

**FINAL ACTION MEMO**  
**Planning Commission Meeting of August 22, 2023**

<b><u>AGENDA ITEM/ACTION</u></b>	<b><u>FOLLOW-UP ACTION</u></b>
<p>1. <b>Call to Order.</b></p> <ul style="list-style-type: none"> <li>• Meeting called to order at 6:00 p.m. by Chair Clayborne.</li> <li>• PC members present: Chair Clayborne, Mr. Missel, vice chair; Mr. Bivins; Mr. Murray; Ms. Firehock; Mr. Carrazana; and Mr. Moore</li> <li>• Staff members present were: Kevin McDermott; Andy Herrick, Margaret Maliszewski; Andy Reitelbach; Rebecca Ragsdale; and Carolyn Shaffer (via Zoom)</li> </ul>	
<p>2. <b>Other Matters Not Listed on the Agenda from the Public</b></p>	<p><u>Clerk:</u> None</p>
<p>3. <b>Consent Agenda:</b> Approval of Minutes for July 11, 2023, and July 25, 2023.</p> <p><b>Action:</b> On motion of Commissioner Moore, seconded by Commissioner Missel, the Planning Commission approved the minutes of the July 11, 2023 and July 25, 2023 meetings, as submitted and accepted the staff report on VA2023-02 3767 Twin Creek Road.</p> <p>Approved with a vote of 7:0</p>	<p><u>Clerk:</u> Post to website</p>
<p>4. <b>Public Hearing</b></p> <p>4a. <b>ZTA202300005 Countywide Certificate of Appropriateness</b> The Planning Commission received comments on a proposed ordinance to amend Section 30.6.4 (Certificates of Appropriateness) of Chapter 18 (Zoning) of the Albemarle County Code, to add sites subject to a public-private partnership agreement executed by the County of Albemarle, as a category of structures, sites, improvements, or architectural elements eligible for county-wide certificates of appropriateness. (Margaret Maliszewski)</p> <p><b>Action:</b> On motion of Commissioner Missel, seconded by Commissioner Murray, by a vote of 7:0, the Planning Commission recommended approval of ZTA2023-05 Countywide Certificate of Appropriateness, for the reasons stated in the staff report.</p>	<p><u>Clerk:</u> Forward the Planning Commission's recommendations to the Board of Supervisors ahead of the Board's public hearing on this application.</p>

<p>4b. <b>SP202300003 Millcreek Lot 11 – Independent Office I Industrial</b>  MAGISTERIAL DISTRICT: Scottsville  TAX MAP/PARCEL: 076M1000001100  LOCATION: Property on the east side of Stoney Ridge Road, near its terminus; approximately 950 feet northeast of the intersection of Stoney Ridge Road and Southern Parkway, in the Mill Creek Industrial Planned Unit Development.  PROPOSAL: Request for a special use permit to allow the construction of an independent office within a structure not established or vested until after April 3, 2014, on a parcel of approximately 1.35 acres, in the designated Industrial section of the Mill Creek Planned Unit Development.  PETITION: Special Use Permit request for an independent office within a structure not established or vested until after April 3, 2014, in accordance with Section 26.2(a) of the Zoning Ordinance. No dwelling units proposed.  ZONING: PUD Planned Unit Development – residential (maximum of 35 units/acre), mixed with commercial, service and industrial uses; in accordance with ZMA199500019.  OVERLAY DISTRICT(S): AIA – Airport Impact Area and Steep Slopes – Managed  COMPREHENSIVE PLAN: Industrial – manufacturing, storage, distribution, office and commercial activities related to industrial use and research and development; in Neighborhood 4, in the Southern and Western Urban Neighborhoods Master Plan area.  MONTICELLO VIEWSHED: Yes  (Andy Reitelbach)</p> <p><b>Action:</b> On motion of Commissioner Missel, seconded by Commissioner Carrazana by a vote of 7:0, the Planning Commission recommended approval of SP2023-03 Mill Creek Lot 11 – Independent Office 1 Industrial, with the conditions as recommended by staff in the staff report, with an amendment to proposed Condition 2 to allow 11,000 square feet of space in the proposed building.</p>	<p><u>Clerk:</u>  Forward the Planning Commission's recommendations to the Board of Supervisors ahead of the Board's public hearing on this application.</p>
<p>4c. <b>SP202300001 Covenant School Tennis Court</b>  MAGISTERIAL DISTRICT: Scottsville  TAX MAP/PARCEL(S): 090A0-00-00-00200, 07600-00-00-053J0  LOCATION: 175 Hickory Street, 499 Stagecoach Road  PROPOSAL: Request to amend a prior approved special use permit (SP199900054) to add an adjacent 2.61-acre parcel at 499 Stagecoach Road to the existing 25.93-acre school campus. The proposal includes removal</p>	<p><u>Clerk:</u>  Forward the Planning Commission's recommendations to the Board of Supervisors ahead of the Board's public hearing on this application.</p>

of the existing house and development of six tennis courts, a storage/restroom building, parking lot of approx. 6 spaces, lighting, pedestrian path to existing school campus and existing parking that would be used to serve the courts.

PETITION: Private School-Sections 18-

14.2.2(5) Private School

ZONING: R-2 Residential - 2 units/acre

OVERLAY DISTRICT(S): Steep Slopes (Managed)

COMPREHENSIVE PLAN: Southern and Western Neighborhood Master Plan;

Neighborhood Density Residential – residential (3-6 units/acre); supporting uses such as places of worship, schools, public and institutional uses and small-scale neighborhood serving retail and commercial. (Rebecca Ragsdale)

**Action:** On motion of Commissioner Missel, seconded by Commissioner Moore, by a vote of 7:0, the Planning Commission recommended approval of SP2023-01 Covenant School Tennis Court, with the revised conditions listed below:

1. Development of the use must be in general accord with the Conceptual Plan titled “Covenant School Hickory Campus Special Use”, last revised June 9, 2023 and prepared by Woolley Engineering. To be in general accord with the Conceptual Plan, development must reflect the following major elements within the development essential to the design of the development.
  - a. Location of buildings, parking areas, and athletic facilities
  - b. Location of entrances
  - c. Location of buffers and screening;Minor modifications to the plan that do not conflict with the elements above may be made to ensure compliance with the Zoning Ordinance or improve safety.
2. The maximum enrollment must not exceed five hundred fifty (550) students.
3. Development of the property must comply with the Commercial setbacks and buffer/screening requirements set forth in Section 21.7, with the exception of the reduced setback and width of screening along the western property line and shared school parcel boundaries as depicted on the concept plan.
4. Use of the tennis courts is prohibited between the hours of and 9pm to 7am.
5. Use of tennis courts must be limited to tennis. Other racket or paddle sports (pickle ball or paddle) are prohibited.

<p>6. Use of the tennis courts must be limited to school sponsored activities, with the exception of guest access limited to the three adjacent properties by invitation of the school. The tennis courts must not be used by other organizations.</p> <p>7. Outdoor lighting for tennis courts must be full cutoff. No tennis court lighting may spill over to parcel(s) under different ownership with the exception of de minimis spillover. Timers, sensors, or equivalent means, must be used to prohibit any lighting between the hours of 9pm to 7am.</p>	
<p>5. <b>Review of Board of Supervisors Meeting:</b> Mr. McDermott gave an overview of the August 16 and August 2, 2023, Board meetings.</p>	<p><u>Clerk:</u> None</p>
<p>6. <b>Committee Reports:</b></p> <p><b>Commissioner Missel:</b> 5<sup>th</sup> &amp; Avon CAC met and discussed the two items in its district from tonight's PC meeting and also had a report on transportation. US250 Ivy Road Project met for the first time.</p> <p><b>Commissioner Bivins:</b> Places29 Rio and Places29 Hydraulic have elected new officers.</p> <p><b>Commissioner Firehock:</b> 5<sup>th</sup> &amp; Avon CAC and some other CACs have vacancies. Please encourage community members to consider joining a CAC.</p> <p><b>Commissioner Murray:</b> Crozet CAC had a transportation presentation and there was good feedback.</p> <p><b>Commissioner Moore:</b> Places29 Rio CAC heard about the new Home Depot moving into the Fashion Square mall, which will be presented to the PC in the future. The CAC also discussed density on Berkmar increasing.</p>	<p><u>Clerk:</u> None</p>
<p>7. <b>AC44 Update:</b> Mr. McDermott gave an update. Commissioner Clayborne asked the members to share any feedback on the Commission's AC44 Work Session.</p>	<p><u>Clerk:</u> None</p>
<p>8. <b>Old Business/New Business:</b> Chair Clayborne highlighted several upcoming Commission meetings: Presentation: Economic Development Oct./ Work Session Nov. Joint Work Session with the City of Charlottesville</p>	<p><u>Clerk:</u> None</p>

<p>9. <b>Items for follow-up:</b> Mr. Bivins asked if the Commission could hear back from St. Anne's Lower School on how it is managing the traffic (i.e., stacking traffic to help with delays).</p>	<p><u>Clerk:</u> None</p>
<p><b>Adjournment:</b> Adjourned at 9:00 pm to next scheduled meeting on Tuesday, September 12, 2023, at 6:00 p.m.</p>	