

**Albemarle County Planning Commission
Final Minutes Work Session and Regular Meeting
February 13, 2024**

The Albemarle County Planning Commission held a public hearing on Tuesday, February 13, 2024, at 4:00 p.m.

Members attending were: Fred Missel; Luis Carrazana; Corey Clayborne; Julian Bivins; Karen Firehock; Nathan Moore; Lonnie Murray.

Other officials present were: Michael Barnes, Director of Planning; Andy Herrick, County Attorney's Office; Tori Kanellopoulos; Kevin McDermott; David Benish; Tonya Swartzendruber; Jessica Hersh-Ballering; and Carolyn Shaffer, Clerk to the Planning Commission.

Call to Order and Establish Quorum

Ms. Shaffer called the roll.

Mr. Missel established a quorum.

Other Matters Not Listed on the Agenda

Tom Olivier said that he was a resident of the Samuel Miller District. He said that until that morning, he had planned to discuss rural areas but decided to briefly comment on a development area issue that had been a longstanding concern for him. He said that he grew up in downtown New Orleans near the French Quarter, which was an old mixed-race, mixed-income neighborhood with many trees, including large old oak trees with Spanish moss draped from the limbs. He said that he loved the neighborhood and all the things the trees contributed to it. He said that in the 1990s, he had supported a shift from low-density housing to high-density, walkable neighborhoods in Albemarle County.

Mr. Olivier said that his support for changes in development area design stemmed partly from his recollections of how rich life in high-density urban neighborhoods could be. He said that however, he cringed when he saw some of the newer high-density developments in Albemarle County. He said that they were bleak when they did not have to be. He said that Tim Beatley, a professor at the University of Virginia's architecture school was the head of the Biophilic Cities Network, which focused on the importance of integrating trees and other natural elements into urban designs.

Mr. Olivier said that the network consists of cities around the world that are committed to this goal, including cities such as Portland, Austin, Verona, and Wellington. He said that unfortunately, neither Albemarle County nor the City of Charlottesville belong to the network. He said that Charlottesville had been steadily losing its tree canopy. He said that adding trees and more natural elements to development area neighborhoods would amplify the quality of life in their growth areas, perhaps help their mental health, and make them more attractive to residents.

Mr. Olivier said that these elements would reduce worsening impacts of climate change, such as heat islands, and would help conserve their biodiversity. He said that he highly encouraged the County to commit to incorporating more natural elements into design targets for their new comprehensive plan and to explore joining the Biophilic Cities Network. He said he would send web links with more information to staff and to the Commission.

Consent Agenda

Mr. Clayborne motioned to approve the meeting minutes of January 9, 2024, and January 23, 2024. The motion was seconded by Mr. Murray and passed unanimously (7-0).

Work Session
CPA2021-02 AC44 Comprehensive Plan

Tori Kanellopoulos, Principal Planner in the Community Development Department, said that they had a work session on draft goals and objectives for the Development Areas, Land Use, and Transportation chapter, and the Community Facilities chapter for the Comprehensive Plan. She said that before they started, she wanted to introduce Tonya Swartzendruber, who had joined them a couple of weeks ago as planning manager for long-range and transportation planning. She said that they were excited to have Tonya on board and to have her contribute to the Comprehensive Plan. She said that they would like to note that this work session would be in two sections to allow for more time for discussion.

Ms. Kanellopoulos said that during the first section from 4:00p.m. to 5:30 p.m., they would cover an overview of where they were in AC44 and the draft goals and objectives for the development areas land use and transportation. She said that they would then reconvene for the second section after completing the special use permit public hearing agenda item that evening. She said that the public hearing started at 6:00 p.m. She said that in the second section, they would cover draft goals and objectives for community facilities. She said that if there was any additional discussion required on development areas, it would be addressed as needed.

Ms. Kanellopoulos said that it should be noted that the agenda description for this meeting included rural area draft goals and objectives. She said that these would now be covered at the next Commission work session on February 27th to allow for more time for discussion. She said that the purpose of the work session was to receive Planning Commission feedback on draft goals and objectives for development areas land use and transportation and community facilities. She said that they would use two overarching questions to guide the discussion: are the draft goals aligned with the AC44 framework, and what is missing. She said that they also had several additional questions specific to each topic.

Ms. Kanellopoulos said that they estimated that Commission discussion for each topic would take approximately one hour. She said that after the work session, they would summarize the Commission's feedback and share it with the Board for their March 20th work session on these same topics. She said that the finalized goals and objectives would be used to draft the action steps that would be shared in Phase 3. She said that she would emphasize that input from the Commission and Board was required for reviewing the draft goals and objectives to ensure that they were moving in the right direction before delving into the specifics of plan implementation.

Ms. Kanellopoulos said that as a reminder, including for those who may be listening in, there were four phases in the comprehensive plan update process. She said that they had completed Phase 1, which involved developing the AC44 framework for an equitable and resilient community, being used to guide drafting plan recommendations. She said that this was summarized on the left-hand side of the screen, depicting a community that is green and resilient, welcoming and equitable, connected and accessible, and thriving and prosperous.

Ms. Kanellopoulos said that in Phase 2, currently underway, they were drafting goals and objectives and creating planning toolkits for coordinated land use and transportation planning. She said that in Phase 3, expected to commence this spring, they would seek input on action steps and plan priorities for implementation, along with metrics for measuring success. She said that finally, in Phase 4, they would have a finalized document followed by public hearings for adoption. She said that there were eight plan chapters, each of which had goals, objectives, and actions. She said that goals represented where they aimed to reach as a community, and objectives were outcomes or targets that helped them achieve their goals.

Ms. Kanellopoulos said that the actions would be the steps required to implement the plan. She said that goals and objectives had been drafted through an iterative and collaborative process by an interdisciplinary team of County staff in coordination with partner agencies and departments, which included reviewing the current comprehensive plan, incorporating best practices, and using the AC44 framework. She said that

refinements and updates were made based on community, Commission, and Board input. She said that the draft goals and objectives built upon the community input gathered throughout Phase 2, including on challenges, opportunities, priorities, and planning toolkits.

Ms. Kanellopoulos said that this evening's first topic would be development areas land use and transportation. She said that she would provide a brief summary of what they had heard so far, which included providing safe and comfortable multimodal transportation options, particularly for accessing key destinations such as parks, schools, and employment opportunities. She said that some of the issues to address there included barriers to walking and biking, like high-speed and high-volume roadways, and a lack of protected and separated infrastructure, and a need for more frequent and reliable transit.

Ms. Kanellopoulos said that they had heard support for the activity centers concept, which should include encouraging infill and redevelopment, and pairing a greater density and intensity of uses with quality open space and recreational spaces and a protected natural environment. She said that they had heard a need for housing choice and more parks and open space and tree coverage. She said that this chapter was organized with goals and objectives related to land use and transportation. She said that the land use goals included the vision for the development areas and planning for future growth, and then investing in existing neighborhoods.

Ms. Kanellopoulos said the transportation goals included a multimodal transportation network, safety, prioritizing the most vulnerable road users, which are people that are walking, biking, and taking transit, quality of life and access, and then planning for emerging technologies. She said that she would present all of the draft goals and objectives on the next slides. She said that she would go ahead and skip through those since they received them in their packet, but during discussion, she was happy to return to any of the slides if it was helpful to have specific goals or objectives displayed on the screen.

Ms. Kanellopoulos said that there were several tools and maps used to guide development areas land use and transportation, along with goals, objectives, and actions. She said that these tools consisted of a series of land use and transportation layers, including future land use designations, community design guidelines, activity centers, and the multimodal plan. She said that each property in the development areas had a future land use designation, some of which were also designated as activity centers. She said that multimodal mapping was used to connect activity centers with employment districts, neighborhoods, schools, parks, and other important destinations.

Ms. Kanellopoulos said that future land use designations were applied to each property in the development areas to provide a guiding vision for their future use, and these designations were utilized during the rezoning and special use permit review process as part of the consideration. She said that in Phase 3, the draft future land use designations would be applied to an updated future land use map for the development areas using a one-to-one matching approach. She said the draft recommendation through AC44 proposed calculating the recommended density based on gross density, which was a change from the 2015 plan that used net density as the recommendation. She said that this resulted in 10 draft development areas' land use designations, signifying a significant consolidation.

Ms. Kanellopoulos said that they would like to point out a few aspects, including potential changes made during AC44's mapping process that reflected existing development. She said that for example, re-designating a parcel for residential instead of industrial if there was already an existing apartment building or to reflect the intended future use of County-owned properties. She said that it was also important to note that some master plans may have unique designations for specific areas that were not more broadly applied to the development areas, which included the downtown Crozet district in the Crozet master plan and neighborhood density low in Crozet and Village of Rivanna master plans.

Ms. Kanellopoulos said that the guidance for those unique land use designations could be found in the master plans and would remain there. She said that during the Commission's December 19 work session, some of the feedback received included considering encouraging additional building height, consolidating mixed-use land use designations, and considering adding additional density bonuses. She said that with

this updated set of future land use designations, they had consolidated the mixed-use designations and now had three. She said that to provide more space for photo examples and improve readability, they had transformed the table of designations into individual pages for each designation.

Ms. Kanellopoulos said that they had not altered building height or density bonuses for future land use designations, as these aspects primarily applied to activity centers. She said that they would appreciate further Commission discussion regarding these topics. She said that the community design guidelines served as an update to the 12 neighborhood model principles and offered guidance for rezoning and special use permit applications. She said that these guidelines aimed to support the growth management policy by promoting mixed-use, walkable, and dense developments with multimodal transportation options and quality parks and open space throughout development areas. She said that they should also ensure efficient use of development area land.

Ms. Kanellopoulos said that these guidelines applied to all development in the development areas, with possible exceptions depending on the site context and proposed uses. She said that for instance, not every individual development was expected to be mixed use; however, each development should contribute to a mix of uses throughout a larger area. She said that during the Commission's work session on December 19, it was mentioned that the initial draft guidelines were too prescriptive. She said that as a result, they updated the guidelines to provide more flexibility and created a separate best practices section for reference.

Ms. Kanellopoulos said that the Commission also provided additional comments that would be considered through the action steps and further refinement of the guidelines, including recommendations for lighting and exploring incentives. She said that activity centers were locations within the development areas that either currently had or would in the future have a variety of mixed uses, which included businesses, services, and housing options, and these should be connected by multimodal transportation options and have access to high-quality open and recreational space. She said that there were three draft center place types: neighborhood, town, and destination, which acted as an overlay that encouraged a higher intensity of land uses.

Ms. Kanellopoulos said that the multimodal systems plan identified multimodal corridors and modal emphases for walking, biking, and taking transit to link centers, schools, parks, employment districts, and other key destinations. She said that during the Commission's December 19 work session, some of the feedback received included identifying funding sources and partnerships for implementation, emphasizing off-street bike facilities, addressing major roads that acted as barriers, making center boundaries more flexible, and considering additional building height.

Ms. Kanellopoulos said that they also added new language for building height, incorporated more flexible language for center boundaries and building heights into the draft center recommendations, and will share updated multimodal and center maps in Phase 3, using the Commission's feedback to help inform those updates. She said that they also updated the format of the three center place types and some of the language to clarify the walk shed and center area and provide more flexibility for building height. She said that they also added an emphasis on public, civic, and open space being publicly accessible and visible for town and destination centers.

Ms. Kanellopoulos said that they were asking the Commission to consider two overarching questions as they shared their feedback on the draft plan recommendations. She said that those were if the draft goals aligned with the AC-44 framework, and what was missing. She said that they had several specific questions they would like the feedback of the Commission regarding.

Ms. Kanellopoulos asked if the land use and transportation layers, such as future land use, community design guidelines, activity centers, and multimodal plan, were clearly fit together and supported the vision for the development areas as vibrant, walkable, and mixed use, and if not, were there changes or more clear guidance needed. She asked what types of incentives the AC44 team should explore to encourage a higher intensity of uses in activity centers when drafting action steps for Phase 3.

Mr. Missel said that he would like to emphasize at the outset that, due to the extensive information provided by Ms. Kanellopoulos' team, he was grateful for having a skilled and proficient staff. He said that the amount of information was significant and presented in an excellent manner. With that in mind, he appreciated Tori's efforts in sharing these materials, which were sent out by Mr. Barnes earlier today.

Mr. Missel said that he needed to remind himself of the importance of focusing on the overall discussion rather than specific action steps. He said that although this last question did touch upon action items, it still kept them focused on broader perspectives. He said that they should begin by addressing specific questions, followed by general observations, and then explore potential recommendations or continue the dialogue.

Mr. Moore said that he had a few questions that he would like to discuss. He said that one pertained to the overarching process they were undertaking, which involved layers of future land use designations and activities and designations. He said that he was curious as to why they did it this way rather than simply rezoning. He said that it seemed that these designations acted as layers waiting for a proposal to initiate a rezoning process. He asked if this was accurate.

Ms. Kanellopoulos said that was accurate. She said that this had been the method by which the County had carried out that process up until now. She said that this approach had been directed by the Board.

Mr. Moore said that in his first year of implementing a comprehensive plan, he was curious about the process for addressing potential future requests for rezoning or SUPs instead of broad rezoning. He also had a question regarding Objective 1.7, which was part of Goal 1. He said that this objective examined the potential for future development. He said that there was a sentence that stated an expansion was found to not be needed with this comprehensive plan update. He said that he noticed that it used a passive verb, which did not clarify who made that decision.

Ms. Kanellopoulos said that they presented that question to the Board of Supervisors, who provided them with direction. She said that to make it more active, it was direction from the Board.

Mr. Bivins said that the question was primarily about determining who is involved in and who is excluded from certain areas. He said that on page 5, under development area land use and Objective 1.6, coordinating with the City of Charlottesville, the Town of Scottsville, and the University of Virginia, as well as local surrounding localities, was understandable since these entities could create policy and pass ordinances to enforce those policies. He said that he was puzzled by the inclusion of TJPDC because it was an agency.

Mr. Bivins said that in some ways, the TJPDC served as a facilitator for conversation but held no legislative power, unlike other entities that possessed such power. He said that consequently, when examining regional activities outside of MPO Tech and MPO, they must consider how they engaged various entities. He said that he was not suggesting eliminating TJPDC; rather, he was struggling to understand why they were elevated to a higher status compared to other entities that came before them.

Mr. Barnes said that he would answer that question by stating that they were essentially a creation by state governments, serving as a regional planning body. He said that in some respects, they represent neighboring counties that contribute to planning and long-range applications for those areas. He said that although they did not possess the same budget power as other entities mentioned, they did provide a connection to policy for people beyond just those in their immediate neighborhood.

Mr. Bivins said that he could appreciate that, but when looking for natural areas to coordinate with over this period of time, he would prioritize Greene County, Louisa, and Fluvanna. He said that these regions held significant importance because they could bring dollars to the table or help apply coordination with VDOT or other Richmond entities to achieve regional goals.

Mr. Bivins said that he did not want other organizations like the Greene County Planning Department to feel like they were merely lumped under TJPDC; instead, he wanted them to be considered partners in this process. He said that he found the explanation helpful, but he also emphasized the importance of being more inclusive of their neighbors, such as Augusta County. He said that some issues that might arise during this collaboration should be considered.

Mr. Murray said that regarding multimodal traffic, he would like to know what they had accomplished for current work regarding the use of technologies such as Strava, Streetlight, and others for obtaining real-time data on walking and running. He asked where this discussion stood within the process. He asked about what outreach efforts had been made to existing cycling, running, and walking groups in growth areas and rural locations to identify their travel patterns. He said that it was crucial to distinguish between where they anticipated people would travel and where they actually did travel.

Jessica Hersh-Ballering, Transportation Planner, asked Mr. Murray to repeat his question.

Mr. Murray said that most individuals who walk, run, or cycle now wear devices such as Fitbits or carry cell phones. He said that the days of ignoring data regarding pedestrian movement were over, as this information was readily available. He said that the focus should be on evaluating County transportation status using this data in planning decisions. He said that by incorporating information about where people walk, run, and cycle into their plans, they could better address their needs.

Ms. Hersh-Ballering said that Ms. Kanellopoulos provided a clear explanation of activity centers and the data used for predicting where people might travel. She said that the resources mentioned, such as Strava, Fitbit, and Streetlight, were valuable tools for understanding travel behavior. She said that they may not fully represent the travel patterns of vulnerable road users or those who do not use tracking devices. She said that the famous line about not measuring bridge needs by counting swimmers highlighted that while measured travel behavior was useful, they must also consider trips that people did not make due to lack of safe infrastructure. She said that they should consider both measured travel behavior and unmet travel needs when planning safe infrastructure for all users.

Mr. Murray said that the statement was valid, and he appreciated the consideration. He said that however, he believed that there should be a method to identify where people currently utilized specific areas for their activities. He said that often discussions overlooked the actual locations that people used despite potential dangers. He said that for instance, he could visit Ragged Mountain and ask locals about dangerous areas in the growth area where people still frequently jogged.

Mr. Murray said that nevertheless, he wanted to understand how they could address this issue. He said that if they were discussing agricultural concerns, for example, they would invite the Farm Bureau to contribute their perspectives. He said that consequently, he questioned what measures they took to involve walkers, runners, and cyclists in discussions regarding unsafe or improvable locations they knew of.

Ms. Hersh-Ballering said that she believed that the point was valid, and she would like to add that the public engagement in this process had been inclusive of various travel methods and preferences. She said that she understood the concern regarding the need for more hard data. She said that they could provide additional information about their plans for gathering that specific data moving forward.

Mr. Missel said that if he could provide a suggestion, one possible perspective was that they were offering a recommendation for continuing to explore alternative data sources in order to inform the use of transportation infrastructure.

Mr. Bivins clarified that Mr. Murray was referring to Ragged Mountain Running Shop rather than the mountain itself.

Mr. Clayborne said that this appeared to be one of several iterations, each with its differences. He expressed curiosity about how the staff had begun discussing quantitative metrics. He said that he wanted

to know how they defined success. He said that there was still much aspiration present, which was commendable. He said that he was interested in knowing if the staff had initiated conversations regarding what measurable improvements they could identify and track.

Ms. Kanellopoulos said that they had initiated the discussion, but it was still in its early stages. She said that the discussion involved data that they already track, such as the percentage of new units being built in development areas compared to rural areas. She said that they would analyze the rate of construction of single-family homes in rural areas to determine whether they were promoting more development in development areas. She said that they would measure factors like tree coverage and access to parks, examining their distribution and exploring more equitable ways to plan for their distribution and access in the future.

Mr. Clayborne said that he was pleased that the conversation had commenced. He said that his second comment concerned cost. He said that as he read through the document, he noticed that the term "invest" appeared frequently. He said that he was curious if they had a clear understanding of the amount they had invested in various areas in the past. He asked what a reasonable expectation for an increase in investment was and how this aligned with the information presented.

Mr. Clayborne said that they should always consider donors. He said that if someone had been donating \$100 annually to a cause, expecting them to donate \$10,000 may be quite a leap. He said that given this context, he was interested in knowing if they had begun to assess their past investments and what was reasonable to anticipate moving forward. He said that he wanted to know how these objectives related to their ability to achieve them and if they had begun considering this conversation.

Ms. Kanellopoulos said that during the initial stages and while collaborating with the Facilities and Environmental Services Department, they had been examining their capital improvement program over time and some of the investments made. She said that they had not specifically analyzed this aspect in detail but would continue to do so as they progressed into Phase 3 when they began incorporating specific action steps that would, at least for some of them, have a public funding cost associated with them.

Mr. Clayborne said that his final point was a comment, which was that they should indicate where they possessed complete authority to execute certain tasks mentioned herein, and where external assistance was required. He said that they should also consider whether they should link their success to that external assistance.

Ms. Firehock said that she would like to offer a brief observation regarding the discussion of trees in this document. She said that she appreciated that extensive research had already been conducted on native species and acknowledged their contributions. She said that nevertheless, she suggested incorporating information about the importance of species diversity when discussing trees. She said that although the ash tree is native to Virginia, planting it could lead to its extinction due to the emerald ash borer. She said that they should promote a variety of species to prevent their eradication.

Ms. Firehock said that regarding the minor point she mentioned earlier, she was mostly satisfied with the document. She said that the inclusion of institutional images, such as the one on page 24, she was considering whether they could utilize alternative imagery. She said that the current image of a mowed lawn with a large building in the background was not ideal for promoting welcoming spaces or supporting wildlife and native species in urban areas. She said that they should search the web for more suitable images. She said that there were numerous firms that specialized in assisting corporate establishments in restructuring. She said that this was a comment on the mention of live-work units in middle-density or missing middle developments. She said that however, she wondered if they could incorporate such units in more locations because many people now work from home.

Ms. Firehock said that she had previously discussed the County's challenging policies regarding such matters, such as the case of the woman who wanted to paint her shed. She said that there had been a public hearing regarding a painter who intended to use her shed for painting purposes. She said that people

were concerned about the noise level and the number of visitors she would have, which were estimated at twice a year. She said that the painter assured everyone that her painting process would be quiet, and she did not sing while painting.

Ms. Firehock said that the process for this painter to use her shed became excessively complicated due to zoning restrictions in the development area. She said that the area was zoned residential, making it challenging for low-intensity home-based businesses that do not generate significant visitation. She said that they should discuss the idea of promoting live-work environments. She said that there had been raised concerns about future code requirements for fire-separated floors in adaptively reused buildings. She said that meeting these requirements could be expensive for existing buildings.

Ms. Firehock said that she was inquiring whether including additional details might be excessive and if they should be placed in the actions section instead. She said that although these points may seem minor, they demonstrated her overall appreciation for the presented information. She said that they had discussed the importance of parks and trails in creating a vibrant development area, as people would not reside in such areas if they were treeless, hot, and unpleasant. She said that she would like to reiterate that County-supported parks and trails were essential, as relying solely on the development community for infill pocket parks may result in neighbors from neighboring developments expressing concerns about shared usage.

Ms. Firehock said that they would not achieve civic parks and open spaces by solely depending on the development community. She said that the County should allocate its own funds to create parks and trails in the development area to make it more inviting. She said that the Board of Supervisors had considered implementing a service district, which could be feasible. She said that in this system, residents pay slightly higher taxes but received numerous benefits.

Ms. Firehock said that this was how Fairfax County had financed its pools, community centers, parks, and other amenities. She said that she would note that while this approach may not be popular, it was a viable method of financing these projects. She said that ultimately, it was up to the Board of Supervisors to decide whether to spend County funds on these initiatives, however, piecemealing funding from the development community would not provide what was needed.

Mr. Carrazana said that he would like to acknowledge not only the volume but also the quality of work completed by the staff. He said that he had noticed that many of the ideas expressed by the Commission had been incorporated into this presentation, and he thanked them for that. He said that he had several comments, but he would focus on one that they could then explore in more detail. He said that referring to page 5 of their summary provided, development areas and land use aimed to provide land for vibrant, dense, and mixed-use developments connected by multimodal networks and supported by public amenities and infrastructure. He said that essentially, their goal was to promote appropriate levels of development and growth while ensuring that infrastructure and services supported that growth.

Mr. Carrazana said that time and time again, they encountered projects, predominantly housing projects, that negatively impacted their schools and roads. He said that during his tenure on the Commission, this had occurred repeatedly. He said that part of his inquiry was: how could they devise strategies to mitigate these negative effects. He asked what actions must they take to ensure that their objectives aligned with their funding. He said that to achieve this alignment, he would ask how they should incorporate their capital investment plan.

Mr. Carrazana said that he did not see this addressed in their current objectives. He said that in Phase 3, they provided a roadmap for next steps. He said that he believed that this process should begin with objectives. He asked what objectives could they create that addressed aligning and identifying high-priority projects. He said that for instance, they might identify these projects through master plans or small area plans. He said that they possessed numerous tools for identifying such projects. He said that prioritization and incorporation of capital improvements into their plan were not clearly addressed in their objectives.

Mr. Carrazana said that this was a significant oversight that they needed to address early in their planning process. He said that they must ask how would they ensure that these improvements were considered and if they were committing to making these changes. He said that once they established this, they could discuss implementation in Phase 3. He said that this was a critical issue because their current process did not offer a solution for addressing infrastructure development or service improvements that kept pace with their growth. He said that their schools and services were struggling to keep up with their development. He said that this was one omission he was seeing, but in general he was supportive of the document.

Mr. Missel said that he would like to emphasize a few points based on the discussions they had. He said that considering various data sources and alternatives for integration was crucial. He said that utilizing not only the tools but also collaborating with the community in the work was essential. He said that as a reminder for both listeners and participants, there were opportunities for community engagement in this process. He said that while they were discussing their thoughts and ideas, they would like to remind the community to engage and contribute, as this would be part of the input for the research. He said that another factor he considered was the condition of existing infrastructure, which served as a baseline.

Mr. Missel said that this reminded him of something Mr. Carrazana mentioned. He said that they often talked about affordable housing, but they must ask what was their current baseline and where did they start from. He said that measuring and benchmarking were essential for understanding their starting point and goals, which would help them plan action steps to improve the situation. He said that this was closely related to the next category: findings. He said that once the research was completed, findings would be presented. He said that these findings would be tied to prioritization, which Mr. Carrazana also mentioned. He said that there were many great ideas in the provided document, and when he looked at the key questions, he could see that they addressed these concerns.

Mr. Missel said that he believed that while examining this comprehensive collection of strategies for planning Albemarle County and maintaining the current quality of life, having clear priorities was crucial. He said that they also discussed the capital improvement plan and its implementation. He said that as they considered the next steps for this, regarding the questions from Mr. Moore regarding the zoning ordinance, they should consider its connection to the zoning ordinance. He said that they would address this topic later in this document, which included sections that provided hints regarding neighborhood centers and destination centers.

Mr. Missel said that these all related to the evolving zoning based on this work. He said that lastly, regarding affordable housing, he thought that their goals and action steps should be aspirational but also achievable. He said that ways to achieve this were tied to the CIP and other methods and strategies. He said that he was certain that the development community would be viewed as a conduit to help create and sustain this place that they knew.

Mr. Missel said that when examining the impacts of the comprehensive plan on development in the County through the lens of a developer, rather than just a planner, was also important. He said that he believed that it would be beneficial to move now on to the discussion of development areas and using the questions presented there. He said that there were two additional questions. He said that the questions asked if the draft goals were aligned with the AC44 framework for an equitable and resilient community. He asked if anyone wished to share their thoughts on that.

Mr. Moore said that overall, he thought there was a lot that aligned in the document. He said that there were aspects to it that could be improved.

Mr. Bivins said yes, he found that it aligned. He said that he still had that threshold question, and then it came at the back of it when those wonderful charts about what they would look like in 2044 were presented. He said that they needed 24,000 houses to be built. He said that however, they were consistently under-density. He said that whatever project came was consistently under density. He said that Ms. Kanellopoulos mentioned that it was around 50% under density at one point. He said that he did not fully accept all of this today, but he could accept it with some modifications.

Mr. Bivins said that he still did not see how they could create a process that developers would agree to build at 100% density without having many people from various places objecting that they could not have 100% density next to them. He said that when he arrived there, he was 100% and 200% density next to the person who was there before him. He said that he struggled with understanding how they could incentivize developers to deal with political backlash.

Mr. Bivins said that because they could go somewhere else where they will be welcomed with open arms and easily construct their buildings, they needed to consider the agency piece due to their being subject to the Dillon Rule. He said that part of their problem was that their development areas were diverse and unconnected, existing in various locations surrounding the City which were quite different from each other. He said that examining Avon Street Extended and Pantops, they were quite distinct locations.

Mr. Bivins said that creating a development area solution for this collective group of development areas appeared both challenging and infinitely difficult due to their differences. He said that Avon Street was not similar to Pantops or Crozet. He said that they aimed to develop an approach that could accommodate various land uses while striving for 24,000 units. He said that he was still contemplating how to ensure the success of these diverse components. He said that it was difficult to imagine when they did not own the road network or transportation network.

Mr. Murray said that during his review of this material, he realized that there might be an oversight regarding an explicit objective related to redevelopment. He said that although he acknowledged the mention of development area expansion, he believed that focusing specifically on redevelopment, with its own set of goals and objectives, would be crucial for this context. He said that for them to be successful in the growth area, they should focus on redeveloping large, underutilized spaces such as Fashion Square Mall. He said that infill could be added to that, however, he expressed his concern regarding infill, which often involved applying infill to green fields in the past.

Mr. Murray said that he was not entirely convinced that they should infill all green fields. He said that he believed that they should consider increasing building heights in certain areas to promote urban development. He said that in previous discussions regarding incentives for redevelopment, he suggested that they seriously consider offering tax incremental financing for structured parking. He said that this would be advantageous for all parties involved, as it allowed for the conversion of large parking lots into parking garages, freeing up space for alternative purposes such as green space, housing, or other uses. He said that addressing the need for more green space was crucial in their discussions.

Mr. Murray said that they definitely needed a plan to reach their goal. He said that one of the things he had noticed and brought up before was that they had designated areas on the map that they would like to be green spaces in the future. He said that when these areas came up for development, they often ended up receiving a small portion of that area marked in green, which was proffered back as green space. He said that they needed to do better than that. He said that one way to achieve this was by restricting the footprint of buildings constructed within these green spaces. He said that this could encourage development to go up instead of out.

Ms. Firehock said that she agreed with Mr. Bivins' perspective regarding equitable development. She said that while the language emphasized connectivity and vibrancy, it was crucial to consider the challenges faced by individuals without reliable transportation in the northern part of the development area. She said that she used to frequent those streets for car repairs when she had an office on Route 29 North, which required her to walk through those streets frequently due to her old car. She said that she found it disingenuous to assume that everyone could easily walk to nearby shops and housing.

Ms. Firehock said that in Charlottesville, they conducted an origin-destination study survey to identify where people were trying to get to and used that data to determine where new connections were required. She said that they developed a multimodal transportation plan that included pedestrians and areas where people wanted to wander. She said that this element could be further enhanced through additional analysis. She

said that more importantly, they aimed to increase spurs and connections to the Rivanna Trail. She said that they identified where these connections were needed and collaborated with developers and the trails coordinator to ensure their inclusion in infill developments.

Ms. Firehock said that in some cases, they provided waivers for sidewalk widths or other requirements to accommodate the desired path. She said that they made significant efforts to incorporate this path into the existing infrastructure. She said that the key point was that there was a plan to connect certain parcels; however, this plan did not currently exist. She said that as mentioned earlier, they provided a piece of green space, but if it were shifted 300 yards to the left, it could connect effectively. She said that the level of planning required for this connection still needed to be done.

Ms. Firehock said that regarding equitability, they should consider benchmark data and create a more detailed land cover map for the urban ring. She said that by understanding the impervious area and tree canopy in each neighborhood, they could develop plans for adding canopy back or implementing tree retention incentives within the development area. She said this was because the temperature is increasing, and it was becoming less green. She said that they did not possess a strategic plan; they were unaware of what they were losing, and they did not have a plan for getting it back.

Mr. Bivins said that when examining the Rio Road form-based code, there was a significant discussion regarding the Northside Library being a gathering place. He said that this notion was rendered obsolete when the Phillips Hardware store adjacent to the Northside Library was purchased by an auto parts dealer. He said that the idea of how one could incorporate additional parking or repurpose existing parking spaces became more challenging. He said that someone had the opportunity to purchase a vacant piece of property near 29 to transform it into a public space.

Mr. Bivins said that this opportunity has now vanished since the property will be used for an auto parts store instead. He said that in the past, his colleagues had discussed the possibility of acquiring land adjacent to existing public spaces. He said that they should consider whether to hold onto the land or collaborate with others to transform it into a green space instead of a built space. He said that this would help preserve the existing tangent or cotangent spaces and opportunities within their current property portfolio.

Ms. Firehock said that they could request an easement or a dedicated future right-of-way for roads or trails. She said that this area would be reserved for future development. She said that their current method involved hoping for a progressive developer who would create a trail spur connecting to the greenway and expanding the pocket park next to the neighboring park to create a more comprehensive park system.

Mr. Missel said that the equitable and resilient community piece appeared to align consistently. He said that however, that it was essential not to merely state this goal and assume that everything was in order. He said that instead, they should continue to assess and track their progress, holding themselves accountable as a County for maintaining this focus.

Mr. Moore said that upon examining their list of County parks, he observed that many of them possessed a rural style, featuring trails and woods. He said that the two parks that exhibited more traditional urban characteristics, such as basketball courts or gathering areas, were located in Esmont and Scottsville, which he would not consider part of their urban core. He said that he believed that it would be beneficial to have more parks of this nature. He said that he concurred that these parks should be County-owned and County-operated to avoid private playgrounds that remained unknown and underutilized by non-residents.

Mr. Moore said that furthermore, he would express that the philosophy of parks should extend beyond the quantity of parks or the number of acres or trees. He said that he believed that their parks should primarily function as social spaces for individual recreation and community interaction. He said that they should also function as third spaces, places where people genuinely interacted and connected across dividing lines, involving programming and various activities that fostered community involvement. He said that individuals walking on a trail was acceptable, but they must focus on spaces that enable thriving and resilient communities.

Mr. Moore said that one related topic was investing County resources into parks. He said that during discussions at North Fork, involving Supervisors, developers, and community members, there was consideration of the County purchasing land for housing. He said that this topic was not mentioned in the goals or objectives; he recalled seeing it in the 2021 County housing policy. He said that he did not believe that the primary objective was merely to acquire more land. He said that if they could utilize this for supporting the defense sector near Rivanna Station, they could certainly do so for their community members and their ability to live and work in the same County. He said that they could develop attractive and affordable neighborhoods that catered to people of all wealth levels, which was currently lacking.

Ms. Firehock said that she wanted to return to something that Mr. Moore said. She said that something he mentioned inadvertently touched upon a topic that interested her greatly regarding density and zoning. She said that she had previously discussed why they should simply rezone certain areas to the desired density. She said that Mr. Bivins mentioned earlier, they often encountered NIMBY individuals who opposed development in their area, as well as "banana people" who wanted nothing nearby.

Ms. Firehock said that she believed it was challenging for them to advocate for increased density and then face resistance from neighbors who did not want it in their vicinity. She said that they often suggested placing it in another neighborhood where the developer did not own the land. She said that if the County was serious about this, they needed to stop receiving proposals that offered 50% or even 30% of the desired density. She said that instead of reactively addressing these requests, they could proactively rezone for some of this development. She said that she understood that the Board had not been supportive of this approach, but she would like to emphasize its importance.

Mr. Moore said that when considering density, it ensured that the process would be slow and piecemeal, allowing opportunities for objections from stakeholders regarding their desired outcome. He said that the layering aspect was peculiar; if their goal was indeed to slow down, then having layers of future land use planning in addition to rezoning was beneficial. He said that however, he was uncertain whether they want to slow down completely because they were currently in a situation where people had been displaced. He said that the average household income had increased by 62% in just six years due to new residents moving in and lower-income individuals moving out.

Mr. Moore said that this was not ideal for a community where people who worked there could not afford to live there. He said that he agreed with the previous statement of Mr. Murray's regarding building height limitations. He said that he would like to emphasize that in all the areas under consideration, the current maximum height was five stories. He said that some developments near 29 could potentially reach eight or ten stories in height. He said that this was particularly relevant since this area was essentially a downtown or could become one in the future.

Mr. Moore said that regarding the Albemarle GIS map, he found that most of the future land use designations appeared as yellow, which represented neighborhood residential areas, which was the least dense category. He said that this seemed inconsistent with their goal of using land efficiently. He said that it would be beneficial to explore options for higher density residential areas or mixed-use developments in these locations to better align with their objectives, as mentioned by Mr. Carrazana.

Mr. Moore said that the primary objective of 1.4 was using land efficiently in an equitable and welcoming manner. He said that having homes that people could afford appeared to be a welcoming, equitable approach to him. He said that it was not just efficiency or equity; it was also about planning intelligently for their financial future. He said that by constructing more buildings, they actually created a larger tax base to fund those necessities.

Mr. Moore said that if they examined the taxable value of properties in Dunlora, a rather affluent neighborhood, they found that the taxable value per acre of Abingdon Crossing, now known as Cobalt Ridge, was two and a half times that of Dunlora's. He said that consequently, they received significantly more taxes for denser units. He said that those taxes could cover the costs of schools, water pipes and

mains, roads, sidewalks, and all the necessary infrastructure they required. He said that this was the kind of straightforward financial benefit of density.

Mr. Moore said that it was not merely more affordable for people to live, but also benefiting County coffers. He said that he recommended having only nine future land use types instead of ten and eliminating neighborhood residential. He said that they should categorize it all as "missing middle." He said that this would allow people to build more units on their properties or parcels without specifying a neighborhood density level. He said that neighborhood density referred to suburban neighborhoods that had existed since the 80s and 90s, found along cul-de-sacs on 29. He said that it represented the status quo.

Mr. Missel said that he would like to clarify whether this discussion was related to zoning or the comprehensive plan. He said that he requested assistance from staff in this matter. He said that he understood their point and would like to ensure that they addressed the appropriate topic.

Mr. Barnes said that he believed Mr. Moore was referring to both, and that the current comprehensive plan did incorporate the use of yellow. He said that they could get rid of that and make it orange.

Mr. Missel asked if they maintained that color and kept it yellow, would they have the ability to increase density within that area through zoning while still retaining flexibility for natural features and limitations.

Mr. Moore said that he was merely pointing out that everything currently yellow recommended three to six units per acre, which was what they had in the least dense cul-de-sac neighborhoods along Route 29. He said that he believed they should seriously consider implementing widespread changes, allowing people to build more units on lands in that area, which could be referred to as redevelopment or infill development.

Mr. Murray said that he definitely agreed that they had way too much single-family housing as it was. He said that they had squandered their growth area, which was part of the reason they were having this conversation about expansion of the growth area. He said that he definitely supported reconsidering some of that single-family housing. He said that one of the big issues along with this was that they had made density a dirty word. He said that when they said density, they meant strictly just a density of people or density of buildings.

Mr. Murray said that they needed to change the language around what they meant by density and think instead of presenting it more as a density of services. He said that this would involve focusing on better schools, sidewalks, shopping areas, and access to more services rather than just having more people in the area. He said that this was a very different conversation. He said that they currently associated density with loss of service, worse roads, worse schools, and loss of green space. He said that the association had made it quite toxic.

Mr. Bivins said that he would like to clarify that he believed density was not primarily about loss of service. He said that it was about preventing people who did not share his background or income level from residing in the area. He said that discussions surrounding density had been misconstrued as focusing on diminished services; however, they had actually been centered around concerns regarding the types of people attracted to certain housing developments. He said that one example of this was the RST project on Route 29, where the community requested a fence around the highest density area that might have contained the most economically affordable housing units.

Mr. Bivins said that they desired a fence surrounding that area due to their preference for preventing those individuals from entering their neighborhoods. He said that the issue was not related to services or shopping at nearby stores like Harris Teeter or Food Lion. He said that it concerned their apprehension regarding those people interacting with their children, despite attending the same schools together. He said that there were two schools in that vicinity where they would be attending classes alongside their children. He said that they did not want those individuals walking on their streets.

Ms. Firehock said that the statement about kids was actually made.

Mr. Bivins said that he remembered that event. He said that he understood the gentle and kind way of expressing that by Mr. Murray, but they should not shy away from the fact that much of what is happening there is connected to people investing in single-family housing in America. He said that this was connected to the history of the GI Bill, which they could research to understand its exclusionary nature. He said that in this context, he found himself in a place heavily influenced by this lifestyle.

Mr. Bivins said that when discussing rural areas, he emphasized that he was more concerned with whether the services there catered to people's needs and whether they could create a sense of belonging rather than focusing solely on maintaining sight lines for recent transplants from Virginia Beach. He said that he struggled to understand how they could foster community within dense environments. He asked how they could achieve this and what indicators they should provide to developers so that they could determine whether they should commence their application at that location.

Mr. Bivins said that by working with staff on a specific day, X number of days later, they should receive approval for site review. He said that this allowed them to begin implementing their project, as the comprehensive plan primarily focused on economic development. He said that although some may view this term negatively, it was about creating a predictable built environment that enabled decision-making regarding resource investment. He said that through this investment, they aimed to develop a place that approached Shangri-La.

Mr. Bivins said that in their particular case, they had six or seven different lenses focusing on the development area. He said that the same approach may not work for White Hall, or 29, or Jack Jouett. He said that they needed to create a solution that would work for their community along that line. He said that he agreed that they should develop the necessary language for this purpose. He said that they had every supermarket available that they could possibly want in this community.

Mr. Murray said that he truly appreciated Mr. Bivins' statement, and he believed that it was closely related to what he was saying earlier. He said that the reason for this association between loss of service was due to the fact that when they constructed high-density communities where lower-income individuals were more likely to reside, they often lacked essential services such as access to green space and walkability.

Mr. Murray said that consequently, when people observed these communities, they did not want to have those issues in their neighborhood. He said that from an equity perspective, they must ensure that all communities had access to green space. He said that by addressing these equity issues that had been created by policies and breaking the associations between density and lack of service, they could help improve the overall quality of life in these communities.

Mr. Missel asked if Commissioners found anything to be missing from the provided document.

Mr. Clayborne said that when addressing climate action and equity, which were the two priorities of the Board, they should not be considered as separate. He said that there would be moments of intersection that should not be taken lightly. He said that consequently, even as they worked on these goals and objectives, he was hoping to see more emphasis in the language used to demonstrate this intersection. He said that as an architect discussing development areas, he found that they seemed relatively solid in terms of building design.

Mr. Clayborne said that given that existing building stock continued to increase, this was likely the most climate-friendly approach one could take. He said that he expected to see something in the goals and objectives regarding buildings in this chapter. He said that while they did well in discussing transportation and various circulation networks, he believed that the buildings aspect was currently overlooked and required their attention. He said that he would like to share a reference for their consideration.

Mr. Missel said that he wanted to inquire about the buildings aspect and what they meant there. He asked if it was design, materials, sustainable materials, or other related aspects.

Mr. Clayborne said that exactly. He said that the impacts on climate action and equity regarding buildings in this development area had been discussed. He said that he would present a resource that he mentioned a few months ago: the American Institute of Architects' Framework for Design Excellence. He said that this resource informed progress toward a zero-carbon, healthy, just, resilient, equitable built environment. He said that it aligned with the data presented earlier and consisted of 10 principles: design for integration, equitable communities, ecosystems, water, economy, energy, well-being, resources, designing for change, and designing for discovery. He said that these principles may serve as a safety net for evaluating their connections to these principles where appropriate and feasible.

Mr. Missel said that the last question talked about incentives. He asked Mr. Clayborne if they could possibly explore incentives linked to sustainability that would promote a higher level of usage. He asked if Mr. Clayborne believed that such incentives existed.

Mr. Clayborne said that he believed there were funding sources available. He said that most of his work had been focused on resilience, and there was a significant amount of untapped capital in this area. He said that to access this capital for mitigation, adaptation, and resiliency purposes, one needed to navigate the system effectively. He said that this capital was not limited to coastal areas; it could also be accessed for wildfires, floods, and other events. He said that he was happy to connect relevant individuals when the County was prepared for such discussions.

Mr. Carrazana said that his comments encompassed aspects that he felt were missing and layered into the idea of land use and transportation, which went hand in hand. He said that he would like to emphasize the importance of including multiple objectives related to identifying, prioritizing, and incorporating the highest priority projects into a capital improvement program. He said that this required investment in order to implement equity-focused initiatives. He said that they must consider how this objective could lead to investments and collaboration across agencies. He said that he believed that understanding Phase 3 was essential, which involved prioritizing using specific tools.

Mr. Carrazana said that this could be achieved through small area plans and transportation management plans in collaboration with their partners, such as the MPO and MPO Tech, for the transportation piece. He said that another crucial aspect that had been discussed more eloquently was the issue of density and densification. He said that since they emphasized having a limited growth area, only 5% of their land mass, they must address the underbuilding of their development areas. He said that they must incorporate all aspects of their language, including adaptive reuse, infill, and redevelopment, into their objectives.

Mr. Carrazana asked how they could incentivize these three strategies to maximize their development area. He said that this was crucial since expanding their area may exacerbate existing issues with service extension. He said that their current 5% was not well-served, so they should focus on better utilizing their existing resources before considering further growth. He said that he agreed with the suggestions made today regarding increasing density in specific areas. He said that there was potential for further optimization of density within their plans. He said that additionally, he wanted to comment on the importance of considering these strategies in conjunction with other aspects of their development approach.

Mr. Carrazana said that on Page 6, Objective 1.7, policies guiding potential future development area expansion, the initial paragraph was challenging to understand due to its structure. He said that he recommended rephrasing to say that under the current AC44 Comprehensive Plan, an expansion was found not to be necessary at this time; however, if a development area expansion was deemed necessary in the future, the following steps should be taken. He said that regarding the steps to be taken, it should suggest use factors related to location.

Mr. Bivins asked if Mr. Carrazana was referring to specific locations or proximity to services.

Mr. Carrazana said that he was discussing location. He said that it would encompass all the aspects they mentioned; it could discuss proximity. He said that the information could be found in pages 7 and 8, where factors were discussed. He said that pages 7 and 8 mention factors such as transportation, community facilities, and services. He said that although none of these specifically stated location, they could indirectly refer to location. He said that there appeared to be a typographical error in the title: "Access and Connection."

Mr. Missel said that he agreed with their comments about that page, in the interest of time. He said that page 6, specifically the last paragraph on that page, addressed the consideration given to minor development area boundary changes. He said that it seemed somewhat like allowing the camel's nose into the tent. He said that he was not entirely certain about its meaning and management. He said that many people might argue that this was at the fringe, suggesting that it should be expanded for further development in that area. He said that he believed that managing incremental growth outside of the development area was crucial.

Ms. Kanellopoulos said that she would like to clarify that section as well, adding that she thought that was a really good point to be clearer there. She said that in that case, they would be talking about neighborhoods that were mostly in development areas. She said that the boundaries were drawn, resulting in some cleanup tasks. She said that for instance, there were five houses in one neighborhood that fell just outside of the development area line. She said that some areas may be considered for inclusion in the future. She said that did not see this as a significant issue; it appeared to be more of a cleanup task.

Mr. Missel said that he understood and acknowledged that it might be helpful to clarify whether the intended audience was developers or not. He said that it also showed up again, such as on the bottom of page 7 under form density and redevelopment where it mentioned 'beyond minor adjustments.

Ms. Firehock said that she would focus quickly on action steps. She said that they had some new staff members who had joined them, but some had not yet heard all of their speeches. She said that they had been wasting land due to surface parking, so they should consider adopting parking maximums instead of just minimums since they overbuilt parking spaces. She said that variable space sizing was allowed but required wider travel lanes, which inefficiently utilized space. She said that their parking ordinance was illogical. She said that older areas in the development zone lacked stormwater management due to their age.

Ms. Firehock said that in Charlottesville, infill projects faced this issue where paved spaces were redeveloped without requiring additional stormwater management. She said that water quality improvements were not successful in achieving victories. She said that to address this issue, a density bonus was created. She said that developers could earn this bonus by implementing a certain number of low-impact development practices and best management techniques. She said that this initiative was successful in attracting developers who adopted these strategies.

Ms. Firehock said that the idea originated from local architects who wanted to increase green development in exchange for additional units to fund these initiatives. She said that other incentives, such as green lighting, were introduced to expedite the review process for projects meeting green building criteria. She said that by designating a staff member as the "green lighter" and meeting specific requirements, projects received faster processing without compromising review standards. She said that time-saving measures ultimately benefited developers financially.

Ms. Firehock said that incentives for various initiatives existed; however, some required staff time for implementation. She said that transportation-related incentives, such as public transportation or bike infrastructure improvements, offered additional benefits. She said that Charlottesville employed strategies like reduced parking standards and shared parking arrangements to incentivize these changes. She said that the City aimed to adopt urban principles instead of suburban sprawl patterns. She said that while this document outlined the correct principles, concrete steps were necessary for actualization. She said that numerous other strategies existed but listing them all was unnecessary.

Mr. Missel said that he would like to add two quick points. He said that first, regarding their question about the Activity Center's Community Design Guidelines and Land Use Designations, he assumed they intended that the graphic represented recommended future land uses in terms of form and scale of development applied to each property in the development areas. He said that he believed this model could also be applied to existing properties in some instances, as it is both future-oriented and interconnected with existing developments.

Mr. Missel said that secondly, he would like to emphasize the theme of collaboration between local entities that arises throughout this discussion, meaning that they should consider how they, as the Planning Commission, could collaborate with the City's Planning Commission, as well as staff collaboration. He said that Mr. Barnes and he had already begun discussing collaboration. He said that they considered transportation, which spanned across boundaries, as an example of what such collaboration might look like. He said that establishing more specific goals in several areas of collaboration would be beneficial.

Recess

The Planning Commission recessed at 5:31 p.m. and reconvened at 6:00 p.m.

Mr. Missel called the meeting to order at 6:00 p.m.

Ms. Shaffer called the roll.

Mr. Missel established a quorum.

Other Matters Not Listed on the Agenda from the Public

There were none.

Public Hearing

SP202300011 & SP202300013 Service Dogs of VA

Syd Shoaf, Senior Planner, said that he would be presenting staff's recommendations for Special Use Permits SP 2023-11 and SP 2023-13 regarding Service Dogs of Virginia. He said that these were two special use permit requests: one was for a commercial kennel, and the other was for a private school on a 38.8-acre parcel in the rural areas. He said that the subject property was situated northeast of the City of Charlottesville, east of Stony Point. He said that it was located on the south side of Turkey Sag Road, east of Stony Point Road, also known as State Route 20.

Mr. Shoaf said that the tax map parcel was 48-61D, and the entire parcel was approximately 38.8 acres. He said that it was zoned Rural Areas and was undeveloped, with no subdivision history and all five of its original development rights preserved. He said that it was designated as Rural Area 1 of the Albemarle Comprehensive Plan. He said that the surrounding properties were all zoned Rural Areas. He said that the two properties to the southeast were maintained by the Service Dogs of Virginia executive director. He said that the parcel to the south and west was a tree farm with no residences on the property, and across Turkey Sag Road to the north was a single-family residence.

Mr. Shoaf said that the site was wooded with a mixture of mature, deciduous, and evergreen trees that varied from 20 feet to 60 feet in height. He said that the site was also hilly and contained critical slopes areas throughout the site. He said that the southern and southwestern portion of the site was designated as a mountain protection area, which was shown as purple on the map. He said that lastly, there was a stream with a water protection ordinance buffer located along the frontage of the site on Turkey Sag Road. He said that for this application, the applicant was requesting two special use permits. He said that the first was a private school dedicated to training service dogs and their recipients, and the second was a dog kennel required to house the dogs in training.

Mr. Shoaf said that on the slide was a screenshot of the concept plan that was provided as an attachment in the staff report. He said that the applicant was limiting the clearing of existing vegetation and land disturbance to the construction of the driveway, parking lots, stormwater management facilities, and building pads, as shown in the lower and upper site building envelopes. He said that none of the development would disturb critical slopes or mountain protection areas. He said that the remainder of the 38.8-acre lot would maintain its wooded nature. He said that the proposed lower site was approximately 1.3 acres and would contain the training and administrative building, parking, the client dorm, which would house four clients at a time, and the puppy center, which would be used to house new litters for eight weeks at a time.

Mr. Shoaf said that the proposed upper site was 2.1 acres and would contain the caretaker residence, a kennel to house up to 20 dogs at a time, a small pool, a training facility, and a parking area. He said that in summary, the applicant was proposing the development of six buildings on the site. He said that all buildings would remain screened by the existing vegetation outside of the proposed clearing and land disturbance areas. He said that the proposed buildings met the required rural area setbacks in the ordinance. He said that the supplemental regulations for a commercial kennel required buildings to be at least 200 feet from any lot if they were soundproofed.

Mr. Shoaf said that the closest kennel building was the puppy center, which was located in the lower site and was soundproofed and 200 feet away from the closest lot line. He said that the kennel on the upper site was located 500 feet away from any lot lines. He said that lastly, the applicant had provided that all buildings on the site would be soundproofed, regardless of whether they were kennels or not. He said that the special use permit application was reviewed under the factors for consideration as outlined in the zoning ordinance. He said that staff believed that the proposed special use permit would not be detrimental to adjacent parcels, would not change the character of the nearby area, would continue to be in harmony with the rural area zoning district, and was consistent with the comprehensive plan.

Mr. Shoaf said that on the current slide were the conditions drafted by staff. He said that the first factor for approval was that the plan should be in general accord with the conceptual plan provided by Collins Engineering. He said that this included the location of building envelopes, location of parking structures and facilities within the building envelopes, location of the entrance and access road. He said that it also included maximum height structures not exceeding 24 feet in height, perimeter fencing to be installed prior to commencement of use, and lastly, all kennel buildings must be soundproofed.

Mr. Shoaf said that in summary, staff found one factor favorable, which was that it was consistent with the review criteria for special use permits contained in the zoning ordinance. He said that there was one factor that was unfavorable: the proposed access was in the stream buffer. He said that however, there were no other means of access to the site, and disturbance was limited to the minimum necessary. He said that staff recommended approval with the conditions as recommended in the staff report.

Mr. Bivins said that he had a question regarding the special-use permit for the kennels. He said that there were two separate kennels, one for puppies and one for adult dogs, located in different areas. He asked if they were considering both of these kennels under the same special use permit.

Mr. Shoaf said that was correct.

Mr. Bivins thanked Mr. Shoaf for the clarification. He said that his second question was about the property. He asked if it was possible to keep cattle or have horses there.

Mr. Shoaf said that the property was zoned for rural areas; therefore, it was permitted to engage in all activities allowed in rural areas. He said that as a result, agricultural and forestry uses were permissible.

Mr. Murray said that there had been situations where there were crossings of the stream buffer and crossings of the stream. He asked about the design standards that they had for those crossings.

Mr. Shoaf said that for the special use permit, all internal and external partners received it for review from a higher-level perspective. He said that the Engineering and the Virginia Department of Transportation raised no objections. He said that if approved, the permit would be subject to both a site plan and a water protection ordinance plan. He said that at this stage, Engineering and the Virginia Department of Transportation would closely examine the impacts on the driveway and entrance.

Mr. Missel asked if the applicant had a presentation.

Peggy Law said that she was the Executive Director at Service Dogs of Virginia. She said that their property was located next door on Turkey Sag Road. She thanked them for the opportunity to share some information about their organization. She said that she would like to spend a few minutes discussing their work in case they were not familiar with them. She said that their organization trained dogs for people with disabilities in five primary areas. She said that physical assistance dogs provided extra hands for individuals in wheelchairs, performing tasks such as opening doors and picking up items that have been dropped.

Ms. Law said that their second program focused on autism, assisting both children and young adults. She said that for children, these dogs interrupted repetitive behaviors, kept them safer, and reduced anxiety, and for young adults, they facilitated transitions to new phases of life. She said that a third program they offered was medical alert dogs for people with type 1 diabetes who had no control over their blood sugar levels. She also said that they trained dogs for individuals suffering from mast cell activation syndrome, which was a condition without a diagnostic test available. She explained that the difference between these two conditions lay in their diagnostic process. She said that for blood sugar monitoring, one could prick their finger to determine their blood sugar levels.

Ms. Law said that their method allowed clients to know their blood sugar levels, although for other two conditions, there was no way to know. She said that the dog served as an incredible early warning system that could help prevent crises from occurring for both mast cell activation and adrenal insufficiency conditions. She said that they trained dogs for various purposes, including post-traumatic stress disorder (PTSD) in veterans and facility dogs for professional counselors in clinical settings. She said that some people living nearby expressed their appreciation for their work but preferred they conduct it elsewhere.

Ms. Law said that she would maintain that this particular property was suitable for their intended purposes. She said that the terrain was steep and not conducive to farming. She said that currently, the land was entirely wooded, which raised concerns about clearing it for large animals due to potential erosion issues caused by its steepness. She said that the area was quite messy at present. She said that the property was chosen due to its 500-foot setback and 39 acres, which allowed for 500-foot setbacks from all directions. She said that to address neighbors' concerns and minimize disturbance to the topography, they decided to build the building on piers instead of foundations. She said that their architect would discuss this further in a few minutes.

Ms. Law said that regarding traffic, their staff consisted of five people, so even if they could accommodate the required number of homes, there would be fewer than if there were five separate homes. She said that she envisioned the organization growing; however, she understood that people were concerned about barking. She said that she lived in a rural neighborhood as well and empathized with their concerns. She said that they did not want to hear barking dogs either. She said that these were their dogs, familiar with their routine and what they were doing, making them comfortable in their surroundings.

Ms. Law said that they required a new and dedicated space because they were currently limited in the number of dogs, they could place annually due to their lack of a kennel. She said that consequently, they depended on volunteers who could take dogs home at night. She said that this arrangement made their operations very challenging. She said that in a typical week, they also had people who housed their dogs during the week; however, they may be unavailable due to vacations or other reasons. She said that they were currently seeking a place to accommodate dogs for the night. She said that last week, her administrative assistant had to find homes for six dogs due to these challenges.

Ms. Law said that it was indeed a cumbersome way of doing business. She said that they did not currently have sufficient space to raise a litter of puppies. She said that they would resort to begging, borrowing, and stealing to gain access to people's homes. She said that last year, they were in Region Ten. She said that purpose-bred and methodically enriched puppies had a higher success rate, which allowed them to utilize their donors' funds and their time more efficiently.

Ms. Law said that they needed to develop their puppy center further. She said that at present, they had one room, which was large enough for most of their needs; however, it was insufficient for simultaneous interviews with clients or dog training sessions. She said that they must use this one room for multiple purposes due to their limited space. She said that developing an outdoor area for clients and their dogs would also foster stronger bonds during training sessions. She said that in summary, she appreciated their support and emphasized the need for a dedicated space to enhance their efficiency, productivity, and ability to help more people.

Scott Collins said that he was a civil engineer working on the site. He said that he would attempt to leave a few minutes for the architect to present their ideas. He said that he would be brief in his remarks. He said that both Ms. Law and Mr. Shoaf had provided excellent information. He said that he would like to emphasize a few points. He said that first, regarding soundproofing, the ordinance required 500 feet of soundproofing or soundproofing of buildings. He said that they were implementing both measures, and he believed that this was a significant contribution proposed by them.

Mr. Collins said that concerning stormwater and runoff, they all knew that water drained from the mountain to the road. He said that there was a stream by the road. He said that they would address localized stormwater quality issues, while for quantity, they would likely explore solutions that attenuated the flow coming off the mountain to help alleviate some of the drainage issues along Turkey Sag Road. He said that as for their entrance, they would not cross the stream for their access point. He said that the stream crossed the road, so they proposed their entrance on the other side of the road where they did not have to cross the stream.

Mr. Collins said that they could place it lower down but would cross the stream, so they would put it at the entrance where they did not have to cross the stream, which eliminated stream crossing. He said that they were slightly within the buffer zone, but that was where the road was located. He said that they proposed perimeter buffers of 200 feet wooded areas around the site and 75 feet along the main corridor. He said that at this point, he passed the presentation over to Eric Ross, who would discuss the architecture since it was quite impressive.

Eric Ross said that they had proposed two building sites for the project. He said that to maintain the vernacular, aquarian nature of the surrounding community, they had broken the buildings into smaller residential structures. He said that they planned to float the buildings on piers above the existing topography. He said that this approach ensured that if there was a need for reversing the development in the future, they would not disturb the natural condition of the ecosystem at the site. He said that there were five key points included. He said that they would be preserving as much of the existing vegetation as possible, creating residential scale buildings in the woods, screening the buildings from the road, screening the buildings from neighbors, and utilizing floating structures on piers above the existing topography.

Mr. Ross said that they proposed off-site construction wherever possible to minimize activity and thus retain as much of the vegetation and waste produced on site. He said that utilizing vernacular materials such as metal roofs, siding, locally sourced timber frame, and light wood framing, elevated above the ground on piers, would help these structures blend into the landscape. He said that the intention was that once the development was complete, the buildings would grow into their surroundings, be discreetly integrated, and enhance the visual impact of the development rather than clearing the site for a single large building.

Mr. Missel said that he was curious if expanding and growing was part of this plan, as the first speaker mentioned the possibility of looking for expansion and growth.

Mr. Ross said that the facilities plan would accommodate the growth of the staff by adding more people to help in the future.

Mr. Missel asked for the reason for the shape of the cleared areas. He said that he was curious if they were defined or determined due to grading or some other reason. He said that he found it hard to believe that they were random, as they appeared to be intentionally designed.

Mr. Collins said that the upper campus and lower campus areas had been designed to avoid disturbing critical slopes on the site. He said that an access road connected these two areas, which were predominantly flat, minimizing land disturbance associated with campus-style buildings. He said that by placing buildings on piers, further land disturbance was reduced. He said that the proposed use did not require extensive land clearing, unlike single-family lots or houses. He said that parking was associated with this use but that the focus was on selecting flat areas for minimal land disturbance.

Mr. Missel opened the public hearing for public comment.

Robert Nells said that he resided at 4545 Turkey Sag Road. He said that one of the points made by Ms. Law was that the current way of conducting business was cumbersome. He said that upon examining the photograph displayed, it became evident that there was a lack of nearby businesses. He said that there was not a cluster of seven buildings, with the smallest being 3,000 square feet and some reaching up to 15,000 square feet. He said that Ms. Law also mentioned that many neighbors, including himself, greatly appreciated the work being done; however, they did not want it in this specific location due to concerns regarding its compatibility with the surrounding environment's nature, tenor, and harmony.

Mr. Nells said that although he appreciated coming from a construction background and a family that built things, the time and effort and the obvious expense that went into the preparation of this event were evident. He said that however, upon observing the surroundings, it did not seem like it belonged there. He said that he spoke to a real estate agent friend of his and conducted some research in Albemarle County and Orange County. He said that he discovered numerous properties that were readily available within the approximate price range and size that could have been equally considered. He said that the process was different in this case.

Mr. Nells said that the property was purchased first, and then provisions were sought to obtain a special use permit. He said that no one approached him about it, despite his having lived there for over two years. He said that he moved there from southern California specifically to escape businesses in and around suburban-type neighborhoods where he previously lived. He said that less than two and a half years later, he found that this would not be the case.

Mr. Nells said that this disturbed the harmony of the area. He said that considering the number of parking spaces available, which was 30, and the recent proposal to expand it for possibly ten employees or more, he believed that this expansion should occur in another area that would be less impacted by it. He said that the road was already quite narrow and not entirely paved throughout its length.

Jeff Emerson said that there was no doubt that this organization had a significant positive impact on society in general, and he believed that their work was remarkable. He said that he was a dog lover and had four of them. He said that he could not emphasize enough the impact that dogs had on his life. He said that he was fond of the organization but that the question at hand was not whether the total benefit was substantial but whether the incremental benefit of having this at this location outweighed the incremental cost of having it at this location.

Mr. Emerson said that the incremental cost of having it at this location was significant for him since they lived adjacent on the other side of the valley. He said that if one resided there, they understood that the valley was so quiet that they could hear a pin drop. He said that if one dog barked and then another, he heard it. He said that he knew they discussed soundproofing and everything in theory sounded great; however, there was no way that one could put this scale of operation up on that hill without it being loud

and disturbing the peacefulness of the area. He said that he was assured that the project would have this outcome.

Mr. Emerson said that some might argue that it would not, but he believed that it would. He asked about the incremental benefit of the project. He said that he did not see it. He said that if they visited the property, they would see that it involved putting over 50,000 square feet on the side of a forested mountain. He said that engineers might claim that it was easy to do, but they should examine the property first. He said that the construction of this project appeared excessive, making Jefferson's actions at Monticello seem modest in comparison.

Mr. Emerson said that the resources allocated for this endeavor, particularly for acquiring the land, could have been better utilized by finding a more practical location. He said that while he was supportive of the organization and its objectives, he found this specific project to be illogical in terms of its impact on the community, stakeholders, and resource allocation. He said that he strongly recommended visiting the site to assess its suitability if they remained unconvinced.

Lisa Beitz, Executive Director of Region Ten Community Services Board, said that she would like to introduce Maggie, a facility service dog placed with them through Service Dogs of Virginia. She said that Maggie could not be present that night but had been with them since August 2023. She said that Maggie had served over 225 children and adults in their programs and had been involved in more than 12 of their programs. She said that Maggie had responded to two critical incident events in the community and had supported over 200 staff members. She said that Maggie's presence had improved both effectiveness and satisfaction outcomes for the people they served when she was involved in services. She said that they had also improved staff morale.

Ms. Beitz said that these accomplishments were made possible through the skills and abilities that Maggie learned during her first two years of life with Service Dogs of Virginia. She said that Maggie was not just a pet or a fur-faced friend for comfort; she brought a sophisticated set of skills that improved outcomes, decreased intense feelings and emotions, de-escalated trauma, and problematic behaviors. She said that she achieved this through being present, through deep pressure therapy, and other components that occurred during training. She said that Maggie was exceptional, and if someone thought that was impressive, they would be correct. She said that this was due to the training that took place at Service Dogs of Virginia.

Ms. Beitz said that Ms. Law confirmed they utilized their facilities for eight weeks. She said that these facilities were adjacent to their Old Lynchburg Road campus. She said that the use of these facilities did not disrupt parking, programs, or the surrounding community, nor did it cause any noise disruption. She said that Service Dogs of Virginia was not merely an organization that raised, trained, and placed service animals; rather, they enhanced the health and well-being of their community through these processes. She said that she thought that having them in Albemarle County, integrated into everyday life, visible and present, and contributing to their community, only benefited both individuals and their community as a whole.

Jessica Neil said that she was from Barboursville, and she was grateful for the opportunity to share a story about her son's journey with autism. She said that his journey had been marked by challenges and triumphs; however, one significant transformation in their lives had been their service dog, Forest. She said that Service Dogs of Virginia was the organization responsible for raising, training, and placing Forest with them in 2017.

Ms. Neil said that since Forest joined their family, her son's life had experienced significant changes. She said that his anxiety had reduced, managing his meltdowns had become easier, and his existing therapies had become much more effective. She said that her son's journey with autism and their family's support had become a bridge to greater independence and well-being for him. She said that Forest's impact extended beyond her son. She said that the partnership had a ripple effect throughout their entire family.

Ms. Neil said that her son's increased confidence and success enabled them to participate in normal activities such as trick-or-treating, visits to museums, athletic events, travel in an airplane and RV, and most importantly, an incredible family trip to Disney World in 2019. She said that all of those things would never have been thought to be possible for them without Forest's support. She said that they had personally witnessed the life-changing services provided by Service Dogs of Virginia for individuals with autism, significantly enhancing their quality of life and empowering them to navigate the world with confidence and dignity.

Ms. Neil said that consequently, she requested that they consider supporting Service Dogs of Virginia, enabling them to continue making a tangible difference in the lives of families like hers who desperately relied on their services. She said that as they discussed expanded opportunities to provide more dogs, she emphasized that families like hers had their lives transformed by these service animals. She said that each additional dog trained and placed by Peggy throughout the Commonwealth had a profound impact.

Gavin Sherwood said that he resided in Shipman, in Nelson County. He said that he had been associated with Service Dogs of Virginia for approximately six years. He said that he served on the Board of an organization that had been able to donate to Service Dogs regularly. He said that on a more personal level, he also worked with an organization at Wintergreen Resort that provided ski instruction to individuals with disabilities.

Mr. Sherwood said that he had witnessed the impact of the work that they did, whether through service dogs or another organization that served similar purposes, as their students came from various locations. He said that the remarkable transformation of a five-year-old who had never experienced this before but remained calm, composed, and collected due to having that animal by their side was truly amazing. He said that he kindly requested that the Planning Commission consider allowing them to find a home in Albemarle.

Polly Tarbell said that she was an Albemarle County resident and served on the Board of Directors for Service Dogs of Virginia. She said that for nine years, she had volunteered by hosting service dogs in advanced training in her home. She said that this involved taking them to school daily and bringing them back home. She said that she could attest that these dogs did not bark after a full day of training, and neighborhood concerns regarding barking should not be an issue. She said that she was aware that this organization had transformed numerous lives in various ways despite having less-than-ideal infrastructure.

Ms. Tarbell said that at present, their Executive Director, Peggy Law, had been taking home approximately four or five dogs at night, although not today. She said that they could not continue this practice as it would be challenging for a succeeding Executive Director to adopt this routine. She said that they aimed to establish a facility similar to successful guide dog schools and other service dog organizations across the country. She said that these facilities provided housing for dogs in advanced training, ensuring they remained quiet and well-rested due to their breeding for service work. She said that they would greatly appreciate their support in implementing this project.

Megan Weeks said that she was a Charlottesville resident and a veteran of the United States Navy. She said that in 2016, she was diagnosed with post-traumatic stress disorder after experiencing a challenging period in her life. She said that during this time, she struggled with profound loneliness, emptiness, and despair. She said that the debilitating flashbacks and overwhelming anxiety made it nearly impossible for her to step outside. She said that she was desperate for help and, following the recommendation from a psychiatrist, she reached out to SDV. She said that in 2019, her life changed when she was paired with her PTSD service dog, Moby. She said that she was there to support SDV and ask the Commission to support their building plans.

Ms. Weeks said that SDV specifically trained Moby to perform tasks that help mitigate her post-traumatic stress disorder symptoms. She said that Moby wakes her up from nightmares, alerts her when an anxiety attack is about to come, performs deep pressure therapy, and reminds her to take her medication. She said that she still experienced symptoms of PTSD but, with Moby's assistance, she could now live a more fulfilling, independent life. She said that without Moby and Service Dogs of Virginia, she would not be

conversing with them today. She said that she would have taken her life if there was no dedicated training facility for veterans receiving PTSD service dogs.

Ms. Weeks said that she earnestly requested the support of the Albemarle County Planning Commission for Service Dogs of Virginia's proposal to build a dedicated training facility. She said that she volunteered with SDV and was aware of the issues raised related to the dogs barking. She said that she invited them to visit the dogs because they did not bark excessively. She said that she could assure them that when they played, they might bark occasionally but would not be a nuisance. She said that Ms. Law spoke truthfully and would not disrupt the harmony of the streets of Turkey Sag. She said that she therefore requested their support for Service Dogs of Virginia.

Dr. Robert Haxter said that he was a licensed clinical psychologist. He said that he had been fortunate enough to be affiliated with this group for six years. He said that to provide some perspective, they had heard about easements, maintaining woods, and soundproofing. He said that for the past six years, they had been operating out of strip malls, which demonstrated their ability to manage neighbors and close proximity situations. He said that in the six years that he had been working with them, he had not heard complaints regarding their business practices or the professionalism and training of their dogs. He said that he worked with Service Dogs of Virginia primarily through two of their programs.

Dr. Haxter said that in the past, people might have thought that service dogs were simply trained for their roles. He said that he would like to emphasize that extensive processes took place in the placement decisions made for these dogs. He said that as an evaluator and selector of candidates for service dogs for autism spectrum disorder or PTSD, he wanted to draw attention to the fact that training was not the sole focus. He said that there was a considerable process that involved evaluating and selecting suitable candidates.

Dr. Haxter said that finding individuals who were neither too impaired nor too independent for a service dog was crucial. He said that the placements made by these professionals required significant effort, time, and planning. He said that he was fortunate enough to have a facility dog, often referred to as his therapy dog. He said that he primarily worked with adolescent boys, who, as many may know, could be emotionally congested. He said that there was nothing more valuable than his facility dog, who did phenomenal work in terms of giving them a sense of comfort and confidence in being able to express themselves in a safe environment.

Dr. Haxter said that this organization was truly run by a small and dedicated group of ladies who really did not ask for much more than the opportunity to show the community what these dogs could do. He said that this was not a business; this was a non-profit organization whose mission was to give. He said that in the six years that he had been affiliated with them, he had seen nothing but giving to the community. He said that the work that they did was phenomenal. He said that this was an organization that would give back to them if they granted them their permit.

Waldo Jaquith said that he lived in the Rivanna Magisterial District, next door to Ms. Law, the Executive Director of Service Dogs of Virginia. He said that he lived there with his family, and their residence was clearly marked on the map. He said that he was there to suggest that certain restrictions be added to the special use permit. He said that he understood that many of their neighbors had additional concerns regarding potential future uses of this property. He said that if a special use permit was granted for Service Dogs of Virginia to operate a kennel on this parcel, then anyone should be allowed to operate a kennel on this parcel in the future.

Mr. Jaquith said that, however, future kennel operators may not be as considerate neighbors as Service Dogs of Virginia had been. He said that Ms. Law had been operating service dogs on that property for 20 years. He said that during this time, they had not experienced any issues so far while residing on Turkey Sag Road. He said that he proposed the following limitations for the special use permit, without understanding what restrictions would be appropriate for imposition from the Commission. He said that all

of these limitations were taken directly from Service Dogs of Virginia's proposal, and none of his suggestions here would limit their stated plans.

Mr. Jaquith said that kennel use could not be provided on a fee-for-service basis, education could not be provided on a fee-for-service basis, and lodging could not be provided on a fee-for-service basis. He said that no more than 20 dogs may be housed on site at one time, no more than 10 staff members and volunteers may work on site at one time, no more than 5 people, including 4 guests and 1 caretaker, may be lodged on site at one time.

Mr. Jaquith said that lodging services may not be provided to guests for more than a total of 50 days per calendar year, lodging services may only be provided from Monday through Friday, the hours of operation for everyone but the caretaker would be restricted from 7:00 a.m. to 7:00 p.m., Monday through Friday. He said that buildings must be removed if Service Dogs of Virginia terminated use of the property and transferred ownership of it. He said that he recognized that the last proposal was quite exceptional in its detail, which was what Service Dogs of Virginia intended to do. He said that their efforts in constructing buildings optimized for removal was indeed remarkable and impressive. He said that all of these limitations he suggested here were commitments that Service Dogs of Virginia had agreed to uphold in their application.

Mr. Jaquith said that, however, he proposed that there were some limitations that could be more liberal. He said that he would suggest that they allow Service Dogs of Virginia to operate precisely as they intended to but ensure that no future organizational leadership could engage in activities beyond those proposed without receiving an additional special use permit. He said that furthermore, the future owner of the property should not use it for purposes other than those planned by Service Dogs of Virginia. He said that specifically, the small-scale, not-for-profit training of Service Dogs was vastly different from running a kennel or running a school.

Marty Silverman said that he was a resident of the White Hall District and a volunteer for SDV. He said that he believed that SDV was an exceptional organization, which held the highest level of accreditation. He said that it was an internationally accredited agency that was the only one in the state to train medical alert dogs. He said that this was not just a hobby or a typical service dog agency; it was a unique organization run by someone truly remarkable. He said that the proposal aimed to demonstrate that SDV was committed not only to the people they served but also to their community.

Mr. Silverman said that he wanted to emphasize that. He said that he had experienced during his five years as a volunteer with service dog agencies that the dogs rarely bark due to their extensive training. He said that he had raised four dogs: two from puppyhood and two as adolescents. He said that it was truly remarkable. He said that he understood that neighbors may be concerned; however, he could only reassure them by stating that these dogs do not bark. He said that he would invite everyone to visit service dogs and witness the calm atmosphere in their offices, where a dozen dogs would be present without causing disturbance.

Mr. Silverman said that another concern was traffic, which he understood as someone who lived in the rural area. He said that to clarify, the proposal included the total build-out of the facility. He said that one neighbor expressed concern regarding additional people; however, this proposal encompassed the entire facility's development. He said that the organization would be a great neighbor, and he anticipated that some neighbors might even become volunteers for the agency.

Jan Oldenburg said that she was the Chair of the Board of Service Dogs of Virginia. She said that she resided in Midlothian but was committed to the organization and its work. She said that she would like to emphasize a few points regarding the organization and its activities. She said that as a non-profit organization, people did not pay for their dogs; they raised funds to provide the dogs free of charge. She said that they invested approximately two and a half years in training and maintained a continuing relationship with the clients they placed them with.

Ms. Oldenburg said that this commitment was long-term for all parties involved. She also said that she would like to mention that this parcel was the result of a thorough search process conducted by their team. She said that it met their needs well. She said that their team had put in a significant amount of effort to ensure that they maximized the use of the property and their resources in developing the property. She said that once again, they would consistently operate on a small scale; however, the expansion was crucial for them, not merely to maintain their mission but to improve and offer more alternatives.

Ms. Oldenburg said that the stories demonstrated that they provided not only one-on-one support but also had a positive impact on families and facilities they served. She said that their efforts had a multiplier effect in their community's overall improvement. She said that they possessed a strong Board, dedicated staff, committed community volunteers who invested extensive time in their agency, and a solid base of donors. She said that she urged them, on behalf of the Board of Service Dogs of Virginia, to endorse this proposal and support their ongoing work.

Beth Quatrara said that she was a volunteer with Service Dogs of Virginia and lived in the Montgomery Ridge neighborhood. She said that she stated this because she believed that being in a small neighborhood was important as they discussed the impact. She said that she respected the concern that these dogs may have in a neighborhood. She said that she had been a volunteer with Service Dogs for four years now, serving as a puppy raiser, a nights and weekends volunteer, and a respite caregiver. She said that she had had up to four dogs in her house at any given time.

Ms. Quatrara said that her neighbors had never complained; in fact, they often commented on how quiet the house was despite having four dogs. She said that she took the dogs for walks in the neighborhood. She said that her neighbors stopped to meet the dog, wanting to know their names and hear the story behind them, such as being trained as a diabetic alert dog. She said that this brought joy to her neighbors. She said that consequently, some of her neighbors became donors and supporters of these dogs, wanting to follow up on the dogs' progress and learn where they had gone.

Ms. Quatrara said that she believed that was the reality because Service Dogs train these dogs from the day they were born. She said that as Ms. Law stated, a litter was recently born, and with that litter, many volunteers and staff worked very carefully every single day to make sure these dogs would be calm and confident. She said that they introduced them to stressors, smells, and sounds that may startle other dogs, beginning on day one so that they were not barking at doorbells, trucks, or garbage cans.

Ms. Quatrara said that she would like to emphasize that she did not believe this would negatively impact the neighborhood due to the sounds these dogs may potentially make. She also said that she wanted to emphasize the positive contribution Service Dogs make to their community by providing individuals with dogs that enabled them to actively participate and be members of this County and this state. She said that she hoped they would take all of this into account.

Mr. Missel asked if there were any other members of the public who wished to speak. Seeing none, he asked the Clerk if there were any speakers signed up online.

Ms. Shaffer said yes.

Greg Wissinger said that he resided in Midlothian. He said that he was the owner of the tree farm situated to the west and south of the proposed Service Dogs of Virginia location. He said that he personally had no issue with Service Dogs of Virginia. He said that he did not have concerns regarding the traffic, as it would be no more than a typical day of commuters to Peters Mountain. He said that he was concerned about the scale of construction. He said that the 50,000 square feet of space, comparable to the public land store on Fifth Street, seemed excessive to him. He said that he was uncertain about what a reasonable size would be; however, placing a target store near the southwest mountain historical area appeared excessive. He said that if within the limitations, they could scale back to a more reasonable square footage, he would have no objection.

Rami Steinruck said that she was living in Montgomery County and joining them from Virginia Tech. She said that she was a licensed clinical psychologist and a certified animal-assisted intervention specialist. She said that she had submitted her statements online but would now speak off the cuff for a moment. She said that she was partnered with a five-year-old Labrador named Josie who worked with her daily at the Cook Counseling Center at Virginia Tech. She said that together, they managed a full caseload of individual and group therapy sessions, in addition to providing outreach services to 35,000 students at Virginia Tech.

Ms. Steinruck said that she had heard Josie bark but that her cat was far louder than Josie was. She said that one of the things that had emerged was some of the uses for the space. She said that during today's discussions, people had considered what purposes the space would serve. She said that she wanted to mention that when Josie was placed with her approximately three years ago, she was fortunate because she had access to professional development funds from Virginia Tech that enabled her to be placed with Josie, so she was able to stay in a hotel for the week.

Ms. Steinruck said that if Service Dogs Virginia could provide accommodations at their facility for individuals being placed with their dogs, particularly during refresher training sessions or similar events, it would significantly improve the lives of people with disabilities who may not have the resources that she had in her professional role that Josie had been paired with her for. She said that she would like to add that she has submitted other prepared remarks for the Commission's review. She asked the Commission to please be aware that Service Dogs Virginia was a unique organization.

Ms. Steinruck said that as mentioned previously, they were caring, loving, and professional in their approach. She said that they not only cared deeply about their clients but also ensured that the dogs they placed and trained would work effectively in their respective environments. She said that Josie demonstrated her expertise in her role, and she was honored and valued for her contributions. She said that she appreciated the Commission's consideration of this matter and the potential impact it would have on these remarkable dogs' abilities.

Lee Silver said that he lived on Turkey Sag Road. He said that he had been listening to everyone discuss the greatness of the organization but that this was not what they were here to address. He said that this was a special use permit, and there was nothing special about what the organization was proposing. He said that although it may be non-profit, it was a commercial operation. He said that they did not sign up for a commercial operation when they all moved out to the country. He said that there was no reason to have this built on this particular lot. He said that there was a Board member who mentioned that it was an exhaustive search.

Mr. Silver said that he found it hard to believe that after an exhaustive search, the only reasonable place for a kennel was right next door to the executive director. He said that he would state that the gentleman who owned the tree farm informed him that they approached him about buying his property for this kennel. He said that this reinforced the rationale for obtaining a special use permit in this idyllic neighborhood because it was close to the executive director's house, providing convenience for the organization. He said that 12 speakers attested to the organization's greatness. He said that no one was disputing this, not even the homeowners. He said that no one was arguing against dogs regarding their service provision.

Mr. Silver said that they were arguing about the residents' rights to maintain their peace, their quiet, their idyllic atmosphere that they created and that was given to them as part of their property purchases. He said that they did not require this organization or facility in this specific location. He said that he believed that the gentleman who initially suggested hiring a real estate agent and searching for alternative properties meant that there were other commercial properties available, some of which he might even contribute to helping them buy or operate in. He said that they did not need to be situated on the side of this mountain. He said that he respectfully requested that they deny their application.

Mr. Missel asked if the applicant would like to respond to the comments that had been raised.

Mr. Ross said that he wanted to address one point, which was that the square footage mentioned in the application were the maximum requested. He said that to clarify, they were not proposing to build 50,000 square feet of buildings. He said that the buildings depicted in the plan encompassed approximately 15,000 to 20,000 square feet, as currently designed. He said that it would not be the size of a Target.

Ms. Law said that she appreciated that some of her neighbors believed that she purchased the parcel next door for her own convenience. She said that to clarify, she asked Mr. Wissinger about his parcel because she was determined to find a suitable place for her needs. She said that she knew that the parcel next to her was vacant and that Mr. Wissinger had no development on his land. She said that she contacted numerous property owners who had empty spaces to inquire if they would be interested in selling to her. She said that her persistence in finding a suitable location led her to this location that she knew of due to her location next door. She said that she would be retiring in a few years, so acquiring this property would not benefit her in any way.

Mr. Missel closed the public hearing and returned the matter to the Commission for discussion.

Ms. Firehock said that she would like to clarify that they were either approving or not approving a use that runs with the land, which did not apply to this particular organization. She said that if they were to approve it as a kennel, someone else could potentially operate a kennel there in the future. She said that to ensure clarity, although their dogs were well-behaved, they could not assume that all future dogs would behave similarly. She said that she would inquire whether their counsel could suggest limiting the use of lodging and adding conditions that would apply to future kennel users. She asked if, for instance, under certain conditions, one could stipulate that lodging was exclusively for clients of Service Dogs of Virginia.

Mr. Herrick said that the special use permit would run with the land, which meant that owner-specific provisions would likely not be enabled. In other words, it would not be possible to create a special use permit specific to a particular owner. He said that for instance, the County would not be able to stipulate that this special use permit would expire upon transfer of the property. He said that enabling authority for imposing a condition that allowed only clients of Service Dogs of Virginia to be housed there was not entirely clear.

Ms. Firehock said that in the past, they considered implementing restrictions such as limiting the number of dogs, restricting operating hours, and determining whether people could stay at the location during weekends. She wondered whether this might be problematic because it could be the only time someone is available to visit the location is during their weekend.

Mr. Herrick said that the conditions should be tailored so that they could run with the land and not be specific to any particular owner.

Mr. Carrazana said that limiting the number of dogs might be appropriate for this small operation in a very specific niche they serve. He said that as a kennel needed to operate within certain volume levels, this could potentially help avoid potential issues.

Mr. Clayborne said that he agreed with the Commissioners' comments thus far. He said that he would like to emphasize that there were rules, regulations, buffers, and setbacks in place for a reason. He said that he did not want to give the impression that people could do whatever they wanted with their land without considering these protections. He said that any use could be applied to land that was appropriately zoned or required a special use permit. He said that he believed they were working within great parameters they already had there.

Mr. Murray said that given that this establishment served as both a kennel and lodging, he would like to know if it was plausible that someone might suggest, after this current situation concluded, that they would like to utilize the premises solely for lodging purposes.

Mr. Herrick said that this was not “lodging” as defined in the zoning ordinance. He said that instead, it was a special use permit for a private school and a commercial kennel. He said that these were two types of uses permitted under the zoning ordinance. He said that although the term “lodging” may be colloquially used for housing dogs, under the zoning ordinance, housing dogs was considered a commercial kennel.

Mr. Murray asked if someone were to propose a private school, then it would apply.

Mr. Herrick said that if the special use permit were granted, it would include authorization to have a private school, subject to the conditions included in the special use permit.

Mr. Bivins said that he was reminded of the number of private schools that the Commission had enthusiastically approved. He said that he felt that they may be somewhat overemphasizing this particular case and attempting to apply conditions that they had not required in similar situations involving young boys playing sports at smaller schools. He said that he would like this piece to proceed without any of these additional conditions.

Mr. Moore said that he did not personally live in a rural area; however, he enjoyed them and had been considering the Planning Commission's proposals regarding the purposes of rural area parcels. He said that they emphasized agriculture and silviculture in these areas, focusing on creating items for people's use that benefited their lives in various ways, such as food or sustenance or companion animals. He said that there were numerous uses allowed by right in rural areas.

Mr. Moore said that this particular proposal was just an edge further, but he thought that allowing 20 quiet dogs instead of 20 roosters was not a big issue. He said that one thing he noticed was that idyllic, peaceful, unchanging properties were not listed among the by-right uses of rural areas. He said that the guidelines included decibel limits and other restrictions, and this was what defined by-right uses. He said that he believed this use was suitable for the proposed time and location.

Mr. Bivins said that Peters Mountain had been mentioned. He said that it was an installation that had some significance, which might be utilized if necessary. He said that Rivanna Station was situated on the opposite side of the road. He said that they could be pressed into use if unfavorable global conditions arose, so there could be increased traffic on that road, causing concern for everyone. He said that the dogs would not be a part of that issue.

Ms. Firehock said that she had another question regarding the conditions. She said that one of the aspects she liked about this proposal was that the use of footers to limit the amount of clearing and grading, which was something that came into her consideration. She said that she considered the impact of this use on this particular parcel. She said that she would like to know if, assuming that she liked the building construction and the lack of clearing from their narrative, it was possible to say that they were approving this kennel with this conceptual plan and this building structure. She said that considering that someone else could come in and build a kennel with extensive grading and different building designs in the future, she would ask if that was something they could take into account because the minimalist impact of the building design factored into her liking of this proposal.

Mr. Herrick said that the conditions currently drafted by staff primarily addressed the location of structures rather than whether they were situated off the ground or the type of construction. He said that the construction aspect would likely be addressed during the site planning stage. He said that if the Commission were interested in dictating the type of construction, there would need to be a connection or nexus between the land use impact and the type of building construction. He said that for example, as they probably knew, there were already performance standards under the zoning ordinance that required soundproofing or certain distances. He said that these would be the types of conditions that the Planning Commission should be considering, aimed at limiting discernible impacts of the proposed use.

Ms. Firehock said that the building construction was not directly related to dogs, except for the soundproofing aspect; however, it represented a more intensive use of the site. She asked if therefore, the building construction should be considered as part of that evaluation.

Mr. Bivins said that he would offer an observation that if someone were to establish a horse farm there instead of using this construction, which was being built for the first time in their County, it would be interesting to see its impact. He said that currently, they could stable horses or house longhorn cattle there by right. He said that the facility to hold them would likely require clearing land for barns or stables. He said that he did not want them to impose additional burdens on an organization that could create different housing for other animals, potentially using more of the mountain than this construction appeared to use.

Mr. Clayborne said that he wanted to revisit some of the staff report in Section 5.1.11. He said that he believed it provided some solid guardrails in terms of time of use that was allowed, as well as decibels that are allowed and so forth. He said that he was in agreement that there should be no additional conditions. He said that he did not see the need for that after he had re-read that.

Mr. Herrick clarified that Section 5.1.11 is the default provisions of the zoning ordinance. He said that these provisions were not additional conditions of this particular special use permit. He said that they would be required of any commercial kennel approved under a special use permit in the Rural Areas.

Mr. Clayborne asked if that meant that essentially, if a future kennel were established there, one would need to apply the 5.1.11.

Mr. Herrick said that any commercial kennel receiving a special use permit in the Rural Areas was subject to Section 5.1.11.

Mr. Missel said that he would like to emphasize that this group was exceptionally outstanding in its mission to positively impact lives. He said that keeping that in mind, the Commission's role was to serve as an advisory body to the Board, and their purpose was to promote the orderly development of the County and its surroundings in accordance with state law and Albemarle County Code. He said that they made recommendations for approval, denial, or otherwise to the Board of Supervisors. He said that he believed everyone was aware of this role, but he would like to remind everyone of their charge.

Mr. Missel said that when he examined this situation personally and considering what many of his colleagues had said, he thought about the visual impact and the buffers that have been incorporated into this application. He said that one of the challenges for him was determining whether these factors would change his opinion. He said that although the visibility from the road in site section one appeared wide open and highly visible, which was not entirely accurate; it was actually just cut through. He said that he believed there was a substantial buffer that directly related to the special use permit condition of approval, which required that any development be in general accord with the concept plan.

Mr. Missel said that one of the factors Mr. Clayborne discussed was this parameter. He said that another aspect involved the limitations of clearing and improvements. He said that this was one of the considerations in his decision-making process. He said that another point was the comment regarding private schools they had seen and approved. He said that this was part of the context of Albemarle County that they must consider. He said that consequently, he was inclined to support the application as stated in the staff report.

Mr. Clayborne motioned to recommend approval of SP202300011 and SP202300013 for Service Dogs of Virginia, with the conditions recommended in the staff report. The motion was seconded by Mr. Bivins and passed unanimously (7-0).

Recess

The Planning Commission recessed at 7:20 p.m. and reconvened at 7:25 p.m.

Work Session
CPA2021-02 AC44 Comprehensive Plan

Tori Kanellopoulos, Principal Planner, said that she was continuing the work session on draft goals and objectives for the comprehensive plan that began at 4:00 p.m. that day. She said that they would now move into their second and final topic, which was community facilities. She said that throughout the engagement process during AC44, they had heard various community input themes related to community facilities.

Ms. Kanellopoulos said that this included that infrastructure should keep up with growth, including schools and transportation, a need for improved broadband and wireless coverage in the County, support for utility-scale solar but also a need for guidance for placement in appropriate locations, a need for more libraries, and a concern that they should address areas that have failing septic systems, and that they needed to increase community resilience to climate change and natural hazards.

Ms. Kanellopoulos said that this chapter had four goals, the first related to public facilities, infrastructure, and services for overarching guidance, the second focused on renewable energy, the third was concerning communications, electric, and private utilities, and the fourth centered on community resilience. She said that she would skip through the draft goals and objectives but could return to any of those slides if necessary, during the discussion. She said that the Commission should consider two overarching questions, which were if the draft goals aligned with the AC44 framework for an equitable and resilient community, and what was missing from the draft goals and objectives.

Ms. Kanellopoulos said that they had more specific questions for the Commission regarding the draft objectives. She said that the first was if the Commission supported Objective 1.4, which aimed to provide public water and sewer service to some legacy zoning areas in the rural area. She said that the second question was if the Commission supported developing a location policy for utility-scale solar in the rural area based on the considerations under Land Use Goal 2. She asked if there was anything else that they should consider under Goal 2 that they did not already consider. She explained that they were asking these questions specifically because these were the areas of community facilities that would be more of a significant change to the 2015 plan compared to the rest of the recommendations.

Mr. Carrazana said that he had a general question regarding response times for emergency services. He said that according to the information he had, the average response time inside the development area was eight minutes, while in the rural area, it was 21 minutes. He said that the goal appeared to be that, based on the report. He asked if an additional facility was required due to exceeding certain parameters, as this seemed excessive to him.

Mr. Barnes asked what Mr. Carrazana found excessive.

Mr. Carrazana said that the 21-minute response time seemed excessive.

Ms. Kanellopoulos said that based on the standards of cover for Fire and Rescue that was adopted by the Board of Supervisors in 2019. She said that for the development areas, it was eight minutes or less for 90% of the time, and for the rural areas, it was 21 minutes or less for 90% of the time.

Mr. Carrazana said that he was wondering if that was a standard or not.

Ms. Firehock said that it was a goal, but not a fact.

Mr. Barnes said that part of the rural area's structure of the service provision meant that at times, to meet higher requirements, one would need more stations covering a larger area. He said that this was related to the factor of rural area development and the costs of increased service times for that area. He said that it was a trade-off.

Mr. Bivins said that he was pleased to see that they were discussing redundancy, specifically regarding how they dealt with natural disasters. He said that he thought more conversations should take place, particularly when considering plans for addressing climate catastrophes. He said that as they had talked about climate migration due to potential issues in areas like Virginia Beach or coastal regions, he would like to emphasize that investments in activities related to protecting the country, such as Rivanna Station and Peters Mountain, may become targets in the future.

Mr. Bivins said that in light of the potential targeting of 29 North, it was crucial for the County to develop a response strategy and prepare itself accordingly. He said that this investment may also raise awareness of activities occurring in that area. He said that he believed this was an important aspect of their discussion. He said that there were other aspects that he could address more passionately when they moved on to the second set of questions.

Mr. Missel said that he wanted to gain some insight regarding the community facilities and services in the County. He said that the information could be found on page 10, where it discussed the community facilities and services in the County. He said that the first paragraph stated that the subsequent sections offered an overview of the County's community facilities and some of its services. He said that the AC44 team would continue to collaborate with staff from these community facilities, such as public water and sewer systems, schools, fire and rescue services, etc. He asked if Ms. Kanellopoulos could provide some details about how communication between these agencies was maintained and how their input had been incorporated into this document.

Ms. Kanellopoulos said that coordinating with them involved collaborating throughout the entirety of the project. She said that this included arranging specific meetings for each group, such as one focused on schools. She said that they typically met with service providers like ACSA and RWSA together to discuss challenges they had encountered, sharing community input they had heard so it could be incorporated, and collaboratively writing goals and objectives. She said that they had an iterative process of sharing and updating this information throughout the process. She said that they had been very involved in writing the objectives and beginning to share possible ideas for action steps, keeping in mind the future process for what the facilities' needs may be.

Mr. Missel thanked Ms. Kanellopoulos for her answer. He said that they should proceed to address the specific questions. He asked them to return to the previous slide. He said that they could ask the general question of whether the draft goals were in alignment with the AC44 framework for an equitable and resilient community.

Mr. Moore said that he believed that this was essentially a continuation of the existing good work that had been implemented. He said that smart planning and equitable access, along with community-oriented services, had been incorporated into all sub-goals regarding libraries, public schools, emergency services, and so forth. He said that it appeared that this was indeed the case. He said that to answer the yes or no questions he would say yes, while requiring further pontification.

Mr. Bivins said that he would provide some notes he had made because there were some things he did not understand. He said that he would save his sermon for the public water and sewer piece but mentioned that there were some aspects he did not realize, such as asking to look at the school map because he thought there was some remapping that needed to be done. He said that one thing he would say was that they did not have two vocational schools; they were no longer part of CATEC, which bought them out, and Center 1 was not vocational either, although it had more project-based learning. He said that there were some challenges regarding community centers in the development area.

Mr. Bivins said that he recalled discussing this topic before and seeing that it was mentioned here. He said that he found it difficult to locate a community center in that region. He said that in fact, he was unsure where he saw people roller skating at Yancey and wondered where such events would take place in the development area. He said that concerning the idea of establishing community centers in the development area, he asked where they would be situated if they were to implement such plans.

Mr. Murray said that he believed it aligned as it generally aimed for an equitable and resilient community. He said that however, he would be cautious when discussing extending services to rural areas, as this may come at the cost of being less resilient in many ways. He said that they may be spreading themselves too thin by providing water and services further out. He said that they may be doing less to maintain the services they had in their growth areas.

Mr. Clayborne said that regarding Objective 1.9, he wanted to discuss its meaning in more detail, specifically regarding the concept of providing facilities that enabled Albemarle County Public Schools students to have high-quality, equitable resources. He said that this statement seemed to imply that they currently had inadequate facilities. He expressed his curiosity about exploring this topic further from the staff's perspective.

Ms. Kanellopoulos said that she believed that the statement was not intended to imply that they did not now, but instead they must ensure that they prioritize these aspects when planning for new schools, upgrades to existing schools, or any other necessary facility improvements or enhancements for schools.

Mr. Clayborne said that he understood the point being made but could not think of a scenario where they would not be doing that. He said that he would suggest that they might need to delve into what they truly wanted to see in order to define success there. He said that shifting slightly from the main topic, he mentioned that one of the questions was regarding what was missing.

Mr. Clayborne said that he was curious about affordable childcare from the perspective of the Commission and asked if this should be considered as an action item or objective. He said that he was unsure where it fit but thought that the topic of affordable childcare in general seemed relevant in terms of contributing to a resilient, equitable community that was thriving and prosperous, connected and accessible, and welcoming and equitable. He said that there appeared to be a common thread there.

Mr. Carrazana said that he was following a couple of trends mentioned by Commissioners Bivins and Clayborne. He said that specifically, he referred to Objective 1.10, which Mr. Clayborne mentioned. He said that this point discussed providing public school facilities in locations that were appropriate for projected enrollment and so forth. He said that he believed that this was part of what Mr. Bivins was addressing. He said that there was a need to consider where some of their schools were located, which also involved land use and opportunities for purchasing land or partnering with groups or organizations that might be interested.

Mr. Carrazana said that there had been some conversations up north regarding this possibility, specifically on Route 29 North. He said that while setting this goal was appropriate, they needed to do more in order to achieve it. He said that this topic may be better suited for the second piece or the Phase 3 part of their discussion. He asked how this occurred, what mechanisms and tools they had in their toolbox to enable this to happen, and how they could begin. He said that currently, some of their schools were not keeping up with growth, which they knew was an issue. He said that he would like to know what alternative solutions existed. He said that they should think broadly and beyond simply adding another trailer.

Ms. Firehock said that regarding what was missing, she would like to suggest incorporating the idea that nature served as infrastructure in their planning processes. She said that by recognizing the role of trees in reducing stormwater runoff and improving water quality, they could better address issues related to flooding and water management. She said that by acting as windbreaks and absorbing stormwater, trees contributed significantly to disaster preparedness and best management practices. She said that this concept highlighted the importance of considering nature as part of their infrastructure when planning for future challenges.

Ms. Firehock said that they have had FEMA pay to replace those lost trees because a comprehensive plan identified them as infrastructure. She said that this would require additional work to determine which trees serve an important role for buffering streams or for water quality functions, rather than every tree in

Albemarle County. She said that she could collaborate with the County on this task; however, they needed to improve their emergency management plan and debris management processes. She said that their County took a long time to recover from the ice storm and straight-line winds events that occurred in the past.

Ms. Firehock said that they had been fortunate not to experience a Hurricane Camille-like event in recent years, although they experienced severe floods in the 1980s. She said that there were numerous additional requirements that their County must meet in order to be properly reimbursed by FEMA or even be eligible for reimbursement. She said that she would suggest some amendments to their emergency plan for the County. She said that firstly, they should incorporate the concept that nature was infrastructure and outline its essential functions. She said that they also needed to emphasize emergency preparation and cleanup procedures.

Ms. Firehock said that while she could not provide an articulated strategy at that time, she would be glad to collaborate with staff if they could establish a placeholder for these elements. She said that regarding specifics, Objective 2.2 focused on examining solar siting and suitable lands, aiming to avoid impacting pristine landscapes and other protected areas. She said that previously timbered land could be appropriate for solar installations, according to the document. She said that she would like to emphasize that nearly all land in Albemarle County had experienced timber harvesting. She said that the majority of their County has undergone its third cutover, whether people were aware of it or not.

Ms. Firehock said that residents frequently requested the Department of Forestry to inspect their old-growth forests. She said that they did not have any old-growth forests in the County. She said that she did not want to suggest that if a forest was ever timbered, it would be suitable for solar installations, as this would imply that all forests could be suitable. She said that she was uncertain about what constituted silvicultural soil. She asked if anyone else had insight into this matter. She said that she understood agricultural soil classifications and their relevance to various crop categories. She said that she did not believe there was a specific type of soil in which a tree exclusively grew. She said that there was no such thing as a silvicultural soil.

Mr. Carrazana said that it referred to the soil in which trees grew.

Ms. Firehock said that there was no such thing as a silvicultural soil. She said that there were soils that were better for cotton cultivation and soils that were better for soybean cultivation. She said that grapes did not require specific soil types; they could grow in various conditions. She said that she did not believe there was a silvicultural soil classification and it should use the term agricultural soils instead.

Ms. Firehock said that regarding Objective 3.2, the document mentioned that cellular service should be provided for all public parks under personal wireless. She said that this raised questions about whether they should install cell towers in park sites solely for the purpose of providing cell service. She said that they did not currently have such a policy in place. She said that she personally did not want every park to have cell service necessarily due to the potential for every park requiring a cell tower. She said that she cared about this notion because it preserved the quiet enjoyment of nature, and sometimes people did not want to hear others using their cell phones in parks. She said that she understood the importance of emergency servicing, but she was not convinced that all parks should be covered by cell service.

Ms. Firehock said that regarding other comments she made earlier about preparing for disasters and having advanced contracts in place for debris management, these could be specific items under Objective 4.1, capacity to prepare and recover from disaster. She said that she had some specific action ideas, but she was not prepared to provide eloquent wording tonight.

Mr. Missel said that he would like to share a few thoughts as well. He said that one overarching observation was that many of the topics they had discussed, similar to those in other sections, depended significantly on the action steps and priorities. He said that at some point, Fire and Rescue or the School Division was going to be considering alternative resources that would otherwise be applied to another area. He said that

by identifying priorities or listing all needs and subsequently working through them, they could better fit these requirements into the comprehensive plan.

Mr. Missel said that regarding specific topics, wireless was one area that should be considered from an equity perspective. He said that as he referred to page 19, he would like to discuss this further. He said that one thing he would like to highlight was that, with new technologies emerging now, they had observed in the ARB that the heights of towers needed to be increased, and utility companies were requesting the addition of antenna arrays to the top of existing facilities. He said that these structures exceeded their reference tree heights due to technological changes.

Mr. Missel said that it was essential to consider potential changes in technology and adopt proactive approaches to address wireless providers' needs. He said that stormwater management was discussed on page 20. He said that by considering aspects of stream restoration mentioned there and prioritizing them, they should explore opportunities for developers to restore streams during their development plans. He said that the statement on page 21 stated that infrastructure must keep pace with growth.

Mr. Missel said that he would suggest that they had caught up with growth in some places, so it was both keeping up and catching up with what was in place and thinking through that holistically. He said that he appreciated all the work that had been done regarding broadband. He said that this was on page 18, and that picture was likely taken from his backyard. He said that Firefly had been installing broadband connections, and it had taken one and a half years to extend from the Crossroads store down to an area near his house.

Mr. Missel said that when he spoke to folks, they mentioned that the quality of the installers was really poor, and they had had to redo much of the work. He said that he felt that it was great to have this broadband accessibility and affordability office. He said that it should be emphasized that not only should they focus on bringing broadband to the area but also ensuring that the quality and follow-up were part of that aspect.

Mr. Murray said that the discussions regarding solar had highlighted the nuances of various types of forests. He said that Ms. Firehock's comments specifically pointed out that loblolly forests were not typical in Albemarle County. He said that when addressing lands that had been cleared and forested, it was essential to distinguish between loblolly plantations and other types of forests. He said that this distinction was not explicitly mentioned.

Ms. Firehock said that she found there to be drastic differences between a site that had been a hardwood forest and one that had been a loblolly pine plantation that had existed for 30 years.

Mr. Murray said that absolutely. He said that based on aerial imagery, they had forests in Albemarle County that were mature as early as 1939 and had continuously been there since 1939. He said that this was close to old-growth forest status if measuring from 1939. He said that he would like to address another topic, which was County facilities. He said that he was aware that in the Biodiversity Action Plan, they had several action items and goals related to County facilities, specifically encouraging the County to model best management practices on County facilities.

Mr. Murray said that these practices included conservation mowing, which was currently being implemented at many schools around the County, and using native plants, which could be seen around that area. He said that there was a brief mention of this in the document, but there did not appear to be any specific goals or objectives related to this effort. He said that it would be beneficial to include these goals or objectives in order to acknowledge the excellent work the County was already doing in this regard.

Mr. Murray said that under electricity, they had discussed the topic; however, he did not see it mentioned in this document. He said that one of the significant issues in Sugar Hollow might be more important than broadband, and that was burying electric cables. He said that he was unsure if the County had any influence over this matter. He said that nevertheless, for their resilience, burying electric lines was crucial, much more

so than wireless connections. He said that in terms of hazard mitigation resilience, the County had a flood overlay hazard.

Mr. Murray said that he believed that they should thoroughly assess the establishment of a fire overlay hazard district and carefully consider areas of the County that posed a fire risk. He said that living in Sugar Hollow, situated near Shenandoah National Park, he would like to emphasize that there have been significant fires in this area. He said that homes and infrastructure close to the park were at a higher risk of fire. He said that they should begin addressing this issue and indicate the higher risk areas on their maps.

Ms. Firehock said that she presented a map of the fire ignition density maps for Albemarle County to the Board of Supervisors some time ago, which already had high-risk areas mapped out. She said that she suggested that at least this information should be incorporated into the comprehensive plan. She said that the data was available in GIS; it has been mapped in GIS by foresters.

Mr. Murray said that he fully endorsed the inclusion of that map.

Ms. Firehock said that the reaction was that they did not know there was so much fire risk in the area.

Mr. Bivins said that he would like to address some questions to clarify certain aspects. He said that one of these questions concerned renewable energy and broadband provisions in the title that emphasized sensitivity towards historic and scenic landscapes. He said that he wanted to know about how these landscapes were determined, whose landscapes were considered, and who made these decisions. He said that this was where they began discussing equity issues. He said that by considering whose landscape was more valuable than others, they risked creating inequality.

Mr. Bivins said that they might hear similar concerns from the people of Nydris Farm if their proposal was broken up and resubmitted. He said that when discussing these topics, they must remain sensitive to the fact that certain properties may have been developed at the expense of other landscapes. He said that being sensitive to who will determine that regarding their staff, it was also relevant to other aspects he would inquire about. He said that regarding Goal 4.3, which aimed to Improve and expand access to a healthy and affordable local food system, prioritizing affordable access for census tracts with higher social vulnerability indices, he was unsure of how they could achieve this.

Mr. Bivins said that he was uncertain about the meaning of this objective. He said that if they could provide a clear explanation when implementing this strategy, it would be helpful to understand how they could address this issue at a County level. He said that while they had successfully implemented food pharmacies for County staff, he was uncertain about scaling this approach for people with higher vulnerabilities.

Ms. Firehock said that it could be a farmers market project or community garden program.

Mr. Bivins said that in addition, he had considered the sustainability of the system and did not wish to engage in a conflict with the School Board regarding the placement of schools. He said that they had their own processes in place, which involved discussions with the Board of Supervisors. He said that there was already enough controversy surrounding school locations and funding. He said that as a non-elected official, he did not wish to be involved in these decisions or face accusations from parents and community members. He said that while some of them may choose to participate in these discussions, he would be absent from that meeting to maintain plausible deniability.

Ms. Firehock said that the entire podcast discussed how she had personally ruined schools.

Mr. Bivins said that he knew that. He said that he did not want to be involved in that situation again. He said that there were other aspects to consider, but he would provide some notes. He said that the main challenge was determining who got to decide the historic and scenic vision for preservation. He said that under personal wireless service facilities policy, it mentioned other types of wireless facilities, and he was unsure what these other types might be. He said that for instance, the eighth bullet point on page 6 required

clarification. He said that he was not asking for immediate answers but would appreciate some information regarding these points.

Mr. Moore said that something missing that might be minor but worth mentioning was the public water and sewer system. He said that some homes in the development area did not have sewer access, but it was included in rural areas only. He said that this might not be a significant issue; however, during his ACSA days, he observed that some locations close to major shopping centers still used septic systems instead of being connected to public sewer systems. He said that it seemed noteworthy in the context of the big picture. He said that he preferred not to debate where the next schools should be built. He said that he had his opinions but would share them with the School Board at an appropriate time.

Mr. Moore said that in Objective 2.3, the phrase "scenic landscape context" stood out to him, as did the section regarding the wireless service facilities policy where they were discussing. He said that Ms. Firehock had valuable perspectives, and he believed he held contrasting views in this specific matter. He said that regarding visibility of cell towers, he personally enjoyed seeing them, so it surprised him that they were pursuing limited visibility. He said that he might be an outlier or against the general consensus in this regard.

Mr. Moore said that regarding Objective 3.2, which involved coordinating with service providers to provide wireless service to all public facilities, parks, and community resilience hub locations, Ms. Firehock questioned whether this was necessary. He said that he actually had considered expanding this initiative to include all paved roads for service coverage. He said that many individuals had experienced signal loss while driving on paved roads, causing inconvenience in navigation.

Mr. Moore said that echoing Murray's statement, he would like to emphasize that Dominion's infrastructure was held together by duct tape and bailing wire. He said that yesterday and today demonstrated this vulnerability when a truck knocked over a fire pole, causing the system to fail and leading to Ting's power outage. He said that this incident highlighted the need for improvements in Dominion's infrastructure.

Ms. Firehock asked where that occurred.

Mr. Moore said that it was in the City.

Ms. Firehock said that she was in the City when she was informed that a Dominion had sent 10 men to her site due to a squirrel having eaten the wire.

Mr. Moore said that the news could sort it out. He said that his point was that they discussed resiliency in their conversation. He said that resiliency referred to situations where one failure could impact thousands of people. He said that they had identified an issue, which was small-scale in comparison. He said that for instance, one pole going down due to an accident, possibly caused by a truck or a squirrel. He said that they could not restore service until Dominion completed its tasks.

Mr. Murray said that CVEC appeared to be much more responsible. He said that when he was in Batesville, he spoke with his neighbors and mentioned that those connected to Central Virginia Electric Cooperative experienced fewer issues compared to those connected to Dominion. He said that he was unsure of the reasons behind this difference.

Mr. Moore said that he did not know either. He said that he thought there was a bigger picture aspect to consider regarding Dominion's role in state politics, which was beyond what Albemarle County, or their Planning Commission could address. He said that he was unsure about the legality in Virginia regarding municipal provision of broadband or electricity. He said that his point was that resiliency, which involved having backups, made a lot of sense to him in this context. He said that there was no broadband without electricity, and many things depended on electricity.

Mr. Moore said that in Charlottesville, six and a half years ago the Unite the Right rally occurred, and actual fascists marched through the City, and they now had a candidate who some said was in the lead and

claimed he would be a dictator. He said that this raised questions about how they could mobilize for such a situation, how they could organize for it, and how they could prepare for it. He said that this conversation about keeping their people safe was indeed relevant. He said that whether they should include this topic in their current plan was uncertain.

Mr. Missel said that the two final bullet points will now be discussed. He said that the first was whether the Commission supported Objective 1.4, which aimed to provide public water and sewer systems to certain legacy zoning areas in the rural area.

Ms. Firehock said that she understood Objective 1.4 and supported it. She said that the objective appeared to address situations where applicants, despite being within the urban area, did not have reliable hydrant service due to legacy issues. She said that this created a fire risk for these applicants. She said that in such cases, they extended water services to address this problem. She said that she did not interpret this objective as requiring new water lines for rural properties. She said that regarding the second question, they absolutely required a policy for solar energy usage in rural areas. She said that their current policy in the resiliency plan focused on reusing existing sites and adaptive reuse of impacted sites, but it did not address rural areas specifically. She said that they needed to develop a policy for rural areas.

Mr. Missel said that he would like to ask staff a question regarding this matter. He said that he noticed that the location policy for utility-scale solar installations appeared to intentionally focus on utility-scale projects. He said that he wanted to know if there were policies for smaller-scale solar installations.

David Benish, Development Process Manager, said that they were currently working on ordinance changes while drafting this policy. He said that the draft ordinance defined utility-scale solar projects as one megawatt; however, they would be applying standards applicable for projects below that scale. He said that the reasoning behind this was that the criteria for higher scales may be suitable for lesser scales as well.

Ms. Firehock said that high-impact sites might require additional standards.

Mr. Benish said that was correct. He said that they might apply more, but the approach would be general enough that they would, they hoped, with everyone's review and work on it, be applicable for things of lesser scale as well. He said that they were focusing on this section for instances that would be subject to compliance with comprehensive plan reviews, specifically those considered public. He said that the draft ordinance structure determined that one megawatt figure.

Mr. Carrazana said that regarding legacy zoning, he would like to mention that recently there was another application for a commercial or light industrial property situated in the growth area but lacking access to sewer and water infrastructure. He said that the applicants discussed the cost implications of this situation. He said that he concurred with the points made by Mr. Moore that this was only talking about the rural areas when there were places in the development area that should be prioritized as extensions as well. He said that he also agreed with the points made regarding solar energy.

Mr. Clayborne said that he was supportive of both of them. He said that he would flag something for future discussion, most likely under economic development, regarding data centers. He said that conversations about data centers were occurring everywhere in Virginia, particularly in northern Virginia and rural landscapes there. He said that he did not want to be naive enough to think that this could not come to them. He said that it might be for economic development, but he simply wanted to flag that for future discussion.

Mr. Murray said that discussing data centers was a very important conversation to have before they faced such situations. He said that it was better to have the conversation now rather than when they needed it. He said that regarding Objective 1.4, he would be an outlier in this regard, as his issue with providing public water and sewer to some legacy zoning areas was that some of the language in there seemed to suggest providing water and sewer to areas that had potential development based solely upon their zoning.

Mr. Murray said that he would not be in support of that. He said that however, if there was documented development that had already occurred and had documented failing septic systems or water quality issues, he would of course support that. He said that he would not support expanding water and sewer infrastructure solely based upon potential development. He said that he also agreed that they needed a solar siting ordinance.

Mr. Bivins said that he would like to clarify a few points before proceeding. He said that he wanted to confirm if it was accurate that there was a revised cellular phone policy being considered for approval. He said that he was unsure if this policy was being reviewed by Supervisors or if it would be presented to someone for their decision.

Mr. Herrick said that there was a proposal for a revision of the zoning ordinance regarding personal wireless service facilities. He said that the zoning ordinance for that had not yet been finalized.

Mr. Benish said that his staff was tracking the same thing.

Mr. Bivins said that as they observed recent developments in Richmond, various bills aimed to restrict their ability to address these issues. He said that it was essential not to become overly concerned about these bills until they became legislation. He said that in the meantime, they should focus on understanding why certain services were not extended in the past and explore alternative approaches for protecting water resources today. He said that in the 1970s, it was believed that water had to be protected in specific ways based on the available technology and the topography around the reservoir. He said that this decision made sense in the late 1970s.

Mr. Bivins said that considering the advancements in technology and their current understanding of watershed protection, this approach no longer holds true for numerous reasons. He said that the topography surrounding the reservoir has undergone significant changes, as observed by those who have looked. He said that the advancements in technology had played a role in these changes, as some individuals in this room were more knowledgeable than others regarding watershed management techniques. He said that methods for protecting watersheds had evolved since the 1970s, leading to various options for addressing these issues.

Mr. Bivins said that he was not suggesting that they should entirely reimagine the watershed and jurisdiction but proposing a few points. He said that during his time serving on this Commission, they handled exceptions. He said that they functioned as a unique group within the organization that frequently received requests due to dissatisfaction with existing rules. He said that these rules included limitations on density, tax map requirements, or zoning preferences that did not align with special use permits. He said that consequently, these parties requested zoning map amendments instead of addressing these concerns holistically in terms of water and sewer management in the County.

Mr. Bivins said that it had been one decision at a time without considering how each decision affected a point of view or another decision in the County, particularly during the late 1970s. He said that he had a situation in his district that he did not believe could be resolved by this approach, however much he would like it to. He said that approximately 30 units were built in the 1970s, and the units were constructed based on the practices prevalent at that time in the County, which involved handshakes and winks. He said that they were built during a period when people paid less attention to the installation of sewer systems and septic systems.

Mr. Bivins said that there were locations on this specific property on Lambs Road where septic systems had been layered upon one another. He said that this would never be allowed today. He said that he would also share that these septic systems drained into Ivy Creek, which flowed into the Rivanna. He said that when they discussed whether they could install a septic system or sewer line to prevent sewage from flowing downhill into Ivy Creek, it was not within the jurisdictional area. He said that he questioned what their position was regarding sewage disposal in Ivy Creek and whether they prioritized this property due to its jurisdiction or valued the watershed more and would find a solution for managing sewage.

Mr. Bivins said that in the 1970s, when these units were built, decisions were made based on handshakes and without proper consideration for environmental impact. He said that this area was accessible for people with modest incomes. He said that they would likely continue to say no, and the property owner, with their resources from a large organization, would find a solution for the multiple septic systems. He said that this action would raise the property value and increase rents, making it no longer an affordable community. He said that the decision was made that they cannot relocate a line to handle the sewage in a location that, when constructed, did not have the existing regulations.

Mr. Bivins said that when the regulations were implemented, they did not examine the conditions of the property there because they were unaware of the situation. He said that as a result, they would likely lose approximately 50 units of affordable housing due to their inability to find a solution to prevent sewage from eventually flowing into Ivy Creek. He said that he believed that for him, the concept of having a healthy, safe, and resilient community involved recognizing that some housing required preservation and maintaining affordable housing in their County.

Mr. Bivins said that to achieve this goal, they may need to be more innovative in their approaches. He said that they could not maintain the stance that nothing could change if they wanted to preserve housing because investing in it would transform its affordability and accessibility. He said that he did not know how they managed these challenging questions or how they addressed that issue. He said that all he knew was that failing to deal with it would result in significant consequences for this particular area, where 20 duplexes, meaning approximately 50 families resided there. He said that these families had modest jobs in their community, living close to schools and their workplaces.

Mr. Bivins said that this aligned with their goals for sustainable living arrangements. He said that he did not believe there was an immediate solution arising from this situation. He said that at a broader level, he was attempting to explore ways in which they could handle this predicament. He said that his colleague mentioned that in some areas of the development community, particularly in the Jack Jouett District, when they constructed these houses, they did not gain access to sewer or water systems. He said that because the houses were located there, the systems were installed along the road. He said that he would not pretend to understand how they did not connect up or care about the details.

Mr. Bivins said that he merely knew that they were not connected. He said that today, in the development area, people were experiencing failing systems. He said that they may not have the financial means to install a new septic system or have the \$20,000 required to connect to the line. He said that he did not know the answer to that. He said that if they cared about maintaining affordable housing close to schools and jobs for people with limited means, they must find ways to make this infrastructure work for them. He said that this did not mean he was suggesting that the sewer system be placed in front of his house or that his house connected to it. He said that he was proposing that they be flexible in their solutions for communities striving to preserve accessible housing.

Mr. Missel asked if Mr. Bivins could address Objective 1.4.

Mr. Bivins said that for example, Farmington had approached the Board of Supervisors regarding access to run their laundry, and they received a yes. He said that the community across the street was known as Bel Air; they also had failing systems in place. He said that they should examine the differences between the Bel Air community and the community on Lambs Road. He said that Mr. Barnes would provide details regarding Bel Air.

Mr. Bivins said that his point was that from this perspective, groups of influential individuals, particularly those in the Ivy Corridor, tended to obtain what they desire due to their ability to navigate the system and engage in effective communication. He said that nevertheless, the approximately 50 people in this Lambs Road community would feel uneasy if they had to engage in such conversations with Supervisors like those two entities did two weeks ago.

Mr. Murray said that he believed he and Mr. Bivins were agreeing on this issue. He said that his primary concern regarding this matter was that the language suggested running sewer to locations with development potential. He said that for instance, at Lambs Road, there were properties that had development potential. He said that he would argue against providing water and sewer services to these properties. He said that if they could find alternative ways to provide water and sewer or other solutions for these areas, that would be preferable. He said that he would go even further than that.

Mr. Murray said that for a while, the Soil and Water Conservation District had some grant funding for district-wide septic systems. He said that anyone who had septic issues in the entire district could apply for this funding. He said that the money was quickly depleted due to the high demand from people with failing septic systems in the County. He said that whatever the County could do to provide funding for septic repair, pump-outs, and replacements would be a significant service to the County and contribute greatly to water quality, environmental protection, and equity.

Mr. Missel asked if Mr. Bivins had any comments regarding the solar piece.

Mr. Bivins said that communities often struggled to balance their environmental claims with opposition to alternative energy sources. He said that in the past, they had not consistently supported these sustainable solutions. He said that he did not understand how they could pretend to be so environmentally conscious while opposing alternative energy sources. He said that he did not comprehend that. He said that they were not Lake Anna, so they would not establish a nuclear energy power plant site there. He said that he doubted they even had access to water and probably did not have a lake large enough to accommodate such power generation.

Mr. Bivins said they had been attracted to Teslas. He said that they had also been convinced by the major energy companies in town, such as Tiger, which they may have seen, to persuade people to install personal solar panels on their homes, which was suitable for that particular individual. He said that Albemarle County's current efforts were not making a significant impact on its overall energy consumption or contributing effectively to the long-term solution.

Mr. Bivins said that there was a desire for contribution to the long-term solution to occur within Greene County or Fluvanna County instead of Albemarle County. He said that he supported this initiative because he believed Albemarle County had a responsibility to participate in addressing the issue. He said that he was supportive of goal two and would also share some information since Mr. Clayborne mentioned data centers. He said that they knew that one of their neighbors along 64 was currently engaged in a conversation about a large data center.

Mr. Moore said that he would like to discuss two related topics that he had mentioned previously. He said that he appreciated Mr. Carrazana's support for his views regarding development area septic or sewer hookups. He said that his short answer was yes; legacy zoning areas should be considered for this purpose. He said that he believed that he and Mr. Murray could engage in a constructive conversation about future development area expansion plans. He said that during their previous discussion at 4:00 p.m., they had touched upon the need for a plan to accommodate potential expansion but did not delve deeper into specifics.

Mr. Moore said that the list of requirements for such expansion was quite comprehensive. He said that however, he was curious about areas surrounded by development zones on three sides. He said that he wondered if they should not prepare a map indicating where future expansion might occur when the time came. He said that this was a matter for another time and place. He said that in the meantime, areas with water service but no sewer, such as Key West or other nearby neighborhoods, might be suitable for this type of expansion. He said that at ACSA, their policy was that growth funded growth.

Mr. Moore said that there were cases involving low-income neighborhoods, such as those Mr. Bivins mentioned and others, where this may not be straightforward. He said that it was not like a large developer constructing 400 units where growth costs were incorporated. He said that regarding the other point,

encouraging solar facilities on sites that had already been impacted was a sensible approach. He said that these locations may include areas that had been denuded or timbered over. He said that while he would not want to limit solar facilities solely to sites that have experienced significant impact, they should consider prioritizing them in their policy.

Ms. Firehock said that the current language said they were encouraged but not limited to those types of sites.

Mr. Bivins said that they had discussed putting them on top of roofs, but they did not have a roof large enough to hold an industrial solar facility.

Mr. Missel said that they had also discussed using solar at the landfill, and an alternative measure on Secretarys Sand Road.

Mr. Moore said that he thought this was one of those situations where the green goals of protecting certain soils and the green goals of alternative energy sources that were renewable presented a tension. He said that finding the balance between these two objectives would be crucial. He said that he was unsure if the tension could be entirely resolved.

Mr. Carrazana said that part of what would help alleviate the tension was having the policies in place. He said that he thought that was part of the concern. He said that it was not that they did not want to consider alternative energy without addressing its negative impacts. He said that as they progressed with these developments that have occurred in other places, they should learn from those experiences and be smart enough to pick up those lessons learned, applying them to what they were doing there.

Mr. Moore said absolutely, and in the months that he had been there, he had been learning more about the subject matter as well. He said that it was not a fantasy. He said that he did support having a policy in place. He said that he was contemplating the next step in determining what that policy might entail.

Mr. Missel said that he was supportive of Objective 1.4, while emphasizing the need to focus on priorities. He said that if resources were allocated to areas in the fringes, it implied that there might be funds available for those areas. He said that it was strategically important to develop in those areas, but they must ask if they had the resources to provide support in both the fringes and more strategic areas. He said that a point related to utility-scale solar or solar in general was considering County-owned lands as a potential win-win situation. He said that the County could contribute land or lease it for income generation while supporting sustainability.

Ms. Kanellopoulos said that they appreciated that everyone covered the topic thoroughly, and they were grateful for all the feedback provided. She said that they were looking forward to the upcoming work session for the rural area on February 27.

Ms. Firehock said that she would like to make one final comment regarding solar. She said that she had only had two solar sites presented to her. She said that one was a loblolly pine site, which they approved due to its minimal impact in her opinion. She said that the second site was much larger and heavily impacted, having been timbered with eroded soils. She said that she voted in favor of that project as well. She said that she was in favor of solar energy but would like to emphasize that a major goal of solar was to have an energy source that did not release carbon into the atmosphere. She said that it would be counterproductive to cut down a mature hardwood forest with a thick duff layer, as most of the carbon was actually in the soils.

Ms. Firehock said that that was an example where they indeed required guidance because there was forestry and there was forestry; there was forest and there was forest; they were not all the same. She said that she considered that the large-scale site, which they approved, had experienced significant erosion. She said that she believed that site would become more stable after they planted the soils, amended them, and applied permanent cover. She said that she thought that site improved and did not involve the removal

of a mature hardwood forest. She said that she wanted to emphasize that this was another instance demonstrating why they needed this guidance.

Mr. Moore said that he never intended to imply that he was opposed to having a good policy.

Mr. Missel said that he was curious about their discussions regarding needing guidance and the topic at hand. He said that at times he felt like they might be reinventing the wheel in their minds, but he knew that they were not. He asked if staff had reached out to other communities to discuss solar ordinances and identify best practices.

Mr. Benish said that he believed he served as a liaison in this regard but was aware that they had consultants working on this matter. He said that they had access to a knowledgeable source experienced in the technology. He said that he had reviewed comprehensive plan policies from various localities, some of which were quite comprehensive while others were rather basic.

Mr. Missel said that Augusta County recently approved one, and he believed Nelson County did so as well.

Mr. Bivins said that he did not believe that the Nelson project was approved.

Ms. Firehock said that she would like to address one more point related to schools. She said that she would not discuss school siting but would mention the situation with Southwood, where there was a proposal for an urban-scale school. She said that she would not comment on whether one wanted a school there or not. She said that part of the reason these proposals were rejected was that there was not enough land for a school.

Ms. Firehock said that if they were developing at a higher density in urban areas, she wondered why they could not have an urban-type school. She said that she attended an urban public school where they played outdoors and did not require 10 acres or whatever the excessive land usage was. She said that in the comprehensive plan, they should consider an alternative urban school model. She said that otherwise, they were searching for an ideal site, and it was increasingly scarce to find enough land to meet a standard that did not have a practical foundation in relation to children's ability to learn and play outside.

Mr. Bivins said that for that particular issue, there was a lot of struggle in attempting to make it work. He said that in the end, the parties could not reach a mutually agreeable timetable.

Ms. Firehock asked if Mr. Bivins believed that the School Board was notably supportive of the urban school.

Mr. Bivins said that they would have certainly put a school there if there could have been an agreement.

Ms. Firehock said that they should state in policy that they aimed to support an adaptive or alternative model for urban schools, similar to those found in dense urban areas, as this was allegedly the direction their policy was heading. She said that this was a rather minor point. She said that they should acknowledge that they did not have to adhere to this requirement because she had spoken with numerous School Boards who had informed her that they could not proceed due to the minimum acreage being a specific amount; however, this was merely an arbitrary figure.

Mr. Bivins said that as they returned to the topic of his earlier rant, it was the suburban mindset that influenced their decisions. He said that if he adopted the belief that he must have a house surrounded by a certain amount of greenery, then by default, his child would attend a school that also had ample green space and numerous fields for various activities. He said that many of them attended good schools in the past, but they did not have the extensive outdoor facilities that some suburban schools offered today.

Mr. Murray said that much of that land was mowed and was not of any use.

Ms. Firehock said that there was a significant amount of unused land that she had observed in numerous school sites. She said that she developed planting plans for these sites, and she noted that they have a considerable amount of wasted land that was not designated for assemblies.

Mr. Missel said that he had been contemplating methods to provide constructive and detailed feedback to staff members. He said that perhaps on page 13, in the top paragraph, was where Ms. Firehock's sharing could be incorporated or considered.

Committee Reports

Ms. Firehock said that they were not able to achieve quorum for the Historic Preservation Committee.

Mr. Murray said that staff might cover this topic as well, but he visited Batesville and attended the AC44 event. He said that the experience was quite interesting. He said that he discovered that Batesville had a well-developed community trail system that he was previously unaware of. He said that one of the things that he found interesting was that the concept of crossroads communities altered some of his perspectives, even for someone who lived in that area.

Mr. Murray said that it led him to believe that they should incorporate features like safe walking areas in crossroads communities, which was a proposal made by staff. He said considering the concept of community trails, he believed that this would be a valuable addition in their rural area. He said that it appeared that people had already taken initiative to implement this idea. He said that regarding other matters, he had heard much about the through-truck restrictions and the necessity for traffic calming in areas with high vehicle traffic. He said that he was certain that staff would provide further information on these topics.

Mr. Missel said that he attended the same work session, and he was consistently amazed by the passionate community that participated in these meetings. He said that during the previous session, which involved VDOT and the closure of the bridge west of their location, attendees were outspoken and engaged. He said that he was particularly appreciative of the acknowledgment that many people could not attend the community meeting due to various reasons, and that staff was working on finding ways to reach out to them for their input.

Mr. Bivins said that he attended a CAC meeting along with Mr. McDermott. He said that he would provide handouts from this meeting because he believed that living in this community warranted staying informed about developments around Hydraulic Road, including the Hillsdale Roundabout around Whole Foods and Kroger. He said that before presenting the handouts, he would like to mention that they had a ZMA from Stonefield come before them.

Mr. Bivins said that if people were familiar with Stonefield, Torchy's Tacos was located there. He said that if they examined Torchy's and looked to the right, there was an empty building at the end. He said that Stonefield approached them for the ZMA for an automobile sales event focusing on electric vehicles. He said that if this occurred when it reached the Commission and proceeded to the Supervisors, they would be authorized to collaborate with an automobile manufacturer specializing in direct-to-consumer sales.

Mr. Bivins said that this would also enable them to utilize some of the parking space, which would be beneficial for that turn. He said that vehicles would be stationed next to them for display purposes, while other vehicles would be available for test drives at the other side of Brooks Brothers. He said that this would be coming to them at some point but did not have a specific time frame. He said that the most interesting part was a piece that he would have Mr. McDermott address.

Kevin McDermott, Deputy Director of Planning, said that he attended the meeting alongside the Department of Transportation to provide an update on the Hydraulic improvements. He said that the public information marketing focused on the proposed closure of the Hillsdale Hydraulic intersection, located in front of Whole Foods. He said that as part of this project, they must raise the grade of the entire intersection by several

feet. He said that to minimize construction duration, they would shut down the intersection entirely for up to 2.5 months. He said that the construction of the new Hydraulic intersection was scheduled for August, between June 8 and August 13.

Mr. McDermott said that however, they did not know yet if that was June 8 and August 13 of 2024 or 2025. He said that the contractor responsible for this construction would determine the exact date, dependent on the right-of-way process. He said that they would also switch around and complete other elements of the project at that time. He said that the provided illustration demonstrated how to access nearby buildings during the closure. He said that the QR code provided led to the public information site for the entire project, which offered more comprehensive information overall.

Mr. Missel said that he was examining the QR code to determine if he could ascertain that period of June to August. He said that the QR code indicated that the start date was winter 2024 and the end date was mentioned as fall 2025, which implied that it could be either of those timeframes.

Mr. McDermott said that construction began in winter 2024. He said that they had been working on the site and would continue through fall 2025. He said that the period of closure may occur this summer or the subsequent summer.

Mr. Moore said that he attended the CAC meeting for Rio Places 29, where the primary agenda item was a proposal. He said that if one was on 29, then turned right onto Rio Road East, it was situated across from what used to be Abingdon Crossing. He said that there was a church, followed by two stoplights close together, which were Northfield and Old Brook Road. He said that on the left side of the road, there was a house between those two roads and right on Rio.

Mr. Moore said that the house had been used as an Airbnb for some time, and the owner wished to change from R2 residential to C1 commercial in order to build a 1,200 square foot Vietnamese deli and boba tea place. He said that they planned to continue operating the house primarily as a small inn rather than an Airbnb, with the house staying the same. He said that there were concerns about traffic and the intersection being problematic; however, access would be from across the street from the church entrance, not from Rio.

Mr. Missel asked if Ms. Firehock would be attending the 5th and Avon Street meeting on Thursday.

Ms. Firehock said yes, she was.

Review of Board of Supervisors Meeting

Mr. Barnes said that at the last Board of Supervisors meeting, several presentations occurred in the afternoon. He said that the TJPDC discussed their Safe Routes to School grant, followed by a resolution requesting support for safety targets to guide an ongoing study. He said that Mr. Benish presented the midpoint progress of the Broadway blueprint plan, which had been previously reviewed by the Commission. He said that Ms. Hersh-Ballering provided her quarterly transportation report in the afternoon.

Mr. Barnes said that in the evening, two rezoning applications were addressed, one at 1906 Avon Street, located at the end of Avon Street. He said that there was significant discussion regarding construction entrance and traffic impacting the neighborhood. He said that to clarify, both rezonings passed. He said that the other was the North Fork rezoning which was approved by the Board.

Mr. Barnes said that the other matter that was raised, and he thanked Mr. Bivins for bringing it up, was the jurisdictional question at Farmington. He said that it had two components. He said that one of them was, as was alluded to earlier, that they were doing some work on the campus there and they needed to move the sewer. He said that the laundry was already served by the sewer, so they were requesting water for that building. He said that staff supported this request, and it was actually granted by the Board. He said

that the other question was for a lightning shelter that included some restrooms. He said that this request was not extended by the Board.

Ms. Firehock asked if the lightning shelter was for a golf course.

Mr. Barnes said that yes, it was meant for people stuck in the rain for some time. He said that it was a very small facility, but the Board held the policy and did not provide that for the pursuer for that structure. He said that those were the two major things that happened at the Board meeting last week.

AC44 Update

Mr. Barnes said that they had a really great meeting last night at Esmont. He said that there were approximately 60 to 70 people in attendance. He said that the conversation was engaging, and they divided them into three different rooms. He said that Esmont had a fantastic facility if one had ever been there or seen some of the activities going on there. He said that the personal connection was particularly meaningful because his kids attended school there. He said that it was a very great meeting.

Mr. Barnes said that they had split tonight's agenda, so they would be returning to discuss rural areas at their next meeting in two weeks. He said that he wanted to warn the Commission that this summer they would likely experience an increased workload of work sessions. He said that not only would they have numerous tasks related to the comprehensive plan, but they would also be presenting other items that would probably require additional work sessions. He said that they might need to schedule a third meeting within a month to provide ample time for discussions.

Mr. Missel asked if he and Mr. Carrazana could meet with Mr. Barnes to discuss a rough outline of where they were heading and attempt to ascertain where those dates would all fit in.

Mr. Barnes said that some of the staff had been working on it and they would need approximately two weeks before they finalized it. He said that they were forecasting that it would be sometime this summer.

Ms. Firehock said that she would send an email but would not be able to attend the meeting on the February 27 regarding the deferred comprehensive plan work session. She said that she was currently serving on a federal committee and had been assigned to attend a meeting elsewhere. She said that she could possibly attend the meeting remotely if necessary.

Old Business

Mr. Clayborne said that they had been carrying an item and he was unsure if it had been removed on purpose. He said that he was referring to the joint meeting with the Charlottesville Planning Commission.

Mr. Missel said that he and Mr. Barnes discussed this topic during their one-on-one meeting last week. He said that they were now planning to develop some ideas for an agenda that they could present for consideration. He said that he believed it would be beneficial to share this initial draft here first as they refined their thoughts. He said that they would then workshop these ideas together, ensuring that everyone's input was incorporated.

Mr. Missel said that their discussions would cover various aspects that all team members worked on. He said that they valued their input and aimed for constructive collaboration. He said that they would also consult with the City and incorporate their feedback. He said that some of them had already spoken with Mr. Freas regarding this matter. He said that the process was moving forward, and he thanked Mr. Clayborne for bringing this up.

New Business

There was none.

Items for follow-up

There were none.

Adjournment

At 8:17 p.m., the Commission adjourned to Tuesday, February 27, 2024, Albemarle County Planning Commission meeting, 4:00 p.m. in Lane Auditorium.



Michael Barnes, Director of Planning

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

Approved by Planning Commission
Date: 02/27/2024
Initials: CSS