

Albemarle County Planning Commission
August 16, 2016

The Albemarle County Planning Commission held a regular meeting on Tuesday, August 16, 2016, at 6:00 p.m., at the County Office Building, Auditorium, Second Floor, 401 McIntire Road, Charlottesville, Virginia.

Members attending were Daphne Spain, Karen Firehock, Vice Chair; Jennie More, Daphne Spain, Pam Riley; Tim Keller, Chair and Bill Palmer, UVA representative. Absent was Mac Lafferty and Bruce Dotson.

Other officials present were Megan Yaniglos, Principal Planner; Elaine Echols, Acting Chief of Planning; David Benish, Acting Director of Planning; Sharon Taylor, Clerk to Planning Commission and John Blair, Senior Assistant County Attorney.

Call to Order and Establish Quorum:

Mr. Keller, Chair, called the meeting to order at 6:00 p.m. and established a quorum.

Mr. Keller pointed out because of the complexity of this project and the long term implications we have considered and spoken with our counsel about extending the presentation time of the applicant by five minutes at the beginning and the end. So he would like to see if there was a motion from our Commissioners to do that and a voice roll call from Ms. Taylor.

Ms. Firehock made a motion to extend the presentation time of the applicant from five minutes at the beginning as well as five minutes at the concluding remark section.

Ms. More seconded the motion.

The motion carried by 5:0:2. (Lafferty, Dotson absent)

Other Matters Not Listed on the Agenda from the Public:

Mr. Keller invited comment from the public on other matters not listed on the agenda. There being no comments, the meeting moved to the next item.

Public Hearing

a. ZMA-2015-0007 and SP-2015-00025 Brookhill

MAGISTERIAL DISTRICT: Rivanna

TAX MAP/PARCEL: 04600000001800; 046000000018A0; 04600000001900; High school site or other public institution and road improvements: 046B50000001C0; 046000000018B and 04600000018D

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

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

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

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

PROFFERS: Yes, which also include property for a high school or other public institution on TMP 04600000018B and 0460000018D and road improvements on TMP 046B50000001C0.

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

(Megan Yaniglos)

Ms. Yaniglos provided an overview of the staff report in a PowerPoint presentation. As we know there are going to be a lot of questions and comments and hopefully the staff report's detailed and extensive analysis of the development will be helpful. She would move quickly through the staff report and provide an overview of the properties location, highlight the proposal, and briefly touch on the outstanding issues, modification requests and special use permit in order to provide ample time for these comments and questions.

There are three properties in this rezoning as shown on the screen, which are located at the corner of Route 29 and Polo Grounds Road. The map shows some critical resources that are located on the site. The blue color is floodplain; the green color is preserved slopes, and there are also managed slopes, wetlands, streams, and a salamander habitat that is located in the southwest corner. The aerial view of the properties shows it is mostly wooded, and there is an historic house on the site that is located in the open area.

The highlights of the proposal are:

- They are requesting to rezone 277.5 acres from R1-Residential to NMD- Neighborhood Model District.
- They are proposing a minimum of 800 and a maximum of 1,550 residential units; a minimum of 50,000 and a maximum of 130,000 square feet of non-residential.
- They are providing open space, trails, parks, multi-modal transportation, and civic areas.
- They are proffering an elementary school site, which is located in the development.
- There are multiple street connections: two on Polo Grounds Road, one connecting to Ashwood Boulevard; there is a right-in right-out on Route 29, and there is a connection that connects to the existing stub in Montgomery Ridge Subdivision.
- They are also proffering a high school or other institutional use site that is across the street from 29, and
- There is a Rio Mills road connection to Berkmar Extended also on the other side of 29.

The proposal application plan shows the major street network. She pointed out the connection to Ashwood Boulevard and another connection that goes around the development and connects back to Polo Grounds Road as well as the entry off of Route 29. It shows the networks, the blocks, the greenway and trail areas, which are all located along the streams. There is also a multi-use trail along Polo Grounds Road on the north side that will connect to the trail that is being built with the 29 widening project as well as buffers.

One thing that was not called out in the staff report that she wanted to bring attention to, because she knows there has been a lot of concern for Forest Lakes, is the connection at Coralberry. We are not requiring it this time, and staff suggested that to the applicant and she thinks they are amendable to remove that arrow from the plan.

In the slide on the screen to the right side is the proposal and on the left is the comprehensive plan land use plans. The Places29 Master Plan designates these properties as Urban Mixed Use

in Centers, which is the pink striped area on both plans; Urban Density Residential, which is the orange color; and Neighborhood Density Residential, which is the yellow color. There is also a green area designation on the comp plan and they are showing an extensive green space area on their plan. The applicant is proposing the same three land use designations within the development. The Urban Mixed Use Center and Urban Density Residential were modified slightly to be closer to 29 to allow for a larger buffer and less density near the stream, as well as provide for a larger market area than just the neighborhood. Staff believes that this is not problematic in this case because there is an Urban Density residential block, and extensive buffering and landscaping being provided along Route 29 from the center. These designations are also larger in size to allow for a civic space that is going to be located within the center.

The connector road as shown on the Places29 Master Plan has also been adjusted to be closer to 29 in order to have less of an impact on the stream. Again, the applicant extended the green area to allow additional protection of the streams on the property.

Some of the outstanding issues that staff has identified that was discussed in the report are:

- The grading and retaining wall heights;
- The preservation/treatment of the historic manor house;
- The timing and phasing of transportation improvements; and
- Other outstanding technical issues with the proffers that were outlined in one of the attachments in the report.

In addition to the rezoning request, the applicant is also requesting a special use permit for grading activities within the floodplain, which results in a minor expansion of the floodplain horizontal limits. The new entrances off of Polo Grounds Road, and the required improvements to Polo Grounds Road for the development, will also require the replacement of culverts within the floodplain, which requires a special use permit. They are also requesting private street approval and modifications to the street standards for amenity oriented lots. If the rezoning is recommended for approval, staff also recommends approval of the special use permit, private streets, and modifications as outlined in the report.

Special Use Permit for grading activities in the floodplain
Private street authorization (Sections 14-233 and 14-234).
Modification of street standards
14-422(E)- Sidewalks along private streets serving amenity oriented lots
14-422(F)- Planting strips along private streets serving amenity oriented lots

The factors for consideration are listed in the report:

Factors Favorable:

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

Factors Unfavorable:

1. The proffers are in need of substantive and technical changes.
2. A commitment to ensure the protection and preservation of historic resources has not been adequately addressed to date.
3. In order to adequately meet the Neighborhood Model principles, the grading section of the Code needs to be revised so that the retaining walls follow the design standards for managed slopes as outlined in the Zoning Ordinance.

Staff is recommending approval of the rezoning and she will be happy to answer questions at this time or wait.

Mr. Keller invited questions for staff from the Commissioners.

Ms. Spain asked if the two entries to Polo Ground Road are in addition to the Montgomery Ridge entry if there is a cut through there, and Ms. Yaniglos replied that was right.

Ms. Spain said so the first one, the connector road, is closest to 29, and Ms. Yaniglos replied that was correct.

Ms. Spain said the other one comes out a little bit and asked how far it was away from the Montgomery Ridge Road, and Ms. Yaniglos replied that she did not measure it; but, could state later because she has a scaled plan.

There being no further questions, Mr. Keller opened the public hearing and invited the applicant to speak.

Ashley Davies, land use planner at Williams Mullen and part of the Brookhill project team, said tonight she is joined by Alan Taylor, of Riverbend Development who is the developer of the property; Scott Collins, the civil engineer and Carl Holgran, our traffic engineer from Rainey Camp if you have any questions. If you are not familiar with Riverbend Development they are a company that delivers. She pointed out that one of their projects was the Pavilion on the Downtown Mall as well as the restoration of the Jefferson Theater; they brought Whole Foods to Charlottesville; and recently completed the renovations of the historic Coca Cola building on Preston Avenue. In about a month the first stores will open in the much anticipated 5th Street Station shopping development, another one of their projects. This development alone is really exciting for the county because it will bring 8.9 million dollars in annual tax revenues, and she knows everybody is excited for that.

Ms. Davies noted for the last year and a half our team has worked collaboratively with county staff and the surrounding neighborhoods, specifically Forest Lakes, Montgomery Ridge, and Bentivar. We have hosted over nine separate public meetings in order to understand goals, listen to concerns and refine our application plan to fulfill the visions set forth in the comprehensive plan. The result is a community that we believe will set the standards for future development in Albemarle County. In a rezoning we are asked to mitigate potential impacts of the project. She pointed out that Brookhill accomplishes this goal while also providing solutions to other major county issues, such as traffic and the overcrowding of schools meaning the county will be a better place because of Brookhill. She thanked staff for working diligently with us over this time period to create a project that we feel is a positive legacy of which we can all be proud.

Ms. Davies pointed out across 277 acres of rolling hills north of the Rivanna River the Brookhill property is so named for the 200-year old manor home that will remain on the site. Imagine living in a place where you can easily stop off to grab a cup of coffee while you walk your child to school in the morning. Brookhill represents an evolution in community development exemplifying the Neighborhood Model with four major components. The solar powered town center at the heart of the community; over 100 acres of permanently preserved natural stream corridors, trail systems and parks; new schools for our community; and a well-connected neighborhoods designed to promote strong community and active lifestyles. In addition to the trail network Brookhill will have over 13 miles of sidewalk and bike lanes that extend throughout the property creating a safe and enjoyable experience for all pedestrians and cyclists including those children on their way to school. As we increase walkability through intentional community design in the development area we reduce the dependency on the automobile thus reducing traffic and creating a place where we can truly live, work, play and learn. This 277-acre property represents over 10% of the available land that is identified by the county as developable within the development area, and no other parcels like it remains. With a steady population increase since 1960 Albemarle County carries the responsibility as stewards of the land to make sure that the growth area is developed pursuant to the comprehensive plan. Otherwise, the priceless

character of the rural areas will be destroyed by premature development, an action that cannot be undone.

Ms. Davies explained that Brookmill implements the comprehensive plan almost exactly; environmental features are preserved; the spotted salamanders are protected; new public civic spaces are created; and, the proposed number of residential units represents a moderate 60% of the residential maximums contemplated for the property. Eighty-five percent of the land in the development is designed as low density residential and green space creating an appropriate transition to the surrounding residential neighborhoods and rural areas. According to an economic analysis completed by the firm Turmeric Economics the project at full build-out will result in an overall economic impact of almost one billion dollars to the county creating over 1,000 permanent jobs and countless more during the construction phases. The development also provides a proffer package estimated at 57 million dollars in improvements to Albemarle County. She was now going to turn it over to Alan Taylor to give you some more detail about the project.

Alan Taylor, with Riverbend Development, thanked the Commission again for the extra few minutes to speak. This has been a multi-year planning effort, again, working with the land owners back in the early part of 2014. This presentation is a culmination of that extraordinary amount of time and effort spent to create what we are presenting this evening. We are very proud of how it has come to fruition. So let's talk about Brookhill – it is a mixed use development that he believes will set the standard for the way that neighborhood model developments are done in the future of Albemarle for live, work, play. He explained that is what it is about – get of your car and walk to your work, walk to your fun and walk back home. To this end we have achieved this at Brookhill with two primary things; one is the town center; and, the other is the lower density residential around it that transitions into the existing neighborhoods. What sets Brookhill apart is really the town center and so let's talk about what that is. An easy way to think about it is about one block of the Downtown Mall, and the one you can look at that is a good comp is the one where you have Hamilton's on one end and Christian's on the other. He noted it is about that size and scale with multiple uses on top and residential and commercial uses on the second and third floors.

Mr. Taylor explained that the major difference between the two is how it is powered. As Ashley said, we are planning to power our town center predominantly with sunlight at 70%. We are talking about one mega-watt of power, and he looked up on the EPA's website what that meant. He explained what it means is about 900,000 pounds of coal won't be burned on an annual basis because we are going to implement an environmentally sustainable solution here. Expanding on that environmental note, he pointed out the parking lots will be done with pervious pavers. As Ashley said we are involved in the Coca-Cola building across the street, which is a pervious paver parking lot; and, we have learned a few things since then. He pointed out the major difference between the one at Brookhill will be that you can pull underneath a solar panel that will not only provide shade to you in your vehicle; but, it will also be providing power to the town center. He thinks once you get out of your car and you walk into the town center you will see some recognizable store fronts: Temper Creek Market who are here tonight and they would like to open a new store on the north side of town. We are also talking to Cardinal and Deer Run guys, Whiskey Jar and a lot of local tenants that you see on the mall that have expressed interest in what we are doing here because this is an inwardly focused town center. What we are not talking about is a retail strip fronting on 29 with all of your credit tenants of the world. This is what we like about Charlottesville; and, we have figured out a way to do it in an environmentally friendly way.

Mr. Taylor noted that around the town center we have multiple amenities such as sport courts, basketball courts, tennis courts, a large swimming pool and a clubhouse facility, as well as miles and miles of hiking, biking, and walking trails. He thinks it has set over 13 miles of sidewalks. He explained that all of this has been incorporated and integrated in the over 100 acres of green space as shown. It is important to note that amenities like this won't be incorporated into by-right developments or to rural developments. The Neighborhood Model was created so that neighborhoods like this could provide its own amenities because historically those amenities have fallen on the backs of the county to create county parks, county pools and county hike and bike trails. But, one of the central tenants of the neighborhood models is for us to do that and relief

the county of that burden. Finally, when you have a town center you have a number of things; you have jobs, sales tax revenue, meals tax revenue, lodging revenue; and you add those together with real estate taxes, personal property taxes and add in our extensive proffer package, which is in excess of 55/57 million dollars as Ashley said; and what you have is a revenue positive development. As a part of that we need to talk about our proffers because they are extensive. He thinks as we all know at the state level we are in a weird situation when it comes to proffers. Effective July 1 the General Assembly abolished proffers; they are gone. As you know the county subsequently repealed proffers; they are gone. We are still willing to do them and we are legally able to do them because our submittal was prior to the July 1 date and our proffer package, in excess of 55 million includes cash, affordability contribution to affordable housing, the cash in lieu value is 4.7 million dollars and we would like to build them; but that is just a good way to value it; in kind land contributions in the form of the elementary school and the high school; transit contributions for public transit to come to and from the town center; a \$500,000 contribution plus the construction of a bus stop; and massive transportation improvements for both vehicular, pedestrian as we will go into amphibian access.

Mr. Taylor said let's talk about traffic because one of the scary things about all developments is traffic and so we need to get it on the table. But, we went through a thorough traffic analysis with the county with VDOT over the last 18 months and we have a plan that improves traffic flow with Brookhill at full build-out at all the key intersections. What this means is that cars get through with fewer cycles; the cue links are reduced; and levels of service are improved at both Polo Grounds Road and Ashwood. In order to do this, we are proposing to add two left hand turn lanes at Polo Grounds Road to go south on 29 both dedicated and a full dedicated right-hand turn lane at Polo Grounds Road to go north on 29.

Mr. Taylor said as we have said previously two school sites are a part of this rezoning. It is an interesting note that the old Manor House is over 200 years old and in the mid-1800's was used as a successful school for boys, and so we are excited to continue that education tradition. The elementary school site will be pad ready, utility stubbed and located next to the town center so that it will be crossed parked. We are very hopeful to incorporate a similar solar solution at that location as well.

Mr. Taylor said the mascot for the school hopefully will be the salamanders. He pointed out at the intersection of Polo Grounds Road and 29 there is a significant green space reserved because that is the salamanders existing habitat and where they migrate across Polo Grounds Road. Currently the salamanders and the traffic on Polo Grounds Road don't cohabit very well together so we are going to provide three tunnels that will allow them to cross the road successfully. He pointed out there is the high school site, which is shown on the map on the other side of the road located adjacent to where Berkmar is currently being built. We have mapped this out so that it shows Monticello High School and all of the facilities at Monticello High School.

Mr. Taylor said the last thing he wanted to talk about is this notion that we hear over and over again about houses costing money. What this means is when you approve a new housing development along with it is going to come the need for new teachers, new police, new firefighters, and all these things cost money; and, we already have budget problems and we just can't afford it. However, there is a flaw in that logic and we are going to expand on it a little bit later. In that logic that contemplates the fact if you don't approve Brookhill the people just won't move to Albemarle; however, there is 50 years of data that shows that this is just not true; they still come. He pointed out that land use implementation like this shows where they move and not if they move to Charlottesville. He said if they move here and developments like Brookhill are not approved they are going to continue to move into by-right developments in rural neighborhoods where there aren't proffer packages and they aren't revenue positive developments. He pointed out those are the houses that you can't afford and the reason the whole Albemarle County Growth Management Policy and the Comprehensive Plan was created was to stop things like that from happening. So what we are trying to do here is implement the county's goals and implement the county's master plan; and there is a reason they are in place and have been well thought out

for decades. He said that now is the time; this is what we would like to do, and thanked the Commission.

Ms. Yaniglos noted that she had the answer to Ms. Spain's question and asked Chair Keller if he wanted her to respond.

Mr. Keller asked Ms. Yaniglos to go back and restate the whole point.

Ms. Yaniglos replied that the question was how far the second entrance along Polo Grounds Road was from the entrance at Montgomery Ridge, and it was approximately 700 feet or .13 miles.

Mr. Keller thanked Ms. Yaniglos and asked Ms. Firehock to proceed with public comment.

Ms. Firehock opened the public hearing for public comment and invited each person to come forward and speak when their name was read off the list.

Jeremy Swinke said he was here today as a proud resident of Albemarle County, raise a family here, and proud to work here. He was here on behalf of the hundreds of subcontractors and my employees and the suppliers that he works with every day. He said that sites like Brookhill are the lives that flow to my company and the hundreds of persons that work with me and for me. He said that projects like this really give us the runway to help us plan our business. He knows that the men and women that are working for me are going to be asking me tomorrow how tonight went. They are very interested to know what the runway in the future looks like for the development area in Charlottesville. They are blue collar workers; are home with their families tonight and they are all hoping that you make the right decision with the development. He said a project of this magnitude really gives the people sitting in the machines, the plumbers, the framers and everyone who does have the confidence that the county believes and supports development and blue collar workers that don't have a place to go to work next week that they are not going to have to drive to northern Virginia to find work and a way to support their family. So he is here on behalf of them to plea to the Commission to make the right decision. He thinks this is going to be a great project for Albemarle and it is going to represent a lot of the things that make use all proud to live and work here. He thanked the Commission for their consideration.

Emilie Williams, present on behalf of Timbercreek Market and Farm, said Timbercreek Farm is located in Albemarle County just off Garth Road. We are dedicated to responsible agriculture that celebrates natural diversity and promotes ecological stewardship. Our market is the final realization of our mission for the farm. It is a full service, whole animal butcher shop, café and restaurant and we sell everything from our own meats, eggs and vegetables to local dry goods, cheese and chef prepared foods to go. Brookhill Development will bring a customer base to Timbercreek that does not currently exist, and the opportunity for us in this development is very exciting. We plan on using a reclaim barn as a new location for our business. The 4 acres surrounding the barn will be in use year round with our chef gardens creating a small scale agricultural tourism site. Produce will filter directly to the restaurant and Timbercreek will be a place to dine, learn and shop. With a restaurant where the produce is grown right outside and the protein is raised just a few miles away this will become an instant destination in Charlottesville. Of course, we at Timbercreek know the value of farmland and protecting as much land as possible; but, growth is inevitable. What Charlottesville does not need is another strip mall that nobody wants to put their businesses in. With Brookhill the vision for a gorgeous upscale and vibrant neighborhood shopping center and new schools is something that will only enhance our already thriving community.

Rives Bailey said he was a local realtor for nearly 30 years; president of a local real estate company and general manager of Montague Miller and Company Realtors; resident of Carrsbrook and a former resident of Forest Lakes South. He said we are blessed to live in a beautiful desirable place; but, that desirability also drives growth. He like most of you have seen lots of change in our community; the population has grown and continues to grow; new neighborhoods, shopping centers and businesses have appeared; and traffic has certainly grown

along with these changes. He said that growth is inevitable for the Charlottesville area. So the question becomes how best do we manage growth in order to maintain the quality of life we all desire. The desirability of our community creates a real challenge for housing. Greater demand with constraint supply leads to higher pricing; and, we are already in an area that struggles with comparatively high cost of housing. Supply has been declining steadily for the last few years and is currently very limited. Consequently, we deal with many frustrated homebuyers. If the supply issue is not addressed by increase in availability in the growth areas, then growth will be forced into the rural areas, the situation that does not favor efficiency at all. Growth focused in specific areas creates greater efficiency of both short and long term costs for infrastructure such as utilities, roads and emergency services. Development within growth areas also improves opportunities for planning for schools, parks, and alternative methods of transportation. Lastly, higher average density better enables the creation of a variety of housing types and a variety of housing prices making communities overall more inclusive and more available. Certainly more work needs to be done to address concerns being voiced by many of the neighbors this evening; but, for reasons provided I speak very strongly in favor of the proposed rezoning as an example of thoughtfully managed growth for our community. Thank you.

John Peter (J.P.) Williamson, resident of Albemarle County, said he was born and educated here. He was a trained planner and a developer by trade here more to observe the process that you go through than the specifics of the project. I participated in the Places29 strategy and have been involved with several comprehensive plan amendments and rezonings in Albemarle County. So he sits back and I watch and I reflect on what it is that you have told the development community you want us to present in how you want us to go about our livelihood. He sees all of that represented here. So if this does not fit the model that we have been working for and striving for as a community for 20 years, then he does not know what does. In fact, I think they are setting a bar too high because I don't know that I could ever do that. He thinks that the end product that they are proposing to develop and the role that it plays in Albemarle County in the smart growth that our community has implied that is what they want; this is exactly it. So I can't imagine that the process is do we do it or don't we do it; it is how can we refine it and how can we make it better. I believe that is what the input will be. But, I for one applaud them for taking this proactive approach and doing what you already told them in forming the comprehensive plan and ten years of Places29 planning.

Tom Paquette, with A.G. Dillard, Incorporated said we employ 75 to 100 of the hardest working men and women that I have ever come across in projects like that to keep these guys employed. He keeps fielding calls from the valley and from Richmond and Culpeper; we need to keep jobs like this close to home so these guys can stick around and keep working.

Ben Davis, life time resident of Albemarle County and currently Vice-President of Sales for Craig Builders, said we really appreciate all the service you do for our community. As a family owned and operated business we have built thousands of homes in the area from various price points. We really pride ourselves in a quality product, quality service and quality people. We have ten percent of our employees here tonight. We think that this project is one that reflects on that type of quality that we are looking to put out to the community. After having read the 22 pages and 11 attachments in the staff report I decided to come here tonight to express Craig Builders support of this project. It was a long read; but, it was very interesting. He agreed with the gentleman, too, before me that you guys have set the bar very high, and he was not sure if that bar is something others can live up to. But, let's set it there and let's see if we can reach it in the future. Brookhill will help accommodate the demand for many types of housing desired by both current and future residents of Albemarle County. It is rare that we have customers talking about a community so far in advance in our models; but, we are seeing that week in and week out; they are coming in and saying what do you know about Brookhill what it going to be. That is unprecedented for what we see; and that tells me that may be a special type of community. That may be something that the demand is not reaching. Just like everyone has said, we believe that the location is served well by the proposed uses. Due to Riverbend's focus on blending the future market demand with the future needs of the county Brookhill promises a nice addition to this wonderful place we call home. Again, I ask that you take our support of this project into consideration when you make your consideration and I appreciate all of your time.

Richard Lee said that his business partner Taylor Brown is also present representing the following comments. He said he moved to the county for opportunity to start a solar business; and, not because there was a lot of inventory in the housing market. In fact, it was a relatively long progress finding a house. The reality is Charlottesville is growing; it has been growing for years; it is going to continue grow and growth demands the development of new communities. He pointed out that Brookhill is in response to that demand; but, it is not a response in the likes of the suburban sprawl that we have seen in places like D.C., northern Virginia and Maryland. To me Brookhill Development is a new model of smart growth, and that means three things. First, there is a consciousness for community needs, and that is demonstrated by Alan's plan to make significant improvements to Polo Grounds Road. Second, it is a consciousness for the needs of our children, and Alan has chosen to proffer land to the county for improvements for the development of the local school system as you discussed. Third, it means a consciousness for the environment. Aside from the mindfulness associated with protecting native species on the land, we also have been working with Alan on his plan to solarize the town center and produce up to 70 percent of its usage by solar. I think that is amazing. So in my eyes if this development was being planned by somebody else it could easily turn into the run of the mill suburban sprawl. I honestly think Alan has done an amazing job of not only addressing the needs of the community; but, doing so carefully, doing so wisely and doing so consciously. So to me Brookhill equals smart growth, which is what our community needs and it is frankly what our community deserves.

Jim Foley, resident of Coralberry Place, said he also serve as the Director of Transportation for Albemarle County Public Schools. He thanked you for the great work this Planning Commission and the Department of Community Development have done over the years to make our county a great place to live. He knows that the public can be challenging and you must make many unpopular decisions. He actually is in favor of the Brookhill development because the developer has been very sensitive to the needs of our community including currently and future students of our schools. My concern is cut through traffic. He said Community Development is charged with abiding by State Code, which encourages localities to improve the public health, safety, convenience and welfare of the citizens. Localities are also required to provide residential areas that are healthy surroundings for family life. I do not feel that a cut through at the end of my cul-de-sac promotes a healthy change for my family. As such I do not feel that a stub that lines up with is needed and would only make it easier to finish the cut through in future years when the membership of the Commission is changed. Installing a cut through is incongruous with the vision statement of Community Development, which calls for providing exceptional quality of life. When we moved to Albemarle County eight years ago from California for the quality of the schools and the serenity of our peaceful Forest Lakes neighborhood; please do not allow a cut through to eliminate our serenity now or in the future. Lastly, please make sure that the road sidewalk design results in safe school bus stops for our students and clear lines of sight.

Johnny Printslof said he just wanted to come and express my support for the project. I grew up in Denver, Colorado before moving to Albemarle County. My grandmother had a farm in the western side of town and I grew up here and loved the community aspect of Charlottesville in general. When my wife and I decided to choose where we wanted to live we chose to move to Charlottesville based off the quality of life and the smart growth that we felt that it presented to us. We have the unique opportunity with this project to really create a town center that a developer generally would not present to a community. There is a lot of aspects to this development that don't entirely make the highest and most economical decision from a best use standpoint. But, from a community standpoint it certainly checks a lot of boxes that make it a very advantageous development for the community. As we looked to move to Charlottesville we certainly did not identify an individual project that we wanted to move to; we looked at it as a community as a whole and that has a lot to do with the smart growth aspect that the Planning Commission and the Board have worked on over the years. To keep it short I think it is a great project and the right kind of project. He is very into kind of solar and green types of uses and that is certainly a very expensive thing to add onto a project. He supports the project and hopes the Commission does, too.

Tom Wharton said he strongly supports this project for a lot of different; but, thinks the thing we need to think about more than anything is the proffer since it is exceptional. He said he did not think we have ever seen one to have the ability to use that for the community's advantage is something that should never be looked away from and certainly should be considered highly. The biggest thing that he finds with this development is the schools. There is no question that Albemarle High School and the elementary schools are bursting. The ability to bring in a new high school to service the northern part of the county is needed and we all know that. The ability to bring in a new high school on land that is given to us is wonderful; and, we need to take advantage of that. He would also like to talk about the fact that road congestion is an issue. However, Project 29 has certainly helped to alleviate some traffic. He thinks with the Berkmar and Hillsdale project we will continue to see a little less traffic on 29. By providing schools on the northern corridor we can eliminate bus traffic to an extent. The connector road will also help eliminate a little bit of traffic on Earlysville Road, which has been an issue, as well as Rio Mills Roads, which is a dangerous unsatisfactory throughway. Thank you.

Eddie Gupton said he was an employee of Rockydale Quarries in Charlottesville, which was located on Rio Mills Road. My comments are speaking for myself as an Albemarle County resident and on behalf of Rockydale Quarries. We strongly support the Brookhill project because it will be a great asset to the community and an economic boom for both the city and the county. It offers new school sites which are becoming a very valuable and scarce resource. The main reason he was here tonight was to speak in favor of the proffers that are on the table that go along with this project, and one in particular. The new connector road between Rio Mills and the new Berkmar Drive Extended will be a wonderful answer to a growing concerns of the residents that live in the Earlysville area. The amount of traffic on Earlysville Road is continuing to grow at an alarming rate and the possibility of a road that will allow much easier access to thoroughfares that are built to handle the large amount of traffic will be a great asset to the community. It will greatly reduce the amount of truck traffic from our quarry that would normally use Earlysville Road and he believes it will be beneficial to all citizens that travel that area. He asked the Commission to please keep in mind that this proposed project not only affects the residents that are adjacent to the proposed development; they will also have a positive impact on citizens in other areas as well. Thank you.

Jeff Cooke, a new resident of Albemarle County, said that after a lifetime in Richmond my wife and I moved to this area. They came here for the beauty of the mountains and live in Old Trail where they really enjoy the amenities that are provided, which include the walking trails, green space, open area and the town center. These type of areas are very popular and a great pleasure to live in. He supports the project and looks forward to visiting when Timbercreek and the other town center folks are open.

Bryan Thomas said he had the pleasure of moving here in 1983 and has been a long time resident. Having lived in three subdivisions in the county since 1983 he found all of them had road challenges and other problems. But, in 2001 with the adoption of the Neighborhood Model project the county took a step forward and this project follows those guidelines along the development side of this in the 60% of it being developed housing it is actually below what is required of that. So the challenges that we as a county also face are the tax base with the services; and, if we do not continue to invite business into our residences to our area we are going to face those challenges continually for many years. This project advances the opportunity to build that both in residential and commercial tax base. Having raised three children who have gone through Agnor Hurt, the middle school and Albemarle he has seen the challenges we have all faced with overcrowding and also just the support. He thinks the proffers bring an awful lot that the developer is adding to this for a new elementary school and also a high school. He asks you to please review the positives of this development that the developers bring to this and approve it.

Michael Kennedy, resident of Thornridge Way, said he had a letter from a neighbor on Coralberry that he would paraphrase from. He finds it interesting so far that every speaker with the exception of our neighbor from Coralberry stands to make money from this project potentially; but, he speaks for those of us here tonight that will lose substantially particularly if the Coralberry

spur is added. (A large number of persons raised their hands in agreement.) He thinks the new proposed neighborhood sounds; but, we selected to live in Forest Lakes particularly in the Thornridge and Coralberry area because it is so secluded and has the nice wooded area. He pointed out our way of life is really in danger if we had a substantial number of cars coming through. It is clear that the developers have satisfactory alternatives that have been proposed; and, he finds those to be terrific. Ultimately, as a parent he was worried about the safety because there are no sidewalks in Thornridge. When walking with my young children, including my daughter with a disability, to Hollymead Elementary or Sutherland we already face traffic from our neighborhood and getting over to Powell Creek crossing actually is already a heroism experience. Therefore, to add who knows how much traffic it is really worrisome and he asks as his neighbor from Coralberry did that we please not add even the spur; it is not needed and it is clear that there are alternatives. Thank you.

Geral Long said he moved here in 1999 with his family to escape the constant traffic problems surrounding us in northern Virginia and we were really looking very much forward to the rural area here in Charlottesville. Since that time we have seen the rural area constant under assault by proposed developments that has always overlooked or painted an inadequate picture of the traffic and road safety issues that would arise from such developments. Interestingly to residents of the Polo Grounds area the staff planning report summary makes no mention of the traffic and safety issues that are a constant concern to me and my family as well as most other current homeowners. Oddly enough, however, that very same planning staff report does note that each of the required community meetings held for homeowners for Forest Lakes, Montgomery Ridge, etc. they all stated their major concern was for traffic, congestion and road safety. He would like to make two points to address my issues all concerning the apparent inadequacy and lack of safety with regard to traffic issues in the current traffic plan proposed. First, the developers of Brookhill asked for a traffic light from the development into U.S. 29 with access to both north and south travel lanes. VDOT denied that request. A development of 1,500 residential units with the traffic it will generate deserves access onto the main road artery of highway 29. Handicapping a development because of its inefficiencies for residents to gain access to major roads could result in a failed of your development; it has happened in other places. Ultimately, we are not talking only about access to highway 29 for the occupants of the 1,500 residents, but also for the commuters who will be looking for access to a proposed new high school on the west side of 29 and the proposed elementary school within Brookhill itself.

Mr. Long noted secondly, the planning staff report does not adequately address the situation which will arise when a significant number of commuters leave Brookhill from the two exits onto Polo Grounds and instead of turning west to highway 29 instead turn east to eventually access highway 20 as a way of heading into Charlottesville. Substantially numbers of Brookhill residents will join existing residents as they drive through the one vehicle tunnel beneath the railroad overpass and rather quickly intersect a nearly blind turn to head either north or south on Proffit Road. Heading north on Proffit Road, commuters will be crossing a one lane bridge; heading south, traffic will be stopped as commuters try to merge onto highway 20 traffic. A request, a few years ago, for the construction of a private school on Polo Grounds was denied because the Board of Supervisors thought the dangers of the one vehicle underpass were too great. The road hasn't changed since that time, and the issues regarding the safety of commuters are still significant. He thanked the Commission for their time.

Steve Janes, a Forest Lakes resident, said that he does not disagree with this project in concept and realized that it fits very well with what the comp plan wants in this area; however, as a Forest Lakes resident the Ashwood connector is the thing that concerns me and my neighbors the most. My wife and I moved here, retired here and we picked Forest Lakes because it was secluded, has three roads in and out, and the only people that come in and out are the people that live at Forest Lakes or Hollymead. This connector is going to invite a lot of through traffic from the Brookhill Development and we are very concerned about that. The other gentleman talked about that VDOT would not provide a light. It looks like the connector road is a backdoor way to give them access to a light. He said the other comments he has is on rezoning. If the Board of Supervisors and those who put together the comp plan wanted this to be the Neighborhood Model, he was

saying that the zoned plan should have been put that way at that time to accommodate it. Asking for a rezoning is like backing into it. He finds that as a process point to not be well thought out.

Mr. James said last but not least are just some of the specifics about the project that are captured in the special use permit in the floodplain area. This piece of property in my mind is not "well suited" for a project of this size; it has an awful lot of streams, wetlands and steep slopes. In fact, they are asking you for a special use permit in order to deal with some of the steep slopes and he thought he heard someone say that you would need to revise the Code on grading. They are asking you to change the County Code to accommodate their building request; and, that really concerns me. The overall project in general he thinks is a good project; but, the steep slope, the wetlands, and the Ashwood connector are the things that concern me the most. That is speaking as a resident, a retired professional engineer and one that is on the Places29 North Citizens Advisory Committee with Ms. Spain who heard our neighbors heard at length to this and also as one who has been a member of the Board of Equalization who have heard many tax appeals saying I can't build on my property because I have wetland and water restrictions. You are essentially putting aside the County Code to satisfy this builder's request.

Lonnie Murray said he would like to commend Riverbend Development for setting an example by working with the Albemarle County Natural Heritage Committee and local biologists to voluntarily protect the spotted salamanders in the Eco System, which are a key ecological and educational resource. So why do we care about a bunch of salamanders? Spotted salamanders are an indicator of water quality and their habitat bears a striking resemblance to bio-filters that we use in the development process. That is no accident because they help treat the water in the same way, actually a more effective way than our urban bio-filters do; but, they are doing it for free. They also provide habitat for other species. What happens with this approval he hopes that the Planning Commission will join me in commending the developer for their efforts in helping protect county biodiversity as called for in Objective 4 of the Natural Resources section of the comprehensive plan. He pointed out when you compare this to Stonefield, which erased two streams during its development process; he feels that a higher standard is being set here and that deserves recognition. He strongly hopes Riverbend will agree to use regional Piedmont native plants in their design. He would add that he agrees with staff that the timing of the road improvements is critical particularly in making sure that the salamander crossings are placed before the density is increased or the gravel side of Polo Grounds Road is paved.

Michael Ellwood, resident of Forest Lakes for about three years, said that he grew up in Tyson Corners and my family has been part of the Charlottesville community since 1977. Being from northern Virginia he greatly appreciates two, three, four, or five ways to get from point A to point B. So he appreciates some of the traffic mitigation here. But, the proposed connection from the Brookhill development currently proposed to Forest Lakes appear more like a rigid adherence to some theories rather than a holistic transportation plan for the northern part of the county. First, he would appreciate clear confirmation from county staff and the Commission that a connection from Brookhill through Coralberry is off the table. Such a connection would create significant traffic morning, afternoon and evening; and, the whole setup is not configured for that to happen in a safe manner. Second, as it is currently proposed, I am opposed to the current road plan running from Polo Grounds Road to Ashwood Boulevard. The plan is not for a local connector road as it is kind of referenced; but, for a significant throughway for a collector road to serve as a primary means for Brookhill businesses, residents and visitors to access Route 29. This is not interconnected locally, but a primary alternative to Route 29 putting far more volume on Ashwood than is even currently generated by Forest Lakes. The proximity of two significant intersections on Ashwood is inconsistent with the published VDOT guidelines; and, so where are the proposed solutions and funding for traffic on Ashwood and at the Ashwood/Route 29 intersection and the Ashwood/Powell Creek intersections. He sees a plan for how traffic is dumped on Ashwood; but, no plans as to how we manage safety when it is there. Using Forest Lakes as a primary pass through for businesses and residents of Brookhill should be unnecessary. He said the physiologically reference of corollaries due to a failed primary artery is not a sustainable solution. It seems that the county believes Route 29 as a primary traffic artery has failed; and, if that is true let's start working on a new bypass plan. So the Brookhill development offers great opportunity. Something he would like to see reinforced is some more emphasis rather than on traffic pass

through is pedestrian bike and trail connections to neighboring communities. One thing is what is that parking lot on Ashwood doing there. He suggested right sizing the commercial development plan for Brookhill because the current plan requires outside traffic to generate sufficient volume for the businesses. That outside traffic was not needed; but, we have much need for the roads. He would also like to see a clear plan for a future grade separated interchange for bike/pedestrian/vehicular traffic over Route 29 to Berkmar. This could occur in several locations and is currently slotted for Ashwood. But, depending on how that design occurs maybe the Ashwood intersection is impractical and impossible. He would like to reinforce, as others have said, development of an elementary school early on in the development of Brookhill is important completing this earlier. It will significantly reduce traffic pressure in the both the Hollymead and Woodbrook neighborhoods and on Route 29. He would also like to support identification and development of a site for a northern high school.

Steve Liberman, resident of Forest Lakes, said he was opposed to the stub and cut through that would connect Brookhill to Forest Lakes because it creates safety issues and ruins the quality of life for the Forest Lakes neighborhood. It would also kill their home values because who would want to buy their houses.

If the connector goes through our neighborhood this is what he would call a cut through thoroughfare connecting Brookhill to goes in they would not be able to enjoy their neighborhood because it would destroy the children being able to play on the street and their ability to safely walk on their street. It would ruin their quality of life in the neighborhood to have the Coralberry connection and so he asked that they take the stub off the plan or just don't rezone the property.

John Scott, resident of Forest Lakes, said that he works for Builder First Source and sells building materials to guys that sell houses. So, yes, he has a financial interest in this project. He lives in the north section of Forest Lakes and sympathized with the traffic concerns; but, he was very much in favor of this project. He said the developer has put together a perfect packet and he really supports it.

Robert Jordan, resident of Bentivar, said our only access out is Polo Ground Road and whether we go to Pantops or 29 that is the only way. He said the proposal would cause numerous delays in traffic. He noted they already have traffic delays from the soccer fields there and the people passing through from 20 to 29. They have a one-lane tunnel where the traffic rules are not observed that causes safety concerns. For that reason, he thinks that the use of Polo Grounds Road as a means of access to 29 is a bad mistake especially since the major employers in town are the University and the hospital and the other is Martha Jefferson out of Pantops which will cause more traffic going through that one-way tunnel.

Karen Schwenzer, resident of Montgomery Ridge for six years, asked for consideration of refining the connection to Montgomery Ridge by not having it. We area a small 60 house community and we have one major road, Montgomery Ridge Road, which is very narrow. She did not understand why we need to be connected to a big development of over 1,500 homes. She said that the safety, quality of our life in the neighborhood and the value of our property is at stake. She asked that they not put this connection in because she did not see the point.

Carol Wise said she had been a member of this community for 25 years as an active citizen and contributor and finds it interesting that it said that there is a commitment to the historic resources, but not a word about the natural resources of the area that we are discussion. This is 277 acres and if this project is approved the rural character and the natural resources will be destroyed. The loss of the wooded habitat and the wetlands will be devastating to the plants, animals and the natural communities that depend on this area to literally survive. This is an action that cannot be undone and she urged them not to approve it. She said if it is approved she hoped that they would keep it as small of a scale as possible and was in strong support of the salamander corridor crossing and asked that it be created in the highest of standards possible. She was here to speak for the natural community because they can't speak for themselves and asked for them to think seriously about this because it is a very special place.

Jim Murray said he had lived at Bentivar since before it was a subdivision. He was here to speak on behalf of the spotted salamander that lived in their neighborhood. He said that a picture was being passed around. These animals live in the area where this subdivision will be built; but, they have to run a gauntlet in order to breed because they cross Polo Grounds Road down to the ponds in the floodplain to reproduce. Since the traffic has been picking up on Polo Grounds Road they have a terrible hazard there. He has counted at least 50 or probably many more animals killed in a single night on that stretch of the road. We tried to do something about it with VDOT and drift fences to an existing culvert; but was afraid that was unsuccessful. The developers of this proposal have agreed to build an underpass for these animals in the redesign of the intersection of Polo Grounds Road with 29. He requested the Planning Commission make this particular aspect of the plan a requirement in order that underpass can be built in order to protect these animals.

Scott Ellif, Board member at the Forest Lakes Community Association, said he was speaking on behalf of the Home Owner's Association of 1,500 homes and 5,000 residents on two issues that have come up already. One is Coralberry and the second is the Ashwood Connector. As you have heard Coralberry is a stub that still remains on the plan. It is not on the developer's plan, but, apparently the stub or the right-of-way is still required there. This idea never made any sense for a small cut through road on a cul-de-sac that has been in place for 15 years with strollers, dogs, training wheels and kids on bikes with no sidewalks. He pointed out Forest Lakes owns the common area on the side that would be involved here. If there is anything guaranteed in life, the Forest Lakes Board would never approve allowing that common area land to be used for this purpose. So he did not know why you don't just eliminate the right-of-way part that is still on the plan and just be done with it. Nobody wants that push through road to go through in the future, and that would clarify things a lot for all of these residents. The second thing is on the Ashwood Connector here and the one thing he did not think Alan was right on was that the traffic on that connector has got to get worse as a result of having that connector road. You would be having more traffic go through the same road, and it can't be getting better. He actually read the traffic study, which shows a 23% increase in the amount of westbound traffic on 29 in the morning rush hour. He reanalyzed himself and reviewed it with Joel DeNunzio and he gets a 50% increase, which totally fills up that small congested area and would cause potentially really big back up. One thing he would ask to be done is to rerun that traffic study without the Ashwood connector and let's see what it does to the whole traffic system. A point of interest here is that Forest Lakes has 1,500 homes about the same as Brookhill and has two primary entrances, Ashwood and Timberwood, and one that it shares with Hollymead; and, it works just fine. But, why do you need five entrances for a development that is the same size, he has no idea. He knows it is in the VDOT Road manuals and all that type of things; but, there are also various exceptions for practicality and things that make sense. It does not make sense to put in that road just because it is there or the manual says that it has to be.

Lettie Bien, resident of Bentivar, said Brookhill has been quite skilled in presenting this project. They came into our neighborhoods repeatedly and we appreciate that; but the information they put out varied with the concerns of each neighborhood. The proffers at this time are red herrings. They have offered land for schools that the school board accepted; but, there nowhere are the funds to build anything anytime soon. The November referendum has not one cent in it for new schools. Riverbend is quick to point out its successful commercial developments, but nothing about successful residential ones. County staff has calculated that it will take a home costing \$621,656 for the county to break even on the expenditures and that does not even include the school expenditures. Everyone here will see their property taxes go up every year to sustain these additional 1,550 residences. Riverbend and this Planning Commission needs to be focusing on the good economic development that sustainable business would provide. Mr. Taylor speaks about the commercial entities as small as they are and their tax revenues. You should ask yourself if that will cover the county's costs of the 1,550 residents and the numbers clearly do not add up. The very jobs created by this commercial center do not provide jobs that give people upward mobility and certainly will not pay them enough for them to afford a home in Brookhill. Yes, Albemarle is going to grow, but there are already thousands of homes on the books already approved by you and the Board of Supervisors that perhaps others can work on. The real estate

brokers she has spoken to state that this will negatively affect property values of the existing neighborhoods. She said the density is too much and must be curtailed on this project.

David Schmitt, resident of Bentivar, said that he had attended many of the meetings that Riverbend has held and he really is in favor of solar; really likes the idea of saving the salamander; loves the way they have integrated their community; but, this is in the wrong place. It is one thing to have a development that is perfect that is ill situated, and this is extremely poorly situated. He noted that people have alluded to and spoken directly to the traffic issue. He said you should not act on this until the department of transportation has reconsidered a stop light on 29. Right now the access to the east side of Charlottesville is through Stony Point Road; the access to Stony Point Road is Profit Road; and Polo Grounds Road is where all of the people who are headed to the east side of town are going to be traveling in order to get there. Polo Grounds Road was the subject of a special project last year for the creation of a very small school; and, it was denied due to the traffic implications. There are not 1,550 homes on Profit Road, Bentivar and Montgomery Ridge now; and, this is going to increase the population on that road enormously and the eastbound traffic is going to be unmanageable. The salamanders may do well with their under road passage; but, all of the turtles, reptiles, birds and the bunnies are going to be bulldozed out of existence by the creation of this project. The traffic issue is absolutely paramount and nothing should be done until another study is done that actually pays attention to the eastbound traffic. This is something that was completely overlooked by the Planning Commission staff and it is something that is an egregious oversight and you should not move forward on this until that has been adequately researched and the possibility of changing VDOT's opinion about a stop light on 29 has been completed.

Dan Bieker said he was a wild life biologist and a natural scientist instructor at Piedmont Community College. He was not here to speak for or against the project; but, he thinks in the big picture it certainly would be better if we did not build in river corridor habitats like this at all. However, he is here to speak as to how important this area is biologically. It is definitely a hot spot for a lot of wild life. He thinks the developer should be commended for the efforts he put into mitigate the salamander crossing; however, the devil is in the details and if there is a way for them to get across that road they will find it. He said the tunnels are not enough and there needs to be barriers to guide them into the tunnels. It is critical that this be an important part of the project if it is approved and needs to be looked at very carefully.

Elizabeth Siz said nobody has mentioned what is going to happen between the time this project is approved and the time they start with building. She asked are they going to cut down all the trees and the land is going to just sit there like red dirt for years. She asked to keep the land the way it is to protect the deer, fox and other animals that live there.

Fred Gerke said he has lived for the last 32 years in the Proffit up at the other end of Polo Grounds Road from Brookhill and has been using Polo Grounds almost daily since then. The kids called it a short cut road to get to town from Profit. He explained that the history of Profit Road was very important and voiced concerns with the increase in traffic. He said that density is not wrong or undesirable but calls for more planning and design. To make it work you are putting several thousand people into this box called Brookhill and we must now figure out how to get them in and out every day while taking into account all the roads and future plans. The transportation part of this puzzle needs to be worked out; the parties involved need to get together and the project should be paused to do so. He suggested that the Coralberry connector be made into a pedestrian bicycle entry way to make it more tolerable and allow the families in the different communities to be able to visit each other without having to get into their cars to drive on 29.

George Foresman, resident of Bentivar, said this has been a healthy discussion tonight and suggested that the entrance to the development be made into a destination entrance that would call for a signalized intersection on 29. There are three buckets of issues before the Commission tonight. One, is from an economic vitality standpoint; this is clearly a project that has been well thought out and addresses smart growth in very responsible and progressive ways. It could be good for the community from an economic standpoint and from a development standpoint.

Second, we have heard from a series of neighborhoods that are concerned about traffic, particularly on the eastern end of Polo Ground Road, Montgomery Ridge and Forest Lakes. The third piece is how do we do this project in an environmentally smart way. Clearly the developer has gone to great pains to put together a proposal try to address smart development and good environmental stewardship as well as address this whole idea of smart traffic management.

Matt Quatart, resident of Montgomery Ridge, said this is not a bad project; it is a good concept and the developer has done a good job of addressing the concerns. However, there are two issues to consider before addressing an approval with the first being Polo Grounds Road. In the Police Department annual report on page 17 Albemarle County ranks second highest in total crashes compared to our peer counties per population. Second, he shares the Coralberry connector concerns as previously stated.

Travis Pietila, speaking on behalf of the Southern Environmental Law Center, thanked the applicant for sitting down and discussing the project. During the review they found many positive features of this project. They appreciate the inclusion of a bus transit proffer that will not include installing a new traffic light on Route 29. They are pleased the applicant and VDOT recognize the importance of this new capacity on 29 North. For a proposal of this scale it is crucial that its key features and protections are clearly spelled out and are made adequately enforceable. They want to offer recommendations to strengthen this proposal in these respects by incorporating more of the key elements from the code of development into the proffer conditions and doing so will provide additional assurance these commitments will be followed through. One, is recommending a condition that all nonresidential development within block 4 or on Route 29 must face internal to the site and away from the highway to protect the Entrance Corridor and the forested buffer called for in Places29. Second, we recommend incorporating as a condition a storm water and erosion and sediment control protection set out in sections 2.5 and 2.6 of the code of development. This site is located right next to a stretch of Rivanna that is already impaired from excessive urban runoff making water quality a particularly important factor here. Third, in light of the county's recent experience of Hollymead Town Center we recommend including a phasing condition committing to build some amount of residential units before substantial nonresidential development occurs. This will help make sure that the mix of uses envisioned by the comp plan is actually achieved. Lastly, to help met the comp plan's vision for its mixed use communities we urge the applicant to commit to building at least some proportion of its 15 percent of affordable units on site. Our review of this project is ongoing and so may have additional thoughts later on; but, we thank you for considering our initial comments.

Judy Sullivan, resident of Polo Grounds Road and a teacher, spoke in opposition to the request due to concerns with the increase in traffic and the cut through traffic. She urged the Commission not to allow this to happen.

Jeff Werner, with Piedmont Environmental Council, said this comp plan supports this proposal and he also supports the connectivity of streets. However, he sympathized with the traffic issues on Polo Grounds Road because his son played soccer.

Jean Hamlin, resident of Ravens Court, said she was not opposed to the development of Brookhill even though it will run right behind my house. She noted concern with the Ashwood connection and the 25 parking spaces planned at Ashwood and the 29 entrance.

There being no further public comment, Mr. Keller invited the applicant for a five minutes of rebuttal time.

Dennis Rooker, representative for the applicant, said he was working with the applicant on the proposal. He thanked the Commission for your time tonight and for all the people who have commented. For many reasons why you should recommend Brookhill for approval with how the traffic is handled with the extensive proffer transportation improvements there is no reduction in the level of service at major Route 29 intersections, Polo Grounds and Ashwood at full build-out. This includes the effective growth of background traffic over 15 years and you can certainly talk to staff and get them to confirm that. They worked a long time with VDOT, the applicant and the

applicant's traffic expert to come up with a traffic study that established those kinds of facts. There is a total value of the proffers in fees of more than 55 million dollars. The County CIP Committee has been trying unsuccessfully to find funds for a new high school for many years.

Mr. Rooker presented a PowerPoint presentation and pointed out that the slide will tell you to select a site that you can start planning for a high school. There is the timing. Due to the recent proffer legislation this is perhaps the last rezoning application in Albemarle County that will offer proffers of even close to this magnitude. Affordable housing proffers will not be allowed in future rezoning applications as you know. It will also now be permissible to proffer a school site. There are terrific environmental features here which have been discussed – the extensive use of solar pervious parking lots shaded with solar panels; salamander pedestrian crossings under Polo Grounds Road; 13 miles of trails, sidewalks and 100 acres of green space; and buildings that will be LEED Certified. There are also many amenities, which include tennis courts, pools, multiple tot lots, playing fields, a large clubhouse, a meeting center, an amphitheater and a walkable town center all in an inwardly focused development. But, these benefits and amenities are not the primary reason that you should recommend Brookhill for approval. The primary reason is that Brookhill is consistent with your Comprehensive Plan, Places29, the County's Growth Management Policies and the Neighborhood Model. For over more than 40 years a huge amount of work has been done to adopt planning concepts to make more efficient use of the development areas. This planning has been essential to protect the rural areas from suburban sprawl in light of persistent population growth in the county.

Mr. Rooker noted in the slide the chart in front of you is actually from a staff report in 2011 and what it shows is the growth in the county's population from 1960 to 2010. That growth was 70,000. If you do the division the population of the county increased by 1,400 people a year. In the last 5 years, 2011 to 2015, the county's population grew by 7,000, again, 1,400 people a year. The next slide is from the comprehensive plan. It is a projection for population growth from 2013 to 2030. The projection is for 33,000 increase in population in that time period. At the bottom of the page, again from the comprehensive plan, it says the county needs up to 15,000 new units, meaning housing units, by 2030 which can be accommodated if development occurs at a higher density within the low end of the density range. The next slide actually shows one of the policy statements in your growth management section of the comprehensive plan. Objective 4 is to use development area land efficiently to prevent premature expansion of the development areas. The last bullet on that page, the ability of the development areas to accommodate the projected growth depends upon the density and quality of new development.

Mr. Rooker pointed out objective 5 in your comprehensive plan in the growth management section is to promote density within the development areas to help create new compact urban places. The middle bullet on that page – Albemarle County's growth management policy relies on development within the density ranges recommended for the development areas. Although parts of the county's development areas were developed at less than 2 units per acre low density development prevents opportunities for transit and increases maintenance costs for roads and utilities. The following year adopted plan is essential to make efficient use of the development area. According to a report from your staff Brookhill is 270 acres or more than 10% of the remaining developable land left in the development area. This is from a staff report to the Planning Commission in a work session in 2011. It points out that staff concluded this 11% or roughly 2,500 acres of the development area designated land is able to accommodate future residential and non-residential development. Brookhill is 277 acres of that.

Mr. Rooker said to the best of our knowledge the Brookhill site is the only remaining tract of land in the development area feasible for development like Brookhill. Almost every rezoning will have opposition from the people around it as no one wants to see the vacant land near to them developed. But, such opposition cannot replace sound planning as a basis for important land use decisions. In many cases the same opposition was probably expressed to the developments in which those who complained now are living. In your comprehensive plan it actually anticipates that there will be opposition. Strategy 5a of your growth management plan says you should provide ongoing education to the public on the relationship of density in the development areas and efforts to prevent sprawl. At the bottom it says convey in the benefits of density such as

neighborhood schools and parks is also important. We can expect that opposition will arise as it always does to development; and, the question is whether or not the development meets your plans. If plans like Brookhill are not approved growth areas will be quickly consumed and a large portion of the 1,400 to 2,000 people moving into the county each year will chose the quick developer option cul-de-sac by-right developments in the rural areas. It will result in urban sprawl and will increase the costs of providing services to the county's dispersed population and will result in further demands for urban services in the rural area. That is the direction we have spent more than 40 years trying to avoid. A zoning decision should not be a series of one off ad hock decisions. The comprehensive plan, master planning and the Neighborhood Model exists to ensure that developments meet consistent community standards developed over many years. This consistency is important for the public and for the development community. If this application were not approved what developer would spend two years and invest millions of dollars pursuing a plan like Brookhill, the very type of plan that is precisely what the county has specifies that it wants, a plan that is recommended for approval by your staff, and a plan that meets all of the principles of the Neighborhood Model. The bottom line is whether we want a community where growth will be accommodated and kept compact, attractive, mixed use planned neighborhoods with sidewalks, walking trails, playgrounds, swimming pools, gymnasiums and other desirable amenities or do we want that growth to occur in a haphazard manner scattered throughout the rural areas for a shoehorn into tight pockets in the growth area with little or no amenities. We ask that you answer that question by recommending approval of Brookhill tonight. Thank you. By the way the developer has no interest in making a connection and never has. He thinks the applicant has even agreed and requests of staff allowing the developer to plant trees in that area. He pointed out that we have our traffic people here also if you have any particular questions about traffic.

There being no further public comment, Mr. Keller closed the public hearing to bring the matter before the Planning Commission for discussion. He thanked everyone for the insightful comments in the civil manner in which you presented your thoughts. This was really a very fine evening of discussion. He asked if the Commission has questions for the applicant or staff.

Ms. Spain said she had a question for the applicant. Among the ancillary uses listed in the neighborhood service center and density residential in urban density residential there are four facilities listed for the elderly – rest homes, assisted living facilities, nursing homes, and convalescent homes. She does not see anything about child care facilities, and if you are going to have a live/work situation then she would think that this list should include child care facilities as well.

Mr. Alan Taylor said that he would certainly agree with that and in the code it is a by-right use.

Ms. More said she had a question about the connection to Montgomery Ridge Road, and that is shown on our map as a connection. She asked is that still a connection that staff is recommending.

Ms. Yaniglos replied yes, there is an existing 50' right-of-way in a stub out. She pointed out the road is actually built almost to the property line; and, we are recommending that connection be made.

Ms. More asked how is that different, and Ms. Yaniglos replied that does not currently have a right-of-way extending to the property line.

Ms. More asked if that is a necessary connection.

Ms. Yaniglos replied that we would like at least a pedestrian trail connection be made for the future; but, for Montgomery Ridge, yes, we are recommending that connection be made.

Ms. More said from looking at the map that would be something that might allow them access to the property; but, she can also respect why that might be a concern to that existing neighborhood.

Ms. Spain asked if someone could clarify the issue of the 25 parking spaces at the trailhead at Ashwood.

Ms. Yaniglos explained as part of the connection for Ashwood we had asked them to provide a trailhead for people to come and use the multi-use pathways. The greenway is going to be dedicated to the county and as a part of that greenway system to provide access to that system for our Parks and Rec staff would like a trailhead provided.

Ms. Spain asked if there was room because she was confused about how a connector road will be compatible with the 25 parking spaces.

Ms. Yaniglos replied that in the proffer attachment the applicant did provide an exhibit showing how that would layout. She pointed out that is county property and VDOT did take a large portion of the property for a storm water management facility; however, you can see how that trailhead would connect in.

Ms. More asked what is the distance from this proposed connection on Ashwood to 29; and Ms. Yaniglos replied that she did not; but, maybe the applicant knows.

Scott Collins, engineer representing the applicant, stated that it about 350 feet from 29 over to the Ashwood connection.

Ms. More asked is there a stop light where your road would connect to Ashwood; and Mr. Collins replied no, there is no stoplight.

Ms. More asked can you speak to the traffic study like the cueing that might happen for those that would be trying to turn left out onto Ashwood to then get to 29.

Mr. Collins replied yes he can; however, he would turn it over to Carl Hultgren who is the traffic engineer.

Carl Hultgren, with Ramey Kemp & Associates, said we preformed the traffic study for the development. He asked if your question is about the cueing on Ashwood turning out of the neighborhood onto 29.

Ms. More replied yes, that is correct.

Mr. Hultgren replied based on the existing conditions in the a.m. peak hour which is when people are leaving the neighborhood to go south, the current cue length is about 200' and we have dual left turn lanes there today at the signal to turn south onto 29; and, we are projecting it at build-out of the neighborhood that cue would be 239'.

Ms. More said so your connection is 300' from 29; and Mr. Hultgren replied that he thinks Scott Collins said 350'.

Ms. More said so it is 350' and what is the cueing currently.

Mr. Hultgren replied the existing cue is about 200' and we are projecting it to go to 239' at build-out. He explained that was because we do not expect a lot of the Brookhill traffic to take this connector to go north on the connector, west on Ashwood and then turn south on 29.

Ms. Firehock asked the audience to be quieter so we can get it into the recording.

Mr. Hultgren said we do not expect a significant number of cars to come out of Brookhill, turn onto Ashwood, and turn south on 29 when they can go down to Polo Grounds Road and make that movement there.

Ms. More said for those cars that would not potentially use that connector to turn left there is just a stop sign there and they would have to turn out. She asked is that part of the assumption why they would prefer the Polo Grounds route because it would probably be hard to turn left on to Ashwood.

Mr. Hultgren replied that it is that; and, it is more that if you are trying to go south you would probably go through the Brookhill neighborhood anyway so you are moving south towards Polo Grounds Road to make the turn as opposed to going north to double back around. It would be a longer route to get to town.

Ms. More said that someone made a comment that sort of peaked my curiosity about the lack of a light at the actual entrance of Brookhill. She wondered what the thought process was about not having a traffic light there and not forcing more of the traffic to have sort of a main entrance to your neighborhood that might take more pressure off the Polo Grounds Road.

Mr. Hultgren pointed out that was considered in the traffic study. We have several access scenarios in the traffic study, which has just been reviewed and approved by the county. One of those scenarios included a full traffic light on 29 at the main entrance; however, VDOT was not in favor of adding a signal to Route 29, so the plan before you include a right-in and right-out connection on northbound 29 for right-in and right-out access with a right turn lane for northbound traffic to turn into the neighborhood. The full signal was considered, but not approved by VDOT.

Ms. Firehock asked Mr. Hultgren to talk a little bit more about the concerns that were raised about Polo Grounds Road; it is not just the volume but also the curvature of the road and it is very narrow; and then what you found in terms of its level of services with the additional traffic, which you just said, and we are assuming that people would prefer to take that route.

Mr. Scott Collins pointed out that he can probably speak a little bit more to the actual design of Polo Grounds Road. What is going to happen is that whole stretch of the road along the property from Route 29 to the edge of our property right where it ties into the turn lanes that exist right now for Montgomery Ridge, that whole section of the road is going to be improved. What is happening is that whole road will be shifted up or shifted north 8'. Basically three quarters of the existing travel way that is going east will become a shoulder that does not currently exist on that road. So we would be providing an 8' wide section of shoulder along the south side of Polo Grounds Road; and, then it will be a 2-lane road with turn lanes to go into Brookhill, with protected turn lanes and median to protect that turn. Then on the north side you have a curb and gutter system; you will have a 6' planting strip of trees; then a 10' pedestrian pathway multi-use for bicycles and pedestrians; and then it will tie back into the development. So with that whole improvement a lot of the curbs along Polo Grounds Road will be removed in order to make those traffic improvements on that roadway.

Ms. Riley asked Mr. Collins to address the section of Polo Grounds going eastward, which is what she hears more of the concerns from the community in terms of curvature, safety and the increased volume of traffic.

Mr. Collins replied that our traffic analysis, the one that has been reviewed and approved by VDOT and Albemarle County, shows less than 1 percent of our traffic going east that is utilizing that tunnel. He said the majority of the traffic is all going to 29.

Ms. Riley asked could you please describe how those numbers were derived and what the assumptions were to come up with a 1 percent eastward traffic.

Mr. Collins said that he would turn it back over to Carl Hultgren to talk about the distributions of traffic.

Mr. Hultgren said to answer the question about the distribution of traffic, that is assumed in the study. He explained we had a kick off meeting with the county's staff and VDOT back in January of 2015 where we collectively discussed how we think the traffic would distribute from the

Brookhill neighborhood to the surrounding roadway network. He noted obviously that the great majority of the trips would be to and from the south on 29 heading into town; the next biggest distribution would be to and from the north on 29 towards Hollymead, the airport and so forth; and, then a small amount of traffic would be distributed east and west along Polo Grounds Road and Rio Mills Road. By the time we assigned 100 percent of traffic in all those four directions we ended up with a 1 percent distribution going through the one-lane tunnel to the east on Polo Grounds.

Mr. Keller asked if we could have Mr. Graham or Mr. DeNunzio come up and just from the staff and VDOT perspective sort of give an overview in response to the questions we have heard from the public and the applicant's presentation on these transportation issues.

Mark Graham, Director of Community, said he has reviewed the study pretty thoroughly and most of the work that was done that was done in cooperation with VDOT before he was involved with the project. He said the former county engineer, Glen Brooks, was involved with it. He said with any traffic study you use the word assumptions and there are assumptions that have to go into that. Those are subjective judgements or professional opinions. He will say that everything he has seen was pretty commonly agreed upon by all the experts in this, both VDOT and the county engineer on this, and so he feels pretty comfortable that with the numbers they ended up with are pretty representative of what we anticipate with this project.

Joel DeNunzio, VDOT representative, said as far as the traffic distribution he has to agree with Mark Graham there. He said our planners looked at it very closely and traffic demand modeling basically shows what percentages we expect to go to certain roads. He would like to talk about Polo Grounds Road and the improvements that Scott Collins was talking about because he thinks that is an important aspect of this project. When we were looking at the special use permit for Field School a year ago or whenever it was a lot of the concern was the safety of Polo Grounds Road; and he agrees with that. He said Polo Grounds Road is an old road; it has been paved from a gravel road; it has got no shoulders; and it is windy. We did a crash analysis at that time, and most of the crashes we saw were run off the road crashes, which is not a surprise to anybody regarding the run off the road crashes and animal hits. Now what he does like about this plan for Polo Grounds Road is they do address the run off the road crashes with a shoulder on both sides of the road. They take out the vertical and address a lot of those issues that you have with run off the road crashes. They don't do it for the whole road; and, there is no doubt about that because they don't expect the traffic to go over towards the east side. But, from their further most entrance to 29 they do improve the horizontal, vertical and a typical section of that road, which will have safety improvements to that section of road. They also put the dual left turn lanes in there. It does address a lot of the concerns with capacity of the intersection right there. The capacity of the road and the capacity of the intersection are two different things completely; and, really the capacity of the road is more dictated by the capacity of the intersection. So if you address the intersection up there and get the traffic bulk of the dual left turn lanes to south on 29 you have taken care of a lot of the issues that we have with the existing intersection there.

Mr. Keller asked Mr. DeNunzio to speak quickly to this issue that keeps coming up of the need for a stop light there and the traffic movement on 29 as engineered as a holistic piece.

Mr. DeNunzio replied first of all what he will say about the signal at 29, and we have heard a lot of folks say VDOT will not approve them, and that is correct. Basically, the Commonwealth Transportation Board has a policy that says Route 29 will have no additional signals until all other alternatives have been evaluated and are not better alternatives. Now, in this case you have access both to the north and south to signalize intersections and improvements made at the southern intersection address a lot of the capacity issues at that intersection. If you look at the overall delay in traffic, which is what is important to us in looking at these traffic studies, your overall delay on the two intersections is about similar; it might increase a little bit. If you put the third intersection in there you distribute that delay coming out onto 29 to three intersections instead of two. So all three of them don't perform as well; but, better than just two. But, they are still acceptable levels of service. The big impact is the through traffic north and south on 29. You put an additional signal on 29 there you have a major delay mostly in the northbound direction of

29. Now the concern with that is when you introduce additional delay and an additional signal you have additional safety issues because you are going to increase your crashes. It will mostly be rear end crashes from stopping traffic; but, you will get some more angle crashes. The concern with that is you are introducing more conflict points on a higher speed corridor and the traffic crashes will be more severe. So it is more desirable to get the traffic at the existing intersections that already exist, improve the capacity of those, and you will have a safer overall corridor.

Ms. Spain pointed out that he said that VDOT does not want any additional stoplights; however, if another one were taken out somewhere would that compensate. She asked what if there were the Ashwood connector and instead of having the stoplight there at Ashwood and 29 it is at the Brookhill entrance and the Forest Lakes people would go down and use the Brookhill one.

Mr. DeNunzio replied that we would look at the traffic study for that and consider that. He did not think that had been proposed at this point.

Ms. Riley said at least a couple of the neighbors requested that an additional traffic study be conducted; she did not know if they were primarily interested in a relook at the signalized light there or not. It just seems to me that your weighing more likelihood of accident against a lot of congestion for people coming out of Brookhill but also limiting the options of what direction they can go. She asked are there examples of other communities like this where you have put in a signal and what has the study shown in terms of increasing accidents.

Mr. DeNunzio replied that anytime you introduce a signal you are going to increase accidents; and, there are studies that show that. As a matter of fact, the Federal Highway Administration has instructions about signals that are no longer warranted and they should be removed because you will actually increase the safety of your corridor by removing signals. Another way of saying that signals are necessarily the safest answer is the introduction to other alternative intersection designs and the most common one we see right now is roundabouts. He said not that a roundabout is necessarily the appropriate treatment here but a roundabout is desirable because it accommodates traffic, it flows efficiently, and it reduces crashes. Also, the crashes that do occur at a roundabout are less severe than traffic signals because they tend to be coming together bouncing off of each other as opposed to head on or T-bone collisions. There are other concepts such as the super street concept can be something that can be looked at. If you look at a development north of here at North Pointe, they are looking at an alternative to the traffic signals up there because it is not desirable both from a safety perspective and a congestion perspective to have traffic signals up there. Overall, for the development and for the 29 Corridor you do what we call a R-cut, a restrictive U-turn movement basically. He can't remember exactly what it is; but, basically you turn right to make a U-turn and come back. You improve the efficiency of the overall corridor, the access at the intersection you remove the need for signal and you have less crashes. So we are looking at a lot of alternatives to traffic signals not just on this corridor but overall on roads; and, he thinks the fact is that traffic signals are some of the most dangerous points on highways that we have.

Ms. More asked does VDOT have recommendations as far as the timing and phasing of the transportation improvements or would the applicant's representative.

Mr. DeNunzio replied if he remembers correctly the dual turn lane at Polo Grounds Road is proffered to go in with the first certificate of occupancy. He asked if that was correct.

Ms. Yaniglos replied she believed it was 50 for single-family detached currently in the proffers.

Alan Taylor said our intent is to construct all of the improvements to Polo Grounds Road during the first phase, which would include a significant amount of residential as well as the elementary school site and a significant amount of the mixed use in the town center as well. He said so we would need the traffic improvements on Polo Grounds Road to go in there at the same time.

Ms. More pointed out that answered my other question about the balance of residential and commercial in the phasing.

Mr. Taylor said we agree and we think it is important to do as well.

Mr. Keller asked for comments in terms of the neighborhood model and connectivity of existing neighborhoods to new neighborhoods from Ms. Echols and Mr. DeNunzio as far as state streets.

Mr. DeNunzio replied that he would tell you what the regulation is first for these to be state streets. He said in accordance with the traffic projected here they are required to have nine connections. Each one of the major connections, the two connections to Polo Grounds Road, the one to 29 and the one to Ashwood counts as two because they are not functionally classified as a collector road but they serve as a collector road he believes because they serve traffic that collects from the residential and moves them to higher capacity loads. So they have two, four, six, eight there and an additional one at the back of Montgomery Ridge is the ninth. So they meet the connectivity with those connections that they are showing without the additional connection at the cul-de-sac at Forest Lakes. As far as the connectivity, what is important about interconnectivity of these streets is that what we don't want to see happen is people that want to go from one neighborhood to the other neighborhood have to go out on a higher functionally classified roadway such as Polo Grounds Road or Route 29 to just go back into another neighborhood when they could have made that connection within the neighborhood. We don't want to encourage cut through traffic obviously; we have that problem all the time. We have speed complaints and things like that and we don't want the designs to encourage that kind of thing. As far as the Ashwood Connector, there have been some concerns about what the normal cue length is at 239; and, the normal cue length today is 200. That was our biggest concern. The minimum setback on that street as is currently designed is actually 225' or the back of the cue; and, so they do meet that requirement. Obviously, we don't want to encourage for one street to cut off an intersection with another street; you have safety issues there. He said so we did look at that. If you remove the connection at Ashwood Boulevard he did not know what the impacts would be at Polo Grounds Road; but, basically you could assume that you would have more impacts to the delay at Polo Grounds Road. What that number is he did not know; and if it was an acceptable level of service he did not know because the traffic study does not show that. The Montgomery Ridge connection he thinks from looking at the layout he believes that most people within the proposed Brookhill Development would be more encouraged to use what we call the collector roads in that development to get back to Polo Grounds Road and to Route 29. He thinks it is designed that it is not desirable to go through Montgomery Ridge. He thinks there is a benefit to having a connection, and a lot of it for Montgomery Ridge residents to go into Brookhill also. He thinks there will be some traffic, mostly the residential developments that might come through. He thinks you might have the same amount of traffic going from Montgomery Ridge back; and he thinks it will be about even. He did not think you are encouraging cut through traffic in that neighborhood by the design of the roads.

Elaine Echols explained that the comprehensive plan for many years has encouraged connectivity of streets to help create a better network of streets as Mr. Werner talked about. The idea for the current development designs that we were looking for helps to create opportunities for emergency services through interconnections for school buses to be able to drive around the neighborhood if they are driving through the neighborhood to pick up children. It helps to create the more compact urban community we are looking for. We recognize that when you are connecting to an existing neighborhood there will be some impacts. She believes the things that Mr. DeNunzio said about interconnections are what the county's position is also about interconnections. She did not know if there has been any exploration or any potential for an alternative to a vehicular connection at this time, and that is something that she would need to let the other people who have been closer to this project discuss. But, there have been times where we have had rezonings that were approved where a developer proffered to reserve the right-of-way for dedication on demand of the county at the point the county wanted that dedication to be made where the road is basically reserved for an extension and in that area of pedestrians and bicyclists could pass between neighborhoods. We don't think that is the better alternative; but, it has sometimes been used as an alternative. That would be something she believed we would be

wanting for Coralberry not necessarily the dedication or reservation for dedication but definitely the opportunity for pedestrian and bicycle traffic to move freely between neighborhoods.

Ms. Riley said just to be perfectly clear about what the county is requesting or recommending as far as Coralberry, she asked are you not suggesting that a road stub would be placed there but it would really just be a bike/ped connection.

Ms. Yaniglos replied that a pedestrian connection would be acceptable there since there is not an existing right-of-way at that location.

Ms. Firehock said she had a question on two of the exceptions on attachment H, and asked staff to explain the sidewalk waiver, which is under 2b.

Ms. Yaniglos replied that our ordinance requires that lots gain frontage from either a public or a private street. So in this instance for purposes of frontage they are requesting that the alleys be private streets and provide that frontage for those lots that might be fronting on an amenity. We saw this with in Old Trail, and they had this same request. In that situation where it is really an alley way that there will be a sidewalk provided in the front, and the amenity in the front of the house to provide access to the public walkways and streets as well that a sidewalk and planting strips are not really necessary in an alley.

Mr. Keller said he had another question for VDOT. There have been questions about Polo Grounds Road to the east and the interesting underpass challenge and the areas that are outside of the purview of this application. My question is could you outline for the public present just a very quick piece on the transportation plan and what sort of traffic volume would be required on that road for the kind of upgrades to the connection to Profit Road. There seems to be a feeling on the part of the public that disagrees with the feeling of staff about what percentage of people are going to be electing to go east to get to, for instance, Martha Jefferson Hospital on Pantops for work.

Mr. DeNunzio said he guessed you are asking what percentage would warrant improvements to section of road, and Mr. Keller replied yes.

Mr. DeNunzio said that is a tough question because to analyze the capacity of that road through there basically is going to be restricted by that one lane underpass and how much traffic you can move through there. He thinks we have seen in the past year with the redecking of Profit Road bridge we saw concerns with additional traffic through there and were requested to put those temporary traffic signals back in that location. We looked at the traffic there and determined it was not needed at the time. During that five weeks of construction we did not have any issues at that location. Before that when Profit Road bridge was actually closed for a substantial period of time there was a temporary traffic signal put there to accommodate the additional traffic. That functioned very well. What the capacity of that is basically how many cars can you let through at a time. It is something we have to analyze before we can give you an answer of what the capacity is. But, he would say that section of road is pretty much limited to what you can get through that underpass at that railroad. Any improvements to the underpass at that railroad would need to be basically what is now called by a smart scale application done by the county to make improvements to that section of road. So he thinks if you were to make improvements to that section of road the capacity you have about 2,800 vehicles a day right now on that section of road, and it can handle a lot more than that as a two-lane road. But, as traffic increased you would want to see basically the same things you are seeing on the 29 side; safety improvements include realignment of the road, especially to the approaches to the underpass, and you would want to see a widened underpass so you don't have a bottleneck right there; you would want to see shoulders on the road to take care of the crashes that we do have; and you would want to see adequate left turn lanes installed at locations that would back up traffic from opposing traffic and to also reduce the opportunity for rear end collisions. What he would tell you is generally speaking that a two-lane road has the capacity in perfect conditions of 3,200 vehicles per hour. This is not perfect conditions; but, that is what it is so he does not have an answer for you and apologized.

Mr. Keller thanked Mr. DeNunzio for trying to answer the question.

Ms. Spain pointed out the imperfect condition is the underpass of the railroad.

Mr. DeNunzio said he would view that underpass as basically an intersection, and when you look at the capacity of a corridor basically you look at, like this traffic study did, they looked at the three levels of service of the three signals on that corridor or the two signals. He noted that in one situation they showed three signals and in one situation they showed two. So basically the capacity of that roadway was determined by the traffic signals and how much traffic you let through. The one lane underpass is basically a strange intersection.

Ms. Spain pointed out she lives in Key West Subdivision off Route 20 and had lived there for about 25 years. She said when Martha Jefferson moved from Downtown to Pantops there was a significant increase in traffic from Profit Road. She travels weekly on Polo Grounds Road up to Forest Lakes both at night and during the day and she concurs with many of the neighbors here that is a tremendous bottleneck and a safety hazard that is not even withstanding the single lane bridge. But, she thinks that when there are so many residents added at the Brookhill location that more than one percent of them will be going east on Polo Grounds Road and that is not addressed by the widening of the intersection at Route 29.

Mr. DeNunzio agreed she was correct that section of road is not addressed to handle any more traffic than what the capacity does right now. As far as the one percent the traffic engineers get in a room and figure it out, which is a tough thing to figure out since it is hard to figure out where people are going to go. But, the modeling shows that is approximately one percent.

Ms. Firehock said she had a question for staff. She said one thing that stuck me in attachment G was the number of concerns about the proffers, corrections to the proffers, changes being needed to the proffers whether minor or substantive; and, it is quite extensive. She said that is causing some heartburn simply because in the past they have sometimes been chastised by the Board of Supervisors for sending things forward that were not vote ready and this seems to be an extensive amount of corrections needed. She asked staff to comment in their professional opinion because this is also a very complicated development on whether if they make all of these changes if that is good enough.

Mark Graham, Director of Community Development, said he appreciates what you are expressing Ms. Firehock because it is a serious issue for us. But, compared to other major rezonings we have dealt with these are fairly minor in nature. There are no conceptual disagreements on the proffers; these are just technicalities as far as trying to make sure we get the language right. If you look at a number of my specific comments that were provided they were really trying to use my past experience here on where proffers have gone wrong once we have tried to implement them. Everybody has had the best of intents; but, the language was not specific enough to nail some of those things down. That was really where he was coming with my comments there. Conceptually he thinks we are fine; it is just nailing down these technicalities.

Ms. Firehock thanked Mr. Graham for pointing that out because that helps.

Mr. Keller asked staff to put the various actions up on the screen. The question was asked does the applicant get to respond and he was saying if we put it in the form of a question to the applicant, sure. He asked if she would like to.

Ms. Spain replied no, she just wanted to make sure you had your say before moving forward on the motion.

Ms. Firehock asked before moving forward she wanted to make a comment. She feels like she has to comment on this even though it is not requiring a specific action. We did hear a lot about the salamanders. We saw salamander stickers and buttons, and she likes salamanders. She said there is a tremendous effect in this county to protect the rural areas and that as a policy

necessitates more growth in the urban ring. With that we have to suffer some environmental. But, she just wanted to be clear that while it is admirable that the developers are putting tunnels to allow salamanders to cross underneath, we are also going to be destroying a significant amount of habitat. So she kind of cringe when thinking about that; but, at the other side she is trying to look at the bigger picture of the larger county policies for protecting larger chunks of area elsewhere. She pointed out that there is a net loss overall and that it is a sacrifice that some of us have to make potentially.

Mr. Keller agreed with Ms. Firehock totally and hoped if the development was approved by the Supervisors that we will continue to set that bar higher. He has real concerns when he sees the issues about the retaining walls and steep slopes just as he is very positive when he sees the idea of the natural corridors that will be maintained. He believed that we could do a much better job in this county in keeping the underlying topography and geomorphology of the sites with our developments. As he said he hopes this will be a step forward in that and we will continue to move positively in that direction. He echoed Ms. Firehock that we have 95 percent of the county with rural designation and 5 percent roughly in the growth area and he thinks we need to support well-reasoned development proposals in the growth area.

Ms. Firehock commended the developers for keeping the stream valley relatively intact. It has been my experience with many other developments where they simply paved them over and at least the developers have tried to maintain part of that network.

Ms. Spain said she would like to second Ms. Firehock's applause for the developer and all the efforts that have been made to meet environmental concerns and to meet the guidelines for the comprehensive plan. She has been teaching these issues about smart growth and neighborhood model for decades to my students and she thinks this is really an ideal example of what we are trying to promote. However, she is going to move for denial because of the Polo Grounds Road situation. She will reconsider that if there can be a stop light at the main entrance however that might be negotiated with VDOT. So she is going to move for denial of ZMA-2015-07 Brookhill because of the complicated and perhaps dangerous situation that the two entrances onto Polo Grounds Road would present.

Mr. Keller asked if there was a second. Not hearing a second Mr. Keller said this motion fails. He asked if there is another motion.

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

Ms. Firehock seconded the motion.

The motion passed by a vote of 4:1:2 (Spain nay) (Lafferty, Dotson absent)

Mr. Keller asked if there is a second piece.

Ms. Yaniglos replied yes, the Commission also needs to recommend approval on the special use permit and then you will be taking action on the three modification requests.

Mr. Keller asked staff for a bit more explanation of the specifics of this.

Ms. Yaniglos explained for the special use permit this is for the grading activities within the floodplain that are necessary for the Polo Grounds road improvements and for the entrances into the development off of Polo Grounds Road.

Mr. Keller asked for a motion.

Ms. Firehock said she did not feel like she has been given enough information about what type of grading and why it is necessary. She understands we need more room to maneuver; but, she did not have a technical presentation on that this evening.

Mr. Mark Graham replied as Director of Community Development, again, Ms. Firehock there is some analysis that was done with that. This should have been considered a de minimis type of disturbance. There is a very small peripheral associated with some culverts with the eastern most entrance road. It does affect the floodplain. There is some grading in the floodplain. The zoning ordinance 18-30.3 does not actually provide for de minimis; and if you have disturbed the floodplain you have disturbed the floodplain and you have to get the special use permit. But, it is such of a minor nature there is no difference in the flood elevations as a result of this grading activity; but, to widen the road to build the new road in they are going to have to touch the floodplain and they are going to grading slightly in those areas.

Ms. Firehock said they will have to do something with the culverts and go under them most likely.

Mr. Graham said that is correct they will have to be extended as well you will see they are providing a pedestrian underpass under Polo Grounds, too.

Ms. Firehock said she hopes no one comes back and asks to take that out like the pedestrian underpass that we had in another project.

Mr. Keller asked if he hears a motion.

Ms. Firehock moved to recommend approval of SP-2015-25 Brookhill with conditions recommended by staff for the special use permit.

Ms. More seconded the motion.

Mr. Keller invited discussion. There being none, he asked for a roll call vote.

The motion passed by a vote of 4:1:2 (Spain abstain) (Lafferty, Dotson absent).

Ms. Yaniglos pointed out there was also a private street request and a few more to get through. She noted these motions are different from the ones that were in the report.

Mr. Keller asked Ms. Yaniglos for the public to give a quick explanation of why we need to do this.

Ms. Yaniglos explained that these private streets are for amenity oriented lots that need frontage from a private street since they are not fronting on a public street on the face of the house. So really they are alley ways that are providing access to the lots to allow the lots to front on an amenity.

Ms. Firehock asked if they are narrower as private streets.

Ms. Yaniglos replied yes, they will be 20' wide.

Ms. More asked if she said earlier for reference that this is in Old Trail as well, and Ms. Yaniglos replied that was right.

Ms. Firehock moved that the Commission authorize private streets for amenity oriented lots for the reasons stated in the staff report and in attachment H.

Ms. More seconded the motion.

Mr. Keller invited discussion. There being none, he asked for a roll call vote.

The motion passed by a vote of 4:1:2 (Spain abstain) (Lafferty, Dotson absent).

Ms. Yaniglos noted there were two more requests for the sidewalks and the planting strips that are associated with those.

Mr. Keller asked for a quick explanation from staff for the public.

Ms. Yaniglos explained the sidewalks that are required for public streets to be removed in these alley type situation.

Ms. Firehock noted this was the item she asked about earlier.

Mr. Keller invited discussion. There being none, he asked for an action.

Ms. Firehock moved that the Commission grant an exception from the requirement for sidewalks on those private streets that serve amenity-oriented lots, for the reasons stated in Attachment H, subject to the following condition:

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

Ms. More seconded the motion.

Mr. Keller invited discussion. There being none, he asked for a roll call vote.

The motion passed by a vote of 4:1:2 (Spain abstain) (Lafferty, Dotson absent).

Ms. Yaniglos noted the last one was for the planting strip. She explained it was the same situation with the form of the alley private street.

Ms. Firehock said since she already asked for the explanation and she thinks she now understands this she will make the motion. She moved that the Planning Commission grant an exception from the requirement for planting strips on those private streets to serve amenity-oriented lots, for the reasons stated in Attachment H.

Ms. More seconded the motion.

The motion passed by a vote of 4:1:2 (Spain abstain) (Lafferty, Dotson absent).

Mr. Keller thanked everyone for this productive evening and all of your thoughtful comments.

Other Public Comments.

Mr. Keller said we have a policy that we have introduced that there can be public comments at the end of the meeting. He invited anyone who wanted to make a comment to please come forward.

Steve Liberman said he had a question about attachment G since none of us actually saw that. He said the rezoning was approved based on including attachment G to the rezoning and as far as the staff changes we are curious as to what those ended up being.

Ms. Yaniglos replied there was an extensive attachment. She asked if he did not get a copy of the staff report.

Mr. Liberman replied no, but we have heard comment discussions during the proceedings regarding different aspects like the connector at Ashwood with regards to Forest Lakes and then also the one at Coralberry. He heard comments in regards to the one at Coralberry that staff was not opposed to not including the stub but were interested in a pedestrian way. He asked so does that mean that you are not going to put a stub in.

Ms. Yaniglos replied yes, she thinks the applicant is amendable to that.

Mr. Liberman asked if that is then part of attachment G.

Ms. Yaniglos replied that is not a part of attachment G; but, after hearing that concern and if it is from the Commission then we can.

Mr. Liberman asked if that will become part of attachment G because having seeing other things in the past that have happened he just wanted to make sure that it was in writing.

Ms. Yaniglos said it was a good clarification.

Mr. Keller asked that he state his name for the record.

Mr. Liberman replied that his name was Steve Liberman, and Mr. Keller thanked him.

Ms. Yaniglos asked would the Commission like to include this as an amendment to attachment G to add that the Coralberry connection be pedestrian only.

Ms. Firehock said she thought it was stated in the staff report, wasn't it?

Ms. Yaniglos replied no, that was not covered.

Mr. Liberman noted that was the reason why we are here.

Ms. Yaniglos noted that was why she mentioned it in the presentation that was not covered, but she knew it was a concern that she wanted to cover.

Ms. More said she would like to have it added since it was a big part of our discussion.

Mr. Keller asked Mr. Blair for direction.

John Blair said he thinks the appropriate avenue to take right now would be if the Commissioners would like to consider that to make a motion and then if there is a second to have discussion and then a roll call vote on whether to add that to attachment G as a suggested modification to the proffers.

Ms. Yaniglos said it is in the application plan.

Mr. Keller said that was good advice counsel, thank you. He asked if a commissioner would like to make that motion.

Ms. More made a motion to add to attachment G that the connection to Coralberry Road be pedestrian or bike only.

Ms. Riley seconded the motion.

Mr. Keller invited discussion.

Mr. John Blair asked if it was Coralberry Place or Coralberry Road. He suggested that it would be probably be best to just modify and say Coralberry Place.

Ms. More modified her motion to say Coralberry Place.

Ms. Riley seconded the modification.

Mr. Keller asked for a roll call vote.

The motion passed by a vote of 5:0:2 (Lafferty, Dotson absent).

By a vote of 5:0:2 (Lafferty, Dotson absent) MODIFIED the proffers in Attachment G to add that the connection to Coralberry Place be pedestrian or bike only.

Mr. Keller asked staff if we have covered everything we need to hit before we ask other speakers to come forward. Hearing none, he thanked staff and invited other public comment.

Scott Eliff said he had a process question. He was listening and thinks except for this the only vote you really took was yes or no to approve this. He asked how you deal with all the other suggestions that were made along the way for example doing more traffic studies, suggesting that other analyses and alternatives be considered. Since this is the first time he has been here he asked do you normally just do an up or down vote on things or do you work these things through and move it forward subject to other conditions and caveats. He pointed out it is going to be hard for him to explain what happened here with respect to all the input when we try to report this back to our community.

Mr. Keller replied that under new or old business they can respond as a group after we have had the public comments.

Mr. Eliff noted that he did not understand that.

Mr. Keller replied that the Commission will respond to you, but we can't respond directly to you at this point; however, they can before this meeting is over. He said it was a good question.

Ms. Taylor asked Mr. Keller to have the speaker state his name, and Mr. Eliff replied it is Scott Eliff.

Mr. Keller asked if anyone else wanted to speak. Hearing none, he closed the public comment and moved to old business.

Old Business.

Mr. Keller invited old business and suggested talking about that process a bit.

Ms. Firehock commented that it can be complicated to come from the public's perspective and not know the background or back story of everything we are talking about up here. But, I can tell you that, for example, in my deliberations when people are talking about they would like another signalized new intersection at Route 29, having spent 20 years in this community and followed very carefully all the traffic planning that is going on, I know that VDOT is not going to give us another signalized traffic intersection. So, therefore, I heard that comment, but I did not really debate it. There are other comments that I heard that I took under advisement; they helped me in my deliberations; but, I did not necessarily need to bring up each item for discussion. However, that is just my perspective.

Ms. More said that you might have asked this question that if we sent things to the Board before with too many loose ends that is maybe not favorable and that question was answered. So I would say, and somebody can correct me; but, as far as traffic studies that is the will of the Board when they review these applications to ask for further studies, comments or correction to language as it comes forward to the Board. She suggested that Mr. Benish can speak to that.

Mr. Benish pointed out that the minutes from this item will be provided to the Board of Supervisors so the Board will have opportunity to review the information. He said from my experience, the Board looks at those and those are important factors for what they consider. So those minutes are provided and your action is the action that you took, which was based on Attachment G that identifies a number of issues that need to be addressed in those proffers. Our process is those proffers have to be in approvable form so that they are worked on in terms of technical form to ensure that they have addressed the issues that you have identified. The applicant may agree to disagree; however, you have tried to address those conditions that you have recommended and that is then moved forward to the Board of Supervisors with comment on

whether those issues have been adequately addressed based on the recommendations. So that is the information that is provided and that is part of the process. Your action did not specifically direct for another study to be done; however, certainly as Ms. More said the Board of Supervisors will take those questions that have been raised under consideration when they deliberate; and, their direction may be to do such things. However, the Board will take your recommendation under advisement.

Ms. Spain asked could one of those questions or suggestions be about trading out one stop light for another since she understands that VDOT won't add another stop light, which is why she asked about whether it could be taken off Ashwood Boulevard and put on the main Brookhill entrance which is what the applicant requested initially. So between now and the Board of Supervisors meeting can there be some inquiries with VDOT and some negotiation or some idea of whether it is at all possible.

Mr. Benish said since the applicant also heard these comments and questions that in their preparation for the Board of Supervisors they may take those into consideration, and we can certainly in our preparation for the Board of Supervisors be prepared for that question. He said whether the applicants are willing to undertake any additional work prior to a Board review is going to be a decision that they are going to need to make.

Mr. Keller said he would guess in answer to your question he would just like to reiterate that we are an advisory body and the Board of Supervisors make the final decisions. So there is another opportunity for those on both sides, including the applicants and the members of the public, to state your case. We have thought about this a great deal, and as Ms. Firehock has said, we do have background components because of our involvement in the comprehensive plan, which is one of the major pieces of our job description as defined by the Commonwealth of Virginia. So we are thinking about each of these applications that we are asked to consider in light of that overall comprehensive plan and that is how we come to the decisions that we make. So, again, this is the first piece that is advisory, as you all know, there are things that need to be refined and the applicant will be working with staff on that. There will be some modifications that he would assume to this document that we have all seen based on input from this evening and our recommendations; and, from that you will have another opportunity for public involvement in this process.

Ms. Firehock pointed out that she was not sure if she understands the whole thing about where do you find Attachment G since all of the attachment documents are links on line and you can click that link and that would give you that attachment so we can have some more fun reading and finding all of those attachments. But, that is always a little tricky thing to try to download and read the multitude of attachments.

Old Business

Mr. Keller invited old business. There being none, the meeting moved to new business.

New Business.

Mr. Keller invited new business.

Mr. John Blair said he had a brief clarification on something Chairman Keller had asked during the public hearing that people have commented about. He said the state legislature or the General Assembly did not in effect repeal proffers; proffers themselves are still legal and have been tightened to direct that all proffers relate to a specific attributable impact of a residential rezoning. However, the proffers are still a part of the land use process in Virginia and he knows Chair Keller had asked for that clarification.

Mr. Keller thanked Mr. Blair. He announced that the next meeting will be held next Tuesday at 6:00 p.m.

Adjournment

With no further items, the meeting adjourned at 9:08 p.m. to the Tuesday, August 23, 2016 meeting at 6:00 p.m. at the County Office Building, Lane Auditorium, Second Floor, 401 McIntire Road, Charlottesville, Virginia.



David Benish, Secretary

(Recorded and transcribed by Sharon C. Taylor, Clerk to Planning Commission & Planning)

Approved by Planning Commission
Date: November 22, 2016
Initials: SCT