

**Albemarle County Planning Commission  
September 13, 2016**

The Albemarle County Planning Commission held a regular meeting on Tuesday, September 13, 2016, at 6:00 p.m., at the County Office Building, Lane Auditorium, Second Floor, 401 McIntire Road, Charlottesville, Virginia.

Members attending were Tim Keller, Chair; Karen Firehock, Vice Chair; Jennie More, Daphne Spain, Pam Riley, and Bruce Dotson. Bill Palmer, UVA representative, was present. Members absent were Mac Lafferty.

Other officials present were J.T. Newberry, Planner, Scott Clark, Senior Planner; Elaine Echols, Acting Chief of Planning; Mandy Burbage, Senior Planner; David Benish, Acting Director of Planning; Sharon Taylor, Clerk to Planning Commission and Greg Kamptner, Deputy County Attorney.

**Call to Order and Establish Quorum:**

Mr. Keller, Chair called the meeting to order at 6:01 p.m. and established a quorum.

**ZMA-2016-00005 Foothills Crossing**

MAGISTERIAL DISTRICT: White Hall

TAX MAP/PARCEL: 05600000005700, 056000000057B0, 056K00000000A1, 056A2010006200, 056A2010006100

LOCATION: West of Park Ridge Drive and Foothill Crossing subdivision, north of Westhall subdivision and northeast of Crozet Park, south of Buckingham Branch Railroad.

PROPOSAL: Request to rezone portions of parcels 05600000005700, 056000000057B0, 056K00000000A1 from R1-Residential to R6-Residential; parcel 056A2010006200 from R2-Residential to R6-Residential; portion of parcel 056A2010006100 from LI-Light Industrial to R6-Residential.

PETITION: Rezone 32.54 acres from R1-Residential zoning district which allows residential uses at a density of 1 unit per acre, 2.13 acres from R2-Residential which allows residential uses at a density of 2 units per acre, and 3.24 acres from LI-Light Industrial which allows industrial, office, and limited commercial uses to R6-Residential zoning district which allows residential uses at a density of 6 units per acre. A maximum of 180 units is proposed.

OVERLAY DISTRICT: EC- Entrance Corridor; Managed Steep Slopes

PROFFERS: Yes

COMPREHENSIVE PLAN: Neighborhood Density Residential – residential (3 – 6 units/acre), supporting uses such as religious institutions, schools and other small-scale non-residential uses in the Crozet Masterplan; Urban Density Residential – residential (6 -12 units /acre), supporting uses such as religious institutions, schools, commercial, office and service uses; Light Industrial – manufacturing, storage, distribution, with supporting office, retail, R&D, flex, commercial uses; Greenspace – public parks, open space, environmental features.

(Rachel Falkenstein)

Ms. Rachel Falkenstein presented a PowerPoint presentation regarding ZMA-2016-00005 Foothills Crossing. She is going to talk tonight about a request to rezone property in Crozet. The request is to rezone portions of five parcels to R-6 Residential zoning to allow up to 180 dwelling units. The property is located in eastern Crozet. The property is currently vacant and is about 39 acres. The property would be accessed by Park Ridge Drive and just east of the proposed of the rezoning is by-right portions of Foothill Crossing Subdivision. To the south is Westlake Hills and Crozet Parks. To the west is Parkside Village and to the north is the railroad

and Route 240. However, this property does not have access to Route 240 due to the railroad.

The next slide is a map showing the zoning with the area proposed to be rezoned outlined in blue. The project area is actually 37.19 acres. The majority of the property is currently zoned R-1 Residential of about 32.54 acres. There is a parcel zoned R-2 Residential that they are proposing to rezone that is a little over 2 acres. Then there is a portion of the property that is LI Light Industrial that is cut off from the rest of the LI development by a stream. So they are just proposing to rezone the portion south of the stream, which is a little over 3 acres. The applicant is proposing a R-6 rezoning, which would be consistent with the zoning to the west of the property.

The next map shows what the Crozet Master Plan calls for on the property. Again, we have a mix of different land uses shown on this property. There is a little bit of urban density residential shown in orange, and that calls for about 6-12 units per acre in the master plan. The yellow is Neighborhood Density Residential and that is recommended for 3 to 6 units per acre. The purple is the Light Industrial. Again, you can see how this piece is cut off by the stream and the green space. The green space corresponds on this parcel to stream buffers.

The next image is of their concept plan, and the area shaded in yellow is what they are proposing to rezone. As mentioned, they are proposing a maximum of 180 dwelling units. If you calculate the net density of the site it was subtracting out the areas designated for green space and Light Industrial and this translates to about 5.6 dwelling units per acre of density. They are proposing a mix of single-family detached and said they would be a minimum 50% single-family detached and single-family attached units or townhomes and they said a minimum of 10% would be included in this development.

The final lot layout and neighborhood street design they are proposing to determine that with the site plan and subdivision phase. However, they are proffering a number of elements with their concept plan.

### **Proffers**

1. Park Ridge Drive (aka Main Street)
2. Eastern Avenue
3. Greenway Trail with tunnel under Eastern Avenue for pedestrians and bicyclists to use with an easement along the stream buffer in the south of the property.
4. Civic Space
5. Cash Proffers (\$4918 for SFD/\$3845 SFA)
6. Affordable Housing
7. Cost Index

The roadways that they are proposing in the development are actually portions of two major roadways called for in the Crozet Master Plan. The portion they are connection, as shown in orange on the map, will connect Park Ridge Drive to a portion of Eastern Avenue that is already under construction in the Westlake Hills subdivision. The ultimate plan for this roadway is to provide a connection to Route 250. It is anticipated that developers will construct portions south of West Lake Hills when these parcels eventually develop. There is a portion that the plan calls for the county to construct for a bridge crossing of Lickinghole Creek. The Board has prioritized that; but it is not currently in our CIP.

The other major roadway is called Main Street in the Crozet Master Plan, which is actually named on the ground as Park Ridge Drive. They are going to extend that roadway through the property that they are proposing to rezone and through a future by-right portion of Foothill Crossing that will eventually connect to Hill Top Street. The plan for this roadway is to connect to Crozet Avenue and it is anticipated that will be developed with the Barnes Lumber property whenever that is developed. Both roadways will have bike lanes, sidewalks and street trees. The applicant has submitted some proffers with their rezoning request, and she has already

talked about the first four here.

They are also proposing cash proffers in the amount as show; and these were consistent with the amounts that were recommended by FIAC based on the 2016 CIP amounts. Staff has asked for some further analysis to justify the proposed cash proffer amounts, which is consistent with what we have heard previously from the Planning Commission and the Board. We are also recommending an update to the 2017 CIP amounts once these amounts are available. They are proffering 15% affordable housing consistent with the county's affordable housing policy and then a cost index talking about proffers #5 and #6 would be adjusted. Staff is also recommending an additional general accord proffer and we are looking for certain elements of the concept plan that are either listed as notes right now or sort of shown. We are looking for a stronger commitment to those in the form of a proffer. Features we would be looking for would be interconnectivity of the neighborhood streets; the number and mix of unit types and the trail connection to Crozet Park. Lastly, we have a few technical fixes to the proffers that have been listed out in the staff report.

In our analysis staff has identified four favorable factors. These are largely about consistency with our comp plan and master plan. As mentioned, this is consistent with the land use and the Crozet Master Plan as well as the roadways talked about. The request is consistent with certain Neighborhood Model principles that are applicable to residential developments. Then the Crozet Greenway Trail is consistent with the trail location shown in the Crozet Master Plan.

**Favorable Factors:**

1. The request is consistent with the use and density recommended by the Crozet Master Plan.
2. The proposed development includes the construction of portions of "Eastern Avenue" and "Main Street" identified in the Crozet Master Plan.
3. The request is consistent with applicable neighborhood model principles.
4. The proposed development includes dedication and construction of a portion of the Crozet Greenway Trail to include a pedestrian tunnel under Eastern Avenue.

The unfavorable factors are the needs to update the proffers as mentioned and looking for a stronger commitment to certain features of the concept plan.

**Unfavorable Factors:**

1. No commitment to provide key features of the concept plan has been made.
2. Technical and substantive revisions to the proffers are needed.

**Staff Recommendation:**

Staff recommends approval of ZMA2016-05 Foothills Daily Property with proffers, provided revisions are made to the proffers as described in the staff report, prior to the Board of Supervisors meeting. There are two motions provided and she would be happy to answer any questions.

Mr. Keller invited questions for staff. Being none, Mr. Keller opened the public hearing and invited the applicant to come forward.

Valerie Long said she was here representing the applicant, Riverbend Development who are also the affiliate of the owner of the property, which is Route 240 Holdings. She explained that other portions of the property subject to the rezoning are owned by the Daily family out of New York; although, we have the property under contract. Others joining me this evening are Scott Collins, civil engineer with Collins Engineering and Robbie Sadie from Riverbend Development. She pointed out that Allan Taylor, project manager for the project, was unable to be here tonight due to his wife being in labor with their first child; but we wanted to keep moving.

Ms. Long noted that Ms. Falkenstein did an excellent job orienting you to the location of this property. In a PowerPoint, presentation she pointed out the project is somewhat of a jigsaw puzzle with the overlapping and interplay of the parcel boundaries, the zoning map and the comprehensive plan; the lines do not all match up and the parcel has split zoning. She said it is a bit confusing; but she is happy answer questions. She said in a similar exhibit that Ms. Falkenstein showed she wanted to make sure everyone had the context of the area, and based on the lack of questions she would assume everyone is okay. However, if there are questions, she asked the Commission to please interrupt and ask. The next slide was just a close up that shows the area in the darker yellow as the proposed zoning and the location of the proposed future connector roads relative to the rezoned property. This is an exhibit similar to what you saw with the areas outlined in the blue area as those that we propose to rezone to R6; but it is a bit confusing since the majority of the land is zoned R1. She pointed out the R2 and Light Industrial zoning and the overlay of the property subject to the rezoning on the Crozet Master Plan, again, showing that the lines are a little bit different but she hopes that is clear and easy for you to follow.

Ms. Long said the next slide is an exhibit showing the overlay of our concept plan on the zoning map, which was based on some feedback from several commissioners who had questions, and she thinks it helps a lot especially because it also includes the parcel boundaries. She said this is a single tax map parcel; but it has spilt zoning right along the edge of the land subject to the rezoning that makes it a little confusing. She noted the area over here is the existing early phases of Foothill Crossings that is being developed by right in a R1 density level pursuant to the R1 zoning that exists. The land shown in orange is already zoned R6 and is being developed by right pursuant to the R6 zoning. It is the land in the middle that is mostly zoned R1; but on the comprehensive plan map for the Crozet Masterplan it is designated for mostly low density residential, but also some portion of high residential. She said they wanted to show you how those pieces all fit together. She said as Ms. Falkenstein indicated this future connector road, which the developer is proffering to construct at its own costs, would connect to the portions of the future connector road that already exists to the south and benefit all these neighborhoods since their current only point of access out to either 250 or 240 is along Park Road. In fact, Ms. Long said she would back up a bit to show in the larger context that these neighborhoods only have access out to Route 240, Route 250 and Downtown Crozet on Park Road adjacent to the Crozet Park and then out by the church leading out to 240 and Downtown Crozet. It is not a great access point and so among other things the benefits of this project is this portion of the connector road will be constructed as part of this application and these homeowners can now proceed north and drive. She said hopefully one day this connector road will be built all the way across or under the railroad to Route 240; but until then they will have access out to 240 on Park Ridge Drive. So again, that shows that connection there.

Ms. Long said the location where the road crosses the stream would have a tunnel that will be accessible to pedestrians and bicyclists. That was a suggestion that came from the members of the CCAC and a group of residents who reached out to us and made that request. Since we thought, it was a great idea we incorporated it into our application. Another version of our concept plan highlights a few of the areas and elements of the plan that are important. Ms. Long pointed out that Ms. Falkenstein touched on these as well and a very large portion of the connector road will be included.

Ms. Long said we have a community civic space that will be part of the application. We are going to upgrade the greenway trails. Right now, there is an extensive network of trails in this area; but because this property has been in a private ownership, the trails have not been accessible. Therefore, as part of this application this project will develop those trails including a connection to the brand new Crozet Park Dog Park. Therefore, it will really enhance the pedestrian connections in this area for people in Foothill Crossings as well as Western Ridge, Stonegate and other nearby neighborhoods will now have pedestrian access directly to Crozet Park. Whereas, right now they have to get into their car and drive all the way down Route 240 and down through Downtown Crozet, including through the stoplight at The Square, so now they

will be able to walk or ride their bikes directly to the park. They will also have a new vehicular connection to the park; but we are most excited about the pedestrian and bicycle connection.

Ms. Long asked if there are any questions either now or at the end of the public comments.

Mr. Keller invited questions for the applicant.

Mr. Dotson said you mention civic space in the application of a certain square footage; and, asked what the nature of that civic space is.

Ms. Long replied that we have not decided officially. We have included on the application plan a list of items that it might include. We have listed things like a gazebo, a clubhouse, sport courts, tennis courts, recreational fields and that sort of thing. She said some sort of public gathering space is what we are envisioning. But, what we are planning to do is work very closely with the residents of the neighborhood because there are a large number of residents who already live in Foothills Crossing over in this area and we want to be able to work with them and design the space with the amenities that they are interested in having.

Mr. Dotson said it would be improved space and not simply open space.

Ms. Long replied most likely unless that is what they wanted; but there are neighborhoods that have large civic green that are just big green areas kind of like a field that people do like that for gatherings. However, most likely there would be some sort of improvements there as well. Again, a clubhouse is a good potential at least some sort of gazebo, picnic area/picnic benches or that sort of thing.

Mr. Dotson asked if this would likely be owned and maintained by a homeowner association, and Ms. Long replied that is right.

Ms. Riley asked what the percentage of the light industrial parcel is that you would be rezoning to R6.

Ms. Long replied it is 3.24 acres total and pointed out the portion that is light industrial. Therefore, as Ms. Falkenstein indicated there is a stream here along the boundary and there is a large area that is a stream buffer. So we are proposing actually just to use that as mostly open space; but, also for some storm water management. She pointed out the southern boundary of the area that is light industrial where the storm water management will be. She said a lot of that is stream buffer so we would not be able to develop it anyway. Therefore, it is a good location for storm water management facilities and part of the open space. Since it is cut off from the balance, it is bisected from the balance of the land that is industrial by the stream. In addition, the same owner knew they would not be able to use it for any type of light industrial use because it would not make sense to have to build a bridge over it to reach a small little sliver of land. So we felt like the most reasonable thing would be to incorporate it into this neighborhood and have that to be the location for the storm water management facility. Therefore, it also provides not only a good location for that; but it provides a green space buffer between the residential neighborhood and the future light industrial land or the light industrial land and hopefully a future some sort of light industrial use there. If there were any questions, she would be happy to answer them.

Ms. Firehock thanked Ms. Long. She said we would now move to the portion for the remainder of the public to feel free to come forward and make comments. She invited public comment.

Phil Kirby said he was a resident of the Parkside Village development. He said the question that did not seem clear was first, if a traffic study had been done, the number of vehicles that are going to be added to the existing roads have been analyzed, and how many are going to be added. Two, most of the roads as described as being built hopefully will be completed one day.

So that really does not mean much to the residents if the roads are not done because they do not take traffic off the roads now. The problem that you start to see if you live there is that Hilltop Road, which is the only way out right now, everybody, goes to Hilltop Road. This proposal is to add more people to Hilltop Road and he did not know if potential roads would be a great thing; but they just do not seem to have been developed far enough here for me to understand it. He said maybe if you answer those questions, you could address that. That seems to be a serious flaw in my mind. Thank you.

There being no further public comment, Ms. Firehock closed the public hearing.

Mr. Keller invited the applicant back up for rebuttal.

Ms. Long said she would go back a few slides to a context map and point out Hilltop Road that will eventually be one way out of the project in this direction and it will continue through the Barnes Lumber site once that project is approved and developed. She said they are obviously building a portion of that public road; but importantly the traffic will have an access point out here to Route 250. She pointed out the existing road at Park Ridge Drive; the Martha Jefferson Hospital clinic on the corner; the bridge over the railroad; Western Ridge Subdivision and then through the small Stone Gate Subdivision into Foothill Crossing that exists already and developed as a by right subdivision. The owners and developers made the decision to build this road to the standards of the future East/West connector road. She said essentially it may not be the exact standards but it is designed to be wide enough to serve as essentially the temporary connector road until the county or others who own the land here have the funds to build the connector road that is shown on the master plan. Therefore, we are certainly sympathetic to the concerns of residents who are concerned about traffic. However, we think this piece of the puzzle will actually open up a number of inter-parcel connections throughout this area of Crozet that will help disperse the traffic in a number of different directions instead of sending them all in a single location that is not intended to accommodate those levels of traffic. She said actually we did not need to have a traffic study prepared because, as our civil engineer tells me, it did not meet the thresholds that are required for a traffic study. She would be happy for to him to answer that with more detail if needed, and maybe she will ask staff to weigh in.

Mr. Keller suggested that they hear from the engineer since that was a question from the public.

Ms. Long said sure; but, otherwise she just wanted to make sure everybody understood that issue in terms of the dispersal of traffic in multiple directions since it was obviously contemplated and required by the master plan that these interconnections be made. She said we are building a large segment of the connector road; and, again we say hopefully because it requires the cooperation of other off-site landowners and funds and resources from the county or other parties to complete those last two segments of the Eastern Connector. She hoped that answers your questions.

Ms. More asked Ms. Long to clarify the one connection that does not need to cross the creek that would be connecting to 240 because she thought she said 250.

Ms. Long replied that she may well have misspoken, and Ms. More said she may have misheard; but just wanted to clarify that creates a connection that we currently don't have to Route 240.

Ms. Long pointed out the residences that would be built within the proposed rezoning area will have this as their primary means of ingress and egress and provide connection to Route 240, which obviously provides access into Charlottesville. She said then when this piece of the land is developed as part of the by-right subdivision, also by the same owners, they will build this segment of the road to this point. She pointed out this connection already exists to this point, and the Barnes Lumber site once approved will build that portion of the connector road out to Library Avenue, which she believes that is right and eventually that will be completed. However,

it is a patchwork of various owners and projects working together to build that, which will help facilitate ingress and egress through that location. She pointed out this road, which again was designed intentionally very wide, is intended to serve as essentially a temporary connector road until the road to the north, which is more another primary route is constructed. However, we all recognize that has legalistically and infrastructure challenges.

Ms. Spain asked if both of those sections of the north/south connector are in the CIP, and Ms. Long replied that she believed they are; however, she would like to defer to Mr. Benish or Ms. Falkenstein to weigh in on that.

Mr. Benish replied yes, those two connections are in the CIP for both the north and south connection; are estimated at 12.9 million dollars and have not been funded. The connections have been requested for several years and so are in the application; but no funding has been allocated to them.

Mr. Keller invited other questions.

Ms. More asked were you trying to get clarification for the neighbor or do you feel you got an answer about the traffic study.

Ms. Long said she would take her seat for now, and if there were any further questions, she would be happy to answer them.

Mr. Keller asked Ms. Long to bring her traffic person up to speak to the traffic study.

Ms. Long replied that we have our civil engineer here, and she would be happy to ask him to weigh in on that.

Ms. Falkenstein said she could speak to that as well while he comes up. She explained that VDOT has minimum thresholds at which they require a traffic study, which is 5,000 trips a day. Our VDOT Reviewer and County Engineer looked at looked at the project and did not feel that it met that threshold to require the traffic study.

Scott Collins, civil engineer, agreed that everything Ms. Falkenstein said is correct. He said a lot of this also had to do with the fact that the amount of traffic study that has been prepared for Barnes Lumber and this is piece is integrative involved with being that release point to allow some traffic to go out to the east of Barnes Lumber. Therefore, that is why an extensive traffic study was not needed on this because it has already been somewhat included with the Barnes Lumber project.

Mr. Keller thanked Mr. Collins for that clarification. He asked if there were any other questions.

Ms. More said there is a part that talks about the proposed Eastern Avenue to be the dividing line between lower density portions of Foothill Crossing and the higher density portions. Therefore, she wondered if he could orient us to that, and part of why she was asking that question is if you can without having a concept here as if you have shown in some of the other phases can you show us where we would expect to see the single-family detached and then some of the denser attached units.

Ms. Long said she would show you sort of the boundary line in a couple of different slides in case one is more helpful than the other is. She pointed out in the larger context you can see in

the light gray the lot lines underneath for early phases of Foothill Crossing. This land is all zoned R1 and these lots are all being developed at a density of one dwelling unit per acre. Therefore, they are large lots and all single-family detached units. This is the portion of the East/West Connector, which forms the eastern boundary of the area to be rezoned. So this would be rezoned to R6 if it is approved and, again over in this area is already zoned R6. Therefore, you can see the proposed lot layout underneath; but she did not think that has been approved yet but is under review or will be submitted soon. However, that is what we are proposing. So they are proposing in this area to have also the R6 zoning and we are agreeing to limit the number of dwelling units to 180. In a different slide showing the master plan or the comprehensive plan, she pointed out the higher density in that location; and, obviously, over in this portion we expect that the higher density units will be back in this area. Again, we are talking about just slightly higher density in terms of slightly different types of units; we are trying no attached units probably townhouses. We have committed to a minimum of 10 percent, which is probably pretty close to what we will end up having. It is going to definitely be primarily single-family detached in this area; but, the concept plans we are looking at for lot layouts is to have the detached units over here. She pointed out having the connector road here, again that would be a wide road, and the lots will not front on the connector road. That is one of the issues that staff has asked us to commit to, which we are willing to do. We probably will have some lots that will just have to back up; but we have some room in here for open space where we can plant landscaping there for that handful of lots that will have to face here. However, they will not front on the road and the connector road will really serve as kind of a border or boundary and a hard transition point between the R1 zoning and R6 zoning here. Therefore, we expect the small number of townhomes generally to be up in this area. That is our plan; we do not have it yet firm. However, the concept plans we are looking at shows all of this area over here as detached lots. There are also some townhouses on the smaller narrower lots. Therefore, this is part of the zoning area and this is currently zoned R2. That is part of the land subject to the rezoning so some of those would be smaller lots so that is probably where the rest of them will go. That is consistent, again, going back to the comprehensive plan map and pulls in some of the orange area shown there.

Mr. Keller said the question is almost for a dialogue between staff and you. In the factors unfavorable, we are saying no commitment to provide key features in the concept plan has been made. He thinks that is what Mr. Dotson was getting at in terms of the civic space. He asked is this something that you expect to be flushed out by the time this goes to the Board of Supervisors.

Ms. Falkenstein replied that the civic space was not an item of concern because they actually proffered the civic space; they proffered a minimum size and the timing for construction. Therefore, she thinks we are satisfied with that, especially allowing the flexibility knowing that they plan to work with the residents on that. The items we were looking for were interconnectivity of the streets, the number of units and the mix of units. As of right now, these are just notes on the concept plan and we are looking for a bit of a stronger commitment. Because notes on a concept plan can sometimes be easily varied. Therefore, if written in a proffer they are a commitment that is a little more concrete.

Mr. Keller said staff has recommended to us approval and yet we are hearing about these concerns. He said we have seen this somewhat consistently and an issue that we are all grappling with. So how do you see us getting those more specific notes, if you will, at a time like this. On the one hand, you are saying that it is not really, where you wanted to see it and on the other hand, you are asking us to approve it.

Mr. Benish explained the recommendation to the applicant implies these are the conditions necessary for your recommendation of approval; and, it will not be scheduled for the Board or our review to the Board will reflect whether they have addressed those issues or not. So if those are recommendations that you agree with need to be addressed and are comfortable with the applicant and staff working on them; that is the direction for the Board of Supervisors to determine whether they have met your expectations and the staff's expectations. Otherwise, the issue if you feel like you need to see that before it moves forward for your recommendation that is your prerogative. However, our recommendation is we feel like we can address those before it gets to the Board with the applicant.

Mr. Keller asked Ms. Long if she wanted to weigh in.

Ms. Long asked to clarify our intentions with that regard. She said we are comfortable with that concept. She pointed out my colleague, our planner, met with Ms. Falkenstein yesterday to talk about those issues; and, we just want to make sure we are clear on what the language is and what the expectations is. However, we are fine with committing in the proffers to the standard to proffer in general accord with the plan and then list what the important elements are of the plan; the things that she mentioned; the number of units; the mixture of unit types; and the connections to the Crozet Trails and the Crozet Park. She said those are all things, as Ms. Falkenstein indicated, we have already committed to on the application plan, and so we are willing to put those in the proffers as well. Those are cut and dry, clear as to what that means; the difference, for example, is there was a request for not having lots to back up to the connector road. The challenge is that we cannot have lots fronting on the connector road because VDOT would not allow driveways onto the connector road. So almost by definition, you end up having some lots that are going to back up to the connector road. We have a conceptual lot layout sketch that we have been working on; and, we want to be able to get with staff after the Planning Commission meeting if you are recommending it and show her here is what we are thinking. She said we are probably going to end up with some lots here because we can't cross the stream to connect into these other neighborhoods; we can't cross over here; and so we are probably going to have some units that end up backing up onto the connector road in this location. However, we have sketched out our lot layout to have a small area that would remain as open space where we can add vegetation and other landscaping to help screen and buffer the backs of those lots. Likewise, up in this area we will have a handful. There are probably going to be some internal roads in this area. However, we just want to make sure if we put it in our proffers we can be sure that we can implement the expectations that staff has and that the Commission and Board would have, likewise with the interconnection. We want to sit down and show staff our conceptual lot layout in how our roads are proposed to interconnect; but, we have a few areas where we are probably going to end up having some cul-de-sacs because of the natural features here; and, again this stream is a good example. We are probably going to have a cul-de-sac right here coming off this road because we cannot continue it in this location, and likewise, up in this area drawing into there. We just want to make sure that what we think meets that expectation for interconnected roads also meets staff expectations. If it does, then we would be very comfortable putting it in our proffers. If it does not, we need to make sure we can figure out a way to meet those expectations. However, we are very comfortable with it if you are.

Mr. Keller closed the public hearing to bring it back to the Commission for discussion and action.

Mr. Dotson said in the staff report it indicates that staff had heard from the school division that the potential school site was not adequate for their needs; and, he was wondering did they tell you anything more than just to say that it is not sufficient.

Ms. Falkenstein replied that staff did not get a lot of information from school staff; however, what they did tell us is they did not think the site was adequate due to size and topography of the site. She said that was about all we had.

Mr. Dotson said so we do not have for instance a statement, which is something he will raise perhaps for a future study session item for school planning. He asked if there is no indication that there are plans for a new school, expanded school, redistricting or how much larger this site would have to be in order to meet their needs or that they plan on portables; and, they are just saying no they are not interested in this site. He asked if that is correct.

Ms. Falkenstein replied that is essentially, what we heard; but she did not know if Elaine Echols has anything to add.

Ms. Elaine Echols said we worked extensively with the school system in trying to figure out how we might accommodate an elementary school at this location in accordance with the Master Plan's recommendation and the Parks and Green System plan. In our minds, the property could have been connected to the Crozet Park; but the particulars of the stream crossing and the access were a concern to the schools. So as we talked through it they could not commit to the idea of the small school site given the other constraints on the property.

Mr. Dotson thanked her because that helps. The other question he had was in the staff report it indicated that the cash proffers that the FY17 amounts were not yet available, additional analysis of the impacts of the development wasn't yet available and the cash proffer amounts should be provided for staff comment prior to the Board meeting. He asked who is going to provide that information is that ongoing staff work or is that something you are asking the developer to provide.

Mr. Benish replied the staff at Finance and our department are working to update those numbers. It was really to update the prior numbers drafted by FIAC to bring them consistent to the current approved CIP. So it is a matter of double-checking to make sure that the capacity projects are adequately defined and so that we get an accurate update. He said that is in process and we expect to have that soon. In fact, he can tell you it is in my court as of today to look at some inputs to move it to the next and final step.

Mr. Dotson thanked Mr. Benish.

Ms. Firehock said she wanted to return to the question of the lack of information in the format of a proffer for the number of units/mix of unit types that Ms. Long just said could be put into a proffer and she seemed to indicate that was somewhere else in this report. She asked staff to tell her where it was since she was not finding that.

Ms. Falkenstein said she thinks Ms. Long was referring a note on the concept plan, which says it will be a maximum of 180 units; the 50% single-family detached; 10% single-family attached, and we were looking for a stronger commitment in the form of a written proffer for that.

Ms. More asked do we find that when you have listed the proffers here and then after proffer 7, the concept plan and so the staff recommends that the applicant include a separate proffer. She asked is that where you are speaking to that?

Ms. Falkenstein replied that is correct below proffer 7.

Mr. Keller said he thinks, again, this is an interesting bigger question and when we have our new planning director in place he thinks it is going to be important for us to reach an agreement on what extent of completion there is going to be in the amount of work that has been done in the concept plan before we review it. We are seeing them in varying arrays of completeness and it puts us in a difficult position in advising the Supervisors if they are not complete. Therefore, he looks forward to that discussion with the new planning director and staff.

Ms. Firehock said given the amount of rigor with which we reviewed Adelaide recently and then they actually came back again with another layout talking about density that it was also very important as where the townhouses were and where the single-family was. We have heard a number of issues which all sound resolvable to me and understandable about whether you could have backs of buildings on a connector road, screening and all of that. However, she still does not feel that she received the level of information in terms of actually seeing a layout. We saw on the slide presentation from the applicant sort of ghost lines showing generally how it might be laid out; but it is not in a proffer and it is not actually in this application at this time. In my experience as a planning commissioner, and actually also for another locality, she has experienced this situation where the concept plan and what was finally developed differed markedly because talk is cheap and there was no layout. Since this is a complicated site personally she did not feel comfortable moving forward with a recommendation at the level of information she has tonight. If we move, forward and just leave it to be resolved by the Board meeting, she did not think we are applying the same rigor to this application. She pointed out that was just one commissioner's opinion, of course.

Ms. More asked to add to that. She agreed with some of Ms. Firehock's points. She said she also thinks like with one of the applicants that you referred to we need to be careful that we are not crossing into actually site planning even though she would prefer to see something as far as a concept she would not want to step out of my role as a commissioner and start actually site planning. However, she thinks she is a little more open with staff's language and having something before they would go in front of the Board. So this would not go to the Board until some of that is worked out to staff's and the applicant's satisfaction. She said one reason she is a little more willing to consider is that the majority of the abutting property is their development so she thinks they have a responsibility to do some commitment to sensible developments since these are the people that they are selling homes to on either side of this. Most of the property touching this parcel or the several parcels there that are making up this request are phases of their development. She said that makes me feel a little more comfortable with the level of commitment they would have to produce something that we would look to see in a concept at this stage, which clearly would be a preference.

Mr. Keller asked if the Commission was ready for a motion.

Ms. More moved to recommend approval of ZMA-2016-00005 Foothills Crossing with revisions to the proffers as recommended by staff.

Mr. Dotson seconded the motion.

Mr. Keller invited discussion. There being none, he asked for a roll call.

The motion was approved by a vote of 6:1:1 (Firehock nay) (Lafferty absent).

Ms. Firehock said she voted nay for the reason that she does not feel like the Commission have been provided adequate information in terms of the layout of the conceptual plan.

Mr. Keller said that a recommendation for approval of ZMA-2016-00005 Foothills Crossing would be forwarded to the Board of Supervisors on a date to be determined.

Due to a question raised by a member of the audience Ms. Firehock pointed out the Board of Supervisors would hold a public hearing so there will be another public hearing in which you can comment on what they have actually done with their revisions.

Mr. Keller said the Commission would take a five-minute recess.

**The Planning Commission recessed at 7:06 p.m. and the meeting reconvened at 7:15 p.m.**

(Recorded and transcribed by Sharon C. Taylor, Clerk to Planning Commission & Planning)