

**Albemarle County Planning Commission
Draft Minutes Regular Meeting June 27, 2023**

The Albemarle County Planning Commission held a public hearing on Tuesday, June 27, 2023 at 6:00 p.m.

Members attending were: Corey Clayborne, Chair; Fred Missel, Vice-Chair; Julian Bivins; Luis Carrazana; Karen Firehock; Lonnie Murray.

Members absent: Nathan Moore.

Other officials present were: Kevin McDermott, Director of Planning; Andy Herrick, County Attorney's Office; Alberic Karina-Plun, Interim Clerk; and Kevin McCollum.

Call to Order and Establish Quorum

Mr. Karina-Plun called the roll.

Mr. Clayborne established a quorum.

Other Matters Not Listed on the Agenda

There were none.

Consent Agenda

Mr. Clayborne asked if there were any corrections or modifications to the May 23, 2023 minutes of a regular meeting of the Planning Commissions. Seeing none, he asked if there was a motion to approve the document as presented.

Mr. Murray motioned for the Planning Commission to adopt the consent agenda, which was seconded by Mr. Missel. The motion passed unanimously (6-0).

Public Hearings

SP202300002 Community Christian Academy

Mr. Kevin McCollum, Senior Planner in Community Development, stated that Community Christian Academy was an existing private school located within Cross Life Community Church, located at the intersection of Rio Road and Holbrook Road. He said that the existing conditions of the site included two buildings, a parking lot, and a playground area, was zoned R2 residential and was 3.14 acres in size. He said that the site was home to Cross Life Community Church and Community Christian Academy, both of which had approved special use permits. He said that when the school received their special use permit in 2012, they were limited to 85 students, and the school was now proposing to increase the number of students from 85 up to 150, with no additional changes requested at this time.

Mr. McCollum said that as indicated on the slide, the conceptual plan displayed the private school, the entrance along Holbrook Road, the pick-up and drop-off loop, the parking area, the school building, and the playground area. He said that the staff's positive findings were that institutional uses, such as private schools, were consistent with the Places 29 Master Plan, and the proposed

school was accessed from adequate public roads for the use. He said that VDOT had reviewed the proposed roads and had provided no objection, confirming that these existing conditions of the site could support up to 150 students. He said that lastly, no detrimental impacts to adjoining properties were anticipated. He said that staff had no concerns in review of the application, and recommended approval with the conditions as recommended in the staff report.

Mr. Clayborne asked the Commission if there were any questions about the staff report. Hearing none, he opened the public hearing.

Dr. Kimberly Moore stated that she was the Executive Director of Community Christian Academy. She said that they were preparing for their twelfth year in existence and had been at Cross Life that entire time. She said that they had great relationships with neighbors, some of whom had children in their school and had been a blessing to a number of families over the years. She said that they had been growing and were currently at a place where they had moved off their middle school location about a year ago when another location was approved, which allowed them some growth opportunity.

Ms. Moore said that the building was large enough to easily support 150 students, and they had worked with the Gaines Group for approval of rooms and load, and the building was certainly large enough for what they wanted to do. She said that given that, they were almost at capacity for next year and would like to be able to expand, and given their track record and how well things had gone, they did not anticipate anything other than a pleasant moving forward with the increased numbers.

Mr. Clayborne asked if there were any questions of the applicant.

Mr. Missel asked if they had experienced any backups in traffic for the school and how they accommodated that, and if they were doing anything when anticipating 150 students.

Ms. Moore said that they had enough parking and a 35-minute drop-off period to allow for more time. She said that the elementary school principal was out every morning to see if there were any issues, and prior to that, she was there every morning. She said that they had never seen more than two or three cars in a line at the same time, so even if they doubled or tripled that, they would not have any kind of issue. She summarized that they did not anticipate any problems.

Mr. Carrazana said that his question was whether or not the building itself had capacity for 150 students, which Ms. Moore confirmed. He said that they were almost doubling the size.

Ms. Moore said yes, it was large for the numbers that they were seeking, so it would not be an issue at all.

Mr. Bivins asked if they would have to work with the state to get the license for the number of students.

Ms. Moore said no, they did not.

Mr. Bivins asked if it was measured as bodies in the room.

Ms. Moore said that it was based on what the regulations were for school capacity per classroom.

Mr. Bivins asked if they were basically following state regulations.

Ms. Moore said that she was unsure if they were state or County regulations, but yes.

Mr. Bivins said that under recommended actions, number 3 stated that all students shall be over the age of 2.5 years old. He asked if that meant there would be no newborns or ages under 2.5 years.

Ms. Moore said that they had not offered anything below kindergarten. She said that when they originally got this use permit, they wanted to cover as much of a program as they thought they might at some point have, but would not have any interest in going into the childcare business.

Mr. Clayborne asked if there would be more children moved into the classrooms so the classroom sizes would be bigger, or if there was a bigger space so they would be utilizing more classrooms.

Ms. Moore said that it was both. She said that they had regulations as to what could be in each room, and there was enough rooms and space that if they actually filled them to what the space would allow, they would have well more than 150 students, but they were only asking for 150 because at that point, VDOT would require them to put in a turn lane. She said that if that were a road they would go down, they would be looking at working with the church on a major expansion project. She said that that was why even though the building could hold more than 150 students easily, they were not asking for more than that.

Mr. Clayborne asked if there were any comments from members of the public. He asked the Clerk if there were any speakers signed up online.

Mr. Karina-Plun said there were none.

Mr. Clayborne closed the public hearing.

Mr. Missel motioned to adopt SP202300002 Community Christian Academy, which was seconded by Mr. Murray. The motion passed unanimously (6-0).

SP202200029 and SE202300010 Park Road Manufactured Home Park

Mr. Kevin McCollum stated that the Crozet Mobile Home Community was a manufactured home park located in Crozet just off of Park Road, about .25 mile southeast of Crozet Park. He said that the surrounding area was primarily residential with single-family detached and attached townhomes. He said that the Crozet Mobile Home Community was an existing manufactured home park that had been in existence for over 40 years, and the property itself had 73 existing manufactured homes on 14.94 acres.

Mr. McCollum said that the existing zoning of the site was R6 Residential, and the mobile home park had been there for so long that it predated the zoning ordinance and was considered a nonconforming use. He said that the use was allowed to continue and they were allowed to replace the existing homes that need repair, but if they were to make any changes to the overall site or add units, they would need additional approvals, including a special use permit, a site plan, and a **WPO BSNB plan**.

Mr. McCollum said that the Crozet Mobile Home Community had requested to add 14 more units to the site. He said that on the screen was an image from the conceptual plan provided by the

applicant, and it could be seen that some of those additions were on Park Road, and the others were in the rear of the property near the cul-de-sac of Adele Street. He said that in addition, the proposal included several special exceptions that were intended to bring the rest of the park into compliance with their current regulations.

Mr. McCollum said that staff found positive aspects of the application, which were that the proposed use was consistent with the comprehensive plan and that 14 additional manufactured homes positively impacts affordable housing needs in Albemarle County. He said that the proposal provided a needed housing type at a level of affordability to the community. He said that staff's concerns with the application included that recreational amenities had not been provided and there was no existing or proposed sidewalk along Park Road.

Mr. McCollum said that displayed on the slide was the Crozet Master Plan recommendations for the property. He said that a majority of the property was designated as middle density residential in orange, a smaller piece was neighborhood density residential in yellow, and green systems including the stream on the property were designated with a green color. He said that the proposed density was 5.82 units per acre, which was consistent with these land use recommendations and the density in the zoning ordinance. He said that the Crozet Master Plan also emphasized the importance of a sidewalk along Park Road. He said that the future bicycle and pedestrian network map was on the screen. He said that the master plan also stated that this sidewalk connection was a top priority sidewalk in Crozet.

Mr. McCollum said that while they had the two concerns of a lack of a sidewalk along Park Road and the lack of recreational amenities, staff recommended approval of the special use permit because the concerns were details that could be addressed at the site planning stage of this project. He said that the zoning ordinance provided staff the ability to require a sidewalk along Park Road and require recreational amenities. He said that for the recreational requirement, staff did not support the waiver of these requirements, and they understood the existing park did not have recreational amenities but believed that a park with 87 units would be greatly benefited by the inclusion of at least one tot lot or other amenity possible in the open space at the rear of the lot.

Mr. McCollum said that related to the special exceptions, the many waivers and modifications requested were primarily to address the nonconforming conditions of the property. He said that some of the standards included setbacks, building separation, screening, markers for lots, outdoor living and storage areas, street design, parking, and recreational amenities. He stated that as indicated on the slide, the aerial image illustrated those existing conditions. He said that some homes and lots did not meet lot size minimums, setbacks, building separation, current street design standards such as curbing, lane width, and sidewalks, and some of the streets had off-street parking, but a majority parked in the street. He said that staff generally supported the included special exceptions for the existing homes.

Mr. McCollum said that the mobile homes themselves and the transportation network had been in existence since before the regulations went into effect, and it would be extremely costly to have to move the homes, with potential displacement of current residents. He said that the Planning Commission was not required to make a recommendation on special exceptions. He said that as seen in the staff report, there were 23 of them, and staff had provided comments and recommendations on each one and were happy to discuss them in more detail if they had comments and questions. He reiterated that the Planning Commission did not need to make a decision on any or all of the special exceptions today.

Mr. McCollum said that they did want the newly proposed homes to meet as many of the regulations as they could. He said that the proposal included 14 additional homes and were meeting a majority of these regulations, with the new units meeting setbacks, building separation, lot minimums, and having parking spaces among other things. He stated that other improvements to the site include a new alleyway to access the new units along Park Road, an expanded cul-de-sac to meet Fire and Rescue requirements and lot width requirements, and a trail access easement leading to the Jonah Street right-of-way. He said that the applicant had also included some exhibits that showed how the park could meet certain other site plan level details and requirements. He stated that staff recommended approval with the conditions as recommended in the staff report.

Mr. Murray said that in an email they received today, the applicant mentioned the cost of the sidewalks and that this was a project that benefited affordable housing. He said that there was a suggestion in there that crushed gravel could be considered instead of a traditional sidewalk. He asked if Mr. McCollum had any thoughts on how they felt about crushed gravel versus sidewalk.

Mr. McCollum said that the sidewalk was something that they could require at the site planning stage, and they agreed to view this discussion on the sidewalk moving forward. He said that he would defer to Mr. McDermott about the crushed gravel aspect of that.

Mr. McDermott said that crushed gravel sidewalk would not meet their VDOT standards, so they would not accept maintenance on something like that. He said that if that were the case, they may have to find some instrument of maintenance, and it may not be allowed to be placed within the VDOT right-of-way, so there would be a lot of details they would have to work through. He said that typically, it was not something that they would recommend for a public access sidewalk due to maintenance concerns that may result in safety issues.

Mr. Murray said that the applicant seemed to want an exception from street trees. He said that they had requirements for caliper and height for street trees, and based on his own horticultural experience, they did not gain anything by planting a large tree, and a small tree would catch up to a large tree planted at the same time. He said that he did not know if there was any leeway to the caliper and height of trees planted, but it was important for trees to be planted.

Mr. McCollum said that they would be working through street tree requirements during the site planning process, and they could consider different calipers. He said that if they were requiring a sidewalk, they would require street trees to meet the design recommended in the comprehensive plan for the streetscape along Park Road.

Mr. Murray asked if there was a reason not to make a condition about the sidewalk. He said that it was a very important piece of infrastructure, and there were a lot of neighbors nearby that were opposed to higher density precisely because of the lack of infrastructure, including a sidewalk.

Mr. McCollum said that that was an important question for the Planning Commission to consider. He said that staff did have the ability to require sidewalk and planting strip at the site planning stage, and if they wanted to include that as a condition, they could do so through the special use permit process.

Mr. McDermott added that if it were at the site planning stage, it would give them a bit more flexibility to work with the applicant. He said that if it were conditioned as a part of the special use

permit, they could not change that once the special use permit was approved, and they would have to come back to amend the special use permit in the future if there were some change.

Mr. Murray asked if there was some other way to phrase the condition more generically so that it was not so specific that it did not give them flexibility. He said that having some kind of sidewalk or something there was important, but as to the design aspects and so forth he was not caught up on it.

Mr. McDermott said that they could discuss that. He said that instead of referring to it as a sidewalk, perhaps referring to it as a pedestrian path could be included and brought forward as a discussion point to the Board if the Planning Commission wanted a change in that condition language.

Mr. Missel said that for special exception 21, related to the access to common areas, he was trying to understand the interior circulation. He asked if it was true that in order to get to the common open space, the only way to get there was by walking in roadways. He said that he saw no other internal pedestrian circulation, and asked if that was accurate.

Mr. McCollum said that he believed that was correct. He said that they were proposing a pedestrian trail and access easement, which was on the last page of the concept plan and also in the conceptual plan exhibits provided. He said that that trail led from Claudia Street to Jonah Street, so potentially could be extended further into the open space. He said that currently, it was all one property and each lot was not an individual lot, but there was no clear access to the open space. He said that staff had been onsite, and it was fairly wooded back there, with a clearing around the existing cul-de-sac toward the rear of the property. He said that if it were to include some sort of open space, it would take into account the existing trees or possibly clearing for a tot lot.

Mr. Missel said that related to that, on the last image where it highlighted the pedestrian access to Claudius Crozet Park through a proposed access trail and easement for residents, he would like to know if there was anything that would limit them on the adjoining property to be able to do that.

Mr. Bivins said that he assumed that Jonah Street was a stub-out, and they could put a path over that into the public space.

Mr. McCollum said that Jonah Street was a public right-of-way, and there was a sidewalk that existed in front of those homes.

Mr. Missel said that in terms of drainage infrastructure and stormwater management, he saw on one of the images there was a conceptual stormwater management pond adjacent to 12N and 11N in the middle. He asked if that was all that would be needed to handle the additional units. He asked if it was not a requirement to handle the stormwater runoff from the existing uses.

Mr. McCollum said that he did not know the answer to that and would defer to the engineer of the applicant to respond on that. He said that he knew that with the site plan, they would be required to do a WPO BSNB plan.

Mr. Bivins said that it was difficult for the County to say to put a sidewalk on private property that was not being redeveloped, and if it was in the 50-foot setback, if VDOT would pay to put a

sidewalk there. He said that he had been resistant to having these pieces of sidewalk that did this with nothing on either end, because it was an unfortunate burden to the person stuck putting the sidewalk in like this. He said that he would be accepting of no requirement for a sidewalk there even though it was a special exception that would go a level up from them. He said that without eminent domain on the properties west of there, there would not be a sidewalk. He said that he would prefer to see and would endorse a well-designed and enhanced trail that led to the park. He asked if the property was composed of rental units and they would not have to shave pieces of property for deeds.

Mr. McCollum said that to his knowledge, they were not subdividing it.

Mr. Bivins said that there was a requirement in the exceptions that if a home was redone or moved that it had to be set to the proper setbacks, so upon renewal of a space.

Mr. McCollum said that they were considering it as a condition to some of those special exceptions so that those nonconforming structures would meet as many regulations as possible.

Mr. Bivins said that he supported that as well.

Mr. Clayborne opened the public hearing.

Ms. Kelsey Schlein, Planner with Shimp Engineering, stated that she was representing Crozet MHC, LLC, who was the applicant for this special use permit request and also the property owner of Crozet Mobile Home Community. She said that the request tonight was to bring an existing nonconforming manufactured home park into conformance and to expand the mobile home park by 14 units on land available on the property that was currently not occupied by other units and was largely free of vegetation.

Ms. Schlein said that although they felt the request was simple, the process to get before the Planning Commission tonight had not been quite so simple. She said that they had two preapplication meetings and three rounds of revisions before the special use permit application. She said that they evaluated every line of the supplementary regulations in the zoning ordinance regulating manufactured home parks to combine their very detailed special exception matrix, and had multiple meetings with staff to get to a place where they could be before the Planning Commission.

Ms. Schlein said that throughout the process and extensive amount of work it took, she questioned how they got to a place where a manufactured home was considered to have more of an impact than a single-family home, a townhome, or an apartment, which were all permitted by right in the R6 district. She said that they were building within the by-right density and had to extensively evaluate the impacts of 14 additional units, and this evaluation would not have been required if they were proposing townhomes, apartments, or single-family dwellings within this density range on the property. She said that this was not brought up as a criticism of staff, but of the ordinance regulating these types of communities.

Ms. Schlein said that she could see the value in some of these regulations for manufactured home parks for general safety and quality-of-life concerns, but some of the required improvements made these types of manufactured projects cost-prohibitive, and these regulations were certainly were not imagined to be retrofit for a nonconforming park to become conforming, and to add 14 extra units on land available on property where the preexisting park was located. She said that a

reflection on the ordinance for requirements for manufactured homes was not a discussion for tonight, but she brought up the process and requirements to convey to the Planning Commission the depth of work done by the applicant and by staff to evaluate this proposal for 14 units.

Ms. Schlein said that indicated on the slide was a 1974 aerial photograph of the Crozet Mobile Home Community parcel. She said that the housing on the parcel predated most of the housing around it. She said that some families had lived there since the start. She said that it was ironic that they had to ask for 14 additional units after the housing had been there before other types of housing. She said that the slide showed the concept plan, with additional units proposed in some of the open areas. She said that these were the areas available and 14 was the maximum number of units permitted under the R6 density.

Ms. Schlein said that this was just a conceptual layout to show how they could adhere to as many requirements as possible given the regulations were written much later than when this mobile home community was established. She said that some of the improvements they collaborated on staff included increasing the cul-de-sac radius for Fire and Rescue access, new travelway to access units from the rear, and widening existing streets in certain areas to improve circulation of vehicles on the site. She said that they wanted to focus the improvements and costs affiliated with those improvements on safety concerns, so that was primarily where most of the effort was given in the proposal.

Ms. Schlein said that indicated on the slide was the proposed trail and access easements, the Eastern Avenue public right-of-way, the Jonah Street public right-of-way, and the public access trail dedicated to the connector trail that led to the public dog park and Claudius Crozet Park. She said that they completely understood the importance of the sidewalk connection along the front of the property and the attention given to it in the master plan. She said that it was onerous for 14 manufactured units to carry the cost of that, and it was something that could be worked out at the site plan stage with staff. She said that the section of code that required pedestrian connections said pedestrian walkways or sidewalks, so there was flexibility to what they could work out.

Ms. Schlein said that they fully anticipated that if they built something that was not VDOT standard, it could not be accepted for maintenance, and that was something that would be on the owner to maintain. She said that thinking about it more holistically and with the types of improvements the County would like to make here, in the future if the County were to comprehensively develop the 1,800 linear feet of sidewalk along Park Road between Brookdale and the park, she imagined it would be a curb and gutter section with a landscape strip and a sidewalk, especially with some of the grade challenges that existed on some of the properties as they moved toward Crozet Park.

Ms. Schlein said that even if there were a sidewalk proposed, it would not tie into future comprehensive proposals for that 1,800 linear feet. She said that they requested the Planning Commission not recommend Condition 2 along with this proposal, because they could work it through with staff at the site planning stage. She said that they had to still go through the site plan and water protection ordinance as well.

Mr. Bivins asked if there would be any demolition of existing homes.

Ms. Schlein said no.

Mr. Bivins asked if all of the work at the front of the property would allow the four structures at the front of the property to remain so that no one would lose their home.

Ms. Schlein said that was correct. She said that this was solely looking at land available that could accommodate additional units.

Ms. Schlein asked if they would be coming back again if they used all the land available to use.

Ms. Schlein said that they would have used all the density allowed on the land.

Mr. Bivins asked if there had been any consideration of the space going off of Adele Street to put a place for families to gather outside.

Ms. Schlein said that there was hesitation to implement something as structured as a tot lot due to insurance and the current policy on the property. She said that the flexibility provided with the recreational requirements, there were alterations that could be proposed at site plan, so they could propose something more natural as a place to gather that avoided those insurance concerns.

Mr. Bivins said that it seemed odd not to have a place where people could come and be with each other when it was such a small community. He said that for a community that had been there since 1974, there should be a place where people could gather in peace, so he hoped that they would create a community space for these residents.

Mr. Carrazana said that he had not heard anything from the applicant about the amenities and why that was not being provided. He said that he understood the liability concern with certain more formal amenities for sports or other activities, but picnic tables, a gazebo in the woods, and a number of other things could be appropriate. He said that the topography was not steep, so there was opportunity to include that and provide amenities for the community. He said that he knew the community and had been there with his children who played at Crozet Park, and people did walk up and down the street all the time without there being any sidewalks beyond the new developments to the east.

Mr. Carrazana said that he did not see the benefit of adding the sidewalk for a certain number of feet because people still had to walk past it where there still was no sidewalk. He said that he hoped there was opportunity to create amenities that did not require a lot of infrastructure. He said that he disagreed with the staff report's analysis that stated that there was no access to the park, because there was access to the park through the trail system and walking path.

Mr. Missel asked if Ms. Schlein could address the stormwater management and how it was handled. He asked if they had to accommodate the past development in any way, if there was sufficient room, and if there was any opportunity for that to be an amenity.

Ms. Schlein said that there was always opportunity to incorporate stormwater into some sort of amenity or something more attractive. She said that on the conceptual plan it became sort of generic, because they just showed the general shape to demonstrate that there were lands available and that they could figure it out. She said that they would only be looking at the post-development condition and not the pre-development condition, which was how it existed today. She said that especially with the travelway behind those units, they would attempt to incorporate vegetated swales and other similar things. She said that there was not much detail on the concept plan, but they felt they could work it out, however they had not yet gotten to that stage.

Mr. Missel said that it would be beneficial to think about the water protection ordinance buffer as well and the ways to engage that for a common amenity or open space. He asked if the water and sewer would all be in public easements.

Ms. Schlein said that all the infrastructure onsite was currently private. She said that it was master metered for the entirety of the site, and while it was not before the Planning Commission tonight, there was a request to expand central water and sewer, but it currently was private and the new connections would be private as well.

Mr. Murray asked if Ms. Schlein could characterize the existing trail that led to the park. He said that it was not an ADA-compliant trail by any means.

Ms. Schlein said that the current trail at Jonah Street was a natural path created by people walking in that area, where at the end of Jonah Street, they could see through the landscaped area that a natural path had been made over time. She said that it was nearest a nature trail standard at the moment, and they had proposed an improvement to that, but at present was not ADA compliant. She noted that the connector trail was also did not have an ADA-compliant surface.

Mr. Murray said that parts of the trail from the connector trail were steep as well.

Ms. Schlein said that the part between the two homes had an asphalt path, and cutting down into the right-of-way there was a natural path that people had used to get to the same area.

Mr. Murray asked if the applicant had reached out to the West Hall HOA and gotten comments from them about the pedestrian sidewalk.

Ms. Schlein said that they had not heard anything from them. She said that neighbors in proximity of this were notified for the community meeting back in January, as well as tonight's public hearing, so beyond that they had not received any comments from them.

Mr. Murray said that in another proposal coming before the Commission soon, neighbors were very upset about the lack of infrastructure, including the lack of sidewalks on that road. He said that there appeared to be a huge demand for a pedestrian connection, although he agreed it did not necessarily have to be a sidewalk. He said that if a resident from West Hall or another neighboring development voiced their support, he would feel more comfortable, but he knew that it would continue in the future to be an issue where residents were resistant to development because there was no pedestrian infrastructure to support it.

Ms. Schlein said that related to condition 2, the applicant felt that it could be addressed at the site planning stage. She said that the condition was too specific and they had to come before the Planning Commission and the Board, but it was something they could work out administratively. She said that regarding density, they could build at this density if they were building townhomes. She said that this was not an increase of impact, but they balanced this with the goals of the master plan, which they felt could be addressed administratively.

Mr. Clayborne read the rules for public comment.

Ms. Allison Woods stated that she had lived in Crozet Mobile Home Community since she had been born, which was over 40 years ago. She said that three minutes did not give her a lot of time to discuss the sidewalk and the additional 14 units, but she would say that she was glad to hear

that they were leaning toward approving the units depending on the sidewalk and other issues. She said that right now, they were the last affordable housing that Crozet had, and the other affordable housing there did not allow children in one, and the other was mostly for the elderly. She said that a lot of people on disability or the lower-income families did not have anywhere to go. She said that as far as the sidewalk situation, during her 40 years of living there, she had been on the swim team, her brothers played ball, and they had walked that road millions of times against traffic.

Ms. Woods said that she was confused about how the one section of sidewalk there would help once the sidewalk ended. She said that she drove around, and there were at least 10 different subdivisions where there were no sidewalks on the sides of the road until getting into the community. She said that entering Highlands from Route 240, Sprouse's Mobile Homes from 240, entering Western Ridge and Sentara Family Medicine, Sunrise Acres from 810, Wayland Grant from 810, Orchard Acres from 810, Jamestown Road, Claudia Court, and Brookwood Road entering from Park Road, Laurel Hills from 810 had no sidewalks.

Ms. Woods said that Buck Mountain Road from Railroad Avenue had no sidewalks, as well as from Park Road entering from Hilltop Street and Myrtle Street. She said that if they were going to make everything in Crozet equal and even, they needed to look at a lot of the other communities and sidewalks for safety. She said that as far as West Hall was concerned, with all respect, if West Hall wanted the sidewalk, they should pay for the sidewalk. She said that they had the path access to the park as well.

Mr. Jason Woods stated that he was raised at Route 3 Box S-4 Crozet, Virginia, 22932, long before most of these subdivisions were present. He said that during his first year in college, they got the route address 5475 Alfred Street, which his mother and father had lived at since way before 1974. He said that the first trailer was put in one field between 5N and 4N on the map in 1962, which the Baber family put there so they could get their home established somewhere else. He said that those lined on the right side of Alfred Street, number 12, 13, 14, 15, 16, and 17, were pushed with a bulldozer by his father. He said that his mother and father moved there in 1965, which was about 10 years before this.

Mr. Woods said that this was a close-knit family, where they had problems with each other but everyone tried to take care of everyone else's kids. He said that the reason they never had a play area was because they had Crozet Park right beside them, and they played there most of the time. He said that what was said about the sidewalk was true. He said that there was a new house built on the road past the trailer court, and while he did not have the map, it was brand new where the lot was split, and there was no sidewalk there.

Mr. Woods asked why the trailer court was being punished and the people who owned it now would ask them for the sidewalk. He said that most of the kids went through the trail in that area to play. He said that that trail on Claudia Street was there before West Hall, going from Jonah Street to what used to be Shifflett's Lane, where there was a lake that they let locals fish in and hunt around. He said that he was glad that the Planning Commission was supporting this, but his largest concern was the sidewalk which was needed, but was not on the trailer court company's dime.

Mr. Woods said that his other concern was that where the new road was proposed, he lived in number 8, his niece lived in number 9, and another neighbor lived in number 10, and there was only 19 feet there between the shed to the gentleman's side steps and there was not enough

room. He said that there was access and room between 11, where there was a natural road from the house that was there previously. He said that if they put the road there and took away 6N, they could put the picnic area there, but the way this currently was, if they pushed it they would be going into the side of his house. He said that his overall concern was that area of Alfred Street.

Ms. Linda Woods stated that she and her husband moved into Crozet Mobile Home Community as the second or third trailer in the lot, and she was still living there. She said that as far as sidewalks, there were none, but it was said that there was no zoning when they put the first lot of trailers in.

[1:04:53 inaudible response]

Ms. Linda Woods said that that was where she had raised her four sons with her husband, and she liked living there, although everyone had their ups and downs. She said that she was retired and her husband had passed away, and for seniors and people living on fixed incomes, it was a good place to live. She said that it was hard to believe that they were the second or third trailer and she was still living in the same lot where they first had their family. She said that they raised their four sons in the same lot they were currently living, and she took that as a blessing. She said that a lot of the things that Ms. Allison Woods said was true, that there were seniors living there on fixed income, and it was good because they had to budget for every month. She said that she wanted to let the Planning Commission know that she had been there her whole life.

Mr. Clayborne asked if there were any further in-person comments. Seeing none, he asked the Clerk if there were public commentors online.

Mr. Karina-Plun said there was.

Joe Fore, participating virtually, stated that he was the chair of the Crozet CAC. He said that the CAC had heard from the applicant at a community meeting in January. He said that the CAC expressed positive opinions about the project. He said that the project was critical for housing affordability and housing choice in Crozet. He said that there were concerns about the lack of pedestrian improvements. He noted that a crushed gravel pedestrian path had been previously mentioned, but that was not what community members wanted. He noted that the project was important for Crozet.

Carol Fairborn, participating virtually, asked for clarification from the developer whether the current residents of the Crozet Mobile Home Community would be responsible for covering the costs of pedestrian improvements along Park Road.

Donna Wood, resident of Crozet Mobile Village, said that she had questions about the sidewalk issue. She stated that the whole road from Crozet Park was on private property. She asked whether a section of the sidewalk would be in front of the mobile home park. She said that in terms of the community playground and meeting area, most residents of the mobile home park stayed home or traveled to visit family. She noted that most of the families visited Crozet Park or to the Old Trail Lodge for recreation, and not many kids stayed in the mobile home park. She said that it would be a good idea to use the funds for other improvements in the mobile home park.

[Mr. Kim 01:13:30] said that he lived in one of the new neighborhoods and frequented the park. He stated that there would be increased traffic with increased density and neighborhood

development. He said he was not against increased density, but he wanted there to be safe ways for children to travel to the park.

Ms. Schlein stated that they would be reviewing the access between the new and existing units along the frontage during the site plan. She noted that the units were within proximity of fire access from existing roads, so there was flexibility in how the units could be accessed by personal vehicles. She said that the new travel way would not have to meet fire access requirements. She said that in terms of safe access to the park, the residents currently had safe access through an internal trail that was proposed to be improved.

Ms. Schlein said that the trail would connect to a sidewalk then to a paved path. She said that the Crozet Master Plan estimated the 1,800 linear feet of sidewalk to cost between \$3M and \$8M. She said that the frontage of the Crozet Mobile Home Community was approximately 600 feet, or 1/3 of the total length, so 1/3 of the total cost would be \$1M to \$2.4M to provide improvements consistent with the master plan. She stated that 14 mobile home units cannot pay for the improvements, so if they had to make those improvements, they would not add units and the project would not move forward.

Mr. Murray clarified that the applicant had indicated they would be open to some other type of pedestrian connection that they would maintain.

Ms. Schlein responded yes and that they would be able to work out the level of improvement that would be affordable and feasible at the site planning stage.

Mr. Bivins thanked the applicant for providing easy-to-read and accessible documents.

Mr. Clayborne closed the public hearing.

Mr. Clayborne stated that the Commission would take action on the special use permit, and there were three elements that they could discuss and add to. He said that the Commission would not take action on the special exception, but he wanted to frame the discussion for the matter.

Mr. Herrick confirmed that the Commission was required to provide a recommendation on the special use permit. He said that the recommendation for the special exception was optional.

Mr. Bivins said that he supported the project. He said that he wanted to provide staff and the property owner the opportunity to determine the best way to create mobility along the site frontage. He noted that there were times when the County engaged in a sidewalk project, and he suggested that the County consider a sidewalk project on the site. He said that the proximity of the property lines to the street would make the sidewalk project expensive. He noted that the Board had discussed workforce housing. He requested that staff and the Board work to make the project approved with the necessary flexibility to comply with the special exceptions.

Mr. Carrazana said he supported the project and agreed with Mr. Bivins' comments. He said that he did not want to make the site planning stage onerous. He said that the property and trailers should not bear the burden of the sidewalk improvements.

Mr. Missel said that he supported the project. He said that it would be an excellent addition to the affordable housing vision of the County. He said that he thought of ways to balance quality-

of-life and safety considerations. He said that an opportunity for some form of amenity or open space would be beneficial. He said that he was concerned about the way the recommended actions were written and that he wanted to ensure the applicant would not be tied down.

Mr. Missel said that roads, alleys, and cul-de-sacs were required to be in general accord with the conceptual plan, and there were concerns about the proximity of the road to the existing trailer homes. He said he wanted to allow flexibility to tweak the conceptual plan as needed. He noted that there would be a 50-foot setback from the public street that would provide a space for a future connection. He said that if there was a way to install a lower-cost, temporary access across the frontage, then the County would get the benefit of the path, and a safe, walkable area for pedestrians would be provided.

Ms. Firehock said that she agreed with the comments from other Commissioners. She clarified that the project was not an application to develop expensive homes or townhouses, and the owner did not propose to sell the property to develop at a higher density. She said that they were not up-zoning the site, but they were allowing the installation of more affordable housing units. She stated that in the County, the state, and across the south, they were seeing the loss of mobile home parks. She noted that the properties were becoming valuable, and they were being sold and developed into expensive housing, displacing the residents. She said that the project was an opportunity to add more affordable housing. She said that it was not appropriate for an owner to bear the cost of a VDOT-standard sidewalk to serve the property because they were not realizing a tremendous financial benefit. She said that they could consider a more primitive path that met ADA standards. She said that trees would provide a buffer between the new trailers and the roadway. She noted that tree plantings acted as a traffic-calming measure. She said she would support a primitive path as a temporary measure.

Mr. Murray said he agreed with Ms. Firehock's comments. He said that it was important for the Commission to support a pedestrian connection, but it did not need to be a paved, VDOT-standard sidewalk. He said that at the CAC meeting, a concern was expressed regarding the ability of the applicant to convert the site to apartments at any time. He said that if the site were converted to apartments, it would be by right, and they would not be required to build a sidewalk. He said that it was important that there was a strong commitment for a pedestrian connection. He noted that small tree saplings would catch up to a five-foot tall tree quickly.

Mr. Missel clarified that his comments were regarding conditions to be part of the site planning stage, not the special use permit.

Mr. Clayborne stated that he supported the project. He noted that there was conversation regarding connecting pedestrians from Adelle Street to Alfred Street with some sort of path. He noted that flexibility was important for the site planning stage, and there was a consensus from the Commission.

Mr. Murray stated that a pedestrian connection should be a condition of approval. He suggested that the condition be phrased to provide staff flexibility in design.

Mr. Clayborne noted that there was no opposition to Mr. Murray's request.

Mr. Herrick stated that the paragraph at the end of the first condition addressed concerns regarding allowing minor modifications. He suggested that if there was the desire to make a motion to approve, the commissioner making the motion should specify the desired

modifications.

Ms. Firehock suggested changing the word "sidewalk" to "pedestrian pathway".

Mr. Murray suggested changing "sidewalk" to "pedestrian connection" and striking "meets all County and VDOT standards".

Mr. Missel asked whether street trees were defined per County definitions or if there was flexibility in the definition.

Mr. Murray moved to recommend approval of SP202200029 Park Road Manufactured Home Park with conditions as recommended in the staff report and as amended, for Condition 2 to read as, "provide a path and trees along Park Road from Adelle Street to Alfred Street." The motion was seconded by Ms. Firehock and carried unanimously (6-0).

Mr. Clayborne stated that they should frame the discussion of the special exception with three questions. He asked that the Commission consider whether it agreed with the staff recommendations and whether they felt items were missing.

Mr. Carrazana noted that Condition 22 related to the sidewalk discussion. He said that it was difficult to see the sidewalk connection happening within a reasonable timeframe. He said he supported a pedestrian path, but it would not be a meaningful improvement. He said he disagreed with Condition 22.

Ms. Firehock said she agreed with Mr. Carrazana.

Mr. Missel said he agreed with Mr. Carrazana.

Mr. Murray noted that Condition 23 was related, too.

Mr. Bivins said that Condition 21 related to recreational equipment. He said that he hoped there would be a conversation or resolution that would improve and enhance the existing conditions without creating additional costs and expenses for the applicant.

Mr. Carrazana said that improvements should be made to the park rather than requiring amenities on the development site.

Mr. Murray said he agreed.

Mr. Missel said that he agreed.

Mr. Bivins said that when the item comes before the Board, the applicant should present about how the community had been engaged.

Ms. Firehock said that more young people could move to the mobile home park, so they should consider adding picnic tables or grill pits.

Mr. Carrazana said that the funds for those amenities could be used to make more meaningful improvements in the park. He noted that onsite amenities did not seem to be a high priority for the residents.

Mr. Herrick clarified that while the Commission was not required to take action on special exceptions, they were not precluded from making a motion or formal recommendation to the Board. He said that if the Commission generally concurred with staff recommendations, there could be a motion from the Commission that it concurred with the staff recommendations with the exception of Condition 22 and Condition 23.

Mr. Herrick stated that Condition 21 related to recreation, 22 related to sidewalks, and 23 related to street trees. He noted that his understanding was that the Commission was unconditionally recommending Condition 22 and 23. He clarified that the Commission was recommending those special exceptions be granted regardless of whether there was to be sidewalk or street trees.

Mr. Murray clarified that they were in general accordance with the special conditions with the exception of conditions 22 and 23.

Mr. Herrick clarified his understanding that the Commission mostly concurred with the staff recommendations. He noted that there were some special exceptions that staff did not recommend, and the Commission was agreeing with the staff recommendations for approval and disapproval with the exception of conditions 22 and 23.

Mr. Murray moved that the Commission was in concurrence with the special conditions in the staff report with the exception of conditions 21, 22, and 23.

Mr. Herrick asked Mr. Murray to specify what the Commission was recommending in terms of Condition 21.

Mr. Clayborne stated that they should hold a community conversation as to whether it was appropriate for the site.

Mr. Herrick clarified that the staff recommendation was to not recommend the special exception to allow an exception to the community recreation requirement. He said that if the Commission agreed with staff that the community should be held to community recreation equipment requirements, then the Commission was concurring with staff and the recommendation for Condition 21.

Mr. Murray noted that they had voted on the conditions that would apply to the application. He suggested that they not take action on the special exceptions, and the comments would still be sent to the Board.

Mr. Carrazana stated that there was a benefit in clarity for the Board. He noted that there was still some miscommunication. He clarified that staff did not accept the variance.

Mr. Herrick stated that staff was not recommending approval to allow an exception to the community recreation requirement.

Mr. Carrazana clarified that the Commission did not agree with the staff recommendation.

Mr. Herrick asked if the Commission did not agree with the staff recommendation because it believed there should be a special exception allowing an exception to the community recreation

equipment requirements.

Mr. Carrazana stated that the same opinion applied to the sidewalk, and they should not be required to build the sidewalk.

Mr. Herrick asked if the Commission was recommending special exceptions to conditions 21, 22, and 23.

Mr. Carrazana said that was correct.

Mr. Clayborne asked staff if they had clear direction.

Mr. McDermott responded that they would be able to take the notes and move forward with them rather than making a motion. He said that in terms of the recreation requirements, the code allowed the Director of Planning to allow exceptions to the specific recreational amenities. He said that if they believed a tot lot was not appropriate during the site plan stage, it could be changed to picnic tables or another type of recreation amenity.

Mr. Bivins said that when a group came before them for a recreational facility in Crozet Park, he requested they install a stop sign at the exit of the park. He said that there was still no stop sign even though the group had agreed to install one. He said he verified the other day that the stop sign did not exist.

Mr. Murray noted that residents of West Hall had discussed an area where there was a stop sign that had been removed. He noted that there were safety concerns. He said that they should consider traffic-calming measures along the road because there was a need.

Mr. Missel asked how it would be conveyed to the Board that the Commission did not agree with special exception conditions 21, 22, and 23. He asked whether there would be an accompanying document with the Commission's opinions. He asked whether it would be helpful to include a motion.

Mr. McCollum stated that they would include the Commission's stance in the transmittal summary of the discussion points.

Mr. Bivins noted that the Board read the Commission minutes.

Committee Reports

Ms. Firehock stated she attended the 5th and Avon CAC meeting. She said the CAC received a presentation about pedestrian improvements to be made along Avon Street. She noted that to make a pedestrian connection work, there were a number of spots that had to cross an on- or off-ramp. She said that two proposals were provided, and they were posted online and available for review. She stated she attended the opening of the recycling center.

Review of Board of Supervisors Meeting: June 21, 2023

Mr. McDermott said that the Board did not take up any items previously reviewed by the Commission. He said that there was a public hearing on the Rivanna Station Futures project and what uses would be allowed. He said that additional work would be required, and he

imagined that the Commission would take on some of that work.

Old Business/New Business

Mr. McDermott stated that the first phase, Planning for Growth, was where they reviewed the growth management policy and developed the plan framework and performed the land use buildout analysis. He said that as of the start of 2023, they had started Phase 2. He said that they were reviewing the main topics of the comprehensive plan, which included items like transportation, land use, parks and recreation, community facilities, and economic development. He said that they reviewed draft toolkits. He said the final part of Phase 2 would review draft goals and objectives.

Mr. McDermott said that Phase 2 had been broken up into three main topic areas. He said the first area was topic area reports which they had reviewed and received public feedback. He said that the reports were available online, and they had presented some of the public feedback to the Commission. He said that currently, they were in the toolkit development section. He said that parts of the toolkits reviewed topics such as activity centers and growth management. He said that they presented the toolkits to the Commission in the first phase at the last Commission work session.

Mr. McDermott said that they had finished the public outreach, and they would hold one more public meeting in an online forum to present all of the topics. He said that he would notify the Commission when a date was set for the online meeting, and they hoped it would be scheduled in the first two weeks of July. He said that they would come back before the Commission during the first meeting in August, and he wanted to dedicate the entire meeting to covering the item.

Mr. McDermott said that they wanted to format the presentation to be a roundtable discussion. He said that they would next move into the goals and objectives, the final section of Phase 2. He said that they were working with stakeholders regarding the goals and objectives, and they would discuss them with the Commission later in 2023. He said that two additional work sessions had been added that were not shown on the schedule.

Mr. Murray stated that the drafts that had been floating around had now gone to public comment, then would be brought back to the Planning Commission in August. He said that it seemed that some of those were pretty big topics, and it felt overly optimistic that they would be able to encompass all of those topics in one meeting in August.

Mr. Clayborne said that they had not really looked at the agenda, but one of the things they committed to doing the last time they were here was to make sure they had the appropriate amount of time on various topics and were not trying to address too many at once. He said that it would be most appropriate when they got to that point to look at the agenda and see how it was laid out, then could tool it as the day got closer. He said that it was premature to ask, but he acknowledged Mr. Murray's concern, and they would make sure they had the time and place for these discussions.

Mr. Missel said that in addition to these very helpful tools, it would be beneficial to have a simple bulleted list of the areas that would be focused on in that agenda so that the Commissioners knew what they had to deal with in each of those meetings.

Mr. McDermott said that one of the issues that they would like to address was that staff was not providing the Planning Commission with enough of that information prior to the meetings, so they were going to try this time to put together a report that would be sent out to the Commissioners at least one full week in advance of the meeting with the information collected by staff and the public feedback. He said that it would be posed to the Planning Commission as the topic and staff's analysis, feedback thus far, and options that they would like to receive feedback from the Commission on.

Mr. McDermott said that it gave them the opportunity to identify the areas that they may want to research further in the comprehensive plan, and if the Planning Commission felt they did not need further discussion, that would also be an option. He said that they would have the opportunity for everyone to provide the amount of feedback necessary, and there would be nothing else scheduled for that evening, so that it would be up to them to decide how long they wanted to discuss this. He said that they would not cut off the discussion time, and they would try to guide the discussion in order to get the appropriate amount of feedback.

Mr. Murray said that regarding structure, it was important for some of these policies, particularly the policy about expanding the growth areas, for them to have a motion and vote by the Planning Commission as opposed to providing informal feedback. He said that he hoped they would get to that point with some of these policies because they were significant policies that had been in discussion for years, and the public deserved that.

Mr. Clayborne said that they were going to try this in August and have dialogue to see how it worked. He said that as a first step, what staff had laid out was very strong. He asked for everyone to bring this partnership and their open minds to the August meeting to see what the new and revised agenda was like, and they could always make adjustments.

Ms. Firehock said that part of her concern that may have not been well-expressed in the past was that the Commission gave comments to the consultants, the consultants thanked the Commission, then presented it to the Board, where they also gave comments, then the plan was presented to the public looking exactly like what the Planning Commission was given. She said that her question was that if they were going to spend time wrestling with an issue, were they giving enough time for the consultant to incorporate those comments appropriately and present something different to the Board.

Mr. Firehock said that otherwise, it was just passing along the same thing back to the public. She said that she was concerned that she did not see the edits, and saw the exact same thing going out to the public. She said that she wanted to make sure there was time to analyze what the Commission suggested, then for that to be incorporated into their presentation to the Board, rather than presenting the minutes of the Planning Commission meeting along with the exact thing they had just looked at.

Mr. McDermott said that he understood.

Ms. Firehock said that she did not mind if it took longer because she wanted to make sure they did it right.

Mr. McDermott said that the timeframe was set by the Board and they were trying to act under the direction of the Board for the amount of time it took. He said that at this point, the only task they had completed and brought forward was the framework analysis, which was presented to

the Board and to the public, then to the Planning Commission, where they gave great feedback during the work session on that subject. He said that they then went to the Board, gave the results of that, provided a report as part of that Board packet beyond the minutes, and that report outlined the comments provided by the Planning Commission so that the Board understood what was expressed.

Ms. Firehock said that that made sense. She said that the activity centers and growth area went right on out to the public and looked just like what the Planning Commission had seen.

Mr. Bivins said that his expectation was that all of that information was coming back to the Planning Commission to analyze again. He said that he did not feel left out at this point in time because nothing had gone through them to go to the Supervisors. He said that things had gone to the public, but he anticipated that there would be an opportunity for the Planning Commission to take that package and analyze it further. He said that there was no voteable item here because they were just having discussions about things, and if there was an expectation from the public, the public could say what they wanted to, and he would freely share his opinion and engage in some difficult situations on things they were passionate about. He said that he did not think those issues had to have a yay or nay vote.

Ms. Firehock said that there may be differences of opinion that had not been expressed yet on certain topics, and if there was general consensus on an item, it was worth reporting. She said that they did not have to vote on it, but she knew that when she talked to her Supervisor, he would ask how the other Commissioners felt about that or if they generally agreed about parts of the comprehensive plan, but there had been nothing recorded. She said that they could capture consensus or items of agreement.

Mr. Bivins said that that was fine. He said that there was a space for them to have consensus, and he expected there would be a number of issues they gravitated around easily, but there would also be nuance, and that was why the vote was unnecessary. He said that the nuance was a helpful piece to include and should not be limited to a yay or nay.

Mr. Murray said that he was okay with the terms of procedure of asking if there was consensus and confirming what that consensus was on that topic. He said that it did not need to be a formal vote. He said that for some of these things, if there were actual documents being reviewed about their guidance for how and when the growth areas expanded, he hoped at some point they voted on that. He said that there should be record of whether or not they as a Commission agreed or not agreed with that.

Ms. Firehock said that if it was going into the comprehensive plan, there would be a point at which they voted on whatever it was to advance that to the Board in whatever state it was at that time.

Mr. McDermott said that they would continue to work through taking Commissioners' comments and making sure those were reflected as they developed the actual document of the comprehensive plan, which would ultimately come to the Planning Commission for a recommendation of approval. He said that in August, they wanted to present to the Commission some clear items that they could voice their feelings on, then be able to ask them if they reached a general consensus and if they had an opportunity to express their thoughts. He said that one of the consultants was a professional facilitator who they would like to have organize that discussion so that they knew how to walk through that process of analyzing items and determining consensus.

Mr. Bivins said that he would like the Chair and staff to consider that they discuss this not on the dais, but in a workroom.

Mr. Clayborne asked if there were any further questions of staff. Hearing none, he moved to the next item.

Old Business

There was none.

Items for Follow-Up

Mr. Clayborne stated that Mr. Missel, Mr. McDermott, and himself had been taking notes on how to integrate staff presentations on different topics into Commission discussions into the comprehensive plan. He said that the update would be forthcoming, and if there were specific topics that Commissioners thought would be valuable to have insight on during these discussions, to please let them know so they could be incorporated.

Mr. Missel asked if staff could send a list of those so that everyone knew what was being discussed.

Mr. Murray said that he hoped there would be a discussion on having more than one comprehensive plan designation for the rural area. He said that that was a topic that needed to occur, and he had not seen any discussion on that.

Adjournment

At 8:17 p.m., the Planning Commission adjourned to the next scheduled meeting on July 11, 2023.

Kevin McDermott, Interim Director of Planning

(Recorded by Alberic Karina-Plun, Planner; transcribed by Golden Transcription Services)

Approved by Planning Commission
Date:
Initials: