Albemarle County Planning Commission
August 18, 2015

The Albemarle County Planning Commission held a public hearing on Tuesday, August 18, 2015, at 6:00 p.m., at the County Office Building, Auditorium, Second Floor, 401 McIntire Road, Charlottesville, Virginia.

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

Staff present was Elaine Echols, Principal Planner; Faith McClintic, Director of Economic Development; Stephanie Mallory, Zoning Assistant; Sharon Taylor, Clerk to Planning Commission; Wayne Cilimberg, Director of Planning; and Greg Kamptner, Deputy County Attorney.

Call to Order and Establish Quorum:

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

Other Matters Not Listed on the Agenda from the Public

Mr. Morris invited comment from the public on other matters not listed on the agenda.

Public Hearing Items:

a. **CPA 2015-00001 – Boundary Adjustment to the Southern Urban Neighborhood** – The Planning Commission will hold a public hearing to receive comments on its intent to consider recommending adoption of an amendment to the Albemarle County Comprehensive Plan that would adjust the Development Areas' and Rural Area's boundaries by adding to the Development Areas and removing from the Rural Area those lands located near the Interstate 64/Route 29 South interchange, approximately 223 acres in area, composed of Tax Map and Parcel Numbers 07500-00-00-03300, 07500-00-00-03400, 07500-00-00-03800, 07500-00-00-04500, 07500-00-00-045A0, 07500-00-00-045B0, 07500-00-00-045C0, and portions of 07500-00-00-04800 and 07500-00-00-05300 (the remainders of such parcels are currently within the Development Areas) (collectively, the "lands") and designating those lands as Industrial (approximately 85 acres) and Parks and Green Systems (approximately 138 acres). The portions of Tax Map and Parcel Numbers 07500-00-00-04800 and 07500-00-00-05300 currently in the Development Areas are designated Regional Mixed Use and that designation will not be changed by this amendment. Copies of the full text and maps of the Comprehensive Plan are on file in the office of the Clerk of the Board of Supervisors and in the Department of Community Development, County Office Building, 401 McIntire Road, Charlottesville, Virginia and may be viewed at the County's website at www.albemarle.org. (Elaine Echols)

Ms. Echols presented a PowerPoint presentation regarding CPA-2015-00001 Comprehensive Plan Boundary Line Adjustment to the Southern Urban Neighborhood.

The Planning Commission reviewed CPA-2015-00001 on July 21, 2015. The following background was provided:

- On June 10, 2015 the Board of Supervisors adopted a Resolution of Intent to study the area.
- July 7, 2015 Community Meeting
- July 21, 2015 Planning Commission held a work session
- July 30, 2015 Second Community Meeting
- August 12, 2015 Community Listening Session
- August 18, 2015 Planning Commission Public Hearing
- Sept. 2, 2015 Board of Supervisors scheduled work session
- Sept. 9, 2015 Board of Supervisors scheduled Public Hearing

The existing Land Use Plan is being amended as well as the text of the comprehensive plan as shown in the presentation. Staff reviewed the area under consideration to explain the following:

- This area has a number of environmental features and land features as shown in the presentation. Staff pointed out the critical slopes, which were slopes in excess of 25 percent; the streams and the stream buffers and the rural area mountain protection areas. The land itself is fairly hilly and very well vegetated right now. It also has a fair amount of rock on it.

- Photos of the site taken a few weeks ago were reviewed, which included a summer view from Mountain View Drive that is in Sherwood Farms. She noted the winter view would change because of the deciduous trees dropping their leaves.

- The current zoning is shown on the slide, which includes R-1, Residential; RA, Rural Areas; and HC, Highway Commercial.

- The Development Area boundary line was noted. There is a portion of the properties under consideration that has R-1 zoning, but it is in the Rural Area. It also is in the jurisdictional area for Water and Sewer. This is an unusual circumstance in Albemarle County since they don't have any other properties that have both jurisdictional area for water and sewer because they are outside the Development Areas.

- The Land Use Plan change that has been advertised would have a change from the rural area designation to two other ones, being Industrial and Parks and Green Systems which are our Development Area designations for land outside of the rural area. The area in green is intended to be for environmental protection. There is a forested buffer, which is described more in the text that would be along the Entrance Corridors (I-64, Route 29S and a buffer on the western side between the Development Area and the Rural Area).

The Comprehensive Plan Amendment Recommended Text has been advertised and it really follows what you, the Planning Commission, had said you wanted to have for your public hearing. The text includes statements about the following:

- Industrially **designated area for target industries that need a particular location** near I-64, UVA, downtown Charlottesville
- Specific industry **types** that fit into our target categories, which would be the ones intended for this area:
  - **R&D** with associated light industry
  - **Specialty food production** and distribution
  - **Adult beverage** and distribution
  - Other **small distribution facilities** ancillary to a production operation
  - **Business and financial processing** operations

Another piece of the comprehensive plan text talks about the importance of the following:

- **Habitat protection** noted as a purpose for the Parks and Green system designation
- **Passive recreation** in the Parks and Green system would be allowed in that area and long term preservation encouraged
- **Creativity in site design** – buildings to fit terrain rather than extensive grading
- **Interconnections** needed to the Regional Mixed Use Center, which is to the north and east.
- **Protect** nearby properties **from noise and odors**
- Emphasize **need for interchange improvements** trying to make traffic flow work better at the interchange but also to make sure that to the best of the ability of the county and everyone else that they look for alternatives to signalization along Route 29 South to keep from making the interchange situation worse; find alternatives for truck traffic to avoid need for a signal
- Infrastructure improvements should be provided **concurrent** with or in advance of development

Those were the things that the Planning Commission asked to be part of this.

The Planning Commission in July also asked a number of questions of staff and asked them to provide additional information.

One of the things had to do with the inventory of land. The staff report from July 21 has a number of attachments, which includes a summary table. (See staff report) Staff looked at the land that is zoned Industrial right now or for employment type uses and found as they had in our prior analysis that there are a lot of little parcels, but there are not a lot of large parcels. Staff came up with the total of 118 acres of vacant buildable industrial zoned land. When talking about buildable staff is saying it does not have steep slopes, critical slopes, floodplain or stream buffers on it. It may be a little generous to say that it all is buildable because you may or may not be able to get to that buildable area of the land. It has been quantified, but it has not been totally qualified. Staff did our best to do a spot check on all of these places. (See staff report for map showing vacant buildable portions of properties zoned for industrial type uses.) As shown on the map most of them are north in the Places29 area, UVA Research Park and there are other scattered places along Route 29 and then also a few in Crozet.

The next map shows the land that has been designated on the comprehensive plan. There is more property that has been designated in the comprehensive plan than currently has zoning on it. Staff looked at that and they are showing there are 379 acres of land designated in the comprehensive plan and that land may or may not have industrial zoning on it, but they are just showing that there is just much more compared to the 118 acres designated and actually zoned.

She had a question earlier today about what these numbers mean. These numbers are not the difference between what is designated on the comprehensive plan and what is zoned; it is inclusive. So there may be properties that are shown which are designated on the comprehensive plan that actually have zoning and are captured in this particular table. She has all the other tables should anybody have those kinds of questions.

They have had a lot of discussion on what counts as vacant or not and different takes on the same land. There have been a lot of questions about the methodology staff used to come up with our list of vacant buildable properties. These kinds of assessments of what is vacant and buildable can be very subjective. For instance, some property is showing in our real estate records as having zero improvement value and the value of the property is in the land. Yet there are buildings on the land. Those have to do with assessments and the information in the slide is to show that you can't just take the numbers that are in our assessment records and understand what is really out there. There is a lot more work that needs to be done on what really is available and vacant in our inventory. Staff tried to be as fair as possible in selecting the parcels that would be available.

There is a question about the effect of Biscuit Run land going to the State Park and what that did to our Development Areas.

- It was 828 acres, which is a very large amount of land in our Development Areas.
- When it was rezoned it was residentially designated for about 3,100 units and Mixed use of 150,000 square feet of Retail and Service uses.
- It did not have any impact on our Industrial inventory.
- One of the really important things that the Planning Commission did when they were looking at the Capacity Analysis was to understand how quickly things can change. The Planning Commission recommended that there would be a Comprehensive Plan Strategy to do the Capacity Analysis every 2 years so we keep track of what our inventory has. The effect of Biscuit Run really did not have a big impact on our Industrial land, but it did have some impact on our residentially designated land.

The next question has to do with whether or not it is better to have those Environmentally Sensitive Areas in the Rural Area or Development Area. Staff tried to show in the staff report what those two distinctions were. If the property shown in green on the comp plan map stays in the Rural Area it is subject to the zoning regulations for the Rural Area zoning.

In the Rural Area (RA) Zoning:

- No building sites on critical slopes, except by special exception. There can be some disturbance of critical slopes for roads and other types of infrastructure.
- Water Protection Ordinance applies to perennial streams with a 100' stream buffer on either side.
- Timbering is a use allowed by-right. Timbering is a use that is supported in our Rural Area zoning district because it is one of our agricultural uses. That is one of the things that our Rural Areas is intended for.

If the property goes into the Development Areas and gets Development Area Zoning:
- No building sites on preserved steep slopes. So instead of getting a special exception, you would have to ask for a zoning map amendment (ZMA) and a change to the overlay zone.
- Water Protection Ordinance is also a 100' stream buffer on perennial streams, but you can mitigate to 50' if outside of the drinking water supply watershed.
- Timbering is not an allowed use; clearing and grading is allowed with an Erosion and Sediment Control (E&S) permit.

Regarding the protection of Area Designated for Parks and Green Systems -
If the area stays in the Rural Area:
- Protection for habitat is up to property owner.
- Property could be developed by-right: R1 and RA uses
- If critical sloped property stays in Rural Area (RA), it will potentially still be available for RA development.

If the area goes into the Development Area:
- To be used industrially, property would still need to be rezoned for a more intensive use.
- Steep slope overlay protects identified slopes as either preserved or managed (future zoning action would be required to establish which slopes would be preserved and which slopes would be managed).
- If the property is in the Development Areas and a property owner initiates the rezoning, then the rezoning to allow development could include a proffer to retain areas for preservation. Staff noted that a proffer is a voluntary offer made by the owner of the land. You cannot proffer unless you own the property. The proffer has to be in addition to, not instead of, any regulations. The reason for the proffer must relate to the rezoning. There must be a rational relationship between the rezoning and what somebody is either offering as an improvement or a commitment to preserve.

There have been questions about transportation impacts.
- On Friday staff received a letter from VDOT via email, which was provided to the Planning Commission and put on the website yesterday. VDOT said that the action of development will cause a significant change. So traffic impacts will have to be analyzed at the rezoning stage, not at the comprehensive plan stage.
- A traffic study will be required. The entity who conducts that traffic study would be whoever initiates the zoning.
- The county could be in a position to apply for some funding to accelerate the interchange improvements. They all know the interchange improvements are the top priority on the list of improvements to be made on the MPO's Long Range Transportation Plan.
- As requested by the Planning Commission, a representation from VDOT, Chuck Proctor, is present tonight and can speak to us if there are questions.

With regards to Water and Sewer Availability there have been a lot of questions about what the information means in the staff report both for July 21st and the last staff report.
- Both the Albemarle County Service Authority (ACSA) and Rivanna Water and Sewer Authority (RWSA) have a role to play in the provision of water and sewer service in the area.
- The Service Authority (ACSA) lines would have to be extended from nearby lines; but, not at ACSA expense. Those distances are listed in the staff report.
- What size line is needed to serve any use on the properties would be determined once you know what that use is. The line size depends on the anticipated use. So the Service Authority can't

say to us it is going to cost X amount of money to extend a line to the particular property because they need to know who is going to be using that line to size the line correctly.

- Water capacity and Waste Water treatment is handled by the Rivanna Water and Sewer Authority (RWSA). They deal with the capacity of the water supply and also the waste water treatment plant to take care of the need.
- There have been questions about whether this will affect the Ragged Mountain Reservoir. They are told that right now it does not look like that a water user that has a need for a fairly large supply is going to affect the Ragged Mountain Reservoir. However, the upgrades to the sewer interceptor and making sure that the pipelines are there is the responsibility of Rivanna Water and Sewer Authority (RWSA). RWSA said they will take care of that.
- If need exists sooner than expected, the RWSA can provide sooner at RWSA expense; however, their Board makes ultimate decisions on timing
- There are representatives here tonight both from the Service Authority and Rivanna Water and Sewer Authority to help answer questions of the Planning Commission tonight. Rivanna Water and Sewer Authority believes that capacity exists as does the Albemarle County Service Authority.

There have been questions that have been asked as to what happens after this land use change takes place, if it takes place. The property has to be rezoned. However, the mechanics of the zoning map amendment process have not been worked out yet.

- Any kind of restrictions on the use will be related to any kind of future zoning actions by the Board of Supervisors.
- How and whether the Board of Supervisors will want to initiate a zoning action or change is unknown right now. It would be up to the Board of Supervisors.
- They don't know what kind of zoning district it would go to. Staff has heard from a number of people who have said this would go to the Light Industrial zoning district, and that is not necessarily the case. If the Board wants to rezone to a conventional district then they may decide they want to rezone all or part of the property to a Light Industrial or other industrial zoning district. However, they could also direct staff to prepare an area specific district that could follow the recommendations in the comprehensive plan that would be stricter than just the conventional district. The Board may also send an expectation that whoever wants to develop the property bring in an application. If that is the case then the Board might be interested in seeing that there be commitments made on that property.

What is really important at this level would be for the Planning Commission to identify what their expectations would be for both environmental protection shown in the green areas and for the industries and make their recommendation to the Board of Supervisors. She would go through these very quickly because they are in the staff report. Staff always comes up with factors favorable and unfavorable for all the actions, including rezoning, special use permits and comprehensive plan amendments.

Factors Favorable

- Properties could add inventory near interchange
- Other vacant land near urban interchanges is not available
- Site is well suited for particular types of operations that have been identified
- Reasonable access to utilities
- 85 acres are outside of important environmental resources
- Potential for permanent conservation or additional parkland
- Designation could accelerate funding for interchange improvements

Factors Unfavorable

- Removal of forest resources – impact to habitat corridors; however, protection not guaranteed in Rural Area (RA) because of the by-right uses
- The interchange needs improvements. They don't know about the timing of that yet.
- One of the most important pieces of this is the Economic Development Office has not had an opportunity and really needs to spend more time looking at the information staff has put together on the properties that are vacant and buildable to complete its inventory assessment before they

can know comprehensively what is needed for the community. Although the information provided previously that staff did for the comprehensive plan amendment and also for this confirms what everybody has known and that is most of the properties are in small parcels.
- There is no current plan of development to totally assess impacts. It would occur at rezoning stage. There is not a lot of information at this time about how the property could and would be developed.
- A new zoning district may be necessary to ensure that expectations are met.

Staff Recommendation
- Staff recommends approval of the Comprehensive Plan amendment in Attachment B of the staff report, by map and text to help further the economic development activities of the County

The Planning Commission is being asked to take an action tonight after holding the public hearing to either recommend approval with the information in Attachment B; and, obviously if there are changes they want to make to that the Commission would tell staff what those changes are. If the Commission decides not to recommend approval, then they would recommend denial of the comprehensive plan amendment and provide the reasons for it. With that she would open an opportunity for the Planning Commission to ask questions.

Mr. Morris invited questions for staff at this time.

Mr. Lafferty asked staff why the creation of jobs was not listed as a favorable factor.

Ms. Echols replied it should have been. It was not in her earlier report and that would be an oversight.

There being no questions, Mr. Morris opened the public hearing to the applicant and to public comment. He invited the applicant to address the Commission.

Ms. Echols explained because of the audio logistics in this room they are going to ask the applicant to come forward, who is really our Economic Development Director, and speak from the staff microphone and computer because that way she has a microphone and can manage her slide presentation.

Mr. Morris noted one thing he would appreciate as you come up and speak if you could not repeat the items that have been covered by other speakers. He suggested just saying I agree with many of the speakers. That way we get rid of the redundancy and can move on as quickly as possible. If you agree with what the individual is saying you have the right to raise your hand or so on, but please no clapping or cheering and so forth. However, the Commission wants you to be able to express yourself in a quiet way so that we can move the meeting forward.

Ms. Faith McClintic, County Economic Development Director, said she was actually representing the applicant, the Albemarle County Board of Supervisors. She just wanted to review a couple of things with the Commission in terms of some of the information reviewed with the Commission previously as well as what we shared at our last community meeting. But, they have had a lot of questions and she has tried to address some of those questions as she goes through this presentation. She presented a PowerPoint presentation entitled Proposed Comprehensive Plan Amendment to the Development Area Boundary – I64/Route 29 Interchange – August 18, 2015.

A lot of people have been asking what is driving this request. It is very much tied to the Board's desire to be responsive to what they consider to be a quality prospective business that is looking at Albemarle County for a new location. As they mentioned previously this is a very unique location at the junction of Interstate 64 and Route 29, two very primary roadways going through Virginia. It offers great proximity to Downtown Charlottesville as well as some of our other local assets. It does have utility infrastructure in place. This particular company is very attractive to the complimentary nearby park amenities. It does provide right now some options for what they have determined already to be some limited offerings for our targeted industries that do need those primary transportation routes.

So why are we adjusting the boundary? As Ms. Echols just explained to you and showed in the capacity analysis, we do have a challenge in terms of our existing inventory based on what is developable and already zoned as well as in relation to what is designated and considered to be developable. But, as Ms. Echols already alluded to we are in the process of going through that assessment and trying to get a better handle on what the properties that currently do have that designation, what they look like and what their real potential is for development. 118 acres is what we really have to work with today. If a company were to come here and says we want to build a new facility here, 118 acres is not very much, especially when the majority of manufacturing entities in particular need at least 25 acres.

Some of the other things they have tried to do is go back, to determine what industrial property we have lost over time. They talked with planning staff last week to try to quantify where they have had some loses of industrial property. These were areas that had been designated previously in the comprehensive plan for industrial uses that have now been reclassified for other uses. That totals about 420 acres. It also includes some around our airport, which in a lot of communities is prime land for industrial purposes.

In looking at some of the properties that had been identified previously by planning staff as options where they could combine some of those smaller properties into a larger piece of land, one of the first ones they looked at recently was at Northside Drive. There are actually three different owners that are participating in that area. We have a mix of zoning classifications. They have Heavy Industrial, Light Industrial and the piece over on the corner zoned R1. We have some challenges topographically as they often do here in Albemarle County. Those parcels are small and there is a significant stream buffer that is running through that property. So while it is shown as 51 acres, the usable acreage is significantly less.

In the presentation she pointed out a couple of other properties that are currently zoned for industrial uses. The Coffee Drive property is very tiny and not even an acre, but it does have an existing building. Down the street is a 7 acre parcel, which is very long and narrow and actually in a ravine. Again, these are properties that are designated today and currently zoned for industrial uses. The Timberwood Boulevard property is 28 acres, but it is a very unusual shaped property. It is very long and narrow. It is also adjacent to a church and recently designated for Urban Mixed Use. The property in Crozet is the former Acme Visible Records site. It is 35 acres. Again, it has a very significant stream buffer running through it, which again reduces the development area available. It is also in environmental remediation. So they will continue our review of these properties. But, these were just a few that in the last week or two we have tried to begin our investigation to better address some of the concerns.

As she mentioned before, she thinks this is very much for the Economic Development Office the forefront of why they are even doing this. They have a number of companies here in Albemarle County that set up operation to stay in business and to grow. But, right now they are in jeopardy of losing some of those businesses because they are ready to expand and we don't have any offerings for them where they can do that. We do have limited land here, which Economics 101 will tell you that a limited supply drives up the costs, which is very much the case here that puts Albemarle County at a competitive disadvantage with other communities both in this region and in Virginia.

We have a lot of the working class that are leaving the county to go to work. She will show the Commission in a minute another chart that explains how the wage levels in this community are surprisingly low compared to our costs. Right now the property under your consideration for being brought into the development area could by-right allow for the construction of an estimated 52 houses. The net cost to the county of that - when you factor in the cost of providing government services to those households - results in a cost on an annual basis of almost $170,000 a year whereas an investment by a business can be a revenue generator for us.

In the presentation she referred to the cost of living index. As you can see Albemarle County and the Charlottesville Metro Area in particular that our housing cost is significantly higher than a lot of regions in the Commonwealth with the exception, of course, of the northern Virginia Metro area. However, that very much factors into why our overall composite index is above average, an average being 100, we are at 102.9. She thinks it is interesting when you look at the average annual wages in these same regions we have quite a disconnect between our cost of living here and our wage levels especially when you look at

the Richmond Metro Area and their composite index being below 100 meaning costs are less than average, but their wage levels are not lagging significantly behind ours.

The next graphic comes from the Virginia Employee Commission Community Profile Data. She wanted to highlight the distribution of jobs in Albemarle County compared to our wage levels. You can see that the bulk of our employment is in the public sector primarily state government. Certainly with recent cut backs in both the federal government hiring and state hiring freezes show some of our vulnerabilities. Therefore, we are at risk if and when the state needs to continue cutbacks. The Health Care and the Social Assistance sector is another large group of where our work force is employed. But, again those wage levels are lower than many of the other sectors particularly manufacturing. Our third largest employment sector in Albemarle County is actually retail trade. They have always been one of the lowest paying wage sectors as is the case here.

Ms. McClintic said she also wanted to share some recent data that she shared at the community meeting. The CAAR Organization just recently released the average home sale price for our region for the second quarter of 2015 and it is $282,000. But, again that regional number includes Fluvanna, Greene, Louisa and Nelson County which are known to have lower costs particularly for housing. The ACCRA Cost of Living Index for the first quarter for the Charlottesville/Albemarle Metro area for the average home price is now over $330,000. The Median Gross Rent is right about $1,100 a month. If you take the normal formulas by which a mortgage lender looks at how much one needs to make in order to be able to afford a house in this community they are talking about wages of at least $65,000 per person in a two-income household (total $130,000). Again, as seen in the last chart Albemarle County actually is running behind even the Commonwealth of Virginia in terms of the average wage levels.

To clarify since a lot of people are not sure what they are talking about here when they refer to our targeted industry sectors and what Light Industrial might mean Ms. McClintic said she wanted to give some representations. Some of these companies are here today, such as Light House Instruments, which is a pharmaceutical company that makes pharmaceutical containers. Afton Scientific has been in our community for a long time and they are a very clean industry producing drug vials in a sterile environment. They also have bio-tech research going on. Micro Systems and Micro-Aire have been here for a while. Again, they are talking about very clean industry.

But, when they talk about Specialty Food & Beverage Manufacturing she wanted to give a frame of reference. In the presentation she pointed out the Sabra (Hummus) Foods plant that is in Chesterfield County. It is a LEED-certified building and 20% of their building materials were recycled. They employ about 500 employees. That facility is state of the art. It is a designated center of excellence for the company and for the food manufacturing industry. They have invested more than $175M in Chesterfield County.

They have some local, smaller-scale craft food and beverage producers. LUMI juice is a catalyst for the organic "seconds" produce market using Hyperbaric process. Outside operation is not evident; they are heavily regulated, and have no impacts to water or air quality. They also, of course, have a couple of breweries here operating including, Champion Brewer, but they are regulated by the Health Department as well. They also have some other very interesting industries. They have some that are just doing light assembly. Custom Ink, of course, is doing a lot of graphic arts and screen-printing, which currently is located in Seminole Place. But, again these are very unobtrusive industries that are very self-contained

Just some final considerations:

- This is a County-initiated boundary adjustment – not the landowner;
- Board of Supervisors wants to be responsive to this company within our targeted industry group;
- They really need to begin the process of trying to balance our tax base and our job diversification, which is very much in line with one of the Board's Strategic Goals with respect to Economic Development in building our tax base and setting the opportunities into motion for capital investments here from the business community. Even without an active prospect, the request is in keeping with BOS Strategic Goal #4: *Foster an environment that stimulates diversified job creation, capital investments & tax revenues that support community goals*;

- This is also consistent with the Economic Development Goal of the Comp Plan to expand options for industrial land users.
- Planning staff is recommending approval.

A well-known gentleman who spent some time in this area many decades and centuries ago also acknowledges that, "***Agriculture, manufactures, commerce, and navigation, the four pillars of our prosperity, are the most thriving when left most free to individual enterprise.***"
--Thomas Jefferson
Annual Presidential Message, 1801

Ms. McClintic said she would wait for the Commission's questions as well.

Mr. Morris invited questions for Ms. McClintic.

Mr. Lafferty said Ms. McClintic spent some time describing how current businesses can't expand because we don't have the land. If this goes the way you are planning on it going that won't expand the land for the small businesses.

Ms. McClintic asked Mr. Lafferty to clarify his question.

Mr. Lafferty said part of your argument was that we did not have enough industrial land. If this goes and the company moves in that you are trying to get that won't expand the industrial land for all the other small companies that you said are getting ready to leave.

Ms. McClintic replied the particular company that the Board is responding to will not need the entire 85 acres that has been defined as developable in this area. So while it may not accommodate only one at this point in time it will certainly go a long ways considering that many of them have some larger parcels to work with.

Mr. Lafferty said it would increase the traffic flow.

Ms. McClintic questioned if he asked will it increase the traffic flow in terms of new opportunities, and Mr. Lafferty agreed.

Ms. McClintic replied yes, absolutely because there are many that they continue to be unable to respond to in terms of leads that they get from the Virginia Economic Development Partnership or even directly from the Regional Economic Development Group.

Mr. Lafferty noted that he certainly was sensitive to the generation of revenue by a business compared to the loss by dwellings. He knows job creation is a major concern. We can't continue to raise the revenue off of real estate. So they need to do something. But, he is torn between that and what this will do.

Ms. Firehock pointed out she was listening to her presentation and taking notes. She said $63,000 was the wage an individual within a household would need to make to afford a $300,000 home. This Commission has talked about the fact that the county's affordable housing stock that they do create through rezoning and other means is not well advertised. It has been in the past, but they have had some staff cutbacks. So there is more affordable housing stock than you might realize. But, having said that looking at sort of average wages for factory workers, they are far below that and more around the $43,000 range. So they are talking about factory workers that might come to this sort of beverage producer, and yet they would not be able to afford the typical area home according to your calculations. She asked if that was right.

Ms. McClintic pointed out the wage levels that the company has discussed with us are within the prevailing average wages for Albemarle County.

Ms. Firehock asked if these factory workers would be starting at over $60,000 that is really astounding.

Ms. McClintic pointed out the average wage level will be at or above the current average wage levels in Albemarle. So there will be some who do fall below that, but there will be many that would be in excess of the current average wage.

Ms. Firehock noted they were talking about a lot of land and they don't really know what businesses would come there. What is under consideration tonight is a much larger chunk than the respective business that she has been in dialogue with actually needs. So there would be more than one business. But, she guessed being located near an interchange she did not have any reason to think that those jobs would necessarily go to Albemarle residents. It takes her longer to commute to that location from my house in southern Albemarle than it does to get there from Waynesboro or Greene County or other places. She just wants to hear a little more about that because they can't require businesses to source local jobs. She asked Ms. McClintic to give us some thoughts on the localness of the job scene.

Ms. McClintic said no, they can't require that, but it is certainly something that this particular company and many do prefer to do. The closer they can have their employees the better it is for them especially to address family concerns. If people have to leave the county to go home to deal with a family matter that usually is not ideal. That is one of the reasons that they start with the local job market and local labor force. So, again, with this particular company their intent is to hire locally. So at this point based on what they have seen them do in other locations they have been a very good steward of the community and a good corporate citizen. They have every intention of believing that they would hire locally if they can find the skill sets here.

Ms. Firehock thanked Ms. McClintic.

Mr. Lafferty asked if he understood that she said the wages in Albemarle County were lower than Virginia's.

Ms. McClintic replied yes, they were currently below the average wage for Virginia. The Virginia average is roughly $54,000 a year and ours are at $53,300. The Virginia average is about $54,964.

Mr. Lafferty asked if she was saying that most of the people hired here will be comparable with Albemarle County.

Ms. McClintic replied yes, they will be at or above Albemarle County.

Mr. Lafferty asked if it would be below the state of Virginia.

Ms. McClintic replied not all of them because the state has been working with this company as well and they do also look at how their wage levels will compare to the prevailing average wage both in the Commonwealth and in the region.

Mr. Keller asked Ms. McClintic to explore a little more that linkage between the average cost of a house and the salaries of the workers. As many of us know the fiscal impact and cost of a house in Albemarle County, to break even and pay for all of its services, is somewhere between $600,000 and $700,000. If they are going to be attracting lower wage individuals isn't there going to be more of a demand for lower cost housing and with that additional long term burden to the county from a fiscal standpoint.

Ms. McClintic said she was not sure. She understands the longer term burden to the county of housing because currently unless we have a balance with some additional businesses there is a significant burden on the county to meet its obligations in service delivery today. They already know and it is a long known fact that residential development does not pay for itself in terms of the services that are demanded by households. Whereas, businesses do not require the same degree of government services as households do.

Mr. Keller said his point is if one is trying to get a group of new citizenry who are going to need to be in units that don't pay their way, then there are going to be continued costs to the county. So this is that continuing development, development, and development question and where one stops and draws the

line. He thinks that if you think holistically about it, and while I am certainly not against development, I think we need to be really thoughtful about what that development is and where it occurs. There is a certain point in which, by increasing the population at a certain wage, you are actually increasing the costs to the county that are not necessarily offset by the industries you are attracting.

Ms. McClintic pointed out that it is important to remember that this particular company is just one of many that they would hope to locate in this area. Given our targeted industry sectors I think that many of them are the types of industry sectors that do pay very well and pay well above the average annual wage that we have today. So I think we have to look at this as a starting point to set the stage for better opportunities for our residents.

Mr. Keller noted, as a final comment, that he has a problem with a lot of the generalities that you put forward as opposed to what we are getting from planning staff, which are really specifics. He thinks they will hear from folks in the audience today that there really are not that many discrepancies between those kinds of salaries that you are talking about here and in other communities. So the more specifics you can give to make a strong argument for economic development I think the more likely the citizenry in the community will be in accepting that. He does not think what they just saw is doing a very good job in that direction.

Ms. McClintic said just to clarify, as he knows, she has only been here 4 ½ months and part of my due diligence in moving into this community is learning about it at a very in-depth level in terms of understanding the starting point for Albemarle, where we fall into many categories today, and then comparing that to our competition particularly in Virginia. So while I wish I could give you all of that data today, unfortunately she has not had the opportunity to be able to delve into that at the degree that I would have been able to do so.

Mr. Keller said they all look forward to working with you in the future to have more specificity.

Ms. Firehock said she wanted to offer Ms. McClintic some sympathy because you have arrived here and have actually inherited this request. This is not something that you walked in the door and dreamt up. You know what it takes to do a comprehensive assessment of different type of land use inventories. What she would actually like to know tonight, as well as for the future, is, if I could waive my wand and give you the time you need, what would be some of the typical things you would investigate if you were to do a real comprehensive assessment of Light Industrial. We have heard about parcel sizes tonight. Ms. Echols has noted that she has done the best she could with the resources and time available. But, she imaged that you would be doing more. She asked if Ms. McClintic could say a little bit about what would be entailed in your future work that you would be bringing back to the county.

Ms. McClintic replied that the sites and the options with respect to the sites are just one aspect of establishing a solid economic development program. In addition, she will be looking at many things with respect to costs, our connection costs for our utility infrastructure, land prices for industrial properties, current lease rates, our assessment ratios with our tax structure, or all of these things that go into looking at the cost of doing business in Albemarle County. She feels very confident from what I have read, at least with respect to the targeted industry sector study that was done, that they looked at a lot of data points in determining that. But, she wants to get into that in a more in-depth level to make sure that those requirements of those industry sectors are aligned with what Albemarle County can offer. Quite honestly, when she first came here she had never heard the term jurisdictional area with respect to utilities. So certainly she was surprised now that she knows about jurisdictional areas to see that food processing and beverage manufacturing in particular were one of our targets here because it almost does not seem like those folks who were doing that know about jurisdictional area here. That is certainly is going to limit our opportunity to pursue those kinds of operations. So it will be a very comprehensive approach, again, looking at the overall cost of doing business, the skill sets of what they call economic development assets of this community and how we compare with the competition for these types of projects, our targeted industry sectors.

Ms. Firehock said just a quick follow up question to that. She certainly is not your boss, but can you give a rough estimate of how long it will take to do the work you outline. The Planning Commission is very much looking forward to this analysis.

Ms. McClintic replied if she did not have to deal with the comp plan boundary adjustment right out of the gate she probably would have already been almost finished by now. She hopes to have this complete probably within 3 months. Again, she wants to confer and get some more information about the types of projects that the Commonwealth of Virginia's Economic Group would be sending this way because, again, I need to be evaluating that type of opportunity for us with again what we can provide and what we can meet, and then looking at the cost comparison at every single level and looking at alignment of the skill sets and the work force that is available.

Mr. Morris thanked Ms. McClintic. He opened the public hearing and invited public comment.

The following persons spoke:

Chris Mann, resident of Albemarle County, said tomorrow I will start my 32nd year of teaching in the county and the perennial budget shortfall because of inadequate revenues is the first reason I support this amendment. Raises the past few years have been negligible and they have been all but eroded because of high health care costs. Morale over pay is affecting teachers drastically. Our competitive market upon which salaries are based fails to take into considerations the high cost of living in Albemarle County. Given that the county's supervisors almost always follow the recommendation of the planning commission, the planning seems to represent the headwaters of the funding stream in the county. At the July 20th meeting Ms. McClintic showed us how far behind we are in neighboring counties and our supply of land for light industrial businesses. Twenty-four businesses he believed have either left or expanded elsewhere. As long as the revenue shortfall exists the school budget will be balanced on the backs of teachers and staff and resources and opportunities for students will inevitably diminish. Two years ago the new Belgian Brewery Company was very interested in putting a brewery on my land. My wife and I own 60 acres at the southwest quadrant at the Shadwell Interchange at 64/250 where electricity, natural gas, and the rail line are all currently available. They are the only property between Free Bridge and the Shadwell not zoned commercial. But, because they are not included in the growth area New Belgian chose Ashville, North Carolina and so those jobs as their revenue have been forever lost to Albemarle County. The comprehensive plan needs to be a flexible document and to be attested both by the fact that it is revised every five years and on the planning commission website where it says, "...it is important to periodically revisit and update the plan to ensure that it is consistent with community views and is addressing current issues within the community."

Mr. Mann said this amendment to the comprehensive plan should be seen as an opportunity to adapt and change to these current issues and needs. To paraphrase a current advertisement for car insurance, we are humans and that is what we do – we adapt and we change. The amendment process will only be the first step in a long, long process. It is not a slam duck by any means that the rezoning will occur or that the money to fix the interchange will be available. However, if you push the decision down the road to the next revision of the comprehensive plan that is exactly where the new businesses will go along with the revenue that is desperately needed for schools. Thank you very much.

Timothy Hulbert, with the Charlottesville Regional Chamber of Commerce, said our chamber has communicated with the Planning Commission and Board of Supervisors previously. He wanted to emphasize a couple of things that might have been in there. There are 460,000 acres in Albemarle County - 440,000 of them are in rural protected areas and about 23,000 are in the development area. Some of those are restricted by other regulatory requirements. They heard from Ms. McClintic that there are 109 acres available for industrial growth. They are talking about 85 acres and he thinks the total parcels are 226 acres. We are not in support of a manifest shift away from the rural development boundaries. What the Commission has in front of them today is an opportunity for this company and perhaps for others that are here or would like to come here. The report said that in the last 4 or 5 years 23 companies, 19 of whom are already here, are unable to grow and expand and add about 1,100 jobs because of the lack of space. As it relates to workers, they did a pretty comprehensive analysis of poverty and job opportunities, or lack of them, in our community and in the City of Charlottesville and they later

have expanded it to Albemarle County. There are 5,000 families in Charlottesville and Albemarle that are not self-sufficient. Self-sufficiency in Charlottesville and Albemarle requires a household wage of about $35,000 to $48,000. So someone who gets a job here that does not pay $53,000 that pays $45,000 is less likely to use public assistance and charity to pull themselves and their families out of poverty. This is an opportunity of enormous import for you. He appreciates the Commission's due diligence and would hope you would support this change. Thank you very much.

David van Roijen, Samuel Miller District, asked everyone that is opposed to this project to please raise your hand. (A majority of persons present raised their hands.) At previous meetings he submitted some ideas about why I am opposed to this, but he thought he would take a different tack and read you a very short note and would give the Commission a copy of it. (Attachment A – Letter dated August 18, 2015 to Planning Commission from David M. van Roijen – Available with the written minutes in the office of the clerk.)

Dear Planning Commission,

The expansion of the growth area will impact many thousands of drivers and commuters that use the roads every single day and have no idea what you have planned. The voices of the relatively few residents of 29 South opposing the project can hardly compete with the promises of tax revenues. Thus, if you choose to support growth of the development area, please attempt to mitigate some of the negative effects by the following:

1. Maintain the rural nature of the entrance corridor by having a 200 yard wooded setback from the outside (West) limit of the utility right-of-way and not just the highway. As you may know there is a utility right-of-way that is partially wooded there of 50' to 100'. If you count that as part of your 100' yard setback you really have not included anything if the utilities clear the area.
2. Prohibit business signs and lighting in this area.
3. Limit the designated area to the residentially zoned parcels versus expanding it into the rural area parcels. This should allow the golden goose company plenty of space and at the same time not impact our future Hedgerow Park or the other residents nearby. It would also avoid the mountain top and steep slopes that the county professes to want to protect.
4. Limit tractor trailer traffic to and from the industrial park to non-peak hours until such time as VDOT has upgraded all roads in the area to "A" grade standards (Note: this is done in many places to facilitate business but to alleviate unnecessary congestion). It will save lives!
5. Finally, he would love if the Planning Commission would recommend to the Board of Supervisors that no precious county tax dollars are used to develop the area. To date the county has already expended too much of the staff's time on this project. If a company wants that location so badly, they can pay for it and develop it. We shouldn't spend our taxes to spoil our own pristine rural areas.

Sam Proctor, CEO of Froehling and Robertson, a third generation family business headquartered in Virginia, said we have been in Albemarle County as an engineering firm since 1972. They employ approximately 30 people. This is a fantastic market and they are delighted to be in the market. I have met the president and director of engineering of the prospective firm and they are a top notch firm. In their part of the country they are considered one of the very best employers. He has friends of his family that have worked with them, and they are highly, highly regarded in the community. They are very concerned about the environment. They know their impact on the environment and they are very conscientious. They create great jobs. This is why the Governor of Virginia is so interested. The Secretary of Commerce is also interested. The Department of Agriculture for the state is also interested because they could benefit local farms. This is a great opportunity for all of us. It will create jobs. It will create a tax base. He sees great potential with them. Thank you.

Dan Bieker, county resident, said he was here to speak in opposition to this amendment. A tremendous amount of work goes into the comprehensive plan in protection and preservation of our rural areas. When we keep making adjustments to this and allowing industries and expansion to creep into our rural areas we only encourage more of the same. It makes it easier for the next big project to leapfrog its way in. It only serves to degrade the economic and health benefits of our rural areas and to clog our roads. We might create jobs, but that only tends to pull in more people. A lot of the jobs in these industrial

sectors have people in management positions that make six and seven figures, but he doubt if the forklift operations, custodians, groundkeepers are going to be making $54,000 a year. The forces of development and expansion are powerful and they will keep coming. To hold those at bay we need to have people speak up and we need to have officials like yourselves to draw a line and have the courage to make a stand for the economic and health benefits of our rural areas. Thank you.

Audrey Jessen, resident of Sherwood Farms, said she wanted to tell you what it is like to come home to Sherwood Farms in the afternoon especially. You have to go under 64 and then turn left at the entrance to our subdivision. Quite frequently there are trucks that want to get onto 64 going west. Sometimes 4 semis are setting there in that pull off waiting to turn left. So what the residents do is play dodgeball with the trucks. The idea that Ms. Echols said that this economic development might generate speed for the correction of that I-64 interchange I find almost shocking. It will put us in more jeopardy, create more hardships for travelers and locals by using the economic development with all of its unknowns to create and fix the problem with the interchange. She asked isn't this a little backward and isn't this whole process a little speedy backward. That is what we want to tell you. Thank you.

Norma Diehl said I have been subject to redundancy for much time during these last four meetings. But, once again I do object to the manner in which the comprehensive plan is being circumvented to bring this change forward. It is not an orderly change, but through questionable action from the Board of Supervisors for a particular client. There are several points I want to be sure are on record again. As stated in the full text of the VDOT letter on August 13th there are serious challenges to internal traffic patterns on this site. The letter includes a warning about severe problems at the 29/64 interchange with no improvements stated there for years to come. With respect to the topography of the land, when over 2/3 of the site consists of critical slopes that separate parcels and a stream with runoff how can it be considered a prime development area. I am also very concerned with respect to proffers or the lack of proffers with reference to this application. It would appear on the current track that the applicant may not need to offer them. If that is the case it will fall to county taxpayers one way or another to foot the bill. That is with thousands of feet of waterline and sewer lines not only for this particular applicant, but for anything within that area. As well the capacity for water discharge is limited for some time. This applicant apparently will use a great deal of water. Does all the development slow until the Water and Sewer Authority can add the necessary equipment to increase the water flow? How can we overlook normal parameters of orderly growth and development for one possible client? She asks that the Commission deny the request.

James W. (Jeep) Newman, Jr. said he appreciates the opportunity to speak before the Commission. First, he wanted to say Ms. McClintic what an outrageous presentation you made. He is sorry you have come in here catching heat. My particular interest in this hopefully denial of this proposal is on transportation, particularly interchange 118. So he is going to give you a little more heat. The thought of a brewery at interchange 118 is so outrageous as to actually be a bad dream. I can't think of a worse place for light industry so please hear me out or get ready for a fight. What is proposed is to give connections to water and sewer. I say that is so ridiculous it smells like manure. At this interchange we all despise I have heard some drivers just pray then enter it with closed eyes. We need more tax dollars I hear from business so shrill so I suggest why not go west and put it in lovely Yancey Mills. The governor, VDOT and others I say with a holler fix it, pony up the 170 million dollars. He respectfully and adamantly submits that you must deny this approval or you can all take a hike. Thank you very much.

Mr. Morris thanked everyone for putting their hands up when they agreed.

Helen Cauthen, President of the Central Virginia Partnership for Economic Development, a nonprofit private partnership focused on regional economic development through a collaboration of government Albemarle County, seven other counties and Charlottesville, higher education, UVA, PVCC and Germanna Community College in the private sector. The Partnership strongly supports the boundary adjustment. We led extensive research conducted a few years ago resulting in the development of a comprehensive target markets report. The report identified target industries for each jurisdiction to retain, grow and attract. The Albemarle County Board of Supervisors unanimously adopted the industry targets proposed in the report for the county Bio Sciences, Business and Financial Services, IT, Defense and Agri-Business Food Processing. Last fiscal year the partnership had 40 inquiries from companies

seeking a location in the region. Out of these, excluding the UVA Research Park, Albemarle County was only able to submit an appropriate site or building for 8 of these 40 requests or just 20 percent. Of the 6 new inquires they have had since July 1st the county was only able to submit for 1. Furthermore, our successful existing businesses want to remain and grow here. These businesses generate tax revenues and can help alleviate the need to raise taxes on our homeowners. If we want to retain growing companies there must be places in our community allowing them to expand. We do not want them to leave and take their jobs and tax revenues with them. My office is located on Hydraulic Road in space shared with the Virginia Workforce Center Charlottesville. Everyday job seekers come to the center in an effort to find a livable wage job. Despite of the county's relative low unemployment many people are struggling. In fiscal year 2015 over 16,000 visits were made to the Center and 42 percent or 6,823 of those visits were made by Albemarle County residents. An additional 1,782 visits were made to the Albemarle Career Service Center located in this building. I think it is fair to say that those people are not here tonight. They are not here to appeal to you personally. Nevertheless they live and are trying to work in Albemarle County. We simply need more job opportunities that can be provided by both growing local companies and new companies. Expanding available sites will help in these efforts.

Ms. Cauthen said the Partnership has been working with the prospect interested in this site for over a year. Although I am not able to reveal the name pursuant to a confidentiality agreement I assure you that this company and its business model is an outstanding fit for Albemarle County. They are interested in sustainability, very committed to the environment, have a strong interest in recreational areas for biking, hiking and the like, and offer high quality new jobs particularly valued by county residents who are unemployed or underemployed. I respectfully request that you support the boundary adjustment proposal before you this evening and we think Faith McClintic is doing a terrific job.

Linda Goodling, resident of Ivy, said this proposal has made her very upset since she used to live next door to the area that you are speaking of. She is not representing the League of Women Voters. However, the League has been deeply involved in studying this proposal and decided to speak at this time individually. However, the League plans to have an organizational statement at the Board of Supervisors meeting about this. The League's main concern or question was why there was a rush to change the comprehensive plan after so much time has been spent and now they want to change it. Favorable factor #3 is the site is well suited for them. Just because a business wants that spot do we really want it. It might be their sweet spot, but it might not be ours. Mainly, why are you changing the plan? She pointed out there have been an awful lot of questions tonight including the traffic study and natural resources if they want smart growth. Traveling east on I-64 if you don't want to get in an accident you need to be in that far left-hand lane because the interchange is an acceleration lane at the same time that it is a deceleration lane. She wondered if there are other environmental impacts since there are so many things. You might be fooling yourself to think that people pushing a bunch of beer bottles are going to make $60,000. She also wonders about all of the other spaces in town that lie empty. Please study this more because there are just too many questions at this time.

John Dozier, resident of North Garden, agreed with the previous speakers about the traffic concerns on 29 South especially at the interchange, which can be very dangerous. About every six months or so there is an accident and people are getting hurt. He also wants to comment about one of the pros that Ms. Echols said in her presentation that the business wants to be next to a park. But, I want to know if the park would like to be next to an industrial zone. In addition, Albemarle County and Charlottesville are communities that people want to come to, and we don't need to bend over backwards to have businesses come here. But, he would like to comment about the presentations tonight. In my opinion, they were exercises in obfuscation.
The first one was a presentation where a strawman was set up and knocked down. There is not enough land for industrial use. They gave examples. But, he thinks with further study they might find the needed land in the existing growth area. The second presentation, and he did not come here tonight to speak about statistics, was plainly specious. Averages do not tell the entire story. The average home price can be moved by some of the very high end homes in this community. To say that the average house cost $300,000 does not tell you anything at all about the cost of living in this community. You throw in a couple 10 million dollar homes and that average goes from $200,000 to $300,000. So I would recommend in your next presentation that you include the full set of data and not just the average, include the median, the distribution, and everything. What he had seen here tonight is in my opinion the easy

way out. We need some land, we've got a company that is interested so let's just carve it off with a contiguous piece of undeveloped property and throw that into the mix. Let's do the hard work, let's look at the existing properties in the community and see what we can do to make them appropriate for further development. (A large number of members of the audience raised their hands in agreement.)

Neal Helverson-Taylor said he serves as Rector of Good Shepherd Church at Hickory Hill, which is adjacent to the proposed zoning changes. He thanked the board and the county staff for this opportunity to speak. In 1905 people of Hickory Hill gathered together and formed the congregation that I serve of small rural farmers. Some of the generations who have come before and now have come after them are very concerned about this proposal and what it will do to the character of the land. So he thinks in some ways this is embodied by the design of this specific piece of property of our church, as a church and as a cemetery that surrounds it, and it reminds us of those lives and the legacy they leave which reminds us of a value that can't be put in dollars. It is a value that they have for love of people and a love of place. He thinks the comprehensive plan has a very interesting commitment to that and he would actually like to retain that commitment and that the Board would consider that. He thinks it is not just those who have come before us and those who are generations in this place, but new comers who have settled in the area, speak about the beauty and the quality of life here, and he thinks they need to retain that as much as possible.

Tom Olivier, speaking for the Advocates of Sustainable Albemarle Population (ASAP), pointed out in 2014 ASAP opposed creation of the county's economic program. One of our concerns was the proposed program was to be created outside the Planning Department and report directly to the Office of the County Executive. The Route I-64/Route 29 Growth Area Expansion proposal makes clear that ASAP's concerns are being realized. Economic Development staff first proposed the expansion be inserted into the draft comprehensive plan in a session about a month before the final comprehensive plan public hearing. Public outcry over short circuiting the normal process led to the expansion proposal being removed from the comprehensive plan and sent through in expedited review. So we are here tonight. However, in recent weeks Economic Development staff has called for approval of the growth area expansion while the planning review of the proposal is underway. Is economic development the tail that wags the dog? There are questions not addressed in the staff report. Has the fiscal analysis of the hoped expansion been conducted and does it take into consideration the number of the existing employees of the business who will live here? Does it consider the children of the employees who will be added to our public school system? ASAP recommends that: 1. Activities of the Economic Development Program be integrated with and subordinate to planning processes in Community Development, and 2. the proposed growth area expansion not be approved. (Attachment – Statement for ASAP from Tom Olivier dated August 18, 2015 available with written minutes in the office of the clerk)

John Lowry, Samuel Miller district, said as a resident who lives six miles south of the proposed line adjustment he recommends approval of the growth area addition. He lives on US 29 and there are about 40 driveways between his home and the site being considered. If the proposed change is for the good of Albemarle County in general, as he believes it is, you should be in support of expanding our tax base to fill the increasing gap in revenue. He is also Chair of the Board of Equalization. He urges you to be positive now and then put your planning caps on when the zoning hearings arrive. (Attachment – Letter from John Lowry dated August 18, 2015 available with written minutes in the office of the clerk)

Ken Chasin, resident of Redfields with his wife, noted concerns with the proposed business and residences at such a heavily traveled intersection. It does not make sense due to the increased safety issues with more accidents. He sees the opposite of what has been proposed since he sees lots of growth and new businesses and jobs in the area. What they really need in this area is a high speed internet provider. If they want high paying jobs they need to attract high tech, which won't bring in heavy traffic but high paying jobs. So obviously he was opposed to this initiative.

Robert Selden said he would pass because what he had to say was in previous statements.

Wren Olivier, representing the Piedmont Group of the Sierra Club, said they represent about 1,100 members in the Piedmont area of Virginia. They urge the Planning Commission not to approve an expansion of the Albemarle Growth area at the Route 29/I-64 intersection. The Executive Commission of

the Piedmont Group recognizes that there are benefits to increasing the industrial tax base; however, there are too many unanswered questions about this proposal which require careful consideration. Why is it necessary to expand the growth area when there are hundreds of acres of available land in the established growth area that is available for light industrial use? There are numerous vacant buildings in the county. Are any of these sites being considered for redevelopment? What will be the impacts of development at this intersection and the flow of traffic on Route 29 South? What company wants to build a facility at this site? What impact will it have on the natural eco systems? How much water will it take from our reservoirs? What new infrastructure such as water and sewer lines, electric lines, roads, etc. will be needed to accommodate this business? What steps will be taken to mitigate damage to the natural environment and protect the attractiveness of the southern entrance to Charlottesville? The people of Albemarle County deserve to know the answers to these questions before you consider this request to expand the growth area. Please vote to reject this proposal.

Ben Wood said he lives directly across from this property and looks into that area from his back yard. The present industry that is there causes no problem, no visual disturbance, and no traffic disturbance. The reason for that is because their building is back off of the area away from 29 and you actually don't see it. Therefore, he would ask that they designate a greenway along 29 that would prevent the buildings from coming right up to the highway area. Secondly, he would ask that they restrict the access. In attachment B, which the Commission is being asked to approve, shows broad areas of contact right up to Route 29. He thinks that needs to be restricted for safety, congestion and beautification reasons.

Jeff Werner, with Piedmont Environmental Council, said they have a problem with this process and the infrastructure. He wants to make it clear that PEC is not opposed to this brewery coming to this community. They know who they are and if they come will welcome them unless they decide to go to Ashville or any of the other cities or communities that are in the running. Let's be clear. This business has not made a decision yet to come here. They contacted the county late last year months before the comp plan was finalized. Strategically it would seem the Board waited until the eve of adopting the plan before revealing the need for this last minute spot plan. Curiously during the comp plan review when the Board declined to consider more intensive uses on 250 East, they cited unanswered questions about traffic and infrastructure as a concern. Staff claims this expansion is necessary for more jobs and revenue. They cited 8 counties with more industrial land than Albemarle. What staff did not point out to you was that among them Albemarle has the lowest unemployment, the highest weekly wage, the highest percentage of county residents commuting to work in the county, the second shortest commute and in 2004 the most new start-up firms. So why should we be like them. You should ask staff a few questions. In the 8 counties that they cited how much of their designated industrial land is actually developed? Also, why on the list that they recently gave staff do they omit both under-utilized parcels and those with vacant buildings? The county's own economic development web page identifies over 565,000 square feet of vacant industrial building space in the county. When they talk about low wages, this is a college town so there are a lot of students at UVA, and he was one of them and they did not get paid. It is worth noting that Patriot Aluminum was one of the businesses that are leaving Albemarle County. They moved to a parcel in Louisa County that is 2.8 acres. They got a building built by Louisa County in a business park owned by Louisa County. Is Albemarle County ready to start doing that to keep businesses? The public knows this is more than a general comp plan amendment. Intermediately after this is approved they expect the Board will initiate a rezoning and maybe then they will get some of these questions answered.

Mr. Werner noted with that said he had just a few suggestions. This expansion should be for what this company wants and not for what serves the interest of the landowner or because staff thinks more is better. Staff recently concluded only 56 percent of the zoned and planned industrial land is developable, so why add 225 acres of which only 38 percent is developable. He suggested making this expansion specific to this brewery and if they don't come then vacate the expansion. He suggested waiting until they complete this assessment and require rigid access management. At most a single signalized intersection should serve all the uses within this expansion. The amendment should recommend that traffic control be in place during events, and address how the plan that must add a trail access to the future county park and to this brewery will get across 29. The proximity of the park seems to be a big deal so when will it get funded.

Donal Day, resident of Buckingham Circle, said he made a mistake of coming here tonight thinking he was the smartest person in the room. But, he has learned from these comments tonight that he is not. But, what he wants to point out is this probably should not be before the Planning Commission; it should be before the reaction commission. What they are dealing with is some sort of perfect storm where they had a change to the comprehensive plan, an interest in economic development, the hiring of an Economic Development Office staff person and the arrival of a perspective client. All of these together has created this perfect storm where it has created a huge work load for the staff. They have heard tonight both in response to questions from the Commission and admission staff members that there are lots of unanswered questions. It seems that rather than react to this expressed interest in our community we should actually plan. He is not against economic development. He is old enough to know now that we can't leave the entire county pristine. We have to provide jobs. But, at the same time the last amendment to the comprehensive plan took four years to complete. Now this is supposed to be scheduled to be done in four months. This has created a tremendous stress on the community and it has created the sense of secrecy. Tonight he would ask how many people know the name of the brewer that is coming to Albemarle. It is more than a few and they keep talking about this secrecy. The secrecy is to hide some other secrets, such as what gifts we might give this potential client or what package the governor might put together. This has cast a shadow over the open government traditions that we have in Albemarle County. So he would finish up that one, he does not think in contrast to what Ms. McClintic was saying that this is a great economic boom to the county. In his package to the board today, they need to find out what the average wages are in Deschutes County Oregon and compare them to what they are here in Albemarle County. Production workers basically make $30,000 per year. Those are the kind of jobs they are talking about, and it was not enough to buy the houses that are necessary to fund our schools. He thinks it is a shame that kind of data has not been provided, but it can be provided. He thinks they have to take more time. He would ask the Commission to turn this proposal down, not in the sense that it is the end of the story, but rather that we give ourselves more time and come back to it in an organized way.

Rad Davis, resident of Sherwood Farms, said he was one of those high tech people who are supposed to be the desired employee for an Albemarle County business. He has news for them. He has worked in several factories, some that made very high tech equipment, and no one that worked on an assembly line made $60,000 in any of those factories or food service businesses. Popular in his line of work is "trust, but verify". Commissioner Randolph was quoted in *C'ville* saying that you got to have some trust and confidence. As a result I am confident because of all the secrecy and careful avoidance of sunshine laws and in my lack of trust in my government tonight. Who should I trust? Should I trust Faith McClintic? She has already told us that we need more factories in the county. Tourism over research would seem to be a much better fit than a steam belching brewery. Her basis of argument is that other counties have more factories than we do. Other counties also have lower standards of living and fewer cultural resources. Should I trust the Planning Department? Every scrap of information they have offered has been favorable to the change in plan and they have been careful in their editing to make that so. Maps of the affected area seldom show the tens of millions of dollars of nearby housing that will be affected, the steep topography of the land under construction, the density or the traffic at the 29/64 and Fontaine Avenue interchanges. County planning's discussion of the proposal consistently leads with the pros and buries the cons without any effect to measure the effects of development here on the surrounding community, most of which is zoned rural despite mentions of a mythical vibrant urban community somehow getting across multiple four-lane highways. We still do not know how much it will cost to upgrade the sewer system in this area to cope with the substantial waste generation of a brewery producing 25 million gallons of biologically active waste water a year. They don't know how many additional traffic accidents will happen after this property is hurriedly developed, but before VDOT gets around to upgrading the road and interchanges to handle the 5,220 trips per day they estimate this development will add. The county's legislative branch has upended the stated and wise process to become an applicant and judge. So much for the separation of powers. That leaves you, the County Planning Commission. Can I trust you not to say yes or no to this proposal until you have some quantifiable justifiable reason why you should say one or the other. Now the Commission has the opportunity to say that the procedures need to be followed.

Jerry Miller, president and owner of an advertising agency called B & B Brands and a homeowner in the Redfields, apologized to Ms. McClintic. He thinks some of the behavior of these adults in this room has

been awful and humiliating. He thought she did a fantastic job with your presentation. They have covered a lot of basics with things like the new jobs, the increased tax revenue that could increase here, and how the land that is not very developable could be made into something special. He wanted the Commission to think about the potential of proffers. Everyone in this room that has been opposed to this proposal has talked about traffic in the interchange at this particular vicinity and how the speed makes it unsafe. He asked why we don't get involved with this brewery, since we know who it is, and have them put some skin in the game and improve this interchange. Why don't we have them invest some of their own money to make it a little better? He thinks that is something that absolutely needs to be considered. He encourages the Commission to have a big picture vision. Don't think of folks in this room that clearly reflect an age demographic that is much older than me. He would like the Commission to think about the generations that are coming including his kids. If this opportunity is going to create new jobs for people, if it is going to raise real estate property values for people, if it will allow me to pass on my home to my kids at a higher value; that is something you must consider. He asked them to consider Nelson County who would not be what it is today without the wine trail. It would not because the wine trail has brought tremendous revenue through Nelson County. That can be done here in Albemarle County as well. Please have a big picture vision and see a beer trail that can come through Albemarle County to bring in tourists to this community. Please think about how this is going to improve the quality of life for so many young people.

Derrick Sieg said my father brought a property right next to the land they are talking about 30 years ago. He lived on that property for quite a while as well, and he knows the property very well. They need to think about this as a great opportunity to bring in a signature business to this community. He thinks that Charlottesville is better than being a community that its industry is so heavily weighted in tourism and the wedding business. People are moving down here from Connecticut to buy big farms. He thinks that attracting a really worthy business can be a beacon of how a good business should be run in this community. It will only make all the businesses in Charlottesville better and all the people better off for it.

Morgan Butler, with Southern Environmental Law Center, said what they have before them tonight is a proposal for spot planning. The company has expressed a strong interest in the county expanding the development area boundary to accommodate its preferred location for a manufacturing facility. One might expect the county would cast a dubious eye on a proposal that would undercut its long-standing growth management strategies. But, staff is recommending approval. At an even stranger twist staff finds itself playing the role of applicant at the same time it is tasked with assessing the pros and cons of the proposal. Moreover, the identity of the company is being kept confidential and up until last week even members of the Board of Supervisors did not know that the county has proposed an incentive package to the company much less what is in it. These may not be unusual tactics for other communities, but they mark a huge break in how major development decisions are typically made in Albemarle regardless of who this company might be or how well their values may fit the county's. We have a very hard time seeing how setting a precedent like this will benefit the community over the long term especially when there is tremendous uncertainty if the company will even end up locating here. Perhaps because of how big a precedent it would set to approve a county initiated spot planning there is clearly an effort being made to frame the justification for this proposal more broadly? The area under consideration has been expanded well beyond the 30 to 35 acres of developable area that the business prospect reported needs. This opens up room to argue that this proposal is about providing land for new and expanded industries in the county. But, this justification is problematic, too. In the many discussions about the county's industrial land inventory that took place as part of the recent comprehensive plan rewrite it was ultimately decided that more work is needed to get a better handle on a complex problem. As a result the new comp plan calls for a strategic assessment of the county's industrially designated land. That important work is now under way, but as tonight's staff report acknowledges at this point they don't yet know the extent to which the current development area boundaries can assist target industries and businesses that want to expand. Until that assessment is complete and the results have been vetted by the community it is premature to expand the development areas to try to address a situation we don't yet fully understand. Tonight's speakers have raised many other major questions to which there currently is no good answer, such as what the effect of additional truck traffic in this area would be on an already dangerous interchange. For these reasons and more, we urge you to either recommend denial of this entire proposed expansion at this time or at the very least that you urge the Board to table consideration of anything beyond the 30 to 35 acres needed by this business prospect until that strategic assessment is

completed. Those 30 to 35 acres could be provided by the single parcel that is located farthest to the east and intermediately adjacent to the development area boundary. Because it is zoned R1 and is already in the jurisdictional area for water and sewer it has at least some growth area characteristics. We realize that parcel may no longer be the company's top choice, but the fact that it already has some growth area characteristics it will help limit the precedential damage that approving this county initiated spot planning proposal could cause over the long term.

Wendell Wood commended staff and the Commission's patience in looking at this project. As a businessman in the community I am in favor anytime we can get more jobs. He thinks jobs are a good thing for any community regardless of the different pay scales. Sometimes the pay scales are not quite what we would like them, but there are people out there who would like to have these jobs. While this may not be the best location for this facility because of terrain and whatever, he can respect the fact that this industry has said this is where I want to be. He thinks we have to respect that also. He did not think the county should bend its long standing history when you make a zoning change you have always required the landowner or that industry to pay for their water, sewer and roads. He did not think the county should change that policy. He thinks the playing field should remain level. If they want this area and seem to be committed to coming here, he thinks they should play by the established practices. He did not think they should change our policy, but keep it a level playing field. Every other industry that has come here has paid or the land owner in many cases. He can attest that the landowner has paid for roads, water and sewer to get that industry here. So if you are going to change that he would hate to see us put that burden back on the tax payer. That has been a burden that has been borne by the developers. He is one and not in favor of it, but we can't start changing that program. Let's get them here and lay the rules out of what they have to do. The citizens are not going to pay for their water, sewer and roads.

John Chavan said he was a long time resident of Albemarle County. He thanked staff on the thorough job on the presentation. He represented himself this evening as a concerned tax paying citizen. He said the rural interchange was first included in the comprehensive plan in 1982. It was suggested back then that the interstate interchanges be improved. The first on the list was the Shadwell Interstate Interchange. Over time many studies have gone back and forth and there are many documents that staff has even designated Shadwell as a priority for development. While he 101 percent supports what is on the table today he wanted to draw their attention to the Shadwell Interstate Interchange, which was once highlighted as number 1. It was called a priority. He did not see that on the table this evening. So my request please include the Shadwell Interstate Interchange in this request as well. Thank you for your time.

Christine Davis said she speaks on behalf of a dozen or so families in my neighborhood with young children. Unfortunately, they are home with their children tonight. Tonight they have a couple people from our neighborhood speak up. It is not that the people with children are not interested, it is that they are busy. She is a business person and thinks tax revenues are fantastic. She would love to see a business come in with great tax revenues. The problem is the public has not seen evidence of positive tax revenues. The quality of the jobs is poor. They have seen gross numbers and there are a lot of deductions before you get to a positive net value. As far as I can tell we don't have a positive net value. It is not an overwhelmingly positive project. So we should decline it at this time and put it back through the normal process. Secondly, regarding the process she thinks the Board of Supervisors acting as the applicant is creating problems. She hoped they would look at what will we do in the future if the Board wants to be its own applicant again. Is it legal? Is it ethical? What are the conflicts of interest? She said they know this is going to happen again, so what are they going to do next time? She suggested that they plan ahead so people are not mean to each other and people are not upset by changes in process.

Sally Thomas said she already sent the Commission a letter, and only had one point that has not been made tonight to make. She thinks you are being "guilted" into a position in which you will think that a "no" vote means you are not interested in the economy of our community. She did not think that is a fair slam to put on things. Many times on the Board she had to say "no" to a very attractive candidate. She remembers a room being full of really cute little soccer players that they said no to. It was very hard to do. But, it does not mean that you are saying that you are not concerned about the economy. It does mean that the growth management planning that this community has done all these years and the

development area boundaries do have meaning. It means that people will have greater motivation for efficient use of their land within the development area. If they think they can easily slip outside the development area into green fields then that is always going to be the cheapest and easiest thing to do. It is a hard job that the Commission is facing and she appreciates the Commission and the staff. However, she hopes they don't get "guilted" into doing something that is not good planning.

Neil Williamson, President of the Free Enterprise Forum, said during my daughter's college tour they heard two pitches from the schools she was considering. The first was we are a great school and you are lucky to be considered versus the college president saying directly to all the admitted seniors if you hear one thing today please know we want you here. In recent months I have heard it is a new day in Albemarle County regarding economic development. I have been told that along with the hiring of an economic development director there was a renewed zeal for generating business tax revenue to help relieve pressure on the residential tax payer. Tonight may be the first evidence of this new positive attitude. Tonight they have heard objections regarding Albemarle County Board of Supervisors acting as the applicant in this case. Clearly that is not that unusual because they have sat through a lot of public hearings and they have had the county be the applicant. The pro-active rezoning in Crozet comes to mind. Tonight they heard from some that this approval has been fast tracked. These are many of the same voices that objected when I said the US 29 Solutions package was being steamrolled through Albemarle County. I will say now as they said then, all the proper work sessions and hearings are being accomplished. As one who once worked in national sales I can tell you without question one of the things that you need is inventory. Absent available inventory in the right location, sales do not happen. It seems clear from the staff analysis Albemarle County is lacking properly located light industrial land. Tonight the Commission has the opportunity to take a step forward and recommend the approval of land in the comprehensive plan. Tonight it is really about jobs. Not recommending this comprehensive plan amendment also has meaning. It means that the Planning Commission does not see the development area as a living breathing thing, but as though it came down from the heavens etched on two stone tablets. Please do not return to the Albemarle's arrogance that says to those who want to operate a business you are lucky to be here, but instead say that you are open for business

Mike MacMann, resident of Sherwood Farms Subdivision, said when you live right across from a potential brewery you obviously can have this not in my backyard attitude. His personal concerns would be property value. Emissions from the brewery he Googled and understand that it might smell like toast. He likes toast so maybe he will like that smell. Water is one of the biggest issues in America these days. They see that in California and other places. He would be concerned with the use of water. They just finished a reservoir in this area to carry us forward and now the brewery would be quite an intake of water. So there would be a concern there. He supposed what he was hearing tonight is mostly about the process. There is a lot of concern about is the process being followed correctly. He would encourage the Commission to take a look at that and try to follow the process correctly. They had a quote from our favorite son and he would like to add another quote. Mr. Jefferson says that it is always better to have no ideas than false ones; to believe nothing than to believe what is wrong. So I encourage the Commission to do what is right and follow the path.

There being no other public comment, Mr. Morris closed the public hearing and invited the applicant to cover the rebuttal.

Ms. McClintic said one of the comments they have heard throughout is that no one has seen any evidence of the good tax revenues that could come from this particular business. She guessed that was certainly a frustration for the public at large, but hopefully they will have enough confidence in their leaders in the community in terms of certainly knowing that they would never propose anything where the public resources were going to be devoted if they did not feel that there was going to be a sufficient return on their investment in terms of the tax revenues being generated.

Mr. Morris closed the public input to bring it back to the Commission for discussion and input.

The Planning Commission recessed at end of public comment on CPA-2015-1 at 8:15 p.m. and the meeting reconvened at 8:27 p.m.

Mr. Morris called the meeting back in session at 8:27 p.m. to discuss and if appropriate to make a motion. He invited further discussion by the Commission.

Mr. Lafferty pointed out the Planning Commission and Board of Supervisors has had an unwritten ratio trying to keep the county 95 percent rural and 5 percent development. How will this project impact that ratio?

Ms. Echols replied staff has not really calculated numbers on this. It is not a great big difference when you look at the acreage compared to the rest. She could get that for him, but not tonight.

Mr. Lafferty said he was always concerned about the expansion of the development area. There was a mention of the Shadwell intersection. He would like some verbiage put in there that they are not going to look at other interchanges for a while. For example, the Crozet Community Association reacted very badly to the request for expansion of the Crozet development area. He asked Chuck Proctor to come up and explain why the interchange is going to cost 170 million dollars and how long does he anticipate it if he had the money right now.

Chuck Proctor, representative for VDOT, replied they had a consultant two years ago start to look at the interchange. The consultants developed several concepts and put cost estimates to them. They ranged from about 135 million to 170 million depending on concept. That was basically a conceptual analysis. They do not have enough information right now to really define it any further than that. But, it involved depending on the concept it basically looked at rebuilding the interchange at the interstate and rebuilding the interchange at Fontaine Avenue. They are so close together that they basically almost worked together. It included replacing all the structures, both the interchange bridges over the railroad and the river that are adjacent to the interchange, and both bridges at Fontaine Avenue. In addition, all but one of the concepts had several other bridges that were included to deal with the weave movements between the two interchanges to accommodate the ramps. They had to braid their interchange ramps. One of them had actually a fly over included on it.

Mr. Lafferty asked if they started now how long would this take approximately.

Mr. Proctor replied that he really did not know. The funding might be a problem for the project even to get going. As part of the House Bill 2 process that they are going through right now to try to identify projects that are upcoming in the state-wide pot of 500 million dollars for 5 years. The local district pot is only 31 million dollars for 5 years. Both the state and local pot can be applied for. They are working with the county right now to put together that proposal for submission for the interchange. But, right now they don't have all the details worked out. They are still working on that process.

Mr. Lafferty said it seemed with the replacement of all of those bridges that this project will make Meadow Creek interchange look like playing in the sandbox.

Mr. Proctor noted that it was a lot more involved because there is a lot more traffic. The forecast model from the MPO basically had the section of road between the interchange and Fontaine Avenue interchange over 100,000 vehicle trips per day by 2040. That is what the traffic projections were showing.

Ms. Firehock said Mr. Proctor just gave us some startling figures on sort of the state-wide and local pot of monies for the next 5 years. They were told in the staff report that this interchange is a high priority. She would like to know what that really means. There are probably lots of high priorities. She was wondering as a professional if he thought this area is like 10 years away from being addressed. Are you willing to hazard a guess?

Mr. Proctor replied no, they have a new process that they are evaluating projects in and this is the first time they are going through that process. He did not even know how this project would score against other projects. In the larger pot of money they have to compete against projects in northern Virginia and Hampton Roads, which have a lot more congestion, a lot more safety issues, and are a lot more costly. Just the funding piece alone is going to be a concern. That is one of the things I was trying to bring out in my comments replied Ms. Firehock. .

Mr. Dotson said, again trying to pin down the timing question, is this project in the Six-Year Improvement Plan, and Mr. Proctor replied no.

Mr. Dotson said that in the Long Range Transportation Plan this project is indicated as "short term". He asked does short term mean more than 6 years.

Mr. Proctor replied that in the Long Range Transportation Plan basically "short term" starts in 2021. It was a 2040 Plan and the Six-Year Plan was not included as "short term". The Six Year Plan ends in 2020, so 2021 would have been the start of "short term".

Mr. Dotson said that in the Long Range Transportation Plan the preliminary engineering was indicated as "short term"; the acquisition of additional right-of-way and real estate was indicated as "short term"; and that construction was indicated as "mid-term" which would be longer than that. He asked is that correct?

Mr. Proctor replied yes, because that is how they could get the funding. The plan they are speaking of is the MPO's Long Range Plan and it is constrained by the estimated availability of funding. They have 300 and some odd million dollars to work with in that plan that they are funding.

Mr. Lafferty said under the new system of funding and priorities, the HB 2 system, economic development is one of the factors. This factor is weighted. He asked if Mr. Proctor recalled what it was.

Mr. Proctor replied he did not remember off the top of his head what the different factors were. That is one of the components of it. This would basically be one of those factors that would work towards meeting of some of the criteria of that factor.

Mr. Dotson pointed out that he looked it up today on-line at the VDOT website and that 20 percent is the weight given to economic development. Mr. Proctor agreed.

Mr. Lafferty asked if staff knew what they were going to do with the sludge generated.

Ms. Echols asked if that a question that should be directed to our utility people because they have representatives from Rivanna as well as Albemarle County Service Authority present. She asked that someone come forward to speak to the Planning Commission on that.

Mr. Lafferty asked if they are going to be flushing this down the sewer line.

Ms. Echols replied that she was going to defer to the experts.

Dr. Richard W. Gullick, PhD, Director of Operations for the Rivanna Water & Sewer Authority, said he was glad to be able to answer any questions that you may have of what I know about the project. He asked if his question was specifically in terms of the waste water itself.

Mr. Lafferty replied actually it was a question about the sludge from the left over hops and barley or whatever they were using.

Mr. Guillick replied his understanding is that there are two different streams, the high strength waste and the low strength waste. At the initial capacity our waste water treatment plant, which is quite advanced and has available capacity, would be able to handle that. So with the sewer system the Albemarle County Service Authority does need to install a line directly to the site, a sewer line to collect that. But, once it gets to the rest of the system for their initial production capacity that is predicted there is plenty of capacity to carry that sewage. They would actually be able to treat that without a surcharge for that because this type of particular waste would be beneficial to the operation of our treatment plant.

Mr. Lafferty noted in one other meeting when he asked the same question he was informed that the company had contacted farmers around the area to get rid of some of it there as a benefit to the farmers.

Mr. Guillick said he thinks somebody else would be better qualified to answer that.

Mark Graham, Director of Community, said he was not familiar with this particular applicant in this circumstance. But, because he has dealt with bio-solids with the county and land application of bio-solids this falls into the waste from an agricultural process and operation such as what is being talked about here. They can be land applied. There are a lot of cases in Virginia where that is happening right now from the breweries farther out west of here or down in Tidewater. There is a process for doing that. It must be permitted and is done through the Department of Environmental Quality. They have standards for what they are doing there. But, it is treated pretty much the same as the bio-solids that are done with other waste.

Mr. Lafferty asked if he knew if there was any odor associated with the application and fields.

Mr. Graham replied no, he did not know one way or the other.

Mr. Lafferty pointed out in looking at the internet a couple of companies were getting complaints from the neighbors next door about their treating of the sludge. It was the odor basically. He just wondered how the sludge from this company was going to be treated.

Mr. Loach asked Ms. Echols a question on transportation impacts from this new business. When the brewery was being proposed out in the Crozet area they were told that the operation would be a 24-hour operation and it would generate approximately 50 truck trips each way per day. What do we know about transportation impacts from this industry?

Ms. Echols replied that she didn't know about transportation impacts from this particular industry. It was being looked at more broadly for any kind of industry to be located there. She said that Ms. McClintic may be able respond to the part about the amount of trucks and hours of operations with the prospect. But, she thinks that we are looking at the potential for a 24-hour operations in this area, if it is designated and zoned, and where there would be multiple shifts. The County would know about the traffic impacts once we know who would be creating those traffic impacts. But, for specific questions about the prospect, she would need to leave those to Ms. McClintic.

Mr. Morris pointed out he saw a negative shaking of Ms. McClintic's head indicating she did not know.

Ms. McClintic said that was correct. She replied that unfortunately we don't have any specific information yet from them with respect to any of the truck traffic associated with their operation. The only thing we know is that they were interested in exploring multi-modal opportunities in the area to bring some of their raw materials in via rail and then having it brought from the rail to this facility via truck. She apologize that is all we know at this point.

Mr. Loach said the other questions he had basically were on conditions of approval of the CPA. He said that Mr. Werner brought up the issue of conditioning the CPA on acceptance of the business. So essentially if the business does not come, the CPA reverts. That is one question. The other question was whether we can condition this based on improvements in traffic so that what we have is what we have always asked for, which is concurrency of infrastructure with development.

Mr. Kamptner noted that the area being considered with this CPA could not automatically revert back to its original designation. It would require another process heard by the Planning Commission and then voted on by the Board.

Mr. Loach asked if the CPA could be conditioned on the improvements being provided by VDOT. In other words the CPA would take effect at the time when the funding was available for the improvements.

Mr. Kamptner pointed out that what the Board can do in the text of the comprehensive plan is write into the plan itself the appropriate triggers as to when development under that comp plan designation is appropriate.

Mr. Morris invited other discussion.

Ms. Firehock, Samuel Miller District representative, pointed out this was in her district and she wanted to address the issue of proffers that were brought up earlier. She said that it is true that during a rezoning process the applicant may make proffers to offset the impacts of that development, things such as roadway improvements and things of that nature. However, in this case, as she understands, what has been put forward is that the County would be serving as the applicant, and so we would not be offering any proffers to ourselves. She said that making proffers to ourselves makes no sense. Eventually if the Board approves this Comprehensive Plan change and then later it makes a rezoning application, the county would have to foot the bill for all the impacts, not the future developer. The applicant will foot some of the bill, but we can't get any proffers. She just wanted to address that because it was brought up earlier. She said that, furthermore, the traffic impacts we have just heard are very, very high and we don't have funds to address them anytime probably in the next decade. So she is very, very concerned about that. She has a couple other comments, but will save them until the end.

Mr. Dotson asked to follow on that. He said that a comment Mr. Wood made suggested that landowners, not necessarily the final person building the buildings, could perhaps have some skin in the game in terms of proffers as well. So he would ask Ms. Echols or the county attorney if that is possible.

Mr. Kamptner replied that it would be if the landowner was the applicant from the rezoning. It is the applicant, which could be the project owner who proffers the conditions associated with the rezoning.

Mr. Lafferty said he was not too concerned about this process coming up right after the comp plan was approved because opportunities happen at irregular times. He did have a concern about the process itself. He thinks that we, as a county, need to address this because any business that is thinking about relocating here will probably put the same demands on us. He did not think it was fair to the public or the Planning Commission or Board of Supervisors to ask for a decision with limited knowledge.

Mr. Morris asked if anyone had a potential motion to be made at this time.

Mr. Keller replied that he did.

Ms. Firehock noted she had some more comments before they take action.

Mr. Keller said that we have an opportunity to bring a better process to this interesting journey that they have all been on. There is a lot of fire power and brain power in this room. He said that he was impressed to have two sages of Albemarle County, Mr. Wood and Ms. Thomas, both come in and weigh in, the way they have done in a thoughtful manner. He thinks there have been also some interesting points made about demographics and age and about the community in the future as well as today. So, he said that, in light of all those things he would recommend, that CPA-2015-00001 be disapproved with a further recommendation that if the Board is not inclined to disapprove CPA-2015-00001, they refer it back to the Planning Commission for further study and public input and allow the Commission sufficient time to complete this process; and to direct county staff to continue to pursue the respective business to locate in Albemarle County.

Ms. Firehock seconded the motion.

Mr. Morris invited discussion on the proposal.

Ms. Firehock noted she had some comments. She said the other thing she wanted to mention was just how unusual this process is. She said that the Commission has talked about the fact that the comprehensive plan was just updated. She said she understands what Mr. Lafferty is saying opportunity knocks and perhaps they should be responsive to it. But, what is very unusual with the county serving as the applicant for just one or a few parcels, it is not actually the developer of the site. So that presented two challenges. She said that, in a past role for another locality being a planning commissioner, she was asked to approve rezonings, but usually there was at least a contract to purchase. In this case, this prospective company they are talking about has not got a contract to purchase this site contingent upon a

rezoning. So, she said, this prospect could come or go. They could go anywhere and any other kind of business could come here. So she did not think they should be that concerned about this particular business because anything could happen. Also, in terms of the traffic study, the reason that VDOT could not give more precise answers is that they don't know the plan of development. They did the best that they could and they posed some very good questions. So, who would propose the plan of development, she asked. The answer is the county. The county would have to create the plan of development in order for the traffic study to be generated, which means the county has to do the traffic study. Then from there, VDOT will issue a comment. But, the county cannot do a proposal for a plan of development because the county is not the developer. You have a circular logic here. If you follow it, it is actually not possible for the county to move forward as the applicant for the rezoning because they can't get a traffic study done and this project is emptying onto a major arterial road that VDOT has to agree with the plan. She said that she had asked Ms. Echols a lot of questions already and that is why she has not put her on the spot tonight because she has been very gracious and precise in her responses. Ms. Firehock said that is how she has come to this conclusion. She said she sent the Commissioners emails to that effect that reflected responses that Ms. Echols sent to her on questions about traffic and zoning. She apologized for taking more of the Commission's time, but wanted to get those points in the record. She said it was ok to go back to the discussion of the motion, and any other points anyone else would like to make.

Mr. Keller said he thought those were really important points and everyone on this commission has had thoughtful and interesting questions, including transportation, but there have been other issues. Basically, he said, the Commission's questions are mirroring the public and the Commission's constituency with the many questions that have been asked. He said it was his hope that, with this action, that we can straighten the process out. It is giving the Supervisors an opportunity to work with staff to straighten it out so that some of these very significant issues that have been raised can be addressed and addressed openly and in a thoughtful manner.

Mr. Lafferty asked if there was any possibility of asking the company to come up with an option for first refusal to pay some good faith money.

Ms. McClintic again apologized. She said that she does not really know the answer to that question. They are still in discussions with the landowner. The owner and the company have not really even come to any terms yet in terms of any resulting contract. However, she knows everything is kind of still open. The prospect is still evaluating other communities in Virginia and outside of Virginia as well. She said that our goal here has been to at least provide the framework by which the business could continue to consider Albemarle and meet their timeframe by which they want to be under development of a facility. So, she said that, if we can't stay the course, then this community may be out of the running anyway. She said she was sorry that she could not give the Commission any more specifics with respect to the land transaction.

Mr. Loach said a question was raised before. Mr. Wood brought up a good point about having developers that have been developing in the county provide money for the infrastructure. He asked if it is true is that the county is putting together a package of incentives and, if so, if those incentives involve taxpayer money.

Ms. McClintic replied that the Virginia Economic Development Partnership is leading this project. So, part of what the State has done is to provide a proposal to the company and there are dollars that have somewhat been defined from the Commonwealth's Opportunity Fund that could be utilized to help aid this company. Use of this fund requires a local match. However, that match has not yet been defined. Everything has been very preliminary. Use of the fund requires that the County get the authorization and the approval of the Board of Supervisors. So the company is well aware of that. She said that, at this point we have made no commitments in terms of how that local match would be delivered. It can be done in a number of ways. Certainly, there are defined parameters within the State Code that prescribe how communities can match and what they can and cannot do with respect to incentives.

Mr. Loach pointed out that the term, "local match," means taxpayer dollars.

Ms. McClintic replied in the affirmative. But, she said, it is obviously contingent upon the company being able to provide a designated return on that investment of taxpayer dollars within a window of time defined by the Virginia Economic Development Partnership. It is usually three to five years.

Mr. Randolph said he would like to use this opportunity before they vote Mr. Keller's motion to just make a couple of comments.

He said that he had been unusually quiet this evening because he wanted to be deferential to the other members of the Commission and he used up an enormous amount of air and time at the hearing. However, he did want to address one point that he thinks that through this process and the meeting that Commissioner Firehock along with Supervisors Palmer held here last week. He said that the Commission has collectively demonstrated that there can be trust in the Planning Commission and in our quest to try to get to the bottom and provide the community with the information and the answers we are looking for. He said that a quotation attributed to him, that he has not yet seen in C-Ville Weekly referred to the fact that he thought that this body (the Commission) is trustworthy. Mr. Randolph said he believes the Commission has demonstrated this by the motion that is on the table right now. However, Mr. Randolph said that he wants to know two things. The first is a follow up to Sally Thomas' comment., He said that he had actually written into his notes, before Ms. Thomas said it, that opposition to this CPA does not translate as anti-growth or anti-development, Mr. Randolph said that this Commission has worked very carefully to be supportive of appropriate development in appropriate locations in the county. He does not think they have to look in a mirror and be embarrassed for what they have tried to do to bring growth and economic opportunity to people in the county. So putting such a label on the Commission does not fit.

Mr. Randolph said he would quote a song from somebody he typically does not listen to (Shania Twain) and that her song, "That Don't Impress Me Much". He said, "It don't impress me much" that the annual tax contribution that they are looking for here is .02625 cents to the current .819 cents of every hundred dollars of the value of real estate property. Now that is not an insignificant amount and I am the first to admit it. However, it equals approximately 3 percent of the current total tax rate and we don't dismiss it lightly. But, it is an isolated rate. We don't have another interested business to compare this tax rate to. If a high technology company from one of the four (not five) priority growth sectors identified in the comprehensive plan with 1,000 employees and sizeable office equipment investments was interested in this site I believe that the Planning Commission and the public would have a very different reaction to this proposal. Although some of the same concerns would apply. But, the traffic issue, noise issue, and impact on the environment would be different. So we are meant to take the best offer that comes across the table, which is the first offer. But, is it the best. "It don't impress me much."

Secondly, Mr. Randolph said, the brewery will provide some new jobs for Albemarle County. Mainly, as he has submitted before, the jobs would be for the top and bottom tiers of the company, the local management, and possible brew masters and then the part-time servers and waiters. The rest of the storage, cleaning, and shipping jobs will be highly competitive and expect to draw residents from Fluvanna, Louisa, Green, Nelson and Augusta counties and beyond. Out of the estimated 104 new jobs, Mr. Randolph said that probably no more than 30 percent of employees would reside in Albemarle County. He asked where Albemarle County's Police Force lives because of Albemarle County's higher cost of living? Eighty percent of them live in Fluvanna and Waynesboro, he said. He wondered why the employees of this company would be any different. So, he strongly supports the motion that has been presented by Commissioner Keller and the recommendation for disapproval.

Mr. Dotson said he understood the first part of the motion, that the Planning Commission recommends disapproval of this Comprehensive Plan amendment to the Board of Supervisors. He said he believed that the second part of the motion is, in some ways, a separate idea without any recommendation on what should happen next. He thinks it would be useful to have some discussion about what the Commission would want to happen if, it came back to them. He asked if the Commission should split the motion into two motions. The Commission could act on the first motion and then entertain subsequent motions.

Mr. Morris agreed.

Mr. Loach and Mr. Randolph also supported Mr. Dotson's suggestion.

Ms. Firehock said that it was fine with her. She said that it made a lot of sense because, as Mr. Dotson said, there are some nuance layers that they should add to that second part of what they need. She agreed that the Commission does not just want more time. They actually need better information and probably a different process. There were a few statements she would like to read though, as a representative of the Samuel Miller district, about why she does not support this comp plan amendment. She would read them very quickly and email them to staff. She said she wrote these comments while listening to the speakers and did not prepare it in advance.

Regarding the motion to deny CPA-2015-00001: I offer these reasons for this motion –
Development of this landscape does not promote protection of public health, safety and welfare for the reasons as discussed as follows:

- The proximity of the interchange does not in and of itself, make this site "ideal" for industrial development as staff have claimed.
- A comprehensive assessment of light industrial land, both in current inventory, as well as land countywide that may be suitable for industrial development has not been completed. Therefore, a comp plan change with the publically stated intended upcoming zoning change is not appropriate at this time.
- While the site is in the service authority designated area, it is not in fact 'serviced.' The likely expenditures in water, sewer hookup and treatment costs have not been determined and are likely to be far higher than imagined, due to roadway challenges and impacts, geology and slopes. Demands on wastewater treatment are also unknown.
- Moore's Creek, an impaired water on the state's 305(B) report flows through the site and we should be taking measures to further protect it, rather than further impact it.
- The area contains significant mature hardwood forest habitat for which we unable to ensure protection, simply by writing our wishes since future zoning should be in accordance with the comprehensive plan, but it is not required to be so.
- Traffic is currently very difficult to navigate in this area but existing funds statewide and locally are woefully inadequate and may be decades away. Considering that this area appropriate for industrial uses which include additional truck traffic, workers, and visitors, requires that a comprehensive traffic study be undertaken before we can determine it is an appropriate location for adding additional traffic burden.
- This process is not in keeping with good planning practice as the county recently completed a multi-year process to update the Comprehensive Plan and the Planning Commission did not recommend this area be added to the industrial land inventory.
- Lastly, I encourage the county to allow our new industrial development staffer the time to complete her review and for the planning commission, board of supervisors so we may COMPREHENSIVELY review the entire county. In regards to this proposal, we need a full cost accounting of what would be the county expenditures.

Ms. Firehock said that, since Thomas Jefferson was being bandied about this evening she grabbed a quote off the web to share:

QUOTE: "Let the eye of vigilance never be closed." --Thomas Jefferson to Spencer Roane, 1821. ME 15:326

Mr. Morris invited further comment. There being none, he pointed out the motion (as amended with the approval of the maker and the seconder) on the floor right now is just to recommend disapproval.

Mr. Morris noted that the motion was to recommend denial of the amendment.

Mr. Keller said then there would then be a second motion.

Mr. Randolph suggested the Commission break it out one motion at a time.

Ms. Firehock pointed out that the motion to deny should be accompanied by reasons for denial, and said she provided some of those reasons. She said that if others wanted to add to those reasons they should feel free to do so. However, she thinks they should document that motion carefully because the minutes from this meeting will not be available to the Board of Supervisors for their September 2nd session unless the staff is able to do an extremely quick turnaround and beat all the county records.

Mr. Morris invited other discussion on the motion to deny. There being none, he asked for a roll call.

Mr. Lafferty voted for denial and noted that his vote was because of the traffic and public safety.

The motion for denial was unanimously approved by a 7:0 vote.

Mr. Morris noted that CPA-2015-00001 will go before the Board of Supervisors for their study session on September 2, 2015 with a recommendation for disapproval. Ms. Firehock said she would send an email to staff with the reasons for denial she had read to the Commission.

Mr. Keller agreed that Ms. Firehock's specific wording should be added, which was generally affirmed by the rest of the Commission.

Mr. Morris noted it would be added to what they already have. He asked Mr. Keller for the second part of his recommendation.

Mr. Keller replied that it was to direct county staff to continue to pursue the prospective businesses to locate in Albemarle County. He said, "It sounds like it is an interesting business. There have been many positives expressed about it, but possibly not in this location. So if there is a State and local effort underway it would seem to me that we would want to continue to see that. They need to continue to have that effort and then with more specifics deal with it."

Mr. Morris asked Ms. Echols if that gave her enough information.

Ms. Echols said that, if this is the direction the planning commission wants to recommend to the Board of Supervisors, then it is something that can be passed on.

Mr. Dotson said he was a little unclear. He said what he thought he heard was that we want the County to continue to pursue this potential business. Does it stop there, he asked?

Mr. Keller questioned what Mr. Dotson meant.

Mr. Dotson replied that the board of supervisors could give the landowner the opportunity to become an applicant rather than just a bystander. Since we've been told we won't have the information we need until the zoning map stage, maybe the owner could provide the missing information that Ms. Firehock has referenced.

Mr. Dotson said that a different possibility, if there is no zoning map amendment, which might minimize some of the potential impacts, would be for the Commission to recommend that the board consider only the currently zoned R-1 property that is already in the jurisdictional boundary.

Mr. Keller agreed those were both excellent options and said he could support either.

To get clarity on the Commission's direction, Ms. Echols asked if Mr. Keller had earlier said he wanted the Board to direct staff to continue to pursue the specific business, but in a different location.

Mr. Keller replied, no, and said that it seems theoretical enough at this point that there could be further discussions with this unnamed entity and we could then learn how serious they are about the county.

Mr. Morris noted Mr. Kamptner had a quizzical look on his face.

Mr. Kamptner asked if this was a second recommendation to the Board of Supervisors, and Mr. Morris replied that was correct.

Mr. Keller agreed that was correct.

Ms. Firehock said she was very adamant that they need to let Faith McClintic finish her work on the industrial inventory, which could possibly be done in 2 – 3 months. Ms. Firehock said she was not trying to throw delays out there, but, honestly she did not see how the Commission can even analyze this location for industry because they need the assessment from Ms. McClintic. With the information from Ms. McClintic, the Commission could have a real discussion on places for industrial development. Right now, it seems that the problem is being analyzed in a vacuum.

Mr. Loach agreed. He said he appreciated Mr. Keller's motion, but thought it redundant. He said that the Commission has voted on the motion and it will go to the Board. What he would like to get, is more information from staff going forward. For instance, he would like to know how much of the commercial space that has already been approved but yet undeveloped is suitable for the target industries that we have, so they don't have to go outside the development areas. From what he heard earlier, from Economic Development staff, it sounded like this was an opening for additional LI parcels that would be going through this same process. He was not sure he wanted to light that fuse before he knew that they had all of the information and a process.

Mr. Morris agreed with Mr. Loach about the process. He thinks the board is fully capable of determining what the next step ought to be, and if it includes coming back and asking the Commission to do more work, they are ready to go. He asked if he was hearing Mr. Loach correctly.

Mr. Loach replied yes.

Mr. Cilimberg said all of the follow up statements will be part of the record. The Board will certainly get those comments.

Mr. Morris thanked Mr. Cilimberg. He noted the board has been well represented tonight.

The meeting moved to the next agenda item.

Old Business

Mr. Morris asked if there was any old business.

- **Comprehensive Plan Priority Objectives and Strategies** (PC/Wayne Cilimberg)

Mr. Morris thanked Mr. Randolph and Mr. Dotson for all of their efforts on getting information to Mr. Cilimberg in a timely manner. He thanked Mr. Cilimberg for getting it all put together.

Mr. Cilimberg said the Commissioners received the summary of the three strategies the Commission decided last week they wanted to forward to the Board as their priority strategies, which were:

1. The funding of ACE,
2. Information on location of affordable proffered units in the county and mechanisms to promote long term affordability, and
3. The strategic assessment of properties available for existing businesses and basically the strategy that the Commission just discussed.

Those are three comp plan strategies of priority with rationale provided by each of the Commissioners. Hopefully, it is in a form the Commission could recommend to forward to the board. However, he did not know if they wanted to discuss any of the points raised or are ready to do that.

Mr. Morris asked if anyone wants to discuss this. This follows much of what they went over last time. He asked if the Commission wanted to approve the three items.

Motion: Mr. Randolph recommended and Mr. Morris seconded for approval of the Comprehensive Plan Priority Objectives and Strategies as submitted to the Planning Commission by Mr. Cilimberg. (See Attachment to minutes in office of clerk)

The motion passed unanimously by a vote of 7:0.

Mr. Morris noted it was unanimously approved and the three priority strategies: rural area strategy 2e, housing strategy 6e and economic development strategy 4a will be forwarded to the Board with rationale as provided to staff for their September 2nd meeting.

Mr. Cilimberg pointed out this would be forwarded to the Board for their consideration as they begin taking up the comp plan strategies and discuss the work program of Community Development.

There being none, the meeting proceeded.

New Business

Mr. Morris asked if there was any new business.

- *THERE WILL BE NO PLANNING COMMISSION MEETING ON TUESDAY AUGUST 25, 2015.*
- The next Planning Commission meeting will be held on Tuesday, September 1, 2015.

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

Adjournment

With no further items, the meeting adjourned at 9:16 p.m. to the Tuesday, September 1, 2015 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)

(Approved 9-15-2015)