Albemarle County Planning Commission
October 24, 2006

The Albemarle County Planning Commission held a meeting and work session on Tuesday, October 24, 2006, at 4:00 p.m., at the County Office Building, Room 241, Second Floor, 401 McIntire Road, Charlottesville, Virginia. Members attending were Eric Strucko, Duane Zobrist, Jon Cannon, Bill Edgerton, Calvin Morris, Vice-Chairman and Marcia Joseph, Chairman. Bill Edgerton arrived at 4:08 p.m. Absent was Pete Craddock. 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; Ron White, Director of Housing and Greg Kamptner, Deputy County Attorney. Mr. Kamptner arrived at 4:13 p.m.

Call to Order and Establish Quorum:

Ms. Joseph called the work session to order at 4:05 p.m. and established a quorum.

Work Session:

Affordable Housing – Development Community Presentation

In summary, the Planning Commission held a work session to receive input on the County's strategic goal regarding affordable housing from the development community.

David Phillips, CEO at the Charlottesville Area Association of Realtors, introduced several speakers from the development community to speak on "work force" housing issues to explain how their jobs are affected by the affordable housing issues. He indicated that the real answer to solve their affordability problems for our main stream "work force" lies in our for profit developers. The speakers would bring a different perspective in terms of how the issue can be addressed and the needs out there for the community. He introduced the following speakers who gave a brief overview of the affordable housing issues from the developer's perspective:

- Vito Cetta, member of the Housing Committee and a developer with Weather hill Homes;
- Josh Goldschmidt, "King of Affordable Housing" who has done a lot in the community to address affordable housing from a for profit standpoint especially; and
- Don Franco, a developer with K.G. Associates.

Ron White, Director of Housing, was present to answer questions.

Ms. Joseph noted that Mr. Phillips had indicated that the focus would be on work force housing. She asked if he would define what that is.

Mr. Phillips said that work force housing is what they define as housing expenses that take 30 percent of an individual's household income. It varies from family to family. Particularly for teachers, firemen and lab techs, who are only making household incomes in the $30,000 to $40,000 range, they are having trouble in Albemarle County in meeting that 30 percent threshold. There are just no products available. That would roughly put the housing in the $200,000 range.

Vito Cetta, a member of the Housing Committee and a developer, said that they sought the affordable housing process about three years ago. He would say if nothing changed from now they would be quite pleased of the success that they have had. They have a wonderful policy in place. They have close to 1,000 units that have been proffered. They have a fair amount of cash that has been proffered. So if nothing else changed, they have accomplished a great deal. They have focused on the issue of supplying housing for folks who make a maximum of 80 percent of the median income. They recently through Mr. White's efforts actually modified that to give some incentives for building houses up to 100 percent to the median income. The concept is to spread it a little bit further. Right now 80 percent of the median income for a family of two was around $35,000.

Ron White, Director of Housing, said that 80 percent of the median income was roughly $50,000 for a family of two.

Mr. Cetta said that the median family income in Albemarle County is around $64,000. Therefore, it would be 80 percent of that, but they would have to know the size of the family. But, if nothing changes they still have a wonderful policy in place. He pointed out that there were still some holes in the policy. Josh Goldschmidt is the first person to build the affordable units in Avon Park, which is under construction. The units are going to be offered at around $178,000 using that formula. It is the first process that they have gone through and it seems to be working. The one issue is how they maintain that unit as affordable over a long period of time. Right now the way the system works Mr. Goldschmidt sells that unit for $180,000 and some one can sell it in two years for $250,000. The developer is supplying the unit that sells for $180,000, but right next to it the units are selling for $240,000. He is forcing the product to be sold for less than it is worth. Mr. Goldschmidt has his own formula on how he thinks that can be modified. The point is that in a few years the owner could sell the unit and perhaps it would not be affordable. He felt that they ought to have a system that keeps the units in the affordable realm.

Ms. Joseph asked if he was saying that these units were identical to the ones next door.

Mr. Cetta replied the units were not identified. But, if they drove down the street they would not necessarily know the difference. The units are meant to look the same.

Mr. Cannon assumed that their values were enhanced by being adjacent to higher priced units. So if the units were some place else they would not sell for more than that. But, it is due to the neighborhood.

Mr. Goldschmidt noted that comparable housing that they are building in Crozet today is on the market for $225,000. So it is apple to apple with the same refrigerator, etc. Everything is exactly the same. It is a subsidy.

Mr. Cetta said that the problem with the subsidy is that it won't maintain the supply of affordable housing. He has a suggestion that he is working on with the Housing Committee. The affordable housing is offered for people who are a first time home buyer. Someone cannot own a home before that. Anybody buying a home is able to obtain a mortgage that is affordable for them. They have tracked the cost of what an average house is sold for over the last 40 years. They have also tracked the income of an average income household over the last 4 years and the consumer price index. In 1963 the average house that sold was exactly 3 times a family's income. Today it is a little more. Now it is 4 times that. It is mainly because the interest rates have come way down. A family can afford $1,000 a month and before that they could afford a higher mortgage. That is why that percentage or ratio has changed. He felt strongly that he would have a deed restriction on these homes that would limit the resale of that unit to a CPI or an index like that. They have seen housing prices go through the roof recently, but they cannot continue. Another aspect of affordable housing that has worked is that the developer can provide for sale housing, rental housing and cash proffers. In his opinion, that is working very nicely. The housing trust fund has a lot of money in it. The County is providing another $250,000. The system is working for down payment assistance, which is what the trust fund is all about. They find people who can afford and qualify as an affordable buyer, but invariably they have no money for a down payment. That is something that they are obviously aware of. The County has a fund now where they contribute $16,500 and the federal program continues to subsidize that. The average subsidy for down payment assistance over the past 2 years has been $30,000 to $45,000 in total with $16,500 coming from the County and the rest from the federal program. The County money eventually is repaid. When that house is sold it is repaid at an accumulated 6 percent interest. That means that the next home buyer can be subsidized in the same way.

Ms. Joseph said that the County gets the money back, but they still have to continue creating affordable housing. The unit does not remain affordable.

Mr. Cetta noted that one of the main issues right now is how they maintain that unit as an affordable product. The County has plenty of people going through the Homebuyer's Club. Right now they are

closing about 2 homes per month. Over the last 17 months they have closed about 44 units. They have been subsidized as a down payment of around $30,000 to $35,000. So the system is working. It is good for the County because the money eventually comes back and goes back into the pool of money.

The Planning Commission discussed, asked questions and made comments to explore ways to find creative solutions for these complex problems for future actions. No formal action was taken.

The Planning Commission recessed at 5:30 p.m. for a dinner break and the meeting reconvened at 6:00 p.m.

The Albemarle County Planning Commission held a meeting on Tuesday, October 24, 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, Duane Zobrist, Jon Cannon, Bill Edgerton, Calvin Morris, Vice-Chairman and Marcia Joseph, Chairman. Absent was Pete Craddock. Julia Monteith, Senior Land Use Planner for the University of Virginia, representative for David J. Neuman, FAIA, Architect for University of Virginia was present.

Other officials present were Wayne Cilimberg, Planning Director; Gerald Gatobu, Senior Planner; Judy Wiegand, Senior Planner; Lee Catlin, Community Relations Manager; David Pennock, Principal Planner; Tamara Ambler, Natural Resources Manager; Harrison Rue, Executive Director of Thomas Jefferson Planning District Commission and Greg Kamptner, Deputy 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. **SUB 2006-265 Wickham Pond Phase II – Two lot Subdivision**: This proposal is for preliminary plat approval allowing a two (2) lot subdivision in the development areas. The property, described as Tax Map 56, Parcel 91, contains 21.35 acres zoned Rural Areas (RA) and Entrance Corridor (EC). This site is located in the Whitehall Magisterial District on the south side of Three Notched Road [State Route #240] 0.14 miles from its intersection with Park Ridge Drive [Route #1250]. This property is within the Crozet Community, and is designated as Development Area Preserve (CT-1), Development Area Reserve (CT-2), Urban Edge (CT-3), and Urban General (CT-4). (David Pennock)

b. **SDP 2006-096 Christian Aid Mission – Preliminary:** Request for a preliminary site plan to redevelop the current Christian Aid Mission site on Ivy Road by removing the existing Church Social Hall and Church Annex buildings and constructing two new buildings for the church, offices and guest house/dormitory totaling 83,000 square feet along with new parking and travel ways. The site is a 3.82 acre portion of 12.87 acre parcel zoned CO (Commercial Office). The property, described as Tax Map 59 Parcel 23Gl is in the Samuel Miller Magisterial District on Ivy Road (US Route 250W) at the intersection of Ivy Road and Broomley Road (Route 677). The Comprehensive Plan designates this property as Rural Area. (Francis MacCall)

c. **Approval of Planning Commission Minutes:** September 5, 2006; September 19, 2006.

Mr. Edgerton asked to pull SDP-2006-096, Christian Aid Mission – Preliminary for discussion.

Ms. Joseph asked to pull SUB-2006-265, Wickham Pond Phase II – Two lot Subdivision, for discussion. She was concerned with the fact that staff was suggesting that this was a private road connection since they have anticipated that this other cross road was going to be public. She questioned how that would

work and whether they have the entrance coming in as private and then the public road going through. On Pantops in Carriage Hill they have a private road going through that acts as a connector. She wanted to make sure that they were not creating that same sort of situation here. She suggested that the Commission add a condition to this that the road when built will become a public road.

Mr. Kamptner said that it would probably be that when the parcel was being platted that would become a public street. He noted that it was probably already reserved for dedication in the Code of Development so they were just adding an additional condition.

Mr. Kamptner said that the plat will address any concern that the road will become public.

Ms. Joseph asked if they don't need to add anything.

Mr. Kamptner replied that he did not think so because the note on the plat should address the concerns.

Ms. Joseph said since Mr. Kamptner assures us that all of this will be public roads that she was alright with this. She was just worried that the roads would become private roads after all they had talked about.

Mr. Edgerton noted that he still had a concern and would like to put a condition on the approval that the ultimate development of this property would be consistent with what they approved. After going through the lengthy rezoning process with specific adjustments to the property he did not want to see some other plan come in that is not consistent with that plan.

Mr. Morris asked if that was doable.

Mr. Kamptner replied that was doable, but that staff might want to look at the language that is put into the condition and look at the current development and the general development plan. But, the condition would be to the effect that the ultimate design and use of the 30' private right-of-way into a public street would be as on the development plan and in the current development.

Mr. Edgerton said that they should just reference it back to what was approved.

Ms. Joseph asked if the Commission needs to have a specific condition written out or can they rely on staff.

Mr. Kamptner replied that the Commission could rely on staff. With this approval staff will be able to administratively approve the subdivision plat and will forward that condition at the Planning Commission's direction.

Action on SUB-2006-265, Wickham Pond Phase II – Two Lot Subdivision and Minute Approval

Motion: Mr. Morris moved, Mr. Cannon seconded, for acceptance and approval of SUB-2006-265, Wickham Pond Phase II – Two Lot Subdivision with the condition and the minutes of September 5, 2006 and September 19, 2006.

1. The ultimate design for access to the property when Wickham Pond, Phase II is developed will be via a public street as shown on the approved application plan and in the Code of Development for ZMA 05-018 – Wickham Pond, Phase II.

The motion passed by a vote of 5:0. (Mr. Craddock was absent.) (Mr. Zobrist abstained, but noted that he in favor of the approval of the minutes.)

Ms. Joseph stated that SUB-2006-265, Wickham Pond Phase II – Two Lot Subdivision was approved with conditions. Also, the minutes of September 5 and 19, 2006 were approved. She noted that the next discussion would be on SDP-2006-096, Christian Aid Mission – Preliminary, which was pulled from the consent agenda for discussion by Mr. Edgerton.

Mr. Edgerton pointed out that he was concerned with the statement in the staff report that said, "Based on the review above, the engineering concerns are with the basin construction over the mass drain field." He said that he was uncomfortable not knowing where the critical slopes being disturbed on the site were located. It appears that all of the critical slopes on the site are being disturbed completely wiping out the tree buffer between the site and the residences in the rear.

Action on SDP-2006-096, Christian Aid Mission – Preliminary:

Motion: Mr. Cannon moved, Mr. Morris seconded, that SDP-2006-096, Christian Aid Mission – Preliminary Site Plan Critical Slopes Waiver be deferred to be reviewed again by the Planning Commission at an appropriate time to be scheduled in consultation with the applicant.

The motion passed by a vote of 6:0. (Mr. Craddock was absent.)

Ms. Joseph stated that SDP-2006-096, Christian Aid Mission – Preliminary Site Plan Critical Slopes Waiver was deferred.

Regular Items:

SUB-2006-204 Woodridge Phase A - preliminary subdivision plat approval to create 20 lots (19 development lots and one (1) preservation lot) as a Rural Preservation Development on 240.66 acres. The property, described as Tax Map 124 - Parcel 1 (portion), 5 (portion), 6 (portion), 7 (portion), is located in the Scottsville Magisterial District on Jefferson Mill Road [Route #618] approximately 2.4 miles southwest of the intersection with Rollings Road [Route # 620]. The Comprehensive Plan designates this property as Rural Areas in Rural Area 4.

AND

SUB-2006-205 Woodridge Phase B - preliminary subdivision plat approval to create 20 lots (19 development lots and one (1) preservation lot) as a Rural Preservation Development on 249.84 acres. The property, described as Tax Map 115 Parcel 14 (portion), Tax Map 124, Parcels 5 (portion), Parcel 6 (portion), and parcel 7 (portion), is located in the Scottsville Magisterial District on Jefferson Mill Road [Route #618] approximately 2.4 miles southwest of the intersection with Rollings Road [Route # 620]. The Comprehensive Plan designates this property as Rural Areas in Rural Area 4.

AND

SUB-2006-206 Woodridge Phase C - preliminary subdivision plat approval to create 15 lots (14 development lots and one (1) preservation lot) as a Rural Preservation Development on 184.80 acres. The property, described as Tax Map 115 parcel 13 (portion), Tax Map 115 parcel 14 (portion) Tax Map 124 - Parcel 1 (portion), 2(portion), 6 (portion) is located in the Scottsville Magisterial District on Jefferson Mill Road [Route #618] approximately 2.4 miles southwest of the intersection with Rollings Road [Route # 620]. The Comprehensive Plan designates this property as Rural Areas in Rural Area 4. (Gerald Gatobu)

Mr. Gatobu summarized the staff reports.

Tax Map 124, Parcel 7A is not included. They are dealing with the rest of the seven lots. Attachment C is the determination of development rights done by John Shepherd in 2005 that described how many lots can be created, which includes the number of 21-acre lots. There are 27 development rights and can do at least 24 21-acre lots by right. The applicant did a boundary line adjustment to have the three phases. They have a rural preservation tract development that they wanted to have as a whole on almost 670 acres. According to the County Attorney it had to be developed into specific Phases A, B and C. It is now a rural preservation development. With the boundary line adjustment the 27 development rights were readjusted giving Phase A ten, Phase B ten and Phase C seven.. The 21-acre lots were also reassigned. In Phase A the applicant can have 20 lots. Therefore, the proposal in phase A is for 19 development lots and one preservation tract.

Scott Clark's comments are in the staff report concerning the rural preservation. One of the comments was to move the lots out of an encroachment, which was done. There was the issue of roads and

crossing the streams. Tamara Ambler, Resource Manager, is present to answer questions regarding the stream crossing.

Ms. Joseph invited questions from the Commission.

Mr. Edgerton asked why the project has to be done in three phases.

Mr. Kamptner replied that is was because the definition of a rural preservation development is a lot in a single rural preservation that does not create more than 20 lots. In the old rules prior to 2004 this type of development could have been processed as a single RPD by special use permit.

Mr. Edgerton said that it was because of the change in the state law that if they have a clustering provision it becomes by right. He questioned why they were discussing this if it was by right.

Mr. Kamptner replied that any ordinance in place before 2004 that allowed for a by-right cluster development was grandfathered in. The special use permit requirement, which became prohibited after 2004, was removed from the ordinance. The Commission is required under the ordinance to determine whether or not all of the criteria are satisfied. It is by right and the Commission's review is ministerial similar to what they do with a subdivision plat review that all requirements of the ordinance are satisfied.

Mr. Edgerton said that if all of the requirements of the ordinance are satisfied, then the Commission is mandated by law to approve it.

Mr. Zobrist questioned if staff could make this determination, and Mr. Kamptner replied that the regulations have always provided for this review to be made by the Planning Commission.

Mr. Zobrist noted that the Planning Commission has to review to verify compliance.

Mr. Kamptner pointed out that when the county adopts a clustering ordinance under the new state law all of the review will have to stay at the staff level.

Mr. Edgerton noted that as long as the county does not change the regulations, then the Planning Commission will be able to look at it. In the past they struggled with the new groundwater code with Glen Oaks. His understanding is that the mandated groundwater plan has not been done yet. He asked if that was mandated before the approval and if the Planning Commission would be able to see it.

Ms. Joseph replied that the groundwater plan would be required before the final. She asked if that was something they could consider bringing back.

Mr. Edgerton said that it would be hard for the Commission to have an opinion if they can't see the groundwater plan. The Commission had a rural preservation project proposed on Glen Oaks and the applicant came in with a groundwater assessment study, which is now part of the ordinance. The study showed that there were some real concerns about finding the groundwater. The Commission stumbled over that and then it was explained that after they adopted a groundwater ordinance it went to the Board and they took away their ability to deny a project on that.

Mr. Kamptner replied that was correct.

Mr. Edgerton noted that this time the Commission is looking at a rural preservation development they don't have the benefit of the groundwater assessment. If it gets to be problematic he would at the very least like to be able to recommend to the Board that the Commission is part of that. But, if they can't see it, then they can't evaluate it.

Mr. Kamptner asked if one has been prepared for this project.

Mr. Gatobu replied that the only comment he got from David Swales was put in the staff report. He did not think that they have prepared the groundwater assessment.

Mr. Edgerton said that the groundwater assessment was required, but the question was if it was required before the request came before the Commission or before the signing of the final plat.

Mr. Kamptner noted that it would be required before the signing of the final plat.

Mr. Edgerton pointed out that staff's condition covered the groundwater assessment, but it did not have much value from a planning perspective if the Commission did not get to see it.

Mr. Kamptner questioned if this was a Tier III assessment.

David Swales replied that it was.

Mr. Kamptner noted that the assessment had to be submitted with the preliminary plat. The owner shall submit the final groundwater management plan and must be approved by the Program Authority prior to approval of the final plat or site plan.

Mr. Edgerton asked if it should have been submitted with the preliminary plat, which was what the Commission was looking at.

Mr. Kamptner replied yes.

David Pennock, Senior Planner, pointed out that in looking through the file one was submitted with the preliminary plat. He pointed out that David Swales' earlier comments said that the Tier III groundwater assessment, which he completed in July fulfilled most of the requirements as defined in the Design Manual Chapter Two and a final version shall be due at submission of the final plat. He agreed with Mr. Kamptner's reading of the Groundwater Ordinance that requires it to be submitted prior to preliminary approval of any subdivision. So the fact that it has been submitted should be okay in this case. If the applicant revises the plan later, then that is something else.

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

Tara Boyd, attorney, represented the applicant and made the following comments.

- She pointed out that her presentation includes all three phases. Essentially they were requesting approval of three rural preservation developments, which would include 55 houses while permanently preserving a total of 445 out of 675 total acres. It would give a contiguous preserved area of 65 percent of the property in perpetual conservation easement. The property has been timbered since at least the 50's. It is not in an agricultural forestal district or a drinking water watershed although the creek does run through it. The applicant has made some provision for that. As Mr. Kamptner mentioned, the Commission will be charged to determine whether the preliminary plat complies with the requirements of the Subdivision Ordinance and also with the RPD Zoning Ordinance. The engineers are present to address any technical questions on the Subdivision Ordinance. Staff has reviewed the plans in relationship to the Subdivision Ordinance and found that all of those requirements are met.
- She reviewed and explained the requirements of the plan and how they have met them. This plan is better than the by-right subdivision. The development rights do not encroach on to areas of critical slope or floodplain, which was modified by the reasonably practical provision. It is impossible to develop lots that don't have some critical slopes in them, although it is a small amount on a piece of property for Albemarle County. The RPD plan turns out a lot better than the by-right plan because they only have 11 lots that have little amounts of critical slope, which are out of the building sites as required. The development lots are entirely out of the floodplain. All of the floodplain is in the rural preservation lots. The preservation tracts are geared towards natural resource protection, forestry and the stream resources. The three preservation tracts are accessed by crossing the stream. That reduces the impacts of traffic going over the stream crossing. All development lots have access restriction to the internal street, which has been

complied with. There was some question whether Phase B had road frontage. It does meet that with a small amount, which complies with the technical subdivision requirements. The maximum lots in the RPD are the same as achievable under a conventional development, which reflects the development rights determination mentioned by Mr. Gatobu. They ended up with 27 development rights plus 28 times 21 division rights, which have all been used in the proposed development. No RPD shall contain more than 20 lots, which has been met. They have 20, 20 and 15 in the three phases. All of the land has been included in the RPD development. Note one on the plat restricts each lot to have one dwelling unit. Of course, with the final approval they will encumber with a perpetual conservation easements in the County's form. They have met all of the requirements.

- Staff has recommended approval with conditions. They are in agreement with the conditions proposed. She requested approval of the three requests.

Ms. Joseph invited questions for the applicant.

Mr. Edgerton asked if she had mentioned the groundwater assessment.

Ms. Boyd replied that they submitted the groundwater study in June. There is a condition 9 proposed by staff that it be finalized, and they are in agreement with that.

Mr. Edgerton asked if she could tell the Commission anything about it.

Ms. Boyd replied that she could not.

Ms. Joseph asked if the engineers present could address the groundwater assessment.

Ms. Boyd replied no.

Ms. Joseph invited public comment.

Jeff Werner, with Piedmont Environmental Council, said that there is nothing that he could say or do which would change this tonight. This is all a matter of right. He noted that everyone learned recently from the Board of Supervisors who decided not to preserve the rural area further. At that meeting the Board noted that if they approve lots in the growth area, then it would protect the rural area. He noted that he had the numbers showing that thousands of lots in the growth area have been approved and that 2006 is going to be a record year for rural subdivisions. So he disagreed with that argument. The Piedmont Environmental Council takes great pride in its work in conservation easements. It is an unfortunate fact that they refer to what they are doing as a conservation easement. The truth is what they are exchanging is suburban development to get some land permanently protected. But, they would still get the effects of suburban development. He did not like the additional wells and septic systems and all of the additional cars on the road and felt that they were not really getting the parcels protected. But, again that is what the regulations say and what they are stuck with for now. He offered that in recent discussions of the rural area plan 66 percent was not what the objection was. He felt that even the Farm Bureau was arguing for 75 percent in preservation tract. He said that it was disappointing in what the rules allow and he was sorry to see the development.

There being no further public comment, the public hearing was closed and the matter before the Planning Commission.

Ms. Joseph asked Ms. Ambler to come forward and address some questions about the stormwater management. She received information from Mr. Gatobu about the stormwater management. One of the things she had been hearing from people in the rural area is that they have been asking for ponds to provide for stormwater. She was worried because it discussed whatever state approvals that they need. She asked Ms. Ambler to go over what kind of stormwater measures they were looking at in the rural areas at this time.

Ms. Ambler noted that her comments were about the concerns about the local and state water quality permits that would be needed if the ponds were in line with the stream. That means that it would actually impound the stream itself. What the permitting agencies are looking for are catchment that are off line that treat runoff and then discharge to a natural drainage way or a stream. There has been no change in paradigm for many years. Many years ago there use to be a paradigm of large regional inline facilities to control upstream growth. There has been a lot of proof and evidence that has detrimental downstream effects to the stream itself and it does not really protect the stream channels closer to the development. So the shift in the last ten years has been away from the big ponds, keep them out of the streams and let's deal with stormwater in a fashion closer to the actual impacts. What she has seen with this development is that was what they have done. They have gone from large ponds that were in line with the streams and pushed them back up closer to the development and the smaller watersheds. So that allayed here concerns about the possibility of having to permitting these ponds that would be in the streams. There are still a couple of crossings that they will have to get water quality permits for, but that is fairly standard.

Mr. Edgerton said that it sounds like the applicant has technically met the requirement to submit the groundwater resources study, but they don't have any information on it. He was really struggling with that since the Planning Commission's role is to take an action.

Ms. Joseph asked if the Planning Commission could request that this come before them as a final for preliminary approval.

Mr. Kamptner replied that they could do that and by that time they could have the groundwater information.

Mr. Edgerton said that it was by right, but he would like to see the groundwater testing. Even though they are limited to what can be done, the Commission could have their eyes wide open when they make this decision if they see the groundwater information.

Ms. Joseph noted that there were no waiver requests and the applicant had tried to preserve some big tracts of land and put them all in one space. She would have liked to see more two acre lots with more land in the preservation tracts. But, from what they have seen in the past she felt the applicant has really spent a lot of time in developing the plan since there are no waiver requests.

Mr. Cannon noted that the applicant is within the requirements and the proposal is better than the by-right development.

Mr. Strucko noted that it was allowed by right. He agreed with Mr. Edgerton that the Planning Commission should at least see the groundwater study.

Action on Phase A:

Motion: Mr. Cannon moved, Mr. Morris seconded, for approval of SUB-2006-204, Woodridge Phase A subject to the staff's recommended conditions, as amended, to bring the final application before the Commission accompanied by the groundwater testing for approval.

1. The plat shall be subject to the requirements of Section 14-303 (Contents of final plat), as identified on the "Final Subdivision Checklist" which is available from the Department of Planning and Community Development;
2. Provide reservation for access road to parcel 124-1A [14-409].
3. All State and Federal permits are required prior to final approval including but not limited to, Army Corps of Engineers approval for impounding State Waters.
4. Mitigation plans will be required for the stream buffer disturbances prior to final approval.
5. VDOT approval for proposed State maintenance is required.
6. Prior to final plat submittal, address all minimum requirements from Design Manual chapter 903B, Final Subdivision Plat.
7. Road name approval by E-911 review for all proposed roads.

8. VDOT approval for all public roads and entrances. Submittal of Road and drainage plans including drainage calculations. Improvements to the intersections / connections to rte. 618. Subdivision plans need to be designed in accordance with VDOT's current Subdivision Street Requirements and the Road Design Manual. All commercial entrances and street connections must meet the minimum requirements as described in the Minimum Standards of Entrances to State Highways.
9. Development of a groundwater plan, in accordance with Chapter 17, Article IV. One or more monitoring well easements will be requested, the locations of which will be shown on the Final Plat. Locations of easements will be determined with consultation between the Groundwater Manager and the developer's consultant.
10. Health Department approval for drainfields.
11. Public Recreational Facilities Authority acceptance of easement for preservation lot.
12. Ensure bridges and stream crossings are designed to carry the load of fire apparatus (Virginia Statewide Fire Prevention Code 503.2.6).
13. The buildable area must maintain the minimum road frontage of 150 feet. The setback is established where the minimum lot width of 150 feet is established. Delineate this point on all lots located on cul-de-sacs.
14. The final application shall be brought before the Commission accompanied by the groundwater testing for approval.

The motion passed by a vote of 6:0. (Mr. Craddock was absent.)

Ms. Joseph asked if staff, the applicant or any public had anything else to say about Phases B and C. There being no further comment, she asked for action on phases B and C.

Action on Phases B and C:
Motion: Mr. Zobrist moved, Mr. Morris seconded, for approval of SUB-2006-204, Woodridge Phase B and C subject to the staff's recommended conditions, as amended, to bring the final application before the Commission accompanied by the groundwater testing for approval.

1. The plat shall be subject to the requirements of Section 14-303 (Contents of final plat), as identified on the "Final Subdivision Checklist" which is available from the Department of Planning and Community Development;
2. Provide reservation for access road to parcel 124-1A [14-409].
3. All State and Federal permits are required prior to final approval including but not limited to, Army Corps of Engineers approval for impounding State Waters.
4. Mitigation plans will be required for the stream buffer disturbances prior to final approval.
5. VDOT approval for proposed State maintenance is required.
6. Prior to final plat submittal, address all minimum requirements from Design Manual chapter 903B, Final Subdivision Plat.
7. Road name approval by E-911 review for all proposed roads.
8. VDOT approval for all public roads and entrances. Submittal of Road and drainage plans including drainage calculations. Improvements to the intersections / connections to rte. 618. Subdivision plans need to be designed in accordance with VDOT's current Subdivision Street Requirements and the Road Design Manual. All commercial entrances and street connections must meet the minimum requirements as described in the Minimum Standards of Entrances to State Highways.
9. Development of a groundwater plan, in accordance with Chapter 17, Article IV. One or more monitoring well easements will be requested, the locations of which will be shown on the Final Plat. Locations of easements will be determined with consultation between the Groundwater Manager and the developer's consultant.
10. Health Department approval for drain fields.
11. Public Recreational Facilities Authority acceptance of easement for preservation lot.
12. Ensure bridges and stream crossings are designed to carry the load of fire apparatus (Virginia Statewide Fire Prevention Code 503.2.6).
13. The buildable area must maintain the minimum road frontage of 150 feet. The setback is established where the minimum lot width of 150 feet is established. Delineate this point on all lots

located on cul-de-sacs.

14. The final application shall be brought before the Commission accompanied by the groundwater testing for approval.

The motion passed by a vote of 6:0. (Mr. Craddock was absent.)

Ms. Joseph stated that SDP-2006-204, 205, 206, Woodridge Phases A, B & C was approved with conditions.

The Commission took a 5 minute break at 7:17 p.m. and reconvened the meeting at 7:25 p.m.

Old Business:

Places29 Project Status Briefing (Judy Wiegand)

Ms. Catlin and Ms. Wiegand, joined by Harrison Rue, were present to provide a project update to the Planning Commission on Places 29 in their role as Advisory Counsel. Staff reviewed the status of the project and what the upcoming steps were going to be involving the Commission and the rest of the community. Staff presented a power point presentation regarding the following agenda items. (See Staff Report dated January 24, 2006)

Staff updated the Planning Commission on the progress made by the consultants and County staff in developing the Places29 Master Plan. It was an opportunity for the Commission to give general feedback on the Draft Preferred Framework Map, to identify any missing elements in the Master Plan Format, and to comment on the proposed public process for the January 2007 Charrette.

Status and Schedule of Places29

Public events that have taken place so far:

- May 2005: Citizens Planning Academy
- May 2005: Charrette #1—Community Visioning
- November 2005: Charrette #2—Assets, Needs & Opportunities and Initial Framework Plan Alternatives
- February 2006: Interim Visit (for staff and consultants)
- May 2006: Charrette #3—Identification of Preferred Framework Map

Since the May 2006 public events, the consultants have been working on the Draft Preferred Framework Map and conducting the transportation modeling. This is an iterative process that involves setting up and calibrating the model, running it, adjusting land uses, adding road improvements, and discussing the results. Several significant questions have arisen and been resolved during the modeling process, such as how to set up the Traffic Analysis Zones (TAZs) to reflect the proposed new land uses, how many lanes to use for Berkmar Drive Extended, and when to include different proposed road improvements in the modeling process.

From the land use perspective, consultants are working on the definitions of the land use categories that are used on the Draft Preferred Framework Map, the design principles, street cross-sections, implementation strategies, and photosimulations of streets and neighborhoods.

The Assets, Needs, and Opportunities Report is nearly complete. It is expected to be available for review during the January public events (described below).

Staff and consultants are working on a schedule for preparation of the final draft master plan, and the subsequent review and approval process and will forward the schedule to the Commission as soon as it is available.

January 2007: The Public Process

In January 2007, staff and consultants are planning a series of public events to obtain public feedback on the Draft Master Plan, which will include the Draft Preferred Framework Map with explanatory text, Draft Unified Design Principles, and Draft Implementation Program. The planned public events are:

Week 1:
- Begins with all draft Master Plan materials posted on the County's and TJPDC's websites. If possible, this material will be posted earlier, as the consultants complete each part.
- As each new item is posted on the websites, displayed, or public event conducted, an A-mail will be sent out. Comment forms will be available on the websites.
- On Monday or Tuesday, an 8-page newspaper insert about Places29 and the upcoming public events will be issued. Extra copies will be available as handouts.
- At least two displays will be set up featuring the Draft Preferred Framework Map and related text. Staff is considering the North Side Library and, possibly, the Fashion Square Mall (or similar location). These displays may be staffed at certain times.

Week 2:
- Places29 work session for the Planning Commission, conducted by the consultants, with the Board of Supervisors invited.
- Public Workshop (evening) conducted by the consultants to obtain feedback on the Draft Preferred Framework Map and additional issues, including the Draft Implementation Strategies. This will be a facilitated small group workshop, with each table using a "workbook" similar to the May 2006 public workshop.
- Meetings are conducted by the consultants for the Internal Stakeholders and Community Stakeholders to solicit their perspective on the master plan materials.

Week 3:
- Public comment period continues. (The displays and comment forms remain available.)

Week 4:
- Staff conducts at least two (possibly as many as four) geographically dispersed meetings to solicit feedback focused on neighborhood-level issues. Meetings at this level were requested by the Board during Charrette #3. Feedback from the meetings will be transcribed by staff and forwarded to the consultants by the end of week 5.

The exact timing of the January public event is contingent on receipt of key project materials. Staff asked that the Commission provide any comments and suggestions that they might have on the upcoming events.

Old Business:

Ms. Joseph asked if there was any old business.

Mr. Cilimberg noted that on November 14 during the Biscuit Run presentation three Commissioners will be absent. Staff suggested that the applicant might want to get with the individual Commissioners for an exchange.

The Commission asked that the November 14 meeting on Biscuit Run be held at the Fifth Street County Office Building.

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

New Business:

Ms. Joseph asked if there was any new business.

- Work Session Format Discussion:
    - The Planning Commission discussed the work session format. The question of the timing of the applicants and public and whether to have dialogue between the applicant and the Planning Commission was discussed. It was the consensus of the Commission that the

time limit should be left to the discretion of the Chair and that public participation should be encouraged, but should be done in a reasonable way to ensure it is productive and can be controlled by the Chair.

- Staff suggested that the Commission receive public comment before providing comments to staff's questions so the public's issues could be addressed at the same time.

- Mr. Morris would be absent on November 28.

There being no further new business, the meeting proceeded.

Adjournment:

With no further items, the meeting adjourned at 8:45 p.m. to the Tuesday, October 31, 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.)