Albemarle County Planning Commission
Regular Meeting
Draft Minutes October 27, 2026

The Albemarle County Planning Commission held a public meeting on Tuesday, October 27, 2026, at 6:00 p.m.

Members attending were: Karen Firehock, Vice Chair; Corey Clayborne; Mary Katherine King (arrived at 6:05 p.m.); Nathan Moore; Lonnie Murray; and Catherine Brown.

Members absent: Luis Carrazana, Chair.

Other officials present were: Michael Barnes, Director of Planning; Bart Svoboda, Director of Zoning; Francis MacCall, Deputy Zoning Administrator; Kevin McDermott; Rebecca Ragsdale; Scott Clark; Jered Tate; Margaret Maliszewski; Jenny Tevendale, Deputy County Attorney; and Carolyn Shaffer, Clerk to the Planning Commission.

Call to Order and Establish Quorum

Carolyn Shaffer called the roll.

Ms. Firehock established a quorum.

Public Comment on matters pending before the Commission, but not listed for a Public Hearing on this agenda

There was no one wishing to speak.

Consent Agenda

Mr. Moore motioned that the Planning Commission adopt the Consent Agenda. Mr. Clayborne seconded the motion, which carried unanimously (5-0). (Mr. Carrazana, Ms. King were absent)

Public Hearing

AFD-2026-00005 Glen Oaks AFD Review

AFD-2026-00006 South Garden AFD Review

Scott Clark, Conservation Program Manager, said he would present on the Glen Oaks and South Garden agricultural and forestal district reviews. He said that the AFD program was a voluntary land conservation program that provides benefits to both landowners and the community. He said that community benefits are largely provided through land use restrictions in Chapter 3 of the County Code, which prohibits small-lot subdivisions on rural AF district land and limits development to more intensive uses.

Mr. Clark said that, for example, a sample parcel not in an AFD can develop both small development right lots and larger 21-acre by-right lots. He noted that for a parcel in the AFD, those development right lots are not permitted, except in the case of family subdivisions; therefore, he noted that any parcel that has or has the potential for those development right lots cannot use them in most cases if it is an AFD. Regarding the periodic five to 10-year reviews, he said that the ordinance provides several factors to be considered when reviewing a district.

Mr. Clark said that, per County policy, parcels determined to have no development rights and that cannot be further divided to create one or more parcels less than 21 acres in size are not included, because for those parcels, there is virtually no restriction applied by their status in the district. He said that the Glen Oaks district was located on the southeast side of the Glenmoore Rivanna Village development area, with the Rivanna River at the bottom of the district. He said that the 354-acre district contains five parcels.

Mr. Clark said that the review process began in August, and all landowners were notified by mail. He said that no withdrawal requests had been received. He said that of the five parcels in the district, four had no remaining small-lot development rights, and three of these parcels can be removed from the district immediately. He said that one parcel was in open space taxation, and removing it immediately would impose rollback taxes on the landowner. He said that, as has been the practice for the past few years, the district was being renewed for five years to allow the landowner time to adjust to the taxation before being withdrawn at the end of the five-year period.

Mr. Clark said that staff recommended renewing the district for a five-year period with the noted removals of the three parcels. He said that the AFD committee voted five to two to recommend renewal of the district for five years without the recommended removals.

Mr. Clark said that the South Garden district was an older district created in 1999, located between Crozet along US-29 and Albemarle on Barbershop Hill Road. He said that the nine-parcel district consisted of just over 2,200 acres. He said that no withdrawal requests had been received for the district, and he noted that all parcels in the district retained some small-lot development potential. He said that both staff and the committee recommended renewal as is for another 10-year period. He said that a single public hearing can be held for both districts.

Mr. Clayborne asked why the two committee members voted against the recommendation for the Glen Oaks AFD.

Mr. Clark said that the two members who voted against that motion were in favor of carrying out the removals in accordance with County policy.

Mr. Murray asked whether there were statistics regarding the number of family subdivisions that had occurred over the past five to 10 years, noting that individuals may exercise small-lot developments by performing a family subdivision.

Mr. Clark said that research conducted several years ago indicated there was very little use of that option. He said that although it had not been tracked since then, it had not been a significant factor in division in the districts. He said that further research could be conducted to find specific numbers.

Mr. Moore asked if the Glen Oaks AFD would only have two parcels.

Mr. Clark said that it was unusual. He said that Glen Oaks had always been a small district, but if the recommended action was taken, there would be two parcels left; one was under a conservation easement, and the other would presumably be removed in five years. He said that the district would not be tremendously effective overall, given that the remaining large parcel was under an easement that was more restrictive than the AFDs.

Mr. Moore said that it felt unusual to have a district consisting effectively of one person's property.

Mr. Clark said that there had been one or two other very small districts in the past, and staff had raised the option of eliminating small or single-parcel districts; however, that had not happened at the Board level.

Mr. Moore said that regarding the AFD reviews, he asked for an explanation of how restricting uses of large land holdings benefited the community.

Mr. Clark said that they were an effective tool for reducing residential development in rural areas, which is a stated County policy in the comprehensive plan. He said that for parcels in districts with small-lot development potential, these tools prevent that development from occurring. He said that for land in a district presumably devoted to open space, agriculture, or forestry, a slightly higher level of review is required for legislative acts, such as rezonings or special use permits; he added that as part of the normal review process, an additional step was added where the advisory committee was able to comment on how the adjacent use might affect the favored uses in that district.

Mr. Moore said that given the significant housing needs currently facing the community, limiting housing production may not provide an immediate benefit. He said that one of the key goals of the AFDs, based on County policy regarding rural areas, was to encourage a robust and successful agricultural and forestry economy. He said that it would be beneficial to see the impact of those AFDs on the agricultural and forestry economy, specifically regarding what they produce that would not be produced otherwise, to provide information for future discussions.

Ms. Firehock said that a longer conversation should be scheduled at some point and noted that she would discuss it with the chair.

Ms. Firehock opened the public hearing for comments from the public. There were none, so the public hearing was closed, and the matter was brought back before the Commission.

Mr. Clayborne motioned that the Planning Commission recommend renewal of the Glen Oaks AFD for five years with the recommended removals. Ms. Brown seconded the motion, which carried unanimously (6-0). (Mr. Carrazana was absent)

Mr. Clayborne motioned that the Planning Commission recommend renewal of the South Garden AFD for a 10-year period. Ms. Brown seconded the motion, which carried unanimously (6-0). (Mr. Carrazana was absent)

ZMA-2025-00013 Gander North Planned Residential Development

Jered Tate, Senior Planner, said he would provide the staff presentation on the rezoning known as the Gander North residential development, filed under ZMA 2025-13. He said that to the east on Carrsbrook Drive is the Carrsbrook subdivision, and to the immediate north is Hightech Signs and other mixed commercial uses along Seminole Trail.

Mr. Tate said that to the south is Gander Drive and the mixed commercial development located there. He said that similar development exists across Seminole Trail at Rivanna Plaza, along with established highway commercial uses such as Malloy Ford and Flow Hyundai. He said that there are managed steep slopes, preserved steep slopes, and a riparian buffer on the subject property.

Mr. Tate said that the stream on the southern parcel was identified as a perennial stream, and the required riparian buffer was applied to that feature. He said that the parcels fronting Route 29 had highway commercial zoning shown in red and commercial office zoning shown in light red,

while the parcel immediately north of Carrsbrook Drive had a split zoning between commercial office and R1 residential zoning, shown in green. He said that the overlay districts included the previously mentioned steep slopes, the entrance corridor overlay, and the airport impact area overlay.

Mr. Tate said that according to the future land use map from AC44, the project area includes portions of general commercial, office, R&D, flex, light industrial, and neighborhood residential. He said that residential uses are a recommended secondary use of both the general commercial and the office R&D, flex, and light industrial land use categories. He said that when considering whether a recommended secondary use is appropriate for a site, the Places 29 Master Plan states the determination of primary and secondary uses is expected to be made over an entire contiguous designation rather than an individual parcel.

Mr. Tate said that staff believe the residential use is appropriate given the mix of existing uses surrounding the property and because the property represents a transitional area between lower-intensity residential uses and higher-intensity commercial uses. He said that the applicant's conceptual plan was included as attachment four to the staff report. He said that no development is proposed within the 100-foot riparian buffer around the existing stream.

Mr. Tate said that the applicant proposed a 10-foot shared-use path along Seminole Trail and Carrsbrook Drive. He said that the portion of the shared-use path that runs south to Gander Drive along Seminole Trail would extend a funded Virginia Department of Transportation (VDOT) shared-use path to be constructed from Carrsbrook Drive north to the bridge over the South Fork Rivanna River. He said that affordable housing provisions are proposed, including 20% of the total units on-site as affordable, which would provide up to 48 affordable units.

Mr. Tate said that building heights are limited to 48 feet, which is less than what is typically permitted in the PRD zoning district, and 20-foot landscape buffers are proposed adjacent to existing residential lots in Carrsbrook. He said that the streetscape and landscape buffer sections are included in the applicant's conceptual plan. He said that while the zoning ordinance does not require buffering of residential uses adjacent to other residential uses, the proposed landscape buffers will be a requirement of the application plan if the rezoning is approved.

Mr. Tate said that the number of units proposed did not trigger the VDOT requirement for a full traffic impact analysis; however, a turn lane impact analysis was required for the intersection of Route 29 and Hilton Heights Road. He said that the turn lane analysis showed that the proposed development will increase approach movements by approximately 1.5% over current volumes and is expected to lead to a one-second increase in intersection delay in the AM peak hour and a three-second increase in the PM peak hour operation. He said that based on the analysis, there is existing capacity at the intersection to handle additional turning movements.

Mr. Tate said that the development is expected to generate approximately 1,048 daily trips. He said that Route 29 is a major arterial roadway which currently has a capacity of 45,000 vehicles per day, according to the VDOT 2024 AADT data. He said that staff recommends approval of this request after finding two positive aspects and identifying no concerns.

Ms. King asked why the proposal did not meet the TIA requirements.

Mr. Tate said that the minimum threshold from VDOT was at least 5,000 daily trips generated.

Mr. Moore said that he was familiar with the site through a recent visit and inquired about the preserved steep slopes shown on the southern parcel map. He said that the actual terrain did not

reflect the shape of the steep slopes depicted and that the remaining steep slopes appeared to be a product of previous development. He said that he questioned why certain activities were prohibited in that area.

Mr. Tate said that those two designations were determined long ago and had been carried forward. He said that under the application plan, the applicant is allowed to state which slopes will be disturbed if they are managed steep slopes. He said that one or two areas may be misidentified, such as on the southern parcel, where the managed steep slopes might be disturbed for the creation of the shared-use path. He said that other areas do not necessarily match the map, and the department will work with GIS to correct those discrepancies if possible.

Mr. Moore said that he had considered the stream on the southern parcel in terms of possible connectivity and questioned why preserving that stream was so significant, noting that it was buried under Route 29.

Mr. Tate said that the stream determination was made based on a request from engineering as part of the review, and because it is a perennial stream, it must meet the standards of the ordinance regarding the application of a riparian buffer.

Michael Barnes, Director of Planning, said that the stream continues downstream until it reaches the river. He said that while there may be a few locations where it enters culverts under Woodbrook Road or other roads, it is for the most part a continuous waterway.

Ms. Brown asked for information about the deed restrictions. She asked how a developer could bypass the ruling that had already occurred.

Mr. Tate said that the deed restrictions are private between the landowners and are not within the purview of County staff; therefore, they do not factor into staff's analysis of the proposal. He said that it is an item that would need to be settled by the private landowners outside of the County's review. He said that the landowners of the Woodbrook subdivision would need to settle that matter.

Ms. Brown said she wondered why the proximity to the Rivanna River and the tributaries moving through the neighborhood to the river did not come up as a concern in the staff review, and why the staff review would not address concerns about water quality given the proximity to that tributary to the river.

Mr. Tate said that water quality is addressed through the identification of the perennial stream on the southern parcel and the application of the riparian buffer.

Mr. Barnes said that the situation would be the same in many places within the development area, and the buffer was the intended protection for that environmental resource.

Ms. Brown said that from a larger perspective, it was not just about the stream, as there were streams to the east. She said that this development represented a significant change because the land was currently undeveloped rather than being redeveloped. She said that this resulted in a significant shift in vegetation and soil disturbance which, even outside of that stream riparian buffer, stood to have a significant impact on the entire downstream area and eventually the river.

Mr. Barnes said that stormwater regulations would control the amount of runoff from the site, as is the case with any properties in the development area. He said that the stream buffer was intended to provide the stream with a 100-foot wooded buffer to provide protection from surface

runoff. He said that there was a delicate balance between providing land for development within the development area and protecting resources, and he added that this was a standard approach for protecting open waterways and perennial streams within the development area.

Ms. Firehock asked for clarification about the numbers regarding the height limitations provided by the current developer and requested an analysis comparing the height of that development to what could be permitted under current zoning.

Mr. Tate said that the requirement of the PRD zoning district is a maximum height of 65 feet, which is permitted by right once the property is zoned accordingly, and he noted that the development proposes a maximum height of 48 feet, which is substantially lower.

Ms. Firehock opened the public hearing for presentations from the applicant.

Scott Collins, Collins Engineering, said that he was representing United Land Corporation regarding the request. He said that the property was located at the intersection of Route 29 and Carrsbrook Drive. He said that while the property was currently zoned commercial, deed restrictions limited it to residential uses; therefore, a PRD was being requested to serve as a transition and density buffer between the higher uses along Route 29 and the adjacent residential neighborhoods.

Mr. Collins said that the property was located in close proximity to the Rio 29 Regional Center and three existing transit stops. He said that the application plan met AC44 guidelines, with density ranges consistent with the comprehensive plan. He said that the project provided the required affordable housing and open space.

Mr. Collins said that key highlights included the preservation of stream buffers and streams on the property, the extension of the Route 29 streetscape with a multi-use pathway from Carrsbrook Drive to Gander Drive, and improvements along Carrsbrook Drive, including curbing, gutters, street trees, sidewalks, and a multi-use pathway. He said that additional features included a 20-foot landscape buffer along the property line, emergency connections, a potential future connection to the north, and recreational amenities on the site. He said that the PRD zoning allowed for single-family attached housing and multifamily housing, and four different examples of potential residential development demonstrated that densities varied between those four potential uses.

Mr. Collins said that, according to the VDOT website, road classifications for the streets in that area included Route 29 as a principal arterial road, while Old Brook Road and Carrsbrook Drive were major collector roads. He said that typical volumes on major collector roads varied between 2,000 and 6,000 vehicles per day, and Carrsbrook Drive currently had a volume of 1,900 vehicles per day. He said other examples of collector roads in Albemarle County included Avon Street, Garth Road, Crozet Avenue, Jarman's Gap, Georgetown Road, and Sunset Avenue Extended

Mr. Collins said that the VDOT traffic study showed the approved trip distribution for the development. He said that, as approved by VDOT and the County, it was assumed that 45% of trips would head south to the City on Route 29, 30% would head north to the employment center and shopping centers north of the property, 20% would turn left on Hilton Heights to head west, and 5% would head east on Carrsbrook Drive toward Rio Road. He said that the traffic analysis was conducted with a maximum development of 237 units, though trip counts were reduced with some of the other potential developments on the property.

Mr. Collins said that the approved traffic analysis required an assessment of the traffic impacts on the existing Hilton Heights intersection, which determined that the overall effects on that intersection were insignificant. He said that the existing street section of Carrsbrook Drive between Route 29 and Indian Spring Road would include proposed improvements such as curb and gutter, street trees, a pedestrian pathway, and sidewalks. He said that the proposed streetscape activated the roadway with improvements and entrances, which helped control the speed within the 25 mile-per-hour speed zone.

Mr. Collins said that in addition to the required TIA, additional traffic analysis was performed on the neighborhood and streets to address traffic concerns raised by adjacent neighborhoods during three meetings. He said that these concerns included the entrances on Carrsbrook, the safety of proposed entrances, and issues regarding cut-through traffic and speeding. He said that an analysis was conducted to determine if an entrance on Route 29 could be incorporated to limit the use of Carrsbrook Drive; however, because Route 29 was a principal arterial road, VDOT guidelines required a minimum of 495 feet between entrances, and there was insufficient road frontage for another entrance from the property on Route 29.

Mr. Collins said that both proposed entrances on Carrsbrook Drive met VDOT standards and requirements, as Carrsbrook Drive was a 25-mile-per-hour collector road in that location and VDOT regulations required a spacing of 225 feet between entrances. He said that a speed study was conducted over a 24-hour period at the intersection of Carrsbrook Drive and Route 29 to determine the speed of vehicles turning from Route 29 onto Carrsbrook. He said that during that study, all vehicles except for one were traveling at speeds less than 25 miles per hour, and the 95th percentile speed for that turn was 22.9 miles per hour, confirming that the entrance designs were safe and acceptable.

Mr. Collins said that additional traffic analysis was performed to address concerns regarding cut-through traffic and speeding. He said that cameras were placed at Huntington Road, Northfield Road, Old Brook Road, and Carrsbrook Drive to monitor vehicles turning right from Rio Road into those three roadways and vehicles turning out of Carrsbrook Drive onto Route 29 during a 12-hour period. He said that the results showed 866 cars turning right from Rio Road into the neighborhood, 165 of which appeared to be turning onto Route 29 three to five minutes later, representing an overall cut-through traffic rate of approximately 19%.

Mr. Collins said that nearly 50% of the cut-through traffic from that study occurred on Old Brook Road, which was a major collector road. He said that additional speed tests were conducted on Huntington Road and Northfield Road to determine if there was a correlation between excessive speeds and cut-through traffic. He said that the speed limit on both roads was 30 miles per hour, with a mean speed of 33 miles per hour on Huntington Road and 37 miles per hour on Northfield Road.

Mr. Collins said that data regarding speeds between 30 and 50 miles per hour indicated that most speeding was associated with cars heading toward Rio Road rather than cut-through traffic heading from Rio Road to Route 29. He stated that for cars observed traveling in excess of 20 miles per hour over the speed limit, almost all were headed toward Rio Road. He said that speeding on those neighborhood roads did not appear to be directly correlated to cut-through traffic.

Mr. Collins said that this project met affordable housing, open space, preserved slopes, and stream buffer requirements, and provided recreational amenities and landscaping buffers. He said that it met VDOT entrance and transportation requirements and provided shared-use and multi-use pathways along the road frontage. He said that one Community Advisory Committee (CAC)

meeting and two HOA meetings had been held to discuss the project with the community and address concerns.

Ms. Brown said that the proposed road improvements, including the curb, gutter, and sidewalk, were located along Carrsbrook. She asked if there were any proposed pedestrian safety improvements for walking between the north and south parcels across Carrsbrook.

Mr. Collins said that the pedestrian pathway installed by VDOT along Route 29 continued across Carrsbrook at that intersection. He said that the 10-foot pedestrian bike pathway would be extended along the frontage of Carrsbrook Drive down to Indian Springs Road, providing pedestrian improvements along that stretch of the road. He said that VDOT controls all crossings along its roadways, including the crossing at Route 29.

Mr. Moore said that the parcels on the north and south sides of Carrsbrook each had an entrance that was separated by a significant distance. He said that the entrances were not lined up to create a cross intersection and that the two red arrows were far apart.

Mr. Collins said that the design aims to achieve two objectives: first, to create a safer intersection by splitting the entrances, and second, to ensure most of the development is located in the larger northern part of the site. He said that the design also provides as much stacking along Carrsbrook Drive as necessary; although traffic analysis showed a maximum of three to four cars stacking at the intersection of Carrsbrook Drive and Rio 29.

Mr. Moore said that living in a neighborhood with only one way in and out of Rio 29 was one of his least favorite aspects of the area. He said that, aside from the bollards, he wondered what other options were considered for connecting to Gander Drive to the south or to Hightech Signs or Starbucks where there are signalized intersections.

Mr. Collins said they would provide a potential connection to Hightech Signs' property. He said that the site plan design would incorporate extending the drive lane to the property line at that location so that if the property is developed in the future, a connection could be made to route additional traffic.

Mr. Murray said that he wondered if there was an idea regarding what percentage of stormwater was expected to be treated on-site, and if there were plans to use nutrient credits.

Mr. Collins said that water quantity would be treated 100% on-site. He said that regarding water quality, as much as possible would be treated on-site, but nutrient credits would be considered due to the size of the site. He said that nutrient credits would be obtained through the preservation of the property around the stream buffer and by implementing rain gardens and other measures.

Mr. Murray asked for information regarding the anticipated traffic flow for drivers traveling south.

Mr. Collins said that the drivers would proceed to the Hilton Heights intersection, perform a U-turn at the traffic signal, and heads south on 29. He said that one of the primary factors VDOT examined was the westbound and southbound turns at the Hilton Heights intersection.

Mr. Murray asked about the current traffic backup and whether drivers were affected by the U-turn.

Mr. Collins said that it was not typically backed up. He said that the analysis showed there was no significant effect on the delay, with the traffic study indicating a maximum backup of 10 feet, which was equivalent to one car.

Mr. Murray asked for information regarding the plans for the two amenity spaces.

Mr. Collins said that the lower location at the intersection of Indian Springs Road and Carrsbrook is a community or pocket park area that can be used by both the development and the community. He said that the second location is an internal amenity space intended to be surrounded by the community.

Mr. Murray asked whether the developer had considered varying negotiations with the community regarding extending pedestrian connections further beyond the site, noting that previous options for contributions or other arrangements may not have been fully explored.

Mr. Collins said that the first step is to establish pedestrian connections on the property to provide a way for pedestrians to move from the property or from Indian Springs Road up to Route 29 to utilize the multi-use pathway being installed by VDOT. He said that Carrsbrook Drive, specifically the section below Indian Springs Road, currently consists of a roadside ditch and does not have sidewalks, but Old Brook Road does have sidewalks. He added that as the sidewalk connections are filled in, the area can become part of a VDOT project to complete the sidewalks and establish a continuous pedestrian connection.

Mr. Clayborne asked whether the project was anticipated to be phased and when they anticipated construction to begin.

Mr. Collins said that, based on the size of the project, no phasing was anticipated. He said that the start date was market-driven, requiring the completion of the rezoning and site planning processes and the identification of the appropriate person to take the project forward. He said that three to five years would be a fair estimate.

Mr. Clayborne asked for information regarding how the affordable units would be dispersed throughout the development.

Mr. Collins said that the idea was to intermix them within the development.

Mr. Clayborne asked what the 20-foot buffer would consist of.

Mr. Collins said that ideally, as much existing vegetation as possible would be preserved; however, due to the site and certain grades, some of the buffer would be disturbed, requiring replanting and screening. He said that the screening should consist of a mixture of evergreen and deciduous trees, with a preference for a heavier concentration of evergreens.

Ms. King asked to review the conceptual plans showing the units. She said that one option consisted of single-family attached townhomes with two- and three-bedroom units and that there was a second potential option.

Mr. Collins said that it was more of a condo, similar to the two-over-two condo units.

Ms. King said that both of those densities were under the 30 units per acre allowed by the rezoning. She asked how two-over-two units worked.

Mr. Collins said that the two-over-twos consist of garages on the first floor, one-floor living with two bedrooms on the second floor, and a second unit on the third and fourth floors that typically has three bedrooms.

Ms. King asked how many buildings there would be.

Mr. Collins said there would be 52 structures.

Mr. Collins said that the other option consisted of an apartment complex or condominium units, totaling approximately 10 or 12 units, similar to those Ryan Homes had built across the street on Berkmar Drive. He said that the final component was potentially an independent living facility with parking located underneath.

Ms. King asked for clarification regarding whether the 237 multifamily units referred to bedrooms.

Mr. Collins said it would be bedrooms.

Ms. King asked how they determined the trip generation per day.

Mr. Collins said that the figure was equivalent to approximately four and a half to five trips per unit per day. He said that multiplying 237 by 4.6 resulted in approximately 1,000 trips. He said that if the units were townhomes, the equation increased to approximately 6.5 or 6.7 trips per day, though the density decreased.

Mr. Barnes said that it was more than just the residents, as it included vehicles coming to provide services, such as delivery trucks.

Ms. King said that regarding the discrepancy about turning onto Carrsbrook Drive off of Route 29, drivers traveling north on Route 29 may turn onto Carrsbrook Drive to visit the development or the neighborhood. She said there is concern regarding the speeds at which those turns are made. She said that while a small turn lane exists, there are no plans to change it.

Ms. King asked if any studies had been conducted regarding the potential benefits of extending that turn lane or implementing traffic-calming and safety measures to slow vehicles making that turn, as this is a significant concern for the community and appears to be a manageable issue to resolve.

Mr. Collins said that additional traffic analysis was conducted based on community feedback. He said that a speed study was performed at the location where vehicles turn from Route 29 onto Carrsbrook Drive, testing speeds over a 24-hour period. He said that only one car out of almost 1,000 turning vehicles exceeded 25 miles per hour, while every other car traveled at a lower speed. He said that the 95th percentile speed at that location was 22.9 miles per hour, which meets the requirement.

Ms. King said that she had a different perspective regarding the concerns being raised. She said that while there is concern regarding the number of vehicles approaching the turn, there is also the issue of adding a significant number of cars to the intersection. She said that she questioned how the safety of the turn lane could be improved, such as through better markings, improved signage, or extending the turn lane by curbing it further.

Ms. King said that although the study indicates such improvements are not required, she questioned if it would be expensive to implement them if they are desired. She said that if such

improvements would help gain community buy-in and are not costly, it may be more effective to acknowledge the community's concerns rather than stating they are incorrect.

Mr. Collins said that the concerns were heard, which was why a speed study was conducted. He said that after the meeting, the developer inquired about ways to address those major concerns, and that was exactly what was addressed. He said that the area is currently under construction by VDOT; however, with the 10-foot pedestrian pathway, landscaping, and proposed improvements on Carrsbrook, the area will have a completely different feel. He said that this will create an urban corridor that helps people slow down, as drivers tend to travel slower in urban situations than on a wide, two-lane rural road with minimal traffic.

Ms. King said she agreed with the points made regarding Carrsbrook Drive and believed the cuts to the sidewalks and landscaping would be helpful. She said that regarding the 20-foot buffer, while it might not be one of the primary concerns expressed by the community, there was interest in the opportunity to increase that distance. She said that in the section where the property next to the road is in the 40-foot range, specifically in the back where the parking lot is located, there are 20 feet of trees.

Ms. King said that a 20-foot buffer might not feel sufficient if it were adjacent to a backyard near a high-rise apartment building. She said she was curious if the plan could be increased to 30 or 40 feet, noting that while this might reduce the number of units, it could build goodwill and provide a benefit.

Mr. Collins said that it would be difficult to do on that side because the area is long and narrow. He said that, as previously stated, a buffer was not required and 20 feet was being provided, which exceeded the requirements for many recent projects.

Ms. Firehock said that since the proposed affordable housing meets the County's current 20% requirement, she wanted to know whether the units would be for sale, for rent, or a mix of both.

Mr. Collins said it would be both, but the exact mix was dependent on the final product.

Ms. Firehock said that she also wanted to know if the variety of layouts was intended to determine market demand and what made the most sense for the balance sheet. She said that while it was understood that the request was to approve the most dense options to allow for flexibility in building different designs, she requested further clarification on the reasoning behind the multiple layouts.

Mr. Collins said that when the process began 18 months ago, the project was intended to consist entirely of apartments. He said that over the past 18 months, many apartments had entered the market. He said that for the first time in approximately 15 years, apartment developers and owners were expecting a $100 to $200 decrease in rents the following year, which he described as a testament to the actions of the Board of Supervisors over the last four or five years.

Mr. Collins that it appeared the area was moving toward housing that was affordable in Albemarle County; while not necessarily "affordable housing," the housing was affordable. He said that although the project was originally intended to be apartments, it may now be better suited as townhomes or condos. He said that there was significant demand for independent living housing. He said that two or three projects involving expansions of existing facilities intended for independent living would likely emerge in the next year or two. He said that the project had evolved away from apartments.

Mr. Murray asked whether more information could be provided regarding the deed restrictions. He said that the comprehensive plan designated the area as commercial, whereas residential development often results in lower tax revenue due to the higher costs associated with school funding. He said that it appeared one parcel designated for commercial use was not subject to the deed restriction; if this was correct, he suggested there might be a possibility for neighborhood-scale commercial development that would benefit the community by providing walkable amenities.

Mr. Collins said that, as noted in the narrative, a site plan for commercial uses had been submitted for those properties in 2002, but the matter was ultimately decided against the applicant by the Virginia Supreme Court. He said that reintroducing commercial use would be difficult due to existing deed restrictions and the previous denial. He said that whether the single parcel to the south could be commercial was a highly political matter that was unlikely to be addressed.

Mr. Collins said that the property had been zoned as commercial for the past 30 years, dating back to 1996. He said that data indicated that over $451,000 in taxes had been paid to Albemarle County on those four vacant properties during that period because of the commercial zoning. He said that, regarding services, costs, and impacts, those taxes were paid without receiving services such as fire, rescue, schools, or transportation improvements.

Mr. Murray said that he encouraged considering uses for the southern parcel that benefit new residents and are accessible by walking, rather than a gas station or uses that require driving.

Mr. Collins said that the Gander North shopping center is located near the Rio shopping center and other commercial properties. He said that that area serves as a transition between the two uses. He said the commercial development will not proceed because the developers already lost litigation related to commercial development. He said that once a party incurs significant legal expenses attempting to defend a project, they are unlikely to pursue similar developments.

Ms. Brown said that there was an understanding that there was a housing crunch and that the comprehensive plan intended to promote housing through thoughtful design that supports existing neighborhoods and helps steward natural resources. She said that regarding the different options, the apartments and condos seemed to be the only way to integrate into a neighborhood or residence. She said that the footprints of the other options could be anything because they would be very isolated and there would be no cohesion with the idea of creating or adding a neighborhood.

Ms. Brown said that this related to how the project fits into the comprehensive plan and the neighborhood centers. She said that in that sense, walkability and the fabric of the area were very important. She said that ensuring traffic between that location and Rio Road is managed becomes a very important part of the package beyond just the density of that site.

Ms. Brown said that while buffers may not be necessary between residents, that area has been wooded for a long time. She said that a 40-foot buffer would be a much more fitting way to help with the transition if it is developed for residential use. She said that this might mean scaling back the density, as it was not originally intended to be such high density, and she noted that those are important trade-offs to consider.

Mr. Collins said that if the use were commercial, the traffic impacts would be much higher than the impacts from the residential use.

Ms. Brown said that much of the issue involved the fabric of the form and the connectivity, and that the goal was to determine how to achieve better transitions, function, and design. She said that given the two design concepts presented, more limited density appeared to be a better fit.

Ms. Firehock opened the hearing for comments from the public.

Stacy Agar said that she lives in the Rio Magisterial District off Old Brook Road in one of the approximately 800 homes in the neighborhood surrounding Carrsbrook that would be negatively impacted by the Gander North PRD. She said that, as proposed, those properties would be accessible only through the existing residential neighborhood, unlike other developments that have roads to support the increased traffic. She requested that the Board of Supervisors be advised to deny the ZMA.

Ms. Agar said that while several reasons were stated in the letter she sent that weekend, her focus that night was on traffic safety on Carrsbrook Drive in the roughly 216 yards between Indian Springs Road and Route 29. She said that the developer estimates 542 new vehicles, which will impact the traffic density and safety. She said that Carrsbrook Drive is a two-lane local residential street with no sidewalks and high horizontal and vertical curvature.

Ms. Agar said that the dash cam videos she sent the previous week show the vertical curvature at Indian Springs Road, which had not been discussed that evening. She said that this is of the greatest impact because of the line of sight from the north driveway to Indian Springs for residents entering and exiting at that parcel. She said that previously, there was no illustration showing the driveway entrances relative to the U-shaped driveway belonging to 107 Carrsbrook with distances noted.

Ms. Agar said that a walk of that stretch was conducted, marking the proposed locations where flags are situated. She said that the information conflicts with what the developer had said in previous community meetings. She said that the developer's traffic study bases the 200-foot minimum sight distance on vehicles traveling 19.8 miles per hour, which she believed was not reasonable on the uneven terrain where drivers have a documented history of exceeding the 25-mile-an-hour speed limit.

Ms. Agar said that the additional $200 fine signs are evident of this, as this is a VDOT program based on speed data showing drivers routinely exceeding the posted speed limit by 10 miles per hour or more. She said that this pertains to the speed once drivers pass the curve. She said that too many questions remain at that time, and the ZMA, as proposed, should be denied.

Rives Bailey said that he had lived in Carrsbrook for 25 years, had worked in the local real estate industry as a realtor for nearly 40 years, and served as a member of the Carrsbrook Building Committee. He asked that the Commission recommend that the Board of Supervisors deny the Gander North zoning map amendment application as currently proposed.

Mr. Bailey said that residents were not opposed to rezoning those properties from commercial to residential use, but expressed concerns regarding the scale, intensity, and design of the proposed development and the significant impacts it would have on Carrsbrook and surrounding communities. He said that detailed information would be provided regarding the adverse environmental impacts of the Gander North development in all of its iterations, including impacts on streams, ponds, critical slopes, and potential wetlands. He said that data related to traffic and safety concerns would be presented, including sight line visibility for the entrances, accessibility, street crossings, and the reasons why previously submitted traffic studies were incomplete and incorrect.

Mr. Bailey said that aspects of the comprehensive plan, zoning, and AC44 would be reviewed, specifically how those guidelines conflicted with the Carrsbrook deed restrictions and the form of the adjoining neighborhood. He said that information would be provided regarding the history of the Carrsbrook neighborhood and the four lots in question, the existing deed restrictions and the history of the courts supporting those, the consistent involvement of the building committee, and the form, size, and nature of the residences in Carrsbrook. He said that the presentation would address how those proposed development options affected not only Carrsbrook, but also seven other communities in the Rio 29 area, with traffic and safety being paramount among those concerns.

Mr. Bailey said that, taken together, the evidence demonstrated that the proposed zoning map amendment was not in the best interest of the surrounding neighborhoods or the broader community. He asked the Commission to weigh those facts carefully and deny the application as presented.

Ray Caddell said that if traveling northbound on Route 29 and turning right into the neighborhood, there were virtually no incidents of speeding because the 75-degree right turn required drivers to slow down to avoid flipping over. He said that speeding problems occurred immediately after that turn. He said that he and his wife previously owned their home on Berwick Court in Westmoreland, which was also impacted by that issue.

Mr. Caddell said that as a member of the Carrsbrook Neighborhood Association and a longtime member of the Carrsbrook Building Committee, Carrsbrook was a historically significant and unique single-family detached residential community. He said that the character should not change as a result of the further evolution of the Route 29 corridor. He said that his family had raised four children in Carrsbrook, and their property adjoined the Peter Carr House, for which the neighborhood was named.

Mr. Caddell said that the Peter Carr House had been occupied since it was built in 1785, and that from 1798 to 1815, it had served as the residence and school of Thomas Jefferson's nephew and ward, Peter Carr. He said that the Carrsbrook neighborhood homes also overlooked the tributaries that fed the Rivanna River, as well as the floodplain beside it. He said that detailed remarks would be provided regarding the history of the neighborhood, concerns about family safety, major traffic concerns and the studies that supported those concerns, environmental concerns, and the neighborhood's place within the comprehensive plan.

Mr. Caddell said that as a 40-plus-year real estate broker, he had seen how neighborhoods like Carrsbrook could continue to thrive through the utilization of proper planning and zoning. He said that families who invest in the single biggest financial and sociological move of their lives should be able to expect no major zoning or use changes on lots that were part of their neighborhood. He requested that the Commission take his comments seriously, review the research carefully, and deny the request for a zoning map amendment.

Erin Hannegan said that she was a resident of Carrsbrook, a parent at Carrsbrook Elementary and Albemarle High School, and a design professional. She said that she supports more housing that aligns with community goals and the neighborhood's deed restrictions, but she recommended that the application be denied. She said that planning and design is the art of carefully balancing complex issues at both the macro and micro scale while looking far enough into the future to ensure responsible decisions are made today; however, she noted that this was not occurring in that instance.

Ms. Hannegan said that although staff reviewed the application against the 2015 comprehensive plan, the information included that night barely scratched the surface. She said that the plan was retired and the new comprehensive plan, AC44, had governed since January, yet it had received only one passing sentence in the staff report. She said that AC44 is clear that higher density, such as that proposed there, belongs in activity centers, and the site was not in one.

Ms. Hannegan said that AC44 is intended to drive community decisions toward walkable, connected, safe, and environmentally conscious development that reflects long-term viewpoints regarding community growth. She said that the application requested activity center intensity but lacked walkability, connectivity, and transit service, noting that the closest bus stop was at Walmart, which was across 10 lanes of traffic with no crosswalk. She stated the neighborhood was car-dependent, as was that lot.

Ms. Hannegan said that the application contained numerous errors and gaps, and while perfection is not expected, there were many unaddressed and unstudied areas of concern that had been repeatedly raised with staff and presented in various letters, including traffic, school capacity, and the waterway system. She said the applicant's own narrative said that the rezoning existed to escape a private deed restriction, which she believed constituted spot zoning in disguise. She said those lots had the same deed restrictions that apply to the rest of the neighborhood, which would restrict the ability to build what was proposed that night. She said the Commission should recommend denial.

Grant Bates said he was a Carrsbrook resident and commercial real estate broker. He said that the Commission should recommend denial of Gander North. He said that in a January 9 email to staff, Max Green, a VDOT traffic engineer, had stated that the intersection was analyzed as a solo freestanding intersection that is not part of a system, when in reality it is part of a much larger coordinated signal system on a corridor of statewide significance. He said that analyzing it as a freestanding intersection does not properly evaluate how additional traffic volumes from the development impact the coordinated signal system and the flow through the area.

Mr. Bates said that he had concerns regarding how 237 apartments can be approved when the traffic analysis does not adequately evaluate how additional traffic affects the coordinated Route 29 corridor. He said that other developments, such as The Retreat at 29, Holly Hills, the new amendment at Brook Hill for more density, and North Point for more density, all had to take other projects into consideration for their traffic analysis, yet those projects did not generate 5,000 trips a day. He said that this project is being held to a lower standard despite this being the primary transportation corridor, where 95% of the traffic generated by this project enters Route 29.

Mr. Bates said that Route 29 North is not a series of independent intersections, but a connected corridor facing continuing development pressure, and every new project adds to the cumulative demands on roads, signals, and access points that residents already depend on. He said that AC44 states much of the County's growth will occur in northern Albemarle, which does not currently have fixed transit service. He said that workers who live in Charlottesville, Pantops, and the southern and western parts of the County will reach those jobs by traveling on Route 29 North past Carrsbrook.

Mr. Bates said that Route 29 North will continue to experience development pressure, growing by up to 34% rather than the 2% annually described in the applicant's traffic study, and the region's adopted long-range transportation plan reaches the same conclusion. He said that moving toward Route 250, US-29 from Rio Road to Hilton Heights Road shows a future level of service D, E, and F, indicating significant future congestion concerns. He said that this is happening now, as

projects such as AstraZeneca, North Fork, Emerson's Repositioning, Rivanna Futures, and warehouses at Northside Drive and off of Airport Road will have significant impacts on the system.

Mr. Bates said that more trucks from airport area projects mean fewer usable gaps for drivers merging from Carrsbrook Drive, with new blind spots created. He said that to go south when leaving Carrsbrook, a driver must cut across six lanes of traffic to the U-turn at Hilton Heights. He said that projects should not be approved one at a time only to discover that the combined traffic impacts the corridor unsafely.

Mr. Bates said that the question is not simply whether Gander North can be built, but whether the application demonstrates that the transportation impacts have been adequately evaluated and that access is operated safely within the larger system. He said that the Commission should recommend denial of Gander North and require a comprehensive, coordinated level traffic analysis and resolution of sight distance concerns before the application is reconsidered.

Steven Hunter said that he and his wife owned an apartment home at the intersection of North Indian Spring and Carrsbrook Drive. He said that growth and development should be managed smartly so that driver and pedestrian safety is not disregarded. He said that VDOT standards for proper clear sight distances should be enforced based on actual average speeds rather than faulty metrics generated by the developer.

Mr. Hunter said that the proposed development would yield an additional 500 cars. He said that planning staff and supervisors had visited the site and observed a very dangerous blind spot on the hill when heading west on Carrsbrook Drive approaching the driveways for the development. He said that vehicles traveling up the hill would not have time to react to the numerous vehicles entering and exiting those driveways.

Mr. Hunter said that VDOT sight distance and speed standards detailed the necessary distance. He said that a speed study from a reputable firm hired by the County confirmed that drivers on Carrsbrook were traveling too fast and would require a greater distance to react, which would push the north driveway further west, too close to Route 29, and push the south driveway further east on Carrsbrook, closer to Indian Spring Road and onto other parcels not owned by the developer. He said that he had concern that cyclists and pedestrians would use the new wide access path along Route 29 while trying to cross Carrsbrook.

Mr. Hunter said that children, adults, and senior citizens would move from the south parcel back and forth to use the proposed amenity centers on the north side of the development. He said that residents of all ages would need to walk across Route 29 to shop at Walmart or Sam's Club, raising concerns regarding the safety of children, teenagers, adults, and seniors making that crossing. He said it was unclear where overflow parking for the development would occur, as there were no sidewalks or VDOT-approved street parking areas in the neighborhood.

Mr. Hunter asked that the Commission vote to deny the zoning change to maintain safety, stating there were far better locations on or near Route 29 in the designated activity areas, locations closer to mass transit and safer intersections, that would not jeopardize community safety and well-being.

Mary Ann Thompson said that she was a 25-year resident of the Carrsbrook subdivision and had served as the chair of the HOA for the last few years. She said that this project jeopardized neighborhood safety, endangered future residents of the proposed development, and created permanent environmental damage to the watershed. She said that Carrsbrook Drive was a

narrow, winding, and hilly residential street and the developer's traffic study did not capture true behavior and misrepresented the impact of the project.

Ms. Thompson said that Carrsbrook and adjoining neighborhoods were full of people walking dogs, strolling with families, and children crossing streets, including Carrsbrook Drive, to reach school bus stops; therefore, increased traffic was a risk to their safety. She said that while the project would include buildings on the north and south parcels, amenities would only be located on the north parcel. She said that residents on the south parcel would access those amenities by crossing Carrsbrook Drive.

Ms. Thompson said that the developer was planning an ADA-accessible crosswalk at the entrance to Carrsbrook Drive from Route 29, which meant residents in the south parcel would be expected to walk down a hill, cross the street, and walk back up the hill to access amenities in the north parcel, and then repeat the process in reverse. She said that this would be a hardship for anyone with mobility issues, and there was a concern that people may take shortcuts directly across a road where sight lines are already problematic, impacting traffic to and from Route 29 and endangering lives.

Ms. Thompson said that safety and environmental sustainability should be key considerations for any project. She said that the lots contained within the defined boundaries of the Carrsbrook subdivision should be developed as originally planned when the Wood family purchased them as single-family dwellings, with one house per lot. She requested that the Commission not recommend this project.

Mark Pengally said that every morning he walked with his young son to Woodbrook Elementary, but the walk was unsafe because there were no sidewalks or streetlights. He said that the roads were dark and narrow, and rush hour drivers speed past pedestrians. He said that a 2023 VDOT report describing Route 29 as having eight lanes, narrow sidewalks, no marked crossings, and no bicycle facilities, with the nearest safe crossing located more than half a mile away and the nearest bus stop across the highway at Walmart.

Mr. Pengally said that the proposed development will be split in two by Carrsbrook Drive, yet there was no plan for residents to safely travel from one half to the other, which may lead children, families, and seniors to step into the road. He said that Carrsbrook Drive was narrow, winding, with steep hills, and had poor sight distances; consequently, the development would have blind entrances and exits that drivers may not see until it was too late. He said that his other son, along with other local children, caught the school bus on Carrsbrook, but it was currently unknown where the bus would safely stop in the future.

Mr. Pengally said that the Commission should require real traffic calming, safe crossings, sidewalks, lighting, and a real connection between both sides of the development. He said that entrances and exits should meet minimum VDOT safety standards. He said that although the Board of Supervisors might overrule the Commission, the judgment of the Commission matters. He said that for the sake of all current and future residents of the area, he asked the Commission to use that judgment tonight.

Michael Geisert said that he was a resident of Carrsbrook and a member of the Carrsbrook Homeowners Association, and was present regarding conflicting information concerning Woodbrook Elementary School and the potential impacts of the Gander North development. He said that while the applicant's narrative described Woodbrook as hovering around capacity, the County staff report stated that Woodbrook was currently under capacity and projected to remain so for 10 years. He said that Albemarle County Public Schools (ACPS) published capacity data

showed enrollment at 112% of program capacity, explicitly identifying Woodbrook with a future capacity conflict.

Mr. Geisert said that it was unclear how an informed decision could be made when those official documents provided conflicting information, and it remained uncertain which numbers were correct and what enrollment data the County was relying on. He said that he was concerned regarding the varying development scenarios at Gander North; the application narrative estimated 30% for a 150-unit multifamily scenario, while the staff report estimated 59 students based on the maximum request of 237 units. He said that it was unclear how clearly conventional multifamily housing was being distinguished from age-restricted senior living.

Mr. Geisert said that the application discussed 237 age-restricted units with zero students assigned, and it was uncertain if those were evaluated separately or if age-restricted status altered affordable housing. He said that those questions were even more critical concerning the Route 29 Rio area, which was identified as a priority candidate for activity center planning under AC44. He said that future development in this corridor would bring additional housing and school enrollment pressures.

Mr. Geisert said that a cumulative impact analysis was required, rather than just the estimated students from a single house zoning, particularly as the development was outside the walk zone of Woodbrook School. He said that Carrsbrook had no sidewalks or lights and would require extensive work to facilitate pedestrian movement. He said that the County and ACPS must reconcile those conflicting capacity figures and provide an enrollment analysis for Woodbrook that accounted for Gander North and future growth around Route 29 and Rio Road.

Mr. Geisert said that the community deserved consistent numbers, transparent assumptions, and a clear understanding of how schools would accommodate that growth. He said that the Planning Commission should deny the rezoning of Gander North until those questions were answered.

Joe D'Alu said that he was a member of the Carrsbrook Neighborhood Association, a member of the Carrsbrook Building Committee, and a professional engineer. He said that his comments would focus on facts rather than emotion. He said that he was a strong supporter of increased housing density in the County, provided that such housing was affordable, as there was a clear need for it. He said that regarding the metrics for traffic and safety within the area plan, including speeds at the Hilton Heights intersection and right turns onto Carrsbrook, there was a flaw in the current proposed information relating to the required sight distance when leaving the applicant's property.

Mr. D'Alu said that specifically, at the north entrance, a driver making a right-hand turn must glance to the left to determine if it was safe to pull into traffic. He said that VDOT standards required a sight distance that provided a 7.5-second buffer to ensure safety when pulling out onto the road, which varied based on the speed of oncoming traffic. He said that at the north entrance, when a car arrived at the crest of Carrsbrook, a driver traveling at the posted 25 mile-per-hour speed limit had exactly 280 feet, by VDOT standard, to see that car and pull out safely. He said that while the applicant's study suggests this is sufficient, the Kimley Horn third-party independent study stated it was absolutely inadequate.

He said that this was problematic because there was a steep drop-off to the east at that point. He said that the Kimley Horn report indicated that drivers were not traveling at the speed limit and that the 85th percentile of actual recorded data at this point was higher than the posted limit. He said that because more distance was required to see vehicles due to the drop-off, the Commission should require the applicant to provide a proper traffic study, analyze that information, and present

it with VDOT approval. He said that until then, he requested that the Commission recommend denial.

Dean Wenger, Chair of Carrsbrook Homeowners Association Committee, said that while he supported responsible growth in Development Areas, Gander North, as currently proposed, posed an imminent traffic hazard for the community. He said that planning decisions demand accurate engineering data, but the Commission was being asked to rely on defective, deeply flawed traffic reports submitted by the applicants. He said that the applicant's first traffic study completely ignored Woodbrook Drive, the sole roadway connecting both proposed entrances, meaning the single most impacted road was not studied at all.

Mr. Wenger said that regarding the two entrances, the applicant's second study calculated a sight distance of 200 feet for the southern entrance using an artificially low 20 miles per hour, measured at the point vehicles were just completing their turn from Rio 29 North onto Carrsbrook Drive at the edge of an ongoing construction project and during a holiday week. He said that VDOT standards require using the posted speed limit of 25 miles per hour as the minimum baseline to ensure public safety, and that using the posted speed limit, the required sight line distance was 280 feet, not the applicant's 200 feet.

Mr. Wenger said that because of these flaws, the HOA commissioned an independent traffic study by the firm Kimley Horn, a company with respected standing with VDOT. He said their findings exposed severe sight line failures at the northern entrance as well. He said that based on real-world 85th percentile speeds of 33 miles per hour, VDOT standards required a sight line distance of 368 feet, not the applicant's 240 feet. He said that Kimley Horn's conclusion was unambiguous, and intersection sight distances for turns at that location appear inadequate.

Mr. Wenger said that both proposed entrances violated VDOT safety standards. He said that the County should not approve Gander North based on that incorrect data, as doing so compromises public safety. He requested the Planning Commission to reject those flawed studies and deny the rezoning of Gander North.

Linda Hitt said that she was a member of the Carrsbrook Homeowners Association. She asked the Planning Commission to carefully consider the environmental impacts that the proposed Gander North development would cause, and she requested that the application be denied due to the predictable destruction of neighborhood lakes, streams, and rivers. She said that the south side parcel of Gander North contained a perennial stream that flowed approximately 500 yards and emptied into South Indian Springs Lake, then into Payne's Lake, both in Carrsbrook, and finally into the Rivanna River. She said that the stream's flow from its beginnings to the Rivanna was only a mile long. She said that while this may sound insignificant, a shorter transit could cause more problems, as a short stream had extraordinarily little time to be filtered by the surrounding roots and plants.

Ms. Hitt said that this perennial stream had already experienced damage twice. She said that currently, the stream received highway toxins washing off US-29 near the south parcel, and stormwater from the commercially developed Berkmar area was piped underneath US-29 and dumped directly into the streams.

Ms. Hitt said that Payne's Lake is also suffering. She said that the proposed Gander North project would strip the tree canopy from the north parcel and pile massive amounts of dirt from the north parcel into the south parcel to fill it in. She said that even the best construction precautions cannot prevent the perennial stream from further major damage, as toxins would pour off the buildings

and the parking area with every rainfall. She said that the environment and waterways should not be further damaged for a construction project that is ill-conceived, out of place, and unsafe.

Judy Regel said that the perennial stream was severely compromised. She said that the vital question for the Planning Commission was whether Collins Engineering's proposed filtration plan for Gander North was sufficient to prevent further damage. She said that the proposed stormwater filtration system was too minimal to prevent accelerated harm, as it provided filtration that could withstand only a two-year, 24-hour rain event and a 10-year, 24-hour flood event. She said that, given the frequency of storms over the next 10, 20, or 30 years, the system would be overwhelmed.

Ms. Regel said that the County must plan for more than a two-year event. She said that while requiring better capture and retention may increase costs, it must be required at this stage of the development to ensure prospective developers understand the requirements for environmental protection. She said that the North Town Center, now known as Gander South, was located only a half mile from Carrsbrook Drive. She said that Gander South was approved for development in 2013 and was built over another perennial stream that fed into the lakes and the Rivanna River system. She said that the large parking lot collected stormwater and emptied it into the perennial stream, and stormwater was also collected at Rio Hill and piped under Route 29.

Ms. Regel said that Collins Engineering had informed the community that the proposed system for Gander North was virtually the same as the one used at Gander South. She said that although both filtration systems at Gander South had passed all County inspections, the County had never inspected for downstream effects. She said that Kuhns Lake, a private lake located approximately 500 yards from the neighborhood lake, was lovely prior to that development. She said that, 13 years later, Kuhns Lake had been destroyed and was a marshy mess. She said that the pollutants and sediment it holds emptied after every rain into South Indian Spring Lake. She said that history would repeat itself if this application was approved.

Joe Mason said that he and his wife had been homeowners in Carrsbrook for 31 years. He said that Carrsbrook was an active and diverse community that was engaged socially and administratively, featuring semi-annual homeowner’s meetings and a building committee that monitored lot development. He said that there were many reasons why the project was inappropriate for those parcels, including safety, traffic, and environmental concerns.

Mr. Mason said that the history of the deed restrictions of the lots in question and the prior legal decisions should guide their development. He said that the neighborhood began in 1959, at which time deed restrictions were written and filed with Albemarle County. He said that those restrictions plainly stated that they were intended for single-family dwellings of no more than two stories and stipulated that an elected building committee must approve construction, which preceded any County zoning.

Mr. Mason said that when zoning occurred in 1980, the western boundary of Carrsbrook was zoned highway commercial without regard for the residential character of the neighborhood. He said that in 1997, after overtures from the applicant's father to build an office complex, a group of homeowners filed for a declaratory judgment based on deed restrictions forbidding commercial development. He said that in 2002, Judge Peatross of the Albemarle Circuit Court ruled in favor of the homeowners, upholding the validity of the deed restrictions regardless of zoning.

Mr. Mason said that upon appeal in 2004, the Virginia Supreme Court confirmed the decision, establishing that the deed restrictions supersede the zoning which occurred 20 years later. He said that the current request was for a zoning map amendment to residential, which would be

supported if it were consistent with the deed restrictions; however, it was not. He said that all other lots in Carrsbrook were zoned R-1, and those four lots were subject to the same restrictions per the Supreme Court.

Mr. Mason said that if the request for high-density residential were approved, it would essentially promote a commercially operated development, which was in violation of settled state and County laws. He said that it was problematic for the County to disregard the law and put residents in a position of having to enforce it. He said that if the owner sought R-1 zoning to build upon the lots in a manner consistent with the deed restrictions, that would be welcomed.

Bryan Marr asked that the plan not be approved. He said that he had lived on Carrsbrook Drive for a year and a half and that his daily commute from Carrsbrook Drive to Flow Subaru involved traveling to the Hilton Hills intersection, providing a direct connection to the subject of the plan. He said that the volume of cars associated with that development would change the appearance of the entire area, which was a beautiful neighborhood with historic houses, 1965 houses, and large lots.

Mr. Marr said that an urban development at the end of Carrsbrook Drive, located between his residence and Flow Subaru, was inconsistent with the surrounding area and other developments along Route 29. He said that other developments on Route 29 were accessible directly from the highway, which functioned essentially as a freeway, and that one did not typically travel through a residential neighborhood on a small street like Carrsbrook to access a major highway. He said that it was illogical to have this type of development at the end of a residential street and that providing neighborhood access to that development made no sense.

Mr. Marr said that a new curb was currently being poured where Carrsbrook Drive met Route 29, creating a very sharp turn, and that if the number of cars doubled, there would be traffic congestion for those traveling from Carrsbrook Drive onto Route 29. He said that while there was currently minimal backup due to the low population, the addition of 1,500 cars to the existing 1,900 daily trips would increase congestion. He said that although it was estimated that 5% of those vehicles would travel down Carrsbrook Drive, he believed it was likely the percentage would be higher.

Mr. Marr said that drivers attempting to enter Route 29 from Carrsbrook Drive might instead travel past residential homes to use other roads to reach Rio Road. He said that making the left turn onto Route 29 to travel south toward the City was difficult because the highway was eight lanes wide, requiring drivers to cross six lanes; consequently, drivers would likely travel through the neighborhood to reach Rio Road instead. He said that this would have an extremely negative impact on the quality of life in the neighborhood.

Mr. Marr said that regarding the benefits of limiting housing development despite the need, one reason to limit development was to preserve the quality of life for current residents. He said that throughout Charlottesville, including along Rio Road, developers were constantly constructing new housing and high-rise buildings, and the number of allowed developments was negatively impacting the quality of life for those who chose to live there for the beauty, history, and environment of the City. He asked that the plan not be approved.

Richard Fox said that he was a resident of the Jack Jouett District who had been born and raised in the White Hall District and spoke in support of the project. He said that his family had been in the area since 1740, four years before Albemarle County was formed. He said that over nearly 300 years, many people had fallen in love with the County and moved here, including families wanting to raise children, retirees, and professionals seeking to work and build lives.

Mr. Fox said that the County currently faced an affordable housing crisis and that any efforts to alleviate that must be carefully considered and approved correctly. He said that regarding development in the County and the Rural Area, specifically the 95/5 split, development should focus on Development Areas, urban ring areas, and the periphery to prevent it from bleeding into rural areas. He said that this location was alongside Route 29 and that increased density development could be the first step in redefining this corridor.

Mr. Fox said that rather than seeing car dealerships, big box stores, and hotels in 30 years, placing housing there would achieve the walkability and the live-work-play model the County sought, making it the right move for the County in the right area. He said that while he acknowledged that traffic concerns were valid, VDOT data should be used in its entirety and that if the data indicated nothing needed to be done, then it should be accepted. He said that the potential for stormwater runoff was a concern, but if the project moved forward to the site plan phase, those stormwater mitigation issues could be addressed.

Mr. Fox said that the developer was experienced and would do things the right way, and that through discussion between the Commission, the developer, and the neighbors, conditions could be put in place. He said that the right fit for high-density housing development could be found and that it must start somewhere. He said that given what was already happening across the river to the north, this was a great spot for the project.

Lloyd Hulse said that he was a resident of Carrsbrook and a close observer of the 12-month homeowners' effort to inject reason and expertise in opposition to that compromising wish list of a plan. He said he found the seeming lack of interest, site visitation, and responsibility to the stakeholders, referring to the homeowners who will pay the price for those decisions, distressing. He said that those brief remarks were directed to the Carrsbrook Homeowners Working Group and their leader, Dean Wenger, who had put the utmost effort into detailing the deficiencies and noncompliance of that plan. He said that their resolve had led to a comprehensive report on the plan's failures, which the Commission had received.

Mr. Hulse said that many in the audience had not seen the report, but it must be read to carefully appreciate its accuracy and common sense logic, and there was no comparison to the current plan. He said that that was the work of talented citizens who had raised many legitimate concerns. He said that that was not an ending, but a beginning; no matter what the Board dictated, a flawed plan had been exposed, and citizen education would follow. He said that he hoped that everyone would show those hardworking, dedicated citizens appreciation for what they had done for the community and the future of planning for the County.

Jillian Price, White Hall District, said that she would refer to the Windy Knoll application presented in February and May of this year. She said that the applicant superimposed a picture of a road over her house, which caused significant distress to her and her wife. She said that this experience summarized how the zoning map amendment process had felt to her and her neighbors. She said that she appreciated the diligence, respectfulness, and thoughtful deliberation regarding the community's concerns during those meetings.

Ms. Price said that although the Board of Supervisors voted 5 to 1 to approve the zoning map amendment after the Planning Commission voted 5 to 1 to deny the recommendation, she felt respected and valued by the Planning Commission during the meetings. She said that the Planning Commission engaged with local experts who understood the ground-level reality, rather than just two-dimensional aerial views. She said that she hoped that the people in attendance felt heard regardless of the outcome and that the Board of Supervisors' differing opinion did not

impede the Commission from voting according to the values expressed regarding what was required for development to be buildable in the County.

Ms. Price said that throughout the process, it had been repeatedly stated that details could be addressed during the site plan phase and legal issues could be resolved in court; however, failing to account for the realistic buildability of a zoning map amendment had significant consequences for surrounding homeowners once the map was passed. She asked that the Commission consider whether an application was realistic and to avoid approving something with pending legal and traffic issues that cannot achieve what the builder promised.

John Gulotta said that he would offer a novel approach because he did not live in Carrsbrook, but rather in an adjoining neighborhood where he had lived for 34 years. He said that much of what had been heard tonight could have been obviated if the proponents of the project had been interested in the expertise of people living in the neighborhood. He said that when he was new to the area 57 years ago, the population of Albemarle was about 37,000, but there were now three times as many people.

Mr. Gulotta said that while the decision facing the Commission was difficult, 5% of the acreage of Albemarle County was permitted for development, while 95% was not; therefore, development was placed on the backs of those in the 5%. He said that although many statistics heard that night were dubious, the statistics regarding the 5% and 95% and the tripling of the population were pertinent. He said that in his view, Gander North would add little but nuisance and difficulty for the two neighbors in Carrsbrook.

Mr. Gulotta said that Carrsbrook was one of the earliest subdivisions north of the City limits, and much of it was built out before anything significant was built north of Hydraulic Road. He said that the tranquility of Carrsbrook and the neighborhood south of Carrsbrook was at odds with the nature of what was envisioned for Gander North with its 48-foot-high, four-story buildings. He said that there was no clear reason to rush into an urbanization plan, as the fact that people were trying to move there was not the best excuse for that action. He said that staying separate from northern Virginia was a sentiment that was unlikely to be met with unhappiness, as more was not always axiomatically merrier regarding population.

Donald Lyon said that he was the past president of the Raintree Homeowner's Association. He said that most neighbors disagreed with the rezoning request and supported by-right zoning. He said that when these lots were previously established, the zoning was three single-family units per acre or commercial access with forward-facing storefronts along US-29. He said that this new zoning request departed from that rationale and directly impacted on the safety of existing communities, the natural ambiance of the area, and the existing infrastructure.

Mr. Lyon said that the case *River Heights Associates Limited Partnership v. Patton*, decided on January 16, 2004, the Supreme Court ruled that the 1959 Residential Restrictive Covenants in Carrsbrook Subdivision, affecting the four western edge lots fronting US-29, remained fully enforceable because the internal residential character of the Carrsbrook Subdivision had been preserved. He said that up to 237 units were proposed at the Carrsbrook entrance along US-29 North. He said that the developer estimated a 45% traffic increase on existing community roads, with much more expected on Old Brook Road.

Mr. Lyon said that although Old Brook Road was now paved, it remained a narrow road. He said that because no access was proposed on Route 29, a bottleneck would likely be created at the intersection, creating safety issues for vehicles traveling through neighboring communities. He

said that there was no traffic light at the intersection of US-29 and Carrsbrook, and it was already difficult for a single vehicle to wait one to two minutes to make a right turn on US-29.

Mr. Lyon said that drivers must wait for the traffic light and move into the middle of the road to turn green to leave, as vehicles only merged when the traffic light turned red. He said that with this increased density, access from both sides of Carrsbrook Road to US-29 would be hampered, and residents traveling through existing secondary community roads would add to the traffic congestion in that localized area. He said that a study conducted approximately five or six years ago indicated that traffic volume was already above the design parameters along Carrsbrook, Westmoreland, and Old Brook Roads.

Mr. Lyon said that the proposal was not designed to alleviate traffic pressure through the neighborhoods, but rather, it would only exacerbate it. He said that Carrsbrook Drive and Old Brook Road were hilly and winding, and that in many places, one cannot see what was on the other side of the curve. He said that there were very few intersections with a clear line of sight, and the perpendicular road entering Old Brook Road had a poor line of sight. He said that drivers cannot see approaching vehicles or vehicles turning at the intersection at the crest of the most prominent hills on that road until they arrived at the intersection.

Mr. Lyon said that while the speed limit was 25 miles per hour and the curves were 20 miles per hour, observation of vehicles on that road confirmed those limits were not followed. He said that the impact of the proposal on school capacity must be fully understood, especially regarding school bus safety, pickup routes, and Woodbrook Elementary School, as well as other schools. He said that if approved, school capacity would be stressed by developing more apartments on Rio and Albemarle Square. He said that the proposal should be disapproved as it superseded the Supreme Court ruling regarding an existing HOA covenant, and the entrances should be denied access to Carrsbrook Road, with access only to US-29.

Michael Coppola said that he had lived in Carrsbrook for more than 28 years. He said that while he expressed support for affordable housing, including housing near his own neighborhood, and he did not have an objection to 30 to 40 affordable housing units in the area, the problem with the proposal was the additional 200 units. He said that he understood the reasons the County wanted to pursue higher density development in designated growth areas and did not dispute the need, but he maintained that urban density residential developments could not exist without urban infrastructure.

Mr. Coppola said that there was nothing resembling urban infrastructure in the vicinity of the proposed development. He said that Carrsbrook Drive, Huntington Road, and Old Brook were classified as major collector roads, but they were residential streets designed and built as such. He said that although the developer proposed to add sidewalk amenities along the perimeter of the property, those kinds of amenities did not exist anywhere else in the area, and there was no practical way to retrofit them.

Mr. Coppola said that Carrsbrook, Northfields, and Huntington Road would remain vehicle dependent and would become increasingly unfriendly and dangerous to pedestrian and bicycle traffic. He said that although the proposed development had been characterized as adjacent to a residential neighborhood, it was located within the neighborhood. He said that those lots were part of the neighborhood and should be developed consistent with the existing area.

Melissa Malone said that regarding Ms. King's point about the green space barrier, the proposal involved a four-story building with a direct line of sight into her family's home, which would result in light and noise pollution. She said that while she agreed with Ms. Brown that new neighbors

were welcome, any development had to be consistent with the neighborhood, and she should not lose sunlight after a certain point in the day due to a building in her backyard.

Ms. Malone said that backyards on North Indian Spring Road were short, whereas front yards were large, and she had a fenced-in front yard with trees. She said that she was concerned that as everything along the Berkmar Corridor was torn down, more trees were lost. She said that having lived there since 2010, she had lost 16 trees in her backyard because there was no longer a barrier to the wind coming across the mountain, which now traveled across eight lanes of traffic and hit the back of the property.

Ms. Malone asked that the Commission consider whether they would be comfortable with a four-story building where anyone could look directly into their master bedroom or their children's bedrooms before approving the project. She said that this area was a community where people knew one another, including the names of neighbors' dogs and children, and where neighbors assisted one another with tasks like mowing grass and plowing streets. She said that while additions to the community were acceptable, barriers should not be placed against it.

Kathleen Buntmanassas said that she lived on Old Brook Road, which was omitted from the originally proposed traffic study. She said that at the last meeting at Aldersgate Church, residents were not included in the traffic study because their inclusion would likely have inflated the numbers to a degree that would suggest the area is not passable. She said that although she did not sign up to speak, she was present because she found the state of the County and the community disconcerting, particularly the notion that a representative may rubber-stamp the decision.

Ms. Buntmanassas said that as residents who valued their homes, the community asked the Commission to consider the impact on the neighborhood caused by the exclusion of that street and to review the real traffic studies presented by the Carrsbrook Neighborhood Association, which reflected different numbers. She said it was inexcusable for a representative to potentially rubber-stamp the decision despite the time and effort residents spend coming here to voice opinions.

Ms. Buntmanassas said she was concerned about the property owner seeking approval. She said that if the owner received approval and sold the property, a new owner may intend to do something different with it. She said that because this set a precedent, she asked the Commission to vote against the proposal.

William Coogler said that since he had moved into the neighborhood four years ago, traffic volume and vehicle speeds had gradually increased, primarily due to motorists transiting from Rio Road to reach Route 29. He said that although the traffic study did not reflect a large volume of vehicles, there was significant experience of vehicles that did not belong in the neighborhood. He said that most of the traffic intended to travel to Route 29 to make a U-turn.

Mr. Coogler said that VDOT recently released a survey regarding traffic management for vehicles coming off Rio Road attempting to turn left onto Woodbrook to reach Lowe's and the Kroger shopping center. He said that the proposed solution was to install a concrete barrier that prohibited left-hand turns. He said that because vehicles had a much longer acceleration lane to merge with traffic on Rio onto Route 29 than they did at Carrsbrook, he believed motorists would realize they could not cross those lanes on Route 29 to make a U-turn.

Mr. Coogler said that they would consequently travel back through the neighborhood to Rio Road to catch a light, as it was easier and more convenient than risking safety by cutting across high-speed traffic on Route 29 to make a U-turn. He said that from a safety and traffic standpoint, those

vehicles would not travel to Route 29 unless they were traveling north; if they were traveling south, they would travel through the neighborhood.

Diane Jones said that she had been a resident of Carrsbrook for two years, and she had witnessed Kuhns Lake being filled with dirt. She said that the lake downstream from that location was now half-filled due to runoff. She said that Carrsbrook Drive was a dangerous roadway because vehicles traveling up the hill from South Indian Spring were at risk of being rear-ended if they exited the area slowly.

Melissa Tamborello said that she was a new resident living on Carrsbrook Drive. She said that this was a major concern during her home-buying process because she was trying to avoid the issues seen in southern California, where suburban expansion had led to empty apartment buildings. She said that it was uncertain if the local market supported such developments. She said that her two teenage sons were avid mountain bikers who rode along the street, which lacked shoulders in certain sections. She said that there was a steep, vertical curve where vehicles traveled approximately 40 to 50 miles per hour. She said that it was preposterous that this was being considered and was unclear how this could work; therefore, she asked the Commission to deny the proposal.

Tom Rattan said that he was retired, and he walked his dog almost every day, and he lived right on South Indian Spring. He said that when walking around the block through the neighborhood to Carrsbrook, it took a minute to cross the street to South Indian Spring because his dog had short legs. He said that while walking, he saw children waiting for buses, the dried-up lake on South Indian Spring, and animals, such as foxes and deer.

Mr. Rattan said that while he was mowing his front yard one day, a person on a bicycle mentioned a bear running through his backyard. He said that the deer and foxes were not going to leave and were likely to be hit by cars. He said that it was difficult to cross the street due to the current state of traffic. He said that when he worked at United Rentals on the other side of town, his commute home was via Huntington, which was easy because it avoided Route 29 and led directly into North Indian Spring.

Mr. Rattan said that the Commission should consider that the project was a detriment to the community. He said that the project would not increase anything; instead, property values would decrease. He said that the value of the first three houses looking into apartment buildings would drop by half, taxes would increase, and people would be upset. He said that it was not a well-planned project.

Charles Krezak said that he wished to address two points that were overlooked. He said that if 244 units with two or three bedrooms were constructed, the number of children living in those units must be considered. He said that the school bus and Carrsbrook Drive had poor sight lines, and while school buses would have to pull into the neighborhood to pick up students, there was no sight line when pulling out, which created a significant accident risk for both cars and school buses.

Mr. Krezak said that if there were older residents who may require ambulances, there was only one way in and one way out. He said that although the planner mentioned discussions regarding gaining access at the other end, it was noted at the last meeting that the owner of that property denied access. He said that because emergency equipment, such as ambulances or fire department vehicles, must be able to navigate the area, the current single entrance may be insufficient for making the necessary turns.

Sherri Ailer said that when she first moved to the neighborhood 42 years ago, it was a wonderful place where children could safely ride bikes and walk. She said that the neighborhood had changed over the years as many older neighbors had passed away or moved to assisted living or with family. She said that while she found it wonderful to see new families with children, strollers, and bikes, the roads lacked bike lanes and sidewalks and were not designed for the increased traffic that will be cutting through. She said that Huntington Road was currently very busy, and because this was a neighborhood of children and families, she believed the request should be denied as the roads are not equipped for it.

Recess

The Commission took a five-minute recess.

Public Hearings

ZMA-2025-00013 Gander North Planned Residential Development

Ms. Firehock called the meeting back to order. She asked if the applicant had a response to public comments.

Mr. Collins said that Collins Engineering had worked to engage the neighborhood, listened to concerns, and addressed them. He said that the application plan addressed many of the concerns raised tonight. He said that the primary disconnect appeared to be the difference between the current state of Carrsbrook and the proposed appearance under the application plan. He said that the proposal included an urban street section along Carrsbrook Drive, which would slow traffic and provide pedestrian safety amenities such as walking paths, multi-use pathways, sidewalks, and street trees to buffer the pathway from the road.

Mr. Collins said that this infrastructure, combined with the pedestrian pathway and VDOT infrastructure currently being installed and the extension from Carrsbrook Drive to Gander Drive, provided the necessary foundation for the neighborhood. He said that once the existing sidewalks on Old Brook Road were utilized, the remaining areas could be filled in. He said that this plan also provided a transition from the density on Route 29 to the Carrsbrook development. He said that during the initial stages of this project, the landscape buffer was 10 feet, which was increased to 20 feet following discussions with the neighborhood, and that there were currently requests for 40 feet. He said the goalposts kept moving.

Mr. Collins said that the developer was listening to those concerns and incorporating them into the application plan. He said that additional traffic analysis was conducted to help identify the nature of those concerns. He said that the neighborhood never shared their independent traffic report with the developer. He said that that the study was based on current speed limits rather than VDOT information and was not an approved traffic study. He said that the posted speed limit in that location was 25 miles per hour, and an urban street section would help maintain that limit.

Mr. Collins said that the project entrances met sight distance requirements. He said that VDOT regulations included various factors of safety; while 280 feet was not the absolute minimum required to stop a car, as 200 feet was sufficient at 25 miles per hour. He said that regarding DEQ regulations for stormwater management and environmental impacts, this seven-acre site would meet all current DEQ standards for erosion control and stormwater management. He said that sediment would be controlled and monitored by the DEQ.

Mr. Collins said that this was a complete application that met all County standards and requirements. He said that the staff report noted no issues, and the plan met every requirement of the AC44 Comprehensive Plan. He said that, aside from other projects, this application had no issues.

Mr. Clayborne asked if he had anything further to add regarding the Kimley Horn report, specifically to rebut the finding that it used speed limits that were not posted speed limits.

Mr. Collins said that the report stated that speeding was occurring in the neighborhood. He said that there was speeding in most neighborhoods and intersections in Albemarle County. He said that having designed local roads in Albemarle County for 25 years, 99% of neighborhood intersections would fail when vehicles traveled at 35 to 40 miles per hour. He said that drivers needed to slow down, and this urban section and the provision of pedestrian infrastructure would assist in that effort.

Mr. Murray said that he was concerned regarding pedestrian safety at the Carrsbrook crossing within the future plan for pedestrian improvements. He asked about potential measures to increase safety once the improvements were implemented.

Mr. Collins said that the best feature of a pedestrian crossing was a refuge island, which allowed a pedestrian to cross one lane, stop, and reset before crossing the second lane. He said that this configuration currently existed at the Carrsbrook and Route 29 intersection and was being improved with a pedestrian pathway from VDOT. He said that attempting to divert pedestrians away from the current infrastructure to create a crossing where two lanes were crossed at once was not the best design.

Mr. Collins said that this was considered a mid-block crossing, and there was a preference to have pedestrians cross at intersections. He said that the best course of action was to install infrastructure within the development to funnel pedestrians to this location so they may cross one lane at a time.

Mr. Murray asked if there would be a benefit for residents to be able to walk to Woodbrook Elementary.

Mr. Collins said there would be a benefit.

Mr. Clayborne asked for confirmation regarding the parcel labeled building and parking envelope one. He said that given the entryway and previous comments regarding sight distance for drivers turning right from Route 29 onto Carrsbrook, he would like confirmation that the planned density at that site presented no concerns for drivers making left-hand turns from building and parking envelope one toward Route 29.

Mr. Collins said that the sight line extended beyond 200 feet from the entrance to Route 29. He said that once the area was developed with street trees and a sidewalk, visibility would extend past the intersection, allowing drivers to see up the road as they slowed down to make the turn.

Ms. Firehock asked if the County Attorney could speak to the question of covenants and deeds, specifically concerning the role of the Planning Commission in the County with respect to those matters.

Jenny Tevendale, Deputy County Attorney, said that she would remind the Commission that the County could not and did not enforce private restrictive covenants. She said that the Commission

was tasked with evaluating the land use application against the current zoning ordinance, the comprehensive plan, and the other criteria established for rezoning and land use applications. She said that if there were any conflicts between the rezoning and the covenants, those would be enforced as a private civil matter; it was not something the Commission needed to take into consideration, nor was it something the County would enforce.

Ms. Firehock said that she would open the floor to the Commission's deliberation and to hear the perspectives and concerns regarding the proposal.

Ms. Brown said that there seemed to be a mindset in Albemarle County that vehicular, pedestrian, and bike infrastructure would catch up with projects similar to what Mr. Collins suggested. She said that while this may be due to how funding and demand worked, she hoped that this was not due to tragic accidents. She said that traffic would likely be exacerbated between the Route 29 intersection and Carrsbrook along all of these streets by bringing more people into that neighborhood.

Ms. Brown said that whether it was developed this way or another way in the future, it was a beautiful piece of land with a nice forest and habitat, but she did not imagine that it would always stay that way. She said that considering how to guide the best path forward was one thing to consider when looking at these proposals. She said that given the contradictory information she heard regarding the proposed transportation infrastructure in these reports, it was important to resolve those issues in order to approve the project to move forward.

Ms. Brown said that regarding the character of the neighborhoods, the comprehensive plan put forward many guidelines to strengthen the quality of life and character of places where people lived, recreated, and worked. She said that economic development was a critical part of that. She said that change was difficult, and it was hard to balance those elements. She said that natural resources and assets, such as the river, were a critical part of this area, and it was very important to think about how to mitigate disturbance.

Ms. Brown said that requirements should be beyond the minimums because the minimum requirements at the adjacent property were clearly not working. She said that alongside mitigating that drastic change, the fabric of the structures should be considered through connectivity and buffers. She said that enhancing the buffers and enhancing stormwater management to incorporate best practices should also be a critical part of this application.

Ms. Brown said that support could eventually be given to a plan with lower density if traffic and connectivity issues were resolved, and if stormwater management and buffers were enhanced to help with the transition beside the neighborhood. She said that while she acknowledged that working out sight lines and legal issues was outside the Commission's domain, there was work to be done before the project could move forward.

Mr. Moore said that he commended the applicant's efforts to study traffic flows and speeding patterns, noting the volume and speed of vehicles in the area. He said that the situation was difficult because it required weighing mutually exclusive values. He said that while everyone in the room likely wanted good things for the County, each person brought a different lens to the decision. He said that his first lens was not keeping neighborhoods exactly the same. He said that the area was an urbanizing, growing place where it would be appropriate to allow duplexes in backyards or the replacement of older homes with four or six units.

Mr. Moore said that his second lens was not treating environmental features next to a highway as extremely sensitive; while he cared about clean drinking water and sufficient stormwater capacity,

he deferred engineering questions to experts and noted that modern building practices were intended to make such developments work. He said that his third lens was that everyone who worked in the County, including hairstylists, grocery clerks, teachers, and nursing assistants, should be able to afford to live there to maintain a true community rather than a "theme park" where workers were bused in from elsewhere. He said that the County needed more housing. He said that between 2018 and 2024, the median home price increased by more than 70%.

Mr. Moore said that due to supply and demand and population projections from Weldon Cooper suggesting the County would add 20,000 people in the next decade and a half, more housing was required. He said that the answer should not be to rely solely on Waynesboro or Zion Crossroads, nor should the County close itself off. He said that there was a need for market housing, affordable housing, and social housing. He said that another key lens was good, safe transportation, especially car transportation in suburban areas. He said that people needed to be able to drive and pull out of their housing safely via roads that connected to streets and larger thoroughfares.

Mr. Moore said that there was a need for safe pedestrian crossings and walkways, specifically to cross roads like Carrsbrook or Route 29 safely. He said that during a site visit, he walked from Gander to the Hightech Signs. He said that while there was some road noise, homes were visible behind the car dealership through the trees. He said that he was concerned regarding the design of the neighborhood, specifically the necessity for residents to cross multiple lanes of Route 29 and perform a U-turn to travel anywhere. He said that while a skilled driver might manage this for years, it was poor design that could lead to crashes and injuries. He said that he also walked along Carrsbrook and observed that people drove fast and sight lines were limited, particularly on the final rise. He said that while a resident might avoid accidents for years, the design was unsafe and could lead to injuries.

Mr. Moore said that he was in favor of a certain number of townhomes on this lot, potentially more than three per acre, but he currently had reservations regarding traffic safety and the need for better, safer connections. He said that this issue reflected a larger problem in the County. He said that this was only the second housing proposal received in eight months, indicating the housing pipeline had slowed. He said that much of this was due to the development area filling up with few remaining parcels, many of which were difficult to build on. He said that this led to proposals to place housing along highways, which may be well-meaning but was an unusual location for such development. He asked when the County would plan for development area expansion and suggested that the Planning Commission should lead that planning process rather than opening all areas indiscriminately.

Mr. Murray said that the development area was not filling up, noting that the density had not reached that of Charlottesville, let alone highly dense areas like Manhattan. He said that while places evolved over time and density could be retrofitted, the County was not filling up; rather, it was not being built densely enough. He said that he had discomfort with the upper end of the density being proposed, particularly if it was age-restricted housing. He said one of the largest demographics in need of housing in the community was younger people struggling to afford homes. He said that while assisted living and other types of homes were necessary, he would prefer to see homes that families could live in.

Mr. Murray said that the upper limit of the density being discussed was a primary concern for him regarding this project, and he noted that resolving the issue of the U-turn would ease his concerns. He said that traffic calming was needed along Carrsbrook. He said that in an ideal scenario, a safe way for children to walk to school or bike to Woodbrook Elementary would be preferable to another pocket park. He said that regarding stormwater, the various site plans presented all

contained the same amount of impervious surface; therefore, whether apartments or townhomes were built, the stormwater impact remained the same.

Mr. Murray said that he hoped that consideration would be given to treating as much stormwater on-site as possible and prioritizing stormwater quality treatment to benefit the Rivanna and the streams. He said that the site had a history involving the Gander Mountain commercial development, where failures resulted in significant sediment flowing downstream and retention issues. He said that while he trusted that those failures would not recur, there was reason to be cautious. He said that it was a positive development that a perennial stream had been identified and that there were plans to protect it and provide adequate buffers, which he considered a real asset. He said that due to the upper end of the density and the potential traffic issues, he was not comfortable with the project as it stood.

Mr. Clayborne said that he was conflicted regarding the proposal but thanked the applicant for the admirable effort put forth to present a solution for a very difficult site. He said that the positives included housing within the development area and a location that supported economic development; given where growth was happening, housing in this area made sense. He said that the 20% affordable housing at the envisioned AMI was notable, as few proposals addressed that requirement. He said that while he acknowledged the parcel was difficult to develop, this was a solution that increased connectivity to the shared-use path.

Mr. Clayborne said that the urban infrastructure on the stretch of Carrsbrook between Route 29 and North Indian Springs Road would be helpful in slowing traffic. He said that concerns remained regarding the speed on Carrsbrook. While he understood that 25 mph was the standard for VDOT traffic studies, wisdom and discernment must be exercised when weighing those proposals. He said that traveling 35 mph north impacted reaction time at entrances and exits. He asked what would happen to the infrastructure of Carrsbrook Drive once passing North Indian Springs Road; if improvements only slowed traffic on that one strip, the impact beyond it was uncertain.

Mr. Clayborne said that additionally, making a U-turn at Hilton Heights during the afternoon rush hour, when traffic was heading north toward Greene and Madison, would be difficult. He said that regarding quality of life, living adjacent to a highway was questionable, and the 20-foot buffer felt inadequate, even though no buffer was required. He said that to become comfortable with the proposal, a reduction in density would be preferable due to the location of the site.

Ms. King said that she echoed the sentiments expressed by Commissioner Moore, noting that Albemarle County desperately needed more housing inventory. She said that the proposed density in this location was more than comfortable, not necessarily because of traffic, but because of usability and the visual impact on the adjacent neighborhood, including noise, light, and traffic. She said that without increasing density there, the County must look at expanding the development area to places where people wanted to live.

Ms. King said that during her time on the Planning Commission and as a CAC Chair, she had heard pushback regarding expanding the 5% development area to 6% or 7%, often based on the concept that the County did not want to become suburbia like Loudoun or Fairfax. She said that increasing the development area from 5% to 7% while maintaining a 92% or 93% Rural Area was not suburbia; the amount of land used for housing could double with a very small impact on the Rural Area overall, yet that small impact would significantly reduce housing costs. She said that the County needed to build more neighborhoods like Carrsbrook, where residents enjoyed having a half-acre of land around their homes, and it was possible to have more of those types of neighborhoods and less of this, but the needle must be pushed.

Ms. King said that she disagreed with Commissioner Clayborne's accolades for the developer, noting that the CAC and the neighborhood association had put in significant time and effort to demonstrate their concerns. She said that the attitude presented was not one of cooperation or collaboration, and there was a lack of cooperation from both the neighbors and the developer. She said that she felt a sense of disrespect was present, which did not facilitate this type of process, and it was possible to achieve a win-win for both parties.

Ms. King said that regardless of whether VDOT required a traffic study, she suggested that additional funds should be allocated to a traffic study so the neighborhood felt confident in the results, and arriving at that stage without doing so wasted money that could have been used for that purpose. She said that regarding the discussion on activity centers, the Rio/Route 29 and Airport Road/Route 29 intersections were two of the places AC44 identified as activity centers. She said that since AC44 did not prohibit development in other locations, residential development in this location was to be expected.

Ms. King said that, however, 237 units was not the correct answer. She said that based on limited knowledge of development, she suspected the developer could likely make money on this project with fewer than 237 units, and that more numbers related to that should be provided in the next round. She said that in other approved proposals in the County, projects had not been feasible because the density allowed was not high enough for the developer to make money, but that did not appear to be the case here. She said there was room for more buffer, more traffic control, and less density through a more thought-out plan that satisfied the neighborhood. She said that the neighborhood was not saying no to everything, but that there was a lack of cooperation.

Ms. Firehock said that no one from the community or the Commission expressed opposition to housing on this site. She said that while the site was wooded, the goal of infilling the urban ring was to preserve large forests, farmland, and viewsheds in the countryside; consequently, the Planning Commission must address difficult, irregular sites. She said that while she was supportive of housing, she had strong discomfort regarding the proposed density. She said that the developer mentioned apartment buildings may not be as market viable as they once were. She said that although assisted living was in high demand, finding affordable options in the region was difficult, with waiting lists in places like Scottsville reaching hundreds of people, and this demand related back to the density concerns expressed by the Commission.

Ms. Firehock said that regarding stormwater, determining a stormwater plan was not within the purview of the Planning Commission, but discussions regarding volume and water quality treatment were germane. She said that the legislature allowed for the purchase of off-site nutrient credits for stormwater management, meaning developers could treat the volume of stormwater on-site but purchase credits elsewhere, and credits could also be obtained by leaving forest on the site. She said that there had been a decline in the County in the use of low-impact development (LID) and best management practices (BMP), such as bioswales and permeable pavement, because it was often easier to purchase off-site credits.

Ms. Firehock said that while it was not the developer's responsibility to present a stormwater plan to the Commission, some developers had incorporated green design into their developments, such as the Sieg development. She said that the Commission expected more than the minimum requirements in exchange for the ability to develop the site and realize a profit. She said that regarding the traffic study, the developers made a good faith effort to use VDOT standards. She said that increased traffic could act as a natural traffic-calming measure, as drivers were more cautious when vehicles were likely to enter the roadway. She said that adding sidewalks, activating the street, and clearing some trees provided better sight lines through the site.

Ms. Firehock said that the HOA traffic study should not be dismissed, although she added that additional measurements of vehicle speeds might have been beneficial. She said that there were valid concerns regarding potential sight lines and that more information on that subject was needed. She said that the proposed layout transitioned from a favorable design to a large block for apartments or assisted living, which caused concern. She said that while she acknowledged that maximizing density may be a smart business move, the Commission could not negotiate the proposal or approve a different version than what was being presented.

Ms. Firehock said that the Commission was not comfortable with the proposed density, even though housing on the site was supported by the Commission and most neighbors present. She said that the site should be evaluated for how well it integrated into the neighborhood to ensure it did not feel like an isolated island. She said that although the developer provided more buffer than required, the site was narrow and the dense development sat directly adjacent to single-family homes, which required careful attention. She said that the role of the Commission regarding infill developments was to ensure good design and development. She said that even Mr. Moore expressed concern regarding the level of density on that site.

Mr. Moore motioned that the Planning Commission recommend denial of ZMA-2025-00013 Gander North Residential Development, largely due to the traffic concerns raised and other considerations brought up by the Commissioners. Ms. King seconded the motion, which carried unanimously (6-0). (Mr. Carrazana was absent)

Commissioner Firehock said that that matter would go to the Board of Supervisors at a date to be determined. She said that the Planning Commission's recommendation for denial was advisory in nature, so the Board would take that advice and decide how to proceed. She said that the chamber would be cleared for a few minutes, unless anyone wished to hear about entry quarter standards.

Recess

The Commission took a five-minute recess.

Public Hearing
TA-2026-00012 and ZMA-2026-00008 Entrance Corridor Arterials

Margaret Maliszewski, Planning Manager, said that entrance corridors were streets that lead to or through the historic areas of the County. She said that development in those corridors was subject to architectural design regulations intended to help maintain the visual integrity of those characters and the scenic historic character of the County. She said that the text and map amendments before the Commission tonight were needed to correct an error made when the entrance corridors were first established in 1990. She said that State Code allowed localities to designate streets as entrance corridors, but it limited eligible streets to those classified as arterial streets or highways.

Ms. Maliszewski said that some of the streets designated as entrance corridors in 1990 did not have that arterial classification, and those streets were highlighted in red on the map. She said that in 2021, the Board of Supervisors adopted an ROI to request arterial status for the streets highlighted in blue, and in late 2022, it was confirmed that those streets had been upgraded to arterial status. She said that the amendments under consideration tonight would remove the remaining non-arterial streets, highlighted in red, from the overlay district, meaning entrance corridor regulations would no longer apply in these areas.

Ms. Maliszewski said that for most of these properties, owners would not notice any change in how their properties were regulated because entrance corridor regulations did not apply to most single-family detached residential properties or to agricultural or forestry uses, which made up most of the areas in question. She said that these amendments were required for consistency with state enabling authority, and staff's recommendation was for approval.

Ms. Firehock asked if Route 29 was an arterial when traveling north into Charlottesville but was not when traveling north leaving, and whether this was because the area was mostly rural agricultural despite it being the same kind of road.

Ms. Maliszewski said that the arterial classification was a VDOT classification related to how segments connected and the volume of traffic, which pertained to the transportation-related information previously mentioned.

Michael Barnes, Director of Planning said that one way to view the situation was that Route 20 South connected Scottsville and other jurisdictions in the City; however, once traffic reached Proffitt Road, the volume dropped because many people used Proffitt Road to access Route 29.

Mr. Murray said that the traffic volume at Barracks Road, Georgetown, and Garth remained mysterious, particularly given the high volume of traffic and the interchange where motorists exited Interstate 65.

Ms. Firehock said that the decision must follow the guidance provided by VDOT, as the final determination rested on what VDOT says it was or was not.

Mr. Moore asked for examples of what removing an item from the entrance corridor status looked like functionally.

Ms. Maliszewski said that for most of these properties, there would be no change because they were either single-family detached residences or undeveloped. She said that, for example, on Route 6, a small property with a convenience store and a fuel pump canopy would no longer be subject to entrance corridor regulations. She said that the school and fire station on Route 20 North would not be subject to the regulations, as well.

Ms. King asked if the main difference was that architectural review was no longer required for the properties removed from the overlay district.

Ms. Maliszewski said that was correct.

Ms. Firehock opened the public hearing.

Graham O'Bragson said that he did not understand the statement and inquired how it would affect his property.

Mr. Barnes said that property owners located on the black lines would remain within the Entrance Corridor Overlay District, while those located on the red lines would be outside of it. He said that commercial properties would continue to be subject to Architectural Review Board (ARB) regulations, and any improvements or changes to the use of such property would require review by the ARB. He said that ARB regulations were not applicable to single-family houses or farms. He said that while previous actions would have affected commercial establishments, they would not have directly affected single-family establishments on Rio Road.

Mr. O'Bragson asked where the map could be found and if there was a website where it was available.

Mr. Barnes said that staff could help him after the meeting.

Richard Fox, Jack Jouett District, asked specifically about Route 654 coming out of Barracks Road, as it was unclear how far that extended toward the traffic light at Georgetown to Garth. He asked if that included the area of the Newfield School campus and whether this would affect anything already approved or that might need to be done.

Ms. Firehock said that segment was proposed to be removed, so there would no longer be any restrictions dependent on ARB review.

Ms. Firehock closed the public hearing and the matter rested with the Commission.

Ms. Brown motioned that the Planning Commission recommend approval of TA-2026-00012 and ZMA-2026-00008 for the reasons stated in the staff report. Mr. Moore seconded the motion, which carried unanimously (6-0). (Mr. Carrazana was absent)

Committee Reports

Ms. King said that there was no committee report, but she wished to bring up a matter mentioned at the last meeting. She said that the Rio 29/Hydraulic Road CAC meetings were not being held because there were no proposed developments. She asked for more information about the development pipeline.

Ms. King said that although that part of the development area was largely developed, there had been only two housing applications in the last six months, one of which was denied.

Mr. Moore said that the Rio 29 CAC had continued to meet, but as previously noted, there had been no applications for quite a while. He said that a presentation was received from Rivanna Water and Sewer Authority (RWSA) regarding pipelines. He said that there were six drinking water treatment plants in total, three of which served the urban system. He said that Moores Creek was the primary facility regarding the water resource recovery facilities. He said that when Richmond experienced a water outage approximately two years ago, there was a single point of failure that caused the entire system to go down.

Mr. Moore said that regarding the question of whether the system could continue to provide water if one of the two large facilities for the urban system went down, the answer is currently no, but it would soon be possible. He said that a Central Water Line was being installed through the southern part of Charlottesville, which would allow one facility to serve the entire system for a while if Observatory or South Rivanna was shut down. He said that a raw water pipeline connected South Rivanna with Ragged Mountain, and that the estimate for that project was intended to increase capacity for 80 years of growth. He said there was an inquiry as to how much concern would arise if the intensive use of biosolids on agricultural land increased through more robust or concentrated agricultural activity; there was not much concern at this time, but the situation is being monitored.

Mr. Moore said that during the Land Use and Environmental Planning Committee (LUEPC) closed session, the discussion focused on climate resilience and green initiatives. He said the University of Virginia was converting its heat plant in several phases, transitioning from coal-related boilers to oil and gas, which will result in the removal of the coal silos. He added that reports were

received from both the City and the County regarding climate action, including the Resilient Together initiative. He said that this joint planning process aims to prepare for more intense and frequent severe weather events and was currently in the design phase of creating adaptation and resilience plans. He said as a next step, the County had established a new Office of Emergency Management (OEM) and was coordinating the development of the final plan with that office this fall.

Ms. Brown said that on October 15, Christine Putnam had spoken about the Albemarle County Parks Foundation, which had been established in 2024 to help fill the gap between new projects and the capacity to fund projects that Parks and Recreation had already vetted. She said that because much of the current funding had to go to operations and maintenance, fundraising for projects in the pipeline could help them proceed more quickly. She said that five projects had been prioritized with Parks and Recreation, all focused on the blueway area along the Rivanna.

Ms. Brown stated that the Darden Towe pickleball courts were complete following a $75,000 contribution from the County Parks Foundation. She said that the remaining four projects were the Free Union linear bridge, the Old Mills trail extension, Brookhill Park and boat launch, and the Darden Towe boat launch upgrades. She said that the foundation was looking for new board members and that interested individuals could participate in meetings held on the third Wednesday of each month at 8:00 a.m. via Zoom.

Ms. Firehock said that since the board members were mentioned, they were the fundraising arm for the park system and were always seeking donations. She said that anyone wishing to donate might do so in person or online, as the organization was a 501(c)(3) nonprofit.

Mr. Murray said that he had attended the Crozet CAC meeting the previous day in Crozet to discuss the Three Notch'd Trail. He said that the meeting, held at Henley Elementary School, had been well attended, with vehicles filling the parking lots of Henley and Brownsville as well as parking along the sides of the road. He said that it was evident that staff had put significant effort into reaching out to property owners, examining various potential trail routes, and conducting the necessary analysis.

Ms. Firehock said that the Historic Preservation Committee did not meet on Monday because a quorum was not achieved. She said that the next meeting was scheduled for Monday.

Review of Board of Supervisors Meeting: October 21, 2026

Mr. Barnes said that at the Board of Supervisors' October 21, 2026, meeting, regarding land use items, there was one contentious item concerning a building site on a Rural Preservation District parcel, but the applicant had requested a deferral. He said that no other land use items were addressed. He said that other notable items included recommendations for several projects from the Affordable Housing Investment Fund (AHIF), the County's series of Legislative Priorities for 2027 to present to the General Assembly, and economic outlook reports. He said that two evening public hearings had been held: one regarding the conveyance of the Rivanna Futures parcel to the Economic Development Authority (EDA), and another regarding a tax rebate for volunteer Fire and Emergency Medical Services (EMS) volunteers.

Ms. Firehock asked for the approximate location of the controversial parcel that had been withdrawn.

Mr. Barnes said that the subdivision was Ragged Mountain, also known as Taylor's Mountain Gap, where the proposed driveway for the parcel was located. He said that the subdivision fronted Dick Woods Road, leading toward the Old Ivy Materials Use Center.

New Business

There was none.

Old Business

Ms. Brown said that Blair Williams and the owner of S.L. Williamson Paving Company had contacted her following the meeting last week regarding the fill. She said that after watching the meeting video, Ms. Williams had provided a white paper from an asphalt advocacy organization and had noted that there was a recycling facility for asphalt located in Albemarle. She said that while there was uncertainty during the previous meeting regarding whether the facility recycled asphalt, Ms. Williams had indicated that they recycled approximately 100,000 tons per year. She said that they had offered to provide a tour of the facility upon request, and she was available to coordinate that tour for anyone interested. She said that Ms. Williams had also provided the white paper regarding asphalt being an inert fill material.

Items for follow-up

There were none.

Adjournment

At 9:45 p.m., the Commission adjourned to November 10, 2026, Albemarle County Planning Commission meeting, 6:00 p.m.

_____

Michael Barnes, Director of Planning

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

Approved by Planning Commission
Date:
Initials: