

**Albemarle County Planning Commission
September 8, 2009**

The Albemarle County Planning Commission held a public hearing, work session and meeting on Tuesday, September 8, 2009, at 6:00 p.m., at the County Office Building, Lane Auditorium, Second Floor, 401 McIntire Road, Charlottesville, Virginia.

Members attending were Marcia Joseph, Don Franco, Calvin Morris, Bill Edgerton, Linda Porterfield, Thomas Loach, Vice Chairman and Eric Strucko, Chairman. Don Franco arrived at 7:24 p.m. Julia Monteith, AICP, non-voting representative for the University of Virginia was absent.

Other officials present were Wayne Cilimberg, Director of Planning; Elaine Echols, Principal Planner; Amy Pflaum, Senior Engineer; Gerald Gatobu, Principal Planner; David Benish, Chief of Planning; Bill Fritz, Director of Current Development and Greg Kamptner, Deputy County Attorney.

Call to Order and Establish Quorum:

Mr. Strucko called the regular meeting to order at 6:01 p.m. and established a quorum.

Committee Reports:

Mr. Strucko invited committee reports.

- Mr. Morris reported that last week the Pantops Steering Advisory Committee briefed the Board of Supervisors.

There being no further committee reports, the meeting moved to the next item.

Review of Board of Supervisors Meeting – September 2, 2009

Mr. Cilimberg reviewed the actions taken by the Board of Supervisors on September 2, 2009.

Other Matters Not Listed on the Agenda from the Public:

Mr. Strucko invited comment from the public on other matters not listed on the agenda. There being none, the meeting moved to the next item.

Consent Agenda:

Accept applications and/or refer the following to the Agricultural Forestal District Advisory Committee (see list below for full descriptions).

- Review of the Jacob's Run Agricultural/Forestal District
- Yellow Mountain Addition
- Moorman's River Addition
- Carter's Bridge Addition
- South Garden Addition
- Kinloch Additions
- Jacob's Run Addition
- Buck's Elbow Mountain Creation
- Lanark Addition
- Free Union Addition
- Buck Mountain Addition
- Blue Run Addition
- Keswick Addition
- Batesville Addition
- Eastman Addition

- Hardware Addition
- High Mowing Addition
- Chalk Mountain Addition
- Sugar Hollow Addition
- Fox Mountain Creation
- Ivy Creek Addition

(See Attachment A: PC REFERRAL CONSENT AGENDA TEXT – individual description of each addition)

Mr. Strucko noted that there are 21 new or additions to agricultural forestal districts as a result of the revalidation process. He asked if any Commissioner would like to pull an item from the consent agenda for further review.

Motion: Mr. Morris moved and Ms. Porterfield seconded for approval of the consent agenda.

The motion passed by a vote of 6:0. (Mr. Franco absent)

Mr. Edgerton asked staff to provide graphic representation of the parcels that are being added. If this is in response to the revalidation process he would like to see the benefit.

Mr. Cilimberg pointed out staff would email maps of the properties to the Commissioners.

Ms. Joseph noted it was unfortunate that these folks did not have more time to contemplate putting their land under conservation easement.

Mr. Strucko noted that the consent agenda was unanimously approved.

Work Session:

CPA-2008-00003 Village of Rivanna Master Plan - Work session on Draft Plan dated August 26, 2009, also including Resolution of Intent to amend the Comprehensive Plan. (Elaine Echols)

Ms. Echols presented a PowerPoint presentation and summarized the executive summary. She noted that the consultants were not able to attend tonight's meeting. (Attachment – PowerPoint presentation)

The Commission last met on the Village of Rivanna Master Plan on March 17, 2009. Prior to that, there were four meetings with the community and four meetings with the Commission between June 2007 and now. At the last meeting, the Commission provided direction on density, land use, and transportation. Staff and the consultant were directed to write the text that will accompany the plan to bring back to the Commission for review on July 14. The meeting was rescheduled to September 8 to accommodate community concerns.

The draft master plan was delivered to the Commission during the week of August 24 – 28. A resolution of intent has been attached to this Executive Summary. The draft Village of Rivanna Master Plan is formatted similar to the Pantops Plan. The key features of this plan are identified on the Executive Summary page of the plan. One item for discussion is the level at which “adequacy of infrastructure” is measured. Staff will review the draft language in the plan and ask for additional input. The maps as shown are coming back to the Commission to look at the areas that are available for new development.

The purpose of this master plan was to provide guidance on where and how new development would take place and also to make recommendations on the timing for new development. The vision for the Village of Rivanna was one of a distinct small community that would have medium and low density residential neighborhoods with easy access to the Village Center through multiple modes of travel. The community will preserve historic features, provide open spaces for recreation and focus commercial activity inside the Village Center.

There were a number of guiding principles that came out of the public meetings:

- Density, design and character of existing neighborhoods would be protected.
- The size and scale of new development would be compatible with existing development.
- The rural ambiance of the area would be retained.
- Commercial uses would be allowed only in the Village Center.
- The street connections and pedestrian paths needed to be sensitive to existing development.
- Historical sites will be protected.
- Water, sewer and streets will keep pace with growth.
- Public and private common space parks and sports fields will be provided to foster the community.

This development area is fairly small. It is 2.7 square miles. There are 693 homes in Glenmore and 761 homes in the entire development area. Addition approved units already in the village are 674, which is a maximum.

Staff highlighted the points of the framework plan. This particular development area will be mostly residential in character. Existing neighborhoods will retain their low density character. Residential use will be the dominant use and adequate infrastructure will be needed for new rezoning. The Village Center was a rezoning approved in 2007 as Rivanna Village at Glenmore with a mixture of residential and non-residential uses. The non-residential uses would only be allowed in the Village Center and are not to exceed 125,000 square feet.

As part of this exercise the Commission looks at whether or not the areas outside of the existing development areas should be brought into the development area. A decision the Commission made a while back was that the rural areas should remain rural and there would be no expansion of the development area boundaries with this master plan.

The future Land Use Map showed the context of the map on the right. The map on the right is about the areas that would be available for future development. In the future Land Use Map the density is expected to radiate from the Village Center. The highest densities would be near the Village Center and the lowest densities at the edges. The development on the west side of Carroll Creek would not exceed 3 units per acre on the gross development. East of Carroll Creek would be expected at 2 units per acre or less. A landscaped buffer would be expected across the frontage of 250 East so that people traveling along 250 really would not know there is a total new development. They are trying to keep the rural character of Route 250 East. This plan anticipates 300 to 400 new units.

There are several recommended transportation improvements in this framework plan. On Route 250 East those are more regional in scale than local as far as the Village at Rivanna goes. They have included them in this master plan just so that they have the information there and also looking for that endorsement. The recommended improvements are: Interchange improvements at I-64 and Shadwell; widening 250 East from two to three lanes to four lanes east of the Shadwell Interchange to Glenmore Way; repair or replacing the bridge over the Railroad at Route 22; improve the intersection at Route 250 East and Milton Road and improve the intersection at Blackcat Road and Route 250 East. All of those improvements with the exception of the widening of the lanes right in front of the Glenmore Entrance are actually in the County's designated rural areas.

Staff wanted to understand and develop a recommendation for the characteristics of Route 250 East across the frontage of the Village of Rivanna. What this plan is recommending is that the I-64 interchange at Shadwell to Glenmore Way on Route 250 would be a four-lane rural section with a median and a walking and biking path on one side and then from Glenmore Way to Blackcat road would be a rural section with an optional median and a walking or biking path on one side of the road. The recommendation that staff felt was most relevant to this plan and the work that the Commission does right now is that there would be a limitation on the additional access points from Route 250 East, specifically Hacktown Road and in the vicinity of Breezy Hill Lane would be the places to provide access. There would be not additional development in Glenmore without a second gate except for those properties that are along Ashton Road. There was consideration of a potential signal that was proffered with Glenmore

at Glenmore Way. There is a potential of changing that to a roundabout in the future. In terms of transit and pedestrian and bicycle network there is a recommendation for a fixed route commuter service when ridership can support it. The new development would be transit ready. Rivanna Village at Glenmore is a transit-ready development. In terms of bike and pedestrian access, the plan recommends pedestrian crossing over Carroll Creek that would help link the Glenmore, Carroll Creek and Running Deer neighborhoods with the Village Center. There are recommendations to potentially link Glenmore and the nearby residential development to the Village Center with pedestrian access. Finally, a pedestrian and bicycle path along the Route 250 East frontage area is proposed.

There is a part of the plan that links to parks and the green system. This plan includes a recommendation for a public greenway along the Rivanna River. The plan also seeks to preserve floodplains, critical slopes and riparian buffers. The Village Center in Rivanna Village at Glenmore would have an 18-acre park. In the new areas for development, there is a recommendation that pocket parks be included as focal points.

The implementation tables are much smaller than other master plans. The biggest thing that is needed is to address the traffic issues at a regional level, which would be through the regional transportation plan the MPO and UNJAM. The next issue is the monitoring of the sewage treatment plant. It has a limited capacity. This plan is recommending that the density of the development area not exceed what the current treatment plant has for capacity. There would be monitoring for additional community facilities.

In the last couple of weeks, there have been some emails sent around raising concern about traffic. The point that was made in those emails is that Route 250 East is already over capacity from Route 22, Louisa Road to the Charlottesville City limits. Staff noted that it was under capacity from the eastern county line to the Route 22 Louisa Road which contains the frontage of the Village of Rivanna. The reason for that capacity issue or that it is over capacity the closer one gets into Charlottesville is because there is convergence of several roads. There is traffic generated not only by the Village of Rivanna but by all sorts of other traffic including people living away from their jobs who are coming into Charlottesville and into the county using 250 East. In 2035, the traffic will increase by 90 percent which is the prediction between Route 22 and Charlottesville so that even with the recommended improvements that are shown in the plan that stretch of road between Route 22 and the Charlottesville City limits is going to operate over capacity. There is nothing that can be done to those roads that will bring it into capacity. The percentage of increase contributed by the 300 to 400 dwelling units would be minor compared to the whole because of the large amount of traffic that is expected on that road from other areas.

Staff brings the following questions for Commission consideration:

If Route 250 East will always be over capacity -

- Should additional development be allowed in the Village of Rivanna?
- If allowed, when should additional rezonings be approved?

Staff sees that there are three options:

- Remove a portion of Village of Rivanna from the Development Area.

(The Planning Commission looked at that as an option several months ago and was not something they wanted to do.)

- Lower density more
- Recommend land use shown on the future land use map with the understanding that the maximums are rarely achieved and that sewer limitations will affect the amount of growth that can occur much more than the road system.

Considerations:

- Absorption of existing approved units, which make take 20 years or more;
- All units may not be built;
- This is a development area;
- Village Center expected to be available for shopping (trip reductions);
- Sewer capacity will have more influence than transportation;
- All of the major streets in the Development Areas operate over capacity.

Staff noted that these are things the Commission needs to keep in mind as they review the questions posed by staff.

Staff is asking the Planning Commission to discuss and endorse the Land Use Plan. Staff feels that it represents what they have asked for in recognizing the sewer capacity issues. Staff is asking what the Commission's position would be on approvals for new development, advice on any language needed for the plan and potentially setting a public hearing for October.

Mr. Strucko invited questions for Ms. Echols. After that they will hear from members of the public. Then the Commission will have a full discussion after considering the answers of the questions posed by staff.

Ms. Joseph questioned the maps and why the area was shown over and over again and not just the area being proposed to be the Rivanna Village.

Ms. Echols replied that staff tried to pull out the Rivanna Village area and can reduce those maps in the future. When the consultants set up the maps it was done for the larger areas. Staff has tried to pull out the Village since they are not recommending any changes to it. Staff can ask the consultants to pull the maps down. She pointed out that the consultants were not able to attend tonight's meeting.

Ms. Joseph noted that the map still has the boundary on it and it gets confusing when they talk about if they took it out or not. The other thing that they talked about many times during the different meetings was that people really wanted to get an idea of how many units could be within the land use designation. She thought that was something like how many acres have they designated and how many units they think might go in there just as a ball park figure. When staff puts a yellow swap on the map what does that mean in terms of how many units could possibly go in there. They also talked about whether it was possible to get a graphic showing what this may look like. If it is multi-family then put in something that looks that way. She thought that people wanted to get some idea of how this was going to manifest itself and what form it was going to take.

Mr. Benish noted that staff would make sure the numbers are correct.

Ms. Joseph suggested that information on the historic districts could be added. Limestone next door has not been mentioned. The Southern Albemarle Historic District abuts this with 83,000 acres. She thought that they could add some things to beef up that section.

Ms. Joseph felt that information would be helpful and would like to hear from the public.

Mr. Strucko opened for public comment and invited members of the public to come up and address the Commission.

Betsy Baten asked for more specific wording relating to parks and open space in the village particularly the equestrian center and the golf course, which are recognized as open space in the Glenmore Private Development Plan. She would like to bring that into language in the master plan for the Village of Rivanna so that becomes part of the Village of Rivanna Parks and Open Space.

Neil Means, resident of Village of Rivanna, said that he sent out the emails about the transportation that Ms. Echols summarized earlier. In the Comprehensive Plan it has always said in the functional description in the definition of villages that a village is supposed to be linked to the City of Charlottesville and urban areas by roads of an adequate capacity. Now they have realized that at least since 2005 the Village of Rivanna has not been linked to Charlottesville by road of adequate carrying capacity and it will never be. So it has to affect the density. It is a development area but is also a village. If they took all of the units of housing in the Village of Rivanna and put them together it will be a village already. It already has the population of a village. If the Rivanna Village is built they will have something that looks like a village. If they build the recommended densities in this plan plus what has already been approved and put them altogether it will be a town. They will not be able to commute to the city. There should be some warning label when realtors market properties that you may not be able to commute to your job or school from their home. If the Rivanna Village was built the notion that would reduce trips is not accurate. The big problem is commuting time during peak loads. The shopping trip reductions and daily usage is going to have less impact on the peak loads than it might at first seem. Throughout this master planning process residents have attended all of the meetings to discuss issues of densities and the consultants and staff have put them off and said that first they will discuss the form and then they will talk about density. He felt that the residents still have not had the opportunity to have any input on the density. This plan or draft before the Commission is not something the residents have approved. If they can't provide the roads and infrastructure to the growth area maybe they ought to spread the development out. That way there would not be as many traffic jams.

Dennis Odinov, resident of Glenmore, said that the plan drafted so far really reflects a lot of what he heard and participated in the citizens meetings. He also believed and agreed that the lack of a sewer system will first hold back development before the traffic issue. Although he thinks the traffic issue is very important. He has a problem with the extension of new Route 250 East from Route 22 to Glenmore because doing that would desecrate surrounding landscape. It is surrounded by mature trees and is very shady and pretty and as previously stated that section of Route 250 is under capacity. He felt that a roundabout would be a very dangerous solution. There is a limited site line for a driver going west on Route 250 coming over the hill to the entrance of Glenmore. Many people travel that road at high speeds. Therefore a roundabout would be very dangerous unless there was a warning way in advance. He agreed with Ms. Joseph that they should get a maximum build-out. They had asked for this. Generally he felt that this portion of the plan done so far is very encouraging.

Neil Williamson, of Free Enterprise Forum, felt that it was very beneficial that a lot of the commissioners were involved in the DISC I and II Committees. He noted the following concerns.

- They are starting to see much of the concurrency of infrastructure that was predicted in those committees. On page 1, 3 and 6 of the master plan reference, "Future development should only be approved when adequate infrastructure is in place. As they are seeing in the Places29 master plan and the Pantops master plan, the question coming up is one that he has raised many times in what is the government's responsibility to ensuring such infrastructure is in place. He acknowledged that some of this discussion belongs in Richmond at state level and also in this room during the Board meetings.
- He asked if the county plans to change its school construction programs to start building schools prior to the issuance of building permits. The county has a development area and if they chose to have a development area they must also chose to target development and target their spending within that development area concurrently. It is beholding on Albemarle County and not the landowner to provide county services according to the Comprehensive Plan that has been approved by the county and vetted through the citizens.

Since Albemarle County does not seem to be able to clear the backlog of infrastructure on its own capital improvement projects, and the Crozet Library comes to mind, these references regarding future development being restricted by future county spending should be removed. He thought that they were unrealistic and unenforceable.

- Another concern is how the proposed regulations from the Department of Conservation and Recreation influence the layout and design of this particular master plan. An initial review of the proposed regulations caused him to question some of the design elements that are included. If the state regulations prevent some of the master plan layout from being completed how they will ensure the future development conforms to the form that they have dictated for this plan.
- Finally the Village of Rivanna master plan identifies over 25 million dollars of transportation improvements relating mainly to US 250. The responsible party for funding these improvements is the Virginia Department of Transportation. VDOT is in the process of laying off 1,000 full time employees, 450 part-time staff, closing rest stops as VDOT addresses a 2.6 billion dollar shortfall which has not been updated with today's governor's projections. He would be very surprised to see this kind of money spent on US 250 in the time frame of this master plan.

Mr. Strucko closed the public comment session to bring the matter back to Planning Commission for discussion.

Ms. Echols noted that the first question raised was why designate any additional area for development if the roads can't support it. That is something staff wants the Commission to make a statement about because it has been a concern of the Commission and public.

Mr. Morris invited an update from Mr. DeNunzio of VDOT on 250 East and the area in question and what he saw in the future.

Joel DeNunzio replied that from Glenmore to about Route 729 it is about 5,500 vehicles per day. Route 729 brings in about the same amount of traffic at that traffic signal. So they get about 11,000 vehicles per day at that location. Crossing the Shadwell Bridge then Route 22 comes in which adds another 11,000 to 12,000 vehicles. At that point on Route 250 that is where there is a real bottom neck with about 22,000 to 23,000 vehicles per day. Currently they don't have any plans other than studies that show widening of Route 250. There are not funded plans on Route 250 to his knowledge that VDOT has in the works right now.

Mr. Loach asked if Route 250 will always be over capacitated.

Mr. DeNunzio replied that is a difficult question to answer. He would say Route 250 from Route 22 into the city without widening and without any way to put the traffic somewhere else that the road will be over capacity until something is done. Road widening is a way to deal with the capacity issue. It would require a lot of right-of-way funds and construction funds for that project.

Ms. Joseph noted that one of the things they have done in the Pantops master plan is created a potential for parallel roads. They would need to look at that too. One of the things that did not make the Fontana people very happy is require a through road through Fontana that connected Route 250 over to Route 20. She asked if some of these parallel roads would help with the over capacity issue.

Mr. DeNunzio replied that parallel roads would help. The real parallel road would be I-64. They would have to build a whole new facility to get the traffic onto I-64. The only place he could think of would be off Route 22 that crosses under I-64. Then they have the issue of whether the interchange would be too close to other interchanges. He did not think that had been looked at, but could require I-64 capacity issues that could require widening through Charlottesville also. He noted that more lanes are how they would address the capacity issue whether it is a parallel facility or a widening of existing facilities.

Ms. Joseph noted that additional lanes are being required for some new commercial businesses on Pantops when they come in for site plans.

Mr. DeNunzio noted that there was identified the need for six lanes in that area in a Corridor Study.

Mr. Strucko noted that they heard that there is a potential, but what makes it remote is the funding.

Mr. Loach agreed with Mr. Means that they should have a better way of tying development to infrastructure. He had not seen the concurrency that Mr. Williamson sees. He was not sure where it was in the future, but there has to be a better way of doing this. It should not come as a cost of the quality of life for the growth area residents. They can't put the cost of that quality of life all of the time on one segment of the population, which is growth area residents. He felt that development should be allowed in the development but there has to be some way to tie it to the infrastructure. There has to be some methodology that people can see and quantify when development takes place that it is not going to be at the cost of their quality of life.

Mr. Strucko asked staff to identify the sewer capacity issues.

Ms. Echols said that right now there is a lot of sewer capacity available. The numbers were given in the document. The capacity exists for the developments that have been approved and a little bit more but it all depends on what the usage is. The Service Authority plans at one level and the actual usage is more than 100 gallons per day less than that. The monitoring that takes place of the sewage treatment plant and what is available to absorb is something that the Sewer Authority does. So staff cannot tell the Commission exactly how many units can be supported by the sewage treatment plant right now because of a lot of other factors. They can give figures based on the current usage of Glenmore. It would allow for X number of new units. They can give figures that are based on the 270,000 gallons per day, which is the figure the Service Authority uses for planning purposes, would give another number of units. Because of the mixture of uses that are in the Rivanna Village of Glenmore and how much they are going to need staff cannot give exact numbers, but can say they think there is capacity for between 300 to 400 more units based on what the sewage treatment plant can handle. That is at the lower end of the usage of the sewer treatment plant facility. The Service Authority is not looking at creating more capacity unless that is something that is looked as being Albemarle County's goal out there. The ability to create more capacity brings them into a whole different level of regulations. There is a package treatment plant there right now. It was built to add particular units. When those units are filled up then they have to go to a whole different kind of system that comes under a different set of regulations. It would be difficult to create more sewage capacity.

Mr. Loach said that he was okay with the sewage capacity. He agreed that they should use the road issue to keep the density down.

Mr. Strucko said that the answer to when rezonings should be considered should be when the infrastructure is adequate.

Mr. Morris agreed.

Ms. Joseph agreed acknowledging that funding does not exist for this infrastructure. She did not think that this community wants to raise taxes to pay for the infrastructure.

Mr. Benish noted on page 21 there is a statement regarding residential development that future residential development should only be approved if and when adequate infrastructure is in place to support the development which is the broad infrastructure and not just the sewage system. It would be all of the consideration. What staff is struggling with and the question they have for them is that they need to define what that measure of adequacy is. For the Granger proposal with that Comprehensive Plan Amendment for the Southern Urban area they set Level of Service D for roadways. That has been the convention for urban areas. This is a little bit unique because it is a

development area that is served by an arterial roadway that VDOT typically looks for a Level of Service C. If the Commission wants that clarity if they want to retain this within the development area that is probably the specificity that needs to be added. As it stands right now if the Level of Service is C, as an example, there is a condition here that may never be reached for that development area.

Ms. Joseph asked if it was Level C right in front or on that entire stretch.

Mr. Benish replied that based on VDOT modeling process now they would look at a broader regional context than just the front section. They could specify whatever depth they want at certain intersections or multiple intersections. But again using the Southern Urban Area B example there they noted the Neighborhood Roadway Network that would serve the area.

Mr. Loach asked what would be the difference in Level of Service C and D.

Mr. Benish replied that D is a slower speed of roadway with certain expected delays. It would visually be like what they would see in the city with slower speeds and longer cycles in lights. Level C is more of a free flow, but there would be some delays during peak hour. They recently had some complications in the use of Level Service C and D. Staff would probably have to come up with another mechanism other than C to get over that complication.

Mr. DeNunzio noted that on a corridor like that the Level of Service C would be based on the percent of time following another vehicle. Basically the more vehicles that are out there the more crowded the road and the lower level of service. It is based on how fast one can travel the road and not ultimately how fast your car can go. It would be what the speed limit is versus how fast can go and what the travel times are. As they increase the travel times the level of service goes down. He thought that he could provide more specific data on what the percentages of time following or the delays are after the fact. He did not have that information with him.

Ms. Joseph asked if they are looking at a portion of time for the level of service C.

Mr. DeNunzio replied that the levels of service are generally referred to as the peak hour times in the morning and afternoon peak hour.

Ms. Echols noted that staff had been looking at volumes to capacity ratios in the Eastern Albemarle Study. Mr. DeNunzio has not reviewed that with them. That is where staff is getting their information when there were a number of different alternatives that were modeled in the Eastern Albemarle Study. That is what Mr. Means was referring to. The modeling on that showed that the volume to capacity ratio that there was more volume than capacity in certain roads. They are doing more volume to capacity than the level of service, which all work in together. She tends to think that what they are looking for is a measure she would prefer that the Commission give staff an opportunity to bring in some additional information before making a decision. She felt that the Commission needs to look at the full set of information.

Mr. Loach said that it is just as important for the public to understand.

Mr. Edgerton agreed that the Commission needed more information in order to make an informed recommendation. If he heard correctly one of the dilemmas they are facing in this situation is that the standard that the county has used in the past with non primary routes has been level D. But VDOT uses a level C. If they are trying to determine what standard will be required for being considered acceptable infrastructure they are going to have to make a decision about which standard would apply. If level C is the cut off point for VDOT's primary roads they need to know.

Mr. Benish noted that staff will have to sit down with VDOT and whether they use C or D or some other methodology for the roadway it would still set a methodology. The C and D approach might not be the approach to use any longer. So they would want to sit down with VDOT about that. Also while typically for neighborhood streets most all the streets in the county level D has been acceptable in urban areas. There are certain strategic roads because of the volume level C are

preferred. If they were to stay with C and D staff needs to coordinate that with VDOT. But they may use some other methodology. They need to work on what that measurement would be.

Mr. Strucko asked if there were any other comments. He asked if staff received their answers.

Ms. Echols reiterated that the Commission wants staff to bring back some information before setting the public hearing.

Mr. Strucko replied that was correct. He thought that was fair. The question was whether additional development should be allowed in the Village of Rivanna. He noted that the answer was yes because it was a designated growth area, but only when there is an adequate infrastructure to support what they are planning.

Ms. Echols summarized the Commissioner's comments as follows:

- The Commission wants staff to incorporate into the plan some pictures about possible development types.
- Provide information on the numbers of acres there and what the developable acreage is and what that translates into in terms of numbers.
- Wants staff to bring some additional traffic information which explains where they are right now, what the different levels of service mean in terms of this particular area and the measurement and most importantly what it means to the individual who would be living there in terms of the amount of the delay they would be dealing with in getting from point A to point B. Point B is inside the City of Charlottesville or beyond. .

Mr. Morris asked staff to really take a look at the data that was generated by the Eastern Connector Committee. As he recalled at the intersection of Rte. 250 East and 20 that right now is almost an F. They cannot separate the Village of Rivanna from Pantops when talking about transportation. That is the bottleneck as Mr. DeNunzio was saying.

Mr. Strucko agreed with Mr. Morris. He thought they need some coordination of information here. He was still confused and had to go back and review some of the documents. The sewer capacity issue is saying that they only have capacity for an additional 300 to 400 units. Ms. Joseph asked a question earlier about how many units could possibly go into the Village of Rivanna. That has been the question that the public has. It sounds like all of this is connected. He asked to see some calculations. If the sewer capacity or road capacity generates a certain figure today what improvements have to happen to the road or the sewer to meet full build-out of what they are talking about in the Village of Rivanna. If the road and sewer reached its capacity, then they have to scale back on what they expect in the Village of Rivanna.

Mr. Loach pointed out that these plans are reviewed every five years. So what they are trying to find is the right starting point at this place and time. That is what he thought they should be looking at.

Ms. Joseph noted as a reminder that the Commission had received an email from Cyndi Burton who was really in support of libraries. She asked that they take another look at that and that they be a little more forceful in seeing if they can add something there if it makes some sense in this area.

Mr. Benish suggested that it might be useful to continue to monitor the need. There is a regional plan for libraries that is pretty clear as to where those areas would be for service. He tried to check with the County Executive's office today. There is a desire to relook at that study. It is also a recommendation in the Pantops Plan that library service be provided there. So while it may not be Rivanna is the location, it could be if that shifts. But quite frankly what has been looked at most recently is the calculation for needs for libraries is actually going down and they need less library space. They may have to figure out the most logical place to put less square footage of libraries because of technology changes and funding issues.

Ms. Joseph noted that the Bookmobile goes to the Keswick Post Office, which can be an option.

Mr. Benish pointed out that computers and computer kios areas where the public can order and pick up are all innovative options that have been identified before. He did not want to offer anything that in reality does not appear to be very likely based on the plan to have a full blown branch out there. But staff can continue to emphasize other services and to continue to monitor the need.

Mr. Strucko pointed out on the topic of public services Ms. Baten brought up a point about designating parks and open space. She mentioned the Glenmore Golf Course and Equestrian Center. That is not open to the public. Those are membership only.

Ms. Echols felt it was a legitimate request. Staff has noted on the Places29 plan where there is privately owned open space that is just designated as open space. So staff can take care of that one.

Ms. Porterfield pointed out that the Glenmore Golf Course and Equestrian Center are actually open to the public for a fee.

Mr. Benish noted that Ms. Joseph had indicated that there were other things to help promote the historic area. He asked Ms. Joseph to provide that information.

Ms. Joseph asked why they are so specific in designating an asphalt pedestrian path. She suggested that it be a hard surface pedestrian path.

Ms. Echols replied that staff can put in hard surface.

Ms. Joseph said that on page 9, number 5 staff talks about the street connections and that street designs will promote good driver behavior and be appropriately sized for the volume and speed of traffic. She asked if staff talking about traffic calming.

Ms. Echols replied that one came out several years ago when there were some concerns about the travel through the different parts of Glenmore. It was more about traffic calming to make sure future streets are constructed in a way that minimizes traffic conflicts. That came out a number of years ago from Glenmore. Darby Road is the road in particular that was bothering people. These are the guiding principles and not recommendations.

Ms. Joseph submitted a couple of typos for staff to correct.

Mr. Strucko noted that they have a resolution of intent to act on. He asked if it was appropriate for the Commission to act on it. It does not give any specific dates.

Mr. Benish noted that the resolution of intent says that they are going to study an amendment and does not speak specifically to the draft they are looking at.

Mr. Strucko noted that they would hold a public hearing.

Ms. Joseph asked that the public hearing be sometime before December.

Motion: Ms. Porterfield moved and Mr. Morris seconded for approval of the resolution of intent for CPA-2008-00003 Village of Rivanna Master Plan, as noted below.

The motion passed by a vote of 6:0. (Franco absent)

Mr. Strucko said that CPA-2008-00003 Village of Rivanna Master Plan would proceed with staff setting the public hearing and incorporating the Commission's and public's comments and suggestions to the draft.

RESOLUTION OF INTENT

WHEREAS, the Village of Rivanna is located east of the City of Charlottesville and south of Route 250 East, with its southwestern boundary formed by the Rivanna River, its western boundary formed by an unnamed stream just east of Camp Branch, its northern boundary formed by Route 250 East, and its eastern boundary formed by the eastern ridgeline of the drainage area for Carroll Creek and Route 808; and

WHEREAS, the Village of Rivanna is one of eleven communities in Albemarle County identified in the Land Use Plan, which is a component of the Albemarle County Comprehensive Plan; and

WHEREAS, it is desired to develop a master plan for the Village of Rivanna to serve as a general guide for future development and systematic change within the Village.

NOW, THEREFORE, BE IT RESOLVED THAT for purposes of public necessity, convenience, general welfare and good planning and land use practices, the Albemarle County Planning Commission hereby adopts a resolution of intent to amend the Albemarle County Comprehensive Plan to adopt a master plan for the Village of Rivanna as determined to be appropriate after study; and

BE IT FURTHER RESOLVED THAT the Planning Commission shall hold a public hearing on the Village of Rivanna Master Plan proposed pursuant to this resolution of intent, and make its recommendations to the Board of Supervisors at the earliest possible date.

The Planning Commission took a break at 7:16 p.m.

The meeting reconvened at 7:24 p.m.

Mr. Franco arrived at 7:24 p.m.

Deferred Item:

SDP-2009-00009 Arden Place

The request is for preliminary site plan approval of 212 multifamily residential apartment units and a club house on the R15 residential zoned portion of Tax Map 61 Parcel 124 which consists of 11.350 acres. Associated waivers include section 4.2 (critical slopes) and section 21.7.c (disturbance of a buffer zone adjacent to a residential district). The subject property is located in the Rio Magisterial District on Rio Road East [State Route #631], about 900 feet from the intersection of Rio Road East [State Route #631] and Seminole Trail [State Route #29]. The Comprehensive Plan designates this property as Community Service in Urban Area 2. (Gerald Gatobu) **DEFERRED FROM THE JUNE 23, 2009 PLANNING COMMISSION MEETING.**

Gerald Gatobu presented a PowerPoint presentation and summarized the staff report. (See Staff Report)

The request, SDP-2009-00009, Arden Place is for preliminary site plan approval for a 212 unit multifamily residential apartment complex with a club house on the R15 residential zoned portion of Tax Map 61 Parcel 124 which consists of 11.35 acres. Associated waivers include section 4.2 (critical slopes) and section 21.7.c (disturbance of a buffer zone adjacent to a residential district) The property, described as Tax Map 61, Parcel 124 is 11.35 acres in size, is located in the Rio magisterial district and is zoned R15 Residential and EC entrance corridor.

- There are four items before the Planning Commission tonight for the following: Critical Slopes Waiver, Requested Buffer Disturbance, Preliminary Site Plan and a recommendation to the Board of Supervisors for open space. Four actions are being requested.

The proposed changes to the site plan include the following:

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- There is now a second point of access that meets ordinance Section 32.7.2.4 for a second point to a public street. It goes down towards Rio Road. For the most part that is the biggest change.
- There is also a path that connects and goes down all the way to the Woodbrook Lagoon project. That is something that has been added. It is kind of a pedestrian path that will be going towards the Conway property.
- There is a potential for a future connection to the Conway property that staff added to the staff report as a point of discussion.
- There is also a revised traffic analysis that was also present in the staff report. Joel DeNunzio as well as the representative for the applicant is present to answer questions about the traffic impacts to this.
- The critical slopes waiver and the buffer disturbance waiver really has not changed apart from the fact that the road will now be going downhill disturbing some critical slopes that are basically man-made.

There is a connection over to the County of Albemarle Lagoon Project. The concept plan had already been prepared. This is going to be a point of discussion and emphasis for a lot of the public present. There is a proposed bike rake at the intersection. There are four parking spaces, benches and a meadow overlook. Staff is proposing that the path come in and connect to this public space so that people can take advantage of this public open space. That is something staff is proposing and would be more than happy to talk about.

The applicant has made the two points of connection based on that. Staff recommends approval of the critical slopes waiver and the buffer disturbance waiver.

Mr. Strucko asked if the critical slopes were man-made.

Mr. Gatobu replied yes. There are some areas of critical slopes within the C-1 parcel. There is no site plan. Staff can approve the critical slopes administratively if there is a site plan that showed the critical slopes and how they were made in that property. Staff agrees that most of the fill came from the shopping center site and was dumped onto this property. Since there is no site plan that shows that staff has to bring the request before the Planning Commission for a critical slopes waiver.

Mr. Strucko asked if the two points of connection are Forest Court and Rio.

Mr. Gatobu replied that is correct.

Mr. Strucko asked if the buffer disturbance is because of the road.

Mr. Gatobu replied yes because there is a 20' buffer between a commercial and a residential district. They have to come before the Planning Commission per Section 21.7.c for the buffer disturbance waiver in cases where staff cannot do that administratively.

Mr. Strucko asked about the open space.

Mr. Gatobu pointed out the open space. The green space is shown in the staff report as going all the way down the property. There is wooded area that will be preserved for which the applicant gets a 10 percent density bonus.

Mr. Strucko said that the pedestrian path connects to the Lagoon Project.

Mr. Gatobu replied yes, and that in the staff report it shows the pedestrian path going straight into the Lagoon project.

Mr. Strucko invited other questions for staff.

Ms. Porterfield said that with regard to the path she noticed that it is 10' wide. She asked if that width is so it is ADA compliant.

Mr. Gatobu replied yes, that it is one of the standards that they have. He pointed out the trail standards in the Design Standards Manual. What they have chosen is a Class A Type 2 low maintenance multi use shed path. It is the one that requires the least amount of maintenance in this case. They did not randomly pick, but chose the best available type of path or trail.

Mr. Strucko asked if it was an asphalt path impervious surface.

Mr. Gatobu replied yes that it was 10' suffice and 2 cleared shoulder. They chose the grades to be ADA accessible.

Mr. Edgerton said that the preliminary site plan shows the two connections going out to Rio Road and yet in the staff report at the very end on page 12 it states that the applicant is pursuing a connection from the Carmike which would become the secondary road. Then the road to Rio would not. He assumed that the Commission being asked to approve a plan that he really does not want to proceed with because if he goes to the Carmike he will not be doing the connection to Rio. He asked if that was correct.

Mr. Fritz noted that there were two issues there. One, that the plan before the Commission does not have the Carmike access. The applicant is proposing that. What they have done is provided that information to the Commission in the event that if the applicant is able to secure that access and decides that he wants to go through with that staff would consider that to be a major change to the site plan and the final site plan would come back before the Planning Commission. Staff wanted to present that to the Commission at this meeting so that if the Commission had a strong feeling one way or the other that information could be provided to the applicant. For example, if the Commission felt that the Carmike access is not a good access there is not much point in the applicant continuing to pursue it. When the final comes through then the Commission would likely not approve that. If they thought it was a better access than the Rio access, then they could theoretically allow staff to administratively approve the final site plan with the Carmike access and not having to bring it back to the Commission. So the Carmike access is simply being provided for information right now. The plan before the Commission does not have the Carmike access. If the applicant gets the Carmike access staff will bring the final site plan back to the Commission for additional consideration unless they tell staff at this meeting it does not need to be.

Mr. Strucko asked how viable the Carmike access for vehicular travel or a throughway is. It is a parking lot.

Mr. Fritz replied that it goes through the travel way and parking lots of the Garden Shopping Center. In the staff report it is noted that there are some issues with that. It is not an ideal situation by any stretch of the imagination. But it does afford the opportunity to get into to the Gardens Shopping Center which then gets one to Route 29 either farther north of Albemarle Square or going south to use the light at Albemarle Square.

Mr. Strucko asked which connection that would be in lieu of, and Mr. Fritz replied the direct Rio connection and not the Putt Putt connection.

Mr. Edgerton noted that was shown clearly on Sheet 5 which is identified as Arden Place Preliminary Site Plan as is the one on the screen before us. If nothing else they need to figure out which one if they take staff's recommendation for approval

Mr. Gatobu said that it would be the one shown on the screen that has the connection to Rio.

Ms. Porterfield said if she understood correctly that if the Commission is willing to go with the Carmike access in lieu of the access directly on the Rio Road, they could word the resolution such that staff would have the ability to do that.

Mr. Edgerton said what of the Commission would be telling staff essentially is that they did not view the Carmike connection to be a substantial change from the preliminary warranting the final coming back before the Planning Commission. It would still have to go through all of the administrative review, engineering and so forth.

Mr. Strucko asked if the pedestrian pathway could be ADA compliant and have a pervious surface.

Mr. Gatobu replied yes. In this case it is actually shown in the Design Standard Manual. For the most being that wide allows the path to be of a width of the Americans with Disability Act. They want to try really hard to work with the grades to make sure that happens. Staff talked to Parks and Rec, who are the experts on the trails, and they are very complimentary in what they want to do. Staff reviewed the exhibit submitted by the applicant and asked if it something they would recommend in terms of the design and they said yes that they would highly recommend it. Parks and Rec were very impressed that the applicant went with the 10' wide path. In terms of safety the wider path would allow one to see a little further making it safer.

Ms. Joseph asked if this pathway would become property of the County of Albemarle.

Mr. Gatobu replied yes. The applicant has agreed to do maintenance because it will be part of the parcel of their development. It is to their benefit to have it more than looking nice. So the applicant has agreed to do that as well. They are ready to work with the County in terms of maintaining it.

Ms. Joseph asked about the buffer disturbance. In one paragraph staff states that the Architectural Review Board will be working to make sure that 50' buffer is landscaped. She asked if was in their purview to do that.

Mr. Gatobu replied yes. The first site plan that came in had a traffic circle. The ARB asked that the applicant change the intersection so that they can reduce the amount of buffer disturbance. The applicant complied with that. The ARB has reviewed the plan and has given some comments and direction in terms of the buffer as well.

Ms. Joseph asked if that does not have to be a condition of approval for the ARB to grant them.

Mr. Gatobu said that it is a condition that is included that they need to get Architectural Review Board approval.

Mr. Strucko noted that one of the issues they discussed that last time they looked at this was the impact of traffic on Rio Road and the time element to get out of this development. He asked if they have addressed that at all in the plan before the Commission that excludes the Carmike connection. He asked if they are still faced with the same issues about the 20 minutes.

Mr. Gatobu said that the applicant has revised the traffic study. He asked that Joel DeNunzio or Amy Pflaum address that issue.

Joel DeNunzio noted that they have received a revised traffic study from the applicant. There were a couple of things in the first one that had around 1,100 seconds and 19 minutes delay on the left hand lane out of Putt Putt. That was not accurate. When they looked at the revised study they found that the revisions included accounting for the signal of Old Brook Way up the way, which allowed for some more gaps in the road that made it a little bit better. But there was also the inclusion as one comes out of Putt Putt Place if taking a left there is actually a shared left turn lane on both sides. When including that left shared turning lane it actually allows a two stage gap procedure form Putt Putt Place out to Rio Road. So it allows one to get the first gap that is created off to the left from Old Brook Road intersection, you get in the median and then the gaps that are created from the Albemarle Square signal you can proceed to go. So it is basically like having a median in there. When accounting for the median being in place the levels of service to get out of that are acceptable.

Mr. Strucko noted that in the letter it notes that the delay drops to roughly 30 seconds.

Mr. DeNunzio replied that was correct. It was both the signal at Old Brook and the two way turn lane that made those two changes.

Mr. Strucko asked if he had looked at any of the traffic work that would result from the connection to the Carmike and the elimination of this road to Rio Road directly.

Mr. DeNunzio replied that they have reviewed that. Really making that connection to Carmike does not have much effect on traffic coming from Putt Putt Place onto Rio Road making a left turn. He felt that it had a little affect on the right turns from Rio Road to Route 29 North. He felt that it was a little bit of an improvement in the movement right there.

Mr. Strucko asked how VDOT views a connection through a parking lot.

Mr. DeNunzio said that this all private and internal. They really did not consider it. It really does not address the issues that they had with the levels of service movements coming out of Putt Putt. As far as a second connection here it shows a little bit of an improvement at the signal over there, but it might be it is not really a travel way going through a parking lot. So making the connection has some benefit, but not as a true roadway. As far as using that connection instead of the Rio Road connection, the additional right-in and right-out on Rio Road, as far as the traffic goes he did not think that there was much increased benefit for one or the other there. The Putt Putt Place and the Rio Road connection are so close that having a second connection to Rio Road is acceptable. Last time they considered this they said they were putting more conflict points on Rio Road, which is never a desirable thing. It can work from a spacing perspective having a right turn lane going into the right-in for this new connection, but as far as the traffic he did not think that it addresses any of the issues. The left turn movement was always the concern. Having another right-in and right-out really does not address that.

Mr. Strucko noted that what he heard Mr. DeNunzio saying was having the connection directly to Rio and another connection through Putt Putt Place there is really no added benefit for the second connection.

Mr. DeNunzio replied traffic wise there would be no benefit until they get the commercial development in there, which is when they might see a benefit from that second connection.

Mr. Strucko said that there is some benefit to connecting to Carmike, but it is not really a through way.

Mr. DeNunzio noted that he did not mean that the second Rio Road connection is non desirable. With or without it as far as VDOT is concerned that both are acceptable.

Ms. Joseph noted that in looking at a travel way as a parking area they have done this at least twice in the past. In Albemarle Place a travel way connected through the parking area. Also, it was done in Hollymead Town Center when they were looking at a travel way connecting through the commercial through the parking areas back out onto Route 29. So it is not anything new and different. It has been done before.

Mr. Strucko hoped that they could get more input on this from the applicant. He opened the public hearing and invited the applicant to address the Commission.

Valerie Long, representative for the applicant, presented a PowerPoint presentation and explained the changes in the proposal. (Attachment – PowerPoint Presentation) She noted that other present included Andy Megentee, Principal of Coleway Development, LLC and Bill Wrench, of Renaissance Planning Group who is serving as traffic engineer for the project. They appreciate being back before the Planning Commission. Staff has covered the changes very well. Therefore, she would skip through those changes in the interest of time.

- She asked to highlight at the beginning that this is an infill development project. They pulled out a copy of the Comprehensive Land Use Plan that has a section in it that is often overlooked. That policy in many ways was created precisely for this type of a project. It specifically states that infill development is considered one of the key initiatives for implementing the growth management policy and is encouraged for the following reasons: to use the development area lands in the most efficient manner possible, to discourage sprawl development and to maximize use and support of community facilities and infrastructure such as roads, utilities and transit. Then it mentions specifically that there are much higher costs involved with developing infill projects than there are compared with other sites and consideration of permitting more intensive uses and densities on some properties may be necessary to get development costs including measures necessary to minimize impacts of development. When they looked at that policy this project really included a lot of those challenges.
- This is obviously an infill project surrounded by property that has already been developed on all sides at a relatively intense stage. It is in the development area and is zoned for 226 units by right, which includes the R-15 density plus the automatic bonus densities that could be granted depending on the type of project. It is pedestrian oriented. It is a good example of how development in the designated development area when coordinated with surrounding development can really create a project that is very harmonious with the Neighborhood Model Principles. Because of the way the property around this property has development there are a variety of housing types with a mixture of uses with the retail and public spaces nearby. It is walkable to a variety of destinations, which includes retail, office, professional and medical offices, recreational facilities and the public library, etc.
- It is proposed as a market rate apartment community. They are preserving 10 percent of the woodlands. They are proposing to dedicate a sense of area of open space and the trails for public use. There will be a swimming pool and clubhouse amenities on site. They are requesting the Commission to grant two waivers to approve the site plan and also to weigh in on to the Board of Supervisors with regard to the open space dedication. The pedestrian path connecting to the Lagoon Project is on the site plan. Regardless if the Carmike connection is ultimately developed they will develop the pedestrian path to connect to the Carmike.
- The darker green area is the tree preservation area that provides for some automatic bonus densities, which is equivalent to 17 units. The applicant asks the Commission to grant the critical slopes waiver. The disturbance for the road is exempt from the waiver requirements. But the disturbance for the clubhouse and some of the parking lot is not exempt. At the last meeting she went through the critical slopes analysis in late June.
- The buffer waiver is a little more complicated because it is an unique situation. It is a single parcel with split zoning of C-1 and R-15. There is a 20' buffer required to be maintained on the commercial side of the line. They are not allowed to do any grading on the commercial side of the line where it is adjacent to the residential unless they get a waiver from the Commission. In order to develop the residential it is necessary to do a little bit of disturbance on that buffer area in order to create the road. Obviously, this is the only place for the access at this point. The area is entirely on the commercial side of the line, but because it is adjacent to the residential they have to obtain the Commission's consent for that disturbance. It is a buffer in name only. It is not a wooded vegetative area that is actually providing any type of a real buffer from anyone. It is storage facilities and is a gravel parking lot. It is not like they are disturbing an actual buffer. It is a line on a map.
- There are 212 units being proposed. They get the 107 base units, which is based on the R-15 density. They get another 17 units by preserving 10 percent of the woodlands and an additional 25 units for the dedication of open space or the trail dedication. The woodlands preservation is an automatic bonus density. The open space trail dedication is discretionary. Ultimately the Board of Supervisors has to act on that. They are asking the Commission to recommend approval for those additional units. They could get to 226 units with all automatic bonus density credits. Through affordable units they could do 221 units or through a variety of options they could get to 226 units. They are not doing that, but asking for 212 which they feel is appropriate for the area and for the market rate product they are trying to provide.

- The access points are noted. She noted the pedestrian connection to Rio Road. It makes that full connection. There is a full sidewalk along Rio Road in both directions so it connects the pedestrians to that public sidewalk network that already exists.
- They are working very closely with the owners of the Carmike Shopping Center. It is actually the Gardens Shopping Center, which are out of town owners. They have been quite cooperative. But it is a long process to work out all of the details of the connections. This is the preferred location if and when they could ever work out all of the details to get there. They are far from there yet. They wanted to, as Mr. Fritz noted, to at least provide the Commission with information since it was something they were working on in the interest of full disclosure. The owners of the shopping center have noted that one of the conditions would be that they have to gate that connection so that it is only the Arden Place residents that would be coming through. It is not in any way going to be a public cut through. Nobody wants that. One of the other issues to work out is how do they route the cars to ensure that there is no conflict with the pedestrians and other patrons of the shopping center. Obviously they are not going to grant the necessary easements and approvals to make that connection if they are not very convinced that they can do that in a way that ensures the safety of their owners, tenants, guests and the general public. Obviously, they would not want to do that either. There are those issues to work out. They are moving forward, but it is taking time.
- The traffic study has been pretty well explained. Their traffic engineer is present if there are any questions. They have engaged a second traffic engineer to provide an audit of the first traffic study. The first traffic study for the June meeting has been revised as Mr. DeNunzio described to include another intersection and take a few other factors into consideration, which lowered the delay time substantially. VDOT has thoroughly reviewed the information as well.

Mr. Strucko invited questions for the applicant.

Mr. Morris asked for a run down on the applicant's actions in regards to the path connecting to Woodbrook.

Ms. Long replied that right now there was no path to Woodbrook directly. The path connects to the County's Lagoon Project that is adjacent to Woodbrook, but does not connect to Woodbrook. At the last meeting they had a path connecting directly to Woodbrook, which had been the request of staff and others. In working with staff they recognized the public benefit of it. They think it is more appropriate for it to connect to the County Lagoon's Project than into Woodbrook. They are happy to do it recognizing that there are some members of the Woodbrook community that don't support the path into Woodbrook. They are just doing what the County has asked them to do, which is to connect it to the Lagoon Project. It will provide some public benefit connecting that public land, the Lagoon Project, which will be a little bit more inviting perhaps once the Lagoon Project is fully implemented to the public spaces on Rio Road. That will then lead one to a number of other places. In addition it will connect into the Carmike and Gardens Shopping Center, which ultimately provides a pedestrian access to Albemarle Square Shopping Center and Route 29. This really opens up a lot of possibilities when making those two connection points. They feel that it would be quite a benefit to the public and would ask the Commission to support that dedication.

Mr. Strucko invited public comment.

Mr. Fritz noted that staff today received two written correspondence that they did not have time to put in the packet. He passed around the two letters.

John Gallenger supported luxury apartments being built on the site. He would prefer trees and a meadow on the project, but felt that luxury apartments would be a good fit on that property. He was frustrated that they need to appear again this evening. Since the last time he thought that they had decided that a Woodbrook connection was a bad item. Due to the one way in and out of Woodbrook he questioned why they would want to put a hole in one of their boundaries and jeopardize their security by providing access to the Lagoon Project since it is a not a park. He questioned what would be the purpose of someone walking from Rio Road to look at a sandy berm. Just past the bike rack on the picture there were bike racks and benches. It is a small creek reconfiguration

project and not a real park project or a Chris Green Lake. He questioned if it was a real park there would be more than four parking spots and some benches. More traffic in Woodbrook would threaten the community's safety. The footpath would be sending more people into Woodbrook where they don't have sidewalks or street lights, which would be more safety issues. They are hearing different opinions from their neighbors tonight. The Woodbrook Community Association cannot argue both for and against the Woodbrook connector. They have chose to side with the neighbors that live closest and agree that there are valid safety issues that have not been addressed at these meetings. In closing please let the applicant build his apartments because luxury apartments is what they should all hope for in this location. That way they could permit the green space he is applying for so it would not impact their neighborhood, which is what they hope for in this location. Please tell the County that the Woodbrook connection causes far too many security and safety issues and should be dropped from the plans.

Jerry Bettentif, resident of Woodbrook, pointed out through a show of hands that only one person in the audience living in the Woodbrook had asked for a trail in their neighborhood. The trail was being requested from persons outside the community. In asking how many would consider a 10' paved asphalt strip to be a road there was a show of hands of over 10 to 15 person. Therefore, the 10' strip sounds like a roadway to the people in Woodbrook. That leads to a credibility problem with the county. A few months ago they were told that the Woodbrook Lagoon was a storm water enhancement project. Most persons viewed it as an environmental improvement project and did not object to their tax dollar being spent for that. He now wondered if it was a runoff project for the benefit of Arden Place with the cost being shifted from the developer to the public. He would study the maps further and perhaps it is not. The storm water enhancement project is not being presented more like a park to justify the need for a 10' road or trail in the area. From the discussions he heard that it was an ADA requirement for the path to be 10' wide and paved. From goggling he found that the ADA trail requirements call for a 3' wide path with a stabilized surface that can be gravel or packed soil. They are mostly concerned about the slope of a trail in terms of wheelchair suitability for the trail. There is even an exception depending on terrain and area for a 32" trail. The implication he had read and heard this evening did not indicate this. There is not need for a 10' wide trail or path in this area. If the county wants to build a 3' wide ADA compliant trail in this area he would ask that they do a survey to determine the potential users and to get some kind of idea of the costs benefit ratios.

Kathy Welch, an 18 year resident of Woodbrook, reemphasized what had just been said about the ADA requirements. There is no requirement that the so call trail has to be 10' wide. It only needs to be 3' to 4' wide and composed of crushed stone or gravel and be a firm and stable surface. She took a tape measure and measured her car, which was 5 ½ feet. Her car could drive along the 10' foot path as suggested with a 2' space on each side. If the Carmike entrance is approved it would go across this footpath and she feared that there would be possible vehicular traffic. She questioned if there would be any traffic signals considered by VDOT for safety purposes particularly for children on bicycles. She questioned why they would want the path to end up in the swamps or wetlands. She questioned the motive behind this to put in a paved surface to end up in wetlands.

Lee Floydburg, resident of Woodbrook, spoke in opposition to any sort of path connecting into Woodbrook. This is a complex bio-filter to protect the wetlands where pollutants will be building up behind the berms to prevent runoff of pollutants into the Chesapeake Bay Watershed area. He questioned how this Lagoon area can be described as a park. He questioned if the paved area would increase the paved hardscape runoff from the development to further stress this bio-filter system which protects the Chesapeake Bay. The children will be pulled to this area. The path will provide a direct link for the children from the Arden Place development and the Carmike Theatre for them to go down and find a place to get themselves hurt. It is an attracted nuisance and not a park for children. This is supposed to be dedicated to the county which will create maintenance costs for all taxpayers when no one sees this as a reasonable preferable project. This can also pose some safety risks and concerns at the intersection of the roadway and they will have to install guards to get in the way of vehicles getting on the path.

Ann Hobson, 39 year resident of Woodbrook, said that her property faces part of the Lagoon property. She was not familiar with the term footpath and therefore went to Webster's Dictionary, which indicated it was a narrow path for pedestrians only. She decided to go out and measure some of our familiar landmark. She measured two sidewalks in two area 4' and 4.5r". She measured bike paths that measured 4' 41/2". The average trail in Penn Park is between 71/2' and 8'. At Albemarle High School it was 19', which did not include the curbing. That corresponds very closely to one-half the road way the County is asking us to use to call a footpath. She did not think that the choice of words was common and saying they need it is not correct. They need to remember the end of the lagoon project was where there is a joint gate with no fencing around the property. She votes against the path since it is not something that they want. It seems to be just what was originally proposed for access to our road.

Terry Gallanger, wife of John the current President of Woodbrook and 19 year resident, noted that John has been part of this process since March. Living in the back of the neighborhood this proposal does not affect them directly. But they want to support the Powells since they are their neighbors. The majority of the neighborhood came forward at the last meeting and said that they did not want the path connection and gave good reasons. Mr. Fritz at the last meeting said that it was an unfair representative of Woodbrook and that most of the neighbors wanted the path. She did not know where that came from when they showed up in mass last time and strongly opposed a connection. Also why a blacktop pathway next to a stream that is not a nature path. They have a lot of deer and other animals visiting their yard. She asked if the environment needs a blacktop pathway. She noted that at the last meeting they were told that as a roadway it was private property and they would not be able to use it. She asked if it was a pathway would it still be private property also and not be able to be used by Woodbrook residents. She proposed that they support Mr. Powell and the surrounding neighborhood to say no pathway and if the Woodbrook residents want a nature way and not a blacktop then that is something the next President can look at. Possibly it is something that a Boy Scout troop could work on.

Charlie Tractra, resident of Woodbrook, noted that at the last meeting he found that he was wrong that the applicant was an evil entity trying to destroy his community. He also found that the applicant was under the impression that his community was against him for no particular reason. That night he found out that they both were wrong. At the end of the meeting he offered him the opportunity to try to work together. Since that time he has come to see that the applicant was actually more the victim than Woodbrook was. They have worked together with staff to address the problems, particularly the traffic problems, so that everybody could win. Because of this tonight he can state that he has no objections to building this apartment complex and actually supports the additional units he needs. His only objection is the proposed pathway. On June 23 over 90 percent of the people who spoke supported the option that there is no connection to Woodbrook from any other development. He supported the 90 percent and did not understand why the board would demand that the 10' paved footpath be built. His pickup truck is 6' wide and could use this footpath as a road way. Supposedly this footpath will be part of a park to be used by county residents. It would also be useful to the neighborhood so they can walk to Fashion Square Mall. Remember there will be a fence keeping them out of the Dumbarton Property. While this may sound beneficial these ideas have not been thought out. He asked that they please ask the planners how the residents, particular the children, will cross Rio Road. Also where will county people find a place to park their cars? Existing parking areas are private, there is no parking on Rio Road and the parking is very limited in Woodbrook. There will be a lot of security issues. While drawing a colored line on a map is easy actually building this footpath should take more thought and responsibility from you. . But until all questions are answered why not just accept a right-of-way for a path that can be built in the future. This will give the county time to solve the aforementioned problems and also the new community of Arden Place will be able to voice their opinion on something that will directly affect them.

Mr. Eugene Powell, resident of 2701 Brookmere Road for 34 years, said that a lot of activity takes place there. A pathway would be a disaster because many people walk across his property all the time. He decided to build a path around behind the creek. But the people continue to walk across the field through his yard to get to the theater parking lot even though he tells them to go around this way. He was opposed to any kind of path through Woodbrook with a connection to the theater. It

would be a road through there and keep on going. He hoped the Commission would disapprove this request.

Beatrice Powell agreed with her husband Eugene in opposing the path. They now have many people coming through their yard and approving this pathway would only increase the numbers. Their property adjoins the proposed road path. She strongly opposed the request and asked that the Commission disapprove the request because it was a problem for many residents of Woodbrook.

Stephanie Max, a resident of Woodbrook for 11 years, said that they access Albemarle Square. They walk through the front of the properties across Woodbrook Shopping Center and Gardens Shopping Center to Albemarle Square and ACAC. Their children walk to ACAC. She asked if they put in the 10' path how they would keep the cars off it. She was concerned if they put in signs the cars would still use the path.

Kenneth Hoy, resident of 204 Woodbrook Drive, said that he attended the last meeting and thought the consensus was that there would be no type of walkway or a roadway coming into or going close to the Woodbrook area. He respectfully requested that the Commission vote against this.

Laurie Campbell, an area resident of Woodbrook for 13 years, opposed the path and to allow people to come into their neighborhood. She was appalled at the presentation of the 10' path. At the last meeting there was no mention to use the ADA regulations. She felt it was wrong to use people with disabilities to make them look good. She supports people with disabilities, but does not use them to make herself look better. She was appalled that the ADA Disabilities Act was brought into the 10' path. She opposed the request and asked the Commission to remember what was said at the last meeting.

Steve Huck, an 8 year resident of Woodbrook, opposed the 10' wide path with the 2' clearing on each side. It would give benefit to see people jumping out at walkers for potential crime. It would be making a marvelous place for crime. He asked that the Commission disapprove this request.

Mike Allure opposed the path because it leads to an area that will create a hazard to little children. It does not matter whether the children come from Woodbrook or other communities because the path would lead them into an unattended area, which is not a park, creating an access from a public parking lot. He sees right now that there are businesses closing down and more vacancies. He did not know what kind of businesses or people that area will draw. But he was concerning about drawing children into an unattended area that is not a park and encouraging them to go there. That is why he did not think a 10' path is a good idea for kids.

Eric Baker, resident of Woodbrook for 8 years, opposed the request because the area is very quiet and safe at present and did not need any connection. .

Robert Manica, area resident, opposed the connection to the Carmike Theater. At the road connection at Rio Road onto Garden Boulevard there is a right turn in and right turn out only on Route 29 with no deceleration lane. Therefore he feared that the back way through Arden Place would be used frequently. He feared that they would move the problem from Rio to 29.

Ty Ellen, a resident of Woodbrook for 30 years, opposed the connection into Woodbrook and did not see any benefit to the Woodbrook residents at all. The children are required to ride the bus to school. The pathway is not needed for the children to get to school. The one way into Woodbrook has worked for years and she asked that the Commission disapprove this request. She requested that no connection into Woodbrook from any other communities be denied in the future.

There being no further public comment, Mr. Strucko closed the public hearing to bring the matter before the Planning Commission.

Mr. Strucko asked if the Lagoon Project is in the CIP or any of the County park plans

Mr. Gatobu noted that this project will be funded through a grant. It was not being funded by the county. As a planner, professional and someone that is trained in LEED he heard the neighbors and had talked to them. As a professional they look at what the circumstances are and consider all of the factors including the crime. If this was not opened to anybody else it would not be a problem to the community. He talked with Greg Harper today and asked what he thought about it since he was in charge of it. He said that he spoken with a Woodbrook resident and was told that if only Woodbrook was allowed to use the path into the Lagoon Project that they would be fine with it. He found something to be terribly wrong with that. That was his professional opinion. It was not against anybody in the neighborhood regarding their recommendation for a 10' path. He felt bad that someone felt they would take advantage of ADA and that they don't. It is in the Design Standard Guidebook and why would they do that. He apologized to the Chairman, but noted at some point they have to get in some rational on why they do what they do.

Mr. Strucko thanked staff because that was a hard accusation to make and he appreciated him commenting on it.

Ms. Joseph noted that the goals of the Lagoon on the County website says are to provide water quality, preserve and enhance on site wetlands and create educational opportunities and facilitate access. This is not something that was made up by Planning Department per say, but were the goals set up when the grant was received for creating this area. She understands what people are talking about. As a landscape architect she feels very sad that people worry about pathways. It is one of the most important things that came from a Parks and Rec survey. In the survey 80 to 90 percent said they wanted to see natural walking paths. This is something that did not come from nowhere. Consequently that is what they have looked for since the majority said they wanted to see linear paths. She acknowledged this is not a park with playing fields. But when doing intense activity in the development area a little piece of green space for people who live in the dense area is appreciated.

Mr. Strucko noted that it was recreational park space and passive park space. He would categorize this as a passive park space.

Ms. Joseph asked Ms. Pflaum if this is used specificity for storm water for Arden Place. She asked what is this being used for.

Amy Pflaum, Engineer, replied that it is providing a benefit to a development area that includes portions to the west side of Route 29. It encompasses the area and parts of the Gardens area. It has been around much longer than the Arden Place project. Arden Place will have to meet the requirements of the Water Protection Ordinance. It will have to provide on site storm water management. They are already proposing in the preliminary plan a bio-filter and underground detention. They will have to take care of all of their own storm water management. They will not be given any storm water credit for the Woodland Lagoon Project. She asked to clarify a few points. The 10' wide asphalt requirement is a County requirement for the Class A Type 2 trail. Another part of the Class A requirement is that it meet the ADA standards for grades. The ADA standards the width is less than 10'. There are two criteria that the applicant has meet with the proposed trail – the County criteria of a Class A Type 2 trail and the ADA standards for grading. The ADA standard from the Virginia greenways toolbox has 2 different levels of an ADA accessible trail. One would be a 48" wide with a hard non skid asphalt surface, which would be an easy trail. A moderate access trail would be 36" wide with a hard packed surface. Those are the 2 different things or criteria being looked at for this trail. It is the County criteria and the ADA criteria. There was concern about the trail crossing or the vehicular connection at Carmike. That will not be a public road and VDOT will not be maintaining it or putting up a cross walk. As Ms. Long said Carmike would request that there be a gate at that connection where it meets the parking lot. It will only be used by Arden Place residents. It will be a low volume of traffic and no resident pedestrian conflict because of it being a low usage road. Our trail standards also require that some kind signage or cross walks at a location of where a trail is crossing a roadway. So they could require that on the final site plan if that Carmike connection is utilized

Mr. Morris asked would it still be in compliance if the pathway was 4 ½ wide with a hard surface and be an easy pathway.

Ms. Pflaum replied that it was her understanding if it was asphalt and reduced it would meet the ADA in the Greenways Manual but not meet the Class A Type 2 trail for the County.

Mr. Strucko noted that there were different classes of County trails.

Ms. Pflaum said what the applicant has proposed is the highest class of trail or the best case scenario. They met with County Parks and Rec and they felt it was beneficial to have that type of trail. It is a higher cost to the developer, but it is a very nice wide accessible trail.

Ms. Porterfield asked if they could get the Class A Type 1 low maintenance pedestrian path would that be acceptable with staff who has worked with the developer.

Ms. Pflaum noted that the idea is that this open space and path in combination will be going to the Board of Supervisors for the acceptance of the open space. Staff and the applicant were working together to come up with the best possible proposal. If it is determined that the 10' path is not the best proposal then she believed there would be room to lessen it.

Mr. Loach asked if the 5' path would be an acceptable path.

Ms. Long thanked Ms. Pflaum for the clarifications. The applicant would be fine with building a narrower trail. It would be a considerable cost savings to build a narrower trail. They want to build what the County is requiring in order to obtain the bonus densities they are proposing. If the Board of Supervisors does not accept the dedication of the trail for width then they wouldn't get the bonus density which would throw the project into a black hole. They have been asked to build a 10' trail ever since she has been involved in the project. They will do whatever is required. To address one comment there is no desire from anyone that vehicles are on this trail. They would be willing to use whatever safety measures are deemed appropriate. The County does not want vehicles driving on the trail. They are will to work with the County on the width of the trail, whatever signage or crossroads if the Carmike connection is ultimately implemented to take whatever measures are deemed appropriate. The Arden Place developer has incentives to ensure that it is a safe trail. There is a mutual incentive to make sure the trail is safe for everyone.

Mr. Loach asked if they would consider building the path to a certain point and waiting for input from the Arden Place residents.

Ms. Long replied that they are happy to carry out the willingness of the County as long as the Board of Supervisors will accept the open space and grant the bonus density.

Mr. Strucko questioned how the nature of this path affects bonus density.

Ms. Long replied that part of the bonus density is automatic. There are 24 to 25 units that are discretionary to the County. The Board of Supervisors can accept and give a certain amount of credit. The 25 units if it they give all the requested credit in exchange for dedicating land for the public. In working with staff for months they have indicated they will recommend that the Board accept this dedication of open space and public land if they find a public benefit. After careful analysis they say trails already are there and people are using them. By connecting the trail to public space staff thinks the open space meets public benefit. And if do it this in the way suggested staff will recommend that the Board accept it and agreed to the bonus density.

Mr. Fritz noted that one action the Planning Commission needs to take was to provide a recommendation to the Board whether to accept the open space and what bonus density level. One thing to talk about is where the path goes and whether it is to the County Lagoon project or not.

Mr. Strucko noted in looking at the proposed open space there is a significant piece of land directly adjacent to the County Lagoon project. It adds on to what the County owns on the Lagoon project. He asked how much land was there.

Ms. Long replied that it is over one acre of land in total that is for sale plus along the trail as shown on Attachment F of staff report.

Mr. Fritz said that not only is the dedication a question, but where the trail goes, should the dedication be accepted and the standard of the trail to be constructed. The proposed standard is the highest standard and is the one that provides the lowest cost of maintenance to the County and the maximum flexibility of usage. If this body felt that the Class A Type 1 was more appropriate then that is what the Commission could recommend to the Board.

Ms. Joseph noted that Attachment F was saying that the woodland will remain undisturbed.

Mr. Fritz noted that was correct that the woods would remain undisturbed but there was not transfer of the property.

Mr. Strucko noted that the property behind Building 6 attached into the lagoon area. So they don't have to extend the trail all the way to the existing lagoon.

Mr. Gatobu replied that the trail would only go to the boundary line.

Mr. Edgerton noted what Mr. Strucko was suggesting is if the applicant was willing to commit to not disturbing the one acre plus that is behind Building 6 then the County could get an extra one acre plus and the applicant gets the density bonus. It would be a win/win situation. He asked why the trail couldn't stop at the woodlands. The current Lagoon project did not consider a connection at all.

Mr. Fritz noted that the connection to the Lagoon project staff sees it as an educational opportunity and offers the same connection as Woodbrook has to the Arden Place residents. There are four parking spaces on the Woodbrook side and bike racks. That is why staff is recommending the connection to go all the way to Lagoon project.

Mr. Edgerton said that if the applicant were not able to disturb the wooded area and they were able to add an extra one and a half acre to the Lagoon project to make it more effective why wouldn't they do that. He did not think the applicant would be losing anything since they would be getting their density bonus.

Ms. Porterfield asked if the applicant has agreed to dedicate and maintain the path.

Ms. Long replied that those are some issues they have not gotten to yet. But they would be happy to maintain the trail if that is the preference of the County. Arden Place will have their own maintenance crew on site anyway and are willing to pick up trash on the trail if that is the desire of the Board.

Ms. Porterfield noted that could be part of the trade off to lessen the width of the path so it does not look like someone's driveway.

Ms. Joseph asked if she understood from a speaker that the County staff met with some residents of Woodbrook to talk about the Lagoon project and if they offered to help out Mr. Powell by putting in some additional screening trees so people would not be straying through his yard.

Ms. Pflaum replied that General Services met with the Woodbrook residents, but she did not think they made an offer to Mr. Powell.

Mr. Franco pointed out that he met with General Services after that meeting. He did not think that they made that offer. One thing he talked about was how important they felt a connection through the park was and if they felt it was important to have that path if they could design it to design it so it focused people to the right-of-way as opposed to people's yards. He did not know where that project stands. He asked if there was a requirement for a site plan for the park because it does have parking.

Mr. Fritz replied that it does not meet the threshold for a site plan.

Ms. Joseph asked if they can require some screening or something for Mr. Powell.

Mr. Kamptner noted that if it was going to be somewhere it would have to be part of the County's Lagoon Project since it was off-site and not part of this site plan. The Commission could ask General Services to consider the installation of these screening trees.

Ms. Joseph asked if they could make a stronger recommendation, and Mr. Kamptner replied that it was out of their authority.

Ms. Joseph asked if the Commission could ask the Board to do something for Mr. Powell, and Mr. Kamptner replied yes.

Mr. Strucko said that it sounds like the Commission is coming closer to a solution regarding the path. He was hearing that the community's anxiety's is about a throughway of some sort. It sounds like anything that is of significance like asphalt is going to cause anxiety. He would love to see a pedestrian walkway through this area to serve if no one else but the Arden Place residents. So to ease the concerns of the Woodbrook community and to continue to provide this amenity to Arden Place he thought that they could pick a path standard that is still open to folks with people with disabilities but is less substantial than 10' with 2' wide shoulders. Also they could potentially end the path behind Building 6 and consider that is roughly of one acre of untouched space in view of the Lagoon project. He asked if that was something the Commissioners and applicant can agree to.

Mr. Franco said that he was on the same page, but wanted to understand what is being deeded to the County. Is it the path or is it acreage?

Mr. Strucko replied that in Attachment G of the packet it is everything colored in green that is the open space dedication that does not include acreage.

Mr. Fritz noted that it was 1.08 acres which includes the path and some of the area adjacent to it.

Ms. Long asked to provide one point of clarification on Exhibit G the portion of the path that goes behind Building 6 and goes from roughly where the Carmike connection is if made to the Woodbrook Lagoon. It is not colored green on the exhibit, but it is part of it. The land around trail back there is not part of the dedication, but just the path itself is. They will defer to their guidance.

Mr. Morris noted that area around it is part of the preservation area.

Ms. Long said that was correct it was untouchable and they could not touch those trees. The preservation plan was part of the conservation plan and part of the preservation of those woods. They have to have a tree preservation plan. There are actually some notes on the site plan. It is small type and hard to see. But the detailed requirements of the conservation plan are spelled out on the site plan. Essentially it is to leave the trees as they are and to take measures to protect during construction.

Mr. Edgerton asked if the applicant was willing to consider dedicating that piece of land that he is willing to commit to not touching to the County.

Ms. Long replied that land was not part of the dedication and she would have to confer with her client and come back up. She did not know the answer to that question.

Mr. Edgerton noted that would give him reason to be enthusiastic about the project.

Ms. Long noted that there is an underground sewer that has to go in one area. That area is not counted as part of the woodlands preservation area.

Mr. Franco asked if that property is amended to include that area and deeded to the County can it be deeded such that the County can't build a road through it at some future point and it is really just for a trail or path just to the Lagoon Project.

Mr. Kamptner replied that they have accepted deeds of dedication in the past. In this case since the dedication is for a specific purpose that could be reflected in the deed so it is clear that it is dedicated to a public use for a pedestrian connection.

Mr. Franco asked if they could allay the concerns of a vehicular connection, and Mr. Kamptner replied yes that he thought that they can do that.

Mr. Strucko noted that another issue is the proposed connection to the Carmike parking lot. What bothered him the most was when the applicant through Ms. Long said that the Carmike folks wanted to gate that. That sealed the deal for him and thought that was not the kind of connection they wanted.

Mr. Morris said that he could understand why they would want to gate it to prevent it from becoming as a thoroughfare. That is the exact case they had in Carriage Hill.

Mr. Strucko said if the connection is not done in Carmike then they need the two connection points on Rio and eventually Putt Putt Place. He asked won't that connection to Rio have to happen if the commercial happens in front the property.

Ms. Porterfield asked if the connection to Putt Putt Place was implemented, would they get the warrants to put the light in.

Mr. DeNunzio said that it depends on the type of commercial and the intersection would have to warrant the light. He noted that it depends on the volume of traffic, but it would help the chances. At that time the traffic signal light would require a design access management exception. He thought that they would have a spacing issue with the upstream signals. They would still like to see with commercial development possibly looking at connecting back through the existing signal there going back through Albemarle Square.

Mr. Fritz noted that was assuming there were no changes to the current ordinance.

Mr. Strucko asked how they feel about the two connection points.

Mr. Franco agreed with Mr. Morris in that gated or not it works to have the connection at Carmike. The extra entrance onto Rio is something that can be dealt with at site plan when that future front piece connects. He felt that access management might tell us in the future that connecting to either the Albemarle Square light or back to Putt Putt makes more sense from the conflict management perspective. So he would rather go with pursuing the Carmike and see if it happens. If it does not happen he was contend with just Putt Putt, but he was happy to go with the second point as shown.

Ms. Porterfield said that the Carmike exit-entrance would be useful and it does take the future residents in and out of the back end of Arden Place. She was concerned regarding emergency vehicles. If there was no Carmike connection, she was concerned with not having two entrances because there would be a lot of units and a lot of people in Arden Place.

Mr. Strucko said that he was concerned with an arrangement between two private owners. He was not sure that connecting to a parking lot is an effective throughway.

Ms. Joseph supported the Carmike connection even though it was gated. She assumed it would be accessible to emergency vehicles. If the path was gated it would alleviate the concerns about the conflicts between vehicles and pedestrians.

Mr. Edgerton supported a connection at both ends even with a gate. He would be comfortable if they could eliminate the path to the preservation area if the applicant would consider making that area part of the dedication. He would be willing to recommend to the Board that to be in lieu of the pathway.

Mr. Strucko asked Ms. Long to come forward with her response to the Commission's question.

Ms. Long noted that this part of the path has always been part of the open space dedication. If she understood the request the Commission was asking that they add to the dedication in this area. The engineer says it is roughly about an acre of space. What they need to do is work with County staff to establish the boundaries of the additional area. They need to maintain a buffer around this building. They think they can commit to an additional half acre. They need to reserve space because there is a water line easement and sewer line easement. They need to reserve rights for the space for the utility easements and for the necessary buffer. But they can do a half acre at least and perhaps more. They need to work with staff on the boundaries. There are critical slopes right behind Building 6 which is part of the preservation area.

Mr. Strucko asked if they would stop the path where the proposed connection with Carmike is.

Ms. Long said that was acceptable to the applicant because they ultimately need the Board to support it. They would expect if that was the recommendation of the County's professional staff and Commission that it would be approved by the Board. They will have to take the Board's ultimate direction. But, that is acceptable to the applicant.

Mr. Fritz noted that staff will have to go to the Board to explain along with the minutes what the Commission is looking for. The Commission is looking to add some of the wooded area that is behind Building 6 which would just be preserved as a natural wooded area to enhance the area that the County has as part of the Lagoon Project, but not part of the Lagoon Project. The topography does not lend itself to be part of the Lagoon Project. This area would be part of a natural area. The path would stop at the point of connection to the Carmike of the pedestrian connection. They would have to work with the applicant to identify what those boundaries are before they go to the Board of Supervisors because they need to draw a line on the plan.

Ms. Porterfield noted that the path would shrink down to the 5' path.

Mr. Fritz noted that he had not gotten there yet. He asked if that was the consensus of the Planning Commission.

Mr. Edgerton said that he thought that the path had disappeared.

Ms. Porterfield said she was talking about the path from Rio Road all the way through Arden Place at a width of 5' with the applicant maintaining that path.

Mr. Fritz noted that it would bring the standard down to 1A.

Mr. Franco noted that he received a phone call from one of the officials of ACAC today that suggested that this was a good project and liked the idea of the path for use by its members. Right now they run around the parking lot. He felt the path would be useful to his business and the community.

Mr. Morris asked if staff needs to bring it back if in fact the Carmike connection works out.

Mr. Fritz replied if the Commission decides that it is not a substantial change warranting coming back staff will process to the final site plan administratively.

Mr. Morris recommended that.

Mr. Strucko said that if the Carmike connection does not work what would they tell staff to fall back on.

Ms. Porterfield replied that they would go with the two on the other side, one directly off Rio and the other off Rio via Putt Putt.

Mr. Fritz noted that the potential condition he had written was: No access directly to Rio Road if access to Carmike is provided.

Mr. Strucko said that if access to Carmike is not provided then the Commission would want the access to Rio Road and through Putt Putt.

Mr. Franco noted that he was not sure that no access so much as no access is required. He asked if they are saying that they would prohibit access in the future.

Mr. Fritz said that because this is a ministerial action that a future ministerial action could undo the condition to allow the commercial property to develop. He asked if that was what he was referring to.

Mr. Franco replied yes.

Mr. Fritz said that when that commercial property came in it would be looked at anew and the same process they are placing the condition on could be used to remove the condition in the future.

Mr. Strucko asked if they still need the buffer disturbance waiver with the direct access. He noted that the Commission was okay with the critical slopes.

Mr. Fritz replied yes.

Ms. Porterfield suggested that something be done to avoid needing an applicant to have to request a waiver for man-made critical slopes. Such a request could be to staff to administratively approve it.

Mr. Fritz noted that staff is working on that.

Mr. Franco asked as part of the final recommendation that goes forth he would also like to say that the path stuff and the acreage behind building 6 that they have been talking about is a recommendation to the Board of Supervisors. If the Board chooses to do something different, he was happy to approve this site plan as recommended or with the conditions associated with that land that the Board sees fit to place on it without having to come back to the Commission.

Mr. Morris agreed.

Mr. Franco said that the Commission is recommending the bonus density for dedication of land for public use; that dedication includes building a path from Rio Road to basically the Carmike entrance area as discussed and dedication of additional land for addition to the lagoon project, but not with a path that the applicant is building. That is the recommendation to move forward to the Board. If that is amended somehow at the Board as part of their process he did not want particularly to see this come back to the Commission for another round.

Ms. Long agreed.

Mr. Strucko asked that a motion be crafted.

Motion for Critical Slopes Waiver Request:

Motion: Mr. Franco moved and Ms. Porterfield seconded for approval of the critical slopes waiver request per Section 4.2 for SDP-2009-00009, Arden Place based on the findings in the staff report that it met the minimum criteria.

The motion passed by a vote of 7:0.

Motion for Buffer Disturbance Waiver Request:

Motion: Mr. Franco moved and Ms. Porterfield seconded for approval of the waiver request for disturbance of a buffer zone adjacent to a residential district from Section 21.7.c of the County Code for SDP-2009-00009, Arden Place for the reasons stated by staff.

The motion passed by a vote of 7:0.

Motion for SDP:

Motion: Mr. Franco moved and Mr. Morris seconded for approval of the preliminary site plan SDP-2009-00009, Arden Place with the conditions recommended in staff report, with amendment of condition F to reflect the discussions of tonight to eliminate the applicant building a path from the potential Carmike entrance to the Lagoon Project and to include the dedication of land between those two points.

Mr. Fritz noted that condition G needed to be amended, which will change the trail type from a Class A Type 2 to a Class A Type 1. The new condition would be no access directly to Rio if access to Carmike is provided.

Mr. Strucko asked what the dimension of the trail would be with the new classification.

Mr. Gatobu replied the trail would be 5'.

Mr. Fritz noted the condition to be included should read: The Path shall not extend north of Carmike pedestrian connection.

Mr. Franco agreed for acceptance of the two conditions as stated by Mr. Fritz.

Mr. Morris seconded the amendment.

Mr. Franco said that the trail standard would be Class A Type that would have a 5' width surface.

Mr. Fritz asked if there was any further discussion.

Mr. Franco said that one last amendment was that they were still considering that to be the width but they were trying to design the trail to ADA standards.

Mr. Fritz said that it would be the design alignment which has a 10' maximum and the 2' upgrade.

Mr. Franco said that the one underneath said ADA accessible.

Mr. Fritz suggested the condition say with design alignment with a Class A Type 2, and Mr. Franco agreed that was what he wanted to say.

Mr. Morris seconded the amendment.

Mr. Strucko asked that the roll be called.

The motion passed by a vote of 7:0 with the following conditions.

- A. Must comply with the Virginia Statewide Fire Prevention Code. Approval is subject to field inspection and verification. [Fire and Rescue]
- B. RWSA capacity certification is required before final site plan approval can be granted.
- C. Proposed wooded area must meet the definition of "wooded area" found in section 3. [Albemarle County zoning ordinance]. An arborist report and a tree preservation plan must be submitted with the final site plan.
- D. A conservation plan checklist must be shown on the final site plan. The conservation plan checklist will have to be checked and signed [Albemarle County Code section 32.7.9.4.b.]
- E. Applicant must obtain VDOT approval before final site plan approval can be granted.
- F. Albemarle County Current Development Engineering approval must be obtained.
- G. Add the following 2 notes to the Arden Place ADA Trail Feasibility Exhibit dated 8-5-09, and include the exhibit in the final site plan. The first should go above the part that begins, "Trail width..." It should say, "ADA Standards Listed in the Virginia Trail ways Toolbox". The second note should say, "The trails shall have ADA-accessible grade and conform to standards for Class A, Type 1 Trails as described in the *Albemarle County Design Standards Manual*." The 5-foot wide path shall not extend north of the Carmike pedestrian connection.
- H. There will be no vehicular access to Rio Road from Arden Place other than from Putt Putt Place if vehicular access to Carmike is provided.
- I. Applicant must address all outstanding ARB conditions before final site plan approval can be granted.

Motion for Approval of proposed dedication to County of Open Space of Dedication of path:

Motion: Mr. Franco moved and Mr. Morris seconded to recommend approval to the County of the open space of the proposed pedestrian path running from Rio Road to the potential Carmike entrance with the additional dedication to be defined by staff before it goes to the Board.

Mr. Fritz noted that the dedication would be in the area behind Building 6 adjacent to the Lagoon project.

Ms. Porterfield added that the applicant is going to do maintenance of the path.

Mr. Franco amended the motion to include Mr. Fritz's statement with the understanding that the applicant is doing maintenance of that path and that if this condition changes at the Board as part of their acceptance that it does not affect the preliminary site plan approval.

Mr. Morris seconded the amended motion.

The motion passed by a vote of 7:0.

Mr. Strucko said that SDP-2009-00009, Arden Place was approved and would go to the Board of Supervisors on a date to be determined just for the open space review with the following recommendation:

The Planning Commission recommended approval to the Board of Supervisors of an open space dedication including a proposed pedestrian path running from Rio Road to the potential Carmike entrance and an additional land dedication to be defined by staff before it goes to the Board as follows:

1. The dedication would be in the area behind Building 6 adjacent to the Lagoon project.
2. The path shall be designed as a 5-foot wide Class A, Type 1 path with ADA-compliant grades. The applicant will provide maintenance of that path.
3. If either of the Commission's recommended conditions change as part of the Board's acceptance, the changes do not affect the Commission's preliminary site plan approval.

Old Business:

Mr. Strucko asked if there was any old business.

Mr. Franco noted a phone call from a business in his district regarding delayed scheduling of a ZMA and SP.

Mr. Cilimberg responded that scheduling was based on the schedule for review of submitted information. The applicant recently submitted new proffers, which went under review as of today. The earliest date the project could be scheduled after comments are provided to the applicant following staff review would be Nov. 10. Staff will contact the applicant and provide them an option of being scheduled in October if they do not wish to receive staff comments.

There being no further old business, the meeting moved to the next item.

New Business:

Mr. Strucko asked if there was any new business.

- Mr. Fritz noted based on the question on critical slopes staff plans to hold a round table or a work session with the Commission and take the proposed changes to the Board in the winter. Staff is working on it.
- Since only two Commissioners, Franco and Porterfield were attending the Places29 open house at the Fire Station the meeting did not have to be adjourned to that date September 10, 2009.

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

Adjournment:

With no further items, the meeting adjourned at 9:39 p.m. to the Tuesday, September 15, 2009 meeting at 6:00 p.m. at the County Office Building, Second Floor, Auditorium, 401 McIntire Road, Charlottesville, Virginia.

V. Wayne Cilimberg, Secretary

(Recorded and transcribed by Sharon C. Taylor, Clerk to Planning Commission & Planning Boards)

Note:

ATTACHMENT A – Consent Agenda PC REFERRAL CONSENT AGENDA TEXT

ATTACHMENT A – Consent Agenda

PC REFERRAL CONSENT AGENDA TEXT

a. AFD2009-5 Review of the Jacob's Run District Periodic (10-year) review of the Jacob's Run Agricultural & Forestal District, as required in Section 15.2-4311 of the Code of Virginia. The district includes the properties described as Tax Map 18, Parcel 40F; Tax Map 19, Parcels 25 and 25A; Tax Map 31, Parcels 8, 8E, 16, 16B, 23, 23D, 23D2, 23K, 44C, 45, 45B, and 45C. The district includes a total of 1,235.178 acres. The area is designated as Rural Area in the Comprehensive Plan and the included properties are zoned RA Rural Areas.

b. AFD2009-6; AFD2009-7; AFD2009-21; AFD2009-21 Yellow Mountain Additions Planning Commission acceptance of applications for additions to the Yellow Mountain District; direction to the Community Development Department to provide notice of the applications pursuant to Virginia Code § 15.2-4307(1); and referral of the applications to the Districts Advisory Committee (as required in Section 3-201(B) of the County Code). The proposed additions include the property described as Tax Map 54, Parcels 43, 43D, and 43A; Tax Map 71, Parcel 22K; and Tax Map 70, Parcel 15G. The proposed additions include a total of 64.684 acres. The area is designated as Rural Area in the Comprehensive Plan and the included properties are zoned RA Rural Areas. (Eryn Brennan)

c. AFD2009-8; AFD2009-9; AFD2009-10; AFD2009-35; AFD2009-61 Moorman's River Additions Planning Commission acceptance of applications for additions to the Moorman's River District; direction to the Community Development Department to provide notice of the applications pursuant to Virginia Code § 15.2-4307(1); and referral of the applications to the Districts Advisory Committee (as required in Section 3-201(B) of the County Code). The proposed additions include the property described as Tax Map 29, Parcels 45H1 and 78A1; Tax Map 30, Parcel 23; Tax Map 43, Parcels 1F and 2A1; Tax Map 44, Parcel 31H; and Tax Map 60E3, Parcel 1. The proposed additions include a total of 171.411 acres. The area is designated as Rural Area in the Comprehensive Plan and the included properties are zoned RA Rural Areas. (Eryn Brennan)

d. AFD2009-11; AFD2009-12; AFD2009-37; AFD2009-46; AFD2009-50; AFD2009-51; AFD2009-52 Carter's Bridge Additions Planning Commission acceptance of applications for additions to the Carter's Bridge District; direction to the Community Development Department to provide notice of the applications pursuant to Virginia Code § 15.2-4307(1); and referral of the applications to the Districts Advisory Committee (as required in Section 3-201(B) of the County Code). The proposed additions include the property described as Tax Map 112, Parcel 1; Tax Map 114, Parcels 2, 57, 57C, and 57D; Tax Map 122, Parcel 12D; Tax Map 102, Parcel 17C; Tax Map 123, Parcel 13B; and Tax Map 130, Parcel 19B. The proposed additions include a total of 470.508 acres. The area is designated as Rural Area in the Comprehensive Plan and the included properties are zoned RA Rural Areas. (Eryn Brennan)

e. AFD2009-13; AFD2009-14; AFD2009-15; AFD2009-30 South Garden Additions Planning Commission acceptance of applications for additions to the South Garden District; direction to the Community Development Department to provide notice of the applications pursuant to Virginia Code § 15.2-4307(1); and referral of the applications to the Agricultural & Forestal Districts Advisory Committee (as required in Section 3-201(B) of the County Code). The proposed additions include the property described as Tax Map 109, Parcel 70; Tax Map 99, Parcel 35; and Tax Map 110, Parcels 8 and 18E. The proposed additions include a total of 308.11 acres. The area is designated as Rural Area in the Comprehensive Plan and the included properties are zoned RA Rural Areas. (Eryn Brennan)

f. AFD2009-16; AFD2009-17; AFD2009-54 Kinloch Additions Planning Commission acceptance of applications for additions to the Kinloch District; direction to the Community Development Department to provide notice of the applications pursuant to Virginia Code § 15.2-4307(1); and referral of the applications to the Agricultural & Forestal Districts Advisory Committee (as required in Section 3-201(B) of the County Code). The proposed additions include the property described as Tax Map 49, Parcels 6A1 and 5C; and Tax Map 50, Parcel 13. The proposed additions include a total of 101.963 acres. The area is

designated as Rural Area in the Comprehensive Plan and the included properties are zoned RA Rural Areas. (Eryn Brennan)

g. AFD2009-18; AFD2009-44; AFD2009-47 Jacob's Run Additions Planning Commission acceptance of applications for additions to the Jacob's Run District; direction to the Community Development Department to provide notice of the applications pursuant to Virginia Code § 15.2-4307(1); and referral of the applications to the Agricultural & Forestal Districts Advisory Committee (as required in Section 3-201(B) of the County Code). The proposed additions include the property described as Tax Map 31, Parcel 1B; Tax Map 20, Parcel 6J; and Tax Map 30, Parcel 32 B. The proposed additions include a total of 107.285 acres. The area is designated as Rural Area in the Comprehensive Plan and the included properties are zoned RA Rural Areas. (Eryn Brennan)

h. AFD2009-20; AFD2009-29 Buck's Elbow Mountain Creation Planning Commission acceptance of applications for creation of the Buck's Elbow Mountain District; direction to the Community Development Department to provide notice of the applications pursuant to Virginia Code § 15.2-4307(1); and referral of the applications to the Agricultural & Forestal Districts Advisory Committee (as required in Section 3-201(B) of the County Code). The proposed creation includes the properties described as Tax Map 38, Parcels 4, 8, and 20; and Tax Map 39, Parcels 1, 8, and 10A. The proposed district includes a total of 1416.98 acres. The area is designated as Rural Area in the Comprehensive Plan and the included properties are zoned RA Rural Areas. (Eryn Brennan)

i. AFD2009-22; AFD2009-24; AFD2009-42; AFD2009-58 Lanark Additions Planning Commission acceptance of applications for additions to the Lanark District; direction to the Community Development Department to provide notice of the applications pursuant to Virginia Code § 15.2-4307(1); and referral of the applications to the Agricultural & Forestal Districts Advisory Committee (as required in Section 3-201(B) of the County Code). The proposed additions include the property described as Tax Map 92, Parcel 64C; Tax Map 103, Parcel 43J; Tax Map 103, Parcel 43D and 43F; and Tax Map 103, Parcel 2B. The proposed additions include a total of 150 acres. The area is designated as Rural Area in the Comprehensive Plan and the included properties are zoned RA Rural Areas. (Eryn Brennan)

j. AFD2009-23; AFD2009-26; AFD2009-38; AFD2009-41 Free Union Additions Planning Commission acceptance of applications for additions to the Free Union District; direction to the Community Development Department to provide notice of the applications pursuant to Virginia Code § 15.2-4307(1); and referral of the applications to the Agricultural & Forestal Districts Advisory Committee (as required in Section 3-201(B) of the County Code). The proposed additions include the property described as Tax Map 16, Parcels 15C and 37; Tax Map 7, Parcel 33; Tax Map 29, Parcel 31A; and Tax Map 29, Parcel 1D. The proposed additions include a total of 240.603 acres. The area is designated as Rural Area in the Comprehensive Plan and the included properties are zoned RA Rural Areas. (Eryn Brennan)

k. AFD2009-25; AFD2009-53; AFD2009-57 Buck Mountain Additions Planning Commission acceptance of applications for additions to the Buck Mountain District; direction to the Community Development Department to provide notice of the applications pursuant to Virginia Code § 15.2-4307(1); and referral of the applications to the Agricultural & Forestal Districts Advisory Committee (as required in Section 3-201(B) of the County Code). The proposed additions include the property described as Tax Map 8, Parcels 43A, 44, and 37; Tax Map 17, Parcel 2D6; Tax Map 38, Parcel 7; and Tax Map 39, Parcels 1F, 1G, and 1F1. The proposed additions include a total of 246.05 acres. The area is designated as Rural Area in the Comprehensive Plan and the included properties are zoned RA Rural Areas. (Eryn Brennan)

l. AFD2009-27; AFD2009-45 Blue Run Additions Planning Commission acceptance of applications for additions to the Blue Run District; direction to the Community Development Department to provide notice of the applications pursuant to Virginia Code § 15.2-4307(1); and referral of the applications to the Agricultural & Forestal Districts Advisory Committee (as required in Section 3-201(B) of the County Code). The proposed additions include the property described as Tax Map 35, Parcel 41A and Tax Map 35, Parcel 41E. The proposed additions include a total of 75.7 acres. The area is designated as Rural Area in the Comprehensive Plan and the included properties are zoned RA Rural Areas. (Eryn Brennan)

m. AFD2009-28; AFD2009-49 Keswick Additions Planning Commission acceptance of applications for additions to the Keswick District; direction to the Community Development Department to provide notice of the applications pursuant to Virginia Code § 15.2-4307(1); and referral of the applications to the Agricultural & Forestal Districts Advisory Committee (as required in Section 3-201(B) of the County Code). The proposed additions include the property described as Tax Map 48, Parcel 30C and Tax Map 48, Parcels 30, 30D, 30B, 30A, and 30E. The proposed additions include a total of 453.371 acres. The area is designated as Rural Area in the Comprehensive Plan and the included properties are zoned RA Rural Areas. (Eryn Brennan)

n. AFD2009-34; AFD2009-48 Batesville Additions Planning Commission acceptance of applications for additions to the Batesville District; direction to the Community Development Department to provide notice of the applications pursuant to Virginia Code § 15.2-4307(1); and referral of the applications to the Agricultural & Forestal Districts Advisory Committee (as required in Section 3-201(B) of the County Code). The proposed additions include the property described as Tax Map 84, Parcel 69 and Tax Map 71, Parcels 29C, 29D, 29E, 29G, 29H, and 29I. The proposed additions include a total of 146.38 acres. The area is designated as Rural Area in the Comprehensive Plan and the included properties are zoned RA Rural Areas. (Eryn Brennan)

o. AFD2009-36 Eastham Addition Planning Commission acceptance of applications for additions to the Eastham District; direction to the Community Development Department to provide notice of the applications pursuant to Virginia Code § 15.2-4307(1); and referral of the applications to the Agricultural & Forestal Districts Advisory Committee (as required in Section 3-201(B) of the County Code). The proposed addition includes the property described as Tax Map 46, Parcel 91E. The proposed addition includes a total of 23 acres. The area is designated as Rural Area in the Comprehensive Plan and the included properties are zoned RA Rural Areas. (Eryn Brennan)

p. AFD2009-39 Hardware Addition Planning Commission acceptance of applications for additions to the Hardware District; direction to the Community Development Department to provide notice of the applications pursuant to Virginia Code § 15.2-4307(1); and referral of the applications to the Agricultural & Forestal Districts Advisory Committee (as required in Section 3-201(B) of the County Code). The proposed addition includes the property described as Tax Map 74, Parcel 6N. The proposed addition includes a total of 21 acres. The area is designated as Rural Area in the Comprehensive Plan and the included properties are zoned RA Rural Areas. (Eryn Brennan)

q. AFD2009-56 High Mowing Addition Planning Commission acceptance of applications for additions to the High Mowing District; direction to the Community Development Department to provide notice of the applications pursuant to Virginia Code § 15.2-4307(1); and referral of the applications to the Agricultural & Forestal Districts Advisory Committee (as required in Section 3-201(B) of the County Code). The proposed addition includes the property described as Tax Map 84, Parcel 69A. The proposed addition includes a total of 63.195 acres. The area is designated as Rural Area in the Comprehensive Plan and the included properties are zoned RA Rural Areas. (Eryn Brennan)

r. AFD2009-62 Chalk Mountain Addition Planning Commission acceptance of applications for additions to the Chalk Mountain District; direction to the Community Development Department to provide notice of the applications pursuant to Virginia Code § 15.2-4307(1); and referral of the applications to the Agricultural & Forestal Districts Advisory Committee (as required in Section 3-201(B) of the County Code). The proposed addition includes the property described as Tax Map 97, Parcel 2. The proposed addition includes a total of 23.9 acres. The area is designated as Rural Area in the Comprehensive Plan and the included properties are zoned RA Rural Areas. (Eryn Brennan)

s. AFD2009-55; AFD2009-59; AFD2009-60 Sugar Hollow Additions Planning Commission acceptance of applications for additions to the Sugar Hollow District; direction to the Community Development Department to provide notice of the applications pursuant to Virginia Code § 15.2-4307(1); and referral of the applications to the Agricultural & Forestal Districts Advisory Committee (as required in Section 3-201(B) of the County Code). The proposed additions include the property described as Tax Map 27, Parcel 25; Tax Map 39, Parcel 13C3; and Tax Map 27, Parcel 24A. The proposed additions include a

total of 91.467 acres. The area is designated as Rural Area in the Comprehensive Plan and the included properties are zoned RA Rural Areas. (Eryn Brennan)

t. AFD2009-43 Fox Mountain Creation Planning Commission acceptance of applications for creation of the Fox Mountain District; direction to the Community Development Department to provide notice of the applications pursuant to Virginia Code § 15.2-4307(1); and referral of the applications to the Agricultural & Forestal Districts Advisory Committee (as required in Section 3-201(B) of the County Code). The proposed creation includes the properties described as Tax Map 15, Parcel 10A. The proposed district includes a total of 283.77 acres. The area is designated as Rural Area in the Comprehensive Plan and the included properties are zoned RA Rural Areas. (Eryn Brennan)

u. AFD2009-63 Ivy Creek Addition Planning Commission acceptance of applications for additions to the Ivy Creek District; direction to the Community Development Department to provide notice of the applications pursuant to Virginia Code § 15.2-4307(1); and referral of the applications to the Agricultural & Forestal Districts Advisory Committee (as required in Section 3-201(B) of the County Code). The proposed addition includes the property described as Tax Map 44, Parcels 19, 19A, 19B, 21A1, and 21A2. The proposed addition includes a total of 128.988 acres. The area is designated as Rural Area in the Comprehensive Plan and the included properties are zoned RA Rural Areas. (Eryn Brennan)