Albemarle County Planning Commission
June 17, 2008

The Albemarle County Planning Commission held a meeting, work session and public hearing on Tuesday, June 17, 2008, at 6:00 p.m., at the County Office Building, Lane Auditorium, Second Floor, 401 McIntire Road, Charlottesville, Virginia.

Members attending were Marcia Joseph, Eric Strucko, Thomas Loach, Jon Cannon, Vice Chairman; Linda Porterfield, Bill Edgerton and Calvin Morris, Chairman. Julia Monteith, AICP, non-voting representative for the University of Virginia was absent.

Other officials present were Wayne Cilimberg, Planning Director; Scott Clark, Senior Planner; Gerald Gatobu, Senior Planner; Elaine Echols, Principal Planner; Mark Graham, Director of Community Development; Lee Catlin, Community Relations Director; Bill Fritz, Chief of Current Development and Larry Davis, County Attorney.

Call to Order and Establish Quorum:

Mr. Morris called the regular meeting to order at 6:03 p.m. and established a quorum.

Other Matters Not Listed on the Agenda from the Public:

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

Review of Board of Supervisors Meeting – June 4, 2008 & June 11, 2008.

Mr. Cilimberg summarized the actions taken by the Board of Supervisors on June 4, 2008 and June 11, 2008.

Consent Agenda:

Approval of Minutes – October 31, 2006, February 20, 2007, September 18, 2007, November 27, 2007 and January 29, 2008

Mr. Morris requested that the Commission take the first four items for 2006 and 2007 knowing that there are two Commissioners that will abstain. Then they will handle the last minutes of 2008. He asked if any Commissioner would like to pull an item from the consent agenda for discussion.

Motion: Mr. Strucko moved and Mr. Cannon seconded, for approval of the minutes of October 31, 2006, February 20, 2007, September 18, 2007 and November 27, 2007.

The motion passed by a vote of 5:0:2. (Ms. Porterfield and Mr. Loach abstained.)

Motion: Ms. Porterfield moved and Mr. Cannon seconded, for approval of the minutes of January 29, 2008.

The motion passed by a vote of 7:0.

Items Requesting Deferral:

AFD-2008-00005 Moorman's River Addition
Notice is hereby given that the Albemarle County Planning Commission will hold a public hearing to receive public comments regarding the addition of Tax Map and Parcel Number 05700-00-00-06900 to the Moorman's River Agricultural and Forestal District (Albemarle County Code § 3-222) on July 8, 2008,

at 6:00 p.m., in the Auditorium of the Albemarle County Office Building, 401 McIntire Road, Charlottesville, Virginia. The parcel proposed for addition is approximately 117 acres in size and located 1.1 miles north of the State Route 240/250 intersection on Brown's Gap Turnpike. The Albemarle County Agricultural and Forestal Advisory Committee have recommended approval of this addition. (Scott Clark) ***DEFER TO JULY 8, 2008 PLANNING COMMISSION MEETING DUE TO ADVERTISING ERROR.***

Mr. Cilimberg noted that staff was requesting the deferral of AFD-2008-00005, Moorman's River Addition because there was an advertising error.

Motion: Mr. Strucko moved, Ms. Porterfield seconded, for approval of the deferral request for AFD-2008-00005, Moorman's River Addition to July 8, 2008.

The motion passed by a vote of 7:0.

Mr. Morris stated that AFD-2008-00005, Moorman's River Addition was deferred to July 8, 2008.

Public Hearing Items

AFD-2008-00001 Carter's Bridge Renewal
Review of the Carters Bridge Agricultural/Forestal District: Periodic (10-year) review of the Carter Bridge Agricultural/Forestal District, as required in Section 15.2-4311 of the Code of Virginia. The district includes the properties described as Tax Map 101 Parcels 55A; Tax Map 102 Parcels 17A, 17B, 17B1, 17D, 18, 19, 19A, 19C, 20B; Tax Map 112 Parcels 3, 15, 15A, 16, 16C, 16D, 16E, 16E1, 16E2, 16F, 16F2, 16J, 17, 18H, 19E, 19F, 19G, 19H, 19I, 20, 21, 33A, 37D; Tax Map 113 Parcels 1, 1A, 6A, 11, 11A, 11F, 11F1, 11F2, 11F3, 11G, 11G1, 11G2, 11H, 11I, 11J, 11K; Tax Map 114 Parcels 25A, 30, 31B, 31C, 31D, 31E, 51, 55, 56, 67C, 67D, 67E, 67F, 67G, 67H, 68, 69, 70; Tax Map 115 Parcel 10; Tax Map 122 Parcels 4, 4A, 6, 7, 8, 9, 10, 12, 12N, 33, 33A, 36; Tax Map 124 Parcel 11. The district includes a total of 8,984 acres. The area is designated as Rural Area in the Comprehensive Plan and is the included properties are zoned RA Rural Areas. (Scott Clark)

AFD-2008-00002 Lanark Renewal
Review of the Lanark Agricultural/Forestal District: Periodic (10-year) of the Lanark Agricultural/Forestal District, as required in Section 15.2-4311 of the Code of Virginia. The district includes the properties described as Tax Map 90 Parcels 12, 14A; Tax Map 90B Block A Parcel 11; Tax Map 91 Parcels 21, 21A, 21B, 31; Tax Map 102 Parcels 33, 35, 35A, 35B, 35C, 37, 40, 40A, 40B, 40C; Tax Map 103 Parcels 1, 1A, 1B, 1C, 1D, 1E, 1F, 1G, 1H, 1J, 1K, 1L, 1M, 2A, 3, 3A, 3B, 3C, 3G, 5, 9, 9A, 9B, 9C, 9D, 9E, 9F, 10A, 10B, 10D, 43, 43L, 43L1, 43M, 68, The district includes a total of 5,802 acres. The area is designated as Rural Area in the Comprehensive Plan and is the included properties are zoned RA Rural Areas. (Scott Clark)

AFD-2008-00003 Panorama Renewal
Review of the Panorama Agricultural/Forestal District: Periodic (10-year) review of the Panorama Agricultural/Forestal District, as required in Section 15.2-4311 of the Code of Virginia. The district includes the properties described as Tax Map 31 Parcel 21E; Tax Map 44 Parcel 9A, 9C, 12, 12Q, 12X, 12Y, 12Z; Tax Map 45A Section 1 Parcel 27. The district includes a total of 273 acres. The area is designated as Rural Area in the Comprehensive Plan and is the included properties are zoned RA Rural Areas. (Scott Clark)

Mr. Clark presented a PowerPoint presentation and summarized the staff reports for all three requests. (Attachment A – power-point presentation)

- Staff recommends approval of the renewal for all three districts for the ten-year period.

Mr. Morris invited questions for staff.

Ms. Joseph asked if the Panorama Farm was the big piece of land taken out of the district. If so, is the property under conservation easement.

Mr. Clark replied that it was Panorama Farm, but he did not believe it was under a conservation easement. He thought that one of the reasons it was withdrawn was that the owners thought it might present a conflict with the special use permit for the bike trails.

Ms. Porterfield asked if there is any validation of these properties to show that the properties actually do fit within the perimeters of what they need to be in each of these. She asked if they validate them when they renew them for this ten-year period.

Mr. Clark replied that it is a voluntary program and voluntarily places restrictions on the properties rather than giving the owners a direct benefit. The answer is no, there is no validation, but the ability to subdivide the property is restricted based on the Code.

Ms. Porterfield asked if the program provides tax benefits to the owner.

Mr. Davis replied that it does not provide any tax benefits separate from the land use taxation program, which is available to them. But, the minimum size and use criteria to establish land use taxation would have to be met. The owners would have to make a separate application if the property was not already in the land use taxation program. But, he suspected that these properties were already in land use.

Mr. Morris opened the public hearing and invited public comment on all three requests. There being none, he closed the public hearing to bring the matter before the Planning Commission.

Motion on AFD-2008-00001 Carter's Bridge Agricultural Forestal District Renewal:

Motion: Mr. Strucko moved and Mr. Edgerton seconded, to approve AFD-2008-0001, Carter's Bridge Agricultural Forestal District Renewal for a ten-year period.

The motion passed by a vote of 7:0.

Mr. Morris stated that AFD-2008-00001, Carter's Bridge Renewal would go before the Board on July 9, 2008 with a recommendation for approval.

Motion on AFD-2008-00002, Lanark Agricultural Forestal District Renewal:

Ms. Joseph pointed out that she was happy that Joan McDowell spoke to the Lomnyckyjs and got them back in the district.

Motion: Mr. Strucko moved and Mr. Edgerton seconded to approve AFD-2008-00002, Lanark Agricultural Forestal District Renewal for a ten-year period.

The motion passed by a vote of 7:0.

Mr. Morris stated that AFD-2008-00001, Lanark Agricultural Forestal District Renewal would go before the Board on July 9, 2008 with a recommendation for approval.

Motion on AFD-2008-00003, Panorama Agricultural Forestal District Renewal:

Motion: Mr. Strucko moved and Mr. Edgerton seconded to approve AFD-2008-00003 Panorama Agricultural Forestal District Renewal for a ten-year period.

The motion passed by a vote of 7:0.

Mr. Morris stated that AFD-2008-00003, Panorama Agricultural Forestal District Renewal would go before the Board on July 9, 2008 with a recommendation for approval.

Regular Items

SDP-2006-00061 Northtown Center
The request is for final site plan approval to allow the construction of three buildings totaling 83,990 gross square foot for retail development. This development is Phase 1 of the Northtown Center project. The property is described as Tax Map 45, Parcels 110, 110A, 111, 111A and 111B. The subject parcel contains approximately 15.9 acres, zoned H-C (Highway Commercial) and EC (Entrance Corridor), and AIA (Airport Overlay). This site is located on the east side of Seminole Trail (US Route 29 N.) immediately opposite Lowes and Kegler's. A Special Use Permit is also under review for this project, SP 2004-24 (Drive-in for bank). This site is located in the Rio Magisterial District and is designated as Community Service in Neighborhood 2. (William Fritz)

Mr. Fritz gave a brief overview on how they have gotten to where they are, what the conditions were from the original preliminary and how they have been addressed. He presented a PowerPoint presentation and summarized the request. (See staff report)

- The original preliminary was approved by the Planning Commission in 2005. It shows several buildings, a drive through and development of the entire property. At that time the stream location was a big concern. The plan shows how the stream was to be piped and rechannelized. The current proposal is to develop only the northern portion of the property. There have been some substantial changes in the design of the site, which pull the development back from the stream and allow it to be used more for storm water management and for best management practices to improve water quality. That is what the applicant has done in an attempt to address all of the conditions.
- The reason that the proposal is back is that the Planning Commission had numerous conditions placed on this property as a result of the critical slopes waiver. There are additional conditions that are not found on other projects because of the critical slopes waiver. The applicant has responded by revisions to the site to better address both the critical slopes and the stream. The applicant proposes to over size some of the storm water facilities and provide additional water quality features.
- There have been some substantial revisions in the area adjacent to the residential development. The area of the buffer has been increased so that these trees are less likely to be damaged and staff believes that the trees will survive. Retaining walls have been placed around these trees to protect them. In addition the applicant has met with residents of this area and agreed upon a fence design and location that will include some features that the residents wanted such as a gate. With the gate there will be access to it so if there is trash or anything that both sides can get to it and maintain the area if necessary. They have agreed to that as well as the design.
- Staff went through conditions of the preliminary and either noted that the applicant has met all of the requirements or that they have conceptually met. In some case, for example in the use of flocculants to help pull the sediment out staff has not gotten the final specifications from the manufacturer. They have a plan that refers to particular products that are unique to that particular provider. Staff needs that information. Conceptually the applicant and staff have agreed to everything that is necessary. Staff does not have the final things, but are comfortable recommending approval. Staff does not believe that there are any substantial remaining issues.
- All conditions have either been approved or conceptually approved. Therefore, staff can recommend approval of the site plan with conditions that must be met prior to signing the plan and the beginning of construction, as listed in the staff report. The Architectural Review Board has reviewed this and granted staff administrative review. The applicant only needs to provide some final additional information.

Mr. Morris invited questions for staff.

Mr. Edgerton asked why staff wants to speed up the process to say conceptual approval is final. The Planning Commission and staff have spent countless hours on review of this property and the history of the property has some significant concerns. He asked why the Planning Commission should grant approval before the conditions they put on it are completed. He noted that conceptual approval is not the same as final approval. He questioned why they need to push ahead before they can get the answers to these questions. If there are issues to be resolved why aren't they waiting until then to bring the matter before the Commission?

Mr. Fritz replied that is certainly something that the Commission can decide. The applicant requested that staff bring the matter before the Commission. Staff analyzed it and made a recommendation.

Mr. Edgerton said that the applicant asked to speed up the process even though the Commission said that they wanted to see it after all of the conditions was met.

Mr. Fritz agreed that the applicant has requested that the request be brought before the Commission.

Ms. Joseph assumed the reason the applicant is doing the project in phases is erosion control measures so that they are not denuding the entire site at once.

Mr. Fritz said that even within the phase that they are doing one of the requirements was a phasing plan to allow different parts of it to be stabilized and to maintain all of the erosion control measures. Why they have chosen to just develop the first part as phase one and not pursue the second part that it is not uncommon. The total development is around 200,000 square feet and the first phase is around 89,000 square feet. It is not unusual to phase it. It is their own decision why not to pursue phase two.

Ms. Joseph noted that he was saying that even within phase one there are requirements that certain things be stabilized or covered with grass before they continue on with other pieces of it.

Mr. Fritz replied yes that there is a phasing plan for the erosion sediment control plan even for phase one within the various construction phases of phase one.

Mr. Morris opened public hearing and invited the applicant to address the Commission.

Pat Enry, of Dominion Development Resources representing the applicant, covered the key modifications, as follows.

- During construction the project was broken into two phases. One reason was to limit the potential at any given point for sediment going into the stream that would go into the Carrsbrook area. They will use flocculants. One of the reason they don't have the information is that the flocculent supplier said once they start disturbing grade they want to come in and analysis to determine what flocculants would be best. So they might want to change at that point to make sure that they pull as much sediment out as possible during the construction phase. That is one of the special conditions that were put forth.
- Once they start they will stabilize the site within six months, stress to get it graded and then stabilized right away. Reseeding and strawing will be done to any areas during construction that they are not quite ready to finish the construction on and reseed the area within four days. The standard is seven days. An attempt is being made to try to keep any kind of disturbance or any sediment movement to a minimum.
- The post construction benefits are that they have come out of the stream, which means that 522' of the stream that they were going to pipe is now preserved. A 25' buffer has been added on each side of the stream to try to maintain that. The impervious surface has been cut down as well. They have taken some of the rentable area and put parking underneath one building, which helped quite a bit.
- The requirement is 80 percent of any kind of run off of impervious surface be captured. They are capturing 100 percent off the site and are double treating it. It will be treated through rain guards or bio-filters. It will be collected, held and then re-treated through a special filter arrangement being put underground. Some of the run-off from 29, which currently goes into the filled VDOT pond and actually run that through their bio-filter as well. Not only are they treating 100 percent of the site twice, they are also adding treatment to some of the run-off from 29, which is currently not being done.
- The peak flow rates have been reduced, which is the amount of water that is leaving the site after the ten year storm events. The storm water management will lessen the load on the streams and ponds of Carrsbrook by holding and retaining that water to the rest of the storm flushes through and then they will slowly release it over time.

- There is a culvert at the end of this property right at the downstream edge. That is an old Service Authority crossing. They are taking that crossing out. There are two culverts in there now that had a tendency to clog up. The culvert will be taken out and regrade the stream in that area. In addition, the applicant has agreed to fix the stream from his property line to the first Carrsbrook pond. This has been a negotiation between the county and us. The applicant has agreed to do it as soon as he gets permission from the four land owners and will do it just as the county has asked. The county provided a profile that was about 20' wide at the stream. It is going to be 40' to 50' with grading and everything else. What they are going to do is design it once they get permission and then will go through the permitting process once the county has agreed with the design. Therefore, they are fully prepared to do that.
- A trash fence was added. Not much of the property will be seen from Carrsbrook residents. They met with the adjacent property owners at the county and also walked the property with the closest landowner, Mr. Coone, to position the gate location and fence. With their fence on the property line they believe that most residents will not be able to see this development.

Mr. Morris asked if there were any questions for the applicant.

Mr. Cannon asked what the remediation would entail if approval is given by the four property owners. He asked what the problem that it is meeting now is and what will the state of the stream be as restored under that proposal if it is carried out.

Mr. Enry replied that once they receive permission the county engineering staff has developed a profile, which is about 20' wide and a 2' deep channel with a smaller flow channel about 1' deep in the middle of that. At that time they would go ahead and locate exactly where that will be, draw the plan, do an erosion and construction plan and make sure it is routed the way the county wants to see it. Once it has been accepted, then they would apply for both the federal and state permits based on that stream design.

Mr. Cannon asked if this was a design that the county has already in hand, and Mr. Enry replied yes.

Mr. Morris invited public comment.

Leon Gorman, resident of Carrsbrook, thanked Ms. Tamara Ambler and Mr. Cannon of the Planning Commission who have both visited the site about a year ago. He made the following comments:

- He voiced concerns about the flow and quality of the water in the streams. As a resident of the area they are concerned of that. This project has gone through much of the approval process. In February the County Board of Supervisors approved a plan where there would be not building in a watershed and within a certain proximity of streams. This will be building in water shed in a close proximity of streams. In today's newspaper there is an article where a Virginia Study found that 1,100 additional miles of streams and rivers are being repaired in Virginia. He recognized that a lot is being done there in adding filters and so forth.
- As residents, he thanked the county engineer as residents would like to see something to monitor the quality of water and that the flow of water as it is now at a minimum be maintained and that the quality of water be maintained to assure that some of that runoff does not go down into the streams and lakes. He requested that they provide something that is enforceable during and after construction to ensure that the quality is maintained and also the current flow. He distributed four photographs to show how the third pond is still pristine. (**Attachment B**- Four photographs of the lakes submitted by Mr. Gorman) He asked that something enforceable be provided during project construction to ensure the quality is maintained.

Dean Wenger, President of the Carrsbrook Homeowner's Association for the last two to three years, said that he had enjoyed hearing from almost every resident about how important this project is. The residents are desperately interested in this project because of its impact on the community. The number one interest is the water quality and the impact upon it. He could say without exception that at every Homeowner's meeting it was the topic of conversation. Certainly is has approved and is apparently moving forward. There are still a few concerns. The residents are learning about the processes that have happened, but probably don't know what a flocculent is. The applicant demonstrated to us his willingness to sit down and go over the fencing around the community. He asked that the applicant sit down and

speak to the residents to explain what the steps are that are being taken in laymen's terms on how the water quality will be maintained. That would go a long way in addressing many of the concerns of this community.

Peter Ceiaratti, resident of Carrsbrook, recognized the applicant's property rights. Currently the subject parcels have minimal impact on their ponds on the water quality, silt, toxic runoff, etc. The Carrsbrook residents are looking for some assurances in terms of the scope and the allowed design in the development on the subject parcels that the future impact on the Carrsbrook ponds will continue to be minimal. These ponds provide recreation, wildlife habitat and enhanced property enjoyment to Carrsbrook citizens. The ponds also contribute significantly to the value of their properties and to the desirability of their community. That is a very important factor. It is their desire that the Commission and Board of Supervisors act in this manner in a way that value and protects the quality and integrity of the neighboring properties. Based on the presentation by the engineer he would have a concern about the ongoing erosion and sediment control and not just during the construction phase but during the operational phase during the next 40 or 50 years. He would like to have those controls or whatever is designed be adequate for maintaining the integrity of the water quality after construction during the operation of the properties. He questioned whether a ten year runoff capability that was discussed is adequate given the property having low rainfall. It might be more important to have a 25 or 50 year run off protection capabilities on whatever the mitigation efforts are on the property.

Rodney Thomas, resident of Carrsbrook, said that having seen that property for a number of years and seeing a lot of development possibilities go by the wayside he felt that something needs to go in. The property is currently a dump site. He hoped the Commission would see fit that the applicant has met all of the restrictions and support the request. As Mr. Edgerton suggested he thought that they should hold the applicant to the fire to make sure he does these things before the development goes forward. He would like to see the Commission pass this forward and recommend approval to the Board of Supervisors so that something can be put on the property. It would be a much better piece of property. Right now it is full of lumber, sheetrock, cups from stores and restaurants and nobody is cleaning it up. If something would be put in it would improve the view from 29. This seems to be a good project and would improve the property.

John Erwin, resident of Carrsbrook, asked if there has been any consideration of the traffic impact on 29 in turning this property into a commercial property. He asked if this would affect any further thinking about the travel flow in that area with the increased traffic. He was not familiar with the requirements for parking, entrances and exits. As a relative newcomer to Charlottesville he would say that there are some stunningly bad entrances and exits in this area, which makes one wonder with 29 already being under such burden with traffic flow. He asked if there was any consideration of that during the planning process. If this is a phase one approval does this imply that the entire project is still on the boards and that by approving this that a second phase is defector approved at the same time? He was curious about that possible sequence.

There being no further public comment, Mr. Morris closed the public hearing to bring the matter before the Planning Commission.

Ms. Joseph said that the Commission is looking at a final site plan. Previously the Commission looked at this as a preliminary site plan with a critical slopes waiver request. What was shown on that site plan was development over the entire parcel. It was a preliminary site plan that was approved by the Commission.

Mr. Fritz replied that was correct. The preliminary site plan approval was for the full development of the site. Regarding the question about phase two, it is approved but has a life span. The preliminary approval even with this final approval will expire October 18, 2010. It is good for five years.

Mr. Cannon asked if they proceed with phase two they would have to come in with a further site plan for that.

Mr. Fritz replied that is correct. The applicant would have to bring a final site plan in for phase two. Staff would bring the site plan for phase two back to the Commission, which would have to be done before 2010. All of the same conditions would apply.

Ms. Joseph asked if staff to speak to the water quality issues that were brought up. This is something that the engineering department is allowing.

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Mark Graham said that flocculants are a material which grabs onto very small particles of sediment and makes them heavier so that they fall out. The same thing is used in water treatment. Adding alum to treat water to allow sediment to fall out is an example. By making it heavier it increases the quickness in which the sediment falls out. One of the problems with sediment basins, which are the routine way to trap things particularly in this area with clay, is that clay particles are very small and tend to stay suspended in this water for very long periods of time. So the flocculants bind to those particles and allow the materials to fall out while it is still in the sediment basin before it would go on down stream. So that is the intent.

Ms. Joseph asked if these basins have to be cleaned out more regularly because of this.

Mr. Graham replied yes, but there is a regular maintenance schedule that is built in the erosion and sediment control. That is a requirement. Regarding the question about some assurance of on going maintenance and operation of these facilities, he noted that during construction there is a bond agreement that requires the applicant to maintain to the erosion and sediment control plan and also allows the county if they don't do that to one, issue a stop work order and two, take the bond and clean it out ourselves. To the longer term post construction period, one of the things that happen with the approval of the final site plan is that there is a storm water management agreement between the property owner and the county that is signed and recorded in the Court House that obligates that property owner to maintain that facility. It also allows the county to come in and inspect the facility to assure that it is regularly maintained. Through the storm water management branch in General Services the county has an ongoing inspection program. Therefore, those things are inspected. They will send notices to the property owners requiring clean up. If they don't the county has the right to go in there and require the repair to be done or do the repair ourselves and charge the property owner for the repair.

Mr. Larry Davis, County Attorney, agreed that was correct. The agreement is recorded and runs with the land.

Mr. Loach asked if there is ongoing testing of the water.

Mr. Graham replied that usually there would be no ongoing water quality testing. The county has a requirement for a state permit and a municipal separate storm water system permit that the county has. The county routinely tests some stream sections to look at the facility to see if it seems to be operating properly. The filters would be on a maintenance schedule to verify that the filters are being changed.

Mr. Morris asked the question dealing with traffic study and adding lanes and so on.

Mr. Graham said that it is important to note that there is traffic impact from this development as with all development on 29. But this is a ministerial review. The county does not have the ability to require off site improvements for traffic. There are very limited opportunities to do that. It has to be demonstrated that the need for improvements is solely driven by this development. That is not the case on 29. As far as the capacity improvements for 29 it is a much bigger issue than this particular development.

Mr. Loach questioned the water and sewage status.

Mr. Graham replied that the Albemarle County Service Authority has to sign the site plan to verify that there is adequate water and sewage capacity.

Mr. Fritz noted that the Service Authority have already approved it.

Ms. Joseph noted that they are looking at the traffic situation overall with Places29.

Mr. Graham replied in the master plan process they are looking at what is required from a regional perspective for that whole area. That addresses this. What that is being addressed in this development is the immediate impact of the entrance. The applicant is still working with VDOT to get their entrance permit and post site plan approval. That is something the applicant has to resolve regardless.

Ms. Joseph asked how many other site plans come in with the two levels of the water quality with rain gardens, bio-filters and sediment basins.

Mr. Graham replied that there were very few. The only ones they see are the ones that have been placed as a condition of approval or it was a proffer as part of a rezoning. This is one of the highest levels of treatment removal that he had seen either here in Albemarle County or while working in northern Virginia. They have redundancy for 100 percent of the runoff. That is almost never heard of because it is so incredibly expensive.

Mr. Davis noted that this is a by right development and will not go to the Board of Supervisors for additional approval. It is not subject to a special use permit or proffers. The applicant is required to meet the ordinance requirement in the Zoning Ordinance as well as the Water Protection Ordinance. The developer has been working with staff and in many instances, as Mr. Graham has indicated, has exceeded the requirements that our ordinance would otherwise require.

Mr. Cannon pointed out that he was in favor of this request, but wanted to note that he had spent some time with the folks in Carrsbrook. They have a beautiful amenity there in this chain of lakes. It is a fragile amenity and is very important to the community. He would vote yes here with the assurance from staff that this is an adequate treatment and in fact will make potentially, with the approval of some of the land owners, some improvements in stream footage that is now severely degraded in that development.

Mr. Strucko echoed Mr. Cannon's comments. What was compelling to hear was that there a double mitigation effort, which was appealing.

Ms. Joseph hoped that the adjoining land owners would want the stream to be upgraded and allow this to happen.

Motion: Mr. Strucko moved and Ms. Porterfield seconded for approval of SDP-2006-00061, Northtown Center with the conditions as recommended by staff in the staff report.

The Site Review Committee shall not sign the final site plan until the following conditions have been met.

1. Approval of an Erosion and Sediment Control plan to include:
    a. Comprehensive proposals to ensure adequate Erosion and Sediment Control measures remain effective during the transitions between phases of construction.
    b. More detailed information regarding the proposed flocculants, including application locations, installation and maintenance schedules as they relate to the construction phases, and manufacturers' specifications and details.

2. Issuance of a Certificate of Appropriateness from the Architectural Review Board.

The motion passed by a vote of 6:1. (Mr. Edgerton voted nay.)

Mr. Morris stated that SDP-2006-00061, Northtown Center was approved. This does not require Board of Supervisors action.

SDP-2008-00063 Tracy Temple LP (Verizon Wireless)

The request is for approval of a treetop personal wireless service facility with a steel monopole that would be approximately 69 feet tall (955 feet AMSL) and 10 feet AMSL above the height of the tallest tree within 25 feet and (within 16'of the drip line of the reference tree), with a 12'x 30' x 10.92 (W x L x H) prefabricated shelter/equipment cabinet. This application is being made in accordance with section

10.2.1.22 of the Zoning Ordinance, which allows for Tier II wireless facilities by right in the (RA) Rural Area. The site contains 91.07 acres, and is described as Tax Map 40, Parcel 8. The property is located on 2352 Holly Hill Farm in the Whitehall Magisterial District and is zoned RA Rural Area. The Comprehensive Plan designates the property as Rural Area in Rural Area 3. (Gerald Gatobu)

Mr. Gatobu presented a PowerPoint presentation and summarized the staff report.

Mr. Morris opened the public hearing and invited the applicant to address the Commission.

Maynard Sipe, attorney for Verizon Wireless, said that this was a good site in keeping with the policy due to the distance of the site from other properties and other residences and the back drop which would make the tip top of the monopole not visible. The monopole would be located between the two properties of the Heming family. The facility is located on Tracy Temple's property. Both properties will be part of the agreement. They are asking for 10' above the reference tree. He asked that the Commission grant the waiver request for the fall zone. In this case the waiver would take care of the entire matter, but the lease would be there and give subsequent notice to the landowner.

Mr. Morris invited public comment. There being none, the public hearing was closed and the matter placed before the Commission.

Mr. Edgerton moved for approval of SDP-2008-00063 as recommended by staff at the 10' level with the condition that the tower be relocated to be within 25' of the reference tree as long as it is not in the drip line.

Mr. Fritz pointed out there is no opportunity to put a condition on a Tier II tower. It either has to be approved as submitted or find that the siting is inappropriate and not consistent with the guidelines.

Mr. Edgerton noted that in the past they had gotten an agreement from the applicant to relocate the tower to meet that. That seems to be satisfactory.

Mr. Fritz said that the applicant may agree to that, but the Commission could not put it as a condition.

Mr. Waller said that they could move it, but he was not sure if they could get it to within one foot without having an effect on the other trees. He noted that there was another time that they were looking at plus or minus five feet of the drip line. He said that they could definitely do that. They actually look at the site when they go back out with the tree survey. Therefore, he felt that was something that could be done.

Mr. Morris noted that it would be plus or minus five feet.

Motion: Mr. Edgerton moved and Mr. Cannon seconded, for approval of SDP-2008-00063, Tracy Temple LP (Verizon Wireless) as recommended by staff at the proposed 10 feet above the reference tree with the tower to be relocated as close as it can get to 25 feet of the reference tree outside of the drip line.

The motion passed by a vote of 7:0.

Mr. Morris stated that SDP-2008-00063, Tracy Temple LP (Verizon Wireless) was approved. This does not require Board of Supervisors action.

Action on the Modification Request:

Mr. Cannon asked if the modification request was denied what are the consequences of that for the applicant and the placement of the pole.

Mr. Davis replied that in order to place the pole where they have shown it on the site plan they would be required to get a fall line easement for the pole from the adjacent property owner.

Mr. Fritz noted that the applicant could amend the parcel boundary as Mr. Edgerton stated. Those are the only two options.

Mr. Cannon asked with an easement granted by the adjacent property owner if it can go in accordance with the ordinance and no further steps are required by the applicant.

Mr. Davis said that is correct.

Motion: Mr. Edgerton moved and Ms. Porterfield seconded for denial of the modification for SDP-2008-00063, Tracy Temple LP (Verizon Wireless) as outlined by staff.

The motion passed by a vote of 6:1. (Mr. Loach voted nay.).

Mr. Morris stated that the modification for SDP-2008-00063, Tracy Temple LP (Verizon Wireless) was denied.

The PC took ten minute recess at 7:30 p.m.

The meeting reconvened at 7:48 p.m.

Work Sessions

Village of Rivanna Master Plan Update (Elaine Echols) (**Attachment C** – Staff Report dated June 17, 2008)

Mr. Cilimberg introduced the Village of Rivanna Master Plan update.

- The Planning Commission has been serving as the advisory committee on this master plan work. The Commission is aware of some of the community involvement, work-shops and such that have taken place. There is also a stakeholder's group that has met to review the process as this plan has moved along. Staff wants to bring a very key point to the Commission regarding the tension between the community expectations that have been voiced on several key issues and what the Comprehensive Plan calls out for a village. This is the only village in the Comp Plan.
- At one time there were a lot of villages, but in the1996 Land Use Plan all the villages were removed with the exception of the Village of Rivanna. At that time the village description was updated. The balance between those guidelines and what the community preferences are indicates that there are some real fundamental differences. The community has been very involved and has stated through its meetings what it feels are important aspects of the Rivanna Village. But, they have to weigh that against what our Comp Plan calls for a village to accomplish.
- Tonight staff wants to point to some of the issues for which there is no consensus. Staff is looking for guidance on how to deal with these issues and how to move this forward to the next community meeting. He introduced the consultant, Bill Wanner, from the Thomas Jefferson Planning District who will present the information, pose some questions and then get community input.

Bill Wanner, of the Thomas Jefferson Planning District Commission, pointed out that Albemarle County is a member of the Commission along with Green, Louisa, Fluvanna and Nelson Counties and the City of Charlottesville. They have a very close working relationship with the Albemarle County staff and feel that this has been a productive but difficult project to be working on thus far. Tonight there would be an opportunity for public comment. Also, they ask for guidance from the Planning Commission on the project, which has become a tense project in some ways, and then discuss where they go from here. The policies in the Comprehensive Plan are in a degree of conflict with those that the citizens in the community have expressed as their wishes for their community. The diversity of opinions among those members of the community, staff and the consultants certainly has to be recognized and come to terms with. He presented a power-point presentation and made the following additional comments:

- The concerns of some citizens are that this has not been a transparent project and that there have been some expectations that have not been met by us. He recognized that they could do a

better job of bringing the concerns of the community to a public forum. They have been using the Albemarle County website as a means for presenting and making available community comments on this project, but comments have not always been posted in a timely manner. He recognized the concerns of the citizens, which are certainly ones that they can respect and learn from.

- There are two groups working on the project. The stakeholder's group is really involved with the process in how the community can work best to achieve its goal and to work with the County and the Planning District Commission. There have been three specific community workshops on the vision and guiding principles, land use strategies/open space strategies and transportation. The transportation work-shop was a result of the concerns of the community that transportation is one of the key issues that really needs to be addressed. There have been four stakeholders meetings to date.
- The draft vision was crafted based on the community workshops. The key point here is that this is a small but very distinct community with a village center and medium and low density residential neighborhoods with a need for preservation of historic features and open spaces for recreation.
- In terms of addressing what some of the conflict points he noted several key points in the Comprehensive Plan for a village.
    - There is a variety of housing topics.
    - There is a mixture of uses.
    - There is a focal point, a village center.
    - The roads are of adequate capacity.
    - Sewer and water are available.
    - The project is sensitive to the existing neighborhoods or the existing community.
- The PDC staff brings the following recommendations tonight as follows:
    - To maintain the residential density of 3 – 6 du/acre as the Comprehensive Plan allows right now.
    - Single-family detached and attached townhouses and apartments are all consistent with the Comprehensive Plan as are certain amenities that they feel will be valuable to the community in the future such as senior housing and assisted living.
    - Other uses would be institutional uses such as places of worship and child-care facilities.
- In terms of where the PDC staff goes from here, they recommend that Rivanna Village at Glenmore be given a "village center" designation. In keeping with the approved zoning for that project, there would be a mixture of housing, types of uses, up to 125,000 square feet of commercial or commercial service uses, and approximately 500 dwellings not to exceed 3 stories in height and an 18-acre public park.
- In terms of transportation, there are two possibilities for entrances in addition to the one existing at Glenmore Way. One new entrance would be created by making a four way intersection at Hacktown Road allowing for improvements to that intersection and then allowing access to what they are calling for in Area A. This is conceptual and not site specific. A second point of entrance to the Greater Village of Rivanna would be off of Breezy Hill Lane. That is not a fixed point, but one that they have looked at to this point.

Mr. Strucko asked of these recommendations and features of the plan so far what are the points of tension.

Mr. Wanner replied that he felt the points of tension were the density of the housing units recommended in the comprehensive plan and the desires of the residents. Mr. Wanner said that he believed that the community had more suburban expectations than would be expected by the Comprehensive Plan.

Mr. Strucko asked if the Comp Plan is calling for greater densities.

Mr. Wanner replied that is correct. The density for a village as the Comp Plan lays it out is the 3 – 6 dwelling units per acres. The community feels as though that is too much development outside of the Rivanna Village at Glenmore.

Mr. Strucko noted that density is one issue.

Mr. Wanner said that the interconnectivity is another issue in how do they make good access to the properties. In particular, how do they make Glenmore more accessible to the Rivanna Village at Glenmore village center and whether they would see the need for a second private gate.

Mr. Strucko asked if Glenmore wanted to remain a gated community with no access in except for residents.

Mr. Wanner replied that is correct.

Mr. Strucko said that is contradictory to our County Comprehensive Plan.

Mr. Wanner replied that he did not know that to be certain. He continued the power-point presentation to hit some of the high points on the four options noting some of the additional areas where agreement does not exist between the community and the land use plan.

Mr. Wanner then reviewed the maps provided to the Commission.

- Parks and Green Systems Map – A Rivanna River trail on the north side of the river is already in the land use plan. The PDC staff is proposing some footpaths that connect Running Deer Drive across Carroll Creek to the 18-acre park within Rivanna Village. This expectation is provided in all options.
- Option 1: This option speaks to perhaps the specifics of the Comprehensive Plan more than the rest. In Areas A and B, a central green is shown with an area of dwelling units surrounding it not to exceed 6 dwelling units per acre fanning out from there with homes that would be approximately 3 dwelling units per acre. This necessitates the two access points they talked about at Hacktown Road and Breezy Hill. They have also indicated that a connection with Running Deer Drive is another way of accessing the property in Area B and that a crossing of Carroll Creek would then connect Areas A and B. This is an instance where there is a difference of opinion on where density should be located. The second option changes the development area by reducing it to not include the development on the eastern side of Running Deer Drive. An opportunity to access the village by way of Running Deer Drive is left open in this scenario. Again, this is another area of contention in how they can deal with the Running Deer neighborhood in an effective way. The PDC staff originally started with a "no-change" designation and without a boundary adjustment being included. In this scenario the consultants are suggesting a boundary adjustment as probably the most effective way of preserving the Running Deer community.
- Option three increases the area to be excluded from the development area to include all of the parcels that abut Running Deer Drive. This gives a couple options for connections to Area B across Carroll Creek by way of Section A at Hacktown Road or the possibility at Breezy Hill Lane.
- Option four is the more dramatic reduction in the development area. The boundary for the development area follows Carroll Creek in this option In this case the option shows only one entrance to Area A off of Hacktown Road and pedestrian pathways that would connect Areas A and B and presumably the Running Deer community as well.
- In terms of Route 250 this is an area where there is perhaps a higher degree of consensus. They are looking at a four-lane from the intersection of Route 250 and I-64 to Glenmore Way, preferably a divided highway with a median or a boulevard type road way to that point. Then that reduces to two-lanes again. A median is certainly an attractive way of building a two-lane road as well. They are looking for the future roundabout possibilities both at Glenmore Way and Hacktown Road when they are warranted. The four lanes would be between Route 250 and I-64 west of Glenmore roughly from Pantops to Glenmore.

The following questions were then are opened for discussion.

Questions

1. Are there any options that should not be taken to the public?

2. Are there elements shown on the options that should be eliminated?
3. Are there elements that should be added to the options?
4. Do you have additional recommendations on the community process as we move forward?

Mr. Strucko asked the staff whether taking Running Deer out of the designated growth area restricts their access to public water and sewer.

Mr. Wanner replied that it does by the current regulations.

Mr. Loach asked what the acreage would be.

Ms. Echols replied that information is on page three of the staff report. For option two it is 59 acres. Staff has given a low and high reduction of dwelling unit capacity. Option three has a reduction of 96 acres. Option four has a reduction of 184 acres. The range is given in what it would mean to take those areas out of the development area. She asked to clarify the question about Glenmore and access. Glenmore has been approved as a gated community. This is not an issue of trying to open it up for public access. The issue of concern is whether or not there should be a private path that would connect Glenmore development to the village center. The Commission discussed that during the rezoning and had left it as a private matter. There is a recommendation in the consultant's package relative to a second gate that would suggest that before any new development were added on to Glenmore development with the exception of the part right in the center that there would have to be a second gate. That recommendation stems from a lot of the concerns that have been raised about the access within Glenmore.

Mr. Strucko asked where the second gate would be located.

Ms. Echols replied that there is no recommended location for a second gate. It is just a statement that there would need to be a second gate if there was more acreage added to Glenmore except right around Glenmore Way at the entrance.

Mr. Strucko noted that earlier on in a matter brought before the Commission the second gate proposal was to Running Deer.

Ms. Echols replied that is not part of this proposal at all.

Mr. Strucko noted that would create traffic along Running Deer for those residents, but the Running Deer residents would not have access to Glenmore because of the gate.

Ms. Echols replied that is correct.

Mr. Cilimberg pointed out Areas A, B and C, which is essentially what is left that could be developed within the Rivanna Village. The concerns particularly relate to the densities at 3 – 6 dwelling units an acre in Areas A and B. Using the Village guidelines for those densities in Areas A and B, which are both accessed off Route 250, are the most particular concern.

Mr. Strucko asked what options emerged from the work sessions. He asked if there was any consensus on any of the options.

Ms. Echols said that these options have not been taken to the public. Before they took the options out to the public staff and the consultant wanted to know if they were on the right track. This is staff's check in with the Commission to find out whether or not there are any options that they think don't belong in what goes to the public. If there are options that the Commission thinks should be dropped, staff would like to know. If they think that the options are all okay, but there are elements shown on those options which need changes, then staff would want to be advised. But, basically staff wants to take these options to the public for comment.

Mr. Strucko asked what compelled them to come up with these options.

Ms. Echols replied that they got input from the community and tried to respect what the Comp Plan said about density, land use and interconnections, but also find ways to respond to respond to the concerns.

Ms. Porterfield read the following statement into the record: "As the commissioner for the Scottsville District in which the Village of Rivanna is located, I have attended the meetings of interested residents and stakeholders conducted by the Consultant regarding the Village of Rivanna Master Plan since my appointment to the Planning Commission. It is my opinion that this report before the Planning Commission fails to represent the input given to the Consultant by the residents involved in the planning processes. I was there; I heard the comments and concerns. This report does not do justice to the time and energy given by residents of the Village of Rivanna and adjacent areas, whether those individuals reside on Running Deer, in the Glenmore Community or across Route 250. I believe the Commission will now hear from a number of residents regarding the problems with this report."

Mr. Morris invited public comment.

Dennis Odinov asked to clear up the issue regarding the second gate. When the Commission approved Livengood and subsequently the Board of Supervisors approved it they also approved the stub road at the end of Livengood, which eventually could be as a second gate to go into Rivanna Village. The difficulty with it at the time is that property is not owned by the developer, but has five different owners. But, the provision was made that if that property is ever acquired a stub road would then lead to another gate.

Mr. Strucko asked if it would lead into the Rivanna Village development.

Mr. Odinov replied that was correct. He believed that a lot of the tension that occurs between the community and the people who have been working with them stems from the fact that there is a misunderstanding of the Village of Rivanna. It is a very unique community. There is nothing like it in the county. It is approximately 1,700 acres that is dominated by 1,400 acres of Glenmore that includes Livengood and Leake, which is not shown on the map. Actually part of Area B would include Leake. So 80 percent is occupied by Glenmore. There is another 5 percent that would be occupied by Rivanna Village. It is about 250 acres that are not spoken for, which is what they are discussing. They are discussing what to do with those 250 acres. Those 250 acres are owned for the most part by two property owners. The residents believe that since Rivanna Village is going in it should be nexus of the community or the area of the greatest density and also the commercial center. Then there should be an increase in the radius out from Rivanna Village that should be decreasing density. The comments from the community work shop were posted on the web.

- One of the things in the vision was that water and sewer would keep pace with the growth. It is not mentioned in draft. It is a big problem because the existing sewer plant is totally inadequate to support any of the growth. It will have to be enlarged for Rivanna Village, Leake and Livengood. The residents want to make sure that precedes any growth. It should be a main factor, but it is not in the draft.
- Another question asked was should the boundaries in the growth area change in any way. Sixty-six percent of the comments in the summary say no. He asked that they look at options 2, 3 and 4.
- What uses are best suited for the undeveloped portion of the development area to the east of Rivanna Village and Glenmore. Eighty-seven percent said low density or none. He asked that they look at option 1.
- What residential types should be included and at what scale? Eighty percent say single-family large lots and low density. He asked that they look at option 1.
- Should there be an east/west connection between Running Deer to Rivanna Village? There were no answers supporting this.
- Does a bridge have to be built across Carroll Creek? It would cost over a million dollars. It is not provided for or really mentioned that much.
- Finally, the walking path to Rivanna Village from Glenmore was mentioned in the report. It was brought up in the Livengood proposal. They spoke against it. It was turned down by the Planning Commission. Now suddenly it appears here again. This would be a path used by people within Glenmore to go to Rivanna Village. They have a lot of security concerns. He questioned why it

was back in the master plan. Therefore, there is a lot of tension. They would like this to be really looked at and not be approved in the present form.

Mr. Strucko asked if the Commission eliminated the walking path.

Ms. Echols replied that the Commission left it as an option. The Commission requested that they work it out themselves.

Mr. Strucko said that his inclination would be not to eliminate a walking path because interconnection is a big thing in the Comp Plan in some form.

Ms. Echols suggested that it would be better stated on the parks and green system's plan to say a private trail may connect Glenmore to the village center to be in keeping with what the Planning Commission said. The consultants have asked that they reconsider it, which is why it is on the plan. But, it could go either way. At the meeting Mr. Odinov is talking about the Planning Commission did not require it. There was a lot of discussion on it.

Mr. Odinov suggested that they look at the minutes of August 22 and they will see an inconsistency there. Their point was that the path is a one-way path. It starts in the application behind houses where it is hard to get to.

Mr. Morris noted that he recalled that the path leading out of that particular new section of Glenmore would have to go through private property which the developer had no right to. Thus it was kind of dead in the water at that particular time.

Mr. Strucko said that he did not think that the Commission would have said no path, but they wanted to encourage at least pedestrian interconnection.

Mr. Morris said that as he recalled that was the difficulty and why it lay on the table.

Ms. Porterfield noted that at the most recent stakeholder meeting those in attendance were very clear to the consultant that there should be an item written into the plan that indicated that a path would be encouraged and should be worked out by the Glenmore Association and the developer at a future date when it could be placed if they wanted to in the best location.

Mr. Morris agreed that is the way he recalled. There were a number of dead ends at that particular time.

Mr. Strucko said that given the property ownership constraints he felt that this Commission encouraged a pedestrian oriented connection. The Commission actually argued for a pedestrian connection or a road.

Mr. Cilimberg said that the difficulty was getting the vehicular connection in particular because of the intervening property.

Mr. Edgerton said that there were some topography issues. He agreed with Mr. Strucko that the intent of the Commission was to provide interconnection at the very least.

Mr. Morris agreed that it should be done as soon as it could practically be done. There were just too many barriers at that time to insist upon it.

Ms. Porterfield pointed out that Glenmore Way is used by many people. There is going to be a connection to Rivanna Village from Glenmore Way. Currently that is coming out of the main gate and walking. It is a much more direct area for many people in Glenmore to get to Rivanna Village than going way over towards the east and going through the most far away neighborhood of Glenmore. That is why the stakeholders suggested that it be looked at once the Rivanna Village is constructed and they can see at that point where it could be located if at all possible.

Mr. Morris invited further public comment.

Betsy Baden asked for one correction to the recommendations. It specifies that there should be no more than 125,000 square feet of commercial or commercial related services. Now what was approved is the following: a minimum of 94,501 square feet of non-residential use excluding the fire station to a maximum square footage of non-residential square footage of 125,000 square feet exclusive of the park and fire station. Therefore, she would like to see the wording commercial or commercial services changed to non-residential in keeping to what was approved in the ZMA.

Neil Means, resident in Area A, noted that he wrote a long letter to the Planning Commission, which he would not read again. He was not real happy with the way the process is going. There are a lot more problems than can be talked about in three minutes. The basic problem with the process is that the residents have been excluded from any deliberative process. The tensions that they speak about between what the Comp Plan expects and what residents expect is really not the big problem. The big problem is the tension between what the Comp Plan expects and what the County and the developers have approved. There are a lot of elements of the Comp Plan that he would prefer were more followed, such as the process of master planning. The Comp Plan clearly envisions that residents are supposed to lead the writing of the initial Comp Plan with the advice of staff and the planners. That is not what is happening. They could do a lot better job if there were an opportunity to sit down and discuss the issues. There has basically been no attempt to reach consensus on a lot of these issues. That is the problem. There are a lot of people who would be interested in participating in task groups. The transportation between Charlottesville and the Village of Rivanna is the biggest concern of virtually all residents. The concept of a growth area is to concentrate the growth so they can provide the infrastructure. But if the infrastructure can't be provided don't concentrate the growth because there will be a big mess. That is what is going to happen. The study they used to talk about widening Route 250 is a mess. He pointed out that he had asked a lot of questions months ago and had received no response. That study is totally unreliable. The Comp Plan says that a village is supposed to be at a confluence of roads. Therefore, they need to plan for the roads if they plan for a commercial center.

William Orr, resident of Shadwell, said that he owned property (20.5 acres with19 lots) in Royal Acres Subdivision across Route 250 from the Rivanna Village Center. He attended most of the community workshops and was a member of the stakeholder group. When Rivanna Village was proposed in 2000-2001 it was a Village Center surrounded by residential neighborhoods, but it has become a Village Center serving essentially only one neighborhood, the gated community of Glenmore. The proposed master plan includes Glenmore subdivision, the farms that have since been added to Glenmore (Livingood, Leake and Glen Oaks) and the small McGruder subdivision. The pre-existing neighborhoods of Royal Acres, Milton Heights and Running Deer are excluded even though they existed long before Glenmore. He has asked to be included in Rivanna Village since 2002 when Rivanna Village was approved by the Board of Supervisors and on the advice of one of the Supervisors. He has been ignored, particularly by the consultant, Harrison Rue, and his letter to member of the Planning staff have not been answered. His other concern is that the current proposed master plan would approve 500 new dwelling units with full public water and sewerage, but ignores the long standing surrounding community with poor or marginal wells who cannot connect to the public water line such as Running Deer and Hacktown. He asked that the commission discuss his concerns about the boundaries of Rivanna Village and services available. He felt like an outsider to the process. (**Attachment D** – Letter addressed to Albemarle County Planning Commission Member dated June 12, 2008 from William Orr)

Cyndi Burton, resident of Running Deer, said that she sent the Commissioners an email today. When she saw these options it was a real shock. But, she did appreciate and understand what the planners were trying to do. When the people came forth from Running Deer at these meeting and said no change they meant no change and to leave them just like they are now. They do have water issues, which is a big concern since she likes to look to the future. She has done a lot of work on the ground water. She has talked with the groundwater specialists and is really concerned about it. She has talked to her neighbors many times. The east side of Running Deer is right up against Limestone Farm, which is a historic farm under conservation easement. They are adamant about remaining rural outside of the development area. They have issues with water and are not as concerned as she is. The west side of Running Deer wants to remain as rural as possible, but is not right now since they are already up against Glenmore. She can walk out of her back woods and walk right on the road of Glenmore. Therefore, they

are already impacted and part of that development area. There is a big area that goes all the way to Limestone Farm. So they are already divided in a sense and don't wish to be included. If they want to put an option on the table to include all of Running Deer then she thought that the citizens will need to come out and speak again. If she had known they would have a chance to speak tonight she would have had the others come tonight and speak. She touched base with her neighbors on the west side and asked if they really wanted to be in the development area and if they want access to water. She asked if they were willing to take the chance and come out of it. She heard back from over 50 percent of them saying that they want to retain their rights to the public water. She would be last person to say let's increase the size of a growth area. But, she theoretically would love to reduce it. But, she can't do that because they need water. This area has been without water for weeks and knows what it is like. They can't afford to do that. She offered to answer questions about the Running Deer area. She noted that four of the stakeholders live in Running Deer and are opposed to being in the growth area.

Mr. Edgerton noted that he heard that the majority of the people on east side do not want to be in the growth area. The Commission normally does not like to expand the growth area.

There being no further public comment, Mr. Morris closed the public comment and brought the matter before the Commission.

Mr. Wanner asked that the Planning Commission review the questions.

1. Are there any options that should not be taken to the public?
2. Are there elements shown on the options that should be eliminated?
3. Are there elements that should be added to the options?
4. Do you have additional recommendations on the community process as we move forward?

Mr. Cilimberg said that the one approach is to lay out density, then acknowledge that the changes to the Comp Plan won't only be for the Rivanna Village, but to also put some amended language under Village guidelines that will permit the transect approach or that approach which lessens density as they get to the edge.

Mr. Strucko said that there is only one village and this is it.

Mr. Cilimberg replied that it was the only village at this time.

Mr. Loach noted that in Crozet there is a village constructed there, which is within the master plan and the Neighborhood Model. He did not agree since he thought that these master plans have to be tailored to meet the community. It should be the community who is making the decisions on them. As far as the 3 to 6 dwelling units per acres he was sure that there was no rocket science that went into someone picking 3 to 6 houses per acre that this is the absolute perfect amount of population that they should put into this area. It has been a long time from the development of Forest Lakes and every major development that he has seen that has been developing at about R-2 up until recently.

Mr. Cilimberg noted that the Planning Commission actually in 1996 talked about that extensively and said that is too low.

Mr. Loach noted that his point was when someone goes in and does the Neighborhood Model they come in and have to make the sale to the community and the community has to buy into it and it has to be a plan that comes out with the consensus of the community. He was not hearing it here. When the master plan was done in Crozet there was a consensus, but not by acclamation. But, there was a consensus that it was a good plan was a good plan to accommodate the population they were told they were going to have. He felt that was one of the problems here that when they look at these areas they don't look in terms of population, but just in terms of density. They have to add into this the transportation mix and what are they going do. All they are doing is putting extra people into the growth areas and decreasing the quality of life.

Ms. Joseph questioned if staff was asking the Commission to take a look at these options because they were going back to the community. She asked if that was correct.

Ms. Echols replied that was staff's game plan.

Ms. Joseph pointed out that what she was hearing from people is that they are upset because they feel that they have not had any input. What she was trying to do was puzzle this out. They are hearing from some of the stakeholders that they have not taken every single one of their comments and changed this map. What staff is saying is they have come up with these concepts and want the Commission to take a look at this and act as their advisors and tell us which options should not go to the public. Staff is planning on going back to the public to get more public comment on this. She questioned if that was correct.

Ms. Echols replied that if there are any options that the Commission does not want to take back or if any options are missing that staff would like to know. Staff is trying to get from the Commission what it is they need to take to the community.

Ms. Joseph disagreed with that because they have to show the community something. The community has to have something to work with. The community can take the markers once they have something and then work with that. She felt that staff was getting public input. She felt that staff was getting hammered here. Staff has been to the public an awful lot and is coming to the Commission now because they inserted themselves into this process at one point. She would like to get on track now and see if they can answer some of these questions because there was tension in this room and it was going to continue. She would like to see this moved forward.

Mr. Strucko felt the Comprehensive Plan is flexible enough to accommodate what they are seeing as a tension. What they were hearing is that the community wanted to see higher density in middle and it lessens as it emanates out. The Comprehensive Plan can accommodate that.

Ms. Joseph suggested that the Commission provide staff with some advice to take several options back to the community because they will come back before them.

Mr. Cilimberg noted that if the Commission's direction is that they should take the options with that approach staff will have to work on it and it will be different than the current options in terms of how they are define.

Mr. Strucko asked why limit it to any specific set of options. He asked if the community can come up with their own option within the confines of the Comprehensive Plan, which he felt were quite flexible.

Mr. Cilimberg felt that Ms. Joseph's statement that they want to give people something to react to is important.

Mr. Strucko pointed out that in Crozet it was a map of the designated growth area with existing uses. Then staff did hand out markers for public input.

Mr. Loach said that the first they identified the centers. He questioned if there was room for more centers where there might be more development in the centers rather than just the one shown in green. The multiple centers could take the density out and then disperse further out.

Mr. Cilimberg noted that is what option one is.

Mr. Morris pointed out getting back to what Ms. Joseph said, he thought that staff has come up with some very viable options. In response to staff's question, he did not like options three and four.

Mr. Strucko asked if these were the only options, and Mr. Morris replied that he did not know, but at least they were getting it narrowed down.

Mr. Edgerton said that he did not like options two, three or four. He did not like the idea of reducing the development area or growth area without having a broader discussion. He did not believe that the concerns of the individual stakeholders in this specific community should totally trump the concerns of the entire Albemarle community.

Mr. Morris suggested consideration of Mr. Orr's area. If that area is right next door, has that area been considered to be brought onto the game-table? He did not know. Apparently he has not gotten any response.

Mr. Loach noted that could be an expansion of the growth area. He mentioned that in Crozet they moved areas from the growth area. They took areas from the south and moved them to the north. He suggested that there might be something they want to take out of here and put along 250. Land can be moved around as long as the net is the same for the growth area they had.

Mr. Wanner agreed that was a good point. That addresses Mr. Strucko's comment that they may look at a three to six acre dwelling unit density, but the way that is configured within those area that are developable may in fact get that gross density without having three to six homes per acre on the periphery of those development areas.

Mr. Cilimberg said that there is a gross area that can be dealt with for density. Then there can be designs that deal with it to put the higher densities in the middle.

Mr. Cannon asked if they were framing another option.

Mr. Cilimberg said that if that is an approach the Commission feels generally they want to take with this that can be fit within these options that have been put here. The density language and how they approach density can fit within these options. If there are options that are non-starters, then let staff know. If there is something they want staff to include, let them know. If they feel that the idea of overall density is important, but the lessening of density as they move out is also important, let staff know. Staff can then work with that.

Mr. Loach suggested that staff show the community examples of what option one would look like. He felt that a lot of this is about form. When the original DISC model was done in the slide shows for the focus group when people saw the actual model neighborhood they were developing at most of them chose the model neighborhood. There has to be some sort of sales in this that staff can show them that this form is a liveable, workable form and will not decrease their quality of life or property values and essentially will enhance the neighborhood. Just looking at option one here it seems that is a good way. It does not have to be a and b, but possibly they may move land around. He suggested that possibly the land on 250 could be swapped around. That can be done because it was done in Crozet.

Ms. Echols noted that staff did bring the pictures out, but they were rejected. The images were brought out of a center with a higher density and the strong preference was more for the Glenmore low density or suburban style development. Staff can do that again and perhaps add it to the pages that help to illustrate what it is. But, they have made an attempt of that one time.

Mr. Loach noted that it was form based on a certain number of homes and how they want those homes spread out. In other words, as suggested if out to the periphery it gets less, then obviously the center has to have more. Options need to be given on what forms they can have.

Mr. Strucko said that the option here is the designated growth area and here is where the boundary exists today and here is what is going on at Rivanna Village and what would you want to see happen elsewhere. What are the pros and cons. Public water and sewer are here in this area and not in this other area. The densities of the area need to be acknowledged. Then they need to ask how you want this community to develop knowing that the county expects something for the investment into public infrastructure. But, the community should expect something also that includes a degree of latitude. That is part of the master planning process. The Crozet master plan took over a year and at least 100 people in various schools with markers and maps in different stations. He felt that they really had a hand in forming what that

option would be within certain limitations. The option is here are the limitations now and here is what you can reasonably do within the confines of the Comprehensive Plan.

Mr. Morris asked what those limitations would be in the Comprehensive Plan.

Mr. Strucko noted that was a good question. The Village designation is clouding the picture. He did not consider that. He thought this is a designated growth area and was the way it should be viewed.

Mr. Edgerton pointed out that someone noted that 80 percent of it has already been developed. It has been established. There is a certain comfort with that pattern of development of this area. He felt that option one is a preliminary stab at trying to establish what Mr. Loach was suggesting. There needs to be more information on the drawings about the topography and the access issues that are real here.

Mr. Strucko said that option one aside from the Powell Creek Crossing is basically here is the designated growth area boundaries with what the current zoning contains.

Ms. Echols said that it was what the Land Use Plan recommends.

Mr. Edgerton said that is the starting point, but the devil is in the details because the scale has to increase.

Ms. Porterfield suggested that they be realistic when bringing something in they need to really consider the 250 situation with no money to do anything else to it. They really need to consider the fact that to cross Carroll Creek is going to take a lot of money and probably a land owner that has land on both sides. They need to think out of the box and say if this never happens what are they going to do with parcels a and b.

Mr. Loach suggested that the development be predicated on several factors with transportation being one of them. They could have several levels of density based on what the county and state say they can afford for the infrastructure. If they can't afford it at that time, this is what they can rezone for. If they can afford it and have the infrastructure, then they can go up higher. He asked that they not degrade the quality of life of the people in the growth area. It has to be predicated on what the state and county are willing to provide in terms of infrastructure, transportation especially.

Mr. Strucko agreed with Mr. Loach about the concurrency of infrastructure, which has to be a theme in any master plan including this one. The development should happen concurrently with the development of the infrastructure.

Ms. Echols asked that the Commission focus on the questions in terms of what they need to do next. She asked where staff and the consultant can best make this process continue. She asked for comments about the first question – Are there any options that should not be taken to the public. She asked if the Commission wants to drop options two, three and four and just go with one.

Ms. Porterfield agreed.

Mr. Loach asked to go conceptually with option one, which is to go back and relook at it with a fresh eye and consider if there is land that can be moved around to come up with several models based on concurrency of infrastructure if the state can afford to put in infrastructure and a rezoning comes through. When a rezoning comes through he wants both sides to understand what the stakes are and what the outcome is going to be.

Ms. Porterfield noted that in addition to that they need to consider the sewer plan. They need to see what the capacity is and is it going to handle all of this without changes. That needs to be a concurrent item, also.

Ms. Echols pointed out that issue has already been taken care of with the Rivanna Village at Glenmore rezoning. The applicant has to enlarge the sewage treatment plant in order to build that development. They have made that commitment to the Service Authority.

Ms. Porterfield noted that she was talking about the entire Village of Rivanna.

Ms. Echols replied that she believed that has been taken care of. But, staff will bring that back to the Commission and provide some information at the public meeting on what that is. But, the Service Authority has said that they need to add a unit to the treatment plant. She reiterated that the Commission wanted to drop options two, three and four and enhance one to have it better articulated in terms of how the density could radiate or be transferred around.

Mr. Morris asked Ms. Joseph's opinion.

Ms. Joseph said that as far as the options they should start with option one and show the public what is going on before giving them markers. She liked the connections shown in the plan, which is very important. She agreed with Mr. Strucko's point in taking in some other aspects of the Neighborhood Model and having the explanation in terms of density. It is important because this is our growth area. They need to decide that it is going to be dense. A lot of the questions coming up about infrastructure came up during the rezoning process and they have the ability to say no it is not appropriate at this particular time. They are looking at a document that they are planning for 20 years. Therefore, what do they want this area to look like? All of that information, which includes infrastructure, the schools, etc., comes in when they are doing a rezoning application. She did not support expanding the growth area to the north side of Route 250 at this point in time and felt that it should be contained in this area. She was not in support of expanding the growth area at this point in time.

Mr. Cannon asked that they focus on option one.

Mr. Cilimberg asked for further elaboration on Ms. Joseph's last point on the boundaries. There are not a lot of exchange opportunities here. They don't have a logical area to pull out and to add another area in. He heard one comment that they should stay with the current boundaries basically from Ms. Joseph. He heard a comment earlier that they should be looking at an option potentially that goes on the east side of Running Deer. It probably would be an expansion and would not involve taking anything out because there is really not anything else logically to take out. If they took Running Deer out, then they were going to take out the opportunity for them to get water and sewer as part of the development area.

Mr. Morris pointed out that his point on this was that at least they give Mr. Orr and the other folks the courtesy of telling them why. That is all.

Mr. Cilimberg pointed out that is why staff is asking the Commission tonight about this because staff needs to understand that so Mr. Orr understands. Staff felt that the boundaries were fairly set here and did not try to make changes that were adding to the boundaries.

Mr. Loach noted that his point was to look at it as an option as they did in Crozet to see if there was something that they could swap for that area. He asked that staff try to think outside of the box.

Mr. Strucko said that the nature of that swap was they put in a fairly dense existing neighborhood inside the growth area and then took out some.

Mr. Edgerton noted that the swap was in response to the request from the Crozet community.

Mr. Strucko felt that every community should have that option. He agreed that the Commission has been very consistent over the years about the designated growth area. He felt that he was part of that crowd. Therefore, he identified with what Ms. Joseph was saying. He would like to hear from the residents. If they come back and say they want to be included in the growth area for these reasons, he did not think they should be precluded from that. But, it would have to be severely compelling and they have not at any Commission meeting supported the expansion of the growth area boundary. Even in the Places29

area the Commission said no. It is an uphill battle if the public does want to be included. But, he did not want them to think that they are precluded from even asking.

Mr. Cilimberg noted that this is the time to respond since that is what staff needs guidance on. He asked if the Commission feels like they want to go north of 250.

Mr. Strucko asked what the Running Deer residents want.

Mr. Morris pointed out that it was not the Running Deer audience that they are talking about. It is Mr. Orr's area.

Mr. Strucko said the master planning process will answer the question as a proposal comes back.

Mr. Edgerton said that it would be very important to at least get the detail of what is being proposed. It would be helpful instead of showing Glenmore as all Neighborhood density by adding another layer of color showing what has been recently developed. He would like an idea of where the undeveloped land is that would need to be rezoned. It would be especially helpful in the A and B areas to get a clearer definition of what is up for possible rezoning that has not been rezoned in the last five or six years so it is not treated in exactly the same way as the entire community of Glenmore, which is the way it is drawn on this map.

Mr. Cannon agreed that would be helpful.

Ms. Echols said that the question about what the community wants north of 250 has been part of the public meetings. It is one of those areas where there is not consensus. There are many people out there who say do not expand it north of 250. There are probably more people saying that the people north of 250 want to be in the development area. Staff has asked that question and does not have clear guidance. That is why staff needs to get it from the Commission. They can ask this question again. But, she anticipates that they will get the same answer. Some will say expand the development area across 250 and other people will say don't do it.

Mr. Cannon said that he listened to Mr. Orr's presentation and did not hear in that any compelling reason that would cause him to overcome the presumption against inclusion. But, Mr. Orr is free to petition and make further presentation. But, he did not see it. Based on what he heard tonight he did not think they should expand the growth area on the other side of Running Deer Drive.

Mr. Strucko said that should be the direction they give the master planning process that these growth area boundaries stay static and the Planning Commission is highly reluctant to change them.

Mr. Cilimberg reiterated if the public wants to make the point that they would like to see something added that they can continue to make that point and staff can certainly tell that to the Commission.

Ms. Porterfield pointed out that it appears more density is wanted, and one way to achieve it without being as dense as it is showing is to have more land involved where they will end up with more than one house per every two acres. That is immediately going to provide more density. That might be one reason to at least consider expanding the boundaries to the north and east just as a thought and to think outside of the box. Then they can see if that works and transition can be achieved with the land that is available. There is not very much land in the Village of Rivanna that is available for any of this.

Mr. Cilimberg said that this is really a critical point in the timing of this work. They are hearing some points of needing to better address community concerns about how the density is shown in this plan. They need the Commission's guidance, even though it is not unanimous. Staff needs to know what they want as a Commission.

Mr. Edgerton said that he did not want to expand the boundaries without some compelling reasons. He did not consider what Ms. Porterfield just suggested as a compelling reason. He felt that they still have the ability to accommodate far more density in this existing growth area.

Mr. Loach said that he did not want to consider expanding. But, if a swap made sense with no net gain and made sense in the design, then he had no problem with it.

Mr. Strucko said that he did not think that they would get unanimity.

Mr. Morris said that they are heading in the right direction with sticking with the boundaries as laid out. However, he was not automatically saying no to anything that comes on the table in case there is a way to shift areas as Mr. Loach was saying. But, right now the guiding principle is to go with the district as laid out.

Mr. Cilimberg reiterated that the Commission was saying they wanted to go with what the plan currently has as the holding capacity and use the boundaries that have been set. It would be only for a good logical reason that the Commission would do any adjustments to the boundaries.

Mr. Cannon said that it would have to be one that serves the purposes of the plan.

Mr. Cilimberg noted that is where they can start from.

Ms. Porterfield said that was what she had said. If they have a good idea, then they should bring it in.

Mr. Cilimberg reiterated that the areas that the Commission really wants to be able to understand are the areas that are still in play. They want to focus on the areas in play and acknowledging that the other areas have essentially been zoned. They want to take the approach of how they plan for those areas more specifically with the community, and again within the context of a gross density that will achieve some of that holding capacity, but with different approaches as to how they actually arrange the density. That may help to respond to some of the concerns that have been raised. He asked if that was a correct statement.

Ms. Joseph replied yes.

Mr. Cilimberg said the Commission still feels that the interconnection aspect is important. Indicating where possible interconnections could happen, whether they are pedestrian or vehicular, the Commission feels is important. There will be people who react negatively to that, but the Commission feels that needs to be shown.

Ms. Joseph agreed that is important. There are new VDOT standards that say you must have interconnectivity. Now VDOT has joined in because they recognize the fact that we need these roads that are connecting because they take traffic off the main roads. That is going on also.

Mr. Cilimberg noted that another item he was hearing in relation to concurrency is that the Commission wants to make sure that this plan indicates that there is an expectation of infrastructure that will support the level of development that is being shown and that statements to that effect need to be included.

Mr. Loach supported multiple models based on the ability to deliver.

Ms. Echols asked the question whether the Commission wants to see it again before taking it out to the public. The Commission has made a lot of comments. Staff can put something together and bring it back.

In consensus, the Planning Commission asked to see it again before taking it back to the public.

Ms. Catlin asked to spend a minute on the last bullet about recommendations on the community process. As heard, they have had a number of meetings. There has been frustration on the part of people involved feeling that they have not been heard because everything has not been reflected. They don't want that to be the dynamic as they go forward. The Commission is sending them back to the community with some things that they have said that they don't want. So the Commission will hear back that they have not

listened to them. If the Commission has a better way for staff to do that, they will bring back something. Even just going back and saying a center in section a and a center in section b is something that the Planning Commission has told them to do will be very upsetting to a lot of people who have said they don't want to see that. She just wanted to make sure that they understand what is going on here. If there is a way that they can do this that is going to create a sense of transparency while people are not seeing everything exactly the way they want it reflected in a plan she was completely open to how they suggest that they might do that.

Mr. Loach suggested that they do the same thing as done in Crozet and establish a community advisory board that is going to be there not only for the planning, but to watch the implementation too as well because these are going to be revised every several years. Once they have that committee perhaps they could have some Commissioners to go there and start a negotiations process at least getting the dynamic back and forth between them.

Ms. Catlin noted that they have the stakeholder's group, which was a mechanism the Commission put in place. The master plan process does not appoint the advisory committee until after implementation. That does not mean that has to be the way it is. They could relook at that. But, she felt that they need some sort of better communication. They hear from the Commission and go back to community and they hear from us. It is creating, as noted, this beating from both sides that is getting hard for people to keep a good positive productive relationship, which is what they want with our citizens.

Mr. Strucko asked what was said which is inconsistent.

Ms. Catlin pointed out that the Commission just said they thought that interconnections were important. She would look at the number of people in this room who will say 97 percent of the people in the community meetings were very upset about the prospect of interconnection.

Mr. Strucko asked if that was for any interconnections.

Ms. Catlin replied pretty much so.

Mr. Morris asked that they go back and listen to what Ms. Joseph said that it is no longer just a desire of the Planning Commission, but a requirement of VDOT.

Mr. Loach pointed out that they had the same problem in Crozet when they had the maps. That is where they have to get to some sort of consensus. There were people that did not like the road that was planned to go by or through a particular house. But, the fact remains that once there was a broader overview of the community those roads stayed in and the connectivity has worked out good for the places they have got it. They could use more as a matter of fact. He heard what they are saying, but could tell them from being through the development process with the Neighborhood Model that, in fact, it does help. They have gone back, as far as the trails and all of the rest of that, and put a lot more emphasis on making that connectivity. The community has bought into it. He felt that one of the things they could bring from Crozet to them is the experience. He asked if the stakeholder group was broad enough.

Ms. Catlin replied that they had tried to get a balanced group. If it was not representative, then they could bring more voices in.

Mr. Strucko said that he was hearing from the audience that it was a point that they have to consider. Every road in Glenmore is a private road. They are talking about the areas in and around Glenmore.

Ms. Joseph said that areas A, B and C are not in Glenmore and need to be interconnected.

Mr. Strucko noted that it was tough if the Glenmore residents want to be bottled in the area of the private roads, then they would have to live with that.

Ms. Porterfield said that they need to clarify the interconnections that are shown. The problem is the area showing an interconnection across Carroll Creek is really a pie in the sky. She agreed with Mr. Loach

that they need different levels. If they want to show a plan with that interconnection, it was great if it could happen. But, if it does not happen how are they going to solve the problem without having a million or two million dollars to put something across there, which they have not got. She did not know how a path could be built over there. As far as what she was hearing from the Glenmore residents they are willing to look at something in the future. But, the problem is that there is no spot right now and it might not be the best spot. There needs to be some discussion as to what is the best thing to do there. Obviously, Glenmore is a gated community so the interconnection is there. But, they all come out on the Glenmore Way and there are lots of opportunity to get into the Village and that sort of thing. She felt that they need to be realistic about what they are putting on the plans. If they do go with Mr. Loach's idea of going with a couple different scenarios and they get the money, then it is great.

Mr. Edgerton pointed out that in the rezoning process they get a proffer from the developer who wants to do that and then they will get the money from the developer to put that in. That is the way the process works.

Mr. Strucko felt that they can carry the theme of interconnection. He thought that what Ms. Porterfield just described was interconnection outside of the gated community. That is a theme that they can certainly push forward. Even if the Glenmore residents don't want interconnection to the private roads that are in there that they pay to maintain in their development. But, outside of Glenmore he felt that the theme of interconnectivity can exist.

Mr. Cilimberg reiterated that the Commission wanted to see something before they went back to the community that reflected tonight. That is the next step.

Mr. Morris said that may take some of the heat off.

Ms. Catlin said that part of that discussion is how they present this to the community in the most positive and collaborative way and a little bit of guidance on that. The Neighborhood Model was developed with tremendous community input. That is a community driven document. So what parts of that are negotiable and on the table and what parts are not really in the face of other community input.

Mr. Cannon felt that the process point was really good. It should come back to the Commission. The folks in the neighborhood should come back to Planning Commission to provide input. Staff is being put in an untenable position now to deal with a set of stakeholders that want something very strongly that is in opposition with directives that they are being given through the Comprehensive Plan. It is the Planning Commission's obligation to take staff out of that position as well as they can. This gives them the ability process wise to do that.

Mr. Morris agreed.

Mr. Edgerton agreed that the Commission needs to engage more fully, which is their job.

In summary, a work session on the Village of Rivanna Master Plan Update was held by the Planning Commission. In a power point presentation, the consultant's representative Bill Wanner, of the Thomas Jefferson Planning District Commission reviewed the proposed recommendations or options to be presented to the public. The Commission reviewed and discussed the proposals, answered the questions posed by staff and made comments and suggestions. Mrs. Porterfield read a statement into the record. Public comment was taken. No formal action was taken.

The Planning Commission responded to the following questions posed by staff:

Are there any options that should not be taken to the public? Yes. Options 2, 3, & 4 should not be taken to the public.

Are there elements shown on the options that should be eliminated? No.

Are there elements that should be added to the options? Density should not be less than 3 – 6 units per acre overall; however, options should be brought to the Commission on distribution of density so that less density occurs at the edge on Running Deer. The development area boundary should not extend across Route 250 to Route 64.

Do you have additional recommendations on the community process as we move forward? Because the community desires a master plan which conflicts with the Comprehensive Plan, a revised version of option 1 should be brought to the Planning Commission for their decisions before going back out to the stakeholders group or the community. The staff and consultant should not be asked to work on a master plan in the community that is not in conformity with the Comprehensive Plan.

(Recorded and Transcribed by Sharon Claytor Taylor, Clerk to Planning Commission and Planning Boards)

Old Business:

There being no old business, the meeting moved to the next item.

New Business:

Mr. Morris invited new business.

- Vacation schedules will be discussed next week.
- There will be no Planning Commission meeting on July 3.
- There is one conservation easement, the Clayton easement that was acquired through the ACE process with the state being the funding source. Governor Kaine will be here on July 10 at 10:00 a.m. at the Clayton property. Anyone interested is welcome to attend. Staff will make arrangements to get people to the site. If anyone is interested, please notify staff.
- There will be three Commissioners going to JMU tomorrow for presentations. They were instructed not to talk to each other.

Adjournment

With no further items, the meeting adjourned at 10:10 p.m. to the Tuesday, June 24, 2008 Planning Commission hearing at 6:00 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, Clerk to Planning Commission and Planning Boards)