**Albemarle County Planning Commission**
**November 14, 2006**

The Albemarle County Planning Commission held a meeting and a public hearing on Tuesday, November 14, 2006, at 6:00 p.m., at the County Office Building 5th Street, Room A, 1600 5th Street, Charlottesville, Virginia. Members attending were Eric Strucko, Jon Cannon, Calvin Morris, Vice-Chairman and Marcia Joseph, Chairman. Bill Edgerton, Duane Zobrist and Pete Craddock were absent. 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; Claudette Grant, Senior Planner and Greg Kamptner, Deputy County Attorney.

***Call to Order and Establish Quorum:***

Ms. Joseph called the regular meeting to order at 6:05 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.

***Information Session:***

**ZMA 2005-017 Biscuit Run (Signs #52, 56, 63)**
PROPOSAL: Rezone approximately 920 acres from R-1 Residential (1 unit/acre), R-2 Residential (2 units/acre) and RA--Rural Area: 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. Maximum number proposed residential units: 3,500. Commercial uses proposed also.
PROFFERS: Yes
EXISTING COMPREHENSIVE PLAN LAND USE/DENSITY: Neighborhood Density Residential in Neighborhoods 4 & 5-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: Between the east side of Old Lynchburg Road and the west side of Route 20; adjacent and to the south of the Mill Creek subdivision, adjacent and to the west of the intersection of Avon Street, Extended and Route 20.
TAX MAP/PARCEL: 90/5, 90/6D (portion), 90/17D, 90-A/3, 90/A1-1, 90/A1-1E, 90/15A, 90A/1A, 90A/1B, and 90A/1C.
MAGISTERIAL DISTRICT: Scottsville
STAFF: Claudette Grant

Claudette Grant summarized the staff report. (See Staff Report.)

- Staff asked to make a correction to the staff report, which said that there were no proffers. Proffers were submitted back in January of this year, but staff has not received revised proffers.
- The Commission has held four meetings on the Biscuit Run rezoning request. During the summer the applicant with the land planners, Torti Gallas & Partners, Inc. have revised the plan that incorporates several suggestions and comments that came out of the Planning Commission work sessions. The slide shown on the screen is the revised plan. Staff does not have all of the details or the revised proffers, including the Code of Development, for the revised plan as yet. The analysis of the report is based on the plan that is submitted in the Commission's packet. The boundaries of the site have not changed. Generally speaking the proposed uses for the site have not changed. They remain primary residential and some commercial office uses.
- Some of the changes include:
    - A reduction in the proposed residential units from 4,970 to 3,500 units. Although the revised plan shows many of the critical slopes preserved, there are proposed blocks of roads that show disturbance in critical slopes. With the revised plan they are now able to see the impact to the existing stream flow that previously had concerns with the lack of

preservation of the streams, which are important to our local watershed. The revised plan shows the streams are relatively preserved. There are actually four stream crossings. The staff report mentions three; however, staff did notice there was another stream crossing. These three crossing would require a special use permit.

- As shown in the previous plan, there remain two access points to this development off of Route 20. However, a new tie in road way or a connection to Avon Street is also shown. There are also five access points on Old Lynchburg Road. One of which is a proposed connector road for Southwood Mobile Home Park. The nature of the road system has changed from the previous plan. The revised plan shows roads with interconnections. There are more curvilinear in design and less like a grid pattern. This appears to be an attempt to better fit the road through the topography. This was a request of the Planning Commission in a prior work session.
- The revised plan continues to show no proposed connections to Mill Creek. The last work session held on June 13 provided the Commission with a review of the traffic impact analysis scope. The traffic impact analysis, which is dated September, 2006 has been reviewed and comments have been given to the applicant from the City of Charlottesville, County staff and VDOT. The applicant will need to provide additional information regarding the traffic study before analysis can be completed. The previous plan was laid out in 25 blocks, which were grouped by transect districts. The revised plan is laid out in 16 blocks. There is an existing house that was previously shown on the plan to remain. However, the revised plan shows a road going through the house and lots going in this area.
- As discussed and requested at previous Planning Commission meetings, the proposed school site has been relocated and is now centrally located and internal to the development instead of being renovated on the southern end of the development and in the rural areas.
- The district park remains located in the rural area portion of the site. A buffer along Old Lynchburg Road remains. However, the buffer along Route 20 does not appear to be complete. A proposed buffer remains adjacent to the existing residences of the Mill Creek South Development. A new plan has been included to show the location of 16 historic resources on this site. The revised plan shows five the historic resources, including a cemetery, to remain. The previous plan did not show the locations of the historic resources.
- This meeting is designed to familiarize the Commission with the revised plan and to allow an opportunity for public comment. The staff report described the development without any analysis. Analysis will follow in separate work sessions. Future Planning Commission meetings have been reserved for December 19 and January 16 to discuss future aspects of the project.

Steve Blaine, representative for the applicant, Forest Lodge, LLC, said he was present to introduce their land planner consultants, Rob Goodhill and Beth Hessler of the Torti Gallas & Partners, Inc.

- As mentioned in the staff report, the project team has brought in a firm, Torti Gallas & Partners, Inc., to take a step back and take a cleanly wide environmental look at the overall Biscuit Run Plan. They worked with the professional land planners. They were brought into a charrette process internally. Feedback was received from the work sessions with the Planning Commission, from their meetings with neighborhood groups and from talking with the community. They hope to reintroduce the Commission to the project tonight through the land planners who have a great deal of experience in this area of new urbanism.
- Beth Hessler noted that the first six years of her practice was spent in our community working with Albemarle County as the consultant on developing the Neighborhood Model as well as the consultant to the City in developing the Entrance Corridor Study that is now being reviewed. With that he would like to introduce Beth Hessler and Rob Goodhill.
- He pointed out that they were very concerned about the traffic. As Ms. Grant mentioned they have dedicated an entire work session to talk about transportation issues. That is the December 19 work session. They have dedicated time to discuss those issues. Tonight they want to reintroduce the Commission to the Biscuit Run land plan.

Rob Goodhill said that essentially this presentation is two parts. The first part includes the history and an overview. Beth will provide a color commentary. In the second part they would discuss how this proposal marries up with the neighborhood plan and Beth would take the lead and he would provide color commentary. He presented a power point presentation. In taking a step back they said where is Biscuit Run and how is it connected the City of Charlottesville and what is happening around it that would have an impact on how to plan this project. What are the external connections? What are the possibilities?

What is happening around here would be risk for designing the neighborhood. One of those is the global idea about the lay of the land. They analyzed the topography on the site and outside the site. The critical slopes will be important and will be associated with the stream valleys. They looked at topography to determine the best locations to build.

Ms. Joseph invited public comment.

Ms. Jeanne S. Chase, resident of 223 Old Lynchburg Road and a RSNA Board Member, read the following letter. (See Attachment A)

> "Good Evening, Members of the Albemarle County Planning Commission,
>
> I come to you as a representative of the Fry's Spring Neighborhood Association as a Board member and a thirty-three year resident of Charlottesville. Thirty of those years have been as a resident of Old Lynchburg Road between Middleton and Jefferson Park Avenue.
>
> We are a residential street of over forty open driveways some of which are steep with a posted speed in several locations of twenty-five miles per hour (25 m.p.h.). We are a residential street that leads to Azalea Park which our children and their families should be able to get to safely on foot and by bicycle. We are a residential street with blind curves which is seeing currently a daily average total of 5,300 vehicles using our street to move residents south of Azalea Park into Charlottesville. As an eye witness to a child's death on this road in front of my home years ago I ask for your heightened awareness and responsible planning. The driver was NOT at fault in this fatality. Coming out of a blind curve as the child was coming down the steep driveway on a Big Wheel the child passed under the vehicle as it passed the bottom of the driveway. This driver was not speeding. However, the posted speed is ignored by many who enter our neighborhood via Old Lynchburg Road whose daily average speed is in excess of 40 m.p.h. We have an increase of pedestrians and bicyclists trying to navigate this street of no shoulders and no sidewalks trying to get to their destinations safely. Our street can not handle this volume currently and certainly can not handle any increases of traffic from more development south of Azalea Park.
>
> Our Fry's Spring Neighborhood is a wonderful part of the City and we choose to keep it this way for our families presently living here as well as for families looking to put down roots in future years, but with the high volume of traffic being forced through this neighborhood via Old Lynchburg Road which begins as a residential street at Azalea Park for the City of Charlottesville the quality of life for our residents is not what you would ask of your neighbors to endure on the street on which you live.
>
> We need the County of Albemarle, the University of Virginia, the City of Charlottesville, and the developers of parcels of land south of Azalea Park to put into immediate action the building of connector roads that will distribute this high volume of traffic around Charlottesville and into the University of Virginia in a fair and responsible way so that our neighborhood of Fry's Spring is not having to deal with the high volume of traffic on residential streets not built for this purpose. These connector roads were needed yesterday!
>
> Responsible planning includes foresight and that includes putting the infrastructure of the necessary connector roads in place before further development is approved as well as having the expanded source of water in place before more homes and businesses are built.
> How soon we forget during our current rains that in a drought experienced recently our area was critically close to running totally out of water...and more development is in place and on the horizon to being started.
>
> Home owners of the Fry's Spring neighborhood have made a commitment to our area by staying, making improvements to our properties, and working for the good of all. To avoid our area becoming an area of transients who are only here for short periods of time and then go elsewhere for jobs, seeking affordable homes (under $250,000) and affordable rents (that one salary on a middle class budget can afford) then we have to protect our neighborhoods and put this as a TOP

PRIORITY or you will see more folks seeking to sell their homes to go elsewhere where neighborhoods are valued more.

On the horizon of development are "The Woodlands" of 300 units off of Sunset Avenue Extended to be completed by the Summer of 2007, the Biscuit Run development in excess of 3,000 homes which is three miles from our driveway and, and, and...What will your legacy be for our community? This is a neighborhood issue as the high volume of speeding traffic is dumped onto JPA from OLR to points beyond. We ask for your help!

Points For Action

Get clear plans and commitments for whoever/whatever, to get new roads built to handle the high volume of traffic as well as to create and maintain new traffic patterns.

Nail down water resources for these new communities and do not just talk about it...get it going NOW!

Housing to be built needs to be such that people can afford it...not just fatcat retirement homes or student housing.

HOW?

The Albemarle Planners and the City Planners need to close ranks now to handle this situation of their own making with the help and support of the University of Virginia and all of the developers involved now and in the future.

The Fry's Spring Neighborhood Association expects the neighborhoods to be protected with responsible planning and foresight exhibited by all involved."

Morgan Butler, attorney with the Southern Environmental Law Center, expressed concerns about the impacts from the proposed development particularly on the infrastructure.

The following person spoke regarding the project about the potential impacts of the development on the area:

- Jerry McCormick-Ray
- Joe Moondy
- Dan Herechert
- Joseph S. Gottliev, P.E.,
- Joe Greenberg
- John L. Pfaltz (See Attachment B – "Interpreting the Biscuit Run Traffic Impact Report" and "Thoughts on the Biscuit Run Development" by John L. Pfaltz)

Staff asked the Commission to address the proposed work session schedule and dates for the Biscuit Run Rezoning.

The Commission reviewed staff's proposed work session schedule. Three Commissioners were in support of holding the next work session on December 19 to discuss the traffic study. It was suggested that the information should be gotten out to the public through our webpage saying this is what they were going to do. Therefore, everyone would. The Commission was in agreement with the next two dates proposed, but expressed several concerns about the items that they are going to be addressing because of the incomplete information. Also, the Commission asked that the dates be adjusted. The following comments and suggestions were discussed:

Staff pointed out that the next work session would tentatively be held on December 19 at 401 McIntire Road, Second Floor, Auditorium. Without that information in hand, staff questioned whether analysis could be done by point in time. In an email received yesterday, it was indicated that additional information would be submitted by the end of the week or the near term. Staff is trying to figure how to get scheduled. The applicant is anxious to have another session with the Commission. The Commission's December schedule is full. Therefore, it will be January before staff can bring an item with staff review of the project.

Mr. Blaine asked staff to indicate what their approach would be to the proffers. They fully expect to have to come back in January when that analysis comes back. They have heard loud and clear that the Commission wants to see this information.

Mr. Kamptner noted that the report from zoning on the status of proffers is expected to go to the Board on January 3, which means that it should be available on line on the County's web site before the Wednesday, January 3 meeting.

**In summary**, the Planning Commission held an information session on ZMA-2005-017, Biscuit Run. The meeting was designed to familiarize the Commission with the revised plans and allow an opportunity for public comment. The development proposal was presented by staff and the applicant with power point presentations. The Commission reviewed and discussed the proposal with staff and the applicant, and received public comment. The Planning Commission provided comments and suggestions. No formal action was taken.

Ms. Joseph said that a series of work sessions will be held on this request by the Planning Commission after this meeting. The public will be invited to attend. The next scheduled work session date is December 19 to discuss the traffic study. The Commission has been concerned about the lack of information on the proffers and traffic study. She invited members of the public to contact the Planning Commission by email at planning commission @albemarle.org if they had further concerns.

**Staff Presentation**:

- Staff asked to make a correction to the staff report, which said that there were no proffers. Proffers were submitted back in January of this year, but staff has not received revised proffers.
- This meeting is designed to familiarize the Commission with the revised plan and to allow an opportunity for public comment. The staff report described the development without any analysis. Analysis will follow in separate work sessions. Future Planning Commission meetings have been reserved for December 19 and January 16 to discuss aspects of the project.

**Applicant Presentation**:

Steve Blaine, representative for the applicant, Forest Lodge, LLC, and land planning consultants Rob Goodhill and Beth Hessler of Torti Gallas & Partners, Inc. introduced the revised plan.

**PC Discussion**:

The Commission made the following comments on the project.

- The Commission did not support including the Rural Area proposed park area in the rezoning, but the park will be included as part of the proffers.
- The Commission asked staff if the level of service on Old Lynchburg Road will be addressed in the Traffic Study Analysis.
- The Commission asked that transit be addressed on the site.
- The Commission asked staff to obtain information from the Service Authority regarding water issues and their time table for this project.
- Bike plans are needed for the site.
- Interconnections are needed.

The Commission discussed the planned work session schedule. Three Commissioners were in support of holding the next work session on December 19 to discuss the traffic study with the understanding that there would not be time for staff analysis. In an email received yesterday, it was indicated that additional information would be submitted by the end of the week or the near term. It was suggested that the information should be made available to the public through the County's webpage. One Commissioner was concerned about holding the work session without staff analysis.

Staff pointed out that the next work session on transportation would be held on December 19 at 401 McIntire Road, Second Floor, Auditorium.

***Old Business:***

Ms. Joseph asked if there was any old business. There being none, the meeting moved on to the next item.

***New Business:***

Ms. Joseph asked if there was any new business.

- A work session will be held on December 5 for Fifth Street/Avon Street project.
    - Staff indicated that no new information has been submitted. Therefore, there will be no new staff analysis on December 5. Since the Commission's December schedule is full, it will be January before staff can bring an item with staff review of the project.
    - Steve Blaine, the applicant, indicated that new information will be submitted by the end of the week. He asked staff what their approach would be to the proffers. They fully expect to have to come back in January when that analysis comes back.

- Mr. Kamptner noted that the report from zoning on the status of proffers is expected to go to the Board on January 3, which means that it should be available on the County's web site the Friday before the Wednesday, January 3 meeting.

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

***Adjournment:***

With no further items, the meeting adjourned at 7:47 p.m. to the Tuesday, November 21, 2006 at 6:00 p.m. in the Auditorium, Second Floor, County Office Building, 401 McIntire Road.

_____

V. Wayne Cilimberg, Secretary

(Recorded and transcribed by Sharon Claytor Taylor,