Albemarle County Planning Commission

The Albemarle County Planning Commission held a meeting and a public hearing on Tuesday, November 26, 2002 at 6:00 p.m., at the County Office Building, Room 241, 401 McIntire Road, Charlottesville, Virginia. Members attending were William Rieley, Vice-Chairman; Rodney Thomas, William Finley; Pete Craddock, Tracey Hopper, Bill Edgerton, and Jared Loewenstein, Chairman.

Other officials present were Wayne Cilimberg, Director of Planning & Community Development; Greg Kamptner, Assistant County Attorney, and Michael Barnes, Senior Planner.

Other Matters Not Listed on the Agenda from the Public:

Mr. Loewenstein invited public comment on other matters not listed on the agenda. There being none, the meeting proceeded.

Consent Agenda

SDP-02-020 Avemore Preliminary Site Plan – Request for a critical slopes waiver to allow the construction of a 280 unit multi-family development and appurtenant facilities. (Steven Waller)

Mr. Thomas moved for approval of the consent agenda.

Ms. Hopper seconded the motion, which carried unanimously (7:0).

Work Session:

ZMA-2002-002 Hollymead Town Center – Area D (Sign #58, 59, 68) - Request to rezone 24.1 acres from RA, Rural Areas to PD-MC, Planned Development- Mixed Commercial to allow for a mixed -use development. The property, described as Tax Map 32 Parcels 46, is located in the Rio Magisterial District on Route 29 North at the Timberwood Boulevard/ Route 29 intersection. The Comprehensive Plan designates this property as the Hollymead Town Center in the Hollymead Community and recommends Mixed Use/Community Service and Urban Density uses. (Michael Barnes)

ZMA-2001-18 Hollymead Town Center – Area A (Sign #74) - Request to rezone 16.5 acres from RA, Rural Areas to PD-MC, Planned Development- Mixed Commercial to allow for a shopping center. The property, described as Tax Map 32 Parcels 42A, 42B, 42C, and 46-5, is located in the Rio Magisterial District on Route 29 North approximately 1/2 mile south of the Timberwood Boulevard/ Route 29 intersection. The Comprehensive Plan designates this property as the Hollymead Town Center in the Hollymead Community and recommends Mixed Use/Regional Service uses.

ZMA-2001-19 Hollymead Town Center – Area B (Sign #87) -Request to rezone 24.7 acres from RA, Rural Areas and HC, Highway Commercial to PD-MC, Planned Development- Mixed Commercial to allow for a shopping center. The property, described as Tax Map 32 Parcels 42B, 42C, 42D, 42E, 43 and 43A, is located in the Rio Magisterial District on Route 29 North approximately 1/4 mile south of the Timberwood Boulevard/ Route 29 intersection. The Comprehensive Plan designates this property as the Hollymead Town Center in the Hollymead Community and recommends Mixed Use/Regional Service use.

ZMA-2001-20 Hollymead Town Center – Area C (Sign #80) - Request to rezone 38 acres from C-1, Commercial and LI, Light Industrial to PD-MC, Planned Development- Mixed Commercial to allow for a shopping center. The property, described as Tax Map 32 Parcels 42D, and 43A, is located in the Rio Magisterial District on Route 29 North at the Timberwood Boulevard/ Route 29 intersection. The Comprehensive Plan designates this property as the Hollymead Town Center in the Hollymead Community and recommends Mixed Use/Regional Service uses.

Mr. Loewenstein stated that there would be a staff report from Mr. Barnes on the three rezoning applications. The public hearing would not be opened tonight, but he was going to permit the representatives of the applicant to address the Commission. He stressed that there was a lot of materials that they needed to go over. He asked if all of the Commissioners received their copy of the ARB minutes today on this matter?

Mr. Craddock stated that he did not.

Mr. Loewenstein stated that they had copies emailed this afternoon. There are some extra copies. Before they get into the work session, he concurred with staff, that they should be focusing on the larger issues pertaining to the rezoning at this point. The specific issues such as the height of a particular retaining wall may be a little bit farther than they would want to go tonight, but he welcomed any suggestions.

Mr. Rieley and Mr. Thomas concurred with the Chairman.

Mr. Loewenstein asked Mr. Barnes to present the staff report.

Michael Barnes stated that on the Hollymead Town Center staff was trying to focus on two major separate area issues. The first one was more general and related to all of the rezoning applications together and the area that was not under consideration. The second is for each individual rezoning application in hopes that they could get more guidance for both staff and the applicant. This would help staff to meet the desires of the Commission. As a refresher, he pointed out the display of the previous Daggett and Grigg plan that was from the Comprehensive Plan. The major elements in that included the north/south road network that included five roads. He noted that he was trying to illustrate the differences in this plan and the master plan that they were currently moving towards. The other key point was that the main street was moved to north/south on this plan. The division of uses was shown in different colors for the regional service, community service and the urban density that was in the back.

On the new plan, they have eliminated a couple of the north/south roads that moved Ridge Road farther up on the ridge. That left three major north/south roads. One of the roads was changed to run east/west as opposed to north/south. Another change is that the pocket park and the linear park have been shifted. He presented slides to show the areas from this framework plan that are under consideration tonight.

- Area A is Mr. Wood's United Land Corporation.
- Area B is the Dierman Realty and Regency Corporation
- Area C is the Virginia Land Company, and
- Area D is the Kessler Group.

At your previous work session, they did not discuss Area D in depth because they did not have a plan to review.

Currently, the major issues for staff regarding the framework plan relates to the road issues. The first issue deals with the level of detail on the roads. He felt that they would get to that detail when they receive the traffic analysis. The traffic analysis would help them with the specificity of the design. The other road issue deals with the interface of this project with Route 29. There are two major access point roads. One is located at Timberwood Boulevard that seems to be a logical access because of the existing light and the connection to North Forest Lakes. The second proposed connection would go out across from Hollymead Gardens. The traffic study will help to define if the cross over that the applicant is requesting there is justified. Staff is still working through whether this is the best location or not.

The next issue is the grading. The applicants have provided a lot more detailed information on grading within their areas. Area E is not in consideration at this time, but the applicant has provided spot elevations for the roads. The information that has been submitted is very general

for the site plan for Area B. Staff questions how the buildings will end up relating to the roads. Staff is not looking for the final engineering by any extent, but would like the concept on how this could be graded out.

Another issue is that they would like to get some input from the Commission on the ridgeline grading. In the previous plan, the road ran north/south to accommodate a large ridgeline that was basically the bulk of the ridges. The roads that ran east/west across the ridge were sited in areas that would require a fair amount of grading. Actually it was unknown how much grading would be needed, but the thought was that it was harder to run the roads east/west because of the vertical curvature restrictions on the roads. As they move through this process, it has become more apparent that there is a certain need to provide fill. That necessitates the need to get the soil from some place that could potentially require the cutting of the hill. Staff sees certain advantages of cutting the hill in an effort to get a certain amount of density. Lowering the elevations along the ridgeline would help not only with the east/west roads, but probably provide more building sites across the densest area of the town center.

Mr. Rieley asked what was the existing gradient on the typical east/west street across the ridge?

Mr. Barnes stated that it was about 10 percent over the entire distance. It starts from 622 at the highest point and goes down to 520. Regional Stormwater is another issue. Staff is defining some perimeters for the applicants to site their ponds and/or manage some of the water internally on the site. Staff suggested that they make sure that they all keep focused on regional stormwater, but at this time staff does not have much to say about it. The final aspect that staff is still concerned with deals with the framework plan. In Area E there is a fair amount of density shown. This density is in a form that staff believed that they could support. The question is the practicality of doing that when they were being told in the other areas that it was impractical to go for that kind of density. Staff would like to see the applicant's achieve that, but the question is how they could achieve that density with the overall site's goal of the FAR of .5. Areas A, B and C are depending on how you calculate the FAR range which was anywhere from .27 to .41. The .27 would be the more traditional way of calculating the FAR. Staff's concern deals with how buildable is the remainder of Area E and what are the uses in Area E. One of the things that were envisioned in the original CPA (Comprehensive Plan Amendment) was a mixture of uses. Staff is not seeing much of a mixture of uses in Areas A and D. There is more of a mixture of uses in Area C. Staff wants to make sure that there is a mixture of uses across the whole town center. It is unclear what the uses would be in Area E that makes the overall analysis difficult. The other issue deals with the Entrance Corridor which they would not go into tonight. Those are the major issues with the framework plan at this time. He pointed out that the staff report goes into more specifics for each rezoning. He asked if there were any questions.

Mr. Thomas stated that staff stated that Area E has too much density and not a mixture of uses. He asked what other uses staff would suggest.

Mr. Barnes stated that he was not saying that it was not workable. From the drawing, it looks like a form that they might be interested in. One makes the assumption that those are at the minimum two story buildings. He questioned how they would accommodate the parking on the site since it was not shown. The plan shows a main street running east/west that he felt was a good idea because it ties this portion, which was shown in the Daggett and Gregg plan, to the mixed-use regional service area. Having the main street running between Areas D and B can be a good design, but what are the uses on that street? Staff wants an articulation of how Area E would be shaped. In the end, they might have to amend the Comprehensive Plan for Area E so that it will be in context with Areas A through D. He stated that the Comprehensive Plan was very specific in that the applicants don't necessarily have to bring in a plan for the entire Hollymead Town Center. Staff can consider portions of the proposed plan at a time. One of the biggest points that they made in the last work session is that staff was more than willing to consider a portion of the town center to be rezoned. The biggest concern that staff has is that when you rezone a portion of plan, then you take what was a more general plan, the Daggett and Grigg plan, and make it something

much more specific. When you make the plan more specific, then you are almost placing conditions on what comes after it. Staff wants to have a better idea of what that is on top of the best possible site design given market conditions within the area under rezoning consideration.

Mr. Thomas stated that staff indicated that the stormwater information was not complete. He asked if Engineering or the applicant knows how much grading is needed to minimize the retaining walls. Also, he asked if the applicant has been given the information on stormwater detention and what is to be done with Powell Creek.

Mr. Barnes stated that they have not given the applicant the information on stormwater detention. The County needs to do a better job by further defining that and assisting the applicant, but noted that it involves a lot of giving and taking of information. He pointed out that the Engineering Department basically has asked the applicant to tell them where the impacts will be. The applicants and staff need to try to finish this portion of the application.

Mr. Thomas asked if the grading is going to affect the stormwater and if they need to be reviewed together?

Mr. Barnes stated that he did not think so necessarily, but noted that he was not an Engineer. He noted that grading and stormwater were somewhat separate issues, but that the grading affects where the stormwater ends up.

Mr. Thomas asked if the applicant not knowing about the stormwater would hold them up on the conceptual presentation of what they are planning on putting in the area or can they move on without it?

Mr. Barnes stated that there could be impacts. If the applicant chooses a place for the basin that the Engineering Department recommends against, then it could be problematic. He noted that the specifics of that question have not been resolved so he could not answer that question.

Mr. Thomas asked if they can continue talking about the rezoning without that information, and Mr. Barnes stated that they could.

Mr. Edgerton stated that Mr. Barnes had indicated that he liked the east/west pedestrian main street rather than the north/south. He pointed out that one of the concerns that he had was how pedestrian friendly that would be since they would be going against the grade. He noted that there was going to be quite a grade change and was not going to be as inviting as a pedestrian linkage. He noted, going back to the Daggett and Grigg sketch where they were trying to work with the contour of the land, that it would be more comfortable walking the length of main street rather than going up and down the hill.

Mr. Barnes stated that everything was a series of trade-offs. Obviously that might be one against it. It may end up not being that significant of an amount of a grade differential. Six percent over 100 feet is kind of steep, but it is not insurmountable. There is another advantage if you link up the road network with UREF to the north. Having an east/west orientation, you have to cross that urban busy street corner, but most of the traffic would be moving north/south while the pedestrian traffic moves east/west and could be an advantage.

Mr. Rieley noted relative to grades that whenever you exceed five percent you are no longer in an area that is accessible for disabled people without handrails. He felt that was a very important benchmark particularly in an urban area. If you stay under 5 percent, then you have an area that everybody can get to.

Mr. Barnes deferred that concern to the Engineers since he did not have the grading information to respond to that. He noted that the ridge was very large and was in the middle of the site.

Mr. Rieley stated that this relates to Mr. Edgerton's point that a main pedestrian oriented way should run in a configuration with the contours of the land.

Mr. Barnes stated that the first application, Area D, was that one that they did not discuss at the last meeting. The Kessler Group is working with this one. He noted that Don Franco has provided some color photographs for review showing three options. The first option was one with a residential component in the back with the main street in this area. He noted that Mr. Franco has provided a colored handout. The second one is a slightly more dense option where you have townhouses stacked flat with condominiums in the back. The third option maintains most of the residential portions of the second one, but instead of where the first two had townhomes options facing the main street cut through Airport Road, there was a large commercial building that would face the commercial uses with the upper floor being a mixed-use. He presented slides of the proposal. He pointed out that stacked parking was proposed. He reviewed the proposal. He stated that they were trying to internalize most of the parking. On street parking was proposed for the proposed rentals. Staff is fine with pretty much any of the high residential and the configuration of it does not present any concerns at this time. As they move more into what the definition of Area E will be, then it might make a difference, but at this time it does not. Staff likes the idea of the commercial building adjacent to Timberwood Extended because it is relatively a high traffic area and would face nicely with the larger buildings that are proposed to be across the street by the Virginia Land Company. He noted that he had been corrected that there is not a stream behind the complex. He stated that Powell Creek as it comes up this way is not protected by the Water Protection Ordinance. The buffer requirements do not hinge upon that portion of the applicant's design. He stated that since it was suppose to be a green ways trail, staff wanted to protect a minimum amount of 100 feet or so. Other issues include where to locate a BMP in that area. AS discussed earlier, staff noted that they needed to work on this a little bit more. The definition of amenities will be addressed later. The applicant was trying to accommodate some on street parking to accommodate some smaller rental units in the larger structures. He noted that might be an issue for VDOT to work through, but he wanted to bring those to your attention. Staff is looking for what the Planning Commission thinks about the residential proposal or criteria for the residential and commercial area.

Mr. Loewenstein invited comments from the Commissioners.

Mr. Thomas stated that it was his understanding that Mr. Wood has purchased this property and has the power or control of the property for the past two weeks. He asked when the traffic study would be done.

Mr. Barnes stated that Wendell Wood closed on this property a couple weeks back. He provided information to staff last Monday. He pointed out that was the reason that it had not made it into this report. He stated that it was important for the rezonings in Area A and Area B to move forward before Wendell controlled the Estes property. He pointed out that he has not heard back from Zoning on whether everything has been cleared from them. He hoped that happens before they move too much further along here. He spoke with the consultant today and they should have the traffic study and he should be able to get it to the Planning Commission within 5 to 6 weeks after they receive it.

Ms. Hopper asked if Mr. Wood owns the entire Area E.

Mr. Wendell Wood stated that he owned one section of Area E and has control over it. He noted that he understood that Dr. Hurt and the Kessler Group jointly bought that other piece.

Mr. Loewenstein asked if there were other questions for Mr. Barnes.

Mr. Cilimberg pointed out that Mr. Barnes only covered one of the areas. He asked if they wanted him to cover each area?

Mr. Loewenstein asked that he go ahead with the next one.

Mr. Barnes stated that the next one was Area A, which was Mr. Wood's application. Since the uses have not been set up for this shopping center area, Mr. Wood is not willing to proffer the plan. He wants to keep his plan in the mix so that we would understand what he would intent to do with it and to also have it reviewed to the maximum extent possible relative to the other applications where the applicants do want to move forward. The staff report makes note of that. The biggest advantage of this plan over the previous one is bringing the two buildings up to front the entry road and trying to give it some presence. Staff still has some of the same concerns that were expressed in the last plan. It still does not create a real street network and does not bring buildings up on that street. It does not make it a very pedestrian friendly concept, even though it does provide some connection between two of the blocks. The parking is not very well regulated. The same concerns in the previous staff report apply. He moved on to Area B where they have a little more detail. The plan has tried to make some more positive aspects by trying to create the road that runs north/south between Area C and Area B. They have instituted a roundabout and tried to create somewhat of a tree line boulevard through the site. However, essentially there was the same layout of buildings that were in the previous plan. He noted that the previous comments would apply. One of the improvements over the previous plan is dealing with the grading. Previously there was a pretty strong disconnect between their site and the site behind them where they were proposing a large retaining wall to deal with the slope in the back. They have internalized some of that grade change and brought the grade up a little bit. He pointed out that the applicants have a video to show the Commission tonight on this rendering and how the site would be arranged. He pointed out that they have a berm located so that you cannot see into the parking lot from Route 29. That is one way to pick up the grades. As they move back in the site, they pick up the grade again by providing a retaining wall. They are trying to provide a retaining wall at the edge of Area B. Beyond that retaining wall they are using a grassed slope to get up to the next parking lot of the building complex that faces onto Ridge Road. He pointed out that they do not have information to fully analysis that. He pointed out that it was unclear what the uses would be in the back. The Virginia Land Company in Area C has tried to make a better effort in trying to address what is happening internally in their site as well as with the streetscape. They have divided their site into eight blocks noting the uses in the box. There is retail in most of them. On the upper floors they are proposing either apartments or offices. Staff wants to continue working with the applicant to get a better mixture of uses. But focusing more on the form, he thought one of the advantages that this particular plan has is that the applicant is putting parking lot islands between every row or every other row of parking in the parking lot. They are using building designs that work up to the grade. For example, the use is actually on top of this one and they are bringing the grade up by creating a patio area for a restaurant in order to have an area to spill over into. They would use the outdoor dining to both dress up the appearance visually and in order to work with the grade. He noted that by doing this, it could provide better infill. He noted that the applicant was working towards aligning the streets and putting the parking behind them in a series of parking lots or parking structures. The details have not been worked out. The final issue before us tonight is the CVS Store proposed by right that is located right at the entrance. The applicant needs a special use permit for a drive-through. He noted that some concerns had been brought up about the parking adjacent to Route 29 and the aesthetics of having a store that was a chain of CVS Stores. He pointed out that some comments were included in the staff report from the ARB (Architectural Review Board) and that Ms. Higgins was present for some guidance on that.

Mr. Loewenstein asked that the applicants come forward to speak concerning their particular area.

Don Franco, representative for Area D, stated that he would like to address the general comments and then go directly into the plan. He reiterated what Mr. Barnes stated that everything is a series of trade-offs. Right now there have been a series of trade-offs to get to this point. He noted that Mr. Barnes has talked about the integrated plan, the road network and grading. He pointed out that the traffic study should address the concerns near Route 29. What was important for them

was the discussion of moving one of the entrances on Route 29 up or down to cut across Route 29 on the eastern parcels it develops. The plan that you see before you has that entrance as an integral part of it. He pointed out that a lot of things would be affected by that change. He stated that they were sort of vested in their present proposed location and they needed to work from this point on with that as the location. It was his understanding that VDOT has bought off on the site. Their traffic study was based on that location being there. Does the traffic study have to redone if the entrance is moved 300 feet north or south? Again, he reiterated that the present proposed location was an integral part of the traffic study.

Mr. Thomas asked if the traffic study was done on the entire180-acre parcel or was it done on each area.

Mr. Franco stated that they have worked as a unified group to produce a traffic study to represent the 180-acre development. It was functionally a problem if that study did not go through. The biggest issue with the grading deals with Area E, particularly the center area that they keep coming back to. If that is off-site from their area, how much further do they have to go to demonstrate or assure the County that it is developable in that fashion. It is off-site and is not being proposed for rezoning at this point. He noted that it was their perspective at this point that if they follow the various Area plans, then they would help to force Area E to develop in a manner that you are looking for. He noted that it was very difficult to them to be held up until Area E is defined. He pointed out that it would take a lot of grading to accomplish their plans. He felt that there was a buy in that there would be a mass grading of that hillside when the Daggett and Grigg plan was approved. Their goal was to show an integrated road network with the streetscape and what the uses would be in that central area. He pointed out that he was not sure of the uses and that it would be hard to predict whether there was enough surface parking shown to support the plan. Parking decks and structures would have to occur. He suggested that perhaps the first step should be a plan showing surface parking instead of the plan showing the proposed build out. They have provided information that shows the full build out. He noted that the Daggett and Grigg plan showed the three basins for stormwater of which they hoped that they were somewhat vested in those locations. The comments included a suggestion that their stormwater basin be moved, which would have a dramatic effect on the layouts that they were moving forth with at this point. It is really something that needs to be nailed down. He suggested that they get the Engineering Department to the table to do that. He reiterated that they found out today that the stream buffer does stop at the property line of Area A. They were still willing to work with the green trail perspective to provide something in the 50-foot range, but they were going to need some indication of what your buy in would be on that. He noted that they were not giving them the three density options, but just demonstrating the range of the development potential for densities. As they move through the rezoning process, they hope to get an approval for a range of densities within different pockets of their development. He went over the various proposals and asked for the Planning Commission's guidance. He questioned the buffer in the rear that would affect the parking. Once they get comments on the density, then they are willing to step to the plat to provide amenities. He noted that amenities would be related to the number and types of units that they have. He asked if they don't provide an amenity in their apartment layout that is specific to them, but provide some type of use in the commercial area, such as an ACAC if that would satisfy the concerns for amenities. He asked if the amenity had to be private or could it be public. He asked if the on-street parking was acceptable for the efficiency units.

Mr. Finley asked if they have a preferred option?

Mr. Franco stated that it was not potentially an option, but rather a range because they wanted to provide a mixture of product types in there. He pointed out that the market would dictate which plan they used.

Mr. Finley asked if one contractor would do all the grading for the various uses at one time or if the grading would be done as they go.

Mr. Barnes stated that was one of the details that need to be worked out. At this time they were still working with magic markers, but that a unified grading plan would be needed.

Mr. Thomas noted that it would have to be a mass grading plan because Ridge Road covers both sides.

Mr. Franco asked for the Planning Commission's guidance on whether a parking garage was something that they could support on the detached parcel.

Mr. Finley asked if they had a preference on which option to use.

Mr. Franco stated that at this time the third plan makes the most sense to do.

Mr. Thomas asked if there was a plan for phasing and if all the roads would be constructed first.

Mr. Barnes stated that he did not have an answer for that.

Mr. Craddock asked if the road between Areas D and E would have on-street parking.

Mr. Franco stated that he could not answer that, but noted that they did not need it to support the uses they are proposing at this time. He asked for the Commission's direction in order to go back to the drawing board.

Mr. Edgerton stated that Phase III is the only one that integrates the commercial.

Mr. Barnes stated that the debate would continue in to the future.

Mr. Loewenstein asked if someone would like to speak for United Land?

Mr. Wendell Wood stated that Area E, which is between Area D and Area B, is the particular area that he would be addressing. He pointed out that Tim Miller, of Rivanna Engineering, was present concerning this project. They have recently purchased that property from the Estes, which took them a long time to obtain. It was necessary to do that in order to buy into the road plan that has been approved. They have shown on Area E the ultimate build out. The surface parking is not shown. The building shown was a 6-story building that would have the parking underneath. He stated that their proposal throughout this is 15 to 20 percent nonresidential. That is the mix that they are proposing in that area. He stated that everyone has bought into this road network and the grading. The roads or streets are controlled by VDOT. The grade that it will take to get from here to here dictates what that grade will be. He noted that they had included grades along the various sections of roads to display that it is obtainable and has to be to meet VDOT's standards. He stated that all parties have bought into that road system. He stated that they were willing to show surface parking, but pointed out that this is their concept plan. He noted that they plan on having 80 percent predominantly residential and 15 to 20 percent nonresidential. He stated that the gradient of the road could not exceed 10 percent and they were showing it as 6.

Ms. Hopper asked if he had considered proffering a concept plan for Area E as a part of your other rezoning?

Mr. Wood stated that he had just become the owner of this property within the last two weeks. He noted that they would be glad to submit a rezoning to coincide with this or they could proffer it. He noted that they would be willing to proffer these connections and roundabouts so that the whole plan ties together. He pointed out that there was a common amenity package that everybody has agreed to.

Mr. Finley asked if the buildings were as shown on the approved conceptual plan.

Mr. Wood stated that the plan that was shown with the text, parcel 14 A in your text, actually lists this Target and Giant buildings and their square footage.

Mr. Barnes stated that they might not have a copy of 14A, but noted that it was part of the Daggett and Grigg plan.

Mr. Loewenstein passed a copy of 14A around to the Commissioners.

Mr. Wood stated that 14A was actually approved and gives the square footage of the buildings.

Mr. Loewenstein stated that was part of the proffered package.

Ms. Hopper asked staff to provide a copy of the CPA for Hollymead Town Center after the Board approved it. She noted that she remembered a more general vague picture being attached too.

Mr. Barnes noted that it was in the prior report. He stated that in this report the Comp Plan language that was adopted by the County is Attachment C2 in your packet. Starting on page 30 is what the County adopted. The fifth bullet references the Daggett and Grigg plan, which he neglected to copy and provide. The diagrams in the CPA document are conceptual plans that illustrate how it can be done in the Daggett and Grigg plan. Staff interprets that as a guide or way to do the development and not the way to do it. That has been the core of the conflict that staff takes concerning the viewpoint on how Areas A and B should be developed.

Mr. Loewenstein stated that on Page 31 in attachment C2 in the first paragraph, it talks about Masterplan figure14A, which is where it talks about the 65,000 square foot building footprint.

Ms. Hopper stated that this is the Commission's guide in their evaluation of this project. She pointed out that the purpose of the Daggett and Grigg report was to provide guidance, noting that a comprehensive plan amendment could not act as a rezoning.

Mr. Loewenstein asked for the next applicant to come forward to address the Commission.

Steve Blaine stated that he represented the Area B applicants, Dierman Reality and the Regency Center Group. She felt that Ms. Hopper's question was a good start into the discussion of our project. During their discussion with the ARB, they have not been clear enough about what the importance and the reasons for figure 14A were. Back in November, 2000 the owners of the Hollymead Town Center of 180 acres discovered that a proposal for a comprehensive plan amendment was going before the Board of Supervisors that did not bear any resemblance to what they intended for their property. In December and January of 2001 the owners came before the Board of Supervisors in what was a newly formed coalition to address the Comprehensive Plan for the Hollymead Town Center. The theme tonight of the give and take certainly was the theme of that effort. The owners came together and offered to do certain things. In the case of the Dierman Group, they had a very specific plan on what they wanted to do in Regional Service D. In fact they had specific users for that property. One of those was Target and the other was Giant. They knew at the time what the process would entail with a Target; a single-story of 145,000 square foot building would entail. They did not want to embark on a 4 or 5 year procedure without making it expressively clear on what they intended for their project. That was the reason why you find throughout the Daggett and Grigg plan some references to the design guidelines. But when it came to the one parcel where they had real users lined up, they wanted to be very expressed and make it clear to the Board that this was their concept. Therefore, you see in figure 14A that was adopted by reference in the CPA as extraordinarily detailed for a Comp Plan Amendment. It was there for a reason. Therefore, they embarked on this. There was give and take all throughout that process. The applicant has worked with senior staff on arriving at a Comprehensive Plan Amendment and the owners agreed to work together to form a grid road network. The applicant has embarked on an extremely thorough traffic study for each parcel that also takes into account the relative densities of the proposed buildings to allow us to help design the roads in the road

network. This information will help the staff working with the owners in what they have called right sizing the roads. These are roads that might not all be built in the initial phases. They also agreed to further study on the effects of a grade separated interchange at Timberwood which would be at the earliest using traffic figures to 2012 which were well beyond the build out of the retail portion. It is important to understand the background of that and that explains some the dilemma that they had when they were before the ARB. The ARB and the staff would like to redesign the layout of the buildings. Early on they looked at other alternatives of the buildings. In Area B, they took the Target Store and put it at the back of the site and found that was in conflict with other aims of the Comprehensive Plan. Because of this dramatic change in grade at the back of the site, they found that would require retaining walls in excess of 20 feet. Basically that would carve out the back of the site which was unacceptable from the other aesthetic concerns and design elements of the Comprehensive Plan. The perimeters of these uses are somewhat fixed. They have a parking ratio required of 4.5 to 1 throughout this site. Target usually requires the 5 to 1 ratio. We've convinced them to cut that back by about 8 percent. It is now 4.65. You have to find the parking. Throughout the Comp Plan Amendment and throughout the discussion of the design of the site, it was clear that the parking was going to need to be relegated in a way that was depicted on 14A. You can find that language in the Daggett and Grigg study where the placement of the large single-story retail was intended to be parallel to Route 29 with the parking on the south side. He asked if they could still do the simulation. He noted that his comments were an introduction to this video. In terms of the general comments on the road, they were shocked by the staff's comments about relocating the crossover. You can see the plans that are dependent on this road network which they have been discussing for ten months. VDOT has no objection to the Hollymead Cemetery crossover.

Mr. Barnes stated that point was not the case.

Mr. Blaine stated that he had talked to Chuck Proctor today of VDOT and he confirmed that was the case. They need to get some facts out on the table and make sure what is true and what is not. He suggested that they not confuse matters with errors. They have numerous other errors in reference to their site plan and the grading. He hoped that the simulation would demonstrate those. In terms of the terrace of the grading from Route 29, he would allow Taylor Chase from Regency Centers to take the Planning Commission through the site and emphasis the planning elements that they have tried to implement to address the concerns that were raised in the CPA. This includes how to mast the fields of parking and address the building facades.

Taylor Chase of Regency Center presented a video simulation of the Hollymead Town Center. He stated that he hoped that this has given the Commission an indication of what the site will look like if they are given the ability to move forward on this project.

Ms. Hopper stated that Mr. Blaine made a statement earlier that there were errors that have been made in the evaluation of this application. She requested that he put that in writing.

Mr. Blaine stated that he would be glad to, but he did not want to become argumentative. The purpose tonight is to hit on the big issues and they would like to hear about these issues that will affect all of the landowners. He stated that they have addressed all of those issues and would just like to move forward.

Mr. Katurah Roell, representative for Area C, commended staff on their efforts. He stated that all of the owners have worked very diligently on this effort. This is a unified project. He noted that they have driven their engineers crazy trying to determine roads, grading plans and then combining them. He presented several plans that showed all infill and all parking. He noted that preliminary thought was to create some central structure that is three stories with on grade parking. He asked for consideration for a parking garage and the park and ride concept. But in order to create this central block requires a vast field of parking and the back building has to be a parking lot. He noted that he was trying to create a tone and a height that would be appropriate. He noted that their road increases at an 8 percent grade. Therefore, their buildings would have to

step up to the grade in order to accommodate this increase in grade. He stated that they would appreciate any input.

Ms. Hopper asked if he had any idea on how the phasing would work on the building.

Mr. Roell stated that the phasing was established somewhat in the traffic study. There are three main parking areas proposed with decks to help alleviate the grade change. They plan to use the water feature in the back. They have tried to pay attention to future areas of infill. They are looking into the possibility of a fourth regional pond. If the fourth regional pond takes place, than the smaller internal pond at Dierman that was designed would be incorporated downstream into a regional pond. That would preserve a couple acres of woods and literally not destroy that stream but reroute it to another stream. He stated that they would like to work together on these issues.

Ms. Hopper asked if he had any idea of the phasing of the buildings on this site.

Mr. Roel stated that they plan to follow through with the site plan within the next month or two in these four areas so that they can be reviewed in detail. He pointed out that would be the first phase that was determined in their traffic study.

Mr. Loewenstein asked if there was someone present to speak for the CVA special use permit.

Jo Higgins, representative for CVS, stated that this was kind of a spur of the moment thing. Staff placed a memo in your packet on the last page. She noted that this has to do with a general site layout issue with the proposed CVS. The site is on the right hand corner, which is referred to as the dance studio parcel. The site contains two parcels of land of 1.8 acres. Immediately adjacent to this site is Seminole Commons at Forest Lakes, which is composed of two buildings that directly tie into the Liberty Station. The road also serves as an entrance to the self-storage and goes all the way back into the ridge. The basis issue that staff was trying to address by this memo has to do with the general site layout.

Mr. Barnes noted that the plan was shown on the last page of the staff report.

Ms. Higgins stated that she met with staff a week ago Thursday to go over how the site plan was developed on this corner. The real issue was that they were trying to bring the owner, developer and the user all together and explain to staff how they came up with the layout. It was not envisioned that this layout was brought forward in a controversy way, but there were a lot of site perimeters that were used that went into this. The significant ones being the high-pressure water main at the front and that this parcel has interconnectivity to actually six parcels. This is a part of the development that is off of the picture. She stated that all of the buildings from Airport Road down are in the less than 15,000 square foot category. They were looking for consistency in this area. This building happens to be less than 12,000 square feet, which requires 71 parking spaces. In order to meet the perimeters of the site, which was somewhat narrow and get the interconnectivity on an established travelway that was the first two rows of parking. In order to facilitate a drive-through window towards the north it really dictated that the building had to be pushed back from the entrance corridor/Seminole Trail. If the building were moved forward it would put the drive-through in direct conflict with the rear travelway of Seminole Commons, which is already established with the access easements in place. The issue for staff, which is summarized in the handout, has to do with the fact that they kind of agreed that the twelve principles of the Neighborhood Model could not all be met on this small constrained site, but they had certain issues with the four rows of parking. There were mitigating things inserted into the plan that includes a ten-foot median strip somewhat in the same category as the great arms. There is actually a 10-foot wide median strip between the two travelways of parking in order to accommodate more landscaping. There is a landscaping strip at the front of the site and then along the side of the site. The two rows of parking in controversy are about 28 cars. She pointed out that the characteristics of Route 29, the speed limit, the limited entrances and the physical characteristics does not seem to indicate a neighborhood street. Therefore, they did not view it

that way and came up with this design. Staff is asking about whether to not recommend it for approval because the feel that the pedestrian orientation, building and spaces of human scale and relegated parking could be met. The site plan before them can meet all of the ordinance requirements. She felt that the buildings and spaces of human scale could also be achieved. She passed around the submittal that was made to the ARB, which Mr. Barnes has not reviewed. The ARB gave feedback at their last meeting about three general architectural elements and that is what the architect has submitted. She felt that the landscaping could help with the mass and scale and the pedestrian orientation integrated with the adjacent facilities is important and can be worked out. The real issue is the relegated parking and the reason that it was brought forward.
Mr. Loewenstein asked if there were any further questions or comments. There being none, he pointed out that they had a lot of information to absorb. He declared a 10-minute recess.

The Planning Commission recessed at 8:10 p.m.

The meeting convened at 8:28 p.m.

Mr. Loewenstein stated that they had received a great deal of information tonight for which they were very grateful. He thanked the applicants for their presentations that were very helpful. He pointed out that the Commission just received the staff report and ARB minutes this afternoon, which did not give them ample time to review the material. He asked Mr. Cilimberg if he had any thoughts as to how they should proceed.

Mr. Cilimberg stated that the Commission would have to decide how they want to proceed. He stated that staff would work with them on scheduling another meeting if they want meet again to discuss what they've heard tonight. That would give the Commission some time to absorb the materials.

Mr. Loewenstein stated that was a good option. He stated that there were a lot of issues that they need to work through in some detail. He noted that his preference would be to not make any significant comments tonight. He stated that if there was some general comment that they could provide on any of the topics that have been raised that it would be fine. He stated that if there is anything that they could do with respect to the CVS application that might be good to do because the request for the drive-through will be coming to us very soon and will dictate a lot of other things. He asked if there was any general direction that they can provide on that particular issue he felt it would be a good thing to do. For the remainder they might need to consider it a little further. He suggested that they ask each of the applicants to provide us with anything further in writing, particularly if there is some sort of unified summary that you think the Commission ought to have to go with what has been offered tonight. He asked how the others thought about this.

Ms. Hopper, Mr. Rieley, Mr. Edgerton and Mr. Thomas all thought it was a good idea.

Mr. Loewenstein stated that he hoped that the applicants understand their position. The Commission has a great deal to talk about and they don't want to give any false impression as to the final answer here at this point since there is so much information to absorb.

Mr. Rieley agreed with that strategy. He noted that there might be a few areas that they could ask for some additional information to continue this conversation. He stated that the presentations were great and brought up some good specific issues. Two of the issues that were linked were:

There was some discussion about a shift in the road alignment that raised a lot of concern with several of the applicants. He stated that he would like to hear more about what the issues are, what VDOT's stance is and what the trade-off are. That would give them some ways to determine the degree to which to leave that up in air because leaving that up in the air is a problem. Related to that, they have heard a lot about how the grading was to work and dovetail on the road system which had been agreed upon. He asked to see that in a form which could be nothing more than a proposed contour drawing with the elevation grades colored a lighter color as you get higher or

something that would be easy to see and understand. He pointed out that they could talk about the format of that later. That is a big issue because one of the huge issues is the extraordinary precedent of multiple land owners coming together to try to work together on this type of complex project together over bearing agendas and interests is terrific. One of the areas is the grading and it would be good to see that for all of the property. Secondly, this maybe something that they can get some more clarification on between now and the next time that they get together. It revolves around Mr. Blaine's insertion that the configuration of the big box is set, is finite and exactly what was drawn on the masterplan drawing with the adoption of the CPA. He pointed out that he raised that issue with a couple of Board members who were involved in that CPA. The answer that he got was not the same that Mr. Blaine gave us tonight. The answer that he got was that that was a conceptual idea and it was massing and it was not intended to show detail and there was no topography associated with it. The way in which that was executed was not to be taken as literally or that hard of a line that gets put down exactly in that location. In addition when you read the Comprehensive Plan amendment itself that drawing is referred to in the fourth bullet down under a lot of other things. He noted that his inclination is to operate on the basis as the staff has articulated. He stated that if he was wrong in that, then he would like to know about it between now and the next time that they get together so that they don't waste a lot of time trying to make something better that they were locked into. He stated that Katurah 's drawing was fine. The computer simulations are wonderful tools. He thought that they should remind ourselves when we see drive-throughs like that of the idealized version, that it will never look better. Everything is under control and it will never look better than that. He stated that he was frankly struck by that view on how ordinary it looked and how much it looked like some the existing shopping centers. He hoped that the characteristics that he understood about that part of the site, Area B, is correct and that they could continue to work on that to make it better.

Mr. Finley asked if he was requesting a topo map.

Mr. Rieley stated yes that he would like to see a topo map because it was a big issue when you were talking about how all of this is going to work across the property lines. He felt that the site has to be graded aggressively. He stated that they were not going to be able to get the kind of connections and the accessibility that they were talking about without an aggressive approach to grading the site. He noted that he would feel better if they could see how the pieces fit together to make sure that it works before it gets to the site plan level.

Mr. Thomas agreed with Mr. Rieley particularly on the grading plan because that was very important. He asked for further information on stormwater detention and what was going to happen to Powell Creek. He noted that the buffer and the greenway definitely need to be a part of this and be emphasized. He asked that buffer or greenway be more than 50 feet. He asked that they discuss the issue of the terracing of the building and if that would take care of the grade issue. He asked that they discuss the parking garages in general.

Mr. Loewenstein concurred with Mr. Thomas. He stated that he was very much interested in the structured parking concept. He felt that they ought to discuss that issue a little further as well as the long-range plans for Powell Creek. He asked where those lines of protection sort of fade out.

Mr. Thomas stated that would help the developer to know where he can go.

Mr. Craddock concurred with Mr. Thomas. He noted that he was also interested to know how this was going to tie into Route 29. He noted from the drawing that he received from VEC, the overpass looks like a good idea to save on another traffic light. Whether that entrance gets moved 300 feet or what is the idea about the overpass right there.

Mr. Rieley stated that the rezoning is the time to discuss how the cost gets allocated.

Ms. Hopper stated that she has two points. She noted that they talked a little bit about phasing and their different aspects of phasing on the plan as a whole and on each person's site. She

asked for more information from the applicant's about that. In that main spine road in Section E, she would like to know when that would be proposed to be built because it was so central to the overall plan.

Mr. Loewenstein asked if she wanted a little more coordinated knowledge about the phasing overall.

Ms. Hopper agreed. She asked for specific time frames as well as what comes first, etc. She questioned whether it would be helpful to invite somebody from VDOT to come to their next worksession.

Mr. Loewenstein stated that the issue with VDOT has come up several times. He noted that at least they should have something in writing from them on the issues that they have identified so that they can comprehend their position on various specifics of this and how some of the competing ideas that have been tossed around might work. He stated that he would be interested in knowing about the shift to the south of the crossover as an example. It would be helpful to get directly from VDOT some kind of lead on these issues. He asked when they should set the next worksession. He noted that Mr. Cilimberg had told him that if they want to take up this discussion in the worksession next week that they could do that.

Mr. Cilimberg stated that they would not be able to address all of the points

Mr. Loewenstein stated that if they had the discussion next week that would involve absorbing all the information received through tonight. He noted that the next two week's meeting were going to be very busy meetings. The alternative would be to look at this differently and give staff and the applicants more time to get the materials together, but that would put them into January.

Mr. Rieley stated that his inclination would be to carry this discussion on to next week and then give staff some time.

Mr. Cilimberg stated that a lot of what you have asked for, the applicants will want to address.

Mr. Loewenstein stated that might not be possible in a week.

Mr. Cilimberg stated that they could pick up on what you have heard tonight and have a discussion about that next week. Then another worksession could be held in January. He asked for any further comments.

Mr. Franco stated that they have raised a number of points in their discussion tonight that they would like to briefly address for next week's meeting. In lieu of submitting the additional information tomorrow, he stated that they could get the additional information and have it with them at next week's meeting, if the Commission would allow a few minutes for them to hand it in.

Mr. Loewenstein stated that they were not prepared for another big presentation. If there is something that would be materially helpful it would be best to get it to them in writing as far in advance as possible. For example, the ARB minutes were not available until this afternoon and you can't expect to grapple with detailed discussion in a couple of hours before this meeting. He stated that he might allow a very, very brief presentation entirely to address what we have already been over and can be cleared up easily that way.

Mr. Franco stated that he could give them a grading plan that would be more functional and present it at that time.

Ms. Hopper in order to not get confused

Mr. Cilimberg stated that they needed to keep focused on what they received tonight.

Mr. Rieley stated that they could then have a follow up worksession, which would be the time to receive new information.

Mr. Edgerton agreed that would be the time for the applicants to bring the follow up information. He stated that it was not likely that they would receive reasonable responses between now and next Tuesday.

Mr. Loewenstein stated that they would meet next week and treat this matter as a regular worksession item. Additional comment will not be taken, but they will allow submission of anything that the applicant wants to between now and then. The Commission could not promise that the new information would be discussed next week, unless it is information that is very quick and easy. Another worksession would be set up after the first of the year in which they would receive all of the additional information that they want by that time.

Mr. Barnes pointed out that by that time they might have the traffic study.

Mr. Thomas asked that they discuss the CPA language next week.

Ms. Hopper stated that Mr. Rieley's question would probably not be able to be settled by next week

Mr. Cilimberg stated that could be a difficult thing because when you talk to several Board members, they might view it differently. He suggested that each Commissioner talk with their Board member to see what their feeling is. He pointed out that the CVS application would not have typically been brought before the Commission as a worksession. This just happened to be in a location that had a lot of relationship to everything else that is going on. It is at the front of what you are going to ultimately decide. Because of their desire for the drive-through, which was by special use permit, it was dictating to a large extent to their design. He asked that the Commission provide any kind of feedback that they could tonight or next week to CVS to help the applicant. He felt that it would be more helpful to give them some comments tonight before they come back for the special use permit.

Mr. Loewenstein asked if anyone has any reaction to give this evening that would help the applicant.

Mr. Finley stated that he did not have any problems with that.

Mr. Edgerton stated that he wanted to look at the grading plan more carefully, but could not see why the parking could not be flipped to the reverse on that particular site and have the drive-through go around the parking. He noted that in that case they would have relegated parking and would be consistent with what they have been asking for.

Mr. Rieley stated that he agreed with that. He stated that it was staff's recommendation that one of the two ranks of parking be considered. He asked if staff had gotten that specific

Mr. Cilimberg stated that this was scheduled to go to the ARB on January 6th, and they will not know until then what their comments are.

Mr. Rieley stated that he certainly agreed that there was a significant nextus between the new drive-through use and the parking location to make it relevant. He felt that at least some of the parking should be in the back.

Mr. Loewenstein stated that he in general has some serious problems learning in a staff report that an applicant or tenant is unwilling to deviate from a standard building type of plan. He felt personally that there are too many cases in the United States where retail operations that said that

they won't do it that way and will eventually decide if they want to be in a neighborhood or a community where they have to. He thanked everyone for their input.

In summary, the Commission held a work session on the entire Hollymead Town Center project including the CVS proposal. Due to the large amount of information received, the Commission took no formal action, but deferred their discussion to their next regular meeting on December 3rd. The Commission requested additional information from the applicants, but noted that they would not use the new information in their discussion on December 3rd. Another work session would be scheduled in the future.

Adjournment:

With no further items, the meeting adjourned at 9:00 p.m. to their next regular meeting on December 3rd.

V. Wayne Cilimberg, Secretary

(Recorded and transcribed by Sharon Claytor Taylor, Recording Secretary.)