

**COUNTY OF ALBEMARLE**  
**PLANNING STAFF REPORT SUMMARY**

<b>Project Name:</b> CPA 2010-00001 Somerset Farm	<b>Staff:</b> David Benish
<b>Planning Commission Work Session:</b> June 7, 2011	<b>Board of Supervisors:</b> N/A
<b>Owners:</b> Wendell Wood	<b>Applicant:</b> Wendell Wood <b>Consulting Representative:</b> Scott Collins
<b>Tax Map Parcels:</b> TMPs: 91-04; 91-05; 91-06; 91-07; 91-018; 91-19A; 91-34; 91-35; 91-18A; 91-18b; 91-18C; 91-18D; 91-19A1; 91-19A2; 91-19A3; 91-19A4 <b>Location:</b> East side of Route 20, from just north of Mill Creek Dr./Rt.20 intersection to just north of Avon Street.	<b>Acreage:</b> Approximately 620 acres (total). Approximately 317 acres proposed for development (remaining acreage is proposed for open space, potentially protected by conservation easements).
<b>Proposal:</b> To include property in the Development Area and amend the Land Use Plan from Rural Area to Neighborhood Density-residential (3-6 units/acre), with 2 neighborhood centers (350,000 sq. ft., total of office and commercial uses.	<b>Magisterial District:</b> Scottsville
<b>By-right use and Zoning:</b> Rural Areas Zoning (density (.5 unit/ acre in development lots)	<b>Comp. Plan Designation:</b> Rural Areas- preserve and protect agricultural, forestal, open space, and natural, historic and scenic resources
<b>Character of Property:</b> The property is a combination of woodlands and fields. Approx half the site is in the designated Mountain Area. Rolling topography below mountain area. Located in Southern Rural Historic District. Rt. 20 is State Scenic Highway and County EC.	<b>Use of Surrounding Properties:</b> Open Space/rural and residential. Large areas of woodlands are present in the area, particular in the Mountain Area.
<b>Factors Favorable Summary:</b> <ol style="list-style-type: none"> <li>1. Reasonable access to utilities water and sewer; served by primary road (Rt. 20) and approx. 1 mile from I-64 interchange</li> <li>2. Within reasonable proximity to school (elementary and high school), fire station</li> <li>3. The proposal could replace some of the development capacity lost with the Biscuit Run site becoming a state park, and replaces it within the same general southern urban area location.</li> <li>4. The applicant has indicated that no development will occur on the property within the area designated for mountain protection (700 foot contour and higher), some area to be in conservation easements.</li> </ol>	<b>Factors Unfavorable:</b> <ol style="list-style-type: none"> <li>1. Rt. 20 is substandard in design and alignment, and will need upgrading to support future development.</li> <li>2. Rt. 20 is a designated State Scenic Byway. Development of west side of road could affect the scenic character of the road.</li> <li>3. The properties are located in the Southern Rural Historic District. Development could impact the character of the district in this area.</li> <li>4. The amount and scale of commercial development propose may be too large for this location.</li> <li>5. In general, Comprehensive Plan amendments should be evaluated in the larger context of the entire Albemarle Development Area and Rural Areas and in conjunction with relevant planning processes. The update of the Comprehensive Plan is now underway.</li> </ol>
<b>RECOMMENDATION:</b> Staff recommends that this area be further studied with the Comprehensive Plan update now underway	

**STAFF PERSON:**  
**PLANNING COMMISSION DATE:**

**David Benish**  
**June 7, 2011**

**CPA 2011-001 SOMERSET FARM**

**PETITION:**

PROJECT: CPA2011-001 Somerset Farm

PROPOSAL: Amend Comprehensive Plan Land Use Map from Rural Areas to Neighborhood Density- residential (3-6 units/acre) and two neighborhood centers of up to 350,000 square feet in total, consisting of office and retail uses.

EXISTING COMPREHENSIVE PLAN LAND USE/DENSITY: Rural Areas- preserve and protect agricultural, forestal, open space, and natural, historic and scenic resources/ density (0.5 unit/acre in development lots).

EXISTING ZONING: Rural Area (.05 units/acre)

ENTRANCE CORRIDOR: Yes

LOCATION: The property is located on the west side of Route 20, running from just north of Mill Creek Drive intersection with Route 20 to just north of the Avon Street intersection with Route 20.

TAX MAP & PARCELS: 09100-00-00-00040; 09100-00-00-00050; 09100-00-00-00060; 09100-00-00-00070; 09100-00-00-00180; 09100-00-00-0018A; 09100-00-00-0018B; 09100-00-00-0018C; 09100-00-00-0018D; 09100-00-00-0019A; 09100-00-00-0019A1; 09100-00-00-019A2; 09100-00-00-019A3; 09100-00-00-019A4; 09100-00-00-00340; 09100-00-00-00350.

MAGISTERIAL DISTRICT: Scottsville

**CHARACTERISTICS OF THE SITE & SURROUNDING AREA:**

The property is a combination of woodlands and fields. Approximately half the site is in the designated Mountain Area. The site consists of a rolling topography below mountain area. The general area east of Route 20 consists of woodlands and fields, rural open space, agricultural and forestry uses, as well as rural residential scale development. The west side of Route 20 is in the designated Development Area (Neighborhood 4) and consists of developed and undeveloped properties. The Land Use Plan recommends mostly Urban Density Residential use (6-34 dwellings per acre) on the west side of Route 20. The east side of Route 20 is in Southern Rural Historic District. Route 20 is designated a State Scenic Highway and County Entrance Corridor.

**PLANNING & ZONING HISTORY**

During the update of the Land Use Plan in 1995, this area was considered as a possible expansion for the Neighborhood 4 Development Area. At that time the Planning Commission considered a number of potential expansion areas, including areas east of Route 20 (including the area contained in this request), south of the existing Development Area Boundary, and west of Old Lynchburg Road, as well as two areas near Hollymead and Piney Mountain. Ultimately, the Board of Supervisors did not approve any expansions to the Development Areas with the approval of the 1996 Land Use Plan, and directed staff to move forward with study and planning efforts to encourage more efficient and effective use of the existing DA lands. This direction

ultimately led to the Development Area Initiative Study and the development and adoption of the Neighborhood Model Principles and mastering planning for the Development Areas.

### **BY-RIGHT USE OF THE PROPERTY**

The properties are currently designated as Rural Areas and are zoned consistent with that designation. The Rural Areas (RA) zoning district allows agricultural, forestry, and fishery uses along with residential at a density of 0.5 units/acre in development lots. Civic, uses, sawmills, private schools, veterinary uses, kennels and other uses are allowed by special use permit.

### **SPECIFICS OF THE PROPOSAL:**

The applicant has submitted a proposal to amend the Land Use Plan map to include this property in the designated Development Area. The applicant is requesting a Neighborhood Density Residential land use designation (3-6 dwellings per acres) (see the applicant's document under separate cover, "Somerset Farm Comprehensive Plan Amendment – Proposed Growth Area Expansion"). Some aspects of the concept are outlined below:

- The applicant is proposing to develop the portion of the property located below the designated mountain area, approximately 317 acres. The area above the mountain is proposed to be open space. Some areas would be placed in conservation easements (see page 5 of applicant's document).
- The proposed form of development is intended to be consistent with the Neighborhood Model Principles. Two neighborhood centers are proposed which, together, would total up to 350,000 square feet of commercial and office space. A "variety of neighborhood commercial and service uses would be permitted, with an allowance for a destination retail use of up to 120,000 square feet in size." (see page 8 of applicant's document)

Based on the requested land use (Neighborhood Development Residential, 3-6 dwelling units per acre) the 317 developed portion of the site would hold between 951 – 1902 units. Specific traffic and other infrastructure impacts are not known at this stage of the review.

### **APPLICANT'S JUSTIFICATION FOR REQUEST:**

The applicant believes that amending the Development Area boundary to include this area will provide some additional residential development opportunities in the southern Urban Area and will compensate for the loss of potential residential units when Biscuit Run development was acquired for use as a state park. The applicant has also noted that the property is ideal for residential use because of its close proximity to utilities and other supporting infrastructure, employment, shopping, downtown Charlottesville and UVA. The applicant has also noted that the proposed development would be consistent with existing and future development anticipated on the west side of Route 20 (See pages 3-4 of the applicant's document).

### **COMPREHENSIVE PLAN:**

This section provides an initial assessment of the goals, objectives and strategies in the Plan that would be relevant to this request. A more detailed assessment would be undertaken if the Commission chooses to further study this request.

### ***Rural Area Plan***

The Comprehensive Plan currently designates the subject property as Rural Area. The Rural Area Plan places a strong emphasis on resource protection, through the preservation and protection of agricultural and forestal lands, open space, and natural, biological, historic and scenic resources. The “vision” for the Rural Area can be found in the Rural Area section of the Comprehensive Plan (page 9 of the Rural Area Plan).

The following goals, objectives and strategies from the Rural Area Plan are pertinent to this CPA request:

GOAL: Protect critical natural resources identified in the Comprehensive Plan from the impacts of residential development.

GOAL: Reduce the level and rate of residential development in the Rural Areas, and minimize the impacts of permitted development.

OBJECTIVE: Achieve the Vision for Rural Albemarle County by limiting the extent of residential development in the Rural Areas and establishing a land use pattern based on protecting large parcels and valuable resources for farming, forestry, natural resource conservation, and other rural activities.

OBJECTIVE: Minimize the amount of land used for residential development in order to maximize the amount of land that is available for agriculture, forestry, open space, natural, scenic and historic resources.

STRATEGY: Encourage protection of prime forestal soils from non-forestal development through rural preservation developments, conservation easements, Agricultural and Forestal Districts, the Land Use Taxation program, and the Acquisition of Conservation Easement program and implementation of the Mountains section of the Natural Resources and Cultural Assets component of the Comprehensive Plan...

STRATEGY: Consider the impact on rural land fragmentation in the evaluation of land use decisions.

STRATEGY: Preserve large areas of forest, protect or create forested stream buffers, and support good soil management in order to protect watershed services.

The general area east of Route 20 and south of Rt. 53 has been designated as Rural Areas because of its proximity to the Southwest Mountains and adjacent system of critical slopes and the importance placed on maintaining the rural character and scenic quality of this area. This is an important entrance corridor to Monticello, the Southern Rural Area Historic District and other historic districts in Charlottesville. The Rural Area designation also supports strategies to maintain large systems of unfragmented forests and open spaces, which is important to support biodiversity. Further assessment of the site for biodiversity value should be undertaken if the Commission decides to further study the proposal. This area is not considered to be important farmland or forest for commercial use, according the County’s Open Space Plan.

### ***Natural Resources & Cultural Assets Plan***

The Natural Resources and Cultural Assets Chapter applies to both Development Areas and Rural Areas and would be a major consideration if the study of this CPA goes forward. It discusses the concept of sustainability, open space resources, including natural, scenic and historic resources and open space planning. Water resources (including surface water, surface

drinking water and groundwater) and also agricultural and forestry resources are discussed in this chapter.

### Natural and Water Resources

Some of the important resources identified for protection in this section of the Plan and present on this site are mountain areas, critical slopes, and surface waters (streams).

Mountain Area– The goal related to Mountain resources in the Comprehensive Plan states:

GOAL: Recognize the value of Albemarle’s Mountains, including protecting water quality and drinking water reservoir capacity, soil conservation, forest resources, plant and animal habitat, scenic values, tourism, and the economic benefit of these resources.

Mountain areas have been identified in the Comprehensive Plan by a base elevation. For Carters Mountain, the 700 foot contour and higher is defined as the mountain area. About one-half of total acreage in the application is located in the mountain area. The applicant’s proposal does not propose development within the mountain area. Some of the mountain areas are shown for open space preservation easements. The use of dedicated open space areas and conservation easements are a protection measure which are consistent with the Implementation Strategies of the Plan found on pages 108-109.

Critical Slopes – This section of the Comprehensive Plan focuses on the protection of critical slopes in order to maintain the existing balance between slope, soils, geology, and vegetation. Critical slopes are defined as areas with a slope of 25 percent or greater. Clearing, grading, building, cropping, and overgrazing of these lands can result in extensive erosion and landslides or sloughing of soil and rock, excessive stormwater runoff, increased siltation and sedimentation and loss of aesthetic resource. The general Standards in the Natural Resources and Cultural Assets section of the Plan (p.107) discourage development and construction/grading activity on critical slopes (25% or greater slopes).

An extensive amount of critical slopes are present in this area, both within and adjacent to the defined mountain area and in and around some areas proposed for development. Treatment of critical slopes will be an important consideration in the review of any future development concepts for this area. Any Development Areas designation should be avoided on areas of significant critical slopes.

Streams – There following guidance in provided in the Comprehensive Plan for surface water (streams):

OBJECTIVE: Protect the County’s surface water through a management program that recognizes the functional interrelationship of stormwater hydrology, stream buffers, flood plains, wetlands, and human management practices.

The following General Standard should be applied to protect surface water:

GENERAL STANDARD: Protect and enhance riparian corridors in their natural condition. Maintain natural buffer areas for all land uses. Buffer areas reduce erosion and runoff of sediment, nutrients, and pesticides from land activities adjacent to watercourses, provide stream bank stabilization by maintenance of live root systems, maintain temperature norms along watercourses and maintain shoreline and aquatic habitats.

There are three known streams on the site that are subject to the Water Protection Ordinance stream buffer requirements. Protection and treatment of other streams will be an important consideration in the review of any future development concepts for this area.

## Historic and Archaeological Resources

The following goals and objectives are found in the Plan and are relevant to this proposal:

GOAL: Protect the County's historic and cultural resources.

OBJECTIVE: Continue to identify and recognize the value of buildings, structures, landscapes, sites and districts which have historical, architectural, archaeological or cultural significance.

OBJECTIVE: Pursue additional protection measures and incentives to preserve Albemarle's historic and archaeological resources in order to foster pride in the County and maintain the County's character.

The properties are located in the Southern Rural Historic District, which is a National Register Historic district designation. On the Somerset Farm home site, there are a number of structures that were determined to be contributing to the character of the district, including the dwelling, tenant house, barn, shed, and bridge. There are 6 other structures (mostly homes and outbuildings) located on various other parcels that are contributing structures. Location, type and scale will determine the degree of impact to this part of the District. Large scale commercial/retail development would have the most significant impact to the District. As noted previously, importance is placed on maintaining the rural character and scenic quality of this area which is an important entrance corridor to Monticello, the Southern Rural Area Historic District and other historic districts in Charlottesville.

## Scenic Resources

The Comprehensive Plan Goal for Scenic Resources states:

GOAL: Preserve the County's scenic resources as being essential to the County character, economic vitality and quality of life.

OBJECTIVE: Maintain the visual quality of all of Albemarle's roads.

The Plan also states the following:

All of Albemarle's roadways are important to protect for the impression that they convey to residents and visitors alike...In addition, there are specific roads in the County that stand out as exceptionally scenic roadways and deserve particular attention as such. These roads usually serve as major tourist routes, and offer scenery representing the best of Albemarle's varied terrain, water features, forests, agricultural uses, and architectural and landscape design heritage. Some of these roads may themselves be historic routes of travel in the region. These scenic roadways should be identified and protected as much as possible.

The proposal is located along the frontage of Route 20, which is designated a State Scenic Byway and County designated Entrance Corridor. There is just over one-mile of road frontage on Route 20. The topography of the site, which generally rises consistently towards the mountain elevations, will make much of the developable area visible from Route 20. As this road is within the Southern Rural Historic District, and is a major approach to Monticello and other historic districts in the City (Downtown, Woolen Mills), the visual quality of this corridor is very important. Route 20 forms a clear boundary between the Development Area and the Rural Area, with the west side of the road reflective more urban development and the east side of the

road, with its close proximity to the base of the Southwest Mountains and Monticello reflective the rural and historic character of the area.

### Land Use Plan

The County's Growth Management Policy calls for the designation of certain areas for development and the protection of the remaining portions of the County for the purpose of resources protection and limited (efficient) service delivery to residents. The Growth Management Goal states:

GOAL: Protect and efficiently utilize County resources by:

A. Protecting the elements that define the Rural Area:

B. Promoting the Development Areas as the place where a variety of land uses, facilities and services exist and are planned to support the County's future growth, with emphasis placed on infill development.

OBJECTIVE: Direct growth into designated Development Areas.

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The bulk of new development occurring in the County is intended to be located in the Development Areas. The Development Areas will need to be of sufficient size and/or permit sufficient development densities to absorb future growth. In addition, the Development Areas need to be appealing and functional places that are supported by adequate private and public service in order to attract new residents to locate there as opposed to the Rural Areas.

With the update of the Comprehensive Plan, staff and the Planning Commission will be evaluating the need for changes to the Development Areas boundaries and/or other land use recommendations that are needed to accommodate future growth. The loss of the Biscuit Run development (3000+ dwellings) has impacted the existing holding capacity for residential growth in the Development Areas, particularly in the southern Urban Area. This amendment request as proposed could accommodate between 950 and 1900 dwellings, or roughly one-third to two-thirds of the capacity of the Old Trail development within the southern Urban Area.

### **IMPACTS**

The purpose of this work session is to look at the significant policy issues and impacts of the proposal and to determine whether this should be further studied as a possible amendment to the County Land Use Plan.

#### ***Environmental Resources***

- This site contains rolling topography with many areas of critical slopes, particularly in the upper elevations near to, or within, the mountain area. These areas should not be developed.
- There are three perennial streams on the site that will need to be protected with a stream buffers.
- Natural heritage resources have not been evaluated on this site at this time.
- Development should be restricted from the mountain protection area. The Mountain area should not be included with the Development Area.

## ***Transportation***

- VDOT has conducted an initial review of the CPA proposal and has provided the following information:
  1. Under Virginia Administrative Code 24 VAC 30-155 Traffic Impact Analysis Regulations, a locality is required to submit a Comprehensive Plan Amendment to VDOT for review at least 100 days prior to taking final action on the amendment if the change will have a substantial impact on the transportation network.
  2. A substantial impact will be any change that will generate an increase of 5,000 trips per day to the state controlled highway system. The proposal for Somerset Farm will generate at least 16,303 trips per day and up to 33,246 trips per day.
  3. The existing traffic on Route 20 is 6,000 trips per day from Avon St to Route 53 and 17,000 trips per day from Route 53 to I-64.
- This road is substandard in design and alignment to accommodate ultimate build out of the Neighborhood Four. The road is currently recommended to be widened to 4 lanes with sidewalks and bikelanes. The extent of improvements needed will be determined through the update of the regional transportation plan and/or the traffic study submitted by the applicant.

## ***Water and Sewer***

The subject properties are outside the Albemarle County Service Authority Jurisdictional Area (ACSAJA) for water and sewer service because the properties are designated Rural Area in the Land Use Plan.

Water and sewer are available on the west side of Route 20 in this area. There are no known significant constraints to the extension of service to this site.

## ***Scenic and Historic Resources***

- The properties are located in the Southern Rural Historic District, which is a National Register Historic District designation. On the Somerset Farm home site, there are a number of structures determined to be contributing to character of the historic district including the dwelling, tenant house, barn, shed, and bridge. There are 6 other structures located on various other parcels that are contributing.
- Development of the west side of Route 20 will have a significant impact on the character of the area, creating a band of development between Route 20 and Mountain Area. Route 20 is a State Scenic Byway and is a primary entrance corridor to the Rural Historic District, Monticello and historic area in the City and County,

## **CRITERIA FOR THE REVIEW OF COMPREHENSIVE PLAN AMENDMENT APPLICATIONS**

Staff has made an initial response to the criteria considered for CPAs.

***A. The Comprehensive Plan provides a long-range guide for direction and context of the decision-making process for public and private land uses. The Comprehensive Plan is***

***general in nature rather than attempting to identify specific geographic locations. The Land Use Map of the Comprehensive Plan suggests the relationship of recommended uses to general areas. Proposed amendments to the Land Use Map should be reviewed for compliance with the general plan rather than area-specific or parcel-specific requests for a change in the recommended use. The purpose of the Land Use Map is to provide and plan for a balance of land uses, equipped with adequate utilities and facilities, in a comprehensive, harmonious manner. Any proposed change in the Land Use Map will be evaluated for protection of the health, safety, and welfare of the general public rather than the proprietary interests of an individual.***

Balance of land use – The loss of the Biscuit Run property to a park use reduces the amount of area designated for development in the southern urban area with a proposed 3,000+ homes and 150,000 sq. ft. of supporting commercial use. This new condition does affect the balance with regards to area designated for growth with the Land Use Plan. This proposal could be provide for replacement of this lost capacity. The amount and scale of commercial development proposed exceeds the area approved as part of the Biscuit Run development, and may not be in keeping with the character of this area along Route 20 and the historic district. The total amount of holding capacity needed in the Development Areas to support the growth anticipated over the next 20 years and the total amount of holding capacity currently available in the Land Use Plan will be evaluated as part of the update of the Comprehensive Plan. This will be important information that will inform decisions on changes to land use designations and Development Area boundaries in the Land Use Plan.

Adequate utilities and facilities – Water and sewer service are adequate and accessible to this area. A future school site was lost with the acquisition of the Biscuit Run development for a park use. A future elementary school may be necessary to support future growth in the southern urban area and county.

Traffic Impact – Traffic on existing roads will require further analysis. This site will be accessed primarily by Route 20. This road is substandard in design and alignment to accommodate ultimate build out of the Neighborhood Four. The road is currently recommended to be widened to 4 lanes with sidewalks and bikelanes. The alignment of the road would be improved to eliminate dangerous curves. These improvements are not scheduled or funded at this time.

Resource Protection – As previously noted, the proposed expansion will have the most significant impact on the scenic and historic resources.

***B. The merit of Comprehensive Plan amendment requests shall be largely determined by the fulfillment of support to the “Goals and Objectives” specified in the Comprehensive Plan.***

An assessment of this request to the goals and objectives of the Comprehensive Plan is provided in an early section of the ( see page 3, “Comprehensive Plan”).

This request would replace the holding capacity lost in the designated Development Areas with the development of the Biscuit Run property as a park. This supports the growth management goal of providing for adequate Development Areas that can accommodate anticipated future growth. The development concepts outlined in the applicant’s proposal indicate a desire to meet the neighborhood model principles for development and restrict development in the designated mountain area and on adjacent critical slope systems.

As noted previously in the report, the impacts to scenic and historic resources, forest and open space fragmentation, and the rural character of the area are less in keeping with the goals and objectives of the Comprehensive Plan. The impacts to the Southern Rural Historic District and the character of the Route 20 corridor, an important approach to Monticello and other tourist attractions, is a concern.

***C. A primary purpose of the Comprehensive Plan and Land Use Map is to facilitate the coordination of improvements to the transportation network and the expansion of public utilities in an economical, efficient and judicious manner. Comprehensive Plan amendments which direct growth away from designated development areas shall be discouraged unless adequate justification is provided. Amendments to the boundaries of development areas may be considered appropriate if the request is comprehensive, proposes to follow a logical topographic or man-made feature and is supported by adequate justification. No Comprehensive Plan amendment shall be considered in areas where roads are non-tolerable or utilities are inadequate unless the improvement of those facilities is included in the Comprehensive Plan amendment proposal.***

The applicant's request proposes a reasonable area to consider for including in the Development Area, if the Commission determines that expansion of the Development Area is needed. The site is relatively close to downtown Charlottesville and UVA, and within one mile of the I-64/Route 20 interchange. The site is located near to existing water and sewer infrastructure and service (fire stations, elementary and high school). Water and sewer service are adequate and accessible to this area. A future school site was lost with the acquisition of the Biscuit Run development for a park use. A future elementary school may be necessary to support future growth in the southern urban area and county.

The applicant is proposing that the limits of development be based on the designated mountain area and adjacent critical slopes, which is a logical development area boundary. Any future Development Area boundary should exclude the designated Mountain Area and adjacent system of critical slopes.

***D. Proposed Comprehensive Plan amendments shall be evaluated for general compliance with adopted County plans, policies, studies and ordinances and to determine if corresponding changes are necessary.***

The County is undertaking a full review of the Comprehensive Plan and there is the potential for change to be made to current policies and studies found in the Plan. A major focus of the Comprehensive Plan update is an evaluation and update of the Land Use Plan.

***E. Except as otherwise provided, the following conditions may be considered in the evaluation of a request to amend the Comprehensive Plan.***

***1. Change in circumstance had occurred; or***

The proposed Biscuit Run development with over 3,000 residential units will no longer be developed as a mixed use community, but instead will become a state park.

***2. Updated information is available; or***

An update of the Comprehensive Plan is now underway.

***3. Subsequent portions of the Comprehensive Plan have been adopted or developed; or***

No new portion of the Comprehensive Plan has been adopted or developed that is relevant to this request.

***4. A portion of the Plan is incorrect or not feasible; or***

The land use recommendations for the Biscuit Run property (Neighborhood Density Residential, 3-6 dwellings per acre) can no longer be realized. No other portions of the Comprehensive Plan have been found to be incorrect or not feasible.

***5. The preparation of the Plan as required by the Code of Virginia was incomplete or incorrect information was employed.***

The Comprehensive Plan and its pertinent sections have been prepared according to the requirements of the Code of Virginia and no incorrect or incomplete information was employed.

**SUMMARY:**

Staff has identified the following factors favorable to this request:

1. The site has reasonable access to utilities water and sewer; is served by a primary road (Route 20), and approximately one mile from I-64 interchange.
2. The site is within reasonable proximity to public service, including schools (elementary and high school) and fire-rescue station.
3. The proposal could replace some of the development capacity lost with the Biscuit Run site becoming a state park, and replaces it within the same general southern urban area location.
4. The applicant has indicated that no development will occur on the property within the area designated for mountain protection (700 foot contour and higher) and adjacent critical slope areas, some areas are intended to be placed in conservation easements.

Staff has identified factors unfavorable to this request:

1. Rt. 20 is substandard in design and alignment, and will need upgrading to support future development.
2. Development of east side of road could affect the scenic character of the Route 20 corridor, an important approach to Monticello and other tourist attractions.
3. The properties are located in the Southern Rural Historic District. Development would impact the character of the district in this area.

4. The amount and scale of commercial development propose may be too large for this location and not in keeping with scale and character of the area.

Staff's believes that this request merits further study for inclusion in the designated Development Area, although there are concerns with the proposed expansion area and how some of the proposed development concepts impact natural, scenic and historic resources. The location, scale and intensity of the ultimate development of the site will play a large factor in the level of impact to these resources. However, the general area does have several qualities/characteristics that would make it appropriate to consider for residential use.

Staff concludes that this request should be further studied with the ongoing update of the Comprehensive Plan, and evaluated against other areas in the County that could provide for additional development capacity in the Land Use Plan, if additional capacity is determined to be needed. This action would be consistent with the Commission's action on the recent Comprehensive Plan Amendment request to include an open space area in Redfields in the the Development Area for residential use (CPA 2010-01).

To date, staff has also received seven other public requests (excluding Somerset Farm, Redfields and Yancey Lumber) to either add properties to the Development Area or change the recommended land use designations for their property (see Attachment A). The applicants for the seven public amendment requests are willing to have their requests considered as part of the update of the Comprehensive Plan. Staff believes that all of these requests should be treated consistently. Reviewing all of the public requests as individual applications, separate from the Comprehensive update process, would delay the work on the Comprehensive Plan update due to staffing limitations.

#### **RECOMMENDATION:**

Staff recommends that this area be further studied with the Comprehensive Plan update, which is now underway.

#### **ATTACHMENTS:**

Attachment A – [Public request for amendments to the Land Use Plan Separate Cover – "Somerset Farm Comprehensive Plan Amendment – Proposed Growth Area Expansion"](#)