WORK SESSION
Albemarle County Planning Commission
May 27, 2003

The Albemarle County Planning Commission held a work session, meeting and a public hearing on Tuesday, May 27, 2003 at 4:00 p.m. at the County Office Building, 401 McIntire Road, Charlottesville, Virginia. Members attending were Rodney Thomas; Pete Craddock; Bill Edgerton; William Finley and William Rieley, Chairman. Absent from the meeting were Tracey Hopper, Vice-Chairperson and Jared Loewenstein.

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

Call to Order And Establish Quorum

Mr. Rieley called the meeting to order at 4:00 p.m.

Work Session – ZTA-03-01 Relegated Parking – Modifications to the Zoning Ordinance to achieve relegated parking in accordance with the recommendations of the Land Use Plan. (This item was referred to the Planning Commission from the Board of Supervisors on 2/5/03). (Elaine Echols)

Mr. Craddock arrived at 4:30 p.m.

Ms. Echols summarized the staff report. The April 22nd minutes were included in the staff report to help the Commission recall the specific details of what the public said about relegated parking. She said that in the staff report, staff tried to list the issues and the concerns in one column and the possible remedies in the second column. She emphasized that the list did not contain all of the possible remedies, and might not contain the appropriate remedies that the Commission feels would be necessary for this particular amendment. She asked the Planning Commission to discuss the issues raised by the public as well as try to answer these four questions.

1. Should relegated parking be mandatory or optional?
2. What is meant by the term “relegated parking”?
3. Should there be exceptions to relegated parking?
4. What are the other exceptions?

- Redevelopment and infill situations?
- Along primary highways such as Route 29 and 250 East?
- For specific types of uses, such as those with a heavy customer component or a warehouse?
- Where a low pedestrian flow is expected along a street?

Mr. Rieley suggested that they work their way through the questions that were posed, and in the process go back to the issues and concerns that were raised at the public hearing. The Commission should talk about the ways in which relegated parking could be structured for the next work session or meeting. The first question is should relegated parking be mandatory. The discussion is about an ordinance, which is essentially a law. He noted that there are no laws that he was aware of that are optional. From time to time he has argued that speed limits should be optional, but he has been unsuccessful. By definition, laws are required, which also needs to be discussed in the context of question number 3. He stated that he felt that there should be exceptions under certain situations.

Mr. Edgerton agreed with Mr. Rieley that relegated parking should be mandatory. If there are reasons for exceptions, then the Commission should try to identify them now and not on a case by case basis. Staff’s support of the idea of exceptions was not clear on that point. He stated that the Commission was really working hard in the direction of the Board to shift attitudes about

parking and the existing dominance of the automobile in our community. He noted that they have to realize that change is always threatening, but hopefully the benefits will outweigh the pain.

Mr. Thomas stated that it would be quite a chore to itemize the exceptions. He stated that he was not against making an ordinance, but felt that they need to keynote the exceptions.

Mr. Edgerton stated that if the Commission could come up with a list of options under the definition of relegated parking, then they could allow some flexibility.

Mr. Finley stated that if none of the options would work, then it would an exception.

Mr. Rieley stated that it was the consensus of the Commission that there should be exceptions and flexibility built in to the ordinance. This was something that the Commission heard a great deal about a few weeks ago. The questions is what is the best mechanism to use if there are situations in which not requiring relegated parking would be automatic. He pointed out that he could only think of one instance that he could put in that category. It does not make sense to require somebody to come before the Commission and Board to ask for a waiver if every time you have that condition that you will be in a situation in which it is a reasonable way to approach parking for that. That area relates to specific areas in which the development has already occurred along the lines of parking associated with large buildings, such as Route 29 North. He pointed out that they were not going to be able to turn Route 29 North into a pedestrian friendly neighborhood. There are places where specific businesses are needed in their communities and there is already an established pattern for those. There are other businesses that have to be handled on a case by case basis because they are so site specific and hinge so much on the adjacent conditions. One example of this is when Mr. Sutton talked about the necessity for dive in spaces relative to convenience stores. He noted that some convenience stores in an urban area could have relegated parking, and there are mechanisms to deal with that. There are other situations in which allowing a single row of dive in spaces is probably in everybody's best interests. Therefore, that is a situation in which the issue might be articulated as one that can be taken into consideration when granting a waiver, but it probably should not get an automatic waiver. A few weeks ago, staff presented the concept of an automatic waiver either by use or by geographical location. He noted that he was persuaded by the geographical location that there are specific areas in which there is simply no setting to require relegated parking because everything in that entire setting (i.e. Route 29 North) requires a building to come up to the property line with the parking in the back. This interjects a pattern that is completely contradictory to not only the way that all of the other buildings and parking look, but also how they work. The other category that they were asked to consider was by use, with the warehouse given as an example. He noted that he was not as convinced by that. He suggested that they consider something that was in two tiers. If it meets a certain criteria, then it is an exception that does not need to come before us and if it was in the development area within a prescribed location in which it does not make sense to require relegated parking in that location. That might be one category. There might be another category, which are waivable that you can get an exception to. There are two ways to be flexible. One is by identifying the areas in which it is not applicable.

Mr. Edgerton asked if he said that Route 29 North would be one of those areas.

Mr. Rieley stated that he would not say all of Route 29 North, but an identified area.

Mr. Edgerton asked how you would do that if both sides of the road were developed in such a way that was inconsistent with relegated parking. He asked if the property on both sides would automatically be exempt. He asked if there was one side that was undeveloped, how would that play out.

Mr. Rieley stated that you would have to literally put a mark on a map designating where the line falls, which would take a lot of thought. He pointed out that relegated parking on the recently

reviewed Brown's auto dealership would be contrary to everything going on in that location. It would be an unnecessary burden for them to have to come in to request a waiver.

Mr. Edgerton pointed out that a lot of that parking was better than relegated parking because it was inside.

Mr. Rieley pointed out that there was some parking added in the front.

Mr. Thomas asked for some more information on the tier option.

Ms. Echols asked for guidance from the Planning Commission on whether they were talking about small infill sites or big green field sites where there are opportunities within a larger development to do something different. She asked if that was the big distinction that he was talking about.

Mr. Rieley stated that the distinction that he was making was an area like Route 29 from the river to Rio Road or maybe a little further in where the development pattern is clearly established. He felt that it was important that when you put a mark on the map that says that the rules don't apply to this area that you have to be very careful where you draw that line. He stated that he was not suggesting that it be more of an area than is quite obvious. His motivation in that was not to burden the entire system with a lot of requests for waivers where it was a foregone conclusion. This situation is similar to curvilinear parking when they were making people come in and ask for a waiver.

Ms. Echols asked if the first tier was for the circumstances that are automatic exceptions, and if the second tier was for the circumstances when a request could be made for a waiver from the Planning Commission if someone could make a case that certain criteria were met.

Mr. Rieley agreed, for example, that for critical slopes that the Commission may grant a waiver if they feel that the following conditions are met or the concern for safety or other considerations which they could articulate outweigh the need for the desirability of relegated parking. If they have a waiver mechanism, it is always helpful to have along with that as clearly articulated as possible the criteria by which a waiver will be judged.

Ms. Echols asked that he comment on the greenfields setting about the appropriateness of Option C.

Mr. Rieley stated that unless it was part of a broader look at some specific area and you are trying to achieve some regional or more than site specific goals, then the notice of separating everything could be applicable to the section that the box is around. One example is the Route 29 north area. He suggested that within this box our strategy is different because of the fact that there tend to be large retail operations in an area in which there already exist large retail operations with frontage parking. In those areas, we would work towards a strategy that has greater separation from the roadway and the beginning point of the parking with the majority of the parking relegated, but with an allowance for a certain percentage of the parking in the front of the building.

Ms. Echols questioned if on a road like Route 29 North that does not have a pedestrian focus, if there was an advantage to have a greater separation between the roadway, walkway and the building.

Mr. Rieley stated that he thought that there was because of the issue of scale and the existing built environment and how all of those properties get used. He suggested that they should acknowledge existing patterns to some extent.

Mr. Edgerton stated that he was not willing to give up segments of the County, particularly Route 29 North. He pointed out that the argument for fairness could be made that if they got in before the ordinance, then they did not get stuck with the relegated parking. The same argument could be made for every ordinance that is passed. To improve the aesthetic of that corridor, regardless of whether it was designed for pedestrian access, he felt that they have an obligation to try to do the best that they can with new projects as they come in and for the redevelopment of sites. If you look at option C, basically staff would allow for a sea of parking or a sea of asphalt, but would require a green buffer from the roadway with a pedestrian linkage along it. If you look at that schematically, you are looking at Fashion Square Mall. One cannot see the buildings of Fashion Square Mall from a number of major vantagepoints along Route 29 North, which does not matter because the signage tells the people where the mall is. Since Fashion Square Mall is set back away from the highway, it does not impact the highway like some of the strip developments or big box developments do that are closer. If the development community comes to us and says they can't possibly give you a regional center without a sea of parking, then they need to have an option that allows them to do something that would minimize the impact on the community rather than just building the site. Another thought that he had was that staff, on a number of these options, has suggested that the parking be limited to the building front and that it not be any closer to the road. The idea was that maybe the building setback line would determine this. If someone was determined that they have parking in front of their outfit, then maybe they could give up some of the area if the setback line becomes the line of the parking. That would allow for some relief from the major thoroughfare so that the cars would not be right up against it. He stated that the retailer was not going to be happy to be removed form the visual view of Route 29. He noted that the building would become the sign.

Mr. Rieley stated that the question was one of scale. He asked Mr. Edgerton if he saw a distinction in the way that relegated parking should be approached in an area like Route 29 from Greenbrier Drive to the river and the way it should be approached in a greenfield site that they are trying to develop.

Mr. Edgerton stated yes, but that he was reluctant to drawing a box around any area of the County and saying that our chance of improving this area is lost. He noted that he was uncomfortable with that because he felt that they could do better. When they run out of greenfield sites, he hoped that there would be some way of directing the future growth through some type of standards that would make for a better Route 29 in the future. He pointed out that it was interesting that he picked the river to Greenbrier because there is a lot of development between Greenbrier and the City alone. Sperry happens to be the one last green space in that area and he opposed the Commission saying that we give up on that part.

Mr. Rieley stated that he was not thinking about a different set of rules in that area in terms of giving up on it. It seems that every community needs automobile dealerships, fast food restaurants and a large scaled restaurant. Relegated parking could be introduced for a lot of these businesses. But for other businesses, particularly automobile dealerships, relegated parking just does not make any sense. The Commission has had many conversations about what is the Neighborhood Model version of an automobile dealership. There is no example of one illustrated in the Neighborhood Model because it does not fit in the scale. He suggested that it would be sensible to acknowledge that there are places where those kinds of activities don't fit this model very well. If the Commission can identify the businesses as well as the area that is associated with them where they already exist, then it would be beneficial.

Ms. Echols asked if it would make any difference on Option C if that green strip were not wide.

Mr. Edgerton stated that it would.

Ms. Echols stated that Option C was not well displayed because she did not intend it to be the Fashion Square Mall example. It could be a narrower strip in which you could put a pedestrian path and not have to be a wide green strip between the roadway.

Mr. Edgerton stated that was most of what was being proposed in Hollymead Town Center.

Mr. Rieley pointed out that they don't have to design this tonight, but just give staff an acknowledgement that there are areas within the development areas that should be handled differently.

Mr. Edgerton suggested that they go through the issues and concerns with the remedies suggested by staff.

Mr. Rieley asked that they run down the discussion points before they do that. Question # 2 was a definition of parking. Staff believes that relegated parking is parking located behind the building and does not face the street or parking behind the front plane established by the buildings that face the street. This raises the question of which road they would have to be relegated from on a corner lot or when the streets are behind or on two sides. He suggested that they interject principal street. With that caveat, he would certainly buy that definition.

Mr. Edgerton asked if he said that it would be the buildings that face the principal street, and Mr. Rieley agreed.

Mr. Cilimberg asked to introduce a point that has gotten some discussion at staff level when you are dealing with multiple streets. One of those contribute to the idea of where the parking should be in relation to the building is what the pedestrian who walks along the street might face in trying to get to the building. Hopefully, they would get areas of new development that will be very pedestrian friendly where we would like the pedestrian way and the buildings access and entrance to be very close to each other. One thought about those locations where you have a use that might have two or three streets bordering it is that the preference, with the other things being the same, for the building location would be that location which is most accessible from the street that is going to be pedestrian oriented as a guiding factor. He stated that he did not have the best example in the world, but if you take Albemarle Place as an example, the set up is right but the pedestrian aspect of that might not be as much along Route 29 as it would be along Hydraulic Road and internally. They are proposing a lot of structures, but when we are dealing with parking lots, then the thought was that you try to make those buildings orient to pedestrians.

Mr. Rieley stated that was a good point, but his language for the principal street would not work in that case. He asked if they were in general agreement about what they were talking about concerning relegated parking. There will be some things, which will be questionable, but for the most part it was parking that was behind or to the side of the building. He stated that the consensus of the Commission regarding question number 3 was that they were in general agreement.

Mr. Benish arrived at 4:55 p.m.

Mr. Rieley stated that there seems to be general agreement about the fact that there should be exceptions to relegated parking that should be built into the ordinance. He pointed out that trying to figure out what they are and how to do it was the question.

Mr. Finley asked if these would not be exceptions, but actually would be regulatory requirements.

Mr. Rieley stated that was correct because those were just various ways to achieve it, but they were not exceptions.

Mr. Thomas stated that in trying to figure out which was the best way to get relegated parking either by requiring it or to have an exception, will the applicant still have the option of posing the economics of parking not being in the back of the store and what negatives effects it would have

on it. He questioned how putting windows in the back of the stores would help since you would still have to walk all the way around the building or you could have two entrances.

Mr. Rieley stated that hardship was always a criterion when someone is asking for a waiver.

Mr. Thomas stated that he viewed the Downtown Mall as an example of rear window shopping because you don't know what is on the mall until you walk out on the mall. Obviously the retail stores and department stores have not done very well because of that fact. He pointed out that was an example of rear parking on Water Street.

Mr. Rieley stated that he felt that the businesses on the mall function pretty well the way that they were predicted. It was assumed that the department stores would move out and is replaced with a combination of small shops and professional businesses. That is pretty much what has happened. He felt that the point was well taken that there are other models that they could ask for to accommodate relegated parking.

Mr. Edgerton stated that this was a bigger discussion than the Commission has time for this evening**.** He stated that they were trying to work out the ordinance to deal with relegated parking, but they were locking themselves into the business model of only one front door for a retail outlet such as a big box since they want controlled access to the store. From a design point of view, there are lots of solutions on how to take a situation like this and provide access that would work for the pedestrian as well as for the person who comes by car that would probably work itself out in the building. But if they are going to lock themselves into the idea of this being the front door facing the street and that there being on one access, then the point of somebody having to walk all the way around the building does not work. You cannot drive to the downtown mall. He stated that all they were asking was that the parking be behind the building so that he rest of the world does not have to stare at the cars. He felt that the developers could solve that problem if they choose to by changing the way the building is designed. If they wanted the established retail development forces to determine how to develop property, then there is no reason to have a Planning Commission or zoning. He felt that they could do better on relegated parking since it was a very critical part of the Neighborhood Model. He suggested that they be as firm as they could to make this shift, but it was going to be uncomfortable.

Mr. Rieley suggested that they discuss the bullets under number 4 within the context that they were talking about before and see the way in which it fits. He proposed that in redevelopment and infill situations that exceptions should be more allowable and that areas along primary highways should have more allowance for exceptions for some specific uses and for areas of low pedestrian flow. He suggested that they identify the areas that have all of those qualities specifically and say that within that area here are your rules since the rules are different from the rules as generally applied in the development area. In addition to that, he suggested that the first bullet be made the third bullet and the fourth bullet criteria for evaluation of waivers be elsewhere in the development areas.

Mr. Finley stated that bullets 1, 2 and 4 would need a waiver.

Mr. Rieley suggested selecting specific areas, like a portion of Route 29 north and a portion of Route 250 east, and drawing a line around them to identify that these areas have a different set of rules. In those specific areas you do not have to relegate the parking in the same way that you do elsewhere in the development areas, but that there are a specific set of guidelines. He suggested that they discuss the specifics of that and nail it down. Outside of that there is also flexibility based upon whether it is an infill area, based upon safety, the kind of use and whether there is a low pedestrian flow along the street. He suggested using all of those criteria as well as adding other evaluation criteria for allowing a waiver or some flexibility in those areas and trust our successors to make sensible judgements about how that is applied.

Ms. Echols reiterated what she had heard was that there were certain areas that have a different set of rules, which would not necessarily be exceptions but just have a different set of rules because of the geographic features and the characteristics that they would share within a geographic area.

Mr. Rieley stated that in a large part that would be based on the degree to which they meet the criteria under the bulleted items under number 4.

Ms. Echols stated that you would pull out a certain group or a certain area that would have a different set of rules. Then for the rest of the area you would have waivers that would be available from the Planning Commission based on a discrete set of criteria so that they would then be brought back to the Commission to see if these are the criteria that you think are appropriate. She asked if that was what the Commission as a group was telling staff that you would like to see us bring back to you.

The Planning Commission agreed with staff's comments.

Ms. Echols pointed out that the CVS on the downtown mall has two entrances. In addition, many businesses in malls have two entrances with one to the outside and the other one internal to the mall.

Mr. Rieley asked if anyone wanted to go down the issues and concerns in staff's suggested remedies or would they like to pull out ones that you disagree with.

Mr. Finley asked staff how long it would take to get the proposed ordinance written.

Ms. Echols stated that it would take at least a month to get something written and in shape to get back to the Commission. She stated that the Assistant County Attorney would need to review the proposal. She pointed out that there were some rezonings in the mill that hopefully they would be able to apply some of these concepts and ideas to. There will be a work session in two weeks on North Pointe and that was a big part of that proposal, but staff will not have the draft ready within two weeks.

Mr. Rieley thanked everyone for his or her participation in the work session.

Mr. Thomas asked why the Board of Supervisors sent this back to the Commission.

Ms. Echols stated that she thought that the reason that it was sent back to the Commission was that it was still too vague. The Commission needs to have more discussion and to obtain input from different individuals to identify their issues so as to determine if there is a way to address the needs of the business community while still requiring relegated parking. The Board did not want to hold up the other parking amendments.

Mr. Rieley stated that the Commission would not be able to solve all of the problems at this level, but he thought that as they craft the criteria for waivers that it would go a long way towards building in the flexibility that a lot of people have asked for. He hoped that they could put something in place that would provide the tools so that it can be enforced in a reasonable and rational way.

Mr. Finley asked if there would be one more work session.

Ms. Echols stated that was optimistic, but if they could get it done in one more work session that would be wonderful.

In summary, the Planning Commission held a work session on ZTA-03-01, Relegated Parking, to discuss the issues raised by the public at the April 22nd public hearing. The discussion explored

the public's suggestions for possible remedies to address the concerns. The questions raised in the staff report were discussed and answered to provide guidance for developing ordinance amendment language. The Commission took no formal action. Another work session will be scheduled in the future.

The Board adjourned at 5:20 p.m. to the regular meeting at 6:00 p.m.

REGULAR MEETING
Albemarle County Planning Commission
May 27, 2003

The Albemarle County Planning Commission held a meeting and a public hearing on Tuesday, May 27, 2003 at 6:00 p.m. at the County Office Building, 401 McIntire Road, Charlottesville, Virginia. Members attending were Rodney Thomas; Pete Craddock; Bill Edgerton; William Rieley, Chairman; and William Finley. Absent were Tracey Hopper, Vice-Chairman and Jared Loewenstein.

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

Call to Order And Establish Quorum

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

Other Matters Not Listed on the Agenda from the Public

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

Consent Agenda

Approval of Planning Commission Minutes - April 29, 2003.

Mr. Edgerton moved to approve the consent agenda as presented.

Mr. Thomas seconded the motion, which carried unanimously (5:0).

Public Hearing

Mr. Rieley stated that the next three items were mistakenly put under public hearing items on the agenda, but are actually a work session. He stated that the public hearing would be opened on each one of these to allow public comment, but that there will be another public hearing on June 24th.

ZMA 01-20 Hollymead Town Center - (Area C – Virginia Land Company) Request to rezone 37.13 acres from C-1, Commercial and LI, Light Industrial to PD-MC, Planned Development-Mixed Commercial to allow for a mixed-use development. The property, described as Tax Map 32, Parcels 41D, 43A, 44, 45, and 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/Regional Service/ Community Service uses. (Michael Barnes)

AND

SP 03-30 Hollymead Town Center - (Area C – Virginia Land Company) Request for special use permit to allow residential uses in accordance with Section 25A.2.2.1 of the Zoning Ordinance which allows for uses permitted by special use in commercial districts which allows for all uses within a R-15, Residential district. The property, described as Tax Map 32 Parcels 41D, 43A, 44, 45, and 46, contains 37.13 acres and is zoned LI, Light Industrial and C1, Commercial. The proposal is located on Route 29 North at the Timberwood Boulevard/ Route 29 intersection in the Rio Magisterial District. The Comprehensive Plan designates this property as Mixed Use/Regional Service and Mixed Use/ Community Service within the Hollymead Town Center in the Hollymead Community Development Area. (Michael Barnes)

AND

ZMA 02-02 Hollymead Town Center - (Area D – The Kessler Group) Request to rezone 24.1 acres from RA, Rural Areas to NMD, Neighborhood Model District to allow for a mixed -use development. The property, described as Tax Map 32, Parcels 46 and 41D, 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)

Mr. Rieley stated that the first item was ZMA-01-18, Hollymead Town Center Area C, which was for Virginia Land Company. He opened the public hearing and asked if anyone would like to address this issue tonight.

Kay Slaughter, of the Southern Environmental Law Center, asked that her comments be used for both of the public hearings since she would not come back. She emphasized the importance of this issue for the future of Albemarle County. Officials say that they cannot do anything about rezonings that occurred years ago because the zoning is already in place. Today there are many consequences to those decisions in terms of Route 29 financial consequences as well as aesthetic and community consequences to the development along Route 29. She acknowledged that developers create commercial opportunities, but pointed out that there are opportunities now that that the Planning Commission could take to create a different kind of development. She urged the Planning Commission as they look at this to really think about the long-range consequences. She felt that it was unfortunate that the Commission was only reviewing pieces of the development at one time, although she understood the developer's point of view. She pointed out that the entire development needs to be considered because the traffic and the transportation consequences will be quite dramatic. She hoped that the Commission would think about that during the work session. She pointed out that the Southern Environmental Law Center remains somewhat concerned that the project is not truly an integrated mixed use, but in large part was just different uses that are adjacent to one another. They think that the Planning Commission should take more of a role in recommending the timing and sequence of how these different pieces would occur. Area A was deferred at your last meeting and is really a linchpin for the entire project since it holds the key to the town center, but yet it will come much later in the development. They feel that it makes sense for the housing piece in Section C to occur earlier since it could happen and be sustained. If Section B is built as contemplated, they don't think the transportation system even with the planned changes will be able to sustain it. Last week she looked at some of the cost within the current Transportation Improvement Program and the newly discussed Hydraulic – 29 Report, and they contemplate spending almost a quarter of a billion dollars to make the improvements in this area from Hydraulic Road north. She acknowledged that the Planning Commission has a very complex issue before them that has serious consequences.

Mr. Rieley asked if anyone else would like to address this issue. There being no further comments, the public hearing was closed and the matter was placed before the Commission for action.

Mr. Finley moved to accept the applicant's request for deferral to June 24th for ZMA-01-20.

Mr. Craddock seconded the motion, which carried unanimously (5:0). (Loewenstein, Hopper – Absent)

Mr. Rieley stated that the next request was for SP-03-30, Hollymead Town Center. He opened the public hearing and asked if anyone would like to address this issue tonight. There being none, the public hearing was closed and the matter was placed before the Commission for action.

Mr. Thomas moved to accept the applicant's request for deferral to June 24th for SP-03-30.

Mr. Craddock seconded the motion, which carried unanimously (5:0). (Loewenstein, Hopper – Absent)

Mr. Rieley stated that the next request was for ZMA-02-20, Hollymead Town Center Area D. He opened the public hearing and asked if anyone would like to address this issue. There being none, the public hearing was closed and the matter was placed before the Commission for action.

Mr. Edgerton moved to accept the applicant's request for deferral to June 24th for ZMA-02-20.

Mr. Craddock seconded the motion, which carried unanimously (5:0). (Loewenstein, Hopper – Absent)

Mr. Rieley stated that the three items have been deferred to June 24th. He stated that the work session could now be opened.

Work Session

Mr. Barnes summarized the staff report on the work session on ZMA-01-20, SP-03-30 and ZMA-02-02 for Hollymead Town Center. Staff has reached general consensus with the applicants on the form. Staff is bringing the proposals to the Commission for a couple of questions. He asked if the form of the projects are in general keeping with where you want it to go. There are some more specific questions for these projects. In the presentation he proposed to tackle Area C, ZMA-01-20 and SP-03-30, which references the residential uses, requested by the applicant. Tonight staff would focus on Areas C and D. The Area C proposal is for The Virginia Land Company who proposes a mixed-use development with up to 275,000 square feet of office and retail uses as well as up to 120 residential dwelling units. This work session is an opportunity for the Commissioners to correct any deficiencies that they perceive with the projects prior to the public hearings. He asked if they have any specific concerns with the form or the layout of the proposal. Staff is in general support with what the applicant has done. The next thing is that staff has worked with the applicant on the Code of Development that provides the parameters within which the project's build-out will be regulated. The Code of Development is divided into two portions:

a) Attachment C is a narrative section that either describes more general design parameters or enumerates the important features and amenities that need to be incorporated into the project, and
b) Attachment D lists design parameters for each block listed in the Block Plan that are spelled out in a series of tables and appendices. These parameters define the uses, quantity and qualities, architecture, and streetscape for each block.

The parameters are broad enough to give the applicant flexibility so that the project can be adapted to meet future conditions. At the same time, the parameters are restrictive enough to give the County assurance that the project will be built as proposed during the rezoning.

He stated that if the Commission has any questions about the attachments that staff would be happy to help them. It is important to understand the layout prior to the public hearing. Staff has tried to look at the relationships of these projects with the surrounding areas.
He noted that Area C is surrounded by Area D. Staff believes that the applicants of Area C and D have worked closely to tie their uses together. It is unknown how Area A will ultimately get built out. Area B has a Target Store and is still being worked out by the Board. Staff is working with the applicant of Area A to get further information. In summary, staff is more or less satisfied with how Area C integrates with the surrounding parcels. Staff has listed four questions in the staff report for the Commissioners to address. Again, staff asks if the Commission has any specific concerns that should be addressed prior to the public hearing. The concerns that staff is currently working out with the applicant include the Code of Development, the traffic issues, the individual road cross sections within the development which is being worked on with VDOT, and

the issue of how to provide signage for the development. Hopefully, staff will have all of those integrated and ready to bring back to the Commission in June.

Mr. Rieley asked if there were questions for Mr. Barnes.

Mr. Finley stated that in the staff report it states that Area A has gone to the Board and Area B has been indefinitely deferred. He asked if that was backwards.

Mr. Barnes stated that was correct.

Mr. Rieley stated that he has a couple of questions about the proffers. He asked that staff point to access road C.

Mr. Barnes stated that access road C is referred to as Ridge Road and runs primarily through the development, and at some point in the future it will be continued on to connect with Airport Road. This applicant will be required to build a segment of the road.

Mr. Rieley stated that the proffer says specifically that the connection from Route 29 to Airport Road will be constructed during phase I along with access road C. He asked if there was any other timing involved with that.

Mr. Barnes stated that the proffers were another issue that staff was still working on. He pointed out that the timing and responsibility has not been worked out.

Mr. Rieley pointed out that this was an important issue and one that will be important to get into concrete terms before the request gets to the public hearing level. This is particularly important because access road C needs to connect to Ridge Road, which is critical to the development of Area A. Many people have pointed out that this is an important junction point in this whole project and that it is very important that the road be constructed very early on. He asked staff to identify the turn lanes that are being proffered.

Mr. Barnes stated that the turn lanes referred to would be along Route 29. The full frontage improvements would be from the entrance down to the right-in/right-out that goes in the back of the proposed Target Store in Area B, which would extend from Target's entrance south to their property line.

Mr. Rieley stated that the third proffer says that the infrastructure and internal traffic network is designed to be oversized to accommodate additional traffic for the surrounding area and future development. He asked that request to be made more specific so that they know how much it is oversized, how much additional traffic, and when it will be put in place. He asked if there were any other questions for Mr. Barnes.

Mr. Edgerton asked if there has been any further development on Area A since their last discussion. He pointed out that Ridge Road would not have much value without the commitment to build the connector road between Airport Road and Area A.

Mr. Barnes stated that today staff received some proffers associated with Area B that speak to some road improvements in Area A, although staff has not had a chance to review those at this time.

Mr. Rieley pointed out that it was awkward to only review pieces of the project, since they need to make sure that all of the pieces are going to fit together at the appropriate time.

Mr. Thomas stated that the proffers were a very integral part of what they were discussing tonight.

Mr. Barnes stated that staff would provide an update of Area B at the next public hearing.

Mr. Rieley asked that the applicants come forward and address the Commission.

Katurah Roell, representative for Area C for the Kessler Group, stated that he would be happy to answer any questions.

Mr. Rieley pointed out that this was an opportunity for the applicant to respond to the staff report.

Mr. Roell stated he understands the Commission's concerns about traffic because it was equally his concern as well. He pointed out that there was no easy solution. He stated that they had been contacted by area contractors because of the Airport Improvement Projects for the realignment of Dickerson Road further south and to extend the runway. He noted that comes ever increasingly close to the southwestern part of their property where Area A shows the road slanting off to the trailer park towards Dickerson Road. He felt that it was a wonderful opportunity to address how that connection might be made sooner. A connection over towards Earlysville Road directly towards this project could permeate towards alleviating some traffic not only from Route 29 but also from neighborhood to neighborhood. Traffic is an issue and there is a need for more connecting roads and better roads, which has been mentioned by the Board. He pointed out that he put traffic circles in because he felt that they were a better way to get around. If Engineering and VDOT find that they are a suitable mechanism, then he would be happy to live with that. He suggested that this concept should be shown and put up front for everyone to consider, and to not just spring them on after an intersection is shown and then try to put a circle in. Our proffers as far as improvements for full frontage, consists of an additional third travel lane as well as the right turn lane that will be done immediately upon construction. CVS has recently had their drive-through approved. That will prompt their activity along this entrance and this Corridor. He noted that he would hate for CVS to start the construction of their entrance only to have them tear it all back out to put in two to four more lanes. He pointed out that he has been working diligently with that applicant and they shared ideas about road designs between VDOT and Engineering to make sure that they are not stepping on each others toes in hopes that the intersection can be put in once the right way. The main frame road that comes in from Route 29 up to their first intersection to provides the access to the Target site and is oversized by nearly 10,000 trips to provide for that and to connect adjoining properties. He stated that they would build Ridge Road immediately with the connection all the way from the Airport Road improvements to the top of the page in one swoop. He pointed out that they have people who want to build in the townhouse section immediately. He noted that everything that was in dark gray on the map would be done in one swoop in phase one. They will build as many buildings in that phase, which had been proffered, that do not exceed their existing by-right traffic, which was 9,800 vehicle trips per day. That will be our phase 1. He noted that they would be willing to wait until the existing infrastructure or some plan for some better improvement of Route 29 or some neighboring roads were connected. He pointed out that they have been working on this since October 1997. He noted that they were quickly approaching six years and they were willing to put forth some effort. He stated that he looked forward to seeing the Commission at the public hearing.

Mr. Rieley stated that there has been some discussion about a development authority whose revenues will go towards traffic improvements over a long period of time to offset the transportation impacts for all four of these applications. He pointed out that he did not see anything in this list of proffers that would address that. He asked if he was overlooking something.

Mr. Barnes noted that was not one of the parcels listed here, but staff is still working on the buffers. The concern to the department right now is that there needs to be a fire station in this area and the need has been identified by the agency. The fire station was suppose to be on the north fork or part of the UREF project. The location proffered for the fire station does not have road access. The road access to that fire station is prohibited from staff's standpoint and so they

are looking for other land in this vicinity. Staff is in discussion with the applicant about providing a fire station either internal to these sites or potentially on Area E that is the last portion of the town center that has commercial zoning. As a result, this is not a part of the rezoning that is before us right now.

Mr. Edgerton noted that there were a lot of different plans before them. He asked if the large plan was the current plan for Area C.

Mr. Barnes stated that the plan was the most current one for Area C.

Mr. Rieley stated that this is generally consistent with both the Comprehensive Plan and the previous versions of this. The changes seem to not be fundamental ones and he was particularly glad to see the addition of the housing on the northwest top of the sheet since he felt that was a move in the right direction. There is still an awful lot of surface parking and the buildings are an awful long way apart to be in an urban configuration. He felt that their hopes would have to be on future infill. He suggested that if anyone has any comments later that they pass them along to Mr. Barnes.

Mr. Thomas voiced concerns about the road network and how Ridge Road would be coordinated all the way down through the entire development.

Mr. Rieley stated that Ridge Road was the spine that everything hangs on and was a very important issue to be addressed. He asked if anyone else had any thoughts on Area C. He stated that there has been a general consensus among this group that the two pieces of this that they were hearing tonight have been the least problematic of the four components of this. He stated that they would dispense with Area C and move on to Area D. He asked Mr. Barnes to lead the discussion.

Mr. Barnes stated that Area D, like Area C, was using a system of blocks which was in the packet as Attachment L. The applicant is proposing between 200 and 350 dwelling units that range from townhomes to apartments and up to 50,000 square feet of nonresidential uses. Blocks 1, 3, 5 and 6 are proposed to have residential uses in it. Blocks 7 could either be residential or commercial. Block 2 has a linear park that would continue across towards Area B. Block 4 has a stormwater pond in it. Deerwood Subdivision has single-family homes and is adjacent to this area. Staff feels that there should be a transition between these single-family homes and the density of the remainder of the town center due to the short distance between the back property lines and the proposed development in Area D. Staff proposed to create a soft transition by keeping the dwelling unit count relatively low so that there would be less need for surface parking. The other blocks would allow for the potential higher density. That translates to townhomes on this space with apartments. In the Code of Development, on page 59 in Attachment N, it lists the townhomes for the lower density with the apartment complex moving towards the maximum density. Staff has no issues with the higher densities that would be adjacent to the town center. He pointed out that staff was concerned with the large surface parking next to the townhomes. Staff is working with the applicants to allow them to have flexibility in their proposal to meet the market needs and at the same time safeguard the elements that are important to us in the proposal. That is why this is somewhat complex. In that flexibility, they would try to keep these areas possibly low in the number of units as opposed to a higher number of units. The applicant would like some clarification from the Commission on some of those issues of density and intensity. Staff is attempting to keep some green space and distance between the development and the greenway trail.

The first question for the Commission is if they agreed with this general strategy of increasing the density as they move away from the Deerwood Subdivision and towards the town center and preserving the area between the two in a path of recreation setting.

Another question for the Commission is as follows: Staff believes residential densities should be lowered along the western edge of Area D to mitigate impacts to the Deerwood subdivision and to retain a stream buffer area for a greenway trail and other passive recreation. The applicant believes this runs counter to the goal of higher densities within the Town Center. What is the Commission's opinion?

Mr. Barnes stated that the second question deals with the streets. The whole town center is built on a hierarchy of streets with the more intense and the wider streets in Areas C and A, and as you move back in the urban density portion we tried for narrower cross sections. He stated that the applicant has proposed a series of typical street sections for Area D. Staff, VDOT and the applicant are still working to refine these cross-sections and create as narrow a street as possible. With the urban density some of the cross sections are narrow and in conflict with what VDOT has asked for or what the normal standards would propose. Staff is proposing that street F be the narrowest one. Many factors start to widen the section between the buildings such as street trees, utilities, width of street tree planters and the question about setback of the building.
In Area D, the applicant is saying that they can accommodate the parking that they need interior to their site and that along this road they feel that they only need to provide two lanes of travel as opposed to bike lanes and parallel parking. When Area A comes in they should be responsible for pulling the road over onto their side or provide an extra amenity. This is where they are having a conflict with having two different applications moving at two different speeds. They were pushing for minimum parallel parking, a bike lane and two travel lanes irrespective of property lines. When the applicant for Area B comes in, they will have to provide parallel parking and the bike lanes on their side. The point of bringing this to the Commission is to hear them weigh in on this question. The question is how to accommodate for all of these factors throughout the development. Several other questions for the Commission are as follows:

Staff would like, at a minimum, to have Area D's applicant build a parallel parking lane, a bike lane and two travel lanes on Access Road D. Does the Commission believe that this is necessary also?

If VDOT will not accept the proposed narrower street, would the Commission support narrow private streets to be maintained by a homeowner's association, but built to standards acceptable to the County Engineer?

Staff remains optimistic that the utilities can be accommodated within the street cross-section standards proposed in Table E; however, if they cannot, would the Commission consider dropping or modifying the requirements for street trees?

Mr. Barnes stated finally there is the question of stormwater. He pointed out that Mark Graham was present tonight and perhaps could get into the details. The applicant has a storm water pond on their site. This pond is large enough to accommodate an area that is above the site and it over detains that. The applicant feels that over detention more than offsets a point here where the water is leaving the site and that for them to be asked to put in another pond in the lower part of the site is an unnecessary burden and hinders the density. They are asking for a modification of the storm water standards. Again, he deferred to Mr. Graham to answer any questions that the Commission might have with that. Another question for the Commission to consider is as follows:

Staff does not recommend waiving the County's stormwater management regulations and protocol. Does the Commission agree?

Mr. Rieley asked if there were questions for Mr. Barnes.

Regarding the density and the closeness of Area D to Deerwood, Mr. Thomas asked if the houses were already built in Deerwood down behind that area.

Mr. Barnes noted that the houses were being built now.

Mr. Thomas asked how close those lots were to Powell Creek.

Mr. Barnes stated that the lots did not come right up to the creek because the back property lines were about 50 feet from the creek.

Mr. Thomas asked if there was a buffer required from that creek.

Mr. Barnes stated that the Water Protection Ordinance does not require a buffer on that section. Staff was trying to have some transition between them. Staff would support a higher density in this area if the parking could be accommodated without impacting the greenway trail.

Mr. Thomas asked how much area the greenway trail was taking up before you get to the creek.

Mr. Barnes stated that there was a potential since there was a weird dogleg in the property lines that would reduce the amount of distance between the back parking lot and that stream.

Mr. Thomas asked if it would increase the distance between the buildings and the stream.

Mr. Barnes stated that if the applicant had the higher density and put the parking underneath the building, which would increase their costs, they could pull that parking out of the buffer area where staff was trying to create the greenway. This runs counter to what the applicant feels would be economic feasible.

Staff recognizes that this an urban area with an intermittent stream. Therefore, this area's treatment is being requested not so much for water protection, but to try to create an amenity space and the connection between the greenway trail and the pond all the way down off of the site.

Mr. Thomas asked if it was initially planned to have a greenway all the way down through that area.

Mr. Barnes stated that the major portion of the greenway had been proposed on Area D to provide some passive recreation area for the rest of the town center. By reducing the amount of density and parking, it would increase the amount of green space. The second benefit would be to create a buffer between the houses.

Mr. Thomas stated that the applicant could either provide underground parking or increase the height of the buildings.

Mr. Barnes pointed out that another alternative would be to not front the entire road with buildings. The applicant could remove one of the three buildings and go higher with the other two to achieve a higher density. The applicant feels that they can accommodate their parking needs on site without the parallel parking because if they have to widen the road it reduces the amount of buildable area.

Mr. Edgerton suggested that the applicant reduce the surface parking lot.

Mr. Finley stated that the Engineering Department says that additional ponds are needed. He asked where the ponds would go if not in Area D.

Mr. Rieley asked Mr. Graham, Director of Engineering, to comment on the question.

Mr. Graham stated that when they first started looking at this, what they were really hoping to do was put a large regional basin on the stream to service this entire area. Staff met with DEQ and did some fieldwork on it, but that idea got killed. DEQ said that the permit processing looked very

dubious as far as obtaining a permit for a regional basin. The developer had already planned to put this pond in to serve his part of the development, which also accounts for some of Airport Road that VDOT is doing. As part of constructing that basin, they purpose to over detain for the area that is draining to it to account for the stormwater quantity from this area. Effectively what that does is the flow that you have in this stream in this area will meet the predevelopment condition. In other words, the applicant has satisfied the ordinance. So from a quantity standpoint, they have satisfied things. The other thing that they were looking at and working with right now was the water quality. What they were looking at was the possibility of some bio-swales or something right along that parking lot to account for the water quality part of the stormwater management. In those regards, staff is still working with them. The applicant understands that they have to comply with the ordinance and that staff was in no way waiving the Water Protection Ordinance as part of this rezoning. Staff is trying to integrate what they were doing there with some kind of linear stormwater management feature with the greenway and actually some stream improvements as well in this area. The stream is in fairly good condition now, but there are sections where it might be appropriate for them to come in and do a little armoring for future protection to turn the whole stream area into an amenity for the community.

Mr. Finley asked if he thought they could take care of this without going into Area A.

Mr. Graham stated yes that they could take care of it. The quality part of it is handled in two ways. One is going through the basin to handle this area. Then for the area that can't drain back into the pond, they would put in some bio-swales or other management practices to account for the water quality. He pointed out that the applicant had to make sure that they could comply when it comes time for the site plan. He pointed out that this pond would not handle Area A at this time and that it still has to be worked out.

Mr. Rieley stated that he would like to give the applicant a chance to address some of these issues.

Steve Runkle, representative for Virginia Land Company's Area C, passed out a handout. (See the attached handout.) He stated that they have agreed in block one to maintain a minimum 100 foot stream buffer, and in block three to maintain a minimum 50 foot stream buffer. Currently, they were in the process of exchanging the land below the stream in block three with Deerwood Association for the land on the west side of the stream in block one. Therefore, their boundary would encumber the stream that would give them a little more room to work in block three relative to the greenway path. He noted that their intent was to bring the greenway path up through block one and connect it to block two, which was the linear park in the center of the town center area. They would continue the path through block three to which they are now calling the greenway park, which was the area south of the stormwater facility and the road. Staff has agreed that it would be good to grade that out to a distance of 150 to 200 feet to create a park area on the north end of block three. The other thing, which they have agreed to, is to limit the development in block three to townhouses or not to allow multi-family. With those agreements in place, the nearest distance in block one to the rear of the lots in Deerwood is 180 feet. In block three, the nearest distance from the parking lot to the rear of the lots is 90 feet. It is estimated that at least 300 feet would exist between the houses and Deerwood and the structures in block one and at least 200 feet between the houses in Deerwood and the structures in block three. Given the Neighborhood Model envisions a more mixed use, urban environment and that the referenced area of Deerwood is newly developed, it is hard for them to understand why more buffer from Deerwood is necessary or that their proposed uses as amended are too intense. When the original masterplan was development, the Daggett and Grigg Plan, road D was adjacent to Area D, but not on our property. Only the edge of road D was on our property line. As the master plan began to evolve due to issues relative to others, the road alignment changed slightly and the masterplan evolved. In that process road D became centered on the property line between Area A and Area D, which was agreed to by Mr. Wood and ourselves. Another constraint that they have relative to the road is that there is a cemetery in block two that is existing. That cemetery is approximately 30 feet from the property line as scaled off of a plat. In recent discussions with

staff, it has been indicated that 9 foot wide travel lanes, 5 foot wide bike lanes, 7 foot wide parking lanes, a 6 foot planting strip on either side of the road, a 5 foot sidewalk on either side of the road and a 1 foot area outside of the sidewalk would be an acceptable design. That would require 66 feet of right-of-way. He pointed out that they don't object to the off-street parking, although as it has been said, that our parking needs in blocks five and six are met on site and on road F that runs internal in their site. He pointed out that he was restrained to providing more than 32 to 33 feet of right-of-way because of the cemetery. The other constraint is that as he moved from road D down to road F, the block dimension on the plan is predicated on 250 feet of space. There is about a 20 to 25 foot grade change between those three. As he begins to provide additional right-of-way, then his front setback becomes smaller and his grade may become problematic. He stated that they would agree to the design that he just covered, i.e. the one requiring 66 feet of right-of-way. He noted that they were unsure if VDOT would agree to that. He suggested that they pursue that design, but if they cannot get VDOT's agreement relative to that that they be allowed to eliminate the parking on their side of the street in order to stay within a right-of-way of 66 feet or less. That assumes that the road is centered on the property line. He asked for clarification that Mr. Wood would be willing to share the construction of that road. He pointed out that their concept had been that road would be centered on the property line and his requirement would be equivalent to their requirement and that they would share the cost of the construction of it. Staff's wording suggests that they would build two of the travel lanes plus park a bike lane. He stated that was not their intent because their intent was to share the costs of that road. He asked what would happen if they could not reach an agreement. He asked if that road could be moved to be completely on their property if necessary, or could their plan be modified to react to the inability to get agreement relative to the road. Typically they have been working with 50-foot right-of-ways in most residential streets. They were willing to agree to that on Road F, but they were not willing to provide for utilities outside of the right-of-way to exceed 10 feet. That is starting at the edge of the right-of-way going towards the structures that those utilities be combined for a maximum width of 10 feet. He stated that they were willing to proffer towards transportation improvements relative to their impacts. In the traffic study their portion was 2,100 vehicle trips per day. That was predicated on 300 residential units, and 25,000 square feet of non-residential use. They were willing to participate in a community development authority approach. They would consider some type of contribution on per unit basis. They are making the connection to Deerwood that has already been suggested and are proffering that if necessary. They propose to limit their development to the ADE, i.e. 2,100 trips per day. Their maximum cap on development would be predicated on the building trips rather than on the number of units. He stated that Mr. Franco was present to speak on stormwater issues. He pointed out that the handout has several questions that they would like for the Commission to address as well as comments on the staff report. He stated that they don't require any parking on road D to support the concept plans that they have offered adjacent to Road B.

Mr. Barnes stated that they need to make sure to put enough asphalt down in order to have 2-way traffic. If Area A does not come in any time soon, they will have to build their own part of the road.

Mr. Runkle stated that they would be willing to participate in the construction of a road that has 2 travel lanes, 2 bike lanes, parking on both sides, and the planting strip along both sides provided that the tentative design guidelines relative to lane width would permit that to happen in 66 feet of right-of-way. He suggested that the road be narrowed down to bike lanes and travel lanes at that location. He pointed out the problem of the uncertainty of getting that approved.

Mr. Barnes stated that staff was saying that they could not tell them that the picture they gave them was exactly what they would get approved when what they were trying to do with the Code of Development was to aim towards the parameters which they want. He pointed out that definitive answers would come at the site plan stage.

Mr. Runkle stated that the main issue was minimizing the parking area.

Mr. Finley asked if VDOT does not accept the road if they would use a full cross section.

Mr. Runkle stated that the County's Engineering Department would then decide the design criteria. He stated that the design parameters, which he outlined, would still be what would be expected with a 9-foot travel lane with a 7 foot parking lane.

Mr. Barnes stated that was the biggest gray area that they were working on. The question boils down to if they were not going to reduce the standards, then there are two choices. One would be to make a wider street and make it a public road or stay with the narrower street and go to a private road. The down side of that is that the homeowner's association ends up with it.

Mr. Runkle stated that their understanding based on the parameters, which they most recently discussed, was that the only difference between road D and road F in terms of width and required right-of-way for all of the infrastructures including sidewalks is the fact that road D would have two 5-foot bike lanes on either sides of the road and road F would not.

Mr. Barnes pointed out that the standards that they propose have not been signed off by VDOT.

Mr. Rieley asked that the Commission start giving feedback on these issues.

Mr. Graham pointed out that the only reason they were having an issue with the road was because of the stripe on the road, which added the width. Normally you could have this same road with bikes going down it with on street parking on either side with actually a narrower street using the subdivision street regulations. He pointed out that he was fairly confident and hopeful that VDOT is going to see what they were talking about and agree to this.

Mr. Edgerton asked if they could leave the stripe off, and Mr. Graham noted that they would like to see the road striped since it was very important.

Mr. Graham pointed out that they were close to a memorandum of agreement with them on the Neighborhood Model types of streets. He hoped that staff could get that resolved fairly shortly.

Mr. Rieley stated that this cross section was important to get the sidewalk, tree lawn, parking and the two travel ways on both sides. There is no impediment on a street of this scale with the bicycle use with a normal width lane. He assumed that the total 66-foot cross section would include straight curbs rather than curb and gutters.

Mr. Edgerton asked if an agreement cannot be reached by the County and VDOT, if he was willing to sacrifice the bike lanes rather than the parking and sidewalks.

Mr. Rieley agreed because it has very little functional detriment and that it actually helps the cross section by making it narrower. He recommended that the County and the developer make their very best case for a narrower cross section. He questioned the 5-foot bike lanes. He suggested that they get a cross section that would be safe to use for bicycles as well as for everybody else.

Mr. Barnes stated that 6 feet is the required standard.

Mr. Thomas pointed out that in all of the meetings he had attended with MPO Tech, bike lanes have been a very integral part of their discussion. He stated that he agreed with Mr. Rieley, but questioned if that was the right thing to do.

Mr. Finley asked if they should get rid of the street trees because it will affect the setback and allow more room for housing.

Mr. Barnes stated that if you have tree lawns and sidewalks included in VDOT's right-of-way, then the utilities don't want to be a part of the right-of-way and placed behind the sidewalk. He pointed

out that the developer has been asking what staff was going to give on and this was just one option.

Mr. Rieley stated that it was the consensus of the Commission to not give up the bike paths or trees. The Commission's first preference would be to have painted bike lanes with narrower travelways. The Commission's second preference would be to allow sidewalk and trees in the VDOT right-of-way. He asked how the Commission felt about the issue concerning the encroachment on the stream buffer relative to density of the apartment scale buildings as opposed to townhouses.

Mr. Thomas preferred the idea of townhouses with the greenway.

Mr. Rieley stated that he was concerned about the setback proximity of the parking to the streams. He pointed out that the 100 foot buffer proposal satisfied his concern. He stated that he would not object to the apartment block scale as long as the 100 foot stream buffer could be respected, which might require that some of the parking be tucked under the buildings.

Mr. Finley agreed that they needed the 100 foot stream buffer.

Mr. Barnes stated that they had talked about creating a larger green space area. He suggested doubling the buffer on that and following the stream.

Mr. Edgerton agreed with the 100-foot setback from the stream. He noted that he would welcome some type of structured parking in the back to minimize the amount of asphalt.

Mr. Rieley stated that the Commission had a consensus on that issue. He stated that it seems that the large issues relative to storm water management are being addressed and that the approach seems to be the same from the point of view of the developer and the County. There is an acknowledgment that the detention area does not have to be downstream as long as there is a net effort on the stream below the development that meets the requirement. He stated that staff was exactly right to be concerned about water quality implications detaining upstream for some of the net effect downstream and their strategy seems to be reasonable. The applicant has said that they have no intention of not meeting all of the stormwater regulations. Unless there is some issue that he was not catching there, it seems that this is just a matter of working out the details. The applicant in the handout has asked us to address three other issues being the ownership, long-term management and maintenance of the greenway, the greenway path, the linear park and the stormwater facility. He asked how these were handled elsewhere.

Mr. Benish stated that typically the County prefers to have a dedication and to own it fee simple by the County. He pointed out that it pertained to everything but the stormwater facility.

Mr. Barnes stated that the question was whether the greenway would become a part of the County's greenway system. He asked if they dedicate the whole 100-foot buffer or just that ribbon of asphalt and the homeowner's association maintains the rest of it including the mowing. The County just comes in every few years and repaves the area.

Mr. Benish pointed out that Parks and Recreation has accepted a lot of properties, but that it takes a lot of the stress off if someone else helps.

Mr. Rieley suggested that some type of agreement be made for maintenance of the area with the County.

Mr. Edgerton stated that if the County controls it, then they should maintain the area.

Mr. Finley asked if contributors have to pay fees for a regional basin.

Mr. Graham stated that there is a pro-rata contribution set up by County Board policy for regional basins. Currently there is only one basin in the County that falls within that policy which was Lickinghole, but that does not eliminate others from being considered for that.

Mr. Rieley stated that cost sharing is a private matter between the parties.

Mr. Graham stated that as far as this becoming a basin where the County would take over maintenance, the County Board does have a policy on that. Engineering is suppose to look at it to see if it provides a significant regional benefit and not just a local benefit for that development. In this case it is right on the borderline. Staff would probably ask that the County accept it for maintenance.

Mr. Barnes stated that runs into the next question number 2, when they talk about the road going across the dam for the regional basin there.

Mr. Rieley stated that he had no problems with a road going over a dam.

Mr. Graham stated that if the Board would approve such an arrangement, they would ask that there be a detailed geo-technical engineer's certification on the design and the construction of that. He stated that they have the same arrangement with Hollymead.

Mr. Rieley stated that the next question concerned the specific design requirements for the greenway trail and linear park walk including the cross section requirement. He stated that the path should be at least 10 feet wide if bicycles are being uses. These types of trails should not have to meet ADA standards for recreational trails. There are no federal requirements. There should be drainage and reasonable shoulders to keep the trails in reasonable shape. He felt that it should be left up to County as far as signs, lighting, etc. He suggested that the path be 10 feet wide, with the other requirements by the County to be as specific as possible.

Mr. Benish stated that lighting is an issue for after hours, but staff can work with them on details of the design.

Mr. Rieley asked that these standards be thought out and made specific so that the County can count on them.

Mr. Edgerton stated that this is the last work session before the public hearing scheduled for June 27th. He asked if it would be appropriate to ask Mr. Wood if he has any additional information on Area A. He stated that it was awful hard to make a wise decision when the real impact of this town center is undefined. He stated that they have a schematic but have not heard that you are committed that these roads will continue through or that there will be a pedestrian linkage to Area B. He asked if there was any chance that they would get additional information between now and the 27th.

Wendell Wood stated that they had asked for the staff's and Commission's guidance to tell them how to achieve that without being specific. He stated that he was still waiting for that. They have agreed to Ridge Road, which seemed to be the major concern. They have agreed to that in one of the proffers that they have made in connection with Area B. They have agreed to actually construct that road.

Mr. Edgerton asked if that was as drawn.

Mr. Wood stated that they agreed to tie that road down to this road on their own property at the approval of Area B. He stated that they proffered last Friday to construct this road so that it ties up the hill. Originally they agreed to build that road in that configuration, but they did not agree as to when because they have no plans. He pointed out that he still needed their guidance to tell him what form. He stated that he was willing to proffer this plan. He stated that they had a few years

of development to do with the large amount of units proposed. He asked for guidance to tell him what else the Commission wants on that plan.

Mr. Thomas stated that he had just received some proffers in the mail.

Mr. Barnes stated that he just received the proffers today.

Mr. Wood stated that in connection with this that they had proffered a third lane on Route 29, the traffic light, and the decel lanes. He asked if staff has a copy of those proffers.

Mr. Barnes stated that staff has a copy of the proffers, but has not had a chance to review them.

Mr. Wood asked what else they wanted on Area A beyond what they have.

Mr. Rieley stated that they should give Mr. Wood a work session on that to answer some of his questions the same way they had done tonight.

Mr. Wood stated that he was willing to commit to that. He pointed out that today he did not know if that building would be a three-story or six-story building. He stated that he could commit that it would that type of streetscape. They have talked about the density needed along Main Street. He pointed out that he did not know how that would be developed at this time. He stated that he was willing to commit to that drawing.

Mr. Finley stated that Area B had already been scheduled for public hearing and would not come back to the Planning Commission.

Mr. Wood stated that was right, but in these proffers he had tied Ridge Road to the approval of Area B. He stated that he proffered to dedicate and build Ridge Road behind Area B.

Mr. Rieley thanked Mr. Wood.

Mr. Finley stated that in all fairness to Mr. Wood, he pointed out that they had something-similar come up on the hospital at their last work session. The hospital had stated that it was hard to plan 15 years out and they had suggested using general phasing.

Mr. Wood stated that he would welcome another work session.

In summary, the Planning Commission held a work session on ZMA-01-20, SP-03-30 and ZMA-02-02 for Hollymead Town Center. The Commission discussed Areas C and D to try to correct any deficiencies that they perceived with the projects prior to the public hearing on June 24th. The Commission made comments and suggestions, but took no formal action.

The Commission asked staff to work with Mr. Wood to refine his portion of the Hollymead Town Center before bringing it back to the Commission for a work session as soon as possible.

Old Business

Mr. Rieley asked if there was any old business. There being none, the meeting proceeded.

New Business

Mr. Rieley asked if there was any new business. There being none, the meeting proceeded.

With no further business, the meeting adjourned at 8:30 p.m. to the next meeting on June 2, 2003.

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V. Wayne Cilimberg, Secretary

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