Albemarle County Planning Commission
August 5, 2014

The Albemarle County Planning Commission held a public hearing on Tuesday, August 5, 2014, at 6:00 p.m., at the County Office Building, Auditorium, Second Floor, 401 McIntire Road, Charlottesville, Virginia.

Members attending were Karen Firehock, Richard Randolph, Mac Lafferty, Vice Chair; Bruce Dotson, and Tim Keller. Members absent were Thomas Loach and Cal Morris, Chair. Julia Monteith, AICP, Senior Land Use Planner for the University of Virginia, was absent.

Staff present was David Benish, Chief of Zoning; Wayne Cilimberg, Director of Planning; Stephanie Mallory, Zoning Assistant and Greg Kamptner, Deputy County Attorney.

Call to Order and Establish Quorum:

Mr. Lafferty, Vice Chair, called the regular meeting to order at 6:00 p.m. and established a quorum.

From the Public: Matters Not Listed for Public Hearing on the Agenda.

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

Committee Reports:

Mr. Lafferty invited committee reports. There being no committee reports, the meeting moved to the next item.

Items Requesting Deferral

ZMA-2010-00018 Crozet Square
MAGISTERIAL DISTRICT: White Hall Magisterial District
TAX MAP/PARCELS: 056A2010007100, 056A20100071B0, 056A2010002500, and 056A2010002600
LOCATION: 5707 Three Notch'd Road, 5755 The Square, and property adjacent and south of CSX Railroad (approximately 1,000 east from the intersection of Crozet Ave. and the railroad track.
PROPOSAL: Rezone 20.46 acre parcel(s) from HI Heavy Industrial (industrial and commercial, no residential use) and C-1 Commercial (retail sales and service; residential by special use permit (15 units/acre)) to DCD Downtown Crozet District (office, retail, service, civic, residential if mixed use (up to 36 units/acre), light industrial) to allow a mixed use development, up to 200 residential units for a density of 9.77 dwelling units per acre. This is concurrent with special use permit application SP-2014-00001.
ENTRANCE CORRIDOR: Yes
PROFFERS: Yes
COMPREHENSIVE PLAN LAND USE/DENSITY: Mixed Office/Research & Development/Flex and Commercial which allows a mix of employment, retail, service uses with light industrial and residential uses (up to 36 du/acre) as secondary uses and Downtown which allows commercial, employment, office, institutional, office, research and development, and residential uses (up to 36 du/ac) in the Crozet Community. (Claudette Grant)

AND

SP-2014-00001 Barnes Lumber
MAGISTERIAL DISTRICT: White Hall Magisterial District
TAX MAP/PARCEL: 056A2010007100, 056A20100071B0, 056A2010002500, and 056A2010002600
LOCATION: 5707 Three Notch'd Road, 5755 The Square, and property adjacent and south of CSX Railroad (approximately 1,000 east from the intersection of Crozet Ave. and the railroad track.

PROPOSAL: To allow up to 200 residential units of any authorized dwelling type in the DCD district on 20.46 acres with a density of up to 9.77 units per acre) under Section(s) 20B.2F 1, 2, 4, and 5 of Zoning Ordinance. This is concurrent with rezoning application ZMA-2010-00018.
ZONING: Heavy Industrial (HI) – which allows industrial and commercial uses (no residential use) and C-1 Commercial (retail sales and service; residential by special use permit (15 units/acre).
ENTRANCE CORRIDOR: Yes
COMPREHENSIVE PLAN: Mixed Office/Research & Development/Flex and Commercial which allows a mix of employment, retail, service uses with light industrial and residential uses (up to 36 du/acre) as secondary uses and Downtown which allows commercial, employment, office, institutional, office, research and development, and residential uses (up to 36 du/ac) in the Crozet Community. (Claudette Grant)
DEFERRED FROM THE JUNE 3, 2014 PLANNING COMMISSION MEETING. APPLICANT REQUESTS INDEFINITE DEFERRAL.

Mr. Lafferty noted the applicant was requesting indefinite deferral on ZMA-2010-00018 Crozet Square and SP-2014-00001 Barnes Lumber. He asked if there are any concessions of a deferral and why not just kill the applicant's project.

Mr. Cilimberg pointed out the request for indefinite deferral means it will need to be readvertised and does not need to be opened for public hearing. However, the Commission could take the project up and motion to deny it if they want to do that. However, the request is for indefinite deferral.

Mr. Lafferty asked does that give the applicant any advantages if there was somebody else that wanted to do a project on this land.

Mr. Cilimberg replied if somebody else came in with an application for this same property it would depend on what the application would be for as to whether or not it could be processed under this particular application. The way the applications work is they accept the fees and begin the reviews with the owner and the applicants. If the applicant decides at some point to change the proposal significantly then that might require a new application, or, if the owner has a different applicant proposing something different that would require a new application. The applicant has requested the deferral because they are still discussing an extension of their agreement with the bank. The Commission had asked the applicant to defer initially when they were going to get a vote for denial, and the applicant ended up deciding to defer.

Mr. Lafferty asked staff if the applicant has approached their office to see if they could be working on some of this.

Mr. Cilimberg replied the applicant has had at least one meeting with staff, but also there has been discussion with the Crozet Community Advisory Council about their project. Staff has received that input as well. He thinks the applicant understands some of the opinions heard from the Commission as well as what they have heard in the community.

Mr. Lafferty asked if the applicant made this request so he would not have to refile another application.

Mr. Cilimberg replied the applicant requests deferral because they have an application before the Commission they are not ready to resubmit based on comments they had provided previously. Therefore, the applicant asked for deferral to allow for more time being proposed with the bank as well as in deciding how they are going to resubmit. Staff has not received any resubmittal from the applicant. Staff did not ask the applicant to attend tonight to respond because typically when there has been an indefinite deferral request the Planning Commission has granted that. Since the Commission held a public hearing they could take another action if they so chose. However, that is the request of the applicant.

Mr. Lafferty asked if there were any questions from the Commission.

Mr. Dotson noted his understanding is the applicant's request is simply rescheduling for a date to be determined.

Mr. Cilimberg said the request would have to be readvertised at that time.

Mr. Lafferty opened the public hearing and invited public comment. There being no public comment, the public hearing was closed and the matter before the Planning Commission.

Motion: Mr. Dotson moved and Mr. Randolph seconded to grant the indefinite deferral request of ZMA-2010-00018 Crozet Square and SP-2014-00001 Barnes Lumber as requested by the applicant.

The motion carried by a vote of (5:0). (Morris and Loach absent)

Mr. Lafferty said ZMA-2010-00018 Crozet Square and SP-2014-00001 Barnes Lumber were indefinitely deferred.

Work Session

CDD CIP Project Submittals (David Benish)

Mr. Benish presented a PowerPoint presentation regarding the CDD CIP Project Submittals.

The County is beginning their annual review of the Capital Improvements Program process. That starts in August with the county departments and agencies submitting their capital project requests. The purpose of this works session is to give the Planning Commission an opportunity to review and be provided an overview of last year's CIP requests which are going to be the basis for this year's submittals. Staff is still working on those submittals, which are due shortly. The prior year's request and a status of those projects to date are included in the staff report.

Background:
The Capital Improvements Program is essentially a 10-year program that includes the Capital Improvements Plan, which is the first 5 years of the 10 years. The second 5 years is what is considered the Capital Needs Assessment which helps identify the long term needs of the county within the Capital Improvements Program. The CIP is reviewed on a 2-year cycle. Year 1 of the review is the review of the full 10 years of the Capital Improvements Plan and the Capital Needs Assessment. Year 2 is a review of only the first 5 years of the Capital Improvement Program, which is referred to as the CIP, which is the year they are in right now. For this year they are really only focused in on the first 5 years of the plan. They can make new requests in this 5-year period; however, they should be primarily emergency requests. The major review and the recommendation for new projects to be submitted really would be in that second year review. Therefore, this is sort of a smaller scale update this year that they are going into.

Staff has not identified any major new critical projects to submit this year in this year's submittal. Therefore, they are going to stay focused on the ones they submitted last year. They will be updating those as based on current conditions, facts or updated information. As an example, the decisions on the Western Bypass factor into some of the information and other requests they have made.

Mr. Lafferty asked how this process is tied in with the Long Range Transportation Plan by the MPO.

Mr. Benish replied that is one of the bases for the information. However, the CIP projects staff identifies primarily come from other approved documents including the Comprehensive Plan, the Master Plan and the Long Range Transportation Plan. Other agencies and department plans are based on those long range plans, such as Parks and Recreation. For our submittals for transportation the Long Range Transportation Plan is one of those guiding documents for our decision making and requests

Mr. Lafferty pointed out there were a number of bridges in the Long Range Transportation Plan; however, he wondered why the Broomley Bridge was singled out.

Mr. Benish explained there are various funding sources for road projects. The county receives funding through VDOT for secondary and primary road improvements, which the county has generally relied on for public road improvements. Broomley Road is actually funded within the VDOT secondary road plan. However, they did use revenue sharing to help advance that project so that it would get done quicker. It was based on priorities that had been established by the Board of Supervisors for what were the most important secondary roads to build. Each year the Board of Supervisors approves a list of primary and secondary road projects for funding for the state monies. If those projects are not advancing quick enough from time to time they will use revenue sharing funds to advance the projects. They did that for Jarmans Gap Road and Georgetown Road. As he has noted in next year's major review they will be looking at the Long Range Transportation Plan. Staff will be using the Comprehensive Plan along with the master plans as the basis for submittals. Hopefully the updated Comprehensive Plan will be adopted.

Mr. Lafferty noted with the 29 project that is all fiscally constrained money, which should fund some of the projects listed.

Mr. Benish agreed that it will. The transportation revenue sharing program project is designed to provide funding to augment state funding. However, it is currently insufficient to do these projects. The projects, as staff identified, have been identified in the comprehensive plan through the MPO Long Range Transportation Plan and the County's priority list of secondary and primary road improvements, which the Board adopts annually. Again, state funding particularly for a secondary road system is fairly limited. They get about $350,000 a year for monies not related to unpaved roads. So this county funding can leverage a dollar for dollar match for funding to allow these projects to be constructed. The projects they had identified for this funding included Berkmar Drive Extended. This will get to the answer to the question that the Western Bypass money through the 29 Solutions Process has made a commitment to construct a number of road projects including the Berkmar Drive Extended Project. Therefore, staff feels they no longer need to list that project for county funding since that has been covered by Western Bypass monies. In addition, the Hillsdale Drive Extended Project, the remaining funding necessary for what is referred to as the Best Buy Ramps Project, the Rt. 29 N signal lighting synchronization project and the interchange at Rio Road are all funded by the Western Bypass funding.

Mr. Benish pointed out because of the county's priorities this particular project identified Berkmar Drive as a project to receive revenue sharing funding. Again, that is no longer necessary. The other projects staff still sees as high priorities. In this review process they will be looking to remove the Berkmar Drive project and add replacement projects for that which they are still working on. However, two high priority secondary road projects have been improvements to Profit Road where Baker Butler is located and Sunset Avenue south of town, which also needs alignment upgrades, sidewalk and bike lane improvements. So they are anticipating those would be the likely projects to add.

Mr. Lafferty asked if the pedestrian crossing on 29 is referring to the Rio Road intersection.

Mr. Benish replied no, because actually in Places29 there are two grade separations that are dedicated pedestrian crossings. This request called for a study of the location design of potential construction of those. Again, something they may need to factor into the study is the need and location for those since they are now beginning to get grade separated intersections. When this was drafted last year there was an anticipation they would get those.

Mr. Cilimberg noted that last year when they made these requests they actually submitted project requests under revenue sharing that could utilize the full 10 million dollars that the state will match of the local 10 million dollar commitment. The CIP that was approved did not actually propose to spend nearly that much money. There was a dedicated source of assessed value on real estate that was committed into next year and beyond for the CIP, but it was not at the full 10 million dollars they had requested. However, they are going to request the 10 million dollars again just so it is out there and understood that to really significantly make a dent in project needs it is a source that could do that. That would be our 10 million plus the state's match of 10 million under revenue sharing.

Mr. Benish invited questions.

Mr. Lafferty asked if the sidewalk projects would have bike paths associated with them.

Mr. Benish replied that some do and others don't have bike paths associated with them. He pointed out the sidewalk project program provides annual funding to complete a listing of sidewalks, which is in Attachment B of the staff report. The intent of this program is to ensure on an ongoing annual basis there is a source of funding so they can continue to do sidewalks that are shown on that plan. Again, the projects are derived from the comprehensive plan, master plan and other transportation studies for particular unique needs that have been identified. They have identified some of the projects on the long list that would be the next in line to receive funding. Attachment B of the staff report identified the status of projects. Many of those projects are beginning to receive funding or are in the process of design. To answer the question, some of these projects do gave bike paths associated with them. As an example, the Ivy Road sidewalk project includes bicycle lanes all the way to Barracks Road Market. The improvements on Barracks Road that are shown on Attachment B include paved shoulders or bike lanes. Some do not because the existing right-of-way is not available. These are kind of retrofits of existing right-of-way. The amount of available funding is due to the fact they are shorter segments and VDOT won't approve short segments of bike lanes and don't include them. So it kind of depends on the nature of the project. However, when they can do bike lanes they will do them as part of the sidewalk project.

Mr. Lafferty noted the city has been pretty aggressive in putting in bike lanes and he would like to see the county keep up.

Mr. Benish noted Mr. Lafferty's comments were well taken to support biking. Typically this can be done without capital improvement funding since there are other sources they can use. He pointed out they are asking for funding this year for the sidewalk program separately so they can get back to having a consistent available amount of funding to work down that list. Again, for next year's review they will take a more comprehensive look at attachment B, the sidewalk list, and what updates have been made to the comprehensive plan and the long range transportation plan to update the list with the new recommendations. He invited questions and comments about sidewalks.

Mr. Lafferty asked how they are going to fit into that two-year process. Since the MPO submitted a long range transportation plan it will be at least another three years before they start on another one because it is due in five years.

Mr. Benish replied they have a newly adopted plan. So in next year's review they will be looking at those recommendations, which will give them an opportunity to incorporate those into the CIP. They will continually look at those and update it. The CIP is reviewed annually with a major review every other year. Therefore, it will give opportunity for them to look at the CIP again, which would be the fourth year of the existing LRTP. Staff will always try to keep our capital projects request consistent with the guiding documents such as the Long Range Plan and the Comprehensive Plan.

Mr. Benish noted the next project is the Rio Road - Route 29 Intersection Small Area Plan. This project is identified in Places29 as one of the higher priority projects and was going to be the basis for the first update of the Places29 Master Plan. The intent was to create a future land use map that shows greater details for the quadrant of the Rio 29/Rio interchange area so they could identify what land uses and road networks were necessary to support development in that area. In the Places29 Master Plan it actually identifies that general area as a mid-town area and an area of focus on redevelopment. Therefore, this small area plan can bring those concepts into more detail. Essentially that is the purpose of this plan. No funding was allocated to this project last year. However, staff will continue to make the request. Again, staff will update the plan to reflect some of the more current and in the process changes being made regarding the implementation of the 29 Solutions Projects. However, essentially the concept still remains the same for the project.

Mr. Dotson suggested the Planning Commission emphasize the importance of this particular project given all of the things that relate to it. He goes back to the staff report where it says Community Development has not identified any critically necessary new requests. He thinks this is a critically necessary previous request and would like to see the project put forward with some emphasis on that. As he was talking he thought of the new library, new overpass, the issues involving Berkmar Drive, the character of the road,

the commercial properties that have double frontage on both Berkmar and 29, the new Bus Route – Route 11 and just a whole series of things that are going on in that area. It seems that is critically necessary and should be done right away. When he reads no funding was allocated in the 2015 to 2019 period that is very disturbing. Therefore, he would propose to the Planning Commission that they lend our weight to the critical importance of this particular project and the time sensitivity given all the issues that relate to it. He would put that out for discussion.

Mr. Randolph said Mr. Dotson's point is particularly apt because last year in looking at the Technical Review Committee (TRC) final ranking this project Rio Road – Route 29 Intersection Small Area Plan received November 15, 2013 a TRC average ranking of 176 meaning it was below the threshold for funding. It was 3 points above revenue and taxation division renovations. It was 1 point below auxiliary administrative space. For the edification of the audience as well as the committee everyone should be aware that it came in 3 points below the bomb tech robot, which was in the budget proposed by the Police Department. So he totally agrees that at this point the project deserves a much higher TRC average final ranking this coming year than it received in 2013.

Mr. Lafferty commented that the Rio/29 intersection is one of the most dangerous ones on the whole 29 Corridor along with Hydraulic/29. Both intersections rate about the same.

Mr. Dotson said he did not know by what process the Planning Commission can weigh in to express that concern. Taking the staff report literally it says this is for information only and no action is required. However, that does not say that action is prohibited.

Mr. Benish noted these comments are helpful to staff and any specific action gives fuel to cite in our application what the Commission desires to see. Regarding the one coming up on the Rivanna River Plan they can cite the desires of the Planning Commission to complete those projects. If they so desire, staff can include that in the comments. Staff has made this request as a next year funding project. The bullets in the presentation show the year that staff would assume starting the monies they announced they estimated for. This year staff assumed they would submit a request for 2015/2016, which is the upcoming year. They do see it as a project they want to do and further support of it is helpful.

Mr. Dotson asked what the mechanism is whereby the Planning Commission can voice this view. Is it to rely on Mr. Randolph or staff to carry the comments forward? He pointed out it will be reflected in the minutes of the meeting. He asked how this information would be forwarded.

Mr. Benish replied one way would be by reflecting it in the minutes or actions. Then staff can cite it in the request that the Planning Commission feels this is a high priority project to complete.

Mr. Cilimberg commented there are going to be some steps along the way. One thing he was looking at is how they ranked it among last year's six projects. Although they had requested funding during this current fiscal year it actually ranked as the number four project of our priorities, which was along with the others the Commission is hearing about. So they could relook at the priority itself, but that would not affect the scoring necessarily. However, he thinks there are some changes in the dynamics that might affect the scoring of the TRC that the Commission does not influence. However, the circumstances with the Places29 Solutions may have a bearing on the potential relevancy of undertaking the small area plan that might help the scoring. Then it will be before the Oversight Committee that Mr. Randolph sits on. The Oversight Committee might decide that it is also important to have it funded. They will see the recommendations of the Oversight Committee later in the fall possibly in November or December. The Commission will have a chance then, too, to weigh in on the actual ranking moving forward to the Board of Supervisors.

Mr. Dotson noted that was helpful.

Mr. Lafferty commented that the small area plan is particularly useful because of the sensitive nature of an intersection and the businesses around there.

Ms. Firehock agreed with everything her colleagues have said.

Mr. Benish said the next project is the Rivanna River Corridor Design Plan. Again, this is a plan that is recommended in the Pantops Master Plan as a River Corridor plan to evaluate and work towards creating a focal point for the community in the enjoyable destination for tourists taking advantage of those opportunities that the river corridor provides to do that. It would establish a vision plan and implementation strategies which would take into consideration the park related planning, open space, trails, recreation opportunities, and include recommendations on how to address river oriented development. Preservation measures go as sort of an underlying theme for all of those as well. That is the general overview for the project. Again, this project was not funded. As they cited in the proposal when they made it last year with the CIP, they did emphasize that both the City and County Planning Commission recommended this was an important project to undertake. Therefore, they had done that with this application.
As a reminder, in our CIP at this point in time, they are not actually even completing the maintenance requirements. Although he thinks these projects were considered worthy projects there simply was no funding to do very many new projects except for certain strategic ones. They would plan to make this submittal again to reflect the strong interest of the City Council and Board to undertake this project.

Mr. Lafferty asked if staff would be working with the City Council since he knew they had put a high priority on this.

Mr. Benish replied that he had been in consultation with the City staff about that. The City actually has some pretty active planning for particular aspects of the river corridor underway. He was not clear whether they are going to make or under their processes they need to make a similar CIP request. However, staff is equally aware of City Council's and the Planning Commission's desire to undertake this work.

Mr. Lafferty commented there is the ecological study of the bridge and the surrounding parts. He asked will staff seek input from them.

Mr. Benish replied certainly that process will help inform the study process that gets underway. However, he was not sure that it will be necessarily germane to this request because this request is to put enough funding in to do an initial study that will take into consideration other studies in that area.

Mr. Cilimberg said in all likelihood should this get funded the earliest it could be funded would be a year from now. He was imaging the work going on now in that ecological study would be complete by then. So it would really be information that would be valuable for the Corridor planning work later.

Mr. Lafferty pointed out in other river studies they are continuing to find out the sources of pollution. He assumed these findings will be incorporated, too.

Mr. Benish noted he thinks the Rivanna River Basin Commission would probably be part and parcel of whatever process did get underway with this type of plan.

Mr. Randolph commented that last year the TRC average ranking for the Rivanna River Corridor Design Plan was 161. As earlier mentioned, the Rio Road/Route 29 Intersection Small Area Plan received a 176. So this was lower than that. It was 3 points below a Parks and Recreation Security Study. It was 2 points above a Parks System redesign and 3 points above website enhancement. The facts remain nothing but the facts.

Mr. Dotson asked if it would bump this project up if the City were to co-fund a part of the study. Often in CIP's there is a criterion, which leverages grants and other funds as part of an intergovernmental effort. He asked if that would perhaps be true now, which would move this up a little bit.

Mr. Benish replied under the ranking criteria it would if they knew for sure there was a City commitment, which shows up as a revenue source. He believes there is a measurable in the criteria when there is a known outside revenue sources. Mr. Cilimberg is actually on the TRC and is a little more attuned to the ranking than he. However, he was pretty sure that does play to some extent in the scoring.

Mr. Cilimberg agreed it was part of the criteria. He noted they have had discussions in the Technical Review Committee about how the factors play out in the scoring. There is a heavy weight given to health and safety. What that typically means is those projects that are more in that area of emphasis tend to score higher.

Mr. Randolph noted it was safety and education.

Mr. Cilimberg noted as a result they see some of these planning related projects not do as well in the scoring.

Ms. Firehock said given the number of environmental and conservation groups in the area of nonprofits and being someone that runs a nonprofit this one is particularly ripe for obtaining outside foundation funding. She was not making a personal endorsement, but was just saying she thinks this is something that would be worthwhile talking to someone in the nonprofit partners in the community and putting together a government-private sector funding package. She thinks there are a lot of local funders in the area that this would appeal to. It is not the usual CIP type of project so there is a lot more positive criteria that would appeal to a broader sector of the foundation community. If the County is interested in that, they can talk more about that at some point. She would be happy to help identify funders, etc.

Mr. Benish agreed that was a good point and was probably worth noting in our narratives that this is a good candidate for outside sources.

Ms. Firehock commented that it would then hopefully add points to it to make it more likely that the county would be able to kick in funds because perhaps they could get it to a level where the county would say they were only funding a third of that amount and the private sector is carrying two thirds.

Mr. Benish noted it was a good point.

Mr. Lafferty asked from a safety standpoint how does staff think the new run off regulations will affect the contaminants in the river.

Mr. Benish replied certainly the intent is mainly to shift responsibilities to the local level to enforce. He suggested there may be some benefit to that, but he was not sure he was the expert really to speak to it. As it relates to environmental protection an underlying theme in this river corridor is making it a positive amenity while at the same time protecting the corridor. He was not sure he could answer the question specifically. However, how they can protect the environmental character of the stream in the river corridor is an important component of this.

Mr. Cilimberg noted on the bottom of the screen in the presentation there were three emphasized areas that were identified for this work. One of them was water quality protection and enhancement measures, which were among the things they want to be addressed as part of this work.

Mr. Benish noted the last project is the Crozet Plaza Study, which is identified in the Crozet Master Plan. It is intended to identify potential locations and designs and calls for a civic plaza or green in the Downtown Crozet area. As the Commission knows, Crozet Square and Barnes Lumber as well as the Senior Center site and the Blue Goose area generally have been thought of for possible sites for that. However, they don't have a more detailed analysis of what is needed for the type of facility it should be and what its best location should be. As noted from the project deferred today there was a plan proposed within a development, but they did not have a real clear detailed picture of what the County or community actually wanted. They just wanted something. This study could also help in development reviews to be more concise about what the expectations are for that space or the county could develop it as a public feature on its own. So that is kind of the purpose for this study. Again, it was also not funded. They are not proposing to make any major changes to it except for perhaps including a parking analysis along with the study. It is an issue that has come up again with Barnes Lumber since it is something specifically identified in the Crozet Master Plan. Since the critical area for parking is the same Downtown area, which

could be a public type of facility provided, it seemed to make sense to call that aspect of the study out or add that to the study as well. Therefore, staff is thinking about making that change.

Ms. Firehock noted the lack of clarity in the master plan and what exactly the community green or gathering space would entail leads to a lot of concern in terms of community comments they heard. The developer's proposal that they have sort of a traffic area that would then be convertible to a paved gathering place did not seem to meet a lot of the public's desires for what they thought a community green was. So she just wondered if that particular proposal adds any increased urgency for us as a county to be clearer on what is needed. She wondered if they could perhaps tell the Supervisors this was actually more urgent than it may have been assumed. She did not know how long that indefinite deferral will go to, but she would really like the Commission to be able to have something more definite to say back to the developers on what it is that is actually needed and desired.

Mr. Randolph agreed with Ms. Firehock's remark that the time is appropriate right now since there is a deferral on the application. For the county to basically say this is what they are going to be looking for from any project that is going to come into that site, they want to be sure that it meets the objectives of what the Crozet Plaza should be based on from the input from the county as well as from the CCAC.

Motion: Mr. Keller made a motion that the minutes of this Planning Commission meeting be made available to the Board of Supervisors in regards to our strong support for funding through the CIP for the Rio Road Area Plan, the Rivanna River Corridor Design Plan, Pantops and the Crozet Plaza Plan.

Mr. Randolph suggested adding sidewalk construction as well.

Mr. Keller agreed to add the suggestion of adding sidewalk construction as a friendly amendment.

Mr. Lafferty asked for a second.

Mr. Randolph seconded the motion.

Mr. Lafferty noted the minutes are available to the Board of Supervisors anyway. However, they can make a special request. On the development of Barnes Lumber Company he thinks they might be wise to request from the CCAC Crozet Community Advisory Committee what they want or what would be the optimum from the citizens of Crozet.

Ms. Firehock noted it was her assumption that any study would be working with them to create this. It does no harm or hurt to say that. However, that was her assumption.

Mr. Randolph noted he included them in what he was saying about Community Development and the CCAC.

Mr. Lafferty noted there was a motion and second. He invited further discussion.

Mr. Dotson assumed the cost that is here envisions hiring a consultant. When the next work plan is developed for the department if the money is not available, then he thinks this should be a high priority for staff attention to work with the Community Advisory Council to get the job done even if they don't have the money for a consultant.

Ms. Firehock said she was teaching a green sites class in the spring. If she might be so bold as to add another out of the box idea she suggested if there is not money to hire a consultant or there is not enough to hire a consultant full time she could certainly have this as an assignment for her class. They have done designs for communities that have been installed. Therefore, it could be at least to get the conceptual design down and meet with the community to do that level of work. That would not cost the county anything.

Mr. Randolph pointed out it was a group of students from UVA that recommended the underpass in Belmont. He thinks it is an excellent idea that they use the institutions that are available within the

community to provide input and suggestions on projects such as this. The more people that have oars in the water the better the boat will stay on stream. He said he would also like to add to the motion. From where he sits in the CIP he sees these programs as he has quite correctly identified being yearly kicked back down because of other pressing needs. The pressing needs that are going to be on the horizon this coming year are going to be solid waste facilities for the county, courthouse renovation, school growth, additional facilities, buses and everything else. The police budget is always in there. They are adding two new officers and may add three additional officers. So there are always increased capacities including the training facility, etc. There are other needs that always, in terms of TRC, tend to move these items down. So where he sits from having sat through two years of this he thinks there is a need to find an identified dedicated funding source that goes to active recreational and infrastructure development in the county. That would really provide funding for the sidewalks, bike lanes, and bikeways. It would provide for the study of Rio Road, the Route 29 plan, and Crozet, etc. The way he would see that active recreational and infrastructure being funded is through some kind of fee. Even a quarter a ticket on sporting events, this is passive recreation, and theater performance. They have a lot of theater and sporting events in this community. Twenty-five cents per ticket dedicated to active recreation would provide the county with a funding means on an annual basis to be able to look at these as fundable projects that could possibly be moved up in the CIP and get additional CIP funding, but they would also have some dedicated funding. He would just like to make that motion for the Board of Supervisors.

Mr. Lafferty noted they already have a motion on the table with a second. He noted Mr. Randolph's comments seemed pretty detailed and long for an amendment. Perhaps he would like to make another motion after they get the one on the table. (Note: A subsequent second motion was never made.)

Mr. Lafferty asked that the motion be restated.

Restated Motion: Mr. Keller moved and Mr. Randolph seconded to call attention to the Board of Supervisors the Commission's strong support for the funding through the CIP for sidewalks and each of the project areas as Mr. Benish outlined so when staff goes forward to the Board of Supervisors it is being called out even more specifically than they just heard in the staff report.

Mr. Cilimberg asked if he was noting that for all of the projects staff has presented tonight, which means sharing the sidewalks as well as the planned projects.

Mr. Keller noted he suggested that sidewalks be added to it as well.

Mr. Randolph suggested adding for all the ones not receiving funding.

Mr. Cilimberg reiterated for all not receiving funding.

Mr. Randolph said it includes sidewalk construction, Rio Road, Rivanna River Corridor and Crozet Plaza Study, etc.

Mr. Keller suggested adding that he thinks there is a health, safety and welfare component to each one of these. They have the CDC studies and a number of other studies showing the relationship of where people live to how close they are to areas where they can walk or bicycle. There are tremendous cost savings through better health that comes through exercise. So the sidewalks are dealing with that. The Crozet area at the Plaza is dealing with that because of its open space. The river is dealing with that because of open space. Rio Road has that component, but it has a lot of other safety issues which is bumping that up especially with the 29 Corridor. He believes they are all viable and the planning needs to be occurring now rather than later. That is the point they are trying to underline by asking for funding for these now.

Mr. Lafferty said to abstract Mr. Randolph's comments he asked can they put in that they hope they would look at alternative funding for some of these projects.

Mr. Keller suggested they could go back to the Commission's minutes for several suggestions from Commissioners.

Mr. Dotson said he might prefer just to leave those suggestions in the minutes because they are putting great weight on including these things in the CIP, but then they are saying "but here is a way out." He would rather give the great weight to the CIP and let the discussion in the minutes talk about various funding methods.

Mr. Keller agreed that was a very good point.

Mr. Randolph agreed.

There being no further discussion, Mr. Lafferty asked for a roll call vote.

Vote: The motion passed by a motion of 5:0. (Loach and Morris absent)

Mr. Cilimberg noted staff can include the fact the Planning Commission passed this motion supporting the submittal for consideration by the Technical Review Committee and the CIP Oversight Committee. Therefore, it won't just be for the Board, but actually for those who are looking at these projects during the evaluation process.

Mr. Dotson noted that each of us as they meet with our supervisor will reflect the sense of this meeting as well.

Mr. Cilimberg said in addition to Mr. Randolph's point about funding options he thinks that becomes a very valid discussion. Tonight's discussion can lend to his participation at the CIP Oversight Committee because that is where there is also discussion about how to fund things. They don't really have that at the TRC since they are focused on the projects and how they rank. So he thinks the Commission's general concurrence with the idea of alternative funding sources is one that Mr. Randolph could initially carry as part of the discussion to the Oversight Committee if he so chooses.

Mr. Kamptner said just to add to what Mr. Cilimberg said, as they are looking at taxes in Virginia they have to look for specific enabling authority. In a quick review of the admission taxes that are enabled by counties those counties are expressly designated to charge admission taxes to spectator events. There is a little broader authority for admission taxes tacked onto races events, which may be horse racing events. However, that can be part of the county's legislative agenda.

Mr. Benish pointed out there was one project he did not include on the slide presentation, the acquisition of conservation easement program. He assumed the Commission had read through and understands the purpose of that. This project has actually been receiving some funding not to the extent they have requested in the past, but, they have been able to sustain a level of funding that has allowed the county to continue to acquire multiple properties. Beginning in 2016, the program is planned based on a Board desire and the expectation they are planning to fund the program in FY16 at 1/3 of a cent per $100 value of assessed value of real estate property for the grant program. So there is a commitment to continue to receive funding. They will probably continue to make the same request which is for a little bit higher rate. They feel they could still do additional acquisitions based on that higher rate. However, there is intent to fund this project from the Board.

Mr. Dotson said as the Commission's liaison to that committee and a member of that committee for 6 to 8 years, that funding from the county is very much appreciated and particularly the dedication of a portion of that new funding source that will begin this next year. He is very much encouraging them to try to up the ante, but it is being funded and it is a very important beginning.

Mr. Randolph said he would also like to note having sat through those sessions that without Supervisors Rooker and Mallek making strong argument for funding of ACE that would not have occurred. He also would like to remind everyone here that it is a third of a cent on assessed value. As the assessments go up the funding to ACE actually goes up as well. So that is something that was very intentionally built in. They should be able to see the ACE budget over time begin to rise, which is designed to rectify the zeroing out of the ACE budget for several years during the near depression.

Mr. Keller asked Mr. Kamptner based on the proffer's discussion in the public meeting, one developer suggested bridging the development area and proffers to land protection in the rural area. He asked could one present a proffer now in the developed area to send money to the ACE program for development in the urban area.

Mr. Cilimberg noted they had some of this conversation before, but he would yield to Mr. Kamptner.

Mr. Kamptner replied generally yes if they can identify that contribution is being used to address an impact from development, then that would be appropriate. They are really stepping outside of the cash proffer policy because that policy is limited to five general areas.

Mr. Keller said he should have put it in that construct. In thinking ahead if there were modifications to the cash proffer system that they currently have is that one that would be viable if proposed and accepted.

Mr. Kamptner replied they would need to look at the comprehensive plan and the impacts. But, overall it is possible to do it that way. It does not have to be within the construct of the cash proffer policy. It could be separate and could be analyzed on a project by project basis. The reason why they have the cash proffer policy was to have a particular standard approach recognizing that each application is evaluated.

Mr. Keller said he was not proposing it and was not even sure if he agreed with what was put forward. He understands the purpose of infrastructure, infrastructure improvement and the condition of infrastructure in the developed areas now and the relationship of the proffers to that. It was more a question because, again, they have been encouraged when they have opportunities in this kind of meeting where there is some time to digress maybe a bit and think again as said outside the box for possible funding.

Mr. Cilimberg said that it very well may be, and they might remember from the comp plan discussion that it has been in the plan for a while to consider developing the transfer of development rights program. It might be that some form of a TDR program would be the place where the relationship between developing in one location and extinguishing development rights in another location would be tied together rather than through cash proffers. That would take some work to develop. However, that may be the place where they could start. It is not through ACE they are doing that, but actually through a more direct relationship of sending areas and receiving areas. Only one county in the state that he is aware of has actually enacted the TDR program since the enabling legislation was passed. That is a county they will probably want to talk to as to how they have set up their TDR program.

Mr. Dotson observed that looking at the overall picture in this report that it is disappointing how planning related projects are doing. There were only two that were funded, but not at the level requested. There were four projects where there was no funding. So if we ask how we are doing the county is not doing very well and it is frankly depressing. One of the implications to Mr. Keller, the new Planning Commission representative on the Fiscal Impact Committee, is they need to keep in mind that the purpose of the proffers is to pay for some of the costs of development. Some have argued that since by right development does not contribute proffers others should not pay proffers either. The real problem is that all need to proffer in some manner, shape or form as best they can in the long term. Just knowing how we are doing in being able to fund important projects, not well at all, should be kept in mind as they look at possibly backing off of the proffer policy.

Mr. Lafferty invited other comments. There being none, he opened the meeting and invited public comments. There being no public comment, he closed the public session.

Mr. Cilimberg thanked the Commission for their input. He had mentioned they wanted to do this just to give a picture of where things are this year. Next year they would have a little more to it because they will be able to use new plans in a first year of a two year cycle to talk about project requests. However, he would reiterate that after the Technical Review Committee and Oversight Committee work is done they are going to bring this back to the Commission for input as it is moving forward to the Board.

Mr. Dotson thanked staff for bringing it to the Commission at this early stage. A number of Commissioners have been interested in getting more involved in some of the implementation and some of the money aspects of what they do in planning. So this is a good step in that direction.

Mr. Lafferty agreed noting this was a helpful discussion.

In summary, the Planning Commission strongly supported all CDD CIP Project Submittals and emphasized the importance of funding through the CIP of the four currently unfunded projects (Sidewalk Construction Program; Rio Road/Route 29 Intersection Small Area Plan; Rivanna River Corridor Plan, Pantops; and, Crozet Plaza Study). By a vote of 5:0 (Morris, Loach absent) the Planning Commission called to the attention of the Board of Supervisors its strong support for all of the projects staff presented, with specific comments on alternative funding sources as outlined in the minutes.

Old Business

Mr. Morris asked if there was any old business. There being none, the meeting proceeded.

New Business

Mr. Morris asked if there was any new business.

- No PC Meeting on August 12, 2014
- Next PC meeting on August 19, 2014

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

Adjournment

With no further items, the meeting adjourned at 7:16 p.m. to the Tuesday, August 19, 2014 meeting at 6:00 p.m. at the County Office Building, Second Floor, Auditorium, 401 McIntire Road, Charlottesville, Virginia.

V. Wayne Cilimberg, Secretary

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