but responded to a member of the public who talked to them. If they get follow up communication on that he wanted the Commission to be aware of it. The Glenmore resident spoke with Joel DeNunzio of VDOT who said that VDOT would recommend that access be through Running Deer. Staff wants the Commission to be aware of this confusion.
- The Commission thanked Ms. Joseph and all staff, particularly Mr. Cilimberg, Mr. Benish, Mr. Graham, Mr. Kamptner and Ms. Taylor for all of the good work done this past year.
- Mr. Edgerton passed out information regarding the preliminary proffers Mr. Blaine submitted on the Fifth Street Avon Street at a work session a couple of weeks ago. He supported Mr. Blaine's offer to go for CORE approval, but wanted the Commission to be aware of a number of things that the proffers do not address that the CORE requires before certification is given. The score sheet lists the CORE requirements to show how far away the proffer offer was from getting the certification. (Attachment)
- Request made that Commissioners consider reappointing Marcia Joseph as Chair and Cal Morris as Vice-Chair at their next meeting.

There being no further old business, the meeting proceeded.

Adjournment:

With no further items, the meeting adjourned at 9:15 p.m. to the Tuesday, January 9, 2007 meeting at 6:00 p.m. at County Office Building, 401 McIntire Road, Auditorium, Charlottesville, Virginia.

V. Wayne Cilimberg, Secretary

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