Albemarle County Planning Commission
October 23, 2007

The Albemarle County Planning Commission held a meeting, work session and a public hearing on Tuesday, October 23, 2007, at 6:00 p.m., at the County Office Building, Lane Auditorium, Second Floor, 401 McIntire Road, Charlottesville, Virginia.

Members attending were Jon Cannon, Bill Edgerton, Calvin Morris, Vice-Chairman; Marcia Joseph, Chairman; Eric Strucko; Duane Zobrist and Pete Craddock. Julia Monteith, AICP, Senior Land Use Planner for the University of Virginia was present.

Other officials present were Lee Catlin, Community Relations Manager; David Benish, Chief of Planning; Wayne Cilimberg, Planning Director; Judy Wiegand, Senior Planner; Elaine Echols, Principal Planner and Greg Kamptner, Deputy County Attorney

Call to Order and Establish Quorum:

Ms. Joseph called the meeting to order at 6:03 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 to the next item.

Items Requesting Deferral:

ZMA2007-00007 McCauley Crossing aka Mermac Crossing (Sign # 66)
PROPOSAL: Rezone 3.198 acres from R-1 zoning district which allows residential uses and 1 unit per acre to Planned Residential (PRD) zoning district which allows residential (3 - 34 units/acre) mixed with commercial and industrial uses for a total of 32 units.
PROFFERS: Yes X No
EXISTING COMPREHENSIVE PLAN LAND USE/DENSITY: Urban Density Residential - residential (6.01-34 units/acre) and supporting uses such as religious institutions, schools, commercial, office and service uses in the Hollymead Community.
ENTRANCE CORRIDOR: Yes____No__X__
LOCATION: 3226 Proffit Rd, Earlysville, VA 22911, property is on the south side of Proffit Rd, approximately 1,000 feet east of US 29 in the Hollymead Community.
TAX MAP/PARCEL: 32-35
MAGISTERIAL DISTRICT: Rivanna
APPLICANT REQUESTS DEFERRAL TO DECEMBER 4, 2007.
(Judy Wiegand)

Ms. Joseph noted that the applicant has requested deferral to December 4, 2007 for ZMA-2007-00007. She opened the public hearing and invited public comment. There being none, the public hearing was closed and the matter before the Commission**.**

Motion: Mr. Morris moved and Mr. Strucko seconded, to accept the applicant's request for deferral of ZMA-2007-00007, McCauley Crossing aka Mermac Crossing Park to December 4, 2007.

The motion passed by a vote of 7:0.

Ms. Joseph said that ZMA-2007-00007, McCauley Crossing aka Mermac Crossing Park was deferred to December 4, 2007.

Mr. Zobrist asked Ms. Joseph to introduce the Boy Scout's present.

Ms. Joseph invited the Boy Scouts present to come forward and explain why they are here.

Brian Beasy, Travis Mesland and Justin of Boy Scout Troop #102 of Ivy Creek Methodist church said that they were present as part of their work on the Citizenship in the Community Badge.

Work Sessions:

The Planning Commission held a work session devoted to public comment on the draft Places29 Master Plan, Chapters 1 – 6. (Judy Wiegand)

Chapter 1. Introduction
Chapter 2. Vision & Guiding Principles
Chapter 3. Existing Conditions
Chapter 4. Place Types
Chapter 5. Future Land Use & Transportation Framework
Chapter 6. Community Facilities and Services

If time permits, following the public comment work session, the Commission will continue its review of Chapters 5 and 6.

Lee Catlin noted that the Places29 work sessions to date have all included the opportunity for public comment. They want to pause at this point in the process and allow the public to react to anything that they have heard, seen or thought about regarding Chapters 1 through 6. The primary purpose of this evening is public feedback. While they will not be responding to every individual comment or concern that is raised they will be recording all of those and will expect that anything that the Commission hears that they specifically want to see addressed will be brought to their attention after the public has their opportunity to speak. If there is enough time after the public comment session the Commission would like to finish the end of Chapter 5 and move into Chapter 6. They have not had a chance to cover that material yet. If time permits they also want to go back to several of the outstanding issues from Chapter 5 that they have additional information on in hopes of getting those wrapped up tonight. Staff wants to pause and thank the Commission and public for their participation in this process.

Ms. Joseph invited public comment from the persons listed on the sign up sheet.

Katie Flippin, Land Use Attorney with Williams and Mullins, pointed out that she worked with Valerie Long. They have a few comments that are based on their experience working with the draft of Places29 representing clients who own land in the Places29 area as well as representing other developers in this region. They appreciate the opportunity to make these comments.

- For the benefit for transportation they would like to see the area to the south and west of Route 29 be added to the Hollymead Neighborhood Development area. There are a number of benefits including the Berkmar Extended Road, which would be placing the road in the hands of the developers rather than in the hands of the taxpayers as far as the building of the road. The road is an important connector and is immediately adjacent to existing public infrastructure. Therefore, they feel it would make sense to go ahead and add this to the development area.
- The alignment of Meadowcreek Parkway should be shown on the plan to prevent any sort of future questions that may be raised regarding the alignment of the Meadowcreek Parkway.
- They would like to see an interconnection between the park systems. It appears that currently Places29 focuses on the pocket parks. They would like to see a connection of all of the parks along the Rivanna in addition to the City parks.
- There is an issue with R and D Flex land, which is shown as dark purple on the maps. The primary purpose is to be designated as flex land, but yet some of the proposed uses for the land don't really indicate flexibility. They would like to ensure that the proposed uses are actually flexible whether it is office, manufacturing or sales or a combination of all of them to everyone.

Morgan Butler, representative for the Southern Environmental Law Center, supported the general framework emerging. The better links, transportation and land use along this important corridor advances the long term strategy the county has been promoting along 29 North for decades. In particular, they

support the following goals of the draft plan:

- The goal to developing a specific recommendation outlined in the 29H250 Study by coupling improvements to key intersections along Route 29 with a more extensive road network they believe is critical. This strategy should be extended to the northern portion of the corridor. They cannot over emphasize the importance of the grade separated interchanges at Rio and Hydraulic Roads.
- Secondly, implementing a detailed access management plan of the entire corridor would allow them to get more out of the infrastructure that already exists.
- Third, they support the goal of improving the character of the corridor by limiting footprint sizes for new office and retail buildings. As Chapter 5 points out the plan should encourage the development of more creative and higher quality retail uses. The outdated retail form they see along much of the 29 Corridor today rapidly chews up open space and forces people into their cars. They strongly support a plan that encourages a more forward looking model.
- They would like to raise a few concerns tonight. First, because most of the parallel road network is now being represented by a single continuous route along the western side of the corridor it is even more important that this road be designed as a low speed local road to deter through trips. Two lane and in limited places three lane sections should be considered for this road including where it goes over the proposed Berkmar Bridge. Second, they do see some logic in using a very conservative estimate of transit when testing the overall transportation network. However, a more optimistic transit scenario should still be modeled and its results discussed in the master plan so that the public can see the benefits of the land use patterns that the master plan is promoting. Third, in a memo dated to staff dated September 18 the consultants once again made clear that projects already approved along 29 eat up most of the county's retail capacity through the year 2015. As they pointed out before this analysis does not include nearly one million square feet of retail approved in the North Pointe and Hollymead Area A rezonings. Looking ahead the implementation chapter must include a strategy that addresses the situation and make clear that no large retail rezonings are needed in the corridor for at least the next decade or longer.
- They applaud the decision the Commission made at their last hearing on the master plan to reject the new destination retail center just north of the Rivanna River.

Henry Wineschenk, a county resident and owner of a business located at the intersection of Route 29 and Zan Road, noted that he was also a member of the Board of Directors of the North Charlottesville Business Council, which is part of the local Chamber of Commerce. He noted that his remarks were his own. Places29, in his opinion, has been a mixed bag.

- While he applauds the idea of coordinating land use and road planning and the concept of parallel roads, such as Berkmar Extended and Hillside Extended, he was very concerned about the proposals that include grade separated interchanges on Route 29. He finds this to be in total contradiction with the concept that Route 29 shall remain "Albemarle's Main Street". Grade separated interchanges do not belong on a commercial boulevard. They belong on parkways, Interstate Highways and other limited access roads, such as expressways. They definitely do not belong on Route 29, unless the objective is converting our current Route 29 into the limited access – interstate like- highway that other cities in our state are clamoring. In effect, this is putting the "bypass" on 29. Places29 clearly shows grade separated interchanges at Hydraulic Road and at Rio Road. In both cases they are shown as what they call under crossings. This means excavating the current roadway up to 25' deep and completely blocking traffic on the current roadway through construction lasting several years. This blockage will extend about a quarter of a mile on each side of the intersection.
- In order to maintain traffic during construction virtually a new 29 will necessarily have to be built on both sides of the current roadway extending inland to 50' to100'. Only doing so will traffic keep moving. The impact of this new roadway almost a mile long at each intersection will eliminate dozens of business. He superimposed this new roadway on an aerial photograph to better illustrate what the impact is. (See Attachment A – Places29 Comments by Henry F. Weinschenk – dated October 23, 2007)
- The only idea that comes to mind to maintain traffic during construction is the possibility of tunneling under the existing roadway by depressing Hydraulic and Rio. It would still be highly destructive to many businesses. But, the impact would be less than the current proposal. He

was not sure if he could support this alternative either, but at least it is an alternative worthwhile analyzing. The intersection of 29 and Hydraulic has been previously studied twice by outside consultants, once by a firm for the city (Torti Gallas) and once by a firm for the MPO, as part of the 250H29 Study. In both cases, the consultants proposed tunneling under 29.

Jim Plotkin, representative for Albemarle Square Shopping Center, asked to provide comments about the grade separation at Rio Road and Route 29. He had met with the transportation people several times and discussed the plan and reviewed it in detail. Even if they were to be attracted by the various features of that plan, which envisioned Albemarle Square being transformed into a multi-tenant, multi-story mixed use urban project, it is very difficult on a day to day basis to see how that transition would be anything other than negative in terms of its impact on more than 30 retailers at Albemarle Square. Albemarle Square includes several chain stores, but mostly small business men who have built their life savings in many cases into building their small businesses. He feared a melt down of that particular suburban shopping center due to the impact from the road construction. In response to the transition he feared when leases expired that tenants would either relocate or simply go out of business. There are many aspects of the plan that might be favorable for parts of the Charlottesville community, but he was obliged to address the impacts on this particular part of the Route 29 corridor. In conclusion, he felt that it would be very detrimental to the future of most of the small businesses at Albemarle Square particularly in the short run.

Wendell Wood asked where they stand on the portion of the plan south of Hollymead Town Center, which they took out at one point to study.

Ms. Joseph referred Mr. Wood to the staff report noting that this time was for public comment.

Mr. Wood pointed out that the consultant requested and thought that it would be a good idea to put that in the plan south of Hollymead Town Center. He said that in all of the meetings he attended the public supported the southern portion of that being put in. He thought that it was a key ingredient to Berkmar Drive Extended. He hoped that the Commission would put some thought into that concept.

Ms. Joseph noted that the Commission has not discussed that yet.

Carter Meyers, resident of Albemarle County, said that his comments related to the transportation element of the Places29 Plan. He presented a letter to the Commission to document issues that he saw with many of the transportation elements of the Places29 Master Plan. He was shocked by some of the routes that were designed in the plan and the lack of reality in some of the plan design. He distributed copies of the letter addressed to Mr. John Davies dated April 16, 2007 that addressed some of the issues he saw in this plan. He questioned how anyone could support the transportation element of the plan. (Attachment B – Letter dated April 16, 2007 to Mr. John “Butch” Davies III from H. Carter Myers III)

Ms. Wiegand presented a Power-point presentation and reviewed the memo to the Planning Commission dated October 16, 2007 from staff. The purpose of the work session is to continue with Commission review of Chapters 5 and 6 and provide an opportunity for the Commission to ask questions and provide direction to staff. She began with a several items at the end of Chapter 5 that they were not able to reach. They began on page 30 on the plan, which was addressed on page 4 in the staff report. (See Attachment C - Power-point presentation; Attachment D - Memorandum addressed to Planning Commission from Judy Wiegand dated October 16, 2007 and Attachment E – Memo addressed to Judy Wiegand from Thomas Kronemeyer and Phil Erickson, Community Design + Architecture dated October 28, 2007 regarding Number of Destination Centers)

The Planning Commission held a discussion on the questions posed by staff in the staff report and Power-point presentation and provided comments as summarized below:

- The Commission provided direction to staff that they are sensitive to the level of specificity and concern people might have about individual properties, but don’t want to lose the total value of the photo-simulations in terms of what they help people visualize. Staff should take another look at that to save the value of the photo-simulations without getting to a place where people feel like this plan has absolute concrete expectations for a specific piece of property. The photo-

simulations are just a way to help people envision the vision and not a mandate.

- The Commission liked the idea of having the section in that describes what small area plans are and what they need to do. But, at this point they would like to take out the specific references to places knowing that when they get to Chapter 8 to implementation they may want to reconsider that. The Commission wanted to withhold that judgment until they get a chance to see the implementation in the priority areas. An example of the small area plan would be helpful. A wonderful example to use would be the schematics of Riverside from Pantops, which shows how that area might be developed and work with future linkages with the city and the greenway trails.
- Regarding the Parks and Green Systems Plan the Commission asked that consideration be given for parks other than at schools; other park locations to be considered with other proposals; possible interconnections be shown between the parks as proposals; be specific about putting in bike paths and having a right-of-way that is cheaper than building a road and consideration be given to a bike and pedestrian bridge across the Rivanna River.

Chapter 6 Community Facilities and Services –

Should some type of public open space be provided on the east side of the Piney Mountain?

- The Commission agreed that it was a good idea to look for some type of public open space on the east side of Piney Mountain.

Mr. Benish noted that the focus of the Comp Plan would be to identify the need for that type of facility. How it is acquired either through a county acquisition or through a development proposal process is really subject to the next step. There is no public land available at this time.

Does the Commission have any additional comments or direction for staff on Chapter 6 Community Facilities and Services?

Mr. Edgerton asked to see some effort made in utilizing any of the public facilities that they have in more flexible ways due to limited budgets. He suggested that school facility resources could be made available to the community in the evening hours when they were not in conflict with the school operation. He suggested adding wording in the Comp Plan that would encourage the maximum utilization in flexibility of the facilities that could benefit the community and save the county from making other expenditures for duplicate facilities.

Mr. Strucko agreed and asked to add a suggestion in the same vein consistent with their charge as a Planning Commission to ensure that the growth of the community is consonant with efficient and economical use of public funds. In the section on Fire and Rescue Service he was hoping that the Commission would consider adding language that Albemarle County continues to develop fire and rescue services in cooperation with the volunteer services that are already in place; that this master plan and other plans look to leverage the existing stations that are in this particular area in lieu of constructing new and expensive facilities when they may not necessarily be needed, and also to serve as a support role to supplement the existing volunteer fire and rescue squads that service this area now. That will go a long way in affecting public resources in making sure that the volunteer tradition in fire and rescue services continues in Albemarle County and they sort of plan for that in a document that has a multi-decade time horizon.

Mr. Morris agreed that was an excellent idea.

Ms. Catlin noted that the Commission had gone through Chapters 1 through 6, but had some items to circle back to.

Mr. Strucko borrowed a computer in order to provide specific language to be added in Chapter 6, page 9 of the Places 29 Framework Plan in the last paragraph in the Fire and Rescue Services section.

The Planning Commission took a break at 7:21 p.m.
The meeting reconvened at 7:36 p.m.

Ms. Wiegand noted that regarding page 54 staff heard the Commission's request for Transit Ridership

Goal to increase transit ridership above the 2 percent that the model suggested as possible. Strategies will be included to implement that goal, which will be in the next version of the plan. Harrison Rue with our transportation consultant is drafting the language. Mr. Rue due to medical reasons is not present tonight.

Ms. Wiegand continued with the Power-point presentation regarding industrial designated land. (See Power-point Presentation – Attachment A) The issue that the county is facing is whether they have enough Light Industrial land that is both designated in the Comp Plan and zoned LI. Ms. Stimart did an analysis of what is currently designated in the Comprehensive Plan as Industrial Service, zoned Light Industrial and is vacant. At the present time in Places29 there is 111 acres. Subtracting the vacant land there is a little over 400 acres. It is a fairly small amount

Mr. Strucko asked of the total area being considered on Places29 what percentage is the 411 acres. He wondered what proportion of the land mass it is.

Susan Stimart noted that she did not look at the acreage for Places29 specifically. But, for county wide that is .05 percent.

Mr. Benish noted that some of this acreage is outside of the designated growth area.

Mr. Edgerton questioned how they could resolve this issue.

- The Planning Commission asked for more specific recommendations from staff on the adequacy of LI land and potential places where it could be re-designated.

Ms. Monteith asked in addition they should think about addressing the point that it was not just the total number of acres of land, but was the parcel size of the pieces that are generally available and how do they deal with that. It is not just a percentage issue.

Mr. Benish noted that the other way to address it is the flexibility of the land designation itself to allow for a variety of uses. He did not want to dilute the point that straight out LI zoning tends to remain the more affordable useable land. That is the particular issue that they are trying to focus in on here. They have a fair amount of research and development that allows for some uses. But, they want to make sure that there is enough flexibility in the market for those facilities and services that need to be in the area. They are looking to make sure they are not off the path if they continue to pursue this and bring back information for the Planning Commission.

- The Planning Commission asked to discuss this matter further after hearing from staff

Ms. Wiegand moved to the next section on the Framework Map: Requested Change on TM 32-33 and 32-34. The applicant had requested a change in designation that would either allow office or mixed use or expand the Community Center proposed between Worth Crossing and US29 to include the property. At the last work session on this item the Commission felt that this should stay Urban Density Residential. Staff has since heard that the applicant is working with the current developer of a parcel in this area. Therefore, staff is trying to get this coordinated.

Does the Commission continue to feel that the current Framework Plan appropriately designates these parcels?

- The Planning Commission agreed that the current Framework Plan appropriately designated these parcels.

Ms. Wiegand moved to the next section on the Framework Map on the west side of Route 29. The current Comp Plan designates it as Industrial Service and Place29 would have it be a Neighborhood Service Center and Urban Density Residential. The request was to turn this into a Designation Center to permit development of a large footprint retail store, with surrounding retail and mixed use. The applicant is offering to construct a significant portion of Berkmar Drive Extended, including possible funding for all or

part of the bridge over the South Fork of the Rivanna River. At the last work session the Commission indicated they were generally in support with staff's feeling that it should remain as it is now.

Staff wanted to bring it back because the Commission has asked for some additional information on the number of Designation Centers that the consultants had envisioned in Places29 and what they were. Also, the Commission wanted more information on smaller retail businesses, particularly grocery stores. The consultants have provided an analysis of the potential for smaller retail and their explanation on why they feel that small retail is a feasible option in this area and in the rest of Places29. That is in the memo attached to the staff report.

Staff also distributed a memo from the consultant regarding the number of Destination Centers proposed for Places29 currently. One is at the South Fork of the Rivanna and the others are in the north area. The center proposed for this land use destination change for the applicant would be the fifth if it were added to the Framework Map. Staff asked the consultant to consider this along with the next request for expansion of the development area boundary at the south end of Hollymead. Staff heard the Commission's recommendation against this at the last meeting. Staff went back and looked at inducements to encourage private sector contributions for Berkmar Drive Extended and the bridge. Berkmar Drive Extended and the bridge are a vital and integral part of the proposed transportation network and staff feels that they are likely to be among the very first improvements that are recommended once the plan is adopted. Private sector contributions really are essential for at least part of these roads. Staff explained four general ways to encourage the private sector contributions. Three of them are land use related, which are in the province of Chapter 5 and the future land use map. The fourth one involves funding mechanisms that are more implementation related and so would be more in the province of Chapter 8, as noted below.

Land Use Map related:

- Boundary expansion, as initially proposed
- Destination Center, as proposed by applicant
- Smaller expansion area – in combination with Destination Center or a reduced version of it
- Smaller expansion area – in combination with Destination Center or a reduced version of it

Funding Mechanisms are implementation related:

- Existing and new funding options

Does the Commission continue to feel that the land use designation for the applicant's property should remain as proposed in the Framework Plan and that the Hollymead – South boundary expansion should not occur?

Mr. Zobrist asked to add a fifth option to say this is the preferred use based on minimal expansion of the development area provided that the infrastructures could be met by proffers. He did not want to lock into this, but to make it a secondary choice to be available and not be precluded.

Ms. Joseph and Mr. Strucko did not support a boundary expansion.

Mr. Morrris said that he was intrigued by option 3 and felt it should be discussed further.

Mr. Edgerton said that he wanted to learn more about the fourth option. If getting money for this bridge involved putting in a big box development he would be adamantly against that. If that is being offered he felt it was contrary to everything in this plan. He suggested that the Commission hold firm on that.

Mr. Strucko agreed with Mr. Edgerton.

Mr. Zobrist noted that the fact that it will take 20,000 vehicles per day off of Route 29 is very impressive.

Ms. Joseph said that she had nothing against the road, but the concern is how they will get it there.

Mr. Zobrist said that they should not destroy the flexibility. It is an interesting concept to consider.

Mr. Morris suggested that staff continue looking at option 3 as they go forward. He noted that reality demands that they do this.

Ms. Catlin reiterated that she heard very strong feelings from four Commissioners who said realities might dictate something in the future by a decision of the Board of Supervisors, but from their perspective they could not support a boundary adjustment or a re-designation at this point.

Mr. Strucko agreed, but would express it a little stronger since he was not in favor of expanding the boundary area as a matter of principle.

Ms. Catlin reiterated that she heard Mr. Morris and Mr. Zobrist pushing for the possibility of a little bit more flexibility.

Mr. Craddock agreed with Mr. Morris and Mr. Zobrist for the possibility of more flexibility. He did not want to see it changed now. But, the Board has already said that one of their issues was Berkmar Bridge. Therefore, they will have to take a look at it when it comes up.

Ms. Catlin asked if it was accurate to say that the feeling of the majority of the Planning Commission is that their recommendation is that they support no growth area expansion and do not support a re-designation of this area.

Ms. Joseph agreed that it was the majority, but there was some descent.

Mr. Zobrist disagreed in that he felt that three Commissioners support flexibility and three don't. He noted that he would not support expansion right now. He said that they need to have the flexibility to look at this and let the development community know that they would look at it seriously to change it in the event that proffers are adequate to defer the infrastructure costs.

Mr. Strucko noted that flexibility always exists. Someone could come in and want to rezone Rural Area land to Highway Commercial or Light Industrial and make their case. There is a degree of flexibility that exists.

Mr. Kamptner sensed that they would accept a request for an amendment to the Comp Plan on a project specific basis. That is how he was interpreting the desire for flexibility. They are not interested in amending the Comp Plan as part of the Places29, but they were indicating that they would be open to a Comp Plan amendment that is more parcel or project specific.

Mr. Morris agreed.

Mr. Edgerton said that speaks exactly to what Mr. Strucko is saying because that opportunity is always there.

Ms. Catlin suggested adding a statement reaffirming that is always a possibility.

Mr. Edgerton said that if someone had a creative idea to amend the Comp Plan they could come in for a Comprehensive Plan Amendment. Once they had that, then they could apply.

Mr. Zobrist asked to make sure that option is not precluded by the methodology.

Mr. Strucko noted that the whole purpose of the designated growth area is to utilize the existing development area effectively and that expansion is not accomplishing that. It is sort of counter to what they are trying to do with the Master Plan.

Mr. Edgerton added that it also was compromising the design guidelines of the Neighborhood Model.

Mr. Cilimberg noted that in fairness of the land owner that he has made a request that the Commission decided to take up as part of Places29. He assumed that the Commission did not believe that the level of information that has been provided on a project specific type request warrants a change now. There was

a request made by Mr. Wood for a Comp Plan Amendment that was essentially injected into the Places29 process and now the Commission was saying that they did not want to make the change based on the information that they have seen. They certainly don't foreclose the possibility of the request returning with a higher level of detail and information.

Mr. Craddock agreed that was correct.

Ms. Catlin asked to summarize to make sure they had the sense of what everyone was saying. The idea was that at this point the Commission does not support the growth area expansion or re-designation. But, the Commission wants language in there that somehow indicates the consideration of a Comp Plan Amendment coming forward that is more project specific that would be evaluated on its merits at the time it was submitted.

The Planning Commission agreed with Ms. Catlin's summary.

Ms. Wiegand moved to the last item regarding the Piney Mountain – Southeast Expansion request. The Commission asked staff to go back to the consultants for some additional information on the reasons they chose to include this area of the NGIC facility. Staff included the additional information in Attachment C of the staff report. The attachment basically says that from the specific need for residential or office space there is no real need to include this area because there is already enough in the Places29 area. Staff did not have the specific information regarding the proposed NGIC facility. She asked for the Commission's direction about this proposed expansion.

Ms. Joseph noted that the report was clear that what NGIC wanted to do they could do it within the existing designated growth area. Due to the fact that there are environmental constraints to the proposed addition she felt that they made it very clear that this should not be included and she agreed.

Mr. Strucko, Mr. Edgerton and Mr. Craddock were not in favor of expanding the growth area.

Mr. Zobrist asked that they put the same language in that if NGIC comes back to the Commission that they will entertain the proposal. NGIC are a major employer and major economic source for our community. Therefore, they need to be supported where it is reasonable to support them.

Mr. Strucko agreed, but that they need to accommodate local policy as well.

Mr. Morris said that he would like to hear directly from NGIC.

The Planning Commission was not in favor of expanding the growth area for the Piney Mountain – Southeast Expansion.

Mr. Benish pointed out that NGIC is a federal facility and does not need to come back for a Comprehensive Plan Amendment. It would be more of a situation if their decision were to go outside of the boundary that they would decide whether they want to acknowledge that and bring that in with what their ultimate development would be.

Mr. Strucko suggested the following language to insert into this document in Chapter 1. He noted that the language came from his reading of the Albemarle County Rural Area Plan in the Comp Plan. This language is lifted from page 7, which is also cross referenced on the Land Use Plan on page 3 amended in 2002.

- From the very beginning to loss of rural sources is irreversible as noted on page 7 he suggested the following language: Growth Area Master Plans, such as Places29, should outline development approaches that would take place only in conjunction with Rural Area preservation policies. Then add in remainder of language directly from page 7 of the Albemarle County Rural Area Plan.

Mr. Strucko noted that basically this was saying that it would be the intent of Albemarle County to look at developing the designated growth areas in conjunction with strong Rural Area preservation policies. This

language is broad enough not to be too specific with any proposed ordinances that were considered. However, the point he wanted to make here was that they do both in conjunction of each other. That is consistent with what is in the Comprehensive Plan. He would like it reiterated in Places29 as well.

Mr. Edgerton asked that he put a new paragraph in after irreversible.

- The Planning Commission supported Mr. Strucko's proposed language to be inserted into the document.

Ms. Catlin asked for other comments.

Mr. Edgerton suggested that next time it would be helpful to have large legible maps showing the green systems and getting some of the language linked to the drawings and diagrams.

Ms. Catlin reiterated tonight's comments.

- They started with discussions about opportunity sites. The Commission was given a list. Staff did not hear any additions or changes to that opportunity site list. They talked about the specific examples that were used. They agreed that not to get down to specific details on existing sites using existing names. But, the Commission wanted staff to take a look at how they could use the photo-simulations to quantify a little bit better what they represent and clarify the purpose of them so that their impact was still used, but not that it would make people anxious about this being exactly what would happen on specific pieces of property in the future. Where possible stress the expectation of the plan that this is how re-development should happen over time as opposed to a forced choice kind of thing that made people uncomfortable about their property.
- They talked about the areas that were recommended for the future small area plans. They liked the general discussion about those and the justification on why they were important. The idea was that at this point to take out the specific references to mid-town and up-town and keep it general in nature in this place realizing that after they talk through the implementation chapter some areas might just emerge that very strongly needed a small area plan. They might go back and put something in here at that point. Right now they wanted to keep it without specific geographic reference or take the circles off the map.
- The idea on the parks and green system plan – The Commission wanted to point out the need to consider other reasonably sized parcels for parks; the idea of the interconnections and showing those park interconnections to make sure that is demonstrated; the idea of more clearly highlighting the concept for bike paths that connect the Hollymead Forest Lakes area to some of the in town locations like Belvedere; and that the new soccer area and some existing bike paths to the city were important. Again, if that concept is in the plan they need to make sure that it is highlighted more specifically.
- To the question of should some type of public open space be provided on the east side of Piney Mountain, the answer was clearly yes. The Commission wanted to see a reference in there to Preddy Creek even though it is outside of the development area. That should be referenced and the open space looked at in that area for possible parks.
- At that point they had some discussion about making sure that they include an effort to use existing public facilities in more flexible ways. For example, schools should be made available as community space, etc. so that there is commitment in maximizing utilization and flexibility of existing public buildings. There was a comment about fire/rescue service and the idea that the county should continue to develop services in combination with the volunteer service already in place. There was some discussion about the community facilities section of the Comp Plan and making sure that it all coordinated and referenced.

Mr. Strucko noted that he wanted to make sure that the county develops its services in support of and to supplement the existing volunteer efforts that are out there.

Ms. Catlin continued the summary, as follows.

- There was a lot of discussion about industrial property. The consensus was that the Commission wanted staff to bring back some more specific recommendations regarding the adequacy of Light Industrial and potential new locations for the designations if that seemed to be appropriate. There was a suggestion that they make sure they address the point about parcel size and

adequacy of parcel size and not just the overall percentage and where it was located. That was an important consideration as well.

- Next the map use change requests were discussed. The first one in the area of Worth Crossing and US 29 the Commission felt that the current Framework Plan already appropriately designates those parcels and did not want to see any change there.
- In the areas south of the Hollymead Town Center the Commission did not support a boundary expansion and did not support re-designation, but did want to include a statement supporting the consideration of a comp plan amendment for that area that was more project specific that would be evaluated on its merits when submitted as a possibility for the future.
- In the Piney Mountain – Southeast expansion the Commission did not support that expansion, but asked to include a similar statement about considering a comp plan amendment in the future that would be appropriate there.
- In Chapter 1 on page 1 the Commission supported Mr. Strucko's proposal of adding a second paragraph that had new language in it from the Rural Areas Plan. That language was electronically given and the Commission supported it being included in two paragraphs.

Ms. Joseph asked that the language on boundary expansion include that it needs to be a strong justification for something that will have to really support the community.

In summary, the Planning Commission held a work session to primarily receive public comment on Chapters 1 through 6 of the Places29 Draft Master Plan. Public comment was received. In a power point presentation, staff reviewed Chapters 1 through 6 and finished up Chapters 5 and 6. The Commission reviewed and discussed the outstanding issues of Chapter 5 of the Draft Places29 Master Plan, answered the questions posed by staff, and made comments and suggestions. No formal action was taken.

Old Business:

Ms. Joseph asked if there was any old business.

Discussion of reconsideration of Rural Area Policy recommendation to Board of Supervisors was discussed.

Mr. Zobrist asked that the Planning Commission relook at the issue and forward another recommendation to the Board on the Rural Area Policy since they tabled their recommendation. He noted that three Commissioners were absent on September 11 when the issue was discussed and it warranted further discussion.

Ms. Joseph felt that the Commission had worked hard on the issue for ten years, their recommendation was very clear and did not need to be readdressed at this time.

Mr. Edgerton suggested that they wait until after Election Day if they plan to reconsider it.

Mr. Cilimberg noted that the Board's action was to take action on one issue and table the remaining issues.

Mr. Strucko noted that he was doing a personal moratorium on growth area rezonings because of that. That was the only device that he personally was left with until the Board decides to take action, have a work session or kick it back to us.

Mr. Zobrist asked that the Commission make a resolution to send it back after election.

Ms. Catlin recalled that the Board discussed that before a lot of time and effort went into this there needed to be some pretty clear identification of what issues needed some further clarification, discussion or illumination before things moved forward again.

Mr. Cilimberg noted that if the Board were to refer this back to the Commission that is what staff would ask for anyway. Staff would want to know what it is coming back for the Commission to address in what they think needs to be addressed.

Motion:
Mr. Zobrist moved and Mr. Morris seconded to request the Board of Supervisors to refer the critical slopes and family division policies ordinance request back to the Planning Commission for further action consistent with clear direction or an explanation of what they need to do.

Mr. Strucko asked that the Board tell the Commission what their objections are with the current proposal. Without that the Commission cannot be sure what changes need to be made in order to be passed. Without that clarity he could not support the motion.

Mr. Zobrist clarified the motion was that the Commission requests that it be sent back with clarifications to the issues that they have problems with that they want them to look at.

The motion failed by a vote of 3:3. (Mr. Edgerton, Mr. Joseph and Mr. Craddock voted nay.) (Mr. Sturcko, Mr. Zobrist and Mr. Morris voted yes.)

Mr. Cilimberg noted that all of the Commissioners have been contacted about one element of the Neighborhood Model zoning text amendments that was actually an application initially for a zoning text change for zero lot lines. It was incorporated into the overall packet. There has been one work session and another work session is scheduled for early December. The request is if the zero lot line elements can be pulled out of the package to be dealt with separately. The applicant would like to move forward with that. In the last work session the Commission reviewed zero lot lines and indicated that if the package was getting delayed that they would be okay with the zero lot line element being forwarded separately. Staff wanted to find out tonight if that was okay. First, they would have to get a resolution of intent to the Commission for the zero lot line element. Secondly, they would have to begin working with Mr. Kamptner on the actual amendments to the ordinance language to get that to the Commission in a public hearing. It may be four months out, but would be sooner than the larger packet. He asked if that was a direction the Commission wanted to go. If so, staff will respond accordingly.

It was the consensus of the Planning Commission that the request of zero lot lines can be pulled out of the package and dealt with separately.

Mr. Cilimberg noted that staff would work on the resolution of intent to bring back to the Commission in order to move towards a hearing.

New Business:

Ms. Joseph asked if there was any new business.

- Mr. Strucko noted that on November 21 when the Commission hears the zoning map amendment for Fontaine Research Park he would have to recuse himself and leave the room since he was employed by the owner of a buiding located on the parcel.

- Mr. Cilimberg noted that next week the meeting would begin at 4:00 p.m.

Adjournment

With no further items, the meeting adjourned at 9:20 p.m. to the Tuesday, October 30, 2007 meeting at 4:00 p.m. at the County Office Building, Second Floor, Auditorium, 401 McIntire Road, Charlottesville, Virginia.

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V. Wayne Cilimberg, Secretary

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