Albemarle County Planning Commission
February 1, 2005

The Albemarle County Planning Commission held a meeting and a public hearing on Tuesday, February 1, 2005 at 6:00 p.m., at the County Office Building, Room 241, Second Floor, 401 McIntire Road, Charlottesville, Virginia. Members attending were William Rieley, Rodney Thomas, Bill Edgerton, Chairman; Calvin Morris, Marcia Joseph, Vice Chair; Pete Craddock and David J. Neuman, FAIA, Architect for University of Virginia. Absent was Jo Higgins.

Other officials present were David Benish, Chief of Planning & Community Development; and Greg Kamptner, Assistant County Attorney.

Call to Order and Establish Quorum:

Mr. Edgerton called the regular meeting to order at 6:00 p.m. and established a quorum.

Other Matters Not Listed on the Agenda from the Public:

Mr. Edgerton invited comment from the public on other matters not listed on the agenda.

Consent Agenda:

Approval of Planning Commission Minutes: October 12 and November 30, 2004.

Mr. Edgerton asked if any Commissioner would like to pull any of the items from the consent agenda.

Ms. Joseph made a motion to approve the consent agenda as submitted.

Mr. Morris seconded the motion.

The motion carried by a vote of (6:0). (Higgins – Absent)

Public Hearing Items:

ZMA 2004-00021 Delta Kappa Epsilon at UVA: Request to rezone 0.22 acres, which is currently unzoned, to R-6 Residential to allow expansion of a boarding house (fraternity house). The property, described as Tax Map 76A, Parcel C5 is located in the Jack Jouett Magisterial District at 173 Culbreth Road behind Campbell Hall at the University of Virginia. The Comprehensive Plan designates this property as Institutional in Neighborhood 6. (David Benish)

Mr. Edgerton stated that he was very proud to say that he had been a member of the DKE Fraternity for 37 years. After checking with Mr. Kamptner, he verified that he had no conflict because he had supported the fraternity, but had never been compensated.

Mr. Benish summarized the staff report. Delta Kappa Epsilon fraternity (DKE) plans to expand its existing fraternity house on the University of Virginia Campus. The land under the existing house and the proposed addition is currently unzoned. In order for the fraternity to make the building addition, the property must be zoned. The applicant has requested R-6 zoning for a boarding house use, which is by-right in the R-6 residential zone. Proffers have been included to limit the use to the boarding house use in conformity with the concept plan submitted. Today staff received a revision to that concept plan. There were some grading changes to it, but staff does not feel that the changes are significant. But, for the proffer that date will need to be adjusted. The revised plan is posted on the board. He distributed smaller copies to the Planning Commission. (See Attachment)

The petition is a request to rezone 0.22 acres, which is currently unzoned, to R-6 Residential to allow expansion of a boarding house (fraternity house). The property, described as Tax Map 76A Parcel C5 is located in the Jack Jouett Magisterial District at 173 Culbreth Road behind Campbell Hall at the University

of Virginia. The Comprehensive Plan designates this property as Institutional in Neighborhood 7. Attachment C contains the Tax Map showing the parcel number for the fraternity house.

Planning and Zoning History: The parcel upon which the DKE house sits is currently not zoned because of a unique lease situation. DKE owns the house but leases the property from UVA. The DKE building has a separate County tax parcel which corresponds directly with the exterior walls of the building. Typically, land under ownership by the university and used for university-related purposes are exempt from local land use regulations. Because the building is privately owned, it falls under the jurisdiction of Albemarle County.

Character of the Area: The fraternity house is located on Carr's Hill Road which has other fraternity and sorority houses. The surrounding property is the University of Virginia.

RECOMMENDATION: Staff has reviewed the proposal and associated proffers for conformity with the Comprehensive Plan and the Zoning Ordinance and recommends approval. The proffers need to be modified to reflect the plan submitted today, which is dated February 1, 2005. That would be a modification from the 20th of December plan.

A letter from the Department of Historic Resources was distributed tonight. Staff has not seen the letter, but he understood that the applicant had contacted DHR regarding their proposal for the property. Staff understood that DHR had provided comments back and that they felt that the proposal was compatible. One of the comments DHR had made to County staff was that the changes were not consistent enough to qualify for tax credit, but they did indicate the addition was compatible and acceptable to them. He hoped that the letter said the same thing that staff was told by email. (Attachment – Letter dated January 31, 2005 addressed to Mr. Eric W. Amtmann, AIA from Ann Miller Andrus, Director, Capital Region Office) He stated that he would answer any questions that the Commission might have.

Mr. Edgerton asked if there were any questions for staff.

Mr. Neuman arrived at 6:10 p.m.

Mr. Rieley stated that he had a question relating to lighting. On special use permits and rezonings in the past the Commission has often requested that the lighting on the property be brought into compliance with the current Zoning Ordinance as a condition of approval. He pointed out that he had not seen any discussion of that issue in the staff report.

Mr. Benish pointed out what would be subject to the rezoning as a recommendation would be the building only because that was the only piece of the property being zoned.

Mr. Rieley stated that was because the land was not owned by the applicant.

Mr. Benish stated that the rest of the property outside the building that staff would treat like any University property, which would be exempt from the Zoning Ordinance.

Mr. Edgerton asked if there were any other questions for staff. There being none, he opened the public hearing and invited the applicant to come up and address the Commission.

Eric Amtmann, of DEGP Architects, stated that he was present tonight to represent Delta Kappa Epsilon. He pointed out that the owners were present. He thanked the County and the Commission for their assistance in an expedited review. As staff mentioned, it is a unique scenario with the involvement of UVA. But, things have gone very quickly and they appreciate that. He stated that they were in full agreement with the staff report. It is very thorough and complete. The only item that he planned on addressing tonight was just to make sure that the Commission had received the DHR report and to reiterate what staff said - that their general consensus is that the new construction is appropriate to the historic district. That is basically all that they need to address to that matter. As far as the lighting goes, there is no other existing outside site lighting. There are some down lights on the porch structures on the existing building. In the new construction, all that they would be providing is three exterior wall sconces at

exterior doors. There is no other outside site lighting proposed. If there are any other questions, he would be happy to address them.

Mr. Edgerton asked if there were any questions for Mr. Amtmann. There being none, he asked if there were any other members of the public who would like to address the Commission on this rezoning. There being none, he closed the public hearing to bring the matter back before the Commission for discussion and a possible action.

Mr. Thomas asked if the City had any input on the lighting since the property was surrounded by the City.

Mr. Edgerton stated that Ms. Joseph had asked that same question by email. He pointed out that the City has been contacted, but they have no comment.

Mr. Benish stated that typically the City would treat this just as the County would. They would treat land in what is called Area A, which is the University Grounds, the same because they are exempt from local regulations. From what he understands that even in situations like this, they don't review as we do. But, the City does not have any comments regarding the proposal. County staff did not ask the City specific questions about the lighting since staff did not think any regulations that they might have would apply.

Mr. Morris made a motion to recommend approval of ZMA-2004-00021, Delta Kappa Epsilon at UVA, subject to the attached proffers as revised.

Mr. Craddock seconded the motion.

Mr. Rieley asked if they would accept a friendly amendment to add a condition stipulating that all of the buildings on both the existing and proposed extension should be brought into compliance with the current County lighting ordinance.

Mr. Kamptner stated that this would need to be a proffer because this is a rezoning request.

Mr. Rieley stated that the Commission could not condition it.

Mr. Kamptner pointed out that it would have to be a voluntary proffer made by the applicant.

Mr. Rieley suggested that the Commission ask the applicant about that.

Mr. Amtmann stated that the owner will agree to provide that proffer.

Mr. Rieley thanked the applicants for agreeing to add that proffer.

Mr. Morris amended his motion to include the addition of the lighting proffer offered by the applicant.

Mr. Craddock seconded the friendly amendment to the motion.

The motion carried by a vote of (6:0). (Higgins – Absent)

Mr. Edgerton stated that the motion carried and the request would be heard by the Board on February 9.

Mr. Benish advised the applicant that it would be most desirable to have the signed proffers delivered to staff by Thursday morning (2/4/05) for distribution to the Board prior to their February 9 meeting. Generally one of the requirements of the Board is that they have signed proffers in hand at least by the meeting. He pointed out that he wanted to make sure that the applicants understood that.

Work Session:

Dickerson Road Affordable Housing Project "Pre-Application Submittal" Work Session: This is proposal to develop a 200 +/- unit affordable housing project consisting of patio homes, townhouses, condominium houses and stacked flats. The applicant is requesting this work session to discuss issues

related to this request prior to submitting a Comprehensive Plan Amendment and/or Zoning map amendment request. The site is located on Dickerson Road (Rt. 606), just north of the Forest Springs mobile home park. The property, described as Tax Map 32, Parcels 49F, 49G, 49J, and 49K, contains 22 acres and is zoned RA, Rural Areas (Rio Magisterial District). It is located in the Community of Hollymead and is designated for Industrial Service Use. (David Benish)

Mr. Benish summarized the staff report. The applicant has requested preliminary review of a potential development proposal before making application for either a Comprehensive Plan Amendment and/or a Zoning Map Amendment request. This "pre-application" review follows a general approach set up by staff in response to DISC II, Planning Commission, and the Board of Supervisor's request to help developers identify key issues in a proposed major development (ZMA, SP, CPA's, others), prior to expending significant amounts of money and time on a rezoning for a development proposal. That is the nature of this rezoning request. Staff does not have a specific application that has been submitted for review. The applicant will present the proposal to the Commission at the work session. Staff treats this just like other work sessions, whether it has been submitted as a rezoning or not. Staff has five questions laid out that they think are important issues that they seek the Commission's direction on .The design issues are important in any development proposal before us. Staff has discussed the design issues a little bit, but would like to focus in on the other issues, which are more of the use, location and the review procedure. Those issues are the most important issues right now so that staff can advise the applicant how to pursue this project. Hopefully the applicant is ready to give the Commission a more detailed presentation about the concepts that he has in mind. Staff has provided the following information.

Applicant's Proposal:
The applicant is proposing to locate a 200 (+/-) unit affordable housing project on approximately 22 acres (9 units/ac.). The applicant is proposing a mix of unit types, including townhouses, patio homes, condominium homes, and stacked flats.

The site is located on the east side of Dickerson Road (Rt. 606) in the Community of Hollymead. The Forest Springs mobile home park is located to the south, the Charlottesville-Albemarle Airport to the west, the Hollymead Town Center and Deerwood subdivision to the east, and undeveloped property to the north. The property is described as Tax Map 32, Parcels 49F, 49G, 49J, and 49K (Rio Magisterial District). (Attachment A – Zoning Map/Location Map) The property is currently zoned RA, Rural Areas, and is designated for Industrial Service use in the Land Use Plan. The property will need to be rezoned to permit the development of this project in this location. The property would need to be zoned either R-10 or R-15, Residential or as a Planned Development (PRD, NMD). (Attachment B - Land Use Map for Hollymead and Piney Mountain)

Mr. Rieley asked what the green square indicated on the map. He asked if it was next to the Deerwood development.

Mr. Benish stated that the green square indicated a future storm water management facility, which was a possible detention basin that was shown in an ultimate long range phase of development for the airport. He stated that it was located next to the Deerwood development, which actually lies across the frontage of this property. He pointed out that the applicant and Mr. Elliott, the Executive Director of the Airport, have discussed this. In talking with Mr. Elliott, he made staff aware of that aspect of it. He noted that Mr. Elliott saw that as a possibility to work with the applicant to get that facility in. But that is what the green was intended to show. He continued the staff report.

Character of the Site and Area: The site consists of wooded areas and old fields, with rolling to moderately sloping terrain. Two streams are located along the north and south boundary of the site, with one of the streams crossing the site to connect to the other stream. The frontage of the site (at Dickerson Road) is approximately 1,100 feet from the main runway of the airport, and approximately 800 feet from the taxiway for the main runway. The rear of the site is approximately 2,500 feet from the runway. He pointed out that the applicant could provide more details on the specific site.

The immediate area currently consists of a mix of residential development, the airport and its ancillary uses, and scattered rural residential scale development. The Hollymead Town Center backs up the eastern side of the site.

Discussion:
This property is located in an area designated for Industrial Service uses and zoned RA, Rural Areas. The applicant's proposal is a fully residential project. As such, this proposal is inconsistent with the land use designation recommended in the Plan. Below staff has identified several issues which need to be discussed with the Commission. The following five questions are based primarily on the land use and the proposed land use and the potential change by converting from its current designation as an industrial service to a residential use and also the method of review. At this point of time he asked how the Commission wanted to proceed.

Mr. Edgerton stated that he would like to hear the applicant's presentation first and then go through the questions. He invited the applicant to come forward and address the Commission.

George Ray stated that he was one of three people involved at the concept stage of this project. Mike Gaffney and Suzanne Jessup Brooks are the other persons in the group. Fundamentally what they were trying to do is a demonstration project that could put affordable housing on the market in Albemarle County. Depending on whose definition you use there are some differences. Affordable housing in Albemarle County is $175,000. VHDA adds another layer on top of that with their definition being $204,000. Then there is sort of the definition on the street that affordable housing is whatever you can afford to pay for it. They don't know yet exactly how much they can put this project on the market for. Suzanne Brooks, in particular, sees this as a community project.

Several of us have just wrapped up the restoration of the Paramount Theatre, along with hundreds of other people, and it is time for them to tackle something different. Ms. Brooks, in particular, would like to see all 200 units in this project meet the County's affordable test. He pointed out that he did not know if that was possible. What they are here to tell the Commission is that if this is approved that their goal is to bring in as many of these units for $175,000 or $204,000 as they can. They have a contract on this property scheduled to close in June. Currently they are in the due diligence phase of exploring the concept. He felt that the work session is a great idea so that they could take into consideration the thoughts of the Planning Commission before they go a whole lot further. Initially they hired the firm of Cline Design out of Raleigh. They have interviewed several firms who had done a number of these sorts of projects around the country. The Cline Design folks seemed to have the most expertise in the type of project that they were trying to develop. Mark Keller, of Terra Partners, sent them some base information from the property.

As Mr. Benish has pointed out, the site is surrounded essentially on three sides with residential property. He understood that the project that abuts this property on the east is going to be developed into townhouses. He had been told that the target for those townhouses is from $250,000 to $260,000. By the time that is brought on line it will probably be a little more than that. Therefore, they think that they are a little higher than what they are targeting. Of course, the mobile home park is located on the other side of the property. An interesting characteristic of this site, which was part of what attracted them to it, is that there is a proposed road that goes from Route 29 North through the Hollymead Town Center property and connects to Dickerson Road. It is possible for them to connect to that new road with a little bit of cooperation from everybody involved so that people who live here can go to Target and Harris Teeter and never have to get on a major road. They think that is a great benefit for this location.

They have an email from Bryant Elliott that Mr. Gaffney solicited saying that the Airport Authority has discussed this property and they support their concept. It also mentions what Mr. Benish eluded to earlier in that they were trying very hard to see if they can incorporate a little piece of property that Mr. Elliott has here which he intended to use for storm water detention that they would move down to the bottom edge of their site. Their site slopes downward in this area. Mr. Elliott has a higher purpose than storm water detention for this piece of Airport property. He stated that he could not answer the question about de-icing because he did not know if that would take place way down here towards the end of the runway. He felt that it would take place closer to the terminal building, but that he was guessing at this point. They had Cline Design develop a couple of different schemes.

In the process they were learning a lot about affordable housing. They held a series of focus groups up at the Continuing Education Department at the University. They hired a group from Richmond to come

down. They had police officers, fire fighters and school teachers. The County even got some substitute teachers and allowed full time teachers to come to these focus groups. They had three different sessions. They put all of these people in a room with a professional facilitator and asked them what sorts of things they would look for in affordable housing. Also they asked what sorts of things they would give up in order to get an affordable house. It was very surprising to see the number of people who have bought homes in Waynesboro and Staunton and commute everyday to Charlottesville because they could not find anything that they could afford in Charlottesville. There were quite a few City and County employees that did that. Another interesting sort of sideline is that police officers don't want to live in attached houses. They say that they spend most of their careers going to apartment complexes for various reasons and they don't want to live in that atmosphere. They had a series of focus groups. This project passed the test with those folks in those sessions simply because the location was fine with them. They explained to the groups what Bryant Elliott had told us about airport traffic and noise that in this particular area that it was more than likely they will have less noise than in Forest Lakes North. That was because of the landing patterns and the various approaches to the runway.

Probably more importantly is their intention to deliver various product types. A condominium flat is less expensive to build than a townhouse. A townhouse is less expensive to build than a single family house. They have shown all of those mixes of products here. They have a number of houses that are proposed to be front loaded meaning if they build garages the garages will be accessible from the front of the house or the street side of the house. They have also looked at rear loaded houses where the parking is accessed from the back. The topography on the site works for creating some interesting shapes so that it is not all cars and garages on the streets. These are all real projects that Cline Design has done. Most of their projects are in the Raleigh area. One of these projects was done for the Raleigh Redevelopment Authority. Some of these are more upscale from anything that they can afford to build and sell with the target market. They are building some of these at Glenwood Station on Rio Road where it has kind of like a manor house approach. The big building might have eight units in it, but architecturally it was designed where it does not look like an eight unit building. None of these designs or concepts has passed the test for what it costs to build them, but that is the next step in the process. They have solicited some actual working drawings of things that have been built from Cline Design and they will get those out on the streets to see exactly where their thoughts are going to come in. He felt it was fair to say that the three principals involved will accept a less profit than probably fair market value in order to provide this project as a community service. The cost of the land if you can move through the process quickly is less and then you can turn around and sell the houses less expensively.

Potentially this site would have to have a zoning map amendment. If that process could be short circuited and if the Commission feels that this is a project that merits that, then they would like to go directly to the rezoning stage. That is one of the things that they feel they need some help on from the County. They want to create a streetscape where you drive in some really nice gates and on the right you might see townhouses and on the left you might see single-family house. The catch phrase for this proposal is the new urbanism. He stated that he was very concerned about the construction costs. He pointed out that they were pursuing ways that they can keep the cost down in order to provide affordable units. They might have flats at $175,000; townhouses at $204,000 and single-family houses at $235,000. If there are any questions, he would be happy to answer them. Others with him were Marilyn Young, Mark Keller and Mike Gaffney.

Mr. Edgerton asked if there were any questions for Mr. Ray. There being none, he asked staff to move through the questions.

Mr. Benish stated that they would now move to the following questions posed in the staff report.

- **Issue-** ***Is residential development appropriate, essentially in this location, near the airport?***

Much of the Development Area east of, and adjacent to, the Airport is designated for Industrial Service, Office Service, or similar non-residential uses. This designation is based generally on the assumption that non-residential uses are more compatible with the Airport use. Due to the potential impacts generated from the airport (including noise, odor, safety issues), residential uses have been generally discouraged from being located near the airport. Additionally, there was concern that a high concentration of residents living near the airport could potentially lead to residents expressing concerns

with normal airport activities and potential anticipated expansion of airport operations. The frontage of this site on Dickerson Road is approximately 1,100 feet from the runway (and 800 feet from the taxi-way to the runway). The rear portion of the site is approximately 2,000 feet from the runway.

While the area east of the airport and *north* of Airport Road has remained largely industrial, the area east of the airport and *south* of Airport Road has evolved into a more mixed pattern of uses. The proposed site is surrounded by existing or proposed residential developments. The Forest Springs mobile home park (approved for 160 units) is located just south of the proposal, and the Deerwood subdivision (approved for 116) and a residential section of the Hollymead Town Center are located to the north and east of the site. The Deerwood development (on Airport Road) was originally zoned and developed in 1970's, the last phase of that project having been developed in the last few years. The Forest Springs mobile home park was approved in the early 1990's. The Comprehensive Plan amendment allowing the park to be located here required that it be maintained on this site for a minimum of 15 years. The pattern of development that has emerged in this area has left the proposed site as a 22 acre piece of land designated for industrial use surrounded by residential development.

Regarding this issue, staff's opinion is that this site is not an ideal location for residential development. This proposal would result in a relatively high concentration of housing (476+/- units) within relatively close proximity to the airport. However, staff also recognizes that residential housing has already been introduced into this area with the Deerwood and Forest Springs development and this site would be a logical extension/connection of these residential areas. From a larger neighborhood perspective, this housing concentration, along with the Hollymead Town Center and other industrial/business/employment activities, creates a good mix of uses within this portion of the Hollymead Community. Staff reviewed this proposal with the County's Chief of Housing who indicated that this is an acceptable site for an affordable housing project.

- **Issue-** ***Is the loss of industrial service land in this location and within the proximity of the Airport appropriate?***

There is an adequate inventory of land designated for Industrial Service use in the Land Use Plan to meet short- to mid-term needs (5-10 years). The large amount of the Industrial Service land is located in the Hollymead and Piney Mountain Communities (approximately 270+ acres, not including the North Fork Research Park). Recently there has been a trend of converting industrially designated land to other uses, usually for a commercial/retail use (Community Service or Regional Service). This has lead to an erosion of not only the total amount of industrial land but also the variety (size, location) of available sites. The Hollymead Town Center (approx. 35 acres), Willoughby/Fifth Street property CPA (approx. 50 acres), and Albemarle Place (approx. 40 acres) are recent developments which have converted Industrial Service land to other uses.

Of particular concern regarding the land use inventory is a lack of available and affordable land for basic industrial type uses such as warehousing, contractor offices and storage, and flex space for small scale research-assembly activities. As a result, the frequency of contractor's offices/storage yards locating in the Rural Area (either illegally or as home occupations requests) is increasing.

The designation of this site for Industrial Service use does provide an opportunity for airport related support services and associated industries to locate near the airport. However, other similar sites are still available along Airport Road and Dickerson Road north of this property.

Staff opinion is that a sufficient amount of land is designated Industrial Service in the Land Use Plan, and within Hollymead, to meet anticipated need over the next 5-10 years. Therefore, the loss of this site alone is not a significant issue. Nevertheless, staff is generally concerned with the continued, piecemeal erosion of the industrial land inventory, and in particular with the loss of small properties which will continue to make it increasingly difficult for small scale industrial uses to locate in the County. This site is an example of this type of property.

Mr. Edgerton asked what the Commission's feelings were about whether this use is appropriate. He felt that staff has said yes and no.

Mr. Benish stated that he did not feel that this was an ideal location for residential. However, the Commission has read from the Director of the Airport that they have general reservations, but was not adversely opposed to it. Staff talked with the Housing Official who feels that the proposed location is acceptable. Given the existing land uses, one could argue both sides of this. The residential added in actually creates a potentially cohesive neighborhood where now the industrial is actually an intrusion between the two. On the other hand 800 feet from the taxi way is a close distance and is not ideal. He felt that it is a tough call.

Ms. Joseph stated that she would rather support industrial use in that area because it is near the airport and because the County has spent a lot of money improving the road that connects to Route 29. It is an important connection for whatever vehicles bring things to and from industrial sites. Those are just a couple of the reasons why she cannot support residential use in this area. She felt that there was something about putting affordable housing in this area that just does not quite fit right.

Mr. Craddock asked if there was a lot of industrial land down towards Chris Green Lake that has not been used.

Mr. Benish stated that the totals for industrial inventory are still pretty adequate for our demand County wide or development area wide. There is a very significant inventory in the Hollymead area. The locations of most of those are in the Piney Mountain communities, which are a couple of miles north of the GE Fanuc site. The property that is generally across from Hollymead Subdivision just after the Hollymead Town Center is about 70 to 80 acres which is designated community service. Then there is another 70 to 80 acres along Airport Road that is vacant. That does not include the acres designated within the North Fork Research Park. As indicated in the staff report, one of the concerns that staff is having is while the inventory is still large they are incrementally with each decision kind of chewing it up. The areas that tend to be converted are some of the good locations for the harder defined industrial type of uses such as contractor's storage yards and flex type of space for industrial uses and assembly type of uses. Much of that land is either being held for a higher dollar type of product or they are in that type of product. Therefore, the North Fork Research Park is not where one would put a contractor's storage yard. Related to this particular site he did not think they can say that this particular increment is the definale incidental to the industrial designations. But, it was more of an alert that if they continue to do this at some point in time they are going to hit a critical mass or they are not going to have on the market the types of properties that can accommodate some of the needs.

Mr. Thomas pointed out that in the future he would like to see some properties designated light industrial without residential uses surrounding it. If not every time someone tries to put something on the industrial site they will have the residents opposing it.

Mr. Edgerton asked Mr. Kamptner how binding was the applicant's offer to provide affordable housing on this industrial designated property.

Mr. Kamptner stated that the applicant would proffer the affordable housing during the rezoning process.

Mr. Edgerton stated that he favored providing affordable housing in the County as proposed by Mr. Ray. He supported the applicant's proposal to provide interconnectivity of this development to the Hollymead Town Center. He agreed with Ms. Joseph that something sets wrong in his heart with putting affordable housing next to something like the airport. Just like the mobile home park's location, he felt that there was a social statement being made here by providing the affordable housing in this location. He stated that obviously the price of the land was a driving force. He stated that he was torn with placing an industrial industry into a residential neighborhood and not being able to find an alternative site. He felt that they need to be careful about letting industrial sites go.

Mr. Morris stated that he agreed with all of the arguments that have been stated. He voiced concerns about allowing a residential neighborhood to be built so close to the airport because in time the complaints will start coming. He felt that it was something that was going to happen. He stated that he thought they have a plan here that is truly a winning type of plan due to its proximity to the Hollymead

Town Center. It provides so much of what they are really looking for in the Neighborhood Model. The people can walk to do their shopping if they chose to.

Mr. Craddock stated that Bryant Elliott's letter had something to the effect that previous developments have had a little notation on there that this is located next to the airport and airport noise is expected. When the County put in Chris Green Lake a number of years ago that was in the departure or arrival way through there and his brother lived out there for twenty years. Back then those houses along Chris Green Road were considered affordable, but they did not feel shunned by being out there. He felt that as soon as the applicant got these units on the market that they won't be setting very long. He stated that he would be in favor of having this residential out there. It gives people another choice. If they don't want to live near the airport, then they can buy in another area.

Mr. Rieley felt that the issues that they were dealing with were the kind of issues that would be dealt with in a ZTA. He felt that staff was right that there is a reason why they do it that way. He stated that he was torn on this. In the Neighborhood Model he felt that they were trying to disperse affordable housing with other kinds of housing. The mitigating circumstance for this is that brand new housing and trailers do not equate as the same thing. You can say that they are both affordable housing, but there are very little including the incomes of the people who live there that are going to be the same. He felt that variety is there. He stated that it seems to be a good place for lots of kinds of industrial services, but not all kinds. He felt that Ms. Joseph articulated the need for industrial service property very well. It is a real concern. On the other hand, they are faced with a critical shortage of moderately priced new construction. There is very little of it. He agreed with a lot of what Mr. Craddock said. But, he did think that if this project moves ahead to the next step that there are two critical things. One is that if they are not going through a CPA process, then they need the information to be able to put this in a broader framework and look at it as if it were a CPA almost even though they are trying to streamline the process. The second thing is if this is moving ahead on the basis that we need additional affordable housing badly that he would support it. But, he felt that they need a commitment from the beginning of what it is going to be. If they get to the point where the developers of this property feel like they can't make that commitment, then he did not think they should go ahead with it.

Ms. Joseph stated that she was not so sure she agreed with streamlining the process and not doing the comprehensive plan amendment. But, maybe that could be shorter than normal. It makes her uncomfortable just going right into a rezoning because there are conflicting concepts. She pointed out that both sides could be argued in this. She asked that more information be provided to the Commission on why this property was made industrial and what are the factors that are acting upon this area as far as transportation and everything else. She felt that was one of the reasons why she felt so reluctant saying anything terribly positive. If they could make it so it was affordable, it would be even more terrific. But she felt that there was more information that was needed before they make a decision to jump into a rezoning before they do a comprehensive plan amendment. She acknowledged that each thing the Commission does is different, but there is always this precedent setting concept that sits in her brain causing her not to want to do it.

Mr. Edgerton suggested that the Commission finish going through the questions and then have a discussion about whether there is reason to pursue the expediting of this process. He stated that as Mr. Rieley pointed out that there were going to be some issues that maybe will help us get a better handle on how wise that would be as they go through it. He asked Mr. Benish to continue.

Mr. Benish stated that the noise impact area for this airport actually lies on the property that they own. Therefore, this site is out of the noise impact area and that is not a disadvantage for this site.

Mr. Ray asked if he should save his comments to the end since he was afraid that he might forget them.

Mr. Edgerton stated that he could comment after each question was discussed.

George Ray stated that Ms. Brooks in particular is not really excited about doing a subdivision in Albemarle County unless it meets some of the affordable housing tests. He pointed out that they rely very heavily on her participation. They would be happy to negotiate a minimum number of affordable units in this project with the goal that it would be more. But it would be something that they could hang their hats

on to make the Commission feel comfortable. They would also be happy to navigate a drop dead date by which time they would have to get back their building construction costs and so forth. If they can't deliver that minimum number of units they will just have to abandon the project. He stated that he did not want anybody to misunderstand, but that is their goal. That is the reason why Ms. Brooks got attracted to the project to begin with. He stated that he ran the City Economic Office for 18 or 19 years and ran the City Industrial Development as well. There is a reason why this land is sitting there not being used for industrial purposes. He stated that he did not know of an industrial developer alive that was going to pay $50,000 an acre for land. It just does not happen. The industrial uses with new construction are going to Zion Crossroads where they can get land for $4,000 an acre or North Carolina for free. That is just a simple economic fact. This land is simply too expensive for contractor's yards and things like that.

Mr. Benish stated that they had already talked about question 2. Therefore he was going quickly over question 2 and then skip on to question 3.

- **Issue-** ***Is there a concern with the mix of prices and unit types within the proposal, and is there a concern the overall concentration of affordable housing in this area?***

There is a well documented need for affordable housing in the County. This project would provide 200 homes in a variety of unit types which would address the need. Therefore, this concept would provide a significant increase in the affordable housing units available in the County. At this time, the applicant does not have final sale price information and cannot identify a precise breakdown of price points for the units. However, at this point, the applicant intends to price the housing as possible given development and construction costs: "mid-price to high-end housing is not anticipated to be a part of this proposal at this time." Staff recognizes the difficulties in developing affordable housing projects due to land and construction cost and that some amount of market priced (higher priced) units may be needed to make the project financially feasible.

Staff has identified questions for the Commission consideration and comment:

- Would this development, along with the Forest Springs mobile home park and Deerwood development, create too high a concentration of affordable units?
- Would the Commission desire a broader mix of price ranges within the development?

Mr. Benish pointed out that the new units being built in the Deerwood development did not fall under affordable housing units.

Mr. Edgerton stated that this plan did have a mixture of housing types as it was presented by Mr. Ray. He stated that if they could get past a few of the other things that he was not uncomfortable with the proposed mix. But there are some other issues that have been mentioned.

Mr. Rieley pointed out that whether they pursue with a CPA or a ZMA that it was very important that they have all of those pieces of information.

Mr. Benish stated that the next question was as follows:

- **Issue-** ***Should a Comprehensive Plan Amendment be submitted or should this request be reviewed through a ZMA application and review process? Does the review of this project need to be coordinated with the development of the Northern Development Areas Master Plan?***

Typically, a proposal of this size, which deviates from the recommendations of the Land Use Plan, would be required to first submit a Comprehensive Plan Amendment request. The request would initiate a more in depth review of the implications of the proposed change to the land use designation. If the amendment is approved, a development proposal (ZMA, SP, etc) is submitted for zoning review. But, an important aspect of affordable housing developments is keeping development costs down and one significant expense is the carrying costs of the land. A Comprehensive Plan amendment process followed by a rezoning review could add significant time to the review process and, therefore, the carrying costs for the project. The applicant has requested the most expeditious review process possible which will help minimize development costs and provide the most affordable units possible.

Staff notes that it is difficult to review a rezoning request until the policy decisions and recommendations have been approved in the Comprehensive Plan because the Plan recommendations establish the basis for the review of the rezoning request. Specifically, the review of this proposal is complicated further by the upcoming Northern Development Areas Master Plan process which is expected to begin within the next 2-3 months. The Master Plan process is anticipated to take 12 to 18 months. Unlike the Crozet Master Planning process, the Board of Supervisors has not recommended that the review of major development proposals in the study area be timed with the completion of the Master Plan.

Staff does recognize the importance of development costs to the feasibility of providing affordable housing and recognizes the need for affordable housing within the County. While generally not recommended, it is possible to address Comprehensive Planning issues during the rezoning process. It may lengthen the rezoning review process and staff recommends that the Plan ultimately be updated to be consistent with approval of the rezoning.

Mr. Edgerton stated that there might be a way to address the issues that would typically be addressed in a CPA process during the rezoning.

Mr. Benish stated that was correct. He felt that they could go through that rezoning process. One of the things that would be a strong recommendation is coming out of that rezoning with whatever decision that the Commission makes that you would do a Comprehensive Plan amendment so that the plan stays consistent with the zoning. In other words, if you do decide to do it that the Commission would need to keep the plan consistent with the action. He felt that was very important. He felt that they could go through a rezoning process first. One advantage of that is the Comp Plan amendment process would put a color on a map and a use that may fall through before it gets to the rezoning process. Therefore you would have stepped through a process before you knew you had the commitment that you were interested in. One advantage of going straight to a rezoning is that you would deal directly with the proffers and the conditions on the property and you would know what you are approving. Then you would amend the plan to reflect that use. He pointed out that there are pitfalls both ways. He felt that the easiest and most forward way is to through the Comp Plan amendment process. But they could do it both ways.

Mr. Rieley stated that in some ways he did not think they have enough information to make that determination yet. It seems that to get started with it you have to know what the Comprehensive Plan issues are because they were not looking at that scale. He could imagine a situation where you could readily identify the Comprehensive Plan issues and deal with them, and then go quickly into the rezoning. But he did not know if that was the case or not and they are not going to know until they get into it a little bit. He wondered if they might schedule a work session for the Comprehensive Plan level no matter what they are calling it and look at those kinds of issues to see if they can make that finding.

Mr. Edgerton stated that he would love to find a way, but the scale of this project is not on the level of a lot of the projects that they have looked at with the Comprehensive Plan. He would like to figure out a way to address all of the important issues, but do it as expeditiously as possible. If staff could work with the Commission so they can come up with a list of things that they are concerned about or issues that need to be addressed, then that could be added to the rezoning process. Then he would feel that they might be able to address the important issues and address the issue of carrying costs. Again, there is no denying that is going to affect the affordability of the units. If they have to hold the property for a period of time, then that is going to be passed on to the future buyer.

Ms. Joseph asked Mr. Kamptner what he thinks about the idea of bypassing the Comp Plan and going directly to the rezoning.

Mr. Kamptner stated that it pretty much destroys the value of the Comp Plan as a planning document if some applications don't have to always follow the recommendations of the Comp Plan. The other thing that the Commission can do is process the Comp Plan amendment simultaneously with the rezoning.

Mr. Thomas asked Mr. Edgerton if that was the direction that he was thinking about.

Mr. Edgerton stated yes, if there was some way to do it. He pointed out the importance of the Comp Plan, which was what they were all about. He stated that he was trying to think long term and not get totally focused on a particular piece of property, but just focus on how that piece of property is going to impact the entire community. But, again it is not like they have a lot of big questions about what is happening east, west, north and south of this property at least for the foreseeable future.

Ms. Joseph stated that there was also the concept of how much industrial land is there in the County. What is the size of these and what do they lend themselves to? Also, what are the traffic hazards out there? Where is the other industrial land located? She pointed out that they just lost some industrial land for another big box down on Fifth Street.

Mr. Kamptner stated that a lot of those issues are the types of factors that would be evaluated as part of the rezoning. Does the County have enough stock of the industrially zoned land that would justify changing the zoning of this land?

Mr. Edgerton stated that his experience with Comprehensive Plan amendments the last few years on the Commission has been that they have been very thorough when the applicants have been willing to work with us. Then by the time that they get to the rezoning that there are not going to be any surprises about it. He stated that he did not want to short circuit the process and jeopardize the Comp Plan. He suggested that they concentrate on a very thorough Comp Plan amendment with maybe an expedited rezoning following it if it is consistent with the Comp Plan amendment.

Mr. Rieley stated that he did not care what they called it as long as they were dealing with those specific issues. He stated that if there was an advantage on the feasibility of these units that he would be willing to give some procedural ground rather than give up sidewalks on both sides of the road, which was an example.

Mr. Benish stated that what he had heard right now was that the most important Comprehensive Plan issues were a couple of things that the Commission mentioned. It is that there needs to be more analysis or information regarding the impacts for industrial lands.

Mr. Edgerton stated that on that particular point Mr. Ray made a very powerful statement about value when he says that at $50,000 an acre that nobody is going to buy industrial sites for that. There are two answers to that. One is that the lot is over priced and the owner is expecting too much, or two, that it is a reality that the value of the market has gotten to that point. He suggested that they might need to reevaluate if that is a viable industrial service area. He stated that if the price tag on this piece of land was going to prohibit any industrial service coming in, then they could have a nice color on the map but it won't do us any good because they are going to go to Zion Crossroads.

Mr. Benish stated that the more you constrain the market the more that price is going to go up. The less land that you have the more the value it will have. Mr. Ray made a good point which was something they have to deal with. But he thought what he was hearing was that they need to look at that hard question. He felt that question really does become almost a regional City/County type of question. He felt that with that type of input that what they should probably do is sit down with some City representatives and regional economic development people and really see what our opportunities are. He felt that they were hopelessly going to look at this in a vacuum, but that price is set by the regional market and not by what we decide to do here in Hollymead incrementally, but what they do collectivity from the region. The other issues included infrastructure issues, specifically the roads. There will be a school issue because they would be converting what wasn't generating potentially kids to generating kids. They will have to get that impact or at least relocate them in this area where they had not anticipated them. There are usually some design issues, which in some ways he felt that they have touched. Usually at a Comp Plan level they don't get into this detail but the clear expectations are established. That is what they have not done here in this review because they have only hit some very basic points. He felt that they would want a little bit more detailed assessment of whether it is consistent with the Neighborhood Model and how it fits in with other neighborhood facilities and needs. This area is somewhat void of recreational facilities because it has not really been planned to add a lot of residential services. That would be another infrastructure issue to anticipate.

Mr. Edgerton stated that the potential impact on Dickerson Road might be a real issue, too.

Mr. Benish stated that another approach that they could try, which was what Mr. Rieley said, was that they sort of instigate the Comprehensive Plan process, but maybe make a quicker decision once there was a certain level of comfort with the direction that they were going as opposed to looking at the nth detail of it. They could try to do that, but it would ultimately be the Commission's decision at what comfort level you advise us to turn it loose to a rezoning process. There would be no commitment for the Commission to do that, but they could work towards getting those questions answered and see what their comfort level is at that point in time.

Ms. Joseph stated that she would feel more comfortable if it went in tandem. If they feel comfortable with the Comprehensive Plan amendment then they could go ahead and do the rezoning simultaneously, but not the rezoning before the Comp Plan amendment.

Mr. Benish stated that typically they could take the application and just hold it until they were at a point in time when there is something for them to use to process the rezoning.

Mr. Ray stated that he had just a couple of quick comments. They had their engineers take the Hollymead Town Center plan and site the plan that connects Dickerson Road to Route 29 on this plan. This is generally speaking the corridor that would go from Dickerson up to Target and Harris Teeter and that is where they would connect. It does show on this plan where the connection would be made.

Mr. Edgerton stated that it did not look like the connection. He asked that the next plan show that linkage.

Mr. Ray stated that when you are looking at how much industrial land you have and so forth that he would be interested to know what the absorption rate for industrial land has been for industrial purposes. In other words how much land over the past ten years has been taken down as vacate developable industrial land for industrial purposes? You could take that number and project out how many years it would take to use up your stock of industrial land. He stated that he would guess that it would be a pretty long period of time.

Mr. Edgerton asked Mr. Benish to go to the last question.

- **Issue-** ***Does the Commission have any concerns with the overall design concept proposed?***

The applicant will provide more information regarding the proposed design concepts for the project at the work session. Staff has not provided a detailed evaluation of the design concept at this time, and instead has focused on the broader policy issues. When evaluating the design concept, the following items should be considered:

- **Four types of housing types are proposed - patio homes, townhomes, condominium homes, and stacked flats.**
- **The street system includes a connection between Dickerson Road and a future road which connects Dickerson Road to Route 29 (through the Hollymead Town Center). This "future" road will be built as part of the Hollymead Town Center project.**
- **An extensive sidewalk/walkway system is shown on the plan submitted with the proposal. There are some streets sections that do not have sidewalks shown on both sides of the road.**
- **Most of the units/lots are front-loaded, with vehicle parking and garages oriented to the front of the house. This is proposed to reduce infrastructure cost (need for additional/alleys) and reduce paved area and thereby increasing green space on-site**
- **A central green space is provided, with a community building. Another open space is shown with a pond and trail. The pond may also serve as a storm water detention facility.**

The applicant has indicated that the intent of the concept plan is to provide a high quality affordable neighborhood. The concept attempts to balance meeting the principles of the Neighborhood Model while

maintaining control on development/construction costs to permit as many of the homes to be affordably priced as possible.

Mr. Benish stated that staff has not given this the nth detail, but just touched on a few observations. He asked if there were any questions.

Mr. Rieley stated that the public landscape was just as important for a moderately priced developed as it is for high priced development. The timing of the future road and the way in which this development occurs relative to the construction schedule is important. The prospect of getting that interconnectivity and the connection back to Hollymead was very important. He questioned whether that would be 20 years down the road.

Mr. Morris stated that the plan showed a community center and if that kind of amenities was shown in the plan.

Mr. Ray pointed out the feedback they received was the people were more interested in having more square footage in the house than paying monthly dues for community assets. They have walking trails, a clubhouse and some more passive uses. This plan passed the test for the people who were in their meetings as having a significant amount of common amenities.

Mr. Benish asked the Commission to look at Attachment A at the map at the teal color that was on the east side of the top corner of the site. That is part of the Hollymead Town Center that is a proposed townhouse. He pointed out that this road was supposed to be constructed within two or three years after the issuance of the building permit for Target. So it is suppose to go in as part of the initial development of the town center.

Mr. Edgerton stated that they were going to come back to Ms. Joseph's first issue. He asked if that has been addressed.

Ms. Joseph stated that it had been addressed.

Mr. Edgerton asked if there were any other issues to discuss.

Mr. Rieley stated that the point which was raised that all of the units were front loaded with garages oriented to the front of the street and its relationship to infrastructure costs should be an ongoing discussion. The Commission needs to continue to scrutinize this with the understanding that there are cost implications for all of these things. But they are also important design components.

Mr. Edgerton stated that he was not completely convinced either.

Ms. Joseph stated that they have also heard several times from the applicant that they might not all be affordable housing.

Mr. Rieley stated that the Neighborhood Model was the bench mark that they need to look at.

Mr. Benish stated that he wanted to summarize the issues in closing and then give Mr. Ray a chance to comment if he wanted. Typically what staff does in this process is to try to summarize what they heard today and then give that back to the Commission as a consent agenda item to make sure that they are in agreement with what staff heard. Then staff will move forward with the applicant from there. What he thought that he was hearing was to proceed forward with a Comp Plan Amendment process with one work session at a time to see whether they can decide when to cut loose from the CPA process and go to rezoning.

Mr. Ray stated that whatever the Planning Commission is comfortable with in terms of procedural matters is fine with them. The Commission understands the problem of adding to cost and he was sure that they would figure out the most expeditious way to help them out. Therefore, they do not have a problem with that.

In summary, the Planning Commission held a "Pre-Application Submittal" Work Session on the Dickerson Road Affordable Housing Project. The applicant presented several scenarios and basic concepts regarding the proposed development and asked for the Commission's guidance on the proposed project and the process for its review. The applicant has requested preliminary review of a potential development proposal before making application for either a Comprehensive Plan Amendment and/or a Zoning Map Amendment request. Staff asked the Commission to help the developers identify key issues in the proposed major development (ZMA, SP, CPA's, others), prior to expending significant amounts of money and time on a rezoning for a development proposal. Staff laid out five questions on important issues that they seek the Commission's direction on. These issues deal with the use, location and the review procedure, which are the most important issues right now for the staff to advise the applicant on how to pursue this project.

Generally the Commission was supportive of the proposal for affordable housing, but requested the applicant to provide additional information for future work sessions. The Commission felt that there was not enough specific information submitted for them to make definite comments on the review procedure, but with additional information they were willing to discuss ways to expedite the review. The Commission discussed the five questions posed by staff and provided comments and suggestions.

The Commission declined to make a decision on the appropriate review procedure (Comprehensive Plan amendment or ZMA review first) until additional information has been received for future work sessions. Staff will summarize the Commission's discussion and then give that back to the Commission as a consent agenda item to make sure that they are in agreement. Then staff will move forward that information to the applicant and discuss the next steps in the review process. Staff's summary of the Commission's action was to proceed forward with a Comp Plan Amendment process with one work session at a time to see whether they can decide when to cut loose from the CPA process and go to rezoning.

Old Business:

Mr. Edgerton asked if there was any old business. He distributed information regarding the proposed retreat and the proposed list of issues to address. He pointed out that he would take all of the lists and trim them down to just a few items before distributing them back to the Commission.

After discussion, the Commission set the date for the retreat for February 25 and 26. The retreat will start at dinner time on Friday night and end around 8:30 p.m. Then there would be a Saturday morning session until around noon. The Chairman will work out the details for the venue, the facilitator and who should be present from staff. It was suggested that the facilitator, Greg Kamptner, Wayne Cilimberg, David Benish and Sharon Taylor attend the retreat.

Mr. Edgerton asked what kind of notice needs to be done for the retreat.

Mr. Kamptner stated that the Commission would need to adjourn to that date, place and time of the special meeting at the prior regular Tuesday night meeting. Anybody who is on the mailing list for notices would need to be notified and the meeting notice would have to be posted in the various locations.

Mr. Craddock stated that the Mountaintop Committee was slowly moving forward. Monday afternoon they are suppose to come up with a consensus statement. Part of it will involve going to the Board of Supervisors for a tax increase for funding of the purchase of scenic rights, etc. Therefore, it is moving forward towards a consensus.

There being no further old business, the meeting proceeded.

New Business:

Mr. Edgerton asked if there was any new business.

Ms. Joseph stated that she would not be here next Tuesday.

There being no further new business, the meeting proceeded.

Adjournment:

With no further items, the meeting adjourned at 7:50 p.m. to the February 8, 2005 meeting.

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V. Wayne Cilimberg, Secretary

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