

**Albemarle County Planning Commission**  
**FINAL MINUTES June 25, 2019**

The Albemarle County Planning Commission held a public hearing on Tuesday, June 25, 2019, at 6:00 p.m., at the County Office Building, Lane Auditorium, Second Floor, 401 McIntire Road, Charlottesville, Virginia.

Members attending were Tim Keller, Chair; Julian Bivins, Vice-Chair; Jennie More, Daphne Spain, and Karen Firehock.

Members absent: Bruce Dotson; Pam Riley; and Luis Carrazana, UVA representative.

Other officials present were David Benish, Interim Director of Planning; Carolyn Shaffer, Clerk to Planning Commission; Frances MacCall; Megan Nedostup; Chris Perez; Tori Kanellopoulos; Kevin McDermott; and Andy Herrick.

**Call to Order and Establish Quorum**

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

**From the Public: Matters Not Listed for Public Hearing on the Agenda**

Mr. Keller addressed the public to let them know that there would be two deferred items on the agenda – Critical Slope Waiver Project and Pleasant Green – so members of the public would have an opportunity to speak to them, and these items would be coming off the agenda for the evening.

Mr. Keller invited comment from the public on other matters not listed on the agenda, including the two deferred items. Hearing none, he said the meeting would move to the next item.

**Consent Agenda**

**Approval of Minutes:** May 21, 2019; May 28, 2019; and June 4, 2019

Mr. Keller asked if any commissioner wished to pull an item from the consent agenda for discussion. Hearing none, he asked for a motion.

Ms. More **moved** to approve the consent agenda. Ms. Spain **seconded** the motion, which passed by a vote of 5:0.

**Regular Items**

**SDP201800066 Longhorn Steakhouse – Initial Site Plan**

Mr. Keller asked for the staff report.

Mr. Chris Perez said this is a special exception for a variation to the application plan for Fashion Square

Mall. He said the applicant, Longhorn Steakhouse, is proposing to redevelop an existing surface parking lot with a restaurant use, and surface parking and pedestrian access for the use. Mr. Perez said that staff recommended approval, with conditions requiring that the pedestrian improvements mentioned in the conditions be addressed on the final site plan.

Mr. Perez said that initially, the site was having trouble meeting all pedestrian access requirements; however, upon receiving the second round of comments, the applicant has revised their plans and are able to address all issues with the final site plan and have accepted the conditions. He said the reason for the present meeting is because if staff recommends conditions that the application cannot comply with, then the proposal would have to go to the Planning Commission first, and then to the Board of Supervisors. Mr. Perez said that the applicant has been able to address the issues, and that staff would present the information for action.

Mr. Perez presented Tax Map 61-132, the portion of Fashion Square Mall currently known as Sears. He said the total acreage is 12.56 acres, and the lease area is around 90,000 square feet. Mr. Perez said it is zoned PDSC. He indicated to a star on the map, which is the location of the parking area, marked with white borders.

Mr. Perez presented the application plan from 1979. He said it shows this portion of the property being existing parking. Mr. Perez said that in order for the applicant to put the building there, they need to get a variation to the application plan to reduce the parking and put a structure there.

Mr. Perez said this portion of the property in Fashion Square Mall is within the Rio-29 small area plan, specifically marked as the core zone of the district. He indicated to the property on the plan and said it is bordered by plan-to-street network, which consists of wider pedestrian access ways to accommodate heavier flows of pedestrian traffic to include bikes and pedestrians on foot. Mr. Perez said that this area does require shared use paths based on the zone.

Mr. Perez said this zone also has a future shared use path network planned, and indicated to it on the screen, noting how it connected to Route 29. He said at the beginning of this process, decisions were made by his former director and himself to only focus on the internal pedestrian use paths and the connections thereof, leaving the larger Route 29 shared use path connections until a future rezoning in order to encompass all the frontage of the property along Route 29. Mr. Perez said the focus of this variation to the application plan is the internal shared use pathway and indicated to it as marked on the portioned plan.

Mr. Perez said the current proposal reviewed provides an 8-foot wide shared use path for bicycles and pedestrians along the northern portion of the property, connecting to the existing sidewalks along Route 29. He said that this version of the plan did not meet all the conditions staff has proposed; however, the applicant has been able to revise the site and address the conditions.

Mr. Perez said that the proposal currently presented to the commission fails to meet the Comprehensive Plan's pedestrian access and connectivity goals of this district. He said the recommendations have been revised from what appear in the staff report, and that staff received additional documentation for the applicant to sign on behalf of the property owner that has been approved by the county attorney and no longer needs to be a condition. Mr. Perez said they are able to make the application. He said staff also went back and revised some of the conditions to make it clear what was being requested if VDOT did

not approve the northernmost connection to Route 29's existing sidewalks.

Mr. Perez said VDOT also provided comments in between the time the staff report was written and the present meeting. He said the comments leave some gray area, and that is why staff locked down condition #2. Mr. Perez said VDOT's comments asked for additional information on the retaining wall to ensure they can break through it and connect to the existing Route 29 sidewalks. He said that is why condition #2 exists, in case during VDOT's review, it turns out they are not able to connect to the existing sidewalks.

Mr. Perez presented an example of what condition #1 would look like if it was implemented. He said the northernmost pedestrian use path would remain, and there would be a new 10-foot shared use path going from north to south along the eastern border of the property. Mr. Perez said that an additional 5-foot sidewalk would connect along the southern egress of the site to the existing Route 29 sidewalks.

Mr. Perez presented an example of condition #2, if VDOT does not permit the connection on the existing Route 29 sidewalks and said it would bring around a 10-foot shared use path, and a 6-foot landscaping strip along the easternmost boundary of the property and would replace the required sidewalks along the southern egress of the site.

Mr. Perez asked to open the floor to questions for staff, or to the applicant.

Mr. Keller asked if there were any questions from the commissioners before hearing from the applicant. Hearing none, he invited the applicant to come forward.

Ms. Michelle Wright with L.D. Reeves and Associates introduced herself and said that also present was Jack DeGonia (site development manager of Darden Restaurants, speaking on behalf of the CV Associates and Simon Property Group). She said that on behalf of Longhorn Steakhouse, the applicant looks forward to being productive commercial members of Albemarle County and have worked diligently over a number of months to arrive at a plan that can be considered to be compliant with the Rio-29 small area plan, access and connectivity goals, and zoning ordinance for the county.

Ms. Wright said the applicant is accepting the recommendations of staff and appreciate their cooperation. She said she would prefer to be respectful of the commission's time and leave it to the commission to ask any questions they may have that may be specific to staff's recommendations and proposed design for the new Longhorn Steakhouse at Fashion Square Mall.

Mr. Keller said the commission would ask their questions after questions from the public have been addressed.

Mr. Bivins asked if there were members of the public who would like to speak to the proposed development. He said if so, to come forward and state name, address, and organization, if applicable. Mr. Bivins explained the three-minute time limit and the lights on the podium that indicate elapsed time.

Hearing no questions from the public, Mr. Keller invited the applicant to come forward, and asked commissioners if they had questions for the applicant.

Ms. Spain noted that one of the favorable factors of the proposal is that it reduces the amount of the existing impervious surfaces, but the roof is going to be impervious on a large building. She asked if the impervious surfaces would be reduced only marginally, or if there would be a green roof planned.

Ms. Wright said that although a green roof is not planned, but because of the additional landscaping that will be added to the site (which is almost totally impervious surface), there will be a reduction.

Ms. Firehock said she was glad to see productive use of a wasted paved area.

Mr. Keller said he would close the questioning portion of the topic and bring it back for discussion and action.

Mr. Bivins said he was pleased that there would be a larger common pavement there because it will help to facilitate, when pedestrian traffic takes place there, a meaningful way to get people up and down Route 29. He said it remains to be figured out how to get people across Route 29. Mr. Bivins said hopefully when moving forward, that will be the next piece worked on.

Mr. Keller asked if there was a motion.

Ms. More **moved** to recommend approval of the requested special exception for the reasons outlined in the staff report, and with the conditions provided in the PowerPoint presentation. Ms. Firehock **seconded** the motion.

Mr. Keller asked if there was any further discussion. Hearing none, the vote passed 5:0.

Mr. Keller said this would be moving forward to the Board of Supervisors. He moved on to the next agenda item.

### **Public Hearing Items**

#### **ZMA2018-00002 Hansen Road Office**

Mr. Keller asked for the staff report.

Mr. Francis MacCall said the owner and applicant for the proposal is The Pointe Church. He said the proposal seeks to modify an approved application plan of ZMA2002-00008, in order to increase the square footage from 20,000 square feet to 55,000 square feet.

Mr. MacCall provided context of the location, Tax Map 78-73 parcel 73ab, at a total of 6.14 acres. He said it is directly behind the Rivanna Ridge Shopping Center and is adjacent to the Carriage Hill Apartments and Condominiums. Mr. MacCall said the site that is currently being developed per an existing approved site plan.

Mr. MacCall said that in 1980, the current zoning ordinance was adopted, and indicated to an area on the plan that was all rezoned in 1980 to Planned Development Mixed Commercial zoning district. He said the zoning ordinance requires that when development is proposed on a PDMC property, it must have an application plan. Mr. MacCall said that none of the properties indicated on the map had an

application plan, except for one not shown on the map. He said in 1998, this particular swath of land came in with the application plan, and indicated to the shopping center, DMV, and gas stations on the plan. Mr. MacCall said that in 2002, the applicant for the 1998 rezoning asked to modify the application plan to limit what was identified in the location as a hotel and some square footage reductions from 45,000 square feet to 20,000 square feet, along with some additional 36,000 square feet of office. He said this was the modification the board approved in 2002 for the particular piece of property, and that the current proposal is another modification to this application plan.

Mr. MacCall said that in the staff report, in both the previous master plan and current master plan (just adopted the week prior by the Board of Supervisors), there was analysis done towards both applications. He said it has been adopted, and the current land use designation is identified as Community Mixed Use, and that the designation does fit into the master plan, which describes it as a place for religious assembly and office, which is what the applicant is proposing and currently as the site plan approved for religious assembly use.

Mr. MacCall said the proposed amendment is to allow the church to go up to 30,000 square feet. He said they are currently at 19,680 square feet with the limitation on the current rezoning of 20,000 square feet. He said this would allow for an additional 25,000 square feet in a two-story office building. Mr. MacCall said the modification is to increase from 20,000 square feet to a total of 55,000 square feet.

Mr. MacCall presented the site plan currently under development, with entrances on Hansen and Rolkin Roads. He indicated to the church site and the parking which, with the amended application plan, shows a structure over top the parking.

Mr. MacCall showed another rendering regarding the proposed slopes and parking. He said one of the items proposed with the rezoning with the proffers is to update the asphalt path that runs from Hansen along Rolkin and up to the intersection along the back side of the Giant shopping center.

Mr. MacCall said staff found factors favorable and uses permissible and are consistent with the neighborhood model principles and are now consistent with the land use in the Pantops master plan. He said that previously, the uses were not consistent with the Pantops master plan and that there had been factor unfavorable, but there were no longer factor unfavorable with the current proposal.

Mr. MacCall asked if there were any questions.

Ms. More asked Mr. MacCall to display the site plan and said when he had been talking about parking and the location where there will be a two-story office building, asked if the parking is underneath the building, and asked if there were actually three stories if parking is included.

Mr. MacCall said that page three of the proposed plan has a rendering that is part of Attachment C that shows the side view of how the parking fits in with the building. He said that though some of the parking could be seen, there appears to be a retaining wall along the front. Mr. MacCall said the applicant may be able to speak more to this topic.

Mr. Keller opened the public hearing and invited the applicant to speak.

Mr. Justin Shimp, engineer for the project, said the parking lot is proposed for the church and the building will be two stories above it. He said the retaining wall on the uphill side, from one side it is a two-story building and from the other, it's a three-story building. Mr. Shimp said that from the roadside, you would see two stories; the lower wall would be enclosed, and the structural wall supports the building above, so it would be a parking structure.

Mr. Shimp said he would explain why the process of going through the Planning Commission was taking place now, even though the site is currently under construction. He said the approved site plan for The Pointe Church currently under construction said there is a building being constructed that is being designed to expand internally. Mr. Shimp said that what is being proposed will not change the size of the church building, but there would be a mezzanine level added inside for additional seating. He said the office building is an addition that would be used partially by the church and also by other users and allows to cover the parking lot with a useful building. Mr. Shimp said that churches often get scattered out at the perimeter due to parking needs, but then nothing else is used for the parking lot during other days of the week. He said there will be a good mixture of uses throughout the week and a more efficient use of land.

Mr. Shimp presented the Comprehensive Plan which specifically mentions assembly, and said that from a development standpoint, mixing religious assembly into this property makes sense.

Mr. Shimp presented the site plan and indicated to the parking approved with the plan currently being constructed, and to the location of the building, which would exist on top of the parking lot with a foundation wall on each side.

Mr. Shimp said the applicant has had conversations with Monticello and has provided Monticello with renderings. He said Monticello is comfortable with the plan, with a key concern of color palette. Mr. Shimp said there is a proffer already in effect for this that, during the site plan review, Monticello gets to review the materials to make sure they are not objectionable. He said that adding the building screens the parking from their view, and the building is earth tone in color, which is more appealing than seeing cars.

Mr. Shimp said there would not be a change in traffic, and that because of the PDMC zoning going back so long, the county staff determined that the 20,000 square feet of space could consist of anything. Mr. Shimp said that, for example, as the zoning is currently, it could be a car dealership – that any use allowed in commercial zones is allowed on this property up to 20,000 square feet. He said the amendment allows for a 30,000 square foot church, and a 25,000 square foot office, which both are low traffic uses. Mr. Shimp said there was an analysis done of the approved traffic generation from the first master plan done in 1998 and found that they are net less 1,300 trips per day as it was built out than as it was approved. He said that in effect, what was built has been lower intensity than what was imagined, and that the proposal continues that trend.

Mr. Shimp offered to ask any questions commissioners may have after the public hearing.

Mr. Bivins asked if there was anyone from the public who would like to speak on the matter.

Mr. Carl Van Fossen, 945 Dorchester Place (Claremont – Condominium side of Carriage Hill). He said this is steep slopes on this property and the property below. Mr. Van Fossen said he is below this property

and is concerned with run-off and a number of other things. He said the applicant is building on steep slopes and is grading down 20 to 30 feet already in order to get enough flat surface for the church and parking. Mr. Van Fossen said the applicant wants to put up the office building, which will be part of the church office, but they also want it to be a commercial venture to relay some of their expenses. He said they don't have enough space to put the office unless they put it above the parking lot, and that two stories on stilts above the parking lot is going to be horrible and impervious. Mr. Van Fossen said that the water has to go downhill and that the retention ponds that exist there already fill up due to ordinary rain. He said this will increase the hazard of the downhill and also the attractiveness of the location. Mr. Van Fossen said he was concerned about Monticello because it is in the viewshed, and he was interested to hear what they say on the matter. He offered to answer questions, thanked the commission, and said he hoped the application would be denied.

Mr. David McMurchy at 810 Beverly Drive (Claremont - Carriage Hill Condominiums) said they had their annual meeting last week, and that there was lively discussion about this area. He said that the major area the community was interested in was parking. Mr. McMurchy said he understands the weekend use versus weekday use, and thanked Mr. MacCall for providing clarification and offering a better idea of the parking, noting that the community was looking at the parking around the shopping center and the other commercial area there. He said there was a disaster where Chipotle and Starbucks are located in which there is not enough parking, and although it looks as though there is enough parking, there are no agreements in place to handle the amount of parking being required by that area. Mr. McMurchy said he fears that in the future, the community will face the same problem with the proposed property. He said the proposal increases the number of people in attendance there on Sundays with the addition of the mezzanine, and also in the future they will likely be looking at using the lower level of the building which, at present, has not been used (perhaps only as storage space). Mr. McMurchy said the entire lower level is also being built at this time, and there's a projection for the future of having even more requirements for parking in the area.

Mr. McMurchy said the additional building is not going to be visually appealing. He said there is a rise off the road of several feet, a parking area, and two stories of building above it, which is much. Mr. McMurchy said he sees where this can be approved under the residents' rules but that he has an objection to it. He said there is also a lot of hardscape that will be draining somewhere, which at present is all trees and forest, so there is that perspective to look at as well. Mr. McMurchy said he would like to see how the applicant plans to handle the parking for the addition of the mezzanine and projected further development and use of the building.

Ms. Martha Murray (945 Dorchester Place – Carriage Hill Condominiums) said she had objections and questions for the commission to consider regarding the increase in the office buildings in the approval of what would be 25,000 additional square feet on the lot at Hansen Road and Rolkin Road, behind the Rivanna Ridge Shopping Center. She said when she originally heard about the church, it was a proposed 1,000-seat sanctuary, which means a lot of people and cars. Ms. Murray said she understood that in the original proposal, there was approval given considering the environmental impact, but she was not sure what the impact of the additional square footage would be, and that this is one of her concerns. She said she is a resident in the only residential area impacted by the construction, and that there are 304 homes that are multi-use buildings as they are apartments and condominiums. She said she had three concerns.

Ms. Murray said her first concern is the increase in traffic, which is an issue on Pantops in general. She said there is one traffic light at Rolkin Road and Route 250 to handle the traffic turning that needs to make a left turn into that area. Ms. Murray said that traveling east on Route 250, people can turn right on Hansen Road without a traffic light, but there would be a large increase in traffic during times on certain days.

Ms. Murray said her second concern is water, being that the building site is downhill from the shopping center, and the neighborhood is even further downhill. She said she thinks about the asphalt and impervious land coverage that will increase stormwater runoff and erosion.

Ms. Murray said her third concern is parking, and that she had previously not seen the parking plan, but the plan presented gives her hope that there will be a lot of parking, though she said she was concerned there would potentially not be enough for the large church. She said that Rolkin Road is narrow and if parking is allowed on that road, it could impede egress and emergency vehicle access.

Ms. Christina Moser said she is a resident of Carriage Hill. She said she owns two properties there and has a vested interest in the nearby development of the neighborhood. Ms. Moser said she has three questions, similar to her fellow residents, and noted that it is her first time seeing a site plan and leaves many questions.

Ms. Moser said her first question or concern is connectivity and pedestrian access, and if there are any pedestrian pathway improvements planned. She said there was mention of pathway improvements, but she wanted to know the specifics regarding shade trees, different kinds of pavements, and what was there before that was taken away by the development and all of the site work that has been done to this very narrow and steep site.

Ms. Moser asked if there would be a lot of retaining wall in view by residents walking along the building to use the greenspace. She said the church itself is a very tall structure and results in a lot of surface area in residents' view, and she is concerned that the office building is going to mean the residents and pedestrians walking along that pathway are going to be seeing a lot of building and retaining wall.

Ms. Moser said she has the same concerns about runoff as her fellow community members who had already spoken.

Ms. Moser said regarding traffic patterns, right now it is a very quiet community, and there is limited access to Richmond Road. She asked how this addition of the mixed-use office will increase traffic, how does it increase parking lot requirements, and how do we keep new users of this space from entering the Carriage Hill community.

Mr. Charles Hess, resident of Claremont (building 820), asked how many parking spaces are included in the proposal.

Mr. Keller said the question will be addressed after Mr. Hess has spoken, and that the commission is keeping notes of questions asked.

Mr. Hess said this is very important as there is a 1,000-seat capacity in the sanctuary and that, with the mezzanine area, how many parking spaces are needed. He addressed the public and asked, by show of



hands, how many of them were in attendance from Carriage Hill, and how many of them object to the addition to the project.

Mr. Bivins asked if there was anyone else from the public who would like to speak to the matter.

Hearing none, Mr. Keller asked the applicant to come forward.

Mr. Shimp said he would address the questions from the public. He said that the church, with the mezzanine, could ultimately be up to 1,000 seats, and said it is not 1,000 right now but rather, 580 on the plan.

Mr. Shimp said that Hansen Road, being a wide street, has the potential for on-street parking, and has not been counted. He said Rolkin Road will be widened to build out parking spaces on the street rather than on the existing shoulder.

Mr. Shimp said the asphalt path, though built but never given public right to travel on, will be rebuilt to the correct standard and put an easement over it so that it will be available to the public.

Mr. Shimp said that street trees will be provided along the entire property, in total 164 trees being installed (not including shrubs). He said in regard to landscaping, he indicated to a map that showed an area that would remain wooded, and in the current zoning it could be developed but is unlikely to as it is a steep piece of property, but in this plan, it would remain as greenspace.

Mr. Shimp said the size of the church is not increasing, and that there is a significant stand of trees and a reserved landscape strip proffered between the building and Carriage Hill and that this would all remain.

Mr. Shimp said there is a regional stormwater basin for the project that is already approved and accepted by the county. He said the water will go down and divert to a pond, then is piped down around the Carriage Hill neighborhood, which has all been reviewed by the project engineers.

Mr. Shimp said the proposal does not add any impervious square footage – it makes better use of it by making it two floors of office rather than a surface parking lot.

Ms. Firehock asked Mr. Shimp to explain again about the trees and the landscaping strip.

Mr. Shimp indicated on the map to the applicant's property line and an extra parcel between the applicant's property and Carriage Hill that was reserved for landscaping. He said it is in the same parcel as the retention pond, which is not slated for development, and has trees 40 to 50 feet in height. Mr. Shimp said this serves as a buffer of space that was established in the original rezoning that will remain as is.

Mr. Bivins asked about the number of parking spaces.

Mr. Shimp said there will currently be 206 parking spaces, with the ability to add 40 to 50 more spaces which could not be shown in the site plan because it would exceed the maximum amount. He said the ordinance does not allow to go over 20 percent more than what is required. Mr. Shimp said that as the church is now 19,000 square feet and has seating for 568 people and requires 188 parking spaces. He

said there are more spaces planned than are required currently, and that the parking requirement could be met when the project expands with other parking nearby.

Ms. Firehock asked for clarification on the parking requirement.

Mr. Shimp said the applicant is required to have 188 parking spaces, and they have 206, based on the 19,000 square foot space. He said they are adding another 300-400 seats and will need to have another 100 parking spaces. Mr. Shimp said details on parking would have to be submitted with the site plan.

Ms. Firehock asked if the woods or greenspace not being developed is reserved as deeded open space that will never be developed, and if there is anything protecting it.

Mr. Shimp said that the greenspace is proffered, not deeded, to remain undeveloped. He said the county could elect to amend this, but the new application plan shows this area as a tree preservation area.

Ms. Firehock asked if the area would then be required to remain as undeveloped.

Mr. Benish said that is correct, that a modification to the application would have to be requested for any development to occur there.

Ms. More asked if the 206 parking space total included on-street parking on Hansen Road.

Mr. Shimp said the 206 parking spaces does not include parking on Hansen Road, but does include parking on Rolkin Road.

Ms. More asked if Mr. Shimp's comment about parking along Hansen Road meant that the road would be expanded with dedicated parking spaces, or if he meant that the road already allows for on-street parking.

Mr. Shimp said he believes Hansen Road is 40 feet wide and had adequate space for parking on both sides, with travel in the center as it's built. He said there are no improvements necessary to the road for parking.

Mr. Bivins asked if the church was planning on striping the parking spaces on the street.

Mr. Shimp said this would be up to the county. He said it would be a site planning matter that the county would indicate.

Mr. Bivins asked if the proposal currently includes striping.

Mr. Shimp said no, that it would be included in the expansion.

Mr. Bivins asked Mr. Shimp if he had an idea of what the excess capacity might add to the project.

Mr. Shimp said that 70 spaces would change.

Mr. Bivins asked Mr. Shimp to walk through Attachment C. He said when the project was set forth, the applicant mentioned that this would be a 45,000 square foot building that would go down to a 20,000 square foot building, and that now it looks like the square footage has gone up. Mr. Bivins said in Attachment C, he wasn't sure if it was a 50,000 square foot church in the same footprint, noting the addition of the mezzanine, compared with a 19,000 square foot church on Attachment F. He said he was trying to figure out how all the square footage adds up to what is being asked for today, versus what it was when the applicant came to the commission in the past and went down to the lesser square footage number.

Mr. Shimp said he was not on the project when the square footage was decreased from 45,000 to 20,000. He said that the offices built across from the property had a swath done, and it was said that if there was approval for more office than the applicant wanted to build at that moment, the square footage would be moved across the street to build it. Mr. Shimp said when it was determined that the uses could be any kind of commercial uses, the project decided if 20,000 square feet could be done of any type of use, they would proceed with the 30,000 square foot church (which is designed to be either 19,000 square feet or 30,000 square feet because of the mezzanine).

Mr. Bivins said Attachment C says the church would be 50,000 square feet.

Mr. Benish noted that Attachment C actually says the church would be 30,000 feet, not 50,000.

Ms. Spain asked about plans for future development and future requests.

Mr. Shimp said he didn't believe there would be any. He said this was a response to the question about the greenspace, which there are no plans for the church to develop.

Mr. Keller asked if the commissioners had any further questions. Hearing none, he closed the public hearing to bring the matter back to discussion.

Mr. Keller asked staff if, because there was a number of members from the public concerned about the water runoff, and the applicant said the county engineers said that the excess water will have a location in which it will reside, if staff could speak to that.

Mr. MacCall said that he believed the site was designed in 1998 to accommodate all the development within the original 1998 rezoning. He said there are multiple parcels that go either there or to other facilities and that the stormwater is taken care of properly. Mr. MacCall said that although the commission was not presented with the currently approved site plan, he spoke to neighborhoods adjacent to the property and showed them how the stormwater is carried properly through the pipes and proper locations meeting staff's engineering standards.

Mr. Benish said that this special permanence just for the office building, what's under construction now has been approved as a site plan and has met the stormwater requirements. He said the county engineers looked specifically at the site for the amount of impervious coverage and it has met the standards for the site plan.

Mr. Keller asked if Mr. Benish is saying to the community members that the work going on now does meet the county's standards and has already gone through an approval process.

Mr. Benish said yes.

Mr. Keller asked for a recommendation or action.

Ms. Firehock **moved** to recommend approval of **ZMA2018-00002 Hansen Road Office** for the reasons stated in the staff report. Ms. Spain **seconded** the motion.

The motion **was approved** with a vote 5:0.

Mr. Keller said this proposal would be moving forward to the Board of Supervisors.

Mr. Keller said they would be moving on to the two deferred items, as the commission needed to vote on accepting the requests for deferral.

### **Deferred Items**

#### **Project V2018-2174SF Critical Slope Waiver**

Mr. Keller asked if there was a motion to defer.

Ms. Firehock **moved** to accept the applicant's request for deferral. Ms. More **seconded** the motion, which passed by vote of 5:0.

#### **Project SP2019-00002 Pleasant Green**

Ms. More said she had a Disclosure and Participation statement to read regarding the project's special use permit.

Ms. More said she resides in physical proximity to the proposed project and may realize a foreseeably direct or indirect benefit or detriment to the value of her real property in the amount that exceeds \$5,000 as a result of the action of the Albemarle County Planning Commission, considering the transaction. She said she further declares that she is a member of a group consisting of three or more persons owning real property in physical proximity to the project, which will be affected by the transaction. Ms. More said that, furthermore, she is able to participate in this transaction fairly, objectively, and in the public interest.

Mr. Keller asked if there was a motion to defer.

Ms. Firehock **moved** to defer SP2019-00002. Ms. Spain **seconded** the motion, which passed by a vote of 5:0.

### **Public Hearing Items**

#### **ZMA201900001 – 999 Rio Road East**

Mr. Keller asked for the staff report.

Ms. Tori Kanellopoulos, presented the staff report, and stated this was a public hearing. She said this is a request to rezone from R4 Residential to Neighborhood Model District on one parcel totaling 1.94 acres at the address of 999 Rio Road.

Ms. Kanellopoulos said the proposed development is located at the intersection of Belvedere Boulevard and Rio Road East. She said it is at the main entrance to the Belvedere development.

Ms. Kanellopoulos said the site currently consists of a single-family home with several accessory structures. She said the property is adjacent to the Dunlora neighborhood, is across Belvedere Boulevard from Covenant Church, and is across Rio Road from CATEC.

Ms. Kanellopoulos said that the county's GIS needs to be updated and that, based on a plat submitted by the applicant, this parcel is not adjacent to Shepard's Ridge Road and does not have frontage on that road. She said there is a parcel in between that is owned by Dunlora LLC.

Ms. Kanellopoulos said this property is currently zoned R4 Residential, and up to 7 units are allowed by right, or up to 11 units with bonus factors, such as affordable housing. She said nearby zoning districts include R4 and R2 Residential, Commercial Office, C1 Commercial, and Neighborhood Model District. Ms. Kanellopoulos said there are no environmental features on this site.

Ms. Kanellopoulos said the property is designated Urban Density Residential in the Places29 master plan. She said this classification calls for primary uses to consist of residential uses with densities between 6 and 34 dwelling units per acre. Ms. Kanellopoulos said the proposal meets the density called for in the Comprehensive Plan, with a proposed density between 8 and 24 units per acre, depending on the ultimate number of units built, with a range between 16 and 46 units.

Ms. Kanellopoulos said secondary uses in this classification include supporting uses such as retail, commercial office, and institutional uses. She said the proposal also extends the existing multi-use path as shown in the Places29 master plan.

Ms. Kanellopoulos said the proposed application plan shows two blocks. She said Block I is the higher intensity block and will have between 8 and 32 multi-family units and up to 5,000 square feet of retail or commercial uses, or up to 10,000 square feet if at least 5,000 square feet is for an office use.

Ms. Kanellopoulos said Block II is residential only and will have between 8 and 14 single-family attached or detached units.

Ms. Kanellopoulos said there are two entrances proposed off of Belvedere Boulevard which need to meet VDOT's standards at the site planning stage. She said there is no entrance off of Rio Road, and that while there is no vehicular connectivity between the two blocks, there is pedestrian connectivity, including through the central green, which would be for amenity-oriented lots in Block II.

Ms. Kanellopoulos said one of the major community concerns was for potential traffic impacts for this development. She said this proposal did not meet the threshold for a formal traffic impact analysis; however, the applicant completed a traffic study. Ms. Kanellopoulos said the study found that this proposal would generate between 108 and 151 trips during peak hours, assuming maximum buildout

(that is, the maximum number of residential units and commercial retail office square footage). She said transportation planning staff agreed with these findings, and this increase is not high enough to warrant offsite improvements; however, the applicant has stated they will coordinate with VDOT and dedicate right-of-way as needed for future improvements.

Ms. Kanellopoulos said VDOT is continuing its study of the intersection of Belvedere Boulevard and Rio Road and is in the process of proposing an improvement, which may be in the form of an RCUT. She said Mr. Adam Moore from VDOT was present to answer questions later, as well as Kevin McDermott from transportation planning staff.

Ms. Kanellopoulos said that for informational purposes, staff recently received a petition from neighbors with 465 signatures opposing the development. She said this was submitted after the staff report was completed.

Ms. Kanellopoulos said that since this proposal is for a Neighborhood Model District, the applicant has submitted a code of development which will regulate development in the proposal. She said the snapshot shows potential buildout range for residential and non-residential units. Ms. Kanellopoulos said that only Block I permits non-residential uses, and that the proposed uses are consistent with the retail office and commercial uses described in the Places29 master plan for urban density residential-designated areas. She said the non-residential uses permitted are intended to be at the neighborhood service scale, and after meeting with nearby residents, the applicant revised the code of development to specifically prohibit certain uses such as gas stations and storage units.

Ms. Kanellopoulos said the maximum building height permitted in both blocks is three stories, which is consistent with the Comprehensive Plan. She said the applicant revised the maximum building height from four to three stories after receiving community feedback.

Ms. Kanellopoulos said the Neighborhood Model District requires 20 percent of the site to be amenity and greenspace. She said this proposal meets this requirement and includes a central green, a plaza, and two dog parks.

Ms. Kanellopoulos said there are four special exceptions and waivers included with this proposal, with the purpose of these exceptions begin to provide amenity-oriented lots in Block II. She said these lots require frontage and therefore, the proposed amenity is also a private street. Ms. Kanellopoulos said this type of development has been approved before in the county, including at Riverside Village, and staff supports all the exceptions to allow for amenity-oriented lots and emergency access for fire rescue.

Ms. Kanellopoulos said staff recommends approval of the rezoning request with several proposed revisions as outlined in the staff report. She said she could return to any of the proposed revisions for further discussion, if requested.

Ms. Kanellopoulos said staff also recommend approval of the requested special exceptions to allow for the amenity-oriented lots. She said the requested revisions can be completed between this public hearing and the Board of Supervisors public hearing.

Ms. Kanellopoulos said the applicant has also indicated that there is additional information on the seventh revision, which is to meet the county's affordable housing policy per the Comprehensive Plan.

She said the applicant has not yet submitted any additional information to staff; therefore, it is not included in the PowerPoint nor the staff report. Ms. Kanellopoulos said that staff invites the applicant to provide additional information, especially since not meeting the housing policy is a factor unfavorable.

Ms. Kanellopoulos said these are the motions for the commission's considered. She said that there are four motions for the special exceptions to allow for amenity-oriented lots. Ms. Kanellopoulos said she would answer any questions.

Mr. Keller asked if there were questions for staff before hearing from the applicant.

Ms. Spain asked to verify that under the current zoning, the maximum number of units would be 11 and that under the new request, it would be 16-46.

Ms. Kanellopoulos verified this is correct.

Mr. Keller invited the applicant to come forward.

Ms. Nicole Scro, representative of the applicant, said she has lived in Albemarle-Charlottesville for the past seven years and has worked as a local land use and zoning attorney. She said she recently started her own real estate development company, focused on creative and innovative ideas to bring new housing products to the market.

Ms. Scro said Mr. Shimp of Shimp Engineering could answer any questions she cannot.

Ms. Scro presented the layout. She said she would like to address four main points. Ms. Scro said the first point is that the proposal is consistent with the Comprehensive Plan. She said the proposal is designated as urban density residential, which recommends between 6 and 34 dwelling units per acre, or between 11 to 66 total units. Ms. Scro said they are proposing between 8 and 24 dwelling units per acre, or 16 to 46 total units.

Ms. Scro said that other Comprehensive Plan guidelines the proposal meets are the maximum building height (recommended at four stories but decreased to three stories). She said the project achieves a mixture of both uses by adding residential and commercial, as well as a mixture of housing types. Ms. Scro said there is an apartment complex and some small detached houses.

Ms. Scro said they are limiting the building footprint to 5,000 square feet and are completing the multi-use path that exists there currently. She said the path currently ends at the front of the property and picks up again at the other end of the property, so the project will be able to complete the path. Ms. Scro said that local races such as the Charlottesville Marathon and 10-Miler run through the property, and that they will be able to connect the Belvedere community to the path that eventually goes to Charlottesville City and the Rivanna Trail.

Ms. Scro said that they are not only consistent with the Comprehensive Plan, but she believes that they are consistent with the context of the area as well. She showed a picture of Rio Road and said that driving on 29 down Rio Road, on the left there are several churches and gas stations (all zoned Highway), then there is the recently renovated Covenant Church with a large massing of about 40,000 square feet. Ms. Scro said project's property is on the left as one turns onto Belvedere Boulevard. She indicated to

the Belvedere corridor and said that this is where the Senior Center will be, which has two stories and is fairly large in height, and about 20,000 square feet in building footprint.

Ms. Scro indicated on the picture to The Reserve at Belvedere, a large 300-unit apartment complex that is at four stories along indicated points, and at three stories along other indicated points. She said the buildings are between 35 and 45 feet in height.

Ms. Scro indicated to a zoomed-in picture of The Reserve, which she noted is further down Belvedere Boulevard. She said looking at two buildings on the picture and walking down the path, the proposed property is less in size than those two buildings.

Ms. Scro said they are continuing the context of the corridor and showed renderings of the Senior Center. She said it is a large building. Ms. Scro again showed pictures of the four-story portion of The Reserve.

Ms. Scro showed pictures of the Ryan Homes development adjacent to the proposed project. She said this was part of the Dunlora development and said they are two-story homes that front along Fowler Ridge Court. Ms. Scro showed a picture of Rio Road as one drives towards the Belvedere Boulevard intersection. She said the back side of the houses are three stories, as one can see the foundation or basement level, and that the houses are 35 feet in height. Ms. Scro said the proposed building is 40 feet in height and therefore will be about the same height as these houses.

Ms. Scro showed a slide of a cross-section of what the proposed buildings will be and the Ryan Homes houses and said the Ryan Homes houses are larger. She said the proposed buildings are closer to the street but are 20 feet back from the road because of easements.

Ms. Scro said that the houses in the adjacent Ryan Homes development did not have to go through the Architectural Review Board. She said that because this is now classified as an entrance corridor, the applicant will have to go through the ARB, and therefore will have to meet higher standards than the current landscaping that is there.

Ms. Scro said that this proposal is offering a housing product type that is not often seen, which is a house with an 800-square-foot footprint and 1,600 gross square footage with the two stories included. She said that houses currently on the market are usually 2,000 to 3,000 square feet and are \$400,000 to \$500,000 or higher in price. Ms. Scro said that in her narrative, when searching Zillow and MLS, one cannot find new, single-family detached homes in the Charlottesville-Albemarle area for less than \$380,000. She said if one wants a single-family, detached house in the Charlottesville-Albemarle area, one has to live on the outskirts of town, in other counties, or in an attached townhouse. Ms. Scro said the applicant is trying to allow for affordability and enjoyability for those who would like to live in a single-family detached home. She said the apartments and commercial can subsidize some of the innovative housing on the other part of the property.

Ms. Scro indicated on a picture to a cottage cluster, which has been done on the West Coast more frequently. She said the houses there are about 850 to 1750 square feet, and the proposal shares about the same density. Ms. Scro said there is a common area that the houses are surrounded by. She presented another example.



Ms. Scro said there was a CAC meeting and that the applicant met with the HOA of the Shepard's Ridge Community, which consists of homes adjacent to the property. She said the community brought up three concerns – the first being the allowable uses. Ms. Scro said she revised the code of development to prohibit all uses she believed could bring up issues and added a condition that if there is uncertainty about the definition of a use, it must be determined by the zoning administrator. She said the massing was decreased from four to three stories. Ms. Scro said there is a condition in the code of development that requires the applicant to include the input from the Fowler Ridge Court residents as to what screening will happen between the proposed property and Fowler Ridge Court residents. She said there is open space that already exists between; however, if they want a fence or landscaping, they will be able to have input on that decision.

Ms. Scro said that factors unfavorable were the housing policy, which the applicant had not originally included 15 percent affordable housing. She said this would be included and that the applicant would work with staff on this and is on board with providing affordable housing.

Ms. Scro thanked the commission for their consideration and offered to answer any questions.

Mr. Kent Schlusell (1171 River Chase Ridge, Dunlora) said he has been a county resident since 1977 and has seen many changes in the county since then – some good, some not. He said this proposal is not one of the better changes needed in the county. Mr. Schlusell said that besides an increase in traffic that will happen on an already crowded road, the design of the development is not compatible with the character of the section of Rio Road between Pen Park Road and the railroad tracks that run parallel to Belvedere Boulevard. Mr. Schlusell said that driving along this section of Rio Road, one can only see single houses, duplexes and triplexes, churches, and schools. He said there are no apartment buildings on this section of Rio Road. Mr. Schlusell said the houses are no more than two stories, with the exception of a few basements you can see from Rio Road. He said there are also no commercial businesses along this section of Rio Road.

Mr. Schlusell said that only a few tenths of a mile from the proposed development, there will be the new Senior Center, with a café or coffee shop. He said there will also be a medical clinic at the center.

Mr. Schlusell said there are already commercial developments within walking distance of the proposed development for food and gas, and plenty of office space towards the west part of Rio Road.

Mr. Schlusell said the county does not have a need for more empty offices spaces and stores, such is the case with Fashion Square Mall.

Mr. Schlusell said traffic would be increased significantly, with already-approved developments in the area, especially at the intersection of Rio Road and Belvedere Boulevard. He said these developments include a significant number of houses in the Belvedere community, soccer fields, and the Senior Center.

Mr. Schlusell said he had to go to the county building on 5<sup>th</sup> Street on May 23 from Dunlora, and it took him 35 minutes to get there for a 6:00 pm meeting. He said traffic is very bad on that section of Rio Road.

Mr. Schlusell said he believes the Planning Commission should be looking at developments in the context of the existing environment and what has already been approved and use a macro-level view

rather than a micro-level view. He urged the commission not to increase the number of units on this parcel of land, and to keep it as R4 as it is currently zoned.

Ms. Jennifer Mathis (885 Charter Oaks Drive) said she is currently with the Dunlora board. She said that one thing most people love about Charlottesville is that there are large-town amenities with a small, rural feel. Ms. Mathis said part of that is the greenspace and not having traffic akin to the kind in Fairfax.

Ms. Mathis said the community looked at the traffic impact by not just the proposed development, as this cannot be looked at in isolation. She said that it was mentioned this project would result in 100 or more trips in a day but pointed out that this was only for this proposed project, and that there are many other projects in the pipeline. Ms. Mathis said they looked at the current developments around the Belvedere and Rio exchange, as well as around Rio Road and John Warner Parkway. She said that when adding them all up, they total 2,465 units and that with these units, motorists are associated that are driving through intersections that currently have C or D ratings from VDOT. Ms. Mathis said the community spoke with VDOT and that they either have few or no ideas as to how to correct these interchanges.

Ms. Mathis said they looked at what has already been approved (such as the full buildout of Belvedere), as well as what's being proposed. She said this totals 979 units and that, doing the math, that's almost a 40 percent increase. Ms. Mathis said VDOT's analysis is almost two percent, by comparison. She said in addition, the Senior Center has 200 to 220 parking spots and that she guesses this will generate more than 20 or 30 cars parking there. Ms. Mathis said there is a reason why that many spots are being put in.

Ms. Mathis said there are also soccer fields going in, with six proposed fields. She said that being a mom of four soccer players, around 5:00 to 6:30 pm, there would be upwards of 200 cars going in and out of the development during rush hour and does not include weekend games. Ms. Mathis said this part is not even in their analysis.

Ms. Mathis urged the commission to not look at the project in isolation but to consider what is already in the pipeline.

Ms. Kathie Hullfish (817 King William Drive, Dunlora) respectfully requested that the commission deny the rezoning proposal. She said she was well aware of the arguments both for and against the proposal and would not rehash what had already been spoken. Ms. Hullfish said she wanted to make the commission aware of a few points that may have been overlooked during their judgment of the merits of the current proposal.

Ms. Hullfish said that Rio Road has two large, new apartment complexes down the street near Stonehenge. She said to her knowledge, the current and future occupancy of those dwellings has not been described and may indeed meet much of the current and future apartment housing demands. Ms. Hullfish said in her opinion, it is premature to assume an additional apartment complex in the current proposal is needed or necessary on Rio Road.

Ms. Hullfish said there is a plethora of empty storefronts and spaces in the current Albemarle Square complex which could be converted to living space without needing to destroy current open space.

Ms. Hullfish said the Places29 master plan highlights the need to “identify any historical or archaeological significant sites in a proposed development.” She said the developer’s proposal states, “There are no known environmental, cultural, or historical resources on this site.” Ms. Hullfish asked if the developer or applicant of the proposal has done due diligence to be sure there are no historical remnants (for example, slave graves) of the Free State area, as has been noted before in the Dunlora neighborhood.

Ms. Hullfish said the county’s Comprehensive Plan highlights the need to protect our environment and natural resources as one of its overarching goals. She said this current proposal to rezone the property by multiplying residential and commercial units, as well as vehicular and additional human impact, runs counter to the objectives and strategies outlined in the Comprehensive Plan. Ms. Hullfish said more needs to be done to address climate change and its effects and asked what specifics the developer is going to incorporate in the construction and infrastructure of their plan to offset its effect on climate change.

Ms. Hullfish said R4 residential zoning provides for compact, medium-density, single-family development. She said this is what she and her family moved to the area for over 20 years ago, and that they do not want the neighborhood to become like Fairfax. Ms. Hullfish said the current zoning should remain in place, with affordable units included.

Ms. Hullfish asked the commission to deny the rezoning proposal.

Ms. Alexis Haley (2038 Shepherds Ridge Road) said she lives with her husband in a single-family home in Dunlora. She said her property faces the 999 Rio Road development, that the development is in her front yard and that she looks at it through her front window every day, yet when the parcel is described by staff, it is described as being located only at the intersection of Rio Road East and Belvedere Boulevard. Ms. Haley said that the parcel abuts Shepherds Ridge Road and wondered why she is being ignored.

Ms. Haley said she has grave concerns about the proposed rezoning, as it is literally in her front yard. She said the rezoning is going to ruin the neighborhood, and that the value of her property is likely to plummet. Ms. Haley said had she known this would happen, she never would have bought her house, and if the development happens, she will have great difficulty selling the house in the future.

Ms. Haley said there are traffic issues, and that the large shopping centers up the road remain largely vacant. She said that trees are currently in her view from her home but that if the rezoning is approved, she will be looking at a parking lot, a dog park, and a conglomeration of buildings that are out of sync with Dunlora.

Ms. Haley said she would greatly appreciate the commission expanding the scope of their evaluation of the impact of the rezoning.

Mr. Catron (2038 Shepherds Ridge Road) asked for the site plan to be presented again. He said that Shepherds Ridge Road is on the lower right corner of the site plan, and that his house and his two neighbors’ houses are directly across the street from that. Mr. Catron said what can be seen on the plan is a greenspace buffer which separates Dunlora from Rio Road, which would be gone with the proposal. He said he was concerned that the access road to the development on the right-hand side, as cars come

down the road, the beams from headlights will go directly through his front window and the front windows of his neighbors' homes. Mr. Catron said there was no indication of a buffer in the plan, and that he would like to see trees to keep parking buffered.

Mr. Catron said the only sketch he saw of the site plan showed everything grayed out on the bottom right and does not show the true impact of the development on that stretch of Shepherds Ridge Road. He said there is no indication on the site plan of a buffer and that it would be helpful to have one.

Mr. Bivins invited Ms. Cooper to come forward.

Ms. Cooper said she would pass, as prior speakers had said everything she wanted to say.

Mr. Bivins addressed the public and said that they did not have to come forward if their points had already been addressed by other members of the public, although they are still welcome to.

Mr. Whitman Cross (900 Charter Oaks Drive, Dunlora) said he has lived in the area since 1998 and that he is concerned about the developments happening along Rio Road and Belvedere. He said he is concerned with a potential conflict of interest with Ms. Scro being a member of the Places29 Community Advisory Committee. Mr. Cross said that though this is not necessarily intentional, the fact that Ms. Scro represents the proposal being discussed, as well as the committee, concerns him.

Mr. Cross said there must be a carefully planned set of studies to look at the many stakeholders, including the stakeholders of the Senior Center, soccer fields, and everything else that takes traffic up and down Belvedere Boulevard. He said the community has not heard anything from VDOT as to their concerns and how they will handle the potential increase in traffic.

Mr. Cross said the set of studies that must be carried out need to be carefully set up in a proper sequence so that factors are not forgotten when a proposal is approved. He said it's a complicated issue to be dealt with – not just the site, but the complexity of the whole area.

Mr. Cross said regarding the commercial aspect of the site, the parking may be limited depending on the type of commercial use. He said, for example, if it's a lawyer's office, that would be fine; if it's a 7-11, it would not be. Mr. Cross said any traffic going in and out must be a serious consideration on this site.

Ms. Martha Springett (895 Charter Oaks Drive) said that she and her husband, John, have lived happily in the Dunlora community for many years. She said the application to rezone parcel 999 should not be allowed. Ms. Springett said that within the surrounding neighborhood (Belvedere) the Senior Center, the new medical center, and several public soccer fields would add thousands of cars to the use of Belvedere Boulevard. She said this application will add at least 151 more cars coming from the parcel onto Belvedere Boulevard and East Rio Road, which is an exceedingly dangerous intersection. Ms. Springett said Belvedere traffic is being forced to use the back roads into Dunlora and Carrsbrook. She said the idea of using quiet neighborhood streets as major collector roads is a travesty, and that the roads were not designed to be main collector roads.

Ms. Springett said according to the Albemarle Comprehensive Plan, objective 9 says, "Match infrastructure availability and capacity with new development, especially in priority areas." She said that in order for the development areas to be places where new and existing residents want to live, impacts

from new developments should not adversely affect existing residents and property owners. Ms. Springett said that one way to mitigate impacts is to ensure that adequate infrastructure is in place before, or concurrent, with development.

Ms. Springett said the design for two- or three-story rectangular buildings with business and rental apartments, and 8 to 14 tiny houses, is not in keeping with the traditional character of Shepherds Ridge Road, River Crest, Dunlora, Dunlora Gates, Dunlora Park, and Dunlora Forest. She said such high density and poor design is inconsistent with the descriptions and desired appearances of neighborhoods used in the Albemarle County land use Comprehensive Plan. Ms. Springett said the plan says to “Use design and architectural techniques to help new development blend into existing neighborhoods.”

Ms. Springett said goals for density “must be tempered with the need for compatibility with the neighborhood. She said if the density were to be proposed at the high end of the range within a low-density neighborhood, the change could be so dramatic as to severely alter the character of the neighborhood.”

Ms. Springett said she understands that the Dunlora has been designated Neighborhood II of Places29. She said the community has attended a majority of the public meetings to discuss Places29 and recently attended the sidewalk panel on form-based code. Ms. Springett said it is apparent that the present Planning Commission and Board of Supervisors have adopted the form-based code zoning to replace the by-right existing zoning without major public understanding nor public acceptance of form-based code. She said this petition is incompatible with the description and desired appearances of neighborhoods used in the Albemarle County land use Comprehensive Plan. Ms. Springett implored the commission to have the property remain by-right R-4 zoning.

Ms. Laura Mulligan Thomas said she has taught in the Charlottesville City schools for nearly 40 years and has lived in the county for nearly 40 years (20 years in Dunlora). She said 20 years ago, traffic concerns were limited to livestock, and things are different now. Ms. Thomas said she and her family purchased the house in part due to the beautiful wooded scenery around it, which is now gone. She said there are multiple new developments, with non-stop construction and traffic increases happening for the past 20 years. Ms. Thomas said they nearly lost half their side yard to the parkway.

Ms. Thomas presented a poster with a graphic of the number of traffic incidents (80) in the past six years on the half-mile stretch between Pen Park Road and Belvedere Boulevard, noting that this was VDOT data. She said these 80 accidents include one fatality and seven severe injuries. Ms. Thomas said anyone who drives this road on a frequent basis can tell you how dangerous it is. She said that one is putting their life at risk simply by walking this area as people drive too fast there, and that it is a busy intersection that has a C to D rating by VDOT. Ms. Thomas said that if nothing improves in the next few years, the intersection will have an F rating. She urged the commission to decline the rezoning request, as the county needs to say we have enough traffic and are saturated.

Mr. Michael Orloff, a Dunlora resident, said he has lived in the area for four years and loves it. He said the subject area is in an entrance corridor and noted that the Comprehensive Plan states that the entrance corridor overlay district is intended to implement the Comprehensive Plan’s goal to preserve the county’s scenic resources because they are essential to the county’s character, economic vitality, and quality of life. Mr. Orloff recommended that the commission re-read the Comprehensive Plan

regarding the entrance corridors. He said that these are places that both tourists and residents are coming through, and it is recommended that these places stay the size that they are now.

Mr. Patrick Punch, a Dunlora resident who lives on Shepherds Ridge Circle, said he has lived in the Charlottesville Albemarle area for more than 40 years and has seen many changes in the area. He recommended the commission deny the rezoning request. Mr. Punch said the applicant has told the commission many positive attributes about how the development would fulfill the county's goals and conditions, and staff has recommended approval of it with changes and additions to possibly be made, and he has noticed that the changes often are not made in the future or followed up upon.

Mr. Punch said that overall, he is concerned about the traffic. He said this development is one of many in the pipeline that, while the developer is focusing on their plan and contribution to the community of housing, will impact traffic. Mr. Punch said the commission should take a broader view at the safety and quality of life of everyone transiting in the area, as the area traffic has gotten worse and will continue to do so. He said one cannot deny by-right zoning, but thinks the commission should prevent the area from becoming any larger than it absolutely has to, because each additional house built and cars associated with them will make traffic worse and the quality of life for everyone in the area using these roads will go down. Mr. Punch asked the commission to deny the rezoning request.

Mr. Charles Kelly, a resident of Arden Place Apartments off Rio Road East, said he has lived in Albemarle County for three years, had move to the county from Cincinnati to start his career at Commonwealth Computer Research. He said initially when he came to the Charlottesville-Albemarle area, he had difficulty finding housing with his starting salary. Mr. Kelly said that being new to the area, there were not many resources with which to find available housing. He said luckily, he had support of his family and coworkers to help him find a place where he stayed for two years at Eagles Landing. Mr. Kelly said he moved to Arden Place because it was closer to his place of work, grocery stores, and other places that he frequents.

Mr. Kelly said that while not everyone who is looking to rent in this area may have the same situation he had with his career and salary, some people are priced out of areas. Mr. Kelly said, for example, he cannot rent downtown because he is priced out of the area. He said that having more options that are closer to the downtown area, such as the proposed development, would allow people to have the chance to be in communities of people who have been in the area a long time to understand the area and share with them things they enjoy about the area. Mr. Kelly said he thinks this would be a good thing for new residents to be exposed to, and that the benefit of the proposed development is that it would place new residents with residents who have a vested interest in the future of the area.

Ms. Leslie Middleton (374 Shepherds Ridge Circle) said she has been a resident of the Charlottesville-Albemarle area since 1991. She said she would not repeat what many other speakers had said about the difficulties and problems with the proposed rezoning, specifically the cumulative impacts on traffic; aesthetics; and loss of the miniscule amount of habitat for wild animals, native tree species, etc. that will come with yet another development in the area. Ms. Middleton said that all these things are important to her, and to the quality of life, and are values that have been upheld in the Comprehensive Plan and in numerous documents that have come from the county about the importance of place.

Ms. Middleton said she would like to point out that the applicant stated it was offered that the compliance with the height requirements of bringing the apartment building down to three stories was

supposedly in context. She said she would invite the commission to look at the Ryan Homes units that are supposedly about the same height as is being proposed. Ms. Middleton said that development itself is a travesty the way it came about and what it has done to the aesthetics of that corner. She said she feels for the people who live there, because they have no buffer to the entrance corridor traffic. Ms. Middleton said that the proposal needs to be looked at in totality, and that this should not be the standard by which the commission's decision is made. She said this is not the context, and that she believes the context is the John Warner Parkway and the butterfly and pollinator field that will be put in front of the Ryan Homes development. Ms. Middleton said these are the things that people come here to be a part of, and that's what the entrance corridor should look like. She said she understands the need for affordable housing, and perhaps the proposed development should consist entirely of small, single-family homes, and to leave the commercial and apartment parts out of it.

Ms. Judy Kiddle, a resident of Dunlora Park near Shepherds Ridge, said she moved to her current residence from Dunlora because she wanted to remain in the area and loves Dunlora. She said she and her husband are cyclists, and that one thing that hasn't been mentioned in the traffic discussion is that when she rides her bicycle down Rio Road and attempts to turn into Belvedere or Dunlora, it is not easy. Ms. Kiddle said she has to cross two lanes of traffic to join a lane that has cars in it. She said when discussing the plan for the turn for this new development, one has to turn right out of Belvedere, move over a lane, and then do a U-turn, which is very difficult when one is riding a bicycle and can only be done during certain times of the day.

Ms. Kiddle said she wants the commission to consider, when talking about making these areas urban density places, a place where people can walk and bicycle, it has to be developed so that people can do these things. She said one cannot commute on their bicycle if one doesn't get on the roads sometimes.

Ms. Kiddle said that with small homes along the road, she questions the amount of parking. She said Belvedere has many alleyways in which cars are parked in the back of homes. Ms. Kiddle said it also has a bike lane which she doesn't use because it's usually full of cars, and she thinks that would be something to consider with this particular area. She said it is already difficult to turn off of Rio Road onto Belvedere Boulevard in part because of the trees, and because the traffic is difficult there.

Ms. Kiddle urged the commission to consider these factors, as well as everything else that had already been said by members of the public.

Mr. Sean Tubbs with the Piedmont Environment Council, and a city resident, said he had general thoughts about infrastructure in the vicinity as the commission considers the proposed rezoning and any future ones. He said the proposed property, along with the Wetsel property, are at the eastern edge of the Places29 Rio area, which has seen much by-right development over the past several years. Mr. Tubbs said in the petition before the commission, many residents have said they would like to see a pause while the intersection improvements that might address bike and pedestrian concerns. He said he doesn't necessarily hold a position on anything being discussed.

Mr. Tubbs said residents have cited a similar moratorium in the petition for the village of Rivanna. He said there is an expectation in the community for the concurrency of infrastructure with a development, but that is difficult to do when all the developments have gone by-right, which is what many of the developments have done on East Rio Road in the past few years. Mr. Tubbs said this property owner has

not gone that route, as so many existing units have done. He said they have taken the risk of going with a rezoning and, as such, would like to do something to contribute to the infrastructure.

Mr. Tubbs said it would be a good idea to step back and think about the northern terminance of the John Warner Parkway (originally known as the Meadow Creek Parkway). He said the southern terminance was the subject of months of meetings of community engagement. Mr. Tubbs said ideally, there would have been a master plan or streetscape study with actions and potential mitigations for this development and for others in the area that have gone by-right, and that this has not happened yet. He said looking at what staff has done with the Pantops and Places29 master plans, this is catching up.

Mr. Tubbs said he doesn't have any advice on what to do and would leave it to the legal department to determine if it's a legal option but said that the commission's predecessors of 20-30 years envisioned this area for higher density, which is why they went with R-4 zoning. He said this is in keeping with the Comprehensive Plan to keep people in the area so that they don't sprawl into the rural areas.

Mr. Tubbs said that although he's not weighing arguments one way or the other on this proposal or on the Wetzel property said that in this case, there is a bus line at both locations, which will potentially do well if there are more people along the bus ride. HE said he believes this is a condition of the city's support for the project going to The Center.

Mr. Tubbs asked that with the two rezonings, is there any chance that the two developers could come together to potentially suggest something better. He said there are a lot of concerns from the community about infrastructure, and he believes they are worth addressing as the commission goes forward.

Mr. Brian Thomas (975 Charter Oaks Drive) said he moved to the area in 1983 and lived north of Charlottesville, on Avon Street Extended in Mill Creek, and has seen development. He agreed that we do need economic development planned well, and affordable housing, with challenges regarding traffic and density associated with the proposal.

Mr. Thomas said he heard that 150 trips per day would be added, and that what hasn't been factored in is the impact associated with the villas off of Free State Road, which empties into Belvedere. Mr. Thomas said that regarding the Fairview Swim Club, during certain times of the year, that traffic empties onto Rio Road.

Mr. Thomas said that Peter Thompson's original concern was traffic coming from The Center. He said his 88-year-old mother-in-law drives to and from The Center now, and that the traffic will present a challenge for her.

Mr. Thomas said that drivers turning right or left on Rio Road during the day will encounter bad accidents and believes that VDOT should study this before any additional changes are made. He said with the 775 houses in Belvedere, the soccer fields, the swim club, and the villas at Free State, there is already a large amount of traffic being added to Rio Road.

Ms. Annie Trellme (1325 Barclay Hill, Dunlora) said she has lived in the neighborhood for 23 years. She said she was stopped at the turn at Dunlora with her turn signal on and waiting for traffic to go by, and that it is a very abbreviated cut-in to go into Dunlora there. Ms. Trellme said she cannot imagine more



traffic on the road, and as she waited to turn, someone speeding around the corner ran into her. She said the driver behind her was taken to the hospital, and that her own car had to be repaired. Ms. Trellme said that the thought of young people and teenagers driving trying to navigate this difficult area is concerning. She said many times she will turn left and go through Belvedere, which seems absurd to have to drive through another neighborhood to get to her own.

Ms. Trellme said she is against the proposal and thinks that it is very dangerous.

Mr. Mark Kavit, a city resident, said there is a group in the city that serves as a watchdog for development in the city. He said this proposal was brought to his attention and that he didn't feel this was a good proposal. Mr. Cambit said it does not follow the Comprehensive Plan, which is state law and must be followed. He said if one deviates from the plan, there must be a good reason to do so.

Mr. Cambit said that his group is in discussion with an attorney and there is a possibility that lawsuits may be done against the city for actions that have taken place in the past, as well as some that are getting ready to take place currently. He said hopefully it will not be necessary to bring the county into the lawsuit. Mr. Cambit said he has been pleased with some of the things the county has done and has made recommendations that the city should follow based on things the county has done. He said he has experience with the applicant on a previously defeated project (Urban Farm), and that the county had the wisdom not to allow construction on flood plains, which he applauded the county for.

Mr. Cambit said concerning the subject proposal, it would not follow the form-based code the county is considering. He said there is a meeting form-based code the following day and that it may move forward; however, the commercial part of the building being so close to Rio Road would not be in keeping with form-based code. Mr. Cambit said that the small homes are a great idea, but to pay for them, the commercial aspect needs to be included. He said to keep in mind what is going to be happening with the changes in development in the shopping centers on Route 29, and that there will be more opportunities there. Mr. Cambit said he strongly recommends following the Comprehensive Plan.

Mr. John Springet (895 Charter Oaks Drive) said he has been a resident of Dunlora for the past 22 years. He said he is opposed to the rezoning and said he would not repeat everything that has been said. Mr. Springet said he had sent the commission an email describing the traffic situation about a week prior, and said we are looking at an almost no-win situation. He said there are transportation problems that need to be addressed, and they haven't been either by VDOT or the county. Mr. Springet said that the residents to live a safe existence in their own community, and that the infrastructure needs to be improved.

Mr. Springet said the master plan is not the law of the land but rather, a guideline. He said that as a guideline, the commission and the Board of Supervisors are able to make common sense decisions for the betterment of the citizens. Mr. Springet said he hopes what has been said by the public will help them do that and that they will not approve the rezoning request.

Mr. Bivins addressed members of the public to remind them not to repeat what others have said but rather, to add something to the discussion.

Ms. Lindsey Eckford said she was born in Charlottesville, lives in River Run, and in the past 66 years has seen many changes in the area. She said she is concerned her home will be devalued, and that she

values greenspaces and used to love Rio Road as it used to look like the country, though close to the city. Ms. Eckford said she likes affordable housing for deserving people, but she would hate to see the area change so much. She does not wish to see anything over the R-4 approval and wants everything to stay small.

Ms. Eckford said that living next to Pen Park, she has heard hotrodders on the road, and noted that it is difficult for the rescue squad to get through that area.

Ms. Eckford said the area is beautiful but that it continues to be developed. She said she loves the farm on Rio Road, and that the McIntire gardens are being installed. Ms. Eckford said she likes the quality of greenspace, quality of life, and maintaining the value of her home. She asked the commission to reject the rezoning request and to keep the R-4 zoning.

Mr. Keller thanked the public, and said he wanted to share how the process will continue from this point. He said they will hear from the applicant again. Mr. Keller asked the commissioners to hold their questions for the applicant until after they have done their sum-up. He said there would be a 5-minute break, and there would then be an opportunity for the commission to speak with the applicant and staff, if necessary, and would also like to hear from VDOT and transportation county staff. Mr. Keller said the public hearing would then be closed for discussion and action.

Mr. Keller invited the applicant to come forward.

Mr. Shimp said the house that is being redeveloped was built in 1961. He said the surrounding neighborhoods at that time did not exist. Mr. Shimp said those folks in that house probably had the same feelings about Dunlora when it was developed 20 years ago, which had also resulted in a traffic increase. Mr. Shimp said that although this needs to be dealt with, there is no reason to say that the doors should be closed to anyone else who would like to live there. He said the Comprehensive Plan is intentionally written to promote a variety of housing types, so there is not just one segment of a population living in a neighborhood. Mr. Shimp said that their proposal addresses this as the Comprehensive Plan calls for it, and believes the proposal is appropriate for the site. He said he believes that this plan is moving in the right direction regarding walkability and effects on climate change, versus more R-4 development with no walkability.

Ms. Scro said she wanted to address to the Haleys, who live adjacent to the property, that if there are four or more parking spaces, there is requirement to have either 20 feet of vegetation or a 6-foot fence, so there will be one of those two options to serve as a buffer. She said that for these residents, they would have input into the choice, and would also like to include theirs and neighboring homes in those discussions as well, as she would like to be sensitive to people who live in the area.

Ms. Scro said in regard to VDOT, VDOT and the county transportation planner had said that the scale is small, so the impact is proportional to the small size and there isn't much they can do as far as extracting anything from them. She said they are working on the multi-use path and said that if on bicycle, there will no longer be a need to exit onto the road from Belvedere. Ms. Scro said that in their meeting with VDOT, that SOCA, The Senior Center, and developers from Belvedere were also in attendance. She said Ned Galloway did a good job of bringing awareness to VDOT that in their study of this specific intersection, they need to think about all the proposed uses and developments coming to

this area. Ms. Scro said this specific intersection is on VDOT's radar, and that they were promised a study in April or May, but it has been delayed.

Ms. Scro said there have been comments about greenspace and climate, and that if people have to live on the outskirts on the county, as can be seen in the housing assessment with clear data that states that at least 1,400 people are commuting from Augusta alone, that drive or commute from 40 to 60 minutes away is not good for the environment.

Ms. Scro said that the homes next to the proposed development did not have to go through the Architectural Review Board, and that the proposal will have to include improved landscaping to include people in the community while still preserving the scenic byway.

### **Recess**

The Commission recessed their meeting at 8:14 p.m. and reconvened at 8:21 pm.

Mr. Keller said there were two things he heard from members of the public that concerned him, and elected and appointed officials and staff work hard to work in the parameters set forward by state regulation and by county code.

Mr. Keller said that the first statement he heard from the public were that staff recommendations are not being followed up on and asked the council to address this.

Mr. Herrick said that staff does take both the Comprehensive Plan and the county code very seriously. He said that staff's presented analysis is very detailed and contains factors favorable and unfavorable. Mr. Herrick said that staff's analysis to the Planning Commission is based on the Comprehensive Plan and the existing county code. He said that the prerogative of the Planning Commission and ultimately the Board of Supervisors is to act on staff's recommendations, information from the applicant and from the public, and make the best decision. Mr. Herrick said that once a decision is made, it becomes part of the binding county law that county staff is tasked with enforcing. He said the county does have full-time code enforcement staff that does enforce the county codes, proffers, and site plans. Mr. Herrick said that to the extent that anything isn't being followed, county staff is tasked with enforcing it.

Mr. Keller asked the planning staff if they had any follow up to this.

Ms. Kanellopoulos said that, to address the concern about proposal's inconsistency with the Comprehensive Plan, this was all reviewed against the Places29 master plan and reviewed height, uses, density all described in the master plan, which the proposal meets. She said that staff also looks at existing developments with the same designations to review consistencies with those as well. Ms. Kanellopoulos said that staff looks at neighborhood model principles, such as walkability, design, and access. She said this proposal is consistent with all those principles, except for the affordable housing recommendation, which it appears the applicant has provided an update on.

Ms. Kanellopoulos said that as far as infrastructure, staff and VDOT found this to be an incremental increase in traffic and that it would be further discussed. She said that VDOT is in the process of studying the intersection and coming up with a recommendation and has been in this process for quite some

time. Ms. Kanellopoulos said that as far as other infrastructures, such as water and sewer, there were not any concerns from the service authority about those.

Mr. Keller suggested to the commissioners that Mr. Kevin McDermott come forward to introduce the VDOT representative. He said that as so much of the discussion has been about transportation issues, perhaps VDOT could weigh in on the discussion first. Mr. Keller said they could then come back to allow commissioners to ask questions to staff and the applicant.

Ms. Spain said she would also like the county attorney to discuss the issue of the moratorium on development.

Mr. Herrick said that the applicant has come forward with an application that deserves a case-by-case analysis. He said that when an applicant comes forward, he or she is entitled to have the application judged on its own merits. Mr. Herrick said there may be reasons for approving it or denying it. He said there may be the same reason for approving or denying for similar applications that come along. Mr. Herrick said that in any event, the applicant has brought forward an application that does deserve its own case-specific determination.

Ms. Spain said that a member of the public had said that the Comprehensive Plan is law, and that it has been followed. She asked Mr. Herrick to clarify this point.

Mr. Herrick said the Comprehensive Plan is a guideline and plays a heavy role in staff's report. He said staff looks at both the comprehensive county-wide plan as well as the Places29 master plan. Mr. Herrick said it guides the zoning ordinance, which is ultimately the law of the county.

Mr. Keller acknowledged the negative reactions in the audience and said that planning commissioners have had significant training in what the laws and regulations are. He said the commission is an advisory body, and the Board of Supervisors is the body that makes the final decision. Mr. Keller said this is an opportunity to further vet these topics, but ultimately through staff, the decision goes to the Board of Supervisors.

Mr. Herrick said this is correct, and that there are some issues on which the Planning Commission does have the final say, but on applications like this one, the commission is an advisory body for the Board of Supervisors.

Mr. Kevin McDermott, transportation planner with Albemarle County, said he would provide background on his review before bringing up Mr. Moore to talk about more specific, immediate issues on the project. He said that Transportation did not require a traffic impact analysis related to this project because there is a general threshold set of about 1,000 vehicles per day from a legislative application to require that. Mr. McDermott said that is a reduction from what is used to be years ago (at about 5,000 vehicles per day). He said the total daily traffic at the maximum development of the proposal is around 800 vehicles per day, and that the 150 that was referenced earlier is a combination of the two peak hour generations (with A.M. peak hour at a maximum of 60 vehicles, both entering and exiting).

Mr. McDermott said the reason these limits have been set on what is required from a traffic impact analysis is because when analyzing a small development, these are estimates and a model – it can't

generate too much specific data, and care must be taken with how the numbers are used. He said for example, with the 60 vehicles, 30 of those could be leaving in the peak hour, meaning there would be one every two minutes, and there would not be a significant increase noted at any one point in time.

Mr. McDermott said that, imagining there would be about 30 vehicles in the peak hour, the real concern is with the peak hour. He said he looked at this development and couldn't see where it would have a significant impact on the traffic at that intersection with that level of traffic generation.

Mr. McDermott said that, long term, the county does recognize that with this corridor – especially at the intersection with John Warner Parkway – there are needs to be addressed. He said they are recommended to fall in the first tier of priorities for transportation improvements in the county, and there will be discussion with the Board of Supervisors about this next month. Mr. McDermott said the county would actively seek funding and pursue those improvements. He said that while the county sees the improvements as being necessary, he doesn't believe that the proposed development triggers issues, and that the issue is a cumulation of all development going on in the area and in the county in general. Mr. McDermott said that an increase in background traffic has been noted, whether specific developments are approved.

Mr. McDermott said transportation does look at intersection safety and there were approximately 10 accidents in a five-year period at the Belvedere Boulevard and Rio Road intersection, with one of them considered severe. He said this comes to an average of about two accidents there per year and that, while a problem, it is not something that Transportation sees as a trend that needs to be addressed immediately.

Mr. McDermott said that overall, because of the location being on a bus line, and the improvements with the bicycle and pedestrian infrastructure that would go along with this project, this is the kind of development that staff would recommend for approval. He said he would like to introduce Mr. Moore with VDOT, who has done a more detailed analysis of the intersection and the potential for signals and other improvements.

Mr. Adam Moore, representing VDOT's Charlottesville residency, said he would explain the recent history of VDOT's role of analyzing operations at this intersection. HE said beginning in 2014 at the request of the county, VDOT analyzed the intersection for signal warrants, which is the first step in establishing whether the signal is an appropriate intersection design. Mr. Moore said this was updated subsequently in 2015 and 2016 and that in those studies, VDOT looked at three primary warrants: 8-hour vehicular volume, 4-hour vehicular volume, and crashes. He said that in none of the studies were any of the warrants met in the conditions at that time, and in the most recent version of the study in 2016, staff conducting the study at that time recommended no other study of the sort until there were significant context changes. Mr. Moore said this meant the vehicular volume one would expect to see to meet these warrants would be about 200 vehicles per hour for a sustained period of time – at least four hours, if not eight hours. He said in 2016, the peak hour did not generate 200 vehicles, so it was some way off of meeting the volume-based warrants.

Mr. Moore said the crash warrant looked at crashes over a three-year period. He said at the time of the study, there had been six crashes between 2013 and 2016. Mr. Moore said in the same location and area over the past three year, there have been eight crashes, with a similar breakdown in types of crashes.

Mr. Moore said there is an ongoing study of this intersection and is still in its preliminary stages, examining the potential for an RCUT intersection design as an alternative to a traditional signal that may meet the needs of the corridor and minimize the negative effects seen.

Mr. Keller asked Mr. Moore to describe an RCUT.

Mr. Moore said an RCUT is a restricted left and U-turn based intersection where you would have lefts in available but would not have lefts out available. He said one would take a right out, and then take a U-turn at either an established location or at a new U-turn-only location to go in the other direction.

Mr. Moore said there are a couple of intersections on Route 29 with this same design that are currently under construction at Lewis and Clark and for the North Pointe development.

Ms. Firehock asked if the RCUT was being studied for the intersection regardless of this particular development proposal.

Mr. Moore replied affirmatively. He said VDOT was asked by the county to brainstorm alternatives to a traditional signal based on community input and concerns about the intersection, which means going through a menu of alternative intersection designs, with the RCUT design being the most likely to satisfy the needs and address problems. Mr. Moore said that most likely, the result of the study would be information the county could use in applying for public funding for a project, either through Smart Scale or potentially revenue sharing. He said that it would be unlikely that HSIP funding would be available because it is safety related, and the number of the crashes seen at the intersection does not meet the number eligible for that type of funding.

Ms. Spain asked Mr. Moore if he could address the current ranking of the intersection being a C or D, with the possibility of it becoming an F within five years, and what this would mean.

Mr. Moore said that he believes what the public is referencing with the letter grades are studies generated by developers in applications to the county. He said that typically VDOT does not perform studies in which letter grades are assigned, and that this is typically seen as part of development packages. Mr. Moore said VDOT does review those studies for concurrence with methods and general agreement and conclusions, but those are not VDOT's ratings. He said they are generally a marker of delay experienced by a driver at a given approach.

Ms. Spain asked if the delay meant the number of minutes it takes to get through the light.

Mr. Moore said it means the number of seconds it takes to get through a light. He said an A rating, for instance, would mean 10 seconds or less, and that it doesn't take much delay to get down to the bottom of the letter ratings. Mr. Moore said that 40 or 50 seconds would be a D rating, and that there are many intersection approaches in the area with those types of delays. He said that typically, they focus on the delays and queuing at those intersection approaches and less on the actual letter ratings, as it doesn't take much for an increase in delay to drop to the next letter ratings.

Ms. Spain asked if the intersection is among those with longer delays.

Mr. Moore said that it was not, and because of the nature of the road, there is no stop control on Rio Road. He said much of the traffic that passes through the intersection doesn't make turns and continues straight. Mr. Moore said that the feedback VDOT primarily received was about people making a left out of Belvedere and sometimes having to wait quite a while. He said that if that gets bad enough, it does present a safety concern in which people may not wait for a safe gap in traffic.

Mr. Keller asked Mr. McDermott if he wanted to weigh in on the classification.

Mr. McDermott said it is unknown what the grade of the intersection at Belvedere Boulevard in Rio Road because it was not studied for this application, nor for any applications seen recently. He said the C/D rating could have been a reference to the Rio Road and John Warner Parkway intersection, which there is a recent study for. Mr. McDermott said he could research to see if there is any data on the Belvedere Rio intersection.

Ms. Spain said she did mean the Rio Road and John Warner Parkway intersection.

Mr. McDermott said that this intersection was the one analyzed as a C/D level.

Ms. More asked regarding the timeline of VDOT's analysis from 2014 to 2016, if this was for the Belvedere Rio intersection.

Mr. Moore said that this was the intersection the signal warrant studies were done for.

Ms. More asked about the context changing, and if this point has been reached. She asked if VDOT was looking at the bigger picture of what's in the pipeline and what's under construction, and if this context change has been met with ongoing development (for instance, The Center). Ms. More also asked if the county is asking for signal alternatives at the intersection because it was found that no signal is needed.

Mr. Moore said that the request for evaluating alternatives was in response to if a signal isn't appropriate there, then what would be. He said when VDOT does signal warrant analyses, they do not project into the future at that time because VDOT would never be in favor of a signal going in that is projecting traffic. Mr. Moore said they wait for the conditions to be on the ground, because otherwise negative safety impacts of the safety signals are being given without the benefits operationally if the volumes are not appropriate.

Mr. Moore said that in published traffic data on Rio Road in this area has remained relatively flat, with fluctuations of one to two percent over the past few years. He said that context in terms of volume on Rio Road has not changed, which leaves only further buildout along Belvedere Boulevard. Mr. Moore said he doesn't know what the traffic counts are today versus what they were in 2016, so he could not say if it's been enough to satisfy the warrants but that in 2016, the amount of volume coming from Belvedere was well short of the requirements. He said it would need a multiplier of the traffic volumes in 2016 to meet any of the warrants.

Ms. More said regarding the RCUT, she understands it's an alternative, but it seems from a driver's perspective that the driver is forced to go right and make a U-turn on a busy road. She said that this requires a wait to make a U-turn, and that this feels unsafe to her.

Mr. Moore said that if the driver was turning left out of Belvedere, he or she would have to look left and look right in order to be able to turn. He said the benefit of the RCUT is separating those two directions so to pull out onto Rio, you would only have to look left and look for a safe gap, and when making the U-turn at an existing intersection or a specifically-designed U-turn location, you only have to look straight ahead, which is more similar to making a right turn in which the driver is only looking directly in front of them. Mr. Moore said this reduces many factors that can create crashes.

Ms. More asked if the right turn is being forced, is there a concern about the queueing that would occur as far as the times drivers are waiting turn.

Mr. Moore said a queue is possible but that it is significantly less than left-turning traffic as the driver is only looking for a gap in one direction. He said VDOT hasn't seen any queueing in any of the studies so far, or any feedback from the public, about anyone experiencing delays turning right.

Mr. Keller asked if Mr. Moore could explain the difference between the City of Charlottesville and its relationship to VDOT and in Albemarle County.

Mr. Moore said that within the City of Charlottesville, the city maintains its own roads and are responsible for the operations of those roads. He said VDOT has minimal to no involvement in the traffic operations, planning, and land use site plan reviews, and that the city does not need any permits from VDOT to work on any of the roadways. Mr. Moore said in Albemarle County, the state maintains public roads and for anyone to do construction activities within those right of ways, they must seek a permit from the residency. He said in an effort in conjunction with that permit process, VDOT participates in the land use process by reviewing rezonings; providing guidance to the county, Planning Commission, and Board of Supervisors; and reviewing approved site plans for entrance appropriateness.

Ms. Spain addressed Mr. McDermott and said he had mentioned that the intersections in the area are a priority for the county and that in the future, they could be eligible for Smart Scale funding. She asked if she understood this correctly.

Mr. McDermott said this is correct, and that they would look at Smart Scale or revenue sharing applications for both intersections.

Ms. Spain asked if Mr. McDermott could explain what Smart Scale is and the typical timing for when an application goes in, when there is news of if the funding is granted, and when the work begins.

Mr. McDermott said Smart Scale is on a biannual application cycle and that there would be another application cycle next year, which would be a potential time for the county to submit one of the projects. He said it is a state-competitive application where every application is weighed on its benefits versus its costs across the state, which is how funding is awarded. Mr. McDermott said that this year, the county has had one project rewarded, but they have been more successful in other years. He said that projects in the area do have the potential to score well but cannot guarantee they would receive funding. Mr. McDermott said that after the application is submitted, it takes about six months before being notified if it was awarded funding. He said after finding out about being rewarded funding, it's generally about three years before any activity occurs on the project and must be completed in about six years. Mr. McDermott said it is a long cycle, and that revenue sharing is not as long of a cycle. He said if



the county applied for revenue sharing, they would find out about funding in about six months and then start the project about six months after that.

Mr. Bivins asked Mr. McDermott if there was not a natural connection from Dunlora to Belvedere.

Mr. McDermott said there is a connection on the back side of Belvedere that directly connects to Dunlora in the single-family residential area. He said a big part of the issue is the residents' concern of the general increase of traffic at Rio Road and the intersections, but because of the difficulty to go left from Belvedere onto Rio Road, the county does notice that many people (especially ones who live farther back in Belvedere) have opted to travel through Dunlora and then use the intersection and Dunlora and Rio Road to make the left turn.

Mr. Bivins asked if this scenario was opposed to coming out at the Belvedere and Rio Road intersection.

Mr. McDermott said yes.

Mr. Bivins said that considering the various projects under constructions in a five-mile area and thinking about the green fields there now, what considerations are being made about how to manage people moving around in that part of the county.

Mr. McDermott said there is no single solution, and that the county tends to support projects such as the proposed one that are so close to the development area because alternative modes of transit such as bike and pedestrian can be provided. He said in addition, there is a need for housing in a continuously growing area, and when the housing is spread out farther into rural areas, that increases the average vehicular miles traveled for the whole county. Mr. McDermott said if the residences can be kept close to jobs and other activities, this reduces the overall vehicular miles traveled in the county, and it concentrates it in areas where it is easier to address the problems. He said for instance, the issue mentioned with the Rivanna master plan and moratorium on development is because it is much more difficult to control the road between the center of activity and Rivanna due to the large stretch of Route 250 that has to be addressed, and that the subject area is much easier to address because it is a smaller area. Mr. McDermott said that a mix of land uses is also helpful because it allows people to live closely to where they work.

Mr. Bivins asked about how bicycles are to navigate through the area, and if there are thoughts from the district about it.

Mr. McDermott said as mentioned, this would have a continuation of the existing shared use path that comes from the John Warner Parkway. He said the path begins just south of the county office building at Schenk's Greenway and is a continuous 10-foot path that runs up to the edge of the property. Mr. McDermott said with the offering of this development, the path would curve around the corner so that cyclists, walkers and runners could utilize it. HE said it also connects to the Belvedere shared use path, which goes back into the residential areas. Mr. McDermott said in the long term, there are plans for the North Town Trail, which will be a large continuous route to take people from downtown up to Rivanna and Hollymead. He said this is one segment of this trail that is missing and that once it is put in, the rest of the trail can begin to be developed farther up.

Mr. Keller asked if the commissioners had any questions for planning staff or for the applicant.

Ms. More asked staff and the applicant about the recommendation regarding providing offsite parking in Block II only, as it does not appear to be needed in Block I.

Ms. Kanellopoulos said that parking offsite would be needed for just one of the blocks based on how the block structure is set up for the single-family units. She said the cars would not be in driveways or lots but rather, they would be offsite. Ms. Kanellopoulos indicated to a point on the map where the parking would be located offsite, and to where the parking would be located for commercial and apartment uses.

Ms. More asked about where the offsite parking would be.

Ms. Scro said the parking is considered offsite because the single-family detached lots that might be subdivided won't have its own parking on that lot. She said the offsite parking is the strip of parking at the rear of the property that is considered offsite from the lots internal to Block II. Ms. Scro said that all the parking is internal to the site or property but is considered to be offsite because it is not on that lot.

Ms. More stated her confusion that staff was recommending parking that was already being shown on the site plan.

Ms. Kanellopoulos said that the applicant was recommending offsite parking for both blocks, but staff was recommending it for Block II only, since it didn't need to be needed for Block I, as Block I is only on one parcel (whereas Block II would have to be divided into parcels for the single-family units).

Ms. More asked the applicant about sheet 7 in Attachment 3 that shows the scale of the trees, pedestrians, and massing. She said the massing had been compared to the massing of the homes down Belvedere, but her concern is the massing on Rio Road and how it relates to existing development that is not so close to the road. Ms. More asked what the perspective on sheet 7 is and if it is showing from Rio Road what the building would look like in Block I.

Ms. Scro said that this sheet represents the Rio perspective and it is intended to address setback concerns. She said there is a concern that the project is too far set back from the road. Ms. Scro said this is due to utility easements. She said the sheet shows why the project must be so set back from the road, and shows the travel way of Rio, the multi-use path, vegetation, and the setback from where the building is. Ms. Scro said there is a cross section that shows a better depiction of the massing and scale and pulled it up in her presentation. She said this shows a comparison of the project to the Ryan Homes on Fowler Ridge that are adjacent to the property. Ms. Scro indicated on the presentation to the cross sections of the Ryan Homes with the proposed project. She said that while the project is closer to the road than the houses, they are at the same size in height in the massing of those houses.

Ms. More said she was not keen on the comparison made to the homes seen from Rio and using those as an example to show similar scale. She said what she sees on sheet 7 that, because of the easement and the setback, the topography makes this setup higher.

Ms. Scro said that the elevation of the Ryan Homes is actually higher than the project elevation.

Ms. More asked if they are across the road, or adjacent to the project.

Ms. Scro said they are adjacent to the project. She indicated on the plan to where the homes are located in relation to the project, and said they are at a higher elevation than the project, despite the slope on the project property.

Mr. Keller said, for the audience's benefit, there have been discussions on the advocacy of small houses that have taken place with other projects. He asked that in the desire for the homes to stay affordable whether there is anything in the code of development that would not allow additions to the homes so that, in effect, someone who buys at 1,700 or 1,800 square feet has an opportunity to then turn it into a comparable house and therefore see an increase in home value.

Ms. Scro said there are setbacks and building separations that would make it impossible to build additions to the tiny homes. She said if they build out 10 or 11 homes, there wouldn't be the capability to expand them because the lots are so small.

Mr. Bivins and Mr. Keller asked about building up.

Ms. Scro said there is a height restriction.

Mr. Keller said it was shown that the homes are not going to the full height of 35 feet.

Ms. Scro said that is correct, that there is a lower height restriction in Block II than there is in Block I. She said the Ryan Homes are 35 feet.

Mr. Keller said he would like Ms. Scro and staff to consider whether they would do some proviso that would maintain the size of the home. He said in the city, bungalows and ranch houses that used to be one story are going up in size as well as going out in size. Mr. Keller said he knew it was concern and it is part of the framework that is trying to be accomplished. He said it is for the applicant and staff to think about.

Ms. Scro said the restriction is 35 feet at the moment, but she would discuss this with staff.

Mr. Keller closed the public hearing.

Ms. More said one thing she has been considering is the by-right use, and that much of previous development has gone by-right. She said what has been heard from staff is that by-right maximum is 46 dwelling units, and that is what could happen. Ms. More said what she is understanding is that what is being requested is 16 minimum to 46 maximum units. She said the piece that makes a change is adding the office space or retail.

Ms. Kanellopoulos said the by-right at the moment is 7 to 11 units.

Ms. More asked why it says by-right use maximum of 46 dwelling units.

Ms. Kanellopoulos said this is for the proposed rezoning request.

Ms. More said this was confusing to her.

Ms. Kanellopoulos clarified that the maximum by-right is 7 to 11 units, and the proposed rezoning request by-right maximum would be 46 units.

Ms. More said it's a minimum of non-residential units but asked if the maximum is 10,000 square feet.

Ms. Kanellopoulos said the minimum at the moment in the code of development is zero, but staff is recommending that the applicant revises this. She said the applicant previously had 500 square feet in the first submittal, and staff is recommending they go back to that since, if they kept it at zero, they would need a special exception, which staff hasn't yet reviewed and is unsure of what their recommendation would be for the neighborhood model district requirements. Ms. Kanellopoulos said it is a maximum of 5,000 square feet for retail commercial, and a maximum of 10,000 if 5,000 of that is also office space.

Ms. More said the commission is familiar with some of the things that can happen with rezoning, such as screening and things that do not happen with a by-right project. She said that is something the commission has to consider. Ms. More said she believes it adds benefits that are embedded in the rezoning piece that a by-right application wouldn't necessarily offer. She said that would be completely up to the applicant to provide; whereas in this case, there are requirements and a commitment to work with neighboring properties to provide screening, and an acknowledgement of specific screening that was brought up was addressed by the applicant.

Ms. Firehock said that when she looks at a new development proposal, she looks at the adjacent uses and if the uses are compatible with what's being proposed. She said in this proposal, there is residential next to residential; there is some commercial and some higher density, and looking across the street, she sees CATEC and a church with a large parking lot. Ms. Firehock said she looks at this development differently than others she has reviewed where on all four corners, there is single-family residential and then something very different. She said to her, this is not a development that causes a jarring change for what is already at the intersection.

Ms. Firehock said she is also sensitive to the fact that the proposed homes, by the nature of their size, would be more affordable and would provide more diversity of opportunities. She said she is sympathetic to members of the public, as she herself years ago wondered how she would afford a home in the area. Ms. Firehock said the size of the units would provide some entry into the community.

Ms. Firehock said she also appreciated the attempt to provide some connectivity for pedestrians and others.

Ms. Firehock said she has a problem with the notion that the development is the right size and no more development can come in, when a development of a very small scale is being discussed. She said that there were probably objections from the public when Dunlora and Belvedere were proposed. Ms. Firehock said she does not believe that the proposed development is one step too far, as members of the public have indicated. She said this is not an application for hundreds of houses or for a massive apartment complex.

Ms. Firehock said this is a small-scale development and can be done with quality. She said she has met with the applicant to discuss cottage ideas in general, not for this specific property, as far as ways to fit

houses and create quality. Ms. Firehock said with the greenspace, there are technologies that will create a cohesive community and a place where people might move to and stay, as opposed to homes that are poor in quality and become transient houses that people only stay in for a year or two.

Ms. Firehock said she appreciates the effort and while it is not a perfect development, and it is a small lot, she comes from a background from being a commissioner in the City of Charlottesville and has experience with fitting in small scale homes to create affordability. She said there needs to be more of this in Albemarle County because the goal of the Comprehensive Plan and to protect the rural area without sprawling across the entire county. Ms. Firehock concluded, saying these are the reasons why she is in support of this development.

Mr. Bivins said he has been excited about the small area plan for Route 29 and how he hoped it would be a walkable place, and how it would begin to create a sense of place on Rio Road, whereas it seems as if there is still a struggle with everything being inwardly facing on Rio Road, whether it be an auxiliary street or the communities like Dunlora and The Lofts. He said going East on Rio Road, everything is facing inside the community, and very little of it faces on Rio Road.

Mr. Bivins said the county has made a commitment to try to make Rio Road a place where people feel that there is a place to be; that they can ride their bikes somewhere. He said perhaps as the two commercial shopping centers redevelop over time, there will start to be more people on the street. Mr. Bivins said he likes the plan because it is not inward looking – that it shares and begins to create a different kind of look on Rio Road. He said he is not discrediting the developments of Dunlora and Belvedere, but in this particular place across from Covenant Church, The Pointe Church, and CATEC, this development may bring some humanization to the area, which he supports. Mr. Bivins said in order for the 29 small area plan to work, there must be people on the street and something that engages them because otherwise, the area will remain one that people pass through. He said he is in support of the development.

Ms. Spain said she agrees with everything said by her colleagues, but the situation reminded her of planning theory in which there is discussion of the importance of expert advice versus local knowledge. She said the residents of Dunlora made a very compelling argument about the traffic, and they had data to support the problems there. Ms. Spain said she appreciated the turnout from the public and that it was impressive. She said that because of this, she would vote no. Ms. Spain said that while her vote may not be a difference, she would like this to be an instance where there is respect of local knowledge of the conditions that exist in the area now, and concerns and fears about the future. She said this doesn't mean she distrusts the expert advice, and that this is a difficult decision. Ms. Spain said that in an ideal world, she would place herself in the middle of the continuum between expert advice and local knowledge, but in this case, she is leaning more towards siding with local knowledge. She thanked the public for attending.

Ms. More said this is a difficult request and has been reviewed on its own merits, as well as the traffic analysis. She said she understands there is somewhat minimal impact, yet there seems to be a concern about VDOT not looking into the pipeline at approved development (for example, The Center). Ms. More said if the process of analysis cannot be started until those developments are already in place, it causes her concern that analyses cannot be made until there is a tipping point made where the traffic situation has become dangerous. She said while she doesn't have an answer to this, it bothers her, and it is not

just in this situation, but all over the county. Ms. More said that concurrent infrastructure needs to be further analyzed and discussed when it is known that there are high density projects that will occur.

Mr. Keller said it is apparent in cases such as this that there is a need for small area plans that are more complete. He said that Rio Road, from the city-county line all the way around to where it meets with the area that was covered with Places29 planning, has a large amount of community there. Mr. Keller said he would encourage applicants that when they bring priorities for the commission to consider, they would be asking for funding in the future to finish the plan, because it is an unfinished piece of the puzzle and that there are known other developments that will occur there.

Mr. Keller addressed members of the public who had stated they moved to the area many years ago. He said that he went to McIntire School while it was still in the county, and that one of his fondest memories was camping in Dunlora when it was undeveloped. Mr. Keller said he could say he wished it would never be developed, but change is what is dealt with in the county all the time. He said he is trying to listen and hear the younger generations and the challenges they are facing in the housing markets today. Mr. Keller said he is positively inclined towards a project like this that is trying to think outside the box about creative ways to provide affordability.

Mr. Keller said there is also a constant need for business incubators in the area, to have businesses that can begin small and grow into something larger. He said he remembers Rio Road from childhood and that there were so few cars then. Mr. Keller said there were definitely issues of concern with traffic, but there is the Meadow Creek Parkway. He said it is amazing how the character of Rio Road has changed in the past 50 to 60 years.

Mr. Keller said he is inclined to support the project, with reservation because there is a need for a more complete planning and transportation study of the implications, not just with this smaller project, but with the larger one currently in the pipeline.

Ms. More said she would not make the motion but that she does have a similar reaction to Mr. Bivins' about the project. She said she is at odds with the smaller project and looking at the bigger picture as far as having concurrent infrastructure. Ms. More said to look at this particular application, she finds herself in support of it, but is concerned with looking at the bigger picture of future known development on Rio Road.

Mr. Bivins said that this should be a high priority for the Board of Supervisors, and that he believes there is some solution possible on how to manage both lifestyle and flow through the area including pedestrians, cars, and bicycles. He said perhaps the Planning Commission should inform the Board of Supervisors about the traffic concerns, as it has effects on lifestyle and on how the county grows.

Mr. Keller asked if Mr. Bivins could summarize his thoughts.

Mr. Bivins said that perhaps as the commission moves forward with their motion, the commission would ask the Board of Supervisors to give enhanced weight to looking at a solution with staff and community members on how to increase the ability to move through by all means of transit, as people are fearful that their quality of life will be severely hampered.

Ms. Firehock said that earlier, there was mention made that affordable housing could be addressed by the applicant. She said she didn't know if that was reflected in the motions.

Ms. Kanellopoulos said it is reflected in the motion, since it says, "with the revisions recommended in the staff report," and the seventh revision is that the applicant meets the affordable housing policy which, based on the information the applicant provided, looks to be their plan. She said they will do the revisions between this meeting and the Board of Supervisors meeting.

Ms. Firehock asked if this was the recommendation that was left off inadvertently.

Mr. Keller said that was regarding a different point.

Ms. Firehock **moved** to recommend approval of the zoning map amendment for **ZMA201900001**, 999 Rio Road, with the revisions recommended in the staff report. Mr. Bivins **seconded** the motion, which passed with a vote of 4:1.

Ms. Firehock **moved** to recommend approval of the requested private street authorization for amenity-oriented lots in Block II for the reasons outlined in the staff report and Attachment V. Mr. Bivins **seconded** the motion, which passed with a vote of 4:1, with Ms. Spain abstaining from the vote.

Ms. Firehock **moved** to recommend approval of the requested special exception to waive the curb and gutter requirement for the proposed private street in Block II for the reasons outlined in the staff report and Attachment V. Ms. More **seconded** the motion, which passed with a vote of 4:0:1, with Ms. Spain abstaining from the vote.

Ms. Firehock **moved** to recommend approval of the requested special exception to waive the sidewalk requirement for the proposed private street in Block II for the reasons outlined in the staff report and Attachment V. Ms. More **seconded** the motion, which passed with a vote of 4:0:1, with Ms. Spain abstaining from the vote.

Ms. Firehock **moved** to recommend approval of the requested special exception to waive the planting strip requirement for the proposed private street in Block II for the reasons outlined in the staff report and Attachment V. Ms. More **seconded** the motion, which passed with a vote of 4:0:1, with Ms. Spain abstaining from the vote.

Mr. Keller said he wanted to capture the piece that Mr. Bivins had discussed regarding transportation.

Mr. Herrick asked if it would be safe to say that the commission is interested in the county studying the traffic situation along Rio Road near Dunlora and prioritizing potential improvements to that area.

Ms. Firehock said she would include circulation of people as part of the study, that it should not be limited to vehicles only. She said it should include street frontage as well.

Mr. Herrick said he sensed what the heart of what the commission is looking for is a study of the traffic issues and circulation issues there, as well as prioritization of potential improvements.

Mr. Keller said it is really along the whole of the corridor, from the county-city boundary on the southeast to the planning work that has just been done in the northwest.

Mr. Benish said if there is a focus on identifying it as a Rio Road corridor study, that would be the language used to look at traffic management as well as adjacent frontage that addresses the road.

Ms. More said this would address the bigger picture that the commission would like the county to look at.

Mr. Keller said that the northern crossing of the Rivanna with another bridge and/or pedestrian connections between the parks, one of the schemes came behind Lochlyn and into Pen Park. He said it is all interconnected here.

Ms. Firehock said that the proffer regulations will change after July 1 and become more flexible. She said if there was a corridor study and clear outlines of what the county desired, it would be much easier for the development community to tie into those desires. Ms. Firehock said the lack of a unified plan makes that difficult.

Ms. Firehock said that in regard to Smart Scale, there are applications for federal funding to do special projects and VDOT has various goals of its own for various intersections, but the county is capable of funding things that have to do with roads. She said VDOT won't let the county do something that is unsafe, but the county does have the capacity to put forward in the CIP their own money to pay for its own desired improvements. Ms. Firehock said she is not a supervisor, but she wanted to point out that the county is not fully dependent on outside funding to do traffic improvements.

Mr. Keller asked if there was a motion and a second. Mr. Bivins made the motion. Ms. More seconded the motion, which passed with a vote of 5:0 (with Mr. Dotson and Ms. Riley being absent).

Mr. Keller thanked everyone and said this would be going forward to the Board of Supervisors.

Ms. Kanellopoulos said this would be tentatively going to the Board of Supervisors on August 21, depending on how quickly the applicant can make the revisions in order for staff to have time to review them.

### **Committee Reports**

Ms. Spain said that Pantops CAC met the day prior and had a presentation from Ashley Davies with Riverbend Development about the development of the final phase of Fontana. She said there was discussion of trying to pull the currently existing trails in Fontana and Highland Ridge together, and the possibility of the county taking over maintenance and liability for those trails. Ms. Spain said this is currently under negotiation.

### **Review of the Board of Supervisors Meeting**

Mr. Benish requested to hold the review until the next meeting.

### **Old Business/Items for Follow-up**



There was no old business presented.

### **New Business**

Ms. More asked if Mr. Benish would be giving the commission a preview of incoming requests.

Mr. Benish said he is trying to do this at the beginning of each month, and that some of the items deferred today have yet to be rescheduled and may be canceled. He said that at the next meeting, the agendas would be available to the commissioners.

Ms. More asked about the Barnes Lumber proposal.

Mr. Benish said that is scheduled for August 6, in part because of the availability of the applicant. He said there are a couple work sessions coming up that are tentatively scheduled, with one scheduled in August regarding the CIP project; and a discussion on the resolution of intent for beginning the update to the affordable housing policy, with the director of housing scheduled to attend in mid-July.

Ms. Firehock asked when the form-based code workshop would take place.

Mr. Benish said this will take place on July 9 during the regular Planning Commission meeting where the work sessions take place (Room 241).

### **Adjournment**

At 9:35 p.m., the Commission adjourned to July 9, 2019 Albemarle County Planning Commission meeting, 6:00 p.m., Lane Auditorium, Second Floor, County Office Building, 401 McIntire Road, Charlottesville, Virginia.

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David Benish, Interim Director of Planning

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

Approved by Planning Commission
Date: July 23, 2019
Initials: CSS