Albemarle County Planning Commission
June 12, 2007

The Albemarle County Planning Commission held a meeting and public hearing on Tuesday, June 12, 2007, at 6:00 p.m., at the County Office Building, Auditorium, Second Floor, 401 McIntire Road, Charlottesville, Virginia. Members attending were Bill Edgerton, Jon Cannon, Eric Strucko, Pete Craddock, Calvin Morris, Vice-Chairman and Marcia Joseph, Chairman. Duane Zobrist was absent. Julia Monteith, AICP, Senior Land Use Planner for the University of Virginia was absent.

Other officials present were Wayne Cilimberg, Planning Director; Amy Arnold, Planner; Rebecca Ragsdale, Senior Planner, Elaine Echols, Principal Planner; Scott Clark, Senior Planner; and Greg Kamptner, Deputy County Attorney.

Call to Order and Establish Quorum:

Ms. Joseph called the meeting order at 6:01 p.m. and established a quorum.

Review of the June 6, 2007, Board of Supervisors Meeting

Mr. Cilimberg summarized the actions taken by the Board of Supervisors on June 6, 2007.

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.

Consent Agenda

Review of Nortonsville Local and Hardware Agricultural/Forestal Districts – Refer to Advisory Committee: Proposal to conduct a review of the Nortonsville Local and Hardware Agricultural/Forestal Districts. (Amy Arnold)

The Nortonsville Local Agricultural and Forestal District is contained within Tax Map 8, extends south of the banks of the Lynch River, just south of Simmons Gap Road (Route 810), approximately ½ mile west of the village center of Nortonsville, near the Albemarle / Green County boundary, and consists of a total of 90.575 acres. Properties in the District are designated as Rural Area in the Comprehensive Plan and are zoned as Rural Areas District.

The Hardware Agricultural and Forestal District is contained within Tax Maps 73, 74, 86, 87, 88, and 99. The Hardware District is comprised of six primary patches of land near North Garden, framing the North Fork, Middle Branch and South Branch of the Hardware River and reaching from Route 708 to the north, 692 to the west, Route 712 to the south, and Pryor's Mountain to the east. The District currently includes 4,021.478 acres. Properties in the Hardware District are designated as Rural Area in the Comprehensive Plan and are currently zoned Rural Areas, Village Residential, and Commercial.

Ms. Joseph asked if anyone wanted to pull an item off of the consent agenda.

Motion: Mr. Morris moved, Mr. Cannon seconded, for approval of the consent agenda as recommended by staff.

The motion passed by a vote of 6:0. (Mr. Zobrist was absent.)

Ms. Joseph noted that the consent agenda was approved.

Regular Items:

SP2007-00008 Camp Watermarks Amendment (Sign #47)
PROPOSED: Amend existing Special Use Permit to allow maximum 75 campers, 20 staff, 20 x 40 accessory building, one additional cabin, and weekly food delivery
ZONING CATEGORY/GENERAL USAGE: RA -- Rural Areas: agricultural, forestal, and fishery uses; residential density (0.5 unit/acre)
SECTION: 31.2.4.1; 10.2.2.20; 5.1.05
COMPREHENSIVE PLAN LAND USE/DENSITY: Rural Areas - preserve and protect agricultural, forestal, open space, and natural, historic and scenic resources/ density (.5 unit/ acre)
ENTRANCE CORRIDOR: No
LOCATION: 1145 James River Drive, west of Route 726 and Hatton Ferry Road
TAX MAP/PARCEL: TM 136, Parcels 6B, 9, 9A2, 9D, 9D1, 9E
MAGISTERIAL DISTRICT: Scottsville
(Amy Arnold)

Ms. Arnold summarized the staff report. (See Staff Report)

- The applicant requests an amendment to an existing special use permit to extend the number of parcels involved in Camp Watermarks; increase the number of campers weekly to 75 and staff to 20; add a 20' X 40' Arts and Craft Building and one additional cabin; as well as request a weekly truck delivery for food.

Ms. Joseph asked if there were any questions for Ms. Arnold. There being none, she asked to clarify the following:
- The applicant is going from 9 cabins to 10 and just adding 1 cabin.
- They are going from 45 to 75 campers.
- They are going from 10 to 20 staff.
- There will be one additional food delivery.

Ms. Arnold agreed that was correct with the addition of an Arts and Craft building and an additional parcel to the west of the original parcels and then a piece that runs down to James River across the railroad tracks.

Mr. Edgerton questioned if there was some concern about crossing the railroad tracks.

Ms. Arnold replied that the Critzers have been working with CSX Railroad and have come to an agreement about crossing the railroad.

Ms. Joseph opened the public hearing and invited the applicant to address the Commission.

Travis Critzer, owner of Camp Watermarks, noted that they have had a crossing at the railroad tracks for years. They have changed their agreement with CSX now to a commercial crossing, which will allow it to be used for the camp. For a commercial crossing they had to increase their insurance and agree to keep that insurance up in order to use the crossing for the camp. If they decide not to use it as a camp anymore, it goes back to an original farm crossing. No physical items change at the crossing. They continue to want to hold on to their farm and share it with young people to make a difference.

Mr. Morris asked if the additional parcels just made it simpler to get the children around the animals and so on.

Mr. Critzer replied that was correct. Sometimes they have animals in the other field that they want the children to visit. He did not know that they were not supposed to be doing that without adding these parcels. They were not changing their building, but just wanted the ability to take the children over there if they want to.

Mr. Cannon noted that the change that is requested would increase the number of children by almost 75 percent and double the staff. In most cases camps and churches grow. He asked what was the optimal number by which he would not be interested in going.

Mr. Critzer replied no, he was not going to put a cap on it. But, they are very comfortable with what they are asking for. That is where they felt lead to go right now. But, if it continues to grow, then they will be back. Right now the requested numbers would suffice everything that they plan on doing right now.

Mr. Edgerton noted that previously there was some concern about the lighting impact on the adjoining farms. Previously the owner had asked to replace the nonconforming light fixtures over time, but at this time had chosen not to do so. He asked if that was something that he cannot do at this time.

Mr. Critzer replied no, that they could not. He and his wife have taken their life savings to get the camp where it is.

Mr. Edgerton asked how many light fixtures were they talking about.

Mr. Critzer replied very few. He noted that they don't have any neighbors that can see them. There is no neighbor anywhere around them that would have any problem with the lights. The existing lights have been there for years for the farm operation. They do plan to change the lights as they can afford to do so. There are a lot of other safety issues that they want to work on for the children that will make a bigger difference in their summer. The lights are only used in the summer from dark to around 11:00 to 11:30 p.m.

There being no further questions for the applicant, Ms. Joseph invited other public comment.

Kevin Fletcher, resident of the Scottsville District, spoke in favor of Camp Watermarks. They are an asset to the community and he was proud to have them in the area.

There being no further public comment, the public hearing was closed and the matter placed before the Commission.

Mr. Craddock said that last time a letter was sent in by the adjoining neighbor. He asked if staff has gotten anything in opposition to the project.

Ms. Arnold replied no, that staff has not received anything in opposition to the project. This week staff received a phone call from a neighbor in favor of the project.

Mr. Craddock said that this has been the second year that this camp has been in operation. He asked staff if any complaints have been received.

Ms. Arnold replied no that there have been no complaints received.

Mr. Edgerton said that on page 7 of the staff report under item 4 says prior to issuance of a zoning compliance clearance compliance with the Virginia State Department of Health regarding kitchen and food service approval shall be verified. He asked who would verify that.

Ms. Arnold replied it would be the Virginia State Department of Health.

Mr. Edgerton said that as a condition that would automatically require them to approve that.

Ms. Arnold replied that is correct.

Ms. Joseph asked regarding condition 9 how many delivery trucks are allowed for home occupations a week.

Ms. Arnold replied that typically the County allows 1 delivery per day, which usually involves a 5 day business. Therefore, they are looking at 5 per week.

Ms. Joseph felt that the camp should have that same sort of lead way that a home occupation should have in being allowed to have more than 1 delivery per week.

Ms. Arnold offered to check on the number they typically allow for a home occupation and change the condition accordingly.

Mr. Cilimberg reiterated that the purpose of this recommendation for the motion was for approval and would be with the five food deliveries per truck.

The Planning Commission agreed with the amendment to the condition.

Motion: Mr. Craddock moved, Mr. Morris seconded, to approve SP-2007-00008, Camp Watermarks Amendment with the conditions recommended by staff, as amended. (Changes as compared to SP2006-37 are noted with strike through and in bold italics):

1. The improvements, and the scale and location of the improvements authorized by Special Use Permit 2007-08 Camp Watermarks, shall be in general accord with the concept application plan dated ~~February 22, 2006~~ ***May 29, 2007***, prepared by Angela and Travis Critzer, and titled "Watermarks Christian Ministries Camp" ~~(Attachment D)~~ ***(Attachment A).*** However, the Zoning Administrator may approve revisions to the concept application plan to allow compliance with the Zoning Ordinance.
2. ~~Compliance with the Virginia Statewide Fire Prevention Code shall be verified by the Fire Marshall prior to issuance of a zoning compliance clearance and the commencement of the special use.~~
3. ***Prior to issuance of the zoning compliance clearance,*** compliance with the Virginia State Department of Health regarding minimum septic requirements shall be required. ~~prior to the commencement of the special use.~~ ***The VDH shall re-review the status of septic standards within one year of the date of the approval of the special use permit. At that time, and if necessary, systems shall be upgraded or enrolment reduced based on VDH recommendations.***
4. ***Prior to issuance of the zoning compliance clearance,*** compliance with the Virginia State Department of Health regarding kitchen and food service approvals shall be verified. ~~by the Health Department prior to clearance and the commencement of the Special Use Permit~~.
5. Total number of staff (in addition to the applicant and their family) on site at one time shall be limited to ~~ten (10)~~ ***twenty (20).***
6. Camp sessions shall be limited to a maximum of sixteen (16), each one (1) week long, overnight sessions per year.
7. The maximum number of children per session shall be limited to ~~forty five (45)~~ ***seventy five (75).***
8. The maximum number of bus or van trips (round trips) to and from the camp, each ***week long*** session shall be six (6). Bus or van trips shall be the primary means of transportation for the children.
9. **Five (5) truck delivers shall be allowed per week.** ~~***One food delivery by truck shall be permitted per week long session.***~~
10. ***Camp activities are permitted on Tax Map 136, Parcels 6B, 9, 9A2, 9D, 9D1, 9E.***
11. Outdoor amplified sounds or bull horns shall be prohibited.
12. Compliance with the Virginia State Department of Health regarding water supply shall be verified by the Health Department prior to issuance of a zoning compliance clearing and the commencement of the special use. ***The VDH shall re-review the status of water standards within one year of the date of the approval of the special use permit. At that time, and if necessary, systems shall be upgraded or enrolment reduced based on VDH recommendations.***
13. ***This special use permit does not include approval for additional lighting subject to Chapter 18, Section 4.17 of the Zoning Ordinance.***

The motion passed by a vote of 6:0. (Mr. Zobrist was absent.)

Ms. Joseph stated that SP-2007-00008, Camp Watermarks Amendment will go to the Board of Supervisors with a recommendation for approval on August 1.

SP2007-00011 Oakridge Church Pavilion (Sign #103)
PROPOSED: Construction: 20' x 40' picnic pavilion
ZONING CATEGORY/GENERAL USAGE: RA -- Rural Areas: agricultural, forestal, and fishery uses; residential density (0.5 unit/acre)
SECTION: 10.2.2.35 Church building and adjunct cemetery
COMPREHENSIVE PLAN LAND USE/DENSITY: Rural Areas - preserve and protect agricultural, forestal, open space, and natural, historic and scenic resources/ density (.5 unit/ acre)
ENTRANCE CORRIDOR: No
LOCATION: 7734 Old Dominion Road, off Green Creek Road, Schuyler
TAX MAP/PARCEL: Tax Map 126, Parcel 21A
MAGISTERIAL DISTRICT: Scottsville
(Amy Arnold)

Ms. Arnold presented a power point presentation and summarized the staff report.

- The applicant is requesting a special use permit to construct a 20' X 40' picnic pavilion for church social gatherings, picnics, revivals and that kind of thing.
- The parcel itself is split in three quarter/one quarter proportion by Old Dominion Road. The fellowship hall, which is the historic building on site that is an old school house, Old Dominion Road, which is the gravel road, and then the wooded portion of the site that is where the picnic pavilion is proposed. Parking is located around the church. Staff presented photographs in the presentation of the site.

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

Mr. Edgerton questioned if this special use permit should be limited to a maximum number of people for the use of the pavilion since they typically do.

Ms. Joseph noted that the Commission usually based something like that on the existing congregation so that there is no expansion that they expect.

Mr. Edgerton asked what the existing congregation is.

Ms. Arnold replied that it was 30 to 35 persons.

Mr. Edgerton said that since the special use permit goes with the land that it would be responsible to come up with a number that would include that and maybe have some room for growth.

Mr. Morris said that the request was to build a pavilion on the other side of the road. There will be no parking near the pavilion or no restroom facilities in that area. He asked if anyone on staff has been out on site and checked that road as to the safety. He saw a potential safety problem with children and others being required to go across that road. He wondered about the safety aspect.

Ms. Arnold said that VDOT suggested an area be specified or marked in some way for people to cross. As stated in the staff report, that is not something that staff felt was necessary. VDOT did not require that. Her experience with the road was she was the only person out there and never saw another sole coming down the road. But, staff could back up and listen to what VDOT suggested that they do. But, it was also a concern of staff that they have as little impact on an historic site that has been what it is for a while. Staff's concern was impacting the rural character.

Mr. Craddock suggested that the applicant could tell them what the traffic count is. But, he did not think they needed a full blown cross walk. He suggested that a sign be placed each way saying church crossing.

Ms. Joseph opened the public hearing and invited the applicant to address the Commission.

Walter Smith, Trustee of Oak Ridge Church, said that as far as the traffic concerns nobody likes to use the dirt road. There will be no parking at the pavilion. The restrooms are inside the church.

Ms. Joseph asked why the pavilion was not put on the other side of the road behind the church.

Mr. Smith replied that as he noted in the application the church was located at the edge of soapstone and is real rocky. The rocky area is unusable. There are only a few spots that can be used.

Ms. Joseph asked how many were in their congregation.

Mr. Smith replied that there were about 35 to 40 persons. But, on some days they have a lot of visiting people. It might be quite a few more.

Mr. Morris asked if he was comfortable with the safety situation as far as people crossing, primarily children and the elderly going back and forth across the road for the facilities.

Mr. Smith replied that he felt comfortable, but they could get VDOT to come out and put up a couple of signs. He felt that was all that they could do.

Mr. Craddock suggested that they probably have a good turn out for homecoming and other events like that if they were thinking about a number.

Mr. Smith noted that they really could not put a number on it. They don't know who will show up. If someone shows up they don't want to turn them away.

Ms. Joseph invited other public comment. There being none, the public hearing was closed and the matter placed before the Commission. She noted that normally things like revivals, etc. are not counted in how many people they expect because those are unusual situations. A lot of churches have a lot of different events that occur not on a regular basis. Usually the number is based on what they expect to see on a regular basis.

Mr. Edgerton said that normally they require 150 people as the limit. Once the shelter is up the church may find it attractive to let other people use it. He felt that the Commission needs to be consistent with what they do on other facilities like this. He suggested that the Commission put a limit on it. He would defer that question to the other Commissioners.

Ms. Joseph agreed that was fair. The other thing that they often do is just to remind people that they can't have a daycare center there, whether child or adult, and that takes another special use permit.

Mr. Craddock asked if there is a fire code for a pavilion.

Mr. Cilimberg replied that there was going to be a building permit. That would be reviewed as part of the permit. They will set the guidelines as to what the structure needs to be designed to and basically include.

Mr. Morris agreed with Mr. Edgerton that a cap should be put on it. He felt that a 150 person limit is what he recalled, but would leave that to staff.

Mr. Cannon asked if the applicant has a response to that because there is a limitation on the purpose of the use of the facility. It is for church related, family educational and social gatherings and the occasional holding of outdoor services. So those would all be church related events, which by their nature would have some limit built into them. He asked if the 150 person limitation be acceptable to the applicant for any event that he would anticipate holding there with his congregation and associated friends and followers.

Mr. Smith replied that he could not guarantee that because they might have a funeral that was over that.

Mr. Cilimberg noted that the size limitations that the Commission has used in the past and many times have been recommended by staff have been associated with, as an example, the area of assembly to make sure that the size of the church and the number of people attending is going to correspond. Many times it is related to how the Health Department might review it for septic suitability. If the Commission is interested in using some of the standard conditions that have been used in the past staff will need to do some research between the Commission and Board meeting. Staff could find that information. If that is the Commission's intent, staff will make sure that they cover that for the Board.

Ms. Joseph noted that one of the things it says in the staff report is that there is not site plan required because there is not intensification of use. They say that there is no intensification of use because there is not going to be any extra people there. So if they are only having 40 and they say it is 150 they are sort of putting them in an awkward position at this point. They need to know how many it can seat or area of assembly, whichever is greater. She asked Mr. Kamptner for his opinion.

Mr. Kamptner said that what Mr. Cilimberg described is what needs to happen and is correct. This special use permit is not only authorizing the pavilion. It is also making a nonconforming use conforming. The condition related to the number of people on site is usually tied into the place of assembly or the sanctuary, which is another term that is used in the conditions. Staff will look at the issues that Mr. Cilimberg described.

Mr. Cannon said that if there is a limit proposed that it ought to be related to the carrying capacity of the site rather than some arbitrary limit based on how many people might show up. The applicant is saying that he does not know. The use of the site is limited to the purposes related to the church and not allowed to be used for other purposes. He did not think they need to worry about non-church related events. He would think that the limitation would be related to the ability of the site to have a certain number of people on it.

Ms. Joseph said that right now they have a nonconforming building and are making it conforming. They are looking at the building to see what the area of assembly is, how many people can fit in there or the number of pews and how many people can fit in there by making it conforming. So he was talking about another thing in the land itself maybe able to have more people, but the building itself can't at this point in time.

Mr. Cannon asked if they were limiting the use of the building or the pavilion.

Ms. Joseph replied both. They are making a nonconforming site conforming now, which includes the entire church. It is not just the pavilion.

Mr. Kamptner said that is what the Commission is doing. It may be that there are two different numbers because the building may be determined by the number of pews or the number of people that can fit in. The number of people who would attend a function at the pavilion or outdoors may be controlled by what the septic field can handle.

Mr. Cannon noted that whatever numbers they come up with they should be related to the capacity of the building and the capacity of the site and not some arbitrary limitation imposed by the current number of members. The congregation may grow and more people may want to come and they ought to be able to accommodate those people to the extent that his site and building allow.

Mr. Kamptner said that they have had other religious special use permits where the conditions acknowledge that there may be special events where they will have a spike in the number of people on site.

Mr. Cilimberg noted that typically they have a standard of a number that is associated with the sanctuary and then have included and excluded uses. It is understood that there may be occasions where the activities covered by included uses could draw a number that can't be defined. It is not necessarily based on the carrying capacity of the land because it is not anticipated that they are going to be regular users of

any of any of the health, safety or welfare facilities. Staff will go back and check on some of the other churches and standard conditions to find what is necessary before this goes to the Board.

Motion: Mr. Morris moved, Mr. Edgerton seconded, to approve SP-2007-00011, Oakridge Church Pavilion with the conditions recommended by staff, as amended with the Planning Commission's request for modifications.

1. Special Use Permit 2007-11 shall be developed in accord with the concept application plan and building details, provided by the applicant and received February 26, 2007 (Attachment A.) However, the Zoning Administrator may approve revisions to the concept application plan to allow compliance with the Zoning Ordinance.
2. The picnic pavilion shall be limited to 800 square feet and shall not include bathroom facilities or vehicular access.
3. Staff will work with the applicant regarding the capacity or size limitation issue before the request goes to the Board of Supervisors. Staff will research similar projects to determine what standard condition the Planning Commission has used in the past associated with the area of assembly to make sure the size of the church and the number of people attending will correspond.

The motion passed by a vote of 6:0. (Mr. Zobrist was absent.)

Ms. Joseph stated that SP-2007-00011, Oakridge Church Pavilion will go to the Board of Supervisors with a recommendation for approval on July 11. The applicant should get with staff to talk about some of the numbers discussed by the Commission so that they feel comfortable before the request goes to the Board.

SP-2007-00013 Stony Point Fire Addition (Sign #106)
PROPOSED: Expand existing fire station by adding outbuilding for storage and office uses.
ZONING CATEGORY/GENERAL USAGE: VR - Village Residential: agriculture, compact residential (0.7 unit/acre); EC - Entrance Corridor: Overlay to protect properties of historic, architectural or cultural significance from visual impacts of development along routes of tourist access
SECTION: 12.2.2.3, Fire and rescue squad stations (reference 5.1.09)
COMPREHENSIVE PLAN LAND USE/DENSITY: Rural Areas - preserve and protect agricultural, forestal, open space, and natural, historic and scenic resources/ density (.5 unit/ acre)
ENTRANCE CORRIDOR: Yes
LOCATION: 3827 Stony Point Road (Route 20), 0.2 miles south of intersection of Route 20 and Route 600.
TAX MAP/PARCEL: Tax Map 48 Parcel 18D
MAGISTERIAL DISTRICT: Rivanna
(Scott Clark)

Mr. Clark summarized the staff report.

- This is a special use permit request for an existing nonconforming fire station located in the Village of Stony Point on Route 20, which is an Entrance Corridor. The proposal is to add a 26' X 46' building for storage and office uses to the existing fire station. The expansion is only for purposes of renovation to the fire station to provide space for ongoing uses. There would not be any increases in staff members on the site. Because of that there will be no physical impacts or health and safety changes. This is a result of ongoing renovation and not any expansion to the service.
- Given the location of the addition there is no impact on the Entrance Corridor. Given the fact that this is an existing station, there are no sufficient new impacts, and the special use permit would bring the use into conformity with the zoning ordinance, staff is recommending approval with the one condition in the staff report.

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

John Vermillion, President of the Board of Directors of the Stony Point Volunteer Fire Company, said that the existing facility has been in existence since 1976. The building has not had any major renovation since 1976. It is the oldest existing structure in the volunteer service in the County at the moment. They have a great thing going on. They have a vibrant volunteer fire company in their rural community. Because of it they need to renovate their facility for the comfort of the existing staff. The biggest reason for the addition is to add a mechanical facility, a weight room and storage space to be able to free up the existing building to be able to put in a better kitchen facility and dormitories. With their existing staff of approximately 30 active volunteers and 3 paid fire fighters during the day they have some folks that have to sleep on the coach and on additional cots. They want to upgrade the facility to make it more comfortable.

Ms. Joseph asked if the septic was adequate.

Mr. Vermillion replied that there are 6 to 8 persons in the facilities at any given time, with the exception meeting nights. There would be no additional impact.

Ted Armentrout, Chief of the Fire Company, asked to clarify some things. When they designed and built the existing building in 1976 volunteer fire companies were not running duty crews. They all responded from home. But, that dynamic has changed. Stony Point is one of three companies in the County that maintains a crew on duty 24/7. That is with the help of paid County staff on weekdays during the day time hours. But, it is all volunteers at nights and on weekends. They need additional area to have space for the bunk room for the volunteers to have a place to sleep. They are trying to reduce response time.

Mr. Craddock asked if they have to do a fund raiser to do this.

Mr. Armentrout replied no, that they have substantial support from the Board of Supervisors on this project. The funds were approved April of last year.

Mr. Strucko asked if that was a loan arrangement, and Mr. Armentrout replied yes.

There being no further questions for the applicant, Ms. Joseph invited other public comment.

There being no further public comment, the public hearing was closed and the matter placed before the Commission.

Mr. Strucko noted that to maintain the volunteer fire system adequate facilities for sleeping quarters is essential. That is just a matter of fact. Sleeping on couches in the middle of the meeting room and using cots will not work in the long term. Therefore, he was 100 percent in support of this application.

Mr. Morris said that living in Key West he was definitely in favor of the request.

Motion: Mr. Strucko moved, Mr. Edgerton seconded, to approve SP-2007-00013, Stony Point Fire Addition, with the condition recommended by staff.

1. The fire station's improvements and the scale and location of the improvements shall be developed in general accord with the conceptual plan entitled "Conceptual Plan SP-2007-00013," prepared by Thomas B. Lincoln Land Surveyor Inc., and dated 3/22/07.

The motion passed by a vote of 6:0. (Mr. Zobrist was absent.)

Ms. Joseph stated that SDP-2007-00013, Stony Point Fire Addition will go to the Board of Supervisors with a recommendation for approval on August 1.

SP2007-00016 Mt. Alto Church Addition (Sign # 109)
PROPOSED: Expansion of church alter area, additional choir space
ZONING CATEGORY/GENERAL USAGE: RA -- Rural Areas: agricultural, forestal, and fishery uses; residential density (0.5 unit/acre)
SECTION: 10.2.2.35 Church building and adjunct cemetery

COMPREHENSIVE PLAN LAND USE/DENSITY: Rural Areas - preserve and protect agricultural, forestal, open space, and natural, historic and scenic resources/ density (.5 unit/ acre)
ENTRANCE CORRIDOR: No
LOCATION: 4330 Mt. Alto Road, off Howardsville Turnpike, Esmont
TAX MAP/PARCEL: Tax Map 133, Parcel 16
MAGISTERIAL DISTRICT: Scottsville
(Amy Arnold)

Ms. Arnold summarized the staff report.

- The applicant is requesting a special use permit to expand the alter area to provide additional space for the choir to stand and for a small waiting space for the pastor.
- Staff presented photographs of the church to show the back of the church where the addition would be placed and a couple photographs of the parking conditions on site. It is very similar to Oak Ridge in that it is compacted gravel. Several photographs showed the site distance at the entrance to the church.
- Staff recommends approval of the addition to the church with the conditions listed in the staff report. This is a non-conforming use being brought into conformity. Staff will need to do the same research on this property as previously discussed.

Ms. Joseph asked if there were any questions for staff.

Mr. Edgerton said that on page 4 of the report staff notes that Albemarle County Fire and Rescue has requested adequate fire flow at this site be confirmed. Should that be one of the conditions?

Ms. Arnold replied that it was her understanding that there is not an existing perimeter for what that means at this point in the rural areas.

Mr. Edgerton asked what they were asked for.

Ms. Arnold replied that is referencing a part of the ordinance that was really written for the development areas. So there is not a standard at this point.

Mr. Cilimberg noted that has been a question that has arisen on subdivision plats with the same comments from Fire and Rescue that would imply some things that have not been discussed in public venues. At this point they have had to really continue has they have been in the past based on making sure that any project meets the standard for appropriate septic and such. But, this one is a bit undefined at this point. Staff is waiting for that to get further discussed.

Mr. Morris asked if there are any other historical considerations on this site with the building that needs to be considered.

Ms. Arnold replied that the building itself was built in the 50's. The church itself has a history on the site back to the 1800's.

As there were no further questions for staff, Ms. Joseph opened the public hearing and invited the applicant to address the Commission. There being no one present to speak for the applicant, other public comment was invited. There being none, the public hearing was closed and the matter before the Commission. She asked Mr. Kamptner if the Commission should act on the request or wait until the applicant is present.

Mr. Kamptner replied that there was nothing that prevents the Commission from acting on the request tonight.

Mr. Cannon noted that he was inclined to act on the request and approve it with the same condition the Commission placed on the earlier application. That is the condition that the staff would review issues of capacity and include that as a condition in the matter as it goes before the Board.

Ms. Arnold noted that the church was not proposing any increase at all in capacity. The church literally just needs a place for the choir to stand. Right now they are standing between the pulpit and the pews.

Mr. Cannon asked if the Commission was changing a nonconforming use into a conforming use, and would therefore have the same capacity issue.

Ms. Arnold agreed that they would need to set the number of the sanctuary.

Motion: Mr. Cannon moved, Mr. Morris seconded, to approve SP-2007-00016, Mt. Alto Church Addition with the conditions recommended by staff, as amended.

1. Special Use Permit 2007-16 shall be developed in general accord with the concept application plan, provided by the applicant and received February 26, 2007 (Attachment A.) However, the Zoning Administrator may approve revisions to the concept application plan to allow compliance with the Zoning Ordinance.
2. The addition shall be limited to 320 square feet.
3. Staff will work with the applicant regarding the capacity or size limitation issue before the request goes to the Board of Supervisors. Staff will research similar projects to determine what standard condition the Planning Commission has used in the past associated with the area of assembly to make sure the size of the church and the number of people attending will correspond.

The motion passed by a vote of 6:0. (Mr. Zobrist was absent.)

Ms. Joseph stated that SP-2007-00016, Mt. Alto Church Addition will go to the Board of Supervisors with a recommendation for approval on July 11. She requested staff to talk with the applicant about using hardy plank instead of vinyl on the outside since this is a historic site and the vinyl would be more durable.

Work Session:

CPA-2007-00002 US250/Crozet Avenue (NW Corner)
PROPOSAL: Amend Comprehensive Plan from Development Area Preserve and Development Area Reserve (CT 1& CT2) to Urban Center (CT5), which allows for a mix of uses and residential types at net densities of up to 12 units per acre; up to 18 units per acre if in a mixed use setting.
EXISTING COMPREHENSIVE PLAN LAND USE/DENSITY: Development Area Reserve (CT2) and Preserve (CT1) - development area open space preserve or reserve with very low residential density (net 1 unit per 20 acres).
ENTRANCE CORRIDOR: Yes
LOCATION: 562 Crozet Avenue (Route 240), approximately 500 feet south of its intersection with Oak Drive TAX MAP: 56 PARCELS: 16
MAGISTERIAL DISTRICT: White Hall
(Rebecca Ragsdale)

Ms. Ragsdale summarized the staff report.

- This is the first step in what is a two step process for comprehensive plan amendments. Staff brings the request before the Commission for a recommendation in terms of processing it. At this point there is not resolution of intent before the Commission. That would be the second step if the Commission chooses.

- This is property at the northwest corner of Route 250 and Crozet Avenue. It is about a 1.7 acre site that is currently zoned R-1 and designated for development area reserve and preserve for the community of Crozet in the development area. Staff referred to a copy of the Crozet Master Plan to point out the green buffer going towards the Blue Ridge Shopping Center area. The subject property is across the street from the Crozet Gateway Market.

- The applicant came in to talk with staff about the potential for commercial on that property. The Comprehensive Plan both on the Place Type Land Use Map and within the text of the document does not currently support additional commercial. The Crozet Master Plan is based on centers of activities and existing neighborhood centers within a quarter of mile walk ability. Where the most emphasis was placed in terms of centers was in downtown. In the case of this area it is called a corridor given the characteristics of the road and the natural features. The applicant has requested a CT-5 area, which is located along Route 250 where typically there was existing Highway Commercial zoning.

- The Gateway Market is Highway Commercial. The surrounding area is zoned R-1, Residential. Across the road is rural area and Rural Area zoning south of Route 250. The buffer along Route 250 is to protect the Scenic Highway. Additional commercial is not being encouraged other than what was an established center or approved zoning in very limited cases along Route 250.

- There is a frontage road that would connect Crozet Avenue and Route 240 over to Old Trail Drive primarily to get school traffic off of Route 250.

- This is the first discussion of how this application would be processed. This is the second Crozet Master Plan amendment request that has been received. In both cases, staff has recommended that it be looked at comprehensively during the review of the Crozet Master Plan in its entirety to see if there are any updates needed to it. The other request the applicant chose not to come before the Commission for a discussion it. That was a road deletion. In this case staff has not found any reason to process the request in advance and noted that this would mean larger amendments to the Master Plan than just simply changing this particular property's land use designation. It has broader implications in terms of major goals of the plan in center and place types in Crozet. Staff recommends that the request be processed with the five-year review and update of the master plan. At this time if the request were to be processed ahead of that then staff would come back to the Commission with a resolution of intent.

Ms. Joseph asked if there were any questions for staff.

Mr. Edgerton asked what the three shades of green were shown on the Holden's and the applicant's property.

Ms. Ragsdale replied that there are only supposed to be two shades of green. In the case of this map some of the green gets distorted. There are two different green designations in the plan. They are CT-1 and CT-2 development area reserve and preserve. They are basically described in the plan essentially the same as being intended to preserve open space and agricultural activities. In this case the green along the road defines the edge areas with the rural area. There is not a significant difference in how reserve and preserve are applied.

Mr. Edgerton asked if the only commercial along 250 was all grandfathered from previous approvals long before the Master Plan was developed.

Ms. Ragsdale replied that was correct.

Mr. Edgerton asked if the road shown through the applicant's property part of the proposed Crozet Master Plan.

Ms. Ragsdale replied that was correct.

Mr. Morris asked if the Crozet Advisory Committee been consulted on this request.

Ms. Ragsdale replied that the Crozet Community Advisory Council was appointed by the Board. There is a member of the Advisory Council present tonight, Barbara Westbrook. Staff provides project updates in terms of land use applications to the Council. It was not set up with the intent that they would make any formal recommendations. But, the Advisory Council is aware of the request.

Ms. Joseph opened the public hearing and invited the applicant to address the Commission.

Dan Neil, a Real Estate Agent with Brownfield, Coffee and O'Neil, said that Ms. Ploumis has asked that he speak on her behalf of this application.

- They contacted staff because of Ms. Ploumis' interest in marketing her property. The Ploumis property is inaccurately shown on the map because it is only the land that is between 250 and the proposed frontage road. The desire to market the property has resulted because her quality of life has really deteriorated in recent years as traffic has greatly increased on 250 and Crozet Avenue. As Ms. Ploumis anticipated the level of growth that is seen for the Crozet area she realized that it was not going to be a place where she was going to feel comfortable living. With the amount of truck traffic on 250 it has become very difficult to sleep. When she bought the property 16 years ago the feel of the property was much more rural. Her realization that she was not going to feel comfortable living there was what prompted her to call a real estate agent. They are aware that an amendment to the Comprehensive Plan can't be considered on the basis of a single property owner or a single piece of property. But, the more they looked at this they felt that her issues regarding the property appeared to be in synch with the interests of the community of Crozet as a whole.

- The house was built in 1930 and at the time was on the south side of Route 250. Route 250 was moved in the late 30's, which put her on the north side of the road. If she were to remain in this house and if the frontage road were to be built she would find herself right on the corner of the busiest intersection in the whole Crozet development area. There is going to be significant traffic on the frontage road if built to and from the schools. Her property would end up being sandwiched between two very high traffic roads. Ms. Ploumis could be forced to rent out the property, which could be a potential problem for the community since she would not be able to keep the property up in the same manner if it was an owner occupied property. It is really not a green preserved corner, but a property with a residential house located on it serving as a median strip between two highly traveled roads. In their proposal they have tried to envision ways in which this property could be transformed into some kind of commercial use. Through the site plan process the County would have control or at least give guidelines for the landscaping of it and could direct it towards a friendly and attractive commercial use. It would likely be a more attractive corner and gateway to the Crozet community than it would if it were a rental property that the owner found difficult to keep up with long term tenants.

- Regarding Mr. Holden's letter, he stated that in their application for this amendment they were urging that the County put this frontage road in. That is not the case. Ms. Ploumis is distressed to see the frontage road in the Crozet Master Plan. It is a big part of the reason she feels concerned about what is going to happen to her property in the future. Therefore, she is in no way advocating for that frontage road to be built. Also, Ms. Ploumis' property was not carved out of Mr. Holden's property as stated in his letter. That is not the history of the property because her property was never a part of his property in the past. The moving of the road caused her house to be moved from the other side of 250. He asked for guidance from the Commission on how Ms. Ploumis can proceed with her request.

There being no further questions for the applicant, Ms. Joseph invited other public comment.

Barbara Westbrook, resident of Crozet and member of the Crozet Community Advisory Council, said that she was born in Crozet 60 years ago and has gone through this intersection nearly every day. She has talked with about 20 people who live within a mile of this location and they had no idea that this proposal was being made. She questioned if there should be zoning signs posted or public notice given to the adjoining property owners. The main concern is the increase in traffic on Route 250, which is a Scenic Highway. About a year ago she did a traffic count just east of this site near the Blue Ridge Builder Supply. Between 7 and 9 in the morning there were 1,500 cars and trucks traveling through this area. That was at least a year ago. This location is about 1.5 mile east of I-64 and a mile west of Blue Ridge Builders Supply. In this 2.5 miles of Route 250 there now exists 3 gas stations/convenience stores, a subdivision of about 20 townhouses, a strip of at least 10 retail businesses including Dominion Pizza, a hamburger restaurant across from Blue Ridge Builders and then another strip next door almost completed

about the same size, Cory Farm Subdivision with about 55 houses, the Masonic Lodge, 3 stop lights and one more planned near Blue Ridge, 3 schools, Old Trail Subdivision and Golf Course, a lumber yard and at least 7 other businesses, a western connector bringing more traffic from Jarman's Gap Road plus Route 250 that brings all of the traffic from Crozet. In the future there are plans for Liberty Hall Subdivision, the eastern connector possibly bringing more traffic, a large grocery store next to Blue Ridge Builder's, Old Trail Town Center and Gateway Market. With all of this now and what is being planned the traffic is already bad and is only going to get worse.

Chris Holden, owner of the Holden property, said that the Commission has already received his letter. He strongly urged the Commission to prevent Ms. Ploumis' application from going forward and prevent that corner from changing in any way including the addition of the proposed frontage road. They want to preserve that corner. They bought the property 11 years ago with the understanding that the property on that corner was to be preserved. They are looking into putting the property into conservation easement to give it the best chance of maintaining some of the green area and rural character at that interchange and gateway into Crozet. If a convenience store was allowed it would be like putting it in his front yard. He asked that the County consider not putting that frontage road in because it would not solve any traffic problems. He opposed having the frontage road in his front yard.

There being no further public comment, the public hearing was closed and the matter placed before the Commission.

Ms. Joseph noted that this is consideration of changing the Comprehensive Plan at this point in time.

Mr. Strucko said that having participated in the Crozet Master Plan he knew that the thoughts and the care taken by the residents, land owners and stake holders of this area of the County and the hired consultants with balancing what should happen in Crozet, particularly the areas of concentrated development, residential and commercial use, road connections, etc. This area as depicted on the map was set aside as residential. He felt that it was done for a very good reason. Also, maintaining the scenic nature of Route 250 as much as possible is also a serious consideration. There was a theme that the commercial activities of Crozet should be concentrated in the downtown area as much as possible. So given all of those factors he was not favorably inclined to basically rezoning this parcel from residential to commercial. He was inclined to keep the Master Plan and Comprehensive Plan intact. Therefore, he did not want to change the nature of this particular parcel.

Mr. Morris agreed that this request should be considered with the 5-year review and with recommendations from the Crozet Advisory Council.

Ms. Joseph agreed that this request should not be reviewed at this time. It is not likely that this will be looked at favorably in 2 years.

Motion: Mr. Morris moved, Mr. Cannon seconded, to recommend that CPA-2007-00002, US250/Crozet Avenue (NW Corner) not be considered until the Comprehensive Five Year Plan Update for the entire Crozet Master Plan, but the Planning Commission is definitely not in favor of it.

Mr. Edgerton asked that they go a little further than that. That was staff's recommendation. Of course, any Comprehensive Plan has to be reviewed by State stature every five years. So it will be reviewed. But, he did not want the motion worded in such a way to encourage this sort of spot review.

Mr. Cannon heard Mr. Morris' motion to say two things. One, they did not recommend going forward with this at this time, and two, they don't support it.

Ms. Joseph noted that they always have the option of coming back in five years.

Mr. Cannon asked if that was a correct interpretation.

Mr. Morris replied that was absolutely correct. He really thinks that the applicant, as well as anyone else, has the right and should bring up any proposed changes to a plan. That is why they have the five year period.

The motion passed by a vote of 6:0. (Mr. Zobrist was absent.)

Ms. Joseph stated that CPA-2007-00002, US250/Crozet Avenue (NW Corner) is not something that the Commission wants to move forward on.

In summary, the Planning Commission held a work session on CPA-2007-00002, US250/Crozet Avenue (NW Corner) to provide guidance to staff and the applicant on whether this request should be considered on a separate track and quicker than the timeframe for the Crozet Master Plan update and then the Commission should provide direction to staff regarding the study of this request. The Commission would have to request staff to bring a resolution of intent to the Commission at the next possible meeting to initiate the study process if they so desired. The Commission received input from the applicant, staff and the public. The Commission discussed the request and took action:

The Commission took a ten minute break at 7:40 p.m.

The meeting reconvened at 7:53 p.m.

ZTA2007-00001 Zero Lot Line Residences in the R-4 Zoning District - Request for a ZTA for zero lot line dwellings in the R-4 Residential Zoning District
Amend the Zoning Ordinance to allow for no side yard on one side of a lot, provided that at least fifteen (15) feet of separation is provided between adjacent dwellings located on zero lot line lots. (Elaine Echols)

Ms. Echols summarized the staff report.

- This was a request made in January, 2007. The Cox Company and Steve Blaine representing Hunter Craig made this request. It was basically to allow for greater design options using a zero lot line approach. In a zero lot line situation the side setback is zero on one side only of a lot. The applicant was proposing a 15' building separation. These two things together would also allow for greater density. The applicant made his request to move the application more quickly than the Neighborhood Model ZTA is moving. The Commission knows that is not moving as quickly as they would all like. They have also had a tremendous amount of development review going on.

- Since the adoption of the Neighborhood Model in 2002, staff has been working on these zoning text amendments, especially related to setbacks. After the subdivision zoning text amendments staff brought the Commission some front setback amendments in 2005. The Commission and ARB had questions. The Commission said at that time that they wanted a comprehensive amendment relating to all of the setbacks and wanted to involve the ARB in the setbacks for the Entrance Corridor. Staff has been working on those, but has come a long way since that time. Staff will bring the concepts to the public in July to get some preliminary input on the more comprehensive version of it.

- Staff is talking about residential and commercial and industrial districts and setbacks, buffers and those kinds of things. The current setback requirements in all the residential districts are 25' front yard, 15' side yard with a reduction to 10' where there is certain fire pressures used that can be resolved; 20' rear setback; 5' for accessory structures and a 4' encroachment for porches, eaves and that can be no closer than 6' to the property line.

- Staff thinks that there could potentially be a 10' separation between buildings and wants to have a discussion about allowing it in other residential districts. Staff does not think what the applicant is proposing is a bad idea. Staff likes the idea. There are many things in the ordinance that they have put together that staff would also like to use in what they ultimately come up with. It is a matter of timing. If they pull this one and pursue it by itself staff is worried that it is going to put some of the other ones behind.

- The current proposal for July that staff is going to be bringing out relating to residential districts would have a minimum 8' front setback, a maximum 20' front setback except for the Entrance

Corridor on urban cross section streets, a minimum side yard requirement – right now it is 15' with a reduction down to 10' and staff is talking about taking it even lower; a minimum 15' rear yard requirement, which would also be down; zero lot lines would be okay; building. Building separation would need to be 10'. They would be recommending no encroachments into the side and rear yards because of such a shallow side yard setback.

- The building envelopes are not buildings. The driveways have to be part of the lot. Staff presented a power point presentation to show that there is a lot more opportunity for using the lot in different ways. Obviously, they need a driveway and would not maximize the whole lot.

- Staff's recommendations include the zero lot line proposals with the comprehensive amendment packet. To allow staff to get public comments on the full set of setback amendments they would like to bring those concepts back to the Commission for confirmation prior to developing ordinance language. Once the ordinance language is written it is sometimes hard to extract out of there what the point was because it is difficult with just the words what they are trying to accomplish. Therefore, they want to be clear on what it is they are trying to accomplish before they start writing the legal words for it.

- If the Planning Commission wants to move with the applicant's proposed ZTA though, staff recommends that they adopt a separate resolution of intent. It was not in their package, but Mr. Kamptner has prepared one for the Commission if they want to do this one separate. Staff asks that the Commission recognize that the ZTA will take priority over the other Neighborhood Model text amendments under development.

Mr. Edgerton asked if staff meant that it would take priority over when the other ZTA amendments would be considered.

Ms. Echols replied that it was in the terms of the staff time allocated towards the zoning text amendments. They would have to wait for the rest of the comprehensive things that the team is working on. This request would go by itself.

Mr. Edgerton asked what kind of time frame they were looking at.

Ms. Echols replied that staff's game plan is to go in July to the public in a round table fashion. Staff would invite the public, development community and anyone that is interested in it. They would go over what the bullet points are and get input. If staff has missed something they want to modify it. If there are differences of opinions staff will try to pull them together. If not, then staff would bring all of that to the Commission with what staff thinks should be the proposal and let the Commission say whether they agree with the bullet points or not and what they think should happen. That would be in the fall or late August, early September to get that to the Commission. Then staff would develop it into the ordinance language. Once they get it into the ordinance language staff wants to know if the Commission wants it to go back out to the public or to go ahead and take it then. Once it is in the Commission's hands, then they have control over the timing of it. Staff wants to get it to the Commission as soon as possible, but also want to use their time wisely and provide as many public input sessions for people that are interested in it to get it into shape.

Mr. Edgerton said that he heard that it would be some time next winter before it would be ready for adoption. In the staff report it appeared that staff is working towards going further than what the applicant is asking for. Frankly, that is more consistent with what the Commission has asked for in the Neighborhood Model in trying to create a more urban situation. Is there any reason the applicant could not come in and ask for a variance from the existing and achieve the same thing? Typically most applicants' interest would be on a specific piece of property. Legally could they come in and ask for a variance from the existing ordinance.

Mr. Kamptner replied that they could ask, but the standards for granting a variance are very restrictive. They would have to show that there is no reasonable use of the property without the variance.

Mr. Edgerton said that was really not an option.

Mr. Cannon asked if there was any alternative to a variance.

Mr. Kamptner replied that adopting a regulation in the zoning ordinance that allows the Commission to modify any setback requirement in any zoning district with criteria was the other alternative.

Mr. Cannon said that would be a complicated effort in its self.

Mr. Kamptner replied that the regulation itself would be simply. It does not require the analysis as to the appropriateness of zero lot lines on a district wide or a multi-district wide basis. So they would look at these case by case.

Ms. Joseph asked if there could be simple language added to the ordinance that would allow that to happen.

Mr. Kamptner noted that it might be simple. Once they get into it they might realize that they are opening a can of worms. The other way to approach the issue, rather than having that issue addressed by a regulation that allows zero lot lines, would require the applicant to come to staff or the Planning Commission to request for a modification of the setback requirements on a case by case basis. It is the other way to deal with these kinds of issues aside from variances, which are hard to obtain.

Ms. Joseph asked if it would be standards that would be considered on a case by case basis.

Mr. Kamptner replied that there would have to be criteria, which he could not tell them what those would be right now. One would be that it would promote public health, safety and welfare.

Mr. Morris said that they did not enough information at this time on what the fire and safety has to say about this.

Ms. Echols said that the Fire and Rescue people look at the Fire Code and Building Code. The Building Code can accommodate most everything because it is all about fire ratings. In many ways it is more about the light and air issue than it is the Building Code. The Building Code can accommodate a connected wall. It is just that there are different fire ratings on the different walls. Then they have to ask if they want the Building Code to regulate what happens on a lot solely or is there more to it like the light and air issues for which setbacks were initially put into zoning ordinance. She felt that there was more to it than just the Building Code. There needs to be some separation where they have single family development and not joined wall. That is her personal opinion, which was something the Commission would have to wrestle with.

Mr. Edgerton said that they were in a tricky situation. If there was some way to add some simple language without requiring an enormous amount of staff time where the Commission could consider something that is less than what staff is on the way to proposing would be great.

Ms. Joseph noted that the Commission first saw this in February. In February they talked about going out and talking to the public. Then in February it came back to the Commission in a public hearing. At that point the Commission said that they needed to talk to the people who use this stuff and come back. The fact that the applicant said that they can't wait any longer that they need to do this plus the fact that the DISC Committee said that they should start looking at zero lot lines makes here frustrated now. It is going to take them longer and longer.

Mr. Edgerton said that it was taking forever because of limitation of staff time and the incredible development pressure. He was trying to figure out if there is a vehicle where they can respond to an individual applicant in a reasonable way and still not mess up staff's delivered way of doing this. To do it right it has to be delivered. When they have a suggestion as they do with this one where the applicant is asking for less from where staff is already going, then he starts saying that there has got to be some reason here.

Ms. Joseph said that they have something to start with here.

Mr. Edgerton said that as Ms. Echols points out if they move this ahead it is going to slow down the other.

Ms. Joseph suggested that instead of a round table that the Commission have a work session and invite the public and get their comment at this point on maybe just this document. At least it is something to start with instead of starting from nowhere. She just wants to move this along.

Mr. Cilimberg noted that there has to be something prepared for the public. The team that has been working on this has reached a point where it is virtually ready to go out and have a discussion with the public and have information that they can see, review and talk about. If the Commission would like to host that venture they don't have any opportunity in July because of their schedule. They will end up waiting until August for something that they could otherwise go and discuss in July, unless the Commission wants to set up a special meeting in July. By having a public opportunity first staff will be able to make some adjustments relating to their input before they bring it to the Commission. He asked if the Commission would like to find a time in July to do that because their current schedule would not allow it otherwise.

Mr. Edgerton asked that the session be held at 6:00 p.m. on another day of the week other than Tuesday.

Ms. Joseph invited public comment.

Mike Fenner, representative for Rio Road Holdings, LLC that Mr. Craig set up, said that they were happy to offer their services to help facilitate implementation of the zero lot line as proposed. They have passed along comments to staff since January when they first submitted their request. Obviously, due to the impact on their project that specifically that they applied for, which is the Stone Water Subdivision off of Rio Road, that timing is very sensitive. They offer that up as a prototype. They have feedback from builders in the community that they thought given the narrow lots on a challenging site they have to work with that would be an effective way to bring about some price points and demands in the market place. As designers they were struck by that was good feedback and how could they accommodate it. They thought that this was the most efficient means of bringing that about. They are seeking help from the County to help bring about a better plan and better project. They would love to get feedback sooner than later, but were happy to offer their services. Simply put they think they can bring about a better project if they have a zero lot line to work with by right. It is a means to provide more affordable housing opportunities. It is a means of providing more density in the development areas and provide more efficient of land within the development areas. They can speak to a lot of big picture issues. They fear that it will be another year before the County addresses this concern, which could mean a loss of using this opportunity. They will look at the amount of separation between the buildings.

Jack Quinn, resident in the City, asked if they have considered trees and the wildlife. His soul rejects packing people together and not having wildlife around. Therefore, he was a little anxious about what was just talked about. He questioned why staff wanted to put the buildings so close together at 10'.

There being no further public comment, the Commission discussed the issue and made the following request.

The Commission asked staff to schedule a date in July to hold a special work session on the overall amendments on a Thursday evening. The Commission thought that, by having a special work session for public comment, they might be able to advance the amendments more quickly.

In summary, the Planning Commission held a work session on ZTA-2007-00001 Zero Lot Line Residences in the R-4 Zoning District – Request for a ZTA for zero lot line dwellings in the R-4 Residential Zoning District to consider whether to take up the applicant's proposal outside of the overall amendment that staff is developing or to consider the proposal as part of staff's recommended text amendments. The Commission received input from the applicant, staff and the public. The Commission discussed the request and decided to consider the applicant's request in the overall context of the rest of the setback amendments. The Commission asked staff to schedule a date in July to hold a special work session on the overall amendments on a Thursday evening. The Commission thought that, by having a special work session for public comment, they might be able to advance the amendments more quickly.

Old Business

Ms. Joseph asked if there was any old business. There being none, the meeting proceeded.

New Business

Ms Joseph asked if there was any new business.

A question was raised about the "2007 Transportation Bill", and Mr. Kamptner replied that his office was studying it and will go to a seminar next month.

Adjournment:

With no further items, the meeting adjourned at 8:30 p.m. to the joint work session with the Board of Supervisors on Wednesday, June 13, 2007 at 4:00 p.m. at the County Office Building, Second Floor, Lane Auditorium, 401 McIntire Road, Charlottesville, Virginia.

V. Wayne Cilimberg, Secretary

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