

**COUNTY OF ALBEMARLE
PLANNING STAFF REPORT SUMMARY**

Project Name: ZMA 201500007 and SP201500025, Brookhill	Staff: Megan Yaniglos, Principal Planner
Planning Commission Public Hearing: August 16, 2016	Board of Supervisors Public Hearing: To be Determined
Owner(s): Charles Haugh & E J Oglesby Jr Trustees	Applicant: Riverbend Development, Alan Taylor with Scott Collins, Collins Engineering as the contact.
Acreage: Approximately 277.5 acres	Rezone from: R1-Residential to NMD Neighborhood Model District
TMP: 04600000001800; 046000000018A0; 04600000001900; High school site or other public institution and road improvements: 046B50000001C0; 046000000018B and 04600000018D Location: 2571 Seminole Trail (State Route 29); northeast corner of Rte. 29 and Polo Grounds Road. (Attachment A)	By-right use: R1-Residential zoning district which allows residential uses at a density of 1 unit per acre.
Magisterial District: Rivanna School District: Elementary- Hollymead; Middle-Sutherland; High- Albemarle	Proffers: Yes
Proposal: Request to rezone parcels from R1-Residential to Neighborhood Model District for a maximum of 1550 residential units and 130,000 square feet of non-residential. Request for a special use permit for grading activities within the floodplain for the improvements to Polo Grounds Road. (Attachments B and C)	Requested # of Dwelling Units: Minimum 800; Maximum 1550 Requested SF of Non-Residential: Minimum 50,000; Maximum 130,000
DA (Development Area): Places29 North	Comprehensive Plan Designation: Neighborhood Density Residential – residential (3 – 6 units/acre) supporting uses such as religious institutions, schools and other small-scale non-residential uses; Urban Density Residential – residential (6.01 – 34 units/acre); supporting uses such as religious institutions, schools, commercial, office and service uses; Urban Mixed Use (in Centers) – retail, residential, commercial, employment, office, institutional, and open space; NS-Neighborhood Service Center(6 – 20 units/acre); Privately Owned Open Space/Environmental Features – privately owned recreational amenities and open space/ floodplains, steep slopes, wetlands, and other environmental features in Hollymead-Places29 Masterplan. High school site and or public institution and road improvements: Rural Areas in Rural Area 1.
Character of Property: Mostly undeveloped and wooded with stream buffers, flood plain, steep slopes, wetlands, and an existing historic house.	Use of Surrounding Properties: Forest Lakes South, Montgomery Ridge Subdivisions that include mainly single family detached and attached residential. To the south is MonU Park and the South Fork Rivanna River. Across Rte. 29 to the west is Rural Area that is undeveloped and heavily wooded.

<p>Factors Favorable:</p> <ol style="list-style-type: none"> 1. The rezoning request is consistent with the recommendations within the Places29 Master Plan. 2. All but one of the applicable Neighborhood Model principles are being addressed. 3. The proposal provides a number of improvements to mitigate impacts including: open space, greenway, trails, civic spaces, elementary school site, property for a high school or other institutional use, transit stop, buffers, and multi-modal transportation. 4. Proposed improvement and cash proffers have been provided to mitigate impacts of the development. 5. Affordable housing meeting the County's Affordable Housing Policy has been offered. 	<p>Factors Unfavorable:</p> <ol style="list-style-type: none"> 1. The proffers are in need of substantive and technical changes. 2. A commitment to ensure the protection and preservation of historic resources has not been adequately addressed. 3. In order to adequately meet all the Neighborhood Model principles, the grading section of the Code of Development needs to be revised so that retaining walls follow the design standards for managed slopes as outlined in the Zoning Ordinance.
<p>RECOMMENDATION:</p> <p>Zoning Map Amendment: Based on the factors identified as favorable with this rezoning, Staff recommends approval of ZMA2015-007 provided that the revisions in Attachment G are adequately addressed prior the Board of Supervisors meeting.</p> <p>Special Use Permit: Staff recommends approval of SP2015-025, with conditions.</p> <p>Modification Requests: Staff recommends approval with conditions.</p>	

STAFF PERSON:
PLANNING COMMISSION:
BOARD OF SUPERVISORS:

Megan Yaniglos
August 16, 2016
To Be Determined

ZMA 201500007 and SP201500025 Brookhill

PETITION

PROJECT: ZMA201500007 and SP201500025 Brookhill, Rivanna District

MAGISTERIAL DISTRICT: Rivanna

TAX MAP/PARCEL: 04600000001800; 046000000018A0; 04600000001900; High school site or other public institution and road improvements: 046B50000001C0; 046000000018B and 0460000018D

LOCATION: 2571 Seminole Trail (Route 29) at the intersection of Polo Grounds Road

PROPOSAL: Request to rezone parcels to Neighborhood Model District for a maximum of 1550 residential units and 130,000 square feet of non-residential. Request for a special use permit for grading activities within the floodplain for the improvements to Polo Grounds Road.

PETITIONS: Special use permit under Section 30.3.11 of the zoning ordinance for grading activities within the floodplain and rezone 277.5 acres from R1-Residential zoning district which allows residential uses at a density of 1 unit per acre to NMD-Neighborhood Model zoning district which allows residential mixed with commercial, service and industrial uses at a density of 3-34 units/acre. Approximately 209 acres designated Neighborhood Density Residential; 7 acres designated Neighborhood Service Center; 30 acres designated Urban Density Residential; 15 acres designated Parks & Green Systems for a total density range of 817 to 2344 units under the Comprehensive Plan.

OVERLAY DISTRICTS: EC- Entrance Corridor; FH- Flood Hazard; AIA- Airport Impact Area; Managed and Preserved Steep Slopes

PROFFERS: Yes, which also include property for a high school or other public institution on TMP 046000000018B and 0460000018D and road improvements on TMP 046B50000001C0.

COMPREHENSIVE PLAN: Neighborhood Density Residential – residential (3 – 6 units/acre) supporting uses such as religious institutions, schools and other small-scale non-residential uses; Urban Density Residential – residential (6.01 – 34 units/ acre); supporting uses such as religious institutions, schools, commercial, office and service uses; Urban Mixed Use (in Centers) – retail, residential, commercial, employment, office, institutional, and open space; NS-Neighborhood Service Center(6 – 20 units/acre); Privately Owned Open Space/Environmental Features – privately owned recreational amenities and open space/ floodplains, steep slopes, wetlands, and other environmental features in Hollymead-Places29 Masterplan. High school site and or public institution and road improvements: Rural Areas in Rural Area 1.

CHARACTER OF THE AREA

The site is located on the east side of Route 29 North at the corner of Route 29 and Polo Grounds Road. The site is west of the Montgomery Ridge and the south of the Forest Lakes South subdivisions. MonU Park soccer fields are located to the south of Polo Grounds Road along the South Fork Rivanna River. Stream buffers, flood plain, steep slopes, wetlands and a historic house are located on this site. The site is almost entirely wooded. (Attachment A)

APPLICANT'S JUSTIFICATION FOR THE REQUEST

The applicant has provided a detailed request found in Attachment J.

PLANNING AND ZONING HISTORY

There has been no prior planning or zoning history on this site.

SPECIFICS OF THE PROPOSAL

The applicant proposes to rezone 277.5 acres from R1-Residential zoning district to Neighborhood Model District (NMD) to allow up to 1550 single family attached and detached units, townhouses, carriage houses, and multi-family residential units. (Attachments B, C, and D) Non-residential uses up to 130,000 square feet are also proposed for the site. The development proposes 19 Blocks that make up three land use designations: Neighborhood Service Center (Block 1) which will contain a mixture of non-residential and residential uses and will be developed as the densest portion of the site; Urban Density Residential (Blocks 2-4) immediately adjacent to Block 1 and Route 29, which will contain a mixture of non-residential and residential uses that are less dense; and Neighborhood Density Residential (Blocks 5-18) which are located

adjacent to the existing subdivisions (Forest Lakes South and Montgomery Ridge) and will contain mainly residential uses with exceptions for public and community uses. Additional descriptions of the Blocks are provided below.

Access to the site will be from four locations. There will be two entrances on the south along Polo Grounds Road, a right-in and right-out entrance from Route 29, a connection to an existing right of way in Montgomery Ridge subdivision, and a connection through County property to the north at Ashwood Boulevard.

Three civic spaces are proposed throughout the site which consist of

- 50,000 sf area within the neighborhood center (Blocks 1, 2 and/or 5) with an outdoor plaza, open space grass area, pool and community center and recreational play areas;
- 60,000 sf park within Block 11 that will contain a plaza/meeting area, playground, open recreational area, hard surface play court, trailhead and parking;
- 30,000 sf neighborhood park within Blocks 16, 17, and/or 18 that will include a playground, plaza/meeting area, and open space grass area.

A network of open spaces has been created around the streams, floodplain, and wetlands. A landscape buffer on all edges of the property is provided that ranges in width from 20 feet to 100 feet wide. A trail system is also proposed throughout the site. Bike lanes will be provided along the major roads and a multi-use path along Polo Grounds Road will connect to the multi-use trail that will be built with the Route 29 widening project.

Page 7 of the Code of Development (COD) (Attachment B) and the Application Plan (Attachment C) show the proposed layout and blocks of the development and Page 8 of the Code of Development shows the Illustrative Plan. The Application Plan identifies the different blocks in the development which are described on pages 9-11 of the COD, including a Table on Pages 12-14 that states the proposed uses for each block. A minimum of 800 units and a maximum of 1550 units are proposed. A minimum of 50,000 square feet and maximum of 130,000 square feet of non-residential uses are proposed.

The specific blocks, per the Code of Development, are described as follows:

Block 1: Block 1 will serve as the neighborhood center and is the most intensive block in the development. It will contain a mixture of uses and will mainly be commercial. Higher density residential areas will also be part of Block 1. Additionally, a civic area will be provided in the form of a linear park that will span multiple blocks. Page 22 of the COD contains the detailed descriptions of the civic spaces and recreational amenities.

Blocks 2-4: These blocks will serve as a transition zone between the lower-density areas in Blocks 5-18 and the commercial and higher-density area in Block 1. Although, some non-residential uses will be allowed within the blocks, the primary land use will be high density residential. The civic area and linear park could continue into Blocks 2 and 5 from the neighborhood center, depending on the final design.

Blocks 5-18: Blocks 5-11 allow a variety of housing types and include the allowance for multi-family residential units. Blocks 12-18 are restricted to single family detached and attached residential unit types. Certain non-residential uses are permitted within these blocks by-right or with a special use permit. Assisted living and rest home facilities are allowed in all blocks by special use permit, except for Blocks 8 and 9 which allow this use by-right. Block 9 has an allowance for a professional office building with a special use permit. Block 11 will contain Upland Park, a 60,000 sf public park with a playground, plaza/meeting area, hard surface play court, trailhead and parking. Blocks 16, 17 and/or 18 will contain another civic/neighborhood park with a plaza/meeting area, playground, and open grass area.

Block 6: This block is designated for the proffered Elementary School site.

Block 19: This block will only contain the existing historic house that will remain and will include a 20 foot buffer along the edges of the block. Additionally, this block allows the house to be converted to an inn by special use permit.

A special use permit for grading activities within the floodplain for the improvements to Polo Grounds Road has also been requested for this development. A detailed analysis of this request is provided later in this report.

In addition to the rezoning and special use permit requests, the applicant is requesting two modifications (Attachment E) as indicated below:

1. Private street authorization (Sections 14-233 and 14-234).
2. Modification of street standards
 - a. 14-422(E)- Sidewalks along private streets serving amenity oriented lots
 - b. 14-422(F)- Planting strips along private streets serving amenity oriented lots

REZONING REQUEST

COMPREHENSIVE PLAN

Places29 Master Plan (PL29 Plan)

The PL29 Land Use Plan designates these parcels as Neighborhood Density Residential, Urban Density Residential, Urban Mixed use in Centers, Neighborhood Service Center, and Privately Owned Open Space/Environmental Features. The descriptions of these land use designations and insets of the Land Use Map and Parks and Green Systems maps are below.

Neighborhood Density Residential. This designation is used in areas around Centers where single-family detached and attached housing with a gross density range between 3 – 6 units per acre is desired. This designation is also applied to existing residential areas with densities within or below this range (see Land Use Table LU2). This designation is essentially the same as the Neighborhood Density Residential designation in the 1996 Land Use Plan.

Primary uses: single-family residential, including two or more housing types.

Secondary uses: retail, commercial, and office uses that support the neighborhood, live/work units, open space, and institutional uses. Retail, commercial, office, and institutional uses are encouraged to locate in Centers so they are accessible to residents throughout the surrounding area, and so they benefit from co-location with other neighborhood-serving businesses. However, they may be located by exception in areas around Centers designated Neighborhood Density Residential provided they are compatible with surrounding uses.

Urban Density Residential. This designation is used in areas around Centers where multifamily housing with a gross density range between 6.01 and 34 units per acre is desired. It is also applied to existing residential areas with densities within this range (see Land Use Table LU2). This designation is essentially the same as the Urban Density Residential designation in the 1996 Land Use Plan.

Primary uses: multifamily and single-family residential, including two or more housing types.

Secondary uses: retail, commercial, and office uses that support the neighborhood, live/work units, open space, and institutional uses. Retail, commercial, office, and institutional uses are encouraged to locate in Centers so they are accessible to residents throughout the surrounding area, and so they benefit from co-location with other neighborhood-serving businesses. However, they may be located by exception in areas around Centers designated Urban Density Residential provided they are compatible with surrounding uses.

Urban Mixed Use. This designation is used both inside and outside of the Centers. In Centers and in the Uptown, it includes a balanced mix of retail, housing, commercial, employment, and office uses, along with some institutional and open space uses. The types of retail and services, as well as dwelling unit types, vary depending upon the type of Center (see Land Use Table LU1) and the land use designations in the area around the Center (see Land Use Table LU2):

Primary uses: community and regional retail, commercial service, office, and other employment generators, with a mix of residential types. At least two different types of dwelling units are recommended. In the Uptown, office, research & development (R&D), and flex uses are also considered primary uses.

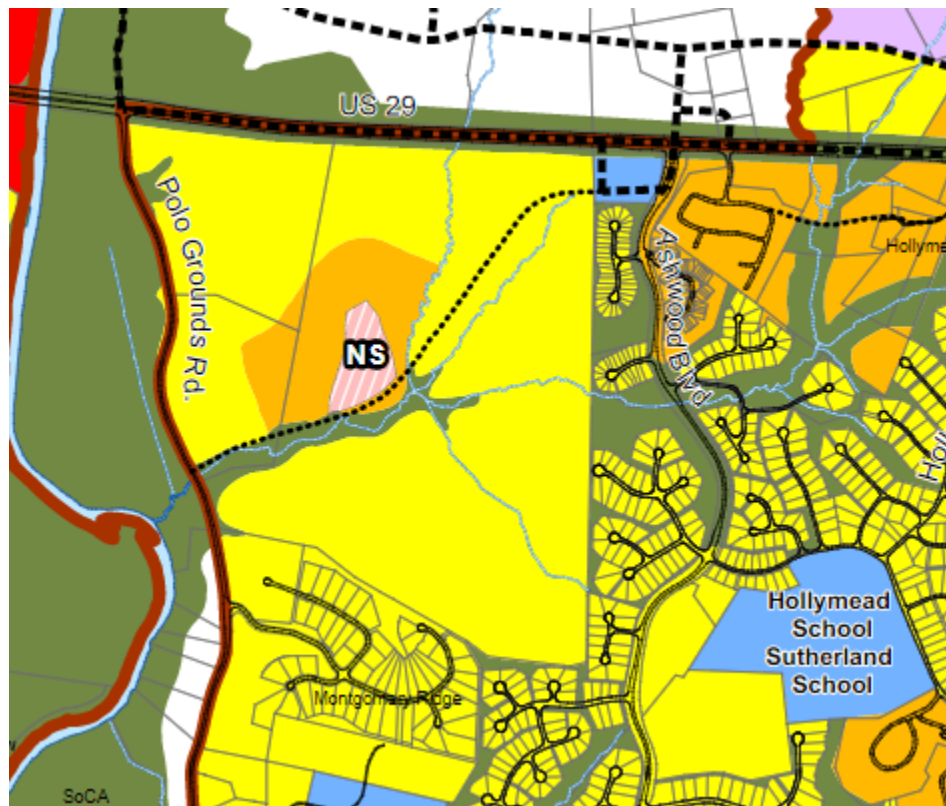
Secondary uses: office, research & development (R&D), and flex (where appropriate in smaller Centers), with open space and institutional uses that are essential to place-making within Centers.

In the areas around Centers (see Table LU2), there is also a limited amount of land designated Urban Mixed Use. These designations are intended to provide space for uses that do not fit within a Center because the use requires more land for larger buildings and/or parking lots. Auto commercial service uses are examples of uses that may require more space than is available for a single use in a Center (see Land Use Table LU2).

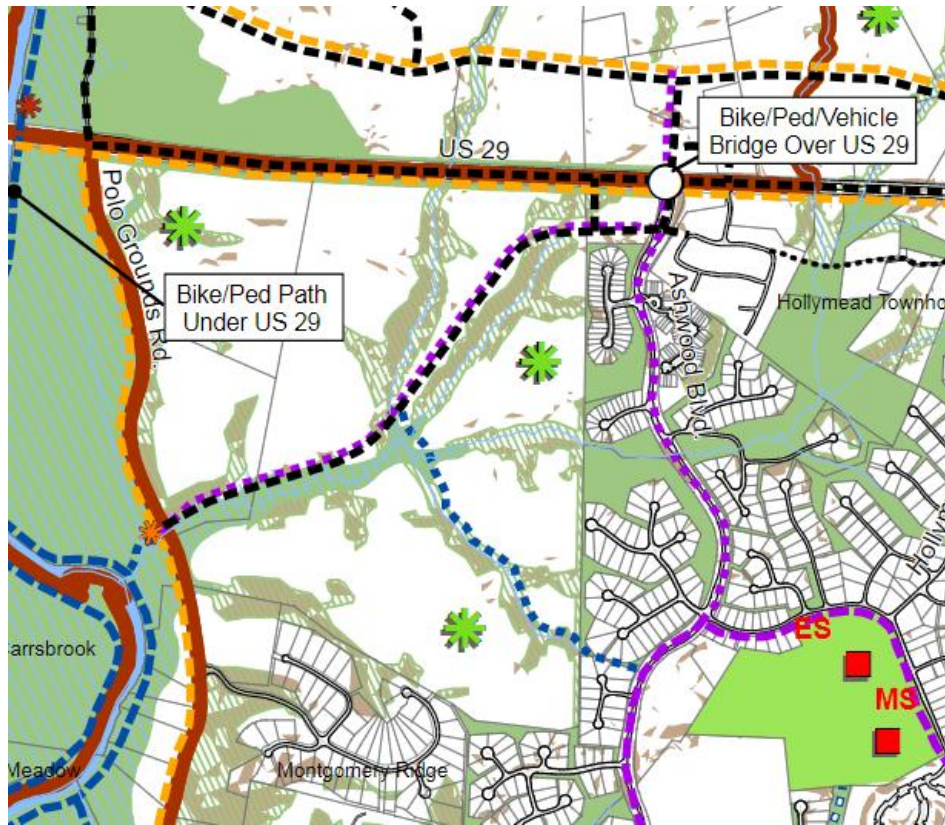
Privately Owned Open Space/Environmental Features. This designation includes open space that is owned and managed by private or semi-public entities, such as homeowners associations, private homeowners, commercial or business park land owners, and others. These areas consist of recreational and passive open space amenities, and may include floodplains, steep slopes, wetlands, and other areas with environmental constraints where construction of buildings is discouraged (see Land Use Table LU2). The Future Land Use map shows Privately Owned Open Space/Environmental Features in a darker green (than the Public Open Space described above).

Primary uses: semi-public open spaces, such as semi-public parks, greenways, trails, and other recreational and passive open spaces that are owned by homeowners associations or other similar entities and are open to property owners and their guests.

Secondary uses: related institutional uses.

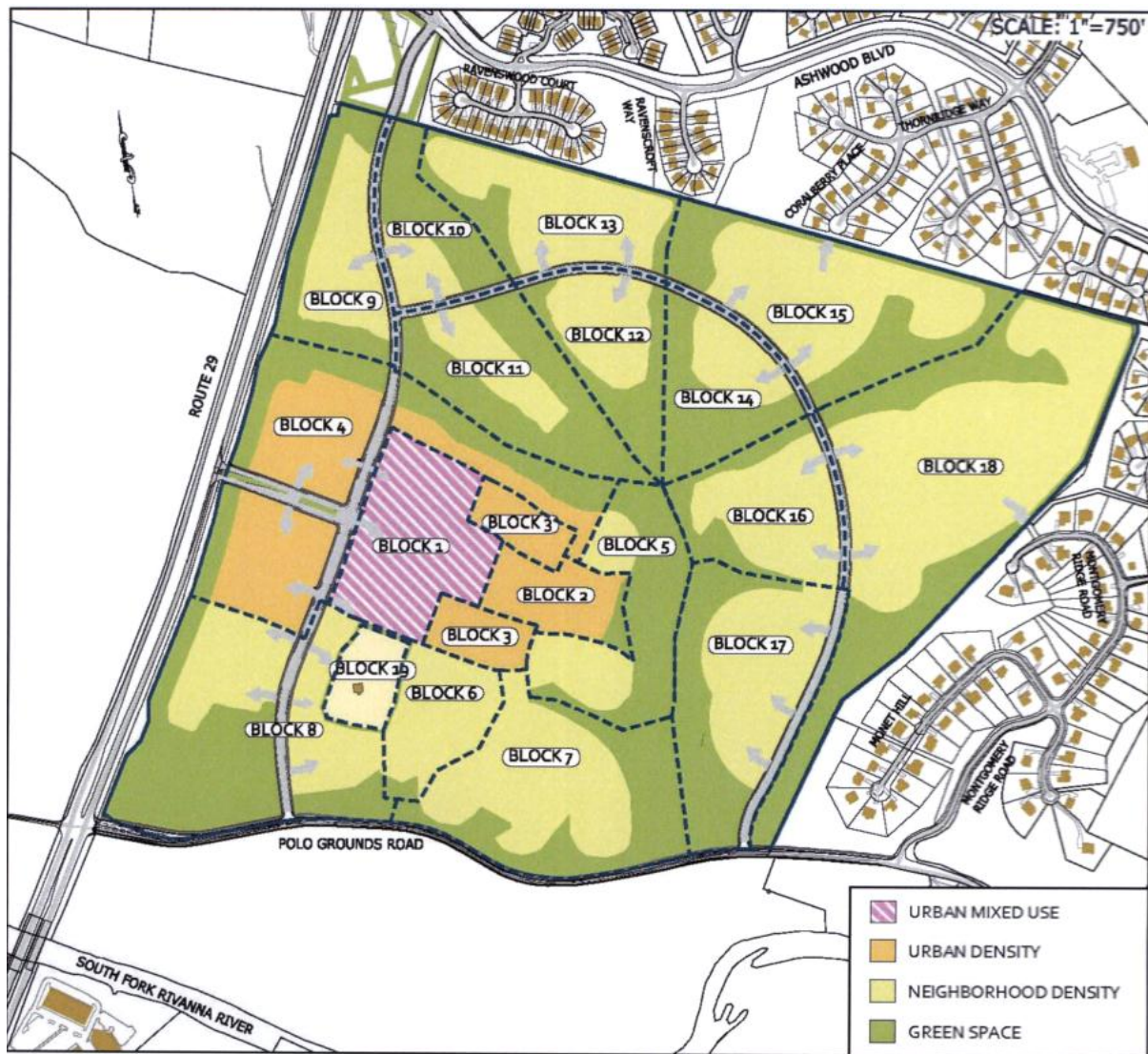


Land Use Map



Parks and Green Systems Map

The applicant's COD provides for uses that are consistent with the PL29 land use designations development (see pages 12-14 of the COD for the Table of Uses). The applicant's plan is slightly different than that recommended in the PL29 plan, though. Rather than having the Urban Mixed Use/Neighborhood Service Center and the Urban Density Residential designations in the center of the development, they are proposed closer to Route 29 to allow a larger buffer and less density near the stream. The center is also located closer to Rt.29 to provide for a larger market area than just the neighborhood. In PL29, a neighborhood service center is not expected to serve more than the neighborhood. However, the applicant has made the case that in order for a commercial area for the development to be viable, it must draw customers from a larger area. Locating the mixed use center closer to Rte. 29 is not viewed as problematic in this case because there is a Urban Density Residential designated block, extensive buffering and landscaping, being provided across the frontage of Rte. 29. This will help prevent the appearance of more strip commercial along the corridor.



The application plan for the development is shown above. It incorporates all of the following features from the PL 29 Transportation and Parks and Green Systems plans:

- Three civic spaces (see page 22 of COD for detailed description)
- Connector road from Polo Grounds Road to Ashwood Boulevard
- Forested buffer along Route 29 and Polo Grounds Road (see page 19 of COD for detailed description)
- Greenspace
- Multi-modal transportation
 - Bike lanes along both sides of main connector roads, including bike racks within the Neighborhood Service Center and blocks designated as Urban Density Residential
 - Greenway trail system
 - Transit stop
 - Multi-use path along Polo Grounds Road that connects to path being built with the Rte. 29 widening project

Neighborhood Model-The Neighborhood Model describes the more "urban" form of development desired for the Development Areas. It establishes the 12 Principles for Development that should be adhered to in new development proposals.

<p>Pedestrian Orientation</p>	<p>The applicant is providing sidewalks and street trees along all roadways within the development, with the exception of private streets that will provide rear access to lots fronting on amenity spaces. In this situation sidewalks will be provided within the amenity space in front of the lots, rather than along the private streets and street trees will not be provided (see modification requests section below for more info). The proposal also includes a multi-use path along Polo Grounds Road, which will connect to the multi-use path on Route 29 (to be constructed with the Route 29 widening project). Trails will be provided throughout the development as shown on the application plan and will provide connections to existing trails in adjacent developments.</p> <p>The COD also includes standards requiring the primary entrances of buildings located within the Neighborhood Service Center and the Urban Density Residential be located on the front or side of the building facing the public right of way or civic greenspace area. This will provide an entrance on the street for pedestrians. Secondary entrances may also be provided in the rear of the buildings to allow entrances adjacent to parking areas.</p> <p>Block size is also an important indicator of walkability. Smaller blocks can help create a more walkable development. The COD allows for block sizes of 500-600 feet within the Neighborhood Service Center which is much larger than the 200-300 feet recommended by the Neighborhood Model guidelines. The COD does require midblock breaks for pedestrians and/or vehicles which will help break up the larger block size. Blocks of 300-650 feet are proposed for urban density residential, which is also larger than the 300-400 feet recommended by the Neighborhood Model guidelines for less intensely developed mixed use areas. Blocks of 400-700 feet are proposed for Neighborhood Density Residential areas. The Neighborhood Model recommends blocks of 400-600 feet in residential areas.</p> <p>Though the block sizes are generally larger than what is recommended by the Neighborhood Model, <u>staff feels this principle is adequately met by having mid-block breaks in the Neighborhood Center and by supplementing the street network with a system of trails.</u></p>
<p>Mixture of Uses</p>	<p>The COD allows for a multitude of uses broken down by block to correspond to the PL29 Plan land use designations. In addition, the COD provides a minimum and maximum square footage for non-residential uses within the Neighborhood Service Center to ensure that an appropriate mix of uses is achieved. <u>This principle has been addressed.</u></p>
<p>Neighborhood Centers</p>	<p>The proposal includes a Neighborhood Service Center with a mix of uses and a form of development that is consistent with the PL29 Plan recommendations. The proposed development will also include three civic spaces to serve the neighborhoods throughout the development, consistent with the Parks and Green Systems recommendations of PL29. Additionally, the applicant is proffering an elementary school site that could serve as an additional community center for the development. <u>This principle has been addressed.</u></p>
<p>Mixture of Housing Types</p>	<p>The applicant is proffering 15% affordable housing in the form of for-sale affordable housing units, for-rent housing units and/or cash in lieu of constructing affordable units. The COD provides for a mixture of multi-family,</p>

and Affordability	detached and attached single family housing. <u>This principle has been addressed.</u>
Interconnected Streets and Transportation Networks	The COD calls for an interconnected street grid as the predominant development pattern within the Neighborhood Service Center and Urban Density Residential blocks. The applicant proposes an irregular grid pattern within the Neighborhood Density blocks based on environmental features and the terrain and cul-de-sacs will only be used where the Director of Planning determines that such features prohibit a grid network. The proposal also includes road connections to adjacent developments. A connection to Ashwood Blvd in Forest Lakes and a connection to Montgomery Ridge Road are both proposed, as well as trail connections where there are existing trails adjacent to the development. <u>This principle has been addressed.</u>
Multi-modal Transportation Opportunities	In addition to sidewalks and trails throughout the development, bike lanes will be provided along the connector roads and the Neighborhood Center Main Street. Bicycle parking is proposed within the Neighborhood Service Center and Urban Density Residential blocks. A bus stop is proposed within the Neighborhood Service Center, along with a cash proffer for the operating expenses of the transit system. <u>This principle has been addressed.</u>
Parks, Recreational Amenities, and Open Space	<p>Brookhill will include over 100 acres of greenspace in the form of greenways, buffers, parks/civic spaces and open space. There will be three main civic spaces throughout the development: the neighborhood amenity center, the upland park and the eastern park. The civic spaces will be located to provide central community and/or meeting spaces for the neighborhoods as well as recreational amenities for residents. An additional amenity area will be provided within the urban density residential blocks to serve the multi-family units.</p> <p>The applicant is also proffering an elementary school site which can act as an additional community center and amenity space. If the County doesn't request this site as a school site, it could alternatively be established as a public park.</p> <p>A greenway will be established along all the streams within the development and will include primitive trails as shown on the application plan. <u>This principle has been addressed.</u></p>
Buildings and Space of Human Scale	<p>Proposed setbacks meet the newly adopted neighborhood model setbacks and will help locate buildings close to the street to provide a sense of spatial enclosure and easy access for pedestrians. The proposed building heights are appropriate for the different block types.</p> <p>The COD contains architectural standards that will be enforced by the developer through an architectural review committee established for the development with the first subdivision. Standards included in the COD require façade breaks in buildings, primary pedestrian entrances facing the public right of way, and porches on single-family residential units. <u>This principle has been addressed.</u></p>
Relegated Parking	The COD requires that parking be located to the side or rear of the primary structure and not extend past the front of the building within the Neighborhood Service Center and the Urban Density Residential blocks. When parking is located adjacent to the right-of-way it will be required to be screened. On residential units, front loading garages are required to be setback at least 3 feet behind the building face of the house or porch. <u>This principle has been addressed.</u>

Redevelopment	This proposal is for new development on a greenfield site within the Development Area. The existing home will be preserved. <u>This principle does not apply.</u>
Respecting Terrain and Careful Grading and Re-grading of Terrain	<p>The applicant has not provided a detailed grading plan with the rezoning request. This will be required to be shown on site plans and Water Protection Ordinance (WPO) plans, should the rezoning be approved.</p> <p>In order to ensure this principle is met, staff has asked that the applicant revise his COD (pages 23-24) so that retaining walls will be consistent with the design requirements for managed slopes under section 30.7.5 of the Zoning Ordinance. This would limit retaining walls to a maximum height of 6 feet and would require multiple stepped walls when additional height is needed. As proposed in the COD, retaining walls up to 8 feet would be permissible, with walls taller than 8 feet to be allowed at the discretion of the Director of Community Development. The language to allow an exception by the Director of Community Development in coordination with the County Engineer can be retained. <u>This principle will be met if retaining wall language is revised as described.</u></p>
Clear Boundaries with the Rural Area	The proposed development will share its western boundary (across Route 29) and its southern boundary (across Polo Grounds Road) with the Rural Area. The application plan and COD require buffers along these borders: a 100' buffer along Route 29 and a 30' buffer along Polo Grounds Road to help screen the development from the Rural Area. <u>This principle has been addressed.</u>

Relationship between the application and the purpose and intent of the requested zoning district: The following section is an excerpt from the Zoning Ordinance:

Neighborhood Model Districts are intended to provide for compact, mixed-use development with an urban scale, massing, density, and an infrastructure configuration that integrates diversified uses within close proximity to each other.

The NMD is intended to be a flexible zoning district to allow development consistent with the goals of the land use plan/master plan and the neighborhood model principles. The form of this proposal is consistent with the intent of the NMD. The mix of uses within this development will provide appropriate services and activities of a neighborhood and community scale.

Public need and justification for the change:

The County's Comprehensive Plan supports development in the designated development areas that is consistent with the use, density, and form recommended in the Plan. This proposal is in conformity with use, density, and form recommended in PL29. Providing for a mixed use development at this location could be beneficial for County residents who wish to live and work in this part of the County. In addition, the applicant is offering a number of improvements to address current capacity issues related to transportation and schools. Detailed information regarding these improvements are provided in the Proffers section of this report.

Impact on Environmental, Cultural, and Historic Resources:

There are important environmental, cultural and historic resources located on this site. The environmental features include steep slopes, floodplain, wetlands, streams and their associated buffers, as well as a salamander habitat. In addition to those County streams subject to the water protection ordinance, the applicant has included a buffer on streams currently not subject to the water protection ordinance.

The following is a table of the resources and how the development is addressing and preserving these resources.

Environmental, Cultural, and Historic Resource	Brookhill Application Plan, Code, and Proffers
Environmental Resources	
1. Managed Steep Slopes	The majority of the managed steep slopes are located within the proposed 100 foot stream buffers and/or open space outside of the areas for development, and will not be disturbed. There are some areas of managed slopes that will be disturbed outside of the County's required stream buffers. Disturbance of these slopes will be required to meet the design standards outlined in the zoning ordinance. The COD requires that storm water management facilities be located outside of the managed steep slopes.
2. Preserved Steep Slopes	With the exception of public road crossings, which is allowed under the zoning ordinance, all of the preserved steep slopes are located within the stream buffers and/or open space, outside of the areas for development, and will not be disturbed.
3. Floodplain	There is one stream on the site with associated 100 year floodplain. In addition to that stream, the floodplain from the South Fork Rivanna River extends over Polo Grounds Road onto the site. With the exception of grading activities for improvements to Polo Grounds Road, all floodplain areas are to be protected and will not be disturbed.
4. Wetlands	The largest wetland on site is located in the southwest corner of the property at the corner of Polo Grounds Road and US 29. All identified wetlands are located within the stream buffer and/or open space, outside of the areas for development, and will not be disturbed.
5. Streams and buffers	Streams and buffers are located within open space, outside of the areas for development, and, with the exception of the public road crossings, will not be disturbed. There are trails within the buffers, however these will be primitive trails to minimize the disturbance to the buffer. There is an existing sanitary sewer line within the buffer that some of the trail will follow. The COD requires that the storm water management facilities will be located outside of the buffers.
6. Salamander habitat	A Spotted Salamander habitat exists in the wetland and floodplain area in the southwest corner of the site. This habitat has been identified by Devin Floyd of the County's Natural Heritage Committee and the applicant shows the habitat within protected open space. Additionally, special culverts under Polo Grounds Road are proffered to allow for the salamanders to safely migrate to the South Fork Rivanna where they currently mate.

Cultural and Historic Resources	
1. Historic Manor House, Dunn Cemetery, and related resources	The historic manor house, cemetery, and associated landscaping is located on 3.2 acres in Block 19. While this parcel of land is a part of the rezoning for the Brookhill property, and the COD and Plan state that it will remain, no commitment has been made for it to be preserved as a historic resource. There will be a 20 foot buffer along the perimeter of the block, consisting of existing trees and additional landscaping. A historical marker commemorating the historic significance of the manor house is proposed to be installed with the first phase of development. A Phase 1 Cultural Resource Identification Survey has been conducted, and suggests that the house could be eligible for the National Register. Staff believes that these historic resources are not being adequately protected, and a commitment should be made for the preservation prior to the Board of Supervisors meeting.
2. Archaic to late Woodland era campsite	An archeological significant campsite has been identified on the property. The applicant has located it within designated open space/greenway and it will be preserved. A historic marker is proposed to be installed to commemorate the prehistoric context with the overall property. However, the historic resources planner has recommended that additional commitments should be made to ensure that this resource is further protected and preserved (Attachment G). Staff believes these commitments should be made prior to the Board of Supervisors Meeting.

Staff notes that the resources listed above are those that have been identified to date. Additional resources (cemeteries) may be discovered at a later date when additional studies are required by the Department of Historic Resources. The historic resources planner recommends that language and/or commitments should be made to ensure that if resources are found that they will be preserved, and that the delineation of all cemeteries be completed prior to the approval of the first grading and/or site plan (Attachment G). Staff believes these commitments should be made prior to the Board of Supervisors meeting.

Anticipated impact on public facilities and services:

Streets:

A traffic impact analysis (TIA) was provided by the applicant. It showed that:

- US 29 at Ashwood Blvd: currently operates at a LOS C during AM peak and LOS D during the PM peak. Under the build out conditions the intersection is projected to operate at a LOS B during both the AM and PM peak hours.
- US 29 at Polo Grounds/ Rio Mills Road: currently operates at LOS C during AM peak and LOS D during PM peak and will operate under a LOS C with the completion of the widening project under both the AM and PM peak. Under the build out conditions the intersection is projected to operate at the same level of service during the AM and PM peak hours at it does currently, however with the widening project the PM peak hours with the development will continue to be a LOS D.

The TIA provided 3 different options for improvements to the street network. Option A included an additional traffic signal on Route 29. However, VDOT said it would not approve this signal because of the

Commonwealth Transportation Board policy which states that Route 29 is a corridor of statewide significance and that the number of signals must be reduced. VDOT recommended that Option B/BA improvements be incorporated into the development. Improvements recommended in Option B have been proffered by the applicant, and provided in Attachment D. They include improvements at these locations: US 29 at Ashwood Boulevard, US 29 at Polo Grounds Road/Rio Mills Road, US 29 at Proposed Site Driveway 1 (US 29 entrance), Polo Grounds Road at Site Driveway 2 (entrance closest to 29 intersection), Polo Grounds Road at Site Driveway 3 (2nd entrance on Polo Grounds), Ashwood Boulevard at Site Driveway 4 (connector road through County property), and US 29 at Median U-Turn.

While staff agrees that these improvements are needed, there are concerns regarding the timing and triggers of the improvements. VDOT has concerns regarding the timing of the improvements for the first phase of Polo Grounds Road, and has stated that these improvements need to be made at the start of the development and not be tied to the 50th single family residence.

Staff believes that revisions are needed to the proffers for the transportation improvements to address the timing of when the improvements will be made (Attachment G). Staff and the applicant have met to discuss the concerns, and the applicant has proposed changes to address the comments (Attachment K). While this response and revised proffers have not been reviewed by staff to date due to the last minute receipt of the response, staff believes that the concerns can be adequately addressed prior to the Board of Supervisors meeting.

Schools:

Students living in this area would attend Hollymead Elementary, Sutherland Middle, and Albemarle High schools. There are current capacity needs at the elementary and high school level. In order to help address these deficiencies, the applicant has proffered a seven (7) acre pad-ready elementary school site within the development, as well as sixty (60) acres for a potential future high school (Attachment D). The potential high school site is not within the development and is located across Rte. 29 adjacent to future Berkmar Extended. This site is in the designated Rural Areas and will require a compliance with the comprehensive plan review if or when the Board of Supervisors wishes to pursue a high school in this location. The School Board has examined the sites and found that the sites are physically suitable to address future needs (Attachment I).

Fire and Rescue:

As this development falls at the edge of the range of both the Seminole and Hollymead Fire Station, service could be provided from either station. Currently, Fire/Rescue's estimated response time to the first entrance proposed off of Polo Grounds Road from the Seminole Station is 5 minutes, and 6 ½ minutes from Hollymead Station. The internal road system will generate a response time that will be more than the County's desired response time of 5 minutes in the development area, however this is the current situation for other nearby developments within PL29 including Forest Lakes South. Completion of the widening of Rte. 29 and Berkmar Drive Extended may affect response times. The County regularly monitors response times of existing stations and the need for additional facilities to be incorporated in the CIP.

Utilities:

This project is in the water and sewer service jurisdictional area and both services are available. ACSA has confirmed there is sufficient water and sewer capacity to serve the project.

Anticipated impact on nearby and surrounding properties:

The required community meeting for the proposed rezoning was held on July 27, 2015 at Sutherland Middle School, prior to the CAC being formed. The applicant has also met with individual homeowner's associations including Forest Lakes, Montgomery Ridge, and Bentivar. The Community's concerns are summarized below with staff comment in *italics*.

- Ashwood Boulevard connection. The Forest Lakes community has expressed major concerns for safety if this connection is made- including traffic turning left from the connector road onto Ashwood, speeding, pedestrian and bicycle conflicts, traffic/speeding near Sutherland Middle and Hollymead Elementary schools; cut-through into their neighborhoods; and further traffic delays.

Traffic and associated safety are of utmost concern to staff. VDOT and the TIA indicate that no further delays will occur at the Ashwood light and with the recommended improvements at full build out, the level of service at this location will improve. The PL29 Plan anticipated the need for and showed a connection at this location. However it is recognized that a grade separated interchange would also occur at Ashwood Blvd and Rte. 29, which is not funded at this time. Further, if the property was developed by-right with 277 residences, the ordinance would require that a road be built to the property line. If a connection were desired by the County in the future, that connection would be paid by the County instead of the developer. Staff believes that this connection is essential to the development. It will require separate Board approval due to it being located on County property.

- Polo Grounds road/intersection. Montgomery Ridge, Bentivar, and other residents along Polo Grounds Road have expressed concerns about the traffic and safety of this intersection and road. Their concerns include additional traffic and further delays at the intersection.

Again, traffic and safety are of utmost concern to staff. The TIA indicates that the level of service at build out with the recommended improvements will be the same as it is currently.

- Montgomery Ridge connection. Residents of the Montgomery Ridge subdivision have concerns about traffic and speeding if the two developments share a road connection.

There is an existing stub-out to the property line from Montgomery Ridge that will provide the connection. While no analysis was done to determine what the amount of traffic would occur from the development to Montgomery Ridge, engineering staff believes the amount will be minimal. Traffic would likely be from the adjacent Block 18 which would have a maximum of 206 dwellings; however, it is expected that most drivers will opt for the wider street with curb and gutter than choose to use the more narrow and windy Montgomery Ridge Road which has a rural section as they travel to Polo Grounds Road. It is also possible that drivers from Montgomery Ridge may wish to travel through Brookhill to Route 29 if they want to go north on Route 29.

PROFFERS

Proffers are provided in Attachment D. They are in need of both substantive and technical changes. Staff and the applicant met recently to discuss the recommended changes that are found in Attachment G. The applicant has provided a response to how they will address staff's concerns in Attachment K. While this response and revised proffers have not been reviewed by staff to date due to the last minute receipt of the response, staff believes that the concerns can be adequately addressed prior to the Board of Supervisors meeting.

The following describes the applicant's proffers provided (Staff comment is provided in *italics*):

Proffer 1. Transportation Improvements

- A. Polo Grounds Road Improvements: The applicant is proffering road improvements to Polo Grounds road in two phases. The first phase (Phase I as shown in Figure A attached to the proffers) is comprised of those improvements required by VDOT to the road, intersection, and turn lanes. The second phase (Phase IV on Figure A) is comprised of those improvements required by VDOT to the road, intersection, and turn lanes. This proffer also includes the salamander tunnels shown in Figure B.
Staff and VDOT have concerns regarding the timing and phasing of the transportation improvements as described earlier in the report and in Attachment G.
- B. Route 29 Intersection Improvements: The applicant is proffering the improvements necessary for the right in, right out entrance on Route 29.
This proffer is acceptable.
- C. Ashwood Boulevard Connection: The applicant is proffering that the connection to Ashwood

Boulevard be completed prior to the 500th CO for a single family detached dwelling.
Staff has concerns regarding the timing of this improvement being tied to the single family detached residential unit type (Attachment G). Within the COD and the proffers, there is no commitment to build a minimum of 500 single family detached dwellings, which could result in this connection not being made.

- D. Rio Mills Road Connection: The applicant is proffering to build a connector road from Rio Mills to the new Berkmar Drive Extended to help alleviate truck traffic on the local road that is generated from the quarry. This improvement will occur after Berkmar Drive Extended is complete, and prior to the issuance of the 200th single family detached CO or 25,000 sf of non-residential space in Block 1.
Staff has concerns regarding the timing of this improvement being tied to the single family detached residential unit type and recommends that the proffer be revised to state that the improvement will be completed prior to the 200th CO for any dwelling.
- E. Transit Stop: The applicant is proffering a transit stop within the development that will include a shelter, bench, pedestrian access, and signage.
Staff recommends that this proffer be revised to clarify the intent and timing of the stop (Attachment G).
- F. Public Transit Operating Expenses: The applicant is proffering to contribute \$50,000 to the County to be used for the operating expenses for the transit service and will contribute this amount every year for nine (9) additional years.
This proffer is acceptable.
- G. Construction Traffic Management: The applicant is proffering that the construction entrances for the project be located in coordination with the County and VDOT and will prohibit construction traffic from entering the development via Ashwood Blvd and Montgomery Ridge Road.
This proffer is acceptable.
- H. Road Improvements, Generally: This proffer states that the improvements offered in 1C and 1D shall be constructed in accordance with road plans and approved by VDOT and dedicated to public use.
Staff recommends a minor clarification to this proffer. The last sentence should be revised to state that once the public streets are completed and become part of VDOT that the Owner no longer has the authority to regulate the traffic on the streets.

Proffer 2. Trails, Parks and Civic Spaces

- A. Trail Network: The applicant is proffering to construct a trail network in primitive trails in coordination with the County, to be completed prior to the issuance of the 50th CO for a single family dwelling. Additionally, the proffer states that the owner will dedicate to the County an easement for public use over the Greenway area, as shown on the Application Plan; and that a signage plan will be installed along the trail network within the Dam Break Inundation Zone designating evacuation routes in coordination with the Rivanna Water and Sewer Authority.
This proffer is acceptable.
- B. Parks and Civic Spaces: The applicant is proffering to provide not less than 3.2 acres of land for Parks and Civic Spaces as described in the COD. Each of these facilities shall be substantially complete prior to the issuance of the 40th CO in the Block which it is located.
This proffer is acceptable.

Proffer 3. Cash Proffer for Capital Improvements: Based on the recent changes to the state code on cash proffers, the Board of Supervisors repealed the cash proffer policy on June 8th, 2016. This application was submitted approximately one (1) year prior to the repeal and has been reviewed under the old policy using the most recent FIAC generated amounts which was based upon the FY16 CIP. The Board of Supervisors agreed to review the proposal and impacts under the prior cash proffer policy with an updated analysis based

on the FY17 CIP.

The applicant is proffering to provide the following amounts for market rate dwelling units after the issuance of the 269th CO: \$4,918.00 for each single family detached, \$3,845.00 for each single family attached unit, and \$5,262.00 for each multi-family unit which are consistent with the FY16 numbers.

Revised cash proffer amounts based on the FY17 CIP is underway, but has not been completed as of the writing of this report. Revised cash proffer amounts should be available by the end of August. See Attachment F for detailed staff analysis regarding impacts and cash proffers.

This proffer should be updated once the FY17 amounts are available, prior to the Board of Supervisors meeting.

Proffer 4. Affordable Housing: In order to mitigate community impacts from the rising cost of housing, the Owner shall provide a minimum of 15% of the residential units as affordable or provide cash in lieu of units. *This proffer is acceptable.*

Proffer 5. Cost Index: This proffer is for the adjustment of proffer amounts that will follow the Marshall and Swift Cost Index for the cash contributions required by Proffers 3 and 4. *Staff has concerns regarding the index referenced in the proffer and recommends that it be updated to use the index for masonry walls in the Mid-Atlantic as a basis for adjustment.*

Proffer 6. Credit for In-Kind Contribution: This proffer allows the Owner to receive a credit towards the Cash Contributions for the value of the following: elementary school site, high school site, and the Rio Mills Road connection, such that no cash will be paid for a unit until after applying a credit for the In-Kind Contribution.

At the request of staff, the applicant provided information on the value of each of in-kind contributions. Staff agrees with the value provided by the applicant for all of the listed in-kind contributions and recommends that this value be stated within the proffer. The analysis is further explained in Attachment F.

Proffer 7. Elementary School Site: The applicant is proffering a seven (7) acre pad ready elementary school site to the County to be given in fee simple within one year after written request by the County, but in no event sooner than one year after the issuance of the first CO for a dwelling. *The offer of an elementary school site addresses the impacts of the development as recommended by the School Board in Attachment I. However, there are technical issues which need to be addressed regarding conditions for acceptance. Staff recommends that this proffer be revised prior to the Board of Supervisors meeting (Attachment G).*

Proffer 8. Public High School or Institutional Use Site: The applicant is proffering an unimproved sixty (60) acre parcel of land for a high school or other institutional use. The property is owned by the applicant and located on the opposite side of Route 29 from the development in the Rural Area. The proffer has conditions that limit the use as well as sunset clauses. The proffer states that if the County has not requested the site within ten (10) years after the issuance of the first CO for a single family dwelling, the owner will have the right to use and develop the property. *Staff has concerns regarding the restriction of uses on the site to only a high school or public facility. If a credit is given for the value of the site, the value should include other public uses (Attachment G).*

Proffer 9. Historic Resources: The applicant is proffering to address any adverse impact to the eligibility of the existing manor house using the Section 106 Review administered by the Virginia Department of Historic Resources. They are also offering to delineate any cemeteries within Block 19. There are no proffers, however, that the manor house will be preserved as a historic resource. This means that when the property is sold, the new owner could demolish the building or modify it such that it could never be eligible for the National Register. *Staff recommends that this proffer be revised to further address historic resources on the site. A detailed recommendation of changes from the historic resources planner is found in Attachment G.*

MODIFICATION REQUESTS

The applicant is requesting three modifications in addition to the rezoning request (Attachment E):

1. Private street authorization (Sections 14-233 and 14-234).
2. Modification of street standards
 - a. 14-422(E)- Sidewalks along private streets serving amenity oriented lots
 - b. 14-422(F)- Planting strips along private streets serving amenity oriented lots

Private streets are requested for amenity-oriented lots in order to allow the lots to gain frontage from a private street as required by the Zoning Ordinance, and to have access from the back of the lot on an alley-like street. Houses on amenity-oriented lots would face an amenity such as a central green and include a sidewalk and pedestrian access from the house to the amenity. An exception to the sidewalk and planting strip requirements on these streets are also requested. In these cases, access to the house would be provided from the back of the lot and the private street providing frontage and access is intended to look and feel like an alley. Detailed analysis of the requests with ordinance references is provided in Attachment H.

1. Private Street Authorization

Staff recommends the following with regards to the private street requests:

1. Approval of private streets serving amenity oriented lots.

2a. Exception of Sidewalk Requirement

Staff's opinion is that sidewalk does not need to be provided along the private streets providing rear access to the amenity oriented lots. Additionally, this request has been previously approved in other NMD developments (Old Trail).

Staff recommends approval of the sidewalk exception for the private streets serving amenity oriented lots only with the following condition:

Recommended Condition:

1. A five foot sidewalk across the length of the amenity area shall be provided for access to and from the lots and connect to the sidewalk network along the public streets.

2b. Exception of Planting Strip Requirement

Staff's opinion is that the proposed private streets would function as alleys and planting strips are not required for alleyways. Planting strips are required to be provided along the proposed public and private roads within the development and there will be the amenity open space as well.

Staff recommends approval of the planting strip exception for the private streets serving amenity oriented lots only.

SUMMARY FOR REZONING REQUEST

Staff has identified the following factors, which are favorable to this rezoning request:

1. The rezoning request is consistent with the recommendations within the Places29 Master Plan.
2. All but one of the applicable Neighborhood Model principles are being addressed.
3. The proposal provides a number of improvements to mitigate impacts including: open space, greenway, trails, civic spaces, elementary school site, high school or institutional use property, transit stop, buffers, and multi-modal transportation.
4. Proposed improvement and cash proffers have been provided to mitigate impacts of the development.
5. Affordable housing meeting the County's Affordable Housing Policy has been offered.

Staff has found the following factors unfavorable to this rezoning:

1. The proffers are in need of substantive and technical changes.
2. A commitment to ensure the protection and preservation of historic resources has not been adequately addressed.

3. In order to adequately meet all the Neighborhood Model principles, the grading section of the Code needs to be revised so that retaining walls follow the design standards for managed slopes as outlined in the Zoning Ordinance.

RECOMMENDATION

Based on the factors identified as favorable with this rezoning, Staff recommends approval of ZMA2015-007 provided the necessary changes are made in the application plan, code of development, and proffers.

ANALYSIS OF THE SPECIAL USE PERMIT REQUEST

In addition to the rezoning request, the applicant is also requesting a special use permit for grading activities within the floodplain, which results in a minor expansion of the floodplain horizontal limits. The new entrances off of Polo Grounds Road, and the required improvements to Polo Grounds Road for the development, will also require the replacement of culverts within the floodplain. The expansion of floodplain limits and replacement of culverts requires a special use permit under Section 30.3.11 of the zoning ordinance.

Section 33.8 of the Zoning Ordinance states that the Planning Commission and Board of Supervisors shall reasonably consider the following factors when reviewing and acting upon an application for a special use permit:

No substantial detriment. The proposed special use will not be a substantial detriment to adjacent lots.

A draft CLOMR-F has been submitted by the applicant to the County that indicates a “no-rise” condition as a result of the proposed cut/fill activities. The County Engineer has reviewed the proposed cut/fill within the floodplain and concurs with the applicant’s conclusion that the proposed improvements to Polo Grounds Road will not result in an increase in the 100-year flood elevation and will not detrimentally impact adjacent properties. Additionally, the replacement of culverts required to widen Polo Grounds Road will not detrimentally impact adjacent properties.

Character of district unchanged. The character of the district will not be changed by the proposed special use.

Minor cut/fill is limited to areas along Polo Grounds Road for road widening, minor grading, and connections to streets within the development. The flood hazard overlay district will expand slightly in several locations as a result of minor grading within and directly adjacent the right-of-way. There is no change in character of the zoning district as result of the proposed activities.

Harmony. The proposed special use will be in harmony with the purpose and intent of this chapter.

The proposed special use permit will remain in harmony with the purpose and intent of the Flood Hazard Overlay District chapter which is to prevent the loss of life and property, the creation of health and safety hazards, the disruption of commerce and governmental services, the extraordinary and unnecessary expenditure of public funds for flood protection and relief, and the impairment of the tax base. These purposes are expected to be accomplished through the following measures: (i) regulating uses, activities, and development which, alone or in combination with other existing or future uses, activities, and development, will cause unacceptable increases in flood heights, velocities, and frequencies; (ii) restricting or prohibiting certain uses, activities, and development from locating within areas subject to flooding; (iii) requiring all of those uses, activities, and developments that do occur in areas subject to flooding to be protected or flood-proofed, or both, against flooding and flood damage; and (iv) protecting individuals from buying land and structures which are unsuited for intended purposes because of flood hazards. The chapter is also intended to address a local need for flood insurance and to participate in the National Flood Insurance Program.

...with the uses permitted by right in the district

The proposed special use will not prohibit or affect permitted uses or adjacent property.

...with the regulations provided in section 5 as applicable,

There are no supplemental regulations in section 5 applicable to this use.

....and with the public, health, safety and general welfare.

Fill areas will be within or immediately adjacent the street right-of-way. Fill in these areas will need to meet VDOT standards regarding fill within saturated conditions and soil stabilization. These activities will not adversely impact the public health, safety and general welfare.

Consistency with the Comprehensive Plan. The use will be consistent with the Comprehensive Plan.

The PL29 Plan designates these properties for development. Improvements that impact the floodplain are needed to upgrade Polo Grounds Road to support the proposed development. Approving the special use permit request allows the property to be developed in accordance with the Comprehensive Plan.

RECOMMENDATION

Staff recommends approval of the special use permit, SP2015-00025 Brookhill, with the following conditions:

1. Prior to final road plan approval or permitting of a land disturbance in the floodplain, the applicant shall obtain from the Federal Emergency Management Agency (FEMA) a Conditional Letter of Map Revision Based on Fill (CLOMR-F), and prior to road acceptance, the applicant shall obtain from FEMA a Letter of Map Revision Based on Fill (LOMR-F). In addition, the applicant shall copy the County Engineer on all correspondence with FEMA. Construction of the road shall be in compliance with approved road plans and FEMA approved CLOMR-F.
2. Any residential or commercial lots and associated streets (public or private) resulting from the subdivision of the property, with the exception of the stream crossings, shall be located outside of the 100 foot stream buffer (as shown on the Brookhill Special Use Permit & CLOMR Plan, Existing Conditions, Sheet 2, last revised 06/15/16), Flood Hazard Overlay, and preserved slopes on the property. Approval of lots located within the stream buffer shall be subject Subdivision Agent approval.

PLANNING COMMISSION MOTION—Zoning Map Amendment:

A. Should a Planning Commissioner **choose to recommend approval of** this zoning map amendment:

Move to recommend approval of ZMA 2015-00007, Brookhill with the changes as recommended by staff in Attachment G.

B. Should a Planning Commissioner **choose to recommend denial of** this zoning map amendment:

Move to recommend denial of ZMA 2015-00007, Brookhill (state reasons for denial).

PLANNING COMMISSION MOTION—Special Use Permit:

A. Should a Planning Commissioner **choose to recommend approval of** this special use permit:

Move to recommend approval of SP 2015-00025, Brookhill with the conditions as recommended by staff.

B. Should a Planning Commissioner **choose to recommend denial of** this special use permit:

Move to recommend denial of SP 2015-00025, Brookhill (state reasons for denial).

PLANNING COMMISSION MOTION—Modifications:

- A. Should a Planning Commissioner **choose to recommend approval of** the modifications listed in Attachment H:

Move to recommend approval of the modifications for ZMA2015-0007 as listed in Attachment H with conditions as recommended by staff.

- B. Should a Planning Commissioner **choose to recommend denial of** the modifications:

Move to recommend denial of the modifications listed in Attachment H based on the following identified by the Planning Commission. *Should a commissioner motion to recommend denial, he or she should state the reason(s) for recommending denial.*

ATTACHMENTS

- Attachment A: [Vicinity Map](#)
Attachment B: [Code of Development with revised date of June 27, 2016](#)
Attachment C: [Application Plan with revised date of June 27, 2016](#)
Attachment D: [Proffers dated June 27, 2016](#)
Attachment E: [Applicant Modification Requests](#)
Attachment F: [Staff Analysis of In-Kind Contribution](#)
Attachment G: [Staff Summary of Revisions](#)
Attachment H: [Staff Modification Request Analysis](#)
Attachment I: [Albemarle County School Board Letter dated April 28, 2016](#)
Attachment J: [Applicant Justification](#)
Attachment K: [Applicant response to proffer concerns](#)