Albemarle County Planning Commission
February 21, 2006

The Albemarle County Planning Commission held a meeting and a public hearing on Tuesday, February 21, 2006, at 6:00 p.m., at the County Office Building, Room 241, Second Floor, 401 McIntire Road, Charlottesville, Virginia. Members attending were Bill Edgerton, Eric Strucko, Jon Cannon, Calvin Morris, Vice-Chairman, Pete Craddock and Marcia Joseph, Chairman. Absent was Jo Higgins. Julia Monteith, Senior Land Use Planner for the University of Virginia, representative for David J. Neuman, FAIA, Architect for University of Virginia was absent.

Other officials present were Wayne Cilimberg, Planning Director; Claudette Grant, Senior Planner; Elaine Echols, Principal Planner; Ron White, Director of Housing; Mark Graham, Director of Community Development and Greg Kamptner, Deputy County Attorney.

Call to Order and Establish Quorum:

Ms. Joseph called the regular meeting to order at 6:04 p.m. and established a quorum.

Other Matters Not Listed on the Agenda from the Public:

Ms. Joseph invited comment from the public on other matters not listed on the agenda. There being none, the meeting moved on to the next item.

Regular Items:

ZMA 2005-005 Liberty Hall (Cross Property) Sign #69
PROPOSAL: Rezone 8.01 acres from R1 (1 unit/acre) Residential to NMD Neighborhood Model District - residential (3 - 34 units/acre) mixed with commercial, service and industrial uses to allow an office building up to approx. 13,500 square feet in size and up to 53 residential units in single family, townhouses, and multifamily.
PROFFERS: Yes
EXISTING COMPREHENSIVE PLAN LAND USE/DENSITY: Crozet Master Plan designates the property CT3 Urban Edge: single family residential (net 3.5-6.5 units/acre) supporting uses such as religious institutions and schools and other small-scale non-residential uses, and CT4 Urban General: residential (net 4.5 units/acre single family, net 12 units/acre townhouses/apartments, net 18 units/acre mixed use) with supporting uses such as religious institutions and schools and mixed uses including retail/office
ENTRANCE CORRIDOR: Yes
LOCATION: Tax Map 56, Parcels 97A, 97A1, and 97 (only a .833 acre southwest portion of the property as shown on the General Development Plan) along Radford Lane near its intersection with Rockfish Gap Turnpike (Rt. 250 W)
MAGISTERIAL DISTRICT: White Hall
STAFF: Rebecca Ragsdale

Ms. Ragsdale summarized the staff report.

- This is an item that the Planning Commission held a work session on January 17, 2006. This is a rezoning of 8 acres located in Crozet from R-1, Residential to the Neighborhood Model District. The property is located off Route 250 near its intersection with Radford Lane. It is between Clover Lawn to the east and Cory Farm is adjacent to the project to the west. The proposal is for 53 residential units, which would be 8 apartments, 35 townhouses and 10 single-family units. At the work session in January staff gave the Commission several discussion topics that the Commission went through and either provided guidance or indicated that they were okay with the applicant's proposal. Those topics include: design and layout; residential density; amenities and green space; mixture of uses; mixture of housing types; road interconnections; affordable housing provisions, off-site impacts and proffers to mitigate those impacts.

- Following that meeting based on the Planning Commission's discussion and guidance on amenities and green space and some other comments, the applicant did submit revisions. Staff

will highlight those changes made to the plan. There are revisions to the plan, proffers and the Code of Development. Waiver requests were made following the work session in January.

- There was a lot of discussion at the work session about the amount of amenities provided within the development for both their functionality and acreage devoted to amenities. Also, there was some feedback on working with engineering staff. Following that discussion the amenities plan and the storm water management plan has been revised. Regarding the storm water management revisions, engineering is okay with the concepts as the applicant has proposed them. Once the final plans are in staff will review those concepts in detail. Also, the amenities areas have been increased. There was a pond that was placed underground and the amenities have been increased in two of the blocks of the project. The first block is the mixed use block, which would have the office building and two rows of townhouses and the condominium apartment units on the ends. Also, there are trails now which could potentially connect into the greenway system.

- Regarding Planning Commission comment about the design of the project, there were comments regarding garage doors within the project being front loaded. The applicant did submit some additional architectural information, which is on the board. This provides a picture of the townhouse units and what they would be like with the first floor garage and entry and then two levels above. There are some architectural details on that to address the repetitive nature of the garage doors. That is something that has not been incorporated into the Code of Development. Staff requests comment from the Planning Commission on the change in the garage doors. Those were the major changes to the plan.

- As far as proffers, the applicant did revise each of the proffers to increase the cash contribution from $1,000 per unit to roughly $3,000 per unit. That is consistent with the Wickham Pond I rezoning. There was some discussion at the last meeting about affordable housing and the time frame within the proffer for the County to provide a buyer for the units. Ron White, Housing Director, is present to help explain how the program works and why he is comfortable with the 90 day time period. The applicant did provide a more extended time period, which may be appropriate with this project. But, he wants to explain how it works and why it may not be appropriate with all projects. In addition, the traffic signalization proffer was modified so that it could be used for signalization at locations on Route 250 other than at Radford Lane. A new proffer was submitted since the last meeting proffering an overlot grading plan.

- Regarding the waiver requests, there were several sets of waivers made to both the zoning ordinance and the subdivision ordinance. The report staff goes through the zoning ordinance section 4.2 waiver requests in regards to critical slopes. Also, there was a section 4.0 zoning ordinance request for on-street parking. As a provision for planned districts in the Neighborhood Model, there is opportunity for applicants to request waivers to those sections. There are specific criteria that they went through. There are also subdivision ordinance sections that the applicant has requested waivers to. Staff noticed these inconsistencies with subdivision ordinance standards in the review of the rezoning, and therefore are bring that to your attention now. There is a different section of the subdivision ordinance that refers to conditions of approval criteria for the review of the waiver with the regard to the county engineer and sound engineering practices in accomplishing the goals of the Comprehensive Plan.

- With regard to those waivers, staff did not recommend approval of the critical slopes waiver based on the engineer review and what staff found in looking at the open space plan in the Crozet Master Plan. Staff recommended approval of the on-street parking request with the notes provided by zoning. There are some stipulations and it is a conditional approval. Zoning wants to provide the opportunity in the future based on the fact that the shared parking and the arrangements that are made are at the upper limit of what they are comfortable with. Zoning wants to make provisions for in the future if they have opportunities to remedy that situation. This is tied into the amenities revisions. In order to increase the amenities in block 1, they reduced the parking. So the amenity area notes would carry through, if Liberty Hall was approved, on future plans that area would be potential parking if needed.

- With regards to the subdivision ordinance section waivers, they were for sidewalks and planting strips. Within the right-of-way on the main road, Radford Lane, which goes into the project, the applicant was able to obtain right-of-way to make those improvements. Radford Lane would be improved to a public road according to VDOT standards. Staff recommended approval of a waiver on the west side for no sidewalk and street trees adjacent to the Masonic Lodge property, which is the property right on the corner of Radford Lane and 250. Then on the other side or the east side of Radford Lane there were waivers to the planting strip requirements. The proposal is to provide no planting strip from Route 250 to the connection with Clover Lawn and then a planting strip reduced in width the remainder of the intersection with Clover Lawn and what is termed road B on the application plan. Road B from that intersection eastward was the other road section where a waiver was requested for no planting strip or sidewalks on the south side of that road. All of the roads within the subdivision would meet the street section standards in the subdivision ordinance.

- Staff has more detailed information regarding density and the Crozet Master Plan, which Mr. Cilimberg will explain following the staff report. Staff's final conclusion regarding this request was that they could not recommend approval based on the factors regarding the critical slopes and at the time of the review the applicant had provided seven affordable units where the goal is 15 percent of the total number of units, which would be eight units. The applicant has since indicated that they will be willing to proffer the full 15 percent. It is one additional unit from what they were proffering before. Also, in regard to the density and intensity the overall project is below the Master Plan guidelines for the total number of units for the project. But, there are some portions of the site that have slightly higher densities than what was recommended in the Master Plan. Also, looking at Table One there are other considerations besides the density, which is lot coverage, number of stories with regard to the criteria factors in evaluating the rezoning. Overall, staff does not feel that the density is inappropriate for that site and it still fits within the concept of the Neighborhood Core in Crozet as suggested by the Master Plan. But, staff was not recommending approval based on their concerns.

Ms. Echols asked to provide a little more clarification about the critical slopes. As shown on the plan, there is a band of critical slopes that is adjacent to the road extension. That band of critical slopes is going to be disturbed with the disturbance of the road in that particular area. The engineer was most concerned that there was no good way to mitigate those impacts to keep the run off from going down that ravine towards Lickinghole. In talking to the engineer after receipt of his report in trying to get a better understanding of it, what he was trying to convey was that because of the road location there was no way that they could mitigate those impacts without having some run off issues. The engineer said that if they were to eliminate the road and not having that road connection in that location that they would eliminate those concerns. That was not crystal clear in the additional information. The Commission needs to identify whether they think that interconnection is essential. If the Commission feels that it is not an essential connection to the development, it is possible that there could be slight redesign of the plan so that they would not have that road going to the north. Then the impacts would not be so great.

Mr. Cilimberg asked to speak to the density matter. It is one that has become a focal point of some discussion regarding Crozet and the intentions of the Master Plan. For the community it is a matter of their attention and concern in some cases. For the Board of Supervisors, it was a matter that staff actually discussed with them back at their January meeting regarding what the Master Plan's result might be in terms of the density application, which was included in the table, which has been provided tonight. It is one of the tables within the Master Plan document. Table one speaks to a number of aspects of how the different place types in Crozet would develop under these guidelines. There are sections on general description, density, spatial enclosure and building siting. He asked that they step back a moment to the application of density traditionally as regards our Comprehensive Plan. Up through the latest Land Use Plan of the County in 1996, the densities were for gross land area. There were two density ranges in that plan of 3 to 6 dwelling units per acre for neighborhood density and 6.01 to as much as 34 dwelling units for what was considered urban density. Those planned designations were not used in the Crozet Master Plan. The Master Plan was really focused on a more urban type of form. There were different land use classifications used and essentially they were the various CT types that were to be applied to the different elements of the Crozet area. They were also reflected in the map for Crozet of place types. One of those

categories was density. Instead of speaking to gross residential density it speaks to net residential density. In staff's opinion, that is a different manner for trying to determine what density might be for a particular area. Under the Land Use Plan in 1996 using neighborhood and urban density category with the 3 to 6 and the 6 to 34 dwelling units per acre it was fairly easy to take gross acreage and calculate gross acreage in each category and determine what the density range would be. That would give the possible densities over a gross area. The net densities that could occur under the 1996 Land Use Plan might be greater than that because someone may decide through their particular project type that they are going to take their 6 dwelling units per acre that they can do over a gross area and fit that all within a smaller area that they are actually developing. That is the net area and where they would utilize their acreage. The net densities could be higher. Starting in the Crozet Plan from this net density, staff had to try to figure out a rule of thumb for applying that. Honestly, it was not something that came up during the Old Trail review, but it should have. The Old Trail review yielded numbers that were not based on an analysis of net density application. They were not based on information that they have since been able to get as to the actual acreage under the various categories in Crozet. They went through a process of digitizing the Crozet Master Plan to determine that, which was not part of the product provided in the Master Plan. Staff had to determine what could be a rule of thumb for determining net density in these various areas. Before they had to go and apply the multipliers that are seen in the table. Staff used 80 percent as the rule of thumb, which is on an across the board general basis. On 80 percent of the area they were estimating would be available for development within particular areas. That is where staff would then apply these density multipliers. Staff felt that these multipliers were intended to address the density that would be realized within the area that is actually being developed rather than over the entire gross area of a particular land area. So it yields somewhat a lower number than if you took those same multipliers and applied it to a gross area. That is how staff's analysis has been done for this Liberty Hall project as well as for the other project Wickham II that they have before them as a work session later on tonight. Table One on the first page under Crozet Master Plan indicates the CT types, the possible densities that the Table One, which was handed out, would provide for the gross acreage that is in Liberty Hall under the CT designations and the net area or the 80 percent area that would be considered the area to which these multipliers would be applied. That is why they come up with a maximum of Master Plan units that is based on taking the high end of each of the CT net density multipliers and applying it to that net acreage.

Mr. Edgerton stated that he had a question on the critical slopes issue for Ms. Echols. He asked if they were willing to forego that interconnection if it was the entire road to the north.

Ms. Echols stated that it was just the stub that goes up to the north part. There is another opportunity on the west to get to the property on the north. She stated that it would not mitigate all of the concerns, but it would mitigate a great deal of them. One of the other things that Mr. Brooks was concerned about was the fact that there might be some off site grading easements that were needed and he did not know whether that had been taken into account by the applicant. The applicant has said that they felt like they could do all of the work that they needed to do on their property. Mr. Brooks was not as convinced of that. She felt that potentially in taking that connection out they might be able to mitigate that. Staff has not discussed that option at length with the applicant, but only as an option. She did not know whether they wanted to do that or not. There may be some future development issues for the area north of there that the applicant has a desire to have that connection for. Staff really has not talked with the applicant about that in detail. If it is not needed for any future land development to the north, then staff's opinion is that they could take that connection out and have less of an impact on those slopes.

Mr. Edgerton asked if Mr. Cilimberg calculated things like critical slopes in the table within that 80 percent.

Mr. Cilimberg stated that the 80 percent factor was a rule of thumb that is looking at it across the board. That 80 percent would include that. Very honestly there could be some properties that are not even developable to 80 percent of their area. But, some would be developable to possibly 100 percent. So the 80 percent is not going to be totally 100 percent because they had to consider those things that were not part of the actual residential development, such as streets and park areas, etc. But, it is the rule of thumb that staff tried to come up with to generalize and reflect what could be in those kinds of conditions. In addition to the net residential density, which is certainly one of their guidelines, there are other areas shown in this table that are of importance in and of themselves. They are looking at a combination of whether the density is right and whether what they are getting in terms of the form of the development fits

the plan as well. That is why he felt that it was important for the Commission to be considering the variety of factors laid out in the table.

Mr. Edgerton felt that it would be dangerous to get too locked in on the hard numbers without looking at the land.

Mr. Cilimberg stated that it was just one of those pieces that staff wanted to make sure that they understood in terms of how it was being provided.

There being no further questions for staff, Ms. Joseph opened the public hearing and asked the applicant to come forward and address the Commission.

Vito Cetta, representative for Weather Hill Homes, supported the concept of the Comprehensive Plan to focus the densities in certain parts of our county and making them very urban. He presented a power point presentation that included examples of other projects he had built in Crozet with similar styles recommended in this proposed development. He realized that the Master Plan was still a little bit of work in progress and staff has interpreted it differently lately. An example, the affordable housing is calculated by taking 15 percent of the total. Previously it was done by taking the market rate units and adding 15 percent. So that has been adjusted. The 80 percent is something new. They are here to cooperate and to do a good job. They have cash proffers. They have the affordable housing.

Mr. Cannon asked if the road across the critical slopes was moveable from his standpoint.

Mr. Cetta stated that he met with Mr. Brooks and he said that a quarter of an acre was in critical slope and that this works on paper. It seems like it makes sense to put it in now. But, he would be happy to do anything that staff wants.

Ms. Joseph asked if the graphics for the garage doors was something that they would put into the Code of Development.

Mr. Cetta stated yes, that it definitely would be put in the Code of Development. They would also be prepared to proffer the architecture as well.

There being no further questions, Ms. Joseph invited public comment.

Scott Peyton stated that he would like to address the Commission this evening both as a life long resident of western Albemarle County and also as President of the Scenic 250. Scenic 250 is a citizen's organization of long standing that has been working cooperatively for over ten years with both concerned residents of the County as well as the county government to preserve and protect the rural and scenic nature and quality of the 250 west corridor. With regard to the Liberty Hall proposal he would like to address initially the commercial component that is proposed. He would like to reference the master planning process in which the citizens of Crozet spoke very specifically and directly to the desire that there not be a proliferation of additional commercial development along the 250 corridor. He would like to point out that the adjacent property to the east, Clover Lawn, and the commercial properties to the south, being the existing Blue Ridge Building Supply and the proposed Blue Ridge Shopping Center, are grandfathered Highway Commercial properties and should certainly not be taken as a precedent for rezoning additional properties along the 250 corridor from residential to commercial applications. He viewed that as being very counter to the extensive work that has been put into the master planning process. With regard to the residential density that is proposed, Scenic 250 strongly opposes that type of density directly accessing right onto 250 as being counter to the vision of the county to preserve and protect the existing nature of that highway. It would be better served for that density to be closer into the interior of the Crozet growth area where more appropriate infrastructure would be in place to service it.

David Wayland stated that he was a resident of Crozet and serves as President of the Crozet Community Association, but was not representing them tonight. He grew up in Crozet. He stated that he was very concerned about what was happening in their end of the county. Development after development is coming. They know it and sense it. He attended a number of the Master Plan meetings for several years. What they thought that they approved, of course, was 12,000 people for Crozet. They have been

told that they were mistaken about that because it was really 24,000 people. Next time it will be 36,000 people. At some point the Planning Commission and Board of Supervisors are going to have to say no. They have to say that they can't keep rising what has already been approved higher and higher and higher because it is just not going to work. They are going to have far more people than the Master Plan ever dreamed of or that the people of western Albemarle really want. He asked to leave the Commission with an image, which is a country image. He lives on a farm and has an apple orchard. He has frogs in his pond. When he was growing up they said do you know how to boil a frog. You don't put him in boiling water because it won't work that way. What you do is put the frog, which is Crozet, in a pot of cold water and you slowly turn up the heat and before you know it he is cooked. Crozet is being cooked slowly piece by piece. He felt that the people who have their hands on the controls are the Planning Commission and the Board of Supervisors. They don't want them to turn up the heat too fast. They want a slow growth according to the plan that has been approved. He asked that the Commission please listen to the citizens because they have lived there a long time and love their area. He asked that they keep it according to the plan that they want.

Tom Loach, resident of Crozet, stated that the original DISC report shows that the ideal maximum population for Crozet should be 12,198. The Master Plan has eleven references to the population of 12,000 and not one to a population over that number. There is now a petition in Crozet to maintain the Master Plan at 12,000. There are over 1,000 signatures and it is still growing every day. That is 1,000 people who are probably wishing that they never heard of the Master Plan. He felt that the county has deliberately defrauded the community of Crozet with this new 20 year/24,000 model and challenged them to produce any evidence tonight to that, which they have not done to date. He felt that the community in the end would prevail just by the nature of their community. The only question there is now is how much damage will be done before they win.

Ellen Waugh, adjacent property owner, stated that most of what she was going to say has already been said. But, as an adjacent property owner she would like to reiterate that the density question is out of whack with this particular lot since it was on 8 to 10 acres. She was also concerned with the road coming in. She is concerned because there is really no other way in or out at the present time nor would there be for a long time in the future until monies are approved. She thanked the developer for the work he has done on the plan. She underscored the escalating density as one of her concerns. She questioned if there was a cap on the height of the commercial buildings. She asked that staff take a look at the commercial and retail space.

Mary Rice asked to pick up on where the last speaker left off. This area is CT-3 and CT-4. She encouraged the Commission to get their Master Plans out and review Table one. In Table one under CT-4 in the general description it says developed with the highest and says it supports the center (a neighborhood) with a variety of residential types and some mixture of uses. But, if you turn the page to Table two it gets more specific about that mixture of uses. This is a neighborhood/village in a CT-4. Under limited it says, which is the summary of uses, houses, row houses, accessory units, bed and breakfasts, inns, home offices on first floors and auxiliary building, childcare, coffee houses, neighborhood and convenience stores, craftsman workshop and bicycle and furniture repairs. Then go down to office. It says live work unit home office commercial first floor with residential over. There are no commercial offices like this in CT-4. This is CT-5. So I would hope that the Commission would look very carefully at this. She worked hard on the Master Plan and felt that they have to follow it as closely as they can. Secondly, she would like to bring up the density for two reasons. The first one is that she remembers back when this was designated in the neighborhood by the consultants because of the grandfathered grocery stored that is going in there. That grocery store that is designated for the purple area was grandfathered. So the consultant said that well wouldn't it be a good idea to make this a neighborhood. She felt that they have to look hard at the densities considering the western build out and they know there is going to be a village in the center of Old Trail and then downtown. She asked how much density they really want out around this grocery store. Of course, the last thing she wanted to bring up about the density is if you take the 3,500 people who are living in Crozet as of June, 2005 and you add in all of the currently rezoned and to be built areas with the Cross property and Wickham Pond II they are up to a total of 10,549 people. That is not in the county pipeline. That does not include Peyton Place, the addition of Parkside, West Hall Phase 3, 4 and 5 and the Meadows expansion. It does not include those. This is only using a 2.4 multiplier for things that have currently been rezoned.

Barbara Westbrook stated that her family has lived in Crozet since the 1920's. She has no problem with the plan and felt that it was very good. However, her concerns are for Crozet starting with 250, which is already overcrowded. She understood that Route 250 could not be widened. It is increasing the amount of traffic on Route 250, particularly going into the Charlottesville in the morning. People are not using I-64 from Crozet because of all of the school traffic. The traffic for this project and Wickham Pond should be a real consideration. Route 240 is already overcrowded. Route 250 is slowly turning into a 29 North with more and more commercial space. In addition, she felt that they don't have a really good count on the actual population, including what has already been rezoned. She suggested that future applications for rezoning should be put on hold until they get an actual count. Once they go over and allow more than is in the Master Plan, then there is nothing that can be done about it. She wished that there was a way that they could know the exact number of people that live in this area and are in the works for moving here.

Jeff Werner, representative for Piedmont Environmental Council, stated that he wanted to address two things. One, is that there is nothing in particular about this project except that it is just more growth. He felt that the public has asked some good questions. Everybody says yes growth in the growth area. But, now folks are beginning to ask how much growth in the growth area. The current Comp Plan is a 20 year plan and not a 20 month plan or a 20 week plan. He has been tracking projects that are currently in the pipeline. Some of the projects have already been approved. Some are just Comp Plan Amendments. This includes Biscuit Run, North Point, Rivanna Village and Albemarle Place. It is almost 14,000 dwelling units in the county's pipeline. These projects are ready to go once they get approved. Because this is growth in the growth area he felt that the Board will approve them. For some context, between 1984 and 2004 in the growth area the county issued building permits for less than 1,200 dwelling units. So what is the rush in the development community to get these things into the pipeline? What they like to tell you is that they are doing it so they can build affordable housing. Of course, we know that is not happening. He noted what he was most concerned about was that they know that the national scaled builders, such as Ryan Homes, will not buy land unless it has been rezoned. So that is also happening. They are being told that they have to approve these projects or they can't build affordable housing. He voiced concern about the proffer on affordable housing that gives the county 90 days to find somebody or the developer is putting the units back on the market. If they really are concerned about building affordable housing, then make these units affordable. If it takes 9 days, 90 days or 190 days, let's get somebody in that house that needs affordable housing. If at the end of a period of time that they are finding that nobody is buying these units that are affordable, then maybe they need to figure out what exactly is going on. If the community has to accept density in the name of affordable housing, then make these units affordable and available to the folks that need them. He felt that something was really wrong here and that the Crozet folks have really got it right. Let's slow down, take this list and figure out what has been approved. Let's figure out where we are. Quite frankly, 14,000 units at about 2.5 persons per dwelling units are about 30,000 people. He asked that the Commission really think about this.

There being no further public comment, Ms. Joseph closed the public hearing to bring the matter before the Commission.

Mr. Edgerton asked Ron White to give the Commission a reason, even though the developer is willing to extend that 90 days, why we don't need to extend it. He did not understand what the harm would be in extending the 90 day turn around.

Ron White, Director of Housing, stated that there is no problem with an extension of 90 days. The question that was asked was why do we have 90 days and what does that 90 day period mean. He felt that they had talked about that in context with the density bonus. The 90 days is really the period of time that they felt that they needed to have prior to the house being completed. They have had developers come to them and say that they want to give notice when they have a site plan approved and they are going to pre-sale these units. The population which they are dealing with is not move up home buyers, but are first time home buyers who would need to see a product before they are going to sign a contract. The 90 day period is a formal period that is nailed down close enough to a time that unit is likely to be occupied. It does not include a period of time for closing. The 90 days is intended to be the period of time for if they had not already had a buyer identified and ready that they would get a buyer identified and ready. Or it might not be coming from his office. A sales agent for the developer may send someone to his office. The county or PHA or anybody else is not going to find everybody for all of these units, but will come from other referrals. The 90 days is the period of time that there will be an executed and accepted

purchase contract. The closing takes place beyond those 90 days. That time does not count. Extending that time period is no problem whether it is 150 or 180 days. But, the idea of the 90 days was really the concept that it is sold. When they find out that the site plan has been approved they are going to start looking for people based on that. The 90 days is like a formal written statement that this unit with 3 bedrooms, two baths and whatever amenities will be available at such a date. The dialogue with the developers and lenders is intended to be much longer than that 90 day formal procurement.

Mr. Edgerton voiced concerns about limiting it to 90 days because he did not want to give up the promise that was being made to them for affordable units in these projects. He suggested that they get away from the 90 days and to make more of a commitment to it. He felt that what it was all about was that there was a need for affordable housing. He did not want it extinguished after 90 days for any reasons.

Mr. White stated that they needed guidance from the Commission and the Board on whatever period of time it was and whether that period goes past the date that unit receives a CO.

Ms. Joseph questioned why they have a time limitation because when they approved 15 percent housing they just assumed that it was there forever and it would not extinguish within a certain limit of time.

Mr. Edgerton stated that they needed to figure out a way to ensure that it stay affordable.

Ms. Joseph felt that the major concern was to make sure that the unit could not be flipped and somebody makes a whole lot of money on it once they have bought it. She thought that they were providing affordable housing stock and not just crossing their fingers and hoping that it would work within 90 days.

Mr. White stated that to ensure beyond exercising or enforcing the proffer to provide any other assurance that number one, the units get built; number two, the units are affordable; and number 3, the units remain affordable for a period of time whether it is 10 or 15 years. That will require covenants to be recorded with the properties, which is something that he is writing up now to bring back to the Commission as a decision with the density bonus. But, it may also be something that they might want to consider. That was not a discussion that they had with the advisory committee that had a number of developers on it. One view is that these are proffers that we are getting. There are currently 400 plus units proffered. They have about three quarters of a million dollars of cash proffers now. They are seeing proffers of 15 percent of developments. Another way of looking at that is if they go the route of adopting an ordinance that puts covenants and restrictions on those properties will they continue to get proffers.

Mr. Morris asked if the 90 day period based on any data that was accumulated from other localities that have affordable housing.

Mr. White stated that he would have to go back and look at the period that Fairfax has, but that they are able to buy the units if they are not sold on the market. He noted that the county does not have the resources to buy the units to keep them affordable.

Mr. Craddock asked if he was happy with the type of stock that Mr. Cetta has proposed and if they already have people in line for things like this in that area.

Mr. White stated that they have very few people that have gone through their home buyer's club or people who have gone through PHA's counseling program that could purchase a home for $170,000 or $180,000 without some level of subsidy. There are quite a few people who could carry $135,000 to $150,000 mortgage. The type of unit is another question. If they could go across the mountain and buy something other than a stacked flat in that price range, which he was not sure if they could do now, that it would come down to a housing choice. But, he felt that the price range is certainly attractive. They don't have any history of this type of housing type in this locality. So it is going to take some market acceptance of any type of new unit that comes along. He stated that they were talking about some type of attached product.

After discussion, the Planning Commission was supportive that this 90 day period be removed.

Ms. Joseph pointed out that these were problems that the Commission needs to take up at a future work session. She pointed out that Mr. Cetta had extended the proffer from 90 days to 120 days.

Mr. Cilimberg stated that whatever the number of days might be that their way of accepting or rejecting that is through proffers. Therefore, the Commission could not establish that number because it would be whatever they get through the proffer.

Mr. Cannon suggested that some market data on this issue should be provided to the Commission.

Mr. White stated that the market data for the days that the all units are on the market in Albemarle County is less than 50 days.

Ms. Joseph stated that the other issue that they were hearing a lot of concern about was the density issue. She felt that Ms. Ragsdale explained that to the Commission and now they needed to decide whether they want to look at the high end of the density or whether they think that it should be more moderate.

Mr. Strucko asked if the current zoning has 11 units by right on this property.

Ms. Ragsdale stated that it was 8 acres zoned R-2 so that with the bonuses it would be 11 units.

Mr. Strucko stated that he shared the concern with the density. The Crozet Master Plan has this area as being developed along the CT-3 line. But, he was concerned about the traffic along 250 and it moving east of Charlottesville. Also, he was concerned about some of the comments that the public made regarding flow to I-64, which was the intended to be the east/west corridor between Crozet and Charlottesville. He respects the concept of Scenic 250 and any kind of traffic impact on 250 between Crozet and Charlottesville is a concern. He was also concerned about the proposed commercial use there. Any kind of generic office building always caused him a little alarm because he did not know exactly what uses would be used in there. Certainly the Master Plan was clear about what to use in a CT-4 area, which was more the neighborhood level commercial use. It was not to attract additional cars from outside the area in. Again, he has a concern about that which goes to the traffic coming in. He also has concerns about the critical slopes in a water sensitive area. They already talked about the park, the pond and affordable housing. The virtue of this project as proposed is that it proposing 9 single-family detached and 40 units that are attached in some form or fashion and that gets us closer to the affordability issue. There are other impacts that off set it, such as the impact on 250; the general density of the area moving from its original zoning to something much higher from 11 units to 50+.

Ms. Joseph stated that as you look at page 2 staff has given us a little table. The explanation is that they are looking at the higher end of the density. They have heard a lot from the neighbors. She asked if that is the density that they envisioned. She knew that they were trying to build in our growth areas. They are trying to make sure that is where the growth occurs. Is it the intent to go high in every place? She noted that she did not know. But, there has been a lot of concern because of what people thought was going to happen for the Master Plan and what's happening now. It is very difficult because they have this document in place now that says that they can have these certain densities. So how do they deal with what we think might have been a misunderstanding at this point?

Mr. Strucko stated that it was a balancing act. They want to concentrate the development and growth inside a designated growth area, but they don't want to overwhelm it so it suddenly becomes an undesirable place to live. It certainly overwhelms the existing infrastructure there. Again, there are no plans to widen 250. That has been a long standing county policy. Suddenly they have a corner of the Crozet Master Plan that will get an intensity of uses that is more intense than it already is. With Cory Farms already there he was not certain that this won't push it over the edge of something that is a complex tangle or something that is not a desirable place that does not facilitate the movement of people in a neighborhood where they want to live. He shared the concerns with the population figures. He attended the Crozet master planning work sessions over a course of a year, too. He agreed that it was never the intent of that community to create a mini city out there one-half the size of Charlottesville. But, be that as it may they do have the map in front of us and the plans laid out do call for some development in this area. He felt that the question was the extent of that development.

Mr. Edgerton shared all of his concerns. But, one of the things he was struggling with that they heard loud and clear from all of the neighbors the concern about this new dilemma of 24,000 versus 12,000. He felt that jury was still out on what number is the right number. They do have a Master Plan that was adopted by this county. Our commitment to this county is to direct growth into the growth area and to preserve the rural areas. He felt that 75 to 80 percent of the county wants to preserve it. This plan, if he was reading the numbers correctly with net acreage versus real acres versus maximum units the Master Plan called for 30.99 in the CT-3 area. But, on the plan they are proposing 31. The Master Plan called for 29.52 in the CT-4 area, and the plan is recommending 22. So they are about 7 short of what the Master Plan calls for. He did hear one comment that gave him great cause from Mary Rice, which he needed some help from staff on, about whether what is being proposed for the commercial is in fact appropriate for CT-4 or CT-5. The plan is very clear that this one little section of the Master Plan that is part of this property is CT-4 and they should not be putting CT-5 development in a CT-4 area. He felt that was an appropriate concern. But, he felt as a Commission that they have responsibility to respect the Master Plan. If they don't like the Master Plan, then they need to amend it, and they are constantly going through that. But, they do have an acceptable adopted Master Plan for Crozet in the Comprehensive Plan. He opposed deviating from that because of some unknown numbers that may or may not happen. They have made an enormous amount of commitment to this community to direct growth into this community with infrastructure that has gone in over the years. It is not available anywhere else in the county.

Mr. Morris asked staff to provide some clarification on that concerning the CT-4 and CT-5.

Ms. Ragsdale stated that was a topic that the Commission had discussed at the work session. Staff did provide some analysis and feedback on the plan. In this case that office building is right on the line of the CT-4/CT-5 area, which are not precise lines on the ground. Staff brought that up at that Planning Commission meeting. They are only proposing office uses for that building, which would be administrative, professional or government uses. It could be medical. There would be parking issues if it was dental. But, those are the only uses that are allowed per the Code of Development for that building. She felt that was some of the factors that got them to that being appropriate in the CT-4 area looking at it in the context of the neighborhood and what exactly they were proposing.

Mr. Edgerton asked if the CT-5 was the purple area.

Ms. Ragsdale stated that the CT-5 was the dark purple area.

Mr. Edgerton asked if all of that area was grandfathered before the Master Plan was done.

Ms. Ragsdale stated that there was some prior commercial property. As far as this particular neighborhood in Crozet she had mentioned last time that it was the only one that has development across 250. The remainder of the Crozet development area boundary with the rural area is Route 250. So through the Master Plan they may have been responding to that. It was identified as a center through the Master Plan process based on some of the pre-Neighborhood Model pre-Crozet Master Plan factors, but that zoning that was mentioned earlier. The property that is CT-5 south of the office building that they have been talking about is the Masonic Lodge property just for reference. That is the background as far as that neighborhood goes. With regards to the office building, the ARB provided some preliminary comments and will review the building again and make sure that their comments are addressed. But, the drawing elevation that the applicant has provided she is not sure if it does or does not address their comments.

Mr. Strucko asked what prevents retail uses in this office building.

Ms. Ragsdale stated that they simply were not allowed. The Neighborhood Model Code of Development establishes these zoning uses that are allowed. If the building gets built and someone comes in to occupy that building there is a system with zoning that requires a zoning clearance. At that time staff would check to make sure that use is allowed. There is a system, which would be checked off along the way throughout the site plan and then a zoning clearance. The retail uses would not be allowed.

Ms. Echols stated that the Code of Development that the applicant establishes themselves is what governs what uses are in there. The applicant is saying that they don't want any retail and they are putting that in their Code, which is their zoning. The applicant is asking only for office and no retail.

Mr. Morris agreed with Mr. Edgerton that they have to look at the Master Plan and judge it on that. He stated that he could not support this particular petition simply because of the critical slopes and the storm water management. Other than that it meets the criteria as far as he was concerned.

Ms. Joseph asked if he was okay with the density, and Mr. Morris replied yes.

Mr. Cannon stated that he was hearing serious issues from the public. But, the issues seem to relate more to generic problems than to the merits of this particular proposal apart from the steep slopes and storm water issues, which the applicant is prepared to deal with in whatever way they direct. He hears concerns about population ceiling in Crozet, which is an open issue and has to be dealt with. But, right now they were not busting the 12,000 ceiling yet with the information that they have. If somebody has information to the contrary he would be interested to know. The other concern that he hears is pace. Even if they wanted to build out to a certain amount, are they doing it too fast in a way that is putting pressure on? But, they don't have any rules or guidelines for pace. So to take one development arbitrarily and say stop or don't when it otherwise meets our criteria is very difficult and problematic for the Commission. He felt that those two generic issues have to be pursued, but they have to be pursued separately from the merits of this particular application.

Ms. Joseph asked staff if they are tallying this as development comes into the Crozet area. She asked if staff is keeping a list of what they have got and what is coming in so that they know just about how many units are being created.

Mr. Cilimberg stated that staff has actually very recently just about completed the list and they can provide it to the Commission. The question of whether or not they are getting to a number of units that yields 12,000 people is dependent upon not only the rezonings that might occur, but also subdivision and site plan development under by right conditions. He felt that what they have found in the numbers is that the number of units between rezonings, site plans and subdivisions that have been approved are those that are working through the process and could very well yield the 12,000 population if they were all developed. He asked to step back to something because he felt that there has been a good question raised regarding the whole issue of the 12,000 so that the Commission understands what the Board was told back in January. The 12,000 from the point of view of staff interpreting the plan has been that was a population that was anticipated in the 20 year period of the plan to be the population of Crozet. Infrastructure needs to be programmed according to that. There was actually in the plan an estimate of population growth that would occur and infrastructure was identified in accordance with that. For the community he thought that their feeling was very definitely from what they were hearing that the 12,000 was to be the true build out of Crozet. Staff discussed with the Board a perspective of staff versus the community. Staff really asked the Board at that time to provide us guidance because there were two very different interpretations. What staff did analysis using GIS data and removing areas that were not to be developed according to the Master Plan is that if you look at the ranges in the table, the possibilities of densities ranged in the CT-3 from 3.5 to 6.5. The CT-4 ranged from 4.5 to 18. That is a wide range particularly in the second case. Even when staff took away the rule of thumb of 80 percent, when they applied the 80 percent of area that was undeveloped or could be further developed under the plan within the CT areas that was subject to development and utilizing ranges that exist in the plan, staff got units that could yield an estimated population of between 13,000 plus and 24,000. The 24,000 was the top end if Crozet built out to the maximum. If you saw all of Crozet's CT's areas developed under the maximum of these multipliers. So it is not the only figure that was provided to the Board. It was the top end of the range. The low end of the range was as he indicated a little over 13,000 as total population. Where Crozet would really fall as development occurs is over a 20 year or more period because really 20 years is a planning period. It could be beyond that when the development might occur. It is really subject to how these projects actually build out based on the market condition's demand for types of units and so forth. Staff's feeling was that they did not think that it was likely that Crozet was going to build out close to that maximum. Their experience with other big rezonings has been that most of them don't build out above usually 70 percent of what they could theoretically achieve. But, that will probably vary from project to project. A project like this, which is very small scale, has a much shorter build out period that it

is targeting its products to than an Old Trail, which is a much larger project than this one and has a much longer build out period. It is hard to judge how the pace is going to play out. This is not just an issue for Crozet really, but the question of how the pace of all of our development areas might build out under the approved rezonings that have already been made or may occur. What it is building is this larger and larger inventory of potential units that our experience in actual year by year building permit data says will be chasing a 1,000 or less dwelling units per year. That is not just in the development area, but is also in the rural areas. So where they end up going is going to be a product of what happens in the market. Whether that inventory is too high or not has never been judged in our plan. It is something that staff is going to have to track. As each of these master plans are completed they need to go back to them at least in the five year period when they normally want to review Comp Plan components to see what is happening in that particular location. Staff will want to look now and down the road before that five year point in what is happening in Crozet. First, they have the rezonings that build the inventory potential. Then they have the building permits that many times will rush right out of the rezoning. Old Trail, as an example, has had a lot of building permit activity. Then you have the actually construction, sale and occupancy of the units. Really they cannot get the real judgment of how the development is occurring until you start looking at how these units are actually getting occupied over a period of time. Therefore, it is not something that staff can immediately judge. But, that is where the real result occurs in how much development is occurring in an area. From what they saw in the building permit data last year, which they assume will turn into certificate of occupancies at some point in the near future, Crozet was by a fair margin the area of greatest building permit activity. One of the reasons is that it was the place where there was project possibilities to turn into units because they have run out of inventory of potential units that have been approved in rezonings by last years in some of the other development areas. So a lot of the focus was going to Crozet. How the approval of a Belvedere, as an example, is going to change that, they have not seen yet. He asked to stress that there was a real important fundamental point that the community has identified that staff has tried to also respond with the facts as best as they can. The Board had discussion about that and may again. But, in real terms when you look at the actual GIS data regarding all of the under developed and undeveloped property in Crozet that could be developed under the Master Plan designations and you apply the ranges that exists in the Master Plan to the net areas that they determined based on that rule of thumb they are looking at a potential population of Crozet at ultimate build out beyond 20 years potentially of between 13,000 plus and 24,000.

Ms. Joseph asked when the Board discussed this if they talked about the pace of development.

Mr. Cilimberg stated that they really did not at that meeting talk about the pace. But, they did on that day have another rezoning before them that was Wickham Pond 1, which was approved. He felt that the vote was 5:1. There was one Board member who did not vote for it and felt that in its location it was not contributing to the infrastructure of the Master Plan that Board member felt was important.

Mr. Strucko stated that Mr. Cilimberg just mentioned the sequence of ranges. When they assume that this 50 plus unit proposal falls within the Crozet Master Plan designated density is staff assuming the upper end of the range or the lower end of the range.

Ms. Ragsdale stated that was with the maximum end of the range. The minimum is 3.5 to 4.5 units per acre.

Mr. Strucko stated that this project was assuming 6.

Mr. Craddock stated that he appreciated Mr. Cilimberg's explanation about the 12,000. He agreed with Mr. Edgerton about the growth area because that is where they would want the growth to go. Regarding the density, if it does not meet a need that is out there, then no one is going to buy it and the applicant will adjust from there. There is a road that goes back to somebody's house on that small critical slope. He felt that it has already been said that the applicant can adjust that and take care of it. Because it appears that the commercial building is in CT-4 he has no problem with it.

Ms. Joseph stated that what she was hearing was that they do have an approved Master Plan and they need some time to look at some of these projects as they come in. She liked the fact that staff is keeping a tally. She suggested that the tally be attached to the staff report each time a rezoning comes in for the Crozet area so they all know what is going on as far as the population. She felt that it was something that

was more Board related as a remedy than it is the Commission. Related to the Commission is the remedy in trying to determine what is right or not right as far as the projected population in Crozet is concerned. She supported the proposal without intrusion into the critical slopes. She still had some problems with the time limitations on the affordable housing, and would like to now see that again in the proffers. However, it has been used in the past and Mr. Cetta has offered to increase that time. She felt that there has to be some other way to do it. When they tell the public that they are getting 15 percent affordable housing they walk around and feel really great about it. But, when they realize that it is merely there for 90 days and then it is gone she felt that was disturbing. At that point the builder can strip out the cheaper amenities and put in some fancy amenities and up the price. She felt that would eliminate their affordable housing. There is an issue on the critical slopes. She felt that the solution was to not have that connecting road, which was given by Glenn Brooks, so that it would not be draining into Lickinghole Creek.

Mr. Morris stated that he was not in favor of touching those critical slopes.

Mr. Strucko stated that he could not support the proposal because of the critical slopes and the density issue. He felt that Route 250 is not designed to handle this type of traffic. The densities in the area would not lend itself for use of I-64 as the east/west corridor. Therefore, he was concerned about the communities between Crozet and Charlottesville with the traffic. Since the Master Plan has a range of uses, he felt that this project could have less density and still comply with the Crozet Master Plan. Therefore, he was hoping for something with less density.

Action on ZMA-2005-005:

Motion: Mr. Morris moved, Mr. Strucko seconded, to recommend denial of ZMA-2005-005, Liberty Hall because critical slope disturbance, along with erosion and sediment control measures adjacent to those slopes, have not been adequately resolved with the latest revised plan.

The motion passed by a vote of 6:0. (Commissioner Higgins was absent.)

Ms. Joseph stated that ZMA-2005-005, Liberty Hall, would go to the Board of Supervisors on March 15 with a recommendation for denial.

Mr. Cilimberg stated that the Commission mentioned the tabulation of development. Staff will finalize that table and provide it to the Commission and the public.

Action on Waiver from Section 4.2 Critical Slopes:

Motion: Mr. Edgerton moved, Mr. Morris seconded, to deny the waiver request from Section 4.2 Critical Slopes for ZMA-2005-005, Liberty Hall for the reasons stated by staff in the report. As per the Engineering staff's review, "Without moving the road and reducing the area for the lots, no other alternatives appear feasible."

The motion passed by a vote of 6:0. (Commissioner Higgins was absent.)

Action on Waiver from Section 4.12.9(a) On-Street Parking:

Motion: Mr. Morris moved, Mr. Craddock seconded, to approve the waiver request from Section 4.12.9(a) On-Street Parking for ZMA-2005-005, Liberty Hall subject to the conditions of approval related to the shared parking agreement listed in the staff report:

1. The parking calculations on page 30 in the Code of Development must be revised to indicate that the residential units require a total of 48 spaces rather than 50 spaces. Since the condominiums do not have on-site parking they require 2 spaces per unit.

2. Note on the Plan that the commercial building in Block 1 is limited to uses that require no more than 1 space per 200 square feet of net office floor area.

3. Note on the Plan that an instrument assuring the maintenance of the 18 shared spaces must be recorded when the Block is subdivided or converted to a condominium regime.

4. A note placed on the plan that reserves the area next to the parking lot for future parking.

The motion passed by a vote of 4:2. (Commissioners Strucko and Edgerton voted nay.) (Commissioner Higgins was absent.)

Radford Lane/Road A - Action on Waiver from Section 14.422 Sidewalks and Planting Strips:

Motion: Mr. Craddock moved, Mr. Cannon seconded, to approve the waiver request from Section 14-222 Sidewalks and Planting Strips as recommended by staff for Radford Lane/Road A in ZMA-2005-005, Liberty Hall.

The motion passed by a vote of 5:1. (Commissioner Edgerton voted nay.) (Commissioner Higgins was absent.)

Road B - Action on Waiver from Section 14.422 Sidewalks and Planting Strips:

Motion: Mr. Edgerton moved, Mr. Strucko seconded, to deny the waiver requests from Section 14-422 Sidewalks and Planting Strips for Road B in ZMA-2005-005, Liberty Hall because there is no need to approve the proposal at the maximum range due to the critical slope and density issues and the road has to be widened.

The motion passed by a vote of 4:2. (Commissioner Craddock and Cannon voted nay.) (Commissioner Higgins was absent.)

Ms. Joseph stated that the Planning Commission recommended denial of the waiver request, which means that the applicant has to put in the sidewalk and the planting strip unless the Board changes it.

***Work sessions**:*

ZMA 2005-018 Wickham Pond – Phase II (Sign #7)
PROPOSAL: Rezone 21.35 acres from RA - Rural Areas: agricultural, forestal, and fishery uses; residential density (.05 unit/acre) to NMD Neighborhood Model District - residential (3 - 34 units/acre) mixed with commercial, service and industrial uses. Maximum number proposed residential units: Approximately 124. Approximately 41,000 sq. ft. commercial uses.
PROFFERS: Yes
EXISTING COMPREHENSIVE PLAN LAND USE/DENSITY: Corridor General (CT4) - mixed residential and commercial uses (net 4.5 units per acre for SFD, sfa & duplexes) (net 12 units per acre for townhouses and apartments) (net 18 units per acre for mixed use). Urban Edge (CT3) - supports center with predominately residential uses, especially single-family detached (net 3.5-4.5 units per acre) (net 6.5 units per acre if accessory apartments are added for 50% of the residential stock). Development Area Reserve (CT2) and Preserve (CT1) - development area open space preserve or reserve with very low residential density (net 1 unit per 20 acres).
LOCATION: Tax Map 56 Parcel 91. Between Route 240 and the C & O railroad. Approximately 2,200 feet from intersection of Route 240 and Highlands Drive.
ENTRANCE CORRIDOR: Yes
MAGISTERIAL DISTRICT: White Hall
STAFF: Claudette Grant

The Commission is asked to provide feedback on the issues mentioned in this report. Once the Commission has weighed in on these issues, the applicant will complete submittal for a public hearing.

In summary, the Planning Commission held the second work session on ZMA-2005-018, Wickham Pond – Phase II, to review the applicant's redesigned site/plan with particular changes to the front of the site and the commercial uses. The Commission reviewed and discussed the proposal with staff and the

applicant, and then responded to the preliminary questions posed by staff. The Commission provided the following feedback on the issues mentioned in the staff report as follows:

- The Commission agreed with staff that the changed design at the front of the project is the beginning of an excellent response to their prior comments.
- The overall density needs to be lowered or scaled down. The applicant should clarify the lot coverage and height.
- The height and scale of the units facing Route 240 was an issue. The Commission suggested that at least the front two buildings should be reduced to two-story structures.
- The road interconnection should be left in plan as an option. But, some concern was raised concerning the crossing of the stream with the interconnection into the CT1 zone.
- The shift in the entrance would be acceptable. The Commission liked the green space.
- The affordable housing number is low and needs to be looked at and to provide more.

Ms. Joseph said that ZMA-2005-018, Wickham Pond, Phase II will be scheduled for public hearing to receive public comments after the applicant completes their submittal.

Old Business:

Ms. Joseph asked if there was any old business.

Community Development Work Program, Legislative Review Process, and ARB Staffing and Budget - Mark Graham

- Mark Graham provided a brief overview of some discussions that have happened with the Board of Supervisors. During February the following three items were discussed together:
  1. Five-year work plan for Community Development.
  2. A Development Review Process Task Force that would potentially be created to look at legislative processes to see what could be done to improve the processes.
  3. Whether the Board as part of looking at ways to improve the legislative review processes was interested in the County developing a proffer policy. This was previously discussed this evening. The Board felt that it was premature for them to start on a proffer policy at this point mainly because of the time and effort that was going to require and other things that they saw on the work plan that they thought were much more important to have completed. In other words, they did not want to see staff's effort to get diluted and possibly delay some of those other items.

- The Board asked to focus on the ways to improve the process. Specifically, the things that they were interested in looking at were:
  - The public input. When the public was having an opportunity to participate in the decisions and making sure that the public had their input before decisions were really made.
  - The timeliness of review. Whether items are getting reviewed quickly enough to allow the applicant time to respond to issues.
  - The quality of the review. Whether staff is doing a good enough job as far as covering the issues and defining it.
  - The quality of the approved plans. Whether the plans that are getting reviewed and approved are actually good enough that they are not going to have issues with them down the road.
  - The complexity of the review. This somewhat relates back to the number of issues or the 102 issues that they cover. Has the review gotten so complicated that it is very difficult to speed up the timeliness of that review?
  - The thoroughness of the review. This was a separate issue to the quality of the review.
  - The clarity of expectations in the review. This is making sure that it is understood before submissions were made what was going to be required for those submissions.
  - The ease of the review process. Just how difficult was it for the applicant to understand what was expected of them in the whole process.
  - The efficiency of the review process. How much effort were they wasting as far as trying to get things reviewed?

- The review processes in the Rural Areas versus the Development Area. Is it more complicated to review things in the Development Area and that is in someway or form shifting some of the development into the Rural Areas.
- Staff asked the Board to consider two other things to be considered with the Task Force if they form it at the March meeting. One was the County resources required to implement whatever recommendations this task force comes up with. In other words, it is great to say that they have to speed up the reviews, but they are going to do all of these things. But, if that is going to take 14 reviewers, they need to make sure that it is identified what that is. The second item associated with any additional resources is the funding source for those resources. How is that going to be paid for? Is that something that the County tax payers would be bearing or is it something that the applicant should be bearing through development review fees?

- The idea is that the task force would work for six months. It will have a recommendation to the Board within six months. The composition of the task force is still somewhat up in the air. The original proposal from Mr. Boyd was that it has 2 Board members, 1 Planning Commission member, 2 members of the development community and 2 members of the community at large. There was some discussion by the Board whether additional Planning Commissioners should be on there, but nothing has been decided.
- There was some interest expressed by some of the Board members to try to tie that task force recommendations with other issues that are being brought forward that are being worked on by staff. Particularly, that includes the phasing and the clustering in the Rural Areas as well as the Mountain Overlay District recommendation. That was one of the ideas on the table.
- Another issue discussed with this task force was how much staff it was going to take to work with them. Working in our five-year work plan they actually laid out a number of things and asked them what things would they like to consider possibly delaying if it proved necessary to provide staffing for this task force. Among the things noted were under the Comprehensive Plan updates, which was economic development. That was one that was felt that could possibly be shifted back. Other Comprehensive Plan implementation was the country stores and critical slopes.
- In March, the Board is going to try to establish this task force and try to have it up and running. In six months the Board hopes to have their recommendations.
- Staff has looked at the Five-year plan in their annual update to the Board to try to look at our Comprehensive Plan and what it is they need to do to make sure that they have something laid out so that they can be consistent with State law as far as the five-year review of our Comprehensive Plan. Staff decided to put in the other things that compete for those staff resources. One of which is the Comprehensive Plan implementation. They have a number of measures out there such as the phasing and clustering and the Mountain Overlay being the hot buttons right now. There are a lot of other demands for staff resources out there. Staff tried to lay that out for the Board to see if there was any interest in the Board in cutting any of those or raising them to a higher level. That is where they left the things with the Board.
- The five-year work plan's idea is that as the Board comes up with new issues that they bring the plan back to them and ask them to look at what needs to be shifted to fit the new item in and where it needs to go. Their idea is that this will be an annual update to the Board from this point on.

Staff will mail each Commissioner a copy of the list of items that the Planning Commission identified several years ago that they would like to have included in the information that comes as part of a review.

- **Regarding the request for additional ARB staff, the Planning Commission deferred the discussion from the previous week and requested Mark Graham to come to the meeting.**

Mark Graham stated that he had sent an email that laid out some of the things of what staff had tried to do with that. He did not know anything else to say with that beyond that it has been out there and still is an issue for us. They are trying to balance what the ordinance requires staff to do with regard to the ARB versus what people would like to see considered with the ARB. But, they have to do what the ordinance says. Everything beyond that, if they have available resources, is things that the Commission, the Board or others feel would give a better review in order to end up with a better product. But, they must have the resources to address those things.

Mr. Cilimberg stated that right now their resources for the ARB are for two people, but they are over taxed.

Mr. Edgerton stated that he had received an email seeking support from the ARB, which was in direct response to the Planning Commission wanting to work more with them. From tonight's conversation, maybe this has to be looked at from the whole Community Development perspective.

Mr. Cilimberg stated that the question was exactly what they are doing now and what they might be desired to do. The Commissioners have identified some things that they feel that the ARB could contribute to the overall process. Staff is struggling right now just to deal with the things that they currently do.

Mr. Edgerton pointed out that Albemarle Place was a huge project.

Mr. Cilimberg agreed that it was a huge project, but that even under their current procedures has to be reviewed. Everything kind of has a cost so they say. Staff tried to identify what they could address most immediately to take a little pressure off, which was the sign's reviewer position. But, very honestly if they were going to get into any different kind of review regarding, as an example, any of the projects that are coming before you, they are going to count on staff to give them the information that they will then use to provide you comments. On the other hand, there might be the question of what level of that review really is important to you. There is a lot that plays into that. He felt that it ends up playing into the whole question of how we improve our development review process overall. So it may be that this question really can't be answered beyond what they have already identified, which is the sign's reviewer until that overall review process decisions are made.

Mr. Edgerton asked if that would be part of the task force group's review.

Mr. Cilimberg stated that he thought that it plays in because ultimately the task force has the responsibility to not only identify what can help the process, but what the resources might be that are necessary to do that.

Ms. Joseph asked what their official response would be to Ms. Smith.

Mr. Morris stated that what he heard was that it was going to part of the parcel of the task force.

Mr. Strucko agreed with Mr. Morris.

Mr. Graham stated that he could make sure that was communicated to the Board that they would like the role of the ARB and the legislative review process to be a part of the task force's discussions.

Mr. Morris stated that it was an integral part.

Mr. Graham stated that he would make sure that is conveyed to the Board.

Mr. Cilimberg stated that staff would not turn down the sign reviewer if somebody decides to do that.

Ms. Joseph stated that she would send around an email on this issue. She asked and received a dinner count for Thursday from the Commissioners.

There being no further old business, the meeting moved on to the next item.

New Business:

Ms. Joseph asked if there was any new business.

- A work session on the Rural Areas will be held on Tuesday, February 28 at 4:00 p.m. in Meeting Room #235.

- The staff reports for next week will be distributed on Thursday due to staff's large workload.
- A follow up memo on Places 29 regarding the Commission's work session last week is in the packet from Lee Catlin and Judy Wiegand. The Commission should take a look at the memo. There are opportunities coming up for some more detail that the Commission can review with staff. Also, if they have any particular questions they should be talk to Ms. Wiegand.

There being no further new business, the meeting proceeded.

Adjournment:

With no further items, the meeting adjourned at 9:32 p.m. to the Thursday, February 23, 2006 meeting at 6:00 p.m. at Carmellos on 400 Emmett Street.

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V. Wayne Cilimberg, Secretary

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