

**Albemarle County Planning Commission
Work Session and Regular Meeting
Final Minutes September 26, 2023**

The Planning Commission recessed the meeting at 5:15 p.m. and reconvened at 6:00 p.m.

Call to Order

Mr. Clayborne called the meeting to order at 6:00 p.m.

Ms. Shaffer called the roll.

Mr. Clayborne established a quorum.

Other Matters Not Listed on the Agenda from the Public

Mr. Clayborne asked if any members of the public would like to speak. Seeing none, he asked the Clerk if anyone was signed up online to speak.

Ms. Shaffer said that there were none.

Consent Agenda

Mr. Clayborne said that there were no items on the Consent Agenda.

Public Hearing

ZMA202000012 Montclair (Formerly known as White Gate Village)

Mr. Cameron Langille, Principal Planner in Community Development, said that he would be giving the staff presentation on ZMA202000012 Montclair. He said that to begin, he would explain the specifics of this proposal. He said that the main request was a rezoning application to change two parcels of land to the neighborhood model zoning district. He said that there was also a private street authorization request and a special exception for a sidewalk waiver and a planting strip waiver. He said that there was an ACSA jurisdictional amendment application, but the PC did not actually have to act on it as it was handled by the Board.

Mr. Langille said that to give context of where the subject application was located, he indicated on the slide the parcels were highlighted in yellow, and it was at the southeastern corner of Park Ridge Drive, Route 240, and Crozet. He said that to the east was the Wickham Pond subdivision, further east was the Highlands neighborhood, and then immediately south of these two properties was actually a CSX railroad right of way, but further south, and that was the Western Ridge neighborhood. He said that west along 240 was actually some primarily vacant land that used to be industrial areas.

Mr. Langille said that on the slide was the current zoning map that displayed TMP 56E-2 in light blue, which represented the light industry zoning district, and TMP 56-91A in white, which represented the rural areas zoning district. He said that these two parcels were located in overlay districts, including the entrance corridor and managed and preserve steep slopes. He said that

the future land use plan from the County's master plan highlighted the parcels in yellow, with different colors representing different future land use classifications. He stated that these classifications indicated the types of uses that could occur if a special use permit or rezoning application was ever proposed on these parcels.

Mr. Langille said that both parcels were located at the northern side and had a green color, which represented open space areas or amenity areas, and specifically the Crozet Master Plan called for landscaping buffer for the reason that across Route 240 from these parcels was the comprehensive plan's rural areas. He said that the landscaping buffer was intended to serve as a screening for any uses that may occur here. He said that the orange color represents the middle density residential future land use classification, which recommended dwellings at six to 12 units per acre, including single-family detached homes and townhouses.

Mr. Langille said that the future land use classification allowed for up to 18 dwelling units per acre if they were small or small dwelling unit types, or affordable dwelling units. He said that the yellow color on the south side of these two parcels represented neighborhood density residential and allowed for lower density residential dwelling unit types such as single family detached homes. He said that attached units were also permitted but the density range was three to six units per acre. He said that the green area that ran diagonally from the southeastern corner to the property boundary represented an area with a Water Protection Ordinance stream buffer. He said that that meant no roads, houses, or physical improvements could be built on this land aside from some landscaping.

Mr. Langille said that the next slide showed the application plan for Montclair, included as Attachment 4 in the package received by the Planning Commission. He said that the specific image was sheet 5 of Attachment 4 and was the basic block layout network for this project. He said that they had four blocks, three of which were where the primary development could occur, and block four was shown in green and was meant to remain as open space or environmental features and was referred to as a conservation area in the application plan. He said that the specifics of this were that this developer would like to do a maximum of 122 dwelling units. He said that dwellings were permitted as proposed in blocks one, two, and three.

Mr. Langille said for the gross density of this project, it would come out to 8.18 units per acre, and the net density was 10.9 units per acre. He said that they were asking for the ability to do some non-residential uses here and that could be commercial and retail. He said that in Attachment 5, which was the code of development, there was a table in there that listed out specific use types, so it was basically columns that had the use and then by block whether it was permitted by right or not permitted. He said that he could go over any questions about the code of development later once they got to the question and answer point. He said that one thing to note was that this block four measured 2.8 acres, but there were some other features that they were going to be protecting which he would show on a later slide, so overall it was almost three acres minimum of open space in this project.

Mr. Langille said that on page 7 of the Attachment 4 of the application plan was the circulation transportation network inside of the project. He said that the dashed lines along all the streets represented different modes of transportation, including traffic flow itself. He said that the darker dashed line had arrows on each end, which meant that two-way traffic would be allowed on those streets. He said that the project was going to be served by two public streets as their primary entrance and egress to the project. He said that one of them was going to enter or exit onto Route

240, which goes north to south, and it was in block one. He said that the other public street was shown right here, and it would connect to Park Ridge Drive, and then also Wickham Pond Way.

Mr. Langille said that the other streets showed a lighter gray dashed line, which were internal private streets where dwellings would have their driveways and be located. He noted that it was visible on several sheets of this application that this applicant was proposing to reserve almost one third of an acre of land along the frontage with Route 240 to dedicate to the County so that a 10-foot-wide shared use path could be built along that property frontage. He said that the orange hatched line along Route 240 represented that.

Mr. Langille said that the next image on the slide was from the application plan and showed that orange color indicated building footprints. He said that there were some architectural specifications in the code of development, and this project was reviewed with ARB staff because it was in an entrance corridor. He said that the regulations pertaining to building height allowed for a maximum of 45 feet or three stories tall. He said that there were other architectural features required for facades such as porches, balconies, and projections. He said that on another topic, the developer was proposing to do 15% of their overall units at 80% AMI. He said that in this case, it would be 18 units if they developed out to the maximum of 122 dwelling units.

Mr. Langille said that Attachment 11 in the Planning Commission packet was an analysis by Stacy Pethia with their Housing Office that went over this in more detail and supported the affordable housing proposed. He said that again, there was a green color on the slide which represented a 100-foot wide and deep landscaping buffer that the developer was proposing to plant. He said that there were some more details between the code of development and the application plan about spacing and sizing of the landscaping, but it was meant to serve as a screening for the actual development as they got further into the site.

Mr. Langille said that there were a couple of pages in the staff report that talked about another aspect of this request, which was that there were a couple of areas of preserved steep slopes on the westernmost parcel. He said that the developer had asked that those be treated as part of this rezoning approval as managed steep slopes. He said that when a developer requested to go into the neighborhood model district, that could be done as part of the approval of their application plan.

Mr. Langille said that Planning staff and their Engineering Division staff had reviewed the analysis provided by the developer when requesting that and found that the preserves slopes met most of the criteria for managed steep slope areas, particularly that preserved slopes were supposed to be contiguous areas of 10,000 square feet or larger where land exceeded 25% topography, and these three areas in total measured 3,800 square feet. He said that they had evidence dating back to the 1990s that these areas were created by the installation of an existing stormwater pond on the property and an existing driveway that came off Park Ridge Drive and served this structure here.

Mr. Langille said that they were likely manmade and were below the size threshold for preserved slopes, so staff was supportive of the request. He said that there were a few additional things, one of which was a private street authorization request for four of the internal private streets, which did require Planning Commission approval and did not need to go before the Board; the Planning Commission made the final decision on private street requests when they were serving residential dwelling units. He said that as part of the private street request, they were also

requesting to waive and vary the sidewalk requirement along some of these streets, specifically private roads A and B, they wanted to waive the sidewalk that was required on both sides.

Mr. Langille said that streets A and B were unique in that they functioned like an alleyway. He said that all of these structures here would have rear loading garages facing this private street, with the front doors looking outwards towards open space areas, amenity areas, or main public streets. He said that it did not really make sense to have sidewalks along that alleyway. He said that the application plan showed where pedestrian transportation infrastructure would be available through the network of public streets and private roads with sidewalks.

Mr. Langille said that there was also a request to waive and vary some planting strip requirements. He said that in the County's development areas, all public or private streets were required to have a 6-foot planting area between the sidewalk and the curb and gutter, however, they were requesting to waive that requirement entirely along those two roads that will function as alleyways. He said that on two private streets, they were requesting to waive the requirement on one side only, so there would still be sidewalks and planting strips on this side of these two private streets. He said that staff had reviewed these requests and was supportive of approval of all three requests.

Mr. Langille said that the entire proposal was consistent with the land use recommendations of the Crozet Master Plan, and it was also consistent with the Neighborhood Model Principles outlined in the Comprehensive Plan. He said that this request would provide some new transportation improvements that were called for by the implementation chapter of the Crozet Master Plan, specifically the 10-foot-wide shared use path. He said that the developer was putting in to do 15% affordable housing units which was consistent with their Affordable Housing Recommendations from the Comprehensive Plan.

Mr. Langille said that an unfavorable factor that they were able to identify relates to school enrollment. He said that right now, Western Albemarle was over capacity, and based on the dwelling unit types that were proposed in this project, it was anticipated using some figures from the school system that there would be about 14 new students at the high school level generated by this project, so the school was already over capacity, and this would further contribute to that capacity issue at Western Albemarle.

Mr. Langille said that to summarize, staff recommended approval of ZMA202000012 because the favorable factors outweighed the unfavorable factors. He said that they recommended approval of the private street authorization requests, as well as the sidewalk waiver and the planting strip request. He said that they cited the specific code sections where those findings were authorized in the Subdivision Ordinance.

Mr. Murray said that he assumed that the recipient had received a PDF containing a list of concerns. He said that one of these concerns was the lack of a turn lane on Three Notch'd Road. He asked if there was any input regarding this issue.

Mr. Langille said that any time when a zoning map amendment was proposed in the County, they sent a copy of the proposal to the Virginia Department of Transportation (VDOT). He said that VDOT was one of their partner agencies that reviewed these development projects with them. He said that after the first review, VDOT provided a comment letter with specific requests for turn lane warrant analysis for Park Ridge Drive and the entrance onto Route 240. He said that VDOT gave this analysis to them, and he did not initially include a copy of it, but he would likely include

a copy in the staff report when it went to the Board. He said staff's analysis found that this project would not trigger the need for any turn lanes into there, and VDOT agreed with that analysis, so that was why there was not any turn lane shown. He said that specifically the materials sent to them from the members of the public were asking about a right-turn lane from Route 240 into the site, and that turn was analyzed by VDOT.

Mr. Murray said that there was a roundabout suggested for a future date. He asked if Mr. Langille could discuss that.

Mr. Langille said that he believed that came from the Crozet Master Plan which called that out as an implementation project at the intersection of Route 240 and Park Ridge Drive. He asked Mr. McDermott if he had anything further to add.

Mr. McDermott said that he recalled that intersection at Three Notch'd Road and Route 250 and Route 240. He said that there was a roundabout that was fully funded at that location at this point. He said that VDOT held a public hearing two weeks ago for the roundabout at Routes 240 and 250, and that was fully funded and recommended to be constructed in the 2025-2026 timeframe. He said that this project caused some confusion for the community because it had actually been funded many years ago, but for some reason VDOT was unable to complete it for a long time, and they now included it in a package that had gone out to bid for a contractor to be constructed.

Mr. Murray said that they had heard recently that there had been some complications in that prices increased dramatically regarding the Eastern Avenue Connector due to the bridge. He asked if there was any update on that. He said that it sounded like currently, the bridge was not viable as a project, which really impacted the Crozet Master Plan if Eastern Avenue could not be built in the next 20 years.

Mr. McDermott said that they were not considering the project not a viable option at that time, but they were looking for an alternative way to deliver it, and staff was working on that right now. He said that sometimes working with VDOT, they could come up with some unreasonable price estimates, so they may have to work around that issue, which was what they were doing currently. He said that recently, he did talk to the Board about this project, and they had money available through the County Capital Improvement Plan as well as some state money for construction. He said that they had funding but were trying to find an alternative way to deliver the project that would remove the need to use the process that came up with that estimate.

Mr. Bivins said that on page 5 of the context plan, he would like to know what was possible on the two pieces of property that adjoined block one. He said that he assumed that the area outside of the ZMA would continue to remain as green space.

Mr. Langille apologized for not mentioning that previously. He said that that property on the west side of the ZMA's proposal was only being rezoned to a light industrial district, while the remainder, the southern half of it, would remain as a residue parcel in the same zoning district, and would not be changed to a neighborhood model district.

Mr. Bivins said that on page 4, it said that it was Barns Crozet, LLC. He asked if that could be developed at some point in the future.

Mr. Langille said that that was actually a block that was able to be developed as mixed use. He said that there was non-residential square footage available in that lot, but it had not been built yet.

Mr. Bivins asked if that was not a part of this plan.

Mr. Langille said no, it was not a part of this plan.

Mr. Clayborne said that in situations where public streets intersect with private ones, there was often a Memorandum of Understanding (MOU) between the local government and the landowner to maintain a certain level of quality. He asked how that would work in a situation such as this.

Mr. Langille said that they used to require a document called a maintenance agreement was required to be recorded with a subdivision plan. He said that this document specified the timing and responsibilities of property owners who adjoined a private street to ensure the cost sharing for maintaining it was equally distributed. He said that they no longer required this maintenance agreement, but every private street that he had seen get approved since the maintenance agreements had gone away contained covenants in its deed that addressed how the costs of maintaining the road would be evenly distributed among property owners.

Mr. Clayborne asked if the applicant had a presentation.

Mr. Vito Cetta, architect and developer, said that Albemarle County had experienced an increase of 1,500 people in its population each year, requiring about 800 new residences to be built to accommodate them. He said that the comprehensive plan was used to absorb those units, and in his opinion had been incredibly successful. He said that the comprehensive plan was started in 1971 and over 60% of the homes built in the County were located in rural areas. He said that now, that number had come down to around 16%. He said that the comprehensive plan focused building in the growth area. He said that for the public, the map on the screen displayed the three areas where the comprehensive plan applied, which were Glenmore to the right, around the City in the middle, and Crozet to the left.

Mr. Cetta said that to the north, their site was located on the edge of the growth area, with nothing but farms beyond it. He said that they were fortunate that their County's development was in accordance with the comprehensive plan. He said that as an example, on the screen was a picture of Garth Road, which looked as it did 30 or 40 years ago while still being very close to the City. He said that areas of Route 29 south and Interstate 64 were undeveloped because of the comprehensive plan. He said that the next slide showed a graphic of the proposal and the four different housing types. He said that Wickham Pond was to the right. He said that the next slide was an aerial photograph showing the greater area, indicating that all of the areas south and all the areas east had been processed and approved through the County just like this project.

Mr. Cetta said that the next slide showed a depiction of Wickham Pond. He said that 12 projects had been developed through the County with the same rezoning process as the current proposal, and Wickham Pond was one of their projects that consisted of 165 units, with 28 affordable units, and the top-left parcel was intended to be a mixed-use project of high density residential and commercial, although they did not own it. He displayed photographs showing the views along Wickham Way.

Mr. Cetta said that project included picket fences, front porches, and green strips. He said that the townhouses at Wickham Pond had front-loaded garages and front porches, which had improved on that at Montclair so that the garage would be put to the rear, giving them two parking spaces there. He noted the trees planted along the green strip. He said that Habitat for Humanity had built affordable units for sale, and they were very successful.

Mr. Cetta said that the next image showed affordable units that the County referred to as bungalows, but they were actually townhouses with one bedroom and a den. He said that the units pictured were built 15 years ago and were still considered affordable today. He said that the next image showed a green strip that was 100 feet wide with a 10-foot walkway. He said that referring again to the graphic of the proposal, the bottom units were villas with two-car garages and an apron in the front and faced onto 100-foot open space. He said that the top units could be either 22-foot-wide townhouses or could become the bungalow units, with three or four units in the building.

Mr. Cetta said that to the left on this site was the Habitat for Humanity's 12 homes, and to the bottom left was a daycare center, which would buy the parcel to the left to change their parking and perhaps expand their facilities. He said that they had some common areas, playgrounds, and courts at the site. He said that the site had not been lived in for about 40 years. He said that the photograph on the slide showed mature cedar trees that they intended to keep. He said that the villas were 32 feet wide with a two-car garage and two cars on the apron. He said that the townhouses were 22 feet wide and could accommodate either one townhouse or up to four small units.

Mr. Cetta displayed another photograph of the townhouses facing the green strip. He said that this issue and the slight variance they asked for was the same. He said that people parked as guests and walked up to their units and were not on a regular street. He said the next image showed what the alley looked like, with two-car garages and guest parking spaces behind them. He said that the landscaping had made it an attractive place. He said that this did not have an official sidewalk in the area, but there was a path for walking. He said there were some parks in this space and a gathering place near the villas.

Mr. Cetta said that on the right side of the slide was an example of a bungalow design that could fit two efficiencies on the bottom level and two bedrooms above, with four units in total. He said that the design had the same footprint as a townhouse. He said that the next slide showed on the right 440 square foot efficiencies, with one bedroom and two bedrooms. He said that the next image was looking north, and beyond the site was farms.

Mr. Cetta said that they had previously developed Liberty Hall near Harris Teeter on Route 250, which the County requested be a live-work building. He said that this design included commercial spaces on the lower level and townhouses above. He said that across from the townhouse, they built ten affordable 16-foot-wide townhouses that were sold as affordable units. He said that their first project in Crozet was Parkside Village, which was pictured on the slide and featured white picket fences, front porches, and interesting landscaping. He said that he was very proud of this one, and all of the trees had been planted by them.

Mr. Bivins asked what type of structure the building in block 2 would be and if it was part of Bright Beginnings.

Mr. Cetta said that this was drawn before they talked to Bright Beginnings. He said that they were talking to them at length. He said that they were talking about doing a variety of things. He said that one was that they need more open space. He said that they had introduced a trail, a loop trail that goes through that open space. He said that would be their use, but also the Bright Beginning's use. He said their parking was awkward. He said that they may be parking in the area where that building was shown.

Mr. Bivins said that there was a maximum height of 45 feet in the code of development. He noted this will accommodate a variety of housing styles that were shared with the Commission.

Mr. Cetta said yes. He said that he believed the height of the building was the average height of the roof to the ground area, and they could accommodate the request.

Mr. Bivins said that all types of houses, including studios and townhouses, as well as bungalows and single-family homes were in block three.

Mr. Cetta said that even though those townhouses were built, which were out of bounds, was that they actually had a fourth floor known as a mezzanine by definition. He said they possessed a deck, and they did not exceed the permitted height either.

Mr. Carrazana asked if that one development to the southwest was that the only non-residential development in the property.

Mr. Cetta said that was the Liberty Hall. He said that they lived in a free market economy. He said they were proposing to build something, and they showed a commercial space. He noted that to the right of this image, there was a large piece of land that was zoned 16 years ago. He said the commercial industry did not step forward and say they wanted to use it. He said that the last thing they want to do was build something that would not work. He said that he would think that site to the right will become a place where there was enough density in this area with housing so someone will step up and say, "Let's build some commercial." He said that was what they wanted. He said that they wanted people to walk there, go to dinner, get a shave, get a haircut, and buy a dress. He said that they did not see that market yet.

Mr. Carrazana said that the area of potential commercial use was being kept as a speculative reserve. He said that they were preserving it to possibly serve future commercial needs.

Mr. Cetta said that he did not own that.

Mr. Carrazana said that he was talking about the area by the daycare center.

Mr. Cetta said that the project had been ongoing for over three and a half years, with two and a half more years to go before they can build a building. He said that they were open to the idea of constructing a small restaurant or other unspecified establishment, as outlined in their plan.

Mr. Carrazana asked if that was the only commercial property they were planning in this development.

Mr. Cetta said that they could build commercial uses if they were able to secure a buyer.

Mr. Carrazana asked if this would have been the tallest structure on location.

Mr. Carrazana said that the townhouses and bungalows were three stories high.

Mr. Carrazana asked if it would stay below the 45 to the ridge line.

Mr. Cetta said that the County uses it to determine the average height of the roof.

Mr. Langille said that he was not an expert in the area, but Mr. Cetta was correct; the height of the structure depended on the type of roof. He explained that if it had a hip roof, a gable roof, or a flat roof, the technical definition and way to measure it differed. He said that in terms of this particular roof, he believed the official structure height would be from the ground floor elevation at the bottom up to the midpoint of the ridge. He said that they had some staff members in zoning who could clarify if necessary. He said that with three-story developments like this one, 45 feet was usually enough. He noted that most of these developments also had a similar limitation.

Mr. Missel said that the code of development was clear. He said regarding block two, it had a small odd-shaped area that extended downwards, which was adjacent to block four. He noted that it belonged to block two. He said that the red area within block two could be used for office space, retail sales and service, barber shops, beauty salons, health spas, and other uses. He said that in the area, one could build a minimum of eight residential units or a maximum of sixteen residential units, which would amount to 16,500 square feet of non-residential space in addition to the residential uses.

Mr. Cetta said that yes, that was correct.

Ms. Firehock clarified that the applicant was asking for a sidewalk waiver, but there was a little pathway. She asked if that was what was proposed.

Mr. Cetta said that they were proposing exactly this. He said that it was just drainage, and it could be a sidewalk.

Ms. Firehock said that she understood that it was not as wide as the County code. She said that it gave the impression of being able to walk from the car to the neighbor's house and greet them. She said that there was some vegetation behind it, so it did not look as stark or ugly as the second picture shown.

Mr. Cetta said that one thing that happened was practically everybody had a porch which was used often. He said that for people to walk to the end unit, which was essentially 13 units deep, they did not complain. He said that the issue of this variance was a technicality.

Ms. Firehock said that she understood that the function was operating more like an alleyway.

Mr. Murray said that the proposed road would pass through Park Ridge, where there was currently a stormwater pond. He said that after the completion of the construction of the stormwater pond, it would need to be managed properly. He said that the pond had been built to handle the existing construction. He asked how it would be managed once the pond was removed.

Mr. Justin Shimp said that the road traverses closer to Route 240 than the existing pond. He said that they were going to rebuild the pond into a more substantial stormwater management facility. He said that it would become some sort of biofilter or enhanced extended detention facility. He

said that there would be a combination of buried underground stormwater and some surface treatment. He said that this was a big enough project that there would be a mix of surface treated areas that fed into underground detention facilities. He said that both would exist in that zone. He said that you would see courts and playgrounds that may very well have underground detention beneath them. He said that they had landscape area above that people could use, and then the detention stormwater below. He said that the green space was right on top of a big pipe in the ground, so rather than using the acreage for the pond, they put it underground and added more meaningful space above it.

Mr. Murray asked if they were considering purchasing nutrient credits.

Mr. Shimp said that there may be some situations where a portion of the project needed to be minimally treated onsite due to state code requirements. He said that it was possible to purchase credits for a certain amount, but sometimes even with this option, runoff requirements cannot be met without some sort of onsite treatment. He said that a residential development of this size would likely need more intensive onsite treatment. He said that they had not gotten that far yet in their planning. He said that if the site were smaller, they could typically buy credits for the whole thing, but when the site was larger, like 10 acres, they start to phase out of this option.

Mr. Murray said that he had heard many complaints over a long period of time regarding underground stormwater facilities failing. He said that it was possible.

Mr. Shimp said that it was a cost. He said that the technology used for the pipes 20 years ago was not up to the mark. He said that now, galvanized or aluminized pipes were used which can last for 50 or 100 years. He said that per the HOA documents, a reserve fund was required to replace the systems. He said that when creating an HOA in such neighborhoods, engineering firms need to be hired to analyze the cost of replacing the system and its lifecycle. He said that the HOA funds were put aside every month to deal with the problem as it had been an issue before.

Mr. Murray said that he had another question for the staff regarding traffic on Park Ridge. He noted that there had been a lot of concern about this issue, and there had been some discussion about traffic calming on Park Ridge. He asked for an update on the issue.

Mr. McDermott said that they had been looking at traffic calming along Park Ridge between the Eastern Avenue interchange and Route 240 for several years. He said that there were certain requirements set by VDOT that needed to be met in order to move forward with physical traffic calming measures. He said they had been trying to gather measurements to see if they met the thresholds for speed and volume. He said that last month, they went to the Board to request a resolution to ask VDOT to perform another analysis of the area. He said that they believed it would show that the speeds were higher than what was required to initiate a traffic calming planning process. He said that they hoped that they would be able to move forward with some elements of traffic calming in the near future.

Mr. Cetta said that they did not have a dedicated lane to go left or right into the project. He said that they followed VDOT's instructions. He said that they implemented this in Wickham Pond, but VDOT had stated that it was not necessary at the subject site. He said that if it were required, they would put it in place.

Mr. Murray said that although VDOT stated that it was not necessary, it could still be done.

Mr. Cetta said that they only sought guidance from VDOT. He said that he was impressed at how little traffic there was.

Mr. Moore clarified that the western edge of the parcel up against Park Ridge Road was possible for commercial development if a buyer could be found.

Mr. Cetta said that was correct.

Mr. Moore asked what the unit on the other side of the stream was.

Mr. Cetta said that it was finished two years prior with the goal of building a structure on the land. He said that the space was designated for a daycare center which will include parking amenities.

Mr. Moore said that there were only about 82 distinct townhouses and villas listed in the plan. He said that even if they included another 15 or so affordable units within the existing footprint, this would be under 100 units. He said that he had read concerns that 122 was too many units for this development, but it appeared that they were looking at under 100 units as it currently stood.

Mr. Cetta said that if you took the townhouses, the top portion, and then the bottom left, that would be a five-unit building. He said that if it was instead the bungalows, it would have 17 units. He said that if they did that more than twice, the number of units would be over 122.

Mr. Moore asked if they were considering building more affordable housing units.

Mr. Cetta said that he was not the builder, and they had not yet reached that stage.

Mr. Moore said that he was also curious about the site plan. He said that to the east of Public Road B, there were seven or eight houses and then a north-south private road. He said that to the west, there was only one house and no private road. He asked how this came about.

Mr. Cetta said that with five units, a turnaround was not required. He said that if there were more than five units, as they had on the right, a turnaround must be introduced to accommodate the road. He said that once this plan was approved, they would work out the details of the bungalows and an additional road.

Mr. Clayborne asked if the plan for the affordable units was to disperse them throughout the project or if they were to be co-located in one single area.

Mr. Cetta said that the answer was a disbursement. He said the idea would be to have affordable units on the bottom left. He said that they had to be in their own building and could not be mixed with another building due to the nature of the building. He said they would be mixed in.

Mr. Clayborne asked why they could not be mixed in.

Mr. Cetta said that at the end there would be efficiency units. He said that it must be an end unit in order to utilize efficiencies, and if it was not an end unit, then they could not use efficiencies.

Mr. Clayborne said that he had never heard of that restriction before.

Mr. Cetta said that the reason for it was due to the fact that the efficiency unit faced the side yard. He said that if it was a middle unit, there was no side yard available.

Mr. Clayborne opened the hearing for public comment. He read the rules for public comment.

Eric Schmitz, Whitehall district, said that it was troubling that there were many details still to be worked out with the proposal. He said that the application did not reflect a heavily contested stream on the property, including its buffers. He acknowledged the point about the roundabout but clarified that it was not the one mentioned by Mr. McDermott at Route 240 and Route 250, but rather at the head of Park Ridge and Route 240. He said that the applicant's narrative suggested that this roundabout was needed.

Mr. Schmitz said that they were not asking where the County's growth should go or whether it needed more affordable housing. He said that they were asking some simple, bigger questions about the role of the totality of a master plan and what that role played in a particular application. He asked about the current state of Crozet's planned critical infrastructure and if it was a factor in their decision. He questioned if the structural integrity of their plans was compromised, whether they should continue to build. He said that the comprehensive plan stated that they should not approve re-zonings when planned facilities were not in place to support the project and existing neighborhoods.

Mr. Schmitz said that a vital bridge, Eastern Avenue Connector, was planned to connect Three Notched Road to Route 250, and that was a baseline expectation of Crozet even becoming a growth area. He said that now, the price tag was so high that it would probably never be built. He said that the County could not afford the \$30 million needed to build it, and all of the recent re-zonings in Crozet were built upon the assumption it would be built. He requested that the Planning Commission deny the proposal.

Brad Rickel, Whitehall District, said that a little history was worth considering when discussing Crozet's growth. He said that 20 years ago, when the first Crozet master plan was put together, Crozet was a small peach orchard on the west side of the County. He said that at that time, the people of Crozet and the County agreed to grow responsibly. He said that the population grew from 3,000 to about 12,000 today, and with approved but not yet built developments, it was projected to reach 15,000 in the next few years. He said that a key part of the growth agreement was the acknowledgement that substantial infrastructure was needed to make Crozet a safe area because it did not have the natural advantages of being in the urban ring or along Route 29.

Mr. Rickel said that the critical initiatives were the work needed at Lickinghole Creek Bridge and projects targeted at moving people safely in, out, and around Crozet. He said that the Virginia code stated that localities must consider transportation, emergency evacuation, and safe access to schools and parks when evaluating rezoning. He said that the County's own comprehensive plan, strategy 9C, also stated the need to consider these critical pieces when evaluating rezoning. He said that this had been deferred for 20 years, which was conveniently ignored. He said that they cannot rewrite history, and as a community, they must move forward and focus on following through with the long-promised safety measures before further upzoning.

Minsu Kim, Whitehall District, said that he was there in front of the Commission as a resident asking for help. He said that he implored them to reject the proposal specifically around safety. He said that he had three young boys and shared an incident where a four-year-old was hit on St. George Street, a street without sidewalks. He said that there was a head-on collision that

happened a month ago at Route 240 and Route 250. He asked the Commission who they could turn to for safety, a safe environment, and well-being if they could not come to them for help. He said that their decision today would have lasting impacts for years.

Quinn said that he was 15 years old, and he had lived in Western Ridge all his life. He said that his family moved to Crozet in 2005. He said that when the topic of Montclair first came into the news a few years ago, he, his friends, and his family were concerned about the possibility that the Western Ridge Hill in the surrounding natural area would be turned into a portion of the development. He said they were all worried because this was a part of their neighborhood, their life, their winter fun, and their memories. He said that in the past year, he had learned more in depth about topics like the Crozet Master Plan, traffic studies, affordable housing, and development. He said that he learned that they did not own the Western Ridge Hill; instead, it belonged to a developer who did not see the value of the hill.

Quinn said that he understood why so many people wanted to live in the town of Crozet. He noted that it was close to the Blue Ridge Mountains, had many water features, parks, and a relaxed suburban environment. He said that he and his friends used to go all over town on their bikes or by foot to meet up to play some basketball, to go fishing, or in the wintertime sled together down the Western Ridge Hill. He said that there were spaces around Crozet where they used to enjoy those memories that had disappeared. He said there were fields that he would play football on filled with houses, and the Crozet trails lost trees every day. He said that animals were seen less, and creeks became polluted in areas near development.

Quinn said that Crozet was special with these places like the sledding hill. He said there would always be days where they would have competitions to see how fast they could get the sled down the hill, or they would build a ramp of snow to catch air going down the hill. He said that the hill was not theirs, but the memories belonged to them, and the hill provided many kids and their families with joyful memories. He said that developing the sledding hill will not only take away a special part of their lives in Crozet, it will remove a unique place that kids in the future will not be able to grow up with.

Ann Elizen said that she had moved to Western Ridge from Northern Virginia in the summer of 2005. She said that it was refreshing to ride bikes and walk around the trails and downtown Crozet without the concern of excess traffic, speeding vehicles, and dangerous pedestrian crossings. She said that the explosive growth in Western Ridge and Crozet over the last 18 years had been astounding and community-changing. She noted that as sections of the hill crossing were being developed, the housing growth seemed reasonable and thoughtful. She said that as more trees were uprooted and rezoning density approved, the reasonable and thoughtful took a backseat to the quick and the greedy. She expressed concern about the neglect of infrastructure needed to keep families, children, and pets safe on the streets and sidewalks.

Ms. Elizen said that since 2019, she had operated a small local business as a dog trainer and walker. She said that the volume and size of vehicles alone left little to no room on the streets for safe crossing. She noted that one such example was the pedestrian crossing point at Park Ridge Court where she had witnessed and been a part of too many close calls. She said that last spring, children waiting at the bus stop by the intersection of Cardinal Court and Park Ridge had witnessed the death of a family cat. She said there were handmade signs saying, "Please slow down". She said that approving the Montclair proposal without first attending to our infrastructural needs was pure negligence. She said that any number of measures would be welcomed by all of the residents to help prevent a tragedy. She noted that more vehicles and more congestion meant

more opportunities for such a tragedy. She said that there needed to be a commitment to intelligent development, and improving Montclair at this point was turning a blind eye to reality.

Rashmi Guy, Whitehall District, said that as an environmental scientist working on recreational water studies and methods, she had concerns surrounding the proposed Montclair development. She said her first concern was that the stream buffer was inadequate. She said that the proposed plan showed a buffer of less than 100 feet on either side of the stream. She said that the developer should adjust the stream buffer and reduce the number of houses accordingly. She said that her second concern was based on past behavior of the developer regarding streams and their future intentions of the one-way streets. She asked why the developer could not create a U-shaped loop connecting the two one-way streets to make it easier for residents and emergency vehicles to get in and out.

Ms. Guy said that she was worried that the developer might eventually try and cross into the block that was not currently being developed and try again to encroach on the stream when no one was paying attention. She said that her third concern was that construction, and the proposed density would stress the stream further and negatively impact the health of the stream and the wildlife who used the stream as a water source. She said that she was specifically concerned about water runoff, which would carry pollutants and sediment from construction sites and everyday residential activities into the stream.

Ms. Guy said that it was important to note that the Crozet development area was entirely within the water supply watersheds for the County and the City of Charlottesville. She said that one of the guiding principles in the Crozet's master plan was to enhance Crozet's natural beauty, existing natural resources, and the surrounding rural areas. She said that the integrated network of parks and gathering spaces, trails, and natural areas increased opportunities for outdoor recreation and protection of natural resources. She said that this development project was not in line with that principle.

Ron Wade, president of the Homeowners Association of Foothills Crossing, said that he represented 82 homeowners in the neighborhood. He said that about two thirds of the homes faced Park Ridge Drive. He said they were probably the most impacted by the traffic along Eastern Avenue and Highway 240. He said that as property owners, they were owed responsible decisions by the Planning Commission when it came to development. He said that when considering new developments, the proposed mid-density violated the original Crozet Master Plan. He said that the CAC had a resolution against an increase in density. He said that from the perspective of the 82 homeowners in his area, they were looking at the units in Glenbrook, and they looked out of place.

Mr. Wade said that the single-family homeowners in the space west of Eastern Avenue were now looking at this high density development between them and Blue Ridge Mountains. He said that the development along Route 240 will look completely out of place in the neighborhood. He said that the negative impacts were minimal, but the school was overcrowded. He said that his wife taught there as a volunteer, and the schools were overcrowded. He said that the traffic congestion was atrocious, and so was the lack of infrastructure, particularly Eastern Avenue bridge. He said that the safety issue of first responders being able to get in and out of neighborhood was a great concern. He said that this development looked out of place in the neighborhood.

Ms. Joan Fadden said that she lived in Stonegate, an enclave of 57 homes in Western Ridge approximately two blocks from Route 240 and the entrance to Park Bridge Drive. She noted that

in talking with neighbors about their decision to locate to the Western Ridge many years ago, they expressed the following. She said that they moved because of the beauty and uncongested drive on Route 240, the bucolic vistas of the mountains not blocked by development, the small community atmosphere, the lush green space, and the Crozet Master Plan that spoke to slow and managed growth. She said that such a policy appealed to the Stonegate residents for safe outside activities, as many of them were walkers, bikers, and runners. She said that the slow and managed development growth plan had been forfeited to multiple developments without the essential infrastructure to accommodate the growth.

Ms. Fadden said that safety had become a huge concern for Stonegate residents in turning left or right out of their community, due to increased construction and other vehicles. She said that the pending thought of additional traffic and delays in exiting or entering Park Ridge Drive from Route 240 was a major concern. She said that the development was unwelcome by the surrounding communities, as they felt the developers had lost sight of the deleterious impact of their plan. She said that there would be more buildings, more people, more traffic, and the huge loss of a beautiful green space. She noted that the hill was a favorite of children in the area. She said that the adults also shared the enjoyment.

Ron Pantuck, Whitehall District, said that over the last two years, his home property taxes had gone up 22%. He said that the primary reason for this was not inflation, but the number of housing units being built and developed in Crozet. He said that the property taxes on these additional housing units did not cover the added expense of more students, more teachers, more school administrators, more school buses and drivers, more school buildings, or more infrastructure. He said that adding to the tax burden on existing homeowners was the use of affordable housing to increase density.

Mr. Pantuck said that not only did the additional fair market assessed units not cover the financial impact on the community, but the artificially low market value of the affordable houses compounded the issue. He said that the added tax burden of uncontrolled growth will impact all existing homeowners, including lower income homeowners. He asked if they want to drive homeowners out of Crozet and have a town where only the wealthy can afford to live. He said that if they continued on the path where more was better, property taxes will continue to spiral out of control. He said that double-digit yearly tax increases were unacceptable.

Bill O'Malley, Westlake, said that the Commission's primary role was to serve as an advisory body to the Board to promote the orderly development of the County, as outlined in the state law and the Albemarle County Code. He said that he urged them to prioritize the well-being of Crozet by revisiting its developmental pace. He said that by addressing the emerging safety and traffic issues now, they would prevent themselves from looking back on poor decisions or ineffectual actions. He said that he was still appalled that they did not know about the funding for one of the critical infrastructure projects. He said that endorsing the Montclair up zoning would push already strained intersections like Park Ridge Drive and Three Notched Road.

Mr. O'Malley said that it was very hard to turn into town from Crozet Avenue. He said that one had to live and drive there to know it. He said that it was not fair to the residents of Crozet to endure worsening traffic conditions, and most of the people making the decisions did not live in Crozet. He said that the proposed Montclair up zoning development contradicted the Crozet Master Plan. He said that the initial master plan in 2004 set a population cap at 12,500, which was contingent upon the construction of two connectors, Eastern Avenue and Main Street, which remain unrealized.

Mr. O'Malley said that the populations were nearing 11,000, and they did not know when it would exceed 16,000. He said that once approved, they could never take back an upzoning approval. He said that given everything they knew about the state of the roads, the intersections, and the sidewalks in Crozet, it was a certainty that they would surely fail an infrastructure stress test. He said that the Albemarle County comprehensive plan empowered the Commission to decline it if the supporting infrastructure lagged, and it did lag.

Sarah Baldwin said that she had been residing in Stone Gate since 2008, and when she first moved to Crozet, Lake Tree Lane was not yet finished. She said that there were still houses to be built in Stone Gate. She said that between then and now, there were approximately two or three thousand more people living in her area due to the completion of Western Ridge, Stone Gate, Foothill Crossing, and denser areas beyond Foothill Crossing. She said this had resulted in it no longer being safe or pleasant to live in Stone Gate. She said that it was difficult to get out of Stone Gate in a car, and she was reluctant to cross the area on foot.

Ms. Baldwin said that it was not a question of there not being housing, but Crozet did not have the street or area to move vehicles into to support the housing and population that was currently there. She said that it was dangerous for those who lived in Stone Gate. She said that if one did not live in Crozet and experience the difficulty of getting to the library or local Great Value, it was difficult to fully understand their concern.

Shirley Wild said that she had lived in Stone Gate for four years, and she had seen a significant change in the town during that time. She said that she moved there because it was quaint, the people were friendly, and it seemed like the residents thought carefully about their development plans. She said that she came from Florida but had originally been from Connecticut. She said that she was concerned that the town was becoming like Florida, with a lack of attention to infrastructure and land management.

Catherine Rotolo said that the development should not be approved. She said that Stone Gate was a wonderful community, and it was a nightmare getting out of there. She said that it would only get worse if more cars were put on it. She noted that they were trying to put in a roundabout. She said that they were going to have a restaurant at that corner, but now they were not. She said that all it would do would ruin Crozet. She requested that the Commission not approve the development.

Dan Rosenzweig, President and Chief Executive Officer of Habitat for Humanity of Greater Charlottesville, said that they were not a party to the application, but they had a letter of intent with the developer. He explained that if the project gets built, they hope to enter into a contract to build Habitat homes in the project. He said that 10 years ago at Whitcomb Pond, the developer had six final lots available and came to Habitat to provide affordable housing in Whitcomb Pond.

Mr. Rosenzweig said that they had been searching for lots in Crozet for almost two decades. He said that it was difficult to find lots there. He said that they received a lot of flak from the neighborhood. He said that the six families who were now at Whitcomb had a completely different outlook on life after living in that community. He said that they hoped for the same thing at Montclair. He said that the prospective builder, Craig Builders, invited Habitat and gave up two lots at Old Trail. He said that they were now building two homes in Old Trail, and by December, two single women will be homeowners in Crozet. He said that the plan was entirely consistent with goals of affordability.

Carol Fairbourn, Westlake Hills, said that she drove along Park Ridge Road and Three Notch Road at least a dozen times each week. She said that the essential infrastructure was not there to support the 122 units at Montclair. She said that essential infrastructure was not realistically coming anytime soon because of the drastic funding deficits. She said that the school capacity was not there, the sidewalks were surely not there, and they were not coming anytime soon. She said that overall local support simply was not there. She said that if the Montclair proposal were approved, she would ask why they even had a Crozet master plan. She said that the Montclair proposal violated the master plan in numerous ways. She said that Montclair violated the plan on land management, infrastructure, and environment. She requested that the Commission not approve the proposal.

Luke Fairbourn, West Lake Hills, said that it was revealing that all the community members who spoke before him, except one, were against Montclair. He said that the community did not want this project as it would affect their quality of life. He said that the authorities should consider the response and help keep Crozet a safe and beautiful place to live by rejecting the proposal.

Kimberly Gale, President of Western Ridge. She said that she was a mother and a teacher. She said that the children of Crozet could not accommodate more children in their already overcrowded schools. She said that she was surprised that there would be no sidewalks in the neighborhood, and Mr. Langille noted that staff approved the waiver of no sidewalks in this neighborhood. She said that they needed sidewalks on the entirety of Route 240. She said that they could not handle any more neighborhoods in Crozet until the infrastructure was built. She said that when they did not have the infrastructure before the approvals, they did not get it. She said they were all asking to not approve another rezoning until the important infrastructures and safety measures were in place.

Brian Ireland, Wickham Pond, participating virtually, said that he was not against new housing but believed the density of this development was out of control. He said that affordability did not have to mean density; it did not have to be an afterthought. He said that his property was on Delilah Drive and his house faced west. He said that the development was going to be in his backyard, and he would have to look at it every day. He stated that he would lose any sense of privacy because there was no buffer in the proposal. He said that the northern end of the street was proposed right up against the adjacent lot. He said that he was okay with some development but would like to see something change. He said that as it was currently proposed, he did not think it provided a benefit to the community. He asked that the Commission reject the proposal as submitted.

Dan Sheets, Western Ridge, said that he had noticed significant traffic changes, particularly between the hours of 7:30 and as late as 9, which made it difficult to get to work in Charlottesville within 30 minutes. He said that there were often long queues of cars at the intersection near Meechum's River, making it a disaster for people who need to be at work at specific times. He said that another issue he had noticed was an increase in speeding traffic on Park Ridge Drive and Western Ridge due to the lack of speed bumps and traffic lights. He said that it posed a danger to children in the neighborhood. He noted that the same problem affected all homes farther back from Route 240. He said that during rush hour, it would be difficult for first responders to access those areas in case of an emergency. He said he was concerned about the schools, stating that his daughter attended Western Albemarle where they had 15 trailers. He said that it was frustrating that Virginia had been using this outdated model for 20 years and was now overburdening the school with even more cottages.

Mr. Sheets said that there was one bald eagle inside Lickinghole Basin, a naturally protected federal bird. He said that they had to catch the Army Corps of Engineers being lied about through the previous development process where it was suggested that the Army Corps of Engineers had already surveyed the site. He said that if the citizens of Crozet had not been on watch for these oversteps, their way of life would slip away. He asked the Commission to consider the pleas from the citizenry and turn away the developer money. He said that Old Trail was overrun with plenty of tracked housing. He asked the Commission to think about preserving land values, the educational system, and green integrity.

Mr. Clayborne said that the applicant had a chance for rebuttal.

Mr. Cetta said that every project in Montclair had gone through this process. He said that if one were to survey everyone who lived within a half a mile of Montclair, they would likely love their community. He said that as for sidewalks, they were well-equipped with them and had excellent landscaping. He said that this project was fabulous and absolutely consistent with the comprehensive plan. He said that people will be happy when it was built.

Mr. Murray said that he wanted to know the exact location of the sledding hill that was mentioned.

Mr. Cetta said that it was to the left where the Habitat homes would be. He said that they were dealing with the daycare center and considering selling or giving them some of the land. He said that the plan was to most likely keep the hill.

Mr. Missel asked where the comments regarding inconsistency with the master plan originated from.

Mr. Cetta said that the Crozet master plan required exactly what they were asking for, and they were not in violation of anything or requesting any variances.

Mr. Missel asked if they had reached out to RWSA and gone through the process of having the capacity of water and sewer analyzed.

Mr. Cetta said that the comprehensive plan was only 5% of the County and was located in areas that had the backbone utilities, which included water and sewer, schools, and roads. He said that the engineer had all the answers regarding these issues.

Mr. Shimp said yes in terms of the RWSA certification.

Ms. Firehock noted there was comment about a lack of buffer on the southeastern part of the development. She asked for further comment on that. She asked if there would be further screening.

Mr. Cetta said that they were planning to landscape it as much as needed. He said that they showed this on the plan as a heavily landscaped buffer.

Ms. Firehock asked for clarification regarding the landscaping requirements for the backyards of the structures between the neighboring property line.

Mr. Langille said that there might not be any requirements for buffers and landscaping buffers. He explained that the requirement for buffers and landscaping buffers usually was to separate different use categories, such as residential adjacent to commercial or industrial uses. He said that when one neighborhood exceeded the density of a neighboring residential area, there may be a required buffer. He said that there were necessary building setbacks on all sides.

Mr. Clayborne closed the public hearing.

Recess

Mr. Clayborne said they would break for a 9-minute recess.

Public Hearing

ZMA202000012 Montclair (Formerly known as White Gate Village)

Mr. Langille said that the dwellings on private street D would not be required to have rear landscaping buffers at the rear of the lots. He said they were mandated to have a five-foot building setback, but there was no such requirement for a landscaping buffer.

Mr. Missel said that was for both the proposed development and the existing development.

Mr. Langille said that he was not sure about the setback in Wickham Pond, as it appeared to be larger than five feet. He said that he believed they might have had a requirement for a 10 or 15 foot setback. He said that there was usually a maximum front setback of around 5 to 15 feet. He said that the rear setback was just a minimum.

Mr. Missel said that he was confused by the comments regarding inconsistencies between the master plan and the comprehensive plan. He asked for more clarification.

Mr. Langille said that from a master plan standpoint, they looked at the three classifications that applied to this area, and the proposal was consistent with them. He said that beyond just the uses, they looked at the density recommendations. He said that the proposal was within the density range allowed by the master plan. He said that based on the total boundary of this project, not including the area that was not being rezoned, they could get 123 dwelling units. He said that they were proposing a maximum of 122, so they were within the threshold called for by the master plan.

Mr. Langille said that the next biggest thing of note was that the shared use path along Route 240 was identified as the number two most important transportation project in Crozet by that master plan. He said that the developer proposed to build a 10-foot shared use path along the entire frontage of both parcels. He noted that even though the parcel on the west was not being rezoned, the developer still intended to provide the shared use path along the whole frontage. He said that the project was identified in the master plan as a capital improvement project and would be paid for and undertaken by the County.

Mr. Langille said that if the proposal were approved, the shared use path would be a feature of the application plan. He said that the developer would not receive approvals for road plans, site plans or subdivision plots until the shared use path had been designed and shown on an approved plan. He said that the other internal street that goes east to west and connects from Park Ridge

Drive to Wickham Pond was identified in the Crozet master plan as a recommended future public street. He said that it was consistent with everything he had reviewed.

Mr. Missel clarified that a full traffic analysis was not required because it did not meet the threshold for such an analysis.

Mr. McDermott said that they did not have a specific threshold for Albemarle County; they had a recommended threshold. He said that the State Department of Transportation required a minimum of 5000 vehicle trips generated per day. He said that the application was approximately 1,200 vehicles. He said that they typically requested a traffic impact analysis when an application comes in over 1,000 vehicles per day. He explained that the application was initially submitted after the traffic analysis for the Crozet master plan update, which analyzed all major intersections and included future land uses. He said that it took into account the densities that they would expect to see on the parcels. He said that the question about the roundabout was addressed in the transportation study; however, the recommendation did not make it into the Crozet master plan recommendations because it was so far out in the future. He noted there were higher priorities in the area.

Mr. Missel clarified that the plan was not required, and the build-out density used in it was a maximum build-out based on Crozet master plan recommendations.

Mr. Carrazana said that he wanted to address what he believed was the underlying issue that many members of the public had raised. He said that the issue had been expressed in different ways, but at its core, it concerned developments that were required for growth according to the master plan. He said that those developments included infrastructure improvements such as the eastern connector. He asked staff to address whether those were prerequisites for growth.

Mr. McDermott said that the County recognized that Eastern Avenue was a needed road network connection. He said that was why they had put significant money; they had done engineering studies, and they were still working to construct Eastern Avenue to connect from the West Hall area down to Route 250. He noted that they do not typically take a master plan as prerequisites. He explained that they continuously analyze what was going on with transportation in the region, and they determined what priority projects they needed to move on. He noted that there were funding constraints. He said that under some estimates, Eastern Avenue could be \$40 million. He said that they prioritized projects throughout the whole County. He said that one way they achieved infrastructure improvements was through developments. He said that was why they had requirements for sidewalks and new roads. He noted that working with developers was a primary way that they achieved the necessary transportation improvements.

Mr. Carrazana said that Crozet had seen an increase in development over the past several years despite minimal infrastructure improvements. He said that the area had only two ways in and out, both of which were challenged. He said that there would be significant improvements on Route 240 and Route 250, and it would benefit the community. He noted that it would still be limited. He suggested taking an incremental step to make improvements, even if it meant not completing the whole project in one step. He noted the importance of addressing emergency vehicle access and urged the County to continue thinking about it. He said that it was difficult to recommend approval for developments when the infrastructure was not in place.

Mr. Bivins asked counsel for clarification about the need to complete infrastructure and safety improvements before continuing with development.

Mr. Herrick said that the issue had been discussed in the context of other applications prior to this one. He said that the Attorney General had opined that moratoriums on rezonings were not allowed because every application was entitled to fair consideration on its own merits. He said that a blanket approach that said no application would be approved until further notice would be found to be unreasonable. He said that a Planning Commission or Board of Supervisors could approve or disapprove of any application on its own merits, but to do so as a moratorium was not allowed.

Mr. Carrazana said that he was not against the development and believed it had merit and was consistent with other developments in the area.

Mr. Moore said that he had heard about potential safety issues regarding first responders being mentioned. He asked if fire and emergency services believed they could enter the neighborhood in question as well as those behind it.

Mr. Langille said that fire rescue staff were, again, part of the review team that looked at these sorts of proposals. He said that the fire marshal had reviewed this proposal, and they saw no issues with the design in its current stage, which was a preliminary stage. He said that emergency vehicles will be able to get into and out of this site and make necessary turnarounds. He said that fire rescue staff will be involved throughout the process, from subdivision plotting through road planning, to verify compliance with any regulations that may come into play.

Mr. Moore asked why VDOT did not recommend a turn lane into or out of Route 240 into the proposed development.

Mr. McDermott said that VDOT used a standard model for determining when turn lanes were required. He said that they consider the amount of traffic that was traveling on the road and the expected amount of traffic that would turn into the development. He said that a graph was used to chart this information, which told them whether or not a turn lane was needed. He said that for all entrances on this development, it did not fall into the area where a turn lane was required. He said that if this project were to move forward to a site plan stage, VDOT would have more specific information and could reevaluate whether a turn lane was still necessary.

Mr. McDermott said that they could put in a turn lane if they so desired. He said that the County could also put requirements on that if it were necessary. He said that at times, when VDOT said it was not required but it was very close on the line, the County will go back possibly require the traffic improvements.

Mr. Missel clarified that the permit needed to be approved by VDOT since they were maintaining a turn lane. He noted that the permit could be denied.

Mr. McDermott said that was right.

Mr. Moore said that the comments seemed to be less about the specifics of the proposal and more about the overall quantity of cars in the area. He said that he wanted to hear from staff about efforts at Park Ridge or Route 240 regarding any efforts being made towards speed control.

Mr. McDermott said that VDOT had strict requirements on whether they can put in any physical traffic calming structures, such as speed bumps, and they must meet certain warrants. He said

that the County staff recognized that there was a problem in Park Ridge and would like to do some traffic calming. He said that VDOT had not given approval to move forward with something like that. He noted that they requested an additional speed study and traffic volume study on Park Ridge. He said that eventually, they probably will reach the point when they cross the threshold and VDOT allows it. He said that there were some other options that they will continue to look at, and maybe they can convince VDOT that it met their threshold.

Mr. Moore asked how difficult it was currently to access the proposed development and Harris Teeter. He said that he drove it in six minutes and wondered if that experience was accurate for others as well.

Mr. McDermott noted that there were multiple ingress and egress points in the area.

Mr. Carrazana said that he would like to clarify the right- and left-turn onto Park Street from Route 240.

Mr. McDermott said that the two areas that were analyzed were the other entrance on Route 240 directly into the development and then the direct entrance to Park Ridge.

Mr. Murray said that in the previous Crozet Master Plan, the parcel on the right was originally designated as green space, but it was removed from the last Crozet Master Plan revision. He asked if that was the same time the stream was removed from the Crozet Master Plan. He asked if there was any rationale for why that was removed.

Mr. Langille said that in the 2008 Crozet master plan, the entire parcel was designated as green space. He said that the definitions of the green space future land use classification were slightly different in the 2008 master plan from the recent one that was adopted in 2021. He said that the house on this parcel was identified during the 2008 master plan adoption process as a potentially valuable historic feature. He said that there was a stream on the south side of the property, and the decision was that it should be entirely greenspace. He explained that members of the historic preservation committee had gone out to the site and looked at that house. He said that it had been documented through photographs, and it was not eligible to be entered into any sort of historic database. He said that the parcel was 12.19 acres that would have been entirely undevelopable through a special use permit or rezoning under the old plan. He noted that there was in fact a stream buffer, but all that other land was not encumbered with any environmental features or any historic resources. He said that the Board adopted the plan, which had some land use designations on it other than green space.

Mr. Missel said that there was a question or comment regarding the buffer area size being less than the requirement. He clarified that it was 100 feet on each side centered on the stream, as per the ordinance.

Mr. Langille said that was correct.

Mr. Clayborne said that he had one question regarding the safety of that area. He noted that the County in their transportation reviews, they looked at areas that were prone to accidents or crashes. He asked if that particular area was identified as being at high risk for such incidents.

Mr. McDermott said that in this area of Crozet, no intersection or segment had been identified as a high-risk location using the VDOT tool and methodology.

Mr. Clayborne said that as a group, they had discussed several topics and he would like to take a straw poll regarding further discussion on any big topic that they thought they needed to address. He said the discussion focused on infrastructure, primarily roads and traffic. He noted that they also touched upon schools, the east connector, stream buffers, and roundabouts. He asked whether any of these topics were a hard no before they could reach a consensus to move forward with action.

Ms. Firehock said that there was a level of distrust and disappointment with the developer due to previous experiences. She said that the stream proposal was not heard at the time. She said that the community had worked to keep the stream relevant, and it had been protected, which was a victory. She said that she believed that the development would become a tremendous amenity, a people wanted to live along the proposed path. She said that she appreciated the development because of the diversity of density that was provided, noting that some smaller efficiencies allowed people to stay in the neighborhood when their children left for college rather than having to move out. She thought it was a good design and much better than what was about to come before them previously.

Mr. Murray asked for more information about the status of sidewalks on Park Ridge.

Mr. McDermott said that there were sidewalks on the opposite side of Park Ridge, and the developer was going to build a sidewalk on the frontage they were developing on. He said that there were sidewalks further down on Park Ridge. He said that they would like to see full sidewalks on both sides, but there were connections on Park Ridge currently. He said that the Crozet Master Plan recommended a shared use path all along the south side, and another segment adjacent to that was being developed. He said that the County would continue to work to extend it into the employment area around Star Hill and eventually all the way down to Crozet Avenue.

Mr. Murray said that he was not currently in favor of the proposal. He said that he supported the idea of density if there was the infrastructure on the ground or if it was coming soon. He said that they could not just keep voting for things when the infrastructure did not appear. He said that they did not have a plan for the Eastern Connector, and Park Ridge was unsafe. He said that he could not support it at that time. He said that he could definitely support some type of density. He said that the other factor for him was that there were a lot of sensitive environmental systems there. He said that if what was being proposed was a low impact, highly environmentally sensitive project, maybe that would sway him. He said that it was important that the density did go in the growth area and that this was what they were intending with their plan.

Mr. Clayborne noted that as a commission, they had four motions total.

Mr. Bivins moved to recommend approval of ZMA 2020-12, Montclair, for the reasons outlined in the staff report and in the discussion of the Commission. Ms. Firehock seconded the motion, which carried (5 – 2). (Ayes: Moore, Missel, Firehock, Bivins, Clayborne; Nay: Carrazana, Murray)

Mr. Herrick noted that there were three motions. He explained that the Commission had final say on the next three requests, it was not just a recommendation. He said that there were certain findings required by the ordinance. He said that the motions had been reworded to allow the Commission to take final action on these three requests and incorporate the findings of the ordinance.

Mr. Murray moved to approve the private street authorization as the application demonstrates compliance with the criteria and findings necessary for approval specified by §§ 14.233 and 14.234 of the subdivision ordinance. Mr. Missel seconded the motion, which carried unanimously (7-0).

Mr. Murray moved to approve the sidewalk variation and exception application as the applicant had demonstrated that the application met the findings of §§ 14-203.1(B)(2) and 14-203.1(B)(3) to approve the variations and exceptions, respectively. Ms. Firehock seconded the motion, which carried unanimously (7-0).

Mr. Murray moved to approve the planting strip variation exception application, as the applicant had demonstrated the application met the findings of §§ 14-203.1(B)(2) and 14-203.1(B)(3) to approve the variation and exceptions, respectively. Mr. Carrazana seconded the motion, which carried unanimously (7-0).

Adjournment

At 9:25 p.m., the Commission adjourned to October 10, 2023, Albemarle County Planning Commission meeting, 6:00 p.m.



Kevin McDermott, Deputy Director of Planning

(Recorded by Carolyn S. Shaffer, Clerk to Planning Commission & Planning Boards; transcribed by Golden Transcription Services)

Approved by Planning Commission
Date: 10/10/2023
Initials: CSS