Albemarle County Planning Commission
August 28, 2007

The Albemarle County Planning Commission held a work session, meeting and a public hearing on Tuesday, August 28, 2007, at 4:00 p.m., at the County Office Building, Lane Auditorium, Second Floor, 401 McIntire Road, Charlottesville, Virginia.

Members attending were Calvin Morris, Vice-Chairman; Marcia Joseph, Chairman; Duane Zobrist, Bill Edgerton; Jon Cannon and Pete Craddock. Absent was Eric Strucko. Julia Monteith, AICP, Senior Land Use Planner for the University of Virginia was present.

Other officials present were David Benish, Chief of Planning; Judith Wiegand, Senior Planner; Lee Catlin, Community Relations Manager; Wayne Cilimberg, Director of Planning; Mark Graham, Director of Community Development; Harrison Rue, Thomas Jefferson Planning District; John Giometti, VDOT representative; and Greg Kamptner, Deputy County Attorney. Mr. Kamptner arrived at 5:20 p.m.

Call to Order and Establish Quorum:

Ms. Joseph called the meeting to order at 4:03 p.m. and established a quorum.

Work Session:

Places29 Draft Master Plan (Judy Wiegand):
Chapter 5. Future Land Use and Transportation Framework
Chapter 6. Community Facilities and Services

- The Commission continued its work session held on July 31, 2007, responding to the staff questions and giving guidance to the staff.
- At the last meeting the Commission did not quite get through the land use section or the Green Infrastructure Map. Staff wants to make sure to get through the Transportation section in advance of the Board of Supervisors discussion next week on September 5 to make sure that all of the important information from the Commission goes forward to them at that time. Therefore, the transportation section was discussed first.

In summary, the Planning Commission continued its July 31, 2007 work session in their review of Chapters 5 and 6 of the Places29 Draft Master Plan. In a power point presentation, staff reviewed Chapters 5, beginning with the Transportation section on page 41. The Commission reviewed and discussed Chapter 5 of the Draft Places29 Master Plan, answered the questions posed by staff, and made comments and suggestions. Public comment was not taken. No formal action was taken.

The Planning Commission needs to go back and finish up the land use section. Due to the lateness the Commission decided to stop. They acknowledged that this goes before the Board of Supervisors on September 5 and they would not get the Commission's comments on some of these items. It was assumed that this would come back for further comment about the other information such as the green infrastructure and land use. Staff will schedule a date in the future to bring back the redrafted version after the Board of Supervisors work session on September 5.

The Planning Commission made the following comments on Chapter 5 and 6:

Concerns were expressed about Guiding Principle 8 that ties infrastructure to development. The Commission's desire is to strengthen that Guiding Principle to the extent legally possible to tie rezoning decisions together with infrastructure availability and need. The Master Plan should refer to that principle in important places throughout the document. For example, in the introduction to the Transportation Section, that principle should get prominently mentioned.

- The question was raised regarding whether the Master Plan locked the County into specifics regarding the Transit System. Staff responded that the plan was conceptual and that the details will be clarified later, so flexibility is possible with regard to transit stops and some of those types of items.

- On Page 5-66, where it talks about the percentage of transit riders, there was a concern about that number being low. An explanation was given that there was a conservative approach taken to the expected densities with regard to the modeling as is required by VDOT. The Planning Commission talked about the desire to have goals or strategies that would try to increase that transit usage number and asked if there were design solutions throughout that would address this.

- The Commission was asked if they heard enough in the discussion of pedestrian related elements, the grade separated interchanges and some of the other design solutions to address the transit ridership issue. The Commission expects to hear back from staff about what kinds of things that they could do or look for to increase the transit ridership level. The plan needs to state goals or a threshold to try to achieve. One way to state the goal is to significantly increase transit use above what might be expected in the normal course of business by doing or paying attention to the appropriate design elements, which could be listed. There was a comment on making sure that the transportation system map, which was graphic 5.32, included a clear notation regarding the accommodations for bikes and pedestrians. It would be too confusing to try to show the elements in the map itself, but staff was directed to make sure that there is clear notation on the map that there are pedestrian and bicycle elements and make sure that it is also mentioned in the text. The graphics should be integrated with the text for better clarity, including in that section.

- With respect to the specific 8 issues that staff walked the Commission through, on the 2 grade separated interchanges the Planning Commission endorsed comments that people felt that this was the right approach and that it was really important to community members at large in responding to increased traffic and that those interchanges should be included as part of the system.

- Issue #6 related to the jug handle. The Planning Commission directed that the Framework Map be changed to show the "jug handle" to the south of Ashwood Boulevard where it did not conflict with the trailer park and leave the explanation in the text as it already is.

- Issue #8, regarding the optional connector road in the Hydraulic Road area, the Commission asked to add language to make sure that the existing residential neighborhoods are preserved and protected to the extent possible.

- There was some concern about the specific locations of at grade pedestrian crossings and pedestrian overpasses. Planning Commissioners asked if these could be rearranged if necessary depending on whether the situation required it. The response was yes, that was possible.

- A map would be included that showed the specific locations of those pedestrian crossings.

- On page 65, the graphic need to be redone to make it clearer. There was a request to staff to take another look at the language about the Eastern Connector to see if it was appropriate and accurate.

- There was a general comment about increasing font sizes wherever possible.

The Planning Commission took a dinner break at 5:41 p.m.
The meeting reconvened at 6:05 p.m.

The Albemarle County Planning Commission held a work session, meeting and a public hearing on Tuesday, August 28, 2007, at 6:00 p.m., at the County Office Building, Lane Auditorium, Second Floor, 401 McIntire Road, Charlottesville, Virginia.

Members attending were Calvin Morris, Vice-Chairman; Marcia Joseph, Chairman; Duane Zobrist, Bill Edgerton; Jon Cannon, Eric Strucko and Pete Craddock. Julia Monteith, AICP, Senior Land Use Planner for the University of Virginia was absent.

Other officials present were Judith Wiegand, Senior Planner; Wayne Cilimberg, Director of Planning; Greg Kamptner, Deputy County Attorney; Claudette Grant, Senior Planner; Megan Yaniglos, Planner; Sean Dougherty, Senior Planner; Allan Schuck, Senior Engineer; Amelia McCulley, Director of Current Development & Zoning; John Shepherd, Chief of Current Development; and Elaine Echols, Principal Planner.

Call to Order and Establish Quorum:

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

Other Matters Not Listed on the Agenda from the Public:

Neil Williamson, with the Free Enterprise Forum, said that in the discussion this afternoon with regard to Places29 they were talking about further alternatives and context sensitive designs. They were thinking about a lot of different elements that are of critical importance in designing roadways and transportation networks. There was no discussion where cost was a factor. The costs of these roadways are going to be paid by the taxpayers one way or another. They will be paid in higher housing costs if it is proffers. It will be paid in higher taxes being local or state. The cost benefit analysis that is necessary for these designs has not seen vetted. He was hoping that it will be a future chapter in this Places29 strategy. He requested that be a part of their thinking and that those designs they have chosen not to pursue and the preferred alternative have some rough costing associated with them so that the community can see that costs are a part of the Commission's thinking. As they all know there is not an unlimited budget.

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

Regular Items:

SUB-2007-00240 Michael Weber

The proposal was for a waiver to subdivision ordinance section 14-404, "Lot location to allow access from lot onto street or shared driveway". The request is for a waiver to allow each lot in a proposed two lot subdivision to gain access from separate public streets. Proposed Lot 1 would access off of Dry Bridge Road [Route 708], and proposed Lot 2 would access off of Dick Woods Road [Route 637]. The property, described as Tax Map 73, Parcel 31A, contains 6.161 acres zoned RA (Rural Areas). This site is located in the Samuel Miller Magisterial District off Dick Woods Road [Route 637] approximately .67 miles [3575 feet] away from the intersection of Dick Woods Road [Route 637] and Ragged Mountain Road [Route 681]. The Comprehensive Plan designates this property as Rural Areas in Rural Area #3. (Megan Yaniglos)

Ms. Yaniglos presented a power point presentation and summarized the staff report. (See staff report.)

Ms. Joseph invited questions for staff. She asked staff to elaborate on the environmental degradation.

Mr. Allan Shuck, Senior Engineer, pointed out that to put in an access easement it requires a minimum 10' driveway. They were looking at 32' to 34' of disturbance running the entire length of the driveway versus the approved driveway at the existing grade.

Ms. Joseph asked if they are assuming that the new driveway would be closed and a new driveway installed to serve both.

Mr. Shuck replied that the applicant has to close the existing driveway and put in a new one with both drives across that access easement.

Mr. Edgerton said that it was very apparent that if the property was subdivided that the existing driveway would have to be abandoned and a new one built to serve both lots. He asked if they could have used one driveway to serve both lots. He asked if the property could be divided in another way and be able to meet the ordinance.

Mr. Schuck replied yes.

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

Michael Weber, applicant, asked to address the concerns that were raised. The idea of branching off of the existing drive would require a long driveway in a low area. The west portion of the lot would have to be built up in order to have a driveway. The back portion of the lot is the nicest section of land on the property. To best way to preserve the quality of the land is through the way they are proposing to subdivide it. They have three division rights, but only making a proposal to use two. They have put a lot of money into trying to preserve the quality of the area.

Ms. Joseph invited public comment. There being none, the public hearing was closed and the matter before the Commission.

Motion: Mr. Strucko moved for approval of SUB-2007-00240, Michael Weber, with staff's recommended condition amended as follows:

1. The subdivision plat shall be in general accord with the exhibit (Attachment B) with respect to proposed driveway locations and the limitation that the parcel be subdivided into no more than two lots.
2. That there will be no disturbance to the low lying area outlined on Attachment B as well.

Mr. Craddock asked what happens to the third development right.

Mr. Kamptner replied that they could consider that a dormant development right. If the land were to be resubdivided it could be carved into three two-acre parcels. It could be revived. Once the ownership is no longer common among the two parcels it becomes less likely. But, it is always there to be used at some point or never depending on the owner.

Mr. Edgerton said that it has to be assigned to one of the lots. He asked if land was added to that lot later from an adjoining parcel could it be used.

Mr. Kamptner said that he did not think it can be used. He asked staff if they would require that the applicant assign a dormant development right. He questioned if staff required that to be depicted on the plat.

Mr. Shepherd replied that they would not require the assignment of a development right to a parcel that contained less than the amount of acreage required to support the proposal. It is extinguished, but it is not eliminated. It could be used in the future. However, in this particular case the approval of the waiver is subject to the development of the property in accord with this plan. So if the owners in the future wanted to reconfigure it using three development rights, they lose the benefit of the waiver.

Mr. Cannon asked if the waiver would go away even though the driveway had already been built.

Mr. Shepherd replied yes, because it was built on the condition of the waiver. There would be a record of this in the subdivision file and they would address that.

Mr. Zobrist asked why there could not be a deeded proffer of the development right back to the County.

Mr. Kamptner replied it could not in this case because it is a by right development.

Mr. Craddock noted that the concern was if these two lots were sold to the same person and then they came back to the Commission and asked for that third lot, whether it is next year or ten years.

Ms. Yaniglos noted that the waiver would be void. If they reconfigured the lots from this waiver, then they would have to close that driveway that was approved.

Mr. Kamptner said that nothing compels that the land will always be used for that purpose with that waiver. The applicant could decide tomorrow not to develop it that way and not use the waiver. He could propose a three lot subdivision and had the right to do that.

Mr. Zobrist asked if this request is premature. Should the applicant be here at the point in time when it is ready to be developed? Then the applicant can tell us what they want to do with it, if that is the case.

Mr. Edgerton noted that typically staff handles the subdivision administratively. If there is concern of it not happening, then they could add the requirement to see the final site plan.

Mr. Kamptner noted that it was the final subdivision plat.

Ms. Joseph noted that this was something that they had talked about before about the distinguishing of development rights. They found that it is nearly impossible to do away with development rights in circumstances like this. In review of rural developments they have designated that three development rights go on the preservation tract.

Mr. Shepherd said that if this waiver is granted with this condition, then the parcel is encumbered with that condition. In the event that an owner in the future came back with a different configuration to make three lots they would have to come back to the Commission to overcome the condition. Also, to do three lots would require a private road to meet the private road standards, which then would overcome the objection that is here. There is a safety net provided in the ordinance.

Ms. Joseph said that the other safety net would be if there is any way that they can ever extinguish development rights. She asked if that is something that has to come from some where other than the power that the Planning Commission has or is it something that they could place within an ordinance?

Mr. Kamptner replied that they do it by rezoning land, purchasing development rights or where owners donate them through conservation easements.

Ms. Joseph asked if that is something the Commission can do as a condition of approval for a waiver request.

Mr. Kamptner replied no, because the waiver is not permanent. The applicant does not have to take advantage of the waiver. The applicant can come back tomorrow and develop that with a single access. The conditions that attach to the waivers have no application. It applies only if the waiver itself is being exercised.

Mr. Cannon said that he was comfortable with a condition that would require the applicant come back to the Commission if he wanted to do something with the property that involved three parcels as opposed to two. He asked if that would be what this condition would do.

Mr. Kamptner said that it probably works if they are still operating under the waiver. Everyone has the right to resubdivide their property.

Mr. Cannon noted that the applicant could come back with a three lot subdivision and conform to the requirement for common access and never see the Planning Commission again. But, that is the applicant's option.

Mr. Kamptner replied that was correct.

Mr. Morris asked to move the question.

Mr. Zobrist asked that the language of the conditions be clarified. Condition 1 says that the plat comply with exhibit B.

Mr. Edgerton said that condition 1 would be as staff recommended.

Mr. Zobrist said that condition 2 would be that there would be no degradation in the low lying area and that it be appropriately designated and shown on the plat. Condition 3 would be that the applicant shall not further subdivide the land without the approval of the Planning Commission.

Ms. McCulley asked that they define degradation since that is going to be difficult to understand and enforce.

Mr. Zobrist replied that it would be left undisturbed.

Mr. Kamptner said that Mr. Strucko's motion also made a reference to as shown on Attachment B, which would be the referenced point.

Amended Motion: Mr. Strucko moved, Mr. Edgerton seconded, to approve SUB-2007-00240, Michael Weber to include the conditions recommended by staff, as amended.

1. The subdivision plat shall be in general accord with the exhibit (Attachment B) with respect to proposed driveway locations and the limitation that the parcel be subdivided into no more than two lots.
2. There shall be no degradation (or it shall be left undisturbed) in the low lying area and it shall be appropriately designated and shown on the plat.
3. The applicant shall not further subdivide the land without the approval of the Planning Commission.

The motion passed by a vote of 6:1. (Mr. Zobrist voted nay.)

Ms. Joseph stated that SUB-2007-00240, Michael Weber was approved with conditions.

Work Sessions:

ZMA-2006-00022 The Commons at Albrecht Place
PROPOSAL: Rezone 3.398 acres from PD-SC - Planned Development Shopping Center which allows shopping centers, retail sales and service uses; and residential by special use permit (15 units/ acre) to PD-SC - Planned Development Shopping Center which allows shopping centers, retail sales and service uses; and residential by special use permit (15 units/ acre) to allow up to 32,364 sq. ft of commercial space.
PROFFERS: No
EXISTING COMPREHENSIVE PLAN LAND USE/DENSITY: Community Service - community-scale retail wholesale, business and medical offices, mixed use core communities and/or employment services, and residential (6.01-34 units/acre).
ENTRANCE CORRIDOR: Yes
LOCATION: 400 feet west of the intersection of U.S. Route 29 and Shoppers World Court, directly behind the Shoppers World shopping center
TAX MAP/PARCEL: Tax Map 61M, Block 12, Parcel 1E
MAGISTERIAL DISTRICT: Rio
(Sean Dougherty)

Mr. Dougherty presented a power point presentation to explain the applicant's proposal.

- A prior work session was held in March. The applicant has come back and modified the proposal with the by-right potential. This property was zoned PD-SC in 1980 when the County comprehensively zoned lands in the development area. The property contains PD-SC zoning. The only thing the applicant has to do to use that entitlement is to get an application plan that conforms to a section of the zoning ordinance for Planned District and also the site plan ordinance. So long as the proposal does not introduce detriment to health, safety and welfare the Commission's discretion in this matter is really fairly limited. He asked for comments from the Commission on the questions posed in the staff report.

Steve Edwards, representative for the applicant, presented a power point presentation and explained the proposal.

Ms. Joseph invited public comment.

Charlotte Lawson, resident of Williamsburg Road, spoke in opposition to the proposal. She noted that the buffer was a great concern since she had children that used the road and 20' was not adequate. She suggested that they look into the history of the site because this is the third attempt to put warehouses in this area. She asked that the Commission review the impact on the neighborhood, the increased traffic and the fact that it would abut right up against a residential neighborhood on two sides.

The Commission reviewed and discussed the proposal, answered the questions posed by staff and made comments and suggestions as noted in the following summary. No formal action was taken.

In response to a request from Ms. Joseph, Mr. Cilimberg summarized the Planning Commission's comments:

- The Commission at this point would not be favorably inclined to grant the waivers for critical slopes or buffer intrusion. There is the need for the required buffer to be established on the south side of the site as well as the west side of the site.

- The Commission would like to see consideration of a design that respects the critical slopes and buffers and at the same time compliments Shoppers World. That may mean that it is a three-sided kind of project and the service alley is utilized for that purpose with this development as it is being utilized for Shopper's World. The face of the project would then tend to be south, west and north. The plan may need to be minimized.

The Planning Commission made the following comments about The Commons at Albrecht Place:

1. The Commission would not support the critical slopes waiver or waiver to disturb the 20 foot buffer.
2. The design needs to respect the edges next to the developed residential areas.
3. The orientation of the buildings may need to change and some sort of redesign to better use the service alley is desired.
4. The applicant should talk to the neighbors about where and how to formalize pedestrian access since there is already a footpath down to the shopping center.

ZMA 2004-00022 Treesdale Park
PROPOSAL: Rezone 6.60 acres from R4 zoning district which allows residential uses (4 units per acre) to PRD (Planned Residential District) - which allows residential uses (3 - 34 units/acre) with limited commercial uses. This request proposes a total of 90 units at a density of 14 units per acres and no commercial uses.
PROFFERS: No
EXISTING COMPREHENSIVE PLAN LAND USE/DENSITY: Urban Density Residential (6 - 34 units per acre).
ENTRANCE CORRIDOR: No
LOCATION: The property is located in the Rio Magisterial District at 640 E. Rio Road, south of Towne Lane on the west side of East Rio Road.
TAX MAP/PARCEL: Tax Map 61, Parcels 182, 183, and 183A
MAGISTERIAL DISTRICT: Rio
(Sean Dougherty)

Mr. Dougherty presented the staff report. (See staff report)

- Comments from VDOT that arrived on Monday were distributed. VDOT does not support a turn off on Rio Road for this development. To provide CTS to the site there was a shared concept for a pull off. It was not clear on the application plan, but the pull off was proposed on a deceleration lane, which was basically a right hand turn lane, that created a problem for a decal lane that would require traffic to have to cross it to get back in traffic. VDOT did not support that, but recommended that the applicant provide the ability for CTS buses to go on the property and turn around to go in the proper direction. The proposal is for 90 units with 15 percent affordable

housing. They plan to develop the property with Federal tax credits, which would be more like 100 percent affordability.

Ms. Joseph invited the applicant to address the Commission.

Mike Fenner, of Cox Company represented the Albemarle Housing Improvement Program, said that their entire team was present which included Teresa Tapscott, Joyce Dudek, Bruce Woodell and Frank Cox. He asked for the Commission's feedback on the proposal. They have tried to minimize the neighbor's concerns and respond to the Neighborhood Model concepts and still meet their objective to bring 90 affordable units to the market. Their key point to the proposal is to provide interconnection with the Stonewater Subdivision that is proposed south of their site. They propose to provide an interparcel access easement arrangement through the Stonewater Subdivision to provide access out of the project to the left. Proffers have been submitted to provide one third share to provide for a light if this is approved by VDOT. Also an arrangement was proposed for shared regional stormwater management that would be located on both of the parcels. They included a path to the Meadow Creek Greenway. They have been working with VDOT on the transportation issues and the Penn Park Lane intersection improvements. They are working to integrate transit and to address the architecture to minimize the impacts from the Entrance Corridor.

Ms. Joseph invited public comment.

Mary Higgins, an adjacent property owner across the live across street, opposed the rezoning due to the negative impacts on the community, particularly the traffic issues, water availability and safety. The increase in traffic would overburden Rio Road. She asked that an updated traffic count be done to determine the current traffic situation. She voiced concerns about the bedded rock on the property that would require the use of dynamite that could damage the homes in the area, particularly the wells and foundations. This project could be very costly for everyone involved.

Leon Blumrich said that he lived on the corner of Penn Park Lane and was an orchid grower. Since he was on a well he was very concerned with the potential blasting consequences on his well and the water quality. He asked that they look into that and make it part of the conditions. Also, the traffic is already a problem on Rio Road.

Robert Daniels, resident of Town Lane, spoke in opposition to the rezoning because of the erosion, particularly with the elimination of the trees. He questioned the storm water management. This proposal is out of character with the area with the proposed three stories. The traffic there is unreal and their children's safety is at risk. He asked what kind of buffer would be provided or other measures to protect the adjacent property owners. He questioned what would be done with the two ponds on the back of the site and if it would be fenced. He asked what they are going to provide the residents and what will it cost the tax payer.

Lisa Hoy, adjacent property owner, said that the ponds and storm water management is in her back yard. It has been a problem since she moved there. It was suppose to go away, but has not. She has lived there for 11 years and the road situation has gotten worked. Until the signal lights and other measures are made on Rio Road she could not see how another development of this size could be approved. Meadowcreek Parkway has been talked about for 50 years. Therefore, she opposed the request until something is done to Rio Road.

There being no further public comment, the matter was placed before the Planning Commission for discussion.

Ms. Joseph invited Ms. Tapscott to come up and address the issue in the staff report that if they don't know if they will keep the site because it depends on getting federal funding.

Ms. Tapscott replied that they are a non-profit and don't have a lot of assets. They want to hold on to it and are fairly confident that the tax credits will come this year or next. She acknowledged Rio Road has a traffic problem, but thought that the engineers and planners have done things to remedy that situation

Staff asked if the Commission agreed with their recommendations as listed below as appropriate direction for the applicant. Staff believes the applicant should:

- Provide a public access easement for pedestrians connecting the greenway trail dedication acreage to Rio Road
- Determine what existing trees can be preserved and proffer to retain them or demonstrate that they cannot be saved.
- Consider removing units from a portion of the top floor of the two buildings closest to Village Square.
- Consider proffering architectural renderings and materials.
- Submit a critical slopes waiver with materials to be submitted for a public hearing.

Ms. Joseph asked staff to make sure that engineering goes out and looks at the current erosion problem.

The Commission reviewed and discussed the proposal, answered the questions posed by staff and made comments and suggestions as noted in the following summary.

In summary, a work session on ZMA-2004-00022 Treesdale Park was held by the Planning Commission. In a power point presentation, staff reviewed the applicant's proposal. The Commission reviewed and discussed the proposal, answered the questions posed by staff and made comments and suggestions. The applicant made a presentation. Public comment was taken. No formal action was taken.

The Planning Commission made the following comments about Treesdale:

1. Provision of an access easement for the greenway to provide a public access easement for pedestrians connecting the greenway trail dedication acreage to Rio Road.
2. Identification of trees for preservation and a commitment to preserve them
3. Look at the feasibility of removing some of the units on the upper floors near the houses next door.
4. Make a commitment to certain architectural elements/features such as materials, massing, and scale
5. Make provision for transit
6. Tie the development to a "built" Meadowcreek Parkway, not a "plan" for the Meadowcreek Parkway
7. Have proffers that guarantee that the project will be an affordable housing project, even if the tax credits aren't achieved.
8. Make sure that dynamite/blasting concerns of neighbors are addressed.

The Planning Commission took a break at 8:51 p.m.

The meeting reconvened at 9:02 p.m.

ZMA-2007-00007 Mermac Crossing

PROPOSAL: Rezone 3.198 acres from R-1 zoning district which allows residential uses and 1 unit per acre to Planned Residential (PRD) zoning district which allows residential (3 - 34 units/acre) mixed with commercial and industrial uses for a total of 26 units.
PROFFERS: No
EXISTING COMPREHENSIVE PLAN LAND USE/DENSITY: Urban Density Residential - residential (6.01-34 units/acre) and supporting uses such as religious institutions, schools, commercial, office and service uses in the Hollymead Community.
ENTRANCE CORRIDOR: No
LOCATION: 3226 Proffit Rd, Earlysville, VA 22911, property is on the south side of Proffit Rd, approximately 1,000 feet east of US 29 in the Hollymead Community.
TAX MAP/PARCEL: 32-35
MAGISTERIAL DISTRICT: Rivanna
(Judy Wiegand)

Ms. Wiegand presented a power point presentation and explained the applicant's proposal. Staff presented several questions related to the applicant's request to rezone the property and asked for additional guidance on the cash proffers since the applicant had declined comment. There are additional issues that need to be worked out with the applicant.

Keith Whipple, with McKee Carson, represented the applicant. He pointed out that they don't have a lot prepared tonight to address these comment. But, they have been working closely with staff to address these issues. He asked for feedback from the Planning Commission.

There was no public comment.

The Commission reviewed and discussed the proposal, answered the questions posed by staff and made comments and suggestions as noted in the following summary. No formal action was taken.

In summary, **the Planning Commission made the following comments about Mermac Crossing**:

1. This is the time to facilitate the design of an interconnected street network and the applicant should take the lead with the adjoining owner to help set it up.
2. Some PC members said that density should be increased; others said that the proposed density was sufficient.
3. A greater setback from Proffitt Road is essential in order to accommodate the widening of Proffitt Road and to keep the buildings from sitting right up against the street. There must be a positive relationship of the buildings to Proffitt Road. Commissioners stressed that the applicant must meet regulatory requirements, such as parking and setbacks.
4. Some PC members said that the unit types shown were appropriate; others said that a different unit type was needed to fulfill density expectations of the Comprehensive Plan. The Commission stressed that our Development Areas are precious resources.
5. The applicant should expect to make cash proffers in accordance with the Board's policy direction for all non-affordable units.

SP-2007-00026 Crozet Station
PROPOSED: 30 residential units to be located above the existing Crozet Shopping Center buildings and a parking structure addition to the northeast corner of the site.
ZONING CATEGORY/GENERAL USAGE: C-1 Commercial - retail sales and service uses; and residential use by special use permit (15 units/ acre)
SECTION: 18.22.2.2.6 uses permitted the R15 Zoning District (15 units/acre) and 18.22.2.2.9 Parking Structure
COMPREHENSIVE PLAN LAND USE/DENSITY: Community of Crozet; designated CT 6 Urban Core, which allows for a mix of commercial, office, retail, and other uses along with residential uses up to 18 units an acre and up to 36 units an acre in a mixed used setting, according to the Crozet Master Plan.
ENTRANCE CORRIDOR: Yes
LOCATION: Crozet Shopping Center, north of Three Notch'd Road(Route 240); approx. ¼ mile east of its intersection with Rt. 810
TAX MAP/PARCEL: 56A2-01-29
MAGISTERIAL DISTRICT: White Hall
(Claudette Grant)

Ms. Grant presented a power point presentation and summarized the applicant's proposal.

- The applicant has reduced the area of the request from the previous submittal and to only redevelop a portion of the shopping center. The current request reduces the number of residential units to 30 from 72. The square footage of commercial uses also decreased from 42,000 to 28,059 square feet.
- Staff requests the Planning Commission to provide guidance to the applicant on the questions outlined in the staff report.

Bill Atwell, of Atwood Architects, represented the applicant and explained the proposal.

There was no public comment.

The Planning Commission reviewed and discussed the proposal, answered the questions posed by staff and made comments and suggestions as provided in the following summary. No formal action was taken.

In summary, the Planning Commission made the following comments about SP-2007-00026 Crozet Station:

1. Most members believe that parking is appropriately relegated on the site with the parking garage at the rear.
2. The unit types proposed are acceptable and the PC noted that the applicant said that more than **15%** would be affordable.
3. The height and massing of the buildings is appropriate. The PC did not agree with the ARB recommendations for two-story buildings for retaining views of the mountains. The PC said that the perspectives that had the support of the community were the ones that should be used.
4. Impacts of the residential units should be met with SP conditions.

Old Business

Ms. Joseph asked if there was any old business.

- The November 6 Planning Commission meeting previously scheduled on Election Day was cancelled.

There being no further old business, the meeting proceeded.

New Business

Ms Joseph asked if there was any new business.

- Mr. Strucko asked the Commission to support retention of the porch on the Cocina del Sol restaurant and the barbershop in a road widening project on Crozet Ave. because of the historic nature of the building. He said that the staff was pushing the owner to get rid of the porch because it is in the public right-of-way and that the reason for the road location was to preserve a tree. The Planning Commission supported Mr. Strucko's suggestion to save the porch on Crozet's barbershop and Cocina del Sol restaurant and asked staff to take their suggestion into consideration.

- Discussion was held on a question raised on copyright compliance. Mr. Kamptner will check and provide a follow up to the question.

There being no further items, the meeting proceeded.

Adjournment

With no further items, the meeting adjourned at 10:12 p.m. to the Tuesday, September 4, 2007 meeting at 6:00 p.m. at the County Office Building, Second Floor, Auditorium, 401 McIntire Road, Charlottesville, Virginia.

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V. Wayne Cilimberg, Secretary

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