Albemarle County Planning Commission
January 28, 2003

The Albemarle County Planning Commission held a meeting and a public hearing on Tuesday, January 28, 2003 at 6:00 p.m. at the County Office Building, 401 McIntire Road, Charlottesville, Virginia. Members attending were William Finley; Tracey Hopper, Acting-Chairman; Rodney Thomas; Pete Craddock; and Bill Edgerton. Absent from the meeting were William Rieley, Chairman and Jared Loewenstein.

Other officials present were Wayne Cilimberg, Director of Planning & Community Development; David Benish, Chief of Planning & Community Development; Greg Kamptner, Assistant County Attorney; Scott Clark, Senior Planner and Juandiego Wade, Transportation Planner.

Items Requesting Deferral

SP-02-023 White Gables (Sign #56, 57) - Request for approval of a special use permit to allow development of 74 condominium dwelling units in accordance with Section 23.2.2.9 of the Zoning Ordinance which allows for R-15, Residential in a CO, Commercial Office district. The property, described as Tax Map 60, Parcels 26 and 26A, contains 7.097 acres, and is located in the Samuel Miller Magisterial District on the north side of Rt. 250W (Ivy Road), approximately ¼ mile west of the intersection of Ivy Road and the 29/250 By-pass. The property is zoned CO, Commercial Office, and EC, Entrance Corridor. The Comprehensive Plan designates this property as Office Service in Neighborhood Seven. (Susan Thomas) ***APPLICANT REQUESTS DEFERRAL TO FEBRUARY 11, 2003.***

Ms. Hopper opened the public hearing and asked if anyone would like to speak on this application. There being none, she closed the public hearing to bring the matter before the Commission for discussion and action

Mr. Thomas moved to accept the applicant's request for deferral of SP-02-023, White Gables, to February 11, 2003.

Mr. Edgerton seconded the motion.

The motion carried unanimously (5:0). (Loewenstein, Rieley - Absent)

ZMA-02-01 Fontaine Avenue Condominiums (Sign #77, 81)- Request to rezone 12.606 acres from Highway Commercial (HC) to Residential (R-15) to allow 112 dwelling units. The property, described as Tax Map 76, Parcels 12A and 12G, is located in the Samuel Miller Magisterial District on the north side of Rt. 702 (Fontaine Avenue) approximately .25 miles west of the intersection of Fontaine Avenue and Route 29. The Comprehensive Plan designates this property as Neighborhood Service, in Neighborhood 6. (Michael Barnes) ***DEFERRED FROM THE NOVEMBER 19, 2002 PLANNING COMMISSION MEETING. APPLICANT REQUESTS DEFERRAL TO FEBRUARY 11, 2003.***

Ms. Hopper opened the public hearing and asked if anyone would like to speak on this application. There being none, the public hearing was closed and the matter brought before the Commission for discussion and action.

Mr. Finley moved to accept the applicant's request for deferral to February 11, 2003.

Mr. Craddock seconded the motion.

The motion carried unanimously (5:0). (Loewenstein, Rieley - absent)

Public Hearing Item:

SP-02-016 Old Trail Golf Club (formerly Bucks Elbow Golf Club) Amendment (Sign #44, 76, 93) – Request for special use permit to allow a public golf course with clubhouse in accordance with Sections 10.2.2.4, 13.2.2.4, and 16.2.2.4 of the Zoning Ordinance which allow for "swim, golf, tennis, or similar athletic facilities." The property, described as Tax Map 55, Parcels 83 and 71 and Tax Map 56, Parcel 14 contains 453.015 acres, and is located in the White Hall Magisterial District on Rt. 250 (Rockfish Gap Tpke) approximately 0.5 miles east of the intersection of Rt. 250 and I-64. The property is zoned RA, Rural Areas, R-1 Residential, and EC Entrance Corridor. The Comprehensive Plan designates this property as Neighborhood Density in the Crozet Community and Rural Area. (Scott Clark)

Scott Clark presented the staff report. (See the attached copy of the staff report.) The applicant is proposing a public 18-hole golf course, driving range, pro shop and a food service area on 270 acres of land located largely in the Rural Areas, but on the edge of the Crozet development area. It is a former cattle farm that is largely open pasture with some scattered wooded patches on it. Slap Town Branch and a tributary of Licking Hole Creek both run through the area that is being proposed in the course. The design of the course follows the existing terrain with very minimum modifications to the land. The stream buffers on the site which are largely in pasture grasses right now will be regraded and replanted in order to improve that. The environmental impacts of the course such as water impacts and fertilizers will be dealt with in the Environmental Resources Management Plan that would have to be approved by the Engineering Department. The clubhouse and the restroom and maintenance facility would have to be located in the Service Authority Jurisdictional area. There is also an existing historic house on the site in the mountain view. They were recommending that to be continued as a residential use. Irrigation water for the course itself would come only from surface water and from existing farm ponds on the site. Those ponds need some repairs and the Engineering Department has some standards for that. Water for the clubhouse and the other buildings would come from the Service Authority. Therefore, those areas would need to be located within the jurisdictional area. There were several issues of concern. There is one stream buffer that would be impacted that would require Engineering Department approval. Another concern that has come up recently is that some of the neighboring properties in the Rural Areas feel that some play areas of the course are too close to their property lines. They would like to see some type of tree buffer or something along their property line to make sure that golf balls don't fly over the lot line into their area. There are currently two stream crossing special use permits that would be required for the access road for the course. Those are still under review; however, staff feels that the locations that are shown on the conceptual plan are the best places to put the stream crossings. We just need to review the details on how they will be built. One remaining issue that has to be dealt with is how this use conforms to the Crozet Masterplan that is currently in process. This use is included in the framework plan and one of the major issues it raises is the access. Staff feels that the access road needs to be placed in such a way that it conform with the masterplan that has not yet been adopted but will be. One of the major issues it raises is the access. Staff recommends approval with the proposed 17 conditions listed at the end of the staff report.

Ms. Hopper asked if anybody on the Commission has any questions for Mr. Clark. She stated that it was her understanding that the applicant has agreed to cooperate with the location of the access road so that it conforms to the masterplan.

Mr. Clark stated yes that they have discussed that.

Ms. Hopper stated regarding the stream crossing special use permits, she asked if the approval was contingent upon the special use permit approvals

Mr. Benish stated that the special use permits for the stream crossings will have their own review that they will have to go through. Staff feels since the road is a second area issue right now that they can proceed.

Gaylon Beights, manager of the Old Trail Golf Club and March Mountain Properties, noted that Old Trail is a locally owned, funded and managed project of March Mountain Properties, LLC. Principles include Gaylon Beights, Jerry Kamis, Suzanne Staton and Jay Jessup. He stated that they agreed with all seventeen conditions recommended by staff. He noted that they have been working hand in hand with the masterplan of Crozet and understand the road and its impact. They were willing to have that included as a condition of approval. He pointed out that there would be 137 acres of wildlife habitat and 54 acres of irrigation. They will apply for the Audubon International's "Signature Sanctuary Program." It is designed to promote wildlife, restore native grasses, enhance the rural landscape, reduce the irrigation, reduce mowed areas and reduce the need and use of chemicals. They will take a minimum approach from grading, fees and greens and even to the clubhouse. They want to be affordable and project green fees of $34. He pointed out that he represented the dream of many persons. He thanked staff for their assistance. He thanked all the neighbors and members of the community for their support. He asked for favorable consideration.

Ms. Hopper asked if there were any questions from the Commissioners.

Mr. Finley asked how many acres of the golf course would be in the growth area.

Mr. Beights stated that since there were 37 acres of woodland, that he would estimate 45 acres in the growth area.

Mr. Finley asked if the service area extended to the growth area border.

Mr. Benish stated that it did.

Mr. Beights stated that one of the requirements is to put the clubhouse in the jurisdictional area that automatically puts the clubhouse in the growth area. The driving range needs to be adjacent to the clubhouse that automatically puts that in the growth area. The third area is the magnificent woodlands that they elected to protect the two gold holes. In the report it mentioned that they previously had 5 and they find this a better use for these woodlands.

Mr. Finley stated that the water and sewer would be provided and your irrigation water would come from the ponds and not from the public lines.

Mr. Beights agreed.

Mr. Edgerton stated that the report says that you are going to preserve the McNeely's home as a home.

Mr. Beights noted that they were going to move the house. He pointed out that the adjoining neighbor was concerned with the potential impact on their farm and hoped that there might be a chance that a buffer could be put in. He asked if that was something that they would be agreeable to.

Mr. Beights stated that he met with her Sunday night and hoped that it could be resolved tonight.

Ms. Hopper asked if there were any other questions by the Commission. There being none, she asked that the persons on the list to speak to please come up. Then if there were anybody else who wants to speak regarding this application, the Commission would welcome their comments. She pointed out that each person would have three minutes to speak. She asked that Paul Grady come forward.

Paul Grady, resident of Crozet, stated that it was his belief that as a result of having to go through this master planning process and having to absorb another 10,000 residents in the next 20 years,

that the people who already live in Crozet and the surrounding area ought to get something for their trouble. To date, neither the consultants nor the developers nor the County have shown that the residents of Yancey Mills are going to get anything except more, and more, and more traffic. Therefore, he proposed tonight the "Yancey Mills Bypass" which would re-route Half Mile Branch around Yancey Mills beginning at the entrance to Tanglewood Farm, skirt the southwestern edge of the golf course, cross Hillsboro Lane and intersect with Rt. 250 just east of the four lane section. It would require the relocation of one hole of the golf course slightly to the east. He noted that he was not asking the applicants to build this road, but just reserve the necessary right-of-way since improvements to Half Mile Branch are already on the County's long range transportation plan. But, if the applicant wishes to be generous and achieve some good PR with the community, then they might want to consider donating the right-of-way to the County. (See attached statement.)

Karen Maupin, neighbor to the proposed site and resident of Yancey Mills, supported the golf course. She stated that the golf course would alleviate more traffic since she felt that the golf course would be less dense than a housing development.

Thomas Goeke, resident of Crozet and Yancey Mills, stated that he had already written a letter to the members of the Planning Commission. He stated that he lived on Hillsboro Lane and his house was completely surrounded by the subject property. He pointed out that he had a family of 6 who were excited about the prospects of Old Trail. He supported Old Trails, which would provide public recreation. From their viewpoint, this seems to be very consistent with the County's initiative and desire to preserve the beauty and resources of the County. This project will benefit the residents of the County without being at the cost of the residents or the County. As this area of the County is developed, these amenities and mixed-use phases will be greatly appreciated and needed to maintain the character and beauty that already exists.

Tom Loach, President of Crozet, stated that he was not against or for it. He pointed out that several of the structures would be in the development area and he would like to see the golf course and the development area discussed as a total packet. He felt that the total packet would affect the whole community and should be looked at together, which had been requested in a letter from the Crozet Steering Committee. He noted that this was a planning issue.

Becky Gold, an adjacent property owner, stated that their property abuts the golf course on two sides. She noted that their concern was that they have a farming operation and have animals that will be in the direct path of golf balls unless the course was set up in such a way to provide a buffer to protect the animals. She noted that they have a considerable investment to protect. She pointed out that they felt assured after talking with Mr. Bates that they will provide protection for our pastures from visiting golfers and golf balls. She trusted that this proposed buffer would be carried through in the approval of the site plan.

Ms. Hopper asked if there was anyone else from the public that would like to speak to this application.

Betty Bollendorf, resident of Yancey Mills, stated that there a sign numbered 44 located on Route 797 for this evening's hearing. She asked if that property was an extra piece of land that was being added to the course.

Mr. Beights stated that they actually have an access point there.

Mr. Benish stated that the public notice signs are placed anyplace there is frontage on a road.

Ms. Bollendorf stated that she did not get notified.

Mr. Benish stated that staff would check the notification to see if she was properly notified.

Ms. Hopper noted that since no one else wanted to speak, she invited the applicant to come up for 5 minutes of rebuttal.

Jerry Kamis, applicant, stated that sign was placed on the property because it was a piece of Tanglewood Farm and had an access to a public road.

Mr. Beights stated that it would be difficult to build if you took 2 golf holes out since it was quite narrow. He pointed out that he met with Paul Grady and discussed his concerns. Although he respected his opinion, he pointed out that a by-pass would not work with their golf course at all. He stated that part of the plan was not to bring a free way through the golf course.

Mr. Thomas asked if the property was sloped.

Jerry Kamis stated that the location directly to the west of the pond has critical slopes through the woods.

Mr. Thomas asked if the golf hole was moved for the road if they would have to cross another stream.

Mr. Kamis noted that the road would have to cross two streams and two critical slopes.

Ms. Hopper asked if there were any further comments. There being none, she closed the public hearing to bring the matter before the Commission for action.

Mr. Finley moved for approval of SP-02-016, Old Trail Golf Club Amendment, with the conditions recommended by staff as follows:

1. The facility shall be in general accord with the plan titled "Old Trails Golf Club", prepared by Roudabush, Gale & Associates, Inc., dated October 21, 2002, and revised December 16, 2002, subject to these conditions.
2. The applicant shall construct a road to serve the golf course, built to public road standards and running from Route 250 to the property line at the northern edge of Tax Map 56 Parcel 14. The road shall follow an alignment consistent with the Crozet Master Plan once adopted.
3. Private club memberships shall not be required for access to or play on the course.
4. There shall be no outdoor lighting of the course or of the practice area/driving range.
5. No new residential development shall be permitted within the "Limits of Golf Course indicated on the plan titled "Old Trails Golf Club", prepared by Roudabush, Gale & Associates, Inc., and dated October 21, 2002, and revised December 16, 2002.
6. The existing house known as Mountain View shall not be demolished.
7 The club house, restroom building, and maintenance facility shall be located within the Albemarle County Service Authority jurisdictional area.
8. No portion of any structure, excluding signs, shall be located closer than 50 feet to any residential or rural district. No parking area or loading space shall be located closer than 20 feet to any residential or rural district.
9. All landscaping around the clubhouse, restroom building, maintenance facility, parking area and other facilities shall include only native plants identified in the brochure "Native Plants for Conservation, Restoration, and Landscaping: Piedmont Plateau," published by the Virginia Department of Conservation & Recreation.
10. Vegetated areas of the facility outside the tees, greens, fairways, roughs, cart paths, and access road shall remain in their current states (if wooded) or be revegetated and maintained in native plant species. These species shall be selected from the brochure "Native Plants for Conservation, Restoration, and Landscaping: Piedmont Plateau" and/or "Native Plants for Conservation, Restoration, and Landscaping: Riparian Forest Buffers," published by the Virginia Department of Conservation & Recreation. Species identified in the "Riparian Forest Buffers" brochure as being native only to the Coastal Plain region shall not be used. Management of these areas shall maintain them in native plant species. Non-native plant species shall be diligently removed from these areas. The applicant shall submit a letter from

the Thomas Jefferson Soil & Water Conservation District stating that these plantings required in have been established to the District's satisfaction.

11. The applicant, upon the request of the County, shall provide verification to the satisfaction of the Director of Planning and Community Development that the site is in compliance with the specifications contained in Conditions 9 and 10 regarding the landscaping plan.
12. Stream buffers in pasture at the date of this approval shall be revegetated in accordance with the schematic titled "Minimum Standard for Hole Crossings in Existing Pasture Areas", dated January 15, 2003, and prepared by Jerry Kamis. The design of the stream crossing on hole 12 shall be deemed to be in general accord with the plan titled "Old Trails Golf Club", prepared by Roudabush, Gale & Associates, Inc., dated October 21, 2002 and revised December 16, 2002, and shall use a minimal sight line subject to a mitigation plan to be approved by the Department of Engineering and Public Works.
13. Irrigation water for the golf course shall come only from surface water impounded on existing ponds on the site.
14. The dams and outlet structures on the two pond on the site shall be repaired and upgraded to the satisfaction of the Department of Engineering and Public Works.
15. The course shall secure Department of Engineering and Public Works approval of a natural resources management plan. This plan shall address wildlife conservation and habitat enhancement, waste reduction and management (including hazardous material storage and spill containment), energy efficiency, water conservation (including water-use reporting and efforts to protect streamflow in Slabtown Branch), water quality management (including runoff management for the clubhouse area, monitoring, and reporting), and integrated pest management. The applicant, upon the request of the County, shall provide verification to the satisfaction of the Director of Engineering and Public Works that the site is in compliance with the specifications contained in the plan.
16. Grading shall be carried out in general accord with the conceptual grading plan titled "Preliminary Grading Plan," prepared by Gene Bates Golf Design, and dated January 9, 2003.
17. Cart-path stream crossings shall be built in general accord with the drawings titled "Wooden Cartway Crossing Plan" and "Wooden Cartway Crossing Elevation."

Mr. Thomas seconded the motion with an amendment to add a condition that a tree buffer shall be provided to protect the Farley farm property.

Mr. Finley accepted the amendment to the motion.

Mr. Thomas seconded the motion.

Mr. Kemis pointed out that they could design the hole next to the Farley Farm so that it would not negatively affect the adjacent farm.

Mr. Benish suggested that the Commission indicate their desire that should take place. He felt that they could handle this in the site plan process. He stated that they did not want to make the condition so restrictive that it does not allow the use of the appropriate buffers when they get to that.

Ms. Hopper asked if by the time the Board of Supervisors hears this if staff could have that condition worked out.

Mr. Benish stated that staff would take care of that.

Ms. Hopper asked if the Commission was comfortable with leaving that off.

Mr. Thomas stated that he was.

Ms. Hopper asked to respond to what Mr. Loach said. She certainly agreed with the plan of having all of these different pieces interlocked. She felt that was micro planning and that was what they were aiming for with the Crozet Masterplan. That being said, they have one application in front of them tonight and are in the position that they need to act on this. She felt that concern did not call for denial or even asking for deferral at this time, especially since the applicant has agreed to bind himself to following the road alignment. She noted that it was an important point that would probably come up over and over again along with the infrastructure issues. Considering the fact that the additional condition will be put in place before the Board of Supervisor's meeting, she was in support of this application.

The motion carried unanimously (5:0) with the conditions as amended with the addition on one condition. (Rieley, Loewenstein – absent)

Work Session:

Six Year Secondary Road Plan (Juandiego Wade)

The Planning Commission held a work session regarding the Six-Year Secondary Road Plan.

Mr. Juandiego Wade stated that this was an opportunity for the Planning Commission to provide staff with some input on the update of the six-year secondary road plan. Staff comes to the Commission each year to update this. Essentially, there would be two plans in the staff report. One of them is VDOT's proposed priority list and the other is the County's actual priority list. The County's priority list has more projects in there that can be funded within the six years so that whenever a project is completed that they will have projects waiting on the list to come up. As you see from the plan, they have a lot of projects that could last for many, many years. This year's review, due to the cutbacks from the State, they were not able to have too many projects. Fortunately, the budget cuts didn't really impact the unpaved road projects too much and staff was able to add a couple of projects there. One proposal staff was presenting to the Commission was the VDOT's new Rustic Road Policy. That is something that staff wanted to get some input from the Planning Commission on. They might consider creating two separate lists with Rustic Roads if the road is eligible for it and then another list if the road is ineligible. That was also something that they wanted to look at. They were able to add some projects to the County's priority list, but they did not necessarily reach into the six-year plan. Those projects are identified on page 3. Most of them are unpaved roads. Three important projects include: Mogantown Road at Route 250 cul-de-sac project that is a project that VDOT and the County are working on jointly. In order to do the cul-de-sac improvements, the road must be in the six-year plan. The Barracks Road at Colthurst intersection is also a concern. Since the approval of the special use permit for the church, the speed limit has been changed to 45 miles per hour and this intersection needs some improvement. Another intersection improvement is needed at Route 53. Southern Parkway needs to be made eligible for funding for secondary roads. He noted that has indicated that it is eligible for revenue sharing that essentially means that the County only has to pay one-half of it. There are a few more criteria that have to be met in order for the road to be eligible for full funding. Staff is going to be working on getting it so that it will be fully funded by VDOT. In reference to the Rural Rustic Roads Project, he asked that the Commission look on the bottom of page 4 to see the difference in the prices for these projects. He pointed out that essentially 90 percent of the projects that they receive from the public are unpaved roads. If the County and VDOT both like this program, he felt that they would be able to expedite a lot of the unpaved roads and concentrate their efforts on those roads located within the development areas that really impact a lot of people as far as their daily traffic trips. The steps that they take here could be that they take their input and then have another worksession. The Board of Supervisors typically holds a worksession and a public hearing. Therefore, the Planning Commission does not have to hold the public hearing. Staff would be happy to come back before them with another worksession if they so chose.

Mr. Benish pointed out that the Board of Supervisors must pledge to limit growth along the road for the Rural Rustic Roads Program. Staff would be meeting with persons with Augusta County and VDOT to determine how they could meet those criteria. The other benefit to the Rural Rustic Roads Program is the cost savings in the design.

Chuck Proctor with the Virginia Department of Transportation spoke concerning the Six-Year Secondary Road List and the Rustic Roads Program proposal. Basically, under the Rustic Road Program they motor grade the ditches and regrade the surface to bring it back to the section and then they surface treat it. Basically it does not do anything to the roadway itself other then put more stone down and seal the surface. They pull the ditches and make sure there is enough surface treatment.

Mr. Edgerton asked if there was any hard surface.

Mr. Proctor stated that it was only surface treatment.

Mr. Edgerton asked if it was the old prime and double seal.

Mr. Proctor stated that it was basically the same as that.

Mr. Thomas asked if that was basically just tar and gravel, and Mr. Proctor agreed.

Mr. Edgerton asked what the life expectancy.

Mr. Proctor stated that it was between 5 to 7 years.

Mr. Edgerton asked how could they limit the development.

Mr. Proctor stated that he had went through the list and tried to determine if the road would qualify for the program. He pointed out in order for the road to meet the criteria; the road would need to limit the number of vehicles. He pointed out that there were safety issues to be considered with the road.

Mr. Finley stated that if the Rustic Road idea had been in place when Catterton Road had a contract and then it was taken away from them. They tried for sixty years or so and when it came up to be done they took it away. He pointed out that he understood that they would do spot improvements, but they were never done. He asked why Catterton Road was completely dropped and forgotten about. He pointed out that when VDOT held “secret meetings” in homes with no one invited somehow the road project for Catterton was dropped.

Mr. Benish stated that staff would check into that situation and report back. He pointed out that the Board took the road out of the unpaved road project and they were to seek other ways that they pursue the safety and surface issues. Given the sensitivity, he did not think it was likely if in the near future it would be done.

Ms. Hopper opened the public hearing and asked if there was anyone who wished to speak.

Katie Hobbs, resident of Albemarle County, stated that these people have been on this list for a long time. She supported the County following the Comprehensive Plan to find ways to save money on the roads in the rural areas.

Ms. Hopper closed the public hearing and brought the matter back to the Commission.

In summary, there was a general consensus that the Commission agreed to the general recommendations on the Six-Year Plan and that they did not need to have an additional work session. Staff is to work out the details on the Rustic Road list and prioritize the projects.

Old Business

Ms. Hopper stated that the Commission would defer action on the Committee Selection until next week in order that a full Board could be present.

New Business

Mr. Benish asked for clarification that there was a general consensus that the Commission agreed to the general recommendations on the Six-Year Plan even though there was no vote.

Mr. Thomas moved to approve the proposed Six-Year Secondary Road Plan and refer it to the Board of Supervisors.

Mr. Craddock seconded the motion.

The motion carried unanimously (5:0). (Loewenstein, Rieley – absent)

Adjournment

With no further business, the meeting adjourned at 8:42 p.m. to the next meeting on February 4th.

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V. Wayne Cilimberg, Secretary

(Recorded and transcribed by Sharon C. Taylor, Recording Secretary.)