Albemarle County Planning Commission
June 13, 2006

The Albemarle County Planning Commission held a meeting and a public hearing on Tuesday, June 13, 2006, at 6:00 p.m., at the County Office Building, Room 241, Second Floor, 401 McIntire Road, Charlottesville, Virginia. Members attending were Eric Strucko, Calvin Morris, Vice-Chairman; Jon Cannon and Marcia Joseph, Chairman. Absent were Jo Higgins, Pete Craddock and Bill Edgerton. Julia Monteith, Senior Land Use Planner for the University of Virginia, representative for David J. Neuman, FAIA, Architect for University of Virginia was present.

Other officials present were Wayne Cilimberg, Planning Director; Rebecca Ragsdale, Senior Planner; Claudette Grant, Senior Planner; Juan Wade, County Transportation Planner; Jack Kelsey, County Engineer; Amy Arnold, Planner and Greg Kamptner, Deputy County Attorney.

Call to Order and Establish Quorum:

Ms. Joseph called the regular meeting to order at 6:00 p.m. and established a quorum.

Other Matters Not Listed on the Agenda from the Public:

Ms. Joseph invited comment from the public on other matters not listed on the agenda. There being none, the meeting moved on to the next item.

Review of Board of Supervisors Meeting – June 7, 2006.

Mr. Cilimberg summarized the actions taken by the Board of Supervisors on June 7, 2006.

Consent Agenda*:*

Approval of Planning Commission Minutes – April 18, 2006.

Motion: Mr. Morris moved, Mr. Cannon seconded, that the consent agenda be approved.

The motion passed by a vote of 4:0. (Ms. Higgins, Mr. Edgerton and Mr. Craddock were absent.)

Ms. Joseph stated that the consent agenda has been approved.

Public Hearings Items*:*

SP-2006-007 Thomas Jefferson Parkway Parking (Signs # 57, 58 & 65)
PROPOSED: Construction of additional parking at the intersection of Thomas Jefferson Parkway (Route 53) and Scottsville Road (Route 20) to serve the pedestrian trail accessing Monticello in accordance with Section 10.2.2.46 of the Zoning Ordinance.
ZONING CATEGORY/GENERAL USAGE: RA - Rural Areas: agricultural, forestal, and fishery uses; residential density (0.5 unit/acre); EC, Entrance Corridor Overlay to EC Entrance Corridor/overlay to protect properties of historic, architectural or cultural significance from visual impacts of development along routes of tourist access
SECTION: 10.2.2(46) which permits Off-site parking for historic structures or sites.
COMPREHENSIVE PLAN LAND USE/DENSITY: Institutional uses allow for a range of public uses including schools, universities and public recreational facilities.

LOCATION: The proposed parking is located on the north side of Thomas Jefferson Parkway (Route 53) across from the existing parking area for the pedestrian trail accessing Monticello.
TAX MAP/PARCEL: Tax Map 77 Parcel 25
MAGISTERIAL DISTRICT: Scottsville
STAFF: Rebecca Ragsdale

Ms. Ragsdale summarized the staff report.

- This is a request made on behalf of the Thomas Jefferson Foundation who owns and operates Monticello. They are seeking a special use permit approval for 50 parking spaces to serve the Thomas Jefferson Parkway, which includes Monticello-Saunders Trail and Kemper Park. This would be located on the Blue Ridge Hospital site. The proposed site for parking is northeast of the intersection of Routes 53 and 20. The trail head that it would serve is across Route 53 in the southeast quadrant of the intersection. This area is mostly rural and wooded. The Blue Ridge Hospital site is owned by the University Foundation and is zoned Rural Areas and located in the development area Neighborhood IV. The parking lot would be accessed by vehicles off of an existing road that goes into the hospital site called Dairy Barn Road, which is located on Route 20 just north of its intersection with Route 53 that is across from a median near the entrance to Piedmont Community College. The parking lot would serve the trail that leads up to Monticello and the Kemper Park associated with it.

- VDOT has requested some upgrades to that entrance to meet their minimum standards. It would basically be a right in and right out there onto Route 20. The parking lot will be situated such that it won't have any visual impacts to Routes 53 and 20, which are scenic highways and entrance corridors. The Thomas Jefferson Foundation staffs the parkway and monitors the parking lots and gates in the evenings. The trail and the park are open from dawn to dusk so the staff would block off access to the parking lots in the evenings. Therefore, no lighting is proposed for the park.

- The Comprehensive Plan designates the site institutional. There was a master land utilization plan prepared in conjunction with the University and the City as a joint planning area. This parking lot would be within one of the buildable areas designated on that plan. It would respect the buffers that are at a minimum of 200 feet along Routes 20 and 53. Staff feels that the proposed parking lot is sited in a way that is respectful of the terrain and the buffers. The park and the parkway provide a free recreational amenity for the community and found factors favorable along with conformity with the Comprehensive Plan in recommending approval. There is a site plan waiver that goes along with this request. Staff is also recommending approval of that since this request is for parking and the trigger for the site plan requirement is the VDOT upgrades on Dairy Barn Road intersection with Route 20. Therefore, staff is recommending approval with two conditions.

Ms. Joseph asked if there were any questions for staff. There being none, she opened the public hearing and invited the applicant to address the Commission.

Peter Hatch, Director of Gardens and Grounds of Monticello, stated that since the early 1990's he had been the project manager for the Thomas Jefferson Parkway project. Roxanne Broyce, a principle with Rieley and Associates, is present tonight. She not only designed the parkway, but also designed the overflow parking lot that they are seeking the Commission's approval for this evening. He wanted to talk a little about the history of this project and why this parking lot is necessary. In 1992, Monticello purchased an 89 acre tract south of Route 53 from the

University of Virginia. A provision of the deed prohibited a parking lot in that area larger than 13 spaces. It is both a linear park protecting the entrance corridor to Monticello and a 2 mile trail that leads up to Monticello. The original conception was that the overflow parking would occur at the visitor's center site along Route 20. They wanted to go across the Blue Ridge Hospital site and then across Route 20 at the stop light that goes to the Piedmont Community College. They did not have enough money to fund that element of the park and the trail in the mid 1990's. At the same time a lot of people became uneasy with crossing busy Route 20 with this very busy trail. Also, at the same time Monticello began developing plans for a visitor's center in this site on Blue Ridge Hospital. The end result was that in 2002 they built an underground culvert or a pedestrian culvert that would lead into the Blue Ridge property from the Monticello Parkway project. They still at that point had a tunnel that was virtually going to nowhere. Only recently in November of 2005 Monticello signed an agreement with the University of Virginia authorizing this 50 car parking lot on the Blue Ridge Hospital site. This answered their need to a very dire problem because parking has been the worse issue confronting the parkway over the six years it has been opened. People have been parking on busy Route 53 with spillover parking along their trail head. The parking lot has been designed very carefully to be cloistered effectively into the woodlands on the Blue Ridge Hospital site. If there are any questions, he would be happy to answer them.

Mr. Cannon said he had a technical question relating to his interest. He asked if the arrangements that they made are with the University of Virginia or the University of Virginia Foundation.

Mr. Hatch stated that it was with the University of Virginia Foundation. They signed a memorandum of understanding last November with the University of Virginia. Then they are in the process of creating a licensing agreement with the University of Virginia Foundation, which will iron out all of the details with this particular project.

Mr. Cannon asked Mr. Kamptner if he could proceed.

Mr. Kamptner suggested that he disclose his interest.

Mr. Cannon stated that he was employed by the University of Virginia. If the University of Virginia were a party in their transaction he would not participate in this matter.

Mr. Kamptner noted that all he needed to do was disclose his interest. His employment by the University does not disqualify him. He was a member of a group of people who work for the University of Virginia. This particular project does not affect or benefit him directly. The County Attorney's Office will prepare a conflict of interest disclosure form for him to complete tomorrow.

Mr. Cannon said that he disclosed his interest because he would not be personally affected.

Ms. Joseph asked Mr. Hatch how they would get people to this area because it was going to be a parking lot that they can't see from the road. She asked if there would be some sort of signage.

Mr. Hatch said that there would be a lot of communications through their network of people who use the parkway. There will be a sign telling people where to go. It will be something the people learn about. The 45,000 people who visit the parkway every year and use Kemper Park and the trail he thought that 98 percent of them are local people who use the trail regularly. Also, there will be no where else to park. Right now there is a spill over place. A year ago there parking along Route 53 that VDOT banned, which he felt was rightfully so. They feel that this is a great gift to the community of which they are very proud of.

Mr. Morris asked if he was traveling south on Route 20 and come to the stop light for PVCC if he turns left there is that where the entrance is.

Mr. Hatch replied no.

Mr. Morris said that it looks like he is going to have to go all the way down to Route 53 and swing around.

Mr. Hatch replied yes, that actually he would end up having to come to the current trail end parking lot and turning around there and then going back to Route 20 taking a right and going to the parking lot. Originally VDOT wanted to ban a U-turn at the current intersection of Route 53 and 20. But, he was not sure if VDOT was going to carry through with that. But, that was their initial reaction. People would actually have to go to the current trail head in order to turn around and go to this overflow parking lot.

Ms. Joseph invited comment from other members of the public on this issue.

Jeff Wray stated that his wife and he live on Devinham Court, which was located at the very next entrance to the right at the new blinking light that is directly across from Route 53. They want to be in support of the project. But, they are right across the street from it. They see natural beauty now and don't care to see a bunch of buses. They also wanted to avoid bus pollution and smelling buses. He knew that Monticello was ever growing. There is a problem with that blinking light right there. He has already seen three logging trucks that have made a right hand turn coming down Route 53. They can't make that turn. They turn over in the ditch. Also, it confuses people who are going to see Monticello. They go through the stop light and then have to look at sign after sign on the frontage on their property. By the time it is too late that they know that they need to take a left to go up to Monticello they will come over into oncoming traffic. There have been a lot of accidents at that intersection. He wished that they would consider the fact that the blinking light does not do any good right there. It is more confusing than anything. He felt that a regular stop light would be the best thing for that intersection. As far as the buses going all the way down and making a U-turn, he did not see how they could do that. He asked if it was possible to see a plan of this parking lot or is this just the beginning stages of this.

Ms. Joseph said that a plan has been submitted. She asked if there was any one else who would like to speak to this.

Mary Alice Bond, resident of Albemarle County in the Mill Creek Subdivision, said that she was also concerned about the blinking light at Route 53 and 20. As a frequent user of the trail she noted that between 5:00 and 5:30 p.m. the traffic turning left onto Route 53 could extend up to ½ mile to almost a mile backing up on I-64. The traffic is all stopped by the blinking light there. As to trying to turn left it is nearly impossible unless you go down and make a U-turn. She would like to ask when the traffic light will be put in there not only for the safety of using the trail, but also for the students at Monticello High School who have to go back and forth there. They were also looking at the new development going in at Biscuit Run. She would plead to please put in a traffic light there as soon as possible to prevent any further accidents.

Pat Wray, resident of Devinham Court, stated that her husband just spoke. One of the things that she would like to bring up as an issue is the people that live in this subdivision that is directly across from Route 53 can't get out of their subdivision because of the blinking light. If they do put a stop light there, which would be a good thing, she would hope that they would be taken into consideration. Often times they have to go out and make a right and make a U-turn

and come back up. It is important that they as land owners there can get out of their subdivision when they need to. With the increased traffic in the area it is becoming a real problem for us.

There being no further public comment, Ms. Joseph closed the public hearing to bring the matter before the Commission.

Ms. Ragsdale noted that she had discussed the stop light issue with VDOT. VDOT said that they have a regular signalized traffic light scheduled for January, 2007. She will make sure to pass along the residents concerns to VDOT.

Mr. Strucko asked staff to describe the character of the intersection between Route 20 and the Piedmont Community College drive.

Ms. Ragsdale pointed out the location of the parking lot on the plan. The parking lot entrance would be Dairy Barn Road coming in with the parking lot in this area. The users of the trail would go underneath the culvert, which is underneath of Route 53, to use the trail.

Mr. Strucko said that if he was coming from I-64 heading south on 20 he would have to go to the current flashing light and go up Route 53 and somehow turn around and come down 53 and make a right and then turn up the Dairy Barn to get to the parking lot.

Ms. Ragsdale stated that was correct.

Mr. Morris said that in reading the report he did not get the impression that there would be bus traffic going into that because it would be for automobiles and people who are going to use the trail.

Ms. Ragsdale replied that was correct.

Ms. Joseph asked Mr. Hatch to come forward and answer what percentage of people that are from out of town that are visiting Monticello actually use this trail versus the residents of Albemarle County or repeat customers.

Mr. Hatch felt that it was well over 95 percent of the people using the trail are from Albemarle County or repeat users. For a lot of people it is a daily trip to park in the lot and walk the trail. He noted that there is not parking for buses in this 50 car parking lot. No tour buses are planned for this parking lot. High school buses on occasion have come and parked for the students to run the trail, but not very often.

Mr. Kamptner asked if the parkway was included in Monticello's historically designated lands.

Mr. Hatch said that he could not answer that. There is an easement so to speak, but he really did not know. It is not land that was originally owned by Thomas Jefferson.

Mr. Strucko said that his concern was the alignment of the road Dairy Barn or the lack thereof with Piedmont Drive and having to come off of I-64 and doing a series of turns and U-turns on Route 53 to make an entrance into this parking area. In attachment C the circulation is depicted as an alignment with Piedmont Drive. Is that alignment intended at some point?

Ms. Ragsdale replied yes, that when the Blue Ridge property develops that is the conceptual circulation. The idea is that the main entrance into the Blue Ridge property would be lined up with College Drive at that traffic light.

Mr. Strucko asked if that would then shift the entrance to the parking area to this newly aligned road.

Ms. Ragsdale replied presumably so.

Mr. Strucko noted that would address his concern to be able to make a left hand turn off of 20 South to be able to get into this parking lot.

Mr. Morris asked if Mr. Hatch could come back up and clarify that.

Mr. Hatch said that this is a temporary entrance. They don't know how temporary. But, at some point the University of Virginia Foundation is going to develop this property probably into a research park. That might be 5, 15 or 20 years away. At that point in which they begin developing the property the entrance to both the overflow lot and into the research park will be changed to that traffic light. So it is an important point that in some ways this is a temporary entrance until the property is developed further. This is an integral part of their agreement with the University of Virginia.

Mr. Cannon said that with that clarification and the other understandings that have been put forth he was in favor of granting this waiver and making this parking possible.

Mr. Morris concurred with that.

Julia Monteith, Senior Land Use Planner for the University of Virginia said that she had no comment. She noted that she was not a voting member of the Planning Commission.

Ms. Joseph felt it was important to acknowledge that this is a temporary entrance and that another entrance will be done in the future. One of the things that they have to remember is that this has to be something that is attached to an historic property in order to have this off site parking.

Mr. Morris suggested that getting to that entrance to that parking lot be part of the educational process. It is going to be confusing.

Ms. Joseph suggested that some sort of plan be submitted to the Board of Supervisors so that they could understand how the people were going to be able to recognize the entrance to make it so they can see it. There is a buffer and some sort of sign is going to be needed. They don't want to cause any problems at the entrance. She felt more comfortable knowing that there would be a stop light in place of the blinking light within six months. Therefore, she could support the request.

Mr. Kamptner asked to explain the question he asked Mr. Hatch. As Ms. Ragsdale notes in her staff report that this is to provide off site parking for Monticello, which is the historic site. The access leads you to the trail which takes you to Monticello. He asked to make that clear for the record.

MOTION FOR SP-2006-007:

Motion: Mr. Strucko moved, Mr. Morris seconded, to approve SP-2006-007, Thomas Jefferson Parkway Parking with the recommended conditions as stated.

1. The site shall be developed in general accord with the plan entitled "Concept Plan-Thomas Jefferson Parkway Parking" including the "Existing Conditions & Demolition Plan", prepared by Rieley & Associates, revised April 2006.
2. The parking area shall be limited to 50 spaces.
3. The parking area shall not be expanded without prior approval of a new special use permit.
4. No lighting shall be permitted in the parking area.
5. The parking area shall be closed and access restricted while the park is closed by Thomas Jefferson Parkway staff. The parking area shall be opened at dawn and closed at dusk.
6. The applicants shall secure VDOT approval of the entrance from Route 20, prior to the issuance of a zoning compliance clearance for use of the site.
7. Approval by the Architectural Review Board of final plans is required and supplemental plantings may be required to screen the parking lot from Route 20 and Route 53.

The motion passed by a vote of 4:0. (Commissioners Higgins, Craddock and Edgerton were absent.)

MOTION FOR SITE PLAN WAIVER:

Motion: Mr. Morris moved, Mr. Cannon seconded, to approve the site plan waiver for SP-2006-007, Thomas Jefferson Parkway Parking with the recommended conditions as stated.

1. No development shall occur until an Erosion and Sediment Control Plan has been approved and any required bonds have been posted.
2. The applicant shall submit a storm water management plan to provide for water quality measures to address runoff. No development may occur until this plan is approved and any necessary bonds posted.

The motion passed by a vote of 4:0. (Commissioners Higgins, Craddock and Edgerton were was absent.)

The site plan waiver was approved.

Ms. Joseph stated that SP-2006-007, Thomas Jefferson Parkway Parking would go to the Board of Supervisors on July 5 with a recommendation for approval.

SP 2006-005 Damon or Nadejda Galeassi (Signs # 32 & 44)
PROPOSED: Home Occupation 'Class B': roofing business; one shed 10'x15'; parking two pickup trucks and one small dump truck; helpers off site
ZONING CATEGORY/GENERAL USAGE: RA -- Rural Areas: agricultural, forestal, and fishery uses; residential density (0.5 unit/acre)
SECTION: Section 10.2.2.31 Home Occupation 'Class B'; 5.2 Home Occupations
COMPREHENSIVE PLAN LAND USE/DENSITY: Rural Areas - preserve and protect agricultural, forestal, open space, and natural, historic and scenic resources/ density (0.5 unit/ acre)
LOCATION: TM 126 Parcel 31H5; 5066 Giannini Lane, Schuyler
MAGISTERIAL DISTRICT: Scottsville
STAFF: Amy Arnold

Ms. Arnold summarized the staff report.

- Currently, Mr. Galeassi has a Class A, Home Occupation. He has requested a Special

Use Permit for a Home Occupation Class B, proposing the construction of one shed for material and equipment storage to support his existing roofing business. The primary focus of his business is repairs rather than full scale roofing projects. The proposed shed will be located adjacent to the house on the southwest side, taking advantage of an existing gravel pad. The finished shed will measure 10' x 15', which is too small to require a footing. The proposal includes parking two pickup trucks and a small dump truck in the driveway. Employees do not report to this property for work assignments, equipment, or materials. The proposed work will occur primarily off site. The shed building is proposed to be constructed from the same material and color palette as the main house. The applicant brought several photographs of the dump truck this evening, which was one element that remained undefined. It appears to be a dump truck with an extended bed and wood panel siding.

- Staff has identified the following factors favorable to this application:
  1. The use proposes minimal impacts on the site; no reduction in the surrounding woodland will be necessary.
  2. The 10' x 15' shed needs no footing, requiring minimal earth disturbance.
  3. The use will not demand increases in local infrastructure or services.
  4. Supports the economy of the County provided by low impact, small businesses
  5. The proposal is fully supported by the Quarries neighborhood association.

- Staff has not identified any factors unfavorable to this application.

  - Based on the findings contained in this staff report, staff recommends approval of Special Use Permit 2006-06 Mount Calvary Baptist Church with the conditions listed in the staff report.

- There are two corrections in the summary portion of the staff report. The first is an error stating the incorrect project in the introductory sentence of the conditions. The second is a change in condition 2. Zoning has requested that the following portion of the condition be removed. That portion is "in a manner consistent with and of similar materials and colors to the primary residence." Zoning has cited difficulty involved with enforcing such a condition. The applicant is present to answer any questions that the Commission might have.

Ms. Joseph asked if there were any questions for staff. There being none, she opened the public hearing and invited the applicant to come forward and address the Commission.

Damon Galeassi, owner of Roof Crafters, said that he had been a roofing contractor for 31 years. He had no intentions of growing into a major roofing company because he did that in Florida for a number of years. He noted that he has some other investments and things that he does.

Ms. Joseph asked if there were any questions for Mr. Galeassi.

Mr. Morris commended Mr. Galeassi for getting together with his neighbors and getting that settled right up front. He said that was a good neighbor.

Mr. Galeassi said that it was a nice neighborhood. There are terrific neighbors down there. It is a fantastic place to live.

Ms. Joseph invited public comment. There being none, the public hearing was closed and the item before the Commission.

Mr. Morris said that it was pretty well straight forward. It looks like a good logical request.

Motion: Mr. Morris moved, Mr. Cannon seconded, to approve SP-2006-005, Damon or Nadejda Galeassi with the recommended conditions, as modified by staff.

1. Special Use Permit 2006-05 shall be developed in general accord with the concept plan, titled "Plan 'B'" amended by Damon Galeassi in April of 2006 (Attachment A.) However, the Zoning Administrator may approve revisions to the concept application plan to allow compliance with the Zoning Ordinance.
2. The proposed shed shall be constructed no larger than 10' x 15'.
3. Employees shall not report to this property for work assignments, equipment, or materials.
4. All materials associated with this home occupation shall be stored in the proposed shed.
5. No deliveries of materials associated with this home occupation shall be made to this site.
6. Vehicles parked on site associated with this home occupation shall be limited to two pickup trucks and one small dump truck.

The motion passed by a vote of 4:0. (Commissioners Higgins, Craddock and Edgerton were absent.)

Ms. Joseph stated that SP-2006-005, Damon or Nadejda Galeassi would go to the Board of Supervisors on July 12 with a recommendation for approval.

SP 2006-006 Mount Calvary Baptist Church (Sign # 54)
PROPOSED: Construction, new church building
ZONING CATEGORY/GENERAL USAGE: RA -- Rural Areas: agricultural, forestal, and fishery uses; residential density (0.5 unit/acre); VR Village Residential
SECTION: Section 12.2.2.15
COMPREHENSIVE PLAN LAND USE/DENSITY: Rural Areas - preserve and protect agricultural, forestal, open space, and natural, historic and scenic resources/ density (0.5 unit/ acre)
LOCATION: TM 58A1 Parcel 20; 3045 Morgantown Road, Charlottesville
MAGISTERIAL DISTRICT: Samuel Miller
STAFF: Amy Arnold

Ms. Arnold summarized the staff report.

- The congregation of Mount Calvary Baptist Church is requesting a special use permit to allow for the construction of a two-story approximately 6,640 square foot church building and expanding parking area to support an increase in the sanctuary seating from 135 seats to 200.
- The proposal includes the demolition of 1890's church building currently located on the site. Excerpts from the Virginia Department of Historic Resource file describing the significance of the existing church building are included in Attachment A of the staff report.
- The property contains an 1890's framed church with a standing seam metal roof and a stone foundation located approximately 15 feet from the edge of Morgantown Road

(Route 738) and a gravel entrance and parking area that is currently accessed from both east and west sides of the church. There is a modern cemetery to the south of the parking area and a wooded area between the modern cemetery and the railroad tracks that includes a portion of a historic cemetery identified as the Cooper family cemetery.

- As a center in an historic village of Ivy Depot, Mount Calvary Baptist Church is adjacent to small scale single-family residential buildings and small farms to the northeast and west with the railroad tracks along the south edge of the property.
- The congregation has been active on the site for 137 years and has served as a focus for the community for much of that time.
- Staff has identified the following factors favorable to this application.
    - The continuation of this church on this site with its relationship to the surrounding community, its physical place within the cross roads community of Ivy Depot and the historic significance of the congregation exemplifies support of rural area goals that is integral to the fabric of the local community.
- Staff has identified a single factor unfavorable to this application.
    - The demolition of the existing 1890's church.
- Based on the findings contained in the staff report staff recommends approval of SP-2006-06, Mount Calvary Baptist Church with conditions listed in the staff report.
- The applicant has also requested several waivers, which are included in the summary and recommendations sections of the staff report.
- Staff has also received a letter from Gina Haney and Arin Wonch, President and Vice-President of Preservation Piedmont including their positions regarding the demolition of the 1890's church. (See Attachment) Representatives from Preservation Piedmont are present this evening to address these concerns. The applicant is also present. Also present is the architect of the project as well as representatives from the congregation.

Ms. Joseph noted that the staff report says that there are structural problems with the building itself. She asked if staff has received any documentation from an architect or an engineer on that.

Ms. Arnold replied that she has not.

Ms. Joseph asked if there were any other questions for Ms. Arnold.

Mr. Cannon asked if there would be steps taken if this project were to precede that would document the existing church and preserve a record as to what it looks like and how it was built.

Ms. Arnold replied absolutely. That is one of the conditions of approval. Preservation Piedmont has volunteered to play that role to do the documentation.

There being no further questions for staff, Ms. Joseph opened the public hearing and asked if the applicant would like to speak.

Reverend Tracy A. Daniels, Pastor of Mount Calvary Baptist Church, said that she stands representing about 75 people, a unified body of Christian believers who are convinced through God's word that they can do all things through Christ who gives us strength. At this time she would like to ask that all of the Mount Calvary members that are present be recognized. (A large amount of people stood to be recognized as church members.) With that it is our desire to erect a new worship facility to not only meet our current physical and spiritual needs, but also the future needs of this growing church family. The majority of members in our congregation grew up in the Ivy community. For this reason it is our desire to continue worship and progress in ministry right in the Ivy area. Our current facility was built in 1890. It replaced the original

building, which was destroyed by fire. After much prayer and consideration on how to correct the current state of the sanctuary they believe that they are empowered by God and that he has directed us to plant a new worship facility. Then they can watch him continue to grow it through his water, the Holy Spirit, and his son, Jesus Christ along with the support of this ever changing community. As they reflect on the technological advances in the 21st century they are reminded that as history evolves the church has growing concerns and desires as well. In order to reach the lost, transform lives and change this generation, which she would remind them consists of illegal drugs, alcoholism, gang violence and poverty, they need a structure to support our desire and committal to God's calling which commands us to go and do. They have an active missionary group at Mount Calvary as well. They give money monthly to the local food bank and they feed the hungry by supporting the Piedmont District Baptist Association in the effort to feed the homeless. Many of our members work to cook and transport meals to the homeless population in Charlottesville and the surrounding areas. In addition, Mount Calvary proudly adopted Morgantown Road and is responsible for road side clean ups twice a year or as needed. Families are adopted during the holiday season in addition to the nursing home ministry, which is active and thriving. The list of outreach opportunities could go on and on at Mount Calvary. We are truly a giving church and they love our community and strive to be a good neighbor. Over the years our congregation has worked to keep the building as modernized as possible to allow worshipers to further enjoy their worship experience at Mount Calvary. The church had major renovation done in the 60's. During this renovation a furnace and an air conditioner was installed. An addition was added to the rear and the interior was redone replacing all of the woodwork that previously adorned the sanctuary. In the 80's siding was installed on the church. This was necessary because of the deterioration and the condition of the external boards. The siding covered all of the decorative features that had been noted about the church. They had to replace the furnace and the air conditioning again in the 1990's. When the old furnace was removed part of the outer wall, including the foundation, caved in. The church has been advised some years ago by an engineer that the cost to correctly fix the current building would exceed the costs of a new building. After many discussions they decided to follow the engineer's recommendation. They researched the availability of land and purchasing such in the Ivy area, but found the cost to prohibit these actions. Let me take a minute and show the Commission some of their current concerns.

Reverend Daniels presented a power point presentation noting the following:

- The building has a notable lean to the right. The picture was taken standing from the rear of the church. One also feels this slant when walking down the aisles.
- All of the exit doors in the sanctuary appear to be slanted. If you notice in the picture there is less space on the right corner of the door, which indicates the shifting of the building.
- The floors creak when people walk, stand or when they rock to music.
- Rain run off continues to enter the basement through different ways. One rain will flood the basement on any given day. The ceiling is showing signs of leakage as well.
- This large drafty building is costly to heat and cool.
- Some other problems she noted were erosion and critical structure errors. That picture is taken from the basement and the camera was straight, but you will notice the lean to the right of the stairwell and the wall. There is deterioration in the wood poles that tend to hold up the structure from the basement.

Reverend Daniels thanked the Commission and said may God bless them for allowing this presentation tonight. She hoped that they would consider the church's needs and offer approval of the special use permit.

Ms. Joseph invited public comment.

Bryan Broadus, resident of Ivy, said that he was a Board member of Preservation Piedmont, which was the organization to which Ms. Arnold referred. They respect the congregation's mission. They respect their continued good work in Ivy Depot. They respect it to the point that they are willing to help them document their building before it is demolished. They believe that their ongoing mission is not well served by the church and that it is incompatible with the church that they have now, albeit the 1890's church. They respectfully disagree. They recognize that the work of this church in its community is a public good. They recognize the independence and pride that this congregation has and that it takes in its work and it will take in a new building. But they think that the public good of the modern congregation that its labors are not incompatible with the public good of sustaining the memory of the 1890's congregation. In fact, they think that they old building testifies that those good works are long lived and that they are part of the Albemarle County tradition. They think that the congregation will miss its building when it is gone. They think that Albemarle County is going to miss it a lot more because when this church disappears with it forever goes the chance to have a national historic district at Ivy Depot. What disappears is a chance to honor the Ivy Depot community in the way that the communities up in Advanced Mills, Profit, Batesville and Covesville have been honored. Mount Calvary Baptist Church is one of only two or three public buildings in the Ivy Depot. It is the peg on which the history of this community hangs. The lost of this church is a blow that will overcome any attempt to list this place on the National Register and it is a strike against those neighbors who might use tax credits to subsidize their private historic preservation labors. The lack of any kind of architectural control district here, he might add, means that the new church might not be at all complimentary to what will remain of the Ivy Depot that use to be. This episode is the latest and one of the most important illustrations of exactly why Albemarle County needs an historic preservation ordinance that would demand that the demolition of a structure of such importance as Mount Calvary Baptist Church be an act of absolute last resort, even compelling the congregation to consider moving the church instead. The history of Albemarle's communities has made manifest in its buildings and its places should be wiped away only with all other options for continuing the life and growth of the County have been exhausted. Thank you.

Jim Willis said that his wife owns Millstone Preschool, which is located just up the road from Mount Calvary Church. Also, they own a home close to Ivy Depot. They have attended services at Mount Calvary on several occasions. He felt that the thing that strikes you most when you are there besides the spirit of the people is that it is crowded. It is really crowded with standing room only. It certainly has an historic value. But, he felt that if that historic value has meaning to anyone certainly it would be the families that attend the church and have attended the church for generations long before most of us arrived in Albemarle County. He thought that if the congregation feels that they need a new church and to demolish the old one to move forward that he thought that the people who built the church would be thrilled to death to know that this church is thriving and moving forward today and in fact needs to expand. His opinion is that the church should be given the opportunity to do what they want to do. He hoped that the Commission would share that opinion. Thank you very much.

David Burnett, a fourth generation member of Mount Calvary Baptist Church, said that he wanted to stand and acknowledge the historical society for their efforts. It is really a matter what is more important the planning of a church that is more functional for the community or the preservation of a building that some people can pass by and say look at that. This has been a long process for the church to get to this point. It was not easy to get to this point. They were advised by professionals. They did get a letter from an engineering group making the recommendation. He asked that the Commission not think that it was a light decision. As far as the character of the community, he felt that it was all members' intent that any new building that is planted there would retain a lot of the personality of the current building. They are just looking

for something that is more functional for our congregation and is more affordable to maintain and grow in. That is what the church is trying to do here.

There being no further public comment, Ms. Joseph closed the public hearing to bring the matter before the Commission.

Mr. Morris said that this had to be a very difficult decision for the congregation and his heart goes out to them. But, it is a beautiful piece of history out there. He visited the site today and it is gorgeous.

Mr. Strucko noted that driving down Morgantown Road that the most prominent feature of the church is the hand at the top of the steeple pointing upwards. They were concerned about the character that building brings to this community. Certainly when Mr. Broadus was speaking what struck him was the fact that replacing this structure may jeopardize the notice of an historic district in that area. So that was probably the one issue that caused him pause. However, what was truly compelling was the slides the Commission saw and how that structure is struggling to stand up right with all of the leaning. He was one that believes in the history of Albemarle County and certainly when it comes to churches and places of worship in the African American community in this county that is a history that he personally wants to see ever effort made to preserve. However, this particular structure was the subject of renovations and additions in the 60's, 80's and the 90's. Again, he felt that given all of the tough issues that were weighing here and the wishes of the congregation to stay a congregation and to remain at Mount Calvary Baptist Church in that location to him prevails. The last speaker, Mr. Burnett, he takes his comments to heart that the character of the new structure would do its best to retain the character of the church and continue the history of this congregation that started before 1890 when the original building suffered from fire. So weighing all of those options in the end he too comes out in favor of the renovation.

Mr. Cannon agreed. The historical value is significant, but he understands that value can't be preserved entirely if the building is demolished. But, some elements of it can be brought forward. He has a strong feeling that the people who started this church would be very proud of the step that the congregation has prepared to take now. So he supports the renovation.

Ms. Joseph suggested that the Commission invite Reverend Daniels back to answer some questions. When reading through and it discusses the physical attributes of the church there are some wonderful details on that building. She was wondering if the church plans to incorporate any of those details in the new building. She asked if there was some way that the church could preserve some of the integrity of the building that stands today in the new building.

Reverend Daniels replied absolutely. What they had discussed was that in the foyer of the new building they would like to have some type of museum dedicated to the old building where they could take artifacts from the existing building and just have a showcase of perhaps the finger or the siding. It would include things that are special about the old building, which would be on display as people come into the new building to document how things use to be.

Ms. Joseph said she was hoping that they would put the hand on top of the new building. It is such a wonderful artifact.

Reverend Daniels said that could be a plan, too, but they have not discussed that.

Mr. Strucko asked if the church was agreeable to Preservation Piedmont at least documenting the church throughout this process to make at least a photographic record.

Reverend Daniels replied absolutely the church would agree to that.

Ms. Joseph noted that this was very tough and painful. She looked at the tiny site and there was not much the church can do recognizing the land cost in the area.

Motion: Mr. Morris moved, Mr. Cannon seconded, to approve SP-2006-006, Mount Calvary Baptist Church with the conditions as recommended by staff.

1. Special Use Permit 2006-06 shall be developed in general accord with the concept plan dated May 31, 2006, prepared by Dex Sanders, architect, and titled "Masterplan Mount Calvary Baptist Church" (Attachment F.) Important elements of the concept plan include the following:
    - The church shall be located as close to Route 738 as possible to maintain the overall hierarchy of buildings along Morgantown Road and their placement related to one another and to the street.
    - To protect the adjacent dwelling to the east, no parking shall be located in the area labeled mixed trees and shrubs adjacent to the dwelling on the east side of the church property.
2. The ingress/egress from Route 738 (Morgantown Road) shall be consolidated into a single entrance that meets VDOT Minimum Standards for Entrances to Private Street requirements.
3. A 12' wide by 48' long right-turn taper shall be constructed for access to the entrance from eastbound Morgantown Road.
4. Two, 10 foot, one-way travel lanes shall be required to access the parking area to the south of the new cemetery. In order to reduce as much as possible the amount of retaining wall needed, the specific length of these travel ways, their configuration, and the arrangement of the parking area shall be determined at final site plan review.
5. The existing 1890's church building shall be documented using the Secretary of the Interior's Standards for Historical Documentation prior to any disturbance of the site. Copies of the documentation of the building shall be provided to the Virginia Department of Historic Resources and the Albemarle County Historic Preservation Planner.
6. Permanent fencing shall be installed on the portion of the perimeter of the cemetery known as the 'Cooper Family Cemetery' that is located on the property known as Tax Map 58A(1) Parcel 20. The location and extent of the boundary of the 'Cooper Family Cemetery' (labeled 'Old Cemetery' on the concept plan) on Parcel 58A1-20 shall be located in the field and fencing shall be fully installed as approved by the Director of Planning direction before any site disturbance occurs.
7. Any area of platted cemetery that is proposed to be used as parking area shall be formally abandoned prior to site plan approval.
8. Construction of the church as shown on the concept plan shall commence within five years of the date of approval of this special use permit or it shall expire.

The motion passed by a vote of 4:0. (Commissioners Higgins, Craddock and Edgerton were absent.)

Ms. Joseph noted that the Commission needs to take an action on the four requested waivers.

Mr. Kamptner noted that staff has a new recommendation regarding waiver 3.

Ms. Joseph stated that the Commission would first take action on waivers 1, 2 and 4, which staff has no objections to.

MOTION FOR SITE PLAN WAIVERS #1, #2 AND #4.:

Motion: Mr. Morris moved, Mr. Strucko seconded, to approve site plan waiver requests #1, #2 and #4 associated with SP-2006-006, Mount Calvary Baptist Church.

1. Waiver of Section 18.4.12.15.a. (parking lot surfacing).
2. Waiver of Section 18-4.12.15.g. (required use of curbs in the parking areas).
4. Waiver of Section 18-31.2.4.4. (to be allowed five years from the date of approval of the Special Use Permit to commence construction.) (Condition 8. under SP-2006-06 would permit the requested time extension for this Special Use Permit.)

The motion passed by a vote of 4:0. (Commissioners Higgins, Craddock and Edgerton were absent.)

The site plan waiver requests for #1, #2 and #4 for SP-2006-006, Mount Calvary Baptist Church were approved.

Ms. Joseph stated that the next waiver request was for #3, which was for the travel way. Instead of being 20', the applicant is proposing a 10' travel way.

Ms. Arnold said that the applicant is proposing two 10' travel ways. The original request was to allow a 12' clearance from the front parking lot to the back to clear two grave sites to access the back parking. Both Zoning and the County Engineer were not comfortable with that waiver.

Ms. Joseph asked if there was some solution that staff felt they could come to between now and the Board of Supervisors meeting.

Ms. Arnold replied no. Staff met with the applicant, County Engineer, and Zoning and worked out the drawing that was attached to the staff report that contains an alternative plan, which includes two one-way travel ways to access the back parking that avoids the problem altogether.

Mr. Cannon asked if that requires a waiver.

Ms. Arnold replied no, that it does not.

Ms. Joseph asked if the Commission needs to act on that waiver. If they are requiring a 20' travel way and the applicant is only doing 10', do they need to go ahead and allow for a reduction in that travel way.

Mr. Cilimberg said what they have is an applicant that requested a less than 20' travel way. Although at this point they seem to have accomplished what needs to be accomplished for two ten foot travel ways, if the Commission does not recommend the waiver then they keep on the course of the two ten foot travel ways. He felt that the Commission should act on what is here before them.

Ms. Joseph asked if staff was recommending denial.

Mr. Cilimberg replied yes, to not grant that particular waiver. The remedy will be the two-ten foot travel ways, which has been discussed with the church's designer.

Ms. Joseph noted that there is a solution.

Mr. Kamptner asked if the one-way travel ways have to be at least 12' wide. He noted that he was looking at Section 4.12.17.c.2. that concerns one-way access aisles. He asked if it would apply in this case.

Ms. Joseph invited Jack Kelsey, County Engineer, to review the question.

Jack Kelsey, County Engineer, replied that it would require a waiver from 12' to 10'.

Mr. Cannon asked if that could be done in one motion, and Mr. Kamptner replied yes.

Ms. Joseph asked what action the Commission should take.

Mr. Kamptner said that the action would be to deny the request for the waiver for a 20' wide two-way access aisle and to approve the waiver for the 10' dual one-way access aisles.

Motion on Waiver #3:

Motion: Mr. Cannon moved, Mr. Morris seconded, to deny the request for the waiver under Section 18-4.12.17.c.1 (required 20 foot wide two-way travel lane for parking areas), and to approve the waiver for 10' dual one-way access aisles associated with SP-2006-06, Mount Calvary Baptist Church.

The motion passed by a vote of 4:0. (Commissioners Higgins, Craddock and Edgerton were absent.)

Ms. Joseph stated that SP-2006-06, Mount Calvary Baptist Church would go to the Board of Supervisors on July 12 with a recommendation for approval.

Mr. Cilimberg noted that staff has indicated to the applicant that if there is any problem in the site plan stage regarding these two one-way aisles that they can always bring it back to the Commission.

Work Session:

ZMA-2005-017 Biscuit Run (formerly Fox Ridge) – Signs #52,56,63

PROPOSAL: Rezone approximately 920 acres from R-1 Residential (1 unit/acre), R-2 Residential (2 units/acre) and RA--Rural Area: agricultural, forestal, and fishery uses; residential density (0.5 unit/acre) to NMD Neighborhood Model District - residential (3 - 34 units/acre) mixed with commercial, service and industrial uses. Maximum number proposed residential units: 4,970. Commercial uses proposed also.
PROFFERS: Yes
EXISTING COMPREHENSIVE PLAN LAND USE/DENSITY: Neighborhood Density Residential-residential (3-6 units/acre) and supporting uses such as religious institutions and schools and other small-scale non-residential uses.
ENTRANCE CORRIDOR: Yes
LOCATION: Tax Map and Parcels 90-5, 90-6D (portion), 90-17D, 90-A-3, 90-A1-1, 90-A1-1E, 90-15A, 90A-1A, 90A-1B, and 90A-1C. Between the east side of Old Lynchburg Road and the west side of Route 20; adjacent and to the south of the Mill Creek subdivision, adjacent and to the west of the intersection of Avon Street, Extended and Route 20.
MAGISTERIAL DISTRICT: Scottsville
STAFF: Claudette Grant

Ms. Grant stated that during the last work session the Commission requested to see the scope of the traffic study once staff, VDOT and the applicant had agreed with it. The primary intent of this work session is provide the Commission with this requested information and to provide some general information regarding transit ready and transit oriented development. City and County staff, VDOT and the applicant have been in discussions to determine what should be included in the traffic impact analysis since November. What the Commission has in the report is a result of these meetings. As a result the traffic study is currently under way and Steve Blaine from the development's team will discuss the status momentarily. Staff welcomes the Commission's thoughts and comments regarding the scope. The presentation format is a little different this evening. The applicant's consultant Eric Strohager and Juan Wade, the County Transportation Planner will provide additional information with a power point presentation. This additional information will include information about what a traffic analysis is, details regarding the scope of the traffic impact analysis, what happens next and information regarding transit developments. Before getting into the power point presentation Stephen Blaine would like to bring us up to date on the status of the study and introduce Eric Strohager from his team. Staff will be happy to answer questions. (Attachments – Copy of Staff Report for ZMA-05-17 Biscuit Run – Review of Traffic Impact Analysis Scope)

Stephen Blaine, representative for Forest Lodge LLC, pointed out that it would be a logical question on where are we on the traffic study. As you heard, there has been quite a number of sessions and time spent in just agreeing upon what the proper scope would be and what that entails. That was really just tied up some weeks ago. He was happy to report that the raw data has been compiled and they will hear a little bit more about what goes into a traffic study analysis from Eric. What they thought that they would do with this program was lay the ground work for when the study is actually submitted. They were talking about it and were using terms that sometimes they can't assume that everybody understands what they mean. So they were going to have a little bit of a traffic analysis one on one. This could really be a survey course of many hours, but they were going to try to condense it down into a few minutes and obviously open it up for questions. They thought that this would be beneficial to everyone in anticipation to the traffic study, which they would like to submit when they are further along on the plan. They have taken some of the feedback that they have heard in these work sessions and from meetings with neighbors to look at and work on the land plan. They were trying to respond to some of the Commission's comments about the land form and the uses. They would like to do the traffic analysis one time. They are not necessarily saying that the changes in plans when they resubmit them will change the traffic study, but they would like to be sure before they submit those revised plans. So it may be some weeks off. They will continue to keep the Commission updated on the status of that. Eric Strohager is a licensed civil engineer in Virginia and North Carolina. He was educated at North Carolina State University. Eric and his firm, Wing and Kemp Associates, are very familiar with our area and our transportation network. They have been involved with projects up at the north end of the County such as Hollymead Town Center and Albemarle Place. They have a great deal of experience in this. He turned it over to Eric Strohager to give them some background on what goes into a traffic analysis.

Eric Strohager said what he would like to get into tonight is just what a traffic study does, how they perform it and what the result is of the traffic study. Ms. Grant will run through some slides as they go through this. He will highlight some things that are specific to the Biscuit Run project. Right now he would like to stay in the general scope of what a traffic study is. The purpose of a traffic study is to essentially assess what the site access will be. In that light, they have to determine first at what point they will tie into the existing roadway infrastructure that surrounds the site. Then they need to figure out the capacity those facilities need to be in order to handle the future traffic conditions that the site will generate. After they figure out where their access is and determine what the impacts of the access are they spread out from the site and go to the surrounding roadway infrastructure key points around the site to determine what the off site

impacts would be to the roadway infrastructure. Beyond that the community as a whole can use these studies as a planning tool for any kind of future development that goes beyond the site. The method for conducting a traffic study to take care of these issues includes determining the traffic conditions to find out the relevant traffic conditions. From that they can analyze the critical roadway infrastructure facilities. What you find out more often than not is that the critical roadway infrastructure facilities get to the intersections. That is typically the limiting factor on any roadway because that is where you have points of conflict. They have to share the roadway essentially with somebody else. So that becomes a very key element to the capacity of the surrounding roadway infrastructure. The elements in a traffic study essentially are where they come together with the community, the staff and the review jurisdictions to start trying to figure out how they want to structure the traffic study for the specific site. The study area is a key element. As shown on the map on the board, each one of the red dots signifies an intersection that is part of the traffic study for Biscuit Run. (See Attachment C.) Basically, the development team relies on the community as a whole. The staff in Albemarle County, the City of Charlottesville and VDOT knows the roadways as well as anybody in this area. So they know where the key elements or key points of access will be. They know where the significant conflicts will be so that.

Juan Wade, County Transportation Planner, presented a power point presentation regarding the Biscuit Run Traffic Analysis Scope agreed on by the applicant, County staff and the Virginia Department of Transportation. The following are items to be noted from the analysis:

- One point of interconnection to Mill Creek from Biscuit Run will be analyzed. There are four access points planned for Biscuit Run, two on Old Lynchburg Road and two access points on Route 20. The four access points are assumed to make up nearly all traffic in the area. The Traffic Analysis will also consider the Southern Parkway.
- The study did not incorporate the future development proposals for the Brass and Granger sites. The information was not included primarily due to timing. Application proposals for the Granger and Brass sites have not been submitted to the County. The Granger site needs a Comprehensive Plan Amendment (CPA) and both sites need Rezoning. It would be difficult to determine what assumptions to include in the Biscuit Run Traffic Impact Analysis. The transportation information from the Biscuit Run Traffic Impact Analysis will be included in the traffic impact studies that would be required for the Granger and Brass site.
- The Biscuit Run Traffic Analysis will analyze the impact of transit. The applicant has committed to developing the site as a transit “ready” development.
- The Southern Area B Report has been provided to the applicant for consideration. This Report is currently being considered by the Planning and Coordination Committee (PACC). A major recommendation proposed in the Southern Area B Report is the Sunset Connector. The Sunset Connector will be considered as part of the Granger Site proposal.

In summary, the Planning Commission held the fourth work session on ZMA-2005-017, Biscuit Run (formerly Fox Ridge), to review and discuss the scope of the Traffic Impact Analysis and to receive a brief synopsis regarding transit “ready” development, which the Commission expressed an interest in. Stephen Blaine brought the Commission up to date on the status of the traffic study, which has not been completed or submitted. Eric Strohhacker, a traffic consultant for the applicant, and Juan Wade, County Transportation Planner, presented a power point presentation, which included what a traffic analysis is, details regarding the scope of the traffic analysis, what happens next and information regarding transit developments. No public comment was taken. Once the study is completed, the results will be provided to the Planning Commission after review by County, City and VDOT professionals. The Commission plans to

hold an open house in the future after receipt of the traffic study to take public comments. No formal action was taken.

Old Business:

Ms. Joseph asked if there was any old business. There being none, the meeting moved on to the next item.

New Business:

Ms. Joseph asked if there was any new business.

- Mr. Morris requested a hard copy of the power point presentation on Biscuit Run.
- Staff sent an email to the Commission regarding the standard format for staff reports, which included a suggestion for a template cover sheet. Mr. Cilimberg asked that the Commissioners review the information and provide staff with any comments they have.
- On Wednesday, June 14 at 4:00 p.m. at Charlottesville High School a work session will be held on the 250 Interchange. All of the various possibilities will be on display.
- Committee reports should be placed on the agenda of the first Commission meeting of the month as the second agenda item. This would provide an opportunity for Commissioners to receive a monthly update on the various committee activities.
- The groundwater issue is scheduled for discussion on June 27 by Mark Graham. On that same date a representative from the Service Authority plans to come and discuss how they look at developments in relation to public water and sewer capacities.

There being no further new business, the meeting proceeded.

Adjournment:

With no further items, the meeting adjourned at 7:55 p.m. to the Tuesday, June 20, 2006 meeting at 6:00 p.m. at the County Office Building, 401 McIntire Road.

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V. Wayne Cilimberg, Secretary

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