**Albemarle County Planning Commission**
**February 27, 2007**

The Albemarle County Planning Commission held a meeting and work session on Tuesday, February 27, 2007, at 4:00 p.m., at the County Office Building, Auditorium, Second Floor, 401 McIntire Road, Charlottesville, Virginia. Members attending were Bill Edgerton, Pete Craddock, Jon Cannon, Calvin Morris, Vice-Chairman and Marcia Joseph, Chairman. Pete Craddock arrived at 4:27 p.m. Absent were Duane Zobrist and Eric Strucko. 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; Judy Wiegand, Senior Planner; Lee Catlin, Community Relations Manager; Jack Kelsey, County Transportation Engineer; Juan Wade, County Transportation Planner; 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 work session to order at 4:05 p.m. and established a quorum.

**4:00 p.m. Work Session**:

**Places29 Work Session** - The Places29 consultant team will make a presentation that describes the current status of the master plan, including the results of the transportation modeling. They will also give a preliminary assessment of the results of the public workshop held Monday evening. Comments and questions from the Commission are encouraged. (Judy Wiegand)

**In summary**, a work session was held by the Planning Commission to receive a presentation from the Places29 consultant team to describe the current status of the master plan, including the results of the transportation modeling. A preliminary assessment of the results of the public workshop held Monday evening, February 26, along with an update on the process was given by the Places 29 consultant team and County and TJPDC staff.

The following persons were present to assist the Commission in understanding the Places29 master plan and transportation study: Harrison Rue, Executive Director of the Planning District Commission; Phil Erickson, Principal with Community Design + Architecture; Fred Dock, Transportation Planner with Meyer, Mohaddes Associates; John Giometti, representative from VDOT; Jack Kelsey, County Transportation Engineer; Thomas Kronemeyer, of CD + A and Kathy Galvin, local architect and planner with Place Design in Context. Harrison Rue presented a perspective on the transportation issues. In a power point presentation, Mr. Philip Erickson and Fred Dock gave an overview of the Monday evening workshop and a preliminary assessment of the results.

The Commission reviewed, discussed and asked questions about the recommendations and information presented and provided general comments. The Planning Commission raised the following concerns and issues:

- The Commission asked questions about the possibility of the implementation of storm water treatment as described by the consultants and wondered if this was something that would be in the text of the plan. Would there be suggestions and would it be something that the County could implement in the near future? Is it something that VDOT would be willing to take into their system?

- The Commission asked why the map in the presentation had a heavy emphasis on parallel roads on the western side of Route 29 and little emphasis on the eastern side and not much beyond 2025. Since most residents live on the east side it was noted that there would be no relief for those neighborhoods to get around locally. It was suggested that parallel roads be provided in close enough to separate off some of the local traffic.

- Concern was raised that the intensification of development on the west side of Route 29 was up against the boundary of the rural areas, which could put a lot more pressure on the western development area. There needs to be some assurance that they reasonably expect to hold that line in the future.

- Is what the consultant showed in their simulation on the proposed street section regarding the location of utility easements such as power lines, gas lines, etc. Will there be something in the prose in the master plan to encourage that to happen? A suggestion was made that it would be great to have some street trees in those areas.

- The Commission questioned what the estimate was for the cost of the bridge and how the consultants planned to deal with it.

- The Commission had a rezoning request come before them that showed a very detailed plan of the area around Shoppers World. Have the consultants done lots of those? The applicant referenced it in regard to their rezoning request. The question was posed on how the consultants plan on using it in regards to the Albrecht property.

As requested, no formal action was taken. The consultants will work on revisions based on the public input. Staff will bring back the summaries in a work session regarding the results of the charrette. Future work sessions will be scheduled with the Planning Commission to review the input from the public and the consultant's draft plan text. Tentatively, staff hopes that public hearings will be scheduled after Labor Day in hopes of final approval of the master plan by the end of the year.

**The meeting adjourned at 5:42 p.m. for a dinner break.**

**The meeting reconvened at 6:05 p.m.**

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Other officials present were Wayne Cilimberg, Planning Director; David Benish, Chief of Planning; Claudette Grant, Senior Planner; Juan Wade, Transportation Planner; Mark Graham, Director of Community Development and Greg Kamptner, Deputy County Attorney.

**Call to Order and Establish Quorum**:

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

John Martin, resident of Free Union, asked to raise briefly two unrelated matters.

- The first matter occurred over a year ago, which was in all of the newspapers. A prominent member of this community decided to run for the House of Delegates. He prepared brochures and went to a Route 29 strip mall to pass out the brochures in front of a grocery store thinking that he had the absolute right to do what he was doing. It was an innocent thing allowed under the Constitution of the United States First Amendment. The property owner disagreed and told him to leave. The police were called. The police came and he was handcuffed and put in the back seat of a police car and taken away. The law as it turned out is that the property owner had the right to kick him off of his property on that seemingly public place in front of the supermarket. The question is where a person can go to exercise first amendment rights on Route 29 because

there is no traditional main street. At some point in this process it would be wise to review the whole thing and just think about where people can go to assemble, talk and have the right to do so that is not private property that is controlled by private property owners. If this area, Places 29, is sterilized from fundamental exercise of constitutional freedoms it is not a place that he would want to live.

- Secondly, yesterday at the Rivanna and Sewer Authority meeting they published the Rivanna's Capital Improvement Plan for the next 5 years. He would urge the Commissioners to get a copy of this. It is an excellent report, which shows that they are going to have to incur 81 million dollars in debt in the next 5 years. After that 5 year period there is probably going to be another 81 million dollars of debt. His observation as a citizen is that there is not sufficient communication between the Planning Commission, Board of Supervisors, City Council, Rivanna and the Albemarle County Service Authority as to what our financial future holds in store for us, which is important for all kinds of decision making. He suggested that a joint meeting of all of these bodies be reconvened to make sure that everybody is on the same financial page.

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

**Consent Agenda**:

**Approval of Planning Commission Minutes** – November 28, 2006 & December 19, 2006.

Motion: Mr. Morris moved, Mr. Zobrist seconded, for approval of the consent agenda.

The motion was approved by a vote of 7:0.

**Work Session**:

**ZMA 2005-00017, Biscuit Run (Signs #52, 56, 63)**
PROPOSAL: Rezone approximately 828 acres from R-1 Residential (1 unit/acre), and R-2 Residential (2 units/acre) to NMD Neighborhood Model District – residential (3 – 34 units/acre) mixed with commercial, service and industrial uses. Maximum number proposed residential units: 3,100. 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, 90A/1A, 90A/1B, and 90A/1C.
MAGISTERIAL DISTRICT: Scottsville
STAFF: Claudette Grant

Ms. Grant presented a power point presentation and summarized the staff report. She asked for feedback from the Commission on the questions in the staff report.

Ron White, Director of Housing, addressed the affordable housing proposed in the development.

Overton Mr. McGee, of Habit of Humanity, was present.

Mr. Strucko said that he was struggling with the issues concerning whether the net acreage density is adequate. He had heard concerns that the development was not dense enough and that they were not utilizing this growth area space. He asked how they weighed that against what they feel that this area of the community can with stand. It is 3,100 dwelling units on 828 acres. So that is 3.7 dwelling units per acre. A density of 5 dwelling units per acre would bring this development up to 4, 100 units.

Ms. Joseph agreed with Mr. Strucko. She knew this development would have a huge impact on the community, but she also felt that the density should be higher. Part of the way they could handle that and make it easier for the community to absorb was in geographic phasing. They would do X amount of units and then what ever it took to make it work for the community and the developer. She was slightly disappointed that the density was reduced, but understands that the community does not necessarily see that at this point in time mainly because there has been so many units throughout the County that have been approved at this point. This was possibly an opportunity to put some serious growth in the growth area.

Mr. Strucko said that there has to be a critical mass of commercial square footage and public service space such as a post office, library or a school. He felt that would serve to mitigate the primary external impact of this development on this community, which is traffic. He did not know if that balance was possible or whether it has been reached here with the proposed 150,000 square feet of commercial and 3,100 dwellings. They heard that there needs to be more residential capacity to handle this commercial development hence the location along Route 20. The proposed 150,000 square foot of commercial area capacity was more than necessary to handle the 3,100 dwelling units.

Ms. Joseph suggested that they try to come up with other methods to help the transportation. It would be wonderful if UVA also offered a shuttle service for their employees in the same manner as they do for the students from some of these developments. What they hear is that the traffic is backing up to UVA, who is the largest employer in the area. If there was some way that something like that could happen with some cooperation to get some of the people off of the roads in vehicles. That is why she wanted to bring up the density.

Mr. Strucko noted that he was wrestling with the density in trying to balance all of the concerns. Is the useable acreage enough to handle more capacity given the stream buffer and the critical slopes concerns? Is the net acreage adequate?

Mr. Edgerton felt that they all had been struggling with those issues. The Comprehensive Plan is very clear that they are focused on putting the growth in the development areas. History will be very unkind to us in future years if they are not able to accommodate the anticipated growth in the growth areas. But, in a perfect world where they had the ability to support that growth in the growth areas, he felt that they would be acting responsibly to mandate a higher number. The problem is that they only have a certain amount of control over the infrastructure. Then the last point was that the Commission was not involved in putting this land in to the development area. He was not sure that the topography would argue that this is the best place for this kind of density. The environmental significance of this property with the extreme topography that is here is significant. The only thing really going for it as far as development area is it proximity to I-64. It is a beautiful piece of rural land. Perhaps this land was not the wisest thing to put in the development area. But, that was a decision that preceded us. The Commission is caught in the middle here with the Comp Plan saying one thing and a reality that says that they have no control over when the financial support for the infrastructure will come. They have to make the best decision that they can. Frankly, he felt that any thing greater than what it has ended up with will be even more disastrous.

Mr. Morris fully supported Mr. Edgerton. He was very happy to see it reduced to 3,200 because of the infrastructure.

Mr. Cannon said that our policies pushed it in that direction. They have a goal, but they push against that goal for various other reasons. The development takes the signals that the Commission and community are sending. The key is that they are not going to have the ability to maximize density as long as they are not able to require the developer to fully internalize the cost that are otherwise imposed on the community. In the absence of that ability there will be continually a retreat from maximum density. He realized that Mr. Strucko's committee was working on that and he hoped that they solved it soon or they will just be continuing in this path.

Mr. Zobrist noted that they were getting an opposite effect by pushing development into the rural areas. In the building report of last year there was far more development in the rural areas than in the

development areas. So as they push the cost up to make growth in the development areas people are going into the rural areas. He did not know what the answer was, but that they were all struggling with how to do it.

Ms. Joseph noted that the by right development would not provide the stream protection and the protection of some of these sensitive areas that are being proffered. Also, there would be no school site, no 92 acre park site and no connector road. So in essence the community is gaining as a result of this rezoning. It is just difficult because of the amount of people it will be gaining.

Mr. Strucko said that the theory is great that they are going to develop in the designated growth areas. That is where the density is going to go. They are going to use a model that makes these neighborhoods attractive places to live so that people will make the choice to live there. There will be amenities such as sidewalks and street trees, businesses and public places. There will be houses in a variety of price ranges. That was the theory. But, in the actual practice in Crozet in particular they learned some hard lessons, which is those theologies are great on paper and in documents, but when they actually put the shovel in the dirt they realize that houses are going up and the roads are not changing. The infrastructure is not moving in there. That is a true restraint. The realities of this particular project are that there are infrastructure restraints. He was not comfortable with an additional 1,000 homes there simply because the road system is not there. It may be too much of a strain on this community. The political reality is that the neighbors in Mill Creek and the other areas, specifically the City, would probably gasp at the discussion of potentially a 1,000 homes. This is a concern that the gap between theory and practice probably is about 1,000 homes in this particular project.

Mr. Craddock noted that several people at the open house had asked why they did not ask for more density. This was a great discussion about it. What they have talked about is that by right they would not get all of those things Ms. Joseph mentioned. If it did go back up to 5,000 units would they then have to have 20 percent more in proffers of 50 million instead of 33 million that is out there now. It is really nice land as it is. There has been a lot of questions raised in whether they need the land rezoned. These were the same questions that were asked about Lake Reynovia, Mill Creek and other places. It seems like all of those folks have settled in and are enjoying the neighborhood.

Ms. Joseph asked if there were any other topics to be discussed.

Mr. Edgerton said that at the risk of dragging this out longer, he would like to ask Mr. Cilimberg to provide a quick summary of what he has heard and what is going to be asked of the applicant and what the Commission can expect next time they talk about this.

Ms. Joseph asked if the Commission has answered all of staff's questions.

Ms. Grant said that the only other item, which they had briefly talked about, was the critical slopes waiver request. The applicant did not that they would like to do the request at the site plan stage. Staff does have concerns about the critical slopes and feel that it should be done with the rezoning.

Ms. Joseph said that the Commission had talked about adding some wording in there that would allow for the road.

Mr. Zobrist noted that the applicant said that he would consider a proffer to subject roads to the critical slopes ordinance.

Ms. Joseph noted that is covered. She asked if there was anything else and if the Commission feels that they don't need to go through them again.

Mr. Cilimberg felt that the answers to the questions and the issues play out through the proffers, the Code of Development and the application plan. That is really where it is all realized.

Ms. .Joseph asked if the applicant had any questions.

Mr. Blaine replied that he did not.

Mr. Cilimberg summarized what the Commission had said.

- Going back to page 2, specifics of additional protection of cultural resources on site, the Planning Commission said that they agreed with staff's conclusion there.

- Next question, finalization of suggested revision of design and layout, the Commission said that they would want the vehicular connection right-of-way between Biscuit Run and Mill Creek and that a full bicycle and pedestrian connection over that right-of-way be provided as part of the project.

- The Commission agreed with staff's acknowledgment that the critical and natural resources need to be fully addressed. What they just discussed regarding critical slopes is part of addressing that.

- In the next question of the specifics of how the applicant will address the boundary, the Commission said that the boundary is okay as it has been identified in the applicant's memo of February 15.

- The Commission talked about what the park would be like, but really more to just go on record as some of what they would like to see the features to be. That is part of the study to be done,

- Regarding the additional protection of critical natural resources, the Commission said that they want the roads to be subject to critical slopes provisions or requests for waiver. That would be something that they want proffered.

- On the specifics of the greenway system, the Commission said that really needs to be worked out with Parks and Recreation.

- For the finalization for affordable housing proffers, the Commission said that they wanted the affordable units to be distributed over phases of development in the project. That cash in lieu of the units was okay if it goes to the Habitat project or other projects that the County is trying to realize that provide the same benefits. The default they accepted would be just to provide the full 15 percent affordable housing in Biscuit Run.

Mr. Strucko noted that there has to be some affordable housing units in the Biscuit Run development.

Mr. Cilimberg said that he was basing this on what the applicant has proffered and what Mr. White mentioned. In the comments staff is just getting back, they are going to want 10 percent affordable housing provided in Biscuit Run.

Mr. Strucko asked if it was possible that only rental units can be in Biscuit Run and for purchase units in Southwood Mobile Park at the end of that formula. He wanted to get his concern on the record.

Mr. Cilimberg said that he was looking for what was provided in Biscuit Run to be a mix of for sale and affordable units. To further summarize the Commission's comments:

- The finalization of the school site proffer, the Commission felt that the size was okay. They liked the learning center concept and the location. They did see the possibility that it could be a site serving some alternative multiple uses if it was deemed more appropriately. In recent comments to staff from Parks and Recreation they would like to have it available for a park site if it was not going to be a school.

- The Commission said that the cash proffer for the district park of $200,000 is okay.

- In the commitment to phasing and development the Commission would want phasing provided as to the timing of public amenities and the relationship of residential and commercial development in some kind of concurrency. The relationship of development to infrastructure, particularly the

transportation and public utilities, the Commission will want to see the through road that becomes the Southwood Connector from the beginning basically early in the project. They would want to see access between Mill Creek and where the district park would be provided up front in the project.

- The stabilization of grading and erosion and sediment control measures should also be phased as to how these impacts are occurring and really subject to what the County Engineer or the Engineering Division feel is the best approach.

- In terms of the transportation proffers, the Commission generally felt that what the applicant has proffered is appropriate, and in addition they would want to see what the staff has identified as additional needs.

Mr. Edgerton asked if he said that they thought what the applicant had proffered was appropriate.

Mr. Cilimberg added plus what staff has identified as an additional need.

Mr. Edgerton suggested that it say simply inadequate.

Mr. Cilimberg summarized the following:

- The Commission wants that plus they want what staff has identified. That included what the City had identified in their letter. One of the things understood is that there needs to be some determination as to what the appropriate contribution to the Sunset/Fontaine connector would be for this project and what are appropriate contributions for the traffic signals that are identified at Avon and Southern Parkway and Old Lynchburg Road at Route 631; the traffic signal at Scottsville at I-64 and the lane capacities that were identified here.

- The Commission said that they wanted the Old Lynchburg Road curves that were shown in an earlier session between the four-lane section and Biscuit Run to be looked at for possible improvement. Also, they want bike lanes.

- The Commission decided that they were okay with the density.

Mr. Cilimberg said that was everything that he thought the Commission had identified tonight. He should note that based on the February 5 proffers in the review by different staff that they were looking at those proffers and are just receiving those comments, which need to be forwarded to the applicant. But, certainly the applicants have heard tonight what the Commission has said and staff can provide them with those comments.

Ms. Joseph asked if there were any questions.

Mr. Blaine asked to reply regarding Mr. Edgerton's question about the steps from here.

Mr. Edgerton said that just speaking for himself he guessed that they were still scheduled for the March 27 public hearing and realistically he asked if they were going to be able to get this information that they have asked for between now and then with some sort of staff review that would be appropriate.

Mr. Cilimberg said that what staff has told the applicants is that they need a minimum of 4 weeks. Four weeks to March 27 is today. They have heard what the Commission said tonight and we still need to get them what staff has reviewed from the prior submittal. There are reviewers that he has no control over in terms of their time and there are reviewers that are in areas that are short staffed. Just as they are now getting comments from some reviewers, he could not say when they would get comments back, but they say a minimum of 4 week that allows a minimum of 2 weeks for the reviewers to get the comments to us and for us to write the staff report in a week and get it to the Commission in their package. Literally speaking to have any possibility of meeting that time line with our review we would need everything in tomorrow at the very latest. Then it is turning it over to all of those who review. That is kind of where staff stands.

Mr. Blaine asked what time tomorrow do they need the information.

Mr. Cilimberg replied as soon as possible.

Mr. Blaine said that they are going to stand up to their commitments to deliver what is needed. What he thinks they need to do is revise the proffers. Much of what they have talked about is proffers. He will get that to staff as soon as they can. He felt that there are some Code changes. They have already provided specific language in a letter to Ms. Grant dated February 15 with very detailed changes to the Code. They could supplement that with another list that would be appropriate. From here he felt that most of what they talked about is in the proffers. In terms of the plan they would take the Collins green space plan or something like it that would be easy read and include it on the interconnection that they talked about. They would ask that the Commission take action on that on March 27. If there are open questions they would be prepared to answer them. They will make themselves available to any of the Commissioners between now and then to go over specific questions. They have made themselves available to the staff to meet and talk about the proffers. The proffers were submitted in January, 2006 and they are yet to receive comments from some people. So they will live up to their end, but they would ask for action on March 27. He felt that the Commission will find that they have everything addressed unless they disagree on something. Then it is not a matter of time. They will just have to agree to disagree. They all understand that does not end the process. They have a work session with the Board of Supervisors. They are continuing to meet with other community groups. They have planning session with the Piedmont Environmental Council next week with Habitat folks to talk about some of the synergy they talked about. So they don't necessarily see the process ending. But, the Commission's feedback and input has been monumental on this project. It is time to move on to the next step.

Mr. Cilimberg said that staff will do our best tot get the reviewers to turn around so they can give the Commission as much as a staff analysis as they can. He had been honest with them in terms of the potential turn around and what the applicant does not have is any of those proffer comments that they have gotten from reviewers. They need to get that to the applicant. They are going to chose how they want to respond to what the Commission has said tonight as well as what they hear from us. He will work with Mr. Graham and everyone else who is part of the reviewing group to do the best that they can to turn it around, but he could not say much more than that.

The Planning Commission reviewed and discussed the information and provided the following direction as noted in the following summary.

**In summary** the Planning Commission held a work session on ZMA-2005-017, Biscuit Run. The purpose of the work session was a follow up meeting to inform the Commission of the status of outstanding issues regarding this proposal. At the last work session (February 6, 2007) Planning Commissioner, Bill Edgerton, provided a list of outstanding issues that need to be resolved prior to the public hearing. The applicant provided new information to address these concerns on February 16, 2007. The work session provided an opportunity for the Commission to advise staff and the applicant regarding these matters. Some staff members are currently completing review of the recently submitted information, so all staff comments have not been received yet. This is an opportunity to receive feedback that will be helpful to give staff and the applicant direction as to how to proceed. The applicant's representative, Stephen Blaine, and staff responded to the Commission's questions. Public comment was not taken. No formal action was taken. The Commission provided feedback to the discussion questions posed by Mr. Edgerton as follows:

- **Specifics of additional protection of Cultural Resources on site?**

The Planning Commission agreed with staff's conclusion regarding the additional protection of Cultural Resources on site. Staff said that there is no protection and maintenance of these historic features currently in place. Staff suggests treatment of these resources should be addressed in the Code of Development. The applicant's recent response suggests protection in the Code of Development for features 1 – 5, but does not include the additional 4 features that will also be protected. Staff is currently reviewing this issue.

- **Finalization of suggested revision of Design and Layout? (February 5 scheme?)**

The Commission wants reservation for the right-of-way for a vehicular connection between Biscuit Run and Mill Creek South and a full bicycle and pedestrian connection over the right-of-way to be provided as part of an upgraded plan.

The Commission agreed with staff on the acknowledgment that the critical slopes and natural resources need to be fully addressed. The Commission agreed to the layout of the green space plan.

- **Specifics of how applicant will address the Boundary between the District Park (in the Rural Area) and the Development (in the Development Area)?**

The Commission agreed that the boundary is okay as it has been identified in the applicant's memo of February 15. There was some discussion about the characteristics of the park, but in the end the Commission decided that the study would help determine this.

- **Specifics of additional protection of Critical Natural Resources?**

Regarding the additional protection of critical natural resources, and the development of proposed roads, the Commission decided that proffers addressing their concerns for areas that need additional protection would be appropriate.

- **Specifics of design of Greenway system?**

The Commission said that really needs to be worked out with Parks and Recreation.

- **Finalization of affordable housing proffers?**

The Commission wants the affordable units to be distributed over phases of the development. Cash in lieu of the units is okay if it goes to the Habitat project or other projects that the County is trying to realize that provide the same benefits. The default they accepted would be just to provide the full 15 percent affordable housing in Biscuit Run.

Mr. Strucko said that there has to be some affordable housing units in the Biscuit Run development.

Mr. Cilimberg noted that Mr. White's comments indicate he is going to want a minimum of 10 percent affordable housing provided in Biscuit Run.

Mr. Strucko asked if it was possible that only rental units would be in Biscuit Run and all for sale units to be in Southwood Mobile Park. He wanted to get his concern on the record.

Mr. Cilimberg said that he anticipated what would be provided in Biscuit Run to be a mix of for sale and affordable units.

- **Finalization of School Site Proffer?**

The Commission felt that the site size was okay. They liked the learning center concept and the location. The Commission did see the possibility that it could be a site serving some alternative multiple uses if it was deemed more appropriate.

Staff noted that some recent comments from Parks and Recreation indicated they would like to have it available for a park site if it was not going to be a school.

- **Cash Proffer for District Park?**

The Commission said that the cash proffer for the district park of $200,000 is okay.

- **Commitment to Phasing development?**

The Commission wants phasing for the timing of public amenities; the relationship of residential and commercial development (concurrency); and the relationship of development to infrastructure, particularly transportation and public utilities. The Commission wants to see the through road that becomes the Southwood Connector built in the beginning of or early in the project. The Commission wants to see access between Mill Creek and where the district park would be provided in the beginning of or early in the project. The stabilization of grading and erosion and sediment control measures should also be phased to address impacts subject to what Engineering staff feels is the best approach. It was also suggested affordable housing units should be distributed through phases. Staff suggested looking at North Pointe proffers for phasing erosion and sediment control.

- **The need for a "per unit" cash proffer?**

The Commission at this particular time did not feel comfortable answering this question, and asked staff to assess the cash proffer list in the brochure dated February 6, 2007.

- **Analysis of appropriateness of transportation proffers to address Biscuit Run "pro-rata" share on traffic impact on City and County?**

The Commission generally felt that what the applicant has proffered is appropriate in combination with what staff has identified as additional needs.

**Summary:**
The applicant has proffered to:

- Install two off site traffic signals (5TH Street at Sunset Ave and Rt. 20 at Avon St)
- Construct turn lane improvements at 5th Street at I-64
- $5,500,000 cash contribution for Rt. 20 widening or other identified projects
- Construct the Southwood Connector
- $150,000 for ITS improvements in the City and County

In addition to the items listed above, staff believes the following items should be proffered:

- A fair share contribution toward the project listed below:
  1. Traffic signal - Avon Street at Southern Parkway
  2. Traffic signal - Old Lynchburg Rd (Rt. 780) at Rt. 631/entrance to COB 5th St
  3. Traffic signal - Scottsville Road at I-64
  4. Lane capacity at Old Lynchburg Road/Country Green, Old Lynchburg Road/ Mountainwood Road and PVCC/ Route 20
- A park and ride lot at the development
- $250,000 contribution for towards transit
- The three items listed in the City letter dated February 2007

One of the things understood is that there needs to be some determination as to what the appropriate contribution to the Sunset/Fontaine connector would be for this project and what are appropriate contributions for the traffic signals that are identified at Avon and Southern Parkway and Old Lynchburg Road at Route 631; the traffic signal at Scottsville at I-64 and the lane capacities that were identified.

He also noted that the Commission said they wanted the dangerous Old Lynchburg Road curves that were shown in an earlier session between the four-lane section and Biscuit Run to be looked at for possible improvement. Also, they want bike lanes on Old Lynchburg Road.

- **Adequacy of Moore's Creek Sewer Interceptor to handle Biscuit Run increased density (analysis not available until Fall of 2007)**

The Commission suggested that this needs to be taken care of with the phasing.

The Commission discussed a buffer concern for properties located on the east side of Old Lynchburg Road and decided the layout and density was okay as it is. Concerns regarding buffers were discussed. Green spaces shown as buffers could become usable space for instance, park areas. The buffers along the exterior of the site appear to be hiding the site, and perhaps this is not what needs to happen. It was

suggested that the development integrate with existing areas/neighborhoods. The Commission decided the density of the development was okay.

**Old Business**:

Ms. Joseph asked if there was any old business.

- Mr. Edgerton noted that he had been trading phone calls with Jason Hartke, Manager for State and Local Advocacy at the US Green Building Council. They have not actually talked, but he got the email message to him that they have a scheduled work session on March 20. He got the message back from him that he would be delighted to be here and give us a presentation. Once he gets it confirmed he would like to invite some other people to attend that would benefit from it.

There being none, the meeting moved on to the next item.

**New Business**:

Ms. Joseph asked if there was any new business. There being none, the meeting proceeded.

**Adjournment**:

With no further items, the meeting adjourned at10:26 p.m. to the Tuesday, March 6, 2007 meeting at 4:00 p.m. at the County Office Building, Second Floor, Auditorium, 401 McIntire Road, Charlottesville, Virginia.

V. Wayne Cilimberg, Secretary

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