

**Albemarle County Planning Commission
FINAL Minutes September 12, 2023**

The Albemarle County Planning Commission held a public hearing on Tuesday, September 12, 2023, at 6:00 p.m.

Members attending were: Julian Bivins, Acting Chair; Karen Firehock; Luis Carrazana; and Lonnie Murray.

Members absent: Corey Clayborne, Fred Missel.

Other officials present were: Kevin McDermott, Deputy Director of Planning; Andy Herrick, County Attorney's Office; Bill Fritz; and Carolyn Shaffer, Clerk to the Planning Commission.

Call to Order and Establish Quorum

Mr. Kevin McDermott said that the Chair and Vice Chair were absent from the meeting, so he would open nominations for an acting chair for the evening.

Ms. Shaffer called the roll.

Mr. McDermott established a quorum.

Appointment of a Temporary Chair

Mr. Moore nominated Commissioner Bivins as temporary chair. Mr. Carrazana seconded the nomination.

Mr. McDermott said that they had a nomination for Commissioner Bivins to be acting chair. He asked if there was a motion to appoint Commissioner Bivins as the chair.

Mr. Moore moved to appoint Commissioner Bivins as chair. Mr. Murray seconded the motion. The motion carried unanimously (3-0). (Mr. Bivins abstained; Mr. Clayborne and Mr. Missel were absent.)

Other Matters Not Listed on the Agenda from the Public

There were none.

Consent Agenda

Mr. Carrazana moved to approve the Consent Agenda. Mr. Murray seconded the motion. The motion passed unanimously (4-0). (Mr. Clayborne and Mr. Missel were absent.)

Public Hearing

ZTA202300003 Residential Density Bonus Factors

Mr. Bill Fritz, Community Development Officer, explained that the zoning text amendment dealt with residential bonus factors in the zoning ordinance. He said that the ordinance had a provision

that allowed for density to be increased if certain community benefits were provided, such as affordable housing or preserving wooded areas. He said that the ordinance stated that the density achieved through the use of the residential density bonus could not exceed the density recommended in the comprehensive plan.

Mr. Fritz said that the Zoning Administrator had determined that a project came in seeking to utilize residential density bonus. He noted that the property was situated within an area designated for office, research and development, flex, and light industrial use. He said that the particular zone did not have any cap on residential density. He said that residential usage was considered secondary in the comprehensive plan area. He said that the Zoning Administrator had determined that the density bonus could not be applied as the comprehensive plan did not recommend a specific density, and an increase in density would exceed the limits set forth in the comprehensive plan.

Mr. Fritz said that the Board of Zoning Appeals had heard an appeal and decided that the density bonus could be used. He said staff believed that the appropriate thing to do would be to amend the ordinance to achieve the goals of the comprehensive plan. He said that they had to reformat the text. He said that a key aspect of the change was that it added a simple sentence: "if no density range or maximum density is shown in the comprehensive plan, no bonus factor may be applied." He said that it made it very clear that density was not to exceed what was recommended in the comprehensive plan. He recommended approval and had two possible options for the Commission to consider.

Mr. Moore said that he was aware of the fact that discussions on housing affordability were not very common, and it seemed to be the first time it had occurred.

Mr. Fritz said that it was the first time they were aware of anyone using bonus density before. He said that they knew they had denied projects who wanted to apply for it in the past. He said that they told them no, they could not apply for it, and they had not appealed the decision. He noted that one of the things they discussed was making all other staff working on the comprehensive plan aware of this text amendment. He said that the comprehensive plan could state density is capped at 15 units per acre unless affordable housing was provided. He said that once this ordinance was in place, and they would be able to use bonus factors.

Mr. Moore said that it was in reference to the current comprehensive plan.

Mr. Fritz said that was correct.

Mr. Moore said that the part where it would prevent the use of bonus provision for affordable housing did not appear to be a top priority at present. He said he understood that for the sake of clarity, this was necessary.

Mr. Fritz said that Mr. Moore was correct. He said that the staff report mentioned the property owner's option of applying for a rezoning to achieve an increase in density. He noted that what was not mentioned in the staff report was the fact that the property owner could use affordable housing as a justification to achieve that rezoning.

Mr. Bivins said that he would open the hearing to the public and proceeded to read out the rules for public comment.

Whit Graves, Evergreen Home Builders, said that he lived at 2385 Corals Road. He said he was the applicant for the property. He said that Robin and JT Maxwell were the owners, and he was partnering with them on the project. He noted how the ZTA would specifically impact their development plan. He said that under the by-right development, they could get only 21 units, but with bonus factors, they had bumped up to 28 units, including seven affordable units. He said that if they did not have those bonus factors, they would only have 21 market rate units. He said that the bonus factors were one of the few tools available to increase density in the County, and their project specifically needed these factors to provide more affordable housing units on the market.

Mr. Graves said that he hoped they could get some clarity on whether their particular project would be grandfathered in, because they had a preliminary site plan approval based on their BZA meeting, or if they would be back to 21 units and have to redesign their project. He mentioned that this disproportionately and unfairly impacted properties subject to the Places29 master plan and the southern and western neighborhoods master plan. He said these were the only two master plans that had land use designations that were not listed as residential as a recommended use and did not provide density ranges. He said the most recently updated master plans, the Crozet master plan and Pantops master plan, listed density ranges for land use designation. He said that those included office, R&D, flex, light industrial, and commercial mixed use that listed residential as a recommended use.

Mr. Graves said that properties within the Places29 plan and the southern western neighborhoods plans are unfairly impacted simply because their master plans have not been updated in more than eight years. He said that they were currently applying for a rezoning to take it from R6 to R15 to increase that density, which took a lot of time, adding a year to the project and making it harder to achieve. He requested that the ZTA be denied or deferred to allow additional time for property owners impacted by the ZTA to consider how it might affect their properties.

Mr. Bivins said that there were no more speakers and asked if staff would like to respond or add comments.

Mr. Fritz said that there were two main comments he had heard regarding the issue at hand. He said one was how the new ordinance affected this particular project, and if they had received initial site plan approval under the prior ordinance, they could proceed as long as they remained vested. He said the other issue he mentioned was how it might disproportionately affect Places29. He explained that based on the way the Board of Zoning Appeals made their decision, it was theoretically possible for this to apply across a much broader range of comprehensive plan designations. He said that this would mean that all properties conventionally zoned without proffers or planned developments in those designations could be affected by the new ordinance. He said that his opinion was that it would be inconsistent to have a density increase within those designations, and that such an action should be taken through a zoning action by the Board of Supervisors.

Ms. Firehock said that she was aware they were not making a zoning decision on the case and her intention was to understand which bonus density factors had been utilized.

Mr. Fritz said that he did not recall the reasons and added that he could look it up.

Ms. Firehock said that she understood the request to mean that the comprehensive plan was the governing document, and that any attempt to include additional density factors for areas not designated as such by the plan would be unacceptable.

Mr. Fritz said that the zoning text ordinance was viewed as a tool to implement the recommendations of the comprehensive plan. If the comprehensive plan did not recommend a density above and beyond, he believed that the bonus factor should not be administratively applied. He said that instead, they should be decided upon by the Board of Supervisors during a rezoning process.

Ms. Firehock asked how I would interpret what the applicant had said about the places where the density was not specified, where there was not a range and it just said "residential." She asked if that was an issue.

Mr. Fritz said that the rezoning of property to residential may or may not be considered as a factor in the rezoning. He said that if the Board of Supervisors intended to allow bonus density to achieve affordable housing, it could be written into the comprehensive plan. He said that the way the ordinance had been interpreted is that the number of units allowed through bonus density was based on the comprehensive plan. He explained that they were trying to align the zoning ordinance with the comprehensive plan. He recommended that in the updated comprehensive plan, it should be made clear whether or not bonus factors can be applied if there was an upper limit or if it can be applied for specific projects.

Ms. Firehock said that they were in the process of updating their comprehensive plan and would do the necessary due diligence to ensure clarity for everyone.

Mr. Fritz said that if the zoning ordinances required amending in order to align with an updated comprehensive plan, then that would be the appropriate moment to take action.

Mr. Moore said that the proposal was in an R6 zone with a proposal to rezone to R15. He noted that each of those comes with by-right residential uses with density allowances and bonus factors. He asked why office, light industrial, and the other designations needed the amendment.

Mr. Fritz said that the zoning text amendment was not about any particular project but rather a decision of the Board of Zoning Appeals. He said that he did not know the details of the project that led to the appeal, but he explained that it involved office, industrial, and other uses with residential as a secondary use. He said that the comprehensive plan recommendation included this language, which specified that residential is a secondary use in certain areas. He noted that there are also areas where residential is not specified as a primary or secondary use. He clarified that if someone were to apply for bonus density, they would need to meet specific qualifications and could only go up to the bonus density limit. He said that if the comprehensive plan simply listed residential without any range or qualification, this language would remove the requirement for an administrative bonus density.

Mr. Herrick said that the zoning text amendment was designed to address situations where the comprehensive plan did not specify a numerical density. He explained that the Places29 master plan currently specified residential as a secondary land use in the office, R&D, flex, and light industrial land use designation but did not give a number. He said that the zoning text amendment was necessary to provide guidance for those situations where the comprehensive plan did not provide a specific density requirement.

Mr. Moore said that when he was looking at the zoning map, there were zones indicating specific planned developments or other regions with varying R factors.

Mr. Fritz said that the current language and the proposed language would not apply to any property that is a planned development, neighborhood model, PRD, or any of those. He said that it would not apply to those or to any property that is subject to proffers that limited the amount of development. He said that it had always been applicable only to conventionally zoned residential districts.

Mr. Herrick said that one must take into account the interaction between the zoning district and the comprehensive plan. He explained that the zoning provided a foundation for calculating the density, but he emphasized the need to refer to the comprehensive plan to determine any caps on the applicable bonus density.

Mr. Bivins said that it was mentioned that if there was a desired change, there is a path for that to occur.

Mr. Fritz replied yes.

Mr. Bivins said that the purpose of the policy was to delineate the opportunity on a specific type of land, so as not to freeze out other potential opportunities.

Mr. Fritz said that it would limit the opportunity for an administrative bonus density to be given if it exceeded the density recommended in the comprehensive plan.

Mr. Bivins said that the decision was made in contrast to a legislative approach.

Mr. Fritz said that legislative was always available.

Mr. Bivins noted that there were options available.

Mr. Carrazana moved to recommend the approval of ZTA202300 with the conditions contained in Attachment 2. Ms. Firehock seconded the motion. The motion carried unanimously (4-0). (Mr. Clayborne and Mr. Missel were absent.)

SP202300004 Briery Creek Farm (Reventon Farm) – Water-Related Uses
SP202300005 Reventon Farm - Boarding Camp

Mr. Fritz said that they would be doing the presentation on two topics simultaneously. He said that the public hearings would also be held at the same time. He said that there are two special use permits. He said that the docks boating beaches on the lake required a special use permit because they are in the flood plain. He said the boarding camp required a special use permit. He said the application included a central water and sewer system. He said that the request, the central water and sewer system, was reviewed only by the Board of Supervisors, and it was not before the Planning Commission. He said that the applicant had applied for permits in Fluvanna County for a camp, a special event facility, and the central water and sewer system. He said he had been in contact with the Fluvanna planner to coordinate the review, the project details, and identify concerns and impacts. He said that the public hearing with the planning commission in Fluvanna would likely happen in October.

Mr. Fritz said that the map showed the portion of the property that was in Albemarle and Fluvanna. He noted that the map was oriented with west at the top, and north was to the right. He said that

the portion of the project in Fluvanna was shaded in red. He noted that the County was located to the left on the map. He said that there were two entrances and exits situated in Fluvanna, along with an emergency access. He said that Albemarle and Fluvanna had pastures. He noted that in the County, there was an arts and craft house, a fitness facility, beach, docks, pool facility, dining facility with a camp store, health and wellness facility, and meadow. He said that trails would be provided throughout the property, including on the south side of the lake.

Mr. Fritz said that the applicant had submitted extensive application information for both special use permits. He said that the plans and information submitted were reviewed by staff, who recommended approval of both applications. He said that the project would require site plan approval to address stormwater issues, mark the extent of WPO buffers, ensure access, health, safety, and fire safety issues are addressed. He noted that there were cabins located in Albemarle County.

Mr. Murray asked about the number of houses that could be constructed on a property developed by-right.

Mr. Fritz said that he believed the number was 54, although he thought it might be included in the staff report.

Ms. Firehock asked if the by-right density was only applicable in the County.

Mr. Fritz said that it was only on the County side. He said that the permitted by-right residential development of the property in the County was 38 lots.

Ms. Firehock said that she was having difficulty in determining how far the houses were actually set back from the lake and whether there was a buffer provided.

Mr. Fritz said that they would meet the 100-foot buffer as it was indicated in the application information and also a requirement of the ordinance.

Ms. Firehock asked if there was parking available for the docks as it seemed to be quite a large campsite. She asked about the extent of paving that would take place close to the docks.

Mr. Fritz said that on the plan, one could see there was some parking, but it was not within the buffer. He said that the only thing that would have been permitted within the buffer was going to be the docks, water-related activities, and the beach. He said that those included the racks and storage for canoes, kayaks, and other items. He said that those were the only things that would have been within the WPO buffer, and they were permitted.

Ms. Firehock said that since they were not at the site plan stage yet, it was unclear what the surfacing would be on the parking lots.

Mr. Fritz said that they did not have knowledge about the materials.

Ms. Firehock asked if they knew whether or not the roads would be paved with gravel.

Mr. Fritz said that the road would be paved and needed to be surface stable. He said that it had to be paved throughout in order to achieve fire access. He said that they might be able to use other materials, but they would work with the applicant, and it still had to be stabilized. He said

that for stormwater runoff purposes, it would be considered 100% impervious regardless of material.

Mr. Murray said that he had a question regarding reversibility. He asked if the site stopped being a camp, what would happen to the cabins. He asked if there was a plan in place for returning it back to its original state.

Mr. Fritz said that there was no plan in place for reclaiming the property as an agricultural operation and added that they had not done so on other camps either.

Mr. Carrazana said that he had noted the entrances, exits, and emergency exits on the Fluvanna side. He said that there was no access to the site from the County side.

Mr. Fritz said that the only place where the property fronts a public road in the County was along Rolling Road.

Mr. Carrazana said that it was not being utilized as a means of entry at present.

Mr. Fritz said no.

Mr. Bivins asked if they had any idea about the appearance of the cabins, the possibility of having various types of cabins, and the materials used for constructing them.

Mr. Fritz said that the information was in the packet. He mentioned that they were considering various options for bedroom numbers, kitchen styles, and layouts. He said that at the time, there were no building plans available. He said that the applicant would be better equipped to provide an answer.

Mr. Bivins noted that when they had fire and rescue operation in the area, there was no cell phone signal available.

Mr. Fritz said that Fire Rescue has been involved in this development. He noted that one of the key features that set this apart from other developments was its excellent water access, which allowed them to install dry hydrants and access to lakes for firefighting purposes. He said that the site plan was reviewed by public safety officials to ensure it met building code requirements and access requirements for emergency responders.

Mr. Bivins asked if there was a reason, they were suggesting 200 instead of the 250 mentioned in the document.

Mr. Fritz said that the total number of units was 250. He said that Fluvanna County had a condition of 50, while Albemarle was looking at a condition of 200. He said that for example, some conditions specified that facilities on site could only be used by individuals staying in cabins within those counties. He said that they were working to coordinate this issue because the boundary between the two counties was involved.

Mr. Moore said that he received an email regarding access to a certain area, and he wanted to inquire if there were any plans in place for improving the entrances which were located in Fluvanna. He noted that there was concern about Briery Creek Road and fording the creek, and he asked if the County or the developer had any plans for improvements.

Mr. Fritz said that there were no plans to make improvements to the crossing. He said that the applicant had informed him of how they intended to inform their customers about better routes available.

Mr. Bivins said that he would open the public hearing and allowed the applicant to present their case.

Mr. Bill Raffoul, Senior Vice President of Development for Sun Communities Inc., said that he was the applicant for the proposed project. He said that Steve Blaine, local counsel, and Greg Schmidt from Kimley Horn were present with him.

Mr. Raffoul explained that Sun Communities Inc. was founded in 1975 by the CEO's father, and they went public in 1993. He said that they owned and stewarded over 670 properties in the United States, Ontario, and the United Kingdom. He noted that despite their size, they uniquely operated much like a family company. He said that the CEO of the company was the son of the founder, and the CEO's son actually worked with them on the project.

Mr. Raffoul said that the project was unlike any other in their entire portfolio. He said that it represented the passion of their CEO for the outdoors and connecting people with nature. He said that the idea came from the CEO's childhood spent at summer camps. He explained that a few years ago, they acquired a community called El Capitan Canyon from a gentleman who they had known for decades through their company, and who had uniquely positioned a private property in Santa Barbara to create a special outdoor experience.

Mr. Raffoul said that they had been chosen by that man to steward his legacy. He said that they had selectively looked for other opportunities around the country to continue to extend that mission. He said that the particular property happened to be listed for sale, so it was brought to their attention. He noted that it was a beautiful 750-acre piece of property. He said it was exactly what allowed them to create exceptional places for people to connect with nature.

Mr. Raffoul said that they have taken great care to align the development of this piece of property with the vision for the rural area in Albemarle County. He said that the first place they started was the comprehensive plan. He said that the vision for the comprehensive plan was about rural preservation, development of agricultural resources, and scenic preservation. He said that it is about making sure the visitor experience for people visiting rural Albemarle County was reflective of that culture and heritage.

Mr. Raffoul said that everything they had done up until then was aimed at trying to acquire the property, reflect the comprehensive plan goals, and enhance it. He said the goal was to provide an opportunity for people to come and enjoy the property while preserving as much of its natural character as possible. He said that there were several elements proposed, including camping cottages. He said that they had reviewed the aesthetic study that discussed the architectural inspiration that would inform the development of outdoor recreation. He noted that the intention was to have a bona fide agricultural operation on the property, with cattle, haying, and a small vineyard already in place.

Mr. Raffoul said that their intention was to develop agricultural resources into a working farm where people could interact with on the property. In addition, he emphasized that rural preservation was key. He said that the experience for guests would be an opportunity to reconnect with nature and disconnect from urban life. He said that they expected customers to come from

Washington D.C. and other large metropolitan areas specifically seeking this type of experience. He said that their vision aligned as presented and the guest experience should continue to drive their incentives to maintain it.

Mr. Raffoul said that the map displayed the existing conditions of the property. He noted that a significant portion of it was located in Fluvanna County; however, the planning process did not prioritize either county. He explained that their primary focus was on maximizing view corridors and creating an optimal guest experience while maintaining an agricultural atmosphere. He said that to achieve this goal, they had engaged EDSA as their landscape architect and master planner, along with Kimberly Horn, who served as their civil engineer.

Mr. Raffoul said that their land planners had spent an extensive amount of time on the property finding all of its natural features, taking an inventory of its natural assets, and planning how to use those assets and preserve them to balance preservation and the guest experience. He said that the area would be preserved in its natural state as an agricultural operation. He noted that currently, it was hayfields. He said that they anticipated this being an equestrian center, where they would have a number of horses.

Mr. Raffoul noted that the scenic corridor along Rolling Road would look identical to what it looked like today, with the addition of horses. He said that as they thought through the process of the arrival experience, they were creating one-way traffic with a one-way entrance and a one-way exit. He said that they were trying to minimize the impacts to the road.

Mr. Raffoul said that all of the cabins had been located nearest to the interior of the property to minimize any visual impacts to the surrounding property. He said that the property was 744 acres, so it gave them ample space to spread out while still creating a visual barrier. He said they have held two community events. He said that the high-level concerns brought up from the community were noise from events, site security and screening, conservation, and traffic. He said that there was currently an event venue on the property. He said that it was a noise concern for the community currently. He said they would be moving this to the interior of the property and orienting any noise related direction into the interior of the property, eliminating that concern.

Mr. Raffoul said that they would address screening concerns closer to the road with site screening. He said that there was a neighboring property owner who was concerned about potential trespassing on his property. He said they had presented the idea of creating a fence line there, although it would have to be evaluated for any wildlife impacts. He said that it had been a condition presented on the project that they would have no trespassing signs. He said they would also have 24-hour onsite security. He noted that in terms of conservation, roughly 90% of the property would be preserved in open space and natural states. He said that there was very small, contained development envelopes, and even within those development envelopes, they would primarily be retained as landscaped areas in open space.

Mr. Raffoul said that the one-way traffic was meant to minimize concerns, and they would work with Google and other mapping agencies to ensure all traffic routing routes vehicles away from the fjord. He said that signage would be provided to make sure people were going in the right directions. He said that in terms of community benefits and preservation of rural character, 90% of the 750 acres would be preserved.

Mr. Raffoul said that they were providing needed accommodations in the rural area as there were very few lodging locations available. He said that in terms of job creation, an economic impact

study had been conducted, and the project would create hundreds of jobs and tens of millions of dollars of economic impact. He said that the key point he wanted to leave with them was that their values and vision were aligned for this property in terms of balancing economic development with preservation of the natural character.

Mr. Bivins noted that there was no one wishing to speak from the public.

Mr. Herrick said that it would be appropriate for any commissioners who had questions for the applicant to ask them at that moment.

Mr. Bivins said that he did not believe they had any urgent inquiries, but it was alright with him if they addressed them at that moment.

Mr. Herrick said that the commissioners could also hold their questions for the rebuttal time.

Ms. Firehock said that the report had noted the various dam crossings and mentioned the need to evaluate their safety. She asked if the potential failure zones had been mapped if the dam were to fail, so that cabins could not be located in those zones.

Mr. Raffoul said that there had been preliminary studies conducted on the matter. He mentioned that they had specific studies regarding the regulated dams that were currently taking place to ensure their safety and structural soundness for what was being proposed. He said that it would be necessary to have a dam failure safety plan in place, which he believed was specifically for the regulated dams.

Ms. Firehock said that she was concerned about the proposed lodging downstream of the failure zone. She said that they were changing the level of dam safety required by the state code by putting people below it. She said that she did not see the zone mapped and was worried about the potential consequences of placing housing in the wrong location. She said she wanted reassurance that the cabins were not situated in any area where a dam failure would cause flooding to nearby properties.

Mr. Raffoul said that Mr. Greg Schmidt would be able to answer that specific question.

Ms. Firehock said that she believed that the dams had been constructed some time ago.

Mr. Fritz responded that the dams were all built in the late 1960s and early 1970s based on aerial photos.

Mr. Greg Schmidt said that he worked for Kimley Horn as a civil engineer on dam safety projects. He said that there were two regulated dams in particular that they were analyzing. He said that A. Morton Thomas, who did a lot of the dam safety work for the County, were actively engaged with DCR to complete the dam break inundation zone study at that time. He said that it had not been finished yet, was still in progress, and included all inspections, safety plans, and emergency action plans associated with the DCR permitting process.

Ms. Firehock said that she assumed they would complete that before the site plan, and then would find that any of the inundation zones did not contain any living quarters.

Mr. Schmidt said that was correct. He said that it was misleading on the schematic drawings and

the location of the cottages was actually tens of feet above the water elevations in that area, which stayed outside of the 100-foot buffer. He said that they were analyzing the situation and would make any necessary adjustments but assured that it was already in progress.

Ms. Firehock asked if it was true that some of the roads went over them. She asked if they had been evaluated for their ability to support additional traffic, because in the past it might have only been a tractor going over them.

Mr. Schmidt said that they had located all the dam crossings where existing agricultural crossings were present. He said that a geotechnical engineer had been on site, and their report was due in a week or so. He said that preliminary information indicated that the crossings were sufficient to support fire trucks and emergency vehicles.

Mr. Carrazana said that it had been said that one of the neighbors was concerned about the security fence. He said that he wanted to know if that was the only house that bordered or was close to the property.

Mr. Raffoul said that it was the only one on that side of the road, all the others were across the street.

Mr. Fritz said that the property which they had shown had fencing on it, and it was located in Fluvanna. He said that it would need to be a condition for the Fluvanna special use permit because it was situated on that side. He said that it was one of the things they had been coordinating.

Mr. Raffoul said that virtually all of the neighbors were in Fluvanna County as well.

Mr. Carrazana asked if everyone was on the road in Fluvanna.

Mr. Bivins said that it was located on Route 620.

Ms. Firehock said that she had heard about commitment to the land, preservation, and wildlife, which excited her. She asked if there is any information on sustainability features being introduced such as cisterns for capturing roof runoff or permeable pavement for parking areas. She asked about low-impact development approaches to make it a truly green development.

Mr. Raffoul said that Sun Communities was an ESG-rated company, and as such, they had to make commitments that they were ultimately reducing their impact on the land. He said that when looking at their existing portfolio, there were very limited opportunities for them to do so. However, when it comes to a development like this, they view it as an opportunity to showcase those values. He said that he did not have specific details because they were not yet in that stage of the planning process, but he could provide one framework that they had been evaluating to help guide their planning principles, which was BREEAM community development.

Mr. Raffoul said that as a company, they were making a commitment to get to net zero by 2037. He said that water use and conservation, wildlife and habitat management, wetland preservation, forest management, and fire-wising in their other properties was very important to them. He said that this property was a way for them to showcase their resource management practices.

Ms. Firehock said that she was looking forward to seeing the details when they got to that stage. She said that they had talked about fencing around one of the landowners because they were

worried about trespass, but then Mr. Raffoul did mention wildlife. She said that as he probably knew, they could make smaller openings in the fence for things like small mammals to dart in and out, but not for the two-legged versions.

Mr. Raffoul said that they had to be considerate of that but was unsure if they had enough information about the wildlife traffic patterns on the property yet. He said that generally, what they did was work to create safe zones for wildlife so that there were areas where humans could have activities and areas where wildlife could have theirs, and they created a natural pathway for this to occur.

Ms. Firehock said that she imagined they would be meeting with various natural resource professionals who worked for their wonderful agencies. She said that people may want to play in the meadow, but even meadows needed management to keep them healthy, and if they were to be biodiverse, controlled burns were necessary as well as other various things to keep it healthy.

Mr. Raffoul said that he would not be able to provide specific details regarding the plan for the property as it was beyond his professional expertise. He reiterated their commitment toward creating a plan that aligns with their goal of educating the general public.

Mr. Murray asked if there was an evaluation of how many gallons of water would be used.

Mr. Schmidt said that their maximum daily demand was currently at 35 gallons per minute. He said that they were anticipating a requirement of 100 gallons per day per campsite, in accordance with the Virginia Department of Health code for campsites and camp units. He said that this would be split between two well sites, both of which had already been drilled and undergone drawdown tests conducted by a certified hydrogeologist. He said that these wells were capable of producing 60 gallons per minute in a maximum day scenario. He said that they would design the tankage volume storage as necessary to maintain levels and allow for recharge, taking into account peak hour demand requirements.

Mr. Murray asked about the average size of the cabins.

Mr. Raffoul said that the current plan was for a space ranging from 400 to 600 square feet. He said that to clarify, there would not be any kitchen facilities in the space. He said that there would be a sink and areas for food preparation but no traditional stove where people would cook like at home.

Mr. Murray said his concern about the potential for the campground to go belly up and asked what would happen to the cabins if that were to occur.

Mr. Raffoul said that they never hoped that a project they would engage in would be a failure. He said that their company's resources were unmatched by any owners of any campgrounds, so their ability to reposition their assets was similarly unmatched. He said that in the event that this were a failure, their incentives would be to repurpose this for some other use, so it would be in their best interest to repurpose this property in some way that it became economically viable and whatever was remaining in terms of economic productivity.

Mr. Murray said that the property was currently in land use, and they wished to keep it agricultural in nature. He said that their current land use regulations allowed for two acres for every home site pulled out of land use, however, he was unsure how this would work in a situation where there

were cabins instead of homes per se.

Mr. Fritz said that he could not provide an answer to the question as it pertained to finance.

Mr. Murray said that he was curious about how much of it could possibly be taken out of land usage.

Mr. Moore said that he was hoping to gain more insight into the number of jobs available for a site of that size. He said that he wanted to know about the company's experience in proposing, building, and managing similar operations, as well as how it fits into their assessment of the local tourism economy.

Mr. Raffoul said that they had an economic impact study prepared for the project. He said that the expectation was that assuming full build out, there would be up to 800 direct and indirect jobs from construction, roughly \$110 million dollars in economic output generally from the investment in development of the project. He said that in terms of recurring jobs, up to 163 direct and indirect jobs, and roughly 100 to 130 of those would actually be directly employed on the property. He said that many of those jobs would be service-related but also agricultural-related, and in addition to that they will have management, sales, marketing professionals that support the full-scale boarding camp operation that is seen here. He said that in terms of revenues, the expectation was that it would generate \$79 million dollars over 25 years in general fund revenues, so roughly \$2.6 million dollars a year upon stabilization assuming full build out based on this economic impact study. He said that it was based on the full project, so some of that benefit would go to Fluvanna.

Mr. Carrazana asked if the development was planned to be a one-phase or if it would be a phased project.

Mr. Raffoul said that the initial conversations they had with Ms. Donna Price when they were initially working through their plan to make sure that what they were proposing was not crazy, they got the indication that asking for the most that they would ever plan to do was appropriate. He said that they followed that principle and did not pull the number 250 units out of a hat. He said that the company's project in Santa Barbara had roughly 160 cabins and is entitled for an additional 100. He said that he believed that they would see the demand in this area similar to what they experienced there. He said that yes, they would probably phase this development. He said that they had not established exactly what those phase plans look like, but he thought they would be in a first phase of 100 to 250 and would phase out from there.

Mr. Carrazana asked if they had not thought through the phasing.

Mr. Raffoul said that there would be approximately 100 to 250 cabins at this point. He said that they would consider certain factors once they had a valid development budget. He said that they needed to look at where natural phase lines will be drawn, which was why he gave a range, but expected it to be more than 100, possibly 150 cabins in the first phase, assuming that they would then add some.

Mr. Carrazana asked if it was between both counties.

Mr. Raffoul said that was correct.

Ms. Firehock said that she knew it was like summer camp for adults in a way, and asked if the

facility would have small tour buses like vans that eight people could get into when they all wanted to go winery hopping. She also said that she understood there were plans for excursions but wondered if there would be a service to take people to wineries or encourage them to use it.

Mr. Raffoul said that they would almost certainly provide that service for guests, as they were not only interested in the area for this specific property.

Ms. Firehock said that if people were being put in vans and taken around, it would mean less traffic and fewer concerns about drunk driving while they visited the wine establishments.

Mr. Raffoul said that they would definitely be offering those kinds of excursions. He said that they had a research and development center where their office was located in Southfield, Michigan, and it served as the CEO's playground for all of his visions of things. He said that he had been collecting vintage vans and vintage vehicles that he ultimately wanted to repurpose for exactly this reason.

Ms. Firehock said that it sounded charming. She said that there was actually an antique car group that came through the County every year and they all went to Scottsville, the nearby town, for lunch. She said that all of the streets were filled with vintage cars. She suggested that the company's folks should come see that.

Mr. Raffoul said that that was great. He said that he had been flipping through the slides to offer some context on the architectural character to address the question that had been posed earlier.

Mr. Bivins said that with no further questions for the applicant, he would open the public hearing. He asked if there were any speakers present in person or online.

Ms. Schaffer said there were none.

Mr. Bivins said that the applicant would be given an opportunity to speak once more and present any additional information before the decision is made by the Planning Commission.

Mr. Raffoul said that he would like the Commission to have the opportunity to just review some of the architectural precedent imagery. He said that if anyone had any comments to provide on any of this, just for them to take notes on, and they could address any of those questions.

Mr. Bivins said that he wanted to clarify that would not be providing RV pads at the specified location, as they were one of the industry leaders in RV sites and mobile home sites.

Mr. Raffoul said that was correct.

Mr. Bivins said that it was understood there would not be any manufactured homes at this location, similar to their other beautiful places such as those in Virginia. He said that it would be like the one in Santa Barbara.

Mr. Raffoul said that there would be no manufactured homes on the site.

Mr. Bivins said that there would be no manufactured homes and no RV pads. He said that when people were talking about camping, he got shivers because as a Boy Scout, winter camping was the one thing that kept him from being an Eagle Scout. He said that there would be no campsites

out there.

Mr. Raffoul said that not exactly, no. He said that some people referred to this as glamping.

Mr. Bivins said that he appreciated it. He said that he recalled being on Jockey Hollow Trail with six inches of snow, which was what kept him from going.

Mr. Carrazana said that he had a follow-up to his previous question regarding phasing. He said that some of the reasons behind the initial recommendation of 250 were linked to other projects. He said that he wanted to know if the maximum capacity for the site would also be 250.

Mr. Raffoul said that part of it was due to the wish to be able to take care of each visitor's experience. He said that there were just a limited number of locations that could be provided before their ability to focus on individuals and to not congest the premises began to decrease.

Mr. Murray said that he had a comment on sustainability. He said that the County had a biodiversity action plan which included recommendations about prevention of invasive species, encouraging the use of native plants, and other things like that. He suggested that the applicant be aware of this plan and encouraged them to read it.

Mr. Raffoul said that he had not read it but was aware of its existence. He said that they were not strangers to accommodating the needs outlined in biodiversity plans, and as an example, they had a project which was an RV resort developed in coastal San Diego, located in the Chula Vista Master Plan Bayfront. It was situated adjacent to a national wildlife refuge. He said that they were required to create two 300-foot buffers around that property and had a 500-page set of conditions of approval that were necessary for them to ensure that they were complying with the biodiversity requirements of their master plan and the California Coastal Commission. He said that they had been able to work within those constraints and even encouraged the information presented in them to help with their planning.

Mr. Murray said that as a rural area, they had significant issues with individuals who had planted burning bush or Nandina and other commonly landscape shrubs that were not native, which were actually taking over their countryside and presenting a big management problem. He encouraged the applicant to do whatever they could to commit to native plants as they designed the landscape.

Mr. Raffoul said that the suggestion was excellent, and their landscape architect, EDSA, had extensive experience in implementing biodiversity plans. He said that they would ensure that the landscape design was suitable for the site.

Mr. Murray said that a good example of using native plants in a resort setting could be found at Devil's Backbone in Nelson County. He said that the place had an amazing landscape, and it was almost completely made up of native plants which had done a great job of showcasing their potential.

Mr. Bivins said that Route 151 in Nelson County had seen growth in its number of breweries, distilleries, and wineries, and was recommended as a good area to visit for gaining an idea of what was happening near the southwestern part of Albemarle County.

Mr. Bivins said that there were no more questions, and he was closing the public hearing.

Ms. Firehock said she was supportive of the project and that she would elucidate some of the reasons why. She said that she believed that there should be accommodation in the rural area that allowed people to appreciate it without having to send them all the way back to Charlottesville. She said that she thought that the buffers around the property made this particular site not a detriment to its neighbors. She said that she did not believe that it would generate a tremendous amount of traffic. She said that she had voted no against other campsites and discouraged applicants from certain sites in the County for campsites, as they were located on extremely narrow roads that were not wide enough for one car to get by, let alone a bus. She said that those sites also would have impaired the quietude and quiet enjoyment of the countryside by the neighbors.

Ms. Firehock said that there was another site that they had which was a campsite that was going to have very intensive use on a much smaller parcel. She said that however, she believed that this site was different because it was large enough to accommodate the level of camp development that one envisioned. She said that it sounded like the applicant was trying to take advantage of the site as it was, rather than sort of turning it into a Disney resort or something, so it was much more respectful of the landscape. She said that she laughed when the applicant talked about people from Washington, D.C. coming to farm because her three brothers all embarrassed her when they come to her country house because they moo at the cows and do all the embarrassing things with the farms next door, however they do not know how to tip the cows. She said that would be the people coming to the applicant's farm, and she did believe that they needed a place to go.

Mr. Murray said that when he first looked at this, he had some concerns. He said that generally, when he heard about 250 cabins, even cabins being built in state parks now were often bigger than his house, so he was pleased to hear that these would be 400 to 600 square feet. He said that he would have a very different opinion if these were the size of his house or bigger than his house. He said that he appreciated that they were not going to have full kitchens in them, so they were not basically putting 250 houses there when the by-right density of that property is not that. He said that he did have some concerns about water usage; even though they were not putting 250 full houses there, they were putting the water usage of 250 houses there. He said that he was not sure how they addressed that, but it is a concern for him.

Ms. Firehock said that the question was whether they would have all the linens from all of their bedding and if they were going to use an outside laundry service or put the demand for that on the site.

Mr. Bivins said that they assumed it would not happen all at once in one day.

Mr. Murray said that every time he heard someone say that they were going to add an intensive use but keep it agricultural, he did not see it as a good thing. He said that it meant that the County was still losing a lot of money for properties under land use valuations and had a significant tax break for those properties. He said that if one was sort of dipping from both sides, with an intensive use said but also keeping that tax break, he found it concerning. He said that he would like to know how much was being pulled out of land use and how they dealt with the regulations, which were built more around homes on agricultural sites than cabins on agricultural sites. He said that he wondered how it played out on a site like this.

Mr. Moore said that the project appeared to be a more upscale state park with a higher cost. He said that it was an intriguing discussion about tax breaks for agricultural purposes but should be

addressed at another time.

Mr. Carrazana said that he was concerned about the density when he first went through this, but after hearing the presentation, he appreciated all the answering of their questions. He said that thinking more about this, he realized that the County was becoming homogenized with wineries and breweries, so the diversity of use that this brought to the farm and rural areas in terms of ecotourism was an important use that could certainly be brought to this County. He said that it was a different use that they did not have a lot of, and the educational piece was really important so people can see the value of farms. He said that the more he learned about it, the more he liked this project.

Ms. Firehock said that she had not heard whether the applicant planned to include any interpretive signage about the native meadow and its management, as well as the important species found there. She said that she hoped that there would be some of that, along with guided nature walks.

Mr. Bivins said that the tipping point for him was the fact that this was a very serious and well-funded corporation. He said that they had all seen great ideas that perhaps did not have the cash flow behind them. He said that the company's website was slow to respond on certain issues, so he might suggest that in the future, before this goes before the Supervisors, perhaps some tuning of the website may be beneficial, so they did not become annoyed as they were trying to determine the validity of the information that was being presented to them. He said that he thought this project was ambitious, but he actually might see this come to fruition. He said that in this area, he looked at a large solar farm off of Secretary Road. He said that there were other things going on in Blenheim in the County. He said that there was a wonderful opportunity in that part of the County to see different kinds of industry that actually can have linkages to some of the people who live in this part of their community.

Mr. Bivins said that from his perspective, he saw opportunities for some people to have employment and invite their friends and neighbors to do something within an easily navigable distance to their homes. He said that he was very excited to see that after he got around the nonresponsive website. He said that he supported the project and had faith in its ability to complete interesting pieces of work. He said that if they looked at the project in Santa Barbara, it was done nicely, and those who understood what it was like to deal with Southern California and the waterways there have a full appreciation of what it takes to bring a project to completion in that part of the country due to its strict regulations.

Ms. Firehock moved that the Planning Commission to recommend approval of SP20230005 Briery Creek Farm Reventon Farm Boarding Camp with the conditions contained in Attachment 7. Mr. Moore seconded the motion, which passed unanimously (5-0). Mr. Missel and Mr. Clayborne were absent from the vote.

Mr. Herrick said that there were two distinct applications, which meant there would have to be a different motion on the special use permit for water-related purposes.

Ms. Firehock moved the Planning Commission to recommend approval of SP20230004 Briery Creek Farmer Reventon Farm water-related uses with the conditions contained in Attachment 6. Mr. Carrazana seconded the motion, which passed unanimously (5-0). Mr. Missel and Mr. Clayborne were absent from the vote.

Mr. Bivins suggested to the applicant to sit with Mr. Fritz and ensure that they had a full

appreciation of what was heard during the evening's proceedings. He said that the Supervisors would receive a transcript of their conversation, so in case they had any additional questions, he advised spending time working with Mr. Fritz to make sure everyone was on the same page.

Mr. Fritz said that he would be sharing the information with Fluvanna as well.

Review of Board of Supervisors Meeting: September 6, 2023

Mr. McDermott said that he had a quick review of the September 6 Board of Supervisors meeting. He said that staff provided an AC44 work session, which was similar to what the Planning Commission had at the beginning of August. He said that the Board of Supervisors essentially went along with all of the Commission's recommendations. He said that they provided some good feedback but agreed with the Planning Commission's recommendations on all those points. He said that staff were still going through all that information to ensure they captured everything that the Board had to say.

Mr. McDermott said that another item on the agenda was a public hearing for the Maple Grove Church ZMA, which was located off Proffitt Road. He said that the Board supported this rezoning as did the Planning Commission. He said that additionally, there was a public hearing for a through truck restriction on Plank Road, which had been worked on with the community for some time. He said that the Board adopted a resolution requesting a through truck restriction on Plank Road be sent to the Commonwealth Transportation Board.

Ms. Firehock said that the Commonwealth Transportation Board had to agree with their request, and they were simply asking for it.

Mr. McDermott said that that was correct; they had requested something, and the state had to agree and grant it. He said that they would be working with the Department of Transportation on that effort.

Mr. Murray said that he had reviewed the materials presented to the Board of Supervisors by the staff and found them to be very well-done. He said that he appreciated the inclusion of the Commission's comments and the revised language. He commended the staff for their excellent work.

Mr. Bivins asked if it was the section of Plank Road where the fire department, lumber mill, and distillery were located.

Mr. McDermott said that it was Plank Road going from 29 North Garden to the west, through Batesville over to 250.

Committee Reports

Ms. Firehock said that the Historic Preservation Committee did not have a quorum during their meeting last week.

Mr. Bivins said that The Places 29 Hydraulic CAC met last night and had two very good presentations, one of which would come to them at some point. He said that Sandy Shackelford from TJPDC MPO gave a presentation on transportation long-range planning, and they had a great conversation about it. He said that they also discussed High School Center 2, which is going

to be located on the Lambs Lane campus, and that this was a good conversation because the public did not know there were centers. He said that they had an opportunity to talk about some of the proposed traffic plans for the Lambs Lane campus. He said that there would be a rezoning that would come before them regarding locating Center 2 on the Lambs Lane Campus.

AC44 Update

Mr. McDermott said that on October 10, they would be holding the next work session with the Commission on the goals and objectives for natural and historic resources and parks and recreation. He said that they were working on the public outreach at that time. He said that they had a series of office hours scheduled where they would be in the building in front of the lobby during other events that were going on at Lane. He said that there was also online engagement opportunities and questionnaires. He said that they were doing pop-ups, and one was coming up at the Loop de Ville celebration, which was the local celebration for the RTF trail. He said that it would be held on National Public Lands Day on September 24. He said that they were going to be at the Woolen Mills Wool Factory giving information to and taking feedback from the public.

Ms. Firehock said that some comments had been made regarding the comprehensive plan and the absence of a toolkit for natural resources in rural areas. She said that there were toolkits available for various purposes, and she was curious about the County's opinion on whether they needed more information about natural resources in the form of a toolkit.

Mr. McDermott said that he believed there was an email that had come from the Commission which he had responded to. He said that the toolkits were not just about new development but rather intended to be about how they were protecting the environment. He said that while they called them land use toolkits, the land use may have been related to the protection of certain resources, not just development of land. He said that the guidance they had received from the Commission and the Board allowed them to know what types of things they were interested in guiding. He said that they were setting up how that guidance was going to work, and that guidance would include protection of resources.

Ms. Firehock said that she still wanted to have a robust conversation about it. She said that they had previously discussed the concept of the rural area, which was a massive entity. She said that there were distinct characteristics and various activities occurring in different regions within the rural area.

Mr. McDermott said that they would be delving into the specified topic during the subsequent stage of their project.

Mr. Murray said at the Board of Supervisors meeting where they discussed the toolkits, Supervisor Andrews talked about the current comprehensive plan and how it is structured in order of importance. He said that he noted how the natural resources is one of the top sections because it was considered to be the most important. He said that the same thing was true with the rural areas. He said that it was structured very close to the front because it was considered primary importance. He said that his concern about the toolkits was that they relegate natural resource protection to be secondary in relation to some other use. He said that if they came up with very different solutions and came up with very different ideas when thinking what the impact of natural resources from housing is or from this or that. He asked how can they could start from the perspective of natural resources on how to protect them. He asked how they could start from the perspective of

the rural areas and talk about protecting the rural area as opposed to framing it in the context of other uses.

Mr. McDermott said that they would have a broader discussion about that at the next work session.

Mr. Moore said that at the Rio CAC, there was a presentation and conversation around long-range transportation planning. He said that a developer requested to rezone four parcels between Berkmar and Woodburn adjacent to the back entrance to Agnerhurt, which was about 7 acres to build more than 200 residential units, so it was an apartment complex. He said that the property was deemed a good candidate for redevelopment and the CAC approved of the redevelopment.

Mr. Bivins said that they were looking for opportunities to get different kinds of voices, particularly around the park and recreation pieces. He said that when discussing outreach efforts, it was football season and he suggested using the van to attend various sporting events as a way to engage with young people. Mr. Bivins shared that some 5th graders were interested in civic involvement and recommended providing them with an opportunity to share their thoughts on what parks and recreation meant to them. He said that they already had a group of people who purchased season passes and suggested leveraging this audience as a way to promote the various parks around the area.

Mr. Fritz said that he believed there were season passes available for the swim beaches.

Mr. Bivins said that it would be a natural group of individuals to obtain feedback from. He said that they had data which he might have easy access to, and they possessed locations where marching bands were performing and people doing all those kinds of things. He said that there were opportunities to bring a diverse or an eclectic group of people into this part of the conversation.

Old Business/New Business

There was none.

Adjournment

At 7:37 p.m., the Commission adjourned to September 26, 2022, Albemarle County Planning Commission meeting, 4:00 p.m.



Kevin McDermott, Acting Director of Planning

(Recorded by Carolyn S. Shaffer, Clerk to Planning Commission & Planning Boards; transcribed by Golden Transcription Services)

Approved by Planning Commission
Date: 10/10/2023
Initials: CSS