Albemarle County Planning Commission
September 16, 2008

The Albemarle County Planning Commission held a meeting, work session and public hearing on Tuesday, September 16, 2008, at 6:00 p.m., at the County Office Building, Lane Auditorium, Second Floor, 401 McIntire Road, Charlottesville, Virginia.

Members attending were Thomas Loach, Bill Edgerton, Linda Porterfield, Marcia Joseph, Eric Strucko and Calvin Morris, Chairman. Mr. Edgerton arrived at 6:03 p.m. Absent was Jon Cannon, Vice Chairman. Julia Monteith, AICP, non-voting representative for the University of Virginia was absent.

Other officials present were David Benish, Chief of Planning; Scott Clark, Senior Planner; Bill Fritz, Chief of Community Development and Greg Kamptner, Deputy County Attorney.

Call to Order and Establish Quorum:

Mr. Morris called the regular meeting to order at 6:00 p.m. and established a quorum.

Other Matters Not Listed on the Agenda from the Public:

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

Consent Agenda:

Approval of minutes: August 12, 2008

Motion: Ms. Porterfield moved and Mr. Strucko seconded for approval of the consent agenda.

The motion passed by a vote of 5:0. (Mr. Edgerton and Mr. Cannon were absent.)

Items Requesting Deferral:

SP-2008-00023 Shackelford Property (Verizon) Tier III PWSF (Sign # 67 & 68)
PROPOSED: Installation of a personal wireless facility with a 98.5-foot tall treetop monopole tower
ZONING CATEGORY/GENERAL USAGE: RA - Rural Areas; EC Entrance Corridor overlay
SECTION: 10.2.2(48) Special Use Permit, which allows for Tier III personal wireless facilities
COMPREHENSIVE PLAN LAND USE: Rural Area in Rural Area 2

LOCATION: Tax Map Parcel 04800-00-00-01900, contains 260.2 acres, on the east side of Stony Point Road [Route 20] approximately 0.4 miles south of Turkey Sag Road [Route 640]
MAGISTERIAL DISTRICT: Rivanna
(Megan Yaniglos)

Mr. Morris noted that the applicant requests indefinite deferral for SP-2008-00023, Shackelford Property (Verizon) Tier III PWSF.

Motion: Ms. Porterfield moved and Mr. Loach seconded to approve the applicant's request for indefinite deferral of SP-2008-00023, Shackelford Property (Verizon) Tier III PWSF.

The motion passed by a vote of 5:0. (Mr. Edgerton and Mr. Cannon were absent.)

Mr. Morris said that SP-2008-00023, Shackelford Property (Verizon) Tier III PWSF was indefinitely deferred.

Mr. Edgerton arrived at 6:03 p.m.

Public Hearing Items:

CPA-2008-0001 Water Supply Plan
Amend the Natural Resources and Cultural Assets and the Land Use sections of the Albemarle County Comprehensive Plan to reflect new studies and community decisions regarding needed water supply for the Urban Service Area, new state requirements for County-wide water supply planning, and County initiatives relating to drought response. (David Benish)

Mr. Benish presented the executive summary. (See Executive Summary)

- This proposal is to amend the Natural Resources and Cultural Assets and the Land Use sections of the Comprehensive Plan. Essentially the amendment is to update these two sections which have not been updated since 1999 for the cultural resources section and 1996 as it relates to Water Resource issues and water supply planning. There have been a number of changes that have occurred over that period of time that staff wants to incorporate and update the language within the current plan. One of the more significant changes has been the adoption of a community water supply plan, which was recently adopted a little over a year ago by City Council and the Board of Supervisors. That plan essentially calls for the improvement to Ragged Mountain Reservoir as the primary alternative water supply source.

Again, the purpose of this Comprehensive Plan Amendment is primarily housekeeping in orientation and is intended to update the language in the Comp Plan to reflect prior decisions that have been made by the Board of Supervisors related to these sections of the Comp Plan. The amendments also eliminate some of the redundancies between

the two sections. The amendments proposed reorganize these two sections to maintain most of the discussion of the utility improvements in the utility section of the plan, which have been pulled out of Chapter Two of the Comp Plan. These changes are largely housekeeping in nature. He asked if there were any questions regarding the draft noting that there are some format changes suggested.

Mr. Morris invited questions from any Commissioner.

Ms. Joseph asked if they were now at the public hearing stage and this with their comments goes to the Board of Supervisors. Therefore, any comments need to be voiced at this meeting because it is not coming back.

Mr. Benish noted that the format changes were not substantive. Staff's intention is if the Planning Commission is okay with those they will bring it back on the consent agenda. Otherwise, this is the opportunity to discuss these changes and their recommendations to the Board. If the Commission feels that there is a need for a further work session they can certainly do that.

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

Mr. Edgerton noted the following minor typos.

- On page four, third paragraph down it says Crozet sewer interceptor goes on line to alleviate points where it discharges in failing failing septic systems. Only one failing is needed.
- On page 14, under the water service to the development areas, the first line of the new language says, "The geology of Albemarle County makes it necessary to rely on surface water resources for sizeable", which should say "a" sizeable.

Ms. Joseph asked to see the maps when come it is brought back.

- On page 14, where it discusses the different reservoirs for the different water supply and where they come from, it is very important for people to know where those things are in order to visualize where it was going to connect and how it was going to work. She would like to see that before it goes to the Board.
- On page 18 it talks about safe yield. It would be advantageous to explain what "safe yield" is somewhere in the document.
- The way it is laid out with bullets makes it clear.
- On page 23, with water conservation drought response, it tells us what we have done, which is good. But, it should be open so that if anything new comes along that they continue to look at conservation and allow ourselves some leeway if there are new things because they are looking toward the future.
- She suggested that they address the rural aspects in this section. It is an important aspect when they start looking at rural development in what is happening out there in terms of the water supply.

Mr. Benish said that is a good point. Actually this is the area where staff was suggesting a tweaking in the format. Perhaps the description is a little weak in the rural

areas component of it. One of the recommendations is to continue ground-water monitoring. Staff may be able to beef up the text a little bit to make it clearer that this covers both. Along those lines, staff was going to suggest that this water conservation and drought response, while it is public-water oriented, belongs in Chapter 2 on page 6 Comprehensive Water Supply Panning. There is a broader picture to conservation than just planning for our urban water supply. There is also a rural component to it. There is a county-wide component on page 6 that is intended to get to that point on comprehensive water supply planning. Staff was going to suggest moving water conservation and drought response underneath this section for flow purposes. They can look to adding a little more recognition that also covers rural area planning.

Ms. Joseph agreed that would be good. But she was also looking for something that was beefing up in terms of the rural areas and that water supply. The other thing is that she suggested adding a recommendation for some sort of public education. She did not know exactly how they could do that. But it could be something that stresses that they keep that issue somehow before the public.

Mr. Morris asked if she had any suggestions on how that could be done.

Ms. Joseph replied that she did not know specifically, but possibly it could be done by putting it on the website to somehow make sure that people understand that we are concerned about water conservation on an on-going basis whether it is raining or not.

Mr. Benish noted that he thought that had been addressed, but that it was a good point. That is an ongoing part of our water conservation program through the authorities. Staff will look at a beef-up of education.

Ms. Joseph asked if the Regional Response Drought Committee includes the University of Virginia. That is discussed on page 23.

Mr. Benish replied that he did not think so.

Ms. Joseph suggested that they get them to be.

Mr. Benish noted that he would double check on that.

Ms. Joseph noted that there were a lot of students there that are using a lot of water.

Mr. Benish said that if the Commission agrees with those points, they would be looking at the water conservation section for a little more explanation that beefs up the rural area component.

Mr. Loach noted that he had a question about that. This report has a good deal of supporting analysis and data. He asked if they have the same type of supporting data for the rural area. If they don't, then it might be better to recommend a separate study be done on the state of the world water supply so that they can find out where it is to make recommendations rather than put some broad base language in here.

Ms. Joseph pointed out that they have the study that was done several years ago that talks about the ground-water availability. She suggested that should be referenced.

Mr. Benish pointed out that there is a study to generate information on rural-water uses and other environmental impacts. The key study process is under way. The regional water plan requires us to do a county-wide water supply plan. That creates a plan for the rest of the county. The Rivanna Water and Sewer Authority are evaluating the impacts for water resources for the rural areas. Those are ongoing programs that are not coming forth in here.

Mr. Loach said that he would like to see that referenced in here.

Mr. Strucko said that he appreciates the emphasis Mr. Loach and Ms. Joseph are putting on the rural areas. He suggested that it should be mentioned in the Comp Plan that they acknowledge that water supply problems exist in the rural area in various parts of the county and they should be in the conservation effort to minimize and avoid development in those areas that are water-depleted areas.

Mr. Benish said that the evidence over time from looking at well information shows that good wells can be next to bad wells making it hard to pinpoint these area based on geology. The ground-water program obtains well-monitoring information, which will provide good information for certain areas. Staff hopes the data base on well drilling will start giving us some hard data. The key of our program right now is to continue to generate that information. Staff will make sure this is covered. Staff can provide the changes on the consent agenda and it can be pulled off for discussion.

Ms. Porterfield noted that this language was just a summary and not really proactive.

Mr. Benish said the Comp Plan identifies our goal to provide an adequate water supply. He hoped within the next two years that there would be a wholesale evaluation of Chapter 2. It is due for update, but it will be at least two to three years away in the work program.

Mr. Morris asked if they can defer to this to a time in the future where it will appear on the consent agenda or do they need to actually take a vote on this.

Mr. Kamptner replied that they can defer action and direct staff to make the recommended changes and ask them to bring it back on the consent agenda so the Commission can take action at that time.

In summary, it was the consensus of the Planning Commission to defer action on CPA-2008-01, Water Supply Planning Update and to have staff make the recommended changes, as noted below, and bring it back on the consent agenda in the near future.

- On page four, third paragraph delete duplicate "failing" from sentence that says "Crozet sewer interceptor goes on line to alleviate points where it discharges in failing septic systems."
- On page 14 under the water service to the development areas, the first line of the new language says, "The geology of Albemarle County makes it necessary to rely on surface water resources for sizeable. . ." It should read "a" sizeable.
- On page 14 where it discusses the different reservoirs for the different water supply and where they come from it is very important for people to know where those things are in order to visualize where it was going to connect and how it was going to work. Ms. Joseph would like to see the maps included in that section before it goes to the Board.
- On page 18 it talks about safe yield. It would be advantageous to explain what "safe yield" is somewhere in the document.
- On page 23 with water conservation drought response it tells us what we have done, which is good, but it should be open so that if anything new comes along they continue to look at conservation and allow some leeway if there are new things because they are looking toward the future.
- The rural aspects should be included in this section. It is an important aspect when they start looking at rural development in what is happening out there in terms of the water supply.
- Some sort of public education such as putting it on the website should be included.
- Response Drought Committee should include the University of Virginia.
- Look at the water conservation section for a little more explanation that beefs up the rural area component.

Work Session:

CCP-2008-00002 Charlottesville Day School

Pre-application work session for possible special use permit application for private preschool and elementary school for 185 to 228 children on 21.8 acres in the Rural Areas, Tax Map 61 Parcel 1, on Hydraulic Road, approximately 1,600 feet north of the intersection with Lambs Road and Whitewood Road. (Scott Clark)

Mr. Clark made a power-point presentation and explained the proposal. (See power-point presentation and staff report)

- Staff requests that the Planning Commission provide guidance to staff and the applicants on whether this use would be appropriate under the Comprehensive Plan, and identify issues of concern.

Mr. Morris opened the hearing and asked the applicant to address the Commission.

David Bronze, Assistant Director of Charlottesville Day School, presented a power-point presentation, which included several photographs, and explained the school's proposal.

Mr. Morris invited public comment.

Mike Mathews, a general member of the public, said that as a professional he was intrigued by this case regarding a rural area parcel, which was actually not rural in nature. He noted his support of the request and that he had been helping the school with their proposal. There have been significant changes to the reservoir area in the last 20 years. They are seeking LEED certification. He felt it was the right kind of use for the property. The scale and use has precedence in the area and it is the right thing to happen here.

Miles Williams, resident of 100 Roslyn Myers Road, pointed out that the property is on county water. He noted that adjacent to the house is an old well house. He has lived there since 2000 and always been on county water.

There being no further public comment, the public comment was closed and the matter came before the Planning Commission for discussion.

Mr. Morris asked if both churches in the immediate area are on city water.

Mr. Williams replied that he was not sure. He noted that both churches have been built there within the last five years. The Baptist Church has only been open for a short time.

Mr. Clark noted that the water-service map on the screen shows tax map/parcel 61 – 1E, Albemarle Baptist, has no service. The Unity Church has water only.

Mr. Benish noted that only the existing structures have water and that no new buildings would be allowed to be on county water or sewer. There would have to be septic and wells for new structures.

Mr. Morris noted that the school proposal appeared to be a wonderful idea, but there were a lot of unanswered questions and a lot of missing information.

The Planning Commission discussed the proposal and provided responses to the questions posed by staff as noted in the following summary

In summary, the Planning Commission held a pre-application work session for possible special use permit application for private preschool and elementary school for 185 to 228 children on 21.8 acres in the Rural Areas, Tax Map 61, Parcel 1. The Commission discussed the proposal, took public comment and responded to the questions posed by staff, as follows.

1. Does the Commission believe that a private school on this site is appropriately approved under Comprehensive Plan policies (including those in the Rural Areas plan, the Land Use Plan, the Natural Resources & Cultural Assets Plan, and the Open Space Plan?)

It was the consensus although not with unanimity of the Planning Commission that the request was in conflict with the Comprehensive Plan, due to its location

in the Rural Areas, its scale and possible impacts on the South Fork Rivanna Reservoir. A school on this site might be a good transitional use as the property is on a boundary with a Development Area and has good public street access.

2. If the Commission would consider supporting an application for this use, what issues should the applicants address in more detail in their application?

The Commission did not indicate support for the project, but identified the following technical issues to be addressed if an application is made: water supply (quantity and possible contamination), septic capacity and impacts on the drinking-water reservoir. The Commission also stated that a more detailed plan showing the design for the buildings and site would be needed.

Old Business:

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

New Business:

Mr. Morris invited new business.

- The next regular meeting of the Planning Commission will be Tuesday, September 23, 2008.
- PC requested staff in the future to consider combining short agendas (1 ½ hours) into one. A suggestion was for staff to consider going to two meetings per month.
- Staff noted that the September 30 meeting would be held in room 241 or Room 235 for the requested round table forum for the review of the Planned Development District Amendment and the last work session before the public hearing on the Economic Development Policy.
- The email received from Keswick Hall regarding the Central Virginia Recycling Center application will be forwarded by Ms. Joseph to all Commissioners. Photos are available from Joan McDowell of a similar mulching operation outside of Williamsburg taken by Ms. Porterfield.

Adjournment

With no further items, the meeting adjourned at 8:04 p.m. to the Tuesday, September 23, 2008 Planning Commission Meeting 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 Claytor Taylor, Clerk to Planning Commission and Planning Boards)