Albemarle County Planning Commission
June 7, 2011

The Albemarle County Planning Commission held a public hearing and work session on Tuesday, June 7, 2011, at 6:00 p.m., at the County Office Building, Lane Auditorium, Second Floor, 401 McIntire Road, Charlottesville, Virginia.

Members attending were Ed Smith, Thomas Loach, Linda Porterfield, Don Franco, Duane Zobrist, Chair and Calvin Morris, Vice-Chair. Julia Monteith, AICP, Senior Land Use Planner for the University of Virginia was present. Members absent were Russell (Mac) Lafferty

Other officials present were Scott Clark, Senior Planner; Wayne Cilimberg, Director of Planning; and David Benish, Chief of Planning.

Call to Order and Establish Quorum:

Mr. Zobrist, Chairman, called the regular meeting to order at 6:02 p.m. and established a quorum.

Committee Reports:

Mr. Zobrist invited committee reports from the Commissioners. There being none, the meeting moved to the next item.

Other Matters Not Listed on the Agenda from the Public:

Mr. Zobrist invited comment from the public on other matters not listed on the agenda and on any consent agenda items.

Neil Williamson, President of the Free Enterprise Forum, commented on the CPA process and questioned its value. In the last eight years, he has seen countless CPA's denied because "they should be considered under the broader context of the Comprehensive Plan update." Considering the removal of Biscuit Run was never a part of any Comprehensive Plan update. He was left wondering what if any CPA would garner staff and Planning Commission support. In addition, he is left with questions regarding the metrics the Planning Commission will use to determine the viability of any given CPA. Several times members of this Commission have attempted to raise this question in the abstract without an application in front of them and that discussion really has not gotten very far. He recommended the Commission vote on whether the process should be continued and, if decided that it should be eliminated, recommend that the Board of Supervisors amend the Code to eliminate it.

There being no further public comment, the meeting moved to the next item.

Review of Board of Supervisors Meeting – June 1, 2011

Mr. Cilimberg reviewed the actions taken by the Board of Supervisors on June 1, 2011.

Mr. Franco asked what the status was for the processing of a resolution to amend the Comp Plan amendment process requested by the Commission.

Mr. Cilimberg replied that the Commission did pass a resolution of intent regarding the Comp Plan amendment process and staff incorporated that policy into the Comp Plan review. That is part of what staff will be bringing to the Commission. It is not in the County Code. It is actually not a part of the State Code that individuals be able to apply, which is something that the County has done for some time. There have been a number of Comprehensive Plan amendments over the years between actual reviews of the Comp Plan. Typically, when the Comp Plans are under review amendment requests are incorporated in that review. A primary example was Old Trail. At the time the initial Crozet Master Plan was under way they were asked to incorporate that as part of that Comprehensive Plan amendment for the master plan. Some larger ones from the past he could recall include the changes to the

Comprehensive Plan from industrial to residential across from the Airport for the development on the back side of Hollymead Town Center. That was done about three years ago and was called Willow Glen, which was a Comp Plan amendment at that time. Prior to that, there was a big change for Hollymead Town Center some years ago. They had North Point's property for the Towers Land Company Comprehensive Plan amendment some years ago. There have been a fair number of amendments over the years outside of the Comp Plan amendment process itself. What needs to be clarified in the policy is when an amendment request can be considered and when it would be incorporated in the Comp Plan review process. He thought that has gotten confused and the policy statement is not very clear right now.

Mr. Franco asked if the Commission did pass that resolution, and Mr. Cilimberg replied yes that the Commission gave staff direction in the resolution of intent.

Mr. Benish replied that the Commission did give staff direction. Staff feels it can be done fairly early on in the process by actually incorporating it into the Comp Plan and make it part of the Comp Plan process embedded in the plan. Albemarle Place and Rivanna Village were done outside of the Comp Plan updates. The expansion of the North Point Research Park from 200 to 500 acres is all Comprehensive Plan amendments done outside of a Comprehensive Plan update.

Consent Agenda:

Approval of Minutes: January 18, 2011

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

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

The motion passed by a vote of 6:0.

Mr. Zobrist noted that the consent agenda was approved.

Public Hearing Items:

AFD-2011-00003 Jacob's Run Addition
Notice is hereby given that the Albemarle County Planning Commission will hold a public hearing to receive public comments regarding the addition of the following parcels to the Jacob's Run Agricultural and Forestal District (Albemarle County Code § 3-222) on June 7, 2011, at 6 p.m., in the Auditorium of the Albemarle County Office Building, 401 McIntire Road, Charlottesville, Virginia: Tax map 19A, parcel 31. The parcel proposed for addition is approximately 22 acres in size and located north of Frays Mountain Road and east of Buffalo River Road. The Albemarle County Agricultural and Forestal Advisory Committee have recommended approval of this addition. (Scott Clark)

Mr. Clark presented a PowerPoint presentation and summarized the request as noted below.

- This is a proposal for a 22 acre addition to the Jacob's Run Agricultural and Forestal District. The parcel is located north of Fray's Mountain Road and east of Buffalo River Road. This addition would increase the district acreage to 824 acres. On May 24, 2011, the Agricultural and Forestal District Advisory Committee recommended approval of the proposed addition.
- Staff recommends the Planning Commission recommend approval of the proposed addition of the Jacob's Run Agricultural and Forestal District.

There being no questions for staff, Mr. Zobrist opened the public hearing and invited public comment. There being none, the public hearing was closed, and the matter before the Planning Commission for further comment and action.

Motion: Mr. Morris moved and Mr. Loach seconded to recommend approval of application AFD 2011-3 to add Tax Map 19A, Parcel 31 to the Jacob's Run Agricultural and Forestal District.

The motion passed by a vote of 6:0.

Mr. Zobrist noted that the Agricultural/Forestal District Review would go to the Board of Supervisors on July 6, 2011 with a recommendation for approval.

AFD-2011-00004 Buck's Elbow Mountain Addition

Notice is hereby given that the Albemarle County Planning Commission will hold a public hearing to receive public comments regarding the addition of the following parcels to the Buck's Elbow Mountain Agricultural and Forestal District (Albemarle County Code § 3-222) on June 7, 2011, at 6 p.m., in the Auditorium of the Albemarle County Office Building, 401 McIntire Road, Charlottesville, Virginia: Tax map 39, parcel 21R. The parcel proposed for addition is approximately 21 acres in size and located south of Buck's Elbow Mountain Road and north of Mint Springs Valley Park. The Albemarle County Agricultural and Forestal Advisory Committee have recommended approval of this addition. (Scott Clark)

Mr. Clark presented a PowerPoint presentation and summarized the request as noted below.

- This is a proposal for a 21 acre addition to the Buck's Elbow Mountain Agricultural and Forestal District. The parcel is located south of Buck's Elbow Mountain Road and north of Mint Spring Valley Park. This addition would increase the acreage of the district to 3,198 acres. On May 24, 2011, the Agricultural and Forestal District Advisory Committee recommended approval of the proposed addition.
- Staff recommends that the Planning Commission recommend approval of the proposed addition of the Buck's Elbow Mountain Agricultural and Forestal District.

There being no questions for staff, Mr. Zobrist opened the public hearing and invited public comment. There being none, the public hearing was closed, and the matter before the Planning Commission for further comment and action.

Motion: Mr. Franco moved and Mr. Smith seconded to recommend approval of application AFD 2011-4 to add Tax Map 39, Parcel 21R to the Buck's Elbow Mountain Agricultural and Forestal District.

The motion passed by a vote of 6:0.

Mr. Zobrist noted that the Buck's Elbow Agricultural/Forestal District Review would go to the Board of Supervisors on July 6, 2011 with a recommendation for approval.

AFD-2011-00005 Blue Run Addition

Notice is hereby given that the Albemarle County Planning Commission will hold a public hearing to receive public comments regarding the addition of the following parcels to the Blue Run Agricultural and Forestal District (Albemarle County Code § 3-222) on June 7, 2011, at 6 p.m., in the Auditorium of the Albemarle County Office Building, 401 McIntire Road, Charlottesville, Virginia: Tax map 50, parcel 42A1. The parcel proposed for addition is approximately 30 acres in size and located east of Gordonsville Road and approximately 250 feet south of Lindsay Road. The Albemarle County Agricultural and Forestal Advisory Committee have recommended approval of this addition. (Scott Clark)

Mr. Clark presented a PowerPoint presentation and summarized the request as noted below.

- This is a proposal for a 30 acre addition to the Blue Run Agricultural and Forestal District. The parcel is located north of Cash Corner on Route 231. This addition would increase the acreage of the district to 4,190 acres. On May 24, 2011, the Agricultural and Forestal District Advisory Committee recommended approval of the proposed addition. The correct parcel number is tax map 50, parcel 42A1 and not 42A1 as listed in the staff report. The correct parcel number was advertised.
- Staff recommends that the Planning Commission recommend approval of the proposed addition of the Blue Run Agricultural and Forestal District.

There being no questions for staff, Mr. Zobrist opened the public hearing and invited public comment. There being none, the public hearing was closed, and the matter before the Planning Commission for further comment and action.

Motion: Mr. Loach moved and Mr. Franco seconded to recommend approval of application AFD 2011-5 to add Tax Map 50, Parcel 42A1 to the Blue Run Agricultural and Forestal District.

The motion passed by a vote of 6:0.

Mr. Zobrist noted that the Blue Run Agricultural/Forestal District Review would go to the Board of Supervisors on July 6, 2011 with a recommendation for approval.

Work Session:

Somerset Farm Comp Plan Amendment Request

A work session was held to review a request to add approximately 320 acres to Urban Area Neighborhood Four for Neighborhood Density Residential and commercial uses. The area is located on the east side of Route 20, from just north of Mill Creek Drive/Route 20 intersection to just north of the Avon Street/Route 20 intersection. (David Benish)

Mr. Benish presented a PowerPoint presentation and summarized the staff report. This is a proposal to amend the development area boundary in the southern urban areas, specifically to add approximately 320 acres to the development area Neighborhood 4, as noted below.

Proposal

- The "site" consists of 620 acres, total
- Proposed development concept:
- To add approximately 320 acres to Development Area Neighborhood 4
- Neighborhood Density Residential (3-6 du/ac)
- Two Neighborhood Centers totaling 350,000 sq. ft of office & commercial, and one 120,000 sq. ft. destination retail store.
- Remainder of site of site (approx 300 acres) proposed for open space and preservation easements.
- Proposed open space areas generally consistent with mountain protection area and adjacent system of critical slopes.

Comprehensive Plan Issues

- Impact to Rural Historic District (Southern Rural Historic District)
- Scenic Resource impacts (Rt. 20 Scenic Byway, entrance corridor to natural, cultural and historic resources
- Mountain Protection Area
- Impact on infrastructure and services, including transportation/roads
- Need for and extent of adjustment to Development Area holding capacity

Factors Favorable

- Reasonable access to water and sewer
- Served by a primary road (Route 20 and one mile from I-64 interchange).
- Within reasonable proximity to public services, (elementary and high school, and fire-rescue station.
- Would replace some holding capacity lost with the Biscuit Run/state park (950-1900 units); replacement area in southern urban area location. (Proposal = 950-1900 units; Biscuit Run = 3100 units)
- Proposed Development Area outside mountain protection area (700 foot contour and higher) and most adjacent critical slope areas.
- Mountain protection area not development; potential conservation easements
- The site has reasonable access to utilities water and sewer; is served by a primary road (Route 20), and approximately one mile from I-64 interchange.
- The site is within reasonable proximity to public service, including schools (elementary and high school) and fire-rescue station.
- The proposal could replace some of the development capacity lost with the Biscuit Run site becoming a state park, and replaces it within the same general southern urban area location.
- The applicant has indicated that no development will occur on the property within the area designated for mountain protection (700 foot contour and higher) and adjacent critical slope areas, some areas are intended to be placed in conservation easements

Factors unfavorable

- Rt. 20 is substandard in design and alignment; future upgraded needed to support future development. (Traffic study needed to determine impacts)
- Development of east side of Rt. 20 would affect the scenic character of corridor; important approach to Monticello and other tourist attractions.
- The properties are located in the Southern Rural Historic District. Development would impact the rural character of the district in this area.
- The amount and scale of commercial development proposed may be too large for this location; not in keeping with scale and character of the area.

Recommendation

- This request should be further studied with the ongoing update of the Comprehensive Plan/Land Use Plan.
  -Consider with other areas that could provide for additional development capacity, if added capacity is determined needed.
- This action would be consistent with the Commission's action on the recent CPA request for Redfields (CPA 2010-01).

Staff's believes that this request merits further study for inclusion in the designated Development Area, although there are concerns with the proposed expansion area and how some of the proposed development concepts impact natural, scenic and historic resources. The location, scale and intensity of the ultimate development of the site will play a large factor in the level of impact to these resources. However, the general area does have several qualities/characteristics that would make it appropriate to consider for residential use.

Staff concludes that this request should be further studied with the ongoing update of the Comprehensive Plan, and evaluated against other areas in the County that could provide for additional development capacity in the Land Use Plan, if additional capacity is determined to be needed. This action would be consistent with the Commission's action on the recent Comprehensive Plan Amendment request to include an open space area in Redfields in the Development Area for residential use (CPA 2010-01).

Comp Plan Update--Land Use Plan (LUP) Review (Overview)

- **June-Sept. 2011** -- Analysis of LUP holding capacity, approved development inventory, and land use needs/growth projections (ongoing)
- **October 2011** – Public input opportunity on Land Use (workshop/open house)
- **Fall/Winter 2011** – Work session(s) with PC to discuss/receive direction on LUP update
- **Feb/March 2012** – PC direction finalized on LUP update
- **Summer 2012 –** Draft revised Land Use Plan Maps & key text/features - By Summer/early fall--Staff analysis of LUP holding capacity, approved development inventory, and land use needs based on growth projects

Focus of Comp Plan Update

The primary areas are:

- To improve the form and continuity of the plan/plan sections, making the document more user friendly and understandable for all users;
- Update the Community Facilities Plan, including of level of service standards (specifically, police, fire-rescue, parks & recreation);
- Review of public requests for Comprehensive Plan Amendments (as directed by Planning Commission);

- Update of the Land Use Plan section, including
  - Evaluate need for, amount & location of adjustments to the DA boundaries;
  - Designate additional industrial land in Development Areas (per Economic Development Policy & Board's Economic Vitality Action Plan);
  - Evaluate the Interstate Interchange Policy, particularly as related to land uses permitted at Rural Area interchanges (per Economic Development Policy update & Board's Economic

Vitality Action Plan);
- Simplifying and clarifying the Land Use Plan map designation descriptions, development guidelines and standards;
- Evaluate need for a policy related to urban agriculture (directed by BoS);
- Consider updating and integrating current "Three Party Agreement" Area B studies directly into Land Use Plan;
- Evaluate policy on uses permitted in Rural Areas; with focus on non-residential uses consistent with & supportive of RA intent/activities (directed by BoS).

Comp Plan Update – General Timeline

- March 22, 2011 – Joint City/County Work Session – Overview of Grant
- April 27, 2011– Comp Plan Kick Off
- May 2011/June – Data review of Kickoff
- Summer 2011 – Joint PC meeting to review kick off and perhaps another collaboration topic
- June/July 2011 – Data gathering and setting up schedules with citizen advisory groups (where requested) on plan updates
- Mid July/Early August 2011 – Joint PC – topic to be determined
- September – Feb 2012 - Public participation workshops
- March/April 2012 - Joint PC work session – Wrap up/Report out on Public Meetings
- Spring 2012 – Focused Citizen input meetings (as requested)
- Spring & Summer 2012 – Work sessions with Commission on Various Chapter updates (group those needing minimal update with more focused sessions on larger updates)
- Fall 2012 – Citizen check-ins
- Winter/Spring 2013 – Target for Adoption

Mr. Benish noted that staff is here to answer the Planning Commission's questions and asks that the Commission provide direction on the proposal to staff on how to proceed.

Mr. Morris asked if staff saw any possibilities of speeding up the process and keeping it within the Comp Plan review.

Mr. Benish replied that the complication with speeding it up from this particular schedule is it might slow down other sections. Staff will do what the Commission and Board feel like are their priorities. However, this structure is set up in a way they can allow for the other sections of the plan to move forward and meet the deadline of having the Comprehensive Plan amended by the spring of 2013. The March/February timeframe is an important point because that will set out the outline for what the Commission wants staff to do in that plan update. Staff could access what priorities they have for other sections after that. Just bear in mind that changing the schedule to advance this any further could affect their ability to get other sections done.

Ms. Monteith said she was curious about Mr. Morris' question in why they would want to speed up this particular piece.

Mr. Morris replied that it seemed that during the past few years they have had a number of questions relating to shifting from rural area to development area and so on. It would seem that those questions and really defining what will be the development areas is crucial to evaluating the Comprehensive Plan in a logical way. From his point of view it seems that this question needs to be addressed as quickly as possible so that the planning can go on.

Ms. Monteith noted as a follow up Attachment A is a list of other properties that have approached the county. She questioned if they are doing a broader review than just those properties who have approached the county. How are they really evaluating if they are going to make additions to the development area, what are the appropriate pieces of land for that and not just the ones coming forward, but in a broader respect. From a technical evaluation, it seems that they would not just consider properties that come forth, but they would want to consider other properties also.

Mr. Benish replied that is correct. Their approach plan is to try to look at them all equably and fairly under the merits of each based on identifying how much area, where the areas of emphasis are for expansion,

and is there certain areas of the development area that makes more sense if there is a decision to expand the development area. Looking at those general areas there may be opportunities besides the ones where there have been applicant requests. They are also going to look at the properties where there are property owners that made the request. The ones who are interested they assume would be making their land available for future development, and therefore would have more utility. They can designate lands people are not interested in developing, but that does not really serve the purpose. Those properties that have made requests have important merit, but they want to look at other areas as well. Part of the timing for this, too, is the assumption in the land use plan and the requirement of the State Code is that changes to our plan have to be evaluated for their transportation impact. This schedule is matched up with the regional transportation plan update. As the Commission decides which areas they would like to amend or want staff to further study amending they can use that regional planning process to identify what the impacts of those expansions are in that area. If they accelerate, too much they can affect the work load at the Planning District in doing that project as well. Therefore, there is some balance that they have to address. If they deal with these as individual requests, they generally ask for transportation studies and the applicant would have to provide that information.

Mr. Cilimberg said the process up to next February/March when staff gives direction is pretty much fixed on the idea that they are looking at what Mr. Benish said as the total picture, the needs, what should move forward, and that then gets its particular analysis. Really, isolating particular properties and moving forward or isolating this aspect from other aspects of the plan won't make a difference in timing there. Where they might make a decision next February/March after they have seen the background information and the analysis of need and such is they might decide to focus just on the land use plan change right now and let's wait on something else. That is a decision they could make based on the information they have at that time.

Mr. Benish said the concept here is they would hope to have a work session with the Commission as early as October to get their feedback on what they would be presenting at the public input process. Then in November, they would provide the results of that process and also provide information on the analysis that they have been doing over the summer. That could be provided as early as September and then come back to the Commission and calibrate it against public comment in November. Those are the important thresholds for staff to get information to the Commission to provide feedback on. Depending on what happens tomorrow night with the grant they might have less resources both to do the public process and perhaps one less full time equivalent being able to work on the Comprehensive Plan and these assignments.

Mr. Loach said on the June/September date was the review of the holding analysis. He questioned what would be the implications for the CIP within the scope of their growth areas and what is left in the build-out analysis. When they finished the Crozet Master Plan there was a build-out analysis regarding what infrastructure would be needed to take us to that end point. He asked if that were something they would have at the end of this process and as well to know what the CIP implications would be.

Mr. Benish replied that they would probably not have that full impact in the September analysis. This is more focused in on what is the current holding capacity based on green fill development, assumptions, and looking at the approved development inventory making sure they have a good accurate number about what has not been built and what has, and then looking at that based on the growth projections. He thought they could provide for some assessment of what the capital impacts are because they have some of that analysis already and can see how the growth projections have changed from what they assumed in the past. He thought staff could give the Commission some good information to the extent that the regional transportation study would have been run. They may have a run on the current Comp Plan by then, but may not. Staff will have some of it, but not a final picture.

Mr. Franco said in looking at the timeline he was not sure he understands when the ten properties on the requested change list would be looked at.

Mr. Zobrist invited the applicant to address the Planning Commission.

Scott Collins, representing Wendell Wood, highlighted several things from the discussion. Everyone has

been bringing up some excellent points.

- This property has been studied for 20 years. Back in 1996 it was actually on the agenda to almost be included in the growth area or in the development area. That night the Board of Supervisors voted on a number of things. At that time they did not go forward with anything at the last minute. As noted on the map included in the packet there are a number of properties in the southern development area that was looked at back in 1996 in the Comprehensive Plan amendment. About one-third of those properties since 1996 have actually been developed by right or in the process of being developed by right. It includes Mosby Mountain, Mountain Valley, Red Fields, and Whittington. Another one-third of those properties in the southern development area have not been developed yet, which is the Biscuit Run property that is now a state park. What it comes down to is there is only about one-third of that area left in that southern development area that was actually considered as a good possible expansion in the growth area back in 1996 that is even developable today to look at for expansion in the growth area.
- When they start looking at the effects of this property and this development of a possible 1,500 to 1,800 units that could be put on this property, they know what that entails and what kind of impact it would have on the community. It was studied in great detail with Biscuit Run. Biscuit Run Development was for 3,000 units. A lot of the density was on the Route 20 side of the property due to terrain and the availability of the development based on streams and terrain. A lot of that impact was going to be on that side of the development. They know what the impacts are to the transportation. They know what needs to happen on Route 20. They know it would have to be upgraded. That is something on the county infrastructure program already. This project would mitigate a lot of that infrastructure cost.
- This property has water and sewer to it. There is capacity available. These are all very powerful favorable factors for this property to be looked at in development. Many of the other properties they are going to be looking at in the comprehensive plan amendment are not going to have water and sewer to the property. There will not be capacities available like this property does. This property has more favorable terrain than Biscuit Run. It does not have the amount of streams and seem to be more on the outside parts of the development area, which can be preserved much better without the number of stream crossings and impacts that Biscuit Run had. There are favorable factors for this property to be looked at in the development area. This property is much closer to the interstate and has less infrastructure impacts. They were preserving 11 acres for the learning center for Biscuit Run. A school was not needed at that time so they were reserving for other uses. So much studying of this property has been done. How much more do they have to look at this property. It would be very helpful to get this property going and work within the confines of the county to help further it along and help as they look at other things. To move the process along would be great. It would be very helpful and beneficial for everybody.

Mr. Zobrist invited questions for the applicant.

Mr. Franco asked what is the by right development potential for this property.

Mr. Collins replied approximately 60 to 100 units would be by right.

Ms. Monteith questioned if that would be all residential.

Mr. Benish asked if that takes out the critical slopes or is it a gross analysis of acreage and development rights.

Mr. Collins replied it was a gross analysis.

Mr. Benish noted that it might be less.

Mr. Collins said they could still have many development acres within critical slopes on those parcels. Whereas, if they rezoned it they would preserve all of that and take it outside of the lots. It is the same way with streams and buffers. All of that area would be outside of the lots or development.

Mr. Benish noted that it might be less by right because not being able to find enough non-critical slope areas for some lots because of the extensive amount. He noted there were severe topographic issues.

Mr. Collins noted it would definitely be a shame to go by right and miss the mitigation to allow the infrastructure. That is something they are pursuing as well.

Mr. Zobrist invited public comment.

Morgan Butler, with the Southern Environmental Law Center, asked to make a quick statement. They concur with staff's overall conclusion here. This proposal definitely has some very positive characteristics, but it also has some negative characteristics. The appropriate way to deal with this is to study it further as part of the ongoing update to the Comprehensive Plan. A key first part of which would be revisiting the county's needs and the holding capacity of our existing development areas as well as figuring out and getting an inventory of what has already been approved. Only once that information is on the table can the county make informed decisions about which, if any, of the various growth area requests for expansion that have been submitted to date should be incorporated at the comprehensive plan. He agreed with the applicant's statement that yes, this area has undergone quite a bit of study. However, he felt they would be putting the cart before the horse if they did not recognize that it was only one piece of information that is about to be studied. There are informed decisions to be made on not only this growth area request, but all growth area requests and how much capacity do they need to add to our growth areas now, if any.

There being no further public comment, Mr. Zobrist noted the public hearing was closed and the matter before the Planning Commission.

Ms. Porterfield noted that she went on a nice tour of the property. She agreed the land is well located and has the transportation ability. Mr. Wood seems willing to work with the county and try to provide some good commercial in that area where there is none. The county is losing many people to Zion Crossroads to shop. However, they need to figure out how much more residential capacity can be handled in Albemarle County without losing services to current residents. This should include water. She was willing to move this along instead of letting it sit with the Comp Plan. She suggested they go ahead and move on with this application so they can advance and not lose an opportunity.

Mr. Loach said he had no problem moving it on, but would like to make sure the data is there to make an informed decision, which should be done in context with the comp plan.

Mr. Franco said it will come down to a decision in the future either at the end of the Comp Plan process or potentially at the beginning associated with this project of are we trying to replace what was lost with Biscuit Run. He questioned if they are simply trying to stay ahead of a certain number of years of inventory out there. They don't know what the capacity is out there now. The sooner that question is asked and answered he felt the better off they were going to be. Then they would have a better idea of how to process the Comp Plan.

Mr. Zobrist noted his support for moving it ahead sooner because there is nothing going down in that area to the south. It does not have anything to do with Biscuit Run. They don't have any development going on down there. It is all pushing north, east, and west. They have no development going south. If they don't provide some opportunity for someone who wants to work in the south then they will see more by right development in that area. They will see their beautiful southern part of our county go to more development because it will be easier for people once they get started and the county won't get the proffers or transportation improvements.

Ms. Monteith said overall as a community they need to understand what capacity they actually need whether they are talking about in the south or anywhere else. That is a really important thing that they need to understand as a Commission and they need staff to help them with it. The other things in the staff report that she had not already addressed are she would reiterate that they need a good understanding of the traffic analysis in this situation. It is going to be ahead of the long range transportation plan that the MPO is doing. They need very good information on that. The other thing that

was mentioned is that there is going to be a need for further assessment of the biodiversity analysis. So all of those things she thinks need to be completed in advance of any larger decisions.

Mr. Franco agreed with those comments. He was not saying approve the expansion tonight. However, they can make that conditions of what they are studying. The information they are going to need in order to move it forward. Again, he relates it back to Crozet that it seemed to help the Crozet Master Plan to have the development community proposing what they want to do and really being able to work with staff to say they were willing to do this or not willing to do that in order to facilitate that master plan.

Mr. Zobrist asked if he would make a motion.

Mr. Franco replied that there would be no motion tonight since it was a work session.

Mr. Cilimberg asked to summarize what he had heard. He thinks what they want to do is consider this area potentially ahead of other expansion areas that might be considered. However, they want to do that within the framework of general metrics that they talked about. The metrics are the June to September work of the staff that is on the schedule seen on the screen. Staff's intent was to try to provide for the Planning Commission by the fall the information that would tell them what kind of inventory they have of development and what our capacities are, what our projections are telling us we will need so that they could then decide the extent to which they believe expansion is necessary. One approach would be for the Commission to use that and then decide how any of the particular ten areas should move forward at that point in time. It is a basis at least they could work from in deciding with any particular area where they want to focus the greater attention of looking biodiversity, looking at facility needs, and looking at traffic impacts. Outside of using the regional traffic modeling process that this schedule generally is trying to use if they isolate particular areas for particular analysis, then they are going to have to get traffic studies on those areas under the Virginia law because it is a comp plan amendment. The 527 provisions of the State law say that they need to in considering amendments bring to the state the traffic study of those areas. In this case it would have to be provided by the land owners or applicants so that can be evaluated by them for impact. In the meantime any of the property owners who have particular ideas for the approach, and staff has a pretty good idea of this one approach, they would want to work with over that same time to know exactly what they are going to consider as their kind of request for land use. Staff has not gotten that from some of the Commissioners.

Mr. Loach said that he would hope by September that they could get as a Commission some feeling from the Board as to what financial position they will be in to meet the future needs. In other words, is it going to be their position they are going to continue on a maintenance budget for several years to come. They have to take these things into consideration. It seems counterproductive to consider growth area expansion when they are basically saying they can't afford what they have.

Mr. Cilimberg replied that they couldn't afford it even if it develops by right.

Mr. Loach said that it is less of an impact on the current residents.

Mr. Cilimberg replied that was an arguable point actually because they are going to have costs from spreading it out over the county that are going to ultimately be as much or greater than what they would have in focusing development in areas.

Mr. Loach noted that was an assumption.

Mr. Cilimberg said that staff could let them know at that same time where the Board seems to be heading in terms of the capital program. The Board had a work session recently and going to be considering how to move forward to fund the capital program. He thought the Board understands that there are some needs that they are not currently able to address. Staff knows that Route 20 south without any study is identified in our priorities for an expansion, but there is no state money to do it and probably won't be for many years. That the reality of where they are for a lot of our transportation needs right now that already exist without even adding development area or new development.

Mr. Loach noted that he would hate to see Route 20 get like Jarman's Gap Road, which is not 10 to 12 years behind the curb. If that were the kind of development cycles they are looking at, he would have more of a problem.

Mr. Cilimberg noted that they have set some precedent even with the Village of Rivanna in how they approach new development out there for the future based on infrastructure limitations and essentially establishing that there should be no new approval of development out there without improvements to Route 250 east. It is also a road under great stress probably greater than Route 20 south.

Mr. Benish said that there were two steps they could look at potentially in this process in how much expansion area they need and where those best areas are. That establishes a long range vision for where they want development to take place. Picking up on what Mr. Cilimberg noted in the Rivanna Plan, all of our master plans are being developed with priority areas that sets expectations of where investments need to be made and where development would be encouraged because that is where they have the ability to make those investments. The next step in this land use plan development process was identifying where our needs are, where our expansions are, and then where they want to focus and encourage development to take place from a timing standpoint. They obviously relate to one another, but they can make some decisions about where their long term growth areas/expansion areas are going to be. Then they can establish a priority and timing for those areas that may or may not include those new areas.

Mr. Cilimberg said that one thing he could relate based on the history of the planning over the years here is that some may remember when the 1996 land use plan was being considered by the Board that the Planning Commission had recommended some expansion. There was a fairly significant feeling among interest in the County that they needed to first utilize our current development areas at the time before expanding in the new areas. That is why the Board decided not to make any expansion in 1996. They wanted to feel that the current development area boundaries were being utilized to their most efficient extent. That actually lead to DISC and the Neighborhood Model being the change in the plan that occurred over the next four years to try to better identify how the development areas could accommodate growth for the future. Since then they have really not had any new check in as to as to how development has occurred. That is why this period of June to September is needed for the work staff is doing to try to give them that picture is important as they move forward in considering any expansions for this, the other nine areas, or for anyone else for that matter. Staff can't accelerate much more than that any way. They have staff resources that they have to devote to this work. Unless things were too drastically change in the overall scope of how this plan is going to be approached that is pretty much what they have to do for the whole plan.

Mr. Zobrist said that his sense from the Commission is that they would like to see staff accelerate it to the extent possible. He asked if that was the consensus.

Mr. Loach said his thought was as Mr. Franco was saying to move it into the context of the Comprehensive Plans Study.

Mr. Franco suggested when they come back in October he thought it was said there were two goals for October. In delivering information to the Commission, the first goal was to understand how much capacity was out there and second was to make a decision on how much future capacity they want to add if any. He would add a third to what comes to them in October, which would be looking at these properties that have at least come forward and what if anything can they provide of that excess capacity. He thought that they were speeding this up slightly. Again, he did not know that they were going to walk out of here with an addition to the growth area any time soon or how quickly. However, he thought that they agree that this is probably one of the premiere pieces to be added. He would like to know that if they are going to consider an addition what they could expect this to provide. That gives them an opportunity for them to understand whether they are giving up a school site or giving up a 100' buffer along Route 20 or any of those things that might change conditions that would have them say they are just going to move forward by right.

Mr. Cilimberg said that is what staff would want to do with this applicant and other applicants as well.

Mr. Franco said that he would like to see that as part of their decision making process or what is brought to the Commission in October versus what is brought to them in the summer of 2012 or some later date. He thought that moves it up so that the applicant has a good indication of where this is heading. That might be enough to continue to engage them in the process and not lose this opportunity.

Mr. Benish said that he did not think that was far off from where they were in giving them information on the individual requests. It was probably closer to fall/winter after the public input process to get general public input. Therefore, staff was thinking about November. However, he thought that staff could work towards that September/October date.

Mr. Zobrist asked how the other Commissioners felt.

Mr. Loach said that he had no problem with it as long as they are weighing the economics of the situation as well, too, so they have some projections on those capital needs incorporated in that.
He did not think they could make a decision on growth area expansion without some idea of what the capital improvements and the needs with the capacity that they have. If they are falling behind in that, then it has to be taken into consideration.

Mr. Morris thanked Mr. Benish for coming up with the land use plan review data sheet as well as Appendix A. They were very helpful.

Ms. Monteith pointed out that the staff report was good, too.

Mr. Zobrist noted that all Commissioners were given the opportunity to ride the property with Mr. Wood. He thanked the applicants for their presentation. There being no further comments, he closed the work session.

In summary, the Planning Commission held a work session on CPA-2010-00001 Somerset Farm Comp Plan Amendment Request. The Commission noted some areas to take into consideration and provided direction for staff.

It was the consensus of the Planning Commission that the proposal for CPA-2010-00001 Somerset Farm merits further study for inclusion in the designated Development Area as part of the Comprehensive Plan update now underway with some modification of the process presented by staff. Staff was requested to provide the following information to the Commission in October:
1. Capacity of Development Area and projected growth;
2. Potential land uses in all requested expansion areas; and
3. Public infrastructure needed for expansion areas and how it can be provided.

No formal action was taken.

Old Business:

Mr. Zobrist asked if there was any old business.

- Staff to schedule deferred work session for June 21 upon confirmation of Ms. Porterfield's attendance. If not all Commissioners are available on June 21, the work session will be scheduled in July.
- Commissioners interested in attending the Certified Planning Commission Program should contact staff.
- The Board of Supervisors will hold their public hearing on Sustainability on Wednesday, June 8 at 6 p.m.
- Mr. Franco noted that the sight distance problem on Route 29 North he spoke about at the last meeting has not been corrected. Staff to check on the status of the complaint.
- Mr. Franco noted receipt of a letter from an owner of a lot in South Fork Farms Phase 4 concerning an unbuilt road that the residents are complaining about. He spoke with Mr. Brooks

who responded that they couldn't do anything about bonding until VDOT accepts the road. The email will be forwarded to Mr. Cilimberg for follow up.

- Mr. Franco noted as a follow up to his comment about the clearing on Route 29 North of Forest Lakes entrance at the last meeting that it looks like they are doing clearing to widen the parking lot and pushing debris in the creek. It appears to be outside of the right-of-way. Staff will check on this issue.

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

New Business:

Mr. Zobrist asked if there was any new business.

- ***THERE IS NO MEETING ON TUESDAY, JUNE 14, 2011.***
- ***THE NEXT PLANNING COMMISSION MEETING WILL BE ON TUESDAY, JUNE 21, 2011.***

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

Adjournment:

With no further items, the meeting adjourned at 7:31 p.m. to the June 21, 2011 meeting at 6:00 p.m. at the County Office Building, Auditorium, Second Floor, 401 McIntire Road, Charlottesville, Virginia.

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V. Wayne Cilimberg, Secretary

(Recorded and transcribed by Sharon C. Taylor, Clerk to Planning Commission & Planning Boards)