Albemarle County Planning Commission
FINAL Minutes November 19, 2019

The Albemarle County Planning Commission held a public hearing on Tuesday, November 19, 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; Daphne Spain; Jennie More; Bruce Dotson; Julian Bivins, Vice-Chair; Pam Riley; and Luis Carrazana, UVA representative.

Members absent: Karen Firehock.

Other officials present were David Benish, Planning Director; Carolyn Shaffer, Clerk to Planning Commission; Tori Kanellopoulos; Bill Fritz; Andrew Knuppel; Lori Allshouse; 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 moved on to the Consent Agenda.

Consent Agenda

Mr. Keller said there were no consent agenda items.

Action Items

VAT201900001 Special Exception for Disturbance of Critical Slopes per 18-4.2 on TMP 63-19E

Ms. Tori Kanellopoulos, Planner and lead reviewer for the project, presented the staff report. She said they would discuss a critical slopes waiver and building site modification request for Tax Map Parcel 63-19E. She said she would start her presentation with the location and context of the parcel, move to the history of the parcel and application, then discuss the waiver being requested, staff's analysis, and the recommendation. She said she was joined by Bill Fritz, Chief of Special Projects, to help answer questions.

Ms. Kanellopoulos said the parcel is located at the end of Wolf Trap Road off of Route 20 in the rural area, in the Rivanna Magisterial District and is zoned R-A Rural Area. She said the parcel consists of mostly critical slopes and Water Protection Ordinance (WPO) stream buffers. She said the parcel was created with a subdivision plat in 1984, and no changes in the boundary of the parcel have occurred since then. She said when the parcel was created, there was no WPO buffer, but the critical slopes ordinance was in place and therefore, there was a building site when the parcel was created.

Ms. Kanellopoulos said that since then, the adoption of the WPO buffer in 1998 has significantly reduced the buildable area, and no building site, as defined as the current ordinance, exists.

Ms. Kanellopoulos added that on an August 15, 2019 site visit, staff found that even the area adjacent to, and outside of, the WPO buffers appeared saturated. She said the applicant's soil consultant has also noted that this area is prone to saturation and is not suitable for a drain field.

Ms. Kanellopoulos said that currently, no house exists on the parcel. She said only one single-family house is permitted on the parcel by right. She said there is an access road through the parcel which was constructed for recent logging activities.

Ms. Kanellopoulos said the application was considered on the Board of Supervisors' consent agenda on October 16. She said the Board took the action to remove the item from the consent agenda for discussion, and after discussion on the item, the Board took the action to send the item to the Planning Commission for their review and recommendation.

Ms. Kanellopoulos said that based on the Board's action, staff provided additional information in the staff report on the logging activities, drain field feasibility, and consistency with the Comprehensive Plan. She said some of that analysis is also included in the presentation.

Ms. Kanellopoulos said staff had initially placed this item on the Board's consent agenda, since staff was recommending approval. She said per the County's ordinance, Special Exceptions must go to the Board within 90 days unless the applicant requests deferral. She said the Board may then choose to approve, deny, or send the request back to the Planning Commission. She noted that although these types of Special Exception applications used to go to the Planning Commission prior to the Board, this is no longer a requirement, and if staff is recommending approval, the request will go straight to the Board.

Ms. Kanellopoulos said the property was recently timbered for logging between October 2015 and February 2018. She said an access road was constructed for this forestry operation and was a permitted disturbance of critical slopes. She said the applicant is proposing to use the existing access road to build a house and a cleared space on the top of the hill, indicating to a red circle on a map.

Ms. Kanellopoulos said that, per Virginia Department of Forestry and County regulations related to logging activities, forestry activity is not subject to critical slopes regulations. She said the only things that are subject to critical slopes regulations are activities associated with site plans and building permits. She said that since the applicant submitted a building permit for the proposed house, the critical slopes regulations apply.

Ms. Kanellopoulos said that in the Rural Area zoning district, agricultural, forest, and fishery uses are allowed by right, and the Virginia Department of Forestry (VDF) requires loggers to notify VDF about timber harvests. She said VDF also provides best management practices, which are voluntary erosion and sediment control measures for logging. She noted that while the measures are voluntary, VDF may also find people engaged in logging activities who have not provided sufficient erosion and sediment control and have allowed pollution and degradation of water quality, per State Code regulations.

Ms. Kanellopoulos said there have been some concerns that approving this request would create a precedent by allowing applicants to timber and create driveways up to hilltop locations for their houses.

Ms. Kanellopoulos stated that staff, however, finds this to be a very unique site. She said if there were another building site outside of critical slopes and WPO buffers that had drain field feasibility, staff would likely recommend denial of a critical slopes waiver. She said that neither proposed location in this case is ideal. She explained that building in the proposed location shown in the presentation, however, was the least impactful option, pointing out that the critical slopes have already been disturbed. She added that the soil consultant for the applicant has been very clear that the area adjacent to, or within, the stream buffers is undesirable or impossible for drain fields.

Ms. Kanellopoulos presented images from staff's site visit that showed the proposed house location, first looking up the hill with the proposed house location shown in a red circle, and then standing at the cleared space where the house is proposed.

Ms. Kanellopoulos presented the alternative house location outside of the WPO buffers where the applicant could build without a Special Exception request. She said this area originally did not have the WPO buffers and was, therefore, a much larger area when the parcel was created in 1984. She explained that building in this location could negatively impact the streams there. She added that the applicant states that this location is not suitable for drain fields, with the soil consultant stating, in part, "The area where I proposed the septic to be installed is the only place on the entire property, in my opinion, that meets both Virginia Department of Health regulations for the installation of sewage disposal systems and Albemarle County's ordinances pertaining to these systems installations."

Ms. Kanellopoulos presented images showing the alternative house location outside of the adjacent stream buffers, which are also at the entrance to the property.

Ms. Kanellopoulos said the request was reviewed by both Planning and Engineering staff and that both did not object to the request. She said County Code 18-4.2.3b prohibits the disturbance of critical slopes with some exceptions, and this project qualifies for exception under 18-4.2.5a.

Ms. Kanellopoulos said the disturbance of slopes has already occurred for the permitted logging activities, and the applicant voluntarily installed erosion control measures for the forest activities, including sediment traps, which were not required. She said the applicant has also, since then, put down seeding and matting on the slopes. She presented a picture of the seeding and matting, adding that they were also voluntary measures.

Ms. Kanellopoulos said the applicant submitted a Virginia Erosion and Sediment Control application (VESCP), which was approved by Engineering staff on November 6. She said staff has found that the waiver request would not be detrimental to health, safety, or welfare.

Ms. Kanellopoulos said that this parcel does not have alternative locations that would allow for construction of a house without disturbing critical slopes, except adjacent to the buffers or on potential wetlands. She said that additionally, the areas do not appear suitable for drain fields. She said given that the disturbance has already occurred, the applicant has provided voluntary erosion and sediment control measures, and that the Health Department has approved drain fields adjacent to the proposed building site, staff supports the request.

Ms. Kanellopoulos said staff also wants to note that approval of critical slopes disturbance in prior applications, or in this instance, does not set a precedent. She said staff is of the opinion that the unique features and the prior activity on the property are such that approval of the request would serve public purpose by allowing reasonable use of the property and protection of water resources.

Ms. Kanellopoulos said the many unique features of the parcel include its unique topography, its 1984 approval prior to the WPO buffers, the availability of a location at the top of a hill that is outside critical slopes, and issues with drain field suitability. She said it would not be possible to build further down the hill, as even the slopes further down are steeper and are classified as critical slopes. She said this type of application itself is very uncommon, and especially so with these unique circumstances.

Ms. Kanellopoulos said the Board of Supervisors also requested an analysis for consistency with the Comprehensive Plan. She said the parcel is within the Mountain Protection Area, which is defined by the Comprehensive Plan. She said this is not a zoning ordinance overlay. She said the intent of the ordinance is to protect natural resources and to protect against erosion and water quality issues. She said the natural resources chapter of the Comprehensive Plan highlights the importance of protecting and retaining both mountain and water resources in Strategy 5B, which is part of Objective 5, to retain mountain resources reads that, "Critical slopes disturbance for construction should be prohibited, except to allow construction of, or access to, the first house on a property."

Ms. Kanellopoulos said the Comprehensive Plan indicates the balance of protecting these natural resources while also allowing reasonable use of property, and given the drain field feasibility constraints and buffers on the parcel, staff finds the disturbance of critical slopes would not be inconsistent with the Comprehensive Plan.

Ms. Kanellopoulos summarized by saying that the two possible building sites both have environmental constraints and challenges. She said staff finds the least impactful option for the first and only dwelling unit on the property is the proposed building site on the hill.

Ms. Kanellopoulos said staff wants to reiterate that this application and parcel have many unique features and therefore, this does not set a precedent. She said, for example, if there were other areas on a parcel outside of critical slopes and stream buffers that had drain field suitability, staff would not recommend approval of a critical slopes waiver for a proposed building site higher up on a hill just because permitted forestry activities had occurred.

Ms. Kanellopoulos said this particular parcel does not appear to have another feasible location for a building site other than the one proposed by the applicant. She said staff's analysis intends to balance both protection of natural resources and reasonable use of the property.

Ms. Kanellopoulos presented the Commission with the motions for their consideration. She offered to answer questions and return to previous slides. She noted that the item was scheduled to go to the Board on December 18.

Ms. Spain asked Ms. Kanellopoulos to speak to the Board's desire to send it back to the Planning Commission, other than whether it is consistent with the Comprehensive Plan. She asked for the main issue they were concerned about.

Ms. Kanellopoulos replied that there were two or three main issues, and that one was the consistency with the Comprehensive Plan and more information about the Mountain Protection overlay. She said they had also wanted more information about the logging activities, when they occurred, and what the regulations are around that. She said the Board wanted time for more background and analysis to hear what the Planning Commission thought and if there were concerns about setting a precedent, or if this was found to be a very unique site with unique features.

Ms. Spain asked if the logging was carried out by the applicant.

Ms. Kanellopoulos said she believed so and that it was Augusta Lumber.

Ms. More asked about the 1984 approval that came before the WPO and if the approval was for the site that Ms. Kanellopoulos had outlined in red that is lower on the property.

Mr. Fritz replied that the plat that was approved in 1984 was the parcel that was there. He indicated to the blue areas on a sheet, explaining that those blue areas (which are now WPO) were not on the map back then because there was no WPO. He said when staff evaluated the lot to determine if it had a building site (30,000 square feet that fit in a rectangle), it did because those areas weren't prohibited from construction, but now are. He said in 1984, the requirements from the Health Department were very different from what they are currently.

Ms. More said that for the sake of argument, with the absence of the 1998 establishment of the WPO buffer, what she felt like what she was reading is that the soil consultants are noting that the areas prone to saturation and not suitable for a drain field were existing conditions, regardless of the blue highlighted areas that can now be referenced.

Mr. Fritz said that from the field visit, he could say that the areas that are in the blue area now did not appear to be saturated. He indicated to the area on the map circled in red, explaining that it did appear to be saturated and pointed out that there were some V-lines or topographic lines there. He said at first, when staff was out in the field, they thought that this was likely an intermittent stream, and that it looked like there was an intermittent stream there not shown on the plan. He said staff went to investigate this but couldn't get to it because the ground was too soggy.

Mr. Fritz said that subsequently, at some point in October, after it had not rained for three weeks, the County Engineer did go to the site, the ground was dry, and he did not find an intermittent stream in that area. He said it was obvious that that area is saturated at sometimes and not saturated at others, which is an indication of poor soil.

Mr. Fritz said staff noted that the other areas that are in the stream buffer did not appear to be saturated at the time that the other ground was. He said it may be appropriate for drain field there, but the soil scientist wouldn't have even investigated there, and cannot investigate there, because it can't go there, so there is no reason to do an investigation in that area.

Mr. Dotson asked if the entire site was timbered and clear-cut.

Ms. Kanellopoulos replied that this was not done to the entire site, but to a portion of the hillside.

Mr. Dotson asked if the timbering was all in the vicinity of the road and whether this was 30%, 50%, or 70% of the site.

Mr. Fritz responded that having been there and not knowing where the exact boundaries are, the applicant may be able to speak more clearly to this. He said he would guess the area was probably 60-70% of the site but that this was just speculation. He noted it was a significant portion of the site.

Mr. Dotson said he would hold his question for when the applicant comes forward.

Ms. Riley said that a couple times in the report, it said that staff was unable to field verify the slope. She asked staff to explain why that was.

Mr. Fritz explained that there was no independent survey that was done. He said staff visited the site and that there are clearly areas, particularly around where the proposed building site is, that don't appear to be 25% slope based on staff's experience. He said the topographic maps demonstrate this as well, but that staff did not have a field run topography and was using the best topography they have, which is their GIS system. He said there was no independent field run topography that they have, noting that this was not uncommon and was the norm. He said staff was simply making that observation.

Mr. Keller invited the applicant to come forward.

Mr. Lawrence Clay Marshall III (or Luke) said he was attending to field questions from the Commission. He said the staff report was a summation of (inaudible - away from the microphone).

Ms. Riley asked the applicant to speak more closely to the microphone.

Mr. Marshall explained that on the far left-hand corner of the map, there was a live water spring that comes out a hill, which is the water that pitches through the entire area, which is the reason for the saturation. He explained that when it rains, that area becomes more of a marsh of flood plain and that one cannot walk through that area. He said there is an area to walk around it, but there was not an area to get through as far as being a building site.

Mr. Tommy Dobson introduced himself as the builder for the site. He said when he got on the site, the logging road was already there, and so he hired Kirk _ Associates to come up with an erosion plan to immediately stabilize the erosion he saw. He said this is what they came up with to put in the silt tracks and then do the straw matting to control the site to make sure there wasn't any erosion from the logging. He said he then met with the County to make sure this was acceptable. He said they then went back and implemented all the erosion control.

Mr. Dobson said he then met with the engineer on site several times trying to find a suitable drain field location other than the one that was location. He said he had Kirk _ come out and do some surveying and contouring to determine if there were other slopes less than critical slopes and to determine if he could find another septic location. He said the only site that they found was the one proposed. He said they could not find the soils that would work for the septic, and could not find anything that wasn't in critical slopes.

Mr. Keller opened the hearing for members of the public to speak.

Mr. Morgan Butler (Southern Environmental Law Center) said that when this item appeared on the Board's consent agenda a few weeks before, SELC asked the Board to take a closer look and send this to the Commission for review. He said primarily, SELC was confused about how much more land disturbance would be necessary to build a house and driveway, whether this disturbance would be on critical slopes or not, and about what was being proposed to limit the impacts of any disturbance that would still be necessary.

Mr. Butler said SELC appreciates the additional information staff provided, but still was not entirely clear on those questions. He said they do understand, from the staff report, that the choice here may boil down to either allowing development on critical slopes, or allowing it to impact the stream buffer, and that choosing the slopes might well be the less damaging option, since those disturbances have already largely, or perhaps even entirely, occurred.

Mr. Butler said that even assuming this was the case, what remained unclear was the protections the applicant will put in place to minimize the impacts of any land disturbance still necessary. He said the staff report indicates that an erosion and sediment control plan was approved for the project earlier that month, but it also noted in several places that the erosion measures the application includes have already been installed, having been put in place by the owners voluntarily when the road on the property was constructed as part of recent forestry activity. He said, as such, it was unclear if any new erosion measures would actually be put in place during the residential construction activity that remains.

Mr. Butler said that with this in mind, SELC urges the Commission to explore some extra water quality protections that the waiver can be conditioned on. He said, for example, that as part of the stream health proposals that staff is currently working on, the County is considering requiring a two-layer perimeter E&S controls where land disturbances could impact water resources. He suggested that perhaps a second layer of erosion and sediment control protection would be appropriate for disturbances required for this project, since the rationale for the waiver is to limit damage to water resources.

Mr. Butler said that stepping back, there was a bigger picture concern that the application highlights. He clarified that SELC was not saying that this happened on this project because they didn't have that amount of information, but in piecing together different parts of the staff report, it sounded as if a hypothetical applicant could grade a driveway and create a flat building site on critical slopes and call that activity "forestry," then submit a residential building permit application shortly thereafter, and the critical slopes ordinance would not apply if there would be no further impacts to critical slopes. He said if that is the case, it is a very troubling loophole, and one that the County needs to address.

Mr. Butler said that wherever the Commission ended up on the waiver that evening (adding that SELC was not necessarily opposing it, but was bringing up the point about the additional E&S measures and the broader point), SELC urges the Commission to include, as part of their recommendation to the Board, a clear request that the County address this loophole in the critical slopes protections as soon as possible.

Mr. Neil Williamson (Free Enterprise Forum) said that one of the challenges of being in this job for so long was that he and Mr. Fritz were in a meeting in 2007, and none of the current Commissioners were there. He said in that meeting, they discussed property rights as it applied with critical slopes and divisions. He said in that meeting, it was made very clear by staff member Joan McDowell at the time that no one was talking about moving somebody's house or eliminating their house from being built.

Mr. Williamson said FEF doesn't take positions on projects and could not take a position on that project, but that he would refer the Commission to those minutes to suggest the idea of a parcel that exists, and then the government coming in and changing the requirements for a parcel to exist. He said there are still property rights resident on said parcel.

Mr. Williamson said the FEF believes that precedent is the concern that the Board was speaking of in their meeting. He said the Board also didn't particularly like what Mr. Butler mentioned with regard to State law and right to farm and forest, allowing a logging road to go in to do that activity, and then the road being converted. He suggested that perhaps the General Assembly was the place for that discussion rather than the Board of Supervisors. He said that at this juncture, he would argue that when unique properties come forward, it was made clear to him and Mr. Fritz in 2007 that there would not be this level of intense review. He said that, in fact, it was discussed that it would be a staff recommendation and would be on the consent agenda for the Board of Supervisors.

Mr. Williamson acknowledged that things change, but noted that property rights remain and that he hoped the Commission would consider that in its conversation.

Mr. Keller asked the applicant and his advisor to come forward again for questions from the Commission.

Mr. Dotson said he'd asked before about the extent of the timbering and what percentage it was (30%, 50%, or 70% of the site). He asked to what degree the timbering was concentrated around the winding roadway.

Mr. Marshall replied that it would be difficult to put a percentage amount on it. He said that the timbering occurred in other areas, and that he had provided Ms. Kanellopoulos with some roads where they had gone in and out. He said they were not only in that area, explaining that the property lies between three mountain ranges, and the timbering occurred on the other mountain ranges as well. He said the area in question just happened to be the area that was cleared the most because when they initially spoke on the matter, this was where the secondary proposed drain field was. He said this was why the timbering took place in a more drastic matter on this particular part of the parcel.

Mr. Dotson asked if this was a conventional drain field, or an alternative on-site system.

The applicant indicated that it was conventional.

Mr. Dotson asked if the statement by the soil scientist where it was said that there were no other areas on the site suitable for a drain field was geared to, given the house would be on the proposed site, there were none near it or on the entire site.

Mr. Tommy Dobson replied that they started from the existing drain field sites that were on the original plat, then worked their way around trying to find other drain field septic sites. He said that in their opinion, there was no way that they could put a septic system there not only because of the moisture, but also because the stormwater runoff would put the stormwater to run directly over top the proposed septic tank over the septic field. He said the risk of those solids and debris to get into the stream system was not a consideration they thought could be recommended.

Mr. Dotson asked if the discussion never went to a mound system on the lower site to deal with the sponginess of the ground.

Mr. Dobson said they explored doing alternative systems, but that it was not just matter of the wetness of the soil, but the stormwater runoff as well. He said the wetness of the soil, from a perc test, definitely came into play, but that they also considered the fact that having the stormwater runoff to go over top the septic tank and distribution box was something that would cause problems and make the system fail.

Mr. Dotson said he couldn't tell from the presented photographs, in terms of visibility from Route 20, if the building site was visible from Route 20.

Mr. Dobson replied that it was not, and that it was not visible until arriving at the property.

Ms. More recalled that the applicant had explained where the timbering took place and that she thought she had heard him say that the timbering took place more on the area in question because it was identified as a drain field, in addition to other areas.

Mr. Dobson explained that Mr. Marshall had said this because the original plat had a proposed drain field location that would have been in the WPO buffer zones. He said more clearing was done in the area because it was already a designated site, and that this was done because when the applicant was looking to purchase the land, he came to the County looking for information to make sure he could build a home before he purchased it, and that this information was given to him at that time.

Ms. More asked if this was on the original site.

Mr. Dobson replied yes.

Ms. More said she perhaps misunderstood what Mr. Marshall was saying.

Mr. Dobson said it was not the new proposed drain field location.

Ms. More asked if the applicant could speak to the question that Mr. Butler had about how much more land disturbance would be expected, as well as the protections that are already in place or what could go in place in addition to those.

Mr. Dobson said he had the erosion controls already designed and engineered to meet all the requirements and, in most cases, exceed what would be minimal. He said as far as more disturbance, there would be some minimum disturbance that is already disturbed around the home site when they do final grading and backfilling around a possible foundation. He said they were not doing any more excavation, clearing, or the like around the area where the homesite would have been.

Ms. Riley said she understood that Mr. Marshall was not the original owner on the parcel.

Mr. Marshall affirmed he was not.

Ms. Riley asked when he purchased the parcel.

Mr. Marshall replied he purchased the parcel in June of 2015.

Ms. Riley said it sounded as if Mr. Marshall's intent, when he purchased the parcel, was always to build a home on it.

Mr. Marshall replied yes.

Ms. Riley said it also sounded as if Mr. Marshall went to the County to make sure that there was at least a by-right ability.

Mr. Marshall replied yes. He said that when he and his father were in talks, Greg Baldwin and Susan Davis were the executors of the property to sell. He said he came to the County and spoke to a gentleman in zoning with the intent to get two division rights. He said because of the topography and the way the land is laid out, the zoning official would not allow it, but he did say that there would be one building site on the property.

Mr. Marshall said that following the purchase of the property, he had Steve Gooch come out as an independent geologist and do a soil test. He indicated on a map to what was the secondary drainage site, and explained that an area on the bottom of the map was the primary drainage site.

Ms. Riley asked if when Mr. Marshall purchased the parcel, it was also his intent at that point to harvest timber.

Mr. Marshall said it was not originally his intent.

Ms. Riley asked Mr. Marshall what led him to decide to do that.

Mr. Marshall replied that he spoke to a timber consultant and had the property surveyed for this in order to receive a monetary figure. He said after this came back, they moved forward with select timbering. He said it was never their intent to clear cut the land. He said Augusta Lumber came in to remove the biggest trees from the property and that this was closed in early 2018.

Ms. Riley asked Mr. Marshall if when he determined he wanted to harvest the lumber, the location where he decided to harvest related to his determination of where he wanted to site the home.

Mr. Marshall replied no. He said after they signed the contract with August Lumber, they had no control over what timber they took out and what they did not. He said they provided them with a contract, and they were hands-off after that point in time. He said August Lumber performed their work as far as the parameters that they set forth in the contract.

Ms. Riley asked Mr. Marshall if he could respond to Mr. Butler's suggestion asking if there were additional measures or erosion controls, he would intend to put in place in conjunction with, or after, building the home to protect the quality of the water.

Mr. Marshall replied that he was a landscape contractor by trade, and that putting in the erosion matting stabilized the hills. He said there was good grass growth coming in on all the hillsides that were disturbed along the road. He said he didn't see any additional erosion control measures needing to happen until evidence provides otherwise. He pointed out that the disturbance to the septic field and the house site is no longer in critical slope.

Mr. Bivins asked if any of the work in the erosion and sediment control plan that was submitted had been done.

Mr. Dobson replied yes. He said it was all complete and that they were now doing their soil monitoring and performing checks on it.

Mr. Bivins referred to Attachment D, on the third page, that talked about sediment traps. He asked if they were temporary or if there were plans to leave them.

Mr. Dobson replied that they plan on leaving them in place and then planting trees and other vegetation around them to shield them from view and to provide more erosion control to provide stabilization.

Mr. Bivins said he was looking for confirmation that everything in the erosion and sediment control plan had been cleared with the County and that it was also in place. He asked if those things that were marked "temporary" were not going to be removed.

Mr. Dobson replied that this was correct, noting that there was no desire to remove them.

Mr. Bivins said there was also a driveway conceptual plan, adding that he drove there recently. He said he was trying to understand what is going to change from the gravel pathway currently there that the concept plan will impact.

Mr. Dobson replied that nothing would change. He said when they did the silt traps and sediment control, they took all that to minimize and not do the work twice. He said the driveway is as the plan shows.

Mr. Bivins referred to Attachment C, which said "Digital copy of survey provided by Kirk Hughes and Associates. One-inch equals 300 feet." He asked if the applicants could describe the notations on the bottom of the page and what they meant, as he could not find it in the notes.

Mr. Dobson indicated to the proposed primary and reserved septic. He also indicated to where the residence was proposed.

Mr. Bivins referred to a smaller block that said "proposed 3C dwell area" and asked if this was the residence.

Mr. Dobson replied no and explained that it was the well, which is a type 3C well.

Mr. Bivins indicated to an area on the map and asked if it was the residence, and if another block was the septic system.

Mr. Dobson replied he was correct.

Mr. Keller asked if the road alignment was more or less the road alignment that was put in by the timbering company.

Mr. Dobson replied no, explaining that it was modified to match the erosion and sediment plan to prevent any more potential erosion. He said the road was not cut in exactly like in the plan and that it had to be modified to make sure they properly put in sediment traps and diversion ditches to ensure all the water runoff went into sediment traps.

Mr. Keller asked if Mr. Dobson worked with staff on what the alignment of the road would be.

Mr. Dobson replied yes. He said before doing this, he received preliminary approval from the County to stabilize the site.

Mr. Keller brought the meeting back to discussion and action.

Ms. Spain said she appreciated Mr. Williamson's institutional memory and that this was worth a lot, because many of the current Commissioners were not at those meetings. She said she also agreed that part of the difficulty was because the regulations have changed since the parcel was first established. She cautioned about having the assumption that this would set a precedent because it seemed as if it was a highly unusual situation. She said those factors combined seemed that they worked in favor of the applicant.

Mr. Keller said he had several questions for staff. He said he wasn't sure that he agreed that there were not many properties like this. He said that in the southwest mountains and towards the western side of the County, there were many parcels that are on very complicated sites such as this. He said his questions were building on Ms. Riley's questions about the history of what was agreed to and the fact that staff had already given the go-ahead on certain portions of the project.

Mr. Keller asked whether or not there were Rural Area lots that have development rights on paper but, in reality, have so many physical constraints that it would be difficult, at best, to build on.

Mr. Fritz said that to say that it's difficult to build would be an accurate statement, but that the County's ordinance is specifically designed not to make lots unbuildable. He said it was an important distinction to note between lots that may exist in the southwest mountains that have existed for a number of years.

Mr. Fritz said the critical slopes provisions, as noted by Ms. Kanellopoulos, only apply in two cases: when applying for a building permit, or when there is an approved site plan. He noted that even when applying for a building permit, there are times when the applicant is exempt from the critical slopes provisions. He said if there is a lot that existed prior to the adoption of the critical slopes provisions and does not have a building site, it is exempt from the critical slopes provisions for the construction of the first dwelling. He explained this was a safety clause in the ordinance to prevent a regulatory taking.

Mr. Fritz acknowledged it would be difficult to build on a site like this as there still has to be design for an appropriate drain field, and information still has to be provided that there is no alternative. He said, however, that it is buildable.

Mr. Keller said that building on this, in Rural Areas, once the residence has been built, there are many options if this is considered an agricultural land. He asked in terms of secondary buildings, barns, machine sheds, a second residence (even if this second residence doesn't have a kitchen), if these were possibilities.

Mr. Fritz replied that if those structures are accessory to the residential activity, then they get building permits and are subject to the critical slopes provisions. He said if those structures are agricultural, they were not and will never be subject to the critical slopes provisions because they are agricultural and, therefore, exempt from the critical slopes provisions.

Mr. Fritz said it depends on what the application is. He said if the applicant was building a detached garage, for example, it would be subject to the building permit. He said if they were building a barn, it would not be subject to the critical slopes provisions. He said this was the way the ordinance works and has worked since its adoption.

Mr. Keller expressed that he understood.

Mr. Fritz said in terms of Mr. Butler's point about grading a site and not being subject to critical slopes provisions as there was no building permit, it was true that those slopes may be less than 25% but that it was highly unlikely they would be buildable because there would have to be 30,000 square feet less than 25% and because getting a drain field in that area would be unlikely because drain fields cannot be put in disturbed areas. He said doing the grading would essentially make the site not buildable. He said this was not necessarily true in all cases, and this may be a provision the County wants to look at in the future, but it was highly unlikely, and staff had not actually seen that occur.

Mr. Fritz said a number of critical slopes waivers that staff has had that are similar are very limited, and that he could only think of two that were even close to this project, adding that they were not the same.

Ms. Riley asked Mr. Fritz to go over this again. She said what she heard Mr. Fritz saying was that although the comment was made that perhaps the Planning Commission should make a recommendation to the Board of Supervisors to close the loophole on the critical slopes regulation, she would like Mr. Fritz to answer her question as to whether he believes there is a loophole. She added that she had just heard him say that there were already many challenges to building in those areas.

Mr. Fritz said that technically, there may be a loophole, but the likelihood that it can actually be utilized was extremely rare, in his opinion. He said that in order to be a building site, 30,000 square feet would have to be created, which is less than 25%. He said if there is terraforming and the soil is being moved around to do this, they will be cutting in some places and filling in others. He said those areas can no longer be used for a drain field and, therefore, there is no building site.

Mr. Bivins asked if they could look at Attachment B.

Mr. Fritz pointed out that in this particular case, when asked about where the house and critical soils are located, the house and drain field scenarios that are less than 25% naturally are being placed based on the topographic information that they have. He said that topographic information predates any of the timbering operations. He said when staff went to the site, it looked like it was less than 25% and was timbered, not terraformed.

Mr. Bivins asked if when this was divided, the WPO buffers did not exist.

Mr. Fritz confirmed that the blue areas on the map did not exist.

Mr. Bivins said that at that particular point in time, someone could come in if, in fact, the soil was appropriate, and they could have placed a house somewhere between the WPO buffers.

Mr. Fritz replied yes.

Mr. Bivins said that what happened was the WPO has come up and the County has designated the blue zone to be off limits.

Mr. Fritz replied yes and added that it does not have the same exemptions that the critical slopes provisions have. He said the critical slopes provisions say that if there is a parcel that existed prior to the adopted of the regulations and the slopes have to be disturbed to build, it is exempt. He said the WPO does not have the same exemption about a prior-existing parcel. Mr. Fritz said that certain intrusions could be done there, but that it didn't have exactly the same language. He said this was why there was a relief valve in what they are doing now.

Mr. Dotson asked if along the same lines about whether there is a precedent or a loophole, it would be feasible to do a GIS-level assessment of whether there are those types of parcels. He said in looking at the critical slopes layer, they could overlay the WPO layer and then look for areas that remain (noting that in the graphic presented, they would be white areas) to see how often this occurs. He asked if this would be useful before going to the Board of Supervisors.

Mr. Fritz replied that staff could not do it because they do not have a way of also adding a layer that determines if the parcel existed prior to the adoption of the ordinance. He said that those parcels could not be kicked out.

Ms. Spain said she realized she missed a basic question. She asked if the logging was by right.

Mr. Fritz replied yes.

Ms. Spain said that once the road was constructed, there was no consideration given to whether the road is on critical slopes. She asked if this was not by right.

Mr. Fritz replied that the road was constructed and is there. He said if the road were being constructed as part of supporting the building permit, then it would be subject to the critical slopes provision. He said that because it already exists and no additional earth work is occurring to create the road, it is not subject. He said the fact that it is there on critical slopes is permitted by the ordinance.

Ms. Spain asked why it was okay for the logging operation to disturb critical slopes.

Mr. Fritz said this was because it was not subject to a building permit or a site plan. He said the critical slopes provisions only come into play when there is building permit or a site plan.

Mr. Keller said that to build on that, the Commission heard from the applicant that the road was modified from the original logging road based on staff saying that they could go ahead. He asked how this happened.

Mr. Fritz said he did not know the particulars of this and noted that there was no prohibition on doing this because it is not subject to a building permit or site plan.

Ms. More asked if the road was built for logging purposes as it was, and the County was not going down this path, what stabilization or erosion and sediment control measures, if any, would have been required.

Mr. Fritz asked if Ms. More was referring to forestry.

Ms. More said yes.

Mr. Fritz replied there would be few, if any. He said there were some that were around the streams and that there were very few erosion control measures that are part of a forestry operation. He said what the applicant has put in far exceeds what is required for a forestry operation, pointing out that an additional erosion and sediment control plan or agreement, depending on the details, will be required when the building permit is issued to address any of the activities directly associated with the building permit, the installation of the drain field well, and the like. He said there would be an erosion sediment control plan or agreement associated with that.

Mr. Keller said that, in summary, to understand this issue of development and harkening back to what the County's two NGOs shared with the Commission before, he wanted to know if he was correct in understanding that if there is a parcel that has significant WPO buffers and/or significant critical slopes, and an individual wants to put an agricultural or forestry use on that parcel, in conjunction with a residence that's associated with it, there are very little controls offered to preclude the agricultural/forestry changes (e.g. roads and buildings going in, planting grapevines or orchards) on steep slopes.

Mr. Keller continued by asking for verification that following those activities, once the disturbance has occurred, if there is a place that would meet the after-the-fact requirements the County has for a residence (e.g. a drain field on undisturbed land), the County could look to many of the parcels they think of not having some degree of development on them now as having development in the future. He said that to be fair, historically they might have because from aerial photographs, they can tell there are many more orchards that existed historically than there are today that have gone into pine forests.

Mr. Fritz replied that he wasn't sure he fully understood Mr. Keller's question, as he talked about both agricultural operations and residential.

Mr. Keller said he mentioned this to lead into the residential.

Mr. Fritz explained that if an individual is doing agricultural or forestry and installs roads or clearings involving earth-disturbing activities, those are exempt from the critical slopes regulations. He said if an individual has a lot that post-dates the ordinance (e.g. a subdivision was created with a building site and still does) and exempt activity goes in and gives them access to a new area that is, for example, 20,000 square feet and the individual wanted to build in that area, staff's default position, in all likelihood, would be to recommend denial and say, "No, we understand you did the disturbance. Build in the approved building site area, unless you can demonstrate that it is so much better to build in the new area."

Mr. Fritz acknowledged that at times, it breaks down to the question of what is the "least bad" area. He said staff was supportive of the project because the County needs to provide reasonable use of land, and it appeared to be the least impactful area. He said if the applicant was getting to an area that was less than a building site and that they could otherwise get to, however, staff would not support the application.

Mr. Keller asked staff if they had received the information that the Board of Supervisors had hoped to gain from the Commission's discussion and if not, if they could suggest what the Commission might add either as comment or with Counsel's recommendation of how they might word this.

Ms. Kanellopoulos said she believed everything had been covered.

Mr. Andy Herrick (County Attorney) said he believed the Commission's action on the vote, along with the minutes, will duly inform the Board of what they need to know.

Mr. Bivins said it was compelling to him that the slopes at the top of the property did not exceed 25%, and that this therefore exempts them from the steep slope provisions, and that the applicant has been working with the County to mitigate any issues that may have arisen from the logging operation. He said that therefore, hopefully in continuing deep connection with the County staff (unlike a different property south of town where there was a house), on this particular property there isn't a house and there has been an intimate dialogue with the County.

Mr. Dotson, before voting yes, said he was still concerned about the loophole.

Mr. Keller echoed Mr. Dotson's comment, as well as Ms. Riley.

Ms. Spain moved to recommend approval of the Special Exception request for disturbance of critical slopes and modification of building site for V201901427-SF with conditions as stated in the staff report.

Mr. Bivins seconded the motion, which carried unanimously 6:0. (Ms. Firehock was absent from the vote.)

Work Sessions

Crozet Master Plan

Mr. Andrew Knuppel (Community Development) said this was a work session on the Crozet Master Plan update. He said this work session would focus more on information sharing to serve more as a check-in with the Commission about the progress on the ongoing update.

Mr. Knuppel said he would present a recap of the Master Plan update process thus far, a recap of the engagement efforts that staff has done so far on Phase I of the Master Plan update, presentation of plans on how to build the Master Plan and the guiding principles and goals outlined in the staff report, and a brief discussion of the proposed Phase II and the next steps for the Commission and the community engagement process.

Mr. Knuppel presented a timeline of how staff is generally approaching the Master Plan process. He said they tried to scope it out into a couple of phases to reflect how the County has developed these plans in the past. He said staff started the scoping work in the summer, then began the first stakeholder meetings and collected data. He said Phase I was the "Community Visioning" phase with goals that include facilitating a community visioning process; helping to build understanding

of the importance of the Master Plan (noting that staff acknowledges Crozet is a community that has changed significantly since the Master Plan was adopted in 2010); and most importantly, identify and affirm the Master Plan's guiding principles.

Mr. Knuppel said that Phase II would be an opportunity for the focus area input and design strategies, where staff will come up with the recommendations, draw the land use maps, and decide the projects and how to pursue from there. He said in the Summer 2020, they would move into the plan refinement, endorsements, drafting the plan, and bring it back to the Planning Commission and Board of Supervisors for review and adoption in Fall 2020, with an anticipated December 2020 completion date.

Mr. Knuppel said he would briefly run through some of the information and events staff held as part of Phase I, which started in September. He said staff received direction from the Board at their September 4 meeting to initiate the Master Plan update process. He said they included the summary from these meetings in the staff report for the Commission's information.

Mr. Knuppel said he would walk through a couple of the workshops staff held, noting that it had been a good process thus far with a significant turnout. He said the first workshop was on September 9 at Western Albemarle High School with a turnout of over 120 community members. He said they had four stations there and discussed with them why they chose to move to Crozet and what makes them stay; themes from values as a community; an exercise focused around hopes and concerns, recognizing that the Crozet community is changing; a station focused on reviewing the 2010 Master Plan and its vision and guiding principles to check back in on how it has changed, how community values have shifted over time, and how the County was doing on their objectives.

Mr. Knuppel said there was also a mapping exercise that was focused on one thing that a community member would change today. He said throughout the process, staff focused on trying to collect input through a number of different methods and felt that they received a great deal of good input.

Mr. Knuppel said the second workshop tried to respond to some of the concerns staff heard from the first workshop. He said because this was a visioning phase, staff is trying to start high-level without focusing on the solutions yet, but instead focusing on interests, values, and offer a better understanding. He said many of the questions in the workshop talked about the importance of a small-town feel (which a recurring theme from the first workshop with a vision was of what the community wants to be), and as staff writes the plan, they have a critical question about what small-town feel is and how they start to define this.

Mr. Knuppel said that through a number of exercises, staff included an exercise focused on visual characteristics of small-town feel, including what neighborhoods, commercial centers, rural edges and landscape, gathering spaces would look like. He said they held a discussion about the centers and connections in Crozet as far as gathering places, shopping and services, recreation, etc.

Mr. Knuppel said they discussed housing affordability and choice in the workshop, which had been a major theme from the first workshop and a major concern in Crozet. He said staff began to broach the conversation about housing choice, the missing middle, and how they reconcile this with their desired small-town character, building on themes about visual preference and understanding context.

Mr. Knuppel said that local jobs and businesses are a concern in Crozet and determining the type

of economic development that is appropriate in Crozet, what is consistent with what the community feels it needs, and how to eventually development recommendations that reflect that.

Mr. Knuppel said he didn't have a picture from the third workshop yet, but what the Commission had in their packets reflects the outcome of that. He said staff also held a couple other pop-up events throughout the process thus far, including coffee talks in Crozet as a chance to make staff available to the community and have discussions in a more face-to-face setting. He said there was a pop-up event at the Crozet Trails Crew 5K and brought out the large map from the second workshop to get more feedback from other members of the community who may not have attended.

Mr. Knuppel said staff also conducted a series of character and connectivity tours as well, including the Crozet Connect bus and Crozet Trolley drive the tours that focused on themes regarding history, character, and connectivity. He presented a picture from the connectivity tour where they had talked about the trail connection for the Crozet Connector Trail under Eastern Avenue and how trails and shared-use paths are a part of the connectivity network and how they consider bike-ped throughout the process.

Mr. Knuppel said that over the past couple months, the process had been fun for staff and that they had received a great deal of good input thus far.

Mr. Knuppel reiterated that Phase I was the visioning process that has focused on values and where Crozet is heading next. He said staff tried to make sure that they designed the process to respond to what they have heard from the community. He said they now have to do the work of actually building out the Master Plan.

Mr. Knuppel said Phase II, which is anticipated to start in January (as there will be a break in December to give staff a chance to regroup), will be about designing policies and projects with the community. He said this would be where they start to develop a land use map, new transportation network, and a new future conservation plan. He said it would be a chance to workshop focus areas that need more attention on specific topics as well as to figure out how they want to implement the Master Plan as far as how to get it done and the strategies they need.

Mr. Knuppel said staff anticipates Phase II will run January through May and will build upon the work staff has been doing in the first phase.

Mr. Knuppel said that the guiding principles were the main outcome from Phase I. He said staff has been trying to establish consistency and clarity in their Master Plans and most recently, the plans have been reformatted. He said a concern staff had heard from the Crozet community was about clarity in the Master Plan between the math and text and internally, within the text, understanding what the priorities are and how to resolve when there is a lack of clarity.

Mr. Knuppel said as part of that, staff looked at the current principles and recommendations in the 2010 Master Plan, incorporated the community feedback they heard through the process as well from the 2017 community survey, and drafted a series of the proposed guiding principles (with one aligning with each chapter of the plan) and a series of goals which they will continue to explore and develop throughout the rest of the process.

Mr. Knuppel presented the structure for how staff will develop the recommendations. He said they would likely design their workshops in the future to help the community understand how staff is building out their Master Plan.

Mr. Knuppel said the guiding principles were the vision statements and aspirations for connectivity, character, conservation, implementation, etc. He said from there, staff identified goals that are the topics and strategies that help to achieve the guiding principles and that in the next phase, they will start to develop the "what" and "where," which are the recommendations. He presented a graphic that reflected how Phase I was about refining the guiding principles and identifying the goal focus areas. He said in Phase II, they will continue to refine the principles, turn the goals into more substantive statements, and determine what the recommendations are to get there.

Mr. Knuppel said staff is trying to bring the Master Plan in line with the recent plans to establish consistency across the County's Master Plans and planning efforts, and to acknowledge some of the overlaps in categories they have had before. He said the four chapters staff was proposing are Connectivity, Character, Conservation, and Implementation. He said he would briefly walk through the guiding principles and goals for each.

Mr. Knuppel said that for Connectivity, the guiding principle is to create a multi-modal transportation network that is safe and accessible for all residents, regardless of age, race, income, and ability. He mentioned that staff would continue to refine the principles and that there is a feedback form that is currently out in the community, with over 200 responses received thus far, to understand how the community feels about the principles and if they accurately reflect their vision for the future of Crozet. He said staff would continue to refine and workshop the principles based on the feedback they hear.

Mr. Knuppel said the goal focus areas that staff would continue to develop will include network connectivity (e.g. street connections, safety and access for all users) as well as starting to address local and regional transit, which is a new dimension to the Crozet Master Plan that has not been addressed before.

Mr. Knuppel said that for Character, the guiding principle is to support Crozet's small-town character through development that is compatible in scale and design, offers housing choice, and respects its history. He said the goals for this include housing variety and choice, appropriate design and scale, mixed-use activity centers, rural areas, and addressing place-making arts and culture as a part of the small-town character.

Mr. Knuppel said that for Conservation, the current guiding principle, as brought to the community the week before, is to enhance Crozet's natural beauty in the surrounding rural areas with an integrated network of parks and gathering spaces, trails and greenways that support outdoor recreation and natural resource conservation. He said the goal focus areas identified include community parks, outdoor recreation opportunities, trail and greenway connectivity, access to rural and regional amenities, and natural resource conservation and sustainability.

Mr. Knuppel said that for Implementation, the guiding principle is to provide strategic and timely support for community partnerships, local economic development, policy changes, and capital investments to support a changing Crozet. He said some of the goals and focus areas they will continue to explore include community partnerships, economic development initiatives, zoning and policy updates, capital improvements, and project prioritization.

Mr. Knuppel said the high-level information was included in the staff report and that Attachment 4 included the posters staff brought out at the third workshop, which talked more about how staff developed the principle, how they brought on the 2010 Master Plan, and the community feedback.

Mr. Knuppel said this was what staff had done thus far and that they would continue to develop it throughout the entire process. He said staff wanted to bring this to the Commission before moving forward to check in about whether or not the proposed guiding principles and goals were consistent with the community feedback staff received and had summarized in the staff report, and more broadly, the Comprehensive Plan policies. He said the Master Plan is the venue for how the Comprehensive Plan is implemented at the community level and since this is done through a community process, staff wants to make sure they are aligning those two topics.

Mr. Knuppel asked the Commission to identify any topics that were missing that they would like staff to explore so that they could be taken into consideration and included.

Mr. Keller asked if there were members in the audience who cared to speak on the matter. Hearing none, he brought the matter back for questions and comments.

Ms. Riley thanked Mr. Knuppel for all his work. She said in general, the proposed guiding principles and goals were consistent with the community feedback. She noted that in looking at a number of statements that were presented on the attachments, which were the workshop summaries, there is significant concern about affordability. She said she also appreciated staff saying that they want to have consistency across Master Plans in terms of the general sections.

Ms. Riley personally wondered if the County was at a point where, given that they are updating their housing chapter of the Comprehensive Plan and specifically engaging in a staff and community input process of identifying new policy, new plan, and new strategies, that it might make sense that in the Master Plans, there is also a housing section. She said it may not necessarily need to be called a chapter. She expressed that it was important to consider doing this because the general principles and goals did not really get at the issue.

Ms. Riley said that they are imbedded in the Character area as best as one could do in this situation, but was wondering at this point if a new section needed to be lifted up for housing. She said some of the compelling reason for doing so was that it is a critical issue that is of growing concern by residents, staff, and elected officials and is reflected in residents" comments in the workshops.

Ms. Riley said she didn't believe it fit within Character as a place that allows the County to get at the issue. She said that by identifying it as a separate section and having it be consistent with the types of goals and strategies that are found in the Comprehensive Plan, the County will have a better chance at really affecting the problem and being able to establish the metrics by which the problem is measured in order to address the problem and provide better housing. She said something more explicit was needed at that point. She said she didn't know if it would be a separate chapter or section, but that it needed to be lifted up.

Ms. Spain commended staff for their good work, noting that from the pictures taken, many of the staff members were present at every meeting. She suggested an addition to the Connectivity page that said, "making it accessible for all residents regardless of age, race, income, and ability." She said there, she would add "sex" or "gender," whichever term staff wanted to use. She said when she looked at the tunnel as part of the connectivity, she thought that she wouldn't feel safe going in it when it was totally dark, and that this was one of the same issues that came up in

discussions about Places29 connectivity under Route 29. She said it was worth adding as something that staff will pay attention to. She said that though safety implies for everyone, sex and gender needed to be added.

Mr. Carrazana said that his comment was more about the timeline. He said one of the points Mr. Knuppel brought up in his deliverables was capital improvement. He said as far as where this exactly falls into the timeline, his comment was broad and about the policies in particular. He said currently, the County is seeing development that is impacting Crozet and the character impacts in every component. He said the capital improvement was already lagging behind. He asked where the deliverables would come in and how the Master Plan update process would start to inform the CIP.

Mr. Bivins thanked Mr. Knuppel, noting he had some questions, as well as comments about the lack of diversity in the presented photographs. He said this was concerning to him because he believed this would go to one of the things people have heard him speak to about "Old Crozet" versus "New Crozet," and the Freetown area Crozet versus Old Trails Crozet, or Corey Farms Crozet, or Wickham Crozet.

Mr. Bivins suggested that staff spending some of their community engagement time not only at coffee shops, but at Blue Ridge Lumber, Legacy Markets, or Great Value where people in that community might find themselves going. He gave a number of examples of those places because there is a tremendous trades person community in Old Crozet, and when he looked at the photographs, he didn't see that population represented. He acknowledged that this was only a few photos, but that he was very concerned that the process doesn't get driven by newly-arrived Crozet.

Mr. Bivins said he was particularly concerned because one of the Crozet's 2010 visions and guiding principles was about connecting neighborhoods and making sure that all parts of Crozet are walkable and bikeable. He said he also remembered hearing when he first became a Planning Commissioner that a lot of the new communities did not want their cul-de-sacs broken through. He said, in fact, they resisted having those connections made. He said when he goes to Old Trail, he is struck how, without GPS, he would be wandering around there like on the MTA in Boston. He asked that staff does not encourage communities that have people wandering within but more so, are boundaries from without. He said those conversations could be cleverly structured to get people thinking about that because that is how they wrestle with those terms as staff is coming with the Master Plan.

Mr. Bivins asked staff to give some consideration on page 4 that, under Character, talks about one of the preliminary feedbacks was that the mountain views should be acknowledged. He said he wondered if mountain views should not actually be acknowledged under "Conservation" because when he hears people speak about Crozet, they speak about that piece of it as far as how to preserve or keep place. He recommended testing this again with the people staff is engaging with in this process.

Mr. Bivins said he didn't know how staff does it, but he would ask that they think creatively about the four areas and how they push the community to think about the others who are not at those conversations, which was one reason why he mentioned Great Value, Blue Ridge, and Legacy Market. He added Far Downers to the list. He said perhaps going to places where people come, where they see smiling faces, may compel them to talk about their concerns about how the community is evolving and how they hope it will evolve.

Mr. Bivins said that many of the Commissioners have been receiving photographs from people who are in the Breezy Hill part of the community showing the miles of backup there. He said he knew from experience and from speaking to his colleagues that Barracks Road, 250, and I-64 have now become alternate ways of getting people in and out of Crozet, and that this must be figured out. He said this was not a long-term solution for the community for use of resources and quality of life.

Mr. Bivins said when he sees that one of the pieces of the plan was about live-work, he didn't know what this meant in the general scope of things. He referenced a tower that someone moving to the area so they could remote work. He said he hoped they would look beyond that and not simply be concerned about whether someone has a 1 TB line that comes to their house and allows them to do their work there. He said in thinking about how to build community, they should consider how this could be done in a way that strengthens the entire place as opposed to a few well-connected people.

Mr. Dotson said his comments pick up on Mr. Bivins' comments. He said he understood the need to bring all the participants up to a common base because many of the people participating weren't there in 2004, when the first plan was adopted, nor in 2010 when the plan was last updated. He said there was a mixed population of people who are long-term residents and participants along with curious newcomers. He said part of the challenge is holding on to their interests. He said he was glad that staff was about to move into Phase II and become more specific and concrete.

Mr. Dotson said in that regard, one of his thoughts about Phase II when reading the guiding principle for Connectivity was that this could apply to any place in the County, perhaps even the world. He said it doesn't feel like Crozet, per se, and wondered if it was even possible to have a guiding principle that fits all of Crozet because as Mr. Bivins mentioned, there is Old Crozet, the older subdivisions on the east, those on the west, and Old Trail. He suggested that as staff goes forward into Phase II, they should start talking about subareas and creating neighborhoods or "character areas" in Crozet that are treated differently. He said then, more specific ideas will come up that will more easily get traction with the participants, and perhaps this was what staff's plan was.

Mr. Dotson said he didn't think that he saw "historic" under Conservation, but that this is where it would fit. He said that under the heading of "Implementation," he suggested keeping it lean. He said if there is a long wish list, it is not going to happen, and citizens will be disappointed and perhaps irritated. He said a lot of attention needs to go into prioritizing and asking some tough questions about the things that are truly essential and achievable versus things that perhaps aren't timely now, but will be in the six- to ten-year period. He said other things could be worth noting, but that there is no commitment that they will happen.

Mr. Dotson said the Commission would have a discussion about the CIP and the Planning Commission's role that evening, but the fact that Crozet's Master Plan was being updated will give them a chance to test some of their own ideas about how they go about addressing public improvements in a rapidly-developing area.

Ms. More thanked staff, noting that the first meeting in particular was exciting in seeing many people from the community and Community Development, at many levels, participate. She said the best information they received was out of the first meeting, and that in the second meeting, perhaps staff was able to dig into this more. She said she wanted to be positive in that the community is excited to have this happen, and that she appreciated all the work and energy.

Ms. More said to be clear, to build on what Mr. Dotson said about the principles, with the exception of a few words, most of them could apply to just about anywhere. She said she couldn't imagine a community that wouldn't support those goals. She said because staff asked the questions they asked, they received some easy answers. She said to her, the principles were a bit like "dry toast" and staff needs to figure out how to dig into it and make it Crozet's.

Ms. More said some of the themes that emerged out of the meetings are about the vibrant downtown. She said at this point, she would think that in a guiding principle, they could see some version of this having already emerged out of three meetings as one of the most important centers. She said with the County's agreement with the former Barnes Lumber property and all that is happening on that property, moving forward, she would like to see this as an opportunity to engage the community. She said almost every principle outlined could be achieved with the Barnes Lumber property and beyond, but this was an education piece for the community.

Ms. More said when staff shows the community images of different types of housing and asking them what they respond to more favorably, there is an honesty piece that the County has to have with them that this may not be what builds. She said moving forward, there are some people in the community who are anxious about the development of the former Barnes property because it is supposed to be dense in nature and this is scary to people who are worried about transportation. She said the reason it is supposed to be that dense is because of its location and because the County is allowing dense developments to happen around a walkable area. She said this should have already emerged in something that would be very specific to Crozet as a guiding principle.

Ms. More thanked Mr. Knuppel for incorporating the data from the survey because the hope in doing the survey was, because it was a random sample, they were able to collect information from people who might not have time to show up to a meeting. She said the intention was to get a representative sample. She said that if staff feels doing the pop-up coffee talks is successful, she would encourage them to continue to do this.

Ms. More said the biggest feedback she was receiving from the community is that they really want to get into the meat of the plan when they don't have the time to come to so many meetings. She said there was a drop in numbers from the first meeting to the second, and then to the third. She said staff sees those same faces who will hang on with them, and she was thinking about creative ways to re-engage some people that they may have lost, or people who had checked out awhile back and think, why bother to show up. She said those people could still be reached, and some will not come, which is okay.

Ms. More said she thinks there needs to be an element of honesty when talking about infrastructure and "concurrent infrastructure." She said there is language that talks about protecting historic neighborhoods and they need to be honest with the community about what the reality is about the County's ability to do this. She said this could be a goal that the community has, but staff needs to be honest with them about what that can look at and the control the County has and does not have over that. She said the same applied to the project priorities and a realistic timeline for implementation.

Ms. More said that because she has read the Crozet Master Plan many times, she felt as if the entire Phase I had neglected to educate on the fact that Crozet has a plan that they are trying to update and that they are not starting from scratch. She said she would like to see how creative and energetic staff will be in the next phase about pulling forward the goals they already have and working them into what they have before the Commission.

Ms. More said the answer to the question was that she believed the principles were consistent with the community's feedback, but she felt like it was the safe way to play it because it was high level. She said staff had received much from the community that is more detailed that they could already start putting into the principles to make it "Crozet" without making assumptions about what people want to prioritize or not prioritize.

Ms. More said that the principles were aligned with the goals, but that there was still much work to be done to give it the Crozet identity.

Ms. Spain said the Commission's concern with the generic nature of the principles was that it didn't have to be a concern as much as it is acknowledging that this is what all people want everywhere. She asked what would make it Crozet. She mentioned the former Barnes Lumber site and the apple and peach orchards as opposed to the natural beauty of the mountains, noting that these were specific examples of what Ms. More thinks since she was the resident who is involved the most.

Ms. More said if they wanted to have high-level guiding principles, the vibrant downtown has been the principle in the previous plan and the focus of a huge amount of work that much of Crozet has focused on. She said it was not to say that Crozet doesn't have other centers that are important because they have identified ways in which they need to better connect people to those centers. She said the most important center is Downtown Crozet and she would have hoped to see this worked into the guiding principles, having seen the process that the former Barnes Lumber property is going through to engage the community on what they would like to see come out of that project.

Ms. More said when talking about edges and boundaries, this is an anxiety that people have concerning their fear that the County will try to make Crozet get bigger, referencing the capacity analysis. She said there was a section in the existing plan about the protection along 250, which was part of confusion in the past where the County needed to get language and maps together where 250 was talked about in two separate chapters, one referencing the interchange at I-64 and 250 (which is outside of the growth area), and that which is along the whole stretch that is the boundary (one side being rural and the other side being the growth area). She said in one application, there was the question of if this should be less dense as it goes towards the edge.

Ms. More said these were themes that have been seen, but she didn't see it in the guiding principles.

Ms. Spain asked staff if this helped them with specifics. She pointed out how fortunate the Commission was about what was missing from this, which is that people are not saying not to build a prison in the area, or that they didn't want a chicken rendering plant there. She said for the most part, for the new Crozetians, it was a fairly affluent community with concerns, but not the kind of serious concerns (e.g. about the crime rate, needing a meth clinic, etc.). She said even though the principles are general and needs some specifics, the Commission should also keep in mind what isn't there and remember that many are lucky in the County while many others are not. She said this was part of the Commission's concern to include all those people from the community.

Ms. More agreed that they were very fortunate. She said the other thing that was pointed out in the Implementation principle was working with the existing community partnerships. She said in Crozet, they are fortunate (particularly around connectivity) to have the trails crew that works in conjunction with the County and has done so successfully for years. She said they were very fortunate to continue to enhance and foster that relationship because they can get some of the eastern neighborhoods connected towards Downtown.

Ms. More said this related back to what they were hearing from the community about walkability and where they want to get to, but that they currently can't. She said sometimes the trails crew is the missing puzzle piece that can result in having huge neighborhoods that can bike or walk safely down to Downtown.

Ms. More said staff has received much of this detailed information that they need to figure out how to manage without ending up with a long list of Crozet's wants and desires. She said this may be where there is some benefit into breaking it into sections because everyone will prioritize their neighborhood section, particularly when they are vying for trails or walkability. She said perhaps this was a good way to approach how to prioritize some of those projects, by breaking them out to say who is lacking the most in connections to Downtown. She said this is where they could begin to prioritize and look at some of the projects they already know are coming.

Mr. Bivins said they were already starting to experience some of this pushback. He said there was recently some concern about the mill and whether or not the mill was making too much noise.

Ms. More said it was.

Mr. Bivins said he understood this, but the mill had been there for a long time.

Ms. More said there was a faulty part that was fixed.

Mr. Bivins said he believed they were starting to see those tensions between those with means and who expect a bucolic country retreat versus those without means who have lived there. He said there was some rubbing taking place that he was aware of.

Ms. Spain said that this could be a good catalyst for change.

Mr. Bivins agreed.

Mr. Keller thanked staff for getting them to this point. He said the fact that it was as well done as it was would allow them to go to the next level and perhaps given some of the careers that a number of the Commissioners have had is part of determining ways that the principles could be better.

Mr. Keller said that since they have both the historical and the future of the leadership represented with Wayne, Ms. Filardo, and Mr. Benish in the audience, and Ms. Falkenstein and Mr. Knuppel representing the more detailed work, he would like to take the opportunity to take a quick jump beyond the guiding principles. He said in the relatively recent past, there is the 29 North planning experience, Pantops planning experience, Southwood, and 5th and Avon. He said they were starting to see how staff is growing with each of those and adding new pieces which are beyond what the Commission sees coming out of a lot of planning departments around the state and country. He said he saw it as positive that there is a synergy and staff is building, and the Growth Management Plan annual report

Mr. Keller encouraged staff to look at the Comprehensive Plan outline. He said he knew it was a year for minor changes, but in light of what staff is doing with the Small Area Plans, they should think about what that outline is. He asked if in the Comprehensive Plan and the Growth Management Plan, they should be using the same outline.

Mr. Keller said he understood that Ms. Filardo is very interested in datasets and when he thinks about the comment that was made about the workforce in Crozet by several Commissioners, they have the data they have seen at the regional level for how many people out-commute and in-commute to different areas. He asked if they were almost to the point in each of the area plans where they ought to be having that kind of data set that is there, which would allow them to see years later how the data has changed.

Mr. Keller said when he heard the comment from Mr. Fritz earlier about not being able to get the data on how many lots there are that pre-date 1984, he didn't buy that. He said Mr. Knuppel was a guru with dashboards and data and that there were many pieces of interesting information, such as how many people are at 80% AMI in Crozet versus Pantops, etc. He asked how this will tie in with the affordable housing plan so instead of this being a Countywide piece, they can talk about where they really can add affordable housing because it fits with workforce in an area.

Mr. Keller said it seems as though all these things are interrelated and clarified that he didn't mean to make light of the guiding principles. He said if it was really a plan, it seemed that they need to get to the next level that is more sophisticated in the wish list that comes from the community of what they would like to see that is then prioritized based on the amount of input. He said this was great for Pantops and was such a step forward than what was done a decade earlier. He said he was in no way criticizing this, but hoped that each principle would continue to build, adding that he had every confidence that staff will do it. He encouraged them to think about his points.

Mr. Keller said they had the annual report that was really staff's report, but was technically something that the Commission needs to provide to the Supervisors. He said they also had the Growth Management Plan. He said soon, after they have the housing policy, they will have an affordable housing plan, but it was much more than an affordable housing plan because it is really looking at all segments of housing, and that this was important in terms of the tax base.

Mr. Keller said that then, there is economic development and that, in the past, there has been a disconnect between the future land use and then what is really happening in the area plans. He asked if they would go so far as to earmarking the areas in each of the plans and have some sort of consensus from the community where Light Industrial, Commercial, and Office are going to go.

Mr. Keller said that in his mind, this was a great step forward, but that he hoped that each of the plans in the future will get that much closer to the grain of what the real issues are for planning for those areas.

Ms. More asked if staff would ask the Commission Question 2.

Mr. Knuppel said he would still ask it.

Ms. More said that to add to Mr. Keller's point, there was a lot of work that went into the Crozet survey and produced data sets. She said a scientific survey was conducted, and then the same survey was given to a group that could self-select in. She said those data sets were compared to look for anything that was unusual and that they lined up with a margin of error expected, but they have been kept separate.

Ms. More said that like many of the questions staff is asking, they have the answers to now, acknowledging the data was about two years old. She said this data indicates how many people leave Crozet to go to work and how far (e.g. Waynesboro), where people go to shop and how many times a week, if they are leaving to go to Charlottesville or over the mountain (unless there is a wreck). She said there was tons of data there and it can be pulled apart to get to what is wanted in the future. She said she hoped this would be used for other purposes in addition to helping inform the process.

Mr. Knuppel said that to recap some of the things he heard to make sure he correctly understood, having a greater emphasis on the housing section was recommended as well as incorporating the housing policy that was underway. He said they should make sure it is clear what the County's housing priorities are and make sure it is well defined within whatever chapter it might be appropriate to fall into.

Mr. Knuppel said he heard about connectivity and recommended tweaks into the language, which he would definitely bring into consideration. He said capital projects and timing are a concern and they have had some conversations about the CIP to make sure they are planning appropriately, being realistic about the limitations of the CIP of the County's fiscal capacity, and thinking critically about how they implement the projects.

Mr. Knuppel said that diversity was a concern that he heard throughout the process, especially as it relates to affordable housing and the variety of people that are able to live in Crozet.

Mr. Knuppel said that communities in connectivity and mountain views was included in some comments that they heard at the workshops, and that they have about two weeks of survey response data that they will hopefully be able to use to inform it. He said, for example, at Pantops, they put the mountain views, viewsheds, vistas, and view corridors into the Conservation chapter. He said this was a comment they heard at the workshops, so staff put it in, but they could find the appropriate place to consider what the correct strategies are to account for mountain views.

Mr. Knuppel said they heard about community building, community organizations, and connectivity regionally, bridging the gap between New and Old Crozet, and the need for subarea representation in looking at the nuances between different neighborhoods and land use categories. He said he heard the Commissioners wanted to make sure that this was appreciated and accounted for. He said staff knew that there are some neighborhoods that need specific attention, such as the Saint George Avenue corridor because it does have a Historic District designation and on the National Register. He said there were potential tools staff can explore and that this planning process is a time to explore what would be appropriate, and the tradeoffs involved for the community. He said history is a major part of Crozet's identity, and finding the appropriate place to incorporate this is important.

Mr. Knuppel said that as far as the principles and the language used, this was drafted by staff with the intent to establish clarity in the process and how the recommendations are developed. He said this was something they recognized from the Crozet Master Plan experience with map versus text and understanding where the priorities really are. He said that for staff, as they are coming off the Pantops Master Plan process, after they got through the public engagement period, they came to plan endorsements and realized they never talked about vision and principles, what they mean, and how they are actually evaluating the plan with the land use colors on the map that they put forward. He said this was generic at the moment, but had a lot of value for staff.

Mr. Knuppel said staff would dig deep into some of the issues and bring forward everything they have heard to help inform how they structure their activities and recommendations in the coming months. He clarified that staff started with visioning based on the processes. He said they knew that there was not a perfect community engagement process and they would never have the perfectly representative population at the table.

Mr. Knuppel mentioned members of the Steering Committee (White Hall District Supervisor, Planning Commissioner, Community Advisory Committee chair, and president of the Crozet Community Association), explaining that staff hoped they would have some assistance in getting the word out. He said the first workshop, from staff's internal metrics and looking at social media, they had the strongest reach there, but that they didn't have that with the second and third workshops. He said as far as sharing and getting the word out in the community, there was room for improvement and that they could hopefully get closer to making sure they have all the people in the room that need to be in the room because the Master Plan is about their community.

Mr. Knuppel said this was staff's comment on process so far. He said they have had a lot of good experience with this with the new team and getting a feel for what works out in Crozet. He said they will continue to make sure this stays under consideration moving forward. He expressed appreciation for the Commission's feedback and let them know if they had any other questions or comments, staff would continue to refine the update moving forward.

Ms. More said that in regard to capture information, making sure they are fair in reaching out, and giving everyone the opportunity to participate, staff should be sensitive to the situation that if a representative of a neighborhood or subset of Crozet was not present, staff is thinking about them. She said that from what she knows of a lot of neighborhoods, especially where there are older neighborhoods and new is mixed in with the old, whether it is younger residents who are more involved, they are chatting with their neighbors and bringing things to staff from those people who are not going to show up for various reasons.

Ms. More said neighbors are chatting with neighbors about the meetings, and then those people who do engage are bringing that information to staff. She said thus, staff is reaching a group of people they might not otherwise reach because of the dynamic that is within some neighborhoods, especially those around Downtown. She encouraged people to keep having those conversations with their neighbors because they may get tired of talking with the neighbor and show up to the meetings.

Mr. Knuppel said he would walk through next steps and what will happen with the rest of the process. He said Phase II was next, which would run January through May. He said they would be back out in Crozet with monthly engagement and a high staff commitment, including events and asking structured questions. He said from there, for the rest of 2020, staff will be refining the plan, drafting the plan over the summer, and come back to the Commission likely in late summer to early fall for the next work sessions.

Mr. Knuppel said they would continue to work through the update and resolve issues with the CAC initially throughout the process during the summer, and whatever is outstanding would come back to the Commission. He said tentatively in August, they would be back to talk about the character and connectivity chapters, which will include the land use map and transportation plan.

Mr. Knuppel said in September, they would talk more about conservation, parks and green systems, and implementation. He said they would have two work sessions, and then hopefully have the plan finished to present to the Commission in October for a public hearing. He noted that those dates were tentative, and that staff hopes to stay ahead on schedule. He said they wanted to get the principles and vision issues out of the way early so that they could hopefully develop the plan for the rest of the time.

Mr. Knuppel asked the Commissioners if they had any questions or concerns about their roles in developing this through the rest of 2020.

Ms. More said one thing she has noticed is that what staff has had to do is have the engagement meetings outside of the regular CAC meetings because the agendas are packed. She said the week prior, they had to rush through in trying to cover a lot of material quickly. She said they perhaps have not gotten all the time to check back in with CCAC, noting that lots of members were coming to both meetings (which was the hope), but that they were being asked to come to two meetings a month, and now there will be a break.

Ms. More said as they get more into the detail, staff should make sure they are checking back with the CAC if they can work more time into their agenda for that, as they will be getting into more detail and this is where their input will be very important. She said she was concerned about this and how the agendas tend to get packed, then staff is left with 10 minutes at the end to try to communicate. She said everyone should work together to figure out the best way to move forward, as the members could not come to all of the other community meetings.

Ms. More said she recently sat in to listen to a meeting that day about the redevelopment of Barnes Lumber, she was listening to them talk about this being Crozet's play on form-based code in the Downtown Crozet District and about recognizing that district within the context of the Master Plan. She said she listened to the developer talking about the types of buildings they want to see, and lots of the same conversations they are having about form-based code in Rio-29. She said the question was about how to give enough flexibility without stifling creativity and not ending up with an unattractive building that someone has to paint a mosaic on later to hide it.

Ms. More said they were having those same conversations, so one of those is the ARB's process of review and if there was a place there for some relaxed form of review if there is a good outline. She said there was an opportunity that she would like to see meshed together with this process, and perhaps all of this could be taken care of at the same time instead of having silos and then coming back later to ask for changes or adjustments. She said she heard lots of interest from the community of what this could look like.

At 8:03 p.m., Mr. Keller announced there would be a 5-minute break between work sessions.

At 8:09 p.m., Mr. Keller called the meeting back to order.

Planning Commission's Role Future CIP Process

Mr. David Benish said this work session would be held in two parts, and that Lori Allshouse was there to provide an update on the current CIP process as the first part. He said the second part of the work session would be a continuation of the discussion about the Planning Commission's role in the future CIP process. He said Wayne Cilimberg was there, who did a lot of work on the strawman with Mr. Dotson, as well as with Ms. Allshouse.

Ms. Allshouse said she appreciated the Planning Commission having her back for this follow-up meeting on the CIP process. She recalled that she was before the Commission on August 13, when she shared with the Commission how the CIP process was different than how they have done it in the past.

Ms. Allshouse presented a slide that showed the process and various steps that staff has been through. She noted that the red arrow indicated to where they currently are. She said they started in May with joint work sessions with the Board of Supervisors and School Board, and that the Planning Commission was also represented as an early meeting as part of what they used to call the Oversight Committee. She said there was a lot of staff work done in both June and August with the Long-Range Planning Committee on the School Division side as well as the General Government side, where they identified some projects for consideration.

Ms. Allshouse said that on September 17, they had a joint work session with the Board of Supervisors and School Board where they prioritized projects together. She said it was a point where they took both of their priorities from both sides and then did it collectively.

Ms. Allshouse backed up to May, noting that one of the most important things that happened in May was affordability first. She said this was a major shift in how the County has done CIP to where they first looked at what they believed they could afford over the next five years, and started with a limit. She said they went from there, moving forward, noting that this was a very important part of the process that is different.

Ms. Allshouse said in October, they had a meeting with what used to be the Oversight Committee (now the CIP Advisory Committee) that Mr. Dotson is a member of. She said they met three times, took the information, and turned everything into a recommendation that is going to be sent back, via memo, to the Planning Commission, School Board, and Board of Supervisors. She said staff is still finalizing the memo and that it should be out by the end of November.

Ms. Allshouse said she met in front of the Board of Supervisors and School Board to share with them the results of this as part of their long-range financial planning process. She said they think about the CIP as a long-range financial plan as well as the operating plans that they do for both the school side and operating budget. She said what the Board wanted them to do was to bring all those together in one meeting, or series of meetings, so that they can think about long-range capital budget needs as well as their operating needs. She said this would allow them to look at the affordability of all of this in one setting.

Ms. Allshouse said she was there that day to update the Commission on the process. She explained that after this, it would move on and become part of the budget process.

Ms. Allshouse said the CIP Advisory Committee that met in October reviewed the CIP projects brought forward; ensured that they aligned with County policies, priorities, and principles; and then developed a combined CIP proposal up to the maximum amount of pre-agreed-upon funding levels. She said the report is coming out by the end of November or so. She said what happens

next is always an important question, and the County Executive needs to take this information.

Ms. Allshouse said if thinking about the CIP being a five-year plan, the first year becomes part of a budget. She said the County Executive is supposed to provide a capital and operating budget to the Board of Supervisors that he will present in February. She said thus, everything has to be taken into account together, and that is why staff makes a point to say that the County Executive will be taking the recommendation and then moving it forward.

Ms. Allshouse presented a slide showing the members of the Advisory Committee. She said the committee focuses efforts on the Board of Supervisors' and School Boards' top-ranked projects and programs and the affordability cap, which was up to $55 million more than a base CIP model. She said it wasn't just $55 million total, and that she would share some information on the next slide about how this worked out.

Ms. Allshouse said the committee looked at the projects that were prioritized by the Board of Supervisors and School Board and presented a combined list of what got prioritized. She said with both boards, staff pushed for what is their top ten priorities, then the two boards came together to prioritize again. She said the scores of three small groups were combined and did weighted averages of the priorities, and that the list she presented was how they sorted out. She said the instructions the Advisory Committee shared with staff was to use this list of the priorities and see how they can work it out into the five-year plan. She said that on the list, the items in blue were the items that were able to be worked into the $55 million of additional funding into the CIP.

Ms. Allshouse presented a slide, noting that there were many numbers on it. She indicated to numbers on the left, in the blue, explaining that this is what they were calling the "base CIP." She said the reason it is a base CIP is that they started with prior years' CIP because it is five years, and it is rolled forward. She said they started with some items that are already in the CIP, especially maintenance programs that continue over the next year (e.g. school bus purchases, maintenance of County buildings and school buildings). She said this was all built into what they are calling the "base." She said the base was about $165 million.

Ms. Allshouse said she wanted to bring to the Commission's attention a couple things about the base. She said it had the maintenance replacement projects in it, as well as ongoing programs. She said it also included courts, and a $6 million bike-ped connectivity initiative that was previously approved that is now built into the base and is funded in the CIP currently that is being recommended for the upcoming year. She said it also continues to have ACE funding in it for three of the five years.

Ms. Allshouse indicated to the $155.6 million total that was in the base. She indicated to the additional equivalent tax pennies on the tax rate, explaining that they do this not to say that the tax rate will be raised that amount, but is done as an equivalent to see what additional resources are needed over and above what staff is assuming will be growing more naturally in the five years. She said they look at the revenue projection over the next five years, then note that there will be additional resources, even for the base CIP.

Ms. Allshouse indicated to the bottom block on the slide, noting that it says in addition to equivalent pennies on the tax rate, this particular model of CIP (done as a scenario model) requires some additional one-time money. She said often where the County achieves the one-time money is the end of fiscal years, explaining that sometimes at the end of a fiscal year, there are more revenues than expenditures. She said they would then say to please direct some of that money into the CIP at the end of each fiscal year. She said that particular base model shows an

assumption of about $4 million, and the last four years of the plans would actually be built into the model.

Ms. Allshouse said that before she moves on to the FY 20-25, she wanted to remind the Commission that the CIP also has projects coming from the past. She said thus, the process included CIP past, present, and future, and that there are items that have been approved in the past that have been appropriated (meaning there is funding that is allowed to be spent on many projects in the past that have not been fully implemented). She said she and Mr. Benish had just been looking at those past projects earlier and that they included projects called NIFI projects, sidewalks projects, and projects in many of the Master Plan areas that are still moving forward as part of the CIP that has been previously approved.

Ms. Allshouse said there is currently funding in FY 20, and that this is now thinking about FY 21-25. She said if they look at the whole spectrum, there is much more than just the future that is actually funded and will actually be implemented in the CIP. She said the base is for FY 21-25, but there is carry-forward funding from the past as well.

Ms. Allshouse indicated to the green side of slide, which represented the recommendation that came of the CIP Advisory Committee. She said that they were recommending an additional $55 million and that it includes $22.75 million in transportation leveraging additional funding, noting that there was already a lot that was currently appropriated. She said the recommendation also includes $4 million for economic development P3 (public-private partnership) funding, which could be spent or utilized in Master Plan areas for catalyst projects, to obtain land and high priority areas to work with partners to move things forward in the way that have been recommended in Master Plans and other plans in the County.

Ms. Allshouse said the recommendation also included funding for two important school projects: $6.25 million for Cale Elementary expansion and site improvements, and $20.4 million for Crozet Elementary addition and improvements. She said it also includes a reserve of $1.6 million that have been programmed into the model for Year 3.

Ms. Allshouse presented the five-year total and that moving forward, FY 21-25 is $210.6 million. She indicated to the estimated additional equivalent tax rate, noting that it has increased and is set up differently as being an equivalent to a penny on the tax rate each year of next five years, dedicated to the capital program. She indicated again to the bottom block of the slide and said that thinking about the one-time infusion of cash, for the model to work out over the five years, it would require some additional one-time money. She said Mr. Dotson had been at the meeting and that he could share some information if more clarity was needed.

Ms. Allshouse said she had mentioned the Transportation Leveraging Program, and that this money leverages other money. She said $25 million had been requested, but if a larger amount is put in Transportation Leveraging money, it will bring much more money to critical areas of the County. She said the request for Economic Development funding was $4 million to obtain site control of strategic properties, investments expected to increase opportunities for P3 and future tax revenues, and could be a way for the County to assist in implementation of Master Plans and Small Area Plans.

Ms. Allshouse presented slides from the School Division, noting that Mr. Dotson may have more knowledge on this as he was involved with the Long-Range Planning Committee's work. She said that for Cale Elementary improvements, the request was for $6.25 million. She said this was actually an increase from the original amount of $5.46 million and would add additional space and

site improvements to Cale. She said that for Crozet Elementary addition and improvements, this was a larger dollar amount to add 28,000 square feet and do renovations and site improvements at the school.

Ms. Allshouse said this concluded the projects that were included in the recommendation. She noted that this was still a recommendation at this point, and that staff was giving an update. She said that at the last CIP Advisory Committee meeting, they talked about the process moving forward and received suggestions from committee members on ways they can improve what they have done in the past.

Ms. Allshouse presented staff's proposal for next year, noting it was not set in stone. She said they will update the revenue assumptions, as they do every year, to see if this provides additional revenue or less, depending on the five-year forecast. She said they would update timing and cost assumptions of projects when they receive more information about that. She said they would update their spend plan timing, meaning the times that they issue debt has to do with when projects are moving forward, when the money is being spent. She said this is timed very carefully so that they do not borrow until they need to. She said they do not want to borrow ahead of time and start paying debt before they actually get the work going forward.

Ms. Allshouse said that this did not only include the projects for FY 21-25, but were the projects from the past and the spend plan on going on the projects they have. She said these will be updated, and this may change some of their assumptions on debt.

Ms. Allshouse said staff also recommended considering any emerging or urgent needs that may occur that they have in front of them this time of year. She said to work these in, they would have to hope that there are more revenues that have come in, noting that the debt's timing might have been different, or that they perhaps would need to substitute a project. She said that Year 5 would be FY 26, when they would start considering new projects coming into the fifth year of the CIP.

Ms. Allshouse said this was the proposal for next year, noting that it was not about everyone sending their projects in again. She said the Commission could tell that staff has done well in filling the affordability capacity based on the Board of Supervisors' and School Board's early work.

Ms. Allshouse said the next step will be moving forward from there into the regular budget process. She concluded her presentation and offered to answer questions.

Ms. Riley asked if the $1.6 million reserve in Year 3 was a reserve for the priorities that were already identified, and if it is not utilized, what happens with it.

Ms. Allshouse replied that there was conversation in the CIP Advisory Committee about this reserve and that it could be used in different ways. She said one thing that they didn't take into account as they did the process is that often times, community groups would seek funding from the County, perhaps matching funding that can actually pull in a lot of other funding from outside sources. She said they didn't fully work this into the process that year. She said there were also priorities that did not get into the plan and that the reserve could provide some flexibility in the CIP for those types of things. She said it could be used for the emerging needs that may occur. She said the reserve was about wanting to hold some capacity in the CIP for future needs.

Mr. Carrazana asked how the transportation fund projects are prioritized, noting that he understood those were not combined with VDOT and Smart Scale.

Ms. Allshouse deferred to Mr. Benish.

Mr. Benish explained that the Board has established an annual process where they review priorities for transportation improvements and that this is done beginning in April or spring. He said the projects that are identified are those that are listed in the Comprehensive Plan or that have been derived from studies or the recent Long-Range Transportation Plan that the Commission had recently reviewed. He said there are a set of criteria to prioritize those that are generally based on the same criteria that the State uses for their Smart Scale program.

Mr. Benish said that there were five or six criteria that relate to economic development (the amount of development that has taken place in an area), whether it addresses a capacity or safety issue, a consistency with land use planning, and that one or two other criteria has been applied.

Mr. Benish said the Board and staff evaluate those projects against those same criteria that the State uses to come up with those priorities. He said those priorities are used for the purpose of the leveraging seen in the CIP. He said staff worked down the list of projects and identified the ones that are most viable to occur to make applications for. He said those applications are for revenue sharing programs, which require a 50-50 match, meaning a larger amount of the leveraged money, or the Smart Scale program, which is money fully funded by the State but may require some planning work in advance to make them more competitive under that criteria. He said it was an annual process that the Board of Supervisors has a running priority for projects.

Mr. Carrazana asked if VDOT was part of that process in coordinating it at some point.

Mr. Benish replied yes. He said they are either involved in the identification of those projects through some of the State-level planning that is done, or through participation in some of the County's regional transportation planning. He said at the point in time where the County annually prioritizes as to which projects to pursue for grants, they work with the State to determine which they believe are most viable for those programs. He said there is a "gut check" annually to determine if a project will score well, is timely, and one they should make an application for. He said other projects may not score well, and this is when they have to look at another program or fund through the CIP. He said the staff uses VDOT and the TJPDC in that process.

Mr. Keller asked if staff could explain where the CNA is in the new process.

Ms. Allshouse replied that one thing the CIP Advisory Committee talked about during their conversation about what they may want to add in the future or do differently is that the CNA is not part of this budgetary process that was just done. She said they do need to think about this in the future.

Mr. Keller pointed out that if they are doing the plan as a five-year segment, it seemed logical to include the CNA in the way they organize this.

Ms. Allshouse said when thinking about Year 6, there should be a plan associated with what comes forth as proposals for that.

Mr. Bivins prefaced his question by saying he was asking it out of ignorance and that it was truly a question. He asked that when considering certain districts that want certain amenities or certain investments, if there had ever been any discussion about a localized tax of a particular district.

Ms. Allshouse replied that she had been with the County since 2000 and that over the years, there have been conversations about taxing districts and other things that could be done. She said there have been discussions because it was important to think creatively and that they cannot do everything that they want to do with the CIP because the needs far outweigh what they are able to afford to do currently. She said they have to start thinking about how they could perhaps do things differently.

Mr. Benish said that as recently as three years before, they looked into the service district option. He said that without being prepared to go into the argument and discussion of that, there are some realities about how beneficial that program is for the cost of actually implementing them. He said that at the time this was initially investigated, it didn't seem to be as viable an option, but that OMB and the County Executive's Office is continually looking at those options and that they may have to be revisited again.

Mr. Keller said that new leadership in the Virginia legislature is talking about the possibility of expanding some of the rights of cities to counties, which would open up even more of those possibilities. He said there are a number of things that Albemarle cannot do as a county.

Mr. Benish said the option and opportunity for impact fees, for example, is a way to defray some of the costs that have to be negotiated. He said this has always been a difficult one at the General Assembly, and may continue to be. He said a new GA does provide some hope for some changes.

Ms. More clarified that they were not there to talk about service districts, and that staff's previous assessment was that, from a financial standpoint, it wasn't something that the County was pursuing at that time.

Mr. Benish replied this was correct, that they were not pursuing it either at that time or at this time. He said political implications and decisions have to be made, and that votes have to be taken to establish those districts, noting that they are complex to put in place.

Ms. More said they didn't need to get into that discussion at current time.

Mr. Benish agreed.

Ms. More said she knew this wasn't staff's intention but that the previous comment had triggered hers.

Mr. Dotson asked that with the useful diagram Ms. Allshouse presented, if she could explain the difference between what happened in 2019 (the "big year" where many projects were looked at) and what would happen in 2020, which is sometimes called an "off year" where only emergency, special, or unusual projects are considered.

Ms. Allshouse said that in the past where they have had more a full year where all projects are placed on the table for consideration, the next year would be an amendment year where they would only have emergencies or emerging needs come in. She said after that, the next year would be a full year. She explained what was different in 2019 was the affordability conversation first, because in the past, what staff had found occurred was that they would have so many millions of dollars of projects that would come forth for consideration, review, and a significant amount of time. She said the affordability constraint would be severe, and so there would be a lot of attention to things before they knew what they felt like they could talk about in more of an affordability context.

Ms. Allshouse said that as far as 2020, the proposal was just put forward on how to handle that year, and that it makes sense to staff given the affordability conversations they have had. She said she wasn't sure exactly how it would play out, but the current thought was that the last year needs to be brought in (FY 26). She said they believe they have a lot of projects currently underway and currently appropriated, and that this was an ambitious CIP for the County.

Mr. Dotson said Ms. Allshouse had showed a list before of what was 11 projects, which was the result of the joint prioritization of the two boards. He asked, roughly, how many total projects there from which the 11 projects rose to the top.

Ms. Allshouse replied that the dollar amounts had been totaled, which was $240 million of requests coming to a $55 million affordability cap. She said numbers wise, this was probably about 30-40 projects total and was a large packet of information that went out to the boards of all the projects. She said the boards all prioritized them themselves first, then they came together and prioritized collectively, adding that it was a tough exercise.

Mr. Keller weighed in to say that having seen this now for six years, there are expectations that came from that list of the 40 projects in the past. He said this was a much more realistic approach for the public to see that there is a smaller subset of projects and what the realistic funding is. He said he has had the sense from Planning staff over the years that there has always been a hope that they would get the Small Area Plans to rise up, for instance, as something that would be funded, and whether or not this is part of the operating budget now isn't so much the point as these expectations that would never be met. He said he thinks they would lose certain members of the public who are very supportive overall, but they would wonder why they are going through this "charade" year after year when their projects will never rise up to that level.

Mr. Keller said that by having that carryover that would become available at the year-end point, this was helpful for the public to see. He said this is where he agreed about Year 6 and, from his vantage point, the full CNA so that they can actually begin to see where the numbers would be phased out, or what the amount from some areas (e.g. courts) would be left to be expended in each of the next years to see that there is more available for other categories.

Ms. Allshouse said another thing to remember about the CIP is that there is debt from prior CIP. She said they are still carrying over 20-year debt over from prior projects and is still taking their capacity. She said the County appropriates a certain amount of money for what they call "capital end debt," which is debt service funding that they still have to prioritize in their funding. She said to Mr. Keller's point, they are carrying some costs from prior years that they still have to consider before adding more.

Mr. Keller said he was wondering about things that have been talked about from the Commission's dais and from other parts of the County. He mentioned the scenario of if the yellow school buses were to go away because there was a comprehensive bus system that allowed for students to use it as well as the public, noting that this was only an example and that he was not pushing this because he knows how complex it would be. He asked if there was a mechanism in the process to play out an idealized scenario for something that would be a special project like that, and how that might flow through either in the overall budgetary process or in this one.

Mr. Keller said that it seemed like such a logical way for the public to be able to understand the rolling nature of expenditures, and that it was almost like they would like to see the entire budget work this way as well.

Ms. Allshouse said this was a great point and that what Mr. Keller was referring to was scenario planning. She said there are tools to conduct "what if" analyses to look at the bottom line. She said the County's current CIP scenario modeling is very project oriented and does not allow for a quick plug-in of a project and see it quickly. She said in the future, perhaps there will be models that will be much more simplistic to allow for that kind of modeling and see the financial costs while still tying into the debt payments. She said currently, staff's model is a project-oriented model and that all the information about debt, timing, and cash has to be put in. She said those types of scenarios could be played out, but it is just that they cannot be done quickly, and they cannot do a lot of them.

Mr. Keller asked if the major question for the Commission that evening was about the strawman model and the way it is presented.

Ms. Allshouse said that this would be Mr. Benish's next slide.

Mr. Benish replied that the follow-up would be determining the next steps in the strawman, which he could present.

Ms. Allshouse turned the presentation over to Mr. Benish, thanking the Commission for their questions and interest in the CIP.

Mr. Dotson commented that he thought they have had a very useful context that evening talking about the Crozet Master Plan and now hearing the overall County process. He said this was a very good place to be to consider the Commission's own role in that.

Mr. Keller asked that to follow-up on that, if Mr. Dotson thought there should be a school's segment in the Crozet Comprehensive Plan and future Comprehensive Plans. He asked if that was a part of the discussion to an extent that is somewhat further than what they saw with Pantops, for instance.

Mr. Dotson said he would assume that the Master Plan would talk about transportation, schools, parks and recreation, and perhaps other things.

Mr. Keller asked if it would be a level of specificity beyond.

Mr. Benish replied the answer to that question was "yes." He said the Master Plans identify what capital project needs there are. He said Pantops was interesting because there is no school in that district, and the way that the school system has structured growth, to date, has not anticipated a school and is why there is a vacuum. He said perhaps this should have been discussed more, noting that it has come up over time at Pantops, but that is why there is a unique void there. He said usually, staff will address schools, libraries, fire and rescue, and other needs.

Mr. Benish said he would start off by reminding what the Commission and staff had gone over in August that set the stage to put the strawman together. He said the Commission seemed to be most interested in their role in determining what the Master Plan and Comprehensive Plan projects that should be submitted in the future in the CIP process. He said a CIP component would be added to the annual report which would function as a dashboard that would allow for an audit

of the CIP over time, maintain Commission membership on the CIP Advisory Committee, and that the processes would help the Planning Commission stay informed and involved in the CIP process through the annual audit as part of the annual report and their participation on the Advisory Committee.

Mr. Benish noted that Mr. Cilimberg and Mr. Dotson had helped develop the strawman that staff has put in place. He said in stepping through this, the Planning Commission appoints a representative to the CIP Committee Advisory. He said they would make sure this is a formal representation and not merely a casual one, as well something the Commission would appoint each year. HE said the proposal was also that the Planning Commission would appoint a committee of two to work with staff to develop a report and to look at the implementation sections of the Master Plans to create a standard format for those. He said this would help them provide for need, priority, and a standard across the Master Plan processes.

Mr. Benish noted that 2020 was put there not because they would only use it in 2020, but because the bulk of the work would be to develop that the first time, and then it would be a running list. He said it would only have to be developed initially in 2020.

Mr. Benish said the Planning staff would compile what they are calling a "project dashboard" of Comprehensive Plan implementation projects. He said staff would monitor or audit that project dashboard in the Planning Commission's annual report that includes project statuses, how they are being funded, alternatives to funding, etc.

Mr. Benish said in that process, the Commission would confirm (as recently discussed), based on the new or revised approach to the CIP, what the fifth-year projects would be in the new projects of the CIP or any emergency projects that it feels are important in that intervening period. He said they would also look at future years for those projects.

Mr. Benish said the Community Development Department staff would interact with other departments that are responsible for the submittal of those Master Plan projects that the CDD isn't responsible for managing. He said this would mostly include parks and rec projects for open space, ensuring that they are on the same page with the school requests and Master Plan requests. He said that CDD mostly handles transportation requests but that there are some that come from other departments, and so these would be coordinated. He said that sporadically, there would be other important projects identified in the CIP that staff may want to coordinate with other agencies (e.g. a library) and that staff would regularly update that dashboard.

Mr. Benish said the other major step in the strawman is to include the Planning Commission representation on the school's Long-Range Planning Advisory Committee. He said Mr. Dotson has been sitting in that committee, but that he has not been sitting there as a Planning Commissioner. He said the idea was to formally make that a regular Planning Commission representative on that committee as well.

Mr. Benish said he hoped that what was submitted in the staff report helped cover the background. He said staff wanted to see if they were heading in the right direction. He said on the prior slide, there were some dates by which staff would begin to work on those things, with the intent to try to implement this in this first year to work on sharpening the Master Plan implementation recommendations, provide consistency, develop the list, and then go through the first audit of the list of projects.

Mr. Benish said that one of the things that was also discussed as it relates to the CNA is that the list of projects, while certainly not a CNA that is fully comprehensive Countywide and would not necessarily (at least from a CDD standpoint) would have funding projections on it, creating that list in some ways creates a CNA because they will be looking at the recommendations in the Master Plan and establishing a longer list of projects that will help inform, or at least have a document that can be used like a portion of the CNA and be used as a way to get restarted on that project.

Mr. Benish said he had the recommendations and felt compelled to indicate that this is a relatively new initiative, and that staff believes they can dovetail it into the work they would be doing in the spring. He said staff had a lot of initiatives on their plate, and the staff that would normally be working on this are the same staff that are working on the Crozet Master Plan and the Rio-29 form-based code.

Mr. Benish said there was a high-priority, Countywide initiative to update the County's website and that they have five staff from CDD and three planners that are assigned to that, starting that week. He said they estimate a minimum of 6-10 hours per week for each of that staff to work on that website, and that this is one of the top Countywide priorities. He said they still have some vacancies over January, February, and March planned as extended vacancies such as maternity leave. He said staff is trying to figure out how they are going to get everything done. He said he felt that the Commission needs to understand that they are trying to fit in the strawman to what they already have on their plate.

Mr. Dotson said at one point (in December), they were talking about a joint meeting between the Planning Commission and the Board of Supervisors and that this would be done periodically. He asked where this stood, as this would be the perfect topic to discuss at such a meeting.

Mr. Benish said he did not know of a Planning Commission-Board joint meeting that is planned in December or January. He said the plan would be to inform the Board, through other mechanisms, as an informational item. He said currently, it was School Board joint meetings and City Council joint meetings that are currently scheduled at the beginning of the year.

Mr. Dotson said the Board of Supervisors was, then, booked up on joint meetings.

Mr. Keller said that they have been, because he and Mr. Bivins have talked to Mr. Benish at a number of points, and he has run it up the flagpole to have it run back down again.

Mr. Benish said he would continue to do that.

Mr. Dotson said he thinks it could be communicated to the Board in other ways, and that Mr. Benish was proposing that, which was fine. He said partly, because of the recognition of the staff workload and the fact that this was something new, he made the suggestion of having a task force of two Commissioners to at least get things going by developing and bringing back to the rest of the Commission the idea for how they would like to prioritize and organize, along a timeline, the implementation projects in Master Plans. He noted that some projects will not involve CIP, as some of the recommendations are for Zoning Text Amendments and the like.

Mr. Dotson said someone needs to wade into those plans to determine how to develop a consistent vocabulary in order to create the dashboard. He said the goal would be able to determine the totality of what the plans say, likely determining that it is probably too ambitious (thus his earlier comment, "think lean"), but that at least this would be a starting point. He said

two Commissioners could form a task force and get started on looking at that and work with staff, and that this would take some of the load off of staff. He said they have not done that in the past, but there was no reason they couldn't.

Mr. Benish said that all of the Master Plans do have various implementation data, and it isn't that they are just blank slates but that there are things to work from. He said there are a number of different ways it has been approached in different timeframes and different titles (catalyst projects, short, and long), and that getting unity on that would be useful.

Ms. Riley said that to tease out more what the intent behind that work is, she heard him clearly describing the need for some uniformity in being able to distinguish between CIP and non-CIP implementation projects. She asked what, additionally, would be happening there. She said she could imagine eliminating projects that don't exist anymore, and that consistent formatting would be something to reflect back. She asked if it would be a table of CIP and non-CIP projects that are compiled that get represented back to the Planning Commission, or what the end use of the process would be.

Mr. Dotson said it would be to establish a foundation so that, going forward, they know where they are right now based on each of the Master Plans. He said it would determine their aspirations, what people are expecting, what they would like, what is perhaps consistent with economic development, and what is consistent with different transportation priorities that they already have. He said it is a way to try to look at the entire picture in a way that he didn't believe they ever have. He said they have looked at its Master Plan by Master Plan and that this would be an overall "super spreadsheet." He said hopefully, over time, this could be simplified because by having a more consistent approach and vocabulary, they will get into a rhythm and have a system in place.

Mr. Dotson said Mr. Keller had mentioned the CNA, noting that there are projects that perhaps are not needed in the first five years or aren't a priority, but that they are needed in Years 6-10. He said that this approach would try to identify those. He said there are probably other projects that the County wouldn't want to forget about, but that they probably won't be funded in the foreseeable future. He said they wouldn't want to lose them in case some opportunity occurred that they don't anticipate. He said he envisioned a master spreadsheet that accomplishes that purpose.

Mr. Carrazana said he believed that this was a key that was missing. He said in looking at the Crozet Master Plan, they take the intensification of the Downtown Crozet area, this will require a number of capital improvements for infrastructure and that this should be clearly outlined. He said that he assumed that along with that densification and looking at the Master Plan, there will be a transportation plan that dovetails and will identify key improvements and by necessity, they will have to look at the schools that will be impacted and what are some capital improvements that are associated with that.

Mr. Carrazana said there may be some other infrastructure needs (e.g. stormwater) they will need to look at, as well as other things that are not necessarily capital improvements, but will be necessary to implement that development. He said many times, there is a focus on development, but the two things that always come up in unfavorable factors are traffic and schools.

Mr. Carrazana said now that they are doing Master Plans, having those clearly identified would be a real benefit because now there will be the understanding that if one is going to embark on that level of development in an area, they will know what they will need to support it. He said if they cannot afford, it should put it into question before signing off on that plan.

Mr. Carrazana said that instead of things coming to the Board or Commission, when a developer is building and there is the question of whether or not to do so before approving the Master Plan, there is then an opportunity to determine if the County is able to afford any of the requirements from an infrastructure standpoint, or if they have the mechanisms to pass that on to developers. He said the time would be at the Master Plan level, not at the individual project, once they approve the Comprehensive Plan or Master Plan that allows developers to build.

Mr. Dotson agreed.

Mr. Keller said earlier, when he was talking about those things, he pulled up the Table of Contents for the Comprehensive Plan and the Pantops Master Plan. He said he could see that they were not parallel in any way. He said that though he believed they were both good, in terms of the public, it seemed to him that they want those things to track along so that they can then see what they need to accomplish what they said they were going to do at Pantops, Crozet, 29 North, 5th Street, etc. He said that from what they have learned from the plans that have happened in the last several years, it might mean that the Comprehensive Plan organization needs to be reworked.

Mr. Keller said that with the points of background; values; vision; growth management; natural resources; historic, cultural, and scenic resources; economic development; rural area; development area; housing; transportation; parks, recreation, greenways, etc.; and community facilities (which didn't include schools) it seemed to him that they were there and had many different approaches.

Mr. Keller said this was what Mr. Benish was saying that staff is working towards, in light of what they have learned from the more recent plans, is updating and modernizing all of those components, and then they could have the parallel data collected for each of them so that they would actually know what the affordable housing issues were, in a parallel manner, in each of those areas.

Mr. Keller said they could at least put a factor in, based on the population size, if there is a significant difference from one to another. He said they could see the differences in the middle school populations, at this was coming from the other division. He said this they could see data as to how many people are out-migrating to work and where are they out-migrating to. He said they had those figures about how many people are actually going to Washington, D.C. and Richmond for jobs from the Greater Charlottesville-Albemarle region and could determine what impact this has on transportation. He said they could also look at how many people are working from home and what effect that has on transportation.

Mr. Keller said he would hope that where this is going is a much more systematized set of goals and information so that they can test the effectiveness of what has been called for from one plan to the next.

Mr. Bivins said that his concern was about mission creep. He said the School Board is an elected body that has a whole host of people that repot to them. He said they have transportation planners that he assumes reports to Mr. Benish. He said that part of what he is struggling with in this rich conversation is what are they really "saying grace" over, and what is their jurisdiction for doing so.

Mr. Bivins said that while he has a role in being informed in helping to describe what the school system is doing, as a Planning Commissioner he doesn't have a role in saying what they should be bringing as far as their building capacity. He said perhaps there is an appropriate time to

become involved in this conversation, but that this was not his role. He said the School Board has been elected and that there are times when they and the Board of Supervisors get together.

Mr. Keller said he completely agreed with Mr. Bivins but that he thought of it as far as what the real picture is, and that part of what is frustrating the public that the information isn't there. He said if the Commission had the information on transportation and what is planned out and will be funded (and same for schools), it seemed that this belongs in the planning piece that is geographically specific.

Mr. Bivins said this is where he is going. He said he believed what they were talking about was to how to integrate all those critical pieces into the County's major set of planning documents. He said he understood this, but wanted to be very careful that he is not trying to move into a position where he is saying whether or not a CIP project is worthy when there is a very smart process for that to happen that has been described and that Mr. Dotson has been involved with. He said as far as being part of the group that offers comment or observation, particularly as it happens with land use, he thinks the Commission should be much more involved in that conversation as far as use, need, and if they need to initiate things.

Mr. Keller said he agreed with the way it was described and that it would be interesting to go down the line to see if all the Commissioners agree. He said if all the Commissioners agree, they do not need to have further discussion.

Mr. Carrazana said he believed they do agree, and that the key word he heard was "integrated" and that it concerns the integrative planning piece. He said his concern is that if they are approving Comprehensive Plans and Master Plans for areas in isolation of having a complete transportation plan that aligns with the Master Plan so that they understand the impacts, whether there is an opportunity for the School Board to look at the impact of the developments that are going to be approved through a Master Plan. He said this would determine what that would do to the school areas and would have the School Board weigh in. He said this was the integrative part of it.

Mr. Carrazana said he didn't think that the Commission would be telling the School Board what they have to build and what their next CIP projects are, but that they should understand what they are approving and recommending the Board to approve. He said the question was whether the School Board is aware, for instance, that there are a number of multi-family homes approved in Crozet in the next five years and what this will mean to the school infrastructure in that area.

Mr. Carrazana said that once they have the full understanding, this is when they have all the impacts and capital improvements that are associated with that particular development. He said then, the Master Plans can be approved once there is that awareness. He said that in the time he has been on the Commission, he has seen many plans that he was not sure had all the information in them. He said, in fact, the Commission is approving specific development on a site that had already aligned with the Comprehensive Plan without doing a traffic study, and that has come to the Commission many times since he has been there.

Mr. Carrazana suggested that once Master Plans are being done, they should have all the information from VDOT or someone who would do a traffic study, then have the information from the School Board as well as from whatever other agencies that come together. He said that the recommended plan would then include the impacts that would happen on the infrastructure. He agreed that the Commission should not go beyond the integrative part.

Mr. Bivins said that something came up at the CAC meeting he attended the night before. He said there is a parking lot in Stonefield in front of the Hyatt hotel, to the left of the movie theater, and apparently, the design for that was done in 2006, when the whole property was planned out. He said there was going to be an apartment building put there in 2006. He said it is now 2019, and even if then when they did the land use and determined they would have certain things happening around the project, the reality is that many things got built between 2006 and 2019. He said it was a nice project and that the article in The Daily Progress did a good job of describing it.

Mr. Bivins said his point was how they, as a Planning Commission, take into consideration 234 units and how they would begin to plan that. He said he was agreeing, but wondered how to wrestle with the fact that lots of property at North Point was approved and is coming online after all of the other things that were funded prior. He asked how to integrate that just in time and reflect the reality when lots of things come by the Commission and don't get built for a decade (or at all, in some cases), yet have an impact on decisions the Commission is making and plans the County is crafting each day. He said there were places in Crozet that were supposed to come on the books and never did, but perhaps will if certain discussions go right. He said he was trying to figure out how the Commission can become nimble with staff and with other districts so that they can do the kind of job he believed he heard Mr. Dotson, Mr. Keller, and Mr. Carrazana wanting to do without overstepping its boundaries.

Mr. Carrazana said that it was a very interesting question as to how they get some level of timing for the developments the Commission is approving to then correspond with capital improvement that would be needed. He said there are probably some signals they could get as far as the viability of the area to be developed. He gave Crozet as an example, noting that there are already areas there that are failing, so they know that if they increase development and allow for more densification in certain parts, they do not have to stretch far to the imagination that there is going to be more traffic and impact on schools that are already impacted. He said the same was true with Cale Elementary and some of the impacts there.

Mr. Carrazana said there were certainly projects that the Commission could recommend thinking about during the next five years. He said it was difficult to think beyond ten years, but certainly within a ten-year horizon, one could recommend some projects that the County should be prioritizing in an area, particularly if they are going to approve a development. He said they would also have the consensus from the other agencies that would be impacted.

Mr. Carrazana acknowledged that some things may take longer, but if there are already areas that are impacted and that the projects will be alleviating and providing for the growth, he would think that this was a positive on both ends. He said not only would they be dealing with some immediate problems or issues they have now, but they are also thinking ahead and not being so reactive about what is coming down the pike.

Mr. Bivins mentioned Galaxie Farms and that they now know that the County will put a school there. He asked if this now has an impact on what they do with Galaxie Farms.

Ms. Riley said that it would go before the Board of Supervisors and that they will make the ultimate decision.

Mr. Benish said that they just do their best. He said when they did the Places29 Master Plan, the transportation recommendations were based on a $967,000 transportation study. He said to keep this in mind when they update the Places29 Master Plan and whether they want the same transportation study. He said that VDOT paid for two-thirds of it. He said it does set them at a

point in time of what that Master Plan is based on, and it is not based on particular proposals, but on ranges of land use destination. He said it is their best job and indicates what the general needs are in an area.

Mr. Benish said if the County has the opportunity to review a legislative review for rezoning, a traffic analysis can take a snapshot in time as to when that project comes in, what the condition of that road is. He said hopefully, the Master Plan has identified what needed improvements there are that is a basis for recommendations or how to address the proposal and whether the infrastructure is there. He said the traffic analysis that could be required could help inform, at that point in time, to answer the question.

Mr. Benish said if a project is rezoned and it sits, it becomes a by-right development. He said this is what they have to be aware of when they do zoning as far as how long it sits and when it becomes stale. He said when staff is on a schedule for updating Master Plans, they are hard pressed to update them on a consistent basis. He said there are plans that are "long in the tooth" identifying needs, so they do the best they can with the resources they have from the CIP or the operational budget to keep that information current. He said staff always runs into those circumstances, such as the apartment building where some of the base analysis for that now by-right zoning was based on studies done in 2006.

Mr. Benish said to keep in mind that there are many goals and objectives to Master Plans beyond transportation and schools. He said there is a larger picture of what the County is trying to achieve, and certainly they want the infrastructure there, but if the infrastructure is there and they don't approve the development that the market says is coming, the question is where they want it to go. He said this is the option of not approving it, where it is in the plan.

Mr. Benish said that what he thinks this product is doing is focusing in on the implementation component coming from the Master Plans, assuming they do the plans right and the recommendations are there, and the school recommendations have been worked out together and in unison. He said the dashboard will say that assuming this is right, here is what the Planning Commission thinks is important to inform the process, moving forward, with the Advisory Committee. He said it is taking what is already in that Master Plan that the Commission has had a chance to weigh in on and stating how they want it implemented.

Mr. Benish said that for this product, bringing it back to what it is, not to oversimplify it, but they assume they have made good decisions, or, in the future, they will in the Master Plan. He said this is the Commission's opportunity to say which of those ten things they have identified as number one, and in the five Master Plans, which of those they are. He said they are going to a CIP process that is essentially a budget-constrained CIP and that they will only have a certain amount of money in each of those first years. He said it was the Commission's opportunity to advise staff and other agencies that make Master Plan related projects of which projects it thinks ought to be pursued.

Mr. Dotson said Mr. Benish had just mentioned that he believes the Commission's thinking would be largely guided by land use considerations. He said Mr. Bivins' concern was with mission creep in that they wouldn't begin to think like the School Board thinks. He said what they can think about the land use change that is taking place and the implication of that for schools to make sure they are communicating with the Schools Division.

Mr. Keller said this was consistently what the Commission tries to do. He said when Allison Wrabel (Daily Progress reporter) goes back to look at the vertical proposal for how many units there were going to be, it would be interesting to see what the new buildout would be in terms of numbers versus the idealized number they had in the past.

Mr. Keller said the point was well taken, but that the nice thing about the revolving membership of the Planning Commission is the fact that they have a training course in the State of Virginia for Planning Commissioners that points out those boundaries. He said the Commission is constantly getting a new infusion of people who are going to remind them that they shouldn't be creeping into other areas, but at the same time acknowledging, as they saw in Southwood with Cale and as being discussed in Crozet with schools and growth, that there is definitely an interconnection. He said it was not the Commission's purview, but it is the Commission's and staff's responsibility to call it out.

Mr. Keller asked if anyone was prepared to make a motion that they follow the recommendation of staff, or with some modifications.

Mr. Benish said the Commission could vote, or simply say "yea." He said the next step was for staff to move forward with it and come back to the Commission.

Ms. Riley said she was all for endorsing the staff recommendations. The rest of the commissioners agreed.

Mr. Benish said they did not need a formal vote, but direction. He said the next step would be to work on the task force, which would come back to the Commission at a later date.

Mr. Keller said Mr. Dotson had a recommendation that there may be a way to take some of the pressure off of staff in doing this. He said this could be a small working group of a staff member and a couple Commissioners.

Mr. Benish said they would follow up on how to get that started.

Mr. Keller thanked Mr. Dotson for his work.

Mr. Dotson thanked Mr. Cilimberg.

Committee Reports

Ms. More said the Yancey Lumber Company presented to the Crozet CAC. She said that it may or may not come before the Planning Commission depending on what they choose to do, but that the start of that was that this has been a business that has been in operation since 1949, and there are now all kinds of setbacks and restrictions. She said they are non-conforming or non-complying, but because they are an old business, they are what they are.

Ms. More said Yancey Lumber has a situation where there is a piece of equipment that is slightly larger than what they currently had that they need to replace that is requiring them to ask for some Special Exceptions. She said seemingly, their approach is that since they are already asking for the Special Exception (which touches on a couple different technical aspects), perhaps they should ask for some other Special Exceptions that would bring them into compliance by way of acknowledging that they cannot be set back as far as a Heavy Industrial use would be if it were

to be built today, noting again that it was an old business.

Ms. More said that from what she gathered from Mr. Fritz at the meeting, there were many technical requests that would go through and it's possible that they would simply require Board action, or that they could come to the Commission and then to the Board. She said what she heard from the business' attorney was their intent is, since they already have to make the requests, they may as well try to explain why they are not complying and finally come into compliance with the Special Exceptions. She said she found it to be an upfront approach to the matter and that there was also an interesting community discussion about how one might make a lumber yard more attractive.

Ms. More said that at the CAC meeting, Mr. Knuppel was also able to give a quick update about the Crozet Master Plan.

Mr. Bivins said there was a CAC meeting and that Kevin McDermott was there. He said it may be that at some point, given Mr. Carrazana's question, Mr. McDermott comes to talk about the process of his work in looking at the County's transportation to the extent that might be possible. He let Mr. Benish know that this had been very helpful.

Mr. Benish said staff had a plan and was waiting for the new Board and Commission to be seated. He said they would then do a training on transportation planning and traffic analyses.

Mr. Bivins referenced the Daily Progress article about Stonefield, noting that the restaurant Max Box should be there shortly, and that Champion Brewery is taking the spot that was formerly Rock Salt.

Mr. Bivins said that at the MPO Tech meeting that day, Mr. Benish gave an excellent synopsis about going back into Smart Scale in the next season. He said the County and Mr. McDermott are looking at the things that they can push towards Smart Scale. He said currently, it may be that some combination of the Route 29 and Hydraulic Road projects will be submitted, and the vehicle bike-ped crossing from Stonefield to Seminole Square may be involved as well. He said they are also considering how to do some traffic movements at grade at the intersection. He said as soon as he learns more, he will share it with the rest of the Commission.

Mr. Bivins said that apparently, the TJPDC got a Title 6 issue that they were not advertising their meetings in places where people outside of the majority might know about them. He said they are going to correct that. He said VDOT brought that to their attention, and now they have effectively looked at ways to advertise in places that are not the standard places to do so.

Old Business

New Business

Mr. Keller asked if the items that were tentatively on the December meeting agenda going to happen.

Mr. Benish replied yes. He said he would send the Commission an update prior to the meeting, since the next meeting would be in the first week of December. He said he would get them their tentative schedule for the next year and get them the dates in advance, noting that they would not officially act on them until later but that he wanted to get some preliminary comments.

Mr. Keller asked if there will be meetings on December 3, 10, and 17.

Mr. Benish replied yes, that there would definitely only be those meetings. He said he didn't know if any of those meetings can be canceled because they will need to address all the items.

Adjournment

At 9:31 p.m., the Commission adjourned to December 3, 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 and transcribed by Carolyn S. Shaffer, Clerk to Planning Commission & Planning Boards)

Approved by Planning Commission
Date: 02/04/2020
Initials: CSS