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Albemarle County Board of Supervisors Regular First Meeting, Wednesday, September 2, 2026

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[00:00:05] glasses on. Thank you, Claudette. Good afternoon, everyone. I'd like to call to order the Albemarle County Board of Supervisors for our September 2nd, 2026, 1 p.m. meeting here in Lane Auditorium. With us today, we have Supervisor Mike Pruitt of the Scottsville District, Supervisor Ann Malick of the Whitehall District, Supervisor Fred Missel of the Samuel Miller District, Supervisor B.

[00:00:28] Lapisto-Kirtley of the Ravana District, Supervisor Sally Duncan of the Jack Jewett District, and Myself, Supervisor Ned Galloway of the Rio District. We do have our Deputy County Executive, Mr. Trevor Henry, filling in for Mr. Richardson this afternoon.

[00:00:44] Deputy County Executive Ann Wall will be subbing in this evening later on. She looks thrilled. And I saw that look, Ann. We also have with us our Board Attorney, Andy Herrick, our Board Clerk, Ms. Claudette Borgeson, and our Senior Deputy Clerk, Mr. Travis Morris, with us.

[00:01:05] I want to thank our Elmore County Police Department officers who were with us this afternoon, Police Officer First Class Luke Kaiser and Officer Enzo Irizarry. So thank you both, gentlemen, for being with us this afternoon. And now, if you will please rise as you're able for the Pledge of Allegiance.

[00:01:34] And we're going to now join in a moment of silence, and I would just take the Chair's prerogative to ask people to keep in mind the children at the Waynesboro Elementary School. There was

an incident there this morning.

[00:01:55] Very traumatic. And just have that whole community in your thoughts during this moment of silence. Thank you. All right. Thank you, everyone. Board, we have an agenda. I do not know of any changes or edits to the agenda. Are there any at this time? All right. Seeing none, is there a motion

[00:02:32] to adopt the final agenda? So moved. Second. All right. The motion has been made and accepted. Without objection, if the clerk will please call the roll. Ms. Lapisto-Kirtley? Aye. Ms. Mallett? Yes. Mr. Missal? Aye. Mr. Pruitt? Aye. Ms. Duncan? Yes. Mr. Galloway?

[00:02:48] Yes. Thank you, board. All right, we'll move to item number five, brief announcements by board members. Supervisor Malik, you're up first today. Thank you very much. And I am scrambling to try to find the dates for the Ravana Solid Waste Authority is having their fall household hazardous waste and all the various components, mattresses, tires, furniture, and appliances.

[00:03:10] And if I can find it before we're done, I will redo that because it is coming up in September. The electronic waste sign-up is already full, but there is a waiting list. So one can get on that if you are interested in still giving it a try. And I will say that last week I was able to attend a cyber conference over at PVCC.

[00:03:34] And so, Carton to here, the county is already doing, through the skills of our IT department, the top ten things that we should all be doing to protect ourselves against attack. And it really takes a village, every employee, everybody being careful with all those different two-factor authentication, etc., etc., to keep the great effort going.

[00:03:58] Protecting against self-inflicted wounds is the number one thing we should be doing. And news about a new partnership in work with PVCC UVA to build what's called a cyber range. There's one in another community college that is having great success.

[00:04:16] And so we're looking forward to hearing more about that. And I hope that they will come to the board and make a presentation. And I will come back later if I can find my dates. Thank you very much. Thank you. Supervisor Duncan? I have nothing. Supervisor Pruitt? Two very quick things to keep on your radar.

[00:04:33] Our first, really sneaking up on us, is the 2026 election. Early voting starts on the 18th of September and will be at the county offices on 5th Street. And we'll run through the 31st of October, the spookiest day of all, which will be the last day of early voting.

[00:04:52] And then, of course, the election the following Tuesday. Additionally, the annual Loop DeVillle Celebrating and Raising Funds for our fabulous trail network that runs around the city of Charlottesville through both the city and the county will be on the 27th of September.

[00:05:09] This is one of the best opportunities to visit and learn about the trail, to celebrate it. There are support stations all along it, so if you've ever thought, boy, howdy, I'd love to hike or run or bike over 20 miles in a day, but I don't know if I have the capacity. Well, this is easily the best time to find that capacity because there's got to be someone giving you juice every three miles.

[00:05:30] I will be there. It's also the best opportunity to get the coolest shirt of all the nonprofit shirts around in this area. It's just got to cost you like \$30, so get on down. That's all I got. I have never once thought I need to go out, walk, bike, or hike for 20 miles.

[00:05:48] Maybe a quarter mile. Supervisor Missal. Thank you. No announcements. All right. No more commentary from me. Supervisor Lephisto currently. Yes, we had a CACVB meeting, and I will send to the board what was said that we have done in their wish list.

[00:06:08] That might have already been sent to the board, but I'll resend it just in case. We had a Pantops meeting, a good turnout, and we had Parks and Rec there, which we were very grateful for because they told us about things that are coming up. And I think one of our big projects is the Old Mills Trail.

[00:06:26] So we're trying to get that accomplished. And we do have monies from the state, believe it or not. It's a miracle. So we're very happy about that. So hopefully we can get all that completed. Thank you. Thank you. Did you have your...

[00:06:42] I found them. Thank you. Had to make them myself. So household hazardous waste. Those are the paints, the pesticides, the chemicals that you've been lurking around your garage. barn that is september 18th and 19th and the hours are 8 30 to 4 for all the days of furniture and mattresses uh september 26th appliances october 3rd and tires the dreaded tires october 10th you don't want those lying around either because the scoopage of the tires holds on to rainwater and then the mosquitoes love it and then you're in big trouble so get rid of all that stuff

[00:07:17] this fall thank you very much all right thank you board i do not have any announcements today That will move us to proclamations and recognitions, item number six. We do have a proclamation recognizing September as National Suicide Prevention Awareness Month.

[00:07:33] We have with us today Mike Fox. He is the Virginia Chapter Leader of Moms Demand Action for Gun Sense in America. And Vice Chair Missal is going to read this proclamation as a motion. Great, thank you. I'm honored to read this, happy to read this, proclamation recognizing September as National Suicide Prevention Awareness.

[00:07:53] Month. Whereas every year, 27,000 people in the United States die by firearm suicide. An average of 718 people in Virginia die by firearm suicide. Nearly six out of every 10 gun deaths in the U.S. are suicides. And during the last two decades, youth suicide has reached its highest rate. And whereas Albemarle County joins in observing National Suicide Prevention and Awareness Month by raising awareness to foster a culture of understanding and empathy and encourage community members to become better educated on the signs of suicide risk factors, elevate local suicide prevention resources, and de-stigmatize conversations around mental health

[00:08:30] and, whereas, the 988 Suicide and Crisis Lifeline, the Trevor Project, and local providers play helpful role in suicide prevention and mental health support by offering immediate confidential assistance 24-7 to people in suicidal crisis or emotional distress. And whereas Albemarle County has played an important role in suicide prevention by local advocates, lawmakers, and University of Virginia law students successfully pushing for substantial risk order reforms, the success of the Human Services Alternative Response Team, or HART, and the school board's secure firearm

[00:09:08] storage resolution serving as a model for other localities. And whereas there are many organizations, many local organizations, including Moms Demand Action for Gun Sense in America, Students Demand Action, the American Foundation for Suicide Prevention, the PLM Legacy Foundation, Region 10, and the National Alliance on Mental Illness, dedicated to saving lives and bringing hope

through research, education, policies, advocacy, and resources for those who have lost someone to suicide who struggled with suicidal ideation or have otherwise been affected by

[00:09:45] suicide now therefore be it proclaimed that we the albemarle county board of supervisors do hereby recognize suicide as a public health problem and designate september 2026 as national suicide prevention awareness month signed the second day of september 2026 chair ned galway second all right the motion has been made and seconded without objection if the clerk will please call the roll. Ms. Lapisto-Kirtley? Aye. Ms. Malik? Yes. Mr. Missel? Aye. Mr. Pruitt? Aye. Ms. Duncan? Yes. Mr. Galloway? Yes.

[00:10:19] All right. Thank you, board. Mr. Fox, we'd like to invite you up to the podium. You're welcome to make some remarks, and then the supervisors will probably make some remarks, and then we'll bring the proclamation down. Great. Thank you, Mr. Chairman, Supervisor Missel, and all of you for your support and recognizing that suicide prevention is part of creating safer and healthier communities. Suicide is preventable. Suicide is preventable. The vast majority of people who survive a suicide attempt do not go on to die by suicide. Keeping people safe means taking seriously the moments when someone is in crisis and doing what we can to put time and distance

[00:10:57] between that crisis and lethal means. This includes our kids. Suicide is the second leading cause of death among young people ages 10 to 24 in the United States. Suicide among preteens. teens has risen sharply over the past two decades. Whether it's passing new laws in Richmond or investing in community-based solutions here at home, every act of kindness and every connection can make a difference and save a life. Thank you again for your commitment and reaffirming that our community can be a place where people know they are seen, valued, and not alone. Thank you,

[00:11:33] sir. We'll see, go through the supervisors, see what comments we have. Supervisor Malek? Well, I just want to, again, thank my constituents and those from the rest of the county for all the work that you do behind the scenes to build those bridges that you've just been describing.

[00:11:49] Because the sense of hopelessness that people feel because they don't think there's anyone else out there who might understand really makes it worse. And access to the guns makes it final. So I thank you again. Thank you, ma'am. Supervisor Duncan. I just want to thank you for the work on this.

[00:12:06] It's obviously very important. So thank you for bringing this to us and all the stuff that you guys already do. Thank you. Supervisor Pruitt. Thank you so much for your advocacy on this issue. It's something that I feel touches me very directly as someone who is both a gun owner and struggles with depression, as someone who has served on a ship where everyone carried firearms sometimes in the course of their duty, and we also had processes, because in the sector of the Navy I worked in, suicidal ideation was quite common.

[00:12:37] We had processes where you could just walk into your commanding officer's office and say, hey, sir, I have reason to be concerned about Ensign Schmuckatelli wanting to do himself harm. I would ask that you temporarily suspend his gun qualification at the armory. And it happens.

[00:12:55] And that was done. And it's a fairly standard process. I think it's a really simple modeling of how we can use policy to make it so that we can keep our communities safe without harming people's rights. And I'm really grateful for the kind of advocacy that you have led with Moms that has made tools like this available here in Virginia.

[00:13:17] Thank you, sir. Supervisor Missal? Yeah, I just echo the thanks and acknowledge the importance of this work. I've had three close friends and colleagues in the last 10 years who have directly experienced suicide of a family member.

[00:13:34] And it's just, you know, the lasting impact, the lasting, I don't know, just pain that it brings is just mind-blowing. It's just horrible. So critically important, and thank you for the work you're doing. Thank you, sir. Supervisor Lepisto-Curtley? Please continue to do your good work and your efforts, because when someone commits suicide, that leaves friends and family members wondering why.

[00:13:59] They never get that answered. Really, why did that happen? So anything we can do to help mitigate that and help other people. But I do have one question for you. You mentioned preteens, which really disturbs me.

[00:14:17] And is there been a direct link between that and maybe social media? Do you know? Based on what I read, it spiked during the pandemic. And although levels have tempered off a little bit, they are still climbing some. I think that that could be a contributor based on what I've heard from some of our community partners and experts in the field, that people might see that as they either gain so much stress from it and bullying and that sort of thing, cyberbullying and all, that that's a reaction to it.

[00:14:51] So it's possible. Thank you, and thank you for what you do. Sure, thank you. Yes, thank you, Mr. Fox. And I join and endorse everything that other supervisors have said. It occurs to me like I teach a course on Tuesday nights at college level, and it's really just how do you go through class.

[00:15:11] And one of the things, it's like don't wait until you're either in failure mode or crisis mode to ask. You've got to ask early. And this is just stuff about maybe being behind on schoolwork or things like that. But as you're talking, it's the same thing. It's not just it's easier to ask when you start to have the confusion or the struggle about things than it is when you're in failure mode or crisis mode.

[00:15:33] So I appreciate all the efforts your organizations do to help encourage that. But it's not just put on the individual who's feeling confused. It's also contingent on the rest of us that if we're seeing somebody having a struggle or confusion to reach out and go, hey, are you okay? and what's going on before they get to failure in crisis mode because it's just more difficult to act rationally when you're in crisis mode for everybody yeah um so just kudos to all the education you're putting out there around the issue but also reminding everybody that hey ask because there's there is help out there and uh check in on people because we can also provide that help to folks so thank you absolutely thank you uh the vice chair will bring the

[00:16:12] the proclamation down for you thank you again okay board we're going to go to item seven public comment on matters previously considered or currently pending before the board other than scheduled for public hearings looks like we have some folks signed up so vice chair missal will take us through the procedures and then lead us through our speakers happy to looks like we have

[00:16:51] no one online today so i will read the in person only during this portion of the meeting individuals may address the board regarding matters previously considered by the board or currently pending before the board other than items scheduled for public hearing speakers are limited to one opportunity of up to three minutes to ensure equal treatment and courtesy for all speakers the board requests that the following guidelines be observed please state your name and if you live in albemarle county or magisterial district comments should be directed to the board as a whole written statements or

supporting materials may be provided to the clerk if representing a group or organization you may ask others present to raise their hands in recognition speakers may not share unused time

[00:17:30] with another speaker. Back and forth debate is not permitted and speakers should not speak from their seat or out of turn. The podium timer will guide your time. Green indicates your time has begun. Yellow means one minute remains and red indicates your time has expired. All comments are recorded, live streamed and published on the county website. The sign up period is closed once public comment begins. The podium is adjustable. Speakers may raise or lower it so they are able to speak

[00:17:55] directly into the microphone. We will begin with Mr. Rick Randolph. Good afternoon, members of the board. Rick Randolph, I reside at 3191 Darby Road, Keswick. As both the Scottsville Supervisor and Planning Commissioner, I continually advocated for public accountability by Habitat regarding both how county-supported TIF funds are utilized and how pre-development Southwood residents are affected by this unique large redevelopment project. This afternoon, you had before you

[00:18:35] a performance agreement for phase two of the Southwood Neighborhood Model District. Three of you have seen a mostly similar code of development before when it was on the 12-15-21 board consent agenda. The rest of you, I recognize, may not have. I thus want to bring to the attention of those three of you who probably have not, that the original progression of the redevelopment in phase two was to begin in block 18 and then proceed in the clockwise direction,

[00:19:06] sweeping around to turn east to 17, 22, 26, and 25, and then end in block 34. A drive through southward yesterday showed that many of those blocks are being worked on simultaneously. Where, one wonders, are the resulting displaced residents being housed. County staff has indicated that 81 original families were rehoused by June 26th of this year. If we accept the statistical average

[00:19:38] of five persons per family, that would yield some 405 persons. 405 persons only represents 31 percent of Southwood's original 1,300 residents. Where are those other residents today? Because they can't all be in Southwood. Does anybody want to know where they are? Does anybody really care?

[00:20:03] Doesn't Albemarle's public deserve to know? The request today is for the county to commit to providing habitat with 15.75 million in TIF funds. As real estate turns over in Southwood and as market appreciation occurs for the market value homes there, has a board seen projections of the amount of the captured property tax revenue that will accumulate in a county account and is then available to be plowed back into Southwood to help pay for public improvements, site cleanup, utilities and roads, etc.? Does the public deserve to see this projection?

[00:20:43] And how about a conservative projection of when those property taxes will be directed solely to the county's budget and will no longer be reserved exclusively for Southwood? And finally, by what percentage are the county's revenues projected to increase as a result of the capture of those now reserved funds?

[00:21:06] I submit the board and taxpayers deserve to have this information. Thank you. Thank you. Pam Riley. Good afternoon, Supervisors. I'm Pam Riley, and I live at 1375 Gristmill Drive in the Scottsville Magisterial District.

[00:21:31] I served on the Scottsville Planning Commission during the Phase 1 review and approval, and I care deeply about Southwood's redevelopment, in part because my career was in non-profit affordable housing and community reinvestment. As you all know, Phase 1 was approved by the county in the June of

2019, And a cornerstone of that approval was a commitment of no displacement of the residents living in Southwood.

[00:21:56] Because some of the Planning Commission and the Board of Supervisors had grave concerns about potential displacement of the residents, the Board of Supervisors required Habitat to develop a non-displacement plan and to report on any relocation or displacement of the residents. Did the Board of Supervisors receive written reports on resident relocation and displacement during the past seven years?

[00:22:18] Have you all been given written information about where the legacy residents are today as part of your review for the funding for Phase 2? If not, I would urge you to review this information before committing an additional almost \$16 million in Phase 2.

[00:22:34] I've been trying to obtain this information personally since last February, when I requested the non-displacement data from Dr. Pathea. And after several follow-ups on my part and no response by July, I fortuitously ran into County Executive Jeff Richardson, and I asked him to please investigate this matter.

[00:22:54] He got right on it, and Ms. Dimmick, the Chief Human Resources Officer, contacted me, and she sent me copies of habitats that were provided to them in terms of the drawdowns for Phase 1. And that contained information about the number of affordable units developed, the number of units purchased or rented by Southwood families.

[00:23:14] But there's no information regarding the families that may have been otherwise relocated or displaced, other than the comment that maybe some families chose to leave on their own accord. It's quite possible that the county does not have this information and that the non-displacement data or written reports were never submitted.

[00:23:34] Habitat did provide a non-displacement plan to the county and to the state as part of a requirement for state funding. They have a rehousing specialist, and it works with all the residents, and the Habitat staff is responsible for maintaining secure records for all households. In the Uniform Relocation Act assessment form that they submitted to the state, they described their relocation record-keeping to keep copies of relocation advisory notes, offers of relocation assistance, claims of forms, appeals, et cetera.

[00:24:01] So this data should be available to the county and to the public. The taxpayers of the county deserve to know what happened to the original residents of Southwood. Please obtain this information and review it. Thank you for listening to my concerns today. Thank you. Thank you.

[00:24:18] And last on our list is Peter Krebs. Good afternoon. I'm Peter Krebs from the Piedmont Environmental Council, and I'm also on the board of the County Parks Foundation.

[00:24:37] The Old Mills Trail follows the Rivanna River from Dardentau Park along the edge of Pantops to where it ends currently near the hospital. It's a beautiful place to walk, bike, or run, and it's easily accessible to thousands of people. There have been longstanding plans to extend this trail four miles further into the county, connecting with an existing trail in Glenmore to create an unbroken eight-mile greenway.

[00:25:05] This will be stunning, and it will be really unrivaled. anywhere in the state. It's so exciting. Much of the land in between is owned by Monticello, but the county has a right-of-way easement to make the trail. During the rezoning, there was a time limit placed on that easement, and work has to begin by

2027, which is right around the corner. I'm excited to say that it looks like the county is going to meet that deadline and start

[00:25:38] work next year. There's a small reference in today's consent agenda about a grant from DCR to pay for this extension. Although we don't know yet whether the county will receive the grant, early indications are very good. And whether or not we get the grant, the county staff has been very creative in identifying funding sources, including major pledges from the Parks Foundation and many other groups and organizations also to their credit they found solutions to some of the

[00:26:13] problems that have really vexed a whole generation worth of planners such as how do we get past the railroad how do we get permission from vdot all of those have plausible answers and it looks very promising now i invite the community to come see what is possible the prex foundation and pc are co-hosting a kickoff party for the old mills trail as part of the rivana basin conference on september 30th so it's after the conference it'll be from four to seven it's free open to the public

[00:26:51] i've spoken to a couple of out of view residents they're super excited so they're actually hosting the party at their clubhouse which is across the street from the hospital so if we get the grant it'll be a great kickstart but it won't be the end of the project quite the contrary so as you're thinking about upcoming budgets please include monies for greenways like the old mills trail which contribute to quality of life for residents and also to the county's billion dollar visitors economy so excited and i look forward to seeing you on the 30th if not sooner thank you i have

[00:27:28] flyers i'll leave with the clip appreciate it thank you and we do have one speaker who's joined us online, and that is Pat Salen Houston. Ms. Houston, are you there? Good afternoon. Are you

[00:28:03] there? No. All right. Last call. All right. Oh, wait. We've got change. Good afternoon. Are you there? I hope so. There you are. Good afternoon. You can begin when you're ready. Yeah. Thank you very much. There was a delay in that permission coming through. Thank you very much. And it was very interesting to hear the previous speaker about being able to use trails and have more development of the trail out there. My name is Pat Sailing Houston. I live on Sugar Ridge Road

[00:28:43] and until recently our understanding is that we were on a no-pave list. We've just heard there's some looking at you know promoting the rural qualities of Albemarle County by preserving some of the key rural unpaved roads may be dispersed throughout the region.

[00:29:03] We aren't somewhere that we can really have trails except for going up into hiking areas, but it is a very special region that we're at that people come to for walking, riding bikes. And it really is a neighborhood of walkers.

[00:29:20] It's like a little community. We live on this dirt road, and our farmhouse is so close to the road we could almost shake hands with somebody walking by when we came to love the nature and the surroundings but we got to know it's a very mixed bag of experiences and there are many downsides and i acknowledge that on the least of which is not the problems when it's icy or all the incredible dust we can get into our home even though there is that we are in a section that we have observed how people really try and speed coming down the hill from the direction of sugar

[00:29:54] hollow. And I think there is a high risk for losing this ability to have as a walking and bicycling and running area should be paid. Even if there are signs posted, I'm even somebody who can be guilty of going faster than the posted area, especially if I'm thinking my needs to hurry are outweighing the speed

limit. So I do confess that as a natural thing that people do. I think that having people speed down at 50 and 55 miles an hour if they're not slowed by the gravel and

[00:30:33] dust i'm sorry and dirt is going to greatly change and impact the ability for people to have this as an area not just where people live here but people come and train here there are runners groups that come in small groups and also large groups we also still occasionally have horses that come along this road. I would doubt that would be continued.

[00:31:02] From what I've seen, the narrow country roads that have become paved, the edges of them are hard to even find a place to walk on. And as far as being safer during ice storms, my scariest moments on the road have been when somebody's coming down toward my road, toward my car from the opposite direction and they're losing control from excess speed i i don't think paving is going to be a great addition to traveling you know with ice storms there are so many trees that come down ma'am your time has expired if you we were going to have to

[00:31:40] thank you so much that concludes our list all right thank you to those who came out to provide public comment today board we will move to item number eight our consent agenda any items that need to be pulled from consent. Is there a motion to adopt the consent agenda? So moved. Second.

[00:32:01] All right. The motion has been made and seconded. Without objection, if the clerk will please call the roll. Ms. Lopisto-Kirtley? Aye. Ms. Malik? Yes. Mr. Missel? Aye. Mr. Pruitt? Aye. Ms. Duncan? Yes. Mr. Galloway? Yes. All right. Thank you, board. That motion passes. And we will now move to item number nine. This is an action item, Habitat for Humanity, Southwood Phase 2 performance agreement. Mr. Sumner and Ms. Dimmick joining us. Good afternoon. Good afternoon. Pull up the

[00:32:33] presentation. Good afternoon, Chair Galloway and members of the board. I'm Kaki Dimmick, Chief Human Services Officer, and I'm here with my very competent colleague, Jacob Sumner, your Chief Financial Officer, to seek permission for the county executive to enter into a performance agreement with Habitat for Humanity of Greater Charlottesville for phase two of the Southwood

[00:33:12] Neighborhood Redevelopment Project. Also here in the audience is Dan Rosenzweig, president and CEO of Habitat for Humanity of Greater Charlottesville. In case there are questions, Mr. Sumner and I are unable to answer. We understand the board's interest in incentivizing the development of affordable housing and ensuring accountability for the use of public funds in such a pursuit.

[00:33:35] We are confident that the components of the performance agreement serve both of these interests well. We will review the project history of previous agreements, detail the conditions, restrictions, and expectations in a performance agreement for Phase 2, provide time for questions or feedback, and ask that you consider the resolution that was attachment to in your executive summary agenda materials for this item.

[00:34:02] As you are aware, Habitat for Humanity purchased the 100-acre Southwood neighborhood property in 2007 in an effort to prevent a mass tenant displacement. Habitat organized a resident-led initiative to build plans for an inclusive mixed-income development with a range of housing types and neighborhood amenities, including community gathering places, supports for small business operations, parks, and playing fields.

[00:34:33] Albemarle County and the Economic Development Authority entered into a performance agreement with Habitat for Humanity to redevelop Villages 1 and 2 as part of Phase 1 on July 1, 2019.

[00:34:50] Habitat has moved on Phase 2, which is now in development and constitutes Villages 3 through 11, and completes the project. This is a complex and complicated development process, particularly because the neighborhood residents remained in the park throughout the development process.

[00:35:11] Phase two, including the redevelopment of 86 acres with 1,000 dwelling units, includes single-family attached and detached homes and multi-family housing. The redevelopment proposal was reviewed by the Planning Commission on April 26, 2022, and approved by the Board on November 2, 2022.

[00:35:32] Mr. Sumner will now review the framework of the performance agreement, including conditions, obligations, and compliance expectations. Thank you, Kaki. Good afternoon. My name is Jacob Sumner. I'm the Chief Financial Officer for the county. As Kaki mentioned, we are here today asking the board to allow staff to draft and develop and execute a performance agreement with Habitat that supports Phase 2 of their Southwood development.

[00:35:56] The maximum amount of financial incentives attached to the performance agreement is \$15.75 million, spread out over 20 years. The funding for the incentive will be derived from the incremental increase in the real estate property tax generated from phase two of their project.

[00:36:14] As this agreement is performance-based, there are several conditions and obligations we will look for Habitat to meet. This would include that at minimum, Habitat would construct at least 227 affordable units at or below 80 percent AMI. This would also require non-displacement of original Southwood residents. In addition, we would require a 40-year period of affordability for home ownership units and a 30-year period of affordability for rental units. Habitat would need to provide a plan ensuring income diversity and community integration within their development along the way. Habitat has shown an interest in developing community center within phase two

[00:36:51] and could be contingent upon access to outside funding availability. As required in the development, Habitat will be responsible for providing all the infrastructure necessary to complete the project. From a compliance perspective, we would require Habitat to provide biannual reports on the development, including their construction progress, any barriers or delays that they're experiencing, and metrics on the number of units developed, rented, or sold.

[00:37:17] They would also need to remain in good standing with the state and the county regarding project activities related to permitting, zoning and building code regulations, and be current on any applicable taxes or fees. The financial incentive would be paid out twice a year, 45 days after the real estate tax due date.

[00:37:35] The deadline for the required reporting would be before the tax due date to ensure compliance is met prior to disbursement of the incentive payment. From a budgetary perspective, Phase 2 would increase future real property tax revenues.

[00:37:51] The incentive payments would be funded by the incremental increase in the real property taxes. And both the revenues and incentive payments will be incorporated into future budgets. So these are the parameters that we are looking at to include in the performance agreement number two if the board so chooses to move forward with the performance agreement that has been requested today.

[00:38:11] And Kaki and I are here available to answer any questions that you all may have. All right, thank you both. Supervisor Malek. I wanted to thank you for your very complete answers to my questions from earlier because I needed more details than what was in the staff report, and I'm really grateful for all

the digging in that you have done and will do and what you've described here this morning to make sure that everybody is going to be held to a timetable, not just one side, because they can operate without us and we can't operate without them, so we're all in this together.

[00:38:45] And I guess later we can get a formal answer on the displacement question, because I think there is one. Thank you. All right. Supervisor Duncan? No questions. Supervisor Pruitt? Yes.

[00:39:01] So the kind of crux of this is around the TIF structure. And it's occurring to me that doing it as we are in multiple phases and with a very public process, I'm curious, is the total value of the TIF not kind of altered by the publicity of it, as in we are raising the base at which it's going to be assessed at before actually starting that process?

[00:39:27] Does that make sense? We wouldn't be raising the base. I guess I'm saying the fact that it is known that there is going to be a development here could raise the assessed value of that development even before ground is broken.

[00:39:45] Does that make sense? I understand where you're going, but when we would look at the property and the parcels when we're doing the real estate assessment each year, it would be looked at the market in totality. And so when we look at real estate assessments, you look at more of our neighborhoods and neighborhood districts.

[00:40:03] And so it is a little more geographic than the neighborhood of Southwood itself proper. So I would suspect that the reassessment or the assessment of those properties will be based on the current conditions.

[00:40:20] And as the phases are built out over time, those assessments will change and those will grow as they continue to grow from either raw or undeveloped land to more land that will have improvements on them. I'm also realizing I don't know the structure of this discussion, literally the structure of the agenda item before us.

[00:40:45] In my mind, I might be thinking of it similar to a hearing for a zoning approval, but it's not, right? There is not going to be, now we're turning it over to the applicant to speak. I think this is structurally the only time we're really going to have questions and discussions.

[00:41:01] I mentioned that because there was previously, there were concerns about displacement, but maybe we'll hear from that later. I'm not sure there is another time to hear for it. So I guess I would just ask kind of generally, could you help characterize and respond to some other questions about the current status of reporting related to displacement of the previous phase, whether or not there's any contemplated changes to that, whether or not there's any concerns the staff is seeing on that end.

[00:41:28] That was three questions. Sorry. I'm able to answer many of those questions, but there are details, and I'm unable to answer it this time, though I suspect Mr. Rosenzweig has those answers. So if there's a mechanism for recognizing him to answer those questions, that would certainly provide a more fulsome answer.

[00:41:50] The county has received all of the required reporting around displacement and status of Phase 1, sufficient to satisfy the distribution of the funds, both the granting funds and the real estate tax-based ones.

[00:42:08] So we have certainly been satisfied with what we've heard. I understand that Habitat is required to maintain individual and non-displacement records for every individual who is in the park, but they are not required to distribute those to us.

[00:42:24] And so they're required to have them, and I understand they could make them available for the county to see. That was not a component of Phase 1's performance agreement, nor is it a component of our proposed Phase 2 agreement. We have no concerns on this issue. I guess I might also ask the Chair if it would be appropriate to recognize Mr. Rosen-Schweig for any additional information he might want to add on this question.

[00:42:53] If there's no objection by a supervisor, it's appropriate. And the answer could be no further comment. I don't want to ask you to provide information that you don't have or don't want to provide. Have you ever heard me say no comment?

[00:43:10] And Mr. Rosen-Schweig, before again, I mean, for the record, we have other instances where there have been action items before us, including homestays. where we've allowed folks to come up and speak as long as the board allows it. So you're all set. Thank you, sir. Well, thank you. I appreciate that. I'm Dan Rosenzweig. I'm the president and CEO of Habitat for Humanity. Make sure you maybe raise that up, Dan.

[00:43:26] There's a button on the left below. Oh, yeah. It's pretty cool. Unless I broke it before the meeting when I was playing. I love this because my back always hurts after speaking. I'm Dan Rosenzweig. I'm the president and CEO of Habitat for Humanity of Greater Charlottesville.

[00:43:42] I really appreciate you inviting me up to clarify, And I appreciate the staff for all the time they've put in, not just to clarify these questions, but in putting together the agreement that we feel very, very good about. In terms of nondisplacement, I was trying to follow the speakers so that I could address them directly with facts.

[00:44:01] I had a hard time following the numbers and the logic of the first speaker. I can't say I can address that. The second speaker talked about requirements that in our URA agreement that was approved by the county and by HUD about what constitutes non-displacement.

[00:44:22] It defines things like persons non-displaced, et cetera. It's very, very granular. And as Kaki said, we do have a requirement to keep a file and detailed records on everything that happens with families, whether they stay or go, and we have those. We have no reporting requirement.

[00:44:39] And when we were talking to the county director of housing years ago about what the report should look like, we asked what you want to include. And one of the things that you'll notice if you see it is that in the reporting that's now required, there is a segment on reporting on families who've been rehoused at Southwood.

[00:44:56] So I can give you some facts around that. In phase one, which is 19% of the land mass, we have rehoused 89 families from Southwood, or 29% of the families who were originally living there. And so we keep track of that as we move through the project.

[00:45:12] We always want to make sure that there's less land use than there is, or there's more capacity to rehouse people as we go through the process. There was a question in the first comment, and we have had zero involuntary displacements. So not a single family has been involuntarily displaced.

[00:45:32] And as I said, we are happy to share any of that information with the county, either as part of this or outside of this. That's fine. The other thing that was brought up was this question of where are the families.

[00:45:47] As you all know, there was intensive sewer degradation or septic degradation in a section of the park that was phase two. And so as we were developing phase one, we needed to move some people from that section on an emergency basis within the park, which we did.

[00:46:05] Most of those families were able to move. Either we moved their trailers or we were able to purchase a trailer and put it on a pad that we reconstituted. Or we purchased back trailers and moved them, but everybody was temporarily rehoused. And then apart from just a handful of early adopters, the first families that moved in, the vast majority of the 89 families who are in there are from the next sections of redevelopment.

[00:46:29] So they've all, any area that's been redeveloped, they're either in homes in Phase 1 now, or they're temporarily rehoused on-site somewhere else. We have an 85% stay rate right now. That means that 85% of the people who were legacy residents of the park, who when it came time for their segment of the park to be redeveloped, they've elected to stay, and they're staying.

[00:46:55] 15% of the people have left for various reasons. Some people just move, right? But we've documented all of that. That 85% stay rate is a national record for that.

[00:47:10] The HUD's averages are about, they were for HOPE 6 projects, there were 13% of people staying across all redevelopment projects in the nation. It's somewhere between, the data's a little sketchy, but it's between like 13 and 29% or something like that.

[00:47:26] So an average of about 20%. So 85% of the people are staying. So we feel very good about it. We're happy to make anything else available, and I'm happy to answer any more of your questions. percent I'm sorry but is that for the aggregate of the entire community or is that for the components that are currently or have already seen redevelopment yes so there comes a time when we have to redevelop a section of the park where people are and so people have about a three or four year runway between when we know that we're going to develop that and when we actually start to develop that and so we bring them in the first thing that they do is they

[00:48:02] meet with financial coaches we get a sense of what they want not what they can afford now but what they might be able to afford in three years from now then they go through a community design process so those the families from that section of the park work with our designers to design their neighborhood and then the the work begins then they start working one-on-one with our financial coaches to get them to a place where they want to be so they can buy the product that they want when their neighborhood is developed so about three or four years later after that they move so the 85 percent is based on the people who have have had that have been at

[00:48:38] that threshold where the first question we say is do you want to stay or not right and if they don't want to stay then we work with them to figure out timing and if they want our help in rehousing we provide rehousing assistance and if they do want to stay then then they work towards mostly home ownership because 80 percent of the 85 percent are staying as homeowners or in in affordable rentals, and we build affordable rentals as well. Thank you. I think that answers all my questions. And that had been

my understanding of the answer to that, but you know, I think this is kind of the one part of this cycle where it's our job to be quite cynical.

[00:49:14] And after this we can proceed together in partnership again. And the cynical thought is, ah, one could hypothetically depress that number by treating the entirety of Southwood as the unit that you're evaluating and then the total amount that have actually made the decision to voluntarily displace would be lower.

[00:49:35] But that is not what the measure is. No, no, we're adding it, not subtracting it. So, in other words, it's all the people who are at that precipice where it's time to make a decision. Of all those people, that's where the 85% of those people have stayed.

[00:49:51] Understood. Thank you so much. That's all I have, Chair. All right. Supervisor Missal. Thanks. You've got both staff and Mr. Rosensweig. Yeah, this is great. Thank you. Triple teamed. I love it. This is just a follow-up on the non-displacement plan. I'm just looking at the agreement that was, and maybe this is a dated agreement.

[00:50:09] It's back in 2019. And in there it says, as provided in Section 4A5, Habitat must obtain approval of the non-displacement plan before the county appropriates the first cash contribution. And then blah, blah, blah, blah, blah. Any amendment to the non-displacement plan is also subject to review and approval by the county housing planner.

[00:50:27] Has that all been done? That's done. That's under the wire. Yes, we received the plan, and it was approved prior to the distribution of the first cash payment. Great. Okay, great. Thank you. And I appreciate also Supervisor Malik's request for additional information. That was really helpful. And I hope I didn't miss anything because I've tried to review everything that's been coming in over the last couple of days.

[00:50:48] I just have a couple questions. One is, as you think about, is there or do we know what percentage of incremental tax revenue remains with the county? If this, to cover, for example, schools, roads, et cetera? So similar to performance agreement number one, this would be a phased-in approach.

[00:51:09] So we would look at structuring it so the first major portion of the time period, the 20-year time period, would be 100% of the incentive. And then that would step down as we move towards that latter half of the 20-year mark.

[00:51:26] And that's really to recognize the cost of construction, the cost of development, and supporting the project. So through that timeline, towards the latter part is when we would start seeing some of the additional revenues come directly into the county that would not be part of the incentive payment.

[00:51:45] Okay, great. And I have no doubt that you'll fulfill everything, and it's a great project. Highly respect you, Dan. Is there a clawback or are there audit and reporting provisions that are in this if, for some reason, commitments aren't fulfilled or maintained?

[00:52:02] There are. And some of the obligations that I talked about earlier and the reporting requirements, one of the structural things we're looking at is the due dates of those. That's so that we have the reporting requirements before we look at the incentive payment. Got it. Make sure that compliance has been met, that all the obligations that are called out in the agreement are fulfilled before we make that incentive payment.

[00:52:24] Okay, great. Thank you. And then on slide 7, you don't have to go to the slide, but you mentioned the community center, and I think you mentioned if funding is available. So is, I guess, what is the likelihood of that being completed? I know maybe that's a crystal ball question.

[00:52:41] Is it really part of the compliance requirements, or is it we hope it happens? Yes, to both. We're going to incorporate it with the expectation that it sets that the county is interested and invested in a community center and has been since prior to 2019 being in that space and recognizing that the financial obligation for creating that is shared.

[00:53:09] And so shared it from what has frequently been described as other people's money in this process as we seek funding from other sources, both Habitat seeking those sources, particularly the potential of using price money for that, HUD-based price funds, or any other source that we might identify, such as any private donor who might be listening to this conversation right now and wish to invest in community center at Southwood.

[00:53:37] Can I clarify something? Yeah, so the money, we have money for the center. We requested staff allow for an out in case that money that is appropriated by HUD right now for some reason gets rescinded given the stuff that's going on in Congress.

[00:54:00] It shouldn't be subject to rescission as per the way the program was structured, but we've seen across the country that that hasn't always been the case. So if for some reason the money that's already been appropriated that's sitting in an account waiting to fund this gets rescinded, then we can't promise that.

[00:54:20] I got you. That's very helpful. And just to clarify, this is a 40-year homeownership affordability period, right? Not 30? 30 would be for rental units and 40 would be for homeownership units, and that's a baseline threshold.

[00:54:36] there may be opportunities for longer periods of affordability based on some negotiations we've been in with Habitat about some scaling around that. But for the agreement's sake, the baseline is consistent with housing out tomorrow. Got it. Great. Thank you. That's all the questions.

[00:54:53] Supervisor Lepisto-Kirtley. Any chance of getting that HUD money and building it quickly before it gets rescinded? Well, that goes back to the questions that the members of the public asked is that right now it's in a site where their trailers are, and those folks are now going through that process to get themselves ready to purchase homes.

[00:55:17] When we build them, we can't move them until we build homes, and so that's the limiting factor. We're trying to expedite all we can on that, but the governor on the pace of this project is always trying to keep families in their homes until they move to their site.

[00:55:34] Yeah, okay. Thank you. Most of my questions were answered, but you offered to have the displacement numbers policy, not the policy, but the displacement numbers included, if that's what we wanted.

[00:55:50] That's something I would like to see, how many people each time are, if anyone's displaced and they accept, you know, homeownership or rental within Southwood, or if they choose to leave. I would like to continue receiving those for years.

[00:56:06] Absolutely. okay thank you um i know supervisor malik did you have a follow-up just a quick reminder um the whole point as i remember for where villages one and two were was that it was greenfield and so you could build the house in which the people who were in the trailers ready to be moved could go and not be thrown out too soon so that is sort of what i assumed was the base and took care of all those families as well. And the whole appreciative inquiry process that you all have done, I mean, it's the first in the nation. And having watched from the sidelines as these families

[00:56:43] are working through these things and seeing it over 10 years, it is incredible how the understanding and the evolution of the planning and first, well, we want everybody to have a garden and then they realize that, or room for a garden, and then they realize that if they did that, there wouldn't be enough room for everybody. So they had to shrink the lots down and figure out who needed what and all these different things that were achieved here that have not been achieved in more standard neighborhoods, so I really appreciate that.

[00:57:08] Thank you, Dan. Thank you. And Supervisor Duncan, did you have any follow-ups? All right, I have the... Oh, Supervisor Pruitt, go ahead. Two quick questions that were prompted by some of the additional conversation, referencing how you had mentioned, you know, and we've talked about this before, the governor is always on growth and then movement, right?

[00:57:28] And that creates delays in the process. When we talked specifically about the community center, looking at the maps that you provided, it does look like you're notionally planning on the community center a little in a different place than the current community center, right?

[00:57:45] A little earlier on Hickory Street. And that now begs the question of the fact that there is uncertainty in the funding streams for that new community center and also the fact that this is an iterative redevelopment in phase two we're going to not be on greenfield right we're going to be looking at existing construction it what does the world look like where that runway on how long it takes to secure funding for the new community center but we have to do work in the place where the old community is there a universe or an alignment

[00:58:21] an unfortunate alignment of funding streams that has us have to bulldoze the old one before the new one is ready or funded now we've we've done that intentionally and so one of the reasons why we're not building that there are multiple reasons to build the community center where the new location is for one it's the geographic center of the community it's almost exactly walkable equally walkable from all the sort of outskirts of the community the second part is its connection with biscuit run trails so we imagine we're going to build some extra parking adjacent to it so that people can park and use that as a trail

[00:58:58] and walk into the into the park and hopefully come out and buy a burrito from one of our entrepreneurs who's who's cooking in the in the shared commercial kitchen there but one of the biggest reasons is that we'll be able to keep the current community center in use and our plan is to keep that in use and as soon as we open up the doors of the new one that's when we'll decommission the old one I should remind you that's still making it even more complicated it's still subject to one of our original proffers for this was the county has the right to build a

[00:59:31] school on that second site, and you have until the end of 2027 to notify us whether you want to or not. If you're not going to build a school there, then we have an additional affordable housing requirement, which we're well, well, well ahead of what our projections were, so that shouldn't be a

problem. Understood. I guess this is maybe now a question for later. If there is, with that kind of a tacit request to extinguish that earlier than we're required but I don't think we need to get into that for this the other question I've had was just scratching a little bit more on the the current obligations under the

[01:00:11] relocation plan versus what you heard the relocation data that is provided versus what there might be a public desire for I know you I've heard your data before on you know 85 percent retention and the relocations that do exist are voluntary relocations i'm not clear if that is part of our current reporting requirements and i'd be curious if that would be something because because that is data that is held and that is data that you're transparent with on request but you know joe public i don't know has the access to qualitative

[01:00:47] or quantitative information on the voluntary relocations. And I'm curious if there is either qualitative or quantitative data that could be either included or added to that required reporting. Sorry. But we certainly will include that as part of the performance agreement obligation and conditions in terms of reporting.

[01:01:06] And we'll be specific to ask for displacement and not just purchase or movement to make sure that that's part of what would be de-identified data of course we heard from supervisor lupisto currently a specific interest to have that be included in the performance agreement and will that will be the case uh and just for one final note is that i i say this and i i'm trying to be responsive to concerns but i'm also frankly trying to position us you and i as well as possible to be able to respond to political boogeyman right

[01:01:44] If someone says, oh, well, I hear from my students at school that there's consternation. I hear that some people feel they haven't been treated fairly. It is helpful to be able to have that data in a place other than from your mouth, in a place that we can reference back to.

[01:02:02] On that issue, I think it's important to note that there is the promise of nondisplacement was made to the original inhabitants of Southwood when Habitat purchased the property. And then Habitat has, on several occasions, expanded that group to include whoever's in the park at that moment.

[01:02:20] That's a process for the purposes of a 20-year redevelopment planning process can't continue forever. The sort of N of folks would be changing constantly, and you wouldn't be able to make appropriate construction or financial planning around that number. And so Habitat has expanded that group on several occasions.

[01:02:40] and there are people who have lived in the park since the purchase of the park who are not covered under this non-displacement agreement. And so there are certainly community members of folks in schools, other folks who hear that there's a promise that if you live in Southwood, you can stay there forever. And that applies to a subset of folks there, a large subset, the folks who have the longest standing commitment and engagement in that neighborhood. But there are folks who live Southwood who are not included in this agreement around non-displacement. And so people's real life experience is counter to what they hear is the promise. And I think it's important for us to say

[01:03:16] the extra three or four sentences that helps explain why that's the case. Both things can be true. The case of the gentleman who's living on his grandmother's sofa, but is not himself a homeowner, but that is his maybe primary place of residence. He might not be embraced by that in the same way? No, no, it doesn't. He's included. It's because it's families. It's the folks.

[01:03:39] When we had to say, okay, this is it. We now have a rezoning plan. We have a density, amount of density. We have a pro forma. We can't change the plan. We can't go back to the supervisors now and say we need all multi-family housing now. At that point in 2019, and we asked the residents of the the resident council, and we said, should we continue, if trailers come available for rent, to allow people to move in, given the dearth of affordable housing, or should we just shut the door full stop right now? And the resident said, no, let people move in, but make it very, very clear. Make them sign something when they move in that says that they recognize that when

[01:04:18] redevelopment happens, they'll need to leave. And so we have all of those records and signatures. So there is a small subset. It's not the person who's joined the family. It's a new family that moved in, understanding that they could stay up until the time for redevelopment begins.

[01:04:36] And so it was their choice at that time. They still have tenants' rights, and so it's not like we can say tomorrow you have to move. There are still statutory tenants' rights that they have once we start to lease to them. So most of them have, I think it's a nine-month obligation. There are certain circumstances where we can accelerate that if there's a health and safety issue.

[01:04:56] So something blows up next to there. It's normal unlawful detainers or non-renewals for the lot themselves. Right. And those folks also entitled to rehousing support. We provide everybody rehousing support. We give them a long lead time.

[01:05:13] And we also have an appeals process. And so there are some families that have said, no, we were actually there before. And there's an internal appeals process. Our board is the arbiter in that, and I think we've said yes to all, but there's been like five appeals. I think we've said yes to all, but one, they just have to show us anything, a picture, a newspaper, something, and we'll open that door.

[01:05:34] We don't. We want people to be able to stay. I appreciate your patience, board. I appreciate your patience in front of questions. Thank you, Tim. I don't have any further questions or comments ready for – I have what I need to take a vote. Is there any final comments or questions? All right, I'll look to the Scottsville supervisor for a motion.

[01:05:52] oh goodness of course yes i'd like to move to approve the resolution included in the board materials for this agenda item in attachment b second is there any further discussion right if the clerk will please call the roll miss lapista kirtley i miss mallet yes mr missel i mr pruit i miss duncan yes mr galloway yes all right thank you board thank you kaki thank you jacob thank you okay board we will move to item number 10 micro cat program update and fee discussion

[01:06:26] ryan davidson will be joining us to lead this this one and i see mr bowman and welcome garland i see

[01:06:36] you hiding there in the back a little bit thank you good afternoon ryan davidson the deputy chief of budget and i'm here this afternoon to discuss the micro cat program with you before we get

[01:07:14] started. I did want to acknowledge some other staff from the core microCAT team who are here today in attendance. Kevin McDermott and Tanya Swartzen-Druber from the Community Development Department and Garland Williams from Charlottesville Area Transit CAP. So for today's presentation is really going to be broken into two sections. First, staff's going to start with a refresher on the background of the service and some data on some current service levels. In this section is more for your information and to answer any general questions you may have about microCAT.

[01:07:45] And then second, we're going to discuss the micro-cap fares. As a reminder to the board and to the public, the FY27 adopted budget contained revenue from micro-cap fares. And after a discussion with the board at our March 11th work session, the board instructed staff to come back for feedback and approval prior to the implementation of these fares.

[01:08:04] Today, staff has brought forth a recommendation around the structure for the micro-cap fares for the board's consideration and approval. After we go through the presentation and complete the presentation, staff will turn to the board for any general questions and for questions and discussion on the microcat fares and ultimately an action of the board decision on the fare recommendation.

[01:08:27] So we're going to start with a quick refresher on the background of the microcat service and some of the data on the current program service levels. In 2022, Almark County conducted a transit expansion study. One of the main recommendations coming from this study was around the utilization of microtransit, and more specifically, for having that service in the pantops and 29 north corridors or zones of the county.

[01:08:50] At that time, it was estimated the county could see approximately 100 rides per day for this service. Using this study and the information provided by it, the county, through our partners at CAT, applied for and was awarded a demonstration grant from the Department of Rail and Public Transportation.

[01:09:06] This grant originally was a two-year grant worth a total of about approximately \$1.9 million, which included a county match of just under \$390,000. So utilizing this grant funding, the county, again, through partnership with CAT, was able to procure and launch the microCAT services at the end of October 2023.

[01:09:27] And that's for the areas shown in blue and red here on this diagram, which are the 29 North and Pantops areas. As you can see, the service runs Monday through Saturday from 6.30 a.m. to 9 o'clock p.m. And MicroCat fleet consists of eight hybrid minivans that I'm sure you've seen driving around town.

[01:09:43] I think we're showing the blue vans here, but the most recent ones I've seen driving around town are those black vans they have now. So they're updating the fleet as we move along. In terms of current annual cost, the adopted budget for this service for FY27 was just over \$1.4 million.

[01:10:00] Since October of 2023 and through the end of last month, MicroCat has completed over 184,000 rides. As I mentioned earlier, the study anticipated approximately 100 rides per day, and as you can see, we are averaging almost double that amount in rides per day.

[01:10:19] Listed on the left-hand side are the top 15 locations of combined origin and destinations for the service, in order of the most requested at the top to the least requested. Now, obviously, that's the top 15, so there's a lot more outside of this that we're going to.

[01:10:35] The graphics on the right show you kind of a heat map within the zones of where the most popular spots for ride origination, which is the blue side on the left, and ride destination shown in the yellowish gold. You can see there's a mix from the charts and from the graphics.

[01:10:51] There's a mix of commercial and residential locations, and there's a higher concentration of rides around the Urban Ring and the Holymead area. Moving on, I want to speak for just a moment on

service performance and the quality of the service. There are a couple of highlights around these areas that I wanted to point out.

[01:11:08] First is that we see less than 0.3 complaints per ride, which when you look at the number of rides we have per day, that means on average, MicroCAD is receiving less than one complaint per day on the service. I also wanted to point out the high amount of five-star ratings, 93%, by those that leave a review.

[01:11:27] So the service appears to be leaving a good impression on the riders that use it. And finally, I wanted to point out some rider retention and engagement. 79% of the riders are repeat users of the service, and those customers with an average of eight rides per month for the return users of that service.

[01:11:44] As good as our MicroCat service is, there are limitations. The charts on the next couple slides may not be the easiest to read, but I'll walk through them really quickly. Our contract and annual cost is based upon 380 driver hours per week, which requires us to adjust the vehicle hours at various times to meet the demand.

[01:12:06] On this first chart, the green portion of the bars is showing the met demand or completed drives or completed requests for each month since the service started. The gray portion is representing that unmet demand amount. As you can see, the amount of requests per month have grown larger as the microCAD has been in place.

[01:12:23] And based on our hours limitations that I mentioned before, that's resulting in a higher, as the demand grows, we're starting to see a higher percentage of unmet demand. But to put this chart in context of percentages, microcat's averaging around the mid-70s in terms of percent of met demand per month.

[01:12:46] So because we have more requests than rides for microcat, vehicle hours and driver hours have to be adjusted throughout the day to try and make sure we have the most vehicles in service at our highest demand. points. So in this chart, the blue bar show a typical day and how the demand has been for the services and the rise has been spread throughout the day. As you can see, the highest demand is normally between the hours of 2 p.m. and 5 p.m. And the light blue line here shows how the driver hours are adjusted throughout the day to get more drivers and more drivers on the road at our peak demand times to try to meet that demand. Again, even after microcat flexes hours to meet our peak

[01:13:24] demand periods, we're still limited to the 70 percent range in that demand, which we will tie into the fares discussion which is part of the second half of our conversation today. So we're going to transition into the fares at this point. So the background. These fares are proposed to begin mid-year in fiscal year 27 and are estimated to generate approximately \$80,000 in revenue for this fiscal year and were included as part of the FY27 adopted budget. In subsequent fiscal years we could expect the annual revenue for fares to be approximately double the FY27 amount at

[01:14:00] approximately \$160,000 per year. It should be noted that the intent of these fees is not to be a source of revenue to fully offset the cost, but rather a source to help cover some of the cost, while incentivizing users to utilize this service to supplement fixed route, not instead as a replacement for fixed route. Fixed route service is still the most efficient and cost-effective means of public transportation. The main reason that microcat and staff have not proposed fares prior to FY27 was that there was a condition as part of the original DRPT demonstration grant which was that that was used to start the program as you remember the service was to remain free as

[01:14:39] a condition of this grant as that was part of the application. FY27 is the first full year that is not governed by the conditions of the grant. We have fully met all the conditions of the grant. The grant has since expired. It is now fully on the county's dollar and so this is the first year we've been able to look at the potential of cost recovery for this. Staff also wanted to point out that the implementation of these fairs is consistent with the county's adopted financial policies. I'm not going to read them word for word, but it's really consistent with both our revenue diversification policy and our user fee policy, with some of the main points highlighted

[01:15:14] on this slide here. So in working with our provider and researching the types of fairs and fair structures, there are many different types of fairs and models for implementation. There's the flat fair models, various discounted models, and more trip-specific models. Each type of fair model or structure has its pros and cons, and not every fare type or structure is appropriate for each locality or service. Based on the type and level of service provided, each locality must pick the option or options that are best for their service. In a minute, we'll look at what we are

[01:15:47] recommending the options for the microcat service. In addition to the structure and type of fares being charged, each locality must determine the proper rate for its service and for those using its service. As highlighted in blue on the chart here, the fare of \$2 is average when compared to the rates charged by microtransit services across the U.S. It's not the highest, not the lowest, but really on par as the average for what's typically being charged for public microtransit services of this type. So when looking at microcat fares in terms of Helmar County,

[01:16:24] staff are recommending to start with a simple fare structure that increases the revenues and has the potential to improve some service efficiency. And using that principle as a framework, staff are recommending to use a combination of the three fare types that I've shown here on the screen. We'll go into a little more detail on each of these in the following slides and how they would work within the microcap fare structure. Again, using the framework of keeping it simple, trying to get some revenue, trying to increase efficiency, we are proposing the structure to start with a flat base rate of \$2 per ride for a single passenger and then a reduced fare of \$1 for each

[01:17:01] additional passenger that's picked up at the same location to the same destination for that same ride. In addition to the discounted rates for shared trips, staff are proposing to have rate concessions for specific groups of riders. We will go into more detail on that in the next slide, but we're really recommending those groups to receive the discount include seniors, individuals with disabilities, and low-income households. In terms of ridership impact, staff is really projecting a slight dip in demand, roughly 2 to 3 percent based on history and some other localities, but given the unmet demand we discussed earlier in the presentation, this would allow us to capture and complete more of those rides.

[01:17:41] So overall, we're projecting no decrease in the number of rides that are being served per week. Staff is recommending to provide the discounted rate for these certain groups, and again, the reduced fare is being proposed to be half of the base rate, so \$1 per ride.

[01:18:00] The first group eligible for the reduced fare would be, as I said, having multiple passengers for the same ride. Same location, pickup location, same origin destination, and booked through an original requester. STAT believes this structure will promote greater efficiency in the system by incentivizing more group rides as opposed to those single one-off trips, getting more people to ride together and putting more people in each trip. Next group recommended for fare would be seniors over the age of 65. Next, we're

looking at riders with disabilities that would affect their mobility and ability to get around. And And finally, riders that would classify as low income.

[01:18:37] After speaking with staff from our Human Services Department, it was determined that using the metric of 60%, below 60% AMI, would be the proper level to set that to be consistent with the definition and classification of low income that we've been using for other programs throughout the county.

[01:18:57] These reduced rate recommendations are the most common types when you're looking at the Public microtransit services of this type when you look at other localities. There are many forms of verification. You might be asking, well, how do we verify this? There's many forms of verification for these types of groups that we could look into.

[01:19:14] Self-selecting in the app. Some simple form submission from outside of the app that's reviewed. Into a more strict and formal verification processes that require more resources. Given the resources considerations, staff's recommending that it be self-selected by the users of the service to update part of their user profile within the app.

[01:19:34] Considering staff resources that would be needed and the cost of administration and other verification processes, at this point, the self-selecting option appears to make the most sense to staff. And we can always use this for six to 12-month period of fares as a sort of pilot for this type of verification and look at the data from that time period to see if we might need a more comprehensive review and see if a more comprehensive form of verification might be needed in the future.

[01:20:02] But looking at this as a pilot, to keep it simple, keep it easy for this first time around, is staff's recommendation. So to summarize on the fares, staff are recommending that microcat start with a simple fare, increased revenue, potential forest service efficiency.

[01:20:23] Based on our research, the \$2 per ride flat fare will do just that. Some of the benefits of the recommended fare structure and verification process are the simplicity and ease of understanding for the microcat riders, as it has a low cost of administration as compared to other robust services and verification processes.

[01:20:42] There's no additional contract costs charged by our provider to charge fees, and there should be a very minimal third-party collection fee. The collection is done through a third-party service, and that should be around 1% of the revenue collected, so a very minimal fee for their administrative services on that side.

[01:21:03] Again, we're not intending for these fairs to fully pay for the service, but rather provide that balance between cost considerations versus community needs and the specialized nature of this service. The fees meet the intent of two of the county's adopted financial policies that I mentioned earlier, and these fees are the first step in building different rider habits to not use this as a substitute for fixed route, but rather as a supplement to fixed route.

[01:21:26] Fairs have been shown to help with unmet demand, and they have been shown to increase the efficiency of individual rides. Wrong way. Sorry. I apologize. This is my final side of content before I turn the discussion over to the board chair for questions, discussion, and ultimately action on the recommended fare structure.

[01:21:49] If the board approves a fare structure recommendation, here are kind of the next steps we'll be looking at. Over the next couple of months and until the fares are implemented, staff would work with CAPE and our partners, CAT and VIA, to begin the rider education process about the coming fares and to make sure riders are informed and prepared for this upcoming change.

[01:22:08] We will work with our provider to update the app and be ready to begin charging for and collecting the fees through the app that folks use to book their rides. And finally, beginning January 1st, we would begin charging for these fees. With that, I am now going to turn this over to the board chair for questions, discussions, and after the discussion, if there are no changes, staff's recommendation is to adopt the resolution and attachment A to set the microCAT fees.

[01:22:38] Thank you. Thank you, Mr. Davison. Supervisor Malek? Thank you very much, and I appreciate the approach that you have suggested here. I think it's really important that there be accountability. I've been concerned about just giving free taxi rides to everybody, especially people who are certainly able to contribute something.

[01:23:01] It's not \$15, which is probably more of a standard Uber ride from the airport to the hospital. But I also really appreciate the benefits to these people who are able to get to work or get to the hospital or get the child to school. I mean, there are wonderful reasons to do this. So I look forward to your app update and the profile could then be verified because someone will have access to the profile and that's how they would reserve and how they would pay everything else.

[01:23:31] So there's no cash delay that makes the drivers crazy, which is important. I think an affidavit button or something like that in your app. So people are warned ahead of time to be accurate.

[01:23:46] is fair to the people paying the bill. The last question I had, so the budget for 27 for this current year into this program is a million dollars or something, right? Yeah, 1.4 million, just over 1.4 million. That's significant for sure.

[01:24:03] Okay, thank you very much. Supervisor Duncan. Originally, I was really hesitant about fees and about MACROCAT in general. So I appreciate sort of throughout the year your help with me understanding it.

[01:24:22] And I also really appreciate having sort of the rationale laid out in our packet. And it makes sense to me, especially if you're trying to get people to do group rides and not just have single rides. So I actually think this is a great thing to try and see what happens.

[01:24:43] So I just really appreciate how well laid out this was and having all of this kind of ready ahead of time. Thank you. Supervisor Pruitt? Thank you. I appreciate this change.

[01:24:59] I think my concern, to kind of pithily capture the various concerns I have about MicroCat generally, is that it feels like a kind of curious, nice-to-have, like a fun thing we do, and feels less part of an integrated transit system.

[01:25:17] And I feel like this is a step toward that. I think we heard a lot of things just in this very short presentation that still point to how it is being treated as a weird, nice-to-have, rather than part of our transit system, right? Like, if one in four times when I wait at the bus stop, the bus never shows up, that is a disastrous transit system.

[01:25:36] But that is the case with VIA, right? Like, the only time I've tried to use VIA, it was in the rain. I was commuting from my home on Avon Street to Tip Top, right? And once I walked into the county across Freebridge, I did not want to walk up in the rain, Pantops Hill, 15-minute walk, but it sucked.

[01:25:58] And so I tried to hail, and it just told me, nope, nothing available. It didn't give me a timeline. It didn't explain why nothing was available. And that's what people get one-fourth of the time, right? That is not a transit service. That's not a transit service.

[01:26:14] Something that I can't rely on for a recurring thing is not functioning. And similarly, a service that I can use in lieu of fixed route to buzz all the way up the length of 29 from my home in South Pantops, if I had one, would not be what we want, right?

[01:26:35] So there are existing problems. I think this professionalizes it. It maybe helps integrate it, and it helps us treat it more like a serious tool, which I appreciate. I do think the logic behind the income verification, or rather non-verification, makes sense, but I'm going to be intrigued by the program analysis on the back end of that.

[01:26:59] I might suggest that if it is being abused in lieu of an income standard, a really easy-to-verify standard would be is receiving county services, right?

[01:27:15] That could be literally a checkbox from someone in human services who it gets sent to. I don't know that anyone from human services is here to tell me, please don't do that, but since they're not here, I can assign them that future potential make work. I think that is all I have, but I will be interested to see how we are able to continue reconfiguring and reimagining this service to make it not just a curiosity and instead part of an integrated transit system.

[01:27:47] And I'm going to continue, Garland, I'm going to continue to be quite cynical and skeptical about this program every time it comes up until it feels more like a transit service. Supervisor Mizzle. Thank you. Just one couple quick questions, the numbers.

[01:28:03] \$1.4 million, you said, is budgeted? Yes, sir. The income expected from this is \$80,000? For a full fiscal year, it would be approximately \$160,000 is what we're estimating on the conservative side. But since we're only doing six months for the current fiscal year, not starting until January, it would be \$80,000.

[01:28:20] We did not want to kick this off immediately after approval because, as we've talked with Mr. Williams and those at VIA, The biggest piece of this is the driver education. Like, you've got to make sure you educate your users because if you all of a sudden spring it on them, like, hey, board just approved this, we're charging, that creates a lot more issues, complaints, calls to their service center.

[01:28:44] And so we want to make sure we're properly educating. So if people need to find other methods of transportation when this may not be feasible for them, they can begin making those preparations as well. Thank you. And so I apologize if these are basic questions, but the grant is expiring or has expired.

[01:29:04] It expired. Did we look for other grant opportunities to fulfill that or to replace that? I'm going to look to Mr. Williams for a nod or shake his head. I don't believe we have. This was a one-time demonstration grant, and typically those are kind of a one-time show us that we'll let you see if the program is working and works for your community and what you would want to do.

[01:29:29] And then once it runs out, a condition of the demonstration grant was, you have to do a year of this without our grant money on your dime. And then the grant, so technically, this is our second year of

paying for it, just county. Yeah. But it was still under the conditions of the grant in FY26 because we still had to do that one year on our own.

[01:29:48] So there might be a potential opportunity to replace the fair with a grant in the future. Would we actively look to do that? We're always looking for those opportunities. And I'm not a transit expert. I don't know what's currently out there, but I know we're always looking for those opportunities to be able to do that across our entire transportation network.

[01:30:10] And I'm sure that's something we would be able to bring in front of CARTA as well as we start to look at system configuration in the future. Okay, thank you. And then the fare verification piece, that was also a question I had. How do you identify riders with 60% AMI or less, et cetera?

[01:30:29] We've talked around that. I think affidavit button is a great idea. I think some of the other ideas were good ones. I think it would be important for us to continue to pursue that just to try to avoid any abuse of the system. And then maybe I'll ask this question offline.

[01:30:47] That's okay. I'm good. That's it. Thank you. Supervisor Lopisto-Curley. Now, I remember when this program started a few years ago before half of you were here. And this is a great program, frankly. This is, we've gone from 100 people riding a day to 180 riding a day.

[01:31:07] So those are people that we are helping to get to their location. Yes, it was at no cost. Now it's going to be at a very low cost. I think it's going to continue to be successful. I think we've met our goal as far as ridership and, you know, we've doubled that.

[01:31:27] And kudos to you all for that. I like the fare structure. I think that's going to work. I was first worried before it was answered that it's not going to be cash. So otherwise, I thought, oh, my gosh, they're going to be held up.

[01:31:44] But anyway, they're drivers. So this is a good thing. It's all incorporated with CAT. So that's a good thing. Could you go to slide five? There's something that piqued my interest because it came up before. Oh, yeah.

[01:32:01] The top origins and destinations. We had discussed this before, and that was Appemarle High School, Lamb's Lane campus. We discussed about students who are late taking microcat or who are using it to get to the high school and not taking the school bus or walking, whatever.

[01:32:24] I'm just wondering how many go to Albemarle High School because I think you had another slide that shows you needed additional driver time.

[01:32:39] Which one was that? That one, right. So you need additional driver hours. I'm wondering what is the effect. Maybe Albemarle High School, the students, maybe it has no effect on this, but I'd like to know what is the effect.

[01:32:55] How many students are doing this? Are they monopolizing a lot or not? So I'll start by saying this question came up in the March work session as well, or coming out of that, and we looked into this, and what we saw was that typically in terms of times of the rides, there was a big boost midday and kind of towards the end, kind of like after school type of things.

[01:33:24] It wasn't as big of a number of riders at the beginning of the day as it like as you were said mentioning students that were late for school were dropped off there wasn't a big spike there there was a little bit before school which maybe would speak towards staff using that as the ability to to get to and

from and so we looked at that and we couldn't say oh yeah no this is definitely just folks using it for coming in not wanting to ride this the yellow bus or they're definitely taking this to get home because they don't want to ride the yellow bus the the times

[01:33:58] weren't the data didn't bear that out conclusively so that that was kind of how we looked at that and so we can get additional information just for that particular one it has fallen as low as we look at this list through at various periods of time it's fallen as low as number nine on that list been as high as number three it kind of the locations don't tend to change but they're the frequency of these locations tends to move up and down on the list.

[01:34:26] Okay, but that answers my question, and thank you for looking at it. I don't want you to do any additional work, but that sounds like you're already on top of it regarding the students using it and everything, so that's all the questions I have. Thank you.

[01:34:44] That was going to be my question. One of the things that is kind of common out there in the world relative to fares, fees, things like that, is a student rate, and I don't see a student rate here um you know you put the one dollar you know like that seems to me to be a something that both for seniors and for students that that's something that you could do i mean i think it's pretty clear that albemarle and the students are using it 1600 is four o'clock that's right when 350 is when the bell rings and that whole campus so i don't know that i would be quick to say they just don't want to ride the school bus right i would suggest some are and i wouldn't either. If it takes an hour to get home and I could get home in 10 minutes, why the hell would

[01:35:23] I not take microcut? But the high school is more piece where the school bus runs right at the bell at the end of the day. But if you have an activity, you have to stay late to see a teacher, you have to do anything like that. This service becomes an alternative way than to wait around for yet another bus or activity bus or something like that that may run later. So I think there's more to it than that. And frankly, don't care. Love that the students are using it. Frankly, that's fine with me. Garland, you can always use me as the Pruitt cynicism shield if he ever comes at you too hard, because I will continue to be a fan of this and can counterpoint a lot of things,

[01:35:59] but Rio District residents are using this as their transit service. It's just happening, and I always use the Woodbrook to Kroger. It's not that far. There'll never be a fixed route that runs from Woodbrook to Kroger, and if there is one, it'll have to be circuitous and go around where the microcat's always going to be the faster way, and I don't want them walking across 29.

[01:36:22] So happy to have that happen. I think the fee piece will be easily accepted because from the get-go, we did a good job of saying there will eventually be a fee. So every time I remind folks of that, it's not, what are you talking about?

[01:36:37] It's, yeah, okay, we understand. And that's, again, just dealing with my district's folks that I know who are using MicroCat on a regular basis. I would like to know, though, because there's talk about fixed routes and MicroCat could inform it, because a lot of the places that MicroCat is currently operating in just don't have fixed routes, period, right now that could serve it.

[01:37:01] And at some point when, and I don't expect this to be answered today, so this is like a foreshadowing to budget time, at some point we should have some data or information to theorize the cost of putting a fixed route in places in the county that don't currently have one or move it from 60 minutes to

30 or 30 to 15 minutes like i know some other stuff's happening versus the microcat so that the board could eventually go well which one's more cost efficient to go ahead and continue providing the microcat or expand or get this fixed route in in conjunction

[01:37:35] with or just replace it with fixed route and and via alluded to being able to do that kind of theorizing at one point so i feel like we're far enough along that we should be able to have that level of discussion at budget time so we can look at 1.4 million we can look at the millions for the fixed routes and start to go okay how can we make improvements and what's the most cost effective way to do it my guess is it'll be a combo pack right of micro cat and the fixed routes um but uh so that's just a request for future for future budget type piece um the lead time i appreciate

[01:38:13] that that was one of my questions so the education plan is going to be important um and then do you on the profile for the app i just i don't know do minors have to have their can they have their own profile or do adults have to set it up so if i'm a 15 year old riding micro cat do i have my 15 year old individual profile or does my parents set that up? I'm unsure. Mr. Williams, do you? And I don't really need to know that. The thing that makes me concerned is if once we go to paid, the 15 year old might not have the credit card or whatever is going to be asked to make

[01:38:51] the payment. And we may want to just think about the logistics of that. VIA probably has already dealt with this. So it may just be a report back kind of deal, how we'll handle that. but I would definitely, you know, for folks that are, kids can drive their own cars at 16, so I would imagine anything below 16 might be the threshold for something where, okay, they might need some other type of profile, but the individual, I don't know if the drivers are checking, does this look like, you know, when I get in Lyft sometimes, they're double checking to make, I have to give them a code and do all these things to make sure I'm the rider, and I would

[01:39:30] imagine Vi has handled all that. And the only other thing I'd like to know is how you're getting from the airport to the hospital for 15 bucks with local Uber or Lyft, because right now I just looked at it. If I wanted to go home to Rio Road, it's 15 bucks, and I don't often see it lower than \$15 in this town to do anything. Once or twice nine bucks is the cheapest I've seen, and Lyft generally is cheaper, it seems like, in our town than Uber, but that's a tangent or a sidebar.

[01:39:57] Any other quick comments? Just one thing to add. I think the benefit, the after-school activities, kids getting to a job, if they have to wait the hour to get home, they can never get to a job after school. And so that's if the grandparent or whatever isn't able to get them, as many grandparents have forever, that's a really important use for this.

[01:40:19] I know we've received recent information from our county attorney about the board authority for oversight of budgets and school budgets being one of those. And if this is becoming a significant participation element in school transportation, then they need to accommodate that.

[01:40:37] It's not something we should pay twice for. And I just am permanently scarred from the early 2000s when it was a \$100 taxi ride for tourists from the airport to the Omni. Welcome to Albemarle.

[01:40:52] It was awful. So that regulation that's happened at the airport since then has helped with that somewhat. But this is all part of that same stuff. So, thank you. All right. Are we ready for a motion? Who would like to make that motion?

[01:41:09] He hasn't got to make our motion. Oh, sure. I move that the board adopt the resolution to set the micro-cap fees. Attachment A. Second. All right. The motion has been made and seconded without objection.

[01:41:24] If the clerk will please call the roll. Ms. Lapista-Kirtley? Aye. Ms. Malik? Yes. Mr. Missel? Aye. Mr. Pruitt? Aye. Ms. Duncan? Yes. Mr. Galloway. Yes. Very good. Thank you. Thank you both. Thank you, Garland. All right, board, we'll move to item number 11.

[01:41:42] This is our work session on the 2027 draft legislative priorities. We've got Mr. Herrick, Mr. Blunt, and Ms. Kilroy all with us today. Good afternoon.

[01:42:01] I need to take the training class again. I don't remember what we're supposed to do here. Emily Kilroy, Director of Economic Development, joined by Andy Herrick and David Blunt for the second work session for your legislative priorities. for the 2027 General Assembly legislative session.

[01:42:22] So today we'll go through some strategy updates for 2027, the draft documents that were part of your packet for today, and then the next steps taking us through the end of the calendar year. And the 2027 strategy updates, again, this is the pie chart that we show at most of these work sessions that talks about using the legislative program to focus on local Albemarle-specific items, leveraging the region, the work that TJPDC does for regional items, and then leveraging VACO and VML and others for statewide items.

[01:42:57] To talk a little bit about some of the dynamics at play heading into 2027, I'm going to invite Mr. Blunt forward to talk more at a statewide level. Good afternoon, Mr. Chair, members of the board, David Blunt with TJPDC.

[01:43:16] This is my one slide today, so I'll be very brief. Just kind of a big-picture look at the upcoming General Assembly session at the beginning of 2027. As you may recall, the odd-numbered years are short sessions, which means 46 days rather than the long session of 60 days.

[01:43:35] With that short session does come some limitations on the legislators in terms of the number of bills that they can introduce. for this upcoming session that will be 15 bills that can be introduced that are to be pre-filed. Pre-filed means that legislation is introduced by the morning of the first day of the session. To get those bills rolling legislators have a deadline of November 30th it was to request a drafts of their bills from the Division of Legislative Services and then as you know we're what I guess a little over two months since the General Assembly finally adopted a budget and it

[01:44:15] was enacted just a day before the end of the fiscal year yet three months from now Governor Spanberger will be presenting proposed changes she is recommending to the legislature for the biennial budget that's in place and that will occur on December 17th legislators then have have a shot at submitting their own budget budget amendments they will do that in early January and they have to be submitted right after the beginning of the session and then just to wrap it up just the general overarching timeline first day the session is the second Wednesday of January it's the 13th we get to what's called the

[01:44:53] crossover period February 9th is the Tuesday which all bills in their originating chamber have to have been acted upon the following day the 10th is when those bills actually quote-unquote cross over to be considered by the opposite chamber and then uh if all goes uh well uh adjournment would be scheduled for february the 27th it's scheduled for 20 for the 27th of february um but it seems to be more routine uh in recent years that the session is uh extended so there's probably some extent incentive to get out on time uh in 2027

[01:45:32] because the November 2027 elections will be coming up very quickly after that. So thank you. I'll be glad to answer any questions at the appropriate time. Well, I see that Ms. Kilroy is volunteering, or I think she's volunteering to move the slides for me.

[01:45:50] I'm next, Andy Herrick County Attorney. And so I'm going to be walking the board through the materials that are attached to your agenda package today, if you go to the next slide. So as we go through, it just so happens that all of our materials begin with P.

[01:46:07] We've got a legislative program that has a priority and some principles as well as a separate document with positions. And I just wanted to explain what the principles and positions were. The principles are sort of the guiding ideas behind the county's legislative approach, what we would like the legislators to remember as we go about the General Assembly session.

[01:46:32] The positions go more in-depth, and so they're in sort of a separate document that we consider sort of an annex to the main legislative program that we have, with the legislative program being Attachment A and the legislative positions, or at least the draft versions of those being Attachment B.

[01:46:50] If you go to the next slide. And so you can see here that the legislative program consists of a legislative priority as well as legislative principles. Next slide, please. And the legislative priority, as we discussed at the initial session on this, when we went into the 2026 General Assembly session, the county had four legislative priorities, and we were very pleased to report that three of those had been adopted by the 2026 Assembly, with the one outstanding one being the ability to use or expanded ability to use the photo speed monitoring devices.

[01:47:24] The board gave us clear feedback at the prior work session that the board wanted us to continue with that as a priority. So that has been retained as the county's legislative priority in our first draft legislative program. Next slide, please.

[01:47:40] And in addition, we have a list of eight principles listed. Again, these are sort of the high-level guiding concepts that we have behind the legislative program. dealing with economic development, growth management, environmental protection and land use, health and human services, housing, local government finance, public safety, solid waste, and transportation.

[01:48:06] Again, each of these has very high-level ideas and concepts that we can pass along to legislators as they're considering various bills in the upcoming session. Next slide. And then we go on to the legislative positions document. And again, this is more detailed.

[01:48:23] We had scoped it down from, I believe, 48 or 49 two years ago to 28 last year. Down to 26 this year, we were able to address some broadband issues during the past year. And there are some broadband and Internet access issues that remain this year, as well as more detailed statements about economic development, growth management, health and human services, housing, local government administration and finance and public safety.

[01:48:53] So you'll see some correlation between these legislative positions and the legislative principles with these positions being more in-depth statement. So there were several proposals at the work session. Supervisor Pruitt specifically made several requests regarding taxing authority, bond authority, and I wanted to address why some of those had made it into our legislative positions documents and others had not.

[01:49:22] There is a suggestion that counties have the same bond issuance, be able to issue general obligation bonds without a referendum. That is a power that counties currently have if they make a one-time election to get the same authority as cities in issuing that.

[01:49:41] That transitional authority would itself require a referendum. So in other words, if the county were to go to county residents and ask for the authority to be treated as a city, the county could then issue general obligation bonds going forward without needing subsequent referenda. If we were to seek for counties statewide to have that authority, it would require a constitutional amendment. Not saying it can't be done, but that would be a heavier lift than the county typically advocates for, at least as a matter of first impression in its legislative program. Another suggestion was that we look at decoupling machinery and tools tax and personal

[01:50:19] property tax rates. Again, this is an idea where the current setup is that localities can have different rates for machinery and tools and for personal property tax, but the machinery and tools rate has to be lower. So this wouldn't require a constitutional amendment. It would be sort of a new concept for state legislators that they probably haven't been introduced to previously.

[01:50:41] Again, not saying it can't be done, but it's typically not something that's undertaken as a program, at least without further board discussion. One item that we have incorporated in this draft legislative positions is out-of-state vehicle tagging.

[01:50:59] And that's especially relevant given the number of out-of-state students that are present in the county. It is possible to seek that authority. Currently state law exempts vehicles that, even though they may be regularly garage parked stored in Albemarle County. If they have out-of-state tax, they are typically not taxed in Virginia.

[01:51:23] That could be changed at the state level. We would need to avoid double taxation. We'd need to avoid a situation where somebody were paying taxes in another state on a vehicle and then also being subjected to the same taxes in Virginia. It's possible, though, that the General Assembly could pass some sort of law giving folks a credit on taxes paid to other states and then go ahead and tax them in Virginia for the difference anyway.

[01:51:49] Something to consider, and I know that in prior years we've asked the General Assembly to study or consider certain ideas. And so that's how staff is proposing that we put this as a position in the current legislative program, asking the General Assembly to take a look at this, at the possibility of taxing vehicles that are locally garage parked or stored, but giving them a credit on taxes that they may have paid to other states, just as something for the Assembly to take a look at.

[01:52:16] So that's my part of the presentation. I'll turn it back over to Ms. Kilroy to continue. State transportation funding has been an important conversation that this board has brought forward that other localities through the Virginia Association of Counties at Baco, at the Virginia Association of Counties at Baco, other localities across the Commonwealth have brought forward concerns about the level of state transportation funding that's available for local priorities.

[01:52:48] I was able to attend a session put on by the Virginia Economic Developers Association a couple of weeks ago, and they had several members of the governor's cabinet sharing information about what they were looking at, including the Secretary of Transportation.

[01:53:05] And so I perked up very hard when he began walking through the challenge that his secretariat is facing, Understanding, exactly as you all have articulated over the years, that there is just not enough funding to go around for all of the local priorities that are occurring.

[01:53:24] And he did take a couple of minutes to share all of the things that the Commonwealth is taking on right now. There are a number of very large projects happening in different parts of the Commonwealth. None focused here, but in the 81 corridor, enhancements that were done to the Port of Virginia, the Hampton Roads Bridge Tunnel project, work in the Beltway area, passenger Amtrak rail improvements that are part of transportation funding, are all projects that are underway or will get underway shortly and are massive transportation projects for the Commonwealth.

[01:54:04] And so that is having the impact of tying up a lot of construction dollars that otherwise could be prioritized elsewhere in the Commonwealth. He also took a moment to talk about how the fatality statistics statewide continue to go in the wrong direction.

[01:54:22] And so 2014 was the last downward trend year for transportation fatalities in the Commonwealth. And since then, they've risen every year. And that is a deep concern for them. And so safety continues to be a big priority for them. But he was sharing some data around the need for additional funds to be able to even tackle the maintenance obligations that Virginia Department of Transportation has before you even then get into new construction projects.

[01:54:53] So one of the things that he wanted us to walk away with what did not feel like a good news presentation was that this is something that the Commonwealth Transportation Board is focusing their work plan this year on talking about and trying to address.

[01:55:10] They have had a couple of meetings already and will continue to sort of work through different scenarios for right now, VDOT has a way that they program maintenance dollars and then construction dollars afterwards, looking at what are the assumptions that go into how those decisions are made, does that need to be revisited, and or are there new funds necessary, and how do you go about getting those?

[01:55:35] And so he encouraged everyone who has a concern in this area to engage with their Commonwealth Transportation Board representative. There's a new representative for the Culpeper District that was appointed in June, and so that is one follow-up that we wanted to put before the board today.

[01:55:52] That's a step that we could take to continue to raise this issue with the General Assembly, but also with our Commonwealth Transportation Board representative for the Culpeper District. And that's something that we've not done formally in the past, but we certainly are happy to do in partnership with the board if so desired.

[01:56:12] The final slide that we have on this portion of the slide deck is just on CARTA. We spoke last time about how the Charlottesville Albemarle Regional Transportation Authority It was created with authority that was provided by the General Assembly several years ago.

[01:56:35] It was established in 2025, and they're sort of following the regional transportation partnership effort that preceded it. And they are currently working through an implementation strategy to follow that vision plan work that had been completed.

[01:56:51] And they're continuing to sort of work through what are the right prioritized scenarios, the cost estimates that go with those, and refining that list against stakeholder input that they've been seeking. And so last work session on this topic, we talked about this year may not be the year for a formal legislative priority ask, but that we know that the first year that you ask for something, you're doing a lot of familiarization and awareness building.

[01:57:20] And so this year may be a good year to get a head start on that familiarization and awareness with the local delegation as we continue to sort of follow with the work that Carta is doing directly on what could be an ask in a future year.

[01:57:38] And so that is sort of outlining the approach of sort of setting that baseline with the local delegation this year, again, in anticipation that a formal request would be coming when timely. I'll hit the next steps and then open it up for a discussion if that pleases the board.

[01:57:58] Okay. So our final work session on legislative priorities is scheduled for your October 21st meeting. And the hope there would be that you all would be in a position to adopt the positions and policy statements at that time. And that we could then sort of peel off and set up meetings with legislators for that late October, early November timeframe in order to meet the pre-filing deadline that they have for introducing bills.

[01:58:26] And that we would, depending on how, when we can schedule the legislative forum session, we would work through if there's some pre-meeting with the local delegates individually ahead of that to ensure that we don't miss important times in their process. And so the meeting with legislators is a time where we staff and the board together present legislative priorities, time for you all to share concerns and information on transportation statewide and CARTA's progress, and also time for the legislators to share some of their priorities heading into session. That is all the slides that we have, but happy to hear your all's feedback.

[01:59:05] All right, we've got a lot. We've had some conversations. Supervisor Malik? I guess I'll just... It's all you can eat, yeah. And then we'll go along. So thank you very much. Just right off the top, the format of 11A, I really like that. And hopefully we can put that on a hard palm card vertical, way more bigger print than the little tiny business card size thing.

[01:59:29] And Phil North can't get away with being the only one around in the General Assembly who hands those things out there. Fabulous. So that was great. Now, let me jump back to the top of my list here. What was removed on broadband? I believe it had to do with the Albemarle-specific provisions about deploying broadband in Albemarle County.

[01:59:48] I think we took a look at that and saw that basically that had been something where essentially the mission had been accomplished during the past year. Except with 1,000 people in the northwest part of the county. And we are under absolute deluge with SEC and FCC and having to fight this battle ourselves.

[02:00:05] And so it would be really nice not to just say the battle is over from the county perspective. So I'll throw that back out there for somebody else to think about because this has been going on for years and it's getting worse and worse every day. Every time it rains, nobody can call the ambulance for crying out loud.

[02:00:23] So that is really a big problem. And I've raised that multiple times when there have been the citations, the resolution we did, that people need to be aware that we're not done. Now, yeah, okay.

[02:00:41] With the double taxation of the vehicles, I thought there was already a law that required three months was the only window you got before you were required, if you're living here, to register your car in Virginia. And Massachusetts, where my children went to school in Vermont, they do this.

[02:00:58] So I don't know why we can't enforce that somehow. The CITES laws are very complicated, but basically Virginia does not tax. If you're domiciled in another state and show that you have paid taxes to another state, you are currently exempt outright from Virginia personal property taxes.

[02:01:14] What we're asking the General Assembly to study is to make that a credit rather than an outright tax exemption in Virginia. If I may, out-of-state domiciliary. And they're renting here, and they're here as students are renting an apartment. They're here. They're voting here. They're not domiciled here under the law.

[02:01:30] They're domiciled in their home, even if they're voting here. The same applies to military personnel and corporate persons, so fleet vehicles. Which is also a scam because people, all those hundreds of job trucks and stuff that run around, and they're registered under some guy's residence.

[02:01:50] That's why I wanted to add it. And then they don't pay the commercial rates. I mean, the whole thing is a big can of worms. So I'm really sorry that we're still allowing ourselves to be trampled on with that. Can't do anything about that in a moment. The transportation things, are you going to bring up your things separately?

[02:02:09] Okay, well, I very much will support that. But our new CTV member, Jim Moy, we had a great conversation a few weeks ago. I gave him my Belial's moment as what is needed here because in 86, 40 years ago, our governor at the time, \$5 billion over 12 years was what those taxes raised.

[02:02:30] And it is time for the General Assembly to do that again and the governor to do that again. And I hope we will tell her. But he, Jim Moy, explained, number one, that he very much wants to be in touch with local board members individually or a group as fine, often quarterly at least.

[02:02:46] And wants to know what we need so he can do his best job to represent our needs when it gets down to the push and shove at the CTB. But he described in detail the lack of maintenance dollars because maintenance costs have escalated so greatly that just like in 2009 during the recession, it just ate up all the construction money.

[02:03:08] So just like our CIP having to pay for the courts and the schools and all this other stuff, all these Hampton Roads Tunnel and the Wilson Bridge and all these other things are still on the VDOT CIP, and that's eating up their ability to do anything. I'm very concerned about the timetable because every year for the last 15 years, our legislators have said October is too late.

[02:03:33] So I would say we need to have this absolutely as fast as possible because they're already making a list of their 15 bills like August or July or whatever. So others have been contacting them regularly, and we are missing our window if we wait until November to say anything.

[02:03:51] And they've told us to our faces over and over again about that. So I hope that we'll figure out a way to have, if we can get somebody on a Tuesday and somebody on a Thursday and we'll just have special meetings and go meet with them. I mean, I hope that we'll get there this year.

[02:04:08] In the sort of more, that's the local stuff. Now, for the statewide things, a lot of these would go probably to Vaco and others, but I think it's important. I mean, I will have raised them in the past as an

individual just of concerns with local delegates.

[02:04:25] And I think it's important that they know, and I'll just mention them now just so others know as well, the need for updated best management practices in forestry in Virginia. Bettina Ring, when she was Secretary of Forestry years and years ago, said they were working on it, but nothing's been changed since 1986, and it's totally had no correlation to the way forestry is practiced today.

[02:04:51] So in the old days, people, they took the logs, they left the slash, the branches, and all that stuff laying down on the property, which provided some erosion protection. And now they chip all that stuff into teeny-weeny pellets for people's little stoves and export it to Europe and stuff like that, which means you have acres of land, often on very steep slopes, completely naked when these rains that are coming through.

[02:05:16] So I will just use the Dawes River in Whitehall as the example, which has been one of our very best water quality for 30 years. headwaters are up in the Shenandoah National Park, but an improperly put in and totally unapproved lumber access road, vertical, straight up the hill, 40% grade. And now there's mobs of sediment just floating down the Daltz River and going to go into the Mormons and into the South Fork. And this is sort of a terrible example of how we've lost in the first 10 years of the South

[02:05:53] Fork Reservoir, we lost 40% of our capacity due to sedimentation. So this is on the state docket, but it's something that I hope we will continue to think about as we deal with these things, anything we can on the local level. It's a real burden for our local zoning people. They have to run out there with the county forester and try to get these things under control, but after the fact, it's almost impossible. Planning District Commission's solid waste management plan was in your packet for somewhere today i guess the um and this is

[02:06:27] from the SWAT committee one real difficulty is we don't have adequate registration of our private haulers nor do we have authority i guess to make them report and so this is an andy question do we have authority to require this and we just haven't done it i'd need to look into that i understand this is all for future these people are not paying county taxes for doing business in the county and they're not providing data to the pdc to be able to then meet the state obligation for i mean our reports have been woefully inadequate for decades because we have this run amok situation with the

[02:07:05] private haulers a few including the little guys you know out in the country um are registered and do report and i'm very grateful um thank you very much for the including the bottle bill thing in the environmental thing. I really appreciate that. And I've sent it on to the SWAC committee so they will know that that is in there. And that's something that's also on the agenda for discussion for the EELU committee at DECO in November. And hopefully we'll be able to get some other counties interested in going backwards to the 50s when we had all those

[02:07:38] things, which are really great. And I will stop there. Thank you very much. Thank you Supervisor Duncan oh and I'm sorry Sally before as you go around and if there are other topics that supervisors speak to Just offer that you don't have any objection to anything you've heard from anyone else That'll help us kind of keep track of where we're going relative to so we don't have to talk about every single thing

[02:08:12] Just if you object to something then bring that up. Sorry. Go ahead. Is the no objection applied or do we need to say no objection? No, I'm not – just talk if you object to something you heard ahead of

you. Then at the end we can all go, must be consensus because nobody object. Obviously, this is my first time through this, and so I'm just sort of learning.

[02:08:33] Just kind of coming at it, you know, with the super new, it just seems – I don't know if this is normal or not, but it just seems interesting to have a list of 26 positions when they can only offer up 15 bills, and so it just feels like a lot.

[02:08:48] I mean, obviously, there's a lot of things we care about. I'm just sort of curious if that's standard practice for counties to have such a long list or if it's better to make it shorter. And then just my other observation through reading through these is a lot of these make me feel like Oliver Twist.

[02:09:06] Please, sir, can I have some more authority? And there's a simple solution to a lot of these requests. Yeah. Convince them of that, Ms. Duncan. I am probably going to try. North Carolina will be paying attention, too. That's all I have. the thing i would add uh about having that many positions because we try to bring up certain things relative to bills but what the legislators will often do is like let's say senator deeds is here and he sees one of our 26 items and he'll say you know what there's some momentum coming

[02:09:39] out of wherever and then he can track that that's important to us too he doesn't necessarily have have to expend one of his slots but can pile on the support over there if he knows it's there so to not have it kind of limits you in that kind of wheeling and dealing i guess that happens but point taken i'll i'll just add um from ms duncan's benefit the um it we don't always know until set until all the bills have been published we don't always know what all the topics that'll be before the general assembly are and so um staff uses um the that section the positions and policy statements

[02:10:18] work um to if we get a call of well how does albemarle feel about this we'll look there to say well actually okay we think we do see where the the position would be on that um and sometimes the answer is we're still not sure and we have to make some phone calls uh supervisor pruit i would further add to the conversation that's already going the very pithy way i think of it is the legislative program is telling them what to file and the legislative positions is telling them how to vote on things that other people file which is mostly true um not perfect but mostly um

[02:10:54] i uh want to begin by concurring with um uh supervisor malik's position that our timetable is and i know it's challenging i know there's budget but it's woefully inadequate we need to begin this process basically the moment we have a legislative debrief from previous session i met with senator deeds uh friday and he had just come from a meeting of the legislative positions a work session with the city um and he told them i have already the early bird filing deadline has already passed and i am almost at capacity so a lot of this is not feasible

[02:11:32] um that was last week um so that it does these deadlines come up quick and by november people already have their bill slate almost entirely, and there's not much flexibility, and we're really kind of playing with stragglers, or if someone wants to trade a bill that they're already bringing to their friend who has got a co-patronate because they have some opening.

[02:11:59] So I would say that's very urgent. I want to talk about specifically, because our policy positions I think are pretty fixed and don't move that much year to year, so I'm going to specifically and exclusively talk about the legislative program, the things we want to file rather than the things we're telling people how to vote yes on.

[02:12:22] I would request to the board and suggest that I don't disagree that the M&T decoupling is a new issue. I think it is something that we have a policy window for right now because the big sexy thing that is going to dominate discourse is about revenue and data centers.

[02:12:46] M&T is the primary local tax source related to data centers, and there is a clear through line. And there's frankly, I think, a political talking point because I see M&T being set to necessarily at or below personal property as a Republican dead hand guidance.

[02:13:05] It is a limitation on corporate taxation that is being realized in the future, and you have a Democratic majority that's eager to make change. I think there's a policy window between data centers, that, and locality saying we want more that makes this a compelling issue.

[02:13:22] Maybe something that doesn't move forward, but there are special work groups spooled up around data centers and finance that we can inject this issue into. But me having individual conversations with Senators Coulson and Deeds, who I will also say thought this was the most interesting of the various things I've talked about, Having those individual conversations is not going to elevate it to the degree that I think we would need if we want to inject this into those conversations around finance and actually get some attention on this issue.

[02:13:53] So I would ask that the board consider adding this to our program. I would also suggest the program is a way for us to elevate priorities of things. It's asking for things to be filed. I appreciate the discussion that we had, and I know it's in our positions about transportation funding.

[02:14:12] This has been the clearest and most consistent thing that the board has said in the past two years. And what VDOT or the Transportation Board or our local district are going to tell us and all the things they're doing is always going to be based on what they've been allocated.

[02:14:30] And it's missing the question of how much are we actually allocating to road construction through VDOT. And that conversation needs to be with legislators. And I think that means we need to elevate that in our legislative program. specific request for funding. I think there's also, and I'll just say this because I've got the talking stick, I think there is an important piece of storytelling that can be done around this. Right now, the big sexy thing that everyone wants to solve is housing. It is something this

[02:15:05] majority is really eager to show movement on, and the main way they have to look at that is through preemption in localities and trying to incentivize more growth in specifically localities that look like us, that look like Chesterfield, that look like Spotsylvania. I can tell you right now, you know, my organization is working on lobbying Chesterfield, who's doing a downzoning across their whole county right now. And the main argument that Chesterfield right now is bringing up is we have too much traffic on this area that is zoned high density and not yet developed.

[02:15:42] This is a through line that we hear from our constituents when we explore higher density developments in more of the suburban fringe. And I'm sure it's something these other suburban localities, which are the place where most growth is happening in the Commonwealth and is poised to happen, and the political stifling is coming from transportation. I think there's a very clear through line that a democratic majority is interested in housing but because transportation funding is parochial and they mostly represent cities that pay for their own transportation or have transit systems, there is not that parochial interest in VDOT funding.

[02:16:22] I think this helps create that clear through line of how we connect their priorities as urban representatives, as people who might not represent constituents that depend on VDOT funding to their priorities right like your priority is housing to do housing you need this I think that's a really compelling case that we can make and I think we're uniquely well positioned to make that case as a non-urban locality that is growing and that also frankly it is predominantly Democratic there's a very finite number of those that can make that argument I think we should be

[02:17:01] making that argument um lastly and this I would not expect the board to act on this today I would I would ask the board chew on this and maybe think about it before we adopt our legislative position because the language itself is really simple um I think it can sometimes be nice to add to our program something that we know is moving forward but as a statement of values and priorities and I think it is prudent for us for the same kind of political incentives I was just talking about to say something about housing I might suggest that this

[02:17:39] board endorse expansion and continuation of the 5,000 families program. This is a state pilot voucher program that does what it says you've got to do. It is a state-level voucher for 5,000 families. It was approved in the last budget. It is a simple, as in it's a clean ask. It's a complicated ask for the legislators because they've got to find the money, but it would significantly expand the number of people who are able to actually afford housing in this Commonwealth and it would be a simple thing for us to ask for and it would help elevate this kind of wonky program that really just does

[02:18:19] the simple key thing that most people need to access housing which is give them money to access housing so I would ask that you chew on that and consider whether or not that would be something you'd be interested to add to the legislative program. The M&T, we've talked about it multiple times on this board during my time here. I would ask that we consider adding that today. Okay. Supervisor Missal. Thank you. I'm in the same boat as Supervisor Duncan in a lot of ways. So I'll ask a few questions. And one is

[02:18:55] I'll just kind of sort of riff on what you were just talking about, the affordable housing piece. And let me ask a general question. So I'm looking at the 2027 legislative program, which is attachment a i think and that's where we're those are where we're asking questions and adding suggestions to correct okay so on there it does talk about affordable housing because i was wondering the same thing it's very general support legislation that promotes the production and preservation of affordable housing whether through state support or enhanced enabling authority do we need to add more detail to it like you're suggesting or is that enough to cover at this

[02:19:30] level those types of programs if the questions to me i would say we have a limited amount of time and sometimes it comes down to what are the five things we're asking for this year. We have a bullet of normally specific bills. So it's appropriate to get more specific in each one of these categories if necessary.

[02:19:49] And I don't want to get out of turn with trying to make this muddier or disagreeing with staff. Yeah, I'm just asking that question to sort of craft my other comments as well. Yeah, and I think I would offer that if and when there is a very specific item, to borrow mr pruit's language um to ask them to introduce as a bill yeah um it's a it would be appropriate to say let's add that to let's add this very specific thing to the program it's where it's items where the board is broadly supportive of action in that area but does not have a specific solution in mind where the positions and policy statements will sort of

[02:20:28] lean into those but if you know if housing albemarle had a very specific state code change that would really help advance that work, we would recommend that the board add that specifically to the program. So that's something that we could ask our local delegation to introduce.

[02:20:45] Okay. Well, then I'll ask these questions just for what it's worth. Maybe some of them are a little bit outside of what this is intended to be, but I'll just throw them out there. One is the photo speed camera piece. I'm just curious why I limit the eligibility to 35 miles per hour or higher because there are other areas, whether 25 miles per hour or less, whether it's schools or other locations, rural communities, et cetera, that it may apply to.

[02:21:11] Is there a reason that we cut it at 35? It's a max. It's a max? 35 and below. Oh, and below. Okay, gotcha. That's allowed by state. So it could be on other roads that are below the 35 miles. It's not just the 30 miles. Thank you. The housing section, I think there's one thing that we've talked a little bit about here, and I don't know if it's worth putting in because the language speaks to mostly funding, But I just don't want us to lose track of the importance of having a streamlined review process and possible incentives for affordable housing and whether that gets added to that housing section in terms of support.

[02:21:49] So state support, enhanced enabling authority, streamlined review process, and potential incentives I think would be helpful. You know, the discussion that we're talking about relative to mostly in Southern Albemarle and the CAFOs and all that fun stuff, talking about stream preservation, We now have a riparian buffer ordinance, which I think is very helpful.

[02:22:13] I don't know if the environment, if there's anything in here that should be considered in terms of sediment, erosion control, those types of things, as a broader subject to consider. And I think that I would also echo the broadband piece.

[02:22:33] I know we've been part of that. I think Supervisor Pruitt and I have been part of those meetings and has seen the progress. but the supervisor malik's comments it's still it's not complete so i don't know if we want to completely take it off or if we feel like the programs that we have in place have enough traction and momentum to get the job done or if we need to continue to push that that's it supervisor lapisto currently okay first of all i just want to clarify if i misunderstood but for the photo speed cameras it's for it applies only to segments of secondary roads

[02:23:11] having posted speeds of 35 miles or higher. It does say that. It does say that. I just saw it. Yeah. Crash fatality supports and everything like that. So your point, can it be lower? We don't know yet. We haven't gotten anywhere with this despite, you know, we've been to Richmond.

[02:23:31] We've spoken to the committee and everything. But hopefully, maybe it will gain some traction because I think this is something that the rural areas are asking a lot and i think it should go more so to uh some of the smaller roads right now it's secondary roads but having said that um i can't even oh and regarding amtrak first of all i like the whole agenda so that's not a problem i like the whole agenda i just have a couple of

[02:24:06] questions the amtrak improvements um does that affect us yes um so when all of the capital projects that are currently being undertaken are complete. That provides capacity for Amtrak's passenger rail service to allow a second train from the Charlottesville station that heads up to Washington, D.C. and beyond. And then it also opens up some opportunities across the

[02:24:41] Commonwealth. But the capital projects for Amtrak will provide additional service for Charlottesville. Okay, so that's good. I agree regarding the legislative deadlines, and I think we're – we've been doing this for several years now.

[02:25:03] We're always coming in too late. So how that gets fixed, I don't know, but it's been a few years now. We keep saying that. Also regarding broadband, that was supposed to have been completed for the county December of 25.

[02:25:19] Now they're saying spring of 27 for the completion. And we do have some real outliers with like a three-mile-long driveway that is proving very challenging. But it's now supposed to be spring of 27, so hopefully the northwest area of Abeltown gets taken care of.

[02:25:42] But just those comments, but I do approve of what we're doing. I did want to ask Supervisor Pruitt, though, you mentioned 5,000, it helps that the state has a program for 5,000 vouchers.

[02:25:58] The program is called 5,000 Families. It's a state-administered voucher program similar to the Housing Choice Voucher Program, which was created through the budget this year. Statewide or locality-based? I believe it is statewide and dispersed as state vouchers through the local PHAs.

[02:26:18] So we administer them, but I don't want to get over my skis. It's brand new. I'm not even sure if vouchers are live on it yet. Okay. And we don't know if they're going to allocate so many per area, you know, per city or county. Okay.

[02:26:34] But, I mean, that sounds like a good program. That's all. Thank you. Chair, I just want to circle back around on broadband. because i realize i didn't talk about it um i just want to one clarify and kind of add a little bit more texture to what supervisor pisto currently was saying about what the current status of deployment is um and how i think that should affect our positions statement so um body 2021 is our primary vehicle for funding uh the existing uh expansion that's going to cover 99.9 percent

[02:27:11] of the county. And the main outlier in remaining work to be done is, correct, the Earliestville service area, which is probably getting deployed before spring because they want to get their money, which they can't get their money for if they go past the end of the year. But that is in process and is already programmed. There are not more houses that are going to be coming out of that. There's then an additional something like 400 households that are going to remain unserved most of those are getting picked up in bead that is the federal program

[02:27:45] that's going to take a long damn time but we have done our piece in administering that and those most of those will get additionally served there are a few pulled out of that that would remain unserved which we are currently identifying how we could best serve them for a round of funding of vadi 2026 um this is all just to say i think we actually have all the necessary it's a rare thing for me to say i think we have the funding vehicles i think it's just a matter of uh remaining implementation and so i i would concur with staff that i don't think we need to request funding on

[02:28:22] that still i think it's important that we still have a request in there but i think we need to be talking about affordability consumer protection and reliability which i i would suggest means more than digital equity to someone who's going to read this, but that is digital equity.

[02:28:41] So it just might be prudent to, I know Mr. Inifuentes used that language because that is the language of the trade. I might suggest, I'm not sure, Delegate Lawfer knows what it means when you say

digital equity, and so maybe we should say broadband affordability, broadband consumer protection funding, and broadband reliability sorry thank you yeah um in the interest of time i won't do any transportation

[02:29:15] lectures today but the but um i think speaking to the timing i think that man the whole piece of you're too late coming in and meeting this goes back back to when i was on the school board and was being told the same thing as a school board and what is the primary obstacle it's getting us all together at the same time is always the scheduling conundrum. So why are we not just doing two-by-twos with individual legislators? We could pick the supervisors who are the best on the topic. So if we did M&T, Mike could be on that two-by-two. We've just been volunteered.

[02:29:52] Meet with an individual person, but we could do it where we don't have to meet all together. Let's remove the obstacle to the timing problem. If we want to get all together for the show of it, the performance of it we could still do that and all of those two by twos would have happened the nitty-gritty conversations the advocacy could happen we would trust that board members would advocate for the board regardless of who the two are with whichever individual person and then the pull together could be well here's the summary of the conversations and then we don't get into well you missed the deadline or the early bird deadline i didn't even know there was an early

[02:30:28] bird deadline so that's a new one um for me um but i think that we have to get past because this is a common complaint going back a long time and it's time if we keep trying to do the same damn thing that supervisor's not here anymore that you're you know you get the same result why are we still doing it and then we just talk about it in the fall so could we make the effort right now to go let's let's set up a strategy work on your group meeting that's fine they want to come and be with us all together and have chats and conversations, especially leading into election year, which is a priority. We heard that earlier from Mr. Blunt, that they want to get out of Dodge

[02:31:05] because they want to go campaign. Then, okay. Then we'll do that. And I think it's important for us to get together with them, and we can speak kind of philosophically in those moments. But let's get the grunt work happening on the street before the end of September, if that's doable.

[02:31:22] And I think that's certainly something we can look at. I'd have two comments in response that, first of all, in my past experience, it's not so much the six board members as the scheduling constraint. It's the three legislators. Yeah, I get it. They're the ones that say, oh, we can't do it and so on and so forth. So getting the six of you together is not nearly as big of a timing constraint as getting the three of them together. Two of us getting after, and I'm not saying two people go meet with all three. I'm saying two can go meet with Deeds, two others could meet with And how are they going to get around that?

[02:31:53] Now we don't have to accommodate three state representative schedules. We have to accommodate one individually, and we can do it collectively, and then we can figure out the other conundrum later. That's certainly an option. The second comment I have for you is that this isn't an election year, so it's not an issue.

[02:32:10] But in election years, we often don't know who our legislators will be until after Election Day. And so there's that problem that in election years, we don't know who our delegates and senators are going to be until after Election Day. So that's one of the reasons why it's typically held later, so that we actually know who our representatives are going to be.

[02:32:28] Yeah, I get it. Understood. And we can accommodate for that, but at least let's get the conversations going. We're already, I mean, they all invited us for one-on-ones earlier in the spring following the session, and people went. I know some of you all went and met. So, I mean, let's just build on that strategy and see what we can do.

[02:32:45] We all have got our packets. You all have your individual things that you could say, but in a two-by-two, you could help each other, could help accommodate making sure we stay true to the board, the collective board approach to the legislative position, and then we can do the all-together get-together later as we normally do.

[02:33:06] Supervisor Galloway, one open item that I would add to Mr. Herrick's list is just the board would formally adopt the program for this coming year at your October 21st board meeting, unless you all wanted to give direction on the items before us ahead of that, and then we could start working on scheduling those meetings with the legislators in September.

[02:33:27] Okay, so that sounds like a hiccup for this year. Next year we can approve our platform knowing that the schedule changes so everything else can change. This is all fixable and workable in my mind. Is there any objection from anybody to that?

[02:33:43] No, it makes sense. That would be an improvement to the 2027 program, but yes, so noted. But, I mean, I'm saying, can we start trying to get together with individual people now so we can have some conversations about what we're talking about this year? You're welcome to, but as Ms. Kilroy pointed out, the board isn't going to formally adopt this until October 21st unless we were able to get on a sooner agenda.

[02:34:06] Or unless the board wanted to provide direction today. I think there were some proposals during this discussion regarding the M&T as well as elevating transportation funding. So if we have that list of three items formalized. Fully plan to bring us together on what the direction will be at the end of the conversation.

[02:34:24] I don't think we need to wait for a formal adoption to get there because we're all, nobody's objected to anything that I could hear. I hear nuancing, if anything, so I don't hear anybody going, I don't agree with that, I don't agree with that. But, yeah, we've got to get better at this.

[02:34:40] Sure. And let's not just saddle up for another year of doing it the same old way when we can attempt something, and that could inform us better for next year. And that's not criticism to any of y'all, because the board just needs to say, all right, let's do it differently right now.

[02:34:57] I did want to say that the three legislators, I think it's going to be a yearly thing. I know they came this year. It was on a Sunday. It was a town hall meeting here. And that would be a perfect opportunity if we could get on their schedule for next year to then have a meeting with the board that was on a Sunday but you know that's the way it goes we'll be open to all ideas for next year I think like right now it's like let's get this yeah let's get some traction and get on the get get out on the street right now with them and try to talk about it the only other thing I wanted to talk about today is transportation and it's not funding

[02:35:33] and it actually doesn't change anything in this packet other than some wording so I did suggest some altered change to the transportation position statement and it was primarily just the first of those statements the rest if I did what I thought I did I think I might have adjusted it but it basically kept items

two through five the same but item one is what i've changed i'm not asking for a bill from any of these three and frankly it's not don't even need much time in our meeting with them because i'm clearly the letter that i'm advocating for is a whole different approach

[02:36:07] and strategy and isn't even a funding ask so quick note 2020 2021 j lark did their study the general assembly advocated another 560 million 155 million dollars to to transportation that year and lo and behold didn't really go too far right and one of their great ideas was the mileage use fee the voluntary thing that literally says if you choose to be taxed whoever is going to say yes when they read that phrase regardless of all the other content. They repealed the EV tax that had been passed. And the funny thing is it's lumped into all the other use fees and I

[02:36:42] haven't been able to find what actually has been collected from the voluntary mileage use program or whatever it's called. Anyway the strategy I'm asking the board to adopt is to call on the governor to convene a conversation because a lot of work has been done. I appreciate that our new Commonwealth Transportation Board representative and the Virginia Department, the Transportation Secretary, keep saying, well, we've got to get better at prioritization. Actually, Virginia, compared to all the other states, does a damn good job of prioritizing the projects. But at the end of the day, fewer and fewer priorities get done because of the funding model. And the \$558 million

[02:37:19] that they added is the proof that this isn't a budget decision. It's not a two-year or a one-year budget call it never will be they have to look at and go okay for the next 50 years what's the program going to be that's going to adequately do what our transportation program is going to do and that's the part that they're not doing they've talked around it there's ideas but now it's time to get the decision makers in the room and convene and uh this was not because sometimes it's like well am i just doing this is this just albemarle it's not going to ever be accomplished if one

[02:37:54] locality is just alone trying to do this and yelling and screaming it's going to take the collective effort of all the localities and that effort was well received at the virginia associated county summer session at the transportation committee so i fully expect a fuller con david you were there am i misrepresenting or maybe you weren't in the room i don't i don't know who was behind me but but these are your folks that have who are also locals transportation folks that I would say that are revered in the state by the General Assembly folks as local politicians on the issue, right, that joining with the VACO effort, joining with our own regional

[02:38:34] push, I think could get some momentum going, but it's not that any, and nobody is saying we're just asking for more money. We're asking for something that's sustainable and predictable and not for two years, but for 30 years, for 50 years. So if there are no objections, I did offer the letter that I drafted for the governor. What I would love to do is to take the letter that the board signed off on and endorsed from the TJPDC from last year, send that along with the governor letter to the governor. At our legislative session with our locals, we'll bring that and go, here, you were

[02:39:13] copied on the tjpd letter here's what we've sent to the governor here's the rationale here's the point then i'll be able to take all that to the vaco committees and show them what albemarle's position's been and then i can take we could take this mike and i can take it to the commission and see if we can get our local region on board with this kind of strategy as well this doesn't change anything i don't think with the meeting with the other three other than here's what we're doing and we'd appreciate your support in

this effort and uh i mean otherwise we're just going to get the same old talking points and that's no criticism of of our local delegates because it's

[02:39:52] it's the it's coming from the whole group and i honestly just at this point don't think they know what else to say so it's that means it's time to convene and do something different and not study it to death we know what the rising costs are we know why the revenues are declining um so this is something i think merits that kind of push and then we'll have a revised transportation study that supports it so when the advocacy work's actually happening it'll be there and hopefully we can get a groundswell of localities that kind of keep going in this the floyd county guy was just as interested as the roanoke county guy um so you know this is this has broad appeal i think

[02:40:30] and could do something um two future vego presidents in those two people so yeah brings the whole organization one's next right yeah and then he yeah and then the other guy in the floyd county guy's right behind um all right so that's my bit for today and i'm not hearing any objection to that so i'm going to proceed the board actually had voted several months ago to authorize the chair to sign a letter to the governor about transportation funding so i don't know that i need a new action because i still have that claudette and i were discussing that that I could still whip off this letter based on a past vote.

[02:41:05] But I decided to bring it back up for reconsideration. So if there's no objection to that, to tidy this up, the machinery and tools piece that Supervisor Pruitt said we'd like to add, is there any objection to adding that? I don't know about its likelihood, but we can add it.

[02:41:24] Okay. I just didn't completely understand what it was he wanted to do. Well, we can get into that. It's a decoupling basically that gives us a little bit more nuance with with it as a tax So I'm hearing the consensus of the board is to elevate that to priority status in the program I that's what I think the request was and I didn't hear any objection Okay, the other piece is the endorsement of the 5000 family program I understand this the the rationale and the strategy behind it and plus it should help people regardless of where they live So I have no I have no objection to that. I don't know if anybody else does

[02:41:59] clarifying question on that one is that expansion of the number of vouchers or extension of the time of the program i would suggest both i think it's currently two years and actually decreases in funding over time which would necessarily kick people off of the voucher yeah so that also would be elevates the priority part of the program that sounds more like a endorsement of something that's in play if i understood correct and get it that it's like let's give that to them so it's not necessarily taking up a bill slot, but is a priority point of topic of conversation for the

[02:42:36] full gathering when we all get together. Did I misrepresent that? I heard some commentary about the wording. I don't think there's a downside to keeping Supervisor Malik's piece about the broadband in. I do think that it's important to show that we understand what Supervisor Pruitt explained, and all of it should help to say that we still have residents who don't have broadband, and we need to make sure we're all aware of that and keep on it.

[02:43:03] A short phrase in there that says they have no access to emergency services when it rains. That should get some attention. And now I'm looking, did I miss a topic that we have to clear up before we recess? I don't think so. I would like a little more clarity on the 5,000 families, whether that, again, is a priority or whether that's something that's put in the principles, because I'm still not, I hear interest in it, but I'm not hearing where that lands.

[02:43:30] And I'll offer for discussion adding it to the position of policy statements under the housing header and making sure that it's part of the legislative forum discussion for reaction. I don't want to overly steer this.

[02:43:49] When I had said it, I had imagined it as a priority, but if the belief of both the board and staff is that it would make more sense as a position that we talk about in the forum, then that's also fine by me. I think she was saying under attachment 11 a the legislative program Those are the priorities and on page two is or that principles I see okay is where the housing is so it's on the same document It's just adding a sentence there would help because I didn't know anything about this and others may be equally Open to any direction from the board. I just was it building off of mr. Galloway's

[02:44:27] I mean, I think the funding sounds like the priority making sure it's a viewed question whether the funding was there If this board is amenable to it, I would like to see it as a legislative priority. It puts it on that first page of the palm card that they see.

[02:44:42] I have no objection to that. And to your point, it wouldn't take a bill slot for them, so it's not us being too pushy on that front. And then, yes? Transportation would be one of the three. So we currently have photo speed as number one.

[02:44:59] We have transportation, and we have 5,000 families. And I'm fine if you all want to not have transportation because the idea is that we're taking the focus to another group. That's part of the strategy. It's like you three can come along, but here's what we're off and running and doing.

[02:45:17] So I'm happy to make it a priority. I certainly wouldn't object to that. But I'm saying that it doesn't have to displace something because we're going to be already in motion. By the time we meet with the folks in the larger group, we're already going to be off and running with some of this. We're not waiting until this program or this meeting with these three locals to do this.

[02:45:36] This is something we're going to send out immediately, was my intent, if that makes sense. So, you know, they'll get copied. They'll get just similar to the PDC piece that we did last fall that the region did. And the idea is, yeah, it doesn't bump something that we want to be a bill slot or a major priority for the – I mean, it is a major priority.

[02:45:58] We'll be able to say so. Yeah. I think we would put it not as a legislative priority, because that is sort of seen as the bill slots, but much like the Carta discussion, just keep that as a high-priority thing that we're talking about and continuing to talk about.

[02:46:16] So, I mean, I think we can massage that. I think it's obviously a priority. It's a long game, though, and we're not, at this point, asking for a budget request. I think it'll be interesting to see what VACO chooses to do.

[02:46:32] We might be whipping off a second letter after the VACO, what position they decide to take and request. But I don't want to be stealing any of their thunder based on the conversation that happened in summer, as if it's Albemarle's idea. I hope that you're planning to talk about it at the Region 5, because that will be a great place to get it out.

[02:46:49] That's next Friday. On the 11th. Or week. Yeah, week from Friday. Okay. Anything we need to clear up? No, I think we've got it. And I think what we'll do is we'll work on revising those materials.

[02:47:06] We might put some sort of subject to final adoption. But in that state, those revised materials with the sort of subject to final adoption tagline, hopefully that can get members of the board that want to use that proposed final drafts out to their meetings with legislators, equip you all to have those meetings even prior to the formal adoption on October 21st.

[02:47:29] folders we can deliver same as we've done in the past with the draft in there and we'll work on setting up meetings supervisors will just have to be available to coordinate quickly on this if a time opens up we may have to be ready to move but the idea would be find the supervisor that's the most educated to speak on that particular issue or one of the three and we'll we'll steer them into the end of the meeting like the machinery and tools tax that you got to be in that so there you go that's three meetings for you great which is fine i mean we can do three meetings that's no problem we'll see how this works and we can have a discussion about it later yeah we

[02:48:08] can refine from there cool great thank you all thank you i'm thrilled with the change of effort that's really great thank you board we are about what a half an hour behind uh so let's do a quick break if we could and come back at four and we'll pick up there if there's no objection to that game plan sounds like plan all right everyone we are coming back from recess and we will move to

[02:48:44] let's get my glasses on we'll move to item number 12 the rural rustic and unpaved road improvement program and i see alberic at the podium good afternoon hello and yeah make sure you write in on that microphone alberic sometimes you're a little hard to hear thank you um where's the pointer thing. Do we have that? Oh, I'm the wrong person to ask about the pointer. Perfect. Awesome.

[02:49:23] Good afternoon, Chair Galloway and Board. My name is Albert Karina Plunn, and I am a transportation planner and planning within community development. I return to you to clarify rural rustic and Europe processes in the secondary six-year plan, Europe being unpaved road improvement program, as well as present recommendations for roads to be included on the maintain gravel roads list.

[02:49:45] The agenda for this presentation will focus on the following items. Clarifying the rural rustic and the UREC process, recommending roads not to be paved to preserve the recreational value, and prioritizing the types of projects for the Secondary Six-Year Plan.

[02:50:04] A bit of background, the Secondary Six-Year Plan is a VDOT document that applies to roads, and the secondary system identifies the funding allocated for the next fiscal year and estimates the available funding for the next five fiscal years. Telefee funding stems from utility companies paying a fee to VDOT to put lines in their right-of-way.

[02:50:23] These funds are being used to help fund the Berkmar Drive extension by Airport Road. District grant unpaved funds are used both on rural rustic and other paving projects. This plan is updated and adopted by the board annually each spring. Some definitions for rural rustic roads. These are requested to be paved.

[02:50:44] These roads have had two-thirds support. They are VDOT eligible for paving, and they have board supports. And for URIP, I'm going to be using this term without a presentation. URIP, Urripping is kind of a term that we've come up with, so please bear with me. But these have either had more than one-third of residents reject paving, VDOT has found them ineligible for paving, or their board rejected.

[02:51:09] These roads would still be improved, but not paved. As a reminder, staff must receive a request either through resident or board member representing a constituent. Staff checks to see if the road is

eligible for paving against the URIP and the Maintain Rebel Roads list, and if so, staff will send the resident the signature list, the Rural Rustic Toolkit, and the Albemarle County Unpaved Roads process document.

[02:51:35] If the road has already been predetermined to not be eligible for paving, it will be added to the URIP list. At the public hearing in May, the board inquired if there was language in the materials sent to the public that described the pros and cons of paving roads. On the slide is language that was included in the toolkit, and I'll let you some time to read it.

[02:51:59] So there are four outcomes that can come out of a request for paving. Outcome one is that the road is paved slash U-ripped. Outcome two, or outcome B, the requested road will be moved to the maintain gravel roads list and will wait for eligibility.

[02:52:22] Outcome C, the requested road is already on the maintain gravel roads list and is waiting for eligibility. Or outcome D, the request will be addressed through other means. It'll be clear in the upcoming slides how a request gets to one of these four outcomes.

[02:52:39] So the bottom of the chart shows the path of a road, assuming that it meets the rural rustic requirements, receives two-thirds signatures, receives VDOT approval, has been prioritized, and then is approved by the board to be on the secondary six-year plan. So the pointer, we get the request, we check the basic requirements.

[02:53:03] If yes, we check if it's on the road list. In this case, if it's not, we send the rural rustic toolkit. If we get two-thirds approval from the residents, we send it to VDOT. If it meets VDOT eligibility, then it's moved to be on the prioritized road list. As a rural rustic, we go to the April board work session and the May board work session.

[02:53:22] And if yes, it's added to the secondary six-year payland list, and eventually it's paved. So that's how it's normally worked for the last few years. These are the ways for a road to become a URIP. The main decision points for a road becoming a URIP are it goes through, you get the basic requirements, we check if it's on the list.

[02:53:45] If not, we send the Rural Rustic Toolkit. If more than one-third oppose, we present the URIP option saying, you know, if you don't want the road paved, you still want improvements. If yes, the road is then moved to the prioritized road list as a URIP, and then a similar process with Rural Rustic, we have the April board work session that made public hearing is added to the list and eventually becomes a URIP project.

[02:54:11] Secondly, the second way to get on there is VDOT cannot pave the road. It's the same process. It gets to here. It gets through here. We get two-thirds approved, but VDOT cannot pave the road. Staff will request that VDOT URIP, essentially the project. And there may be factors that still prevent VDOT from URIPing a road, but the other decision point is if VDOT cannot pave the road.

[02:54:34] And the board will still have to approve a road as a URIP road. Moving on. And then the maintain gravel roads path. Outcome B and C are similar, but they both relate to the maintain gravel roads list.

[02:54:52] The main ways for a road to end up on this list are the road was previously u-ripped, so we get to here, and if it was previously u-ripped, it is therefore ineligible to be requested for another six years. So

if it got u-ripped in 2028 and someone came in 2030 asking for paving improvements, it wouldn't be available to be requested until 2034, and it's on that list.

[02:55:15] More than one-third of residents reject paving and do not want the road to be changed or URIP. So they will want any changes. They're happy with the road the way it is. It will be added to the maintain global roads list and eligible for a request for six years. And lastly, the board rejects the road project as either a rural rustic or URIP project.

[02:55:33] So it can go through the rural rustic decision point, and when it gets to here, if the board does not approve it as a rural rustic, it goes straight back into maintain global roads. Same for URIP, it can make it through the whole URIP path through here, and when it gets to the board, if the board says no, it moves to maintain gravel roads.

[02:55:54] Here's a full flow chart, I'll come back to it after I finish my presentation for any questions. The board expressed interest in May in preserving unpaved roads for recreational usage. While VDOT does not have a separate recreational road program, the board has the power to block paving of any secondary road in the county.

[02:56:16] Staff has conducted research on popular recreational unpaved roads in the area and is presenting that list to you now. The following roads have been listed by the Seville Bike Club and or Ragged Mountain Running as good roads to use for recreation. Dickwoods Road, Ballard's Mill Road, Wesley Chapel Road, Slamgate Road, Jones Mill Road, Midway Road, Pounding Creek Road, and Ridge Road.

[02:56:40] If the board desires, they can add all, some, or none of these roads to the Maintain Bravo Roads list at the April 2027 work session. If they are added, they will be ineligible to be requested for paving until 2033, following the vote at the public hearing.

[02:56:57] If a request comes after that, the board may choose to keep the road on the list and prevent paving or other improvements. If the board would like to add more roads, the appropriate time for that will be at the April work session. Conclusions, Rural Rustic and URIP will be merged in the secondary six-year plan with some projects, including paving, and some projects focusing on improvement without paving.

[02:57:25] Projects will be prioritized by average daily traffic volumes, regardless if they are both a URIP or a Rural Rustic project. And finally, the board may choose to add any secondary road to the maintained gravel list for six years at a time at the work session.

[02:57:42] After that, it will become open for paving requests. Staff will continue to prepare the FY28-33 Secondary Six-Year Plan using the format presented, and staff will continue to receive feedback on the process and work with VDOT to implement.

[02:57:58] Thank you, and I'm open for questions. All right, Supervisor Malek. Thank you very much for all your work at Ridge Road and other places standing in the dish watching and worrying about these things. And this is a huge step forward in my understanding and I think you all's ability to not spin your wheels quite so much.

[02:58:20] So that's great. Congratulations on that. So I may have misunderstood when you were just describing. No one's ever denied improvements to a gravel road.

[02:58:38] So did I misunderstand you when I heard you say that for six years you couldn't ask for repairs to the gravel and grading and drainage and stuff like that if something's on the maintained list? So if it's on the maintained gravels list, it's not eligible to be requested for paving.

[02:58:54] So it wouldn't be eligible to receive a request. But if there's obviously a problem or a maintenance issue with VDOT, they would still take care of it. So paving only, as long as that's clear, that I'm clear on that, that you're talking about paving for the six years. The six years has nothing to do with maintenance. Yes. Okay, great.

[02:59:10] That's excellent. And thank you, Supervisor Duncan, for sharing Alex's email earlier because several other people had reached out to me and said, all these roads aren't on the list. Who did they talk to? I mean, the Ragged Mountain Running Shop family is saying I didn't know anything about this.

[02:59:28] So there's been a breakdown. But anyway, I was sent a long list of roads, which I will give you in writing, but I'm going to read them now because I think they're not just in the Whitehall District. They're all over the place of things that the trail runners use, the walkers use, and the bicycle people.

[02:59:46] So I'm grateful for the ones you did list, the Dick Woods, Ballard's Mill, Wesley Chapel, Slamgate, Midway, Pounding Creek, Jones Mill, and Ridge. However, off of those are others. And if you've looked at the running websites and things, there are all these 18-mile loops and all these things that incorporate a whole lot of these other roads.

[03:00:07] Castle Rock, Batesville Road, Clark Road, major one, Catterton, DECA, Chapel Spring, Buck Mountain Ford, Green Mountain Road, Forsyth, Fry's Path, Herds Mountain, which is on the paving list, Pounding Creek, Shiflet's Mill, really important, Secretary Stans, Stunning Point, Sugar Ridge, Turkey Sag, Violaine, which is connected to Slamgate, White Mountain, and Dickerson, the unpaved part right now.

[03:00:35] So I don't know what has to be done to recognize all these others. They have them all mapped out, and I will send all the maps and everything to you. I just got this this morning. So I think it's really important when we're looking at, just like we're looking at transit networks and things, when you're looking at recreation, then preserving the access to recreation for the roads, such as the ones I've mentioned, is a really valid approach.

[03:01:07] Earlier in the day, we learned about a \$600,000 grant to build a couple of miles of the Old Mills Trail. This is dozens of miles, just these roads I've listed here, probably 50. And so the cost savings to the county budget to provide recreation in places where we know that individual and passive recreation is incredibly important to a huge number of people whom we did not recognize before COVID.

[03:01:35] That 1 million to 2 million users a year, that jump has not gone away. So I think it's important that we do our very best to make this as thorough a list as possible and to consider these loops that are being used.

[03:01:52] I remember Dan Eggleston saying he was on his bike ride, the 50-mile trap from out Earliestville and around Boonesville and around 810 and all the way back to Crozet. And I'm going, oh, brother, taking your life in your hands the entire way. But lots of people do it. So that, I think, is a really, really helpful thing, and that's really all I have at the moment.

[03:02:14] Thank you very much. Supervisor Duncan? Yes, to everything Supervisor Malik said, some of those were the same points that I have. So to sort of add on to that, the runners and bikers in the

community have come up with an excellent document that I really hope they formally send to us.

[03:02:35] But they have a list of the top unpaved roads for recreation, and they have the ones that you have on here, but they also have DECA, Chapel Spring, Fox Mountain, Clark, Turkey Sag, Secretary Sands, Stony Point. So, again, sort of reiterating what I said in the spring, that we really need to be doing our due diligence and reaching out to the recreational community of what roads they want to prioritize.

[03:02:59] And, yeah, it's so much cheaper to keep our natural greenways than to have to, like, pay hundreds of thousands of dollars to create new paths for people to run on. But for me, in addition to all of this, in addition to the great points that people have made in emails, is that this actually comes back to a bigger question of what we want the county to be.

[03:03:19] You know, our economic development plan calls for increased agritourism, and one of the needs it identifies to do that is connecting with outdoor recreation. In the comp plan, we obviously have a whole section on recreation and open space. And so I was kind of thinking about this because, you know, my kids are runners, and so this is something that's super important to them and something we talked about.

[03:03:41] And, you know, is the fact that we have such a large running community here, is this something that exists spontaneously because we had somebody come in and build a great running store 40 years ago and sort of create this culture and that it just has to survive on its own merits through volunteers, through people who decide to run?

[03:04:03] Or is it something that the county wants to encourage and cultivate and support? You know, if we're going to continuously talk about how much rural land Admiral has and how much we want people to preserve it and keep it and be this, you know, beautiful, great outdoors, then we should also ensure that people can use it. And having access to rural roads for recreation is one of the benefits of having a rural county. You know, if it's our policies and sort of the board's prerogative to set roads aside, then, you know, I think we really need to be communicating with the recreational communities, listening to them when they are doing

[03:04:40] this advocacy there's also you know health equity for being able to run outside run you know for free everywhere in the county people should have access to this um and these are public goods these are not just about the neighbors that live on a road these are you know community goods that benefit all of us um and then just one last point that somebody made in one of the emails we got that I thought was a really good request is to do a rural road network analysis based on all the recreational stuff that people are doing as part of the upcoming mobility

[03:05:19] and rural area plans. I think that would be a good way to sort of comprehensively look at all of this and not just wait until work sessions in April. Thank you. Thank you. Supervisor Pruitt. Thank you. So great presentation.

[03:05:36] I found the flow chart very good very well made I appreciated the key sometimes people make a flow chart and then they assume that you'll remember what a maintained gravel road means but that's not it's not all there in the name you have to have the key so very very good job thank you I would echo my peers point on potentially wanting to do additional public engagement for how we're building the list that we're going to review in April I'm immediately thinking the Charlottesville area trail runners cats I'm not sure if they were

[03:06:12] contacted and you know it's weird to give a family so much power but like directly communicating with the Lorenzoni's who are kind of the weird natural hub of running culture in Charlottesville and Albemarle would probably be relevant because they could they could do a lot of the community engagement on the county's behalf um and so i just might recommend those two things um the thing i do want to say though because i i'm a runner i love these trails that we're all talking about um i want us to be cautious and this is more alberic not for you this is more for the board

[03:06:51] right uh to remember that what we're talking about with potentially adding them on in april of next year is subordinating the political process that we've already created. It is extracting that from residential control through the current two-thirds majority request process that we've created, and sometimes that is prudent. Dickwoods Road east of Ortman is a great example. Those residents, a lot of them want it paved because they've built very beautiful homes that they want to not have to drive five miles to get to, but it is a tremendously essential community amenity.

[03:07:30] I am fine with taking that out of their hands, and I reckon with the fact that that means I'm subordinating their political power. And on the other hand, I will remind this board, the people who voted on it last year, I sat with a constituent for half an hour and listened to him talk about how he had been trying to get Glendower Road paved for 50 years.

[03:07:56] and how multiple residents on Glendower Road felt like they were second-class citizens because they were rural and their road wasn't paved. Glendower Road was also an important trail running amenity. Glendower Road and the Keen drop-off at Christchurch have long been one of the highest prioritized trail runs in this county.

[03:08:21] Like, that is a thing. People still do it, but I don't know if people are running on Glendower Road as much. so there there is there is a balancing of of considerations that i would just really encourage this board to take seriously and think about as we're moving toward uh april and as we're getting excited about what we're adding to this list um remember that we're taking it out of resident hands sometimes that does have real considerations for their lives i also always try and talk about like the importance of i agree we should if we're going to talk about the rural area as a public

[03:08:55] amenity we should talk about it as a public amenity i would encourage before april of next year we try and walk or run every one of these roads because i would suggest that some of them you might not be able to do because you literally can't park somewhere for it depending on which one they are and so like take take the charge seriously as we're thinking about this like consider what we're doing um before we add something to a list because it's exciting and because we all care about running.

[03:09:27] I love running. I'm constantly in search of a better running trail for my circuits, and it is something that we just have to take our stewardship really seriously on this. That's all I have. Supervisor Missal.

[03:09:43] Thank you. When I first considered being on this board, I was speaking to the previous, I think it was the previous supervisor in this position, and he said one of the main things you're going to be hearing about is to pave or not to pave. That will be one of the main issues that you address.

[03:09:58] So I kind of tried to come up to, you know, my learning curve to try to understand what that really meant. And I've spoken to Supervisor Pruitt's comments, various sides of the issue, right? There are

people who live on a road that's a recreational road that are passionate about keeping it gravel and not paving it.

[03:10:16] There are others who are passionate about paving it and want to keep that, you know, have that. So I'm a little uncomfortable with taking that away from, I think you said, the citizen's decision-making process. I think it's worth thinking about it. I'm not against it.

[03:10:32] I mean, all the good reasons that all the other peers have mentioned, I think, is right on. But, you know, we're talking about people who potentially have runners like Supervisor Prude or others who come from another location to run on a road that they live on.

[03:10:47] And you're essentially saying that that road that you live on will remain gravel for six years, right, before it becomes eligible to be paved. There could be a lot of things that occur within that six-year period that might change. It's need to be paved or not paved? I don't know. But we're essentially saying we're taking that out of the mix, right? We're saying this is it. Now, there may be some that it's an easy one, but I just am having a hard time getting my head around how we do this in a way that's objective and also in consideration of those that live on the roads. I'm not going to get into the list

[03:11:26] of roads. There were a couple that were mentioned, a couple that weren't mentioned that I think probably should be added that I've heard of people saying. I also agree and just echo the comments. You know, I made a note of I think you received this list from the Charlesville Biking Association, was it?

[03:11:41] Yes, I actually went to the Seville Bike Club website and the Ragged Mountain websites, and I went through their list for recommended gravel biking and running routes, and this is how I came up with the list. So it's going to be a challenge, I think, to try to figure out how we are objectively comprehensive in asking and weighing both the folks who live there and those that want these for recreational purposes, asking enough of each side to understand really what that balance is. So I'll just say that I know this is a work in progress. I'm fully behind this idea. I think it's great that we're finally talking about it.

[03:12:21] I just find it to be a bit of a challenge as we try to measure the input from our constituents. Supervisor McEsprit-Curley. Thank you for your presentation. I agree with Supervisor Missel. I'm concerned about this in that I want the residents to have their views heard.

[03:12:42] We seem to have worked out, and I think it was passed in, what, four or five years ago, where you have to have two-thirds of the people who live along there have to approve it. I've experienced that in my own district where some didn't get approved and others got approved.

[03:12:58] And it has seemed to work out well. It took the onus off of us, and it made the neighbors talk to each other, and they agreed. I understand about the running, about the biking. You have people, though, are they going to concentrate in areas where it's not paved?

[03:13:19] I don't know. Where they don't live? you know they're using it as a track to get around i don't know um i think we need to consider the impacts i'm not saying i'm against everything um but i know uh supervisor malik mentioned a couple uh roads that really piqued my interest i know she mentioned deca and my understanding is that we disapprove that uh because you didn't have two-thirds of the people wanting it paved and So that was disapproved, and that won't come up again for, I guess, six years.

[03:13:54] Is that correct? It was ineligible, decided by VDOT, which is why VDOT said they're not going to pay that it doesn't qualify. Okay. Not about the neighbors. It was just they said we can't do it. So that's why it

needs to be on the maintained list and off the table. Right, and I do know that the neighbors were weighing in on that one.

[03:14:12] You also mentioned Stony Point and Turkey SAG. Are you talking about the portion in between 20 and 231 where it goes over the Southwest Mountains? This is a list provided by the Charleston Area Trail Runners. Okay, I would definitely like to see that because I don't know of any other unpaved area for Stony Point, if it's Stony Point Pass and also Turkey Sag.

[03:14:37] So what I was thinking, if you have all these roads and even the roads that were added, I'd like to see them on a map. I'd like to see where they are and what section we're talking about because the actual Stony Point Road, that's all paved. And Turkey Sag is mostly paved also except for going over the mountains.

[03:15:01] And same thing, it's Stony Point Pass that goes over the mountains. That will probably never be paved because it's too narrow, it's windy, it doesn't meet VDOT standards in any way. So that got me thinking that I think I'd like to see where these roads or section of roads, are we talking about the whole road or section of the road?

[03:15:22] But I'd like to see where they are in a map. I believe there was a map included in the materials packet for you as well, but I'm happy to make another map if you need more details as well. Okay, I'm sorry that I missed that because you had a map, but not the extra ones that I listed.

[03:15:38] I'll send that to you. It was just the map with the eight roads here. Oh, yeah, yeah. No, those I know. I'm talking about with any other ones that are suggested, they might be good. They may not be good. But it's something that is worth, in my opinion, continuing to discuss and getting a little more detail of, you know, where the roads are located.

[03:16:06] Because I think those are the only two, Stoney Point and Turkeyside, that are in my district. I think all the others are in, I don't know, which district. I'm in mine. Pardon? Some in mine. Some in yours. Thank you. All done? I would just echo the point that Supervisor Pruitt raised and Supervisor Missal went.

[03:16:27] We're kind of discussing it in the idea of keeping it in a current state that could appeal to the residents and could appeal to this other group. But as soon as you give yourself the authority to do that, you can do the reverse, too, which then takes, oh, well, we're going to go ahead and decide for paving regardless of what the residents think.

[03:16:47] if we deem it decision so if we take the decision out of uh the residential piece out of it for one you got to do it for all um or else you're kind of yeah yeah kind of uh rigging it if you know what i mean i couldn't imagine you know like when the when the residents and the other groups agree that seems to be a nice situation if we all want that road ourselves to remain gravel but if we get into a situation where the residents want it and this other group who doesn't live there does once you know vice versa that's a problem and then we have to get into a conversation about

[03:17:24] well which is more important your daily travel to and from your home on a public road or the recreation for this other group and i'm not i if the rio district residents asked me that question i know how i'd answer that bleak house road residents if they came out here and said you're going to take our ability of living along this road and allow this other input to weigh into it I know what commentary I'd be getting at that podium from Bleak House Road.

[03:17:51] Except they'd be on the same side, so that would be fine. But, okay, yeah, you say so. Like, that's the only time that scenario is going to come up. But you know the first one out of the gate won't be that scenario, right? It's seen it happen in other places. So at some point, the board, if we go this route, and I'm not, you know, look, I'm not trying to say that your points are there.

[03:18:16] I disagree with the points. I'm not even off or counterpoint. It's the awareness. Look, I don't run unless something's chasing me. I go out of my way to make sure I'm not running most of the time. So I used to run. I just can't do it anymore, right? And I didn't like it then.

[03:18:31] But the idea is that, okay, I get it. I understand. And I think it's great that these roads, when the residents agree and that group agrees, phenomenal. But life is just not that clean. And if at some point it's in front of this board and we have to start nuancing a policy where we say more than a third of the residents X plus whatever percentage of this group equals do or don't, that's too squishy for me.

[03:19:00] And I'm going to have to choose residents on the road advocacy group for whatever the advocacy is. I know where I'm going to end up on that conversation. So I'm saying that today because I want, you know, we have a chance to have people give us feedback on this discussion.

[03:19:16] And I think that's a good one to hear some feedback on. I know where the advocacy group is, but, you know, the Bleak House Road members aren't listening on this conversation today. The residents who are out there who maybe want a road paved aren't here listening necessarily to this today.

[03:19:34] Maybe they are. And it's going to introduce their opinions about how they feel their public road is being used for recreational purposes. And those opinions haven't been discussed yet. So, again, all of it to just endorse the idea that we need to be cautious and careful in this.

[03:19:51] And sometimes be careful what you wish for. Are there any other comments or questions? This is a presentation, no action today. Can I just make one more comment? Yeah. Of just when people move to a gravel road, they're buying a house on a gravel road.

[03:20:09] So I guess that's just sort of my last thought, but points well taken. Yeah, and some of them would say, I've lived on this gravel road for 30 years wanting it to be paved, and it's never been paved. I'm sick of the dust. I had one person, literally we were talking about paving or not paving a road, and I had somebody in the same household show up in support of paving, and somebody in that same household emailed me saying I'm totally against it.

[03:20:33] No, don't do that. I will, Chair, just add one more thought, which is I think we're all, I think there's a lot of interest from the public in engaging on this. And, like, even me as I'm expressing, like, hesitancy about this issue, I'm, like, excited about it because this is a really huge part of comprehensive plan.

[03:20:56] How do we define cultural amenities, right? This is a huge part of our cultural amenities as a county. It's a really big, like, identity component of this county. And it doesn't feel like there is much government energy or effort around it. And I think that is maybe the void that these people are shouting into.

[03:21:19] Because, you know, we haven't said we're going to pave Dickwood's Road, so we don't have the entire UVA track club in here lining the bleachers, which is what would happen. You would have 100 people in here if we tried to pave Dickwood's Road. And so I might just say it would be nice if we could

engage with this issue of recreational road use and how we engage and incentivize and build this as a county outside of this conversation.

[03:21:49] It would be really, and there was the recommendation that you read off to that effect, I think that would serve and scratch a lot of the itch that I think we're hearing from the public on this. Like, Albert doesn't have to be the channeling function for all of recreational rural activity in Albemarle County.

[03:22:09] We protect our ire on you. No, I will protect him from your ire because we've stood together being run over by the speeders on Bridge Road a number of times. I do have one thing to add when you get to me. I think somebody else has. Awesome. Yeah, and we've got to get going because we've got to get into closed meetings.

[03:22:27] So quick comments. Supervisor Malik, then we'll piece the curtain. Okay, quick comments. This is a quality of life issue, and we have missed the boat so far on what Roanoke has made an enormous success of being the first ranked in the Commonwealth for outdoor recreation.

[03:22:43] And our CVB is pretending that they are doing all this advertising, but if we are destroying the facilities that we're trying to draw people to, we're killing ourselves. Back in 2007, going door to door on Dickwoods Road, people complained to me about their neighbors who said, they moved in here and told me that their realtor promised them that the road to be paved in 2006. And I don't want it paved. And that's how far back my personal experience goes with that particular stretch that was chosen right away in 2008 because of the use

[03:23:16] by the high school kids for practice. So lots of other people benefited from that. I think it's perfectly fine to consider use decisions made by the board. There are lots of use decisions made in every other aspect of local government. So people have said, why isn't recreation funded based more on the number of users instead of organized sports and the ones who get all the headlines when there are probably, I don't even know how many, 100 to 1 walkers, riders, and runners who like to use these kinds of facilities as opposed to kids who, you know, somebody who does something

[03:23:54] else. I don't know the answer to that, but it's a question that was raised to me. One thing I forgot to say earlier, there are many roads on that paving list that have fewer than 80 cars a day. And that, to me, is \$1.5 million from paving roads between 60 and 70 cars per day.

[03:24:16] That money could be spent in other ways. And we have finally the authority to do that. So I would just throw that out there and ask you all to consider that long before April because this has been going round and round and round for a long, long time. Thank you.

[03:24:32] Last comment? Yeah, I just wanted to say that I'm not against looking at all these roads and any other roads that are added, but I think we need to take in what the community thinks, but also what the residents think, and maybe just do a one-by-one, because I'm not sure that all of these and the other ones that Supervisor Malik suggested, that the residents may be just fine not having it paved.

[03:25:03] thank you and i also agree with the flow charts that was wonderful yeah good stuff thank you all right board we're going to move to the item 13 the 2026 thomas jefferson planning district commission regional solid waste management plan and jamie is going to introduce us and we also have isabella o'brien from the tjpdc with us good day board my name is jamie powers i'm climate Action Program Manager with Albemarle County. I'll offer just a few brief comments to introduce

[03:25:40] your presentation today. On our way to getting to zero net greenhouse gas emissions in 2050, solid waste decomposition and landfill comprises about 2% of that total. So a very small amount in the grand scheme of things. However, solid waste is a gateway issue for community members to become more involved in climate action and other environmental initiatives it's also something that we know through our community engagement feedback surveys that it's something that the community cares deeply about as is evidenced through the legislative principles that you saw earlier today so anything we can

[03:26:19] do to enhance improve our solid waste management systems offer offers opportunities for deeper engagement and partnership with community members and achieving all of our climate and environmental goals. So with that, I welcome Isabella O'Brien, environmental planner with the TJPTC. Thank you. Good afternoon, Chair Galloway.

[03:26:44] And Isabella, there's a little button if you want to lower that podium, but you're fine too if you're good. Okay, I think it's okay for me. It's okay for you. Thank you for having me this evening. As mentioned, I'm Isabella O'Brien, a regional planner too with the Thomas Jefferson Planning District Commission, and tonight I'll provide a brief overview of the 2026 Solid Waste Management Plan update, highlight the findings relevant to Albemarle, and review the next steps before plan adoption. The Solid Waste Planning Unit includes Albemarle County, the City of Charlottesville, Fluvanna, and Greene County. The TJPDC staff coordinates the activities the state requires

[03:27:23] of our Solid Waste Planning Unit on behalf of these localities. As the planning unit, we have two primary responsibilities: the annual recycling rate reporting due to DEQ and maintaining our regional solid waste management plan. State regulations require that this plan be updated and maintained every five years with the next update due to DEQ in October of this year. The plan is guided by Virginia's waste management hierarchy as stated in the associated planning regulations. The preferred approach is to reduce waste before it's generated followed by reuse, recycling, and composting, and then disposal options such as landfilling

[03:28:03] and energy recovery are considered after those opportunities have been evaluated. So state regulations also establish the required contents of the plan. This update evaluates existing facilities and services, waste and recycling trends, future needs, public outreach efforts, and implementation strategies for the next 20 years.

[03:28:24] It also includes future population and waste projections, funding considerations, and strategies for maintaining compliance with Virginia's recycling requirements. So as mentioned, one of the plan's major components is the annual recycling rates.

[03:28:41] And Virginia requires our planning unit to maintain a minimum recycling rate of 25% based on our cumulative population. And TJPDC staff coordinates the collection and reporting of this recycling data from local governments, public facilities, and participating reporting partners around the region.

[03:29:00] It is important to note that the recycling rate is based on reporting requirements that are established by DEQ. The process does not capture all waste management activities, such as construction, demolition, and debris. And private haulers and recycling facilities are encouraged but not required by state code to report their data to us.

[03:29:21] However, local governments can obtain that information through local ordinances or permitting requirements. As a result, the recycling rate should be viewed more as a useful compliance

metric and trend metric rather than a complete picture of all of the recycling and diversion occurring within a locality.

[03:29:39] The recycling rate is calculated by comparing documented recycling tonnage to documented municipal solid waste disposal, and there are credits up to 5% that DEQ provides for recycling of non-municipal solid waste, such as construction, demolition, and debris, or for source reduction and reuse programs.

[03:30:01] So based on the data that we collect for the recycling report, the region consistently does exceed the required rate. Between 2021 and 2024, the regional rate ranged from 34 to 41 percent.

[03:30:18] And you'll notice that Charlottesville and Albemarle are reported together because much of their data comes from the Rivanna authorities serving both jurisdictions. And based on their data, information from the city's waste, contracted waste and recycling hauler, some private businesses, and UVA, the reported recycling rate ranged from approximately 41 to 49 percent during that same period.

[03:30:41] And because some private facilities and haulers, their reporting is voluntary, some of the recycling activity may not be captured if haulers manage their waste at private facilities or haul it outside of our region. and as a result understanding local performance requires looking beyond the recycling rate alone especially in the more rural portions of our planning unit so in this chart you can see some of those reporting challenges differences between jurisdictions can reflect differences in data availability and reporting practices as much as differences in recycling participation localities with more activity handled through private sector haulers or

[03:31:21] facilities may appear to recycle less or manage less waste overall because fewer materials are captured in the scope of this report. The Charlottesville Albemarle area reports a per capital disposal rate that's generally lower than the national average based on the latest data from EPA, which is 2018, which may point to some of these data gaps. So the planning process began in late 2024, and over the course of that process we've held five technical advisory committee meetings with your local staff and stakeholders.

[03:31:56] The technical advisory committee was instrumental to the plan's update. Staff provided local details, developed the locally specific implementation actions, and reviewed the draft plan in advance of the public comment period. Public engagement occurred throughout the process.

[03:32:12] We shared information through TJPDC channels, locality newsletters, and collected information through a public survey and workshop. We also collected feedback from the community during a 30-day public comment period this August. And there's also the opportunity to share comments in advance of or during a public hearing held tomorrow at the TJPDC commission meeting at 7 p.m. before local adoptions later this September. As part of our public survey, we received 257 responses across the planning unit,

[03:32:47] including approximately 97 from Albemarle County residents. And across the region, we saw several themes there's a desire for greater transparency regarding what happens to collected materials improved convenience for recycling and composting and expanded diversion opportunities and these themes help to shape both the regional goals and locally specific actions included in the plan and if you're curious you can see the detailed survey responses via the link here and also in the plan appendices overall Albemarle County residents expressed

[03:33:24] strong support for expanding recycling, composting, and waste diversion opportunities while identifying access, convenience, and transparency as key priorities. Survey respondents consistently requested additional recycling and compost drop-off locations, particularly in Crozet, northern Albemarle, and areas farther from existing facilities. Residents also demonstrated strong interest in more accessible and affordable composting options. So while some private curbside compost collection services are available. Many residents indicated that the cost remains a

[03:34:00] barrier to participation. As a result, residents expressed interest in expanding composting opportunities, including lower cost curbside community composting drop-off options and other county-supported programs. Additional feedback highlighted interest in expanding collection programs for specialty materials, improving recycling and composting access specifically at multi-family and rental and business properties, and supporting waste reduction and reuse initiatives.

[03:34:31] In line with the themes from the regional feedback, respondents frequently called for clearer and more detailed guidance on what can and cannot be recycled, especially for plastics, compostable products, batteries, electronics, and other hard-to-recycle materials.

[03:34:50] There was concern about contamination and wish cycling happening, and they just wanted better educational resources to improve diversion. And trust and transparency was another major theme, asking for more information about where recyclables go after collection and whether materials are actually being recycled.

[03:35:13] So the draft plan organizes the implementation efforts into three focus areas. data and information sharing, planning, and waste diversion. The regional goals addressed many of the issues identified through public engagement, and each locality submitted locally specific objectives to support each of these goals.

[03:35:39] This was part of the focus of the Technical Advisory Committee team members, ensuring alignment with each locality's programs and resources, And Albemarle provided 14 of the 60 total locally specific actions in the plan. For Albemarle, implementation actions focused on expanding public education and outreach programs, improving waste and recycling data collection, reporting, verification, and public transparency, conducting countywide assessments of solid waste system capacity and future service needs,

[03:36:14] Increasing diversion of priority materials such as food waste, cardboard, textiles, and construction debris through targeted programs supporting circular economy initiatives and regional recycling market development. And then improving equitable access to waste and recycling services.

[03:36:35] So the key changes from the last plan compared to the 2021 update, this plan includes a more detailed analysis of the recycling and disposal trends. and expanded public engagement process and locally specific implementation actions.

[03:36:52] The appendices include all of our public engagement materials, adoption resolutions once approved, a technical report that was developed by a master's student at UVA's School of Public Policy that focused on rural waste diversion opportunities, as well as the detailed implementation plan.

[03:37:12] The draft plan is currently available on our website, and following today's presentation, The TJPDC will hold the required public hearing, incorporate any final feedback, and return the plan to local

boards, the City Council, and the TJPDC Commission for adoption before being submitted to DEQ in October.

[03:37:34] So here is the link to our website with all of the updated plan materials, and thank you for your time and participation throughout this process. I'm happy to answer any questions. Thank you. Supervisor Malik? Thank you very much. I really appreciate the goals that you enumerated, particularly the education one and the guidance document.

[03:37:55] I know our SWAC committee is working hard to refine, and I know they've shared it with you for comments with your university intern. To be able to share with the university students, all 30,000 of them too, would be a really great help as far as the whole thing.

[03:38:11] I am continually frustrated by the lack of your hands being tied by the lack of reporting. So I guess my question for future research, Mr. County Attorney, is do we have the authority to require haulers to be registered, licensed, pay their business taxes in Amarillo County, and be required to report their tonnage?

[03:38:30] Right, and as I said before, I'll need to take a look at that. Yeah, thank you. There are examples in Arlington and Loudoun counties of where they have hauler requirements in place to require reporting based on the size. And then there's an example in the city of Alexandria where they have permitting requirements.

[03:38:50] So oftentimes, I know Albemarle County already has a permitting process for all of their haulers, but requiring annual updates to that, that also requires data being shared. So there are examples that exist within the state of Virginia. Well, the discrepancy of RSWA having 100 businesses crossing the scale when we have 15 or 20 who were licensed, that was a shocking statistic.

[03:39:12] So I hope we will make some progress on that. Thank you very much. Supervisor Duncan. No comments, really. This was really great and super interesting. Supervisor Pruitt. This is my second bite at this presentation, so I'm going to not make any further comments.

[03:39:30] Supervisor, and you'll get your third tomorrow night. Supervisor Trimisle. Thank you. Thanks for the presentation. It was really helpful. There was a lot of information there. So a couple questions. One is to find my notes, my questions. So when – sorry, forgive me.

[03:39:49] I'm on – let me just go here. Sorry, I thought I had this in front of me. Okay, so public feedback, public survey, public feedback. It seemed to me that there was a lot of requests for educational opportunities, additional – not a lot of requests for specific facilities to be added.

[03:40:15] Is that fair? Let me go back. But there was one that actually talked about expanding recycling opportunities. Yes. So particularly in Northern Albemarle along Route 29 and in Crozet, there were some requests for additional drop-off locations just for convenience.

[03:40:34] They noted that Ivy or McIntyre was a barrier. It's not really on their commuting path. Got it. And so did those show up in your regional implementation plan? I may not have seen them. You don't have to answer it now.

[03:40:49] I'm just making sure that that's all kind of captured in that piece. I think that was one thing that stood out to me. I know there was a locality-specific item for Albemarle that was to increase accessibility of the facilities, but I don't know if it had nailed down any specific new locations.

[03:41:06] Okay, that's good to know. And then the other, I guess, is these are great plans. This is a pretty massive lift, I think. What are we using to review the success metrics to the outcomes?

[03:41:24] Like how often do you check it? How often do you say this implementation plan is working or needs to be amended, et cetera? That is something that's been updated as a part of this process. This is my first time working through the whole process, but we've added a plan maintenance section, which will encourage the technical advisory committee members to come back together on an annual basis to review.

[03:41:47] Progress. Yeah, exactly. Okay, great. Thank you. That's it. And I know your staff has also really highlighted the need for a better baseline of our data. So how can we know if we're making system improvements if the recycling rate data isn't really reflective of the whole picture?

[03:42:06] Yeah. So there's efforts there as well. Got it. Thank you. Supervisor LaPisto-Kirtley? Is the actual plan to increase recycling, to have more convenience centers throughout the county, or to have a system in the urban ring where you actually collect trash and recyclables?

[03:42:32] So it's interesting because the plan is really guided by DEQ regulations, and their main goal as part of this planning process is to look at our population, our waste projections, to see if overall as a state we have enough landfill capacity to manage all of the waste happening here.

[03:42:53] So as that stands, we're meeting the requirements of the plan. Does that make sense? We're meeting the requirements of the plan that DEQ has laid out, but your specific implementation plan is to move higher in the waste management hierarchy, further towards waste reduction.

[03:43:16] Sorry, I've got to go all the way to the top, but source reduction, reuse, recycling, and composting, and moving further away from landfilling. but it's really up to your staff your boards your resources as to how you implement that plan basically we're meeting the requirements as it stands for plan maintenance okay so you're meeting the minimum is there are there other counties i know the city of charlottesville they have a one i don't know how many waste haulers does anyone know how many waste haulers they have but they pick up everything so they're able and i think they have recycling is that correct so they have

[03:43:52] a system there what prevents us from doing something similar in the urban ring or at least in certain neighborhoods i think that would be a question for your local staff to determine but i don't think there's anything really prohibiting that money yeah is that all you need to stand up the public works department the rest of the way to do that because we don't have it yeah well i i mean, I just, because I've been a member of this committee and everything, and it's just, I know the haulers, we're asking them information, but I understand that they don't have to give it.

[03:44:29] Okay, so there's no teeth there. We have a 25% minimum recycling rate, so that's not anything to brag about. Yeah, that's the state's requirement. Pardon? That's the state's requirement. We didn't set that in place.

[03:44:44] Okay, so the state has a low requirement. Yes. Okay. It's 15% in even more rural areas. So we're actually doing better than the state's 15% requirement. Okay. And the public feedback in Albemarle was 97 responses?

[03:45:02] Yeah, in our community survey. It was an online survey open for two months. Right, I remember. Yeah. Okay, I mean, you've done a great job of summarizing everything, and I appreciate that. I guess I would like to see maybe a more robust, how can we recycle more?

[03:45:24] Because that's better for, you know, the environment, the climate, everything. What can we do to actually start doing that? And I know you say money, but, I mean, there's... I said money. You said money. SWAC has a plan. Pardon? SWAC has a plan.

[03:45:40] We can certainly do that. That's not her job. Jeff are here. Right? She doesn't work for us. It's helpful to remember. I realize that. Right, right. Here's the guide. But it's great to be able to have something more concrete that we're doing more at least toward recycling. And I know composting, you know my issue on that.

[03:45:57] But, I mean, you know, do little steps first where we get people recycling and they're in a mindset of recycling, except for all the good people that go to the convenience centers and they recycle. Everyone else just throws it all in one bunch. Sorry. Go ahead, Jack.

[03:46:14] Good afternoon, Jeffrey Dumars, Director of Facilities and Environmental Services. I'm very excited to talk about our initiative to hire Matrix, the consulting firm that completed our organizational assessment. They will be assisting us with evaluating our permitting system and the potential for enhancing services in the urban areas.

[03:46:40] we intend to come back to executive leadership and provide the options, a menu of options, for fee-based service or enhanced services in the very near future. It is a part of our departmental FY27 plan and to fulfill the strategic plan goal of analyzing an enhanced public works function for the county.

[03:47:08] Good. Glad to hear that. Thank you. No other questions? No good. I should have asked this question when we had it the first pass, and I didn't because I thought I missed it. But what are the dollars? My general take on the chart, the regional implantation plan, where I got the dollar signs on the far right, was the more dollar signs, the more expensive.

[03:47:27] But then when I actually read through it, some of the \$2 signs were as low as \$3,000. So what's the key for a \$1 sign equates to under \$3,000? There is a key. Where's the key? I've been looking for the key.

[03:47:42] - I apologize, I might need to duplicate it 'cause we have a section in the actual draft plan that describes that the implementation plan is in the appendices and has the key, but I think the actual implementation plan might not have the key. So that's not it, we can make-- - But it's in the appendices?

[03:47:59] 'Cause I was looking through there going, maybe it's in there. And the only reason I ask is because it confused me with some of Albemarle's dollar signs when you just look at them. There were a couple that went from one to three and I'm like, why is that tripled, the cost? But I didn't know the reference of the cost, so if you could just...

[03:48:16] I can send that along. I can't remember it off the top of my head. But I think one dollar sign, yeah, I can clarify it then as well, might just be staff time and resources, and then, yeah, I'll clarify tomorrow. And like I said, if it's embedded in the plan, I just, I haven't been able to find it.

[03:48:34] And one note as well is I got some additional feedback from Admiral County staff, and the The link that was sent to you all or the draft plan that's included in your packet, I believe, is the previous

version since I had to share materials a few weeks in advance. So if you go to our website linked here, there's just a few changes that were made.

[03:48:54] It's nothing substantial. Can you just send it to us? Yes, I'll send the updated link. Perfect. Well, thank you very much. Thank you all. All right, board, we need to go into closed meeting. Is there a motion to take us in?

[03:49:10] I move that the Board of Supervisors convene a closed meeting pursuant to Section 2.2-3711A of the Code of Virginia under subsection 1 to discuss and consider appointments to various boards and commissions, including without limitation, the 5th and Avon Community Advisory Committee, the Blue Ridge Community for Shenandoah Park Relations, the Crozet Community Advisory Committee, the Fire Prevention Code Appeals Board, the Jaunt Board, the Local Board of Building Code Appeals, the Places 29 North Community Advisory Committee, and the Places 29 Ryo Community Advisory Committee and under Subsection 3 to discuss and consider the disposition of publicly held real property in the Rybana Magisterial District

[03:49:50] where discussion in an open meeting would adversely affect the bargaining position or negotiating strategy of the county and the board. Second. All right. If there's no objection, if the clerk will please call the roll. Ms. Lapista-Kirtley? Aye. Ms. Mallett? Yes.

[03:50:05] Mr. Missel? Yes. Mr. Pruitt? Aye. Ms. Duncan? Yes. Mr. Galloway. Yes. All right. Good.

[03:50:26] All right. Good evening, everyone. We are coming back from our closed meeting. Do we have a motion to certify the closed meeting? I move that the Board of Supervisors reconvene in an open meeting and certify by a recorded vote that to the best of each supervisor's knowledge, only public business matters lawfully exempted from the open meeting requirements of the Virginia Freedom of Information Act and identified in the motion authorizing the closed meeting were heard, discussed, or considered in the closed meeting.

[03:50:53] Second. All right, the motion has been made and seconded. Without objection, if the clerk will please call the roll. Ms. LaPista-Kirtley? Aye. Ms. Malik? Yes. Mr. Missel? Aye. Mr. Pruitt? Aye. Ms. Duncan? Yes. Mr. Galloway? Yes. All right, are there motions coming out of closed meeting?

[03:51:09] Yes, thank you. Two motions coming out of closed meeting. First is I move to appoint the following to boards and commissions for Fifth and Avon Community Advisory Committee. Amanda Brookman, Rafiola Deuzay, I don't know how I did on that, Mr. Pruitt, Nathan Holland, Blue Ridge Committee for Shenandoah Park Relations, Lonnie Murray, Crozet Community Advisory Committee, Christopher R. Solly, John Knight and Jay Pence, Fire Prevention Code Appeals Board slash Local Board of Building Code Appeals, John Eggleston, Doug Lowe, and Dwayne Vaya,

[03:51:50] Jaunt Board, Christy Hagan and Jacob Sumner. Local Board of Building Code Appeals slash Fire Prevention Code Appeals Board, John Eggleston, Doug Lowe, and Dwayne Vaya. Places 29 North Community Advisory Committee, Adam Yost.

[03:52:06] Places 29 RIO Community Advisory Committee, Audrey Kocher, Brian McMillan, Judith Schlüssel. And Secretary of the Fire Prevention Code Appeals Board and Local Code of Building Code Appeals, Danielle Sumners.

[03:52:23] Second. All right. The motion has been made and seconded. Without objection, if the clerk will please call the roll. Ms. LaPiesto-Curtley? Aye. Ms. Malik? Yes. Mr. Missel? Aye. Mr. Pruitt? Aye. Ms. Duncan? Yes. Mr. Galloway? Yes. All right. Second. Motion is I move a resolution. I move to adopt a resolution authorizing execution of a gift proffer letter to the United States Army for Rivanna Station.

[03:52:48] Second. All right. The motion has been made and seconded. Without objection, if the clerk will please call the roll. Ms. Lapisto-Curtley? Aye. Ms. Malik? Yes. Mr. Missel? Aye. Mr. Pruitt? Aye. Ms. Duncan? Yes. Mr. Galloway? Yes. That motion carries. Thank you. And the next item then, we will start number 17 from the county executive, report on matters not listed on the agenda. And I know we have an item here. Ann, are you leading that?

[03:53:16] I will speak very briefly just to advise the board that County Attorney Andy Herrick will provide the board with some information regarding referendum communications. And with that, I'll turn it over to the county attorney. Thank you. Thank you. Evening, Mr. Chair, members of the board, Andy Herrick, I'm the county attorney.

[03:53:39] And I've been asked to speak to you this evening about referendum communications in advance of the sales tax referendum that will be on the ballot this fall. As you're aware, the board authorized and our office filed a petition with this local circuit court earlier this summer authorizing the issue of a one-cent sales tax to be put on the ballot this fall.

[03:54:03] There's a Virginia code section, section 24.2-687, that allows a number of communications to take place that are authorized by the board. I've put some of the highlights of that up there. It allows an explanation of a referendum that would include the ballot question and a statement describing the referendum.

[03:54:22] It has to be a neutral factual explanation. It must remain unbiased, be in plain English with a maximum of 500 words. It may not advocate for or against referendum passage. It may be distributed at polling places on the day of the election. And it also may be published in a newspaper preceding the referendum.

[03:54:40] I have prepared that proposed explanation I've distributed to your seats. There are also copies available for the public at the sign-up table. And the code also does provide that if the board authorizes it, it's the local government attorney that prepares that explanation.

[03:54:56] And so I've done so and attempted to make it, again, to fit all of the restrictions. It's under 500 words, factual. It does have the question that will appear on the ballot as well. So it attempts to provide a neutral summary of the referendum.

[03:55:12] It outlines the purpose of the tax, its limitation and duration, and it describes the allowable uses of revenue for school capital projects. That same code section also allows for other neutral explanations to be distributed by the local government.

[03:55:29] So the county is authorized to provide neutral factual referendum information outside of the official explanation that appears on the ballot, or excuse me, that appears at the polling places. So the county can provide objective information, facts, amounts, uses of proceeds, and so forth, but it cannot run a vote yes campaign using public dollars.

[03:55:52] Individual members of the board in their own personal capacities may also advocate for or against a referendum, but again, that has to be in your personal capacities. Virginia law does not prohibit elected officials from expressing their personal views on a ballot question. However, several important legal limits apply.

[03:56:10] board members may not use county funds staff time county email accounts county facilities or any other public resources to promote or oppose the referendum any advocacy should make clear that the member is speaking in an individual capacity not on behalf of the board or on behalf of county government again as i've indicated staff may provide neutral factual information about the referendum but cannot assist in preparing advocacy materials or messaging If a member engages in an activity that meets the definition of express advocacy, campaign finance rules may apply, including reporting requirements for referendum committees.

[03:56:48] So in sum, personal advocacy is allowed, but official advocacy using county platforms or resources is not. So the neutral factual communications through county channels is permitted and will be managed by staff consistent with state law. So we've, our CAPE office, led by Abby Stump, has prepared a county communications campaign, again, along the lines of neutral factual information.

[03:57:15] We'll launch that, or we plan to launch that public awareness campaign on September 4th with these principles, that the communications will remain factual and neutral, that the information will explain what the referendum is, how it works, and when and where residents can vote. Again, the county will not encourage a yes or no vote because we're prohibited by law from doing so.

[03:57:35] The local government and schools, it's worth noting, will conduct separate but coordinated campaigns. The code section that I just cited to, section 24.2-687, restricts local governing bodies, but the school board is not under the same restrictions, so there's a slightly different set of rules.

[03:57:52] As a result, the county's communications may differ somewhat from the schools, including the possible naming of school projects by the schools themselves, if they so choose. While the county will focus on the types of projects that the tax might fund, the schools might name specific projects.

[03:58:10] Again, we don't control that, and they are not limited by the code section that I cited. And again, this difference is rooted in the differing legal regulations for the two entities. So with that, those are my prepared remarks, but I'm happy to answer any questions you might have. Ms. Stump from our CAPE office is here and might also be able to answer questions regarding the communications effort.

[03:58:29] Thank you, Andy, and I would encourage the board to ask as many questions as you need to on this one so that we understand the letter, and not just the spirit of the law, but the actual letter of the law. So, Supervisor Malik, you're up first. I think I understand the spirit and the intent, and we'll tread very carefully. Thank you.

[03:58:49] Supervisor Duncan? Yeah, I would be really interested in hearing more about what the plans are for the community engagement and education and that kind of stuff. I would defer to Ms. Stump to address that. He's so much taller than me.

[03:59:05] Abby Stumpf, Director of Communications and Public Engagement. We're really focusing on a broad education-based campaign. It'll include a web platform, our web page, and that's really going to be the source of all of this information so people can find it, particularly all those Google searches.

[03:59:24] We have the right language that'll pop up to answer questions that people are looking for. It'll have a, to launch, it'll have an initial one-pager fact sheet that people can download and then share as they needed. We'll also be working on a mailer out to all residences in the county that will drive traffic back to that website.

[03:59:46] And then there's a whole bunch of, gosh, a whole bunch, probably about 10 to 12 FAQs that we know that people are going to be asking, and we're just going to keep adding to that as we hear more and more. So I know that the city has already started running ads on the radio.

[04:00:03] That's sort of an educational thing. Have we thought about doing any sort of video ads, social media ads, radio ads, anything like that? So we have social media in our plan right now. We're going to start with organic social media at first because I know that a lot of the sharing for the first couple weeks is going to hit everything and people are going to be just using that as their platform for moving.

[04:00:28] But we're going to be looking weekly to figure out, are we getting the information out at all the places that we need to? So, yeah, radio ads and newspaper ads and some other places are going to be on our list that we can easily tap into if we need to. That's all I have. Yeah. Supervisor Pruitt.

[04:00:45] I actually have nothing to add on this. Or ask. Supervisor Missal. Thank you. No questions. Supervisor Lapista Curtin. No questions. Thank you. All right. I got some questions. I open up my inbox, a constituent emails me and says, Supervisor Galloway, do you support the referendum? I'm not allowed to answer that question if I want to answer yes or no. Is that correct or not correct? You have the ability to answer that question, but you cannot use county resources to advocate. So it might be, if you wanted to perfectly comply with the letter of law, it might be best to respond to that with your personal email rather than a county-based email.

[04:01:22] But if I respond to that email and say yes or no, then I'm not, I could be in violation? Technically, because you'd be using county resources. And again, it would be very important for you to clarify, I'm speaking on my own. The more important thing is that you clarify that you're speaking on your own behalf, not on behalf of the board of the county.

[04:01:41] All right. I'm asked to come speak to some constituent group in the county. We'd like to have you here to help answer questions, et cetera, et cetera. And they're trying to figure out where they're at on this. In that situation, I know I'm free to speak as I want, but I have to just state that I'm here as the citizen, not the chair of the board.

[04:02:00] Yes, sir, and that you're speaking of your own personal opinion and, again, not on behalf of the board or the county. I think that sums up exactly what we have to be mindful of and careful of. Yes. Just wanted to know, we usually have two phones, so if we get a call on our work phone, then we can't answer it.

[04:02:22] Best to return it on not using county resources, county e-mail, county phones. Best to return any sort of inquiries on your own personal devices. Thank you. Sally? Just, I guess, just clarifying, again, to be very clear.

[04:02:38] So we can, like, go on social media and say, this is my opinion on this. Yes, ma'am. I would advise you, though, to, again, just disclaimer. This is my personal opinion as a voter and parent. Exactly. Yes, ma'am. In the great wisdom of the Code of Virginia, we've done nothing but advocate for this up until this point.

[04:02:59] And we voted to put it on the ballot. And as soon as we did that, now it changes the game while we lead up to the vote. The board has put it before the voters to make that decision. I'm just saying, though, for three years. If I could clarify, the board has advocated to allow Virginia localities to have that option.

[04:03:20] And now we have that option, and it's before the voters at this point. And I don't suspect that there's anything wrong with if an email is received on the county email that I can reply, email me here, or just you said, go ahead and just reply. Yes, sir.

[04:03:35] Use the email address and apply from the personal. Yes, sir. Great. Very good. Thank you. Thank you. No other questions? Actually, I do have one technical one that just came up. So if someone emails a question to our county email, should that be kept? Yes. Okay. Even though we don't ever answer it or anything else.

[04:03:52] And again, let me clarify. You can answer from your accounting email as well, as long as it's neutral, factual, and so forth. The moment that you express an opinion, it would have to be from your personal account. Thank you. Very good. Thank you. Okay.

[04:04:11] We will move to item number 18, public comment on matters previously considered or currently pending before the board other than scheduled public hearings. And we do have some folks signed up. So, Vice Chair Missell will read the rules and introduce our speakers.

[04:04:27] Happy to. We have no one online, so I'll read the in person only. During this portion of the meeting, individuals may address the board regarding matters previously considered by the board or currently pending before the board other than the items scheduled for public hearings. Speakers are limited to one opportunity of up to three minutes. To ensure equal treatment and courtesy for all speakers, the board requests that the following guidelines be observed.

[04:04:47] Please state your name, and if you live in Albemarle County or Magisterial District, comments should be directed to the board as a whole. Written statements or supporting materials may be provided to the clerk. If you're representing a group or organization, you may ask others present to raise their hands in recognition. Speakers may not share unused time with another speaker.

[04:05:05] Back-and-forth debate is not permitted, and speakers should not speak from their seat or out of turn. The podium timer will guide your time. Green indicates your time has begun. Yellow means one minute remains, and red indicates your time has expired. All comments are recorded, live-streamed, and published on the county website.

[04:05:21] The sign-up period is closed once public comment begins. The podium is adjustable. Speakers may raise or lower it so they're able to speak directly into the microphone. And we'll begin with Mr. Tom Olivier. Good evening. I'm Tom Olivier from the Samuel Miller District. I'm here to speak regarding rural areas' values and planning.

[04:05:48] In the early 1990s, a former county supervisor told me that during the development of the county's first zoning ordinance, a large-scale map of the county was hung in a public area on a planning department wall. On the map, areas we today would call rural areas were labeled as raw land. Raw is a semantically pregnant adjective, one that suggests that open spaces are there to be transformed by humans into something else. Fortunately, by 1989, our comprehensive plan

[04:06:23] recognized the need to preserve open spaces, with forestry and agriculture as priority uses. In 1999, the Natural Resources and Cultural Assets chapter added natural and historic resources to the list of protected RA values.

[04:06:42] A few years later, the first Rural Areas chapter presented a vision for enduring rural areas, a vision of integrated ag forestal industries, natural systems, and historic resources. I recently sent you all a copy of that vision statement.

[04:06:58] In contrast, early in the last comprehensive plan, planning staff proposed a new structure for the plan without a rural areas chapter. Our open spaces, it seemed, were deemed undeserving of much attention. What impoverished conception of our rural areas lay beyond or behind that decision?

[04:07:21] Were rural areas again being seen as raw land? Pressure from members of the public who understood open space values led to including a rural areas chapter and a commitment to develop a stand-alone rural areas plan.

[04:07:37] Such a plan would help identify policies that foster coexistence of often competing open space land uses. It could help identify adaptive paths for ag forestal industries in changing ecological and economic circumstances.

[04:07:55] Alas, the county currently lacks rural areas planners to help develop a stand-alone plan. If the Community Development Department doesn't request a new rural areas planning position in the next county budget, I urge that you, the boss, require that it be added and funded.

[04:08:13] Thanks for your consideration. Thank you. Thank you. And Tim Kendrick. Good evening. My name is Tim Kendrick, and I live in the Whitehall District. I'm speaking today on behalf of Albemarle County Farm Bureau.

[04:08:31] In front of you, there's a small booklet, Welcome to the Country. This is a booklet about Central Virginia and living in the country and rural areas within our county. It's a light reading, but in lieu of the fact that in the near future we'll be making decisions here with this board about the future of agriculture in our county, I would ask that you take the time and read this short book.

[04:08:53] You'll recognize names in there from farmers past and present, like Corky Shackelford, Rob Harrison, and Carl Tender. It's a short read, 70 pages, but I think you'll find it informative and a delight to read.

[04:09:09] Thank you. Thank you. Thank you, Tim. That concludes our list. All right. Thank you for our speakers this evening. All right. We will move to item number 19, ZMA 2025-7, Wendy Knoll. We have Rebecca and Michael at the dais with us.

[04:09:27] Good evening. Good evening. Thank you. I'm Rebecca Ragsdale, Planning Manager with the Community Development Division, and I'll be taking us through this presentation and going over the specifics of the proposal.

[04:09:43] This is a public hearing, and we did get a few questions and want to make sure we clarified that it has been properly advertised, and that includes all the requirements of the Code of Virginia and sufficient notice, including post-it notice, under the county-specific requirements in our ordinance.

[04:10:03] This rezoning involves about three acres of land comprised of three parcels, currently zoned R1 residential, and the proposal is to rezone to R6 for up to a total of 18 units at a gross density of six

dwelling units per acre.

[04:10:23] Public hearings have been held at the Planning Commission in February and then most recently in May when they made their recommendation and the application has advanced to you this evening. So I will go through a couple slides to go over the existing conditions and orient everyone to the parcel, just getting situated over here with my screen.

[04:10:52] It is located along Rockfish Gap Turnpike 250, and it is between the Corrie Farm and Liberty Hall neighborhoods, and it has a couple different access points that we will go over, but it is a C-shaped assemblage of those three parcels.

[04:11:15] Looking at it a little more closely with the aerial view, the parcel will be outlined on each of these slides. There are most of them in the blue. It is a C-shaped parcel, as I mentioned, to the east of Corey Farm, and to the west is Liberty Hall.

[04:11:33] It's near the Clover Long and center area of Blue Ridge Shopping Center. The yellow arrows are indicating a couple access points that already exist to these parcels off of Quarry Farm, which will, of course, be future Eastern Avenue.

[04:11:53] Those access points are important as we go through this presentation because it is, again, an assemblage of parcels that will be accessed from a couple different spots, which is Windy Knoll Lane that extends off Little Fox Lane in the existing Quarry Farm neighborhood to the northernmost portion of the existing Quarry Farm Road and access point from there, and then from Colony Drive within Liberty Hall.

[04:12:22] We mentioned that it is located adjacent to future Eastern Avenue that is underway in terms of moving forward with the design, build process, and funding this fall. hopefully starting that in 2027 through 2029.

[04:12:43] Again, with the existing conditions information, switching gears to this map, you'll see the C-shaped parcel in the light green color in the middle is zoned R1 residential currently, as we mentioned. The white is just acknowledging the existing 120-foot right-of-way for future Eastern Avenue.

[04:13:00] Quarry Farm is zoned R4, and then Liberty Hall is neighborhood model with about a gross density of six dwelling units per acre. This is a snippet or inset map from the Crozet master plan.

[04:13:21] The parcel is designated neighborhood density residential. That density range is up to six dwelling units per acre and is the same designation as Liberty hall and quarry farm as we mentioned again the center is located within close proximity and walking distance from the site going over the specifics of the proposal this is what we refer to as a concept plan that is offered by the developer to make commitments to certain features

[04:13:55] we often use the term major elements anything you don't see called out on the plan specifically as a unique element of this proposal will be covered by the ordinance which is the r6 regulations that r6 allows unit types such as single family detached and multi-family and the maximum building height is 35 feet for example this particular plan as i mentioned has a couple different

[04:14:28] areas, assemblage of three areas, but it has what we refer to in the applicant has labeled the south building zone, which is accessed by Windy Knoll Lane from Colony Drive, and then the northern portion, the north building zone, which would be accessed with a new private Street from existing quarry farm road the total number of units that's proposed is 18 and that

[04:15:05] maximum is included in the materials from the applicant they have included a limit on the number of units within each of these building zones which would be up to 11 so for example you know if they did if they did fewer in one they they can't do as many in the other but the maximum overall is 18 this plan also given that it has multiple

[04:15:39] access points and also some constraints that will result in it not completing any pub new public road segments it is bound on a couple access points from existing public roads so these connections into the site again will be private there is the commitment to a paved path that would provide accessibility from the northern part of the site down through it over to the existing sidewalk system either in Liberty Hall or down to future Eastern

[04:16:15] Avenue or the existing paved path down near Little Fox that extends along the 250 frontage. This development with the townhouse proposal and the limited number of the limit to the number of units in each building zone might end up being similar to the row of townhouses that is grayed out and similar to some of that development that you see in Liberty Hall currently. What is in addition to the regulations of the R6 district, there is no requirement for

[04:16:50] buffers or screening between residential uses. And based on public input and concern about adjacent neighborhoods, there is what you will see as a 10-foot buffer zone along property lines that are adjacent to existing residential in Liberty Hall, the residents at 330, which is not part of this proposal, and then the existing residents in Quarry Farm. The rear setback for R6 is 20 feet and the applicant has proposed an additional 5 feet for that rear setback to allow

[04:17:29] for some additional space between the new development and this development. There was what we refer to as an illustrative plan, which means it's an example of how the site could develop under the R6 zoning regulations that would regulate it and the features of the plan that they have made commitments to so that way this is just showing you how there may be fewer units in the southern section then the northern section it's hard to see on this screen but the applicant has demonstrated how they will

[04:18:07] manage stormwater on the site which would be completely contained on this site and not relying on any conveyance over in the or drainage to the Liberty hall neighborhood but would drain through the site to the stormwater stormwater facility that they have planned engineering staff has reviewed this and been out to the site several times based on some concerns about stormwater from the Liberty Hall residents they didn't object to the proposal or see any hurdles with me meeting the DEQ regulations or local regulations with regard

[04:18:43] to managing stormwater on-site and not having any impacts off-site i'll mention the proffers and what what commitments uh have been made with the plan and those features i think i've gone over in the uh in the plan may not have mentioned a few of the other elements include an additional uh drainage and slope easement or excuse me yes drainage and slope easement that would be necessary to accommodate Eastern Avenue we mentioned the public paths and connectivity

[04:19:22] through there and then based on the number of units the applicant has committed to proffers that are consistent with fully consistent with housing admiral including the the percentage of units terms of affordability and the income limits so if they if they build out to the maximum 18 for example that would be up to four affordable units we mentioned the review at the Planning Commission ultimately the last action by the Commission was a

[04:19:57] recommendation for denial we did receive a resubmittal from the applicant and this proposal includes some additional changes that were meant to address those concerns we heard from the Commission and the public related to stormwater defining and defining the boundaries and condition between this development and the adjacent hmm so I will pause there for any questions all right thank you

[04:20:33] Rebecca supervisor Malik thank you I will start at the bottom most recent so what are the changes that were proposed since the May Planning Commission because I didn't see that in my homework if I missed it I'm sorry I knew the path was new but I didn't know there was anything else it was substantial so they they made sure that that 10-foot planted buffer zone around the perimeter adjacent to existing residential included was included in additional areas that it

[04:21:08] wasn't at the Commission the 25-foot rear setback was an increase from 20 which is the ordinance minimum to 25 between the the board I mean excuse me the Planning Commission and the board and then they also there was an updated narrative proffer and concept plan to address stormwater an additional response to stormwater and some of the other concerns that were raised in the narrative so that was what was provided in between the the Planning Commission

[04:21:46] board and so in the buffer zone around 330 for example that 10 foot green angle that you showed on one of the slides what is the tree protection in that zone because having stood right there there are multiple trees two feet and three feet in diameter right along that buffer route so the proffer that may not include the buffer would be landscaped but it doesn't necessarily make a commitment to preserving the existing trees in that area given a site like this and the grading

[04:22:24] and everything that would be necessary to develop it it the developer has not made a commitment to preserving specific trees okay and now we'll work our way back up the chain let's see you had mentioned amenities and i did get some questions today so let me just open that up um come on Where are you, Jude?

[04:22:54] I'm sorry. One second. I had it, but it died. So where are the recreation, closest recreation places for this?

[04:23:15] One of the questions from one of the people who lives far away in Crozet, but not anywhere near. Nearest playground, basketball court, baseball field, soccer field. How will kids get there without parents driving them? We're talking about amenities, so I'm just wondering if any of those questions are included.

[04:23:34] in the amenities you mentioned so the starting point in the ordinance there actually aren't amenity or recreational requirements for units of less than 30. this is a proposal for 18 but the proffers have made a commitment to provide amenities the minimum amenities that would be Required for under our ordinance in section 416. So they've fallen they've proffered to comply with 416 Which would include the tot lot as the amenities for this site

[04:24:13] There it's not one based on the number of units and the schedule in our ordinance that would require those other amenities, but it will be with Eastern Avenue, hopefully more accessible to croze park within the development area so this green rectangle on the slide you have up now is where these features would be even though it's a very slopey section right now so the um have to cut cut that out i guess cut and fill yes that the the green area on the um illustrative is where

[04:24:45] they believe they have enough area to um provide uh amenities that are cited in the ordinance but you'll also you're seeing now how developers are getting creative with things that work with the the area that they have and the local characteristics of the location where they would go all right working my way back up um the easement for eastern avenue which you mentioned in the proffers there seems to be a difference between what is shown on the applicant's map and what the county's

[04:25:19] map is showing and so who's going to be what's going to be that when the county needs this map to go forward with the eastern avenue procurement who's going to be is the extra area going to be then provided or is the county going to be stuck with buying an extra hex thousand square feet or whatever to accomplish the construction of eastern avenue because there seems to be a pretty significant mismatch between this little slash triangle here and the bigger it's about twice as big actually on the county county map so i that may be something you're not prepared to answer

[04:25:57] right now but it is certainly a discrepancy going forward that could mean lots and lots of money to county taxpayers well we do have um kevin mcdermott excuse me kevin mcdermott if you would like to call him up to answer any specific questions related to eastern avenue we have to answer the question about the specific proffer it's the 4500 and roughly 770 square foot area that had been identified up to this point for additional easements we Kevin may have

[04:26:31] more details Michael Michael bar instructor planning we so currently miss Malak we have conceptual plans for the widening of or you know the installation of the road an extension of the Eastern Avenue connector there have been some concepts that we've looked at lately about you know maybe we're working some of the sidewalk and shared these paths in this area.

[04:26:58] I don't believe at this point that any of the right-of-way discussions we've been talking about would be outside of the area shown on this particular plan. I'm not quite sure the exhibit that you're looking at. I guess it was part of the materials that were put together for the public meeting in Crozet a couple of weeks ago that showed official VDOT documents or somebody's official looking documents that showed a big arch for the construction easement particularly as part of it as opposed to and then it's encroaching you know if having been there and seen how deep that bowl is it

[04:27:33] begins on the white parcel going north and all those topo lines that are there it's very steep and uh the stormwater pond that they're looking at there in the low spot is sort of at the bottom of a slope that's going to have to be dealt with for the construction easement for the roadway so it looks i'm not an engineer but it looks too small for me considering the constraints which are there. So I just want to know who's going to get stuck with making those changes. And I don't think changes should be happening to the public project when we have an application which is open for deliberation and would be easy enough for them to make sure that there is sufficient

[04:28:13] land provided for whatever the county needs for this long-awaited roadway improvement. Let's see. So basically, in the buffer question, what will happen to the vegetation? It'll basically all be cut down and little shrubs will be put in the place is the answer i guess that i took away from that no tree preservation is required so the proffers specify the replanting

[04:28:42] standards for the the buffer areas that were proffered uh and that was trying to refer to my screen here uh the there was a mix of uh ornamental and medium shade trees uh at at intervals of 30 feet on center existing healthy trees within the buffer zone are preserved maybe if existing trees can be preserved they will be counted towards the buffer so they they aim to try and preserve

[04:29:17] the existing trees but it would be a mix of the ornamental and the shade trees um in your presentation you described the multiple access points and then the outcome might be similar to the Liberty Hall townhouses over to the east for this upper northern building zone, but might be is not giving me enough information to know whether I can approve a particular application because there's no guarantee of what the proposal is going to be. And I'm old enough to know that

[04:29:55] things have changed between approval and final site plan. So I just want to know what is really being proposed that I think the board needs to know and the neighbors and the community certainly need to know what to be what to expect up there so the applicant um will probably go into greater detail but when you look at this row of townhouses this represents the maximum 11 that could be achieved in a building envelope so the limit is 11 and and uh in one envelope and then 18 total so

[04:30:29] this row here on the illustrative is uh roughly the same size as the liberty hall one over here and that's why i just it's one you know real world example that's nearby um and so footprints footprints um would need to be smaller in the other um portion or you know they may be distributed but this is an example given the area that they have to work with of the maximum they could achieve I believe, based on what we've looked at on this plan in one of those building zones,

[04:31:05] given the configuration of the parcel and the limit of 11 in each one. And the constraints of the configuration of the parcel are given, and certainly something that was known before the purchase and the process even began. But these lots, the six townhouses are basically half the size of the units across the 25-foot buffer, which is there toward the east um and the lots over there um are very very close having and i guess the the townhouses on the east will the northern zone will have to be dug in to the the

[04:31:43] slope is pretty steep like 15 or so feet from top to bottom going north over there it's really hard to imagine how that's going to work because we were given no information about that uh let's see going up to the top all right i guess that's all the questions i have for right now thank you very much. Supervisor Duncan? Going into sort of the land use for it, could you just refresh my memory on how long the Crozet master plan has been there and how many times it's been revised? Well,

[04:32:20] Crozet has its third master plan that we're on right now. The 5, 10, 15, and 21. 2005 was the first one. There's a four, well, three to four times. But the designation of neighborhood density and this general area hasn't changed substantially in any of the master plans.

[04:32:46] And every time it gets revised, the public has a chance to weigh in and sort of debate what they want the master plan to be? There's extensive public engagement with each of those master plans. Thank you. And then in kind of the packet you talk about that this area is designated an activity center.

[04:33:07] Can you just sort of refresh what that means? Activity centers are noted where we have certain goals for them in terms of the most dense at the center of the activity center and then supporting those in terms of walkability and density around them as it radiates out from the center, sort of roughly.

[04:33:32] Mr. Barnes may have things to add, but it's where there is a certain amount of facilities already that can serve more infill.

[04:33:47] And the intent then is you have activities in places to be, and then the intent is to have housing close by so that people can access them. Definitely mixed use in the center. And then I guess my last question is, so you believe that this meets DEQ requirements for stormwater and soil and sediment erosion control and all of that?

[04:34:13] You know, we with rezonings are looking at feasibility. So we wouldn't be able to say it meets it until it goes through the full extensive engineering site plan review process. But we didn't see any hurdles to them being able to comply.

[04:34:30] All right. That's all I have. Thank you. Supervisor Pruitt um this is gonna be a really weird question to begin with but do you know what this is like this was just put on our desk I don't know who it came from as a party got it thank you um I was just legitimately confused and figured you know we're asking questions because it looks like it's part of the packet but it's the massing is different and so I was a little thrown um in fact I was so thrown I forgot what my next question was oh yes um can you talk us

[04:35:07] through because I know there were rounds of changes we talked about the the change that was made after the Planning Commission voted either 5-1 or 6-1 to deny it recently but then there was also a vote for deferral what were the differences between the vote for deferral and the next appearance before the Planning Commission that home there was actually a decision on I think one of the bigger items was the distribution of units between the two building zones. The second time it went to the commission was where there was the commitment to establish the maximum within each zone

[04:35:46] of 11. Prior to that, there were potentially fewer units in the southern building zone. So the part of the response from the planning commission initially that they returned for was to actually increase the density on the southern part well yes and the Commission specifically said I think balance the site but I think just distribute distributing the density perhaps would have addressed their concerns about if there's fewer in each one perhaps compatibility although they with the surrounding neighborhoods but they didn't

[04:36:26] say that specifically under and was it after the first iteration before the planning commission or the second that the um this little the stormwater reachback uh was added this section of piping to the northern section stormwater has been a topic uh from the first visit to the planning commission the second visit and this visit so i can't remember exactly what was provided when i think um each time the applicant has um addressed their strategies and

[04:37:02] provided even you know a response to what they've heard at each of those meetings each time understood got it the stormwater piping is something that i simultaneously understand what it's trying to accomplish and the specific concern it's trying to speak to but it like this is just to kind of seed the conversation that will later happen i see what it's trying to accomplish right we know that in the northern part of this parcel there are drainage issues and it's trying to make it so that There is clarity that the water on the upper part of the parcel will actually get to the stormwater retention pile.

[04:37:39] I get it. But I'm also looking at it, and I'm seeing this is creating a piece of infrastructure that will need replace and repair, which is currently the exact debacle that the neighbors are grappling with. So this is a point of frustration with me that, yes, it's resolving potentially part of the problem of stormwater pooling on the northern parcel.

[04:38:04] but it's introducing another problem which is creating a a piece of infrastructure that will be on future residents to repair or replace 20 to 30 years from now right like retrenching is expensive it sucks no one wants to do it and it's never covered by your insurance i assume it's not covered by hoa insurance insofar as such a thing exists i don't know i'm not an hoa lawyer um i can you i want to make sure i got this correctly there's the amenity area

[04:38:36] proffered the amenity area is not bound to a specific place but it's notionally drawn on our map and it sounds like if i heard correctly the amenity proffer is not required based on the number of units is that accurate yes i i recognize we're not in a position to do anything about this i find this frustrating because it actually like it is something that is being given given to us as the county as the public as the representatives of the public as something that's protecting their

[04:39:14] interests but it's potentially creating a problem which is removing a level of flexibility from the plan to try and make it better in other ways because at some point they have to accommodate a certain size footprint and I don't know I guess I'm bringing this up because this seems like something that we as a county need to potentially be better about communicating and messaging what we think and want on amenity areas, right?

[04:39:43] Because, like, look at that thing. Ain't nobody going to use that for anything, right? It's not a meaningful amenity area. And I think we can all, like, in our secret heart of hearts, acknowledge that most of these tot lots aren't being used for a lot of things when they're below a certain size. And I feel that when I look at the notional amenity area here, what it does do is it makes it so that you have to negotiate massing around that, right?

[04:40:08] It makes it so that, oh, if some part of this plan changes and allows massing to change and shift, you've still got to preserve and retain that piece. And so basically they've proffered something that makes it harder for the development to be good as it goes forward through the next stages of approval if it's approved here tonight.

[04:40:29] And that's more just me ranting for a little bit here. And this is also interesting because I'm realizing the amenity area I've been ranting about is not on the screen at all. It's on one of the other things, unless I'm tripping, right? It's supposed to be, like, right there. There it is.

[04:40:44] There it is. I think that's all I have at this stage. I might have more for the applicants. Unless, I'm sorry, Mr. Burns. I just wouldn't mind, back to the stormwater thing. Yeah, please. I think the points really are, is water going to transverse on the other property?

[04:40:59] And I think that's one of the concerns. And we don't think that it will. We think the engineering department has looked and the applicant will be able to keep the water on their site. The conveyance system that you're seeing there is sort of like to further illustrate how that would be put on to retain on their property.

[04:41:16] That will be something that is required by both state and local regulations. To your point about the expense that's taken, that's going to be with all of the amenities that we're looking to through the ordinance, whether it's this parcel or any other development that we review.

[04:41:32] Sure. And remind me, is the inlet piping, is that formally proffered? and therefore required moving forward, or this is notional? It's required regardless for any property that would develop like this. It's covered by our ordinance and DEQ regulations, so there wasn't any impact identified that a proffer would need to address or the developer would need to address uniquely on this site.

[04:42:00] And that's why you're seeing it on the illustrative plan and not on the previous plan. They'll have to provide that by ordinance, not by proffer. Understood. Thank you. That's all I have. supervisor missile great thank you a lot of my questions have been answered by some of a bunch I just want to run through so this one's kind of subjective I guess in addition to changes that you noted that were the result of

the Planning Commissioner at least between the Planning Commission recommendation for denial and today are you aware of any conversations the applicants had with

[04:42:37] the adjacent homeowners I would defer to the applicant on that sounds good you mentioned the Crozet master plan. This area has not changed on the master plan since its inception in 2005, correct? I heard that correctly? Yes. I went back to the original CTs, transect map.

[04:42:59] Got it. Okay. And you used, or someone used the word feasibility at one point, right? And I'm also kind of side note, trying to keep separate in my mind, site plan related issues and zoning issues, right? And I think that's a critically important thing. Some of the stuff we're talking about is really more site plan related and i know you guys have mentioned that um but in terms of feasibility there's in this on this plan there's a couple of references to private streets and access and i'm aware of some issues with access easements in order for staff to support this plan did you all

[04:43:35] confirm that the access easements are actually in fact there and legal and available or does that become discovery in the site plant process uh so the two main access points are from existing publicly dedicated right away um from quarry farm um and from colony drive and then uh the easement windy knoll is a private uh access that extends from little fox lane um ultimately up to serve

[04:44:11] 330 Windy Knoll Lane so could you point to that on here just so I yeah I understand I'm sorry for everybody else so this is what is named Windy Knoll Lane that comes up from Little Fox and the easement is for access across the owners the developer of this proposal to serve 330 so it's for their access there isn't anything that we found you know we can't speak to the private

[04:44:46] agreements but the access would continue and be available for 330 and then of course there is potentially a crossing of across across it and improvements potentially but we didn't identify any other concerns and so go ahead go ahead no after you know i was just going to say that the other identified private street on the top of the slide there yeah that's another easement area that you may be asking about as well that and also to the right where it says private street well okay

[04:45:23] so to the latter one the one coming off colony drive that's a large part of the reason why that's not a public street is you can kind of see there's a pinch point yeah that area parcel you know the 330 parcel kind of comes in there and creates a little pinch point that's one of the reasons that we weren't able to extend a public street from colony drive because it didn't have the developer didn't have the right-of-way we would certainly were pushed for a public street in that area and you're talking about the area that's marked private street at the top or bottom or i'm sorry i was trying to like catch you're in the order you were coming i was talking about the lower one Lower right? Okay, gotcha.

[04:46:00] Yes, and you see the pinch point that's in that. That's part of the reason why you're seeing a private street extended in that area. So the private street can be narrower, therefore, and get by that pinch point? We don't have the 50 feet of right-of-way in that area or the extended public street. That's why there's a private street shown.

[04:46:16] And the private street can access three dwelling units. Three dwelling units, Max? Private street, access? Okay. There's not a limit to the number of... So private streets, per se, there is sort of a tier of private streets.

[04:46:36] Shared driveways would serve two. Private streets, there are certain, again, tiers and standards based on the number of lots. That's two or fewer, three to five, and then five or more. It's not prohibited

based on the number of lots that you can't have a private street, but there are very specific circumstances where private streets are allowed to be served in the development areas.

[04:47:01] what unit type, and it is set up between agent and planning commission approval. In some cases, planning commission approval may be necessary for a private street. Got it. And that would be a process they would still have to go through.

[04:47:17] Yes. I failed to mention in my presentation, you may have seen in the PC packet, planning commission packet, a couple of very specific waivers. But this is a concept plan, and we felt it was more appropriate to go through the final process of approval for the streets at site plan where we had all of the details.

[04:47:39] You anticipated my next question. Thank you. And the upper, where it says private street and the top with the orange triangle, that's another easement, right? I think it was in the key on one of the drawings, that purple area.

[04:47:59] It's purple, not orange. This is a, that's an access easement and that is an easement that's already in place from the platting of cory farm right okay and a private street would establish uh the right of way for the private street that would serve this north building zone the applicant would have to obtain an easement there right well it's there's no uh triangle there is yes there is overlap there's a triangle within the triangle yeah i believe is

[04:48:36] what you're referring to now right here where there is uh and i'm sure the applicant will elaborate further there is quarry farm there's right away for eastern avenue and then there is quarry farm open space and an already granted easement from quarry farm over their open space very tiny little triangle within that triangle that was dedicated years ago just to be clear got it thank you and so this may be a question i don't know for council but the the easements if there are discrepancies or if there are issues with the easements that staff is not aware of

[04:49:12] when will that be discussed is that at the site plan where you had where you'll they'll find they'll have the which easements did you were used any access easements if for example coming in at the bottom right hand corner if the pinch point is too narrow and they can't fit a private street in there for some reason that would be determined at site plan right okay um talked about interconnecting streets a little bit so the stormwater i mean yeah i think um this was

[04:49:48] mentioned that just by i mean by regulation stormwaters cannot spill over to adjacent properties right they have to capture it on their own property that's going to be a site plan requirement quality and quantity have to be captured on their site plan um are there any i may have missed this or are there any tree preservation requirements and or proffers or offers in this plan? There are the proffers for the buffers.

[04:50:19] Yeah, the buffer piece, but not any specific tree preservation areas. No, there wasn't a tree conservation plan. That's what I was looking for. Got it, thanks. On page nine, there's a note in the upper left that's kind of cut off.

[04:50:40] No specific improvements are shown to demonstrate feasibility of concept and are for demonstration purposes only site layout is regulated by sheet four concept plan can you go to sheet four this is sheet four yes sheet five and six in the upper right it says uh this is thank you this is um actually sheet five is the same as sheet four except that the uh blue and red arrows are shown

[04:51:15] uh to demonstrate the vehicular and pedestrian circulation uh i don't have sheet four in the slideshow but it's very similar to the sheet so that would be what governs not the other one previous one got it and um i just want to make sure i'm getting this right so the 11 dwelling units max on the north and the 11 dwelling units max on the south can only total up to 18 dwelling units right yes is there anything that's preventing them from putting in 18 dwelling units in the

[04:51:50] north and none at the bottom yes that's that is this plan and the proper and the proper okay got Another way to put 18 total on the site and no more than 11 on either the upper or lower one.

[04:52:06] So if they put 10 at the upper one, they can put 8 in the lower one, that type of effect. Got it. Thank you. I'm getting everything. I think that covers it. Thank you.

[04:52:29] Supervisor Lapisto-Kirtley. Thank you for the presentation. My understanding is that the residents would like fewer homes in the north section and more in the south section, correct?

[04:52:46] I am not sure if that was one of the public comments in the minutes or not. Okay, it wasn't, but when I went out there and met with them, that seemed to be the desire and the information we're getting, the emails we're getting, that they wanted more in the southern part.

[04:53:04] But my understanding, they can't have more in the southern part without having the private street be a public road, correct? The southern area does bring challenges in terms of access.

[04:53:21] Right, and if it was a public road, if it had enough area, then they could put more homes in the southern area. But it has to be a private street because of the size, the limited access they have there, correct?

[04:53:37] Yes. Okay. And I think at the site plan level, they're going to actually decide how many buildings they want in the northern part, how many they want in the southern part. Correct. Right now they have that flexibility. It's 18 total, but they can, there's 22, but they can only put in 18, but they can do any combination they want as long as it fits.

[04:54:01] Yes, that's correct. Okay. All right. And if you could go to, I think it's nine, number, slide nine. Okay, so the little green rectangle to the left of the northern part, that's an amenity area.

[04:54:20] Do you know what the size of that is about, or should I ask the applicant? I would ask the applicant. I don't have that opportunity. I'll ask the applicant. Pardon? I would ask the applicant. Okay, okay. And then there is a path, a walking path from the northern part to the southern part, And that's so that they can access either Corrie Farm Road.

[04:54:47] Would that lead to the grocery store along with going through the private street Colony Drive? Would both of those go to the local grocery store, which is, I think, about a half mile away? Yes.

[04:55:04] There is a, well, with Eastern Avenue, that would provide the pedestrian facilities. Right now, the paved path on Corrie Farm Road starts down at Little Fox, but there is a complete sidewalk system within Liberty Hall, but it could provide opportunity in either direction.

[04:55:27] Okay, got it. And I understood, correct me if I'm wrong, is that on the northern part, on the right-hand side, right next to Liberty Hall, that the applicant intends to keep as many trees as they can.

[04:55:43] they they have indicated a willingness but haven't committed with a specific conservation plan to which individual trees will be saved and when would that be done at the site at the site plan so a lot of

things are going to happen at the site plan okay those are all my questions right now thank you all right um i'm just trying i i have some questions i think i'm going to hold until we hear from the open the public hearing and hear from the from the public and the applicant to ask them to follow um if there's no objection were there any other questions for staff before we do

[04:56:22] so yeah all right um so in your description of further clarity on the private street in the rural area the third unit requires a vdot acceptable road but you're saying that now in the growth area between three and five units has some other private road possibility um we haven't that is the ordinance refers to meeting vdot standards uh which is flexibility in the design uh and elements of the road uh you know for example they recognize they may not be able

[04:56:59] to get a sidewalk section on both sides they may be seeking uh sidewalk and street tree waivers on one side so there will be uh the travel lanes will meet standards it's where uh they may seek classic flexibility in the um entire street section so the windy no lane that's currently like 11 feet wide the whole thing that would be expected to go to 26 so the standard for a shared driveway which serves only two lots is 10 feet wide for pavement okay i my picture will probably

[04:57:36] i can pull up a picture but anyway but it's now going to be expected to do three or whatever i mean there are three now on this tiny little so they may the old herring access they're not necessarily with with the two access points it doesn't for example windy noel lane if it only serves uh it's existing and the lots have been created so it's the number of new lots when you get into the subdivision ordinance so um but it is a 20-foot access easement that could be widened

[04:58:12] within that 20-foot access easement but the pavement width right now may be narrower so they would be allowed to pave right out to the end of their easement to get a fire truck in there for example if that's yes okay um and i guess i'm just the word feasibility and decided at site plan is still being mentioned every five minutes here and that is a great uncertainty for everybody in the room so it's impacting the applicant as well so i think as much certainty as we can get during this

[04:58:50] process will be really helpful for everyone going forward and i will continue to ask questions thank you any others all right we'll open the public hearing do we have folks signed up claudette and if you're in the room and you have not signed up uh you will need to do so but the sign up does remain open it's down over here to the house right okay um we have in person and online i'll read the rules of the road speakers are limited to one appearance there was a question here go ahead

[04:59:29] you're good okay speakers are limited to one appearance of up to three minutes applicants are allowed 10 minutes for their presentation and five minutes for rebuttal at the close of the hearing. In-person speakers will be heard first, followed by online participants coordinated by the clerk. To ensure equal treatment and courtesy for all speakers, the board requests that the following guidelines be observed. Please state your name, and if you live in Albemarle County or Magisterial District, comments should be directed to the board as a whole. Written statements or supporting materials may be provided to the clerk. Online participants may also submit comments through the e-comment portal or by email to the clerk. If representing a group or organization you may ask others present to raise their hands in recognition speakers may not share

[05:00:09] unused time with another speaker back and forth debate is not permitted and speakers should not speak from their seat or out of turn for in-person speakers the podium timer will guide your time green indicates your time has begun yellow means one minute remains and red indicates your time has

expired online participants will be notified when time has expired and microphones will be muted shortly thereafter all comments are recorded live streamed and published on the county website A couple of notes, the sign-up period does not close once public comment begins.

[05:00:39] Speakers may sign up to speak during the duration of the public comment period. The podium is adjustable. Speakers are encouraged to raise or lower it so they are able to speak directly into the microphone. That will begin. Well, we've got the applicant first. So we'll bring the applicant forward for the presentation, and then we go to our public comment speakers.

[05:01:01] Good evening. You've got your ten minutes, Justin. Thank you. Good evening, everyone. I'm Mr. Board, I'm Justin Schimp. I'm the engineer for this project. I'm representing Bo Carrington, a friend of mine and the owner of this property.

[05:01:18] Let me see if I can get this started. There's a lot of good questions asked in this lead up to the discussion here. I will try to answer further anything else and be happy, of course, to answer questions at the end. So the property here is shown. You've seen this on the map, but a refresher.

[05:01:37] So between Cory Farm, Liberty Hall, and you see the Harris Teeter there highlighted, that is sort of the center, that area that we talk about as the center of development where you want to have your connectivity getting to it. Our quest is 18 units on 3.146 acres.

[05:01:56] That's about 5.7 units an acre, just under 6, which is the comprehensive plan recommendation here. As was noted, we have our 20% affordable housing we provide, and it is indeed in walking proximity to those shops at Clover Lawn. This project will enhance the mix of units in the neighborhood, adding a higher density compared to Quarry Farms and Sparrow Hill, which were developed as purely single-family dwellings.

[05:02:25] The main update since the Planning Commission meeting, the 526 meeting, was adding buffers and an increased setback on the Liberty Hall side. I'll go into the details of that with the full plan. additional stormwater management details and then i'll go back one more meeting you heard some of those changes at the february one i think probably the big one was clarifying the shared use path we had a little bit of a unclear solution to how we were going to get folks connected on the site at the first planning commission meeting so we worked with the staff and i think a very good solution for connectivity for this site and that was that was the main focus of the first planning

[05:03:05] commission meeting the amenity requirements that folks spoke over really came out of response to the planning commission request after they heard from the residents thinking that we needed amenities it is indeed a double-edged sword that the folks who live here ultimately pay for those as their cost but i think that this particular area is not it meets the ordinance requirements around 2 000 square feet there's a certain number of square feet per unit you're required to do in section 416 and so we proper basically to follow that as though we had more than 30 units even though we have fewer so the code says 30 and up you have this requirement r18 wouldn't trigger it

[05:03:42] we profit it anyway essentially still more i'll talk about just for a moment but i want to clarify something we don't believe this is a zoning issue we know it's a topic of interest for everybody because it sounds like there's a big expense coming for those folks that hoa maintaining a pond the pond is kind of off page north of us we're here is the limit of our property some water currently does drain that way it's kind of a divide we sort of try to hatch it here this orange drains this way a lot of the site drains this way to

our stormwater pond goes and has been discussed you know whether we want to or not we have to meet the deq mandated regulations for

[05:04:20] stormwater management we cannot discharge additional runoff to our neighbor's property in fact we have to reduce it to what goes to our neighbor's property ironically the only caveat around the only loophole to that requirement is if you develop a single family house less than one acre of disturbance. So if this is not zoned, one could clear all the trees in here, take all the tall grass out, convert it into driveways, a large house, a 6,000 square foot house, and you're not required to do any stormwater mitigation. That's literally the only way you get around that. So with this proposal, whatever we move forward with, more than one house will meet those requirements.

[05:04:58] So rather than the site, you have a mix of single family, you have some townhomes very similar to Liberty Hall. An interesting map here shows this growth area immediately adjacent to the center. you'll see a predominantly single family mix and so that's what we view that the six units an acre the 5.7 units an acre here promoting townhomes or attached product provides more housing opportunity and a lower price point housing opportunity for folks who desire to live within walking distance of those amenities so comprehensive plan talks in numerous ways about providing density near these centers we're not above the comprehensive plan density we feel it's appropriate to be right

[05:05:37] up at that for all those reasons here's a quick illustration of that that shows that the walking shed is sort of part of the description this is this is a walking shed from our site and you see it picks up in the 10-minute walking shed the harris teeter the subway all the things that are amenities for folks this is the point i'll talk for a minute here since the red line here is where the the comp plan showed a potential public street connection colony drive through there's a couple issues with that one is the right away we don't have two is the grade approaching from the end of our site down is very difficult to meet vdot criteria we looked at this and said to ourselves

[05:06:17] well you know it's not i know it's maybe been withdrawn now but eventually there's an eastern connector coming this way which you are working hard to get built there's this oak bluff development that on their last application plan showed a particular connection right here so that closed the loop with an automobile but if i live over here and i want to take my bike over to here or here. I do not want to go out and bike on Route 250 down to Harris Teeter. So the shared use path we install here will be a public shared use path. That'll allow folks to get from this neighborhood through our site and over to that center. So I think that was the right solution for connectivity for the neighborhood. We worked with staff to develop that. That's part of what took

[05:06:57] some time for this. So here's the concept plan. This is the sheet four here. And this is what you're voting on, is this drawing. And I think there's a lot of hang up at the planning commission talking about would there be townhomes here and how far are they apart from the other homes and the reality is we don't know what we're going to put there i know it's a desire of everyone to see and you're accustomed to seeing large development plans right 10 20 30 acres where i have a neighborhood model and i show all the streets and the houses right doesn't really work in infill development and i think we had the lesson of the 999 project mr gallows will be familiar

[05:07:33] with where we got the zoning approved it was very specific for two acres and we had to go back and change it because by the time it got zoned the market had shifted what we're asking for here is your r6 zoning you have a comp plan for six units an acre we're asking for your zoning ordinance that

accommodates that density the regulations about what gets built the setbacks and those things are within those codes already and we think they're appropriate what we've done here and courtesy neighbors we've added this 10-foot buffer zone it has plantings or preservation of trees and we've added an additional setback on this side because these particular dwellings are

[05:08:09] quite close the property line I'll go over that in a moment but so these are the critical elements the 11 units here that came out of an earlier concept I think we maybe had 14 units at one's time on the north side and there was desire to see those split more evenly so 18 and a half is not a nine so so we want a little bit of flexibility and that was the origin of 11 and 11 so we can't put those numbers say we want to split it like the Planning Commission asked but we also need to leave ourselves a little flexibility and the real issue about density is really the size of the house right if you have a buildable zone as you see here right on the north side and you put townhomes

[05:08:49] here you could fit six townhomes here you could fit three large houses there it wouldn't really change the building massing or how close they were to the neighbors just changed the housing type basically so this allows the housing type to have flexibility but really speaks of the issues that were brought up which is what's the relationship of these buildings to each other here's the plan um the concept plan i'm going to skip i go back to the questions on this if we need to go on but again this is not proffered this is for illustration of what might be but we are not guaranteeing things on this plan this is kind of fascinating this is the site plan for liberty hall

[05:09:28] they actually have a reduced by neighborhood model a 15-foot building setback to us so when we standard have a 20-foot setback we've actually offered 25 feet so where this developer got five feet of extra land to build houses we've lost five feet of land in an accommodation of those residents who live there that's the origin of the structures being so close last bit of interesting tidbit here so we have access to historical maps from UVA I had to kind of zoom these in to see them but if you zoom this out there's this farmland here base this is 1957 this

[05:10:04] house here is the one that was recently taken down Wendy Nolan comes right through here 330 is right here that's what was here in 1957 1980 the house that we're retaining is here that's the other house there they access actually this way to a private road of some kind in 1990 you'll see here there was a structure here these houses and so this is actually a redevelopment this area is essentially there's no environmental features here is nothing here because it was in fact the original development of the area and then it was

[05:10:42] developed around the subdivisions as you see around it so this is a redevelopment of these we're trying to use the current county ordinance this is the plan to have to vote on tonight and we think this meets all the requirements that are applicable and happy to answer me for the questions you will have about this all right thank you Justin questions for the applicant supervisor Malik so you have mentioned the 20% affordability how does the application address the long-term affordability because there will be people who get in to purchase

[05:11:22] by the skin of their teeth financially and then the assessments for hold it upholding all of the requirements for all the private features that you've designed into this are going to be a burden for those families going forward? How do you approach that question?

[05:11:40] Well, no matter where I think you go in Albemarle County, you're going to have stormwater and road maintenance costs. I think those are going to be baked in somewhat everywhere. The affordability is

the profit, right? It's the housing Albemarle standard. There is an argument for trying to reduce you know what these uh costs may be and i don't know in the rent so in a rental environment if they're rental units right the landlord pays the cost the rent is fixed so in the rental environment you can't even though if i have to incur expenses repairing a road or fixing a pipe i can't charge more rent than housing out tomorrow allows me so in that scenario there would be no

[05:12:17] cost passed on i don't know i guess if the scenario where i buy in at my you know subsidized housing price. I buy my house. And over the years, the HOA dues increase. I think that probably is a cost added to me. But I don't think that's a cost at all unique to this site. This is going to be a cost at any, practically any development that provides affordable housing types, because they're going to be townhomes, and they're all built on private streets. So I think that's a thing to think about, but not unique to this site. Thank you. Supervisor Duncan? I have no questions.

[05:12:51] Supervisor Pruitt? I actually don't think I have further questions. Thank you. Supervisor Missal thanks you alluded at the beginning of your presentation maybe touched on this or you said you're going to come back to that in the future and that is the adjacent setback you talk a little bit more about that please sure and so it's interesting here actually go back to our our plan here so we have proffered a on this side here next to Liberty Hall these houses here a 25-foot setback the standard is 20 for pretty much every county zoning district like this the when the site and the zoning was approved the board because I think

[05:13:31] maybe probably before all you over here i think uh there was a 15 foot proffered setback here so you can ask in a neighborhood model for a reduced setback so essentially part of the reason these houses are close to the neighbors and the planning commission brought this up is it feels like it's tight is because there was a special disposition to give them an extra five feet which no one who bought those houses it wasn't they're doing per se right but the developer of that project gained more sellable real estate for building larger houses based on that so we simply said we know what we have the room we'll give up that five feet on our side to keep that standard setback

[05:14:09] house to house that would have been if they had their 20 foot got it okay thank you that makes sense can you go back to your drawing please yeah there uh we've talked a lot about both tonight and with neighbors and together with the applicant the call it carrying capacity of that northern area feels it feels tight right and so how many units in there one two three four five six seven eight nine ten eleven packed in eleven there then you mentioned nine and nine and i know you want

[05:14:48] flexibility and i get that is there any flexibility on that northern development area to reduce from what you're showing here below nine or below eleven what's your what was your thought process around that just that's just one of the big areas yeah well and i think i think i guess to to answer that sort of a matter of what's the concern because if it's really if it's the spatial distance right if i if i simply if i said you know what i'm going to make these guys 40 foot wide um triplexes

[05:15:25] right one two three units i've lost three units right there now i'm down to eight i don't think that's materially different than the townhomes essentially and so that's really the the planning Commission has talked about that and neighbors have called talked about that but my response to that as well here's what i'm proffering right i'm proffering these buffer zones and increased setbacks so no matter what gets built here we're trying to be respectful of that space even though normally residential residential that would not be required we don't know what's gonna get built there exactly but we know that whatever it is the setback in my mind is more important than like say how many people live there from the

[05:16:05] neighbor's standpoint I think for maybe the county's standpoint I argue more people living there is better which would point to higher density we just don't know which side of the road that ends up on right this moment okay fair enough understood um right there where you have a 10 foot buffer zone between 330 you're adjoining property boundary so why not 25 there well as far as a building setback yeah no i that would be a pretty substantial side setback the side setbacks five feet currently so we've doubled it you have a rear setback of 25 right the rear setback is correct it's a rear setback of 25 on this side you're calling that your side

[05:16:45] yard this is the side yard yes that's orientation if the lots were revised per the you know the ordinance to say face this forward away from this and this was their backyard the ordinance would require a 20 foot rear setback so if the layout change for the back of those units faced 330 a 20 foot setback would be required and my 10 foot buffer but we wouldn't be able to like hold the 10-foot rear and we have to follow the ordinance on the line ordinance so you voluntarily went from 20 foot rear setback to 25 foot rear setback correct

[05:17:20] on the appetite to increase the 10 foot buffer zone on the side yard well as it becomes a point of is that a reasonable you know for requests for densities particularly in side to side are the same those ordinance would not call for that kind of I understand for normal yes I I think we feel like we've come up with a reasonable solution here that preserves both the ability to provide infill housing for people and provide some respectful buffers to our neighbors got it okay um i think well i'll just ask

[05:17:57] so we've talked about easements access easements do you see any yellow flags any concerns with being able to access as you've drawn on these plans no and just a few things to the general clarify so back here we have a plotted long-recorded access easement through here there's an access easement although I said this is the back to the north side there's Windy Knoll Lane here is an existing road serving three units and that is why you see in our concept here and no matter what happens only this house this house and this house remain on the Windy Knoll Road because such as

[05:18:37] like a non-conforming road basically so there are plotted lots that use this currently we don't we would have to upgrade that as was mentioned to use it and there may be other easement issues there so the intention is for that to simply has always served three houses and it will remain to serve three houses over here we have 35 or so feet of frontage along the public road so we can get a private road off that vdot would say we need to continue the sidewalk and take this little triangle it's more complicated and nothing we're doing here prohibits at a later time might come off and working a deal with those neighbors and acquiring a triangle and building

[05:19:14] that, right? We're setting the zoning. We could always come back and put a public street here if that can be worked out. So there's not a proffer of a private street. It's a zoning proffer in the buffers. But we could, if a triangle is acquired, a public street could be built.

[05:19:31] I believe it. So VEDA would have to prove it, obviously. So if I'm hearing you correctly, it may not be, the connection, the pathway that runs through there. here no sorry oh the path oh sorry yes it looks like a dead end on the right at the property line that's right yes that's so that is the edge obviously of our property line right at the edge of the triangle so the shared use path touches the public right away at colony drive so if you were coming next to another sidewalk there without having to acquire any access correct

[05:20:09] okay uh and then last question i know tree preservation has come up we've got an arborist treeport etc etc there's concern about where that public that paved path eight foot paved path goes through is there the possibility of retaining that as green space keeping the tree buffer there and moving that shared path closer in well with the idea of this and if you've been out there if you have or not the land is really flat yeah right here i agree so what i liked about this was that

[05:20:45] i could put the path in amongst those trees and have the green space the path within it so that the path is neither in the side yard of this house or the side yard of the 330 house. That's the origin of this design. So would you be willing to create a conservation plan for the trees that are in there? Well, if we decide to save any, we have to. That's an ordinance requirement. We'd have to do that at this moment. We'd have to go survey the trees, figure out if they're worth keeping, what could be done around them, et cetera. I think we feel like what we have, we can create a path. We'll save some trees. Keep in mind, we're financially motivated to save trees because we get a bonus canopy for those, right?

[05:21:25] The county says, we build this, we have to provide an X tree canopy. For every tree we save, we get a bonus of that. So we will do that if it makes sense. But some of the trees back in here are trees as a Bradford pear in the middle. Some of these are good trees. Some of them are ones that are kind of weedy that will maybe be better off planted anew.

[05:21:44] There are some beautiful trees in there, though. Okay. Thank you. That's all. Supervisor Lephisto Kirtley? So I understand that Wendy Knoll can only service, because it's a private street, private road, right, can only service three homes, correct?

[05:22:04] That's right, yes. So is that the reason why you only have three homes on Colony Drive, because that private street could also only access three roads? This is actually shown as five. There's a property line here in the middle. So there's two kind of duplexes here and a single family here.

[05:22:22] It would be this current concept, which, again, just a concept, but the thought is we'd have five here, two that have been historically here, plus a 330, make three in total on Windy Knoll Lane. Okay. So on the private street, that would be three buildings.

[05:22:39] Three buildings. Again, this is laid out. This is not proper, but that's an idea that could come to fruition. And once again, you could put more homes in there if you were able to build an actual public street.

[05:22:56] And potentially on the private street also, we have to ask for certain waivers and things like that. That's a site plan item that I think is said. They can't make a judgment on that until I show them some very specific engineering on what that looks like. And that's a step we can do to the site plan level. So we will be back to the planning commission or the staff with various waiver requests if needed to meet those criteria.

[05:23:18] And the piping that you have, the stormwater inlet, that's going to be a pipe going from that point all the way down to the stormwater pond, correct? Yes, something like that will be built to keep drainage that direction. I ask that because it's going right through the amenities. Oh, well, it'll go underneath it.

[05:23:35] You'd never know it was there. Okay, that's good to know. And the fact that you have that path that goes along, that connects to Colony Drive, and you can also go out, I guess, once the Eastern Avenue is built out, then you can go that way or you can go to, once again, I'm repeating myself, out colony drive

down to where all the amenities are correct that's right thank you no other questions and just for my own understanding justin the 10-foot buffer zone and the 25 rear setback

[05:24:10] you don't combine those the 25 is from the property line not from the buffer that's that's correct so it's not 35 it's a total of 25 yes all right um all right i think i'm uh thank you any other questions for the applicant before? I guess only one. What has been done to try to solve the pinch point question as far as addressing the neighbors or making requests or making offers or any kind of discussion? I know that so, though Carrington has spoken with those neighbors quite

[05:24:45] a lot. I have not been involved with that discussion, so I can't say what the specifics are of that. That would probably, again, be something, I mean, in a site plan, we would like to have that triangle, if they don't want to part with it, that's their business.

[05:25:04] Negotiations broke down a year ago, to put it simply. I think that's fair to parties. Since January, there's been no context in January. Negotiations broke down a year ago. But once the decision tonight is made, then basically the others make the choices going forward.

[05:25:24] Staff and the applicant make the choices after tonight. So that's why I'm trying to get as much information as possible. All right. Thank you. I'll stop there. All right. Thank you, Justin. we're ready to go to our public speakers. Great. Thank you. We'll begin with Bill O'Malley.

[05:25:41] And Nadia Anderson is on deck. Good evening. I'm Bill O'Malley, president of the Curse Community Association. The issue before you tonight is not whether this board has the authority to disagree with the Planning Commission. Of course it does. The question is, what has materially changed after a five-to-one recommendation of denial that warrants a completely different land use conclusion. Remember, this applicant was already afforded a deferral and an opportunity

[05:26:21] to redesign Windy Knoll. The Planning Commission clearly tried to find a path to yes, but after reviewing the revised proposal, it still voted 5-1 to recommend denial. Its concerns included compatibility, transition to existing homes, private property issues, and particularly the concentration of density on the northern portion of this difficult site. So what changed after the Quote, we will fairly acknowledge some mitigation, additional landscaping, a 10-foot planted buffer.

[05:26:54] But mitigation is not a redesign. On May 13th, the north building zone allowed 11 units. Tonight, it still allows 11 units. That matters because one of the clearest messages from that body, the Planning Commission, shifts some of the density south.

[05:27:10] That didn't happen. And that raises a reasonable question. If these post-denial changes represent a better design, why wasn't the design returned to the planning commission? This is not an argument against infill, townhomes, affordable housing.

[05:27:29] We recognize those public policy goals. This is an argument for good site design. What we know is an unusual collection of parcels. It's weird. Because of its shape, slope, the existing residence surrounded by the proposal, separate vehicular access points, two development clusters, being treated as a cohesive neighborhood.

[05:27:53] Candidly, what makes this proposal so unusual, it just doesn't fit together. There's a better approach. Reduce the northern density and challenge the developer to design the two areas around the physical realities of the property. Hope for a different vote is not land use strategy.

[05:28:11] Mitigation around the edges is not the same thing as fixing the design. A five-to-one planning commission recommendation should not be overturned lightly when the central condition that produced that recommendation remains unchanged. Tonight, you have an opportunity to demonstrate good planning means giving the community's legitimate concerns the same serious consideration as the applicant.

[05:28:36] We ask you to deny the ZMA at a minimum, defer it, and require the applicant to return with a better design. These are good people. Please don't reward a developer who has not done the necessary work.

[05:28:52] Do the right thing, please. Thank you. Thank you. Nadia Anderson and Julianne Price is on deck.

[05:29:09] Good evening, members of the board. I stand before you tonight generally confused. I don't know how each of you intends to vote, but I'm baffled why a project this fundamentally flawed has been allowed to advance this far in the process.

[05:29:28] Let me be clear, I commend the applicant for attempting to address our community's affordable housing shortage. Affordable housing is a critical need across Albemarle County, and efforts to create accessible housing solutions deserve genuine recognition. However, good intentions do not change the law of physics, planning policy, or even math.

[05:29:49] High-density rezoning must be paired with appropriate land and viable infrastructure, and the site is simply the wrong location. This is not in alignment with the adopted Crozet Master Plan, nor does it fit the comprehensive principles of the AC44. Granting a spot zoning increase here violates the very long-range planning documents our community spent years developing.

[05:30:11] And for legal follow-up to a question, under Virginia Land Use Law and Albemarle County Procedure, an unapproved application filed before AC44 was adopted holds no legal grandfathered rights or entitlement. The Planning Commission evaluated this project, and I hope that you go back to those comments. They voted to deny it not once, twice. Overriding a decisive evidence-based denial undermines public trust and treats the appointed planning oversight as an expendable hurdle rather than an essential safeguard. Furthermore, packaging 20% affordable housing alongside private roads and private stormwater manage is deeply irresponsible.

[05:30:52] Albemarle County oversees well over 1,000 private stormwater facilities. County data shows that roughly upwards of 60% of HOA-managed basins suffer from an act of maintenance deficiencies and failures. Volunteer HOA boards, such as myself, don't know the extent of the burden they need to cover by fronting upwards of \$30,000 to \$100,000 in capital reserves needed for major dredging and structural repairs.

[05:31:19] Sallowing future residents in small affordable development with complex private drainage systems and road maintenance sets both these homeowners and downstream neighbors up for systemic failure. The area around Liberty Hall has been spoken a little more frequently tonight, which I appreciate, but it struggles with saturated ground and overwhelming drainage during routine storms.

[05:31:41] Even with my 15 feet of setback, the water continues to be a problem. And those board members who came out to our community, thank you. You understand the cost of fixing such an expensive

mistake through a complete replacement. This native dense clay loam soils here have notoriously have poor percolation.

[05:32:01] Pushing high-density development directly upstream will dump still an unmanageable runoff volume into an already fragile corridor. And my very true fear is that stripping this canopy and replacing absorbent ground with these surfaces will surely accelerate the same runoff.

[05:32:19] Thank you. Thank you. Julianne Price is up next, and Mark Esplin is on deck. Good evening. Thank you. My name is Julianne Price. I'm in the Whitehall District, and I live with my family at 330 Windy Knoll Lane in the center of the sea.

[05:32:40] I had initially planned to talk about our concerns and objections regarding the easement and whether or not we feel like the applicant is able to build this path across that. At this point, we have felt like we had to retain council, so we have continued concerns, but I will leave those to him.

[05:32:56] I want to thank all of you and the county staff and all the members of our community. There's so many people here for taking all the time to examine this proposal. We know that what remains within the Crozet Growth Area is largely other unusual parcels like Windy Knoll, little bits of former farmland and family subdivisions that have not yet been sold off or upzoned. I believe that the board has an opportunity tonight to set the tone for how current residents within and around infill parcels are treated. You can reinforce that we are simply an obstacle to the developer's goal of a maximum allowable units and that our existence is but an annoyance. Or you can echo the values of the planning commission in the spirit of the

[05:33:33] master plan that existing community members are partners whose lived experience and knowledge of neighborhoods can inform responsible growth so many members of our community have repeatedly come together and meaningfully contribute to raising objections to this plan some of those have been addressed many have not many of our neighbors do not have the same privileges and opportunities for engagement that we have had for a wide variety of reasons language health money i really worry about the next family that sits in the middle of the next infill development in Elmore County and who does not have the resources or the time or the ability to contest a plan that

[05:34:10] prioritizes quantity over function. I urge you to be clear in your evaluation tonight that the county expects respectful, reasonable design for cohesive neighborhoods that function in reality and not just on paper, and that the burden of due diligence and negotiations should rest on the applicant, not on the abutting residence. That has not been the case here, and this applicant has had enough chances to get it right since he began talking with the county about rezoning in march of 2025.

[05:34:36] This is the sixth official version for a density of R6 or higher. The way to address this problem and all the problems with this design and its negative implications for the environment and the people who live around this property is to reduce the number of units to a level that is appropriate for this land and its unique constraints. Maybe that involves divorcing the northern parcel from the southern parcel so we reduce the infrastructure burden on future residents and stop pretending that a c-shaped sloped parcel with our property in the middle and three separate access points from three different areas is actually a neighborhood there are there's real

[05:35:12] potential and community support here for you know an r4 designation with up to nine or ten dwelling units in this area we are ready to welcome new neighbors i'm ready for the alanthus trees next to

me to be cut down and for that site to be maintained but please deny the cma so that we we can move on and work towards a reasonable, realistic, and respectful plan that will serve all of us.

[05:35:33] Mark Esplin and Taryn Price is on deck. Good evening. My name is Mark Esplin. I live in Corrie Farm on Little Fox Lane.

[05:35:50] I submitted a counter proposal to the committee. I'm sorry that that created so much confusion. That was not my intent. The reason I wanted to submit this is that that is something that we as neighbors believe could be more appropriate and really blends the R1 Quarry Farm and the R6 Liberty Hall that is around that area.

[05:36:10] I believe this is something that would be closer to like an R3 or R4 zoning. It also looks like us that if you, and the R3 zoning does comply with the Crozet Master Plan. It looked to us that the easement needed for the Eastern Avenue construction extended deeper into the area than what the applicant shows and this is according to the county's own exhibits on Eastern Avenue so what would the proposal I showed and left you at least that area open because we didn't want to add infrastructure or amenities that would be impacted by the construction without further clarification on how large that easement is maybe there could be a path there maybe due to timing

[05:36:50] it'd be best to just have the two parcels developed separately the sketch that I provided you was done by a layperson like I'm a chemical engineer my forte is in vaccine purification and in protein separation so this is something not something that I do on a daily basis and I understand that there would need to be adjustments and that this is just a talking point but nonetheless this layout has a lot of benefits that the neighborhood and talking with the rest of our neighbors agree that would be very beneficial namely it would provide opportunities to preserve the mature trees that are within the area it could reduce the stormwater runoff because you have less permeable surfaces and greater green

[05:37:29] space with the trees it provides more opportunity for setback and buffering with the existing neighbors it would give also more green space for residents and children there will be lots of children in the area the bus is already full that's great the more children they're the merrier my kids can play with them there will be less light and noise and distract a disruption to the neighbors, fewer parking constraints, reduced traffic to Corrie Farm Road, greater privacy for Patriot Way. So in that proposal, there would just be one unit that would be facing Patriot Way instead of the six, and it would decrease the likelihood of foot traffic across the existing property. So this viewpoint is something that could be done, and there could be a transition

[05:38:08] from the Corrie Farm neighborhood to the Liberty Hall neighborhood that would enable the considerations and difficulties that might be present in the current design. Again, we're all for having info, we understand the need for growth and welcome new neighbors when they do arrive. We're all in favor of having more housing and having affordable housing in the area. And the design that I submitted has affordable units and mixed use of townhomes, duplexes, and single-family homes.

[05:38:32] We believe that this is something that the neighborhood would indeed support and that we are more than welcoming for something along this nature. Thank you very much. Thank you. Thank you. Taryn Price and Travis Britton is on deck. Hello.

[05:38:52] I'm Taryn Price. I live at 331. You know, Julianne. Everyone's made great points. I largely agree with all of them, and I don't have a three-minute prepared speech that I've timed. I have a full-time job, as

Mark does as well. I mostly just wanted you to know I haven't slept well in three days at least. I've hardly eaten. I don't know if I could make it through this talk.

[05:39:19] It makes me feel physically ill to be here to defend this again. We spent a lot of time talking about the extra five feet on each side. I'm staring at the picture now. And I think that's largely because there are no significant changes to the previous plan that the Planning Commission already denied. It was five to one. It wasn't close. It wasn't like it almost passed. It's five to one. The main changes are these tiny incremental things. And the expression that comes to mind, I don't mean to be ungrateful, but it's like it's putting lipstick on a pig. It's not a well-balanced

[05:39:57] plan i'm starting to feel frankly kind of bullied about that corner um of our land that gives us access to liberty hall i don't know what's going to happen there and i guarantee nothing so if you approve this approve it knowing that we don't know what's going to happen with that i think it's interesting that the planning commission repeatedly emphasized that there should be community engagement from the applicant i have seen zero evidence of that and instead i feel like it's our job like mark's making his own plan um why is it my responsibility we we moved here from

[05:40:32] hogwaller in our two-bedroom house to crozet where i used to be a teacher uh because i love crozet and i love the community and i love the neighbors that i've met through this process but like never did i imagine that i would have to like defend my land it feels like i have this like john dutton west what is that what does that show you know what i'm talking about it 11 units like next to my house yes i expected neighbors i was very excited to have neighbors one day we call that the tetanus play around because there's junk all over it i'm excited to see it cleaned up and have neighbors but like 11 units are you serious these three acres aren't a buildable

[05:41:11] three acres and it doesn't match the neighborhood and i understand the need for more housing but this isn't appropriate part of the master plan says this should match the existing neighborhoods the community is telling you they want fewer houses there make it work with the land as it is And if you've been there, you know how slopy it is.

[05:41:28] You know you can't build in that little middle part. That's why there's a retention pond. I don't know what else to say, but I think I'm going to take a good nap after this. And I'm going to try not to throw up in my seat. And I hope that at the end of this, it feels like we were heard.

[05:41:44] Thank you. Thank you, Travis Brinton. And Steve Walsworth is on deck. All right, good evening. I'm Travis Brinton from Law Firm of Music Peeler and Garrett. I represent Julianne Price, who lives in 330. Most of the discussion has, I think, appropriately focused on the matters in front of the board's purview.

[05:42:05] Stormwater, the density, the appropriateness, the rezoning, which is what's before the board tonight. I want to raise three issues related to the proposed public path, the eight-foot path there. I don't believe that's a shared-use path because it's not 10 feet.

[05:42:21] But regardless, these also concern the easement. I spoke with Mr. Herrick earlier today about the first thing that I'll bring up. namely the easement on Windy Knoll. Actually, let me see. Oh, yes, I can move this. Okay, so the easement on Windy Knoll Lane that crosses here, this being the Servient Estate, if there's another easement granted, then we have the two easements crossing at this point.

[05:42:47] Now, you can burden an easement by an increased degree in use without necessarily causing an unreasonable burdening, but this would be a change in the type of use because we would then have vehicular traffic and pedestrian and bike traffic crossing paths at that point right there.

[05:43:05] Now, I think that there could be disagreement. Mr. Herrick expressed the opinion that that would not be unreasonable. Of course, what that means is that every trip in and out has to stop and there's the potential of interaction. And I think that's where the actual feel of the thing on the ground is going to make a difference because a pedestrian walking along here is not going to perceive that this is an actual roadway.

[05:43:29] I don't think it's hardly any wider than the proposed path itself. So the burden would be on my client and the inhabitants of 330 to make sure that they're looking out for pedestrians who probably are not aware of what this is.

[05:43:45] So the second issue with regards to this that I want to bring up is the fact that there is a May 2016 property maintenance agreement that burdens the parties, which at this point there are two parties, the owners of these parcels, Mr. Carrington, and my client here.

[05:44:05] And they are obligated to agree, they're obligated to maintain this easement, but also they must agree or no maintenance can be performed. Now, if we add an additional unit here above what currently exists, then there's an obligation to maintain it, yet it cannot be maintained unless all three parties agree.

[05:44:25] Now, if there's a pothole or something that occurs at this point, there would be no incentive for these people who, by the agreement, which is recorded in part of the deed, would be obligated to share the costs equally. Why would they approve that when their driveway is here? So that's a potential problem that I think would constitute a burdening.

[05:44:44] I'm out of time. I was going to discuss this, but I'll just end by saying my client is open to negotiation with the developer, and we hope to have that conversation. Thank you. Thank you. Thank you. Steve Walsworth and David Trekkerich. Thank you. He's on deck.

[05:45:04] Good evening, Supervisors. I'm Steve Walsworth. I live in Corrie Farm for over 23 years now. First, I want to thank the four supervisors that did come out and did a site visit with us. That was very appreciated by everybody involved, and it actually shows a representative democracy in action, I think.

[05:45:26] so thank you second we are in favor of more housing we are in favor of affordable housing we are not nimbys as you can tell by everybody talking today they're offering some kind of solution to everything now down to business i'm at a loss is why this project is here in front of the board right now because the planning commission voted to not recommend the r6 rezoning a five to one and that's very telling it wasn't a three to three or four to two it was a

[05:46:02] five to one very definitive there was no changes since then there was no changes of any substance from the planning commission vote to now we should be looking at this the use we should be looking at a project that uses what we call standard of excellence as it's laid out in the book pursuing and achieving excellence in community actions.

[05:46:30] We don't have that. What will we have? What do we have? We have a heavy financial burden that's going to be put on the HOA to maintain all the infrastructure that they're responsible for. Roads, driveways, stormwater systems, paved and unpaved trails.

[05:46:47] This is especially detrimental to the affordable housing folks because now they're going to be faced with still paying for their affordable house after they've already bought it connectivity there is still no reason no real connectivity between the north end of the development and the south end connect context there's still a context problem the 11 units in the north they don't flow with the r1 unit built in cory farm and the model neighborhood built in liberty hall it just

[05:47:24] that won't flow trees there's 150 year old trees that are there they're native to virginia and they're just there's no plan to preserve those and those were outlined in the charlottesville area tree stewards study and they they are adamant about trying to save those trees the current master plan as it's laid out as far as density is concerned it says in that quote density as a singular tool does not necessarily promote affordable housing there are other factors to consider but they aren't so this is the concerns not changed since the planning commission

[05:48:03] vote and yet here we are thank you thank you david trekkerich and philip wade on deck hello uh almer county board of supervisors how y'all doing good here's three minutes for everyone you can just check out because i mean it is related because i'm in white hall crozet district and i'm uh sir i'm sorry you just need to identify yourself david trevorici sorry um and i'm um you know born and raised in charlotte wife born and raised orchard acres uh which you know long history

[05:48:43] of development you know it was a neighborhood on cling lane and then got completely like just dumped like it's like a little mini city over there now which is fine because we need houses and i'm not for it against this but reason i was saying you could check out because i just wanted to actually just say, like, thank you guys for your service to your community, and I know plans are, you know, rerun or anything, but thank you for, you know, I know we're coming a long way, and I just pro that corridor, and pro smart development, and pro neighborhoods getting together and fighting for what they believe in, so just, that's it, just thank you guys for being here,

[05:49:23] thank you guys for being here, developers for wanting to invest in the community, even if the community might not, you know, be butting heads right now but uh you know it's all going to be good so thank you that's all hard to say thank you yeah appreciate it philip wade and i'm not even going to try that next one that's a challenging name be among liang okay close he's on deck good evening good evening my name is philip wade and i am in the white hall district and i'm at 5340 glenview court right

[05:49:56] across the street from the uh proposed 11 units in the north up there um i did want to first address the crozet master plan because that's been discussed a little bit when i bought my house this was not in the development area so there has been a significant change from the original master plan this was not in the development area that was down near old trail and now uh it has been changed which was done right around covid when people were you know unable to get out as much and that's when it was changed and so uh you know when i bought my uh home this was you know i see

[05:50:30] single-family units everywhere, and now you're talking about 11 units on one acre across the street from me. If they were looking to do 11 units on one acre, you would most likely just say no. But they've bought other parcels that are not buildable, and now all of a sudden 11 units is okay there? That just doesn't make much sense to me. There has been no communication despite the planning commission asking them to communicate with the neighbors i've received no communication i didn't even recognize uh justin uh when i saw him there because i didn't know who he was because

[05:51:08] he's never talked to him to me before and i'm right across the street um the planning commission did ask for less units on the north side i want to be clear they did not ask for flex 11 here or there they asked for less units in the north and more in the south and i understand that they can't do that but that's that's a restriction of the property and that shouldn't be something that we have to deal with that's a restriction of the property there should be less units there and he asked what the concern was with the more units and I would say in addition everything else we've said the appeal when you we're about to build a 40 million dollar new Eastern Avenue Road here and the one of

[05:51:45] the first things you're going to see is the backside of townhomes I just don't think that is the way that we should be doing things and I wanted to ask one question I don't know if we know the answer to yet which is it said there was a total of 18 units allowed between the two but I was wondering if that includes the existing home or is this 18 new units so that was the other question that I had that I don't think was addressed I appreciate it I'm gonna leave the rest of my time because that's what I have to say I hope that I don't I hope that me and my pediatrician wife don't have to move from this county if you approve

[05:52:24] this and we have 11 units across the street from us thank you thank you thank - Thank you. Bamang Lang, was I even close? - Yes, you got a pretty good attempt.

[05:52:39] - Appreciate your grace. - All right, so I want to thank you all for being here and I think you put a lot of questions in front of developers and designers and I also want to thank my neighbors they're asking really questions.

[05:52:56] I don't have much to say, but I just want to sort of put on some, you know, question to you, because at the end of the day, this decision is not just about 18 homes, like 18 houses on a piece of property, right? It's really about what kind of neighborhood we want to preserve and what kind of development our existing infrastructure can safely support.

[05:53:18] And I have been, I live in Corifan on Little Fox Lane. My house is right up against the existing home on this Winning Orleans, 325. And I've been there for more than 20 years. I enjoy my home there.

[05:53:33] And I think this decision you're having in your hand is big because once these homes are built, the increased traffic density changing neighborhood character will be permanent. It's a decision you have to make with your choices is, you know, change my life quite big and changing the life of my neighbors quite a lot.

[05:53:57] And I respectfully ask commission to take a careful look beyond the number of proposed units and consider this cumulative effect on this, you know, the things our neighbors have mentioned, the stormwater and the traffic safety, infrastructure, even natural resources, and the compatibility about savannah neighborhoods.

[05:54:20] So this is all I want to say. You know, I think I'm the last one to speak, so I just want to preserve some time. So, you know, we can maybe, hopefully we can go home early. Thank you. Thank you. You are the last one to speak in person, but now we're switching to online.

[05:54:38] Lisa Gaylor, or Goler? Can you hear me? Yes. Good evening. Yes. Okay. Hi. I am Lisa Gaylor. I am a resident of Crozet in the Whitehall Magisterial District. I live in the southwestern part of Crozet, so I'm not a neighbor.

[05:54:59] But I'm interested in sort of the, I guess, the development of growth in Crozet. And as, first of all, I'd also like to say, pretty much everything I was going to say has already been said by the other speakers very well. And I want to also say that I heartily support them.

[05:55:15] And so one of the points that I did want to talk about was the challenges of the infill. It looks like most of what we're going to be doing now in Crozet is going to be infill. And those are more of challenge lots. I think we've pretty much developed on all the low-hanging fruit.

[05:55:32] And I'm concerned when I see consideration of these infill projects being compared to the properties next to them, which may be more easily developable or whatever to build on.

[05:55:50] I think we need to look at each one of these infill properties individually. As has been pointed out by the other commentators, there's a lot of challenges in this particular property and so just assuming that because it has three acres you can put 18 units on it what will that do to the land how what will that again what will that do down the road for for the people who end up becoming residents and what will happen

[05:56:20] to other county infrastructure present potentially also so and also yeah I think that's probably the The most main thing that I want to talk about has also been said, you know, we're not NIMBYs, but we're interested in having really good growth.

[05:56:43] We want developments that will meet our needs, including housing affordability, but also provide benefits to the community and protect the environment. And these things are critical. And I'm a little concerned because so far it doesn't seem like we have any guidelines available for us to be thinking about that.

[05:57:06] So I'd like it if all of us can be thinking, okay, we have a number of these infills coming up, but, you know, what are the ways that we want to think about these things? I think the community members, the county, and developers need to collaborate with this. And with that, again, I'd like to say I strongly support the comments of the previous commentators, and I want to thank you for your attention.

[05:57:30] Good night. Thank you. Thank you. Rashmi Guy? Good evening. Can you hear me? Yes, ma'am. Good evening. My name is Rashmi Guy, and I live in the Whitehall District.

[05:57:47] I have some concerns about the proposed Windy Knoll development. First, I'm concerned about the density on the north side of the development and the impact of residential parking. I realized that the county uses a formula, but that formula doesn't seem to consider factors like multi-generational families, kids needing a car to drive to school and work, etc.

[05:58:09] I lived in a townhome community and guest parking was limited. It created tension among neighbors and it made it difficult and stressful to have guests over. Those that had more than two cars would permanently park their extra vehicles in the guest spots. I purchased my first home that was an hour away from work, so a minimum of two hours commute each day, because that's what I could afford, and it allowed me to have a little extra space.

[05:58:34] I ended up selling my townhome because the parking situation became untenable. The surrounding neighborhoods, Corey Farm, Liberty Hall, shouldn't bear the burden of overflow parking from another development. And with the future construction of Eastern Avenue, cars would not be able to park along there.

[05:58:51] There needs to be ample parking available within the development, even if that means a reduction in units. While residents who are physically able potentially can walk and bike to the restaurants and grocery store for a few things, they will need their vehicle to go to Charlottesville or Waynesboro for work and shopping.

[05:59:08] Second, the community shouldn't be ultimately responsible for road maintenance, snow removal, etc., especially for residents who need more affordable housing. that extra burden through higher HOA fees or special assessments can really create financial strain.

[05:59:23] Third, I'm concerned about the stormwater runoff and capacity because the proposed walking path is in a lower lying area, water will flood that path. While some will argue that during the site plan phase, stormwater will be addressed, but given the stormwater failures in Liberty Hall that will cost the HOA quite a bit of money to remedy and stormwater issues in other neighborhoods like mine, developers in the county have shown that they can't won't address this during or after construction to add as a parent having the amenity area right next to a stormwater pond concerns me um the proposed development went before the planning

[05:59:58] commission twice and was not recommended with the latest being vote being five to one the applicant chose to move to the board of supervisors given all these points i hope the board denies this rezoning application thank you thank you thank you and last on our list is andrew bauer yes hello can you hear me? Yes, good evening. Yes, Andrew Bowers, I live in the Whitehall District. I have followed this situation since it was first brought to the CCAC. I am a member of the CCAC

[06:00:37] in Crozet. And every time this developer has come back with a new plan, the way that I've thought about this is they're trying to finish a jigsaw puzzle. We're trying to infill.

[06:00:56] and they have a piece that they think fits in this spot and they keep turning it around and turning it different ways and trying to cram it into the space and it's not actually the right piece for this space at this point when you start tweaking the setbacks now you're taking scissors to the puzzle piece to try to make it fit and ultimately that's not going to work

[06:01:25] All the things that these other folks have said are right on point. My main concerns are the cost for the residents long term, the safety of these private roads and walking paths, the slope, the water maintenance, everything that's been mentioned is a problem.

[06:01:47] there's nothing about this project that's not a problem and uh i highly uh recommend and hope that uh this group will follow in the steps of the uh planning commission thank you very much thank you concludes our list thank you did we have any more signups in the bin room all right very good uh thank you to those speakers and now we can move to the applicant has a chance for rebuttal five minutes if you choose to have it yes thank you there's a number of things to go over

[06:02:25] but i i start off with you know the last comment about the pieces in the jigsaw puzzle we have trimmed our setbacks but the opposite direction it was liberty hall who got a reduction of five feet for their site we've said we can tackle r6 the county standard ordinance on this property designated for up to six units an acre with the standards that are applicable folks asked about could it be r4 sure it could be r4 this this here map would be the same there would be larger houses

[06:03:01] and fewer of them and the cost of the amenities will be shared over fewer but the setbacks the county requirements for road access parking all those things are shown on our concept to meet the codes

so we've demonstrated that it can be done not saying we're going to do it exactly that way we're not proffered that plan but the thing i think the planning commission got hung up on a little bit was just this thought about you know these townhomes and how close they are we've

[06:03:39] addressed that concern the the county staff they were at the meeting if you look at their staff report they said we addressed the planning commission's concerns by dealing with the actual issue which is the space i don't believe that it's fair to say oh well a townhome that costs less is somehow more impactful than a house that costs more right fewer houses doesn't change the spatial spatial relationship of this so the density question i think does not get at the the question the answer unless you want to say look the it's all single family over here and we

[06:04:16] should carry that predominantly across but if you look at what the staff has recommended all along look what your comprehensive plan says you look how close this is to a center the reason we push to the high side of that is because all those amenities are there for those individuals to use that's been investment made and those folks get to use that so i think that these concepts of the plan being flawed or things people don't like the development there but let's go back 1957 right it was farmland and a couple houses in 80 the houses this is the house that remains and one

[06:04:53] of the folks asked hey is this house count yes it does this is one of the 18 this house that was here and development has occurred all around i don't have i guess we should go we can go back up to the very beginning here right maybe that's a good picture developments occurred all around this for the ordinances for the comprehensive plan the land use plans had this in the three to six units an acre neighborhood density for 20 years i think and what we're doing here is filling in a piece and i get everyone wants to know before we come to this body like hey what's the exact units going

[06:05:29] to be here? How much is it going to cost? Do I have 26 feet here, 30 feet? What's the grading? But those aren't really things that we would customarily do and you really can't commit to at this point. The way to develop the site, all infill sites, is going to be to find the zoning ordinance that you have that matches what the land use is and say this is what it should be. And the restrictions in play ought to take care of the protections. In cases where like this situation, we had a 15-foot previously approved setback here, we've increased

[06:06:04] it to help mitigate that situation for those neighbors but those are those are the things that we can do here i think there is a concern about cost of amenities for folks but that's going to be a cost anywhere in albano county because anything that's built new at stormwater management amenities all those things you have to pay to maintain and i think that to say oh we should just not build something because folks can't afford that so they then have to live an hour away from work because I can't afford the housing that's the wrong solution so I I hope that summarized the response to these things there are laws

[06:06:43] that deal with the environmental regulations there's zoning setbacks long-standing development regulations that the county has had and we're simply saying based on all that that's how this should be built and because of certain special circumstances we've outlined these particular buffer setbacks and one more time I'll say you know Planning Commission didn't say oh make this six they said spread them out more that was a response to the plan we had with 14 units up here so actually more so we've done that we spread the units out we have only two more than the maximum nine to eleven splitting aside

[06:07:20] and the staff has looked at our responses and said yeah that that met the sirens over there so you can do thank you Justin thank you I'm gonna leave things open since we've heard from the public and the applicant we'll do around and see if you all have questions for uh for anybody at this point staff applicant etc is that fair yes supervisor malik questions okay uh can you come back to me yep supervisor duncan we got a pass so we'll come back these are gonna be questions for the applicant yeah i would let's

[06:07:57] do questions we'll close i have some questions that i wanted to hear from folks before i asked so yeah i don't i don't want to be like nosy but um and so feel free to not answer but i was wondering if you could sort of talk about the costs that go into development. So you mentioned, you know, by increasing your buffers, you're losing land. You know, there's a lot that goes into development and, you know, the time that you spent coming back and forth, coming back and forth

[06:08:32] all adds into the cost and the fact that you are doing the affordable housing for 40 years. I've heard from a lot of other people that that really increases the cost because we need to relook at our policy um can you just kind of if you want talk about sort of i guess the costs of development kind of the you know when people are like well what if you just reduce the amount of units that's going to massively drive up the cost per unit what you have left um so i guess kind of open-ended but i think it can be helpful for people to kind of realize what all goes into

[06:09:08] the cost and why you have to have x amount of units to even make the math work certainly well to begin with basically there's a threshold here and the way you develop this is you put one house on the lot and you do no storm water and i just put a driveway in off the road and that's my development anything above that triggers a full site plan development plan storm water plan etc right and so there's a break point where you say well i'm not going to put six units here that's silly i'll put three in total right because there's no cost to that basically so when you get to this

[06:09:44] sort of plan, you have to go through the soft cost of engineering. I'm paid to be here. You've got to go through all the construction to build in the roads, the stormwater. It's all required. And so those costs, essentially, they are spread out to the end user. Let's be real about this. All these regulations are paid for by someone buying the house. And they're continued to pay for by someone buying the house. Essentially, when you, in this current day and age, when I create my rooftop and my parking space, I create a stormwater obligation I'm responsible for. And so as you spread that out over more units, like a townhome, for example, has a 20-foot wide roof and has a couple parking

[06:10:22] spaces, you have essentially less infrastructure per unit. And that drives the project to being workable, essentially. So you can't come in and say, oh, I'm going to spend this much money on infrastructure and put in seven units, for example. That's not going to work from a developer's standpoint. But then I think the only way it would work, if the price of those units was so outrageously high, that it made up for that and say, all right, so a townhome is worth less than a single family home in this area that's but there's not a mechanism here where you go like

[06:10:54] six single families it's 18 units or it's two three that some neighbors would no doubt prefer that but the development costs incur there really isn't a clean path something that's in between zone folks talk about that's all i have thank you supervisor pruit um i can't believe i just keyed in on this at this stage, but am I correct in reading that y'all were not grandfathered into the previous inclusionary zoning standards? Because it looks like you're proffering compliance with the new inclusionary zoning standards.

[06:11:32] I think we must have been just past that. I don't even remember exactly. I know you're correct. We've agreed to do that, and there was some debate over this is AC44 or not, but I believe... Here's what the situation is. Tell me if I'm wrong. We're not AC44, but we are housing Albemarle.

[06:11:48] So, yes, I don't think that AC44 changed any recommendations fundamentally for this area. Staff can speak to that. But, yes, that's the situation we're in. I would just reflect to the board, other than when Mr. Schimp himself came before us as developer, I think this is the first fully compliant application we've received on the inclusionary zoning standard.

[06:12:18] It is offering 20% at 60 or 80 rent sale. Every non-grandfathered application has been non-compliant, other than two. We've had two that were non-compliant.

[06:12:36] They were smaller. Well, actually, one's more units, but one, the first, amounts to 11 units, so it was smaller. Okay. It's the one above the dentist's office. Oh, the one above the dentist's office. You're right. That one was weird. I apologize. second one's right across the street from that one yeah point being it is not a common thing and it's something that other applicants have struggled with I just wanted to catch that I'm trying to keep a running tally of them as we go apparently my I did dog shit job of it I'm trying no no it's they haven't been in the hundreds though to your point is that all you good that's all I

[06:13:16] supervisor missile thank you three questions they're all for staff I think There was a comment from the public that said this is not in alignment with the Crozet master plan. Is that accurate? The density is, yes. We haven't found it not.

[06:13:32] We've found it consistent with the Crozet master plan. So that's inaccurate than what I said. Okay. Second thing was that this is the sixth official version of R6 or higher. Is that accurate? Can you repeat the question? Yeah, this is the sixth official submission or version showing R6 or higher.

[06:13:52] They have not. This is lower than R6, right? Yes, actually, that's a good point. This is 5.7, and it has been for a while. There was an early, the first submittal was, I think, R10, up to maybe 22 units in total.

[06:14:09] Got it. This is the sixth submittal of the project. So there were previous higher-density versions, but this is not. That's correct. And then the question, 18 new units or including the existing home? It includes the existing. Thank you. So, I got you, up to 17 new units then.

[06:14:28] Okay. That's all. Thank you. Supervisor Lepisto-Kirtland. Okay. So, the stormwater retention standards, have those been updated in the last 20 years? Oh, yes. Yes, quite substantially.

[06:14:44] Quite substantially. Okay. So, do you, because I know the homeowners on Liberty Hill, that, you know, there's complaints there, and I understand those homes are, I was told, about 20 years old.

[06:15:00] And so I don't know whether or not that was done to standards at that time or if it was done incorrectly. I don't know. But our stormwater standards are a lot more stringent than 20 years ago, correct? That's true, yes. And your plan is following all that?

[06:15:17] We have to, yes. And my other question was answered. So thank you very much. Supervisor Malik, I was? Well, thank you. So you ended your comments earlier with, we've done everything we can do, except work with the neighbors and have conversations since January 1st.

[06:15:38] So if you are feeling restricted by pinch points and lack of easements and things, having conversations with people is the way to solve that. I think putting the burden on the neighbors to

somehow solve the problem that was created when an applicant buys a property with known constraints, no question about it.

[06:16:00] As you said yourself, the easy stuff is already done. And so someone going into this particular configuration with its steep slopes, with its pre-existing drainage neighbors, and that has got to be a known quantity when one begins.

[06:16:18] And so I think all of you on the board have heard me say multiple times over many years, you don't get to blame the rules when you've made a choice. You either deal with them or you don't buy the property to begin with. So it's a continual pushback on the quality of the Prosay Master Plan, which is incompatible, is the wording which is used in master plans throughout AC44 as well.

[06:16:47] Infill should be compatible in scale and scope with the surrounding neighborhoods in order to not create what we have here today, which is overwhelming four or five or ten houses on the east with massive buildings.

[06:17:07] And the complete change of a forest over there right now on a steep slope, there's no way that farm equipment can even be removed from there until all the trees are cut down. So it is going to cause tremendous disturbance.

[06:17:22] And I guess my dilemma on the feasibility question is when do we get to find out at the site plan stage if things are going to work? Or does one first have to build all the houses and have a disaster and then it's too late?

[06:17:39] So this is the unknown knowledge gap here that I think everyone deserves to know more about. Sure. And I went back and looked at Section 33.4 of the zoning ordinance, which details what's required as part of a rezoning plan.

[06:17:57] And generally speaking, it talks to two major sections. The first one is just talking about the general aspects of it, and a lot of it's more of a narrative thing. It talks about the public need and benefit, compliance with the comprehensive plan, Impacts to public infrastructure, roads, sewer, traffic impact analyses, impacts to environmental resources, et cetera.

[06:18:19] When it comes to the concept plan, and again, I think the operable word there is concept, we're talking about street networks, bike-ped networks, where the street connections would be made, typical street cross-sections, conceptual building envelopes, conceptual parking envelopes, public space requirements as shown on the plans as they are required, conceptual grading, conceptual stormwater systems.

[06:18:44] And I think the intent of, if I may, opinion on that is that to ask the developer to go forward enough so that we site plan the whole site and actually get to the full engineered plan before we rezone that, A, is a very long process to go through, and B, also is a significant burden to place upon the developer before he gets permission to even pursue the project.

[06:19:16] And I think when we talk about affordability and trying to be timely reviews of the project, trying to get down to the level enough that we can understand what the proposal is, and I think we do that with this plan, enables us to understand what impacts they are without being able to ask the exact specific questions of pipe sizing, pipe locations, how the grading will be happening.

[06:19:40] And I think part of that is what the ultimate building product that is put on there does influence all of those things. So it's a bit of a process that we need to work through. And I think at the rezoning stage, we try to get it enough that we can get a good sense of what's happening.

[06:19:57] But the applicant basically is vested with the approval. So he definitely has the upper hand in this whole negotiation with the county. is that your responsibility is then to find something that will be approved. And that's on you. And that's not fair.

[06:20:15] Go ahead. I would just say that we rely heavily on the ordinance, which is a set of rules that bring us to the form that we say as a community that we want. I guess there was another one, but I can't find it now, so thank you.

[06:20:36] Ms. Ballack, if you don't mind, I might answer one more piece of information that you'd ask me about, and that was about the grading required for Eastern Connector. I did manage to pull up a few of the, again, conceptual site plans.

[06:20:52] We haven't funded full engineering for the property. But both sets of plans that I saw, one from 2021 as well as one that's a part of the public hearing documents that are released now, do show grading into this area of the property.

[06:21:12] it corresponds with the hatched area where we're being provided the the drainage easement so i i believe and this is i wanted to go back and double check that so what the applicant is providing us should enable us if the conceptual plan gets built exactly as it's conceived to be done without getting additional right away and i guess the applicant could donate that if need be but we're not allowed to say that i guess um i guess i don't have any more questions at this time thank you Justin, you're welcome to have a seat. Most of my questions at this point are for staff.

[06:21:49] Would you allow me to make one statement just about the sort of following up of the staff? Just how we proceed forward. I also make sure it's known to everybody they are under no obligation to approve a single house on here until we meet every other requirement the ordinance has. There's no upper hand given to us. It is permission to go to the next step to try to meet those codes. If we do not, we reduce the number of units or don't build it.

[06:22:14] I have to make sure that's clear to everybody. They're an obligation to cater to us. We have to follow the rules that you all adopt in your countywide ordinances. I'm going to jump right into one of those with one of my questions. It's interesting because there's another project moving through with this underlying private property contract, perhaps dispute, different sides, things like that in my district.

[06:22:35] It hasn't made it as far as this one. But this one's different because there's a proffer attached to it. So I'm looking over to Mr. Herrick. So this dispute over this mis- whatever the word is, for the path going over the easement for the driveway that's going in, I'm not looking to litigate the private property contract or the points that have been raised, but I am going to ask, help me understand, can the county legally accept and enforce a proffer, which is number three in this dispute, despite that unresolved potential private property dispute?

[06:23:15] Yes, and if it plays out in this private property dispute that that's somehow not a valid easement, then the applicant would need to find some other way of satisfying it. Because the proffer says you don't receive your COs. Correct.

[06:23:31] And then you have to figure something else out. Okay. The Planning Commission gave four reasons for denial.

[06:23:50] And the planning commission and the discussion and the vote there has been discussed quite a bit. And for the record, my planning commissioner voted for the project, so it was the one that was in the five to one. But the denial grounds were four things. The first was lack of community dialogue.

[06:24:11] Is there a requirement unknown to me beyond the community engagement factors for ZMAs that they did not meet? They did participate and hold a community meeting at the beginning of the process, which is required. As far as requirements, the ordinance doesn't require a number or type of ordinances with adjacent properties beyond the community meeting.

[06:24:36] And that was met? So goodwill, good effort. We've had other developers who've gone beyond what the requirement is, but the requirement in this case was met? It was. And that's not meant in any sort of way to be non-empathetic because we've yet to have things like this that have gone in anywhere in the county that don't create a motion for people around on both sides.

[06:25:03] But I find it concerning that our planning commission named something that's not required as a reason for denial. The second thing they did was project layout.

[06:25:19] So this seems to be, to make sure I understand it, this is where they were talking about the units from the northern portion down to the southern portion. Did they, I didn't see anywhere, did they state a suggested number?

[06:25:38] No. Okay. The third was stormwater management was the third reason they cited for denial. I don't usually agree that often with commissioner Firehawk and she has a known reputation for being very much when it comes to stormwater water floodplains etc to be somebody I think we all would agree knows quite a bit even could be considered expert level and if I recall right in the minutes she stated that the stormwater can be engineered and we know that the requirements

[06:26:18] and I've asked a lot of questions myself about this for developments that have come up in specific areas of the Rio District related to the way which way water flows. So it's interesting to me that who I would expect to be the lead critic if there were concerns about water, water usage, water runoff, made that statement. The fourth item was separation of property boundaries. Now is this specific to the northern piece or the easement issues with the path or both or just the north?

[06:26:56] Can you help me primarily I think the north was certainly concerned but there was discussion at the planning commission about some of the trees and some of the encroachments along the southern above you know a portion of the site um and the layout and dispersal seem to be I mean the design elements it seems to me that if you look to the comp plan which is what the planning commission will always adhere to and they had two competing things here and the design qualities which was

[06:27:33] mentioned this portion of this seems to be the one that would be a legitimate concern based on what the comp plan says and what they were reacting to with this project and then the competing value would be our housing our density and our affordable housing goals so that that design element seemed to be important to them as well which I'm assuming factored into perhaps project layout but also the the the separation that exists in those property boundaries um so I wanted to make that just to

[06:28:11] clarify uh that that that is where they went and to make a few comments on those questions um sorry i'm just looking back make sure i didn't miss anything okay um i don't have any other questions

[06:28:49] one last call for questions all right we will close the public hearing and the matter is now back before the board i'll do a round if you all are ready to make some comments and reactions to to all the questions and what we've heard then this is that time supervisor malik well thank you i want to thank everyone who the staff and the preparation the applicants the neighbors everyone who was given their concerns about this i've certainly learned a lot and i learned a lot being on the site and seeing how steep the slopes are in so many different directions and the

[06:29:27] narrowness of the road. And that helped me to really come to the conclusion that this neighborhood that's being described and sought is really contrived out of two or three old family division parcels and is totally constrained physically and in the current remains that are left.

[06:29:48] So the range of density that people talk about and has been in place in various levels since 1980 is based upon, in my mind, the different qualities of a different parcel. So a three to six is showing that not every parcel is flat.

[06:30:08] We're not looking out of the train between Jacksonville and Tampa and seeing as far as the eye can see piles of old ripped out orange trees and thousands of concrete one-story houses put up in a completely flat area. That is simple development.

[06:30:25] They can just go and build those things lickety-split. Our terrain is more challenging, and it's the failures of the past 50 years when things are not done properly that have caused the development of the regulations with which the county operates now.

[06:30:43] And it's to protect the future residents of a property such as this. It's to protect the neighbors who have lived there for one week or one day or 100 years from the impacts of whatever is going to happen. So that's the sort of background that I have in my mind that I carry forward to every application.

[06:31:02] Is it meeting the needs in the range and how history and what our predecessors did who got us to this place? What they were thinking about, what their current neighbors were thinking about when they purchased here or when they moved here, short or long term ago.

[06:31:22] So several different neighbors over several different planning commission meetings and tonight even use the word contrived. I think that is an excellent word to use because of the lack of continuity and a little wavy path along a very slopey area to try to connect the north and the south zones does not create a neighborhood.

[06:31:47] And trying to expect that people who live in the townhouses on the north end are going to walk way around the north end of the western building complex in order to walk down the path and then go further west and then go back to the east to get to the grocery store or to pick up their eyeglasses is not reasonable to expect.

[06:32:09] The shortest path is going to be right through 330, and that's something that burden is going to have to be placed upon the owners and residents of 330, and I don't think that's a fair burden. Admiral County uses the term equity a lot, and it's a value talked about in the county mission, but it's missing here.

[06:32:31] The value of a neighbor's quality of life is totally disregarded, And the financial security of the future residents of this parcel is also disregarded because it's saving the applicant money and pushing

their investment onto the homeowners instead.

[06:32:48] I don't think that is fair. I applaud the respectful functional, the respectful comments of everyone. And everyone seeks to see a functional and well-designed neighborhood which respects the residents and the environment and certainly the wildlife and neighborhood around which Albemarle County is also very proud of is the scenic beauty and the ability of all creatures, human and otherwise, to survive.

[06:33:18] Talked about the range. So I think that the constraints were given. I don't think the property meets it. I think there should be much more effort on the part of the applicant and owner to have real negotiations to solve their access issues.

[06:33:40] The future residents would be far better protected with public features so that 11 or 18 houses are not responsible for snow plowing, filling potholes, cleaning sidewalks, protecting this pathway that is washing out when it rains.

[06:33:56] I mean, having seen the destruction that's coming from just minimal rains nowadays shows that everything is changing, and I would hope that we would be thinking about those kinds of climate changes as we go forward when we're looking at plans to make sure that we're doing our job to protect our current and future residents.

[06:34:16] I don't think it's fluff to consider the environment as a whole and all of the different aspects of applications in Amarillo County. Yes, housing is incredibly important. I would love for my grandchildren to be able to afford, before they're 50, a place to live.

[06:34:39] But they will tell me and do regularly that not sacrificing the water quality and all the quality of life aspects that we all have built here and our predecessors as well.

[06:34:55] That should not be just thrown out and given away to get there. So there are lots of approaches that others, earlier applicants down the road a bit wanted 93 units and ended up with 35 and did very well financially by donating all of the stream buffer areas and getting tax credits.

[06:35:19] And he was very glad for that outcome. And all those units sold in a second and have served him very well. So there are alternatives that have not been considered, and I just hope that people will continue to work on something. but they won't if it's approved as is so it's up to the board to decide if they want more work thank you thank you supervisor duncan before i start i just want to say my planning commissioner was absent from this meeting and so i think the final vote would have been five two to not just

[06:35:55] hold it on the rio planning commissioner um i'll start with the one thing that i think i do agree with a lot of the public comment tonight that i think people up here and staff will actually disagree with I personally believe that governments should maintain stormwater and that we shouldn't have a choice to have to have the stormwater and be responsible for it the kind of the comments about you know that we need guidelines for this and that this land isn't appropriate we do have guidelines

[06:36:32] for this we have a comp plan and we have a master plan and a specific master plan for this neighborhood that has been looked at and revised three, four times over the past 20 years. This is when the public weighs in and says, what do we want this area to look like?

[06:36:49] And this increased neighborhood density has been the same for this area because you're on 250. You're across the street from the grocery store. You're at an activity center where we say we want density here. This is how the process works.

[06:37:07] People buy land. They sell land to develop it. Understanding that we have laid out this process and said, yes, we want density here. I actually, it hadn't quite occurred to me that the rest of the area is also zoned neighborhood density residential until it was mentioned.

[06:37:28] And so that actually makes me even more supportive of this project because the surrounding houses are also, should be zoned higher and they are, you know, we're not maximizing the density there. you know if people in the county want to stop development they are welcome to purchase the property when it's up for sale and not develop it and you know we need infill development it is going to be difficult because our areas are so restricted we're going to have to be creative we're going to continually have these sorts of issues and if we don't want infill development

[06:38:03] but we still want housing there is a solution to that that i don't think a lot of people would enjoy, but we can create land in the way we don't have to do infill development. So I'm obviously very supportive of this. I think this is the ideal location. My only regret, as usual, is that there are not more units and they're not taller. Supervisor Pruitt? Yeah, I want to begin by acknowledging all the kind of ground facts that I think are true and deserve to just be said

[06:38:40] before i talk about like my position so this is a really beautiful area right like 330 is a beautiful parcel um and the surrounding neighborhoods are beautiful and i i i don't want to pretend for a second that i don't think they will be slightly less beautiful if this development gets approved i think that is a fair thing to say um the views from 330 will be significantly uh or they will be limited they will be worse than they are right now and if i was one of these uh homes on the northern stretch of liberty you will have someone in your backyard

[06:39:20] that you will be able to see uh through the tree cover where currently you can probably see some deer and that is unfortunate um i would have liked to have seen more community engagement we see a more robust community engagement uh during some of our development processes obviously the gold standard we're always going to see is with industrial solar I'm never going to hold a residential developer to that because that's because they have like a compelled three-year lead to work with but we see higher levels of community engagement with these processes that's a

[06:39:54] two-way street given but it would have been it is always nice to hear during a process like this someone from the HOA or someone from one of the affected communities, even if they're not unanimous, even if they're going against the grain of their community saying, hey, I talked with the developer, and he assuaged these concerns. And I haven't heard that here, and that is disappointing. I would have liked to see more revision between iterations.

[06:40:24] That is just true. I normally like to use the planning commission process and the community meeting process as a way to make sure that, frankly, no one's in the audience. The process isn't working like we would hope it would be when there's people in the audience normally we want to deal with all these concerns ahead of time so all of these things I just want to say are immediately like frustrating I find it frustrating that this is how this is proceeding and I just want to acknowledge that really cleanly I also want to speak to this I like this it

[06:40:59] looks better than this the building massing is less the angling reduces saw the concerns I think people have with stormwater, right? The concern with stormwater is that the main path of flow is along a gully that basically runs along the HOA boundary. And this appears to potentially exacerbate that by putting buildings in the path of flow, which would accelerate the path of flow in between their shared backyards, right? That's, if I could summarize not myself being an engineer, I think that's the general concern from some of the neighbors. And this would have ameliorated that by not having those buildings in that path of flow by having them face the other direction.

[06:41:39] I'll tell you not to speak for the engineer or the developer who hasn't seen this, why it's probably not going to happen, and also, like, the limitations with it. There are less units. It would pencil out worse. They would want the individual units to be bigger so that they could sell them for more.

[06:41:54] And also, if that happened, this is 10 units, right? 10 units does not trigger our affordability standards. It's 11 or more, if I'm remembering correctly. it might be more it's more than 10 or more than 11 I forget which of them this would not trigger it which means that we would not be getting two for sale units for an affordability period of 40 years that would be going to someone who makes less than 80% of the area median income that is a real concern that this board would have even if this was somehow pencil outable I've said before and I think the final one of the final questions that the chair raised

[06:42:33] were well put I don't see the easement conversation even setting aside whether or not we think it's specious it is not really appropriate for us to consider that can be something that can be litigated by the parties if they desire to afterward and could affect the final build decision but it shouldn't affect our decision here there is an argument that would say we would apply that same logic to the stormwater consideration right that is something that they can meet DEQ standards or they can't after here.

[06:43:06] I still think it's important that we consider that, frankly, but I just want to acknowledge that that's an argument there. The end thing that is positive and decisive for how I'm approaching this is kind of how I have to approach every decision that comes before us, which is contemplating the alternate scenario.

[06:43:30] And there are sometimes multiple alternate scenarios. The immediate alternate scenario is with no approval at all and they don't seek an alternative um that results in by right three uh three developments which would have significant but probably less massing but would not serve uh some of our affordable housing goals um they would still involve clearing they would still involve the creation of these access roads um and a lot of the concerns would not be able to be addressed

[06:44:02] that we have. They could alternatively propose fewer units. Then I think Mr. Shemp's point was well taken. They would be bigger units. The massing would be borderline identical to what we're looking at, and the affordability standard would not be met. I see that as pretty persuasive, that the alternative has comparable or identical harms, but it does not have some of the same community benefits and so for that reason i think i'm going to support this today supervisor missle

[06:44:38] thank you um so i have 40 years of experience in in land use and architecture in these areas and these are the types of issues and discussions that rise to the top of being the most difficult things i ever have to consider um and so you know it's i'm trying to find as much objectivity as i can and the reality of it is there's gray areas there's a lot of subjective involved in this so i keep trying to lean back on the objective first of all i do want to thank the community

[06:45:15] for your passion and for your guidance you know i i'm interested in the fact that there's really no one who's spoken up in favor of this other than the applicant i also appreciate that many of the community members have not come up here and said, we want no development, period. We like it the way it is. They've come up here and they've said, there's a reasonable approach to this that we think you all should consider. And I believe they would have done that in collaboration with the applicant. And I'm not sure that that actually took place or that there was an opportunity for

[06:45:53] that conversation to be had. I also realize, having done this for a while, that there are math issues that you have to deal with as a developer. And there are certain financial decisions that you have to take into consideration. And so that's also an issue to deal with.

[06:46:16] I'm grateful for the input that the Planning Commission gave. I really also appreciated chairs addressing those five issues, I think, that you stated, four. That was really helpful in clarifying. And we do have a different role than the Planning Commission, right? I still am continuing to learn that um i agree with supervisor pruitt your sort of preamble about this is a beautiful area it's going to be less beautiful but if there's a person living there that's not living there now and they're now living in a beautiful place we've served that person that

[06:46:52] we haven't but the community has right um so i think there's a balance there and and and i would see that people would have a new home in a beautiful location i'm a design first guy and a development second guy. And so as I'm thinking through these comments, that's kind of my framework.

[06:47:11] And I apologize if there's someone scattered, trying to make them make sense. You know, I agree some folks have said we've developed the low-hanging fruit in this area, and I think that we are going to continue to find ourselves in the position of having these difficult conversations because we are developing the low-hanging fruit. And the more we squeeze our development area and try to maximize it, the more difficult these conversations are going to be. Albemarle County is not flat in case anybody's gone out and looked around. There are a lot of areas that are much more challenging

[06:47:46] than this to develop, that have been developed. This is in the development area. This meets the Crozet master plan. So another term that I learned in grad school, I'm sorry if this sounds preachy, but is carrying capacity of land. What is the carrying capacity of the land? It's not just what's approved in a master plan because i think you know master plans just by design often miss critical details that are inherent in the land that are the critical aspect of that the reality of it is this site is surrounded by similar developments right mixed use townhouses etc

[06:48:26] and i've also tried to continue to focus on the fact that this is a rezoning application this is not a site plan so we've covered things under the site plan scope of work stormwater site plan grading, access easements, road design, pathway design, tree conservation and preservation plans, feasibility of shared use path, all of these things fall under the site plan process.

[06:48:51] So just briefly, let's talk about the north building zone. I believe that the north building zone is proposed to be too dense. I would like to see it less than 11 units. I mentioned that to the applicant. The applicant didn't seem willing to consider that, but also admitted, and I hope I'm not putting words in their mouth that they wanted the flexibility that it may or may not be less than 11 units or maybe 11 or less. So I'd like to see somewhere around nine in that area or less and 12 or more in the southern area. So there's some tweaking there, but I know that's

[06:49:30] not the application in front of us. Overall, the approval that we're looking at now or the request is less than the six units per acre. That is what is in the master plan. I would encourage additional buffer along the side yards as well as the rear yard. Applicant wasn't willing to move on this, I understand. I'd like to see a tree conservation and preservation area. Applicant mentioned that they'd be willing to snake the path around. I'd like to see that as well. I do support lower density as I mentioned in the northern development area. The reality is the property is divided into

[06:50:08] three areas. It's even referred to that way. The south is much more developable. It's flat land essentially, the north is difficult for the reasons we've discussed. So I think we as a county are going to have to come to the realization, getting back to that low-hanging fruit comment, that if we're serious about concentrating development in development areas, we will have to have these conversations, and they will become more and more difficult.

[06:50:34] And the future, as it's included in the comprehensive plan, may include us looking at the fringes of the development area, potentially adding more to adjust to some of the more challenging areas internally. So in conclusion, I focused on the following. One, the need for housing in the designated growth area. Two, preservation of affordable housing. Three, alignment with the Crozet master plan and comp plan. Four, adherence to community engagement requirements, possibly even going behind. I heard that from the applicant, but I don't know how far beyond.

[06:51:09] Acknowledgement of site plan scope of work and regulations. Much more work has to be done, including feasibility of density requested, which is below, slightly, the master plan. Therefore, in the end, I am in support of this project, with the sincere hope that the applicant will engage meaningfully with the adjacent landowners to find an appropriate density, especially in the northern building zone.

[06:51:32] All right. Thank you. Supervisor Lepisto-Kirtley. Thank you very much. I agree with what some of my colleagues have said. I think in the northern area, I would like to see less density also.

[06:51:48] However, I realize from going out there and the discussion and such that there needs to be collaboration, frankly, amongst all the homeowners. Everyone says they want a neighborhood, they want to welcome new friends and everything.

[06:52:04] But there has to be a collaboration amongst you all whether or not you can allow additional dwellings in the southern area because I understand that that's currently very much constrained, that you can't add more than what you've already proffered in the southern building zone.

[06:52:23] Maybe that can be changed. I don't know. But that would be nice. Supervisor Duncan mentioned about the HOA standards. I think people want HOAs because they want standardized developments.

[06:52:40] They want everyone not to look the same but be maintained. And I think that's the reason why you have some HOAs. I don't know if it's necessary to have an HOA. It is necessary to have an HOA?

[06:52:55] Okay. So it's necessary to have an HOA. But, you know, I think with the new retention standards, I don't think there's going to be a problem, at least not for a while. And I do say that the people that live there now, especially on Liberty Hill, I really feel for them because that's a huge burden with their stormwater drains, a huge burden, and I'm hoping that they can get that resolved.

[06:53:26] But this, once again, this does meet Housing Albemarle. It does meet the Crozet Master Plan. We're providing incentives so that we can have affordable housing, and it's now being some developers are now taking advantage of that.

[06:53:44] I think there's going to be, unfortunately, fewer single-family homes because of the cost of our land. So it's hard to have affordable housing. It's hard to have multiple units of housing if it's all single-family homes.

[06:53:59] We just do not have the land in the development area. In the rural area, yes, you still have that. But I really enjoyed meeting the residents out there. I think that really meant a lot to me to come out and listen to you.

[06:54:17] But I just, I wish there were, I wish there was more collaboration. Maybe that can still happen for the site plan. I don't know because actually, I agree, I like this one.

[06:54:33] But I don't think that's going to work, unfortunately. But I think this is a, we're making it fit, but it does fit. and i think it will eventually i think it'll turn out to be a a good a good plan so i'm in favor of it thank you all right thank you um i don't i have comments i don't really have them listed in any particular order um some specific to the application and some more general to the

[06:55:06] maybe the process might be the best way to say it um the uh i think the point about the difference between this board and the planning commission is is a prudent one this board has overturned planning commission decisions both that they have approved and denied and um the fact that that happened doesn't set precedent for anything that follows it's ultimately this board's decision the planning commission does realize that and it's the right of folks to bring things forward to us no matter what the the outcome or not bring it to us no matter the outcome at the planning

[06:55:44] commission um i appreciate how strange or weird is the as mr o'malley mentioned that the site is and it is and um that may seem unique because this is your reality you're dealing with this in your neighborhood we are having more of these conversations with these kind of lots and i'm thinking on fifth street extended i'm thinking uh i'm thinking of the one right there at the end of Burkmar that we put in. And it's to the point that the development area is becoming quite full.

[06:56:18] And these infill lots are getting more and more interesting as we try to consider how to get the density on them. And that is the ultimate plan. If we don't put the density on the development in the development area, it will put the pressure on the development area boundary and ultimately the rural area. R4 here, I would not be able to approve an R4 development here. I understand wanting to even shave off a couple of units, but to the points of the concern, which I

[06:56:53] appreciate, if there's affordable units there and HOA fees are such that that hurts the affordability, having fewer homes doesn't help that math. The costs would be spread out over fewer homes. And that, you know, I'm very empathetic to this. The house that I did live into up until just about a little over a year ago had this same type of thing basically happened to it, where my woods, and this is even more developed than what was behind me at the time, and it happened to me at the Lake Monticello too, so I'm beginning to think it wherever I go that

[06:57:31] the development I guess follows me. But that's to say that I do understand the emotions that are involved and don't mean any of my comments to try to suggest that I don't appreciate and understand what those are. If the stormwater comments for the areas that we've approved since by time on the board

in my district that I've paid attention to, there have been some storm, some runoff issues but that occurs during construction a lot of the times. Silt fences and the protections that go.

[06:58:03] I'm not aware, at least of any project that I have voted on, that after it was fully built, the stormwater issue was not hit the requirement, which is the push out off of the property has to be less than what exists there.

[06:58:18] And that's even wooded lots that have been converted. Because along Burkmar, there's a ton of wooded lots that we've converted to these. So I appreciate that concern. But given my experience with the other projects I've approved knowing, okay, is this going to come back and haunt me as a vote?

[06:58:37] I have not, that encounter has not come up at that point. So I feel like the, I think the Planning Commission's conversation about design, because ultimately that's what it came down. And there have been past times, I try to be consistent with the way that I think about these applications.

[06:58:57] And I do think of how I vote consistent with how I think about them. And I can say that there have been plenty of times where it's design versus affordable housing or units. And I've been more dismissive of the design, meaning it was a lower priority compared.

[06:59:14] This is the toughest one that I've had where the design, I really do believe that that is a competing factor. And specifically thinking of those northern units that are up there. But other than the alternative plan that Supervisor Pruitt kind of responded to, anything that banks along there, even if they were four homes with the height, would have a similar impact.

[06:59:38] So I do look at the buffer. I know that that doesn't replace that if there were two homes up there, what that would look like. But that is something that gets put into play. And I've seen a lot of buy-right units in the Rio District, especially right there at the Warner Parkway and Rio, where both buy-right and rezonings have occurred that's going to create, in a lot of ways, a similar situation as what's created here.

[07:00:03] And after they are built up, the communities have been, they get along. It's a well-liked neighborhood. They don't have a grocery store to walk to right there, but they do have the senior center and some other amenities to walk to.

[07:00:19] And that does matter. So with the elements here in play, with a lot of the other points that have been made by those who are going to be supportive, I have to see that both the density where it falls and a couple of affordable units, especially home ownership units, which we rarely get, outweighs the concern for the design for me on this one.

[07:00:43] And that's where I'm at. So I will be supportive of the project as well. The motion, at this point, I'm just going to look to my left or right. Do we have any additional comments or questions? I'm doing, go ahead. I will just leave one question for boards to consider going forward, and that is considering the range of units, what elements would you consider to use the lower end of the range?

[07:01:11] And we'll talk about that sometime in the future. Yeah, I think it's... Because to me, this is the poster child, but... Yeah. All right. This is just counting the heads of support versus not support.

[07:01:27] And knowing the district that's in it, I'm going to look to another supervisor to make the motion. I can do it. I move to adopt the ordinance to approve ZMA 2025-0007, attachment G. Seconded. All right.

[07:01:42] The motion has been made and seconded. Is there any further discussion? All right. If the clerk will please call the roll. Ms. Lepisto-Kirtley? Aye. Ms. Malik? No. Mr. Missel? No. Aye. Mr. Pruitt? Aye. Ms. Duncan?

[07:01:58] Yes. Mr. Galloway? Yes. All right, the motion carries five to one. We appreciate all of the feedback this evening and the presentations that were made. So thank you all, and thank you to staff for your work. Okay, board, we're going to move to item number 20.

[07:02:15] From the board, committee reports and matters not listed on the agenda. Oh, do we have other votes? Ms. Malik was asking about, yep. Yeah, I thought that was okay. Sidewalk waivers and parking waivers. Rebecca, this is just the zone.

[07:02:33] I mean, I didn't see that. No, I think those waivers, we had recommended to the staff that those waivers be pushed off into the site plan, discuss those. And those were planning commission waivers only. So those were not things that the board needed to act on. Oh, yeah. And they were sent to us anyway.

[07:02:49] They have been deferred. They were part of the packet that went to the planning commission, which we don't remove anything from that packet. But there's no action on those required from the board. Yeah, apologies for the confusion again. The Planning Commission acts on those, and we recommended that let's waive those once we have the details of the site plan.

[07:03:12] Got it. Thank you. All right, Supervisor Malik, any committee reports or matters not listed? Yes, I do have a couple down my list here. No, wrong page. Hold on. Going down the page.

[07:03:28] Okay. Yesterday, the Vermont Workforce Development Board meeting, the changes for SNAP and Medicaid, as brought forth in the HB1, are now being communicated to Department of Social Services recipients as of September 1st.

[07:03:50] And it is really important that people watch their mail, make sure to get in touch with Department of Social Services, and also with the workforce development effort on Glenwood Station, because they are there to provide, to help clients meet the 80-hour per month requirement for either training, work, or volunteers in order to maintain their SNAP benefits and Medicaid benefits.

[07:04:23] and so dss is going to have to do all the work for reporting to the federal government to provide counseling to the clients but the workforce network is ready to step up and absolutely help in that situation and they're also working i talked about that already i'll save the rest of it for later let me just break down one thing here hold on i had something at the end i just have to

[07:04:54] find it. We talked briefly about the State Corporation Commission and enforcing the orders of the purchase of CenturyLink and Brightspeed. I just wanted to inform you all that you all may have constituents also who are customers of Brightspeed for whom they have been totally failed in their requirements to purchase. And so there'll be more information coming forward about that as ways

[07:05:33] to make their own complaints to the SEC in order to get better compliance with that order from four years ago. Excuse me. And Mr. Herrick had supplied the documents from SEC to me and he can do that to anyone else or I'd be glad to share them around as well because the January 1st is the sort of end of the compliance period and we've got to get this fixed now because as I described earlier in the broadband discussion this is tangential to that of course because this is the copper which is life landlines are lifelines when it rains and your landline

[07:06:11] fails as mine does every day but also a hundred other neighbors around me all the way from the green county line to the airport basically and maybe beyond uh there is such a roaring on the lines because of the hundred year old lines and the hundred repairs that have been made in the last 20 years that right band was required bright speed was required to fix and have not that you cannot dial, you cannot use your Internet to call for help or to report anything to Dominion.

[07:06:42] So this is a public safety issue that I hope the county will search its records and see where it has engaged in this enforcement and the collection of all the reports from Bright Speed.

[07:06:58] And so I think in the next few days, hopefully they will be responding about that. But I did want to update people on the state of things in the northwest part of the county because it is dire and we're all when when the company says they're going to come in but the firefly is going to come in and rip out or the the effort is to rip out the copper which is what they did in arlington and then they made people pay extra to get it brought back that is the behavior we need to avoid to keep people safe thank you supervisor duncan um we had a carter meeting but i will let supervisor pruit talk about that because he's going to be much more

[07:07:33] eloquent than I am. But I did do sort of not an official board thing. But last Tuesday, I was invited by Tim Kendrick with Farm Bureau to go on a DEQ slash EPA farm tour. And it was super cool.

[07:07:50] We went, it was great to like meet a bunch of people from DEQ and kind of put faces to some of these. But we toured four farms. One was in Nelson County. And then we went to the Bundoran farm out in North Garden. We went to actually a residential site in Pantops and Dardentow and looked at basically what sort of DEQ has done in grants and programs that they've done to improve water quality and the Bundoran farm we toured the guy does rotational grazing or yeah rotational movement of his cattle every single day and talked about kind of like the benefits of that

[07:08:27] for the cows for the water and it was just really cool to see these different programs that they do and sort of like the real life effects of them you know the state funding needed for that and to sort of see you know to learn more about farming and what people are really doing to take care of their fields and the crops and the animals and stuff so that was really really fascinating thank you supervisor pru thank you i want to begin with just kind of two observations that have to do with the thing we just went through but weren't appropriate for while was on the agenda first

[07:09:03] off I just want to note like we talked several times about how the master plan was the same for 20 years and it went through four revisions I just want to observe that at no point during that did we apparently align the zoning code there was even a zoning code update in there and we never aligned the zoning code and the only reason this was even before us was because the zoning code was never aligned to the future land use map, which is baffling, which is also frustrating because I've asked this before and been told that it is a staff capacity issue that the zoning code is not aligned

[07:09:40] to our current comprehensive plan map. It is not an intentional method to extract proffers. I've asked this, and it's been always said it's a staff capacity, not a proffer extraction method. this seems to indicate this seems to contraindicate that position um and i just find that interesting and also just we we mentioned very briefly like infill is challenging and you gave the example of uh fifth street extended i'll just let the board know that applicant has since been retained by my father as a realtor so i've had a while to chat with him and that development has

[07:10:16] folded it is no longer economically viable because it's too small it's just too small for him to profit on it at the current economic state so the economic challenges of developments like this i think we um we play fast and loose with the economic challenges at our peril because even the ones that say that go through the effort and cost of getting here and getting approved might still not pencil out after that um yeah i had the pantop cac along with b um you've already heard the most exciting thing that we were briefed on which is old mills trail since that meeting is when we earned the grant

[07:10:56] that is going to be the last piece in a really complicated puzzle that they've been stitching together over the last several years. Like, I can't begin to emphasize how really cool it is that we're going to finally access a public park that we've owned as a county for decades and is currently not accessible to the public unless you swim.

[07:11:17] So I'm very excited. I'm going to be running. There's a trail that was proffered with Glenmore that you can't access unless you swim through the Rivanna to get to it. A public park in Glenwood? Yes. The trail is a public park. Oh, the trail?

[07:11:35] The trail itself. It's not a park park. It's not a park park. It is yours and mine and we can't get to it without a raft. But soon we will walk. Soon we will walk and I'm so thrilled. The other thing that we were briefed on was we received the RWSA Brief in a Hat, which everyone always enjoys.

[07:11:53] We also had a fifth and Avon CAC meeting we did not reach quorum which was frustrating but the three citizens and Fred and I did receive a presentation on the activity center planning process the same one that we have received and I inappropriate for the venue but I having sat there and shooed with it for a week since we received it um I don't think anyone on this board had heard before it was told to us that master plans are no longer going to be updated that was new information for me at the

[07:12:31] activity center planning process and this is still a conversation i want to have in more depth with county leadership but i understand us as having directed master plans continue to be used we we voted on updating our future land use map using the crosswalk process which i was actually opposed to if this board might remember i i wanted it to be a direct through the supervisors and the the rejoinder to that is we update the master plans through the CACs the CACs then present it to you and then you incorporate that into the comprehensive plan and that is your opportunity for community engagement and political engagement and then there was an up down vote in which that

[07:13:09] is how we proceeded forward it is hard for me to not see this as a abrogation of the political process and there are good reasons for it there are good practical reasons that staff wants to do this there are duplicative efforts in activity center planning and master planning but there are also gaps it won't look at certain residential areas right which is relevant for what we're just looking at today right we sometimes hear oh why would you rezone or why would you change the zoning of xyz it's an hoa it's already built out that just 30 years ago this entire area that we

[07:13:46] were looking at looked completely different houses were in different places and we're redeveloping where houses were and where houses weren't or everywhere else it's a future land use map for a reason you might want to up zone underneath an HOA that exists today on the understanding that maybe that HOA doesn't exist tomorrow so we don't have an opportunity to engage with that and then second is just process this this is not what I understand the process to have been I'm going to be interested to have that conversation in a more appropriate venue again I brought this up in a CAC that was sparsely

attended and then felt very bad for having done that and put Tanya in a really unfair position. I'm bringing it up now.

[07:14:25] I'm going to have this further conversation with Jeff, but I wanted to just... We didn't talk about that at all, because I was taken by surprise, and so I wanted to just share the conversation that Fred and I had had with the rest of you all about that, because it is...

[07:14:41] It has disquieted me. It's sitting a little uneasy with me. We also had a Carta meeting. We had a lot of meetings since the last meeting. The Carta meeting was yet another update on the implementation plan we're doing um it was on one hand i think a relief compared to the one we'd had before when it was clarified that they were telling us previously the aggregate cost of service improvements aggregate as in including existing service that we have and so when they uh presented

[07:15:17] that as the incremental costs and the new costs it was much more modest and the amount of service improvements that would be feasible are much more significant um the four elected members i think had a really robust conversation though um that i say robust that also left me quite frustrated in that i think we kind of revisited the question we had had before the beginning of the implementation study of what are we doing is this actually getting us closer to our goal because the implementation study is primarily looking at how do we plus up existing service routes to have a higher level of reliability and service, which is a good

[07:15:57] and important conversation that seems also discrete and separate from the conversation we want to be having, which is how do we integrate our existing services under an authority that we create revenue powers for. They speak a little bit to each other because the amount of revenue authority we want is probably going to be informed by how if and how much we're plussing up services but you can have one conversation without the other and vice versa and i had been under the impression that the authority was much

[07:16:31] more interested in integration and uh that process and instead we're talking about implementation which is frankly a conversation that charlottesville could have by itself by by and large and we would just pay more. They just want us to pay more. Two kind of final thoughts.

[07:16:52] One, I would just say in my professional life, something that has happened recently is just worth sharing with the board. So there was recently a very large lawsuit over a development that was denied in Metro Louisville, and that is because they said some comments that indicated that something they were concerned about was the fact that it was going to primarily serve disabled elderly residents. The things we say while we're contemplating zoning are things that can affect the legality of the decision we make in both the ways that Andy cares about and also the way I care about in my professional life. I will tell you, I've told people in confidence,

[07:17:31] like, the conversation that happened with the Scottsville Tire Factory sent up a few red flags for me, and there were colorable claims. We never want to be in that position. So I would just flag that for everyone. And last, I would also say, again, importing something from my professional life, yesterday there were two different major HUD guidances that were released. One radically changes us from a housing-first to a treatment-first model policy on rehousing homeless people.

[07:18:03] Another changes radically the staging and sequencing of how liability is proposed to be determined in construction discrimination claims. We were just hearing how there's going to be some

radical restructuring of the SNAP program. I dislike all of these changes, but I think the people who do like it, the one thing they'll say is, oh, the federal government is very much leading. These are very substantial changes that are happening very quickly and very much shaping

[07:18:35] how we engage with them. The governor is right now intervening in the next era merger, which has never been done before. Never has a state government in the Commonwealth intervened in a merger dispute. That is leading in a really significant and novel way. We are limited by capacity, but the same is also could be said of the federal government and the state government.

[07:19:03] everyone is limited by capacity and it is making me itching for what is the way in which we are not leading are we engaging with our duty to the letter of our law but not trying to find what the other thing we could be doing is um so that is an open-ended question that i would pitch to this board are we leading in the same way that our state and federal peers are thank you very much Supervisor Missal.

[07:19:32] Mike got it. Mike got it. Supervisor Lepisto-Kirtley. The only thing I was going to say is October 22nd, we will be having a hearing. So thank you, board, because we wrote a letter asking for a hearing regarding the Dominion transmission lines that go basically through my district.

[07:19:52] And that hearing will be October 22nd from 6 to 10 at City Hall. Great. Well, yes? Go first. Yeah, go ahead. All right. So thank you. Just two things to add from what Mike said.

[07:20:08] The CCAC did hear of the activity center presentation last month, not this month. And the staff had been warned, I think, by my surprise at our presentation to say, well, I expect that some citizens may be wondering about their implementation list for the previous three master plans, and that was certainly what the whole focus was.

[07:20:32] there i think it needs to be more consideration about all those things to make sure that for the area where it was not considered an activity center because it's mostly built out which is the way our of course they was described they're wondering if they're totally forgotten now and so we were reassured by staff during the board meeting that oh no no those things are still on the list but we need to learn more about the list secondly i was struck by your comment earlier about the bus 25 percent of the bus is not showing up and that is incredibly important

[07:21:09] when we're talking about implementing you know plussing up the current system if the management doesn't change then all we're doing is paying more and getting less and i know numerous times over the last five years we have requested regular data reports from cat to staff to us about how the service is provided how many buses didn't show that kind of thing and i've never seen one so maybe you can raise that issue again thank you very much the only committee we were at the mpo last week there were updates on projects that we have sent that are in in the smart scale

[07:21:47] process the 64 5th street diverging diamond interchange the pre-application inflated cost was 44.7 million the final application inflated cost actually went down to 39.4 so it lost some money, which is not the norm, which you'll learn here in a minute. The U.S. 29 northbound, U.S. 250 eastbound ramp extension at Old Ivy Road, this is the one that comes up, and the pre-application inflated cost was \$13.8 million. The final application inflated cost jumped to \$20.5 million.

[07:22:23] The U.S. 29 southbound, U.S. 250 westbound off-right extension at Ivy Road, the pre-application inflated cost was 10.6 the final was 11.4 so it did jump but not tremendously the u.s. 29 northbound u.s. 250 eastbound off-ramp and pedestrian improvements this is the piece that comes down

under barracks road where we have the backups which somebody sent us a lovely photo of the congestion and thanked us for it the project for this the pre-application cost was 28.4 million

[07:23:00] the full application inflated cost jumped to 46.3 million dollars so that more than doubled and i will note mention that that is along a stretch where supervisor malik correctly asked for the breakouts of what's like what what's in these cost changes like where are they at because that's one where easement and right-of-way acquisition is probably a large Just be based on the property owner that owns a lot on that stretch in the sighting of a historical property there So we'll find that out once we get in fact Taylor sent an email out today It may be in there, but I haven't had a chance to review it yet

[07:23:40] But once we get the breakout of what those for the big projects that jump will we'll update you all at another time But that's all I had for committee updates any other items real quick. All right board Board, Claudette and or Andy have some pass that along.

[07:24:06] All right, board, here's the situation. We have two items that, one, that we're on the next agenda that are getting moved to the first week in October, but it opens up space in the next meeting, which at this point in time really can't be filled.

[07:24:29] So we have to pass a resolution changing the start time of the September 16th meeting. And this is at my request. I rather would start late than have us come at 1 and then have a huge opening in the middle of the day. So I think we just come when it's ready and we'll move through the business.

[07:24:47] Anything else I should state, Claudette or Andy? No, sir. You all have the resolution in front of you to make that formal change. I'm not sure what time that resolution landed on. It should be 2.30. 2.30? Okay. So, please, if somebody could just read the resolution.

[07:25:03] May I ask a question? Oh, hold. Yeah. If for some reason something happens in the next day or so that needs to go into that spot, can we go back to 1 o'clock without a big hoo-ha? No. No. That's the problem with changing things. Anyway, go ahead.

[07:25:18] I understand why you're going to do it. I move that we pass a resolution changing the start time of the September 16, 2026 meeting of the Albemarle County Board of Supervisors. Do you want me to state the time from 1 to 2.30? No, the title of the resolution is fine. Okay. Second.

[07:25:34] All right, the motion has been made and seconded. Without objection, if the clerk will please call the roll. Ms. LaPista-Kirtley? Aye. Ms. Mallick? Yes. Mr. Missel? Aye. Mr. Pruitt? Aye. Ms. Duncan? Yes. Mr. Galloway? Yes. All right, thank you, board.

[07:25:50] And with that, if there is no objection, we will adjourn to September 16, 2026, 2.30 p.m. here in Lane Auditorium. Thank you, board. Thank you, staff. Thank you.

