

**Albemarle County Planning Commission
FINAL Minutes July 21, 2020**

The Albemarle County Planning Commission held a public hearing on Tuesday, July 21, 2020 at 6:00 p.m.

Members attending were Julian Bivins, Chair; Karen Firehock, Vice-Chair; Tim Keller; Rick Randolph; Corey Clayborne; Daniel Bailey; and Jennie More.

Members absent: Luis Carrazana, UVA representative.

Other officials present were Tori Kanellopoulos; Kevin McCollum; David Benish; Daniel Butch; Kevin McDermott; Francis MacCall; Jodie Filardo; Amelia McCulley; Bart Svoboda; Charles Rapp, Planning Director; Andy Herrick, County Attorney's Office; and Carolyn Shaffer, Clerk to the Planning Commission.

Call to Order and Establish Quorum

Mr. Bivins called the regular electronic meeting to order at 6:00 p.m. and established a quorum. He said this meeting was held pursuant to and in compliance with Ordinance No. 20-A(6), "An Ordinance to Ensure the Continuity of Government During the COVID-19 Disaster."

Mr. Bivins said there were no Commissioners attending from the County Office Building, and that the Commissioners electronically present that evening were: Mr. Bivins, Mr. Randolph, Mr. Keller, Mr. Bailey, Ms. Firehock, Ms. More, and Mr. Clayborne.

Mr. Bivins said the public could access and participate in this electronic meeting by following the links available at www.albemarle.org/calendar, or by calling 877-853-5257.

Consent Agenda

There was no consent agenda.

Public Hearing

ZMA-2020-06 Spring Hill Village Proffer Amendment

Ms. Tori Kanellopoulos, Lead Planner for the project, said the application is to amend previously approved proffers to remove the left turn lane on Route 20 and to convert a sidewalk into a pedestrian path. She said Mr. Daniel Butch (Transportation Planner) and Mr. Adam Moore (VDOT) were also available that evening to answer question.

Ms. Kanellopoulos said the 12.5-acre site is located between Avon Street Extended and Route 20. She said it is located across Avon Street from the Avon Park development, and the Rural Area is located across Route 20 to the east. She said adjacent parcels to the north are zoned Light Industrial and include a variety of commercial and industrial uses. She said adjacent parcels to the south and west are zoned R1 and R6 Residential. She presented an aerial photo, noting that Spring Hill Village is in the process of being developed.

Ms. Kanellopoulos presented pictures from staff's site visit. She presented an image showing a view from Spring Hill Village at Avon Street Extended, looking toward Route 20. She presented another image showing the current construction entrance off of Route 20 into Spring Hill Village, looking south.

Ms. Kanellopoulos said the community meeting requirement was met in the form of mailed letter with information about the proposal, with response options including contacting staff via email or phone call, or using an online input form. She said the applicant mailed letters to property owners within a 500-foot radius of the proposal on June 5. She said staff received a total of four individual responses via email and Microsoft Forms. She said the major concerns heard were access to the site (especially a concern with drivers potentially using the adjacent property to the north to make U-turns), and also traffic, with the potential for more traffic to be diverted to Avon Street Extended.

Ms. Kanellopoulos said the property is zoned Neighborhood Model District (NMD) per approved application plan and proffers with ZMA2013-17. She said this rezoning approved up to 100 dwelling units, and up to 60,000 square feet of nonresidential uses. She said staff is currently reviewing a final site plan and final plat for this development for 100 units for Phase 1, and the nonresidential development will be submitted as Phase 2. She said if this proffer amendment is approved, the applicant will need to amend their site plan and road plan to match the updated application plan and proffer requirements.

Ms. Kanellopoulos noted that the code of development (included as Attachment 9) is the current code of development and is not changing with this application. She said the code was last updated with a Special Exception approved by the Board on May 20. She said the only changes to the rezoning with this application are to Proffer #4 and to the application plan (specifically, the Route 20 improvements).

Ms. Kanellopoulos said the property is designated Community Mixed Use in the Comprehensive Plan. She said as noted in the staff report, analysis of this development's consistency with the Comprehensive Plan was completed with the original rezoning. She said therefore, staff analyzed the proffer amendment for consistency with the relevant portions of the Comprehensive Plan and Southern Western Master Plan, and staff found that this application would provide the same level of multi-modal connectivity as the original rezoning. She said staff also found that a path is more fitting with the character of Route 20 instead of a sidewalk. She said a path was also approved with the Galaxie Farm rezoning in 2019.

Ms. Kanellopoulos said the proposal is to amend Proffer #4, as approved with ZMA2013-17, as well as the relevant requirements of the application plan. She said specifically, the revised proffer and application plan would eliminate the left turn lane requirement on Route 20. She said they would also change the timing of the required Route 20 improvements -- that they must be completed before the thirtieth Certificate of Occupancy. She said Fire Rescue requires two entrances after the thirtieth dwelling unit.

Ms. Kanellopoulos said the revisions would also require a path along the frontage of Route 20 instead of a sidewalk. She noted that the landscaping on this application plan is conceptual only, and Architectural Review Board review and approval will be required with the final site plan. She also noted that the revised application plan would replace the existing application plan dated August 29, 2014.

Ms. Kanellopoulos presented a comparison between the approved rezoning for ZMA2013-17 and the proposed changes, per this application. She presented an image showing ZMA2013-17 and the left turn lane on Route 20 into Spring Hill, with a sidewalk along the frontage. She presented another image showing the new proposed design of the Spring Hill entrance with the removal of the left turn lane and no option to turn left into Spring Hill. She said it also shows the proposed path along the frontage, which is a conceptual location and will have public access.

Ms. Kanellopoulos presented an image showing how cars traveling northbound on Route 20 would access Spring Hill Village. She said drivers would turn left onto Avon Street Extended from Route 20, would then drive up Avon Street Extended and turn right into Spring Hill Village. She said there is concern from the adjacent property owner to the north of Spring Hill Village that drivers will use their property to make U-turns instead of using Avon Street. She said the applicant estimates approximately 5 drivers per day would be traveling northbound on Route 20 to Spring Hill Village. She said VDOT, Transportation staff, and Planning staff find this estimate to be reasonable and find it unlikely that drivers would make a U-turn instead of turning left onto Avon Street. She said this is not possible to guarantee, however.

Ms. Kanellopoulos said staff is recommending approval of the rezoning application, provided the following technical changes are made to the application plan prior to the Board of Supervisors' public hearing. She said since these changes were included in the staff report, she could return to them if there were any specific questions. She presented the motions for consideration and offered to answer questions.

Mr. Randolph said when the Shadwell Store was redone at the intersection of Routes 22 and 250 in Shadwell, they were told there would be no left-hand turns for moving east on Route 250 into the store. He said there was a concrete Y unit that was put in that indicated one could turn to the right, or enter by coming in on the left side, but one could not go out and make a left-hand turn and thereby, proceed east on Route 250.

Mr. Randolph said the reality was that the way that site was used, people did attempt to make a left-hand turn. He said despite the fact that there was the construction architecture there of concrete and the road surface that indicated that one should not turn left, they proceeded to turn left. He said it required VDOT finally establishing a series of yellow markers that establish a line that people cannot get through them to make a left-hand turn. He said only then did they see people actually following the design that they were assured from the outset was going to be followed.

Mr. Randolph said while he understands that Mr. Butch and his department have good sense that they do not find it likely that people would make those turns, they already have the property owner to the north stating clearly that people currently use his driveway to turn around.

Mr. Randolph said one of the things that he hopes the Commission will talk about that night is to try to provide some measure of satisfaction by the developer that can prevent people from making a left-hand turn into that business (Gropen), thereby turning around and then proceeding south on Route 20, then going into Spring Hill Village.

Mr. Randolph said he would like to come up with a solution that night that will address that concern because he knows from experience that expectations do not always work out the way they think they will when it comes to human behavior, and with people having an urgency to get somewhere. He said architecture be darned (especially road architecture), people will drive right over it and do

not care what they will be doing to their suspension as they are getting into the most convenient way of getting somewhere.

Mr. Randolph said the other issue he believed the Commission also needed to address that night was assurance -- given Mr. Roger Schickedantz numerous communications with Mr. Scott Collins through the site review process several months ago, prior to the pandemic happening -- of what degree of encroachment, if any, will occur both from tapering on Route 20 on his property, and also in terms of what impact the trail will have on his property. He said he would be looking for answers to those that evening as they go forward.

Mr. Randolph said he was not directing his comments at Ms. Kanellopoulos, but was using this as an opportunity to let people know that he thinks the Commission needed that kind of information that evening.

Ms. More said she was going to give an example of people making a left-hand turn where there is something there that is telling them they should not be doing that. She said Mr. Randolph's example was much more appropriate to the scale of this. She said her example was going to be at Old Trail, where there is a "pork chop," which tells the driver who wants to turn left into a commercial area that one should not do that. She said everyone does, however. She said what it wants them to do is go past where they want to go, go through a roundabout, then come back and turn right, but no one does that. She said some people actually drive out of the exit because they think they should, although this is dangerous, even in a small neighborhood setting.

Ms. More said Rick's example was of faster moving traffic, and more traffic. She said her concern is about what will be there that is safe for the driver and directs them that they should not be turning this way when she knows that people will do all kinds of crazy things in their cars.

Ms. More said her second point was that she was having trouble following the logic of this putting more traffic onto Avon Street, which is with the assumption that they do not have the driver who is going to do the U-turn and use the property to the north. She said she thinks it is a valid concern that a driver could choose to go up and do a U-turn. She said if that doesn't happen (which she is concerned that it would), the choice of what they were saying should happen is that they use Avon Street.

Ms. More said she wondered, from a transportation perspective, if this were putting more burden on an already busy street, and why they would not want a plan that disperses traffic. She said she was having trouble getting to a place where she feels like this makes sense -- that they would limit the choices rather than offering a driver more choices that would disperse traffic, and not put more burden onto Avon Street. She asked if this were a Transportation staff question or a VDOT question, adding that she was not in a place where she could support this but was willing to listen.

Mr. Bivins asked Ms. Firehock to ask her question, as there could be related questions that Mr. Butch could respond to collectively.

Ms. Firehock said she had a similar question to Ms. More's, and wanted to hear from staff as to whether they think that this new design proposed by the applicant is better for traffic and safety, or simply an attempt to save funds by not having to disturb as much of the area to build the original design.

Ms. Firehock said her second question has to do with the materials use and the trail. She said the report said it was similar to other pathways along the road, and she would like more detail on that.

Mr. Bivins asked if Mr. Butch could answer the transportation questions. He said given some of the observations that were made by Mr. Randolph and Ms. More, VDOT should offer some input on this as well.

Mr. Butch said from a transportation planning perspective, looking at the applicant suggesting that there would be five vehicles per day going northbound on Route 20, this would not have a significant impact on Avon if they had to choose to go that route. He said as Mr. Randolph mentioned earlier, staff also looked into the possibility of U-turns on the adjacent property, or the possibility of them continuing to Mill Creek, going left, and then making a left on Avon. He said these are all assumptions, but the impact of five vehicles was significant to not have to have that left turn lane, which was the transportation perspective.

Mr. Bivins asked Mr. Moore if he had anything to add.

Mr. Moore said from a planning standpoint, it is for the County to determine if more traffic on Avon Street is advisable in this context. He said to the points about the complaints of the neighbor, he thinks it is definitely possible that some people (especially before patterns set in) may use this neighboring entrance. He said he does not think that it is likely people will consistently use it. He said it is a largely residential community, so people will form their community habits quickly. He said in the long term, most people will find it easier, more comfortable, and therefore safer to turn left onto Avon, and for the handful of traffic that is expected during busy times to turn left on Avon and right to the development.

Mr. Moore said regarding the design of the entrance itself that was a concern, the dimensions of what they call the “pork chop” are very important, and the Commissioners brought two examples that have substandard dimensions. He said he imagines this is a change in the design standards over time. He said the current standards are a 50-foot dimension on the side adjacent to the through street (in this case, Route 20). He said at the Shadwell Store, that same dimension is only 15 feet, and on Old Trail, it’s maybe 17 feet. He said both are not nearly wide enough to physically redirect traffic to a right turn only when it comes out.

Ms. More asked if the five vehicles per day estimate was for full buildout, including Phases 1 and 2.

Mr. Moore replied yes.

Mr. Bivins said he assumed they would wait to hear from the applicant to address the trail material.

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

Mr. Scott Collins, the project engineer, said he was joined by Mr. Jeremy Swink from Stanley Martin, who represents the owners on the property.

Mr. Collins said the whole idea about the entrance came about from the staff-developer meeting that was held back in March, as Mr. Randolph indicated. He said the original design of this intersection at Route 20 leaving the site with the full intersection design does have a significant impact along Route 20 in that corridor.

Mr. Collins said the design that was approved with the original rezoning is a very urban design, with curb and gutter and sidewalks along the section of the property and along the properties to the south and to the north, in order to get the improvements for this turn lane. He said the turn lane improvements actually stretch almost 1,000 feet north and south of this entrance, so one could imagine the effects it has across the properties to the north and south of them -- especially to the south, which had substantial grading impacts all within the right of way, but was removing 90% of their buffer between their residential home and Route 20, taking away the rural characteristic that one can see along most of Route 20.

Mr. Collins said when those concerns were brought forth during the staff-developer meeting, the applicant stepped back and took their comments to heart to ask themselves why they were putting in this full-access turn lane. He said he looked back at the 2013 rezoning and realized what the intent was, and why it was so important for the developers back in 2013 to have this full-access turn lane. He said it was driven by the commercial. He said they saw the need for more of a commercial frontage along Route 20 that was going to pick up commuters coming into town and leaving town as they left. He said the rezoning allowed for up to 60,000 square feet of commercial.

Mr. Collins said in 2020, everyone knows this is no longer a model that works. He said in Belvedere, for example, the commercial center still has not taken off, and there is a total buildout that is 10 times the amount of residential in that neighborhood.

Mr. Collins said he lived in Old Trail for 10 years and was the third house there, and that he has seen a definite turnover of the commercial there. He said restaurants there turned over every six months. He said the commercial that worked and started to thrive were specific businesses and the small one or two office spaces for people who wanted to work and live in the same community, but not have clients come to their house.

Mr. Collins said that model really started to take off, and he sees that this exact model will work in Spring Hill Village, which is why they have gone forward with the development with a minimal amount of commercial proposed (10,000 square feet). He said they have one area left on this property that will handle a 10,000-square-foot area, and they see it being the perfect spot for a home office type of building that allows people to work and live in the same neighborhood, walk to work, and have clients come to their office.

Mr. Collins said this (the commercial aspect) is what drove much of this need for a full access onto Route 20. He said when they eliminated this, they eliminated a lot of the in and out traffic from Route 20, which is why the developer revisited it.

Mr. Collins said the other reason they looked at this as well was that having a left out/right in/right out of the property on Route 20 did not preclude people from using Route 20 to go into town, which is the majority of the movements. He said there are schools, work, and commercial in and toward town. He said there is not a lot of traffic that is going south out of this development, as it is a residential development, and this design does not preclude it.

Mr. Collins said another thing that was touched on that night is that the new design protects the rural characteristics of Route 20, as well as the entranceway because the entrance to this development is very important for Stanley Martin, and they really wanted to preserve the rural characteristics. He said this design does that, versus the more urban design that was previously approved with the rezoning.

Mr. Collins said as far as safety goes, Avon Street is much safer to make a left onto and then turn right into the development. He said with regard to those five extra cars on Avon Street, he agrees wholeheartedly with the Transportation Planners that it is not an increase in traffic on that road to have five cars going up and making a safer turn into the neighborhood development.

Mr. Collins said as far as some of the questions that came up that night from the Commissioners, they were excellent questions and concerns. He said the biggest difference in those questions, concerns, and examples is that those were all examples of people turning into heavily commercial development areas. He said with regard to Mr. Randolph's question about people turning left into the Shadwell Store, this is a commercial use, and this is why people are not abiding to the turn lanes. He said he feels Mr. Moore was correct when he said that people do settle into a pattern, and knowing that they cannot make the left turn into the residential neighborhood, they will not be doing that.

Mr. Collins said the same goes for Ms. More's example. He said he actually design the right in/right out at Old Trail, and has seen people turn into that commercial development area through the exit. He said this is why they extended the median of their design all the way up to the first intersection so that no one can turn in through the exit lane without traveling 200-300 feet up that road. He said it will then preclude that movement from happening.

Mr. Collins said there were many things that the applicant has taken into account with this proposed intersection design in order to prohibit, as much as possible, anyone doing something that is not what they should be doing. He said this is someone's residential neighborhood, and if they are making these weird left turns, their neighbors are seeing that, and it is not just a commercial stop in and out getting something. He said this was really the biggest difference he could see.

Mr. Collins said as far as the comments about safety and traffic, he thinks the safer movement is to turn left onto Avon Street and have a nice right turn into the development. He said it is a much safer, easier turning movement. He said this was the heart of his presentation, and that Mr. Swink may want to make comments.

Mr. Swink said he would like to piggyback on a couple things. He said Mr. Collins mentioned that one of the drivers for the applicant taking a look at this were some of the concerns heard during the staff-developer meeting. He said they take those meetings seriously and take public comment to heart, and try to implement them into their designs. He said some of the best ideas he has gotten have come from the outside.

Mr. Swink said one of the things that seemed to echo was the perception between what someone's actual yard and property is, and what the right of way line is. He said it is a perception about where the road and edge of pavement stop, and where someone's yard stops. He said looking at the existing conditions today in terms of where that road is and the edge of pavement is, versus where the right of way ends and where the neighbor's property starts, there is a big difference there along Scottsville Road. He said Scottsville Road has the right of way to be widened to be in the four-lane position that was proffered here.

Mr. Swink said when the applicant looked at the ultimate widening, grading, curb and gutter section, and concrete aprons that would replace driveway entrances that exist today, this resulted in a major impact to what people perceived as their yard, buffer, and trees. He said while it is not

their property, he knows those people have lived there for a long time, and it probably feels like their backyard at this point. He said the applicant wants to be sensitive to their neighbors.

Mr. Swink said one of the first things they had to look at was how people are traveling to the development. He said they are a residential developer and not a commercial one, so one of the first things he did with the plan was to make it as residential as possible, taking the commercial down to the lowest common denominator, which was 10,000 square feet (from 60,000). He said he was familiar enough with commercial development and traffic movements to know that 50,000 square feet of commercial development is a tremendous amount of traffic or vehicles per day between people going to work there, and people stopping in to use goods and services (especially with its convenience and location).

Mr. Swink said the first thing they did when they got the property was, they scaled back the commercial, and made it more residential heavy. He said by doing that, and thinking about the way people are traveling, there are not a lot of people that are going from their neighborhood out to Scottsville and then back to work. He said people are going from their neighborhood to town, so they needed to preserve their ability to go right or left out of the community, so people that live in the neighborhood can leave safely and in either direction. He said if one is coming from town heading towards Scottsville on Route 20, they needed to preserve the ability to take a right into the neighborhood, as this is another important, heavily traveled, and safe entrance into the community.

Mr. Swink said what they probably will not see a lot of (aside from visitors that are coming to visit people they know in the community) are people traveling from Scottsville on Route 20, then taking a left into the community. He said he thinks this is what they are sacrificing with the design, but what they are preserving is the rural feel of the road and what people perceive to see their backyard, property, and buffer. He said he thinks the impacts to people making U-turns on the neighboring property and the impact on Avon Street may be a bit overstated, at least from what he has seen in the traffic data and what he understands to know about residential development versus commercial. He said they were open to any ideas, and that he and Mr. Collins would talk after the meeting to try to clear as many hurdles as they can.

Mr. Swink asked Mr. Collins if he could address the question about trail materials, and how to keep people from going off the trail and onto the neighbor's property. He said his suggestion would be a concrete barricade at the end of each, but that he was open to ideas and suggestions.

Mr. Collins said the trailway would be an asphalt pathway, very similar to what was approved with Galaxie Farm, in keeping with the rural characteristic and weaving it through the applicant's proposed layered park along Route 20. He said it would tie into the north and south properties in the right of way, so not impacting or requiring their property owners to make changes to their properties in order to extend the trails if they ever developed. He said they want to make sure it would tie in at grade without impacts to their properties, and they were able to do that much more successfully with this proffer amendment, as opposed to the urban design from the original rezoning.

Mr. Bivins asked if anyone from the public wanted to speak.

Mr. Roger Schickedantz (1858 Scottsville Road) said he is the neighbor immediately to the south that had been mentioned several times that night. He said he agrees with everything that has been said about his concern, and about the loss of considerable vegetation between his house

and Route 20, which serves as a buffer, and also the potential for a lot of regrading that would remove a steep bank that is there now. He said he is fully behind this, and is happy that the applicant has taken his comments and has tried to work with them.

Mr. Schickedantz said one thing he wanted to address that had not been talked about at all is that his driveway is at the top of a hill of which Spring Hill Village's entrance is above. He said when he leaves his driveway to turn left to go into Charlottesville, he has a blind turn into oncoming traffic that is southbound. He said the VDOT plan that was in the original plan does not solve that. He said it actually moves the southbound lane more acutely to his driveway without removing the hill. He said it actually makes his entrance onto Route 20 more dangerous. He said two people use that driveway, and they need to balance the two of them with the five additional cars on Avon.

Mr. Schickedantz said he was in favor of the amendment. He said he did have a couple of reservations. He said he noticed there still seems to be some encouragement with the latest site plan onto the right of way, and that he thinks this is being done because the pedestrian path (in order to stay at grade as it comes out to meet Route 20) requires quite a bit of cut on the applicant's side. He said in order to bring it to the street, it looks like they are extending that cut beyond the property line. He asked if this be avoided if possible, and if it cannot be avoided, that there be some provision for either a retaining wall or a well-vegetated replacement that doesn't have to be maintained in its place.

Mr. Schickedantz said he had another concern that came up in the staff report that talked about there needing to be a 400-foot-long right turn lane to the property. He said it wasn't clear whether that was a right turn off of Route 20 into the property, or from the property onto Route 20. He said if it is the latter, he would have concerns that this may extend into the right of way in front of his property, exacerbating the problem they are trying to alleviate.

Mr. T.J. Ronayne (1766 Scottsville Road) said he represents the property just to the north. He said he was very excited to see the original approved development plan. He said he thought that the increased number of lanes, allowing vehicles at 55 mph to properly decelerate and make their turns, was a great benefit to the increased traffic. He said the reality is that he is not a traffic engineer, so he cannot understand why the anticipated car usage is a quantity of five. He said he does know that building 100 or more homes will have several hundred people migrating on Route 20 and Avon Street, so the increased traffic was obvious to him.

Mr. Ronayne said his biggest concerns relate to the Entrance Corridor (Route 20) being as safe as possible. He said he thinks the original plan, having four lanes to the north and three lanes to the south, give them more room for vehicular traffic, which will be increasing, and more room for safe deceleration, using turn signals, and overall egress. He said he thinks going down to two lanes with the increased traffic in the proposed amendment is not as safe, simply put.

Mr. Ronayne said he also feels as though everyone assumes that people will use Avon Street when heading northbound towards Charlottesville and Spring Hill. He said there has been no accommodation, however, for any sort of signage. He asked if people are supposed to inherently know that they are not allowed to take a left off of Route 20. He asked if GPS will be able to handle that. He said he tends to believe people will intuitively, by instinct, take the shortest, most direct, and fastest egress possible. He said for all the houses that are lower grade, closer to Route 20, he did not see how or why they will ever want to go up Avon Street uphill, then traverse back down.

Mr. Ronayne said the reality of the situation is that no matter what anyone can say, people coming on Route 20 who don't know they can't take a left will turn around on the next property, and this is his property adjacent to the north. He said they have three tenants there currently, and vendors coming and going. He said it is a Light Industrial property, and to have traffic be impeded by people attempting to take a U-turn right in front, he feels this is a major safety liability and issue.

Mr. Ronayne said this was his primary concern. He said he had no comment on the path, and that he thinks it looks great. He said to assume that people will inherently know they have to take a left on Avon Street without any viewshed of Spring Hill whatsoever is very nearsighted and not applicable in the real world. He said there are only two entrances to it: Avon and Route 20. He said to limit a single direction of traffic at one of two entrances seems very unsafe, and that he did not see the benefit to it.

Mr. Bivins invited the applicant to respond.

Mr. Swink said to address the first concern he heard, it sounded as if there was a concern about the grading and how this will be handled where their property starts and where the neighbor's property starts within the right of way. He said to the extent that they are permitted by VDOT to put a retaining wall on the property, he was certainly open to it, and would have to defer to Mr. Collins and VDOT on what is permitted within that right of way and what they could do to soften the grade. He said according to the plan, 4-6 feet of a slope from where their grade ties in and then the neighbor's goes up hill quickly. He said his response is that they are willing to do it, but he needs to understand the ability to engineer and permit it.

Mr. Swink said the second concern he heard was around people coming from Scottsville towards their development (either visitors, or people who live in the community who went to Scottsville for the day) using the neighboring property as a turnaround. He said his gut instinct is that there will not be too many people (outside of visitors to the residential property) that are coming from Scottsville, especially at full buildout when people will become familiar with the traffic pattern in the area.

Mr. Swink said in a residential neighborhood, at full buildout, there are people who live there and people who visit people they know who live within that community, which is 99% of the traffic. He said of that cross-section, a very small percentage of it is people coming from Scottsville to Spring Hill, versus people coming from Charlottesville. He said he thinks the traffic pattern is heavily weighted in the opposite direction. He said he also thinks that over time, residential visitors or owners will become familiar with their traffic pattern in an area.

Mr. Swink said the largest impact will be felt during the times they are developing, and also as they are getting to full buildout. He said he has taken some steps with Mr. Ronayne offline to limit their contractors using his property as a turnaround. He said they had some problems in the initial month or so of development with some truck drivers that were pulling in and blocking the entrance. He said they put some things into place, including a cash escrow and a per-occurrence fine, that stopped all the infractions, to his knowledge. He said they will continue that throughout the buildout phase. He said his thoughts will prove true as they have people living there and as people become familiar with it.

Mr. Collins said with regard to the grading, the grading for the railway along the southern property line at Mr. Schickedantz's property ties in. He said they graded the trail up about 2 feet there so that they do not need retaining walls or any other major impacts to this property. He said it ties in

well, and one can see the grading on the application plan. He said there is no need for impacts in front of this property with the trail, as currently designed. He said it is much better than the original trail design.

Mr. Bivins closed the public hearing and brought the matter back to the Commission for discussion.

Mr. Randolph asked Mr. Moore what the status of Route 20 is from 7:30 a.m. to 9:00 a.m., based on VDOT's traffic study of the road. He asked what Mr. Moore would label its condition as being (e.g. an "F" or a "D--").

Mr. Moore replied that the issues they see on Route 20 are closer to Route 53. He said he does not believe that there are many through traffic delays at this location. He said they would run into delays at the Route 53 intersection where the proposed Smart Scale project is. He said he has not heard a lot of complaints about the condition or length of the left turn lane onto Avon Street.

Mr. Randolph said he agreed with that, and that he was talking about the area further north, at the intersection with Mill Creek. He said there are occasions where traffic is backed up from that traffic light all the way back down on Route 20, in the morning, as traffic moves towards Charlottesville. He said he was trying to establish the actual classification of Route 20 at the intersection of Mill Creek and that of Route 53. He said they know that at Route 53, it is an "F," which is part of the reason why the Smart Scale project is proposed. He said at the intersection with Mill Creek, it has to be a "D" (if not an "F").

Mr. Moore said it very well may be, and that he did not have a recent classification. He said his most current information comes from following the associated traffic studies, and that he did not have a recent one for that intersection. He said perhaps there is something about this as part of the Route 53 study, but that he did not have this in front of him.

Mr. Randolph said most of that study has been southern [inaudible] than getting on Route 53, and then Route 53 traffic coming down in the morning, making a right-hand turn, then getting on Route 20 and moving to Charlottesville. He said what he was talking about was the dynamic of traffic moving from the south, coming to the north, and going through this intersection.

Mr. Randolph said his observation, as having driven through there repeatedly as Supervisor, going down to the Town of Scottsville is that between those hours of 7:30 a.m. to about 8:45 a.m., it is oftentimes gridlock. He said there is an issue he needs to bring up to Mr. Swink and Mr. Collins. He said the reality is that drivers, knowing they will be facing a traffic delay, will do irrational things. He said this is what Ms. More was getting at earlier in terms of irrational driving behavior. He said people are concerned about being stuck in traffic, and they want to be able to get to work on time, or they have a meeting, for instance.

Mr. Randolph said the reality is that this proposal now has a "Y" intersection with the nameless road coming out of Spring Hill Village onto Route 20, which makes it difficult for someone to make a left-hand turn in moving north on Route 20, then going through Spring Hill Village and accessing Avon Street to go down to the City that way. He said the applicant has precluded that capability.

Mr. Randolph said all he was saying was why not provide for the same preclusion of that capability at the neighboring property to the north so there is no way that anyone can just pull into Gropen, then turn around. He said if it is not a "Y" intersection, they could put some kind of barrier there to

make it difficult for a vehicle to turn around at the entrance, in terms of being a good neighbor. He said the reality is that in a rational world, he agrees that perhaps there will only be five cars that go north and will thereby need to access Spring Hill Village from the south. He said the reality is that, especially when people are choked with traffic, they will do irrational things and will turn around in people's driveways. He said they just need to be prepared from the outset.

Mr. Randolph said it seemed to him, given how much money the developers are saving by not having to put in a vast road improvement that they would be doing otherwise, that it would be cost-effective to make sure that a neighbor is happy and that they have good traffic management on this corridor.

Mr. Randolph said he was concerned, however, that the default road of choice is now to put more traffic onto Avon Street Extended because the effort there, with the Avon Street Corridor, is to try to look at managing traffic and reducing traffic speed. He said the more traffic there is there, the greater incentive there is for people to speed, despite the fact that they will be having a crosswalk at Cale, and that they have looked at a roundabout at the intersection of Mill Creek and Avon Street Extended.

Mr. Randolph said to him, it seems reasonable to look after this neighbor and try to ensure there will not be a way in which people could do U-turns. He said they have to expect irrational behavior, and they need signage that says, "No U-turns." He said they will need something to be physically put in at the Gropen entrance that will preclude the ability of people to quickly turn around and then go south because traffic is backed up.

Mr. Keller said he was curious about what the cost savings between the two proposals (less the improved trail) would be, in terms of round figures.

Mr. Swink said he was not 100% sure. He said he has contracted it with the approved road plan, so his intention is to spend whatever they contracted it for. He said he did not count on these things being approved until they are approved and until they have site plan amendments in place. He said his instinct was that it was probably \$80,000-100,000 for not building the left turn lane. He said once the contractor has their hands in their pockets, it's hard to [inaudible].

Mr. Swink said to address Mr. Randolph, he was happy to work with Mr. Ronayne on signage. He said it was not the cost of things that would preclude him from working to find a solution. He said what he wanted to make sure he didn't prohibit was people who are trying to access his property from making a left-hand turn. He said his only concern (which he was sure was Mr. Ronayne's as well) was that he didn't want to do anything that will interrupt his business efforts more than the development already has.

Mr. Bailey said he wanted to try to understand from staff first, and then some of the rationale. He said he recognized that when looking at the existing area, it is reasonable to expect perhaps five cars turning in there. He said even though it is a smaller commercial center, it is located predominantly on the Scottsville Road side and not on the Avon Street side, so there is potential for GPS. He said when he looks at the Comprehensive Plan, then forecasting out the constant requests they get about where the next developments are coming, that this area is marked as a Development Area. He said it seems like it would be under pressure.

Mr. Bailey said right now, there is a lot of empty land south of here that could be ripe for growing that is somewhat in the Development Area or adjacent to it. He asked staff if it is reasonable to

expect that, as this grows, it will still be five cars to this commercial center that is predominantly located on Avon Street. He asked if they should assume that the development, as it is zoned as now, will keep the density likely the same. He asked staff if they could walk him through what the Development Area plan is there now, and what that might mean for the commercial center that is proposed being on the Avon Street and now, eliminating a left-hand turn as more people start to live south of this development.

Mr. Randolph asked Ms. Kanellopoulos if she had a map showing the Development Area.

Ms. Kanellopoulos said she could pull this up. She presented the map, noting that Spring Hill Village is the parcel selected in brown. She said the Rural Area was all outside of a gray line, and indicated to the Southern and Western Urban Development Area. She said she thinks the applicant covered part of this as well. She said they were allowed up to 60,000 square feet of nonresidential uses with this development, but the minimum is 10,000 square feet. She said she was not sure exactly how much they were planning to build, given that the site plan staff has right now is only for the 100 units. She said they cannot go above 100 dwelling units, so they are building the maximum there.

Ms. Kanellopoulos said the applicant reserved an area in the bottom right corner of the site plan for the commercial use. She said based on the area shown on the site plan, it would be significantly less than 60,000 square feet.

Ms. Kanellopoulos said offhand, she was not exactly sure what other types of developments could happen in that area. She indicated on the map to an area designated as greenspace and Biscuit Run Park, and to another area that was rural. She said Avon Park has a Phase 2 that is working on developing, but coming from the south, she did not see significant future development anytime soon.

Mr. Bailey said this was helpful. He said it is good to know what the future development could be on the southern side, given there is money being spent on infrastructure. He said it seems to be a desirable place to live and has very much expanded in the last five years with the amount of housing going in there. He said Ms. Kanellopoulos had answered his question, that it was not projected to be anytime soon to increase neighborhood load.

Mr. Bailey said to him, this would be a much easier slam dunk if the commercial was located on Avon, but if the GPS routes someone around and they get there, they are going to take a left-hand turn into commercial as opposed to driving all the way through the neighborhood to get to a commercial area.

Mr. Keller said just as the Commission has talked about recently with a number of projects, VDOT, the Transportation Planners, and Planners find themselves in a heck of a situation. He said while they do not know when the project will begin and will start having an impact, they all know that Belmont Bridge rework is going to be coming online. He said they know that the Route 250 East work between Shadwell and Pantops at the I-64 interchange will be coming online.

Mr. Keller said in terms of short-term, he hypothesizes there will be significantly increased traffic coming onto Route 20, both south of Route 53 and from Route 53 coming in, because of the number of people who work in the Charlottesville community who are coming from the east and the south that will change their short-term movement into town with those two construction projects.

Mr. Keller said they know there is a significant project (which perhaps Mr. Randolph could speak to) which is proposed for the outer edge of Scottsville that, as he understands, would significantly increase the number of residents over time in that Scottsville area.

Mr. Keller said when looking at the Development Area and in talking about the buildout, PVCC is able to move their land for development that they have talked about when they get the changes at the State level (or perhaps they will not), and that this is north of this project.

Mr. Keller said he still thinks there will be a significant increase in population and therefore, a significant increase in movement unless, out of COVID, they find a very different workplace environment. He said historically, a number of the people coming from the south and from the east are in the employment categories that they will still need to come into work.

Mr. Keller said just as they have talked with the Rio Road Corridor, and with Route 250 East and West, there could be significant increases in the number of people who are coming from the south. He said the same question applies as to if a number of them will be looking for alternative ways to circulate into town. He said it is a statement and not a question, but he thinks that just as the public has asked the County to think about future increases in those other corridors, they need to think about those changes also, and what are the by right developments along Route 20. He said the map showed the parcels in the Rural Areas, and that there is a lot of by right development potential there that are close to town and the Development Area that could, over time, increase the population relatively soon.

Mr. Bivins said there had been a number of comments on traffic, about what life will be like on that road coming from south of town, and about whether or not to anticipate that people will take Avon Street (even after putting in roads at Biscuit Run). He said as Mr. Keller implied, that whole area could have some significant attractions to it within the next decade, and the question is to what they are looking at on this piece of property.

Mr. Bivins asked Ms. Kanellopoulos to present the motions while the Commission continues to talk.

Mr. Randolph said he would be inclined to recommend approval, but that he would really like some conditions and commitments to address the Gropen entrance that would allow for business to access Gropen where they need to legitimately, as well as other businesses located there, but that can effectively deter individuals from driving north on Route 20 and with congested traffic, doing a U-turn in the Gropen driveway and then proceeding to go south and making a turn into Spring Hill Village, then cutting across to Avon Street Extended and proceeding into town.

Mr. Randolph said he would only give approval on the condition that there is a commitment to working out a *modus operandi* with Gropen that is mutually satisfactory to both Stanley Martin and to Gropen. He said he didn't see any reason why that couldn't be accomplished. He said this is something that, by the time it gets to the Board level, the Board will be looking to have that detail addressed. He said he thinks the Commission is actually helping this application along by conditioning this as a requirement that this be worked out.

Mr. Randolph said he believes that they sufficiently addressed Mr. – Schickedantz's concern about the grading on his property with the trail. He said he hopes that Mr. Schickedantz feels, as Mr. Collins has proven in the past, that the applicant will be accommodating and willing to listen.

He said the proof is in the pudding here, that the applicant has dramatically changed this application to accommodate Mr. Schickedantz's concerns and, at the same time, address the reality that they have one-sixth of the overall nonresidential development that was originally approved for the site.

Mr. Randolph said on that basis, he would be prepared to recommend approval. He said he could not see denying approval on this application just because, in the future, they will probably see traffic-related problems here. He said they will have traffic-related problems there, whether or not Spring Hill Village goes in with 100 properties. He said this is just a reality.

Mr. Randolph said this is a property that the County has known was coming online for an extended period of time. He said he believed he, Mr. Keller, and Ms. Firehock voted on this as members of the Planning Commission back to 2014 or 2015. He said he would be prepared to recommend approval, but with the condition that the entrance for Gropen is worked out so they have a means for preventing people to do U-turns in their driveway.

Mr. Bivins asked Mr. Herrick if he could suggest a line to add to the motion.

Mr. Herrick said what he was understanding Mr. Randolph to say is that he would be prepared to move to recommend approval of the ZMA with the changes outlined in the staff report, and upon the condition that sufficient means are made to prevent U-turns at the neighboring property to the north. He said he was trying to think of a way to put that in a condition, and was not sure what else they could say.

Mr. Bivins said between Mr. Herrick's words and what Ms. Kanellopoulos had just typed, the motion might be in a place in which Mr. Randolph would feel comfortable moving forward with.

Ms. Kanellopoulos asked Mr. Herrick if, since this was a ZMA, it was okay to use the word "condition" in the motion.

Mr. Herrick suggested saying, "With a recommendation."

Mr. Randolph moved to recommend approval of ZMA2020-00006 Spring Hill Village Proffer Amendment with the changes outlined in the staff report, and with a recommendation that sufficient means are made to prevent U-turns on the adjacent property to the north.

Mr. Clayborne seconded the motion.

Ms. Firehock asked if they could change the words, "means are made" to, "methods are employed."

Mr. Bivins asked Mr. Randolph if he would accept this amendment.

Mr. Randolph said he accepted.

Mr. Bivins asked Mr. Clayborne if he was fine with seconding this.

Mr. Clayborne replied yes.

Mr. Keller said he would support the motion. He said Mr. Randolph has made him move the way he was inclined to go. He said he wondered, however, if the Transportation staff could stay until New Business because at that point, he would like to talk about the transportation studies and plans that are being talked about, and whether they need to have an entry corridor study that talks about future land use changes and the impacts. He said they now see that Route 20 needs to go in, along with Route 29 North, and Route 250 East and West, and he would like to have a brief conversation about this.

Mr. Bivins asked if Mr. Moore and Mr. Butch could stay for a while longer.

The motion carried unanimously (7:0).

Mr. Bivins addressed the applicant and said they have heard from the Commission that they were recommending moving forward, with the condition about having some dedicated interaction with their neighbors to the north. He said there also may have been some mention, given the change in traffic conditions, of whether or not the location for their 10,000-square-foot commercial space will work for them, which is something they may want to consider.

Adjournment

At 8:12 p.m., the Commission adjourned to August 4, 2020, Albemarle County Planning Commission meeting, 6:00 p.m. via electronic meeting.



Charles Rapp, Director of Planning

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

Approved by Planning Commission
Date: 08/04/2020
Initials: CSS