



ALBEMARLE COUNTY PLANNING
STAFF REPORT SUMMARY

Project Name: SP201900014 and SP201900015 Blue Ridge Swim Club Amendment	Staff: Scott Clark, Senior Planner
Planning Commission (PC) Hearing: May 4, 2021	Board of Supervisors (BOS) Hearing: to be determined
Owner: Tupelo Honey 4/4/4 LLC	Applicant: Tupelo Honey 4/4/4 LLC
Acreage: 11.6 acres	Special Use Permit(s) for: SP201900014: 10.2.2.4 Swim, golf, tennis or similar athletic facilities (reference 5.1.16); SP201900015: 10.2.2.20 Day camp, boarding camp (reference 5.1.05)
Tax Map Parcel (TMP): 05800-00-00-075A1	Zoning/by-right use: RA Rural Areas - agricultural, forestal, and fishery uses; residential density (0.5 unit/acre in development lots)
Magisterial District: Samuel Miller	Location: 1275 Owensville Road
School Districts: Meriwether Lewis – Henley -- Western Albemarle	Conditions: Yes
Development Area: No	Requested # of Dwelling Units/Lots: N/A
Proposal(s): SP201900014 and SP201900015 are requests to amend SP201500028 Blue Ridge Swim Club (Day Camp, Boarding Camp) and SP201500029 Blue Ridge Swim Club to construct additional facilities, including a pavilion with bathrooms and a kitchen as well as a garage/storage structure, and to expand the months of operation from April 1 through November 15 each year.	Comp. Plan Designation: Rural Areas – preserve and protect agricultural, forestal, open space, and natural, historic and scenic resources/ density (0.5 unit/ acre in development lots)
Character of Property: The property is a partially-wooded parcel along a stream valley with a historic stream-fed swimming pool.	Use of Surrounding Properties: The surrounding properties are mostly in low-density residential use.
Factors Favorable: <ol style="list-style-type: none"> 1. The Virginia Department of Transportation found no transportation-safety issues with the proposed amendments. 2. The proposed changes, including the longer camp season, would improve the economic viability of a historic resource, helping to fund its continued maintenance. 	Factors Unfavorable: <ol style="list-style-type: none"> 1. The proposed new structures could be visible from dwellings to the south. However, the applicant has added screening vegetation to the proposed plan to reduce visibility.
Recommendation: Staff recommends approval of SP201900014 and SP201900015 with conditions.	

STAFF CONTACT:
PLANNING COMMISSION:
BOARD OF SUPERVISORS:

Scott Clark, Senior Planner
May 4, 2021
TBD

PETITION(s):

PROJECT: Blue Ridge Swim Club Amendment

MAGISTERIAL DISTRICT: Samuel Miller

TAX MAP/PARCEL: 05800-00-00-075A1

LOCATION: 1275 Owensville Road

PROPOSAL: SP201900014 and SP201900015 are requests to amend SP201500028 Blue Ridge Swim Club (Day Camp, Boarding Camp) and SP201500029 Blue Ridge Swim Club to construct additional facilities, including a pavilion with bathrooms and a kitchen as well as a garage/storage structure, and to expand the months of operation from April 1 through November 15 each year.

PETITION:

SP201900014: 10.2.2.4 Swim, golf, tennis or similar athletic facilities (reference 5.1.16)

SP201900015: 10.2.2.20 Day camp, boarding camp (reference 5.1.05);

ZONING: RA Rural Areas - agricultural, forestal, and fishery uses; residential density (0.5 unit/acre in development lots)

ENTRANCE CORRIDOR: No

COMPREHENSIVE PLAN: Rural Areas – preserve and protect agricultural, forestal, open space, and natural, historic and scenic resources/ density (0.5 unit/ acre in development lots)

CHARACTER OF THE AREA:

The area surrounding the swim-club site is a heavily suburbanized portion of the Rural Areas, with a context that largely consists of residential lots. Land cover in the area is a mix of open yards and fragmented forest cover. Some larger open and wooded parcels lie to the west.

PLANNING AND ZONING HISTORY:

According to the history supplied by the applicant during the 2010 review (see below), the site has been operated as a swimming club since 1905. The use continued after the adoption of the Zoning Ordinance as a non-conforming use.

In 2011, the Board of Supervisors approved two special use permits for the site:

- SP201000035: This SP permits a children’s day camp for up to 100 campers, with up to two overnight stays per week. The Board of Supervisors imposed an expiration date of April 6, 2021 due to concerns about noise or other impacts on adjacent properties.
- SP201000041: This SP brought the existing swim-club use into compliance, and permitted the club use with events for members, pool and birthday parties for members, on-site concessions, and a bath-house.

In 2019, the Board of Supervisors approved two special use permit amendments for the same uses:

- SP201500028: Request to amend SP201000035 (day camp) to change the boundaries of the use to permit creation of a separate residential lot, and to remove the existing expiration date for the special use permit;
- SP201500029: Request to amend SP 201000041 (swim club) to permit creation of a separate residential lot.

The current requests would further amend these previous amendments.

DETAILS OF THE PROPOSAL:

These applications are requests to amend SP201500028 and SP201500029 to construct additional facilities, including a pavilion with bathrooms and a kitchen as well as a garage/storage structure, and to expand the months of the camp operation from April 1 through November 15 each year to permit camp and environmental-education programs during good weather.

The previously-approved overall layout can be seen in Attachment 2. Attachment 3 shows the newly-proposed structures and associated screening vegetation.

COMMUNITY MEETING

Due to Covid-19 requirements, community engagement for this application was accomplished with a mailing to 128 nearby property owners, online comment submittals, and comments received via PublicInput.com.

Overall, staff received 16 comments supporting the amendment request, and six comments opposing approval. Of those who opposed approval of these proposals, the most frequent concerns expressed were:

- Visibility of the new structures (particularly of concern to respondents with dwellings located along the southern property line of the swim-club parcel).
- Traffic increases due to the expanded operating season.
- Potential for noise impacts from activities or events held on the site.

ANALYSIS OF THE SPECIAL USE PERMIT REQUEST

Section 33.39(B) states that the Commission, in making its recommendation, shall consider the same factors found in Section 33.40(B):

1. No substantial detriment. Whether the proposed special use will be a substantial detriment to adjacent parcels.

No substantial detriments affecting the surrounding residential uses are expected from the construction of the pavilion or the storage facility, or from the extension of the camp operating season from three and one-half months to seven and one-half months.

2. Character of the nearby area is unchanged. Whether the character of the adjacent parcels and the nearby area will be changed by the proposed special use.

The surrounding area is characterized by low-density residential development. If the current amendments were approved, the site would continue to operate as a seasonal swim club and day camp in a residential environment.

To address visibility from adjacent residential uses, the applicant has added screening vegetation on three sides of the proposed storage building, and on the south side of the proposed new pavilion, to the conceptual plan (see Attachment D).

As mentioned above, some nearby residents were concerned about potential noise impacts. Staff recommends that the existing conditions restricting amplified sound remain in place. Regarding neighbors' concerns about amplified sound being used at events, note that (a) amplified sound is heavily restricted by the conditions of these permits, and (b) special events on the site would require approval of a separate special use permit. Staff has explained the zoning requirements regarding special events to the applicant, who does not intend to propose such a use on this site.

3. *Harmony.*

Whether the proposed special use will be in harmony with the purpose and intent of this chapter,

Section 18, Chapter 10 of the Zoning Ordinance outlines the purpose of Rural Areas zoning: "This district hereafter referred to as RA is hereby created and may hereafter be established by amendment of the zoning map for the following purposes:

- Preservation of agricultural and forestal lands and activities;
- Water supply protection;
- Limited service delivery to the rural areas; and
- Conservation of natural, scenic, and historic resources. (Amended 11-8-89)

The Blue Ridge Swim Club is listed in the National Register of Historic Places (NRHP) and the Virginia Landmarks Register. The pool is among the oldest known concrete outdoor commercial swimming pools remaining or in use in both the state and the country. The pool and its ancillary features (draw pipe, terra cotta pipes, drains, and settling tank) are counted as the single structure that contributes to the significance of the resource. The National Register Nomination Form states that "the property's location and setting were selected for their rural and picturesque qualities, which have been retained to the present day." The pool is situated in a naturalistic, wooded locale that retains a high level of integrity of location, setting, feeling and association (aspects of integrity as defined by the National Register).

The proposed new facilities (a camp pavilion and a storage facility, both located adjacent to the existing parking lot) would not create significant visual impact on the historic pool area or change the overall character of the property.

with the uses permitted by right in the district,

The swim club predates the surrounding residential development. The proposed amendments would continue the conditions of approval that are designed to keep the uses on the site compatible with the surrounding by-right residential uses.

with the regulations provided in Section 5 as applicable,

5.1.05 Day Camp, Boarding Camp

a. Provisions for outdoor cooking, campfires, cooking pits, etc., shall be subject to Albemarle County fire official approval whether or not a site development plan is required;

The proposed conditions of approval continue the previous requirement for Fire Department approval of any outdoor cooking or campfire.

b. All such uses shall conform to the requirements of the Virginia Department of Health Bureau of Tourist Establishment Sanitation and other applicable requirements.

The proposed conditions of approval continue the previous requirement for Health Department approval of concession operations and the septic system.

Sec. 5.1.16 - Swimming, golf, tennis clubs.

Each swimming, golf or tennis club shall be subject to the following:

a. The swimming pool, including the apron, filtering and pumping equipment, and any buildings, shall be at least 75 feet from the nearest property line and at least 125 feet from any existing dwelling on an

adjoining property, except that, where the lot upon which it is located abuts land in a commercial or industrial district, the pool may be constructed no less than 25 feet from the nearest property line of such land in a commercial or industrial district;

The pool is approximately 82 feet from the property line to the south, according to the conceptual plan. That parcel to the south was permitted by the previous amendments, and is owned by the applicants, who intend to occupy the site in order to have on-site management and monitoring.

b. When the lot on which any such pool is located abuts the rear or side line of, or is across the street from, any residential district, a substantial, sightly wall, fence, or shrubbery shall be erected or planted, so as to screen effectively said pool from view from the nearest property in such residential district;

The pool location at this swim club predates the surrounding dwellings and this zoning requirement. The pool area is screened from surrounding properties by mature trees.

c. (Repealed 6-14-00)

d. The board of supervisors may, for the protection of the health, safety, morals and general welfare of the community, require such additional conditions as it deems necessary, including but not limited to provisions for additional fencing and/or planting or other landscaping, additional setback from property lines, additional parking space, location and arrangement of lighting, and other reasonable requirements;

The pool area is sufficiently screened by mature trees, and is located in the stream valley, well below the residences on surrounding properties. The pool does not create visual impacts on the surroundings.

e. Provision for concessions for the serving of food, refreshments or entertainment for club members and guests may be permitted under special use permit procedures.

No change is proposed to the previous conditions controlling the concession use on the site.

and with the public health, safety, and general welfare.

The Virginia Department of Transportation (VDOT) has reviewed these proposed amendments and found them acceptable. Staff requested that VDOT staff comment on the proposed extension of the camp use's season of operations, and they confirmed that change did not raise concerns.

4. Consistency with the Comprehensive Plan. *Whether the proposed special use will be consistent with the Comprehensive Plan.*

The proposed changes to these existing uses would help to increase the economic viability of a historic resource, thus providing more funding for its continued protection. Also, the extension of the camp use into the school year would provide more opportunities for environmental education. The addition of two buildings located as proposed would not impact the historic character of the pool facility.

SUMMARY:

After review of this request, staff have identified the following factors of this proposal that are favorable and unfavorable:

Factors favorable to this request include:

1. The Virginia Department of Transportation found no transportation-safety issues with the proposed amendments.
2. The proposed changes, including the longer camp season, would improve the economic viability of a historic resource, helping to fund its continued maintenance.

Factors unfavorable to this request include:

1. The proposed new structures could be visible from dwellings to the south. However, the applicant has added screening vegetation to the proposed plan to reduce visibility.

RECOMMENDED ACTIONS:

Based on the findings described in this report and factors identified as favorable, **staff recommends approval of special use permit applications SP201900014 and SP201900015 with the following conditions:**

SP201900014 Blue Ridge Swim Club Amendment:

1. Development of the swim club use must be in general accord (as determined by the Director of Planning and the Zoning Administrator) with the conceptual plan titled “SUP Concept Plan For: Blue Ridge Swim Club,” prepared by Shimp Engineering, and dated 6/21/2019, and the plan titled “Re-submittal Plan for SP201900014 and SP201900015 Blue Ridge Field Camp,” dated 9/20/2020 (collectively hereinafter “Conceptual Plans”). To be in accord with the Conceptual Plans, development must reflect the following major elements within the development essential to the design of the development:
 - Limits of disturbance
 - Location and size of the existing pavilion building
 - Location, size, and vegetative screening of the new pavilion and storage building, as shown on the 2020 Conceptual Plan. New screening trees are limited to native evergreen species at least six feet in above-ground height at time of planting.
 - Location of parking areas
 - ~~Minimum clearing possible may be allowed to locate well, septic line and drainfields, parking and pavilion as shown on the Blue Ridge Swim Club concept plan. Land clearing is permitted only as necessary to establish the well, septic line and drainfields, parking, and structures shown on the Conceptual Plans.~~

Minor modifications to the plan that do not conflict with the elements above may be made to ensure compliance with the Zoning Ordinance.

- ~~2.~~ The Blue Ridge Swim Club (SP201900014) may operate only between Memorial Day weekend and Labor Day weekend, inclusive.
- ~~2.3.~~ The hours of operation for ~~SP201500028~~ the Blue Ridge Swim Club (SP201900014) must not begin earlier than 12:00 PM (noon) and must end not later than 8:00 P. M., each day, seven days per week, Memorial Day weekend through Labor Day weekend.
- ~~3.4.~~ All outdoor lighting must be only full cut-off fixtures and shielded to reflect light away from all abutting properties. A lighting plan limiting light levels at all property lines to no greater than 0.3 foot candles must be submitted to the Zoning Administrator or their designee for approval.
- ~~4.5.~~ Food prepared off -site may be sold from a concession stand that is depicted on the Conceptual Plan.

- ~~5.6.~~ Approval of the Health Department for the well, septic and food concession will be required prior to approval of a site plan.
- ~~6.7.~~ Approval by the Virginia Department of Transportation for the entrance will be required prior to approval of site plan.
- ~~7.8.~~ Prior approval by the Fire Department will be required prior to all outdoor cooking and /or campfires.
- ~~8.9.~~ No amplification of sound will be permitted, with the exception of a megaphone used on Fridays during each season (Memorial Day through Labor Day) during field games, radios and electronic sound producing or reproducing devices, provided that any such amplified sound must comply with the applicable noise regulations.
- ~~9.10.~~ Parking on Owensville Road by attendees or staff of the Blue Ridge Swim Club or the Camp will not be permitted.
- ~~10.11.~~ No more than 200 people will be permitted on the property for any purpose at any time.
- ~~11.~~ ~~Planting or bonding of the new trees shown on sheet C3 of the Conceptual Plan will be required prior to the approval of a final plat subdividing the property as shown on the conceptual plan.~~

SP201900015 Blue Ridge Swim Club and Field Camp Amendment:

1. Development of the camp use must be in general accord (as determined by the Director of Planning and the Zoning Administrator) with the conceptual plan titled “SUP Concept Plan For: Blue Ridge Swim Club,” prepared by Shimp Engineering, and dated 6/21/2019, and the plan titled “Re-submittal Plan for SP201900014 and SP201900015 Blue Ridge Field Camp,” dated 9/20/2020 (collectively hereinafter "Conceptual Plans"). To be in accord with the Conceptual Plans, development must reflect the following major elements within the development essential to the design of the development:

- Limits of disturbance
- Location and size of the existing pavilion building
- Location, size, and vegetative screening of the new pavilion and storage building, as shown on the 2020 Conceptual Plan
- Location of parking areas
- Minimum clearing possible may be allowed to locate well, septic line and drainfields, parking and pavilion as shown on the Blue Ridge Swim Club concept plan. Land clearing is permitted only as necessary to establish the well, septic line and drainfields, parking, and structures shown on the Conceptual Plans.

Minor modifications to the plan ~~which that~~ do not conflict with the elements above may be made to ensure compliance with the Zoning Ordinance.

2. The Blue Ridge Swim Club Day Camp, Boarding Camp (SP201900015) may operate only five days per week between April 1 and November 15, inclusive. The Camp may not operate at any other time of year
- ~~2.3.~~ The hours of operation for ~~SP201500028~~ the Blue Ridge Swim Club Day Camp, Boarding Camp (SP201900015): five days per week, Memorial Day weekend through Labor Day weekend and must not begin earlier than 8:30 AM any day and must not end later than 5:00 PM on Mondays, Tuesdays, Wednesdays, and Fridays. On Thursdays, ~~8: 30 AM through~~ overnight stays will be are permitted.

- ~~4.~~ A maximum sound level of 55 decibels is in effect between the hours of 9:30 PM and 8:30 AM.
- ~~3-5.~~ All outdoor lighting must be only full cut -off fixtures and shielded to reflect light away from all abutting properties. A lighting plan limiting light levels at all property lines to no greater than 0.3 foot candles must be submitted to the Zoning Administrator or their designee for approval.
- ~~4-6.~~ Food prepared off-site may be sold from a concession stand that is depicted on the Conceptual Plan.
- ~~5-7.~~ Approval of the Health Department for the well, septic and food concession will be required prior to approval of a site plan.
- ~~6-8.~~ Approval by the Virginia Department of Transportation for the entrance will be required prior to approval of site plan.
- ~~7-9.~~ Prior approval by the Fire Department will be required prior to all outdoor cooking and /or campfires.
- ~~8-10.~~ No amplification of sound will be permitted, with the exception of a megaphone used on Fridays during each season (Memorial Day through Labor Day) during field games, radios and electronic sound producing or reproducing devices, provided that any such amplified sound must comply with the applicable noise regulations.
- ~~9-11.~~ Parking on Owensville Road by attendees or staff of the Blue Ridge Swim Club or the Camp will not be permitted.
- ~~10-12.~~ No more than 200 people will be permitted on the property for any purpose at any time.
- ~~11-13.~~ No more than 100 overnight campers will be permitted at any one time.
- ~~12.~~ Planting or bonding of the new trees shown on sheet C3 of the Conceptual Plan will be required prior to the approval of a final plat subdividing the property as shown on the conceptual plan.

POSSIBLE PLANNING COMMISSION MOTIONS – SP201900014:

- A. If the Planning Commission chooses to recommend approval of this special use permit:
I move to recommend approval of SP201900014 Blue Ridge Swim Club Amendment with the conditions outlined in the staff report.
- B. If the Planning Commission chooses to recommend denial of this special use permit:
I move to recommend denial of SP201900014 Blue Ridge Swim Club Amendment for (state reasons for denial).

POSSIBLE PLANNING COMMISSION MOTIONS – SP201900015:

- A. If the Planning Commission chooses to recommend approval of this special use permit:
I move to recommend approval of SP201900015 Blue Ridge Swim Club and Field Camp Amendment with the conditions outlined in the staff report.
- B. If the Planning Commission chooses to recommend denial of this special use permit:

I move to recommend denial of SP201900015 Blue Ridge Swim Club and Field Camp Amendment for (state reasons for denial).

ATTACHMENTS:

1. [Location Map](#)
2. [2019 Conceptual Plan](#)
3. [2020 Conceptual Plan](#)
4. [Public Comments](#)