Albemarle County Planning Commission
July 13, 2010

The Albemarle County Planning Commission held a meeting and public hearing on Tuesday, July 13, 2010, at 6:00 p.m., at the County Office Building, Lane Auditorium, Second Floor, 401 McIntire Road, Charlottesville, Virginia.

Members attending were Duane Zobrist, Vice-Chairman; Ed Smith, Thomas Loach, Chairman; Don Franco, Calvin Morris, Linda Porterfield, and Russell (Mac) Lafferty. Julia Monteith, AICP, Senior Land Use Planner for the University of Virginia was present.

Other officials present were Scott Clark, Senior Planner; Elaine Echols, Principal Planner; David Benish, Chief of Planning; Wayne Cilimberg, Director of Planning and Greg Kamptner, Deputy County Attorney.

Call to Order and Establish Quorum:

Mr. Loach, Chairman, called the regular meeting to order at 6:00 p.m. and established a quorum.

Committee Reports:

Mr. Loach asked for committee reports from the Commissioners.

- Mr. Morris reported that the Pantops Steering Committee will meet on July 22 to review where they are going to go with the current staffing limitations.
- Mr. Lafferty reported that CHART and the MPO have put together a transportation slide show particular to this area. Staff will schedule a joint meeting of the City and County Planning Commissions to receive a presentation of the show.
- Ms. Porterfield reported that the Historic Preservation Committee did not meet in June.
- Mr. Zobrist noted that both the MPO Tech and the ACE Committee met without him.

There being no further reports the meeting moved to the next item.

Other Matters Not Listed on the Agenda from the Public:

Mr. Loach invited comment from the public on other matters not listed on the agenda and also on any consent agenda item. There being no comments, the meeting moved to the next item.

Review of Board of Supervisors Meeting – July 7, 2010

Mr. Cilimberg reviewed the actions taken by the Board of Supervisors on July 7, 2010.

Consent Agenda:

Approval of minutes: April 6, 2010

Mr. Loach asked if any Commissioner would like to pull an item from the consent agenda for further review. There being none, the matter was before the Planning Commission for action.

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

The motion carried by a vote of (6:0:1). (Porterfield abstained as she was not present at the April 6 meeting.)

Mr. Loach noted the consent agenda was approved.

Public Hearings:

SP-2007-00028 Faith Christian Center International Church (Sign # 5). PROPOSED: Church use with multi-purpose building including 399-seat sanctuary, administrative offices, classrooms, playground, as well

parking on site. ZONING CATEGORY/GENERAL USAGE: RA -- Rural Areas: agricultural, forestal, and fishery uses; residential density (0.5 unit/acre).SECTION: 10.2.2(35). COMPREHENSIVE PLAN LAND USE/DENSITY: Rural Areas - preserve and protect agricultural, forestal, open space, and natural, historic and scenic resources/ density (.5 unit/ acre). ENTRANCE CORRIDOR: Yes. LOCATION: Route 250 East, 0.35 miles southeast of the Interstate 64 interchange. TAX MAP/PARCEL: Tax Map 78, Parcels 47 and 47A. MAGISTERIAL DISTRICT: Scottsville

AND

SP-2007-00029 Faith Christian Center International Church Daycare (Sign # 5). PROPOSED: Operate Daycare/Preschool, 2 year olds - Kindergarten, 50 children maximum; proposed located Faith Christian Center International Church (SP2007-28). ZONING CATEGORY/GENERAL USAGE: RA -- Rural Areas: agricultural, forestal, and fishery uses; residential density (0.5 unit/acre). SECTION: 10.2.2(7)
COMPREHENSIVE PLAN LAND USE/DENSITY: Rural Areas - preserve and protect agricultural, forestal, open space, and natural, historic and scenic resources/ density (.5 unit/ acre). ENTRANCE CORRIDOR: Yes. LOCATION: Route 250 East, 0.35 miles southeast of the Interstate 64 interchange. TAX MAP/PARCEL: Tax Map 78, Parcels 47 and 47A. MAGISTERIAL DISTRICT: Scottsville. (Scott Clark)

Scott Clark presented a Power-Point presentation and summarized the staff report for both special use permits, SP-2007-000028 Faith Christian Center International Church and SP-2007-00029 Faith Christian Center International Church Daycare. The church and daycare are in the same building and on the same site. There are also two waivers to be acted upon.

The property is located on US 250 just east of the Shadwell Interchange of I-64. It has been until recently the location of the Sleepy Hollow Mobile Home Park. There are mobile homes located in the County required stream buffer, which are in the process of being removed.

In October 2007, the applicants came to the Planning Commission for a work session about their proposal. The original plan was as follows:

- Two-story 28,000-square-foot multi-purpose building
- 500 seat sanctuary,
- Administrative offices, classrooms
- Daycare for up to 50 children
- 189 parking spaces
- Retaining walls up to 35 feet high

The plan has changed as follows:

- 1 story plus basement
- 399 seat sanctuary
- Offices, classrooms
- Daycare for up to 50 children
- 133 parking spaces
- Retaining walls up to 14 feet high
- More tree plantings

October 2007 Work Session
Planning Commission Input & Applicant Responses

- Design more sensitive to site, terracing, reduced parking:
    - Changed from two-story building to one story plus basement
    - Seating reduced from 500 to 399
    - Parking spaces reduced from 189 to 133
    - Minimized soil removal; maximum wall reduced from 35 feet to 14 feet
- Critical slopes waiver – Revised design addresses this concern.
- ARB/Design Planner concerns -
    - Entrance Corridor visibility:
        - Increased proposed tree cover
        - reduced building size;
        - reduced and reconfigured parking;
        - ARB acceptance of façade facing US 250;
        - existing house to be removed;
        - improved, more appropriate planting plan

- ARB has no objection to current proposals – applicant has met with ARB 4 times

Other issues –

- Traffic impacts
  - Entrance reviewed by VDOT
  - Applicant submitted turn-lane analysis to VDOT
  - Entrance, left turn taper, and left turn lane shown on conceptual plan as required by VDOT
- Water and septic
  - Virginia Department of Health has verified that the proposal can meet their standards for water supply and septic disposal

SPECIAL USE PERMITS

SP 2007-28 (Church)
Staff has identified the following factors favorable to this application:

1. The applicant has addressed all the issues identified by the Planning Commission at its October 2, 2007 work session.
2. Development plans for the site would significantly improve conditions in the stream buffer on the site. The trailers will be removed and the buffer replanted

Staff has identified the following factor unfavorable to this application:

1. This church use is larger than traditional church sizes in the Rural Areas. However, the applicant has shown that the site can accommodate the physical impacts of the use.

SP-2007-29 (Day Care)
Staff has identified the following factors favorable to this application:

1. The applicant has addressed all the issues identified by the Planning Commission at its October 2, 2007 work session.
2. The day care would not have significant impacts on the surrounding community, and would be accommodated in the same structure as the church, thus reducing overall building footprint.

Staff has identified no unfavorable factors with this application.

RECOMMENDED ACTIONS:

Based on the findings contained in this staff report, staff recommends approval of SP-2007-00028 Faith Christian Center International (Church) subject to the conditions listed in the staff report.

Based on the findings contained in this staff report, staff recommends approval of SP-2007-00028 Faith Christian Center International (Child Care) subject to the conditions listed in the staff report.

Mr. Loach invited questions for staff.

Mr. Morris noted one major concern about turning left into this property for daycare Monday through Friday. He had no problems as far as night services or Sunday services. Just beyond the left hand turn onto I-64 going to Richmond it goes from four lanes to two lanes. The traffic in this area in the morning and evening is horrific, which Ms. Porterfield could attest to. This location would be an unsafe situation to get children to and from a daycare. He would really like to hear from VDOT since he saw a great deal of problems.

Mr. Clark replied that VDOT has reviewed the applicant's turn lane study. He did not know whether their analysis considers the character of the use or treats daycare differently. VDOT went through their design standards and specified the 250' taper and 250' turn lane and said that would meet their requirements. The applicant has said their daycare use will not be operating on a strict schedule. So rather than having all the parents arrive all at the same time they will be much more spread out. Therefore, there will not be the stacking on those lanes as with a strict schedule.

Mr. Lafferty noted that it appears that this will actually improve the stream buffer and asked if that is correct.

Mr. Clark replied yes, that is true. There were several trailers in that buffer and only a narrow bound of vegetation. This would greatly increase the width of the buffer and replace those residential uses with what will eventually be a riparian forest.

Mr. Zobrist pointed out that Mr. Morris and he were here when this came before the Planning Commission. There were a couple members of the Commission that had some idea that rural area churches had to be small. He did not agree with that and did not find it anywhere in the statute. He thought that they ought to clarify that as a Commission if anybody feels strongly about that.

Ms. Porterfield agreed with Mr. Morris that Route 250 is a mess. She was also concerned with the turning because she had seen many persons use that turning lane as a passing lane. All they have to do is come around that corner and slam into the back of somebody trying to make a left hand turn into the church She did not know how they can solve that problem. It is not a good situation. She suggested that they need a right turn and a left turn lane coming out of the church. If anybody is going to be trying to turn left out of the church with the high traffic, they will have a huge stacking problem. In other words, at the exit there should be a right and a left turn exiting. She wondered if there was some type of signage that can be put up that says there is a daycare so that people are aware that there will be some stopped traffic to make the turns in. She assumed that a number of their clientele will be going east coming from the west. They will not all be coming in from farther to the east, which would be the easy turn. The speed limit here is 45 miles per hour. She would say the average speed limit coming around that corner is 50 miles per hour and then it picks up from there.

Mr. Smith asked if daycare qualifies as a school zone.

Mr. Cilimberg replied that staff would have to check with VDOT since they do the signing of their roads.

Ms. Porterfield said it would be most helpful to get some type of signage in there so people would be aware of the daycare. She suggested the hours of operation for the daycare need to be added to the conditions as 7 a.m. to 6 p.m. Monday through Friday.

Mr. Loach noted the hours of operation were listed in the staff report.

Mr. Morris pointed out that the rush hour would primarily be coming from the east to the west on that road, which is anywhere from 6:30 a.m. to 9:00 a.m. and then it picks up again from 3:30 to 4:00 p.m. until 6:00 p.m. They really need to be careful about the hours of operation since it is a terribly unsafe situation. They will have a traffic backlog that is unbelievable. He suggested that other Commissioners go out to the site in the morning or in the evening to see.

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

Pastor Wayne Frye, of Faith Christian Center International Church, said that they have worked an extensive amount of time with staff in getting comments back and forth to make it a project amendable for both sides. He heard their comment about the traffic. They have been out with VDOT numerous times and they have looked at the traffic flow represented. They have done an analysis through a third party organization, which then supplied that information to VDOT. The turn lane that was mentioned coming east from the west as it stands now is just a hash mark turn lane. That turn lane is proposed to be improved as well to alleviate some of the issues that were brought up in their comments.

Mr. Morris asked about the left hand turn lane coming from the west to the east going across as it goes from four lanes to two lanes. He noted the large amount of traffic on the road.

Pastor Frye noted that his engineer, Brian Smith, was present. They have not heard any negative comments from VDOT. His understanding was that it was a workable solution to the improvements and changes. He suggested that Mr. Smith might have additional information to add to that particular note.

Brian Smith, engineer, said they did meet with the Highway Department on several occasions on site. The existing left hand turn lane will be improved. Going east it is two lanes and goes to one lane. Then it turns into two lanes again turning left into some of the other businesses down the road. That left turn lane is going to be improved since VDOT is requiring them to do that. Currently it does not have any stacking. It is just a quick turn lane and a quick turn off into the Sleepy Hollow Trailer Court, which is very unsafe. He traveled the road everyday and understands their concern. He thought that it would be a lot safer if they follow VDOT's recommendations. It would be a 200' or 250' taper plus a 200' or 250' turn lane, which would bring them up to Jarman's Motorcycles. It is quite a long way. It would give about 450' to be able to slow down while the other cars going east would stay in the right hand lane.

Ms. Porterfield asked if it was still going to be a continuous turn lane that is going to continue east to VDOT, and Mr. Smith replied yes, that was correct.

Ms. Porterfield noted that the problem is the people who get into that turn lane and use it as a passing lane.

Mr. Smith replied that is a traffic violation and should be dealt with by the Police Department.

Ms. Porterfield asked if they can get any kind of school signs and if daycare qualifies for that type of signage.

Mr. Smith replied that he did not know.

Ms. Porterfield suggested that they do anything possible to alert drivers. She asked how he felt about her request to have a right and a left turn exiting the property.

Mr. Smith replied that he was sure they could do that. He has not had a whole lot of time to think about it. Again, that is something that VDOT would impose because they have the expertise in that particular area. The first thing that comes to mind is that one at a time would line up, look left to right and then go. It would let the people in line wait. The next person would look left and right rather than having two cars side by side and maybe having a vision block. It might be safer with one car exiting the site at a time.

Ms. Porterfield pointed out that further down 250 UPS has a wide enough entrance to go side by side and there have been UPS trucks stacked all the way up the hill. This obviously will not happen at the church as much except on Sundays.

Mr. Smith said that most of the traffic will turn right exiting and go toward town, which will make it safer.

Ms. Porterfield noted that she was also concerned with the left hand turn into the daycare. She asked that they consider having the two lanes to help the people exiting since it was a large church.

Pastor Frye pointed out that the congregation was currently meeting in a shopping center and familiar with waiting to turn. He did not think it would be an issue in terms of people being impatient to get out, but they were willing to consider that if VDOT agreed.

Mr. Franco said that Ms. Porterfield raised some good points about the turn lane and the internal entrance design. VDOT was the expert; and if VDOT has said this is sufficient, he was inclined to accept their opinion.

Mr. Loach invited public comment.

Neil Williamson, with the Free Enterprise Forum, noted that Free Enterprise Forum has no position on this application. However, he noted the applicant has worked through this. People have asked him to be specific and what things take time in Albemarle County. They saw the plan brought forth in 2007. They now see a church with a basement with increased cover with four visits to Albemarle County Architectural Review Board. Each one of these things cost money and is a cost of development. The cost benefit is there if they think this is a better plan. But, he wanted to raise that call to the Commission's attention.

There being no further public comment, Mr. Loach closed the public hearing and brought the matter before the Planning Commission for further discussion and action.

Mr. Franco said Mr. Zobrist raised the question about large churches. As a Commissioner he would like to say he was in agreement with Mr. Zobrist since he did not have a problem with large churches in the rural area. He thought that it was going to be site specific, but did not think they should automatically rule out a large church in the rural area just because of some unknown reason that they have been doing in the past. There is one thing missing in the staff report as part of an unfavorable component. As he looks at attachment D and sees the 20 trailers on the site one of the big things is that they are losing 20 affordable units. Mobile homes have traditionally been the most affordable housing in our community. This does displace 20 of the units to the south.

Mr. Cilimberg noted that matter was taken up at the work session initially.

Mr. Franco understood that people have rights to do things, but that is one of the challenges out there that they are displacing these affordable units in our community.

Mr. Zobrist congratulated the applicant. In 2007 the Planning Commission told the applicant that they did not think this site was suitable and they would never get a church there. He understood that it took a long time, but this was one of the most difficult sites for a large church and what they wanted to do there. The Commission really struggled with the site in 2007. He applauded the applicant for hanging in there and coming up with a site plan that works on a site that they want to use that is convenient for their members. At the end of the day that is what they have to do. He was surprised that the applicant got it done in three years because it was a tough site.

Action on SP-2007-00028:

Motion: Ms. Porterfield moved and Mr. Zobrist seconded for approval of SP-2007-00028 Faith Christian Center International Church subject to the conditions recommended in the staff report.

1. Development of the use shall be in accord with the conceptual plan titled "Faith Christian Center International Special Use Permit – Concept Plan" prepared by Brian P. Smith Civil Engineering, Inc., and dated May 13, 2010 (hereafter "Conceptual Plan"), as determined by the Director of Planning and the Zoning Administrator. To be in accord with the Conceptual Plan, development shall reflect the following major elements within the development essential to the design of the development:
    - building orientation
    - building mass, shape, and height;
    - location of buildings and structures
    - turn lane design;
    - location of parking areas;
    - relation of buildings and parking to the street.

    Minor modifications to the plan which do not conflict with the elements above may be made to ensure compliance with the Zoning Ordinance.
2. The area of assembly shall be limited to a maximum 399-seat sanctuary.
3. Side and rear setbacks shall meet commercial setback standards, as set forth in Section 21.7 of the Albemarle Zoning Ordinance, of 50 feet for structures (excluding signs) and 20 feet for parking lots and loading spaces adjacent to residential uses or residentially zoned properties.
4. All outdoor lighting shall be only full cut-off fixtures and shielded to reflect light away from all abutting properties. A lighting plan limiting light levels at all property lines to no greater than 0.3 foot candles shall be submitted to the Zoning Administrator or their designee for approval shall be required prior to approval of the final site plan.
5. Health Department approval of well and/or septic systems shall be required prior to approval of the final site plan.
6. The area labeled "Re-planting Area" on the Conceptual Plan shall be replanted according to "Restoration/Establishment Table A" in Appendix D of the "Riparian Buffers Modification & Mitigation Manual," published by the Virginia Department of Conservation & Recreation's Chesapeake Bay Local Assistance program. This area shall be replanted with species listed in the brochure titled "Native Plants for Conservation, Restoration, and Landscaping: Piedmont Plateau," published by the Virginia Department of Conservation and Recreation.

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

Action on SP-2007-00029 (Daycare):

Motion: Ms. Porterfield moved and Mr. Smith seconded for approval of SP-2007-00029 Faith Christian Center International Church Daycare subject to the conditions recommended in the staff report with the addition of the hours of operation, which would be 7 a.m. to 6 p.m. Monday through Friday.

1. Development of the use shall be in accord with the conceptual plan titled "Faith Christian Center International Special Use Permit – Concept Plan" prepared by Brian P. Smith Civil Engineering, Inc., and dated May 13, 2010 (hereafter "Conceptual Plan"), as determined by the Director of Planning and the Zoning Administrator. To be in accord with the Conceptual Plan, development shall reflect the following major elements within the development essential to the design of the development:
    - building orientation
    - building mass, shape, and height;
    - location of buildings and structures
    - turn lane design;
    - location of parking areas;
    - relation of buildings and parking to the street.

    Minor modifications to the plan which do not conflict with the elements above may be made to ensure compliance with the Zoning Ordinance.
2. The maximum number of children shall not exceed fifty (50) or the number of students as approved by the Health Department or the Department of Social Services, whichever is less;
3. Side and rear setbacks shall meet commercial setback standards, as set forth in Section 21.7 of the Albemarle Zoning Ordinance, of 50 feet for structures (excluding signs) and 20 feet for parking lots and loading spaces adjacent to residential uses or residentially zoned properties.
4. All outdoor lighting shall be only full cut-off fixtures and shielded to reflect light away from all abutting properties. A lighting plan limiting light levels at all property lines to no greater than 0.3 foot candles shall be submitted to the Zoning Administrator or their designee for approval shall be required prior to approval of the final site plan.
5. Health Department approval of well and/or septic systems shall be required prior to approval of the final site plan.
6. The area labeled "Re-planting Area" on the Conceptual Plan shall be replanted according to "Restoration/Establishment Table A" in Appendix D of the "Riparian Buffers Modification & Mitigation Manual," published by the Virginia Department of Conservation & Recreation's Chesapeake Bay Local Assistance program. This area shall be replanted with species listed in the brochure titled "Native Plants for Conservation, Restoration, and Landscaping: Piedmont Plateau," published by the Virginia Department of Conservation and Recreation.
7. The hours of operation for the childcare shall be limited to 7 a.m. to 6 p.m. Monday through Friday.

The motion was passed by a vote of 6:1. (Morris voted no)

Action on Waivers from Section 21.7(c).1 MINIMUM YARD REQUIREMENTS:

Motion: Ms. Porterfield moved and Mr. Smith seconded for approval of the minimum yard requirement waiver from Section 21.7.(c).1 for Faith Christian Church subject to the conditions recommended in the staff report.

1. Any vegetated areas removed from the minimum required yards during construction shall be replanted with species listed in the brochure titled "Native Plants for Conservation, Restoration, and Landscaping: Piedmont Plateau," published by the Virginia Department of Conservation and Recreation, prior to the commencement of the church use.

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

Action on Waivers from Section 4.2 CRITICAL SLOPES:

Motion: Ms. Porterfield moved and Mr. Morris seconded for approval of the Critical Slopes waiver from Section 4.2 for Faith Christian Church based on the findings in the staff report.

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

Mr. Loach noted that SP-2007-00028 Faith Christian Center International Church and SP-2007-00029 Faith Christian Center International Church Daycare would go before the Board of Supervisors on September 1, 2010 with a recommendation for approval. The waivers from Section 21.7.c.1 and 4.2 were approved, which do not require Board approval.

CPA-2009-00002 Crozet Master Plan 5 Year Update Amend the Land Use Plan section of the Albemarle County Comprehensive Plan by replacing the existing profile for the Community of Crozet and the Crozet Master Plan with a revised Crozet Master Plan, which establishes new land use policies, guidelines, recommendations, goals and strategies for future development within the master plan area, which may include or exclude lands beyond those described in the existing neighborhood and community profile and the removal of an approximately 29-acre portion of TMP 56-66 (NE of Firehouse Lane) from the Community of Crozet boundaries. The master plan would establish the following for the master plan area: a vision for the area and guiding principles; land use designations and centers, mixed use areas, employment areas, residential areas, preservation areas; a plan for the transportation network, and its integration with the land uses; a plan for providing and supporting community facilities and services; a plan for parks and green systems; and a plan for implementing the master plan. In conjunction with the Crozet Master Plan, the following will also be considered: (1) CPA 2006-02, to remove the proposed road shown in the Crozet Master Plan across TMP 56-14D; (2) CPA 2007-002, US Route 250/Crozet Avenue (NW Corner)-Ploumis property (TMP 56-16), a proposal to amend the Crozet Master Plan from Development Area Preserve and Development Area Reserve (CT 1& CT2) to Urban Center/Mixed use (CT5); and (3) CPA 2008-002, Yancey Mills Business Park, located near 6317 Rockfish Gap Tpke and I-64, to amend the Land Use Plan from Rural Areas to Industrial Service, a proposal not within the Crozet Master Plan boundaries but considered with the Crozet Master Plan study process. Copies of the full text of the Crozet Master Plan and related maps are on file in the office of the Clerk of the Board of Supervisors and in the Department of Community Development, County Office Building, 401 McIntire Road, Charlottesville, Virginia

Ms. Echols presented a PowerPoint presentation regarding the Crozet Master Plan draft, which is a five year update of the approved Crozet Master Plan. It was originally approved in 2004. She had been in the background and was now taking over as planner from Rebecca Ragsdale who was the primary planner on this project.

CROZET MASTER PLAN REVISION

Process

- Jan. 2009 - May 2009 - *Process*
- May - October 2009 - *Focus Areas*
- October 2009 - February 2010 - *Community Forums on Focus Areas*
- March 2010 - May 2010 – PC Work sessions
- July 13, 2010 – PC Public Hearing
- August 4, 2010 - Board of Supervisors *Work Session (tentative)*

The Board asked for action to take place on this in July. Staff is asking for the Commission to take action this month either tonight or later in the month if unable to take action tonight.

This plan was guided by the 2004 guiding principles with the addition of the importance of preserving Crozet as a small town. This was a theme that came out many times over in a questionnaire that was done with the community at the very beginning of this process. The different guiding principles are as follows:

- Preservation of existing neighborhoods; appropriately scaled new development
- Multiple Transportation Options
- Diversity, affordability, and choice in housing stock
- Support of local business in providing jobs and enhanced quality of life
- Conservation of natural resources and use for cultivation and recreation

- Maintenance of community identity through individual & shared histories
- Timely provision of community facilities and services

The key features of the master plan are:

- LAND USE
- DOWNTOWN
- TRANSPORTATION
- WALKABILITY
- PARKS & GREEN SYSTEMS
- LOCAL BUSINESS & ECONOMIC DEVELOPMENT
- PROTECTING ADJACENT RURAL AREAS
- PRIORITY AREAS/IMPLEMENTATION

There is an introduction of the priority areas, as with some of the other master plans, and a chapter on implementation with implementation tables in the back of chapter 8. Staff has included the tables in the July 6 draft, which primarily are for guidance. Public funding for infrastructure is limited right now, which does not mean they don't establish what is needed to implement a plan. They identify what those things are to get the priorities right, and as money is available they build the projects. Staff will ask developers to provide pieces of the infrastructure as well.

The Commission asked for a number of changes in the plan, which has been outlined in the staff report.

CROZET MASTER PLAN 2010 DRAFT

Transportation Plan

One of the changes requested was with the transportation plan. The Commission asked for a new category called potential connections, which has been written into the draft plan.

"Potential Connections"

- Not proposed as public streets
- Possible locations for pedestrian, bikes, and possibly for vehicles: walking paths, bike paths, or drive
- Connections between public streets needed to support existing and proposed uses for an area
- Construction is expected by owner/developer when a property is developed or redeveloped. These are not public projects.
- Staff pointed out that some of those areas include the Dunvegan/Rosenkrans Area, Oak Street and some others.

Whereas the old plan had a lot of grid street on it, staff has modified this plan to help the roads fit a little better with the topography. There are some other things that come later in this presentation that come from that particular map.

CROZET MASTER PLAN 2010 DRAFT

Land Use Plan

The land use plan does not have any changes to it other than the ones asked for with regards to the Mowyer property. Staff will come back to that one as well. Staff did superimpose the streets on the land use plan. The plan makes more sense once they can see how people are supposed to get to and from. The roads fit a little better on the topography and show how the roads should be laid out with regard to the properties that are being shown for development. There are no other changes recommended in this plan.

CROZET MASTER PLAN 2010 DRAFT

Parks & Green Systems Plan

The biggest change in terms of plans is to the Parks and Green Systems Plan. Over the last several years one category of open space that seems to give people a lot of trouble is the use of the term semi-public open space. Staff has heard from the public a number of times on this issue in whether semi-public open space means their property is now available for the people to cross. Staff decided to revamp the Parks and Green System map to try to make it clear in terms of what the expectations are. They have now taken the green space shown on the Land Use Plan and divided it in different kinds of green space.

- Parks and Public Open Space (shown in dark green color)

- Environmental Features shown include the steep slopes, the streams, the stream buffers and floodplain.
- Privately owned open space (includes Crozet Park and homeowner's owned open space)
- Other Open Space (to help identify goals identified in the text of the Master Plan such as for Scenic 250 and also the desire to have Crozet Avenue remain rural in appearance)

OUTSTANDING ISSUE
Mixed Use Areas Near Downtown

When staff took this issue to the CCAC there was quite a long discussion on what is the appropriate designation for this area north near Downtown. There were two areas. One was Blue Ridge/Carter Street area, which the CCAC believed was appropriately designated for mixed use. But the area of most concern was the area north of Downtown.

Mixed Use – stream buffer changes

Neighborhood Density– stream buffer changes

Stream buffer preserves existing vegetation and development

They have had some interest in quite some time from property owners in this area wanting to have greater use of their property than just the current single-family residential use. There is the added issue of having a stream buffer across those properties. What staff came up with in the recommendations with the community was a recommendation for mixed use in this particular area with a modification to the stream buffer to allow for redevelopment if there is mitigation which helps to protect the water supply. Right now the stream that comes across this area is really more of a grassy swale. Staff felt that if there was the ability to reduce the stream buffer requirement and get additional plantings there would be a greater benefit to the water supply. This was not something that was totally agreed upon all through the process. Staff brought it to the community and it was much expanded. What staff was responding to was the desire to provide support uses for Downtown and to provide a transitional area. There was no consensus reached. The Planning Commission at the last meeting heard about the lack of consensus. The Commission asked the CCAC to go back and relook at this to see if there was another alternative. The CCAC recommended some changes in the Master Plan that relate to the Blue Ridge/Carter Street area. But the majority of the CCAC did not want to recommend this area as being available for mixed use.

Staff has heard from both the people who would like to see this mixed use and the people who would like to see it remain as Neighborhood Density. That makes it very difficult. When staff looks at one of the goals for the county they try to balance the goals. There are some economic goals that could be achieved potentially with some redevelopment potential of these properties. They also have the water shed issues that they need to be thinking of in protecting the water quality. Staff and the CCAC are recommending that there be some use of these particular properties in that the Neighborhood Density Residential designation and what is written in the Crozet Master Plan would not preclude non-residential uses. There are some conditions around which non-residential uses could take place there, but they would be by exception. So in the future the applicant would need to come and propose a use there and show how they would want to do it. In that way the scale, massing, along with all those particular features could be reviewed so the impacts could be assessed at that time. If a non-residential use is not deemed appropriate, then the applicant could use the Neighborhood Density designation to request a rezoning for whatever intensity of use that Neighborhood Density would allow. The most conservative approach heard was that they would like to see this conserved as it is meaning that there would be no transition area, this stream buffer would remain intact and the existing uses would just continue as they are right now without a redevelopment opportunity. These are tough decisions. The Commission will need to make a decision on this after hearing from the public.

Staff reviewed the following outstanding issues as outlined in the staff report and asked the Planning Commission to discuss and provide comments.

Outstanding Issue
Moyer Parcel

The Planning Commission requested that a change to this area on May 15. Staff found about a 12 to 24 units difference, which was about 4 acres of land

OUTSTANDING ISSUE
Cory Farm/Liberty Hall Area

OUTSTANDING ISSUE
Dunvegan/Rosenkrans Area

OUTSTANDING ISSUES
Shifflett Property on Jarman's Gap

CPA 08 - 02
Yancey Business Park Proposal

184 Acres: 35 zoned HI and 148 zoned RA

OPTIONS
CPA 08 – 02 Yancey Mills Business Park
- Recommended: Future Land Use Plan Draft dated July 6, 2010 *or*
- Modify text and add Yancey Mills Business Park area to Development area and provide a land use designation: Light Industrial or Office/R&D Flex/Light Industrial, *or*
- Modify text of draft Master Plan (pp 34-35) for future separate action on Yancey proposal

OUTSTANDING ISSUES
CPA 07-02: Ploumis

OPTIONS: Recommend approval of 2010 Draft Land Use*, or*
Provide different land use recommendation

There was a question staff received today in why this would be proposed as a commercial use and the other area as preservation or green space. This area represents old zoning that was on the zoning map for many years. When the 2004 Master Plan was reviewed there was a site plan that had just been approved for this property and the zoning was there. It did not seem fair at that time to recommend a designation that was so totally different than what the applicant could actually do by right in the development area. For that reason there is commercial across the street from the preservation area. The applicant would still like to have a different land use on this property for CT-5 to allow for some commercial type uses at this location. The Planning Commission needs to make a separate recommendation on this in terms of what they would like to see happen at that location

- Recommended:
-
- Future Land Use Plan Draft dated July 6, 2010 *or*
- Modify text and add Yancey Mills Business Park area to Development area and provide a land use designation: Light Industrial or Office/R&D Flex/Light Industrial, *or*
- Modify text of draft Master Plan (pp 34-35) for future separate action on Yancey proposal

CPA-06-02 Deletion of Eaglehurst Farm Road – The road is to be removed because it is so close to environmental features.

Topics for Commission Guidance
- Mixed Use Area north of Downtown
- Moyer Parcel
- Dunvegan Lane
- Shifflett Property
- Yancey Property

- Ploumis Property
- Others?

Planning Commission actions:
- Hold public hearing
- Decide land use designations on properties under review
- Make specific recommendations on
  - Ploumis property
  - Yancey Mills Business Park property
- Make any other needed changes to the text or plan
- Recommend plan to Board of Supervisors

Staff asked the Planning Commission or any member of the public to notify staff of any typos.

Mr. Loach invited questions for staff. There being none, he opened the public hearing and invited public comment.

Barbara Westbrook, resident of Crozet, said she was a member of the CCAC for five years and had just retired from that. She attended almost all of the master plan meetings since 2004. Ms. Echols has covered the main topic she was going to speak about. She submitted three pages that included a map regarding Dunvegan Street. (Attachment A – Memo to Planning Commission from Barbara Westbrook dated July 13, 2010) In preparation of the Master Plan so many hours went into the survey. They had 700 results back, which was the major part in determining what Crozet people wanted. The county staff has put in a great deal of time and should be commended. Many hours went into the CCAC survey. The 700 results from the survey which was the major part in determining what the Crozet people wanted. She commended the CCAC and staff for their hard work. However, there are several different individual concerns. Her concern is roads in particular the Dunvegan Road connection. Her understanding from Ms. Echols is that will not be a connection for cars and trucks to use. She asked that connection only be approved for walking and biking mainly because Dunvegan Street has three houses on it and is a private maintained road. Dunvegan Street enters Crozet Avenue at a dangerous location. The sight distance is very short, and speeds on Crozet Avenue are terrible. It is supposed to be 25 miles an hour from Crozet to the cemetery. However, there are not signs after leaving Crozet. It is very dangerous for everyone that has to pull out onto Route 240. She had been to VDOT three times and mentioned it to the police. But no one is bothering to put any signs up. She thought that might really help. It is scary pulling in and out of their driveways.

Joyce Shifflett said she owned property with her husband Gilbert at 1275 Crozet Avenue, which is in the Wayland Park Subdivision. They are not requesting and object to their property being considered for mixed use in the revision of the Crozet Master Plan. She has lived in Crozet since December, 1956 when she moved in one of the apartments at the residence at 1278 Crozet Avenue. Crozet Avenue is a great part of her life as she has lived there for the better part of 54 years and wishes to continue living in a residential area. She cannot understand why just two houses in Wayland Park should be included in a transition zone for mixed use and to consider just two houses in the subdivision for mixed use would be totally unfair to them and the other property owners in Wayland Park. They purchased their property at 1275 Crozet Avenue in June, 1964 and have lived there since that time. When they purchased the property the conveyance was made subject to restrictive covenants one of which is the property can be used for residential purposes only. How can it now be considered for mixed use when the other houses in Wayland Park would remain residential. Wayland Park is one of the first subdivisions in Crozet, if not the first, and for the most part most of the homes have been well maintained. Over the years they have seen much growth in Crozet both commercial and residential much to the detriment to what was a very small hick town in which no one wanted to live. Once beautiful farm and orchard lands have been replaced with clusters of houses or office buildings and everyone wants to live in Crozet. In view of this she would urge the Planning Commission to reconsider the inclusion of their property at 1275 Crozet Avenue from mixed use in the revision of the Crozet Master Plan.

Judy Stiegler, resident of 1286 Crozet Avenue for 21 years, said she spoke last month and would not go over the same information again. Her property was the northern most western lot that is being proposed to be included in the mixed use on the Land Use Plan. She loves her house and did not ask for the property to be changed to mixed use. She requested that her property not be changed to mixed use. She was also concerned about some of the possible uses of the properties next door between the creek and her house

should the land use be changed. She asked that the boundary be let as is at the creek.

Peter Loach, with Piedmont Housing Alliance, said that they have about 40 acres near Blue Ridge Avenue. In general their concern about the draft master plan is that it is not really taking affordable housing into consideration. They feel it will put a squeeze on the Crozet work force housing and cause it to become more expensive. Housing costs are already very high. A teacher making $30,000 to $40,000 a year can only afford a house priced at around $150,000. This morning he went on the MLS to see what housing was available under $150,000 in the county. There were only 84 homes under that price and only five of those homes were in Crozet. He was wondered where the workforce that works or grew up in Crozet is living. He asked where they were going to spend the night under this draft plan. As our economy recovers the number of homes under this price is just going to drop as prices go up all around. Lowering density for housing, which is what this draft plan does in Crozet, It makes sense and he was all for the community deciding that it wants a much lower total build out, which is their right to decide that, but he just wants them to be aware in the community that as they lower density and make each house sit on a bigger piece of land that each house is going to cost more and become much less affordable. It is their job and mission at PHA to look out for the workforce. They have helped over 700 families buy their first home in the area with over 250 in Albemarle County. Many of those workers work in Crozet and want to stay in Crozet.

Kirtley Peter, long time resident of Crozet, said that in general he applauds the effort that has gone into the Master Plan. He confessed that he liked Crozet the way it is and if it stayed that way forever it would be fine. He was also realistic that Crozet was not going to stay that way. He was the first president of Piedmont Housing Alliance and the current president of their For Profit Organization Green Earth Development. As Peter Loach mentioned, they own 41 acres near the Blue Ridge Avenue area. He wanted to give them a perspective on their affordability. When he told his father first 12 years ago when was going to work with Piedmont Housing Alliance he thought that it was a welfare organization. He had to correct him on that. They put people into houses that work hard and are on their way to home ownership. But for whatever reason, be it economics or whatever their circumstances are, they generally cannot afford it in Albemarle County. The affordability for them is a math function. The more units they can get per acre the lower the cost and the more affordable the house. They will do deferred preferred interest, take second and third mortgages and take subordinations and things like that. They do a lot of what it takes to get things done. Today they are talking about affordability for not necessarily the owners of construction companies, but are talking about the guy that drives the backhoe and the forklifts. They are not talking about nurses, although they have helped plenty of nurses before. They are probably talking about the people who change the bed pans in the nursing homes. They are not necessarily talking about teachers, but may be talking about custodians. They may be talking about staff workers at the county. They may not be talking about the sheriff or the chief of police, but they may be talking about deputies and police officers. If they have driven up Afton Mountain lately one can see about three police officers parked right at the county line. He would submit that they are probably parked there because they can't afford to live in Albemarle County. They probably live in Waynesboro. As a resident of Crozet he supported the notice that they are trying to get away from the misguided 24,000 build out that they may have created some years ago to lower it down. He asked today that they be given some consideration as a unique organization. If they are trying to work to a 12,000 person population level in Crozet he asked that they consider making it 12,079 and allow them some affordability density bonuses on their parcel.

Mike Marshall, Chairman of the Crozet Community Advisory Council, noted that the Commission has their recommendations in front of them. He reminded them that they started out first with a survey that got the 700 responses. Their recommendations are based on the information from that survey and, of course, what they know themselves. They held five community forums. The public was invited over the months of October through January to give their input. They spent a year on it and have made a sincere diligent effort to represent what they think is best for the community. All the things Ms. Echols enumerates as things they need to decide on they have worked through those. The Commission has their best recommendation in front of them and they hope they will follow it. On the subject of mixed use in north Downtown they spent their last meeting on this because staff asked them to take it up again. He thought Ms. Echols' presentation was a little unclear on this. The resolution that the Advisory Council passed was on where to maintain the boundary between commercial use and residential. The Downtown District joins that area and it has its own special zoning regulations already. It currently is a drainage ditch. The notion was to maintain that natural boundary, which is the boundary today, as the future boundary. That motion passed 10 to 2. He wanted to be clear that they don't really imagine any mixed use or commercial use north of the creek. If they were told that they have to find more mixed use than Carter Street would offer, then they would probably look down

Three Notched Road from Downtown in the direction of the Con Agra light industrial park. East would probably be the preferred way to go. After their last meeting Mr. Yancey was quoted as saying that he felt the process was rigged against him. He was not aware of it being rigged against him. He pointed out that Mr. Yancey did have the floor at one of the public forums. He had a large audience of about 200 people. He was allowed to make his presentation. He presented a slide show and had a professionally prepared sales pitch with a little publication that was on every seat in the room. He thought that Mr. Yancey had his chance to say what he wanted to say. The CCAC's recommendation is that it is bad for the master plan and should not be allowed. It is a whole subject in itself. They hope that the Commission will see all of the good effort that was put into this. Staff has been responsive to the people of Crozet and they appreciate all of their good efforts on their behalf.

Morgan Butler, Director of the Southern Environmental Law Center Charlottesville/Albemarle project, which works to promote sustainable land use patterns and transportation solutions in this part of the state, offered praise for the county staff and the Crozet community for the effective and thorough process they have engaged in to come up with the master plan update being presented tonight.

- Crozet was the first of the county's growth area to be master planned. So it is not terribly surprising that over the past few years some misunderstandings have surfaced between the county and Crozet over aspects of the original plan. He thought that staff and the community have both been eager to go through this revision process so those understandings could be resolved. It is clear that the process was designed to make for a more productive give and take. He thought that the benefits of that approach are evident in the general consensus of support for the major components of the revised plan. Staff and the Crozet community both are to be commended for their hard work and the results that have been produced.
- One item he would like to speak to tonight is the Yancey Comprehensive Plan Amendment. Before Mr. Yancey had even submitted his application to the county a couple of years ago he arranged a meeting with him to outline his general concept and to get SELC's initial reaction to it. He appreciated Mr. Yancey reaching out to SELC, but he made clear their strong concern with taking land from a rural area to allow for a huge business park, which would be a major and ill advised departure from the county's growth management policies. Since that time the details of the proposal have been flushed out much further and their concerns with it have grown. Staff has had two opportunities to evaluate it.
- As tonight's staff report reiterates the proposal has serious flaws beyond generating sprawl in the rural area. Other concerns are the property is located in the water supply/water shed, the trees in the South Fork Rivanna River, and ultimately to the South Fork Reservoir. Major development activity on this land would almost certainly increase the amount of sediments and other pollutants entering that drinking water reservoir. Second, locating a large business park on the outskirts of the Crozet growth area would undermine efforts to invigorate Downtown Crozet. It would also reduce incentives to redevelop the vacant industrial parcels already located within the Crozet growth area. Third, the business park would negatively impact the traffic near the interchange. Heavy traffic around the interchange would make it less likely that Crozet residents would use I-64 to access Charlottesville, thereby increasing the amount of traffic along the entire route of 250 West. Due to the Board's request the CPA be evaluated with the Crozet Master Plan Update, staff has asked that the Commission take action on the CPA request when they take action on the master plan. They strongly urge the Commission to heed the clear recommendation of staff and the Crozet community and recommend denial of the Yancey CPA request.

Kelly Strickland, member of the Crozet Community Advisory Council, said that he had not agreed with every recommendation they have provided in every session. But he had enjoyed the entire process and felt it had gone very well. He was very happy with what the CCAC had provided in a recommendation point of view.

- He would like to speak tonight briefly about something else. He was working with R. E. Lee Consulting and they have been asked to provide some conceptual planning for the 20 acre J. Bruce Lumber Yard, which is in the center of the Downtown Area. The area is currently zoned Heavy Industrial. It is not a strong likelihood that the property will be able to sell to a user for Heavy Industrial and he did not think anybody really wants that. It is most likely and practical to provide a rezoning, which is where a conceptual land planning comes together. His concern is on page 27 of the land use plan, which describes the Downtown land use proposal. In particular in the third bullet which says, include a mixture of residential, commercial and office, R&D flex, light manufacturing in

the redevelopment of the lumber yard property. Everything else on the page works perfectly for what he would like to do in working with some conceptual planning. But the picture that goes with it up in the top right corner on that page does not quite allow the flexibility to provide conceptual planning. It sort of dictates it.

- He was concerned about being boxed in by a master plan in what can be done. In particular, on page 25 where it talks about the different uses with the Downtown, for example, which surrounds a block of Light Industrial flex, the Downtown designation includes limited amounts of office and R&D as well as some commercial. So there are some uses that would cross over. But he was worried about the flexibility that the colored map provides. He was not sure where map came from and how it was put in there. It is one piece of property. They just picked up this project. Therefore, he did not have time to prepare and put things together. He wanted to bring this to the Commission's attention because it is a concern with moving forward with the conceptual plan and with potential rezoning and sale of the property.

Mr. Loach noted that this was brand new to him and most of the community because they have discussed this at great length as far as the redevelopment of that area. He was not sure if it was clear what exactly the problem is. He asked if was a problem for that property to allow Office, Residential and Light Manufacturing. It seems that it covered a fairly broad spectrum.

Mr. Strickland replied that he thought it was more about what is not allowed in that use. For instance, the main parcel is zoned Heavy Industrial and outparcel zoned Commercial. What they are proposing is that there are several blocks of Office, Light Industrial with nothing else in there. There are uses in the Downtown designation that could be included in that. He did not know if a big giant block like that necessarily works with a conceptual Master Plan. It sort of takes it directly that way and he did not know where it came from. They are asking how that particular picture was drawn with the colors and proportions the way they are. He asked if there is flexibility to come back.

Mr. Loach asked for examples of flexibility.

Mr. Strickland replied for instance right now there is a U-shaped parcel which is designated as Downtown and then in the middle of it a rectangular parcel shown as Flex Space and R&D. He asked what if there were four different places where R&D was mixed in with the Downtown area, or what if the R&D was on the left side instead of in the middle. How much flexibility is in there to be able to do that without having to come back and amend the Master Plan in order to create a sell of the property? This property was left out of the first master plan and they are just now stepping forward to see how it can be tied in.

Allen Howard, resident of Dunvegan Lane, congratulated the planners and the Crozet Community for coming up with a plan that much more realistically represents what most people want in Crozet. He supported the presentation that Barbara Westbrook made that the road should be designated as a dashed line for only bicycle or pedestrian traffic. It has been considered for development twice before. Once was before he moved in when the present alignment going up to Tabor Street was adopted. Then once about ten to fifteen years ago when the prospect of putting a road through there was considered and it was realized that it would be very expensive to do so and destructive to two properties along the road. It is a very dangerous intersection as it is presently.

Toni Conley, resident of 1284 Crozet Avenue, said that her property was comprised of two parcels. One parcel is designated 1284 Crozet Avenue, which sits directly in front of the Claytor property at 1282 Crozet Avenue. They have a right-of-way from Mrs. Claytor for a driveway with two parking spaces behind their home and a 20' right-of-way to a back lot behind the Claytor property, which is not enough land for a dwelling. It is for these reasons that when they were approached by Ginny Martin and Tom Oakley they decided to see if they could combine their properties to see if someone might be interested in a larger parcel made up of the three properties. They have followed the recommendation of the CCAC and the Planning Commission to mix use rather than commercial because they believe it should be a transition between commercial and residential. She asked that they maintain the Conley, Claytor and Oakley property in mixed use and revise the Crozet Master Plan.

Ginny Martin, representative for her mother, Evelyn Claytor, and Tom Oakley who was out of town, noted that the Oakley, Conley and Claytor's have mutually agreed to put their properties together as one parcel and ask the Planning Commission to designate them as mixed use in the revised Crozet Master Plan. This

designation has been pursued rather than commercial based on feedback from the Planning Commission representatives, economic development and the Crozet Community Advisory Council.

- The three land owners agreed that mixed use designation is much better suited for these properties than commercial. The three parties respectfully ask the Planning Commission to maintain only the Oakley, Conley and Claytor properties in mixed use in the revised Crozet Master Plan because this designation of mixed use will create a buffer to the north of Crozet between residential and commercial, which does not exist today, and will preserve the look and feel of the Village of Crozet.
- She read a prepared comment from Mr. Tom Oakley. He poses a question to this Commission – "Why was I not personally visited and informed regarding the impact of changing the designation from residential to commercial explained to me when the properties located at 1260 and 1266 Crozet Avenue, which abuts up against my property were being changed in the Crozet Master Plan and zoned commercial. The property owners, Mr. and Mrs. Gilbert Shifflett, Mr. and Mrs. John Shifflett, and Mrs. Judy Stigler, who own property on Crozet Avenue and whose properties were places in mixed use in the master plan by the county, were visited personally at their homes and at their place of employment. They received packets of information from county employees and notification that their properties were being placed in mixed use in the revised Crozet Master Plan. I received none of this personal attention during the process of designating property directly adjacent to my property as commercial. What am I missing here? Somehow this seems like I have been treated differently. If new standards of notification have been established that is what is the notification process? There seems to be several standards today and I am not sure which category I and my property have been placed in. Obviously, I am not in the personal notification category. Personal visits by member of county staff just do not seem fair, and I would like to get clarity from the county on how this can occur. Regardless of the varying standards that seem to exist in the county I am requesting that this Commission place the Conley, Claytor and Oakley properties only in the Crozet Master Plan with the designation of mixed use to create the buffer, which should exist whenever commercial property is created to minimize the impact to residential property in which I do not today enjoy as a result of there being no such buffer."

Rocky Conley, Toni's husband and resident at 1284 Crozet Avenue, noted that their property was an eye sore to the community and was in bad shape. If they rezone it mixed use someone would have to come before the board to explain their plans for the property.

Frank Calhoun, a recent new resident in Crozet, said that he was the formerly Assistant Chief Counsel for Legislation and had great pride in shepherding the scenic by way legislation through the Congress. He congratulated everyone that worked on the master plan. They realize the value of scenic beauty and tourism that scenic beauty generates. He applauds staff and others in the community that has worked at 250 and its values as a scenic by way.

Meg Holden, member of the CCAC, said that she realized 14 years ago when she moved here that growth was inevitable and just part of life. They own a small farm right next to the school that they have grown to love and adore. Through this process whether one agrees with the outcomes, she felt it was a fair process and that staff was extraordinary in listening to what they wanted and working to get to the best recommendation they could come up with. She urged the Commission to look at what they brought forth because a lot of effort and energy went into it. She asked that they try to do this slowly and intelligently as they can and not give away too much too quickly. The theme kept coming up in terms of this commercial issue that they were not utilizing all that was available currently and that there was a plan for more. She asked that they see how that plan unfolds without trying to list more areas for the potential for growth. It was very clear that that the Yancey project was pretty much shot down because it would do so many things to the scenic by way that they have all learned to love and the children attending the schools. There was other commercial property, the Poulmis property, that people felt was not in the best interest of the community at large as well as the scenic by way. They already see the results of properties developed in the recent past. As a concerned citizen and member of the CCAC she thought it was very clear that they want to do this slowly and intelligently and keep some element of control over this community that they all love so much.

Cliff Fox made the following comments.

- He asked to speak to the Oakley, Claytor, and Conley property on which possibly the mixed use is too intense. Urban density and Neighborhood density also have a potential for gradually allowing

commercial to organically move into that area. If they look at the current commercial Codes if it were rezoned to commercial first they would have a 20' undisturbed buffer setback between any residential or rural area property. Secondly, they would have a 50' building setback. Typically to maximum the parking needed for commercial they would need a 56' wide travel lane if they put double loaded parking there. In the context of that any commercial structure would be 76' off of any boundary that is not already zoned commercial. The more likely use would be a mix. They need to allow ways for places to organically be developed. He was not sure that they are doing that the way they are doing this master plan in all cases. So if they can't go to mixed use, he thought that as the Neighborhood Density designation allows for commercial a half a block off of DCD along Blue Ridge Avenue and/or east of Fire House Lane, that this was a good place to potentially add that option also.

- He works with the Shifflett family who own 38 acres on Jarman's Gap Road. It is zoned R-1. It was in the Comp Plan for CT4 and CT5. What the owner would like to do is maintain 4 of the front portion of the property CT4 for Urban Density versus the Neighborhood Density. It is a reduction of over 75 percent from the existing Comp Plan designation to what is being designated now. The surrounding 44 acres is being developed at a density of 1.38 units to the acre. So they were under utilizing the growth area.

Bill Schrader, a member of the CCAC, asked to speak to a couple points concerning the master plan boundaries. He would ask that the Commission go back and look at the master plan as written in 2004. The development that was decided to place in Crozet was not a cookie cutter, but was designed exclusively to fit the specific conditions of Crozet. The tools that guide the form of the master plan development and successful implementation of the Neighborhood Model in Crozet is predicated on two factors. The second factor is a strong rural area policy, which channels growth into the development areas thereby mitigating traffic impacts on Route 240 and 250. This is critical in the development area policy embodied in the Neighborhood Model. He brings that up to say that even though there is a boundary around the master plan area for Crozet they can't look at it just inside. If they don't look at the rural area in the surrounding area where it sits on the corner of I-64 on the eastern side it all impacts how Crozet is going to develop. If development is allowed outside and along 250 and around the I-64 interchange that goes against the main concept as written in the master plan for growth in bringing business and employment into the master plan area. He asked that the Commission keep that in mind as they think about how they approach the Yancey property and any other properties that are outside the master plan boundary but are considered rural and could change the development for the future of Crozet. They have heard from many other folks on another area concerning the work that was done by staff, who did an outstanding job keeping them on target, and the members of the CCAC that spent a lot of hours bringing this package to them. He asked that the Commission take the package and approve it as is with the changes that would control the population and the movement of the mixed use areas into residential areas that would impact the small town feel of Crozet.

Will Yancey said he was present on behalf of the Yancey CPA. He was sure the Commissioners keep up with the local news. One of the coolest stories lately is that there is a group of guys from Charlottesville and Albemarle that built a thing called the VLC, which was a very light car. In Detroit at a show the VLC is in the running for a five million dollars prize. In fact, it is the only car left that can win the 5 million dollars. It gets 100 miles to the gallon. It is being built by five or six guys from this area who wake up every morning and drive to Lynchburg to build their car because Albemarle and Charlottesville have no machine shops that can fabricate the kind of parts they need on a daily basis. The reason there are no shops like that here is because they don't have enough industrial land. In the last two years there have been two studies with one in 2007 and the other just completed recently. The last study indicated that Albemarle had a shortage of industrial land. This, of course, has been exacerbated by the fact that a lot of land in the last decade has been converted from industrial to either residential or commercial uses. He thought that the CPA they put forward wanted to locate an industrial park behind the pre-existing saw mill right next to the interstate is about the best piece of land they are going to find in the entire county for something like this. If they are not going to do it there he did not think it was going to happen anywhere. He was not sure why whether the hostility to the idea is against people who work with their hands for a living, but whatever it is he really thinks they have an ideal location next to interstate that would actually mitigate traffic. The industrial area shown on the map trucks from the interstate would have to drive 7 miles just to get there up a curvy 2-lane road. It is really a poor place for an industrial area jammed packed with subdivisions that are only going to grow. Lastly, he would be remiss if he failed to remind them that his properties do share a lengthy 1,100' border with the rear of Western Albemarle High School. They are in a unique position to make a proffer to the county or School Board that would result in a dramatic expansion of a growing school's athletic facilities,

which he thought they really need. They would really like to be a part of that. In conclusion, he asked the Commission to go ahead and approve the Yancey CPA as part of the Crozet Master Plan.

Mary Rice thanked the county staff for all of the work put into the Crozet community over the past years. They have come a long way with the Crozet Master Plan Revision. There was a perceived breach of faith with the community and county, which has now been resolved. The community is now feeling good about working with the county. She asked to address several issues that came up during the work session. During the work session Mr. Yancey mentioned that he felt that the process regarding his comprehensive plan amendment was rigged. It was a very public process involving many public meetings and a survey. The public very adamantly said they were opposed to having a 1.1 to 1.8 million square foot industrial park right outside of the master plan boundary. It was brought up at the work session that it is not up to a particular development area to put the kibosh on any comprehensive plan amendment that would have such a large economic impact on the county. She reminded the Commission that the community was mandated to look at this comprehensive plan amendment. They did not ask for this. The community's response was to say that they would expand industrial area within their boundaries as opposed to looking outside. Now hearing Mr. Strickland bring up the possibility that the Barnes Lumber Company would have potential for industrial and some flex space it shows us that there is a lot of potential in Downtown Crozet. She encouraged the Commission to deny the comprehensive plan amendment for the Yancey property.

Sandy Wilcox, owner of the Blue Goose building in Downtown Crozet, said that he has worked for several years with other merchants in Downtown Crozet to try to save the town. One of the key principles of the 2004 master plan ratified again by the update process in the community meetings has been the preservation of Crozet as a strong community identity as being a place to live and work. Towards that end maintaining the Downtown as a central focus of retail, commercial and culture is essential. It is the heart of the community and the crossroads of the community. To preserve that sense of community they have to support the Downtown to give a clear signal that they are in the business of town building. If they give a signal that they are going to put as many square feet outside the town as potential for commercial, office and retail and not just storing pipe in light industrial, he felt it has way too many uses and too big and would undermine all of the work that has been done in having the urban center to ensure that density gets less as they move out into the rural area. To get to the build out in the master plan they need to have the support of the banking and financial community. If they give a signal that they will do a little bit in Downtown and little bit out on 250 it won't happen. Bankers in this economy and this climate do not want to be the last person to loan a million dollars to have development in Downtown Crozet if there are risks of somebody ending up on 250 at the interchange. He asked that they support Downtown Crozet and not allow this exception right off the bat here.

Bob Terra, a Dunvegan Lane home owner, spoke to the Dunvegan Lane and Rosenkrans Street issues. He echoed Mr. Allen's and Ms. Westbrook's comments about changing the proposed roads to potential connectors. He opposed having Dunvegan Lane or Rosenkran Street opened to anything that would allow vehicular traffic. Both neighborhoods enjoy limited access at this time.

Charlotte Sensabooth, property owner on Crozet Avenue, thanked everybody in the process and echoed Mary Rice's comment that the sense of working together is much stronger than it was several years back. She appreciated Piedmont Housing Alliance for their representing the necessity of work force housing. She works with a lot of young teachers that cannot afford to live where they work. She thanked the Southern Environmental Law Center for bringing the watershed concerns right up in front of their faces. There is a lack of logic. She appreciates the way the grandfathering of the gas station on the corner of 250 and 240 was explained. There is a lack in logic in the reactions she has heard by community members to the Ploumis request saying no they have to keep this green when it is facing a gas station with approval for much more business development. Having been in and out of the Ploumis residence for 15 years she knows that she can't have a conversation outside because of the traffic noise. Her children took piano lessons there. They cannot hear the piano outside over the traffic noise now. While she is full force for consistency and clarity she thought that each situation has to be considered separately from all of the other particular amendments. She asked that they look favorably at the Ploumis amendment.

Charles Mitchell, resident of 1645 Mint Springs Road and a member of the CCAC, urged the Planning Commission to approve the Crozet Master Plan Revision. Second, he would like to speak to the Yancey plan. First he heard that it could be used for manufacturing and medical devices. Now he heard that it could be used for automotive. He has spent his life in manufacturing. He was probably the only person in

the room that has been the chief executive officer of a medical device company. In no way would the FDA allow a medical device company to operate behind that lumber yard. One could not build things and do it right in such a condition. He has spent his life manufacturing two jet engines. In no way would you have a position manufacturing operation be effective in that area. He urged the Planning Commission not to consider the Yancey plan because it falls under its weight and is not appropriate for Crozet at that point.

There being no further public comment, Mr. Loach closed the public hearing to bring the matter before the Planning Commission for further discussion and action.

The Planning Commission took a break at 8:02 p.m.

The meeting reconvened at 8:11 p.m.

Mr. Loach asked to start out with something new that had come up tonight about the potential for the development of the lumber yard in Crozet. Right now it was zoned Heavy Industrial. Mr. Strickland indicated that there was a plan for development for the Barnes Lumber Company property. He spoke to several members of the CCAC and the consensus was to ask staff to start to draft language that would facilitate the development of the flex area/light industrial in that area. In view of the county's new Economic Plan he felt this was consistent with that and the Crozet Master Plan development in the Downtown area. He hoped the rest of the Commission would support going ahead with staff crafting language for the next meeting. He asked that they go through staff's questions.

Mixed Use Areas Near Downtown

Mr. Loach pointed out that the recommendation for the CCAC is to keep creek as the natural boundary between the Downtown and the residential. Essentially there would be no change to mixed use in that area that would stay residential. This issue came up at multiple meetings at the CCAC and was thoroughly vetted in the community. There was a good deal of discussion. They could not come up with language to essentially define a transition zone for areas within the master planned areas where in the context of changing they could have mixed use and determine how it would fit into established neighborhoods. They have one block on Carter Street that is one block off Main Street that is in that situation. He asked how they could incorporate mixed use in that area to be positive rather than putting in a 24-hour convenience store that is going to deteriorate the quality of life. Unfortunately, they were not able to come up with language that satisfied the adjacent neighbors to the properties in question or to the committee itself. Mr. Marshall said that the vote was 10:2. He thought that view was consistent with the community in with what they want.

Mr. Loach noted the first question was whether to allow three properties to come together as a mixed use community adjacent to the coffee shop and Dairy Queen. Neighbors adjacent and across the street object to the change. After lengthy discussions to come up with acceptable language the CCAC voted against it. There was not enough confidence level for the neighbors just to say mixed use since there was no specific project or something to base it on.

Mr. Zobrist pointed out that he just became aware that these properties are subject to covenants, conditions and restrictions. They can do all of the planning and rezoning they want, but the covenants, conditions and restrictions trump. Every single neighbor in that neighborhood that has a house there would have to agree to give up on the covenants, conditions and restrictions since one hold out can put a hold on the rest of the plan of development. So they don't really know what is really possible.

Mr. Franco said it provides a level of protection to the neighbors. There will have to be a specific project and specifics on what is going to be done there to a level that satisfies the neighborhood before it will be able to move forward. That will be the rules. So they are going to have to work with the community in that neighborhood to have anything move forward. He thought it makes sense to have some kind of transition. What he heard was that they had difficulty crafting language that protects the community or the neighborhood from future development. But seeing that there are covenants, conditions and restrictions, which have not been confirmed, he thought it provides the level of protection they are looking for in the future. By designating it in the Comp Plan it would still have to go through a rezoning to get there and would have to get past the covenant restrictions. .

Mr. Loach said that the community was aware of that process. But again even with what they talked about there was not the confidence level in the committee or within the neighborhood to make those changes. This is not the only area they looked at to expand the mixed use. They also looked at the area going down 240 from the fire house down to Music Today. He noted that this is a five-year plan.

Mr. Zobrist noted that Mr. Franco was right. Before anything can happen these people can get together to come up with a plan, have the covenant restrictions signed off on and then come back for a rezoning.

Mr. Franco noted that it was actually a 20-year plan.

Mr. Zobrist noted that it was still a guide and they had the flexibility to change the plan. They have spent a lot of time on these three properties. Bottom line he thought that they ought to leave the line where it is and move ahead.

Mr. Morris agreed. The Commission asked the staff to bring this up with the CCAC again, which had been done. He recommended that they stay with what they have.

Mr. Zobrist asked if they were going to vote on these items one at or time.

Mr. Loach said that they were working toward whether they were at a point where they can adopt the plan and move it on to the next stage, or does it need more work before the next meeting. He thought outside of the crafting of the language from what he heard tonight that they were at that point in time to move forward.

Mr. Zobrist agreed with Mr. Loach. He suggested that the Commission vote on each of these three questions as they go and then they know where they are.

Mr. Loach asked if they want to hold a vote on each one.

Motion: Mr. Morris moved and Mr. Zobrist seconded to hold a vote on the three questions and to forward the plan as recommended in the current master plan revision to the Board of Supervisors and accept the boundary as recommended in the current proposal.

Ms. Echols asked for some clarification. She thought the CCAC was proposing this particular one because it shows Neighborhood Density underneath with the potential of having stream buffer modifications. If green space is the land use designation it means all one can do there is what the existing zoning allows. The recommendation is that this be preserved as it is now. There are some distinctions here that staff needs clarification from the Planning Commission on regarding which one they want.

Mr. Benish said he believed that the CCAC focused in on saying they did not want the expansion of the mixed use area and in staff's justifications of alternatives for the property owner what was discussed was that the property owner had available to them the density in Neighborhood Density Residential. The map on the right does not clearly indicate that. The map in the middle does shows that there is a Neighborhood Density of 3 to 6 dwelling units.

Mr. Loach agreed that was correct in that they wanted to have the Neighborhood Density.

Mr. Franco said that it shows a willingness to reduce the buffer there as well.

Mr. Loach noted at that meeting the CCAC did talk about that and just wanted to use better practice in order to enable that.

Ms. Echols agreed. The idea in this Crozet Master Plan related to the Water Protection Ordinance is that there are very specific areas for which the reduction would be available and they are mapped out. They are not county wide, development area wide or Crozet wide. They are specific locations. This is one of them.

Mr. Kamptner said to clarify the motion it would be to support the middle slide.

Mr. Loach agreed that it was the Neighborhood Density with the stream buffer change.

Mr. Morris noted that was the one CCAC supported.

Ms. Porterfield noted that she was still confused. She asked staff to explain what the green and yellow striping means.

Ms. Echols replied that green striping means that there is currently a mandatory stream buffer across the area, but there is an underlying land use of Neighborhood Density that is recommended. The recognition was there is a stream buffer across the area and that there could be some modifications to the requirements of the 100' stream buffer on either side of the stream to allow redevelopment of this area to take place at the Neighborhood Density designation.

Ms. Porterfield said that she was confused because the first two lots on top of the red are commercial and the next up is Mr. Oakley's property.

Ms. Echols noted the location of the Dairy Queen property, the coffee shop, the Oakley's property, the Claytor/Conley's property, the Stigler's property and the zoning line for the Downtown Crozet District. What is under consideration is what the land use should be on these properties as well as the ones across the street lining up with Wayland Drive. That was shown at one time as Mixed Use. Now it is being recommended by CCAC as Neighborhood Density with some modifications to the stream buffer.

Ms. Porterfield noted that the map appears to not be going as far as it was showing.

Mr. Zobrist noted that the map does not show the stream.

Ms. Echols replied yes that it was not showing the existing zoning as part of Downtown Crozet. That is correct. Actually the red should be corrected and the stripes would just be across the one lot and the one across the street.

Ms. Porterfield said that it would include Mr. Oakley's lot and the two lots across the street.

Ms. Echols replied that was correct.

Mr. Franco asked does it make sense if they are pursuing the middle option here if they would have the buffer reduction just there versus anywhere else along that stream. Keeping in mind that the master plan is calling for 3 to 6 units in this area as far as the density that is telling him that in the future this neighborhood could redevelop assuming the covenants and restrictions and everything else is taken care of. If it were to redevelop for this whole block wouldn't it make sense that the whole buffer be up for reduction as opposed to just on these two or three pieces.

Mr. Loach noted that it was not considered past this point.

Mr. Zobrist pointed out that was because the lots were right on Crozet Avenue.

Ms. Echols asked what he was speaking to.

Mr. Franco replied that it was lengthwise to the left or to the right.

Ms. Echols said that the reason why this was designated as it was is they did a survey of what the quality of the stream was and from this point on it is a real stream; it is day lighted and has vegetation around it. Staff was trying to identify the areas where there really was not anything right now and they could gain some water quality through mitigation measures. In these places it was looked at in particular.

Mr. Franco asked about upstream from it.

Ms. Echols replied that there may be some more area up there, but she would need to check with the people who did the survey work. It is possible that is available as well.

Mr. Franco noted that the motion would need to include with the changes in the mapping color to reflect the mistake.

Action on Mixed Use Area North of Downtown:

Motion: Mr. Morris moved and Mr. Zobrist second to show the Mixed Use area north of Downtown as Neighborhood Density with stream buffer changes/mitigation as shown in the middle slide.

Mr. Franco noted that it would need to include with the changes in the mapping color to reflect the mistake.

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

Mr. Loach noted that as they move forward staff needs to correct the land use plan to show where the DCD boundary is and show all of the area within in red.

Discussion on Moyer Parcel:

Ms. Echols asked if the Commission wants to follow what they said at the last meeting on the Moyer parcel to make it green and unavailable or do they want to make it all available, which would increase the number of units.

Mr. Zobrist asked how staff came up with that because those four acres were floodplains or critical slopes.

Ms. Echols pointed out from the mapping staff came up with the brown color, which is all of the floodplain and the critical slopes.

Mr. Zobrist said that it was right on the one the Commission gave to Ms. Ragsdale at the last meeting, which was the prior one they looked at that showed the four acres.

Ms. Echols said that staff used this system to identify where those features were.

Mr. Franco asked if staff heard from the property owner one way or the other.

Ms. Echols replied only that they wanted it back the way it was shown on the 2004 plan.

Mr. Zobrist pointed out that it was shown wrong on the 2004 plan because staff had included all of the critical slopes and the floodplain.

Ms. Echols noted that on the 2004 plan the area was shown in white instead of green. The white indicated that it was an area to be preserved.

Mr. Zobrist said that he thought that was what she told him she wanted. He noted that he has an option to buy this property. The owner is worried about the top of the hill because possibly she can get up to five large homes up there if she ever wanted to do anything with it. But he did not know what they were going to do with it long term. He thought that possibly she wants to retire here, but he hoped that she would sell the property to him.

Mr. Franco supported the one on the right.

Mr. Zobrist agreed that was the one she wants since the critical slope and flood plain are there.

Motion:
Mr. Franco moved and Mr. Morris seconded to accept the diagram regarding the Moyer parcel (Tax Map 56, Parcel 13) to be shown consistent with its designation under the 2004 Crozet Master Plan. .

The motion passed by a vote of 5:0:2. (Porterfield and Smith abstained)

Mr. Zobrist voted aye with one clarification that it was exactly as in the former master plan with the white. He was fine since the only area that was shown for development was the brown.

By a vote of 5:0:2, the Planning Commission accepted the diagram regarding the Moyer parcel to show it as

shown on the 2004 plan. (Porterfield and Smith abstained)

Cory Farm/Liberty Hall Roads

Mr. Loach noted that there were some errors made that staff did a good job of correcting. This is a correction making the proposed roads so people understood it. The Commission does not need to vote on it since this is the correction of the situation

It was the consensus of the Planning Commission to accept staff's recommended correction of the Transportation Plan showing Cory Farm/Liberty Hall roads. Regarding "potential connections", identified with a dashed line on the Transportation Plan and indicated for "pedestrian, bicycles and vehicles for future use", Mr. Lafferty commented that bicycles are vehicles.

Dunvegan/Rosenkrans Area

Ms. Echols noted that this actually is a change and not a correction. Staff would like to know if it was acceptable. This is an actual recommended change from what was shown previously.

Mr. Loach noted this was approved by the neighbors so they were fine with that.

It was the consensus of the Planning Commission to accept staff's recommended change of one section of road from the designation of "proposed street" to "potential connection" in the Dunvegan Lane/Rosenkrans Drive area.

Shifflett Property on Jarman's Gap

Mr. Loach recommended that they go with the 2004 recommendations since nothing should go on Jarman's Gap Road until the infrastructure improvements are made. Higher density on this road is not a good idea. The population projected comes down from 24,000 to 17,500, which still is even with the compromise of 30 percent. He recommended that the Commission accept the 2010 recommendations as shown on the right of the slide.

Motion: Mr. Lafferty moved and Mr. Zobrist seconded to accept the 2010 recommendation that the Shifflett property on Jarman's Gap be shown for Neighborhood Density residential development.

The motion passed by a vote of 7:0.

The Planning Commission accepted the recommendation that the Shifflett property on Jarman's Gap be shown for Neighborhood Density residential development.

CPA-08-2 Yancey Business Park:

Mr. Loach noted that the community was asked by the Board of Supervisors to incorporate CPA-08-2 Yancey Business Park in the master plan study. To that extent the community did incorporate it into the master plan study, did a thorough vetting of it, and included it in the survey as a specific question in multiple public meetings. When it was discussed there was no support for it. There was no support at the CCAC. If the question is whether the community recommends or does not recommend the Yancey CPA as part of the master plan the answer is clearly no. The question was asked and answered. Now if the Board is going to take some action external to the master plan that is a subject that they can't answer. But they can answer it within the context of the master plan.

Mr. Morris noted that the Commission covered that at the last meeting.

Mr. Franco said that they had three options on how to deal with this, and he was proposing the third bullet.

Mr. Zobrist noted that it was the first bullet.

Mr. Lafferty said that it was actually not a part of the master plan.

Mr. Loach said that the question is what kind of response the Commission wants in the master plan. His answer would be to keep it simple and say at the request of the Board of Supervisors the community of Crozet was asked to consider the CPA of Yancey Mills as part of the master planning process. To that extent it was studied, reviewed and the community declined to support the CPA.

Mr. Zobrist said that the Planning Commission supports the community. It is the Commission's decision and not the community's.

Mr. Morris agreed. He noted that the Commission had covered this topic at the last meeting. They felt that this should be outside of the master plan.

Ms. Echols noted that the three options are:
1. Recommend what is in the land use plan now. There is language in the land use plan that there should not be any additional commercial or industrial growth on 250. That is what the current land use plan says and it does not include the Yancey proposal in any way.
2. The second option here is if they thought that it ought to be included in the development area the Commission could recommend that the development area be expanded to include this area and they would need to recommend a land use for it.
3. If they think in the future that the Yancey property might come back they might want to recommend it either in the form it is in now or a different form. Then they would want to take out the words in the text on pages 34 and 35 that say no commercial or industrial development along 250. The question is really do you support what the master plan says now and if they do then it would not be in support of Yancey.

Mr. Loach noted on the first bullet, which sounded almost right, that there is no recommendation for any. But essentially though he asked if she said they were not going to mention as part of that the specifics of Yancey was studied and the community does not support it.

Ms. Echols replied that what she was trying to say is that if the Planning Commission wanted to study Yancey again and they thought that there was going to be the possibility that they would be recommending that there be some type of industrial or commercial or combination of those on 250 the Commission needs to recommend a change to the text on page 34 and 35.

Mr. Kamptner noted that was the third bullet.

Mr. Lafferty said if they are going to study Yancey, then they need to study the six other interchanges in Albemarle County with I-64.

Mr. Loach noted that since they were talking about the master plan he was going to make his remarks specific to the master plan rather than going to something about a potential study somewhere else external to it. The community was given a mandate by the Board to include the study of CPA-08-02 as part of the master plan. The recommendations as far as bullet 1 are correct because the future land use does not show any recommended development on 250. But he did believe that it has to include some verbiage in there that in fact the CPA was studied and is not supported by the community so that when it gets to the Board as part of the master planning process it shows it was not supported.

Mr. Zobrist asked if CPA-08-02 was before the Planning Commission for a vote. If so, he suggested that the Commission take a vote on the CPA and let's keep the master plan the way it is. If it was advertised he asked if that is the proper procedure.

Mr. Kamptner replied yes, the Board referred it to the Planning Commission to consider whether or not it should be included as part of the Crozet Master Plan Study. If the Commission goes with recommendation 1 it is going to be two-fold. One is that it not be included as part of the Crozet Master Plan. But, they also have the ability to recommend disapproval of the request at this stage. This has not even had a resolution of intent yet. So the recommendation would be that the resolution of intent not be adopted, which is the process they use here.

Motion: Mr. Zobrist moved that CPA-2008-002 not be recommended for a resolution of intent.

Mr. Kamptner suggested adding that this CPA also not be included as part of the Crozet Master Plan

process.

Mr. Zobrist added to the motion that the CPA also not be included as part of the Crozet Master Plan process.

Mr. Lafferty seconded the motion.

Mr. Loach asked if there was any discussion.

Ms. Porterfield said that they cannot do this again. This is the second board reconstituted that she has sat on and they can't do this again. The Commission has not studied the Yancey proposal. They can't vote it down if they don't know anything about it. With the county-wide need for light industrial land, she felt that they need to get the Yancey plan back in true form for study since there is no other place in the county that controls that much land with good transportation. They are going to be supporting this County on residential taxes. She lives on the east side of the County and it is easier to go outside of the area to shop in Zions Crossroads. The County is losing a lot of businesses.

Mr. Loach noted from what he heard tonight they need to make Downtown Crozet viable. It has always been the recommendation from 2004 to limit commercial development on Route 250 and make Downtown the commercial sector. The lumber yard would be flexible. He did not want to endanger Downtown Crozet.

Mr. Lafferty said that this master plan is part of the whole county plan. There are several different master plans. As a resident of Albemarle County the scenic area alone is unparallel to the rest of the county and he would hate to see it disturbed with development such as a Super Wal-Mart.

Ms. Monteith said that she thought they need to keep the conversation focused on the master plan. She thought that they were straying and it was inappropriate.

Ms. Porterfield suggested that the motion that was made should be separated.

Mr. Zobrist called the question.

Mr. Franco asked that the question be repeated at this point.

Mr. Zobrist asked that the motion be restated.

Motion: Mr. Zobrist reiterated the motion that the CPA-2008-002 not be moved to a resolution of intent and that the subject matter CPA-2008-002 not be included as part of the revision of the Crozet Master Plan.

Mr. Franco asked as a friendly amendment to break that into two different actions.

Mr. Zobrist agreed.

Mr. Franco said that he personally thinks that Crozet has made comments and recommendations with respect to the Yancey CPA and he agreed that it was their master plan and they are talking about their development area. But he was also sympathetic to what Ms. Porterfield was saying that there may be a greater county consideration here that should allow that to be considered under a different venue. He thought that Crozet's comments in their master plan should weigh heavily in that discussion, but he did not see the other residents of the county present as part of this master plan process.

Restated Motion: Mr. Zobrist asked that they go back to the process. The process is that the CPA was at the Board of Supervisors level and they sent it back to the Commission and asked for their recommendation. Our recommendation is that they not proceed to resolution of intent. They can do what they want with it when they get it back. He asked to make that as motion one. The second motion would be with respect to the master plan that the Planning Commission recommends to the Board of Supervisors that CPA-2008-0002 Yancey Mills Business Park not proceed to resolution of intent by the county.

Mr. Lafferty seconded the revised motion.

Mr. Franco voted no that he did not support the motion based on the comments. He agreed with what Ms. Porterfield was saying with respect that he had not fully vetted that proposal before us.

Mr. Kamptner asked to step in to understand the process. Albemarle County is a little bit unique in that they allow citizen initiated comprehensive plan amendments. They go through a process of resolutions of intent. Akin to the resolutions that are required to initiate a zoning text amendment and what that resolution does is it gives the endorsement of either the Commission or the Board as to whether or not there is sufficient support to proceed with the study. Sometimes either text amendments or even comprehensive plan amendments don't have that support even without the study. That is just built into the process.

Mr. Franco said that he understands. So by voting no he was saying that he would at least like to look at it.

The motion passed by a vote of 4:3. (Franco, Smith and Porterfield voted nay)

The Planning Commission recommended that a resolution of intent to further study the Yancey proposal not be adopted.

Motion: Mr. Zobrist said that the second motion is that the Yancey Mills Business Park, CPA-2008-0002 not be included as part of the study of the Crozet Master Plan.

Mr. Lafferty seconded the motion.

Mr. Loach asked if there was any discussion.

Mr. Franco requested that they support the master plan by taking one of the bullets here. He asked if they really need a specific motion. It has been considered and been part of the proposed master plan before, which says do not include it. He asked if they are simply saying that they support the revised master plan as written.

Mr. Loach replied yes. He accepted the recommended future land draft plan that says no development on 250. The only addendum he added to it was that there would be verbiage to say that the CP-2008-002 was studied at the request of the Board of Supervisors and by the community of Crozet and does not have the support so that it is specific besides saying no development on 250, which has been consistent all along. To be more specific the Commission would be answering what they were requested of by the Board of Supervisors, which his motion essentially does.

Mr. Zobrist agreed.

Mr. Lafferty seconded the motion.

Ms. Porterfield asked that the motion be restated.

Mr. Franco said that it has been considered and it is not being included. He felt that it was more appropriate to take the first bullet and add the verbiage.

Motion: Mr. Zobrist amended the motion to add that they were recommending the future land use plan draft dated July 6, 2010. He restated the motion to move that they accept the future land use plan draft dated July 6, 2010 and that they note that CPA-2008-002 Yancey Mills Business Park has been studied and looked at by the community and the Planning Commission and is not recommended for inclusion in the Crozet Master Plan revisions.

Mr. Lafferty seconded the motion.

The motion passed by a vote of 6:1. (Porterfield no)

Ms. Porterfield said that she was a Planning Commissioner and she does not agree that she has had the opportunity to study the Yancey CPA and therefore voted no.

By a vote of 6:1, (Porterfield voted nay) the Planning Commission accepted the future land use plan draft dated July 6, 2010 and asked that the plan contain text saying that CPA-2008-002 Yancey Mills Business Park has been studied and looked at by the community and the Planning Commission and is not recommended for inclusion in the Crozet Master Plan revisions.

CPA-07-2 Ploumis CPA

Mr. Loach pointed out that this was different than Yancey because it is inside the growth area and the master plan boundaries. This was brought to the CCAC on several occasions for discussion and it was felt that the draft plan on the right should be maintained and it should not be changed to the commercial designation on 250.

Mr. Lafferty asked if they didn't just say that they were going to limit any growth on 250 in the last discussion.

Mr. Loach replied that was one of the supporting reasons that it was not supported by the community. It was to be consistent with the master plan.

Motion: Mr. Franco moved and Mr. Zobrist seconded for approval of the diagram on the right in the draft land use plan to recommend that the property contained in CPA-2007-002 Ploumis be shown as Greenspace on the Land Use Plan.

The motion passed by a vote of 6:0:1. (Porterfield abstained)

By a vote of 6:0:1 (Porterfield abstained), the Planning Commission recommended that the property contained in CPA-2007-002 Ploumis be shown as Greenspace on the Land Use Plan.

Eaglehurst Farm Road

Ms. Echols noted that the Commission did not need to take an action on the next one because it is included in the plan.

Mr. Kamptner noted since it was separately identified he asked that the Commission make a recommendation on it.

Motion: Mr. Franco moved and Mr. Lafferty seconded for acceptance or support of the picture on the upper left hand corner for CPA-2006-002 for deletion of the connection shown across Eaglehurst Farm Road.

The motion passed by a vote of (6:0:1) (Zobrist abstained due to a conflict of interest)

By a vote of (6:0:1) (Zobrist abstained due to a conflict of interest), the Planning Commission recommended approval of CPA-2006-002 for deletion of the connection shown across Eaglehurst Farm Road.

(**Attachment A** – State and Local Government Conflict of Interests Act – Transactional Disclosure Statement For Officers and Employees of Local government [Section 2.2-3115(E)] For Duane Zobrist regarding CPA-2006-002 Elimination of Eaglehurst Farm Road from Crozet Master Plan due to previous legal representation of land owner respecting easement now being deleted.)

Mr. Franco asked if the intent was to move the master plan forward tonight. They have confirmed different components of it to basically affirm those to staff and have them address them in the document and bring it back to the Commission at the next meeting.

Mr. Loach said that the reason he would like to have it come back is not so much for what they have just agreed to, but he was more interested that they have the verbiage complete that would allow for the conversion of the lumber yard for the proposals that may come in for economic development. In that context he would like to wait until they move it on as a whole to the Board of Supervisors.

Mr. Franco said along those lines he felt that it might make more sense to simply acknowledge that there may be conditions changing in Downtown and not look to change the language in there now, but allow that in the future it be recognizes as a softer area. If they are trying to move this forward on that timeline he would be concerned about opening up another public hearing because there is not a proposal before them.

Mr. Loach said if staff says they can do that he had no problem and thought they could move it ahead.

Mr. Benish said that part of the issue about some flexibility was somewhat built in to what they did. Staff will provide the Commission the language that would go forward to the Board to add to the plan that provides for flexibility in use of the area for office/r&d/flex/light industrial for the Barnes Lumber property.

PHA Property

Ms. Echols asked if the Commission wanted to look at the PHA property since that is the only other one brought up in specifics. She reviewed the PHA property as noted in the staff report.

Mr. Franco supported leaving it R6, recognizing that their current zoning is what dictates and any by-right density bonuses that they can get they ought to be able to get it.

Mr. Loach noted that was the ordinance and he could support it.

Mr. Morris asked to leave it as it is.

It was the general consensus of the Planning Commission that the PHA property be shown as Neighborhood Density.

Ms. Echols noted that they need to take an action on the plan as a whole.

Mr. Franco said that in his review of it there were other things he wanted to try to get addressed, as follows. On page 34 in the third paragraph where they added language to address the by right zoning along Route 250 he was concerned about the language that was added "when requested for approval only those special uses which have the fewest impacts on the rural area and environmental resources and transportation systems should be approved in the fringe areas." He would like that to be expanded to recognize that there could be opportunities for special use permits to improve the form of development and especially allow special use permits that would improve things to be more compatible for rural area as far as form goes. He was still struggling with the proposal that came before the Commission several weeks ago where as he understood it the gas station principal focus of the special use permit was to enable the county to have a regulatory requirement or a mechanism to ensure that the water usage stayed below the by-right amount. It was over by a gallon, but it was to create that mechanism. Again, this language ought to recognize that there may be other situations like that.

Ms. Echols reiterated that what he would like to see added to the end of this paragraph is some language that provides an opportunity to review proposals and potentially approve proposals if they are improving the area and provide a form that is consistent with what the rural area goals are or to achieve other goals of the Comprehensive Plan.

Mr. Franco agreed.

Mr. Franco said on the Parks and Greenspace Plan that was provided after page 44 staff shows the buffer area along 250 extending westward along 250 outside the growth area. Everybody has been pretty adamant about not having the master plan deal with areas outside the growth area. He thought that buffer ought to be taken off that plan.

Ms. Echols replied that they have some other areas outside of the growth area showing publicly owned lands or conservation easements. She asked if he wanted those off, too.

Mr. Franco replied that if it was publicly owned land being noted, which he did not have a problem with. But this is sort of reaching out beyond it. That has been one of the things they have talked about not wanting to do with the by-right zoning. Therefore, they should not do it with future required buffers as well.

Mr. Benish noted that would be east and west. He asked if it was a consensus.

Mr. Lafferty asked if that includes the golf course.

Mr. Benish replied no, the golf course is basically private.

Mr. Lafferty questioned if it should not be green.

Mr. Franco noted that it seemed like the buffer was going beyond saying that it was an existing green space. It is saying they were going to start looking for this buffer along 250. Leaving the golf course as an existing facility he did not have a problem with. But he did not know that they should be reaching out for a buffer on lands outside of the growth area. Those were his major comments.

Ms. Echols said she was looking for a consensus from the Planning Commission.

Mr. Lafferty noted that has far as being included in the Crozet Master Plan he felt that Mr. Franco had a good point concerning the buffers along 250.

It was the general consensus of the Planning Commission to support Mr. Franco's suggestions, as follows:

- Add text to the Plan that provides for the opportunity to review proposals and potentially approve proposals that are outside of the Development Areas near Crozet if they are improving the area and providing a form that is consistent with rural area goals or to achieve other goals of the Comprehensive Plan.
- Remove the green buffer designation along Route 250 outside of the development area on the Parks and Green Systems Plan. Leave public and privately owned open space as shown on the plan.

Ms. Echols noted that staff would make those changes to the plan since the Planning Commission was in agreement with that. Then they would make a recommendation for approval with these changes.

Ms. Porterfield said they could it bring back in two weeks and they could look at it.

Mr. Franco proposed that the draft would come back with these change in two weeks, but that they would not have to reopen the public comment because they have not made major changes to an area.

Mr. Loach said that as with the language for the Downtown they can go ahead and move on the motion tonight with the changes that have been recommended. He thought that the changes were not that dramatic.

Ms. Porterfield said that it was a good idea for it to come back. They have two weeks and staff has to get it together anyhow. Since it is on schedule the Commission should let it come back.

Motion: Ms. Porterfield moved and Mr. Smith seconded to defer the Crozet Master Plan to July 27 with staff providing the Commission all changes that the Commission acted on or agreed to by consensus on July 13 in advance of the July 27 meeting.

The motion passed by a vote of 4:3. (Zobrist, Loach, and Lafferty voted nay.)

By a vote of 4:3, (Zobrist, Loach, and Lafferty voted nay), the Planning Commission deferred the Crozet Master Plan to July 27 with staff providing the Commission all changes that the Commission acted on or agreed to by consensus on July 13 in advance of the July 27 meeting.

Note: It was the consensus that the Planning Commission is ready to move this on to the Board, but the majority of the Commissioners want to see the final changes which they agreed to before taking final action.

Mr. Loach noted that CPA-2009-0002 Crozet Master Plan would come back to the Commission in two weeks.

Mr. Cilimberg asked for clarification for when it comes back in two weeks if it is for the Planning Commission to take their action and not for public comment.

Mr. Franco agreed. If the changes could come out ahead of time he was comfortable with it coming back on the consent agenda.

Mr. Zobrist noted that on the consent agenda anyone could call it up if they wanted.

Ms. Echols asked if the Commission wanted the full master plan back or just those particular changes.

Mr. Loach asked staff to provide only the pages being changed in the master plan to the Commission. He noted that the only problem with the consent agenda is that they open the consent agenda up for public comment. Therefore, it should come back as an item so it does not have public comment.

Mr. Cilimberg noted that staff would bring it back under old business and the Planning Commission could just act on it.

Mr. Zobrist noted for the record that the consensus was that the Planning Commission is ready to move it forward, but they want to see these final changes which they agreed to among themselves. The Commission's intent is to take action on the Master Plan Update on July 27.

Old Business

Mr. Loach asked if there was any old business.

- Mr. Kamptner noted that a discussion on the status of the Singleton cell tower would be held at the July 27 meeting.

There being no further old business, the meeting proceeded.

New Business

Mr. Loach asked if there was any new business.

- NO MEETING ON JULY 20, 2010
- Information was distributed on the Certified Planning Commissioner Program as an offer to Commissioners to attend. Mr. Lafferty expressed interest in attending.

There being no further new business, the meeting proceeded.

Adjournment

With no further items, the meeting adjourned at 9:21 p.m. to the Tuesday, April 27, 2010 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 C. Taylor, Clerk to Planning Commission & Planning Boards)