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Cornerstone mega-development draws more ire from neighbors

By Alicia Petska
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Neighborhood dissension is again stirring over the Cornerstone mega-development off Greenview Drive, where developers are seeking permission to add three new streets that would extend close to the adjacent Windsor Hills subdivision.

City planning staff, which has already approved the new roads, contends this is a minor change that keeps the project in "substantial compliance" with the terms of the special permit granted to it last year. Disputing that is the Windsor Hills Neighborhood Association, which has filed a complaint with the Board of Zoning Appeals (BZA) and hired a lawyer to argue its case.

Cornerstone, an expansive Wyndhurst-style development that will encompass parks, commercial space and up to 1,000 residential units, has been unpopular with its neighbors from the beginning. Concerns included increased traffic, strain on city resources and proximity to Windsor Hills.

Construction, which started close to a full year ago, has raised additional problems such as excessive dust and suspected damage to nearby Dreaming Creek.

This latest conflict, which will be brought before City Council tonight, unfolded after developers amended their plans to add three new streets that will run close to 0.6 miles in total length. One of those would sit on the layout's northwestern tract, arching right along the boundary with Windsor Hills. The other two would sit in the southeastern corner, with one curving up by the neighboring subdivision.

The Windsor Hills association argues this is a major change that should be put through a formal amendment process, which would require public hearings and notice to all bordering property owners. City planners, meanwhile, point out that earlier street plans were always meant to be preliminary and maintain that the additions are minor alterations that can legally be approved directly by staff, with the concurrence of City Council.

In a report to council, which will weigh the major vs. minor issue during its meeting tonight at 7:30, staffers assert that the extra streets will not connect to any external roads, will not affect the development's density or aesthetic design, and will not encroach on the 25-foot buffer zone mandated for its borders.

Legally, changes in developments such as these must only be in "substantial compliance" with the original plans to be considered acceptable. Should City Council deem these new streets to be significant changes, though, that request would have to go through the full permit amendment process.

A review by City Council is routine in these cases, according to city officials, and is not a response to the controversy surrounding the Cornerstone situation.

Initially, the city had been forging ahead with the revamped plans, submitting a petition for new street names to the planning commission, which approved the request. That same application, which sought to name the additional streets Meridian Street, Foundation Street and Ridgeline Lane, was also forwarded to City Council for its Nov. 13 meeting, but was yanked at the last minute.

City Attorney Walter Erwin said Monday the petition could not go forward until the pending BZA appeal was resolved. That hearing has been scheduled for 9:30 a.m. Jan 22 at City Hall.

In its appeal, the Windsor Hills Neighborhood Association is seeking to halt the name approval with a ruling that the streets are major changes that must be taken to a public hearing before they can be endorsed. That issue could be rendered moot if City Council agrees with the homeowners tonight. If, however, it rules the changes are minor, the appeal will proceed, said Erwin, although it's unclear what will happen if the BZA winds up disagreeing with council.

On Monday, Windsor Hills attorney Phyllis Katz, a local government lawyer from the Richmond firm Sands, Anderson, Marks & Miller, said that in addition to pushing the development out closer to Windsor Hills, the new streets would also create a nearly 25 percent increase in Cornerstone's total street area, a clear significant change in her mind.

"Whether this is right or wrong for the development, or right or wrong for the neighborhood, or right or wrong for the city should be put to a public hearing," she concluded. "That's all we're asking for. We want a public hearing, we want an opportunity for all of us and all the citizens to have our voices heard."

"They may vote the same, they may decide the same, but at least everyone would have been afforded the opportunity to have their voices heard," she said.

Also at today's City Council meetings:

- During its afternoon session, which starts at 1 p.m., City Council will debate whether to give itself a pay raise. Currently, the city's five council members and vice mayor each receive \$8,000 a year, while the mayor is paid \$10,000.
- At the evening session, council will convene public hearings on the Fifth Street Revitalization Corridor Overlay District, a plan aimed at rejuvenating the Fifth Street area, and a controversial town home development slated for an industrially zoned area near Carroll Avenue. That proposal, which has been strongly opposed by neighbors, has already been rejected by both staff and the planning commission.
- Also at the evening session, council will again be asked to approve the new downtown parking plan unveiled last month by the Lynchburg Parking Authority. A vote is possible.

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