



The Cox Company

Memorandum

August 12, 2009

To: Susan Eddy
Kimberly Abe

From: Mike Fenner, AICP

Re: **Cannon Ridge (CPA09-MA-002 and REZN09-MA-003)**

Susan and Kimberly:

With this memorandum, I am forwarding on behalf of Doug Darling, the applicant in CPA09-MA-002 and REZN09-MA-003, an updated Concept Master Plan for Cannon Ridge. We believe that the revised plan responds to many of the concerns voiced over the past few weeks by Marshall residents and other County property owners interested in the Cannon Ridge proposal. The updated plan reflects our attempt to: reduce the overall project density; provide for additional open space on Stephenson's Hill, thereby protecting it from future development; and provide for additional landscaped buffer along the Interstate 66 corridor. We believe that the resulting plan retains the principles of Traditional Neighborhood Design which we have been encouraged by County officials to incorporate into the planning for the subject properties in past discussions.

This updated plan reflects a decrease in the maximum total allowable project yield from 280 dwelling units as previously proposed to 235 total dwelling units. This decreased yield translates into a maximum gross project density of 4.1 dwelling units per acre. As we have discussed in previous work sessions, this density is actually less than the gross densities achieved in the vast majority of communities located south of Main Street (and north of Interstate 66) in Marshall. The by-right yield of the two subject parcels is approximately 195 dwelling units. Also, as a point of clarity, this total maximum yield would apply to all proposed dwelling units in the community, including single family detached residences, townhouses, urban cottages, etc. We are currently in the process of revising the Code of Development for Cannon Ridge to reflect this reduced density and to respond to the staff comments received to date. The revised Code will also provide a maximum number of townhouses and urban cottages, as well as a delineation of where within the community they will be allowed.



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In order to better articulate the open space and buffer areas incorporated into this revised plan, I am also forwarding the attached Concept Landscape/Buffer Plan. Within this exhibit, we have delineated the acreage allocated to each park, trail, recreation/open space, and landscape buffer within the community. All told, these areas combine to cover approximately 18.2 acres, or 32% of the site. This easily exceeds the 25% open space and recreation requirement in the new PRD ordinance. Further, the revised Concept Development Plan affords increased protection of the ridge property adjacent to the existing home site and Interstate 66, commonly known as Stephenson's Hill, as open space/recreation space. The Concept Development Plan would enable the community to continue to enjoy this space both passively from afar and potentially, as part of an active recreational/open space interpretation currently not available to County residents. It is intended that this plan will satisfy the conceptual landscaping/buffering plan component of the requirements listed in the new County PRD ordinance for a submitted Concept Development Plan.

Within this memo, I'd to also address several issues discussed during the July public hearing. Most of the concerns voiced by speakers regarding the impacts of the project related to density, steep slopes, water and sewer availability, transportation, and the CPA language. I have addressed our proposed density above, but a brief summary of our perspective on these other key issues follows:

Steep Slopes

Our analysis of the existing conditions of the site indicates that steep slopes (those exceeding 25% per the County Ordinance definition) are present on the site, but account for less than 6% of the total site area. The majority of this area is located on the south side of Stehenson's Hill within areas planned for open space. We have taken great care in our Concept Development Plan to avoid these areas to the extent feasible in our siting of future development within the community. We have also undertaken a painstaking road design process to ensure that the programmed internal street system lies most gently on the land, thereby minimizing necessary cut and fill operations to construct the network. The road network necessarily must traverse steep slopes in strategic locations, but these areas will be minimized to the greatest extent possible using generally accepted road engineering techniques.

Water Availability

FCWSA has informed us that Emery and Garrett Groundwater, Inc. is currently drilling for additional water sources in the Marshall Servie District with the hopes that the effort will ultimately yield two additional wells. Representatives



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of Emery and Garrett Groundwater, Inc., have informed the applicant that they are confident that the gneiss rock which characterizes the service district will support additional water capacity upon future well drilling based upon their experience with similar rock throughout the region. For example, a well drilled in similar conditions at the Northern Sports Complex near Marshall is reported by Emerick and Garrick to generate approximately 400 gallons per minute.

We believe that there exist several options for the ultimate provision of public water to Cannon Ridge, not the least of which would include drilling on the subject properties. Additional wells may be located elsewhere in Marshall as part of the ongoing process, and there is always the potential to tap into existing wells in the area that have yet to be integrated into the service district's provision system due to associated infrastructure costs. The applicant is certainly open to working with the County and FCWSA as the water exploration efforts continue to shape a developer's agreement outlining the applicant's role in locating and funding the production of additional water capacity to serve Cannon Ridge. It is anticipated that the applicant could engage in a pro rata share agreement of provision from an off-site source located in the future were such an option to be pursued.

It is important to note that Mr. Darling has gifted the land to support the relocation of the County water storage tank to the Marshall Service District. The construction of this important project is already underway. The FCWSA has deemed this tank an important part of the future water service infrastructure plan for the Marshall Service District, and with this deed of property, the applicant has clearly demonstrated his commitment to supporting the FCWSA's efforts to improve water service and capacity in the Marshall area.

Sewer Availability

FCWSA has confirmed that there are 850 taps unspoken for and currently available for purchase in the Marshall Service District. Per State law, these taps are to be made available to applicants on a "first-come/first-serve" basis. And, it should be noted, that the 1766 project in planned for Marshall has recently purchased their taps. Thus, there is more than sufficient capacity in terms of tap availability to support the 235 units planned for Cannon Ridge. And in terms of the long-range planning for the Marshall Service District, the 40 additional dwelling units sought in the rezoning request will not "break the bank" with respect to sewer tap availability in Marshall. From a planning perspective, it would seem logical to support the sale of taps within the service district in developable areas located closest to the facility treating regional wastewater in



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Marshall in order to minimize infrastructure costs. Given the proximity of our site to the facility (located just south of Interstate 66), an excellent case can be made for allocating sewer taps to Cannon Ridge.

Transportation

We have submitted a Traffic Impact Assessment to the County and VDOT which clearly indicates that there is sufficient capacity within the existing Marshall transportation network to support the future traffic generated by Cannon Ridge. VDOT asked us to evaluate fifteen intersections within the Marshall Service District to determine the future impacts of traffic associated with Cannon Ridge on the local transportation network. Included in this study area are the ramps at both Interstate 66 interchanges at the edges of Marshall.

With respect to existing traffic conditions, VDOT's most recent 24-hour counts (conducted in 2007) indicate that West Main Street (Route 55) supports 5,100 average daily trips adjacent to the proposed project entrance. Route 17 carries 7,100 daily trips between Main Street and Interstate 66. Our study indicates that our project will generate 2,563 daily trips. This was based upon our previous 280 dwelling unit plan, so the actual trip generation will be significantly less than our study projected.

The TIA establishes that, with our without Cannon Ridge, the existing transportation network in Marshall will continue to function at adequate levels of service, with the exception of the two ramp intersections on Winchester Road (Route 17) at the I-66 Exit 28. Given that the majority of regional traffic demands from Cannon Ridge will be met by the westerly I-66 intersection (Free State Road), the project will place relatively low demands on the Winchester Road ramps. As such, the existing road network is deemed adequate to serve the Cannon Ridge development. The study clearly indicates that sufficient capacity along Main Street exists to serve the project's future traffic in addition to projected local traffic growth in Marshall.

Concerns have been raised relative to the secondary project entrance and its future impacts on the local street system. Our planning preference, as shown on the Concept Development Plan, is to provide a secondary access to our community via a realigned Manor Drive. To date, the applicant has been unable to secure an easement from the adjacent property owner to enable this realignment. The applicant will continue to pursue this route. In the absence of such an agreement, Cannon Ridge does have frontage access on Anderson Avenue. VDOT has asked us to provide a concept plan exhibiting how this "back up" access plan could be achieved. This exhibit is included in the attached



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submission of materials in response to VDOT comments to date. The applicant is prepared to propose and discuss proffered improvements to upgrade Anderson Avenue to enable this secondary access to cover the contingency if the attempts to enable the Manor Drive access were to prove unsuccessful.

CPA language

Concerns were voiced during the public hearing regarding our CPA language proposed for addition to the Comprehensive Plan text for the Marshall Land Use Plan. We are happy to work with staff to focus the proposed supporting language to address solely the subject properties. As mentioned previously, we have been challenged by the lack of an appropriate "medium density" land use designation in the Marshall Service District Land Use Plan. Our attempt to revise the Comp Plan language may have overshot the intended target in an effort to address this gap and offer the County updated language for the entire service district. Simply put, our application seeks to enable the applicant to build the plan presented in the Concept Development Plan. We would welcome the opportunity to take another shot at the CPA language and work with staff to craft language that would best serve the community, much as we have in Bealeton with the Mint Brook CPA application.

Thanks for your help with this project. I hope that this memo is useful to you in your ongoing review of the Cannon Ridge applications. We welcome the opportunity to continue the dialogue with the Staff and the Planning Commission on the merits of our project. We also look forward to meeting again with the Planning Commission on August 27, 2009. In the meantime, please call with any questions.

Sincerely,


Michael L. Fenner

*attachments: Cannon Ridge Concept Development Plan(August 12, 2009)
Cannon Ridge Concept Landscape/Buffer Plan (August 12, 2009)
Cox Company Submittal in response to VDOT comments on TIA and Concept
Development Plan*



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XC: Mr. Doug Darling
Mr. Frank Cox, Jr. (The Cox Company)



The Cox Company

220 East High Street
Charlottesville, Virginia 22902

T 434.295.7131

F 434.295.7540

C 434.996.3349

mikefenner@thecoxcompany.biz

www.thecoxcompany.com