

**Albemarle County Planning Commission
FINAL Minutes May 14, 2019**

The Albemarle County Planning Commission held a public hearing on Tuesday, May 14, 2019, at 6:00 p.m., at the County Office Building, Room 241, Second Floor, 401 McIntire Road, Charlottesville, Virginia.

Members attending were Tim Keller, Chair; Daphne Spain; Pam Riley, Karen Firehock; and Jennie More.

Members absent: Julian Bivins, Bruce Dotson, and Luis Carrazana.

Other officials present were Rebecca Ragsdale, Rachel Falkenstein, David Hannah, Cameron Langille, Andrew Knuppel, Michaela Accardi, Lea Brumfield, Andy Herrick, David Benish, Carolyn Shaffer, and Sharon Taylor.

Call to Order and Establish Quorum

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

The meeting moved to the next agenda item.

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 said the meeting would move to the next item.

Consent Agenda

Approval of Minutes - April 9, 2019

Ms. Firehock **moved** to defer a vote on the consent agenda until the next meeting. Ms. More **seconded** the motion, which passed 5:0.

Items Requesting Deferral

ZMA 201800005 Kimco Hotel Pantops

Mr. Keller stated that the item must be deferred due to an advertising error.

Ms. More **moved** to defer ZMA 201800005 to May 28, 2019. Ms. Firehock **seconded** the motion, which passed 5:0.

ZTA 201800007 Belvedere Proffer Amendment - Carriage Houses

Ms. More **moved** to defer ZMA 201800007 to June 4, 2019. Ms. Firehock **seconded** the motion, which passed 5:0.

Public Hearing Items

ZMA201600013 Willow Glen Proffer Amendment

Ms. Falkenstein reported that the applicant wished to amend the cash proffer analysis used to approve the rezoning and to receive by-right credit for 10 units on the property. She reported

that the property is located on Dickerson Road, with three parcels totaling approximately 19.3 acres; the current zoning on the property is PRD, and the Comp Plan is Urban Density Residential.

Ms. Falkenstein said that the applicant was not proposing to change any physical features of the development, and Willow Glen was rezoned in 2007, with phase one and 32 units completed and the construction of Shannon Ground Fort, an access off of Town Center Boulevard. She stated that the remaining portion of the property proposed up to 141 units was recently approved for a special exception to reduce the originally approved maximum density of the property. She said the property also had an entrance proposed for the future phases off of Dickerson Road, and the development would be a mix of single-family units and townhomes organized a central area.

Ms. Falkenstein stated that the applicant was proposing the previously approved cash proffer amounts to the lesser amounts of \$4,918 for a single family and \$3,845 for a townhome. She said they were also proposing to change the annual adjustment start date from 2008 to 2018, and was requesting by-right credit for 10 units that could have been built prior to the rezoning of this property. She noted that it was zoned RA in 2007, and the applicant was asking for credit for the cash proffers and the 15% proffer for affordable housing not kicking in until the tenth unit is constructed in the next phase of development.

Ms. Falkenstein reported that unfavorable factors are that the cash proffers were deemed to be reasonable at the time they were offered and accepted by the Board, and in 2016, the Board denied two similar requests the applicants were asking. She said that one favorable factor was that the by-right credits had been granted recently, with a recently approved residential rezoning with by-right credit, which were required in 2016 when they still had a cash proffer policy – which was appealed in 2016.

Ms. Falkenstein presented staff's recommended motion of denial of the portions of the proffers that would reduce the cash proffers, and approve the portions of the proffers that would provide by-right credit.

Ms. Firehock asked if the applicant had reduced the number of units originally approved to 141.

Ms. Falkenstein responded that they were able to do that with a variation to their site plan, and had previously approved up to 234 and was now asking for fewer units – 175 total.

Ms. Firehock asked if the original amount of residential density was 10 units.

Ms. Falkenstein confirmed this.

Ms. Firehock noted that the net increase was 165 that they were able to build.

The Chair opened the public hearing and asked the applicant to come forward.

Ms. Valerie Long of Williams Mullen Law Firm addressed the Commission on behalf of Dickerson Ridge, LLC. She stated that George Ray, the principle owner and developer, was present, along with Steve Edwards of Edwards Design Studio.

Ms. Long stated that as part of phase one, the developer constructed a pedestrian connection. She referenced the by-right development plan that demonstrated they had 10 by-right lots that could have been built when the property was zoned RA. She noted the approved plan from the 2007 rezoning with 234 units, and she said that the main reason they modified the plan was because a large number of the units were condominium units. She said that at that time, the condo market was hot – but by the time they got it approved, the recession hit and the market dwindled.

Ms. Long presented photos of existing improvements, stating that there was a mixture of single-family detached homes, attached homes, and affordable units built in partnership with the Piedmont Housing Alliance (PHA). She said that since the developed portion of phase one, the remainder of the property has not moved forward, largely due to “the crushing burden of the cash proffers.”

Ms. Long reported that in 2013, the state legislature and governor amended the state code and changed the rules as to how cash proffers could be used. She said that in essence they said that they can only be used for CIP projects that expand capacity and can no longer be used for renovations, technology upgrades, or maintenance. She explained that as a result of that, the County reinitiated its Fiscal Impact Committee and asked them what the new proffer amount should be – stripping out all the CIP projects that were not expansion projects.

Ms. Long stated that with single-family detached units, the proffered amounts in 2007 were \$17,500; after the committee and Board policy stripped out the CIP maintenance projects, the per-unit price was reduced to just over \$5,000 – with a difference of \$12,500, the amount of the original proffer attributable to maintenance or renovation projects. She reiterated that the state code now says you cannot use any amount of the proffered funds for maintenance projects, only expansion projects. She noted that the portion of the proffers attributable to expansion CIP projects is only 28%, with 72% of the proffered amount being dedicated to maintenance and renovation projects.

Ms. Long explained that the committee originally established a laundry list of all the CIP projects in the County, including those for maintenance, and put them all together. She said that the state came back and said they could only use proffer funding for expansion, so the County reassembled the committee and stripped out all the maintenance projects and just left expansion projects, reducing the price per unit by 72%. She said that the state code said they could no longer use funds for maintenance projects, and the County’s response thus far has been that they are not used for maintenance but only for expansion.

Ms. Long stated that with the formula and the \$17,500, 72% of that figure was allocated towards maintenance expenses, so the applicant contends that it was equitable and legally required for the County to reduce the proffers. She said that they cannot use cash proffers allocated for maintenance for something else, and the whole point of a proffer is to mitigate the impacts. She stated that under the new formula, it would be an excessive contribution on a per-unit basis to use those funds for expansion.

Ms. Long emphasized that the Fiscal Impact Committee and policy say that each unit generates a certain amount of impact that needs to be mitigated, and it’s just under \$5,000 for single-family units, not \$17,500; for attached units, it was just under \$4,000. She said that the applicant is asking that the Commission reduced the proffers to be consistent with state law, the County’s own committee, and the County’s policy at the time fiscal impact was enacted.

Ms. Long added that the County had essentially been taking 72% of the funds allocated to maintenance and reassigning them – but state code says you can't do that and can't charge an applicant for the impact their project creates. She noted that the impact didn't get created until a unit has been built and a CO was issued, which was why the state code said that's when they collected the proffer. She said that the development did not create any impacts in phase two, and as a result, the proffers should be equal to what it says the impact is related to – 28% of what currently is being charged.

The Chair opened the public hearing.

Mr. Sean Tubbs of the Piedmont Environmental Council (PEC) addressed the Commission and stated that the PEC urges them to deny the request, only because there is still a conversation needing to be had about how the County will pay for the implementation of the Comp Plan – and for now, cash proffers are part of that equation. Mr. Tubbs said that the proffer report for FY18 that was sent to the Board of Supervisors in January showed that the County collected \$1 million cash proffers from 15 projects, and that money went to affordable housing projects and the CIP. He noted that one of those projects was for Out of Bounds, which came before the Commission and the Board of Supervisors for a similar request of reduction but went forward.

Mr. Tubbs said that in that same time, the County spent \$1.5 million in previous funds from cash proffers – transit projects, sidewalks, the Pantops public safety station, etc. He stated that as the County continued to urbanize, residents depended on these kinds of revenues to pay for part of the cost of infrastructure in Albemarle to help offset the cost of a growing community. He said that he understood the applicant's argument and was sympathetic, as the cash proffer system as they knew it was not coming back – but the proffer reform was ongoing, including legislation in this year's General Assembly that changed the proffer laws slightly. He added that he wasn't sure how the conversation would go on impact fees, but he was eager to see how it proceeded as communities across Virginia that were rapidly growing tried to figure out ways to pay for the cost of development.

Mr. Tubbs said that he would like to know if it was possible to reconvene the Fiscal Impact Committee, as it had been since 2016 since that committee last met. He said that how they would pay for growth was one of the most important questions of their time, and the Board of Supervisors held a meeting on May 9 and had several scenarios regarding potential tax increases to pay for growth – and everyone had to pay their fair share. He said that in this case, there was a contract signed and possibly that could be changed in the future, but they should have a broader conversation before revisiting these decisions.

Mr. Neil Williamson of the Free Enterprise Forum addressed the Commission and stated that in terms of everyone paying their fair share, developers were being punished for doing the most difficult thing and the thing that the community wanted and needed. He said the proffer reforms were moving forward, but if they looked at the CIP, there was well over \$1 million over the next four years for schools – but it was based on existing residents and not much growth. He emphasized that most people were already here, and proffers were not the answer.

Ms. Long stated that in phase one, there was \$415,000 in proffers just for phase one, with four units still left to be built. She said they were not looking to get out of paying their fair share, but are asking that the loophole be closed and they provide the opportunity to pay the same amount other owners and developers were paying, as consistent with state law. She emphasized that if

the County were to continue to charge the full amount, it was overcharging each unit for the impact they were creating. She said that the impact of a detached unit was just under \$5,000, and she pointed out that some projects that were approved paid no proffers, and most of the projects that paid into the system paid at a lower amount.

There being no further public comment, the Chair closed the public hearing and the matter was placed before the Commission.

Mr. Keller commented that he served on both committees and feels that the points Ms. Long made are accurate and to the point, and he wondered if someone agreed to a contract and the second party came in and asked to have the contract changed after the agreement whether that first party would still be arguing as to what was agreed upon originally. He said that there was a break-even point in terms of taxes for a residential unit, and when the built units below the \$600K range, they weren't going to carry the costs now. He said that the point is that there are impacts for development and they need to come to grips with how they were going to support the infrastructure of that development, including schools and transportation.

Ms. Firehock asked Mr. Herrick for clarification Ms. Long's citing of state code.

Mr. Herrick responded that Page 4 of the staff report cites state law that applies here – Virginia Code Section 15.2-2303.2, Subparagraph D, "...no cash payment proffer pursuant to state laws shall be for any capital improvement to an existing facility, such as renovation of a technology upgrade, that does not expand the capacity at such facility, or for any operating expense at any existing facility, such as ordinary maintenance or repair."

Mr. Herrick stated that this question had arisen with the Springhill Village and the Out of Bounds application, in which the Commission voted not to change the policy on similar applications. He noted that at the time, Mr. Kamptner had indicated to the Board of Supervisors that since the date of the proffer legislation, staff had not used proffers received for the purposes other than what were stipulated and confirmed that they were following the new rules.

Ms. Firehock said that one of the challenges they had in going back in time and reconsidering something that had already been approved was that they had to imagine the reasoning of the Planning Commission and Board of Supervisors at the time they approved this development. She said that in approving the expansion of density, which is a considerable financial benefit to the applicant, they also do that with the knowledge that they would have a certain amount of cash proffers coming in to offset the costs of the additional expansion.

Ms. Firehock commented that she found the state's decision that proffer funds couldn't be used for maintenance projects was unfortunate, as it continued to tie the hands of growing counties in being able to pay for the cost of development. She stated that they were not allowed to assign impact fees, and if they expand facilities, they would eventually need maintenance – so the growth that caused a facility to expand also generated additional impacts. She noted that a home had to be valued at more than \$600K in order for its real estate tax to cover the costs of schools, roads, and other infrastructure.

Ms. Firehock stated that given these factors, she would vote as she had in the past and deny the request for proffer reduction, as she could not go back in time and determine that the Board would have approved the same density with a lower cash proffer amount. She noted that she

had been on the Commission since the proffer fees were reduced and would be consistent with her previous positions.

Ms. Riley said that she agreed with her rationale and would support staff's recommendation for denial.

Ms. More also expressed her agreement.

Mr. Herrick stated that staff's recommendation was to support some aspects of the proposal but denial of the request regarding proffers.

Ms. Firehock **moved** that the Commission recommend denial of the proposed amendment to Section 2 (A)(i), 2(A)(ii), and 2(B) of the Proffer Statement in ZMA201600013 (Willow Glen Amendment #1) and the affected Tax Map and Parcel Numbers; and that the Planning Commission recommend approval of all other proposed amendments to the Proffer Statement in ZMA201600013 (Willow Glen Amendment #1) as to Parcels 32-49F, 32-49I, and 32-49J. Ms. More **seconded** the motion, which passed 5:0.

CPA201800007 Biodiversity Action Plan

Mr. Hannah stated that they would be considering proposed revisions to the Comp Plan and would incorporate strategies for conserving biodiversity in the County, and they had covered this material in two previous work sessions. He said stated that he would review the background information and actions taken to date, and staff was seeking adoption of a resolution to recommend approval of the CPA, as shown in Attachment B of the materials.

Mr. Hannah reported that the Comp Plan currently had as Objective 4 in the Natural Resource Chapter to protect the biological diversity and ecological integrity of the County in both the rural and development areas. He said that the first strategy under that objective was that a development action plan for biodiversity to protect significant areas of biological importance, which was accomplished when the Biodiversity Action Plan was completed in June 2018. He noted that the intent has been to have this become part of the Comp Plan, and this hearing would be the last step before the public hearing by the Board of Supervisors.

Mr. Hannah reviewed the actions on this item taken to date, noting that the Board had not made any recommendations for changes at the April 2019 work session, so the version they had tonight was the version final to this point. He stated that he felt they had done a good job soliciting input from a wide variety of people, and he said that the format for revising the Comp Plan is very simple and straightforward – and all revisions recommended are under Objective 4 of the Natural Resources Chapter of the Comp Plan. He emphasized that the purpose of this exercise was not to review or rewrite the entire chapter, but was an exercise to try to incorporate strategies for preserving biological diversity in the existing chapter. He added that they tried to retain as many of the existing strategies, wording, and narrative as possible.

Mr. Hannah reported that there were now 13 strategies under Objective 4 and detailed information about them as Attachment C, with the number of strategies increasing from 8 to 13, with 6 new strategies added and 1 dropped because it was duplicative of a strategy already in the RA chapter. He said that there were some minor wording changes but no major content changes. He said that if the Commission chose to entertain the resolution, as staff recommends, to recommend approval, he had suggested wording as shown.

The Chair opened the public hearing.

Mr. Sean Tubbs of the PEC urged adoption of the CPA, adding that it is crucial for the community's future. He said that climate change was perhaps well underway, with wildlife habitat threatened across the world. He stated that this plan has been under development for 30 years, and he was glad the dedicated scientists in this community worked to update language and stay on top of necessary changes. Mr. Tubbs said the revisions to the Comp Plan language were succinct and clear, and he read two sentences from the revised Objective 4 of the Natural Resources Chapter of the Comp Plan. He mentioned students from the Tandem Friends School who had come before the Board and demanded that they do something locally to address climate change.

Mr. Williamson thanked staff for their work and said the language was acceptable, with one significant change in terms of retaining a County staff member with expertise in conservation biology. He asked that the Commission rework it because it seemed wrong in a Comprehensive Plan to tell the Board how many positions the County should be adding.

Ms. Firehock complimented staff on their revisions and for the work it took to solicit significant public input. She stated that the County wasn't just supporting biodiversity for its own sake, but it ensured that the water and air were clean and vistas and landscaped were preserved, and nature had a balance. She said that not many other counties had a biodiversity action plan, and while most of the actions were voluntary, the plan provided a way for the County to continue to educate. She noted that there were other parts of the Comp Plan that addressed staffing, and this was just a recognition that they needed expertise within the County.

Mr. Hannah said he wanted to clarify that Mr. Williamson had made similar comments related to staffing at a Board of Supervisors work session. Mr. Hannah said the Board had decided to keep the language as is.

Ms. Riley thanked staff for all of the time they have worked on the plan.

Ms. Spain thanked staff for their patience with all of the changes suggested by the Commission.

Ms. Firehock **moved** to adopt the resolution recommending approval of CPA201800007 to the Albemarle County Comprehensive Plan, which is Attachment B. Ms. More **seconded** the motion, which was adopted by vote of 5:0 (Dotson/Bivins absent).

Mr. Hannah thanked the Commission for improving the product with their comments.

Mr. Keller said he hoped Mr. Hannah and staff would share their work with area students.

CPA201800003 Pantops Master Plan

Mr. Cameron Langille presented the update to the Pantops Master Plan and said the original master plan was adopted on March 17, 2008 and the update had been identified at one of eight top objectives in the Board of Supervisors' 2017-2019 Strategic Plan. He said the revised master plan consisted of five chapters, the first of which was an introduction that summarized existing conditions, challenges, and opportunities. Mr. Langille said there was also a brief overview of the plan. He said the second chapter called "Connectivity" described all of the

transportation recommendations; the third chapter was called “Character and Land and Use”; the fourth chapter was called “Conservation”; and the fifth was called “Implementation” and listed policy and capital projects to accomplish the plan’s vision. He said vision statement relates to each of the four chapters and the specific recommendations came in numbered lists with tangible items that could be done to implement the vision.

Mr. Langille read the vision statement for the Connectivity chapter, which is “to improve multimodal transportation options for all residents, regardless of age, race, income and ability, and to enhance connectivity to, from, and within Pantops.” He said a map within the draft plan showed the existing conditions including streets have been constructed since 2008, as well as those that have not yet been constructed. Mr. Langille said the image also classified roads according to one of five level of capacity ranging from arterial, boulevard, avenue, local street and rural transition. He said a lot of the recommendations in the chapter relate to increasing the pedestrian and bicycle infrastructure, something that had been requested by Pantops residents. He said another there is a recommendation calling for collaboration between the city of Charlottesville and the Thomas Jefferson Planning District Commission on regional plans. He said that could lead to more implementation.

Mr. Langille said the map in the Character and Land Use Chapter was an updated version of the 2008 Future Land Use Plan with eight possible Future Land Use typologies with the revision. He said the focus of the update had been to refine the boundaries in the Future Use based on existing uses on different parcels through out Pantops. He said the residential neighborhoods on the north side of U.S. 250 had retained their land use designations from the 2008 plan. He said the map had also been refined to relocate some Green and Park System designations to coincide with where there are known environmental features areas that cannot be developed upon.

Mr. Langille stated that one of the goals with the update was to do a better job of setting expectations for the types of uses that might occur in Pantops. He said the first four recommendations in the Character and Land Use Chapter related to helping with infill development and commercial redevelopment on the south side of U.S. 250. There was also a recommendation for more green space and recreational amenities to help give Pantops a sense of community and identity as a neighborhood.

Mr. Langille said the Conservation chapter included an updated version of the Parks and Green Systems map from the 2008 plan. He said the public had identified the contents as one of the most important sets of topics the plan needed to address. He noted that the recommendations pertain to the protection of open space, preservation of environmental features, and programming for public parks and other recreational opportunities. Mr. Langille said the chapter also identified potential new alignments routes for shared-use paths and trails and ways to make pedestrian connections to existing neighborhoods and commercial areas. He said the Conservation chapter worked in unison with the Connectivity chapter. Mr. Langille drew attention to recommendation #2, which described the cultural assets of Pantops such as historic areas near a former dam. He said there was a need to connect those sites using public greenways to make them more accessible to residents and visitors. He said recommendations #6 and #7 specify the important of planning development mindful of viewsheds of the Southwest Mountains and the Blue Ridge Mountains.

Mr. Langille said the Implementation chapter lists all of the projects that can be done to realize the vision of the plan, which were broken down into projects related to policy and coordination

efforts as well as capital projects. He said the terms used for the timing of catalyst, long-term, and long-term/redevelopment were the same language used in the Rio 29 Small Area Plan. He said catalyst projects would have a timing between one and eight years, long-term projects would be eight years out or longer, and the long-term/development was intended to give flexibility to private developers who might want to move more quickly.

Mr. Keller opened the public hearing.

Mr. Richard Spurzem of Albemarle County said he was the owner of the 37-acre Gazebo Plaza parcel at the northeast quadrant of the I-64 Shadwell interchange. He said it was arguably the largest development tract in the Pantops area and he wanted to draw the Commission's attention to what he saw as an inconsistency. He read from page 28 of the plan under "Land Use and Existing Zoning," which stated a need to "bring consistency between Future Land Use Plan recommendations and existing zoning districts." He said the Future Land Use Plan should have been updated to minimize inconsistencies between the long-term plan and the by-right zoning on the property.

Mr. Spurzem stated that the land use designations for his property shown in the draft plan were a combination of neighborhood density residential and urban density. He said that was inconsistent with the by-right existing zoning of Planned Development Shopping Center with a fully approved site plan for a 133,000-square-foot shopping center. He said he had posted a \$1.7 million bond to start construction and said that in order to set the expectations for development, it would be disingenuous for the plan to not reflect the current zoning. Mr. Spurzem also said he did not understand the rationale between showing low-density residential at the intersection of two major arterial roads. He said he had lived on the property for five years and talked about the noise and light pollution. He asked for the plan to be revised to reflect his comments.

Ms. Sara Robinson of Riverside Village identified herself as a member of the Pantops Citizens Advisory Committee. She thanked the Commission and staff for having done an outstanding job in putting together the master plan proposal. She said the process was not easy and at times was uncomfortable. She said if developers felt like their vision was not reflected in the land use plan, it was unfortunate that they had chosen not to participate in the sessions, which had been open. She commented that she was extraordinarily passionate about the development of Pantops. She said she was born in Charlottesville and grew up in the Shenandoah Valley and worked as an industrial chemist and mineralogist. She said pavement did not lead to carbon removal or oxygen cleansing, which is why she said there needed to be a balance between development and preservation of natural resources. She said future considerations are incumbent on the Planning Commission and Board of Supervisors to help it all come to fruition. She said the master plan represented an extraordinary opportunity for the public.

Mr. Tubbs stated that he was pleased at the work that had gone into the update of the plan. He said he had been in the room in March 2008 when the original plan was adopted. He stated that he was somewhat dismayed about the length of time it took to get to the first revision, but he expressed confidence in county staff that those plans might be revised more quickly in the future. He said he saw a lot of potential in Pantops to meet future population demand and make a place where people wanted to live, work, and play – but the challenge was that there have already been many people enticed to live on Pantops and the plan sets up a way to make it a better place, especially to connect the north side and south side of U.S. 250.

Mr. Tubbs stated that he was big supporter of master plans and small area plans being done in house in order to provide cohesion, continuity and confidence in realizing the vision of an urban Albemarle. He said he appreciated that this update built off the momentum of the Rio 29 Small Area Plan which also stated what infrastructure the county desired. He noted the unfavorable factor, which related to the uncertainty of when infrastructure might be built. He reported that the Commonwealth Transportation Board had been told that day that a project to improve the intersection of U.S. 250 and Route 20 had been recommended for funding. He commented that master plans should be seen as living, breathing documents that inform decisions by county officials and property owners.

Mr. Williamson commended staff for meeting with him at an open house at Starbucks on Pantops, adding that he appreciated the effort that had gone on to community engagement. He said he agreed with Mr. Spurzem about the disconnect between what the zoning map said for Gazebo Plaza and a park shown in the land use map. He said he had been in Lane Auditorium when residents came forward expecting parks shown in the Comprehensive Plan.

Mr. Williamson commended staff for coming up with cost estimates for each of the capital projects. He said the minimum cost for a catalyst project was \$9.5 million in 2019 dollars and the maximum project was \$43.5 million. He said the Capital Improvement Program for schools for the next fiscal year was \$1 million. He said the estimated minimum cost for long-term and long-term redevelopment projects was \$24 million and the maximum cost was \$59.5 million. He said he brought up the costs not to urge the Commission not to approve the plan, but to remind them that there were costs associated with the colors on the map. He said not all property owners agreed with the colors of their property, and residents might have incorrect assumptions about future land uses.

Mr. Jason Inofuentes identified himself as a member of the Pantops Community Advisory Committee. He thanked staff for their work and said the work had been grounded in the foundations of community engagement. He said the work solidified a lot of people in the community to come out to multiple meetings. He said he endorsed the plan and hoped that future revisions would be a testament to the community's desires and dreams and wishes. He said he wanted the Commission and Board to look at the capital projects as community investments that have been decided by the property owners.

Mr. Keller closed the public hearing.

Ms. Spain said there was concern about different perceptions between the Comprehensive Plan and the zoning. She said Mr. Langille and others had spent a great deal of time with the CAC explaining the differences and establishing a vision. She said that not having a vision would mean there was no chance to change the reality.

Ms. Spain noted that the cover of the report featured the Rivanna River and noted it was the edge and boundary between Charlottesville and Albemarle. She said one of the goals of the revision was to preserve as much green space along the river for biodiversity. She said if there was ever another bridge over to the city, it would most likely be in the Rivanna District.

Ms. Spain noted the presence of many members of the Pantops Community Advisory Committee in the audience and said she was sorry Mr. Spurzem was not in that group.

Ms. Firehock acknowledged that it would cost money to construct and maintain a proper trail or a park, but people who live near trails or parks or beautiful views had their property values go up – meaning more tax revenue for the county that would pay for the infrastructure. She said a more vibrant county with common community space would help the county hold its value and the investment would be sound.

Ms. More asked about whether the shopping center is a by-right use and asked for clarification about whether that was not reflected in the land use plan.

Mr. Langille responded that the Gazebo Plaza site has an approved site plan allowing for a commercial strip development and the site had a long history with zoning and land use in the county. He said the rationale for designating it residential dates back to 2008 because the property was directly on the border with the rural area. He said there were also issues with VDOT wanting only certain types of uses going there, based on traffic generation figures with Hansen Mountain Road. He said the rationale for keeping that designation in the update was that community members wanted to keep those designations on the parcel, and no one had said they wanted to switch the land to commercial. He said there had been no activity on the site plan in over 10 years, and there had been discussion about changing the zoning to residential rather than commercial.

Ms. More said she liked the idea that the rural character of land outside Pantops would be protected. She said there were some by-right uses in the rural area right outside of Crozet and she said there were similar properties outside Pantops. She said people liked master plans in Albemarle because it gave them an idea of what to expect, and it was somewhat misleading to acknowledge adjacent by-right development that was in the rural area. She also said that intense by-right development in the development areas was different in terms of density from rezoned developments.

Mr. Langille said the neighborhood planning team had been working with all of the Community Advisory Committees to educate about the discrepancies.

Ms. Spain said the Pantops CAC had discussed a handout to give to real estate agents so they could share information with their clients, and that might be a model. She also pointed out that there were many members of the development community on the CAC representing different points of view.

Ms. Firehock asked if there were a future zoning map in the plan.

Mr. Langille responded there was just a future land use plan.

Ms. Firehock asked if there could be a link in the plan to the existing zoning map so the public would have a reference. She said wanted people to be very clear about understanding there is a map available so they can see what's proposed next door to them.

Mr. Langille said staff would include the existing zoning map in the draft document.

Ms. Falkenstein said staff could show a map depicting the zoning of adjacent properties outside of the plan. She said it was difficult to show zoning anomalies because land use designations do not line up directly with zoning, and staff was working internally to produce better maps.

Ms. More commended people for attending the meeting.

Mr. Keller said what the Commission had seen at the last CAC meetings was that the staff had honed down in a pretty concise way to explain the differences that the average citizens deals with. He said a significant portion of the population had begun to understand land use planning because of the evolution of the CACs.

Ms. Spain acknowledged the role former Planning Commissioner Cal Morris had played in leading the CAC and the residents.

Ms. Riley said this was the first master plan she had reviewed since she had been on the Planning Commission. She said she was curious about the unfavorable factor. She said it was really good to itemize and identify projects, and the cost estimates were very helpful but she did not see the uncertainty as an unfavorable factor.

Mr. Langille said the total costs for the projects in the implementation chapter were estimated at a significant dollar value. He said staff wanted to express that they understood they would need a lot of funding from different sources.

Mr. Keller said there was an increasingly an effort to coordinate reports and that Mr. Herrick and Mr. Benish might seek to remove budget information from favorable and unfavorable factors.

Mr. Herrick said the format for executive summaries for Board of Supervisors reports had a space for fiscal impact or budgetary impacts, and he did not know if there was an effort to add that information to Planning Commission reports.

Mr. Keller said that information would be useful for the community to know.

Ms. Firehock said such reports would also need to talk about the increased property values that came from community investment, and there was appropriate data to present to the Board of Supervisors related to investment in infrastructure.

Ms. Spain **moved** to adopt the resolution in regard to the Master Plan for the Pantops Area. Mr. Keller **seconded** the motion. The motion was adopted by vote of 5:0 (Dotson/Bivins absent).

Mr. Keller said the Commission had talked about how well the community engagement effort worked. He said he did not think he had seen a planning document that had such visual literacy that captured complex planning ideas for the general public. He complimented staff on the graphic design on conveying data, and said the end product compared with one done on a private sector budget.

Ms. Falkenstein recognized other staff including Mr. Knuppel and Ms. Accardi as well as interns Tarin Jones and Melissa Symmes.

Mr. Keller asked the planning staff to stand for a round of applause.

Committee Reports.

Ms. Riley announced that there would be a presentation on the Avon Street Corridor Study at an open house sponsored by the 5th and Avon Community Advisory Committee.

Ms. More reported that the Crozet Community Advisory Committee had gotten a briefing from JAUNT on the forthcoming Crozet Connector service set to debut in August, adding that JAUNT had taken feedback about locations for where the bus would run.

Ms. More said the group also had been going through the early steps for the Crozet Master Plan update, including a green dot exercise that she said was useful but designed to elicit positive responses. She said she wanted someone to talk to the Crozet CAC about Old Trail Village as it compared to other land use applications in Crozet, as she felt like there were unanswered questions from residents about the process.

Ms. More said the CAC had also discussed the future of Eastern Avenue, which would be expensive.

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Mr. Benish said he had given the update at the last Planning Commission meeting. He said would follow up with Mr. Knuppel about the next follow up related to the Crozet Master Plan.

Old Business/Items for Follow-up.

There was no old business presented.

New Business.

There was no new business presented.

Mr. Keller clarified that he wanted to see budgetary impacts related to rezonings.

Mr. Herrick said standardization would be a good thing.

Adjournment.

At 7:25 p.m., the Commission adjourned to May 21, 2019 Albemarle County Planning Commission meeting, 6:00 p.m., Lane Auditorium, Second Floor, county Office Building, 401 McIntire Road, Charlottesville, Virginia.

David Benish, Interim Director of Planning

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

Approved by Planning Commission
Date: 6.18.19
Initials: CSS