Albemarle County Planning Commission
June 27, 2006

The Albemarle County Planning Commission held a meeting and a public hearing on Tuesday, June 27, 2006, at 6:00 p.m., at the County Office Building, Room 241, Second Floor, 401 McIntire Road, Charlottesville, Virginia. Members attending were Eric Strucko, Calvin Morris, Vice-Chairman; Jon Cannon, Pete Craddock, Marcia Joseph, Chairman; Jo Higgins and Bill Edgerton. 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; Jack Kelsey, County Engineer; Bill Fritz, Development Review Manager; Rebecca Ragsdale, Senior Planner; Keith Lancaster, Senior Planner; Mark Graham, Director of Community Development; David Benish, Chief of Planning; Sean Dougherty, Senior Planner; Amelia McCulley, Zoning Administrator/Director of Zoning & Current Development and Larry Davis, County Attorney.

Call to Order and Establish Quorum:

Ms. Joseph 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:

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.

Consent Agenda*:*

a. **Review for Compliance with the Comprehensive Plan (Va. Code 15.2-2232) – Hollymead Temporary Rescue Facility** – Proposal to establish a temporary rescue facility on the Charlottesville-Albemarle Airport grounds in the Amvest-Worrell office building. The 3.7 acre property, described as Tax Map 32, Parcel 10A, is located in the White Hall Magisterial District and is zoned RA, Rural Areas. The site is located in the Hollymead Community and is designated for Institutional Use in the County Land Use Plan.

b. **SDP 2001-050 H & H, LLC - Final Site Plan** - Request for extension of final site plan approval, in accordance with Section 32.4.3.8 of the Zoning Ordinance. Original approval will expire 7/30/06; Applicant requests 12 month extension. (Tax Map 60F, Parcel 3) (David Pennock)

c. **SDP 2001-113 Precision Sports Surfaces, Inc. - Final Site Plan** - Request for extension of final site plan approval, in accordance with Section 32.4.3.8 of the Zoning Ordinance. Original approval will expire 1/4/07; Applicant requests 24 month extension. (Tax Map 58, Parcel 37G) (David Pennock)

d. **Approval of Planning Commission Minutes** – February 14, 2006 and May 9, 2006.

Motion: Mr. Morris moved, Mr. Strucko seconded, that the consent agenda be approved.

The motion passed by a vote of 7:0.

Ms. Joseph stated that the consent agenda has been approved.

Deferred Items*:*

ZMA 2005-007 Haden Place (Signs #12,13)
PROPOSAL: Rezone 6.69 acres from R-2 Residential (2 units/acre) to NMD Neighborhood Model District - residential (3 - 34 units/acre) mixed with commercial, service and industrial uses for 20 single family homes and 14 townhomes

PROFFERS: Yes
EXISTING COMPREHENSIVE PLAN LAND USE/DENSITY: Community of Crozet; CT-3 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
ENTRANCE CORRIDOR: No
LOCATION: Between Haden (Rt. 1209) & Killdeer Lanes (Rt. 1215), south of Jarman's Gap Road
TAX MAP/PARCEL: TM 55 Parcel 69 & TM 56 Parcel 9
MAGISTERIAL DISTRICT: White Hall
STAFF: Rebecca Ragsdale
DEFERRED FROM THE JUNE 6, 2006 PLANNING COMMISSION MEETING.
APPLICANT REQUESTS DEFERRAL TO JULY 11, 2006

Ms. Joseph said that ZMA-2005-007, Haden Place, was deferred from the June 6 Planning Commission meeting and the applicant requests deferral to July 11. She opened the public hearing and asked if there was any one present to comment on this item. There being no public comment, the public hearing was closed and the matter placed before the Commission.

Motion: Mr. Morris moved, Mr. Craddock seconded, to approve the applicant's request for deferral of ZMA-2005-007, Haden Place, to July 11, 2006.

The motion passed by a vote of 7:0.

Ms. Joseph stated that ZMA-2005-007, Haden Place was deferred to July 11.

SDP 2006-033 Ntelos-CV826 Rt. 250 East Glenmore Replacement Site - A request for approval to allow the construction of a personal wireless service facility to replace an existing facility that was approved with SP 99-37. The applicant proposes to construct a monopole that would be approximately 120 feet tall (10 feet above the height of the tallest tree within 25 feet), with supporting ground equipment within a 400 square foot fenced compound. This application is being made in accordance with Section 10.2.1.22 of the Zoning Ordinance, which allows for Tier II personal wireless service facilities in the Rural Areas. The property, described as Tax Map 79 - Parcel 16, contains approximately 13.5 acres zoned Rural Areas and Entrance Corridor. This site is located on Richmond Road [Route #250] approximately 0.3 miles west of Louisa Road [Route #22], in the Rivanna Magisterial District. The Comprehensive Plan designation for this property is Rural Areas. (Keith Lancaster)
DEFERRED FROM THE JUNE 20, 2006 PLANNING COMMISSION MEETING.

Ms. Joseph said that SDP-2006-033, Ntelos-CV826, Rt. 250 East Glenmore Replacement Site, was deferred from the June 20, 2006 Planning Commission meeting.

Mr. Lancaster summarized the staff report.

- This proposal is to install a Tier II Personal Wireless Service Facility to replace an existing facility on the same parcel. The proposal will consist of a 120' tall metal monopole, which would be 10' taller than the nearest tree within 25'.

- Staff found that the visibility of the monopole on the site to the northwest had an adverse impact on the Southwest Mountain Rural Historic District. Also, staff felt that there was an adverse impact on the height due to the lack of backdrop that skylights the monopole above the tree line to the northwest of Route 22 that is an Entrance Corridor. In addition, Route 250 is an Entrance Corridor as well.

- Staff feels that there is a material difference between 7' and 10'. Some of the impact could be mitigated by lowering the tower to 7' to fall behind the tree line.

- The applicant is proposing a 20' X 20' lease area at the bottom site. Staff has worked with the applicant and feels that the applicant did a great job by moving it back off the critical slopes. Once this site is constructed it will not be accessed by vehicles, but would be a foot path back

into the site. There is an existing driveway that will be used for access while the applicant constructs the 60' temporary road, which will basically be resided and grassed for the impact.

- Due to the 10' above the tallest tree, staff recommends that the monopole be lowered to 7' above the tallest tree.

Ms. Joseph opened the public hearing and asked the applicant to address the Commission.

Valerie Long, attorney for Ntelos Wireless, said that Mr. Lancaster had covered most of the major issues. Several representatives from Ntelos are here this evening as well, which includes Jesse Wilmer, Site Acquisition Coordinator for this area, and Chris Nicholas, who is their Radio Frequency Engineer. This proposal is to replace an existing facility that was approved and constructed in 1999 and has really not been working very well at all. The existing monopole was one of the very first treetop wireless facilities in the County and definitely needs to be replaced. She asked that the Commission approve the request.

Ms. Joseph invited public comment. There being no public comment, the public hearing was closed and the matter placed before the Board.

Mr. Fritz pointed out that the ARB reviewed the request and recommended approval. The ARB's review is really limited to the impact on the Entrance Corridor District and was comfortable with the impact of a 10' pole. But, staff is not comfortable and things that it does have some adverse impacts that would be mitigated by lowering the height from 10' to 7' for some avoidance areas as Mr. Lancaster has noted.

Mr. Craddock noted that the existing monopole was visible. Therefore, he could not support this request this request.

Motion: Ms. Higgins moved, Mr. Morris seconded, to approve SDP-2006-033, Ntelos-CV826 Rt. 250 East Glenmore Replacement Site, at the applicant's request to allow construction of a monopole approximately 120' tall (10' above the height of the tallest tree within 25').

The motion passed by a vote of 6:1. (Commissioner Edgerton voted nay.)

Ms. Joseph stated that SDP-2006-033, Ntelos-CV826 Rt. 250 East Glenmore Replacement Site was approved.

***Public Hearing Item**:*

ZMA 2002-004 Cascadia (Signs #30,91)
PROJECT: Cascadia, ZMA 2002-00004
PROPOSAL: Rezone 55.71 acres from RA (Rural Areas: agricultural, forestal, and fishery uses; residential density (0.5 unit/acre) to NMD (Neighborhood Model District - residential (3 - 34 units/acre) mixed with commercial, service and industrial uses); and rezone 5.06 acres from R-6 (Residential: 6 units/acre) to NMD to allow for up to 330 dwelling units and 20,000 square feet of non residential in a planned district.
PROFFERS: Yes
EXISTING COMPREHENSIVE PLAN LAND USE/DENSITY: Neighborhood Density Residential - residential (3-6 units/acre) and supporting uses such as religious institutions and schools and other small-scale non-residential uses.
ENTRANCE CORRIDOR: Yes
LOCATION: Tax Map 62, Parcel 25, Tax Map 78, Parcels 59 and 59A, and Tax Map 78E, Parcel H1 located along Route 20 North, across from Darden Towe Park, north of Fontana Drive and south of Broadus Memorial Baptist Church.
MAGISTERIAL DISTRICT: Rivanna
STAFF: Sean Dougherty

Mr. Dougherty summarized the staff report.

- This is a rezoning request for a portion zoned R-6 to Neighborhood Model District and a portion from RA to Neighborhood Model District. It is designated in the Comprehensive Plan as a Neighborhood Density Residential for a total of 330 units.
- Factors favorable to the request:
    - The applicant has provided a general workable plan in response to major site restraints, which responds throughout the Neighborhood Model.
    - The applicant is committed to provide 15 percent for sale or for rent affordable housing in a manner that is acceptable to the Chief of Housing.
    - The applicant has created a suitable alignment for the emergency/pedestrian access to Fontana, including funds to construct a future vehicular connection if desired.
    - The applicant has committed in the Code of Development with alternative standards for the sections of the Zoning Ordinance and Subdivision for which they are requesting waivers.
- The factors unfavorable to the request:
    - The proffers for capital improvements are insufficient to offset the impact as compared to accepted proffers for similar projects.
    - The sidewalk setbacks in certain lots are too narrow.
    - The standard for the length of retaining walls is excessive.

- Staff recommends approval if the cash proffer is increased to include any improvements in Darden Towe Park; the standard for sidewalk setback; the retaining walls found in the current development is modified and with final revisions to the proffers and the Code of Development.

- As an update, the applicant requests waivers 7 and 10 in Attachment I, which essentially are the two waivers that staff cannot recommend approval. It is the minimum number of required parking spaces because for some uses the minimum design requirements include additional parking areas. Staff cannot support the waiver request to provide sidewalks only on one side of Devine Lane.

- Staff presented a power point presentation on the proposal.

Ms. Joseph opened the public hearing and invited the applicant to address the Commission.

Don Franco, representative for KG Associates, said that he was present on behalf of the applicant for this project. He asked to go back over the history of this project. A work session was held by the Planning Commission in 2003. They walked out of that work session with an understanding that the land use issue was resolved. The big quote that he recalled was that they expected to see the density, but what the Commission wanted was to like what they see. So they spent 2004 and 2005 working with staff and the ARB to develop a land plan that worked well from the Entrance Corridor and worked with the site. In February of this year they came back to the Commission to resolve some of the technical issues that had developed while they worked with staff and the ARB. They had hoped to resolve those issues, but it became clear right away when they got here that the land use issue was not set at that time. They walked out of that meeting with the understanding that they wanted a work session for them to come back. The Commission wanted to know how the plan worked with the site. So from there they went to March and had a work session. From there they walked out of that meeting with the understanding that the Commission agreed that the plan worked with the site; that it worked with the environmental constraints for the area; that it was consistent with the County land use goals for that area and as such the density was appropriate for that site. They also had the Commission weigh in on the issue of the interconnection. There was a question about whether that should be a public road at this time or whether that should be something else. What they heard the Commission say at this time was make a reservation for that public road, but provide a pedestrian path and an emergency access at this point in time. So they have done that. During April, May and June they have been working with staff to revise their Code and to get their waivers and proffers in order. They feel that in this point in time that they have done that. The staff report that came out last week identified a couple items with what they have in front of the Commission. They have written a response to that report that he hopes everybody received via email because he did not want to go through it line by line. He reiterated that they feel that the project is consistent with the land use goals and that it meets the ordinance. There are some little things that have to be corrected that staff

has pointed out and they are in agreement with the majority of those. Their letter to the Commission addresses that. He was happy to answer questions now with respect to the report or after the public comment period.

Ms. Joseph asked if there were any questions for Mr. Franco.

Mr. Edgerton asked for a clarification of what the applicant anticipates for the secondary entrances, which was a big part of the last public hearing about those access points. He asked what this plan envisions them being immediately as opposed to ultimately if the substandard roads could ever be improved.

Mr. Franco replied that he did not know what the exact standard is at the lower end in front of Montessori School and whether it is a 30' or 32' road. But it is a curb and gutter road with sidewalk on at least one side if not both connecting to the Fontana area or the core of the center right in front of Avemore. It comes into their site and then spills into Delve Drive, which continues on up into their site. At the upper end they are going to make a provision for the road to be widened and built to some point in time. To do that they are going to grade in as best they can without going off of their property the full grading required for the development of a 24' wide curb and gutter section road with a sidewalk immediately adjacent to the back of the curb. They will grade that in as best as they can at this point in time. But, what they actually put on the ground immediately as he understands it, but they were willing to change this depending on which direction they get, is an 8' wide paved trail. It will be a Class A biking and pedestrian trail in and through that area that can be used for emergency access. So it will have bollards or something installed to prevent cars from using it. But, the emergency vehicles will have access to it. The thing to keep in mind right now is that the path has no where to go at this point in time. Fontana still needs to provide their side of this connection. Therefore, they will not be able to complete the trail all the way. So it will be graded in. If someone comes back and says don't waste the asphalt right now that would be fine to the applicant. Our goal would be to price the full connection of the 24' wide road and the sidewalk. Any money they don't spend of that expense they plan to give to the County for the future connection to be made if and when they see that it is required.

Mr. Morris said that he noticed in the report that they now have provisions for a foot path connecting the roadway into the church. He asked if that was correct.

Mr. Franco replied that was correct. The foot path has been there all along, but they have better identified it on the plan itself.

Mr. Cannon asked if based on the applicant's letter of June 26 in which they react to the staff report the referral of two of the waivers the issues that he sees as still being outstanding is the sidewalk waiver, which the applicant would like for the Commission to consider, and the adequacy of proffers. Although the applicant wants the Commission to finesse that issue and let it be available for further negotiation before the Board of Supervisors. He asked Mr. Franco if that is correct.

Mr. Franco replied that was correct.

Mr. Cannon asked staff if the Commission would be able to approve the rezoning without setting a figure for the proffers and allowing those to be the subject of future negotiations.

Mr. Davis said that the proffers can be addressed all the way up to when the Board of Supervisors' public hearing begins.

Mr. Cannon said that the Commission's recommendation would not necessarily include a set amount for the proffers.

Mr. Davis replied that if that was not material to their recommendation then the Commission can make a recommendation with or without a comment on the appropriateness of the proffers.

Mr. Edgerton asked if the Commission can make a recommendation whether the proffers are appropriate and can actually name a number.

Mr. Davis replied absolutely if the Commission can name a number that addresses the impacts that are caused by this.

Mr. Edgerton felt that the Commission has done that before on other projects.

Mr. Franco said that the only thing that the would like to weigh in and add to that is that at the work session this was discussed a little bit and they were hoping to get better guidance of how they work in with the other developments in and through there. He did not know if they received that up until this day. It would be nice if the County had a proffer policy. But, since the County does not have a proffer policy they continue to sort of muddle their way through this negotiation process.

Mr. Cannon said that the Commission has figures on other developments, but whether they were comparable or not may be an issue. He guessed what the Mr. Franco was looking for was some more rigorous analysis of the incremental impact which his development would actually cross the range of public facilities affected.

Mr. Franco replied exactly because he thought that a more thorough analysis would be helpful. For instance, there has been discussion about affordable housing. They are providing that 15 percent. It comes as a cost. If they just use the County's figure based on the number of lots they are producing in and through there, they are talking about towards 3 quarters of a million dollars of what that impact is going to be to the project. The reality is that it is going to be subsidized by the homes that are not affordable there. He felt that closer number was up in the 3 million dollars plus. It is going to be 3 or 4 times the amount that the Commission is predicting based on other projects. So he thought that those are the things that they think need to be included in the analysis of the proffers. That is the kind of discussion that happens in the past at the Board level.

Mr. Morris asked if Mr. Franco could provide the reasoning for their desire to have sidewalks only on one side of the street.

Mr. Franco said that the upper area Mr. Morris was referring to was the interconnection. In and through there staff is in agreement with the applicant on that particular thing. They designed a 24' wide road to go all the way through and submitted it to staff. The big issue there is an existing house that is located on the corner of the property just off site. The access goes adjacent to the house through what he believed was a lot in Fontana or the future section of Fontana. At 24' width the road with a sidewalk adjacent to the back of curb there makes the field bank immediately adjacent to the existing house and lot. The field bank is roughly 18' tall. Therefore, the residents of the house would be looking out of the first floor of their house at a green bank. So anything that gets wider and just adding another 5' of sidewalk on the other side starts to exasperate that issue. So they are all in agreement that one sidewalk in that area makes sense. On the other piece there are not houses that front the road on that side. The only houses fronting on that road are the four single-family detached houses across from the neighborhood center. They are talking about stopping the sidewalk in this area. They feel that the sidewalks in that area are really not useful and they would rather see the street trees and allow their grading and impacts to the adjacent open space to stop that much closer. So they did not see the purpose in that. If they need to give on it they would be happy to do so. But, they feel that it is just a widening of the impact and does not serve a useful purpose.

Ms. Joseph said that there is a sign up sheet of other persons who would like to speak. She invited the first person on the list to come forward and address the Commission.

John Warnecke, President of the Fontana Homeowner's Association, said that he was here before at the last public meeting on this. He asked to restate in front of the Commission that the majority of Fontana owners are opposed to any kind of connection at the top of Fontana. They are opposed to this connection whatsoever. That is their first position. In the spirit of neighborhood connectivity they are already providing a lot of inconnectivity. They have two connections going into the Pavilions. They have a connection already going into Cascadia. Therefore, they see no reason for that connection. That connection would turn into a way for Cascadia residents to turn Verona Drive into a thoroughfare in order

to make it up to 250 and the Giant Shopping Center or the Eckert, etc. As the Commission has noted before they already have rural roads in Fontana that are very narrow and not strong enough to support a lot of traffic. They see no need for emergency access or a future road. Many homeowners in Fontana are not against a connection here if it was simply a walking trail or bike path in order to meet the spirit of neighborhood connectivity. But, their definition of a walking trail/bike path would be minimal if any disturbance of the green area that is already in existence there. They would like to see all of the trees and vegetation kept and no grading or destruction of the green area whatsoever to put in a smaller minimal walking trail/bike trail in that area.

John Clem, President of the Key West Association, said that his neighborhood was concerned about traffic impacts and water impacts. He noted that in the recent summary here on the water it just notes that staff just looked at the water pressure issues. He wondered how accurately they looked at the water pressure issues in there because he knew that Fontana residents now have to use booster systems to get water up the hill to their residences. They are also on the public water system up the pipe from them. He wondered what the impacts on water pressure will be. He asked if the water has been looked at in regards to the total impact of ground water. The new Ragged Mountain water system is going to in. He asked how that is going to impact the new residents here. For traffic he knew that they were looking for new expansion roads, but they were concerned about the increase of 2,400 vehicles being added to the road in trips a day in the Pantops area. The area around 250 and 20 are already severely congested. He felt that it would be much more impressive to have the roads ahead of time before the development. He requested that the Commission look at that. He recommended that the County adopt a proffer policy for all of these developments going in. This is the first time that he has seen the financial impact of this development. It looks like over ten years it would be a 5 million dollar impact or a budget. He was not sure if that was smart growth. It seems like they could be asking more for proffers as far as their roads and other systems. It says that Darden Towe Park has some proffers for things. He did not know how those were identified. He asked if those were in consultation with the County Parks and Recreation Department for those items. He noted that he had been involved in the Pantops planning and some of the requests from the community have been a pedestrian bridge connecting both Darden Towe Park and Penn Park. He would think that would cost over a million dollars to cross that river with a substantial bridge. Maybe that would be something more useful for the park than what was proposed.

Ken Webster, resident of Fontana, said that there is a lot to like about the site plan and that the developer has really worked hard. He was not opposed to all growth and think that it is a good idea. Also, he supports the idea of reducing the sidewalk requirement for the reasons that the developer has just outlines. He supported having the sidewalk only on one side of the street. He supported the idea of an emergency access road only and would actually suggest that the requirement be dropped and that they stub in a road that is to VDOT's width standards. If it is only going to be an emergency access road don't put in a base for a future road. Let's just have it be an emergency access road only to Fontana as a future connector there. Having missed the work session he was not clear why the road could not be moved further down from this unnamed stream. In principle he sees the rationale for interconnectivity with other neighborhoods and sort of favors it. Going north a couple of lots the stream does not run all the time, which he noted from being back there several times. Therefore, he did not see why the connecting road could not moved north a few lots in Cascadia, which would provide connectivity directly through to Lake Ridge. That would solve a lot of problems. He pointed out that bridges area built all the time over streams. He understands that there is a critical slope up in that area on the Cascadia side, but he would encourage people to look again for another location for that road.

Lewis Martin said that he was present on behalf of Mr. Tony Nichols who is out of the country this evening. Mr. Nichols is the gentleman that Mr. Franco referred to that lived in the house that would be immediately impacted by the proposed connector road coming from Cascadia into Fontana. Mr. Nichols wears two hats. He is also the developer of Fontana. In his capacity of developer of Fontana he stands firms behind his homeowner's association. They are adamantly opposed to a connector road coming through there. Mr. Nichols feels an obligation to back up his homeowner's and those who have bought lots from him since 1997 and who are continuing to buy lots from him. He introduced Mr. Steve Driver who is Mr. Nuchols' land planner, surveyor and engineer. Mr. Driver has put together a preliminary plat. This is a drawing of the Fontana preliminary plat and it shows the existing connectors for the connectors that will be implemented in detail here. As seen on the plat, there are a total of 6 points of connection into

Fontana, which have either been put in or installed already or are in the process of coming in, including the one Mr. Franco referred to at Delvi Drive. Starting at Route 20 they have the Wilton Farm connection that comes into Fontana. There is the Avemore connection that comes into Fontana. Then there is the Olympia Drive Connection. There is the Verona Drive connection. Then to the north there is the Fontana Drive Connection at Lake Ridge and then concluding at the point of beginning with the Delvi Drive connection. Fontana residents feel that they have paid the price and it does provide connectivity with several other subdivisions. It was not part of the plan that yet another connector road or a seventh connector road cut through into Fontana. Mr. Warnecke referred to the design of the roads, and he agreed that is an issue. With regards to Mr. Nichols house itself, he has the Fontana Drive connection with Lake Ridge coming in behind him. If this connector road was instituted from Cascadia he would basically have roads coming in that would be visible from his dining room and back door.

Mr. Driver called the Commission's attention to the exhibits that he passed out. Mr. Nichols has stated that he desires no connection to Cascadia through Fontana. If a connection were provided the exhibits very colorfully illustrate how those two would appear. One shows a very narrow emergency access road that Mr. Franco referred to. The other one shows a more full built public road that would extend through of 24' with curb, gutter and sidewalk. The last drawing is simply a profile view that would help the Commission see how that would look standing on Fontana Drive looking towards Mr. Nichols' house. When Fontana Subdivision was conceived back in 1997 there were about two dozen people involved with it at the County level who determined where the points of connection would be to Fontana. Of course, Mr. Nichols has chosen based on the initial plan to build his home on a strategic lot where he has spent a significant amount of time and effort to do so. Now he is being asked to make a provision for a road to connect to the side of his home. So he has simply stated that he desires no vehicular connection to the Cascadia development from Fontana.

Michael Powers, resident of Fontana, said that in his previous minutes of fame in February he spoke to the issue of preservation of existing trees. Today he hoped to get through his proposed solution to how they can accomplish that goal. He referred to page 13 of the Code of Development. It contains a commitment to preserve as many existing trees as possible. They have a great plan with screening greenery all the way around the outside of the Cascadia development. He assured the Commission that almost where they see the large trees in the plan there are already existing trees in the site today. That is an existing forested area. If he could be very specific about his goal, he noted that he was not referring to the interior of the development. His goal was that they do everything that they can to ensure that on the screening areas on the outside of the development that existing trees are preserved whenever possible. Some of the trees in the existing area are 100' tall. In his opinion it is not acceptable to cut down those trees and replace them with a 10' or 20' tree. They don't have 50 to 100 years to wait for those infant trees to reach their existing 100' growth. Particularly of concern is that the applicant has actually purchased access rights to a portion of Fontana that is outside of Cascadia. It is his understanding that would give them the right to impact existing trees in that area that is inside of Fontana. His concern is that despite all of the good intentions of the developer that some point in the building chain that the developer, builder or the guy on the backhoe might find it more convenient to knock down one of those trees and replace it later on than to leave the tree in place. He believed that it was always more effective to rely on someone's self interest than it is to appeal to their good will. In that event, if they want to ensure that trees remain they have to make it easier for them to leave the trees than it would be to knock them down. They can't make it easier to leave a tree, but they can make it more burdensome if they were to knock the trees down. So his proposal would be along the lines of establishing before any grading a surveyed no go areas, stake those out in advance and either proffer or bond penalties that were known to the applicant in advance.

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

Ms. Joseph said that there were areas around the perimeter of this development that are designated as preservation and open space. There is a mechanism for a conservation plan, etc. She asked at what point that comes in to the process.

Mr. Dougherty replied that the applicant was committed to the Virginia and Soil Erosion Handbook to basically have some of the things that the last speaker was talking about in place. Basically the areas have to be outlined and protected with tree protection fencing and delineating areas that are going to be preserved and not preserved. The applicant is committed to those rules and staff can provide those rules to the public. But, essentially it is a pretty careful approach to the existing trees. The specific thing that the last speaker mentioned was only in reference to the trees along the road on Entry Park, which the applicant has committed to preserve as many trees as possible. That approach is only for the trees in the park down by the road. Any thing else that is going to be preserved is delineated as preservation space. The concept that the applicant has provided for conservation areas is one tree for every 400'.

Ms. Joseph asked if where she sees green space in this little triangle that is not necessarily going to remain. But, there would be no reason to go in there.

Mr. Dougherty agreed because that is conservation area. Preservation area is outlined in a darker green along the blue stream at the top. Everything else is subject to grading.

Ms. Joseph asked if the preservation area is 50' from the stream, and Mr. Dougherty replied that is correct.

Mr. Edgerton said that he liked the suggestions made by the last speaker. If there is not need for disturbance in this area he asked if there might be an opportunity to put up some barriers from the pre-grading that would give a clear signal to the people doing the grading of what was trying to be saved.

Ms. Joseph suggested that it could be designated as preservation instead of conservation.

Mr. Edgerton said that he would like to see all of those pretty trees still there.

Ms. Joseph noted that back by the creek the trees would be disturbed because that is where the sewer lines are going.

Mr. Strucko asked if the trees along Route 20 would be saved.

Mr. Dougherty replied that the commitment there is to preserve as many existing trees as possible. There is a likelihood that a lot of the existing trees can be preserved, but the conceptual storm water management basically shows some disturbance of that area. Until the final engineering is done it is not really clear what will be possible of won't be. But, the statement that as many existing trees as possible will be preserved. There will be other approaches to storm water management that could help those trees to remain. If they took a very conventional approach it is hard to say. The applicant might be able to speak to that better.

Mr. Edgerton pointed out that he heard the same commitment to Hollymead Town Center a couple of years ago. There were not many trees saved.

Mr. Cannon noted that the Commission does not know now how many trees it is possible to save. What is the process by which that is determined?

Ms. Higgins asked if it was possible to ask the applicant to come forward and expand on what the plan is and what mechanism they could use to be effective with this.

Mr. Dougherty said that the applicant has a plan, called option B, which is a rural approach to the area. It shows the storm water ponds and some of the trees remaining, but it does not explicitly identify what trees will remain.

Ms. Higgins asked Mr. Franco if he could tell the Commission what he proposes and potentially what benefit the Commission could do for the Fontana residents' concern about the significant trees in that area.

Mr. Franco said that they want to save as many trees as possible. They agree with that philosophy. He thought that it was good that the previous speaker talked about the trees on the perimeter because there has got to be recognition that this urban form that there is not a whole lot of trees left in the middle of the site. They want to preserve those trees as much as possible, but without final engineering it is hard to say where their impacts were going to end and where they are not. What they pledge to do is along the stream is to stay out of that area 50'. The rest of it depends on where the sewer ends up going to serve the adjacent parcels and on the grades of the roads that will determine how far into that site they have to go. They are happy once the grading plans are agreed to and it is implemented to provide tree protection to the conservation area. They want to maintain as much of that conservation area as possible. The one loose item that they need the Commission to weigh in on is the retaining wall lengths. One hundred foot of retaining wall is not going to do a whole lot in that large of an area. So that is why they have asked for 300' as the length of retaining wall to be used. Depending on what happens, if he only has 100' wall he might not be able to preserve as much of that conservation area as they would like to. That is the liberties that they are going to need at a point in the future. But, he wanted to reiterate when they do go into and disturb the conservation areas they are committed to going back and replanting that area at a rate that they had talked about, which was 1 tree for every 400 square feet. That is the only number generated that was a reasonable standard that they could apply at some point in the future.

Mr. Edgerton asked if that was one tree per 20' X 20'.

Mr. Franco replied that was correct. He noted that it might not be a lot at the planting stage, but when they talk about mature trees and their canopies that is a lot of trees.

Ms. Higgins asked if the trees were evergreen buffer type of trees as specified in the ordinance.

Mr. Franco replied that they have not gotten there. He thought that whatever people want is what they are happy to try to provide. He did not think that the goal that staff has stated has been to buffer or separate the uses. He thought that it really was to try to recreate the forest area that was there. So he would image that it was deciduous trees.

Mr. Craddock said that one of the speakers mentioned water pressure. He asked if Mr. Franco had any ideas about water pressure problems continuing on past Cascadia or idea of any effect that might have.

Mr. Franco replied that he did not. It is really something that is outside the rezoning from the fact that when they deal with staff, which includes the Service Authority, that as a provider it is their responsibility to provide adequate public water to the growth area sites. So they will have design issues that they will have to deal with at site plan level, but they have not delved into issues of water quantity and/or pressure issues at this point in time.

Mr. Craddock asked if it has been looked at about a connection from Cascadia to Lake Ridge that is not right there at that access.

Mr. Franco said that they looked at this back in 2003 when they came before the Commission. The preservation of that stream has been paramount. That is one of their environmental constraints. They looked at it early on. He felt that there were a number of different locations that they could have crossed it in and through there to provide that access. But, it was deemed that maintaining a contiguous large tract around that creek was paramount. So that is the location that is left for the interconnection. Again, they were happy to take guidance from the Commission on whether that is provided or not. It is an ordinance requirement. Therefore, it has got to be waived if the Commission decides that it does not belong there.

Mr. Craddock asked if Fire/Rescue has looked at this emergency access and made any comments about vehicular access or road grade or they still just talking.

Mr. Franco replied that they were still just talking. He did not know if staff has had any conversation because they submit the plan and staff circulates and coordinates it with the County's internal staff.

Mr. Dougherty noted that the plan has been reviewed and they have no objection. It has not been sent back to them since the interconnection has been changed to emergency only, but that really would not change their ability to get through there. Earlier they would have been able to get through with a 24' wide section, but now they have an 8' section. So they have no objection to the proposal.

Mr. Strucko asked if it would be an 8' path with a bollard, and Mr. Dougherty replied that was correct.

Ms. Higgins said that in the Fontana side there is a deeded access across lot 1.

Mr. Franco said absolutely not. They still know where it is going, but don't own the land on the other side in Fontana. They don't have the rights to create that access all the way up and through. So they are going to get as close as they can through there. But, they don't need to provide it if the Commission deems that it is not going to make sense.

Mr. Cilimberg pointed out that Fontana section is before the County for rezoning as well. The Commission will be seeing that. So depending on what happens here that is going to guide how that rezoning is reviewed for connection.

Ms. Joseph asked Jack Kelsey, County Engineer, if he could talk to the Commission about the adjacent rezoning.

Jack Kelsey, County Engineer, said that one of the questions asked was about that particular interconnection and the graphics that the Commission was provided. The graphics the Commission was presented with were showing alternatives on what it would be if it was a pedestrian path or a road. It shows this nice wooded open space area adjacent to this. The concern is that Mr. Nichols can look out his dining room window and he sees woods and if a road gets built through there that he is going to be looking at the grassy fill slope of a road embankment. What this drawing fails to show is that in the preliminary plat for Fontana this area is actually shown as a lot to be developed. In the Fontana rezoning plan it shows two lots. If this rezoning plan goes forward Mr. Nichols will not be looking at the grassy slope for a fill slope for a road, but will be looking at the side of another house across his driveway out of his dining room window. So it makes him wonder if the concern here really is the view out the window or the fact that an interconnection into the Cascadia development will require the loss of one of those lots that the rezoning is seeking to get approved. One of the lots would include the existing dwelling. That is lot 119 on the preliminary plat. On the Fontana plan it is lot 119 and 182.

Mr. Strucko asked if that was the only access point in and out of Lake Ridge through Fontana.

Mr. Kelsey said that he had not seen a plan yet for Lake Ridge other than a variety of conceptual items. But, yes that is what he has seen so far as the only access in and out of Lake Ridge.

Mr. Strucko said that the folks in Fontana will feel the impact of that potential development along with the rezoning of 4C along Verona Drive in Fontana. In his opinion he felt that the substandard roads could not handle the existing traffic anyway.

Ms. Higgins felt that Lakeside was more of an issue than Cascadia.

Mr. Strucko agreed.

Ms. Joseph asked Mr. Shoop to come forward and talk about the water issues. She pointed out that the Commission had heard concerns about the water pressure.

Paul Shoop, with the Albemarle County Service Authority, said that there was a portion of Fontana that did have to use booster bumps. But, the latest section of Fontana they had them build and interconnect to Ashcroft. So they brought pressure back down. That reduced the pressure around 45 to 50 pounds. So a number of them that were using booster pumps no longer have to. Cascadia's lower elevations will be primarily served off the urban pressure bands. But, it won't have any impact on what is happening there. Lake Ridge will be served more off of Ashcroft. It is not his part of it, but the preliminary plans he

has seen for Lake Ridge also had a road that goes into Summer Ridge Trail coming down from Ashcroft. There is a water storage tank up off of Summer Ridge. The water line is going to follow that path down into Lake Ridge. There is a magic number of 585. If you are at a 585 elevation or higher the urban pressure band can't serve you. So everything above that contour will be served off of the Ashcroft system. Everybody below that would be off the urban pressure band.

Ms. Joseph asked if that should not cause any problems.

Mr. Shoop replied no, because that is all sized to be able to adequately handle it plus fire protection for all of these properties.

Mr. Strucko said that in the work sessions the Commission talked at length about the connection between Cascadia and Fontana in this area that Mr. Nichols property is now. Personally being an advocate of the Neighborhood Model and interconnected neighborhoods it was very difficult knowing that the Fontana Drive and Verona Place were in his opinion were a rural cross section and was having a difficult time handling the Fontana neighborhood traffic let alone potentially part of 2,700 dwelling unit vehicle trips that Cascadia would generate. A pedestrian and a bicycle connection up there would offer a recreational use between the neighborhoods. But, now he was concerned because now they have Lake Ridge looming in between these two developments that will continue to put pressure on the Verona and Fontana Drives. He knew that Fontana was going to be struggling with this issue again with another development proposal. But he was still of the opinion that despite his advocacy of the Neighborhood Model and interconnectivity he could not support a vehicular connection here. He did like the idea of a pedestrian and bicycle connection. He could understand having the sidewalk on one side of the road leading up the hill side in Cascadia. He would like to see as many of those trees preserved as possible on the border between Fontana and Cascadia. He would not want to minimize the impact of removing those trees. One concern he had with the proffers was that 2,700 additional daily vehicle trips will be leaving Cascadia and getting on to Route 20 at some point. His suspicion was that the majority of that traffic will come to the intersection of Route 20 and Route 250, which was an existing congested intersection. He questioned how VDOT rated that intersection. VDOT expressed concerns that there was not much mitigation on this proposal for that impact. That is probably his main concern right now. He asked how they coordinate off setting or public coordinate efforts to offset the impact on that intersection. He acknowledged the applicant's point that they do not have a standard comprehensive proffer policy. He feels like he has to shoulder part of the responsibility in working to get that thing done being our representative on the Fiscal Impact Committee. They have not started or even considered it, but that was certainly something that he was going to bring up.

Mr. Edgerton said that he agreed with a lot that Mr. Strucko had said about the traffic impacts, which was going to be the number 1 issue. There are other issues, which includes the impacts on the existing Fontana neighborhood. One of the issues that came up in the previous work session was the interconnectivity between Fontana and Cascadia. This was developed before they had the neighborhood model and curb and gutter streets. Therefore, they have that conflict. He guessed that the proposals would be developed by the higher standards. If they abandon the opportunity for connection here there is not way out except through Fontana. He was thinking way down the road that this could make a significant difference down the road particularly if it was the only way out.

Mr. Strucko asked if Lake Ridge traffic may use Cascadia to get to Route 20.

Mr. Edgerton replied yes, that they certainly will if given the opportunity and particularly if there were better streets that might be safer than leading them through here.

Mr. Strucko felt that not all of the 2,700 vehicle trips would use this connection.

Ms. Joseph noted that it would depend on where someone was going as to which connection they would use.

Mr. Strucko said that either way he thinks the residents along Verona and Fontana Drive are in for a lot of traffic.

Ms. Higgins wondered if it could be such that it is proffered to work so that the interconnection does not happen until certain kick points like Lake Ridge. Cascadia will also be developed over a period of time. She agreed with Mr. Strucko's position on the sidewalk with that one section of road. She felt that there really is not a restriction on the length of a retaining wall. If they say 100' it just means that they would go 100' and then break it by 20' and then do another 100'. Retaining walls are the only tool that they have against cutting the grading off where there is a grade difference to meet public road standards. The roads don't follow the terrain as much as they would like them to. They would have to hold it to a certain grade. Without the tool of retaining walls to avoid additional grading and doing slopes that are laid back, she thought that there ought to be some flexibility with that to make the buffer protection areas work better.

Ms. Joseph asked if she could live with the 300' retaining wall as listed in the Code of Development.

Ms. Higgins replied that she could if it was not an ARB impact and it is being used to protect trees in areas to minimize grading. She felt that it needs to be weighed against that. Retaining walls cost money and grading and taking trees down cost money. She felt that they were working towards the best interest of the applicant to give them a tool to do one or the other. They are asking for that relief so that they can protect some trees. She asked to weigh in that she does not have a problem with that. Regarding the 250/20 intersection she asked if Mr. Kelsey knew if VDOT has any suggestions. If they did a level of service analysis, then they would know. But, she felt that there were some long range plans for the 250/20 intersection. She did not know if this particular development was going to be the substantial generator of the traffic that is really causing the issue at 20 and 250. There is a study about that going on. This will be contributory, but it is probably just a small fraction of the existing problem.

Ms. Joseph said that they need something to happen there, but don't know what.

Mr. Cilimberg noted that 3 percent of the traffic at that intersection would be coming from this development.

Ms. Higgins said that without a program for how to feed that into the proffers that it is very difficult to do.

Ms. Joseph said that they had not discussed the separation between the units.

Ms. Higgins felt that the applicant had responded in the comments to say that they can agree with staff if that is the case. But, they wanted to differentiate between the 60' and 70' lot. But, she did not know that was that much of an issue for the Commission.

Ms. Joseph felt that it was for the applicant and staff.

Mr. Cilimberg pointed out that staff did not have a copy of the letter that the Commission received.

Ms. Higgins pointed out that the letter said that it was an oversight that the Code did not have the 5' setback on the 70' lot, but they did agree a month ago to the 5' setback on the 60' lots. Therefore, between the 60' and 70' lot the applicant is saying that they would agree to the 5'.

Mr. Dougherty said that the Code currently states that a 3' setback would be allowed on a lot that is 70' wide. Staff's recommendation is that the 3' standard be allowed up to a lot 60' wide.

Ms. Joseph asked Mr. Franco if that is what they are requesting.

Mr. Franco replied that they are fine with it, but don't understand it. They have to lower their table where it says 70' now to say 60'. They were fine with that.

Mr. Edgerton asked staff to explain the suggestion that the applicant had of having a "0" setback line on one side of the lot to allow as much yard on the other. He noted that had a lot of appeal. Therefore, he was curious why staff was concerned about that.

Ms. Higgins noted that it would make one side usable, but the other side unusable.

Mr. Edgerton suggested that the units be staggered.

Mr. Dougherty noted that staff had discussed that issue.

Mr. Franco said that he did not want to be unfair because staff has not had a chance to review this. This was something that they had talked about. In Albemarle County there is no application for a "0" lot setback. Every time they start talking about it they start worrying about fire control where the eaves are and footings, etc. Their idea was that the separation of the houses should stay an appropriate distance, but it really does not matter in their minds where that lot line is. If 3' is as close as they can get to a "0" lot setback, then that is what they want to try to get. But, they would prefer the "0" lot setback. But, if that is the thing that stops it, then fine they would give them 2' more. It does not make a lot of sense in their mind.

Mr. Cilimberg said that there has been an approval of a "0" lot line subdivision out in Western Ridge.

Mr. Edgerton felt that it would help with these small lots to be able to have the "0" lot setback. There are safe ways of building it. He was just curious why staff as concerned about that.

Mr. Dougherty said that staff had discussed that with the applicant, and did not think that they objected to it. He agreed that it was a good treatment and makes the side yards more useable. He was not opposed to that concept.

Mr. Cilimberg noted that the issue was building separation more than the lot setback.

Ms. Joseph said that it was something that could be amended in the Code of Development to allow for "0" lot lines with some sort of discussion on how they relate to each other.

Mr. Edgerton said that their hope was that this would create more of an urban feel than the traditional subdivisions that they see throughout the County. It is a vehicle that is used in a neighborhood design.

Mr. Dougherty said that the bigger question was really the aesthetics. He thought that the "0" lot setback could be worked out with the Code as it exists. But, the greater question for staff is if they have a house that is on a 75' lot and had 3' setbacks they would still only have 6' in between. These are fairly narrow lots and he felt that a 6' separation is very close. He thought that the question of the "0" lot line was something that could work with a shared side yard. The bigger question is how far apart those larger houses need to be from an aesthetic point of view. If there is a big house of a large mass would the Commission want it to have a separation of 6' or 10'?

Ms. Joseph said that she liked the idea of having a "0" lot setback.

Mr. Morris felt that it makes a lot of sense.

Mr. Craddock agreed with the lot lines, but would like to see a lot of those trees saved. He agreed with the comments about the sidewalk and the retaining wall. He supported having some kind of access not built out, but certainly for emergency vehicles to come in there if for any reason that Route 20 was blocked off. It sounds like Mr. Shoop answered the water issue satisfactorily. He felt that everything else looks fine.

Mr. Morris agreed with Mr. Craddock except for the access into Fontana. He asked what value the access into Fontana would have to the potential residents of Cascadia. He said that other than what Mr. Craddock described as emergency access it would have no value.

Mr. Edgerton said that it has pedestrian value.

Mr. Morris asked if it has any pedestrian value for the people in Cascadia. Fontana is a wonderful community, but is not going to have any commercial. They have a private club. What would be the draw for people from Cascadia to go into Fontana? It would definitely be a draw for people in Fontana going down to Cascadia.

Ms. Joseph disagreed because if there were children in each of these neighborhoods they are going to be moving back and forth visiting one another. She thought that they would have. There will be some people that might run up that hill since they have curved it around.

Mr. Strucko felt that someone in Cascadia might go through Fontana to get to I-64 if that connection was there. So by passing the 250/20 intersection is the value a Cascadia resident would have with a connection to Fontana. He noted that the way to alleviate traffic from Lake Ridge through Fontana would be a connection through Cascadia.

Mr. Morris noted that it would require crossing the stream some where.

Mr. Edgerton said that the applicant was at least deeding a right-of-way that could allow for a needed connection if it was found that it was needed. But, at this time it would only allow a pedestrian/bicycle connection with bollards that may be wide enough to get an emergency vehicle through if needed. Long term he felt that there was going to be more and more pressure on Verona Drive. He was curious why Fontana 4C, which was clearly shown in the schematic, was pulled out.

Mr. Cannon said that he definitely thinks that there should not be a vehicle access available now. They have decided that already. The question is whether there is some provision for future access in this stubbed out connection with the anticipation that there will be pedestrian access provided for people going to and from Cascadia. He felt that would be used and would be useful. The objection from the folks in Fontana is to have it made in a way that is readily susceptible in the future for some vehicular connection. He felt that the arguments for the potential need for that was that perhaps it would benefit Fontana might justify that. Beyond that he was interested in saving trees. He had heard that a statement that longer retaining walls with more flexibility might allow more of the original slopes to be saved, and therefore more of the original trees. Assuming that they allow the larger width for the retaining walls, he would like to see that determination and the grading plan connected an effort to save as many trees and as much of the original landscape as possible on the site. He suggested that they condition the approval with that or make that a priority. He agreed with the others on the "0" lot setback and the sidewalk waiver. He did not know what to do about them monetary proffers. It seems that these proffers are comparable to what they have had in the past. But, what the applicant makes it clear don't seem to be based on a specific analysis or the incremental impact of this development. Therefore, he had a hard time finding his footing with respect to what else to do.

Mr. Strucko noted that they had not talked about the impacts to schools. They were talking about 330 potential units. He asked if there was a possibility of a senior living facility also on the site. He asked how many of the dwelling units potentially would the senior living facility occupy of the 330.

Mr. Franco replied that it could be a senior center or just condominiums without any restrictions at this point. In the current drawing it represents 274 buildings in and through there. If they throw in accessory units as a way of meeting the affordable criteria, it is some where in the 290 kind of units for the number of units on that drawing. That building would represent 50 to 60 of those units.

Mr. Strucko noted that one of the impacts of a development like this would be on the schools as well as the roads. This particular development is in the Stony Point Elementary District (80 percent) and the Burley (77 percent) and Monticello High School (87 percent). Each one of those schools are probably currently at 80 percent capacity. This particular development proposal is in an area where there is existing capacity.

Ms. Joseph said that the Commission has not talked about the affordable housing proffer yet. She realized that the applicant has spoken with and gotten advice from our Chief of Housing and put this together with those words. However, it is the same sort of proffer that they have seen in the past and

rejected. The Commission is not happy with the 90 days. Again, what it means that they are proffering for the affordable housing units and the for sale ones if they are not sold within the 90 day period, then they are off the market and are no longer affordable and they are market rate houses. Therefore, there is the possibility that it will disappear. At one time they had an applicant to agree to double that to 180 days, which gives us a little more of an opportunity to find people to buy those houses. Another thing that is a little different is that two-thirds of this are not for sale, but are rental. She suggested that the Commission discuss that concept. She felt that rental units were important, but did not know what the mechanism was to make sure that these things retain their affordable status.

Mr. Edgerton agreed with Ms. Joseph that the 90 days was not enough time. He was concerned with the number of units that are in the pipeline because conceivably it could make this a real issue. He did not know what the back log is, but Ron White does not think that it will be a problem placing needy families in these homes. But if all of these projects come on line at the same time they are going to have a lot of proffered affordable units. It would be such a shame to lose them because of the 90 day limit. He continues to be concerned, but does not have the answer yet. He felt that they need to find the answer to how to keep these truly affordable over a long period of time. There are two alternatives that they have heard developers talk about. One is to sell units at a loss and then pass on that additional cost to the market rate units, thereby making the market rate units more expensive. That is one uncreative way to solve the problem. Another way would be to build very cheap housing for those units, which he hoped would not happen. Then they would some how try to integrate it into the plan without hurting the property values of the market rate units. He had been trying to get some information to bring to the Commission and to the Board about the concept of a community land trust where they might be able to decouple the value of the lot from the value of the house. This has been done successfully in a number of communities around the country. But, he felt that they need to look for a long term commitment to not only affordable but the immediate step of the work force housing as well. He hoped that the Commission would urge for more than the 90 days while they are trying to figure out something.

Ms. Joseph noted that the applicant is working with the Chief of Housing.

Mr. Strucko noted that he agreed with Ms. Joseph's previous suggestion that the Commission have a work session on affordable housing. He felt that they needed to work on clearer affordable housing policies and guidelines because he felt it was confusing. He felt that the Commission needs to receive information on how many affordable units are out there and what the market demand is.

Mr. Morris felt that it was fabulous that they have put before the Commission the possibility of some good rental properties in a desirable community that he thought Cascadia was going to be. He felt that it was a super idea. That was part of the affordability.

Ms. Higgins suggested that if they move this along that the Commission should suggest that the Board look at the 90 days.

Ms. Joseph felt that the Commission needs to understand more about when the 90 days starts and the procedure. She agreed that the Commission should have an information session on affordable housing. She agreed with Mr. Morris that it was important to have some rental units. She questioned how they would enforce that.

Ms. Higgins asked if Mr. Franco could come forward and explain how he might consider this.

Mr. Franco thought that part of that is looking at what it takes to deliver that unit. From our perspective, if it was approved tonight that they still have to go to the Board, which might be August, and potentially be rezoned. It is going to take at least a year to get the rough grading plans and a year's worth of construction just to grade that project in there and then probably during that period of time pursue the site plans. Right now they have at least a two year notice before they even start building that building. Their idea was at site plan level, which currently takes a good six months to get approved, the County will know what unit, where it is and what it is going to look like more or less at least a year plus before it gets built and delivered. They wanted a written notification, which they thought was the building permits and that it would end at CO or certificate of occupancy for the unit. If they could find somebody by CO it was great,

but if not it left that stock. It is a minimum of 90 days to produce the contract. That is not to close the unit or to do anything else. The real question that the Commission has been debating is how much of that burden for producing that affordable buyer is going to be something that they should bear. They have talked about down payment assistance and they are looking at that for these units. Mr. White is using the number of $20,000 a unit and they have 45 units. That is $900,000 that someone has to be coming up with down payment assistance. If that cannot be generated, then is it their responsibility to hold that unit for 180 days or a year while the County figures out how to accommodate that. They don't want to see the units lost to the market either. He would say that he thought that they do have a phasing of how this comes in. They have a minimum amount in each section that comes in and they have a provision that ensures it does not all come in at the beginning. It will be phased over the life of this project and does not all come in during the first phase. They plan to create a smaller unit that will fit into the community instead of using lower quality. They have a number of ideas, but don't have the exact answers yet because it is two or three years down the road.

Ms. Joseph noted that on the first page of the staff report staff noted the unfavorable concerns as the proffers for the capital improvements. The other concept was the side yard setbacks. She asked if the Commission has gone through those.

Ms. Higgins noted that they had solved the side yard setback issue. The applicant has agreed to amend the proffer to reflect their concerns regarding the capital improvements and don't believe the adequacy of the proffers to be a major issue.

Mr. Edgerton said that the question that generated staff's concern was that they have required more for other developments.

Mr. Cannon said that it was potentially the same for Old Trail Village. What is the principal difference?

Mr. Davis said that one of the factors that weighs in on the proffers, which makes it sometimes hard to compare one development to another, is that the proffers are supposed to address the impact of the development. For example, Old Trail had a bunch of property that was zoned residential already that was upzoned to Planned Development. In other rezonings they have had such as in Belvedere, for example, it was already zoned R-4 and was upzoned to Planned Development. This property is substantially zoned RA as like North Pointe is substantially zoned RA. When you look at that the impact of that rezoning it is greater on the County. That has to some how go into the analysis. They don't have a formula like some jurisdictions have for computing the impact for a cash proffer.

Ms. Higgins asked why not.

Mr. Davis replied that has been a part of the discussion that has gone on for at least the last 15 or 20 years in the County as to whether or not that is a tool that the County wants to use. There are other localities that have chosen not to use cash proffers as well, such as Henrico County that to a large extent is not using them. But, in the localities that have done that formula the value of the cash proffer for a residential development the impact is similar in the neighborhood of about $20,000 or $30,000 a residential unit. So if you fully calculate what the cost is of a unit and you simply base the proffer on that with no other policies outweighing that you are going to have substantial cash proffer per unit. On the other side of that issue, of course, the County's policy has been to encourage development in the growth areas. The long standing policy has been that you want to do whatever you can to provide the infrastructure and to encourage that without having the development communities necessarily pay for the full impact. So you have to weigh those competing interests when you are looking at this policy. Lately they have been accepting cash proffers for various identified purposes, but they have not taken the general approach that other localities have by simply computing how much every unit contributes to the need for police, fire, libraries, schools, roads, etc. When you take that approach it is a large number. If you take the more focused approach you are identifying particular impacts of the development and then having a cash proffer try to at least in some respect off set those impacts. It is a lesser number. That is what the County has done recently.

Mr. Edgerton noted that he really appreciates that. But, going back to the first page where they look at the by right versus what is being proposed. It is 37 units if all development rights are intact or 52 if they did a density bonus. Even if they take the higher number they are talking about a 634 percent increase in density, which is a pretty substantial rezoning. He felt that it argues that perhaps even our lower or reduced proffer amount certainly is not going to cover all of the fiscal impacts of this project. He felt that it is a given that residential projects never will pay their way. So hopefully the commercial projects when they are appropriate will make up the difference. He felt that was a policy that this County has followed for many years. He felt that they need to go towards the higher end of what they have required in the past on these proffers. As Mr. Davis points out that is at least one decimal point away from what is happening in other communities. Therefore, he did not think that was inappropriate.

Mr. Cannon said that he finds himself persuaded by that. He felt that it was important that there are a number of reasons to internalize as much of the costs of the development imposed on the public as possible because that is what gets you toward the right level of development or one of the things that does that. It seems that they are far below that and there are competing policy considerations that he understands and they are appropriate, but it seems that in light of recent experience that they could move higher here and still be within an appropriate range.

Ms. Higgins questioned how much they thought that the Board of Supervisors relies on the Planning Commission to negotiate or discuss proffers when some of the issues raised in the staff report have to do with items such as the capital projects for the park at Darden Towe, when there really is not capital program to feed that money to. In other words, there are not identified improvements per the Parks and Recreation Director. A lot of their bases for things that are contributed like roads and parks improvements, etc. have to have a basis to say this is how much money is going to be needed in this particular future year to do this. So she has a problem that they are not the capital projects approving body of the County and that sort of thing. She felt that the Commission could make a statement that says we are not sure these are appropriate, but they generally feel that the Board needs to look at that very closely, but as a Planning Commissioners she does not have the whole broader spectrum of the demands of the County.

Mr. Edgerton said that Ms. Higgins was exactly right, but they are asking for the Commission's opinions. That is all that they are asking for. They carry the heavy load.

Mr. Strucko noted that part of the Commission's charge is capital planning.

Mr. Cilimberg said that they make recommendations as to the projects in the capital improvements program. They are not the budgeting agency.

Mr. Strucko asked what they base those recommendations on, perceived need?

Mr. Cilimberg said that they are based on what they find from their plans as being necessary. Also, those are also suppose to be what the requesting agencies are basing their requests on and is what is being called for in plans or what are the needs that may have arisen due to particular service demands that would not have been identified in the plan.

Mr. Strucko felt that was more or less the same thing. They are looking at assessing the capital needs, but they may not be able to put a particular dollar amount on it. But, they may say that they may need an elementary school in this area given the intensity of the development of the plan. They do have a say as to what the capital plan is. As a Planning Commission he takes the word literally that they are going to have to plan communities, and that involves libraries, police, fire, schools, water and roads.

Mr. Cannon said that he does not disagree with that. Maybe for their current purposes in order to contain this within a frame that they can manage it the applicant has made the offer to negotiate further the level of the proffers prior to their appearance before the Board of Supervisors. It seems that one way to handle this would be to take the applicant up on that offer with an indication or a signal from the Commission that the current level of proffers are not adequate in light of our recent experience and our sense of the impact

of this community and that some additional work would probably be for the benefit of the applicant before their appearance before the Board of Supervisors.

Mr. Morris said that as he sees it the primary areas are health and safety as well as traffic. He could care less about a basketball court at Darden Towe Park.

Mr. Craddock agreed with what was said about the 90 day limit on the affordable housing and that the Board should be looking at that.

Mr. Edgerton reiterated that he would be comfortable considering some flexibility on the retaining walls and the sidewalk issue if and only if that could be linked to some legitimate effort by the applicant to protect as much as possible of the tree buffers. He did not think replacing those trees with 3 or 4 trees would be adequate.

Ms. Joseph said that one of the requests is for modification of waiver for critical slopes. It is being requested on page 57.

Mr. Edgerton said that the applicant would like for the Commission to say yes, they would waive critical slopes now, but they have not seen a grading plan. So it is awfully hard for the Commission to know what they are agreeing to.

Ms. Joseph said that however these are things that staff wants the Commission to act on tonight.

Mr. Dougherty said that certainly the applicant wants those things to get acted on.

Ms. Higgins asked that the applicant be asked to quantify or give us some feedback on if the Commission considers the retaining wall issue and the sidewalk issue favorably if they can come to the table with some way to build the assurance that she needs about preserving the trees. This is a very important issue since it affects 2 or 3 of the things here.

Mr. Franco said that he was trying to figure out how to assure the Commission.

Ms. Joseph asked if they could do something within the critical slopes waiver request that would be a condition.

Mr. Franco said that was fine, but he was trying to figure out what that condition would be such as a bigger pledge or that they were not going to do it.

Ms. Higgins asked if they have a quantifiable buffer that they think they can achieve that they can put on the table or is that too much to ask. It is 50' along the stream.

Ms. Joseph said that maybe it is up to the Commission to make that determination.

Mr. Franco said that they have a 30' buffer along Fontana behind the houses. In that lower part where there are no houses immediately adjacent to the property where the power lines are they have more flexibility through there. They actually have grading as part of the land that is there. They have the ability to grade 50', and he can't remember the exact distance onto the Fontana property.

Ms. Higgins asked what would happen to that property after they grade it.

Mr. Franco said that if they go and grade through there, then that is the part that they have to revegetate because it is part of their conservation area. He did want to stress that the critical slopes waiver is something that they don't want to push to site plan because he could not execute this plan internal to the site without it.

Ms. Joseph noted that is why they are going to try to make it conditioned so that if they approve the waiver that it will be a condition for the critical slopes waiver. She felt that they need to work through it.

Mr. Franco said that if they have the language that he would happy to do it.

Ms. Joseph asked Mr. Edgerton to tell us what areas that he was concerned about at this point. Maybe they could just describe them.

Mr. Edgerton said that he was concerned with all of the perimeter vegetation, which is what they have been talking about.

Mr. Morris asked it to include along Route 20.

Mr. Edgerton said that he would like to approve this, but was a little nervous obviously because of the topography. They are going to have to build sedimentation basins down here. He did not know how they would preserve those trees and do that kind of engineering.

Ms. Higgins said that they already got it across the stream for the preserve area.

Mr. Edgerton said that they sort of have it across the stream.

Ms. Higgins said that it was 50' and the stream.

Ms. Joseph said that the Commission wants to preserve the existing trees. They want to give some sort of dimension from the property line.

Mr. Edgerton noted that what has been drawn in here is more like 100' than 50'. He said that he was talking about the 100' tree versus a 2' tree along the border.

Ms. Joseph asked Mr. Davis to help the Commission with this.

Mr. Davis said that he thought that might already be there. If they look on the Attachment I under the critical slopes waiver request there are already conditions there. One of those conditions is that there has to be an overlot grading plan and a landscape plan to include a tree protection plan. So he thought that what staff needs to do basically is to hear their concerns about which areas need to be preserved and that can be accommodated in this tree protection plan that is a condition of the waiver as recommended by staff.

Ms. Joseph said that it would be so they could reference back to the minutes of this meeting.

Ms. Higgins noted that there has been an issue raised about specifically calling it an overlot grading plan because the committee that is working on the overlot grading plan has not come up with standards.

Mr. Edgerton noted that the language should protect us to identify what the applicant has shown as green space along the perimeter.

Mr. Davis said the tree preservation plan would address those areas.

Mr. Edgerton asked if that could fully identify what they are talking about.

Mr. Davis noted that it is recognizing that there will be land disturbance in there and that the tree protection plan will be the best effort to protect those trees.

Mr. Craddock said that sounds good, and Mr. Edgerton agreed.

Ms. Joseph said that is with the critical slopes waiver.

Mr. Cannon asked if they can say more generally in approving this that if the approval is with the understanding that the additional flexibility that they are granting for the retaining walls and other features should be exercised consistently with achieving that goal of maximizing tree protection.

Ms. Joseph said there are waiver requests also.

Mr. Cannon agreed.

Ms. Joseph suggested that they add that language to that one, too.

Mr. Morris asked for clarification on what staff believes that they have said regarding the connection between Cascadia and Fontana. What is it that staff has heard the Commission say.

Mr. Cilimberg said that staff heard the Commission say that they basically support the intent of the applicant's proffers.

Mr. Morris agreed.

Mr. Davis said that he did not want to complicate this any further, but the proffer may not be the vehicle to do that. It depends on a determination that he has not had a chance to discuss with staff. But, if that is a connection that would be required by the Subdivision Ordinance, which now has a provision that requires extension to planned or future roads and interconnections to neighborhoods, then the proper vehicle to address that would be a waiver rather than a proffer. His understanding is that the applicant has not asked for a waiver from the provision technically. So staff needs to look at that and determine whether or not that is a Subdivision Ordinance required connection. If so, then the Subdivision Ordinance provides that a waiver can be requested at the time of the rezoning or at the time of the preliminary subdivision plan. So if they want to pursue it and it is a required connection, they are going to have to figure out how to get that waiver in front of the Planning Commission and Board before the Board acts on it. That waiver process, as they may recall, basically mirrors what the applicant is proffering. They have to plat the right-of-way and fund the future construction of it if there is ever an opportunity to do that, etc. It is very similar, but he thinks they can get to the same point. But, the process needs to be worked out a little bit better.

Ms. Higgins thought that applicant actually platted and did the grading and then proposed to identify the money or turn the money over that was when they don't request the waiver. But, if they want to not provide the easement or not provide the connection, then that is when they request the waiver. The Commission has had a couple before them like that.

Mr. Davis said that the Subdivision Ordinance requires it to be built to the property line unless a waiver is granted.

Mr. Edgerton noted that he did not see the retaining wall request.

Ms. Joseph said that it was in the Code of Development. The applicant is asking for 300' and the Commission is saying that is fine.

Mr. Edgerton said that #21 was the waiver concerning sidewalks on Devine Lane that staff was concerned about the distance.

Action on Rezoning:

Motion: Ms. Higgins moved, Mr. Craddock seconded, to recommend approval of ZMA-2002-004, Cascadia, based on the following:

- The Commission agreed to the adjustment the applicant would make regarding certain house separations with the understanding a zero "0" lot line concept could be a part of the Code of Development.

- The Commission agreed to a maximum 6' high 300' long retaining wall with allowances for greater than that with the approval of the Director of Community Development.

Mr. Cannon asked if the proffers would be separate.

Mr. Cilimberg replied that the proffers would be an element of the rezoning recommendation. So the Commission needs to state what they expect with the proffers. There are obviously minor adjustments to the proffers and the Code of Development that need to take place between now and the Board of Supervisors meeting. But, the Commission needs to comment on any substantive aspects of the proffers.

Mr. Edgerton thought that Mr. Cannon had worded it beautifully when they were talking about the recommendations to the Board concerning proffers.

Ms. Higgins amended her previous motion to include the following:

- The proffers as suggested by the applicant would be subject to further negotiation with the Board in two specific areas that the Planning Commission feels need to be increased: the 90 day limit on the availability of affordable housing and the amount of cash proffers.
- The additional flexibility that they are granting for the retaining walls and other features should be exercised consistently with achieving the goal of maximizing tree protection.

Mr. Craddock seconded the motion.

The motion passed by a vote of 7:0.

Action on Waiver # 21:

Ms. Higgins made a motion to approve the waiver to provide only sidewalk on one side of Adelphia Drive as identified on the plan in the red section only. The purpose of granting the waiver is to limit the grading and to promote tree protection in that area.

Mr. Morris seconded the motion.

Mr. Davis said that the condition is that there is a tree preservation plan submitted.

Ms. Higgins amended the motion to add the condition that a tree preservation plan will be submitted and reviewed with staff.

Mr. Morris seconded the amended motion.

The motion passed by a vote of 7:0.

Mr. Cilimberg noted that for reference that motion was for waiver # 21 out of 23.

Board Discussion:

Mr. Cannon asked if they have to approve the proffers one by one.

Ms. Joseph felt that they could group the proffers together.

Mr. Cilimberg suggested that staff update what they have removed as a request for waivers so that the Commission could focus on what the applicant is asking for on waivers other than # 21, which they have already decided upon.

Ms. Joseph asked Mr. Dougherty to help the Commission with that.

Mr. Dougherty said that the Commission could cross off waivers # 7 and # 10. He recommended that the Commission use the waiver evaluation sheet on pages 75 and 76. Waiver # 21 is covered.

Mr. Cilimberg noted that the remaining waivers have conditions attached to them.

Mr. Edgerton questioned if they need to add a clarification to # 1.

Mr. Davis noted that the only clarification to that one is what the intent is regarding the overlot grading plan. He was not sure if staff wants to comment on that.

Ms. Higgins said that the specific question on that is the issue about the Overlot Grading Committee has not fully come up with their conditions of what they are calling an overlot grading plan. Since it looks like the majority of the site is going to be covered by a site plan what would it actually entail.

Jack Kelsey, County Engineer, agreed that a lot of the area is going to be covered by a site plan. But, there are areas of single-family detached. There are also in the descriptions of the different zoned within the development and in the list of permitted uses in the table lists single-family or detached single-family, semi-attached, single-family attached units that could also go into those same blocks. The concern is that anything that comes in as single-family dwellings and single-family semi-attached or attached can't come in as a subdivision. They cannot require a final grading plan with a subdivision. They can get a grading plan for the road, but they can't get a grading plan for the development of the lots themselves. They are very concerned because of the steepness of the terrain and the difficulty of it. There are a lot of sensitive areas that need to be protected, particularly the area in the back where the conservation area is and the preservation area. If it comes in as a subdivision, then staff does not get a grading plan. They realize that the community that was working on the overlot grading plan has not come up with anything, but there have been other developments that have proffered an overlot grading plan and they have simply taken excerpts from some of that material that was originally being considered and have developed some criteria for a grading plan, which staff will be happy to share with the developer.

Ms. Higgins said that they are actually considering imposing as a condition something that the staff and the County have not adopted a process or conditions for an overlot grading plan.

Mr. Kelsey stated that they could call it whatever they want. But, essentially what he was looking for was to make sure that if something comes in as a subdivision plat staff wants to see a final grading plan of those lots.

Ms. Higgins asked if they could avoid the words of things that are not in place yet and call it a general plan.

Mr. Kelsey said that staff would word smith it however they please.

Mr. Davis suggested a grading plan acceptable to the County Engineer.

Mr. Edgerton asked if it would cover all of the areas identified in the open space. Or was he talking about all of the lots as well.

Mr. Kelsey replied that for each section that comes in as a subdivision staff needs to get a final grading plan with it. That is what staff is interested in.

Ms. Joseph said that it was a commitment to a grading plan acceptable to the County Engineer.

Ms. Higgins said that most of the areas that they are talking about since they are looped by roads and that sort of thing, that will be part of the grading plan. She agreed that they could call it a general grading plan and it would cover it.

Ms. Joseph said that according to this table staff is recommending approval for all of the waivers with the conditions.

Mr. Dougherty noted that there are two minor updates. For # 12 the attachment H actually said that signs in the public right-of-way shall be approved by the County Engineer, VDOT and the ARB. Attachment I says just the County and VDOT. Signs that are in the public right-of-way that would not already be a jurisdiction of the ARB do not need to be approved by the ARB. So the condition written in attachment I is correct and it only needs to be approved by the County and VDOT. In # 23 there is a condition that the ARB shall determine whether the street trees should be in the right-of-way along the Entrance Corridor or not. Technically, they are not proposing street trees. To leave it as is would still give them the ability to do that once they work through their final plan for that area. The applicant objected for that.

Ms. Higgins noted that she did not understand.

Mr. Dougherty said essentially if they leave this in it would allow the ARB to determine what the treatment would be. But, they are not planning on putting street trees there so they could take it out.

Ms. Joseph stated that the condition in # 23 should be taken out.

Mr. Barnes asked to make a comment.

Ms. Joseph asked Mr. Barnes to come forward and explain how it should be fixed.

Mr. Barnes said that as the ordinance is written today they should waive it without conditions.

Mr. Cilimberg noted that was what the Commission had just said. Therefore, # 23 was a waiver of street trees without conditions.

Mr. Dougherty said that there was one additional waiver that the applicant added in a chart form in their last submission that is not in the waiver requests. It is Section 4.15.11. They might need the applicant to speak to it or let that go until the site plan.

Ms. Joseph asked staff to explain the request.

Mr. Dougherty replied that it was regulations applicable in PUD and NMD Districts. He apologized that he could not explain it unless he had a copy of the ordinance.

Ms. Joseph suggested that they let that waiver go.

Mr. Cilimberg said that the waivers are all the Commission's actions and don't go to the Board unless they are appealed. If there is something else that needs to be done with the waivers beyond this that is discovered between now and the project getting under way, including the site plan/subdivision process, it can come to the Commission. But, they are taking a pretty comprehensive action with this. So it is covering a lot of ground considering where they are in the project.

Ms. Joseph agreed.

Motion on Waiver Chart:

Ms. Higgins made a motion that the waiver chart is approved deleting 21, 7 and 10; that in 12 that they delete the ARB reference; and 23 the condition is deleted.

Mr. Craddock seconded the motion.

Mr. Cilimberg said that he wanted to make sure that staff has this correct. He reiterated that the critical slopes waiver was with a condition of a grading plan acceptable to the County Engineer. In waiver 12, signs in the public right-of-way, what is in Attachment I on page 76 of the staff report are correct. In waiver 23, the Planning Commission is dropping any condition whatsoever. Therefore, with those changes to what is in the chart the Commission would be approving all but waiver 21, which the Commission has already approved as shown in the chart. Also, waivers 7 and 10 were deleted.

Ms. Higgins amended her motion to be as previously stated by Mr. Cilimberg.

Mr. Morris seconded the motion.

The motion passed by a vote of 7:0.

Ms. Joseph stated that the Commission had approved the waivers as stated in the motion. Also, ZMA-2002-004; Cascadia would go to the Board of Supervisors on August 2 with a recommendation for approval. (See Attached list of waivers approved by the Planning Commission.)

The Commission recessed at 9:03 for a ten minute break. The meeting reconvened at 9:11 p.m.

Old Business:

Ms. Joseph asked if there was any old business.

Update on consideration of public water and sewer with development proposals. (Paul Shoop – ACSA)

In summary, Paul Shoop, Director of Albemarle County Service Authority, was present to answer the Commission's questions concerning the consideration of public water and sewer with development proposals. He introduced Tom Frederick, Rivanna's Executive Director; Gary Fern, Service Authority Executive Director and Jennifer Whitaker, Chief Engineer for Rivanna.

Mr. Shoop discussed the following issues:

- The process that developers have to go through with the Service Authority regarding development proposals concerning water and sewer availability as it relates to site plans;
- The process of how to request a change to the boundary through the Board of Supervisors;
- The two components of their connection fees as being the Rivanna Capacity Charge (RCC) and the System Development Fee (SDF). He explained that these charges represent an equity buy-in to the available excess capacity built into the existing system.

Discussion of Groundwater Ordinance considerations. (Mark Graham)

In summary, Mr. Graham discussed the Groundwater Ordinance considerations. He explained that there was no enabling authority allowing the County to implement certain aspects beyond what is in the Groundwater Ordinance due to scientific, technical and legal issues. He noted that the County was gathering data on the groundwater assessments to use for future considerations. Currently the Groundwater Ordinance requires that a well is drilled prior to issuance of the building permit for the house.

There being no further old business, the meeting proceeded.

New Business

Ms. Joseph asked if there was any new business.

CPA 2006-001 Rivanna Village – Update on status of Comprehensive Plan Amendment Review. (David Benish)

Mr. Craddock recused himself from the matter on CPA-2006-001, Rivanna Village because he was on the Board at the Fire Station. Therefore, he left the meeting room.

In summary, Mr. Benish distributed the staff report for CPA-2006-001, Rivanna Village and provided a summary as a heads up for the Commission's work session on July 18.

Staff Report Content Discussion

Mr. Craddock returned to the meeting at 9:30 p.m.

In summary, the Commission made the following suggestions concerning the staff report content:

- In the by right use section include the zoning district.
- Provide general history of special use permit. Include a copy of the conditions of the previous special use permit and address what is being amended showing what was there before and what is being deleted with the use of strike outs.
- If more than one special use permit, note if all of the activities will continue to take place.
- After discussion, the majority of the Commissioners requested that staff include all violations in the staff report.
- On history, if old plats involved it is very helpful to include a copy.
- Provide conceptual map showing proposal in context to adjoining property when applicable.
- Include background of everything that has gone on at site.
- When staff recommends denial, need to state why and what needs to be done to approve or what alternatives they have. Include conditions for the Board to consider if the Commission decides to recommend approval.
- Provide consistency in all staff reports in a similar format. The Commission liked the new format with the one page summary in chart form because it was easy to read and understandable.

Staff asked the Commission to email any other comments they might have on the staff report format.

The Planning Commission will not meet on Tuesday, July 4. The next meeting will be held on Tuesday, July 11, 2006.

There being no further new business, the meeting proceeded.

Adjournment:

With no further items, the meeting adjourned at 10:36 p.m. to the Tuesday, July 11, 2006 meeting at 6:00 p.m. at the County Office Building, 401 McIntire Road.

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V. Wayne Cilimberg, Secretary

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