Albemarle County Planning Commission
November 13, 2007

The Albemarle County Planning Commission held a meeting and a public hearing on Tuesday, November 13, 2007, at 6:00 p.m., at the County Office Building, Lane Auditorium, Second Floor, 401 McIntire Road, Charlottesville, Virginia.

Members attending were Marcia Joseph, Chairman; Duane Zobrist, Jon Cannon; Bill Edgerton and Pete Craddock. Absent was Eric Strucko and Calvin Morris, Vice-Chairman. Julia Monteith, AICP, Senior Land Use Planner for the University of Virginia was absent.

Other officials present were David E. Pennock, Senior Planner; Joan McDowell, Principal Planner; John Shepherd, Manager of Current Development & Zoning; Wayne Cilimberg, Director of Planning; Summer Frederick, Planner; Scott Clark, Senior Planner; Amelia McCulley, Director of Current Development & Zoning; Judith Wiegand, Senior Planner; Allan Schuck, Senior Engineer; Gerald Gatobu, Planner; Glenn Brooks, County Engineer; Elaine Echols, Principal Planner; and Greg Kamptner, Deputy County Attorney.

Call to Order and Establish Quorum:

Ms. Joseph called the meeting to order at 6:05 p.m. and established a quorum.

Committee Reports:

Ms. Joseph invited committee reports.

- Mr. Craddock reported that the CIP committee will meet next week.

- Ms. Joseph reported that the PACTECH met on October 18. An overview of the Fontana Park rezoning was given. In the proposed plan distributed the University offered an alternative to the through road as shown as a dashed line. The University is asking for further study on this proposal instead of the Sunset Connector they thought might go through the Granger property and connect with Fontaine Research Park. The Commission has a work session week after next on this matter. In addition, the City revealed their new comprehensive plan. They have some dates when they would like to implement their Comp Plan. She felt that the County was moving in that direction.

  Mr. Cilimberg agreed that the County is moving in that direction in the master planning.

There being no further items, the meeting moved to the next item.

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 to the next item.

Review of Board of Supervisors Meeting – November 7, 2007.

Mr. Cilimberg summarized the actions taken by the Board of Supervisors on November 7, 2007.

- Last week the Board discussed the report for the Defense Intelligent Agency Relocation Program. It is the basic review of the plans as they exist now. It was the same report that the Commission received. He noted that if the Commission had any questions or wanted to schedule a later work session, staff could certainly try to do that as well. It might have to be scheduled after the first of the year.

Discussion:

Ms. Joseph asked if NGIC could be woven into the discussions when Places29 comes back.

Mr. Cilimberg replied that staff will look at that. There are some Places29 work sessions coming up to discuss land uses. The Commission could ask the questions then as to how that interrelates.

Ms. Joseph noted in talking about the church, the last time they met staff talked about the fact that the Commission may be looking at rural area implementation, which would mean uses in the rural areas. She asked if churches could be included in that discussion since scale is becoming a big factor in the rural area.

Mr. Cilimberg replied that it could be. But, considering the work program and the current staffing situations this discussion will have to be held down the road a little ways. It is not going to be something that they will be getting to in the next year. There are some questions about how they might better address churches in the rural areas. Some of the federal requirements make it difficult to deal with a church as it relates to land use impacts and fits in the rural area.

Deferral Request:

SUB-2007-00292 Lee Grossman – Preliminary
The request is for preliminary plat approval to create two (2) lots on 5.26 acres. The property is zoned RA (Rural Area). The property, described as Tax Map 59A Parcel (2)4 is located in the Jack Jouett Magisterial District on Broomley Road approximately 0.75 mile from the intersection with Ivy Road [Route #250]. The Comprehensive Plan designates this property as Rural Area 1. (Summer Frederick)

Ms. Joseph noted that the applicant has requested deferral of the request.

Mr. Shepherd said that he had received a letter from Roger Ray's Office this morning asking an indefinite deferral of the request. Staff recommends acceptance of the request.

Ms. Joseph opened the public hearing and invited public comment. There being none, the public hearing was closed to bring the matter before the Commission.

Motion: Mr. Cannon moved, Mr. Zobrist seconded, for approval of the applicant's indefinite deferral request for SUB-2007-00292, Lee Grossman - Preliminary.

The motion passed by a vote of 5:0. (Mr. Morris and Mr. Strucko were absent.)

Ms. Joseph stated that SUB-2007-00292, Lee Grossman – Preliminary was indefinitely deferred.

Deferred Items:

SDP-2007-00065 Lewis and Clark Exploratory Center ***DEFERRED FROM AUGUST 14, 2007.***
The request is for a preliminary site plan approval for construction of a 15,000 square foot historical center on approximately 12 acres within existing Darden Towe Park. The property, described as Tax Map 62, Parcel 23, is zoned RA, Rural Areas, R-1, Residential, and EC, Entrance Corridor and is located in the Rivanna Magisterial District on the west side of Stony Point Road [Rt. 20], 0.5 miles north of its intersection with Richmond Road [Rt. 250]. The Comprehensive Plan designates this property as Parks and Greenway in Urban Area 3. (David Pennock)

Mr. Pennock presented a power point presentation and summarized the staff report.

- This is a deferred item. It was first heard by the Planning Commission at its August 14, 2007 meeting. The proposal is for what will ultimately become a 15,000 square foot historical center within a leased area in the existing Darden Towe Park. They have made some changes to the plan since the previous hearing. The last version of this plan required 2 waivers that the applicant was requesting. One was for the original curb and gutter within the travel ways and the other was

for a gravel surface area to be installed at least with phase and in some areas throughout the entire project.

- The changes to the plan are summarized in Attachment C of the staff report. Basically, the applicant has narrowed it down to two phases instead of three. The first phase would be the construction of the 2,500 square foot building as well as the installation of most of the parking and improvements to the travel way to the full intent basically. They are no longer proposing curb in any of the parking areas. Originally, they had proposed curb around most of it with the exception of the areas that were immediately adjacent to storm water management facilities. Now they have gone to what is more of a sheet flow type of a design. They are not proposing curb in any of it in anticipation that the ditches proposed will naturally cycle the water down to more of a rural feel as described in the application.
- The other issue that came up during the last discussion had to do with the adequacy of those channels to handle the anticipated run off. They have provided calculations to support their design. The revised plan shows 83 spaces and the building is more or less within the footprint of the overall structure. They would add an additional 12,500 square feet with phase two. The proposed road is what they calling "riverwashed and sealed stone." A picture of a similar product that was installed at Monticello was provided.
- The main issue can be broken into two pieces. There are three actions that will ultimately be asked for tonight. One is that the site plan itself, which was called up for review by the Planning Commission. In order for that to be approved there are two waivers that are also necessary. Staff has broken their analysis down into two parts. One has to do with the proposed surface and curb and gutter waivers for the actual area of the site plan itself. That is the area that they are doing the work. The other is in the area of the access road. The existing access road through the park, which its current state is gravel, our ordinance would require that also to be upgraded. They are asking for a waiver to not change the existing condition of that road.
- Last time staff did a presentation to basically orient everyone within the site. He basically reviewed that information again in the power presentation. Staff's biggest concern had to do with the adequacy of the ditches to contain the runoff, but also the existing conditions if they were able to handle the additional volume of traffic that was anticipated and the runoff that may come from this proposal. The general practice within the development area is to design with the Neighborhood Model standards in mine. Curb and gutter is usually a way to direct storm water flow, but also to channelize it into pipes and things to convey it to adequate outfalls. There is going to be some run off that flows down towards the existing roadway. The other portion of staff's analysis had to do with that.
- Allan Schuck was able to take a look at the site during the last rain storm. It is one of those situations where a picture sometimes basically says more than what they can say. In the photographs taken a few weeks ago it shows that in the areas with the curb and gutter there were not too many ponding situations. The water was basically being conveyed down the sides of the road as anticipated. On the sections of the road that were graveled there was some ponding and channelization. There were areas that showed that the water was running out as it went down the drive. In some cases the gravel was blown out at the side of the roadway and obviously rutted out as it was finding its way down. That is the main concern. At the last meeting that was part of the debate. In staff's recommendation for denial there was some question as to whether or not the proposed ditches were going to be able to accommodate it. Also, the existing conditions were the second part of that waiver.
- Staff analyzed the ditch calculations provided and concurred that the applicant's calculations as provided seemed to be correct. Based on those calculations the proposed plan would handle the expected run off. Based on the standards in the ordinance staff is still recommending denial of both of those waivers.
- A memo from the Memorial Park Committee from the Parks and Rec Department in support of the project was distributed.

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

Mr. Cannon asked who would maintain the road.

Mr. Craddock questioned the amount of traffic on the gravel road.

Mr. Pennock noted that the applicant indicated that it would be about 200 trips per day for the anticipated use of the site.

Mr. Craddock asked if the proposal was better than tar and gravel.

Mr. Schuck noted that the proposal was basically for the prime and seal where the layer of gravel was put down with a level of tar over top that binds the top layer of gravel down to a certain depth. That gives it the consistency of it. The main trouble with that compared to the 2" of asphalt is that over time the maintenance and wear and tear there was the potential with the high vehicle usage to get more of a rut per say when using the method.

Mr. Craddock asked if the state allows this method.

Mr. Schuck replied that the state does allow this standard for public streets up to a certain standard of anticipated traffic.

Mr. Cannon asked who would maintain these roads.

Mr. Schuck replied that it was a private street, but he did not know if they would have an agreement set up with the Parks and Rec. Therefore, he deferred the question to the applicant.

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

Fran Lawrence, President of the Lewis and Clark Exploratory Center, noted that they were represented by Roger Stein, Program Chair and Mr. Hemingway, Vice President; Alexander Sorrels, Director of Operations; Chancy Hutter, Kay Slaughter, a member of the Board of Directors; and Diane Marabordie, a Board member. He noted that within the last several months Lewis and Clark Exploratory Center received several awards. But, he realized that the issues to be discussed were technical issues. Others present to discuss some of the technical issues include Mr. Wells, who did their concept plan, Dominion Development Resources and Justin Shimp. To have a brown pavement double seal road is very important to them aesthetically. They are concerned about financing their project, too. It is very important that the curbs and gutter not be there, but it also costs more. It is more about the look and the feel of the aesthetics of the curb and gutter since they don't like asphalt. Ms. Miller will discuss this further and ask that the Commission give them an option for some new pavements out there. A brown stone road with nice ditches would be much better. They think that such a road can clearly cover the traffic because VDOT permits it. They feel that they have a dual maintenance duty. As a condition of the special use permit they have to maintain their road or be in violation of their permit. Secondly, under the terms of their lease with the city and county who own Darden Towe Park he was about 95 percent confident that they have a duty to both build and maintain the road. He recognized that they have a duty to the extent that the Commission requires them to do that to create road improvements all the way back to the T-section.

Mr. Edgerton noted that the special use permit conditions when granted states that the access road would be paved with asphalt or resin bound pavement. That has changed and is what they are discussing.

Mr. Lawrence agreed that they were obligated to do that. He recalled that they said they were going to come back to the Commission and ask for some alternatives even though they recognized that was the base line. They have no complaint if the Commission makes them do that.

Mr. Edgerton asked staff if that requirement on the special use permit did not require the curb and gutter.

Mr. Pennock replied yes, the curb and gutter was not specifically spelled out on the special use permit. But, that is what staff is asking for now.

Mr. Edgerton said that the special use permit was approved with asphalt or resin bound pavement, but not curb and gutter.

Mr. Pennock replied that was correct and that the material of the existing gravel road was not specified additionally on the special use permit.

Justin Shimp said that regarding the curb and gutter waiver request previously there was a discussion about whether the ditches proposed would handle the drainage. They submitted the calculations to the county to show that was okay. The big point was that the out fall would be better served by a storm sewer system rather than curb and gutter. He argued that the County's Design Standards Manual and the State Erosion Sediment Control Handbook would require them to provide the same outlet protection, the same erosion control measures and to verify that the downstream channels are adequate whether or not they do curb and gutter or ditches. He checked for reference the velocities of the ditches and found that they were comparable at 6' per second to what a storm sewer would be. The outlet velocities are not going to change. The requirements are not going to change for the downstream protection of the channels. So the ditches would meet the intent of the ordinance.

Mr. Cannon asked if he had information as to which system, either the proposed ditches or the curb and gutter that is proposed by staff, would result in less run off or less sediment reaches the Rivanna River.

Mr. Shrimp replied that the run off or the amount of water is the same whether the curb or the ditches is used. When the water is channelized and put into concrete curb and discharge it through concrete or plastic pipes the velocity is going to be higher than if it was in a grass lined ditch. The County's Design Standards Manual and the Erosion Control Handbook require them to do calculations at the final site plan to provide the downstream channels. There would be no different in the sediment or erosion of one versus the other.

Ms. Joseph suggested that they consider a bio-swale along the roadway.

Janet Miller, landscape architect, said that they started to look at the issue of bio-filters along the access road, but have not addressed it. She felt that Mr. Lawrence had adequately addressed the prime and double seal issue. From an environmental aspect of it she would like to see something less toxic than the suggested pavement, which was why they suggested the stone and seal pavement. She provided information on the "Natural Pave Resin Pavement." This pavement would reduce the heat island effect and also would be in keeping in context with a more sustainable development. If they were going to LEED points it would help them in that aspect. There was also a similar pavement, which she is trying to investigate. VCU is under construction for the Rice Environmental Center and they are using a similar pavement.

Mr. Zobrist asked why they are discussing this type of pavement if the special use permit allows it.

Mr. Edgerton noted that the applicant is asking for brown stone and prime and double seal.

Ms. Joseph asked Mr. Schuck if he had looked at this.

Mr. Schuck replied that he had not and it was brand new stuff.

Ms. Joseph said that this is difficult because they have some really good engineers on staff and the Commission relies on them when looking at this stuff. She invited other public comment.

Mr. Zobrist suggested that they ask for a deferral.

Ms. Joseph said that if they go in this direction they need the engineers to take a look at this and give advice on how to move forward.

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

Mr. Lawrence requested a deferral of the request in order to work out the issues with staff and get it back on the agenda as quickly as possible. They want to get approval by the end of the year.

Mr. Zobrist asked what questions staff had for the Commission to respond to.

Mr. Pennock replied that the question about the Resin Natural Pavement would involve some staff analysis. Based on the words it meets the conditions of the special use permit. But, whether or not it meets the standards of the ordinance staff would need to take a look at that. That would be question one.

Mr. Schuck noted from an engineering standpoint they have the two waivers before us. On the use of the alternative surface staff would be glad to take a look at that. The one concern he wanted to bring up is they are proposing no improvements for the first section that currently is graveled. If they wanted to do this type of pavement, staff would recommend that they do it for the whole section up towards the T-bone ends as opposed to just leaving it as gravel as currently proposed just to have the consistency of it. Staff would be glad to take a look at that. The other item was the curb and gutter waiver. If they wanted to do bio-swales or use it for storm water management, that waiver could be done administratively through staff. So if it is an option that they would like to proceed forward with, staff would be glad to take a look at it. If it is something that they can incorporate in the plan, then this waiver could be done administratively. In some of the parking area staff has waived some of the curb and gutter previously. So if that is an option that the applicant would like to proceed forward with, staff would be willing to work with them and take a look at that. Therefore, that waiver may go away administratively.

Mr. Zobrist assumed if staff determined that this resin pavement meets the special use permit, then the applicant would not have to come back to the Commission.

Mr. Schuck replied if the applicant would want to show it for the entire section and it meets the intent of the ordinance, then the only item would be the site plan that has been called up for approval. If they take care of these waivers ahead of time they may be able to take care of that without going through this entire process for the entire waiver.

Mr. Zobrist said that it was a great solution.

Mr. Pennock clarified that the resin pavement on the surface sounds like it would meet the conditions of the special use permit. But, there is a possibility that it could meet the special use permit and still require a waiver of the ordinance. It is something that staff will have to look at to make sure that it meets the requirements.

Mr. Zobrist said that hopefully it could be worked out in such a way that they don't have to come back.

Mr. Pennock noted that they may still need the curb and gutter waiver.

The Planning Commission discussed the outstanding issues. In order for the site plan to be approved there are two waivers that are also necessary. There were two issues in staff's analysis. One has to do with the proposed surface and curb and gutter waivers for the actual area of the site plan itself. It includes the area where they are doing the work. The other is in the area of the access road. The existing access road through the park is gravel and would be required to be upgraded as per the ordinance. The applicant requests a waiver to not change the existing condition of that road. It was questioned whether the prime and double seal road was acceptable and specifically if the Natural Pave Resin Pavement could be approved by engineering staff. Staff noted that this product has not been used before in the County.

Ms. Joseph asked how the Commission should proceed because of all of the issues that are up in the air.

Mr. Cilimberg said that he did not know if the preliminary site plan can be acted on without the waivers. Without the waivers they can't do anything but curb and gutter and asphalt. Otherwise, the Commission could act on the preliminary site plan potentially or if they just wanted to defer the whole item and if it falls into place that what is being proposed for the site plan and the waivers is what they anticipated coming

out of today's meeting, then it could be placed on their consent agenda. That would eliminate staff having to find a spot on the agenda for its discussion.

Ms. Joseph asked if the Commission has to take an action.

Mr. Kamptner said that their action is to accept the applicant's request for deferral and it is to be placed on the consent agenda once staff has completed its review of the information.

Motion: Mr. Zobrist moved, Mr. Craddock seconded, for approval of the applicant's request for deferral of SDP-2007-00065, Lewis and Clark Exploratory Center, with the condition that it be placed on the consent once staff has completed its review of the information.

The motion for approval passed by a vote of 5:0. (Mr. Strucko and Mr. Morris were absent.)

SDP-2007-00078 NGIC Expansion – Preliminary *DEFERRED FROM OCTOBER 9, 2007.*
This is a request for preliminary site plan approval for construction of two four-story office buildings totaling 178,800 square feet and site preparation work related to a future project on approximately 15 acres zoned CO - Commercial Office and EC - Entrance Corridor. The property, described as portions of Tax Map 33, Parcels 1D and 1F, is located in the Rivanna Magisterial District east of Seminole Trail [Route 29N] at the end of Boulders Road [Private]. The Comprehensive Plan designates this property as Industrial Service in the Community of Piney Mountain in the Development Area. (David Pennock)

Mr. Pennock summarized the staff report. (See Staff Report)

- This is a deferred item from the October 9, 2007 meeting. The proposal is adjacent to the existing NGIC facility. A rezoning and two special use permits were approved to ultimately allow construction of two office buildings as well as a residential building.
- Last time this was before the Commission the biggest concerns were based on staff's analysis. The application plan that was proffered as part of the rezoning had basically changed on the site plan such that the stormwater management facility that was originally proposed to be downstream on the federal government's property had moved onto the property that is under review with this plan. It was impacting a required buffer as well as some of the areas off site.
- Staff's biggest concerns were:
  1. There was a required waiver in order to disturb that landscape buffer.
  2. The compliance with the application plan that came in with the rezoning.
- Since that time the applicant has amended the plan. Now the stormwater management facility is still on their site, but it is within the boundaries of what will ultimately be phase two of the construction of their residential building. The zoning administrator has issued a determination that finds that plan to be in compliance with the application plan. The conditions there are that they still don't disturb that landscape buffer. It is a little tight on the plan since they are coming right up to it. Staff will have to make sure that they look at that closely at the final site plan. But, as the plan shows they are not impacting that buffer. That would be one of the conditions. The other one is ultimately if this site is developed further that it be in accord with the application plan that was approved, which shows the residential building over top of where the stormwater management facility is. It is a temporary facility in as much as when phase two goes forward they will have to either move it off site downstream or address it in some other way.
- Therefore, all the issues from last time have been taken care of from staff's perspective. The waiver is no longer necessary and the plan is found to be in accord with the application plan. The item was called up for Planning Commission review. Staff is recommending approval with the conditions outlined in the staff report.

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

Scott Collins said that he was present to answer questions. He said they agree to all the conditions.

Mr. Edgerton asked where the stormwater management would move when phase two occurs.

Mr. Collins replied that ultimately the idea is that the storm water management for this site will be combined with the downstream property NGIC when they develop their site. They are working on the master plan. The idea is that they are going to incorporate their flows with a pond somewhere on their property and at that time their pond can be removed.

Ms. Joseph asked the sewer will go to the Camelot treatment plant.

Mr. Collins replied yes that it will and that they have the capacity for their site. They have been working with the Service Authority and have a letter from them.

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

Motion: Mr. Zobrist moved, Mr. Cannon seconded, for approval of SDP-2007-00078, NGIC Expansion - Preliminary as recommended by staff and in accordance with the conditions listed in the staff report.

The final site plan shall also be subject to these conditions:

- □ 1. The Current Development Division shall not accept submittal of the final site plan for signature until tentative final approvals for the following conditions have been obtained. The final site plan shall not be signed until the following conditions have been met:
  - □ a. Current Development Planner approval to include:
    - □ i. Approval of Lighting Plan, including specification sheets and photometric layouts for proposed new lights, in accordance with Section 4.17.
    - □ ii. Approval of Landscaping Plan, including required screening, in accordance with Section 32.7.9.
    - □ iii. Approval of Conservation Plan, in accordance with the approved Application Plan.
    - □ iv. Conditions of both Special Use Permits must be included on the site plan.
  - □ b. Current Development Engineer approval to include review of all applicable items as specified in the Design Standards Manual, as well as:
    - □ i. Erosion and Sediment Control Plan.
    - □ ii. Stormwater Management Plan.
    - □ iii. Please provide all needed easements (or at a minimum for preliminary approval, a letter of intent) from the United States of America for grading, drainage easements, use of the pond, etc. A drainage easement will be needed from both proposed outfalls of the NGIC expansion. Drainage easements should be shown correctly over ditches and drainage structures.
    - □ iv. Parking areas cannot exceed 5% grade in any direction.
    - □ v. Grading errors shown on the proposed plan must be corrected.
  - □ c. Albemarle County Building Official approval.
  - □ d. Fire and Rescue Division approval to include:
    - □ i. Verify adequate fire flow is available.
  - □ e. Albemarle County Service Authority approval to include:
    - □ i. Dedication of offsite water and sewer is required prior to final approval.
    - □ ii. Approval of final water and sewer construction drawings.
  - □ f. Virginia Department of Transportation approval to include:
    - □ i. Approval of plans for all State maintained portions of the property and entrances into the site.
    - □ ii. Road and drainage plans need to be provided for the extension of Boulders Road.
    - □ iii. The plan needs to address the need for a right turn lane into the site.
    - □ iv. The plan needs to show the proffered improvements to route 29.
    - □ v. The entrance to the site at Boulders Road needs to be designed in accordance with the Minimum Standards of Entrances to State Highways and VDOT ' s Road Design Manual.

The motion for approval passed by a vote of 5:0. (Mr. Strucko and Mr. Morris were absent.)

Ms. Joseph stated that SDP-2007-00078, NGIC Expansion – Preliminary was approved.

Regular Items:

SDP-2007-00090 Whistler House Congregate Care Building Extension
The request is for extension of an approved site plan allowing an 86-bed facility with kitchen facility. The property is 1.586 acres, described as Tax Map 61Z, Section 3, Parcels 5A and 5D, is located in the Rio Magisterial District on Branchlands Drive approximately 1,000 feet north of the intersection with Greenbrier Drive, and is zoned PUD. The Comprehensive Plan designates the property as Urban Density in Urban Area 2. (Summer Frederick)

Ms. Frederick summarized the staff report. (See staff report)

- The applicant requests an extension of a previously approved site plan in accordance with Section 32.4.3.8 of the Zoning Ordinance. The previous site plan was approved on September 18, 2002 and it expires September 18, 2008. The applicant submitted their request on September 11, 2007. Staff recommends approval of the request.

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

Bob Anderson, representative for the applicant, pointed out that the owner had passed away that had caused some delay. They are currently ready to proceed with the project. He asked for approval.

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

Motion: Mr. Craddock moved, Mr. Cannon seconded, for approval of SDP-2007-00090, Whistler House Congregate Care Building Extension, with the conditions recommended in the staff report.

1. The site plan will be valid until September 18, 2009.

The motion for approval passed by a vote of 5:0. (Mr. Morris and Mr. Strucko were absent.)

Ms. Joseph stated that SDP-2007-00090, Whistler House Congregate Care Building Extension was approved to allow the site plan to be valid until September 18, 2009.

Public Hearing Items:

SP-2007-00021 Beth Goldstein (Yoga Meditation Studio) – (Sign # 46)
PROPOSED: Private school for yoga instruction with classes up to 20 days per month, up to 20 students per class.
ZONING CATEGORY/GENERAL USAGE: RA -- Rural Areas: agricultural, forestal, and fishery uses; residential density (0.5 unit/acre)
SECTION: 10.2.2.5, Private Schools
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: 6482 Dick Woods Road (Route 637), approximately one-half mile west of the intersection with Burch's Creek Road (Route 689).
TAX MAP/PARCEL: Tax Map 71 Parcel 21
MAGISTERIAL DISTRICT: White Hall
(Scott Clark)

Mr. Clark summarized the staff report. (See Staff Report)

The proposal is for a private school for yoga instruction with classes up to 20 days per month, up to 20 students per class. One of the main issues with this as far as public safety is the need for proper sight distance for the entrance to the parking area. A new 24' entrance would be created. The Virginia

Department of Transportation (VDOT) has stated that the proposed 24-foot entrance is acceptable for this use and location. In order to provide sufficient sight distance from this entrance, VDOT will need sight-distance easements (to the west on Tax Map 71 Parcel 21B, and to the east on Tax Map 71 Parcel 29D). This will require removal of trees in the sight lines from the entrance, which will extend 280 feet in each direction. The owners of these parcels have stated that they will grant those easements (See Attachment E in Staff Report)

The Virginia Department of Health has stated that the existing septic system for the converted barn is sufficient for up to 18 people per day. Therefore staff has included a recommended condition of approval below that would limit attendance to 18, rather than 20 as proposed by the applicant.

Staff has received 19 letters from citizens regarding this proposal, all of which are in support of the school use on this site (See Attachment F in staff report).

Site Plan Waiver

In conjunction with the Special Permit request, the applicant has also submitted an application for site plan waiver approval. These requests are reviewed in accord with Chapter 18, Section 32.2.2 of the County Code

Factors Favorable:

1. No new structures or public facilities would be required for the use.
2. The scale of the use would be limited to the capacity of the existing building and septic system.

Factors Unfavorable:

1. The use would require the creation of a parking area. However, the impacts of the new parking would be mitigated by the recommended condition regarding landscaping. The parking area would be surfaced with gravel, in keeping with the gravel roads in the area.
2. Trees on adjacent properties would need to be cleared to provide sight-distance easements recommended by VDOT to make the entrance safe.

RECOMMENDATION: Staff recommends approval of SP 2007-00021 (with conditions) and SDP 2007-00095 (with conditions).

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

Beth Goldstein, applicant, asked to address the trees that need to be taken down to meet VDOT's sight distance requirements. She has lived on the property for 6 years. There have been 4 or 5 accidents on the corner. She actually feels that the trees to be taken down will improve the road. She has talked with the neighbors and they agree. She has written permission from both neighbors to take the trees down. She has a lot of support from the neighbors and feels that the project would improve the Batesville community.

Ms. Joseph asked how many students she had.

Ms. Goldstein replied that it was an occasional thing for 2 or 3 weekends a month and a yoga class once or twice a week. She has asked for 5 days per week. There are stipulations on how many students would be allowed at one time and a limitation on the parking. She would have as few as 6 students with a maximum of 20 students at one time. There would not be a lot of traffic coming in and out of the property. She would like to have the option of 5 days per week and up to 20 persons a day. There are many people present in support of the request.

Ms. Joseph asked that all persons in support of the request to stand.

(Note: At least 15+ people stood in support of the request.)

Ms. Joseph invited public comment.

Harold Blick, an adjacent property owner across the street, said that he was concerned with the parking. This was the first time that he had seen the parking garage, which was a concern. In 2000 he was hit by a drunk driver. He has health issues that made him choose this rural area spot on a rural road that was quiet and private. He was concerned about the road. He has a son with Down's syndrome. He is loaded on a bus at the point where the trees will be cut. The road is not adequate for the additional traffic. He voiced concerns with the safety of the road with the additional traffic. The parking lot is a concern from his driveway.

Loretta Yancey spoke in support of the request for both her husband and self.

Maggie McGinnus spoke in support of the request. Regarding the traffic she had not seen any reckless driving on the road except those who live along the road. Most of the traffic for the barn comes from Miller School Road and turns into the driveway. She did not think it would affect the driveway across the road.

Ian Miller, an area resident, spoke in support of the request since he felt it would be a benefit to the community. His family enjoys the classes. The majority of the people who live in the local area don't have to use the extra gas to go into town for yoga/meditation classes.

Till Kiln said that he supported the request. He was involved with the yoga classes and did not think the hours of the classes would interfere with the buses. It is a beautiful facility that is already there that helps to create a great experience for a lot of people.

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

The Planning Commission discussed the issues and modified the conditions as noted in the action below.

Ms. Joseph felt that the use was too intense for the rural areas, and could not support the request. Many of the letters of support came from people who lived out of the area.

Action on Special Use Permit:

Motion: Mr. Zobrist moved, Mr. Craddock seconded, for approval of SP-2007-00021, Beth Goldstein (Yoga Meditation Studio), with the conditions recommended in the staff report and amended, as follows:

1) The school use shall be limited to a school of yoga and meditation instruction, and the location and scale of improvements for that use shall be developed in general accord with the conceptual plan titled "Ms. Beth Goldstein/Yoga-Meditation Studio," prepared by Studio Elle, LLC, dated 8-2-07, and revised 10/3/07, provided that:
    a) Staff approval of a revised landscape plan shall be required. Plantings for screening of the parking lot, to consist of a naturalistic pattern of multi-species trees and shrubs, as listed in the brochure titled "Native Plants for Conservation, Restoration, and Landscaping: Piedmont Plateau," published by the Virginia Department of Conservation and Recreation, are to extend along the northwest edge of the parking area from the property line to the existing framed shed shown on the conceptual plan. These plantings to be arranged in a density that would mitigate views of the parking area, with a spacing allowing the natural form/habit of the plant material to be recognized.
2) Maximum attendance on any day shall be 18 students. C
3) Classes shall take place on no more than 4 days per week.
4) No outdoor amplified sound systems shall be operated for the school use.
5) Classes shall take place on no more than 20 days per calendar month. Hours of operation shall be no earlier than 8 a.m. and no later than 8 p.m.
6) The use shall not commence and the zoning clearance for the use shall not be issued until:

a) The Virginia Department of Transportation approves the sight-distance easements and the construction of the entrance improvements
b) The Virginia Department of Health approves well and septic systems
c) Community Development staff approves a revised landscaping plan for
d) SDP-2007-00095 that satisfies Condition 1(a).

The motion for approval passed by a vote of 4:1. (Ms. Joseph voted nay.) (Mr. Morris and Mr. Strucko were absent.)

Action on Site Plan Waiver:

Motion: Mr. Zobrist moved, Mr. Cannon seconded, for approval of SDP-2007-00095, Beth Goldstein (Yoga Meditation Studio), with the conditions recommended in the staff report.

1. Staff approval of a revised plan showing
   a) Landscaping consistent with condition 1(a) of SP 2007-00021
   b) Parking stops as approved by the County Engineer

The motion for approval passed by a vote of 5:0. (Mr. Morris and Mr. Strucko were absent.)

Ms. Joseph stated that SDP-2007-00095 and SP-2007-00021, Beth Goldstein (Yoga Meditation Studio), would go before the Board of Supervisors on December 12, 2007 with a recommendation for approval.

The Planning Commission took a 10 minute break at 7:39 p.m.

The meeting reconvened at 7:51 p.m.

SP-2007-037 Informed Simplifications, LLC (Sign # 20)
PROPOSED: Special Use Permit for a Home Occupation, Class B, home office with one part-time employee
ZONING CATEGORY/GENERAL USAGE: RA -- Rural Areas: agricultural, forestal, and fishery uses; residential density (0.5 unit/acre)
SECTION: 10.2.2.(31)
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____No__X__
LOCATION: 520 Panorama Rd., approximately 1,500 feet north of Manor Rd.
TAX MAP/PARCEL: 45-47
MAGISTERIAL DISTRICT: Rio
(Joan McDowell)

Ms. McDowell presented a power point presentation and summarized the staff report. (See staff report.)

- This is an application for a home occupation, class B. The applicant is a researcher and would like to further conduct his research in his home with a part time employee. A newspaper article, which is attached to the staff report, explains his research project. A class B, home occupation is required because of the applicant's desire to have 1 part time employee for 2 days a week at his home.
- There were no issues with the neighbors. Staff received one telephone call from a neighbor with just questions.
- The office in the residence would be less than 15 percent of the total square footage, which falls within the confines of the ordinance. The parking would be adjacent to the house and the garage.
- Staff recommends approval of the special use permit with the conditions outlined in the staff report.

Ms. Joseph asked if the special use permit would run with the land and allow anyone who moved into the house to have a part time employee.

Ms. McDowell replied yes, that was correct, but for no more than 2 days per week with the parking next to the garage and the house.

Ms. Joseph asked if it was just for a home occupation, class B and not specific to this particular research use.

Ms. McDowell replied yes, that it was just for a home occupation, class B and not for the specific use.

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

William Levee thanked staff for being so helpful in explaining his responsibilities and what he needed to do to comply with this. He offered to answer any questions that the Commission might have.

Ms. Joseph asked if he did computer research.

Mr. Levee replied that the research they do uses the computers. They do medical research.

Ms. Joseph noted that what they were doing was more or less office work.

Mr. Levee said that it was called mathematical simulations on computers. They try to recreate diseases and then figure out drug treatments on the computer for the diseases. The diseases are in equations and electrons on the computer.

Ms. Joseph invited public comment. There being none, she closed the public hearing to bring the matter before the Commission.

Motion: Mr. Craddock moved, Mr. Zobrist seconded, for approval of SP-2007-00037, Informed Simplifications, LLC, with the conditions recommended in the staff report.

1. Special Use Permit 2007-37 Informed Simplifications shall be limited to one employee for no more than two days per week.
2. No on-site visits from clients, patients, and/or customers shall be permitted.
3. Special Use Permit 2007-37 Informed Simplifications shall be limited to home office area as it currently exists (423 square feet).
4. Parking for the employee shall be in the area between the house and the garage.
5. No sign advertising for this special use permit shall be permitted.

The motion for approval passed by a vote of 5:0. (Mr. Morris and Mr. Strucko were absent.)

Ms. Joseph stated that SP-2007-00037, Informed Simplifications, LLC, would go before the Board of Supervisors on December 5, 2007 with a recommendation for approval.

SP-2007-00038 Carrsbrook (ATC)-Verizon Tier III PWSF (Sign # 21)
PROPOSED: Co-location of a personal wireless service facility on an existing tower
ZONING CATEGORY/GENERAL USAGE: RA, Rural Areas-; EC Entrance Corridor overlay
SECTION: 10.2.2 (48) Special Use Permit, which allows for Tier III personal wireless facilities in the RA Zoning District
COMPREHENSIVE PLAN LAND USE/DENSITY: Rural Areas uses in Rural Area 1
LOCATION: Tax Map 46, Parcel 15: West of U.S. Route 29N accessed via a gravel drive, approximately 0.15 miles north of Ashwood Boulevard [Rte. 1670]
MAGISTERIAL DISTRICT: Rio
RELATED APPLICATION: Amendment to SP 2003-026
(Gerald Gatobu)

Mr. Gatobu presented a power point presentation and summarized the staff report. (See Staff Report.)

- The property is zoned RA and Entrance Corridor. In this case the ARB was not involved with the review because the tower is at least 500' away from the Entrance Corridor.
- The proposal is for a co-location of one array consisting of 6 new antennas that are approximately 140' on an existing 180' tall tower with additional supporting ground equipment.
- There are 3 other special use permit approvals. SP-1997-13 allowed for building the tower itself at a maximum height of 200'. The last special use permit approved on this site was SP-2003-26 that allowed the co-location of at least 9 new antennas of approximately 155'.
- The tower is actually in an Airport Impact Area. Ms. Joseph asked staff to see if there was anybody at the Airport who had any comments or questions about it being in the Airport Impact Area. Staff contacted Barbara Hutchinson, Executor Director of the Charlottesville Albemarle Airport Authority. In the last email she said that they had to file something with the Federal Aviation Authority. The applicant may not have to file since it is a co-location. But, that is something that the applicant can address. From Ms. Hutchinson's standpoint the FAA may not have any issues or comments with it since they were co-locating on an existing tower. The applicant will need to address whether they have actually contacted the FAA.
- The applicant is asking for some modifications in terms of the flush mounting and the modification of a tree conservation plan. There is no additional land disturbance being proposed because it is just a co-location. According to Section 5.1.4.e the Board of Supervisors can modify in terms of the special use permit during the review.
- Based on staff's review they are recommending approval with conditions.

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

Maynard Sipe, Attorney with LeClair Ryan, said that he represented Verizon Wireless, the applicant in this matter. Also present is Stephen Waller with Wireless Resources Incorporated, who is a consultant to the applicant. They appreciate staff's work. Staff's report was thorough and made a finding that the additional antenna would not provide any additional detrimental impacts on adjacent properties or open space resources in the area. They currently envision mounting 2 antennas on each sector. They would like the conditions to remain open so that additional antennas could be added to provide the additional service that may become needed when more capacity is needed. The number of antennas reflects how much capacity of calls can be handled. It is not just a matter of putting the antenna up and covering the area with coverage. They will cover a certain radius of area with the request, but they also need to address issues about the capacity. Additional antennas allow for more calls to be handled on this location. There is a condition in the staff report, as proposed, that will limit the size of this array to not exceed that of the existing arrays on the tower. That condition is on page 9 and is 3c, which hopefully will address any questions about the size of the array. If there are any other questions or comments, they are certainly happy to address them.

Mr. Craddock asked when his antenna reaches capacity does it spill over into the other antennas to answer the phone.

Mr. Sipe asked Mr. Waller to speak about capacity issues.

Stephen Waller, a consultant with Wireless Resources who is a consultant to Verizon, said that the capacity issues would depend on the sector. The sectors are set up in different degrees. As more customers get into the area there is a need for more capacity. What they would like to do is have the option to add 2 additional antennas in the future without hopefully having to come back to amend the special use permit, but just doing it through a building permit. Once the mounting brackets are installed they would allow up to 4 antennas, which would increase the capacity. Regarding the size condition, the antenna information was given just to show that they are well below the 1,152", which is the minimum for antennas allowed by right. The 7' height and 2' width is a carry over from the old special use permit. They would like to have some lead way in case the technology changes. As shown, the technology has changed where they are able to use a lot smaller antennas. But, that is not to say that the technology won't change in the future to where they may have to increase their antenna sizes. If they could keep their condition in line with what is already allowed with the 1,152" for by right antenna that the 7' height and the 2' width is not as big of a deal. It is not guaranteed that the antennas will be smaller and they want to be governed by the overall allowed by the ordinance.

Mr. Kamptner said that if they go with the 7' height it will be slightly more than a 13" wide antenna would keep each antenna under the 1,152 square inches provided in the regulations or ordinance.

Mr. Sipe noted that the applicant is amendable to all of the conditions suggested by staff.

Mr. Edgerton asked if they were proposing to start off with 4 arrays and be able to add 2 later.

Mr. Waller replied that they were starting off with 6 possibly with 2 per sector in the 3 sector array. They would like to be able to expand up to 12 antennas.

Mr. Edgerton noted that the drawings show 12 antennas and the conditions limit it to 4 antennas. He suggested that they get that straight. On page 10, paragraph 8 the tower shall be limited to a total of 4 vertical arrays.

Mr. Waller replied that speaks to the arrays themselves. At this time they would be the fourth array on the tower. The array is all of the antennas on each level. If there is a limit on the size that is any different than what is here, they would like to take the 1,152 square feet that would allow the by right. But, they can live with the 7' and 2' as well. They do not want to be limited to the proposed size.

Mr. Zobrist said that there are going to be 3 panels in the array with each having 2 antennas on them. The applicant wants the ability to put 4 antennas on each of those panels.

Mr. Waller replied exactly that they want the ability to add to it at the time that the need for additional capacity arises.

Mr. Sipe pointed out that the conditions before the Commission was acceptable because it allows for the additional capacity that they may need. The 1,152 square inch requirement is already in the ordinance and does not need to be put into the conditions.

Ms. Joseph asked if the applicant has a problem with checking with the FAA.

Mr. Waller replied that is already part of the federally regulated requirements of the engineer. She has already confirmed that no further FAA review is required.

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

Mr. Kamptner suggested the following modifications to the conditions:

- That condition 3b is deleted because it is already required by the regulations.
- The first line of 3d should be clarified as follows: The replacement of dishes and antennas attached to this tower may be approved administratively, and the rest of the language as is.

Action on Special Use Permit:

Motion: Mr. Edgerton moved, Mr. Cannon seconded, for approval of SP-2007-00038, Carrsbrook (ATC) – Verizon Tier III PWSF, with the conditions recommended in the staff report, amended, as follows:

- That condition 3b is deleted because it is already required by the regulations.
- The first line of 3d should be corrected as follows: The replacement of dishes and antennas attached to this tower may be approved administratively, and the rest of the language as is.

The motion for approval passed by a vote of 5:0. (Mr. Morris and Mr. Strucko were absent.)

Ms. Joseph stated that SP-2007-00038, Carrsbrook (ATC) – Verizon Tier III PWSF, would go before to the Board of Supervisors on January 9 with a recommendation for approval with the conditions as follows.

1. All work shall be done in general accord with what is described in the applicant's request and site construction plans, entitled “Carrsbrook American Tower Corporation Compound", with a final zoning drawing submittal date of July 19, 2007.

2. The tower shall not be increased in height.

3. The additional array of panel antennas may be attached only as follows:
    a. All equipment attached to the tower shall be painted to match the color of the tower. The cables extending from the ground equipment may remain black.
    ~~b. The antennas shall not exceed seven (7) feet in height and two (2) feet in width.~~
    c. The antennas shall be set at the minimum distance that is allowed by the mounting equipment, and in no case shall any of the new antennas project from the structure to a distance that is greater than that of the existing antennas.

4. The replacement of dishes and antennas attached to this tower may be approved administratively, provided that the sizing, mounting distances and heights of the replacement equipment are in compliance with these conditions of approval and in accordance with all applicable regulations set forth in Section 5.1.40 of the Zoning Ordinance.

5. With the exception of any safety lighting required by Federal Aviation Administration regulations, outdoor lighting shall be permitted only during maintenance periods; regardless of the lumens emitted, each outdoor luminaire that is not required for safety shall be fully shielded as required by Section 4.17 of the Zoning Ordinance.

6. No existing trees within 200 feet of the facility shall be removed for the purpose of installing the proposed antennae or any supporting ground equipment.

7. The current owner and any subsequent owners of the tower and its supporting facilities shall submit a report to the Zoning Administrator by July 1 of each year. The report shall identify each personal wireless service provider that uses the facility, including a drawing indicating which equipment, on both the tower and the ground, are associated with each provider.

8. All equipment and antennae from any individual personal wireless service provider shall be disassembled and removed from the site within ninety (90) days of the date its use is discontinued. The entire facility shall be disassembled and removed from the site within ninety (90) days of the date its use for personal wireless service purposes is discontinued. If the Zoning Administrator determines at any time that surety is required to guarantee that the facility will be removed as required, the permittee shall furnish to the Zoning Administrator a certified check, a bond with surety satisfactory to the County, or a letter of credit satisfactory to the County, in an amount sufficient for, and conditioned upon, the removal of the facility. The type of surety guarantee shall be to the satisfaction of the Zoning Administrator and the County Attorney.

9. The tower shall be limited to a total of four (4) vertical arrays of panel antennas. No additional relay, satellite or microwave dish antennas shall be permitted on the tower without an amendment of this special use permit.

10. This special use permit must be amended to allow either of the three existing arrays of panel antennas to be:
    a. relocated on the structure;
    b. modified to increase the number or size of panel antennas; or,
    c. modified to increase the distance of the panel antennas from the structure.

Action on Modifications:

Motion: Mr. Craddock moved, Mr. Zobrist seconded, for approval of the two modifications for SP-2007-00038, Carrsbrook (ATC) – Verizon Tier III PWSF, for the flush mounting requirements and for the tree modification plan because they are not disturbing any trees.

The motion for approval passed by a vote of 5:0. (M. Morris and Mr. Strucko were absent.)

Ms. Joseph stated that SP-2007-00038, Carrsbrook (ATC) – Verizon Tier III PWSF modifications were approved.

ZMA-2007-00015 DTG Dickerson Road (Sign # 79)
PROPOSAL: Rezone 2.64 acres from Rural Area (RA) zoning district which allows agricultural, forestal, and fishery uses; residential density (0.5 unit/acre) to Light Industrial zoning district which allows industrial, office, and limited commercial uses (no residential use). No residential units are proposed.
PROFFERS: Yes X No
EXISTING COMPREHENSIVE PLAN LAND USE/DENSITY: Industrial Service -- warehousing, light industry, heavy industry, research, office uses, regional scale research, limited production and marketing activities, supporting commercial, lodging and conference facilities, and residential (6.01-34 units/acre) in the Community of Hollymead.
ENTRANCE CORRIDOR: Yes____No X
LOCATION: approximately 4500 feet north of the intersection with Airport Road (Rt. 649) at 4090 Dickerson Road (Rt. 606), on the west side of Dickerson across from Quail Run in the Community of Hollymead.
TAX MAP/PARCEL: 32-9J1
MAGISTERIAL DISTRICT: White Hall
(Judy Wiegand)

Ms. Wiegand presented a power point presentation and summarized the staff report. (See staff report)

- The applicant requests to rezone one parcel from Rural Areas to Light Industrial to permit the property owner to operate a small roofing business. The only change proposed by the applicant is to add parking area behind the building with a privacy fence where he can park his equipment. This project complies with the Comprehensive Plan, which shows the Airport area as institutional and this area including the applicant's as industrial. It is across the street from a very large industrial area.
- Staff is still working on the proffers with the applicant. Staff has requested a proffer to develop the property in accordance with the plan. Yesterday in a response to an email from the Chair, staff made a couple further statements about it. Staff has new language from the County Engineer regarding water and sewer and indicated that staff would not be requesting a list of uses in a proffer. There is general agreement on where they are going with the proffers. The expectations are that they would limit activity on the site to the improvements that are currently shown on the plan with some flexibility for minor additions and accessory structures such as possibly a storage shed at some time in the future. They would also limit the use of the site to uses which have impacts similar to the current proposed use. This would include impacts such as traffic impacts and water and sewer impacts. The parcel is currently on well and septic, which was part of the special use permit for the Woodman of the World's use on the site. The applicant will proffer to connect to water and sewer within one year after those services are available either along the Dickerson Road frontage or in public easements on adjacent parcels. If the Commission agrees with these general expectations, staff is very comfortable that they can work out appropriate language with the applicant before the Board of Supervisors public hearing.
- Factors Favorable:
    - The County needs additional Light Industrial zoned property to accommodate this type of use.
    - The property is designated Industrial Service in the Comprehensive Plan. It recommends Light Industrial in the Places29 Plan.
    - The property is in the development area so the Rural Areas zoning is inappropriate.
    - The location for the new district is appropriate because it is adjacent to other Light Industrial Districts and to the Airport.

- Staff has found no factors that are unfavorable to this rezoning request. Staff's recommendation is approval of this rezoning from Rural Areas to Light Industrial with the proffers subject to modifications to address non-substantive matters.

There being no questions for staff, Ms. Joseph opened the public hearing and invited the applicant to address the Commission.

Darren Jacquelyn, owner and founder of Rooftop Services in Charlottesville, Virginia, said that he started the company in August, 2000. He has been in the roofing industry for 26 years. When he came to Charlottesville he saw a big need for a roofing company in between the small and big people. So it has worked very well. Right now they are located on Harris Street in the City. He has been looking for three years for some place that they could have a home. He has been renting since day one. He found this location in the County. There are 12 employees. They meet at the office in the morning. There are 8 people who meet in the morning between 7:00 and 8:00 a.m. and leave the site. During the day there are possibly 4 people at the most at the office. They have customers come into the office from time to time, but not that often. It is possibly two persons per day at the most. Most of their work is residential. He has two dump trucks and two- 14' landscape trailers that he wanted to put behind the building. The main reason he wanted to put in the privacy fence was so that from Dickerson Road nothing could be seen. They are trying to comply with all regulations. The building is already there. It is a metal structure. There are offices in the front with a warehouse in the back. There are no hazardous materials stored in the warehouse. They do metal roofing and therefore have a break in the shop. They need a shop to bend up the metal flashings for a metal roof. There are about 22 parking spaces currently that are more than enough that they would need. It is on well and septic right now. The location is not in a jurisdiction to take on County sewer and water, but at some point when it gets closer they would like to tap into it. At this point it was about 700' away and was extremely expensive to hook into the sewer and water. He had it tested. There are two septic tanks on the property with one being the main one with a reserve. They had the well serviced and checked and it was five gallons a minute. Therefore, he was told that a dance club could be there and the well would handle the water needs. With a roofing company the work is done mainly at the residence and not at the office.

Ms. Joseph invited public comment. There being none, the public hearing was closed and the matter before the Commission. She asked if the rezoning request would go to the Board with a request that the property be placed in a jurisdictional area also.

Ms. Wiegand replied that staff is proposing a separate action to put all six parcels in. That is currently being worked on.

Ms. Joseph asked if this is something that would be ready to go before the Board by January 16.

Ms. Wiegand replied that it would not be that fast, but it was being done.

Mr. Craddock asked if they would have to hook into it within one year.

Ms. Wiegand noted that staff would write the proffer so that within one year of the time it becomes available either in the Dickerson Road frontage in front of the parcel or if, for example, the County Engineer indicated that the sewer might actually come behind the parcel. The idea is that they want it to be closer to the parcel before they expect the applicant to connect to it. Right now the cost and the distance are prohibitive.

Mr. Craddock asked if there was a time limit for the residential houses, and Ms. Wiegand replied no.

Mr. Cilimberg noted that there are two things that would need to happen. First, physical lines will need to become basically adjacent to this property. Ms. Joseph was referring to the jurisdictional area designation given by the Board that allows it to receive public water and sewer at such time that it is under those conditions that the lines are physical there.

Ms. Joseph said that right now they are not allowed to hook up.

Action on ZMA-2007-00015 DTG Dickerson Road:

Motion: Mr. Zobrist moved, Mr. Craddock seconded, for approval of ZMA-2007-00015 DTG Dickerson Road, with the conditions set forth in the staff report and provided that appropriate language is worked out between staff and the applicant prior to the Board meeting.

The motion passed by a vote of 5:0. (Mr. Strucko and Mr. Morris were absent.)

Ms. Joseph stated that ZMA-2007-00015, DTG Dickerson Road, will go before the Board of Supervisors with a recommendation for approval on January 16.

ZMA-2004-00022 Treesdale Park (Sign # 33)
PROPOSAL: Rezone 6.60 acres from R4 residential zoning district which allows residential uses (4 units per acre) to PRD (Planned Residential District) - which allows residential uses (3 - 34 units/acre) with limited commercial uses. This request proposes a total of 90 units at a density of 14 units per acres and no commercial uses.
PROFFERS: Yes.
COMPREHENSIVE PLAN LAND USE/DENSITY: Urban Density Residential (6 - 34 units per acre).
ENTRANCE CORRIDOR: No.
LOCATION: The property is located in the Rio Magisterial District at 640 E. Rio Road, south of Towne Lane on the west side of East Rio Road.
TAX MAP/PARCEL: Tax Map 61, Parcels 182, 183, and 183A.
(Elaine Echols)

Mr. Echols presented a power point presentation and summarized the staff report. (See staff report.)

This is the project for Treesdale Park, which the Commission has seen previously. The property is zoned R-4. The Comprehensive Plan designates this parcel as Urban Density Residential and the applicant would like zoning that is more in keeping with the Comprehensive Plan. The project was submitted in December, 2004 and over 2005 the applicant met with residents on the project, worked on it a little bit more and held work sessions with the Commission on October 31, 2006 and August 28, 2007.

AHIP is the owner. The request is to rezone 6.6 acres to PRD foot 14 dwelling units per acre. It is obviously much higher on a net density because most of the rear of the parcel is not developed. One hundred percent of the units will be for families of up to 60 percent of the median household income. It is an affordable housing project. The application plan was reviewed. The parking is relegated. Earlier proposals had a different orientation of these particular buildings. There is a greenway easement in the back proposed.

There have been a number of issues and concerns over the last few years.

- One was tree preservation, the relationship to nearby properties, traffic on Rio Road before the Meadowcreek Parkway improvements, architecture and greenway dedication, which would be an easement for a greenway as well as a commitment for access through an adjoining parcel.
- She pointed out the proposed location of the stormwater management facility. They talked about stairs that would go up to the parking lot being of some concern earlier. The applicant is proposing to put some access to the adjoining parcel at this location.
- The Parkway comes back into property and will have to cross the other parcel in order to get onto the AHIP parcel. They have had some thoughts about the appropriateness of having this trail be back behind the development and more out of sight than perhaps it ought to be. Staff has talked to Parks and Rec and they were totally unaware that the adjoining parcels, called Stonewater, might be able to work in conjunction with Treesdale to have a better location for the greenway, which is discussed further in the staff report.
- Another issue has to do with access to this parcel. In order for this property to develop it needs access to this parcel to the light that would be put in. There are some relationships between these two parcels that both owners of the property have been working together on. Staff believes

that they are working on getting that commitment in their proffers. This project is totally dependent on the access through the adjoining parcel.

- Dealing with terrain has also been an issue with this particular project. The staff report speaks to some concerns about the use of retaining walls. One of the real challenges when there is steep terrain is that to avoid doing a lot of grading one ends up having to put in some retaining walls. By avoiding grading it has resulted in some fairly tall retaining walls that staff has some concerns with.
- Since the last time the Commission reviewed this proposal the applicant has been working on resolving the issues that were outstanding. They are now showing the limits of disturbance on the plan. They are limiting the building heights. They changed the orientation of the buildings. The applicant has no control over Meadowcreek Parkway, but the County is committed to build it to Melbourne Road and going out to bid in 2008. Access is guaranteed to the adjoining property or the development can't take place.
- They have provided some proffers for taking extra measures to where the neighbors are blasting and the use of equipment near the adjoining property.
- The architecture has not been addressed.

Unfavorable Factors:

- The retaining walls.
- No architecture commitments.
- The County can't guarantee the Meadowcreek Park construction prior to occupancy.
- There are some concerns about the blasting provisions being enforceable. The Zoning Department believes they can enforce these particular provisions. But, James Barbour with Fire & Rescue is here and can talk to us about the different things that Fire & Rescue does as it relates to blasting to see if there is a need for anything more than what they can provide.

Favorable Factors:

- The project provides 100 percent of affordable housing, which is different from what they saw last time when the applicant was proffering 15 percent affordable housing. The Commission felt that if they did not get the tax credits that they were looking at for this program that it needed to have a higher level of providing affordable housing.
- The density is in keeping with the land use plan.
- The project meets all of the applicable principles of the Neighborhood Model.

Staff recommends that the Board of Supervisors should only approve it when they get the provision of the easement of the binding agreement with the adjoining owners, when the applicant provides some architecture commitments and qualifications of the drawings that they have provided and provide for terrace walls or at least leave open the opportunity that the plan could change and provide terraced walls; allow for the greenway easement on the adjoining property; and a decision needs to be made on the appropriateness of the blasting proffer.

James Barbour, of Fire Rescue and Glenn Brooks, County Engineer are present to answer questions.

Ms. Joseph asked if there were any questions.

Mr. Edgerton asked staff to point out where the retaining walls would be located and where they would propose terracing.

Ms. Echols pointed out that the retaining walls were located at the back of the parking lots.

With the retaining walls staff is concerned with the safety of children. There will be guard rails out there at 18' to 25', which is fairly tall. Terracing in that area will require additional grading. But, there is going to be some grading in the area anyway. Staff believes that if it is a question of preserving trees and not grading they would have a preference that there would additional grading for the retaining walls.

Mr. Edgerton asked if the additional grading would have to be in critical slopes.

Ms. Echols replied that there were critical slopes in the back of the property.

Mr. Edgerton said that for that trade off they would have to destroy more critical slopes, and Ms. Echols replied that was correct.

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

Mike Fenner, of Cox Company represented the Albemarle Housing Improvement Program, said that the members of their team present included Teresa Tapscott, Joyce Dudek, Kirk Hesecker and Bruce Woodell.

- Staff has done a good job of articulating the changes they have made to the plan and proffers since the last meeting. They have worked hard with staff on bringing a better plan before the Commission. The biggest change is in the proffer for the 100 percent affordable housing. They plan to provide 90 affordable housing units. The previous proffer before them was a 15 percent. They are comfortable with the conditions outlined by Ms. Echols and certainly with respect to the agreement. The agreement outline is attempting to speak to the issue with respect to the shared BMP facilitator. The facility was located in 2 separate locations previously. They noted the wetland issue, which was addressed in the last work session in the easterly direction. So they have moved the facility to one shared facility to the west of where it was shown previously. That is sized appropriately to serve both Treesdale and the Stonewater facility that is planned towards the south.
- Other changes they have made are that they have shown a directional island that would prohibit anything beyond a right in and right out of the Treesdale proposed facility. VDOT has weighed in and said that a median would not be acceptable there so as not to prohibit existing residents across Rio Road from making that left hand turn out onto Rio Road heading towards the city. The directional island is a compromise and one in which they have acknowledged that opposed folks could attempt to make the left out. They feel that is an appropriate design solution to force people to follow AHIP's direction all along, which is a right in and a right out only facility. So the agreement is not a problem at all.
- Of the other conditions, the drawing on the front page is provided as an illustrious measure as have been all of the architectural exhibits they have shown to the neighborhood meetings and to the Planning Commission. In terms of what their commitment is to the architecture is they feel that they have made a certain level of commitment. They have agreed to absolute maximum building height of 35'; the location as shown on the application plan both in terms of building orientation, which they have shifted in response to neighborhood concerns to orient the buildings short wise and not long wise adjacent to the adjoining neighborhood. Also, included are the orientation with the parking below, relegating the parking, moving the entrance road to the northern boundary and to the middle of the property and in terms of their proffer for the Earthcraft Certification process they are committed to taking part in seeking certification so that it will be a sustainable design. They are not allowing any vinyl materials on the siding. Short of providing documentation in terms of what the actual exterior façade will look like or what the materials itself will or the colors, they feel that they have given them a pretty good sense of the form, massing of buildings and how they will be viewed from the neighbors. At this point in the process with costs being what they are and it is so critical to bring an affordable project forward they are just not at a point where they are able to have the drawings in place to commit to any other level of detail beyond that.
- Staff described the terrace wall issue very well. They would be happy to include the note on the plan as requested by staff with the understanding that they will need a little bit of flexibility of where they are defining the limits of disturbance and expanded on the critical slopes impact area. The concern about the retaining wall height is a sound one. They understand it, but it is a trade off and they are happy to take direction on that issue. In terms of the greenway easement possibly being on the adjoining Stonewater property they are happy with that and will accommodate the path on the Treedale property. They are committed to doing that. They worked with the Stonewater property owners to allow for the shared path and vehicular access to provide

access to the shared BMP facilitator. Within that they are fine with accommodating that statement.

- They are happy to work with the statement regarding working on modifications with the County Attorney. Within the blasting proffer their intent there was hearing from the neighbors and their concern in the neighborhood meetings and the last Planning Commission work session. Their intent there is to promise the neighbors that the same procedure and processes that were in place for the construction of the Charlottesville Catholic School just to the north on Rio Road would be put in place for the construction of Treesdale. With that they feel that this is a better design and project from last time. They appreciate staff's help and the Commission's direction. It is very important to AHIP the process for the tax credit application. The application deadlines are shortly after the first of the year. The zoning needs to be in place for AHIP to have any opportunity to compete. The tax credits are an integral piece of the economics to enable AHIP to deliver the 90 affordable housing units proposed in the project. From their standpoint, they have worked with the neighbors and staff on a challenging site in order to bring a better plan to provide a badly needed 90 affordable housing units within the community.

Ms. Joseph invited public comment.

Jeanette McCarthy, a County resident, said that she was here on behalf of IMPACT. They are an organization of 27 diverse religious organizations in Charlottesville and Albemarle County. Their mission is to create a greater degree of justice for local residents. One of the key focuses of IMPACT is affordable housing. They are most interested in creating more housing opportunities for families earning under $20,000 a year or 30 percent AMI. There are about 6,000 families in the Planning District that fall into this income category. There are valuable service workers, including teacher aids, house keepers for service workers, cashiers and landscapers. For this population there is a deficit of almost 4,000 units of affordable housing. The Treesdale project will help the community deal with this critical need. The housing crisis has had an especially bad effect on school children. The Albemarle County Schools shared these statistics with us.

In 2003/2004 there were 84 homeless children.
The next years there were 215.
In 2005/2006 there were 284.
In 2006/2007 there were 320 homeless children.

As a retired teacher she finds these statistics appalling. They can't expect children to perform well in school when their lives are so insecure. Often people are concerned that affordable housing reduces property values. However, a study by the Center of Community Change showed that this does not happen. Also studies reviewed that the lack of affordable housing has a negative affect on employers, seniors, poor people, entry level service workers and public sector professionals such as teachers, firefighters and policemen. A shortage of affordable housing also has a negative effect on broader quality of life issues such as economic development of the region, traffic congestion, commute time and air quality. In short, housing issues affects us all. We as a community need more affordable housing. IMPACT fully supports the Treesdale project.

Leon Blumrich said that he lived on the corner of Penn Park Lane and was an orchid grower. He was concerned about the traffic. One of the Commissioners said that this was a rural road and that these big boxes do not fit in this setting. VDOT indicated that it was a rural road. This really affects the aesthetic values. He was the one who brought up blasting because of his well and his business, which it could greatly affect as well as the plaster in the homes. He did not feel that these large apartment complexes right on the road are fitting for their particular road.

Mary Dickens, of 605 East Rio Road right across from the Treesdale project, spoke in opposition to the rezoning request. They need a report on the drilling that was done on this site for rock in the area of these buildings with the underground parking. The drilling of rock has been completed since the last meeting with the Commission on August 28, 2007. She asked if they could provide them with a report on this drilling at this time because they need answers to that. This project is incompatible with their area of East Rio Road, which is zoned R-4 and should not be changed to PRD zoning. Traffic congestion is overwhelming and causes delays for police, firemen and other services due to their overcrowded roadway with bumper to bumper traffic on this narrow two-lane curvy road with no shoulders. They cannot get a

traffic count later than 2005, which VDOT's count was 26,000 cars daily. Now the pick up in traffic would exceed more than 28,000 daily. There are three schools within a fourth of a mile of this project that are private schools. The students need their own transportation to and from school as the students are too young to drive creating extra traffic twice daily. She asked that the rezoning request be denied. She asked how much more traffic can Rio Road endure.

Brent O'Mandy, member of IMPACT and County resident, spoke in favor of the project. He had some previous experience that has shown him the critical need of affordable housing. For 30 years he was superintendent of schools and 27 of those was in an adjoining county. They had people there that moved back and forth from Albemarle County as they tried to find affordable housing. This created a great problem for the children and their achievement. Last year he worked on a study regarding the need for affordable housing. He thinks that it has been well documented. He asked that the rezoning request be granted.

Jen Cunningham, an abutting property owner on Town Lane, said she had no problem with affordable housing. She questioned the diagram that showed the parking lot behind the third building. She asked if that was a change from the last meeting. She asked if there are sidewalks proposed coming in and out of Rio Road. It would be helpful to have sidewalks along Rio Road.

Manna Greta, Resident in the City, said that he had been dealing with AHIP for a long time. He bought his house from AHIP. He did on a rent to own housing. At present he was a behavior specialist with Region Ten Community Services Board. He worked with a lot of refuge families and underprivileged low income families. The Parks Edge project on Whitewood has been very helpful for the community especially people that they have been able to bring down from mental health and all of those things have been given places there. They have gotten a lot of grants to provide affordable housing at that location. They need more affordable housing in this area to accommodate these needs. The Treesdale project is a much needed project.

Lisa Hoy, at 1075 Town Lane, said that she lived right in front of the storm water management facility. She did not oppose affordable housing. But, she would have to sell her house if this project were developed as is. She did not think that they were clear on the stormwater management. That was a big issue at the last meeting. She saw a lot of things in this project that have changed. She did not think that they could say at this meeting that it was a go deal. There are still a lot of concerns such as crime and traffic. It is a great thing, but not behind her house. It would be a good project in another location. There are too many unanswered questions.

Dan McCrellos, resident of Townwood Lane, said that this project would be a detriment to the surrounding community. It is out of character with the neighborhood. He asked if Meadowcreek Parkway is not completed on time what would happen next. The traffic on Rio Road was already at the limits that the road could sustain. There is no bus access, which would be needed for an affordable housing project. The homeowners in the surrounding neighborhood would be greatly impacted. Therefore, he asked that the project be carefully considered with these concerns in mind. He asked if it was not an affordable housing project would the project be approved.

Robert Daniels spoke in opposition to the request due to the negative impacts the project would create. Whitewood Village was developed by the same developer for 96 units. The impact of that project is very great. He asked that the rezoning not be approved particular due to the tax impacts on the schools and roads. They are looking at the clear cutting of many trees on the site. The plans are not complete. He was concerned about no recreation being provided for the children and the high retaining walls. Also, he was concerned with the potential erosion problems created on his property.

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

Mr. Craddock asked Mr. Barbour to comment on the blasting regulations of Fire & Rescue.

James Barbour, of the Albemarle County Fire Marshall's Office, explained the blasting permit requirements. Anyone who is going to blast in Albemarle County has to go through certain steps. There are three layers of regulation that company or person would be held to. They start at the federal level with the Bureau of Alcohol, Tobacco and Fire Arms. The next level is at the state level with the State Fire Marshall's Office. Lastly, they are regulated by Albemarle County and through the Fire Marshall's Office. When a person applies for a blasting permit there is a process that they go through whereby they show their blasting plan, proof of insurance and that they have contacted residents within 300 or 500 feet. There is an entire chapter in the Statewide Fire Prevention Code and there are other restrictions on top of that to which they are held when someone wants to blast in a built up area. The concern is for occupied dwellings, occupied buildings and existing roads and utilities. There are precautions that are in the State Code and the National Standards that they inspect and look for when someone wants to blast.

Mr. Cannon asked whether in his view those procedures are adequate to ensure that any blasting done on this site would not threaten the wells or structures of houses adjacent to the site.

Mr. Barbour said that there is not a 100 percent guaranteed. But, there are things that are done. If someone is going to blast within 300' of an occupied dwelling you would be required to use a sizema graph. That will measure the ground vibration and the air disturbance. Most blasting companies will do a pre-blast survey. They will contact the residents and go in and inspect for damage before any blasting occurs. Then they will do an assessment afterwards. If they have a blast that goes out side of the range of what is acceptable in the blasting standard, then there is a potential that damage could occur. The likelihood of that is very little with today's technology and the blasting standards that folks are held to today.

Mr. Cannon asked if he could provide a percentage or range on that.

Mr. Barbour replied that he had been in the Fire Marshall's office for ten years and they have investigated complaints and have had five that have resulted in damage in those ten years. They have had hundreds of cases.

Mr. Craddock asked if he had an estimate of how many blasting days for a project like this.

Mr. Barbour replied that he did not. It was going to depend on the type of rock that is there and what they are able to do. Typically the blasting permits that they issue last for a 30 day period. Only on the largest jobs, like Hollymead Town Center, etc. do they have to apply for an additional permit. Most of the jobs can be done within 30 days.

Mr. Craddock noted that the extensiveness of blasting on this site is unknown at this point until they get their drilling reports and etc. back along those lines. Maybe the architects know more about that.

Ms. Joseph asked what happens if something happens to the integrity of the well or to someone's foundation.

Mr. Barbour replied that the blaster is responsible for any damage that he causes whether it is accidental or through negligence. That is why they are required to have proof of insurance. They are responsible for making that right.

Mr. Zobrist asked if there was a bonding requirement or if it was just proof of insurance.

Mr. Barbour replied that they do not have to post a bond, but just have to show proof of insurance.

Mr. Zobrist suggested that blasters in the County put up bonds instead of having insurance.

Ms. Echols pointed out that there were two other staff members in the audience to answer questions.

Ms. Joseph asked Ron White to come forward and answer questions.

Ms. Joseph said that she was surprised to see this go to 100 percent affordable housing. She asked if he had any comments on that.

Ron White, Director of Housing, said that whether it was all proffered for affordable or under a 15 percent proffer the reality is that if it is a tax credit project 100 percent will be affordable. In discussions with the applicant about the idea of doing 100 percent because if they don't develop the project or get the tax credit it puts a burden on the next owner. In last work session there was some discussion that they might see a subsequent owner come back and want to rezone it for a less intensive use. The Neighborhood Model is clearly mixing and dispersing housing. They have to agree with that. In order to do a project and utilize tax credits to keep the rents down unfortunately the way the tax credit program is set up 100 percent of the units would have to be affordable.

Ms. Joseph invited Glenn Brooks to come forward and address the Commission's questions.

Ms. Joseph said that they heard a concern from a citizen about where the stormwater is. There were concerns expressed that there were erosion problems in the back of the property. She asked for an update on the erosion problems and how it might affect their property.

Mr. Brooks replied that the stormwater proposal was shown on the adjacent development plan before staff saw it on this plan. As far as the erosion and the impacts on this property he did not think that any of that has really changed. They have moved their concept over a little bit to accommodate the neighboring development.

Ms. Joseph asked if would alleviate any of the problems. Also, if it was terraced how far would it go into the wooded area?

Mr. Brooks replied that he did not know because the plan did not have enough detail. Staff asked the applicant to move their disturbance line back from the original submittal because they knew the wall could not be built without some disturbance adjacent to it. He suggested that it be at a 30' minimum and then terrace it. But, a bigger concern with these highly development sites that are bounded by retaining walls is that they really cannot protect them with erosion control measures during construction. They are using all of the available area and end up encroaching on the neighbors. That is the most difficult part. The difficulty is that they are trying to preserve the trees directly adjacent to the construction, which is very problematic.

Action on ZMA-2004-00022, Treesdale:

Motion: Mr. Edgerton moved, Mr. Cannon seconded, for approval of ZMA-2004-00022, Treesdale Park, with the condition that the items outlined by staff will be addressed before the Board of Supervisors meeting.

The motion passed by a vote of 3:2. (Mr. Craddock and Mr. Zobrist voted nay.) (Mr. Strucko and Mr. Morris were absent.)

Ms. Joseph stated that ZMA-2007-00022, Treesdale, will go before the Board of Supervisors with the following recommendation:

The Planning Commission recommended approval with the condition that the following items be addressed before the Board's public hearing:

1. Provision of extra landscaping at the property lines and along Rio Road.
2. Provision of terraced walls where high retaining walls are currently shown on the application plan. Since areas of critical slope will be disturbed, trees should be replanted in this area.
3. Provision of enhanced erosion and sediment control measures.
4. Provision that, if parking waivers are provided, the parking lots shown near the adjoining property can be eliminated or adjusted along with adjustment of proposed grading shown on the application plan.

5. The preliminary site plan should be reviewed by the Planning Commission prior to approval.
6. Removal of the proffer for blasting.

The Planning Commission also said that architectural commitments are not necessary and that a critical slopes waiver was not granted with the recommendation for approval. At the time that the preliminary site plan is provided to the Commission, they can act on the critical slopes waiver.

Old Business

Ms. Joseph asked if there was any old business.

Ms. Joseph noted that the Rio Truck appeal was heard today by the Board of Zoning Appeals. And the determination of the Zoning Administrator was upheld. It was very narrow in scope that there could be no off site improvements required outside of the 20' easement. Therefore, the curb and gutter could not go outside of that. They did gain in that an acknowledgement that the easement is part of the site. For any improvements for that site plan that easement would have to be considered. Ms. McCulley shared with everyone that VDOT is taking another look at the entrance and the turning radius of some of the trucks there. From preliminary studies it looks like some of those trucks cannot make that turning radius. There is also a concern about safe and convenient access along the road itself. She asked that the site plan come back before the Planning Commission.

There being no further old business, the meeting proceeded.

New Business

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

Adjournment

With no further items, the meeting adjourned at 10:05 p.m. to the Tuesday, November 20, 2007 meeting at 6:00 p.m. at the County Office Building, Second Floor, Auditorium, 401 McIntire Road, Charlottesville, Virginia.

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V. Wayne Cilimberg, Secretary

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