Albemarle County Planning Commission
FINAL MINUTES September 3, 2019

The Albemarle County Planning Commission held a public hearing on Tuesday, September 3, 2019, at 6:00 p.m., at the County Office Building, Lane Auditorium, Second Floor, 401 McIntire Road, Charlottesville, Virginia.

Members attending were Tim Keller, Chair; Julian Bivins Vice-Chair; Daphne Spain, Karen Firehock; Pam Riley; Jennie More; Bruce Dotson; and Luis Carrazana, UVA representative.

Other officials present were David Benish, Interim Director of Planning; Carolyn Shaffer, Clerk to Planning Commission; Daniel Butch; Chip Boyles; Tim Padalino; Kevin McDermott; and Andy Herrick.

Call to Order and Establish Quorum

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

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

Mr. Keller invited comment from the public on other matters not listed on the agenda. Hearing none, he proceeded to the Consent Agenda.

Consent Agenda

Mr. Keller asked if any of the commissioners cared to pull a consent agenda item. Hearing none, he asked if there was a motion for acceptance.

Ms. Firehock moved to approve the consent agenda. Mr. Dotson seconded the motion, which carried by a vote of 7:0.

Mr. Keller asked if anyone else cared to speak. Hearing none, he moved on to the first public hearing item.

Request for Deferral

ZMA201800012 Galaxie Farm

Ms. Firehock asked if there was a reason to defer the item.

Mr. Herrick said he understood that it was made at the applicant's request.

Mr. Benish added that it was a request to further address some of the concerns raised by staff primarily regarding the waiver request and providing additional information.

Mr. Bivins moved to defer ZMA201800012 Galaxie Farm.

Ms. Riley seconded the motion, which was carried by a vote of 7:0.

Public Hearing Items

CPA201900002 Charlottesville Albemarle MPO 2045 Long Range Transportation Plan
Mr. Keller asked for the staff report.

Mr. Daniel Butch, Transportation Planner for Albemarle County, explained that Mr. Chip Boyles would be presenting an overview of the plan, and that he would be covering the Comp Plan Amendment (CPA) portion of the presentation.

Mr. Chip Boyles (with Thomas Jefferson Planning District and Charlottesville Albemarle Metropolitan Planning Organization (MPO)) presented. He acknowledged that the commission had been briefed on the Long-Range Transportation Plan in the past, both through individual participation and several engagement sessions. Mr. Boyles recalled that at other times, updates were provided to the commission.

Mr. Boyles explained that the MPO is made up of two representatives from Albemarle County and two representatives from the City of Charlottesville, as well as a representative from the Virginia Department of Transportation who had already approved and recommended the plan to go forward. He said the MPO is a policy-making and planning body, with representatives from all of the aforementioned governments. He said it is a forum for cooperative decision making for the key stakeholders.

Mr. Boyles said it is a federal requirement to use any federal funds towards transportation in municipal areas greater than a population of 50,000 people. He said that Long Range Transportation Plans are required, and the decision-making for that funding rests with the MPO, except that the decision making is a yes or no decision and that the MPO does not have the ability to raise taxes, raise revenues, or come up with any other types of funding, unless so given by the state (which their MPO does not have).

Mr. Boyles said the MPO area for the region includes the entire City of Charlottesville and portions (not all) of Albemarle County. He said the portions of the county are mostly the urbanized areas that comprise the urban ring around Charlottesville and goes up to Crozet on the north side of I-64, then runs up Route 29 all the way to Hollymead, then down Route 20 south of the City of Charlottesville. He explained that the Long-Range Transportation Plan includes only areas within the MPO and is not for the rural areas.

Mr. Boyles said the plan is a 25-year plan and is updated every five years, with a focus on understanding both current and future predicted transportation needs within the region. He said these projects must be included in a Long-Range Transportation Plan to be able to be applied for and awarded funding from Virginia's Smart Scale Program.

Mr. Boyles described the Smart Scale funding that VDOT now pursues every other year, stating that a project has to be listed, whether it's in the constrained (which means estimated for funding) or the non-constrained part of the LRTP. He said that as long as the project is in the plan somewhere, it can be applied for Smart Scale funding, noting that it does not matter whether it is Number 1 or Number 50 – it just has to be in the plan. Mr. Boyles noted that where the project is in the plan does not provide more or less points towards Smart Scale, and the real emphasis of the LRTPs prior to Smart Scale was on much more influence of the funding of projects. He said that currently, there is competition either for district funds or state-wide funds, and that each project has to stand on its own. Mr. Boyles reiterated that where the project stands in the LRTP

no longer has any weight on this.

Mr. Keller said that since there are members of the public that the commission typically does not have present, and because there were a number of students in attendance, he wanted Mr. Boyles to take a moment to explain regional planning, as well as what Smart Scale means.

Mr. Boyles said he would be glad to and acknowledged that the Planning Commission had heard much of this information already, though he was willing to answer these questions. He explained that Smart Scale is the state's funding mechanism and that for the most current round, the state had $800 million available for transportation projects. Mr. Boyles said that $400 million of this money was available state-wide, so projects in Albemarle County competed with projects in Roanoke, Northern Virginia, and Hampton Roads. He explained that the competition is based on how they score to relieve congestion along the roadways, to improve safety, to create economic development improvements, and to create environmental improvements.

Mr. Boyles continued that there is a ranking and criteria system at the state level, and all of the projects compete towards that funding. He said that the local MPO is able to compete on big projects state-wide. Mr. Boyles said that smaller projects compete within the district, which has much less funding, noting that Culpeper had $20 million available for projects within the entire Culpeper district. He said that smaller projects compete solely within the Culpeper boundaries, but that bigger projects compete state-wide.

Mr. Boyles said another important aspect of the funding scenario with Smart Scale is that the end score is a Return on Investment (ROI) for the state. He said that once the projects are ranked, if any local dollars are being put into the project, it increases the ROI by the state. Mr. Boyles noted that it is tough for rural areas such as Albemarle County to compete with Northern Virginia and Hampton Roads, who have their own funding mechanisms. He said that, for instance, the highest scoring project in the Commonwealth with the latest round was a tunnel projects in Hampton Roads through which the local entity only asked for $200 million of a roughly $2 billion to $3 billion project. Mr. Boyles said the ROI is enormous on a project such as this one, and therefore it scored the highest in the state.

Mr. Boyles continued to say that for areas like Albemarle County, it makes it difficult to be awarded funding for the projects. He noted that the county can apply every two years and that they normally apply in August. Mr. Boyles said the projects are not awarded until June of the following year, and then they must be completed by the end of the sixth year from that time. He said that even when projects are awarded, they are 6-7 years out before they were ever constructed.

Mr. Keller asked Mr. Boyles to also describe the MPO.

Mr. Boyles said the MPO is comprised of elected representatives from the City of Charlottesville, Albemarle County, and one representative from VDOT. He said this group reviews all of the transportation projects within the region that are federally funded. Mr. Boyles said that though MPO does prioritize other projects, the requirement is that to receive federal dollars, the MPO does have to approve through the LRTP. He said this plan took about 2.5 years to complete, involving about a dozen community engagement efforts as well as social media and electronic media in order to receive citizen comments on what are the priority projects. Mr. Boyles said that projects do not only just include roadways, but also bridges, regional transit systems, and bicycle and pedestrian improvements.

Mr. Boyles said that after 2.5 years, coming to the Planning Commissions both in Charlottesville and Albemarle, and coming to the elected bodies, as well as going through many community engagement efforts, the MPO approved the LRTP.

Mr. Boyles described the LRTP as the plan that attempts to improve safety, congestion, freight, accessibility, state of good repair, and transit. He said the LRTP includes portions that are both fiscally-constrained as well as an unconstrained. Mr. Boyles explained that constrained means that it must be determined if money is available for the projects and that with Smart Scale, by federal law, the constrained projects must be listed, but that the designation doesn't matter anymore. He said that a project could be on the unconstrained project and if applying for Smart Scale, that project could score very highly based on the individual project.

Mr. Boyles said that within the LRTP, there are roughly $354 million that is included in the constrained list of projects. He said that this amount is for the lifetime of the plan, which is 25 years' worth of projects that have been estimated by VDOT, and that this estimate is what is likely expected to be received. Mr. Boyles noted that with Smart Scale, it could be all of it or none of it. He said that during the last round of Smart Scale, the Culpeper district had $20 million available, and the state had $800 million.

Mr. Boyles said the goals of the LRTP are accessibility, attempts to improve economic development opportunities and land use, operations and maintenance of the systems, safety (predominantly accidents involving injuries), congestion, and benefits to the environment and the community.

Mr. Boyles said the process includes developing goals and objectives for the entire MPO area, creating a certain performance criteria that includes all of the evaluation items listed before, identifying current deficiencies in the system, developing the project list, evaluating all the projects, then running modeling numbers on most of the projects to determine if the proposed improvements would in fact make a positive difference. He said that then, based on all those factors, a constrained projects list is developed based on the available money that is expected to be received.

Mr. Boyles continued that each project is then put into a format, noting that this format could be seen presented on the screen, which includes a description of each project and its criteria. He explained that some of this would help to guess what the projects may score if they are submitted for a Smart Scale application. Mr. Boyles said they are then divided into five categories and that each one is ranked within its own area, with the areas being Roadway Projects, Transit Projects, Intersections, Bike and Pedestrian, and Bridge Projects.

Mr. Boyles said that Bike and Pedestrian projects are unique because they get "two bites at the apple." He said that some projects may be solely Bike and Ped, but others can be added to a Roadway project. Mr. Boyles noted that normally, the best way to improve the scores for a Roadway project are when Bike and Ped improvements can be added as part of moving vehicles.

Mr. Boyles provided the details of developing a project list. He said this includes reviewing all the deficiencies, considering local priorities (noting that none of this is done in a vacuum, and that work is done with local government staff and existing plans so that priorities can be developed at the local level), developing the project list, scenario planning, and providing a recommendation to the MPO Policy Board itself.

Mr. Boyles indicated on the presentation to the project list. He said that those present who have been involved in the process for some time, as well as those in the audience who travel around Charlottesville and Albemarle, would see that the Hydraulic and 29 intersection area is by far the highest priority Roadway and Intersection improvements on the list. Mr. Boyles said that unfortunately, because of the cost of the projects, three separate scenarios were submitted the last round, none of which were funded. He said that two of the three ranked in the 300 levels, whereas the top 20 projects were funded. Mr. Boyles said the others did not score well based upon the dollar amounts.

Mr. Boyles indicated to the presentation, noting that the Hydraulic and 29 intersection, Angus Road and Zan Road projects pulled together totaled about $150 million to construct, if they were constructed today. He explained that Smart Scale takes into account the time value of money and when the money would be used. Mr. Boyles said that because of this, the project cost in six years would actually be $206 million. He said that factors such as this caused the projects not to score very well.

Mr. Boyles indicated to the high priority projects in the constrained list, noting that there was also a transit list included in the commissioners' packets, bridge list, and bike and ped constrained list. He said that Mr. Butch may answer questions or hold discussion about specific projects.

Ms. Spain asked if the county and MPO were competing against each other for Smart Scale money, or if the county's requests channel through the MPO.

Mr. Boyles replied that they could be competing with each other. He said that the MPO spends a lot of time coordinating the projects ensure the best value for the money. Mr. Boyles said that for instance, in the last round, each local government can only apply for four projects. He said that Albemarle County can apply for four, the MPO can apply for four, the City of Charlottesville can apply for four, and the Thomas Jefferson Planning District can apply for four. Mr. Boyles said that the MPO coordinates this, explaining that in the last round, Albemarle County had five projects it wanted to apply for, and the MPO applied for one of those. He said the City of Charlottesville then applied for the fourth project (a turning lane off of 250 Bypass onto Hydraulic), explaining that the city had an extra spot to apply.

Mr. Boyles continued that this was more about coordination ahead of time, but if the MPO was not coordinating it, the localities would be competing against each other.

Ms. Spain asked if this is how this is done in other counties.

Mr. Boyles replied yes. He said it was a state-wide program and that everyone is treated the same, except for the amount of money they receive.

Ms. More asked about the scenario evaluation process included in the packet, which described that one of the reasons the method is used is because including one project might eliminate a need or decrease the need for another project. She added that it speaks specifically about calculating capacity, with congestion being an example where that might occur.

Ms. More said she was curious about how there are certain types of projects. She used Eastern Avenue in Crozet as an example, acknowledging that there were likely other the situation would apply to. Ms. More said she understood how the scenario evaluation is started, but that it seemed odd to her that this project is in Scenario B for connectivity because there is not an existing

connection that is trying to be achieved. She said that she did not understand how it does not apply in capacity, because achieving the connection would address some of the projects on the longer list that are experiencing capacity issues. Ms. More said that this project, and perhaps others, could fall under scenarios A, B, and C.

Mr. Boyles replied that it is a matter is trying to determine which criteria it would be fit in. He said that also, with being familiar with Eastern Avenue, with congestion the scores are usually higher with the regional and state-wide corridors and noted that Eastern Avenue is not one of these but rather, is a local road. Mr. Boyles said that roadways such as Routes 29, 20, and 250 that carry people through jurisdictions normally rank higher. He said that using this information, these tend to be pushed to congestion relief. He acknowledged that Ms. More had a good point that the process is subjective and that there is no real science to it, but rather it is about where transportation planners feel the projects will be ranked the highest.

Ms. More said she understood that part of this may have been because of the discussion with the committee.

Mr. Boyles added that the MPO relies heavily on representatives of local government, especially staff. He said they function to try to get the most they can for the local governments and rely on their expertise and knowledge of the circumstances for each of the projects. Mr. Boyles said that sometimes, this information is used to try to make the projects fit the best they can. He reiterated that were they fall in the listing does not help anymore with how they are funded, as long as they are in the plan.

Ms. More commented that it looked as if, working through the evaluation project at one point, the project slipped into a visioning list, which did not sound positive to her. She said that working through it, it is now back on. Ms. More said this made her consider the connectivity scenario, which would offer capacity relief on some of the smaller roadways, which she understood are different than the larger corridors Mr. Boyles mentioned. She expressed that she was happy to see the project on the list again, but that she was also worried that there are other projects that may have benefits on the smaller roads where there are congestion issues and that some of the projects slip away.

Ms. More echoed Mr. Boyles' remark about getting the best value for the money, and that she hoped that other project do not miss an opportunity to be on the list when they would offer congestion relief, even on a smaller scale.

Mr. Boyles noted that some LRTPs only work with a constrained list, and that for the MPO, they want to hear what the public has to say because sometimes, the conditions of a road system have a bigger effect than what the numbers will show. He said that for instance, sometimes intersections will have a large number of accidents there, and in scoring and prioritizing, it is based on injury to the occupants versus property injury. Mr. Boyles said they know that more accidents is a negative factor that contributes to congestion, which is why the MPO tries to hear from the public to be able to use their comments as the intangibles or gray area to ensure that some projects are listed, even when perhaps their scoring doesn't promote it.

Ms. Firehock asked that regarding ROI and the proportionality of what's invested by the locality versus the state, if it was based on the percentage or the total dollar amount. She asked that if there was a small project that Albemarle County put up 50%, but was not a high dollar amount, if it would count for more.

Mr. Boyles replied that it does, and that there is even a separate program where if a local government will put up 50% of the funding for a project, it doesn't have to go through the Smart Scale ranking but rather, a separate ranking just for local matches (revenue-sharing projects). He said that smaller projects can have a much greater reward from the local money than bigger ones do. Mr. Boyles said that for this reason, in the first-round funding was applied for to improve Exit 118 with a major overhaul of the intersection and that it scored next to last or third from last in the state. He said the project was broken down into smaller projects with local funding, which scored very well. Mr. Boyles summarized that smaller projects stand a very good chance for state funding if there are local funds associated.

Mr. Dotson recalled that Mr. Boyles indicated that the planning process takes about 2.5 years and that it is updated every five years. He asked if this meant 2.5 years from now, this process would be started all over again.

Mr. Boyles replied that in a little less than 2.5 years, the process will start again. He explained that the plan was approved in May, and that it was currently September. He said they would go through much of FY 20 without doing much on it but that in the latter half of FY 21, they will begin to put together the process again. Mr. Boyles noted that it changes every time this is done.

Mr. Keller opened the public hearing.

Mr. Bivins reminded the public that the Galaxie Farm item had been deferred. He asked if anyone would like to speak on the MPO LRTP.

Hearing no comments from the public, Mr. Keller closed the public hearing and brought the meeting back to discussion and action.

Mr. Butch said that the Comp Plan Amendment (CPA) before the commission references adjusting the reference to the 2035-2040 LRTP. He said the LRTP was referenced in the county Comprehensive Plan, Chapter 10 "Transportation at Large," but that the specific 2040 LRTP is referenced in Appendix A-10.9.
He said that this CPA201900002 would amend this.

Mr. Butch said that staff recommends the Planning Commission moves to adopt the attached resolution (Attachment E in the staff report) to approve amending the Albemarle County Comprehensive Plan CPA201900002 to formally incorporate recommendations from the 2045 LRTP and amend Chapter 10 Transportation Appendix A-10.9.

Mr. Keller asked if this needed to be two motions or one.

Mr. Herrick said it is a single motion but that they would ask that, to the extent the commission is inclined to, follow staff's recommendation that it be in the form of adopting the resolution rather than simply recommending the amendment.

Ms. Riley commented that she had the pleasure of serving on the Citizens Transportation Advisory Committee for about two years for the process. She thanked county staff and the MPO staff, noting that seeing the results of the work was positive and that it was an interesting and thorough report. Ms. Riley said she was especially pleased to see the current version (compared to the previous one) including much more in terms of bike and ped recommendations.

Mr. Dotson said he looked at the list of Roadways projects, noting that there were 19 projects considered. He said he then checked to see how many were in the constrained list, and that there were three or four, recalling that Mr. Boyles had said that up to four can be submitted by a given entity. Mr. Dotson said that then 15-16 projects are not anticipated to receive funding, which then makes him wonder what should be done about this and what are the other sources or ways to possibly begin getting at some of the other projects. He admitted that as he reads discussions about transportation funding, there is a myriad of state and federal programs, as well as local money, and that sometimes these combine.

Mr. Dotson expressed his wish that at some point, a simple chart could be made to look at the various possibilities for funding when, at most, 3-4 projects are expected to be funding with 15-16 projects that need to be accommodated.

Mr. Boyles explained that in the interim between LRTPs, the MPO develops a work scope for its staff each year. He said during the interim, they have one of their planners working on exactly what Mr. Dotson described, and that they formulate a spreadsheet of existing funding sources in addition to Smart Scale. Mr. Boyles said that this also includes some of the possible funding sources. He said that Northern Virginia uses tax increment financing with some of their development that goes into matching their road projects. Mr. Boyles said that Hampton Roads has its own transportation authority with taxing authority. He clarified that his scenario wouldn't necessarily fit in this situation, but that there was a project being done considering other funding sources that would later be presented to the commission.

Ms. Spain said she had had the same question as Mr. Dotson. She recognized the amount of work that was put into the plan and was impressed. Ms. Spain said it was frustrating for everyone to have the LRTP saying that it needs to coordinate transportation with land use, and then land use decisions are made through Special Permits and Zoning Map Amendments. She said it was difficult to mesh them and that perhaps now, the public has learned more about what is involved in planning and the challenges that exist when trying to combine land use and transportation planning.

Mr. Dotson moved to adopt the attached resolution (Attachment E in the staff report) to approve amending the Albemarle County Comprehensive Plan CPA201900002 to formally incorporate recommendations from the 2045 LRTP and amend Chapter 10 Transportation Appendix A-10.9.

Ms. Riley seconded the motion, which was carried by a vote of 7:0.

Mr. Keller encouraged the audience to take a look at the Albemarle County website and Planning Commission agendas to see what other items will be presented, and to look at the CPA project as well as the one for the rural roads, noting that there was interesting information about the county there in reference to the Comp Plan. He encouraged those in the audience who were not aware of the Comp Plan to look at it as well. Mr. Keller addressed the students in the audience, acknowledging that there were great student projects there, and said that the plan would be implemented when the students are older and to think now about the plan and the changes it would bring.

CPA201900003 Thomas Jefferson Planning District Commission 2040 Rural Long Range Transportation Plan

Mr. Boyles presented, representing the Thomas Jefferson Planning District. He said that this

amendment was similar to what had just been discussed but relates to the rural areas of Albemarle County, and that this plan would also include the other counties within the region (Fluvanna, Louisa, Greene, and Nelson). Mr. Boyles noted that the City of Charlottesville was not included in this plan, and rather it includes the areas not in the MPO of Albemarle County. He said this was not a federal requirement for funding, but something that the PDC has been doing for a number of years as it has found that it is important to help coordinate the rural roads, much like the urban roads are with the MPO.

Mr. Boyles said the evaluations are similar and are also used to apply for funding for Smart Scale. He said in this case, a project does not necessarily have to be in the Rural Long-Range Transportation Plan to qualify for Smart Scale, but it does have to be included in some type of long-range plan. Mr. Boyles explained that the project could be in the local Comp Plan (not in the MPO's) and still qualify for Smart Scale funding.

Mr. Boyles explained that the Rural LRTP feeds into the state's LRTP called VTrans. He said that VTrans' update is currently underway and that much of the information can be found on VDOT's website, noting that if anyone would like to participate, he was all for suggestions for any types of projects – either those in the rural plan, or projects that perhaps are not. Mr. Boyles noted that a project does have to be listed in VTrans in order to apply for Smart Scale funding.

Mr. Boyles regretted that there was so much emphasis on funding, stating that roads and bike and ped movements should be considered as far as what is needed and not what is fundable. He said that unfortunately, if the projects are not funded, they cannot go any further. Mr. Boyles said that much of what is done is centered around whether or not money can be received for the projects.

Mr. Boyles said the plan is updated every five years and began in 2004 working on what was called Unjam 2025, which became a 2035 plan and now a 2040 plan. He said many demographics criteria are used in determining the rural roads system and includes all the same items as before (intersections, roadway systems, and bike and ped movements). Mr. Boyles said there is a map included in the plan that shows the areas of the rural system and indicated to the detail of the map, explaining that it is broken down into Operations, Safety, or both. He said the white areas of the map are rural, are the dark areas are within the MPO for Albemarle County.

Mr. Boyles indicated on the presentation to a list solely for Albemarle County prioritizations, noting that they do not have to be constrained or non-constrained and that the list includes all the intersection, roadway, and bike/ped projects. He said that the rural plan doesn't take as long as the urban plan does and that it took about one year to 1.5 years to complete. Mr. Boyles said that in May, the plan was presented to all counties in the plan, and then the TJPDC (of which Albemarle County has two representatives) unanimously approved the plan in June.

Ms. Firehock asked about the rationale behind which roads were listed and which were not on the maps in the report. She asked if they were listed by the capacity or size of the road.

Mr. Boyles replied that it was for what the benefit of the improvement would bring. He said that looking at the deficiencies in the roads, types of improvements are considered and that usually, the higher capacity or bigger the road, the bigger the improvement would be.

Ms. Firehock asked if the road has to be a certain size. She noted there were some roads missing that are some of the only paved roads in certain areas of the county, and that she was trying to

understand why they were not listed.

Mr. Boyles replied that through the process, there is no minimum or maximum but that it mostly relies on county staff as well as the citizens who attended the meetings.

Ms. Firehock clarified that her question wasn't about what was prioritized, but that she was wondering if crash data and safety is considered in determining if a road gets on the list and then onto the map.

Mr. Boyles responded yes.

Mr. Keller opened the public hearing to hear comments from the public. Hearing none, he closed that portion of the meeting and brought it back to discussion and action.

Mr. Butch said the item was for CPA201900003 Thomas Jefferson Planning District Commission 2040 Rural Long-Range Transportation Plan referenced within the Albemarle County Comp Plan Chapter 10 – Transportation. He pointed out that it was noted in the proposal in the staff report that in Chapter 10 – Transportation – Strategies (1.e) it states, "to continue to recognize that TJPDC's rural planning function, by taking formal action on rural transportation planning recommendations, and reviewing the TJPDC's adopted studies and, where appropriate, consider adopting such studies into this plan."

Mr. Butch said staff recommends that the Planning Commission move to adopt the attached resolution, Attachment F of the staff report, to approve amending the Albemarle County Comprehensive Plan CPA201900003 to formally incorporate recommendations from the 2040 Rural LRTP and amend Chapter 10 Transportation, Appendix A-10.19.

Ms. Riley moved to adopt the attached resolution, Attachment F of the staff report, to approve amending the Albemarle County Comprehensive Plan CPA201900003 to formally incorporate recommendations from the 2040 Rural LRTP and amend Chapter 10 Transportation, Appendix A-10.19.

Ms. Spain seconded the motion, which was carried by a vote of 7:0.

SP201800011 The Regents School of Charlottesville

Mr. Tim Padalino, Senior Planner with Community Development, presented. He acknowledged that the review process has been somewhat atypical and that his colleagues put in a great amount of effort over the previous two weeks to get the application to its current state. Mr. Padalino thanked Mr. Benish, Mr. McDermott, Ms. Maliszewski, and Ms. Nedostup for bringing so much focus to the application over those two weeks. He said an error made by staff resulted in the postponement of this meeting from August 20 until that evening.

Mr. Padalino explained that he would provide a brief overview of the proposal, information about the subject property, and an updated set of staff recommendations based on the analysis that had occurred over the previous two weeks during the period of postponement.

Mr. Padalino said the applicant for the Special Use Permit (SP) application is The Regent School of Charlottesville. He said they are requesting a SP to construct and operate a private school with a maximum student enrollment of 468 students. Mr. Padalino said the application also includes two special exception requests related to outdoor athletic lighting and, as a result, there will be

three different items to act upon that evening (the SP application originally submitted and two special exception requests).

Mr. Padalino said the subject property is comprised of two parcels of record – Tax Map Parcels 75-66, and 76-17. He said these are both located on Reservoir Road in the development area within Neighborhood VI, which is the Western Urban Neighborhood. Mr. Padalino said the subject property is located on the south side of Reservoir Road in the Samuel Miller Magisterial District. He indicated to the subject property on a map, noting that the parcels are currently undeveloped and are located within a relatively low-density area, with most uses and development being single-family residential. Mr. Padalino said the area does have some characteristics of the rural areas but reiterated that it is within the development area.

Mr. Padalino said that some of the adjoining nonresidential uses include Foxhaven Farm (which is directly across Reservoir Road from the subject property) as well as Trinity Presbyterian Church (which adjoins to the east). He said that farther to the east, the Virginia Department of Forestry has an operations and maintenance property or yard which is located against US-29. Mr. Padalino said that farther down Reservoir Road is Camp Holiday Trails and the Ragged Mountain Reservoir. He said that the entire vicinity is only accessible from Fontaine Avenue Extended and that this road's intersection with US-29 is a location that experiences significant congestion during peak hour traffic.

Mr. Padalino presented a zoning map for the vicinity. He indicated to the highlighted subject properties, which were zoned R-1 Residential, which allows for residential uses at a density of 1 dwelling unit per acre. He noted that private schools are only permissible in the R-1 zoning district by Special Use Permit. Mr. Padalino explained that the subject properties are also within the Entrance Corridor Overlay District, although this was not shown on the map.

Mr. Padalino said that regarding the future land use plan in the Comprehensive Plan, the subject property has a primary future land use designation of Neighborhood Density Residential. He said this designation encourages residential uses between 3 to 6 dwelling units per acre density, and also establishes secondary uses such as places of worship or schools, or other small-scale neighborhood-serving retail and commercial uses where they are deemed compatible with nearby and adjoining uses.

Mr. Padalino presented a map of the critical resources that exist on the subject property. He said that the site is primarily an undeveloped forested property located in an area with notable environmental attributes, including proximity to a location that has been identified by the county's Natural Heritage Committee as being an important site for biodiversity.

Mr. Padalino said that looking at the critical resources map more closely, substantial topography could be seen on the subject property, with over 100 feet of elevation change between Reservoir Road (which is at about 544 feet above sea level near the proposed entrance) to where the southern edge of the properties exist (which is about 440 feet above sea level). He said the terrain is substantial and that the subject property also includes significant critical resources as shown on the map such as preserved steep slopes and a WPO stream buffer along the tributary along the southern border.

Mr. Padalino presented images from a recent site visit to Reservoir Road, noting that it is a narrow right-of-way and is currently paved up to and slightly beyond the subject property (before it gets to the gravel condition). He presented a few images that show a large cleared area that was

previously used and permitted properly but noted that the rest of the site is a forested, undeveloped property.

Mr. Padalino provided more detail about the proposal. He explained that The Regent School of Charlottesville is requesting a Special Use Permit and has proposed a maximum student enrollment of 468 students. He said, however, that the initial maximum student enrollment would be limited to 280 students, and the school start time would be 7:45 am, which was earlier than what was originally proposed. Mr. Padalino said that these limitations were voluntarily proposed by the applicants to attempt to mitigate impacts to the transportation network, particularly at the US-29 and Fontaine Avenue interchange. He said the limitations were based directly on the results of a traffic impact assessment (TIA) prepared by EPR, Inc.

Mr. Padalino said that with these operational limitations (280 students and 7:45 am start time), both VDOT and county staff had no objections to the proposed use, which is what the original staff report reflected in the staff recommendations. He added, however, that Community Development staff has been spending time and effort over the previous two weeks to craft a highly-detailed condition of approval that would establish a framework for potentially permitting future operational changes such as additional students or a later start time, if it could be demonstrated through an updated TIA that such operational changes would not have certain negative impacts to the transportation network. He offered to provide more detailed language about this towards the end of the presentation.

Mr. Padalino said that in addition, the proposal includes special exception requests related to outdoor athletic lighting and, similar to how analysis and evaluations have evolved, an evaluation of requests for outdoor athletic requests was not completed in the original staff report, primarily based on limited information. He said that during the period of postponement, additional analysis was conducted. Mr. Padalino said they would provide a more detailed and updated staff recommendation at the end of the presentation.

Mr. Padalino provided images taken from the concept plan for the SP application. He presented an excerpt from Sheet 3, which shows a bubble plan identifying which portions of the property would be used for different uses and improvements. Mr. Padalino indicated to an area identified as the School Campus site, which is about 13 acres or 69% of the overall subject property. He indicated to the school facilities and school recreational area, including where the proposed lighted ballfield would be located. Mr. Padalino said that the approximately 13 acres also includes a school buffer area adjoining the properties to the east and along Reservoir Road.

Mr. Padalino said the concept plan does include a proposed pedestrian interparcel connection to the property to the east (Trinity Presbyterian Church). He said the church has expressed some conceptual agreement to working with the applicants on shared parking agreements and other such symbiotic arrangements between the two uses.

Mr. Padalino indicated on the bubble plan to an area shaded with a crosshatching graphic convention along the southern border of the property. He explained that this is an area designated for Parks and Green Systems in the Comp Plan on the future land use plan and is also the area that contains some of the critical resources such as preserved steep slopes and the stream buffer. Mr. Padalino said the applicants have proposed that this be treated as what is being called the Academic Woods area, which is semi-analogous to "Open Space."

Mr. Padalino explained that because of a few proposed improvements (such as primitive

structures, outdoor classrooms, or similar accessory amenity spaces), staff indicated that calling this area "Open Space" may be problematic in the future if the school does want to have limited use of the area for supporting school functions, provided that those areas are outside of proposed steep slopes and outside of the stream buffer.

Mr. Padalino noted that the concept plan also includes a chart which indicates which uses and improvements would be permissible within the different areas or bubbles, and which ones would be prohibited. He explained that he was presenting the concept plan that includes the technical revisions that staff recommended in what was provided originally as Attachment 9. Mr. Padalino said there were some things that staff recommended to be revised to be consistent with staff recommendations, which have since been completed and would be provided to the Board of Supervisors at the next step in the process.

Mr. Padalino presented an excerpt from Sheet 6 on the concept plan. He pointed out a note stating that this was for illustrative purposes only. Mr. Padalino said that this excerpt shows the proposed layout of the future academic buildings 1, 2, and 3; the proposed future commercial entrance; full-access entrance and exit, with an area for vehicles to queue before dropping off; a right-out exit only closer to Fontaine Avenue Extended towards the eastern edge of the property; and the proposed lighted ballfield towards the western edge of the property.

Mr. Padalino said that regarding an updated staff analysis for the proposal, favorable factors include: 1) transportation impacts are being addressed through proposed conditions; 2) the proposal provides additional educational options for children in the community; 3) the proposed school is a secondary use that is recommended in the Southern and Western Urban Neighborhoods Master Plan; and 4) the concept plan shows a development that is sensitive to environmental features.

Mr. Padalino said that there was one unfavorable factor identified, which was the fact that land disturbance and permanent improvements are excepted to be visible from the I-64 Entrance Corridor. He noted that the subject property is subject to ARB review and approval, as it is within the Entrance Corridor Overlay District.

Mr. Padalino said that based on the findings described in the staff report, as well as factors identified as favorable (inclusive of additional staff analysis conducted during the unanticipated period of postponement between the week of August 12 and the week of September 3), staff recommends approval of the Special Use Permit with four conditions.

Mr. Padalino said the first condition was that the development and use of the subject property be in general accordance with the concept plan. He said that as seen in the updated staff analysis, staff identified what the major elements are.

Mr. Padalino said the second condition may require additional discussion time and deals with operational limitations of the private school. He said that the condition begins as, "Except as otherwise, provided herein, the additional student enrollment shall be limited to 280 students, and the start time of the school shall be no later than 7:45 am." Mr. Padalino said there was a series of bullet points in the report that indicate how operational changes, such as increased student enrollment or a different or later start time, could potentially be permissible provided that the applicants demonstrate to the satisfaction of the Community Development Director that those operational changes would not create certain negative impacts to the transportation network.

Mr. Padalino said the third recommendation condition of approval relates to the transportation improvements that the applicants have committed to making. He said the applicants must plan, fund, and implement the transportation improvements to Reservoir Road shown on the SP application materials titled, "Reservoir Road Survey for Regent School," which was provided in the staff report as an attachment.

Mr. Padalino said that the fourth recommended condition (which was not in the original staff report) relates to establishing a five-year period of validity of the SP application, if ultimately approved, to allow for more time for fundraising and planning before construction commences to validate the special use.

Mr. Padalino presented a slide referencing how important the details are, noting that Mr. McDermott was present to provide a transportation planning perspective. He said it explains why some of the recommendations are provided and what they mean in terms of future expansion or other operational changes. Mr. Padalino said the motion would be available for reference later in the public hearing process.

Mr. Padalino skipped ahead to the special exception request. He said that there has been an update and that the applicants have formally withdrawn one of the two special exception requests. Mr. Padalino explained that the applicants are no longer requesting a special exception to waive the full cutoff requirements for the lights on the light poles.

Mr. Padalino said the second request for special exception relates to a requested increase in the maximum pole height. He explained that the ordinance allows a maximum height of 35 feet and in order to adequately light the field for low light level and nighttime use, and to use the proposed lighting system, the lights need to be mounted at a higher height above ground level. Mr. Padalino said a waiver has been requested to modify to allow for a 75-foot high set of lighting poles for outdoor athletic lighting.

Mr. Padalino said that regarding the second special exception request, staff recommended approval based on the fact that the proposed increased height of the outdoor poles in necessary in order to sufficiently illuminate the field for safety use, while also enabling the proposed luminaires. He said the recommendation is also partially based on a balloon test that the applicants conducted on Wednesday, August 28 (less than one week prior) in which staff drove around the Entrance Corridor and was unable to observe the balloon being flown at the approximate height of the proposed poles.

Mr. Padalino said that in the staff report, one of the primary concerns expressed was the longer-range visibility of the site as seen from I-64 traveling east at mile markers 116 and 117, but that despite those concerns, staff was unable to see the balloon from that vantage point on August 28, which has substantially reduced staff's concerns about the visibility of the lights from the Entrance Corridor.

Mr. Padalino said the motion would be available for the commission's reference later in the evening and that staff recommends approval with conditions. He said that one of the conditions is that 70 feet is the maximum height and that there would be a time limit placed on the use of the lights. Mr. Padalino said that consistent with other recommended requests and approvals, staff is recommending a 10:00 pm cutoff for the use of the outdoor athletic lights.

Mr. Padalino said he would field any questions the commission has for staff and during the public

hearing process.

Ms. Firehock asked that, in regard to the balloon test, if staff looked at any other points beyond I-64 and the viewshed. She asked if staff was on Reservoir Road to look at this or standing in neighbors' yards.

Mr. Padalino replied that this test was primarily related to the Entrance Corridor and that he and Ms. Maliszewski drove to the Ivy exit and came back down, spending most of their time on I-64 on the shoulder and median. He said they spent a brief amount of time around the 118 interchange and at that point, close to the subject property, Ms. Maliszewski stated that she saw a blue balloon, which was solely there for visual reference.

Mr. Padalino explained that the applicant flew a red balloon at 70 feet, which is the proposed height of the poles, and also flew a blue balloon at 120 feet in order for staff to better locate themselves within the landscape and to better site the red balloon. He said that the blue balloon was visible by Ms. Maliszewski as he was driving at the interchange, but that she noted that she did not see the red balloon. Mr. Padalino said that this was consistent with what the applicants have said – that the lights may be momentarily visible from the 118 interchange – and that staff did not see them from far away. He said that staff did not visit anyone's property in the immediate vicinity or spend much time looking as they drove down Reservoir Road.

Ms. Firehock pointed out that this was a test performed in the height of leaf-on and that there was no winter comparison to what is visible. She also expressed disappointment in not being invited to the balloon test, considering it is in her district, and that she would have been available.

Mr. Padalino responded that this was a missed opportunity and that this all happened very rapidly in a brief period where staff does not typically continue its analysis, which was the primary factor in why there was not much coordination with this.

Ms. Firehock noted that her office was six minutes away from this location.

Mr. Dotson asked if Mr. Padalino could briefly summarize the type of improvement to Reservoir Road. He recalled there was an image shown earlier that showed the narrowness of the road and the lack of a center line, shoulder, etc. Mr. Dotson asked what would change with the improvements.

Mr. Padalino replied that the applicants have proposed to dedicate, or reserve for future dedication, a widened right-of-way along the road. He explained that they are proposing to dedicate ultimately 25 feet along the southern boundary, up to the point of their proposed entrance and slightly beyond this, the dedication would taper down to about 12.5 feet. Mr. Padalino said that within the right-of-way, they propose to physically reconstruct the road in a couple places to adjust the vertical curve so there is less of a blind spot as one comes up and over a rise. He said the applicants have also shown some of the shoulders being graded back, which would improve the site distance lines both by removing some of the soil and the vegetation on it.

Mr. Padalino offered to pull up the conceptual road plans that were submitted as part of the SP application.

Mr. Dotson pointed out that Mr. Padalino indicated dedicating additional right-of-way. He asked if there would then be additional paved area that would use part of the dedicated right-of-way

provided by the applicant.

Mr. Padalino replied that staff had spent some time considering what the correct road profile or section would be in the area, which is in the development areas but in an area with rural characteristics. He said that based on that deliberation and coordination with the applicants, an improved right-of-way is being proposed without doing too much to the road other than to those areas with the vertical curve reconstruction. Mr. Padalino said this means there will not be sidewalks or paint in the center line, but that the road itself would be improved as well as some shoulders and ditches.

Ms. More recalled that the favorable factors include the transportation impacts being addressed through proposed conditions in both the original proposal before 2:00 pm that day and what the commission received after that. She asked if Mr. Padalino knew of any other planned improvement projects for the area that are unrelated to any impacts that this proposal may or may not generate that would offer some congestion relief.

Mr. McDermott, Transportation Planner for Albemarle County, responded. He said transportation staff had begun working with the applicants on the project many months prior related to the transportation improvements because the intersection at Fontaine Avenue and US-29 has been a concern from them for a long time and is one of their highest ranked projects in the Albemarle County Transportation Priority List.

Mr. McDermott said it is listed in the vision list, which Mr. Boyles had mentioned, in the MPO LRTP. He said an application was made to VDOT through Smart Scale to try to make the improvements recently, and that they wanted to convert the entire interchange into a diverging diamond-style interchange that included many benefits besides the operations at that specific spot. Mr. McDermott said that unfortunately, this was not selected to be funded. He said staff plans to revisit and clean up the application to perhaps reduce the costs and make another application during the next round of Smart Scale.

Mr. McDermott said that this was one of the deciding factors with the conditions that the applicant put in, noting that originally, they had a higher number of students and that when they saw that the project was not funded, the initial number of students was brought down and changed the start time. He said efforts would continue to attempt to go after the new improvement project but currently, there was not a funding source.

Ms. Riley recalled that the initial number of students was reduced to 280, but that it was a condition to be able to go to 468 based on Condition #2 (A, B, C, D, and E). She asked Mr. McDermott if he could simplify the explanation of what conditions would have to be met for the school to be able to go to 468 students.

Mr. McDermott replied that he would use the worst example of the movement at the interchange currently – the southbound US-29 exit ramp and drivers primarily trying to make left turns, although this is a single-lane ramp and the drivers making right turns to go towards the school would be stuck in the same traffic. He said the problem is that left-hand turns are hard to make and that there is a very long delay for this, noting that during the peak hour, it was about a minute average delay for the entire peak hour, which is very high.

Mr. McDermott explained that staff has set up specific delay thresholds that would allow for the applicants to increase their student enrollment or to change the start time. He said that the

applicants moved the start time to 7:45 am because at that time, the peak hour traffic isn't occurring. Mr. McDermott said that this would allow for drivers to get through the interchange or movement without much delay at all. He said staff's concern is that if they increase the student enrollment eventually that this time period would get just as bad as it is during the peak hour, or if they move their start time to a later time closer to the peak hour, this would cause problems.

Mr. McDermott said that staff has come up with thresholds for the delay of any movements but because they were thinking out into the future and are not sure of what the conditions are like, and they are at present time primarily concerned with the mentioned movement, they added that they would like to see the applicants evaluate the other interchange ramp for Northbound 29 as well as the Reservoir Road intersection. He said the thresholds were in place for this as well. Mr. McDermott explained that this gives the applicants an opportunity, if they want to come back with an updated TIA that can show that they will not go over the thresholds, for staff to allow them to move forward with the approval of the Community Development Director.

Ms. Spain asked if Reservoir Road is a private road.

Mr. McDermott replied that it is a public road.

Ms. Spain asked if the county would be maintaining it.

Mr. McDermott replied that VDOT would maintain it.

Mr. Carrazana asked if the limit of 280 students was based on a TIA.

Mr. McDermott confirmed it was, and that it showed that the delays were not so bad with 280 students at 7:45 am.

Mr. Bivins asked to see the slide that showed the entrance to the property.

Mr. Padalino asked if he meant the proposed future entrance.

Mr. Bivins replied yes. He asked for the entrance to be highlighted and asked about the spot closer to Fontaine Avenue.

Mr. Padalino explained that this was the exit.

Mr. Bivins asked what Mr. Padalino was indicating to.

Mr. Padalino replied that this was a proposed right-out only exit.

Mr. Bivins asked if drivers would come up to the circle and enter there then drop off, make the circle, and go out.

Mr. Padalino replied yes.

Mr. Bivins asked Mr. McDermott about the 7:45 am start time. He asked, given the number of houses on Reservoir Road and students and buses being dropped off, what kind of congestion or road condition might be expected there.

Mr. McDermott replied that almost all residential Mr. Bivins was referring to was to the other side, or to the east, of the intersection. He said it could perhaps be seen better in one of the parcel maps. Mr. McDermott said that Reservoir Road continues to the reservoir and that currently, there is no land use that generates much traffic at all further west on Reservoir Road. He said that he added the intersection of Reservoir Road and Fontaine Avenue to the potential locations staff would like the applicants to assess if they were to move up but that at present time, there is very little use between that intersection and the school.

Mr. McDermott added that a Montessori School is located on the north side of Reservoir Road and that they do their drop-off by going to the church parking lot and dropping off from there, noting that there is a pedestrian crossing there. He said that all of this activity would occur later than the 7:45 am start time.

Ms. Firehock pointed out that there are homes located along that road.

Mr. McDermott agreed.

Ms. Firehock asked if Mr. McDermott anticipated, with the timing, that a resident might come out of their driveway and get stuck behind a line of cars waiting to get through the intersection.

Mr. McDermott said that this was very possible. He said at this time, he did not believe that the delay would be significant but stated that for those residents or anyone coming out onto Reservoir Road at that start time, or during the time that school closes during pickup, there is a chance they will be stuck at that intersection.

Ms. Firehock said it seemed as though they might stack up there, as they have a lot of room to queue in the school but if everyone exits out, the cars could possibly be stacked up.

Mr. McDermott asked Mr. Padalino to verify if this was a free left to come from Reservoir Road onto Fontaine Avenue.

Mr. Padalino replied that there is a stop there.

Mr. McDermott said that drivers will have to stop, but to keep in mind that there are so little uses for the people going through that intersection that though they have to stop, they then immediately go. He said it is a constant flow of traffic and at this time, he did not believe that the delay was significant. Mr. McDermott acknowledged that in the future, if more things develop down that road, longer delays are a possibility.

Mr. Bivins asked Mr. Padalino if he could present images of the athletic field. He asked him to give some indication which trees would remain. Mr. Bivins recalled Ms. Firehock's point about currently being in a leafed period, and that his concern regarded what trees would remain once the construction begins. He said he is always surprised when reminded that the trees on the lot will likely not be there once the construction starts. Mr. Bivins asked if Mr. Padalino had a sense of what trees would remain once the soccer and utility fields are put into place.

Mr. Padalino responded that the proposed location for the school recreational area, including the lighted ballfield, is almost entirely in a wooded area presently. He said that when staff met the applicants on site for the brief balloon test, they had gone to the edge of the presently cleared area and it seemed like the soccer field would be located beyond this. Mr. Padalino expressed

that there would be significant tree removal for the field as well as the earthworks in the field that would have to take place to bring it down a grade, explaining that there was about a 20 feet drop from the end of the end line to the proposed stormwater facility at the bottom. He said there would be substantial land disturbance, clearing, and grading.

Mr. Padalino presented the limit of the proposed academic woods area, which would be for the purposes of protecting the critical resources and forested land cover, with the few exceptions he mentioned earlier about primitive structures and outdoor classrooms.

Mr. Keller opened the public hearing to hear from the applicant.

Ms. Valarie Long (Williams Mullen) represented The Regents School of Charlottesville. She said there was a large number of current students and their families present, as well as some faculty. Ms. Long also noted that Ms. Courtney Palumbo was there and said that the commission may remember her from prior Special Use Permit hearings from the school's current facility. She said Ms. Palumbo is the head of the school and was present as well as several of the school's board members and other distinguish supporters of the school.

Ms. Long thanked Mr. Padalino and other members of Community Development staff, many of whom he had mentioned earlier in his comments. She said the applicants are appreciative for the time spent with them over the prior two weeks, particularly when the unfortunate delay occurred with the public hearing schedule. Ms. Long said that staff was gracious in working with the applicants and taking the opportunity to work through some of the last few issues. She said the applicants' goal was to try to minimize some of the issues that needed to be discussed with the commission, work through and resolve them, noting that a great deal of progress was made as a result.

Ms. Long recalled that Regents School's primary campus is currently located on Route 250 in Ivy at the Christian Aid Mission property. She said the school was first established in 2010 at Jefferson Park Baptist Church in the City of Charlottesville, with just 7 students. Ms. Long said that by 2012, the school had grown substantially to 60 students, and the school was relocated entirely to the Ivy Road location after securing a Special Use Permit. She said that since that time, the school has continued to grow, and has come back before the county for several amendments to the application to increase its enrollment over the years. Ms. Long said there are currently 130 students at the Ivy Road facility, and they have also expanded back to Jefferson Park Baptist Church where there are additional students.

Ms. Long said the goal is to find a permanent, long-term location where the school can consolidate all of its students in one location into a school building that is designed for a school, noting that neither the church nor the Christian Aid Mission building were designed to be a school. She said that although they have been extremely successful and creative in reusing those facilities, the applicants desire to have a location that is designed particularly for the students, for a school, and will provide for a long-term solution. She said the Christian Aid Mission property in particular has never been a long-term location and has always been deemed temporary.

Ms. Long said since the school first moved to Ivy Road, it has been looking for a more permanent location. She said it is challenging to find a place in the county and that the applicants were very pleased when the property on Reservoir Road was put on the market. Ms. Long said the applicants felt fortunate and blessed to be able to secure a contract, explaining that there were six contract offers made on the property, and the Regents School was not necessarily the highest

priced, but was deemed to be the best fit.

Ms. Long explained the issue of the long-term nature of the ultimate enrollment cap the school is pursuing (468 students). She said currently, there are only 184 students. Ms. Long stated that the enrollment would not go from 184 to 280 immediately, and certainly would not jump from 280 to 468 immediately. She said it was very much a long-term plan to phase in the students and that the ultimate goal with 468 students (which she acknowledged sounded like a lot) represents at each grade level (K-12) two classrooms of 18 students each. Ms. Long said that considering it in this context, it does not seem like quite as large of a number, noting that some of the public schools in the area have between 4 and 6 classrooms for every grade, and they are much higher than 18 students.

Ms. Long said that the applicants also considered the current enrollment caps for some of the other private schools in the area. She explained that for a frame of reference, St. Anne's Belfield (which is also K-12) is permitted to have 853 students in total, and Covenant School (also K-12) has 560. Ms. Long said there were a number of other schools that only go up to 8th grade, which have students in the 250-340 range, and the Miller School (grades 8-12) is allowed to have 175 students. She said there were many different variables, based on whether it is K-12, and that the applicants wanted to put the 468 number in context and explain that this would not be an overnight growth.

Ms. Long said that although the school has grown significantly (starting in 2012 with just 7 students), they must be able to have sufficient space and instructors to grow much more. She indicated to a chart with projections showing that the school would not reach 230 students until 2025.

Ms. Long said it was also helpful to know that every student does not result in one vehicle trip, explaining that many of the parents have multiple children at the school and some carpool. She said that with the facility at Ivy Road, because of the space constraints and traffic limitations of the existing Special Use Permit, Regents has become experts at managing their traffic and carpooling, adding that the parents are incredible at self-regulating carpools. Ms. Long said there is a no left-turns situation happening at the Ivy Road location, which they have been able to self-enforce successfully.

Ms. Long said the school also recognizes that there would be a benefit in having the ultimate in carpooling in the form of a school bus, so a bus was purchased a few years ago that holds 48 students and that it is a popular feature used by many of the families. She said that because they realized that the capacity of the bus would soon be reached, the school recently purchased a second bus with a 48-student capacity. Ms. Long said the school takes the carpooling issues very seriously and recognizes that it is in everyone's benefit (including the convenience of the families) to provide that service. She added that a number of the employees have children who are at the school, reminding the commission that it is not a one-vehicle-per-student trip.

Ms. Long presented slides showing the general location of the area, indicating to Trinity Church next door with a large amount of parking, the forestry building, and the Fontaine Research Park.

Ms. Long presented an exhibit showing the Comp Plan designation for the property, explaining that the area in yellow is Low Density Residential with an average of 3 to 6 dwelling units per acre. She said the areas in green have a Parks and Green Systems designation. Ms. Long said that as Mr. Padalino mentioned, in the yellow area (Neighborhood Density Residential), private

schools and other institutional uses are permitted as a secondary use, provided that a SUP is approved and is determined to be consistent with surrounding uses.

Ms. Long presented a similar exhibit where the concept plan areas are overlaid on the Comp Plan to demonstrate that all of the areas shown in green on the Comp Plan for Parks and Green Systems is outside of the boundaries of the school facilities area, meaning that the applicants would not be disturbing any of the areas shown in green. She said the area in yellow is the school site, which would include the ballfield, and is about 69% of the site.

Ms. Long said that all of the area in green (the academic woods area) is essentially open space and that they did not want to call it "Open Space" as that is a very specific definition in the ordinance. She noted that 31% of the total acreage is being preserved for green space and that Mr. Bivins alluded, there would be some trees that would be removed in order to build the school and ballfield, but anywhere that contains sensitive environmental areas or is otherwise designated for open space in the Comp Plan has been included in the academic woods area that will not be developed.

Ms. Long said the applicants have also added a few more elements to the plan, based on staff's suggestions and recommendations. She said, for example, at staff's request the applicants included a 5-foot setback so that the grading that would take place within the yellow area for the school construction would always stay 5 feet away from any preserved slopes so as not to disturb them. Ms. Long said there are also areas reserved for future right-of-way dedication, if needed. She indicated to the areas shown in red, adjacent to Trinity Church, noting that this area is a school buffer zone.

Ms. Long presented a color version of the plan that had already been displayed to better help the commission understand what is happening. She said that even in the area that is the school facility site, large areas of it will still be open or green space. Ms. Long showed a conceptual plan of how the school one day envisions developing the site and showed how it fits into the Comp Plan map.

Ms. Long noted her time was up and that she would be willing to come back to the presentation, explaining that many other site sections and other exhibits have been included to demonstrate that the applicants believe that the lights will be minimally visible, if at all. She responded to Ms. Firehock's comment that it was the applicants' oversight in not inviting her to the balloon test and apologized. Ms. Long said the applicants had conducted an internal balloon test themselves early on and that the balloons could not be seen, so the applicants had thought this would be sufficient. She said that Mr. Padalino wanted to see it as well, and that she should have thought to invite Ms. Firehock. Ms. Long said that because of time constraints and because they knew there was nothing to see, it was an oversight.

Ms. Long added that regarding traffic, the applicants are generally agreeable with the condition that has been recommended (Condition #2) and had a few clarifications they would like to work with staff on. She said otherwise, the applicants are very appreciative for the framework that staff has developed that will provide a path to increased enrollment under certain conditions.

Ms. Sylvia Struckman (a resident of Charlottesville) said she loves her school.

Ms. Sarah Daniel (153 Ultan Place in Albemarle County) said she is a parent of the Regents School and an employee. She said she was speaking more based upon her affiliation with two prior private schools, one being the Peabody School that had a hearing with the commission for

Special Use Permits for expanding their current facility several years ago. Ms. Daniel said she got to see the positive benefits after this was approved and the school expanded their campus quite a bit. She said she noticed that once their gym was built, it opened connections with the community because VABA, SOCA, and other organizations were able to start using the facilities that were built.

Ms. Daniel said she had also been an employee and parent at the Covenant School and at the Birdwood Campus, she observed that the neighbors benefited greatly from use of the playground during after-school hours and on the weekends. She said she has observed these factors as positive when schools have been allowed to build or add on to their campuses.

Mr. Richard Schrum (214 Reservoir Road) said his driveway can be seen in many of the images presented of the street. He pointed out there is a commercial entrance there and appreciated some of the questions from members of the commission because he believes that there are more than a couple homes on the road and that the traffic will be impacted greatly, as it was when the dam was rebuilt. Mr. Schrum said the athletic fields will be one of the first things built in the construction, which will then immediately be rented out, resulting in other traffic added to the roadway. He said there are no plans to widen or paint the road and that the traffic on that road is, at times, congested, with Camp Holiday Trails being located at the end as well as the park and reservoir.

Mr. Schrum said that adding the traffic to the road will definitely impact all the residents who live on the road. He said he owns 19 acres and across from that, he was surprised to find out that there has been a waiver requested for 70-foot lighting, as this was one of the major issues that was discussed about the lighting for the athletic ballfields. Mr. Schrum noted that he owns property directly across from this and thanked the commission for the question about leaf-on because coming past Trinity Church during the winter, there is a lot of light thrown across from that location. He said he could not imagine the amount of light that would be shining directly on to his own property and the property of others there, if the poles are extended to 70 feet.

Mr. Schrum continued that regarding the rural characteristics, he noticed that there were a lot of photos that did not show any driveways or other structures. He said that if the buildings were built there, the rural characteristics would be completely lost and that he didn't believe this project would preserve them but would impact the R-1 zonings where homes could be built or where smaller, nicer homes would be built on 3-4 acres of land there. Mr. Schrum said it would impact the value of the properties there. He concluded that the neighborhood is very concerned about the application.

Mr. William Hurtt (268 Reservoir Road, located just past the proposed site) echoed Mr. Schrum's concerns about the impact of additional traffic. He said that most people who spoke have evidently not spent much time on Reservoir Road and that numerous buses come in and out, as well as a lot of traffic from Camp Holiday Trails, the reservoir, and the Rivanna Trail in addition to other residential areas that were not mentioned.

Mr. Hurtt said that the proposed area does not run all the way down to Fontaine Avenue and that he was sure that widening the road at the entrance was not being considered, which badly needs to be done in order to accommodate the additional traffic. He said that going to work in the morning, for example, there is normally regular traffic on Fontaine Avenue and church traffic coming to the same intersection. Mr. Hurtt recalled mention of students and parents that will go to the church parking lot to unload and go to the preschool that is on Reservoir Road. He said this

was fine, but when they come out, they must come out to the intersection, which will add to the traffic count as well. He said his biggest concern is about the traffic, with lighting being another concern.

Mr. Hurtt said that parking for the sporting events is going to be an issue at some point. He said people will likely be parking some on Reservoir Road, which he said is unacceptable because there is not enough room for this, and emergency vehicles getting in and out (if need be) would be hazardous and unproductive for this to happen. Mr. Hurtt urged the commission to take a closer look at this.

Ms. Tina Webb (4599 Woods Edge Court) said she came to Charlottesville in 1987 as a UVA student and appreciated the traffic concerns the residents have. She said she currently lives on a private road and when cars turn down it that do not belong, she instantly knows and is concerned. Ms. Webb said she has six children, with the older ones being involved in sports, so she is very well acquainted with sports in the Charlottesville-Albemarle area. She reminded the commission about the pacing and timeframes of athletic events. She said that speaking about the regular academic day, there are two very narrow timeframes. Ms. Webb said she carpools (as she lives in the Keswick area), and the drop-off is a turnaround of 5 minutes, at most, at the beginning and end of the day.

Ms. Webb said she appreciated the note about two classes per grade, which was honing in on the number of cars, and two buses. She said the other point with athletic events where schools and churches have had to be rented out, that athletic events with such a small school as Regents is will not be high in capacity. Ms. Webb explained that the teams they are competing with in their conferences are also small schools and therefore, they are not looking at a scale of a city or county school but rather, a smaller population of a private school. She said additionally with athletic events, there is arrival and departure and depending upon when those arrivals are, there will be traffic, but that she wanted to create a more realistic picture that it is not continuous flow.

Ms. Hannah Wolfe (556 Huckstep Branch Lane, Keswick) said there is a neighborliness to the Regents School and that as a parent, she has a first grader at the school and was also a former staff member. She said one of the things teachers try to teach students (and also exemplify as parents) is obey proper authorities, engage in public discourse, and to be good neighbors. Ms. Wolfe said there are interesting traffic flow challenges at the current property and that she has seen integrity from the parents in going out of their way to turn in the proper place (not where neighbors don't want them to turn).

Ms. Wolfe said that from the highest level to youngest level at the school, there is a desire to be good neighbors and a good part of the community and that they would do whatever they can to work with people in the area to be a valuable addition to the neighborhood rather than an inconvenience. She added that she used to live in a neighborhood where a high school football field was located directly behind her house and that it provided a good and fun energy at times.

Mr. George Fisher said he understands concerns about traffic patterns, but that these will be dealt with in almost any community area. He said that in his neighborhood, there are times at which he knows if he comes out onto the street, he will be behind a school bus for 15-20 minutes while trying to leave his neighborhood. Mr. Fisher said that everyone struggles with these things and that it is simply a part of being in the community. He said he wanted to echo Ms. Webb's comments that everyone experiences daily challenges with traffic.

Mr. Scott Knight (7039 Markwood Road) said that traffic studies take into account things such as Camp Holiday Trails and the Ragged Mountain Reservoir. He said that, for example, a summer camp is not going to be high-traffic area during times when school is in session. Mr. Knight said he used to frequent the Ragged Mountain Trail in the mornings and during that time, that area is not high traffic. He remarked on the neighborliness of the Regents School, explaining he had been part of the school for years as a parent and that one of the things that has impressed him most is how neighborly the school is and its desire to be a valuable part of the community, even beyond its own community. Mr. Knight said he also appreciated the concerns of the neighbors but that he thought this could curb some of the concern there.

Mr. Timothy Star (2000 Pleasant Lane, Ivy Farm Neighborhood) said he has three sons at the Regents School, two of which he tried to have in public schools and unfortunately for various reasons, public school did not meet their educational requirements. He said his family evaluated all the different private schools and that Regents School is uniquely qualified to educate his sons and the children in the community, not only for their hearts and minds but with their servanthood to the community as well.

Mr. Star said he understands concerns about development and the potential for traffic and stacking up. He said his three sons also went to Trinity Presbyterian Church for their preschool and that they were there Monday through Friday, expressing that he understood what it is like to wait at the stop sign. Mr. Star said there would be additional cars and that this would be a given no matter what is done with the development. He said that the community, however, needs to embrace the school and asked the community to continue to support the school to benefit the children, as they will age and become part of the community.

Mr. Star said he was lucky to work from home and that he could honestly say that his family was there in Albemarle County solely because of Regents School and what it means to them and the greater community.

Ms. Chelsea Malpano (109 James Drive) explained that she lives in Ruckersville, which was a 45-minute drive. She said she chooses to travel 45 minutes every day in order to send their children to Regents School because the value the school offers is of no comparison to other schools in the area and the area, she is located in. Ms. Malpano echoed that the parcel of land being used for the school, as far as the children being raised up in it, can only add value to the community.

Ms. Malpano said it brings other people not from the area into Charlottesville in order to use the local stores, because otherwise she would stay on her end of town, but she passes through Charlottesville each day because of the school. She said she places such high value on the school that they will continue to come out, and that it would only be to the community's best benefit to allow the school to expand in whatever location it lands.

Mr. Jonathan Constant (1009 Perry Street, Staunton) said that to his knowledge, his family was the only one that traveled over the mountain to bring their children to Regents School. He echoed the people that had spoken before him, explaining that he lives down the street from a couple of great private school options, but Regents was worth it to them. Mr. Constant said that fortunately, they have finally found a good carpool option over the past year and are hopefully mitigating some of their own effects on the traffic flow.

Mr. Constant said it was worth it to bring their kids to Regents because they moved into the area

and evaluated all the other private schools, and that they have adopted the community as their home although they do not live there. He said this was home to them for the school, sporting events, and many different things.

Mr. Constant acknowledged the neighbors' concerns and said that if his family can adopt the community, the school can adopt the new community even though they are hoping to move into it, just as his own family has done coming from Staunton to Charlottesville.

Mr. McNeely Royal (658 East Daffodil Road, Ruckersville) said it takes him 45 minutes to get to the Regents School and that he takes the back way because of school buses. He said it takes him 15 minutes just to get from his home to NGIC, where he works, and another 15 minutes to Rio Road because of school buses. Mr. Royal said he understands the concerns about traffic but with that being said, he looked at Google Maps and the topology. He said there is the TV station, the reservoir, and the camp ground, and asked why the county couldn't widen the entire road all the way down so that this way, traffic flows.

Mr. Royal said he was from Cincinatti, OH and that he was used to traffic, but that Cincinatti also has much more infrastructure. He said he was raised in Catholic grade school and high school. Mr. Royal reiterated a previous speaker's comments about youth organizations, stating that at most, his basketball games from third grade through eighth grade involved a total of 30 parents and that they all carpooled, resulting in minimal traffic. He said that for baseball games and football games, the traffic was also very minimal.

Mr. Royal said his family chose Regents School not only for its values, but for its curriculum, noting that it could not be found anywhere else except perhaps out of state. He said his daughter is in kindergarten and that she is receiving a structure she would not be able to get at home or even at a Christian academy that is five minutes away from his house. Mr. Royal said these schools would not be able to take care of his daughter in the sense of sensory issues and that Regents can accommodate children on the ASD (autism) spectrum. He said there was a lot of value with the school, especially in combining K-12, and there is a unit cohesiveness that he grew up with in Catholic grade school and high school in that they join together. Mr. Royal said Regents would do this as well, as that is their mindset.

Ms. Jennifer Knight (7037 Markwood Road, Earlysville) asked everyone in favor of Regents School getting the new facility to stand. She also noted the amount of children that sat silently in the meeting for over 1.5 hours. Ms. Knight said this is a community that is very respectful in the way that they are raising children and she believes they would be good neighbors. She asked for consideration in allowing the school to build on the subject property.

Mr. Keller invited the applicant to come forward for questions.

Ms. Long addressed the lighting issue, acknowledging that there had been questions about it. She said that the lighting request is to increase the height of the poles from the height of 35 feet to 70 feet, which is a very similar request that the commission had seen from a number of applicants recently. Ms. Long recalled that she was representing the UVA Foundation for the new UVA tennis courts at the Boars Head Resort and that this was the same exact request and lighting fixtures. She said that Ms. More may remember from the Peach Tree baseball team in Crozet, the Board of Supervisors approved a similar application for them to have lights at Crozet Park at their fields, and that one of the local county high schools also uses these same light fixtures.

Ms. Long explained that the light fixtures are comprised of newer technology. She presented slides, noting that they were the same ones she showed for the UVA tennis facility application. Ms. Long said the applicants understand and are very sensitive to concerns for ball field lights because the old technology is not very neighbor friendly. She explained that the newer technology is much improved and that the applicants are committed to implementing the new technology – not only for the benefit of the neighbors, but also for the benefit of the school, noting that it is much more effective in lighting the area that is desired to be lit without having the adverse impacts of spillover on adjacent properties or to the Entrance Corridor.

Ms. Long presented examples that the lighting salespeople provided, adding that she learned from staff that they had invited the lighting representative to come in, who provided an educational program or explanation to a large area of the Community Development staff to help upgrade everyone's understanding and awareness of the lighting facilities, and also to show the distance involved in the lighting from the areas in question. She said that at the site plan stage, they would have to have an engineer-prepared photometric lighting plan that will demonstrate compliance with the county's lighting ordinance.

Ms. Long said they are not allowed to have spillover onto other properties or to create glare under the county's Dark Skies ordinance. She said the school will be subject to those regulations. Ms. Long added that by virtue of the property's location adjacent to the Entrance Corridor, the ARB will have oversight over the lighting fixtures and all other site design issues associated with the school.

Ms. Long said that because there were comments about Reservoir Road, and that there were safety improvements that the school is committing to construct at the cost of about $150,000, which is voluntarily being offered to make certain spot road improvements in areas where those improvements will make quite a difference in improving safety for all the users on Reservoir Road, not just the school families. She said that as Mr. Padalino indicated in his report, there are two vertical curves that will be addressed. Ms. Long said there are areas where the shoulders will be widened, grading done, and vegetation to be cut back in some areas, all of which limit the sight distance. She said improving sight distance will make a tremendous impact on everyone's safety.

Ms. Long presented images and said there are areas where the applicants worked very closely with VDOT and county staff, and that the applicants' engineers came up with solutions to help improve the road, acknowledging that Reservoir Road cannot be widened. She noted it is a public road and will be maintained by VDOT but that there was an opportunity to make some significant improvements that will benefit the entire community and all of those who use Reservoir Road.

Ms. Long acknowledged there was discussion about the interchange at Fontaine Avenue and the bypass, and that she wanted to make sure this was clear. She said that both Mr. Padalino and Mr. McDermott spoke about the interchange improvements, thanking Ms. More for asking about those. Ms. Long said the application was submitted before the Smart Scale funding results were released. She said there had been hope that the intersection improvements would be funded and were disappointed that they weren't.

Ms. Long said the applicants were glad that the county will continue to pursue the application but that in the meantime, the condition of approval and framework staff has developed will provide the school with a pathway for a conditional phasing in of its enrollment. She said the applicants were comfortable with the framework, with some tweaking. Ms. Long said with this, the school will know they have the ability – so long as there are traffic studies that support it – to increase their

enrollment, but only if they can demonstrate with a certified traffic report that they will not create adverse impacts in the surrounding areas, which includes Reservoir Road/Fontaine Avenue Extended intersection as well as the Fontaine/Bypass intersection.

Ms. Long noted that the land is in the R-1 development area. She said that with R-1 zoning, at 19 acres there could be 19 dwelling units by right with some bonus density provisions. Ms. Long said the applicants calculated that they could have 23 total dwelling units and that the traffic studies also took this into account. She said that as indicated, the traffic from the school can be controlled and regulated. Ms. Long said there are discreet times during the peak hours, but the school has the ability to mitigate those impacts and minimize the trips through the measures mentioned earlier. She said that with by-right residential development, those trips are occurring all day long without the ability to limit them. Ms. Long said this would also not include any of the road improvements along Reservoir Road.

Ms. Spain asked if Ms. Long could address the neighbors' concerns about parking for sporting events.

Ms. Long said that this was looked at very carefully, presenting again the concept plan. She said that as part of their application, the applicants submitted a parking study that was prepared by the engineers to confirm that there is sufficient parking on site.

Ms. Long said that in addition to the spaces she indicated to on the slide, there are a large number of spaces on site on the concept plan and that they have also been working closely with Trinity Church next door, where there is a large parking area that is not used much other than during church services and events. She indicated on a map to a location where there would be a pedestrian path and explained that the applicants have been working with Trinity on a shared parking agreement so that during periods where more spaces at Regents are anticipated to be needed, there could be overflow parking at Trinity.

Ms. Long offered examples of these events such as graduation, school musicals, back to school nights, and athletic events where there is anticipated to be a larger turnout. She said that Trinity had indicated its willingness to work with the applicants to allow the shared parking agreement. Ms. Long said there would also be a pedestrian path so that pedestrians could walk from the church parking lot to the school and vice versa. She acknowledged there wouldn't be room for anyone to park on Reservoir Road and that this would not be acceptable for anyone, stating she understood the neighbors' concerns of wanting to avoid that.

Ms. Riley recalled the mention of bus use in order to decrease the number of vehicle trips per day. She asked if there was currently use of an off-site location for carpooling, or one to be expected, and if Ms. Long could describe it.

Ms. Long responded that the school is already using its 48-passenger bus and that her understanding was that currently, the pickup is at the Wal-Mart on 29 North. She said there is an online signup system where the parents can reserve their child's spot on the bus on days that they need it, and similar to what Triple C camp does, the parents drive them to the drop-off location in order to go to work, etc. Ms. Long said there were no definitive ideas yet on where this might be if the school was to relocate but that they are considering other drop-off locations and perhaps a bus in Crozet, depending on the enrollment from that area, and possibly one to pick up near PVCC or the Pantops Shopping Center. She said the bus they have now is very well used and competitive, hence the reason for purchasing the second bus.

Ms. Riley asked what the plans are for the use of the school in the summer.

Ms. Long replied that she wasn't aware of any plans for the school's use in the summer and that Ms. Palumbo could better answer the question.

Ms. Courtney Palumbo, head of the Regents School, responded. She explained that currently, there are no plans in the summer and that no one is at the school during that time except for herself and an assistant. She added that teachers all leave by June 15 and do not come back until August 15. Ms. Palumbo said that it is possible to have a camp, such as in the past (e.g. a basketball or volleyball camp for 25 kids) but that she could not see this having a major impact, adding that there was plenty of parking for a camp such as this.

Mr. Carrazana asked when the traffic study was conducted and who was the firm that provided the study.

Ms. Long replied that there were two firms. She said the traffic engineering firm the applicants are working with is EPR PC (Engineering and Planning Resources) and particularly with Mr. Bill Wench, who is one of the two main traffic engineers in town. She said that prior to the applicants' preparing a traffic study, when they first met with staff in a pre-application meeting to talk about their proposal for this use, staff was helpful in explaining that they were already working on the Smart Scale funding application to pursue funding to improve the Fontaine/Bypass intersection and that as part of that application, they had a large amount of data they had already collected.

Ms. Long said staff encouraged the applicants to hold off on conducting their own study immediately and instead, they were willing to share that data with the applicants' traffic engineer. She said the applicants were therefore able to use some of the data that had already been collected, and then their traffic engineer utilized that data as part of the background in conducting his own reports.

Mr. Carrazana asked if staff had all the data from that report.

Mr. McDermott replied that this was correct. He said there was the first report dated October 12, 2018, and then three additional supplemental assessments that were done through the applicants' attempt to understand where the thresholds could be for certain levels of impact.

Mr. Bivins asked about the school's offer to take away the vertical curb on the Reservoir Road. He asked if this goes forward, how this would be maintained – if it would be pushed over to VDOT, or would the school have funds in its operating budget to keep that sight line maintained.

Ms. Long replied that the applicants have not contemplated ongoing maintenance of that area, since it is a public road. She said that she may ask Mr. Shimp from Shimp Engineering about this and that it was her understanding that when the vegetation is cleared, repairing the vertical curb would not need continued maintenance and that once it was flattened out, it will be good. Ms. Long said that clearing the banks back involves grading and widening the shoulders. She speculated that it was not the type of work that will require much ongoing maintenance with perhaps the exception of keeping the brush and vegetation cleared back.

Mr. Bivins said this was the piece he was inquiring about.

Ms. Long said she would let Mr. Shimp address this question.

Mr. Justin Shimp (Shimp Engineering) explained that because they are dedicating additional right-of-way, once this is done, VDOT in theory would maintain it. He said that nothing would stop the applicants from doing it themselves.

Mr. Shimp said one of the problems right now is that there is no shoulder there and the side of it cannot be maintained. He said that because the applicants are dedicating land and also because the Trinity parcel also has dedicated 25 feet on their side, the shoulder can be created all the way down to the end of Reservoir Road. Mr. Shimp said that effectively, there would be a current cross-section that would be seen on a new road with a shoulder and a ditch that can be maintained. He anticipated that this would continue to be maintained by VDOT but that at least in front of the school and down the street, the school would have the option of mowing it themselves, if they were not satisfied with VDOT's upkeep.

Mr. Bivins recalled mention of renting the fields during the time in between there being a school building there. He asked what the impact of renting the fields would be if this would be, in fact, the first project on the books.

Ms. Long replied that this was a comment from a neighbor and that the applicants did not make any comments about renting out the fields, and that there were no plans for this. She said the field is likely to be part of the first phase, along with the school building and the gymnasium so that they can begin serving the entire school population from the beginning, but that the fields would not be the first thing built by any means.

Mr. Bivins asked Mr. Shimp that as the project is being staged out, where he anticipates the construction vehicles to be, particularly in light of the concerns on Reservoir Road.

Mr. Shimp explained that currently, there is an entrance that is used for the staging area that was built, which would be the temporary construction entrance, which is actually further up and across from the lower school building. He acknowledged that traffic would be generated from site work and that this would involve people coming in in the morning, operating equipment all day, and then leaving. Mr. Shimp said it would not be particularly intense construction and that it would mostly be a few workers with dozers.

Mr. Bivins asked if as the project is being built out, the plan is to not interfere or inconvenience people on Reservoir Road if this were to go forward.

Mr. Shimp replied certainly not. He said it would be getting off to a bad start if that if during construction, the neighbors are inconvenienced and that no one wanted this. He said unlike a subdivision where there are a dozen trades coming in from many different builders in the neighborhood, there is one person in control because of the work being done and how the school operates.

Ms. Firehock acknowledged that the prior light poles that had been approved in the area had been cited. She said she could not say that she attended any of those approvals and that she did not have the benefit to recall the information. Ms. Firehock asked for understanding as to why the light poles need to be so tall, recalling the illumination pictures that were showed from the community meeting over a year ago where she had been impressed at the time with the lack of spillover light. She expressed that she did not have a good understanding as to why they have to

be so tall and if they could be a series of shorter poles.

Ms. Long said she had some of the same questions and spent a great deal of time speaking with an architect at a firm in Richmond that has been consulting with the school to help them understand the issues. She said that the architect explained, in simple terms, that if the poles are only at 35 feet (which is the maximum height limit in this zoning district), the fixtures would have to be angled at such a degree to sufficiently light the field for safety purposes and that this would create glare and problems. Ms. Long said that by contrast, if the poles are taller, the light can go straight down and using the new modern fixtures, the light can be controlled much better. She summarized that if the poles are shorter, the angle has to be such that it will create adverse, off-site impacts and that this was about safety and control.

Ms. Long added that the Musco Lighting Company, which is the manufacturer of the fixtures, also provided explanation to the Community Development staff, and invited Mr. Padalino to chime in if he had any additional information that could further answer the question. She said that with Peach Tree baseball, for instance, had the same height limit in its zoning district and is in a location surrounded by other neighborhoods. She said the lights were built right away and were used all summer long without issue, even though they are surrounded by neighbors.

Ms. Firehock asked how late in the evening it is anticipated to have athletic events happening, since they are requesting to light the night sky after 6:00 pm.

Ms. Long said staff suggested a cutoff time of 10:00 pm, which the applicants are comfortable with. She said that anytime in the winter after 5:00 pm or 6:00 pm, it is very dark, and so some soccer or field hockey games may take place 5:30-7:00 pm. She said that baseball games are typically when there are late night games throughout the summer, but that the school would not have baseball at all.

Ms. Firehock said it sounded as if the time period was far too late into the evening than is what is necessary.

Ms. Long replied that the applicants did not know at this point.

Ms. Firehock asked if the applicants were anticipating middle and high school students being on the fields at 9:00 pm.

Ms. Long replied that they did not at this time but that she reflected on her children's sporting activities at public schools, noting that they are sometimes on the fields until 9:45 pm with soccer games and other events. She said the applicants want to be respectful and were hopeful that with the lighting technology and site plan process that will control it, and with the school's commitment to continue being a good neighbor, that there would be no adverse impact on anyone. Ms. Long said they hoped no one would even notice if the lights are there or not, or that they would at least be minimized.

Ms. Firehock said that unfortunately while this sounds like a good solution, she was also concerned about the noise generated from having an athletic field. She said she understood that the property is in the growth area, but at 23 houses with kids playing in the backyard is not quite the same as a sporting event going on.

Ms. Long acknowledged the concerns and spoke to the merits of kids being active and enjoying

recreation. She said as an example, having a soccer game with 11 players on each side and some family fans, she believed that because of the vegetation buffer, the relative impact would be small. Ms. Long added they are not considering having sporting events all night, every night, all weekend long.

Ms. Firehock explained she did not have a sense of how frequently the sporting events occur. She said she went to a small school that had only one field that was always in use.

Ms. Long said it would still be a relatively small school with just two classes per grade at full buildout, noting that currently they only have one class per grade, and those aren't even full. She said that the school believes the impact will be relatively small, given the site and location.

Ms. Firehock asked about the size of the structures in the academic woods, recalling that they were about 2,400 to 2,500 square feet (the size of a single-family home).

Ms. Long replied that this was the maximum aggregate and that each individual structure would not exceed 500 square feet.

Ms. Firehock said that this was reassuring, expressing that she had imagined things at a smaller scale.

Ms. Long said there would perhaps be a picnic pavilion, or a small, primitive outdoor amphitheater.

Ms. Firehock remarked that perhaps because the school is next to the Virginia Department of Forestry, they could help the school with using the woodlands for education.

Ms. Long said that among other things, what is attractive about the school is the students' ability to interact with nature and take advantage of the environmental resources on site while at the same time, preserving them.

Ms. More asked about the fields not being rented, though someone had mentioned SOCA and other facilities using the fields. She said that while she thinks it would be unfortunate to not allow that activity, she acknowledged that in another private school's Special Use Permit request, this was a condition. Ms. More said that in her opinion, it was an unfortunate condition but that they agreed to it because they desperately wanted approval and to minimize traffic concerns that were outside of what they could predict with their school activities. She said that school was very limited in what they could do as far as all school activities and how often that could occur.

Ms. More continued that the school in its current location is a resource to the community for meetings and that SOCA uses it for practice fields. She said she was not suggesting that it be conditioned that this cannot happen because she personally felt that it would be unfortunate not to share that which is there, but that in another Special Use Permit, that is what the applicant ultimately did. Ms. More asked if this was something the applicants have considered as a way to pass review, as these events are unknown and can sometimes be worrisome to people.

Ms. Long said the applicants did consider this condition and could see the pros and cons of both. She echoed Ms. More's comments about sharing the resource, noting that there is a tremendous shortage of fields of all kinds in the community and a huge demand for them. Ms. Long said that the county schools get so much use from soccer that they are almost dirt everywhere, and that it is a huge challenge. She said there is a huge demand for youth recreation.

Ms. Long remarked that if the school is go to the expense of building the field but not using it on the weekends and there is a need for it (noting that obviously, only one team can be put on it at a time), she believes the school would want to remain open to that discussion and the opportunity to support those requests.

Ms. More said she was not encouraging the applicants to add another factor, but that perhaps this was something to be sensitive to. She also asked about timing, explaining that she assumed the original request was for the maximum amount of students and that through the process, the applicants arrived to the total of 280 and if things move forward and factors are satisfied, the school would go to the 468 maximum.

Ms. Long said this would not happen right away and that it likely won't even begin with 280 students. She said that if the school, for instance, achieves 280 five to ten years after first opening at the new site, they may then want to go to 340, at which point they would have to hire a traffic engineer to study the traffic at that time and determine if the traffic has increased or if the intersection improvement has been funded and made.

Ms. More said that to the best of the applicants' ability, as far as timing, if they were to move forward through the process and that it works out favorably, that it could possibly be some amount of time before construction even begins. She said she was trying to imagine some of the improvements that could relieve the stresses being placed on the applicants, noting that this was a longer-range vision. She said she also appreciated the honesty with coming forward with the numbers and acknowledging that it may take some time. Ms. More expressed that she preferred this approach over coming in with a lower number and then requesting an increase later. She acknowledged the applicants' effort in putting this together and expressed her appreciation.

Ms. Long stated that the school hopes to be able to break ground in a couple years. She said they still have to go through the site plan process, design the building, raise money for the building, and go through the ARB process. Ms. Long said construction would take a year, at least, and possibly two. She said the school wants to start soon in order to consolidate its students in one place but realize that it will take several years to do this. Ms. Long said there are currently only 184 students and that the increase would be gradual.

Ms. More expressed she was glad that Ms. Long was able to make this point and that as far as timing, this was important to consider.

Mr. Keller asked Mr. Shimp if he anticipated significant soil being removed from the site to another location, or significant soil being brought into the site.

Mr. Shimp replied that the parcel was large enough that they can balance the earth work. He explained that they will raise and lower the field and site and that all the dirt that starts in the site stays in the site.

Ms. Firehock acknowledged the changes to the neighbors' quiet enjoyment. She said that while she understood the property is in the growth area, Reservoir Road is a rural road with a rural feel, notwithstanding the other institutional uses nearby. Ms. Firehock recalled the applicants' statements about trying to be good neighbors and asked if they could describe in more detail about how they will be working with the neighbors during and after construction to ensure they are doing everything they can to be a good neighbor. She asked if the applicants would be holding

community meetings or have a representative from the school that people can call to discuss noise in the evenings.

Ms. Firehock said they are discussing how everything should theoretically work and that she was encouraging the applicants to have a more formalized process (rather than waiting for complaints) to be working with the neighbors as they build the site during construction, as well as while they undergo growing pains. She said that because they are having a hearing now, they don't have to come back to the Planning Commission but that on the other hand, this means that the commission would not be able to hear about those kinds of concerns.

Ms. Long replied that this was a thoughtful question. She said that Ms. Firehock's ideas were excellent ones for discussion. Ms. Long said a community meeting could be held to explain the process going forward, when construction might take place, etc. to help keep the neighbors apprised of the schedule (e.g. site plan approval, construction starting, how many students are enrolled, etc.). She suggested this could be a regular opportunity held every six months. Ms. Long reflected on the meetings that the UVA Foundation has regularly with all of its neighbors and how effective this has been.

Ms. Firehock remarked that many things come up, such as when silt is leaving the site, there is an unexpected noise, or something occurred much earlier in the morning than anyone promised. She said that to be able to address those concerns as they happen makes for good neighbors.

Ms. Long agreed that this was a good idea, and that the Trinity Church was nearby so that until there is anywhere at Regents to meet, the applicants could speak with them about perhaps being able to borrow their space to hold the meetings. She said at bare minimum, they could have a point of contact at Regents who neighbors could always contact with any questions.

Ms. Firehock said this could be a community liaison who knows the neighbors and that if the door is opened to create a community of trust, the applicants will be able to mitigate some of the concerns that could arise. She said there were many examples of bad neighbor relations in Albemarle County and that she did not want to be hearing about this three or four years from now.

Ms. Long said the applicants did not want that either and thanked Ms. Firehock for her suggestions.

Ms. More asked what the light pole height would be in comparison with the ones at Crozet Park.

Ms. Long replied it was the exact same height (70 feet).

Mr. Keller announced a five-minute break.

After the break, Mr. Keller reconvened the meeting for discussion and action.

Ms. More added a point about the lights, explaining that she and Ms. Firehock spoke during the break and that there had been a presentation when the lights were introduced to Crozet Park. She said that the CAC had had the same light fixture company give a presentation, and that one of the slides that was shown which illustrated the evolution of lighting was hopefully what staff saw as well. Ms. More remarked that she was impressed at how directly the lights are able to light the particular field in an area that has a lot of residential very close by. She said the company talked about why the lighting is so tall, which was alluded to, and the caps that can be put on the

back that help control any glow.

Ms. More said the company even showed photos of other places where the lights have been installed. She said a daytime shot and nighttime shot was shown where there was a tree just 3 feet outside the field and that it could not be seen at all, explaining that the light is specifically directed exactly where it needs to be. She said that having had the benefit of seeing this presentation, she was not very concerned about the lighting. Ms. More suggested that everyone could possibly benefit from seeing this presentation.

Mr. Keller added that in the Chair and Vice-Chair meeting with staff earlier, they had discussed doing an update of Night Sky (Dark Sky) regulations in terms of LED lighting and new standards (something Ms. Firehock has been asking about for years).

Mr. Padalino said that as far as what staff was able to participate in with Musco Lighting, the company representative (Mr. Steve Wiley) met with him and members of the Zoning Division staff, including the principal planner for Resource Planning (Ms. Maliszewski). He said it wasn't as much of a presentation as it was an informal question and answer session. Mr. Padalino said that Mr. Wiley stayed to answer all questions and that it was very instructional for him. He echoed others' comments that the pole height does correlate directly with the type of light being proposed.

Mr. Padalino added that it was highly-advanced technology and is dialed in carefully to where, if it is too low, it would have to be installed at a certain angle and could create impacts that would not be caught by the way the ordinance is currently written. He said that though it may seem counterintuitive, having the poles at a taller height produces less impact to adjoining neighbors. He noted that staff was impressed by the lighting technology as well.

Mr. Padalino said he had alluded to the fact that one of the special exception requests has been withdrawn and that this was because staff does believe that the lights being discussed are potentially full cutoff, and that this depends on if they are installed in a certain way. He said that in the meeting with Mr. Wiley, and in meeting with staff and the applicants after that meeting, there was consensus that this was an issue that could be caught during the lighting plan review, which is part of the site plan review process.

Mr. Padalino said staff knows what technical specifications to look for with the vertical aiming angles shown on the angle diagram and that there is what is called a "glare-blocking slider" or GBS that is available on certain LED lighting systems. He said that if these things are in place, the lights would achieve a full cutoff effect. He said as discussed briefly, this was primarily intended to help protect the dark night skies, as this was a resource worth protecting and experiencing. Mr. Padalino said another thing the ordinance does well is prevent glare and spillover. He said there were two things to consider – not lighting the dark night skies, and not lighting neighbors' or other adjoining properties' land at the ground level.

Mr. Benish explained that the county's ordinance does not permit lighting of adjacent properties beyond one-half footcandle, which is very light and a small amount. He said that spillover is protected under the current ordinance.

Ms. Firehock said that by law, the county is only required to notify adjacent neighbors, but asked if there was any consideration given to speaking with the UVA Observatory. She said while they are not an adjacent neighbor, they have a strong interest in keeping the skies dark.

Mr. Benish said the Dark Sky ordinance should address the night sky lighting and that this ordinance was put into place to address some of the concerns that UVA addressed to the county. He said that the general illumination of the lights above the horizon is a question that comes into play, and that what one looks down at or from a distance is an area that would now be illuminated, but that the Dark Sky ordinance full cutoff addressed the night sky illumination.

Ms. Firehock took the opportunity to state that perhaps it is time for the ordinance to be revisited, acknowledging that she understood cutoff and where the light is shining. She noted, however, that there were many technological changes that might require revisiting the ordinance. Ms. Firehock said that the past director of the observatory had brought the question to the county as far as when the ordinance would be updated as part of the Comprehensive Plan and had offered many lighting experts to voluntarily serve on a roundtable. She said this was easily done at a low cost and something to consider.

Ms. Firehock expressed that she did not want to continue having to receive an education about lighting in a public hearing and would have already liked to have this information while making sure that the ordinance already reflects the best available technology.

Mr. Benish noted Ms. Firehock's requests. He said that Phase II of the Dark Sky ordinance review is in the work program as a future item. He said that while it hasn't been prioritized yet by the Board of Supervisors, they would be reviewing the work program later in September and at the beginning of the calendar year. Mr. Benish said staff hopes to receive further direction on what the next items are to move forward with. He said that in terms of training and more education on what changes need to be made, staff could begin this process with the Planning Commission.

Ms. More stated she looked favorably at the application. She said that because the commission was provided with it later in the day and because of the specifics, though the public hearing was closed, Ms. Long had indicated that there could be some details in the application that may need to be sorted out. She said that though the applicants are generally agreeable, there were possibly some small changes that needed to be made. Ms. More expressed that she was personally willing to move forward but encouraged staff and the applicant to work out these changes and give the Board of Supervisors time to review this before their meeting.

Mr. Benish noted Ms. More's suggestion.

Mr. Dotson commented that staff has been apologetic about the fact that a deferral was necessary due to an advertising deficiency or technicality. He observed that at the same time, because staff was willing to work hard to consider what had been an incomplete set of information documents, this has created an opportunity for the applicants. Mr. Dotson said that staff's mistake has been to the advantage to the applicant.

In general, Mr. Dotson expressed his disappointment that with several recent submissions (one of which was deferred that evening), staff has not been provided with all the information they needed. He encouraged applicants and those advising applicants to insist that their applicants file complete packages.

Mr. Carrazana said that UVA and UVA Foundation has property nearby and that they have looked at the Fontaine Extended corridor. He said there is a Smart Scale project that is under design and is funded, which is for the northbound exit ramp, which would provide a small amount of relief in terms of left turns being made onto Fontaine Extended on the north ramp. Mr. Carrazana said it

would be more beneficial to the right turn lanes but because these lanes would be extended, it would help the left as well as it will clear up more room for queueing on the left lane. He acknowledged, however, that the intersection is very congested and that it was mentioned that making left turns on the south ramp is one of the key issues. Mr. Carrazana said that this would not be improved anytime soon.

Mr. Carrazana said that in his experience, traffic studies do a decent job of looking at current conditions, but that they do a poor job of being predicted models. He said he did not know what data sets were looked at in the traffic studies but that he was sure that UVA growth was likely not considered at all. Mr. Carrazana said that factors that were discussed (the reservoir and Camp Holidays) are not driving factors for the traffic, but that it was UVA and the city's growth, with people making a right-hand or left-hand turn when going southbound.

Mr. Carrazana said he was saying this for the benefit of the parents that understand that this is a congested intersection and that the road is challenged in many ways, including Maury Creek Bridge, adding that he hoped that county staff would look at this bridge and understand if it needs widening. He explained that this was on Fontaine Extended and not on Reservoir Road. He said he was pleased to see the applicants committed to making improvements to the road and expressed his hope that staff works with them to make sure those improvements are the right ones for safety. Mr. Carrazana said the road is unsafe, particularly because of the volume. He expressed that there was traffic and congestion that would only continue through the years and asked the county to look at this road.

Mr. Carrazana said that regarding the lights, there are a number of the lights installed at UVA. He said the UVA Foundation may be proposing the same lights and assumed they were undergoing a review for the tennis courts. He said they do require the taller poles because of the cutoff angles. Mr. Carrazana said that one of his colleagues, Ms. Helen Wilson, would be willing to provide a tour.

Ms. Spain said the commission is once again confronted with the dilemma of the lag between uses and infrastructure. She said they do experience traffic problems in the area and doubted that there were any urban areas that do not have them, acknowledging that the school was trying to address this with the buses. Ms. Spain said that regarding the unfavorable factor of the visibility from I-64, one can also see the prison from I-64 and that this development was much preferable to seeing the prison and may be closer to the view one has when traveling by PVCC. She said because of this, she did not think this unfavorable factor outweighed the favorable factors.

Mr. Bivins brought up the subject of balancing the emerging urbanization of rural areas, even though they are developed areas. He said though he has a full appreciation of a need for more developed land, he was concerned about how to continue this balance and create spaces that are also green.

Mr. Bivins said that as the applicants go through the site plan and ARB process, there needs to be a sensitivity that they are trying to share the stewardship of the land and resources and to consider how to set all of this in a space that allows for a rich educational experience, if the application goes forward to the Board of Supervisors. He said this should also not be a stark contrast and that coming from Ivy Road from a building that is not in keeping with Regents' philosophy, there is an opportunity to create a space to live into the school's philosophy and into its way of being. He expressed his hope that the applicants are willing to do this.

Ms. Firehock said that with school facilities, there are many ways to do fun things with water. She said she has seen schools that have a cistern to catch the water off the roof and ways to measure rainfall, and that these calculations can be used in STEM education. Ms. Firehock said there were many ways to create future budding engineers, mathematicians, architects and designers by using the design of the school's facility to do something out of the ordinary. She said that some of these technologies would save the school funds in the long range in terms of maintenance. She said, for example, permeable pavement does not crack as much because it doesn't freeze in the winter. Ms. Firehock said there were many ways to incorporate more environmentally-sensitive technologies as the school builds.

Ms. Firehock said she was prepared to make a motion in support. She said she had many concerns about the site (namely about the trees being removed), but that the county's philosophy of developing the urban ring is precisely so that they can not sprawl out into the country side, as some other counties in Virginia has done.

Ms. Firehock moved to recommend approval of the Special Use Permit for SP201800011 for the Regents School of Charlottesville - Reservoir Road with the conditions outlined in the staff report update (dated September 3, 2019).

Ms. Spain seconded the motion, which was carried by a vote of 7:0.

Mr. Padalino said there would need to be a second motion for the requested modification or increase from the maximum pole height from 35 feet to 70 feet.

Mr. Bivins said this was in regard to the athletic field but that he wanted to know about lighting around the entire campus. He expressed that when the application is sent to the Board of Supervisors, lighting in general should be discussed, because the athletic field was just one area of a 19-acre campus.

Mr. Padalino said this was a good question. He said that the way the request has been submitted, the language of the request and of the motion is carefully limited to the athletic field only and does not extend to typical campus lighting.

Mr. Carrazana asked if these lights would be lower but would still have the cutoff.

Mr. Padalino replied yes, that all outdoor lighting would be subject to the full cutoff requirements.

Mr. Benish added that this was for all lighting above 3,000 lumens.

Mr. Keller asked if this would be 35 feet.

Mr. Benish replied yes, that lights elsewhere on campus would all be limited to 35 feet.

Ms. Firehock moved to recommend approval of the Special Exception Request to allow the maximum height of the proposed light poles to be modified/increased to 70 feet with the following conditions: 1) the maximum permissible height of the poles supporting outdoor athletic lighting at the Regents School's athletic field is 70 feet; 2) outdoor lighting of the Regents School athletic field shall not continue past 10:00 pm.

Ms. Spain seconded the motion, which was carried by a vote of 7:0.

Mr. Herrick asked for confirmation from the applicants that they have withdrawn the second special exception request from lighting.

Mr. Keller confirmed this, that no action was needed on that.

Mr. Herrick stated that the commission has concluded all matters on the Regents School that evening.

Mr. Keller thanked everyone, particularly to the students who attended. He explained that the Planning Commission is an advisory body and that the request would be moving forward to the Board of Supervisors.

Mr. Padalino said it would move to the board on September 18.

Committee Reports

There were no committee reports.

Review of Board of Supervisors Meeting, August 21, 2019

Mr. Benish said that on August 21, there were three items that the Planning Commission had reviewed previously that the board acted on.

Mr. Benish said that ZMA201800013 Rio West, the commercial use on Rio Road West across from the Daily Progress building, was approved by the board. He said the applicant had made two changes from what the commission had seen, but that the application did reflect some of the comments from the commission.

Mr. Benish explained that the applicant agreed to daylight the stream to the rear of the site, next to the Colonial building, and that this was done by proffer. He said they also proffered a timing mechanism on Block I (the front block with a potential residential or mixed-use building). He said they agreed to undertake construction of building in that area within two years from commencing construction on Block II or, if they have not, they will pay to the county $10,000 per calendar year after that two-year period. He said they also agreed to construct the frontage improvements (sidewalk and street tree improvements) two years within the same general timeframe. He said that in other words, they did not agree to a timing mechanism that required the building but did agree to an incentive to construct it.

Mr. Benish said that ZMA201000018 Crozet Square/Barnes Lumber was approved as recommended by the Planning Commission.

Mr. Benish said that ZMA201800003 Southwood was approved as recommended by the Planning Commission and that there were some non-substantive improvements to the language of the code of development. He said the applicant clarified some components of the code of development to say that the buildings in Block 11 would be pulled back from Old Lynchburg Road (per Mr. Dotson's request). Mr. Benish said that this was shown in the application plan but had not been clearly described in the code, so the code was updated to reflect what was in the application plan.

Old Business

Mr. Benish provided an update on the joint Board of Supervisors – School Board meeting on CIP priorities. He said this meeting has been scheduled for September 17 at 3:30 pm, Room 241. He said there had been some discussion at the prior CIP work session about the Planning Commission's role and that the commissioners may want to attend this meeting. He said he would defer to Mr. Herrick on what would be the most appropriate thing to do but that if the commissioners were going to attend, they could sit and observe. Mr. Benish said the other option would be to adjourn to that time.

Mr. Herrick responded that as long as there is not discussion of public business by the Planning Commissioners, there was not a need to reconvene there.

Mr. Benish said it would be fine if more than three of the commissioners are there but to attend quietly.

Mr. Dotson commented that it could potentially be useful if some commissioners were there listening because if the commission feels that it wants to be involved in CIP concerns (particularly through the Master Planning process and in being realistic about what can be afforded), it would be helpful to hear the logic and arguments used by the Board of Supervisors and School Board as they wrestle with the shortage of funds compared to the needs. He said that in seeing and listening to this, one gets a sense that is better than simply reading a report on the outcome.

Ms. More asked about the start time.

Mr. Benish said the meeting will start at 3:30 pm and that the usual goal is to make the meeting 90 minutes, which would give commissioners time to take a quick break before the next meeting starts. He said that the meeting on September 17 is a work session on the form-based code and would be held at the dais. He said the commission's meeting would still be held in the auditorium at 6:00 pm.

New Business

Mr. Keller said that in the pre-meeting with Mr. Bivins, Mr. Benish, and Mr. Padalino, there were a couple ideas suggested to staff. He said that one regarded the letters from parents that were questioning the aspects of public education, and that it was suggested that when planning staff receives this type of information, it should be sent to the school planner for sharing with the board as a courtesy, as they are trying to have communication among the different bodies.

Mr. Keller said that the other thought from this meeting was if there was information that could begin to be collected from when the private schools make requests to the commission, much in the way the commission is now trying to gather information about affordable housing and about housing in general.

Mr. Keller said there are fiscal ramifications of families electing to place their children in private schools versus public schools in terms of funds that flow from the state as well as from other resources. He said that this question falls under the long-range future planning where schools and land use converge and that a number of letters had been received from families who don't reside in the county who will be attending the private school, and that he assumed this was the case for other families as well.

Mr. Keller asked if there were land use impact and fiscal impact ramifications of items that come before the commission that may be useful to pass on to those doing future school and fiscal planning in the public domain. He asked Mr. Dotson to consider this, as he was trying to create data sets to be able to create better projections.

Mr. Dotson said if there were things in writing, such as the letters mentioned, those are easily communicated and concrete. He said these could be distributed to school staff and to the committee to be discussed.

Mr. Keller asked that if someone in the county were to add up the number of county resident private school attendees, if a dollar value could be placed on the state tax revenue that is not coming in for public education into the county.

Mr. Dotson replied yes, adding that there are also the expenses of not education those children and that he did not know what the balance is between those.

Mr. Keller said he was curious, in terms of planning, whether the school board or its staff considers these factors or has interest in them. He said he wanted to share the ideas from the conversation and that it could be of interest to them.

Ms. Firehock said that looking at the bigger picture, she is growing increasingly perturbed with the number of proposals coming forward for people who want to increase density. She said there is discussion about schools and traffic, and comparison of densities to those of other projects. Ms. Firehock asked what the Board of Supervisors is doing in terms of considering the potential impacts of buildouts at certain densities in terms of schools and roads. She asked if they are looking at the Comprehensive Plan and making note of which areas are going to which densities.

Ms. Firehock expressed that it was not necessary to always play catchup and that the county spent years putting down numbers in the Comp Plan to state what they want and anticipate. She wondered why there is constant conversation about school and road capacities and that a study should be done about what it all means. She said the board should revisit those questions in the Comp Plan because so much has been put into the urban ring, asking where the long-range plans are for that density. She said the transportation plan that evening was looking at population projections and asked if it is taking into consideration the Comp Plan. She expressed that the county needs to do this in order to be responsible.

Mr. Dotson agreed.

Ms. Riley agreed and said her concern is that, even though one of the applications was deferred that evening, the statement that there would not be any cash contributions for schools was because there is no plan by the Long-Range School Committee to figure out how to solve the problem that there are not enough elementary schools. She asked if they are not going to take contributions because it is not in the long-term plan. She said it goes back to the commission being pulled out of the CIP process and they are the only ones seeing the applications come in with those specific kinds of details. She agreed that the county seems to be in a Catch-22.

Ms. Firehock agreed that the county puts itself there. She recommended the county does the work to figure it out and then decide whether or not they can serve the transportation needs, even with

the best VDOT planning. She said this would create an unattainable situation because the Comp Plan in that area would be wrong. She said that something more needs to be done.

Ms. More agreed and echoed that Mr. Tom Lurch, who served 8 years on the commission before her, went before the board and that he had asked during that time how the plans would be kept up. She expressed that although the media made this appear dramatic at the time, his words are now holding true.

Ms. Firehock reiterated that the conundrum lies in the Comp Plan.

Mr. Dotson said that the Comp Plan says, "Urban Density Neighborhood: 6-34 units per acre," noting that this range was wide and tells them nothing.

Ms. Firehock replied that analysis should then be done at 34 units per acre and then to take the max of those, which would then indicate which areas are too high, and perhaps the 6 should be 6-10, or perhaps 3-4.

Mr. Bivins said he would have a difficult time going there without having a conversation about what the county would do with workforce housing because all the limits would creep in to excluding people below a certain income.

Ms. Firehock clarified she was not suggesting a county downzoning of the Comp Plan, but that she was saying to make sure that those facilities are in place.

Mr. Bivins said that is what would effectively take place because when looking at county streams that the county has available to build infrastructure, they are very limited. He said doing bond referendums, for instance, there is an outflow of people who will say they will not pay money for things that do not affect them. He expressed there is a broader conversation to be had to determine what the county is trying to put forth. He said he personally felt that there is not the type of land to bring in any type of business.

Ms. Firehock said she wanted a realistic conversation about what the county intends and how they intend to get there instead of simply putting everything into the growth area. She said there is a different issue with the rural area.

Mr. Keller reflected back on his time on the Fiscal Impact Advisory Committee because much of the conversation is about the impact and the cost of it. He said before the first changes in proffers a couple years prior, for a family of four to support itself in taxes, they had to have a unit worth $620,000. He said anything below this cost the county because the families were not paying enough in taxes. He said this relates to the discussion from a fiscal perspective and in determining the ramifications of the density. He asked if there was enough clustering so that the infrastructure improvements would not cost much, so that the average cost of a house paying for itself for a family of four is going down.

Ms. Firehock noted it should be if efficiency is increased, theoretically.

Mr. Bivins said there is a point at which there is no marginal decrease in expenses without a significant change in technology, and that he personally did not believe that the county could fund the technological investment involved with that. He expressed that if consideration was made to putting in a region-wide transportation system, it would have an impact in the way that people would move, but that this is a challenge due to three different jurisdictions.

Mr. Benish said the long-range plan does look at a long-time horizon and does try to project what the growth will be.

Mr. Dotson said he asked about the next Long-Range Transportation Plan is because he knows that Community Development will be making population and employment forecasts, and that in 2.5 years they would have the results of the 2020 census. He said consideration needs to be made about the forecasts of the population as well as placing more time and energy on the ones done in 2015 and determining how they can be improved the next time around. He said the census used to be used for the LRTP, but it has now been factored into school planning, and suggested that it could be factored into other kinds of infrastructure planning as well.

Mr. Bivins said it could be helpful to hear from someone from the Weldon Cooper Center, as it seemed as though much of the underlying data in the region is being driven by them.

Adjournment

At 9:37 p.m., the Commission adjourned to September 17, 2019 Albemarle County Planning Commission meeting, 6:00 p.m., Lane Auditorium, Second Floor, County Office Building, 401 McIntire Road, Charlottesville, Virginia.

David Benish, Interim Director of Planning

(Recorded by Carolyn S. Shaffer, Clerk to Planning Commission & Planning Boards, transcribed by Golden Transcription Services)

Approved by Planning Commission
Date: October 8, 2019
Initials: CSS

ALBEMARLE COUNTY PLANNING COMMISSION

RESOLUTION TO APPROVE AMENDING THE ALBEMARLE COUNTY COMPREHENSIVE PLAN (CPA2019-00003)

WHEREAS, Objective 1 of the Transportation Chapter of the Albemarle County Comprehensive Plan calls for the County to continue to participate fully in State, regional, and local transportation planning efforts; and

WHEREAS, Strategy 1e calls for the County to continue to recognize the Thomas Jefferson Planning District Commission (TJPDC)'s rural planning function by taking formal action on rural transportation planning recommendations and reviewing the TJPDC's adopted studies and, where appropriate, consider adopting such studies into the Comprehensive Plan; and

WHEREAS, Strategy 1e states "The Rural Area Transportation Long Range Plan [RLRTP] process complements MPO [Metropolitan Planning Organization]-level planning efforts and establishes transportation planning process to address broader regional and rural issues. This Plan identifies a larger transportation system framework within the TJPDC area. The Plan is generally reflective of and consistent with County goals for transportation planning for the Rural Area."; and

WHEREAS, the TJPDC's 2040 RLRTP addresses transportation needs for the Rural Areas of Albemarle County over the next 20 years; and WHEREAS, the major goals for the 2040 RLRTP are to create a safe, regional, multimodal transportation network while preserving the rural character; and

WHEREAS, references to the 2035 RLRTP of the Transportation Chapter of the Albemarle County Comprehensive Plan require updating to the revised and adopted 2040 RLRTP; and

WHEREAS, the Albemarle County Planning Commission has duly advertised and held a public hearing to consider the proposed revisions to the Albemarle County Comprehensive Plan; and

WHEREAS, the Planning Commission has carefully considered the proposed revisions to the Transportation Chapter of the Comprehensive Plan and other information provided by County staff, and the information and comments provided by the public; and

WHEREAS, the Planning Commission concludes that approval of the CPA2019-00003 amendments to the Comprehensive Plan is appropriate and will promote the health, safety, morals, order, convenience, prosperity, and general welfare of all inhabitants of the County.

NOW, THEREFORE, BE IT RESOLVED that, upon consideration of the foregoing, and for the purposes articulated in Virginia Code § 15.2-2223, the Albemarle County Planning

Commission hereby recommends approval of Comprehensive Plan Amendment CPA2019-00003, as recommended by staff.

* * * *

I, Carolyn S. Shaffer, do hereby certify that the foregoing writing is a true and correct copy of a Resolution duly adopted by the Albemarle County Broadband Authority by a vote of 7 to 0 as recorded below, at a meeting held on September 3, 2019

Carolyn S Shaffer

Clerk, Planning Commission and Boards

	Aye	Nay
Mr. Keller	X	___
Mr. Bivins	X	___
Mr. Dotson	X	___
Ms. Riley	X	___
Ms. Spain	X	___
Ms. More	X	___
Ms. Firehock	X	___

ALBEMARLE COUNTY PLANNING COMMISSION

RESOLUTION TO APPROVE AMENDING THE ALBEMARLE COUNTY COMPREHENSIVE PLAN (CPA2019-00002)

WHEREAS, Objective 1 of the Transportation Chapter of the Albemarle County Comprehensive Plan calls for the County to continue to participate fully in State, regional, and local transportation planning efforts; and

WHEREAS, Strategy 1c under Objective 1 calls for the County to continue to participate in the development and adoption of the Long Range Transportation Plan (LRTP) for the Charlottesville-Albemarle-Metropolitan Planning Organization area; and

WHEREAS, Strategy 1d states "Continue to support construction of projects adopted into the LRTP and the Transportation Improvement Program (TIP)."; and

WHEREAS, the MPO's 2045 LRTP addresses future planned transportation projects in the City of Charlottesville and the urbanized planning area of Albemarle County over the next 20 years; and

WHEREAS, the major goals for the 2045 LRTP are to create and advance a balanced, regional, multimodal transportation network; and

WHEREAS, references to the 2040 LRTP of the Transportation Chapter of the Albemarle County Comprehensive Plan require updating to the revised and adopted 2045 LRTP; and

WHEREAS, the Albemarle County Planning Commission has duly advertised and held a public hearing to consider the proposed revisions to the Albemarle County Comprehensive Plan; and

WHEREAS, the Planning Commission has carefully considered the proposed revisions to the Transportation Chapter of the Comprehensive Plan and other information provided by County staff, and the information and comments provided by the public; and

WHEREAS, the Planning Commission concludes that approval of CPA2019-00002, amendments to the Comprehensive Plan, is appropriate and will promote the health, safety, morals, order, convenience, prosperity, and general welfare of all inhabitants of the County.

NOW, THEREFORE, BE IT RESOLVED that, upon consideration of the foregoing, and for the purposes articulated in Virginia Code § 15.2-2223, the Albemarle County Planning Commission hereby recommends approval of the Comprehensive Plan Amendment, CPA2019-00002, as recommended by staff.

* * * *

I, Carolyn S. Shaffer, do hereby certify that the foregoing writing is a true and correct copy of a Resolution duly adopted by the Albemarle County Broadband Authority by a vote of 7 to 0 as recorded below, at a meeting held on September 3, 2019

Carolyn S Shaffer

Clerk, Planning Commission and Boards

	Aye	Nay
Mr. Keller	X	___
Mr. Bivins	X	___
Mr. Dotson	X	___
Ms. Riley	X	___
Ms. Spain	X	___
Ms. More	X	___
Ms. Firehock	X	___