Albemarle County Planning Commission
May 22, 2012

The Albemarle County Planning Commission held a public hearing on Tuesday, May 22, 2012, at 6:00 p.m., at the County Office Building, Auditorium, Second Floor, 401 McIntire Road, Charlottesville, Virginia.

Members attending were Ed Smith, Bruce Dotson, Thomas Loach, Richard Randolph, Don Franco, Calvin Morris and Russell (Mac) Lafferty. Julia Monteith, AICP, Senior Land Use Planner for the University of Virginia was present.

Other officials present were Sarah Baldwin, Senior Planner; Scott Clark, Senior Planner; Andy Sorrell, Senior Planner; Elaine Echols, Principal Planner; David Benish, Chief of Planning; and Greg Kamptner, Deputy County Attorney.

Call to Order and Establish Quorum:

Mr. Morris, Chair, called the regular meeting to order at 6:00 p.m. and established a quorum.

Other Matters Not Listed on the Agenda from the Public:

Mr. Morris invited comment from the public on other matters not listed on the agenda. There being no comments, the meeting moved to the next item.

Consent Agenda:

Approval of Minutes: 1-31-2012

Mr. Morris asked if any Commissioner wanted to pull any item from the consent agenda.

Motion: Mr. Loach moved and Mr. Randolph seconded for acceptance of the consent agenda.

The motion carried by a vote of 7:0.

Mr. Morris noted the consent agenda items were approved,

Regular Item

SDP-2012-00020 NTELOS-Tier II Monopole (CV732) "SKI Enterprises, Inc." Final Site Plan
PROPOSED: Tier II treetop steel monopole to be 84.6 feet tall containing a flush mounted antenna array and associated ground equipment.
ZONING CATEGORY/GENERAL USAGE: RA, Rural Areas- agricultural, forestal, and fishery uses; residential density (0.5 unit/acre in development lots).

SECTION: 10.2.1 (22) which allows for Tier II personal wireless facilities in the RA Zoning District
COMPREHENSIVE PLAN LAND USE/DENSITY: Rural Areas in Rural Area 1 - agricultural, forestal, and fishery uses; residential density (0.5 unit/acre in development lots).
ENTRANCE CORRIDOR: No
LOCATION: 1831 Eden Lane, east side of Old Ballard Rd. at Ivy
TAX MAP/PARCEL: 05900-00-00-028C0
MAGISTERIAL DISTRICT: Samuel Miller
(Sarah Baldwin)

Mr. Benish noted the applicant is requesting deferral of SDP-2012-00020 Ntelos-Tier II Monopole.

There being no questions for staff, Mr. Morris opened the public hearing and invited the applicant to address the Commission. Since the applicant had no comments, Mr. Morris invited public comment.

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

Motion: Mr. Franco moved and Mr. Randolph seconded to recommend approval of acceptance of the deferral of SDP-2012-000020 Ntelos-Tier II Monopole (CV732) "SKI Enterprises, Inc." Final Site Plan.

The motion passed by a vote of 7:0.

Mr. Morris noted that the request was indefinitely deferred.

Public Hearing Items

Mr. Morris asked staff to address all five Agricultural Forestal District items at once. Two requests are from one district, one from another and one stand alone. All five requests will be briefed together, opened up to the public, and then brought back to address and vote on individually.

Mr. Clark pointed out the proposed additions in the same district would be grouped together. Therefore, there will be three actions rather than five. He presented a PowerPoint presentation and summarized each request as described.

<u>Agricultural-Forestal Districts</u>

- Voluntary conservation program – landowners apply to join
- Each District is reviewed on a 10-year cycle
    - Withdrawal is permitted during reviews
- Effects
    - Limitations on subdivisions (family divisions or 21 acres only)
    - Additional review of special use permits
    - Consideration in land-use planning decisions

- Current Status
  - 27 Districts
  - 1,093 parcels
  - 69,938 acres

The first two proposed additions are in the Keswick District, as follows.

AFD-2012-0001 Keswick AFD Addition – Gonda
PROPOSAL: Addition of a 22.41-acre property to the Keswick Agricultural/Forestal District
ZONING: RA Rural Areas - agricultural, forestal, and fishery uses; residential density (0.5 unit/acre in development lots).
ENTRANCE CORRIDOR: No
OMPREHENSIVE PLAN: Rural Areas – preserve and protect agricultural, forestal, open space, and natural, historic and scenic resources/ density (0.5 unit/ acre in development lots)
LOCATION: 4969 Barn Field Dr
TAX MAP/PARCEL: 08100000006900
MAGISTERIAL DISTRICT: Rivanna

AND

AFD-2012-0005 Keswick AFD Addition – Cox
PROPOSAL: Addition of a 68.26-acre property to the Keswick Agricultural/Forestal District
ZONING: RA Rural Areas - agricultural, forestal, and fishery uses; residential density (0.5 unit/acre in development lots).
ENTRANCE CORRIDOR: No
COMPREHENSIVE PLAN: Rural Areas – preserve and protect agricultural, forestal, open space, and natural, historic and scenic resources/ density (0.5 unit/ acre in development lots)
LOCATION: 4760 Barn Field Dr
TAX MAP/PARCEL: 08100000007200 and 08100000007300
MAGISTERIAL DISTRICT: Rivanna

AFD-2012-0002 Hardware AFD Addition – Vlasis
PROPOSAL: Addition of a 21-acre property to the Hardware Agricultural/Forestal District ZONING: RA Rural Areas - agricultural, forestal, and fishery uses; residential density (0.5 unit/acre in development lots).
ENTRANCE CORRIDOR: No
COMPREHENSIVE PLAN: Rural Areas – preserve and protect agricultural, forestal, open space, and natural, historic and scenic resources/ density (0.5 unit/ acre in development lots)
LOCATION: 5245 Dick Woods Rd.
TAX MAP/PARCEL: 072000000051C0
MAGISTERIAL DISTRICT:
Samuel Miller

AND

AFD-2012-0003 Hardware AFD Addition – Eudy
PROPOSAL: Addition of a 21-acre property to the Hardware Agricultural/Forestal District ZONING: RA Rural Areas - agricultural, forestal, and fishery uses; residential density (0.5 unit/acre in development lots).
ENTRANCE CORRIDOR: No
COMPREHENSIVE PLAN: Rural Areas – preserve and protect agricultural, forestal, open space, and natural, historic and scenic resources/ density (0.5 unit/ acre in development lots)
LOCATION: 18 Merit Dr
TAX MAP/PARCEL: 088000000003T0
MAGISTERIAL DISTRICT: Samuel Miller

AFD-2012-0004 Chalk Mountain AFD Addition – Mehring
PROPOSAL: Addition of a 551.906-acre property to the Chalk Mountain Agricultural/Forestal District
ZONING: RA Rural Areas - agricultural, forestal, and fishery uses; residential density (0.5 unit/acre in development lots).
ENTRANCE CORRIDOR: No
COMPREHENSIVE PLAN: Rural Areas – preserve and protect agricultural, forestal, open space, and natural, historic and scenic resources/ density (0.5 unit/ acre in development lots)
LOCATION: 3893 Hungrytown Road
TAX MAP/PARCEL: 097000000021B0, 097000000021C0, and 097000000021D0
MAGISTERIAL DISTRICT: Samuel Miller

Keswick District
The District was created in 1986 and originally included 38 parcels and 4,622 acres. The District now includes 67 parcels and approximately 6,799 acres.
Proposed Additions:
AFD 2012-01 Gonda:
TMP 81-69, 22.41 acres
AFD 2012-02 Cox:
TMP 81-72, -73, xxx acres
Committee Recommendation:
At their meeting on March 19, 2012, the Agricultural & Forestal Districts Advisory Committee recommended approval of the proposed additions to the Keswick Agricultural and Forestal District

Hardware District
The District was created in 1986 and originally included 52 parcels and 5,947 acres. The District now includes 30 parcels and approximately 2,411 acres.
Proposed Additions:
AFD 2012-02 Vlasis:
TMP 72-51C, 21 acres
AFD 2012-03 Eudy:
TMP 88-3T, 21 acres
Committee Recommendation:

At their meeting on March 19, 2012, the Agricultural & Forestal Districts Advisory Committee recommended approval of the proposed additions to the Hardware Agricultural and Forestal District

Chalk Mountain District
The District was created in 1989 and originally included 14 parcels and 1,082 acres. The District now includes 13 parcels and approximately 1,049 acres.

Proposed Additions:
AFD 2012-04 Mehring:
Tax Map 97 Parcels 21B, 21C, and 21D
552 acres

Committee Recommendation:
At their meeting on March 19, 2012, the Agricultural & Forestal Districts Advisory Committee recommended approval of the proposed addition to the Chalk Mountain Agricultural and Forestal District

Recommendations and Actions:

a. AFD-2012-0001 Keswick AFD Addition – Gonda

AND

b. AFD-2012-0005 Keswick AFD Addition – Cox

Staff Recommendation: That the Planning Commission recommends approval of the proposed additions to the Keswick District, AFD201200001 and AFD201200005, to the Board of Supervisors.

c. AFD-2012-0002 Hardware AFD Addition – Vlasis

AND

d. AFD-2012-0003 Hardware AFD Addition – Eudy

Staff Recommendation: That the Planning Commission recommend approval of the proposed additions to the Hardware District, AFD201200002 and AFD201200003, to the Board of Supervisors.

e. AFD-2012-0004 Chalk Mountain AFD Addition – Mehring

Staff Recommendation: That the Planning Commission recommends approval of the proposed addition to the Chalk Mountain District, AFD201200004, to the Board of Supervisors.

Mr. Morris invited questions for staff.

Mr. Randolph asked the street address for the two parcels in Keswick, and Mr. Clark replied that he would look in the report.

Mr. Dotson asked if there was any policy guidance in making additions to AF Districts about contiguous parcels either to conservation easements or existing AF Districts.

Mr. Clark replied there was language in Chapter 3 of the County Code that specifies which parcels can join a given district. The Code says that a parcel within one mile of

the core of the district, which is the original set of parcels, can join. For example, the Vlasis addition is actually within a mile of the original core of the district. It is land that has since come out of the district but gone into a conservation easement. Recent changes to the State Code said that parcels more than one mile from the core can be added if the committee finds that agriculturally significant land. However, it really does not define what that means.

Mr. Dotson pointed out in this case staff did point out unique soils. Therefore, that answers his question.

Mr. Kamptner noted in addition the state criteria allows what has taken place on adjacent lands to be factors in considering whether to add land to an existing district or to establish a district.

There being no further questions, Mr. Morris opened the public hearing and invited public comment. There being none, the public hearing was closed, and the matter before the Planning Commission. Each item would be addressed in turn.

Mr. Kamptner pointed out since it was a recommendation a single action could be taken by the Commission on all five requests.

Motion: Mr. Smith moved and Mr. Lafferty seconded to recommend approval of the five requests for AFD-2012-00001 Keswick AFD Addition – Gonda, AFD-2012-00005 Keswick AFD Addition – Cox, AFD-2012-0002 Hardware AFD Addition – Vlasis, AFD-2012-0003 Hardware AFD Addition – Eudy, and AFD-2012-0004 Chalk Mountain AFD Addition – Mehring.

The motion passed by a vote of 7:0.

Mr. Morris noted that all five requests would go to the Board of Supervisors on a date to be determined with a recommendation for approval.

Mr. Clark pointed out the answer to Mr. Randolph's question was both of those properties in the Keswick District are on Barnfield Drive.

SP-2010-00057 Pine Knot Historical Center

PROPOSED: Historical center at Pine Knot with tours, related special events (up to 12 per year, not to exceed 150 persons), restroom facility, and museum and educational building (not to exceed 1,500 square feet)
ZONING CATEGORY/GENERAL USAGE: RA -- Rural Areas: agricultural, forestal, and fishery uses; residential density (0.5 unit/acre in development lots);
SECTION: 10.2.2.49, Historical centers, historical center special events, historical center festivals (reference 5.1.42)
COMPREHENSIVE PLAN LAND USE/DENSITY: Rural Areas - preserve and protect agricultural, forestal, open space, and natural, historic and scenic resources/ density (.5 unit/ acre in development lots)
ENTRANCE CORRIDOR: No

LOCATION: 711 Coles Rolling Road (Route 712), approximately 0.6 miles east of the intersection with Glendower Road (Route 713)
TAX MAP/PARCEL: 12200000001100
MAGISTERIAL DISTRICT: Scottsville
(Andy Sorrell)

Mr. Sorrell presented a PowerPoint presentation and summarized the request for SP-2010-00067. This is a special use permit for Pine Knot, which was Theodore Roosevelt's retreat during his presidency back at the turn of the 20th century.

Proposal:

- Bring use of site as an historical center with special events into compliance with the zoning ordinance
- Requesting up to 12 special events/year maximum 150 people
- Special events subject to parking plan approved by Planning Director (minor exemptions apply)
- Events will promote the mission of the historical center related to the education and the fundraising for the facility itself.
- Remove portable toilet and construct permanent composting restroom building. The site currently is not served by any electricity or water. They are not planning to have any future services like that. The composting restroom building would be served by solar power.
- Construct new stand-alone historical center
- Add overflow parking area
- No changes to existing parking area or entrance
- No changes to historic Pine Knot cottage

Overflow Parking & Site Access–
Currently: 40 vehicles with another 35 vehicles capable of being accommodated in undefined spaces on either side of the gravel entrance. Loop overflow parking area will be able to accommodate approximately 40 additional vehicles with spaces defined by railroad ties. It is planned that the overflow parking area would be installed in conjunction with the restroom building.

Traffic Control
Parking plan submitted to manage the availability of parking during special events when the number of vehicles onsite is expected to exceed the number of available onsite parking spaces (115 with the additional overflow spaces) They are not proposing to change the existing parking area or entrance. They are not proposing to have any changes to the cottage at Pine Knott.

If number of vehicles to be onsite exceeds the number of parking spaces the applicant will either: 1) limit the number of participants and/or vehicles to not exceed onsite parking or 2) make arrangements for additional overflow parking with Christ Church Glendower which is approximately 1.5 miles from the property. Arrangements would be made to shuttle visitors from the church to the property. In addition, when onsite parking exceeds 40 vehicles the applicant will provide parking directors to ensure

parking occurs in an orderly fashion, to maximize available parking spaces and to ensure safe entrance and exit from the property.

Minor exemption to parking plan: terms of the historic conservation easement require the property is open to the general public one day a year (the day of the Garden Club tour). With prior permission from DHR, the site can be open to the public additional days. For this day or other days approved by DHR, the applicant desires to manage traffic onsite only because unlike a special event, the applicant does not have prior knowledge of the number of visitors. Staff finds this limited exception acceptable because of its infrequency and the overall site limitation of 150 persons.

Staff reviewed the proposed concept plan. The restroom building is further interior to the property and would be accessed through a trail from the historical center, which would be located at the bottom of the existing parking area. The overflow parking would be adjacent to the existing area, but also contain a storm water management element that would ensure that the storm water would not enter the creek or the adjacent water ways.

VDOT reviewed the plan and did not have additional requirements for the entrance. It was upgraded to a commercial entrance in approximately 1997.

They are looking to doing some limited logging of the property to remove some of the pine in that particular area to restore it to the way it looked closer to when Mr. Roosevelt was there. The Loblolly Pine that they have there now was not something that was in use there when Mr. Roosevelt visited the property. They would be looking to restore that back to a more natural vegetated state. While they are doing that would likely be when they do the overflow parking area for rest of the building. It is their most intermediate need for the property. The future historical center would be a less intermediate need, but in a three to six year time period.

The applicant proposes up to 1,000 square feet on the first floor with the balance being on a second floor or future phase of about 500 square feet. The majority of the major elements of the particular historical center would be exterior porches that that they see on the floor plan. That would not count towards the limitation of the interior square footage.

The restroom building is an intermediate need. The proposed site of the restroom building is already in an area that has been partially cleared. There would be two separate restroom buildings for men and women. It would be a composting toilet that would require the Department of Health to approve its use and operation. Ideally they would like to be able to take the composted liquid waste material and spread that on site after it has passed tests to make sure it is properly cleaned. However, that would require a variance from the Health Department, which they have currently applied for. There are methods that they can use to dispose of the waste there that can meet Health Department approval. They are hopeful that the Commissioner of Health will consider that variance request. The bridge shown in the slide is over Miller Creek, which leads over to the cottage.

RECOMMENDED ACTION:

Based on the findings contained in this staff report, staff recommends approval of SP-2010-00057 Pine Knot Historical Center, subject to the following conditions:

1. Development and use shall be in accord with the conceptual plan titled "Ex. Conditions and Site Plan Special Use Permit – SP#201000057" prepared by Water Street Studio and dated (last revised) March 22, 2012 (hereafter "Conceptual Plan"), as determined by the Director of Planning and the Zoning Administrator. To be in accord with the Conceptual Plan, development and use shall reflect the following major elements within the development essential to the design of the development, as shown on the Conceptual Plan

   - *limits of disturbance*
   - *location of buildings and structures*
   - *location of parking area and associated BMPs for stormwater management*

   Minor modifications to the plan, which do not conflict with the elements above, may be made to ensure compliance with the Zoning Ordinance.

2. Transportation to and from the Pine Knot property for attendees of all special events shall be subject to a transportation management plan approved by the Planning Director.

3. Approval from the Health Department for the composting restroom facility shall be required prior to issuance of a building permit for this use.

4. Construction of the new building, as identified on the conceptual site plan (Attachment C) shall commence on or before six (6) years from (the Board of Supervisor's approval date), or this special use permit shall be deemed abandoned and the authority granted hereunder shall be thereupon terminate.

Zoning Ordinance Modifications

1. Request waiver of the submittal of a site plan as required under 5.1.42(d)
   - site plan not required by section 32.2 of the zoning ordinance because:
     - existing ingress/egress is not required nor proposed to be changed
     - Additional structures & site activity do not require additional parking over what it already provided and proposed.
2. *NEW*: Request permitted square footage as required under 5.1.42(a) be modified from 1,500 to 1,700
     - to accommodate detached restroom building and historical center

Staff finds the conceptual site plan sufficient for the proposed site improvements and has no issue with the small amount of additional square footage requested. Staff supports the proposed zoning modifications.

Mr. Morris invited questions for staff.

Mr. Dotson asked what the ordinance actually says in the section staff referred to for the second modification.

Mr. Sorrell replied that in Attachment E of the staff report, which is the section that speaks to the supplementary regulations, it says newly constructed structures for historical centers shall be limited to 1,500 square feet in size aggregate including interruptive space and accessory uses within such structures.

Mr. Dotson asked does it require a modification since it is detached and this says within.

Mr. Sorrell replied he checked with the zoning administrator and since it is detached, in the aggregate, and it mentions structures that the 1,500 square feet would apply to all the structures proposed with the facility.

Mr. Dotson suggested that a general requirement on modifications to that section say that specific feature can be modified or is there something that says modifications can be made to many different features.

Mr. Sorrell replied since this is something within the zoning ordinance, the Commission does have the flexibility to recommend these modifications.

Mr. Benish noted these are supplementary regulations that can be waived. It is required for any new structures. So this proposed new structure could potentially reach 1,500 square feet. A waiver could be done at a later date. However, this provides for some margin for error to ensure that addition if it does technically exceed that 1,500 square feet they don't have to come back for a modification.

Mr. Dotson suggested that a future work session on modifications would be helpful to help him understand.

Mr. Randolph said the applicant has contacted neighbors using this road. He asked if there would be provision as they talked about last week for email notifications when special events occur so people that are customarily using the road are alerted to the fact that there is going to be increased traffic coming because of the special event associated with the center.

Mr. Sorrell replied that was something the applicant can address. This afternoon he heard from one person who lives on that road who had some concern with the use of the property and the additional traffic that might come out on the road. Since it was a gravel road she had some concern about the traffic and things of that nature, particularly the dust. She felt the any additional uses on the road might be something that should necessitate paving the road. Staff spoke with VDOT who reviewed the application and felt that as proposed the commercial entrance was adequate to meet the needs for this particular use.

Mr. Lafferty said for consistency with the vineyards he wondered why they did not go to 200 visitors. He realized the road is a choke point, but the parking is not that far off.

Mr. Benish replied that was one thing staff had observed and they were going to take that into consideration with future updates. They do look at that at this point in time on a

case by case basis. However, they look at the 200 visitors as an experience that they have had with wineries with some success. So that is a realistic baseline that they look at.

Mr. Lafferty asked about the hours of operation.

Mr. Sorrell replied since the site does not have any electricity the hours would be within daylight hours.

There being no further questions, Mr. Morris opened the public hearing and invited the applicant to come forward to address the Commission.

Ms. Paula Pierce Beasley, President and Chair of the Board of Directors of the Edith and Theodore Roosevelt Pine Knott Foundation, said the Foundation operates and now owns the Pine Knott property. The Foundation was formed in 2001 and has operated the property for ten years. Pine Knott is a rustic cottage nestled in the middle of southern Albemarle. The spot was selected by Edith Roosevelt as a perfect wilderness retreat for her husband Theodore as he needed a place for rest and repairs within a day's trip of Washington yet remote enough and deep within the woods so as to leave his presidential cares behind. They are seeking to codify the existing visitation use of the Pine Knott cottage as a house and museum with walking and educational trails and periodic special events opened to educational history and architectural groups by appointment as permitted by its historical landmark's easement.

By requesting formal recognition of Pine Knott as an historical site and to address just briefly the issues of traffic they generally have a spring and fall event currently and the attendance ranges from 55 people to their largest of 150 people. As part of their application they seek to have a few events where they could have 200 people, but given the other difficulties that they have had and wanted this process to be smooth and not seek more modifications than seemed necessary. But in that respect, although it is a gravel road, not only is the entrance a commercial entrance, but the road for a gravel road in Virginia is fairly wide at that point. There is good visibility. They have had no issues with traffic previously.

Generally when they have events people stagger in their arrival and departure times because some will come earlier to have a tour of the house. Some will come earlier to walk the trails. Or some will just come for the specific author event or particular program. It has not created a problem historically and they don't anticipate that it will in the future. At one event when Christ Church was having a program with John Karan, who is a neighbor, there was somewhere near 1,500 people. They had requested that they be able to have a tour of Pine Knott. They did accept a total of 250 people, but in a course of a three hour period. So they staggered it with shuttle buses and were able to accommodate that many people without having too many people on the site at one time. They are highly conscious of that because it is a site that was originally selected by the President's wife for its birds, wilderness and those aspects of it that they hope will always remain there. It is a fine balance for the amount of visitation that could be on the site at any one point in time. It has been a long process with our board deliberating

precisely how to develop this remaining mindful of those particular things that is so important to the site.

They are seeking first and foremost an accessory amenity consistent with the existing restrictions and easements that they have to help enhance the public visitation. They currently have a don's john there, which is fairly unattractive and is not used too much. They do have people who are on the site for long periods of time for an hour or more. They have groups of school children and older folks that come there. Generally the need for a restroom does arise and they would like to make it something that is not a horrible experience. The composting restroom was selected after considerable research keeping in mind not only the president's conservation, preservation and aesthetics but also considering the fact that the site and house originally did not have any electricity, plumbing, heating, or interior finish. There is still no water or electricity. There is electricity in a supplemental building close to the cottage to provide security. However, that is very far removed from the location of the restroom and the future educational center. They have kept those more towards the entrance so that they won't impinge on the wilderness qualities of the site.

They chose the composting restroom for a number of reasons. This Clivus Multrum was originally designed by a Swedish engineer, Rikard Lindstrom, who developed it back in 1939 to prevent pollution in the Baltic Sea near his home. He later founded a company in 1962 to develop it and that company was incorporated in the United States in 1973. It has extensive installations throughout the National Park Service, the US Army Corps of Engineers, the City of New York, Green Builders, and many other state and local parks in the United States. In fact, there are seven sites in Virginia currently that are using the Clivus**.** Most of them are in much more populated areas like Fairfax and golf courses. They are, in fact, also spreading the liquid end product, which is what they seek to do. They are having discussions and have applied for a variance because it seems to vary some from the regulations. The conditions they have offered ensure that public health is first and foremost. If they were to take the liquid end product it would be tested prior. The testing so far at the other sites has shown that there is less than 200 MPN (Most Probable Number) of fecal chloroform per 100 milliliters present in liquid product and that is 100 times less than the standard for swimming water. Therefore, they think the potential harm is fairly low. They are willing to exclude the public during the time when the spraying is done and for several weeks thereafter. It would be sprayed on native grass. The science behind this composting toilet is that basically the plant takes up 90 percent and it tests out as very watered down nitrogen. The plant takes up 90 percent and 10 percent reaches down and is cleansed by the limestone in the soil. If they look at the site plan it is more than 600 yards away from any water. It is really in the middle of a forest. They have about 90 acres and it is on the upper end. It is well in the middle of the forest with another 1,260 acres in agricultural lands and conservation easement around it. They are fairly confident since they visited other sites. It is waterless. It is odorless. It is environmentally an extremely neutral application, which they think is in keeping with Theodore Roosevelt's conservation and preservation ethics. They believe the proposal to recognize Pine Knott as an historical center, including its development of these additional modest facilities is supported by the Comprehensive Plan's goal to protect the county's historical and cultural resources and will promote tourism in the county.

Mr. Morris invited questions for the applicant.

Mr. Randolph asked when they have a special event has there been discussion within their Foundation to provide an email notification for intermediate neighbors and people that are customarily using Route 712 so that they would be aware that there was a special event. Also, given that road is not a highly traveled road would they have somebody stationed out on the road to help police and ensure that there was safety maintained of traffic coming in and out of the site.

Ms. Beasley replied they have not historically needed to have anyone posted on the road. As indicated there is very good visibility. Of course, depending on the number of cars expected they would do whatever would be needed. Typically for events they are expecting more than 75 people. When they have 150 people they are probably going to have 60 or 70 cars. Generally people are coming as couples or as families. It really has not been a problem. They have stationed people in the parking area to show the public how to park so that all the cars get into the parking area. Whenever they anticipated such a number that it might be a problem they have worked out a shuttle service or whatever might be required. In terms of notifying local landowners, they have never done that although a number of them are on their list because they have had neighborhood events at the site. They don't have a complete list of all adjacent landowners and have never done that in the past. They would not have an objection to it. She had one question about the recommendations that relates to the six year period. They anticipate putting in the restrooms pretty quickly assuming they can work out the issues with the health department. The educational center is planned for later. If for any reason the second new building did not happen within that timeframe she would think the special use permit would still exist with respect to approving the site as an historical center and with respect to the building of the restroom they would just not have that aspect of it..

Mr. Sorrell replied that is correct provided they build the restroom building that pretty much starts the special use permit to show they are actually getting it constructed. That would keep the special use permit valid. If they do not build that portion within the six years, then they would have to get the special use permit amended for the historical center if it was built.

Mr. Morris invited public comment.

Gerome Beasley, Director of the Edith and Theodore Roosevelt Pine Knott Foundation, said that Pine Knott was located 13 miles south of Charlottesville off of Route 20. It is a valuable asset to this community and the state providing the unique opportunity for students and adults alike to learn about Theodore Roosevelt, his conversation values in the natural world, birds and wildlife. The Foundation has carefully assessed the needs of the site while maintaining the rustic wilderness aspects of the site that were the reasons the Roosevelt's chose Pine Knot as their family retreat. Pine Knott really needs a restroom facility. Honoring Roosevelt's conservation and preservation principles the Foundation researched the most appropriate environmentally sensitive application for the site and one that would not entail creating water, plumbing, heating, or electricity at

this site since the cottage itself has never been fitted with any. Aesthetically and in keeping with the site this restroom is the right one. In addition, from the cost consideration this restroom is the right one as well. The Clivus method of separating liquid and solid waste, which then separately decomposes the liquid and solid using aerobic decomposition and organic compounds to speed the decomposition process, was developed in 1939 by a Swedish engineer to prevent pollution in the Baltic Sea near his home. It was developed by a company he founded in 1962 which then incorporated in the United States in 1973. Clivus had composting toilets and gray water system installations in residential and commercial buildings throughout the national park service, US Army Corps of Engineers, the City of New Yolk, and many other state and local parks in the United States, in Europe, Canada, Australia and Korea. These systems are clean using no energy other than sunlight and odorless, attractive and practical and produce end products that are organic and totally returnable to the natural environment. They had visited multiple Clivus installations with several in Washington State, am extremely progressive environmental state. One sits in the corner of a community garden and has for a number of years. None of these sites have had problems. All other sites where the liquid end product is spread tests 100 times less than the E Coli EPA requirement for swimming pools. They urge their support in assistance in supporting the Clivus installation including the disposal of liquid end products provided it tests as safe. Bottom line is they believe the concept plan before the Commission is consistent with the obligations. He hoped they would assist them with moving forward with this plan.

Don Woodsmall, resident of Dunlora in Albemarle County, said he was fortunate to be a member of the Board also. In a prior life he was a real estate lawyer and developer. He has been before a lot of Planning Commissions on a lot of technical issues on hundreds or thousands of acres that they were master planning and developing. This is an easy request since it is truly an historical treasure for the county. The two persons who spoke previously have spent countless hours and their own dollars so that Albemarle County has three presidential homes. The only thing additional he would urge them not to put additional requirements on like an email notification to neighbors. He suggested that they visit the site since the road is broad and long.

Walter Morgan, resident of Albemarle County, said they need the center and the facilities in order for the children to visit the historical retreat of Teddy Roosevelt. It is a lovely place. He asked the Commission to help them proceed with this project.

Mr. Morris invited further public comment. There being none, the public hearing was closed and the matter before the Planning Commission.

Mr. Kamptner suggested a minor change to the language in condition 1 that requires the development shall be in accord. The language staff has been trying to standardize would be “general accord”, which gives the applicant some flexibility. The rest of the condition describes the parameters of what general accord is. He recommended that “accord” in the two spots be changed to “general accord”. Just for Planning Commission information to update the modification they are being asked to act on that. It goes to the Board and is acted on as a special exception under the new regulations. He suggested that two separate actions be taken.

Mr. Lafferty asked that they make it clear that they are not requiring email notification of the neighbors.

Mr. Morris replied agreed unless that is put in.

Mr. Loach pointed out that Ms. Beasley said they have a web site that they can sign up for. Therefore, if the neighbors want to know all they have to do is get on their email list and that settles really what they were asking for.

Mr. Lafferty said he wanted to make sure that was clear.

Mr. Randolph said his goal was not to make interference. His goal was to ensure there was adequate notification for neighbors in a rural area. They are looking at application after application in the rural area where people have moved out to enjoy the bucolic setting and the traffic, which is more urban in nature, but is now coming out in that area. He was just trying to be consistent because they had the same discussion about Panorama Farms.

Mr. Morris noted Panorama Farm was unique.

Mr. Randolph said that notification was just being a good neighbor.

Mr. Morris noted one item he would invite the Commission to consider with Panorama was that last time the Commission increased the number of people that could be in attendance to 200 trying to level the playing field. Mr. Lafferty brought this up. He asked if there were any thoughts on that or should they leave it within what the guidelines say right now.

Mr. Loach agreed because the applicant did mention that at one time they had 200.

Mr. Morris pointed out that was in the original proposal from the applicant.

Mr. Franco said that would be a modification.

Mr. Lafferty said he was in agreement with 200.

Mr. Dotson asked if there would be sufficient parking area if that was done.

Mr. Sorrell noted there should be enough parking to accommodate that given not everyone comes in their own vehicle. People typically arrive several to a car. Again, if that is what the Commission desired to do then that would be another modification. He suggested confirming with the applicant that is something they want. It does sound like they did. However, they did withdraw that particular aspect of the application.

Mr. Morris asked the applicant to come forward and address that particular area.

Mr. Lafferty noted that she also explained that they withdrew it because they did not want to complicate it.

Mr. Morris said absolutely, but he believed it was in the original application for 200.

Ms. Beasley said in the original application they indicated they would like to have permission for at least two events where they could have 200. It was more a concept of flexibility that people are permitted there only by invitation or by appointment. That is consistent with their easement. For a fund raising event if they were to have 200 people who wanted to come they certainly would want to have them there because that is what funds the foundation. As she said, historically the highest they have ever had was 150. It is not inconceivable as they develop more programming and it becomes better known that 200 people might want to come. Originally they had that in the application to provide some flexibility. Their primary goal is get this approved. Therefore, they don't want to complicate the process.

Mr. Lafferty asked if it was by invitation only or special events - fund raisers.

Ms. Beasley replied yes.

Mr. Lafferty asked if one of the Board members invited the general public to come and view it.

Ms. Beasley replied that the general public is welcome at any time by appointment. Their volunteers have never turned anyone down.

Mr. Lafferty recommended allowing 200 people twelve times a year and not just two times a year.

Motion for Special Use Permit:
Mr. Franco moved and Mr. Randolph seconded to recommend approval of SP-2010-00057, Pine Knot Historical Center, based on the findings in the staff report subject to the conditions listed in the staff report, with amendments to condition one (1) to include in "general accord".

1. Development and use shall be in general accord with the conceptual plan titled "Ex. Conditions and Site Plan Special Use Permit – SP#201000057" prepared by Water Street Studio and dated (last revised) March 22, 2012 (hereafter "Conceptual Plan"), as determined by the Director of Planning and the Zoning Administrator. To be in general accord with the Conceptual Plan, development and use shall reflect the following major elements within the development essential to the design of the development, as shown on the Conceptual Plan

    a. *limits of disturbance*
    b. *location of buildings and structures*
    c. *location of parking area and associated BMPs for storm water management*

d. Minor modifications to the plan, which do not conflict with the elements above, may be made to ensure compliance with the Zoning Ordinance.

2. Transportation to and from the Pine Knot property for attendees of all special events shall be subject to a transportation management plan approved by the Planning Director.

3. Approval from the Health Department for the composting restroom facility shall be required prior to issuance of a building permit for this use.

4. Construction of the new building, as identified on the conceptual site plan (Attachment C) shall commence on or before six (6) years from (the Board of Supervisor's approval date), or this special use permit shall be deemed abandoned and the authority granted hereunder shall be thereupon terminate.

The motion passed by a vote of 7:0.

Mr. Morris asked for a motion on the modifications.

Motion for Modification:

Mr. Franco moved and Mr. Lafferty seconded to recommend approval of the Zoning Ordinance Modifications for SP-2010-00057, as recommended by staff permitting no more than 1,700 square feet (in aggregate) for the Pine Knot Historical Center with the addition of a modification to allow an increase from 150 to 200 persons in the maximum number of attendees.

Mr. Kamptner clarified that the increase of attendees would be attendees at special events under 5.1.42 subsection i, which would increase from 150 to 200 persons.

The motion passed by a vote of 7:0.

The Planning Commission recommends approval of the following modifications:

- Section 5.1.42(d) to waive the submittal of a site plan, of 5.1.42(a),
- to permit an increase from 1,500 square feet to 1,700 square feet (in aggregate) for the Pine Knot Historical Center, and
- Modification to Section 5.1.42(i) to allow an increase from 150 to 200 persons in the maximum number of attendees.

Mr. Morris noted that SP-2010-00057 Pine Knot Historical Center and modification requests would be forwarded to the Board of Supervisors with a recommendation for approval on a date to be determined.

At 6:57 p.m., the Planning Commission recessed and then reconvened at 7:02 p.m.

CPA-2013-00001 Comprehensive Plan Revision

Work Session 8 – Community Facilities and Design Expectations for the Development Areas (Elaine Echols)

The Planning Commission held a work session to set general direction on the following issues regarding Community Facilities and Design Expectations for the Development Area:

- Neighborhood Model - Re-affirm the recommendations
- Entrance Corridor Needs
- Community Facilities – Review existing and proposed standards and provide input to staff

Elaine Echols and Andy Sorrell made a presentation on the existing Neighborhood Model principles, a proposed change to their format and reduction from 12 to 8 principles, information on the relationship of the Entrance Corridor guidelines to the Neighborhood Model, and expectations for Community Facilities. The following comments were received from Commissioners:

Neighborhood Model

- The 12 principles should be kept intact rather than generalizing them to 8 principles. More specificity rather than less is desirable. Reducing the number may send a message that the individual principles are not as important. Whatever you do, don't lose the substance of the 12 principles.
- The proposed 8 principles better reflect what has been learned over with the Neighborhood Model the last 10 – 12 years.
- The principle of "neighborhood friendly streets and paths" seems to be missing. Due to concerns about preservation of paths in the community, this principle needs to be retained and emphasized. There are redundancies in verbiage that should be removed. Mr. Lafferty offered to provide specific information upon request. Additional detailed comments on NH model and public facilities will be emailed by Mr. Dotson.
- More emphasis is needed on multimodal transportation. The term, "multimodal" doesn't have to mean having all modes on the same street.
- Comments in the Neighborhood Model related to concurrency should not be dropped.
- Consider using the City's terminology of "enhanced pedestrian experience" rather than "pedestrian orientation or human scale".
- Provide a better explanation about different types of housing and the importance of affordable housing in development.
- Look for as many ways possible to emphasize "centers" -- on maps, in the text. The term, "commercial center" may better imply or describe the kinds of centers that are desirable.
- When siting community facilities, see if you can group them together on the ground to create new centers. The principle of interconnectivity needs work, especially where the interconnections may affect an existing neighborhood. In some instances, the Commission has not supported this principle.

- Walkability in areas and having the sidewalks along the street in front of the door to the street is very important to welcome pedestrians to shopping and employment areas.
- If we are going to make the development area pedestrian friendly, then we have to figure out a way of getting people across those major thoroughfares without impeding more of the traffic.
- Having sidewalks along Rt. 250 East and Rt. 29 North with entrances to buildings from these sidewalks is not realistic due to the amount and speed of traffic on these streets and the lack of pedestrian crossings across the roads.
- If the western bypass is built, don't count on less traffic on Rt. 29. There are no real opportunities to make this street more pedestrian friendly.
- The Neighborhood Model has changed the form of development over the last 10 – 12 years, but, has it really increased density? See if you can provide more detailed information on densities achieved.
- How will the upcoming critical slopes changes relate to the NM Principle of appropriate site grading?
- The original NH Model principle, Clear Boundaries with Rural Areas, was left out of the new 8 principles and there does not appear to be a reference to the need for clear boundaries. Is there a change in philosophy? We don't want to lose that principle.
- On the attractive multimodal streets description, the last sentence says, "Lighting improves safety and allows for pedestrians to use sidewalks after dark." Does this conflict with the dark sky goals?

Entrance Corridors

- Why keep the recommendations for developing corridor specific guidelines if there is no staff or money to pay for development of these guidelines?
- More flexibility is needed with application of EC guidelines. It isn't useful to spend hours of time arguing over paint colors.

Community Facilities

- Concurrency goals should be added to the Community Facilities Plan particularly on infrastructure. There need to be benchmarks established.
- Greater direction is needed for guidance on how to provide facilities and services when full funding is not available.
- Cost effectiveness should be defined.
- Statements should be provided that relate to the need for consistency of service delivery.
- Items listed in the CIP need to be listed in the Comprehensive Plan first. There seems to be a disconnect between the CIP and Comprehensive Plan at times.
- A community facilities map is needed so that one can see the relationship of community facilities to one another.

Public Comments

Valerie Long:

- Don't lose the language in the current Comprehensive Plan related to redevelopment and infill. The County historically has supported infill and

redevelopment even when it has not been considered to be compatible by neighbors. There is some really wonderful helpful language in the Infill Development process that could be looked to for guidance on this issue.

- How do critical slopes and critical slope regulations relate to goals for site grading? Is more flexibility for disturbing critical slopes contemplated in the designated development areas? If so, how do those two issues relate? It is very important to be clear on the expectation because oftentimes applicants are working so hard to avoid disturbing critical slopes that, final grading is not necessarily the best outcome. There needs to be some balance between critical slope regulations and grading expectations.
- There should be some language added to the introduction of the Entrance Corridor Guidelines to discuss goals, the scope of ARB review, and statement that the guidelines aren't intended to micro- manage design in developments but ensure compatibility.
- There is a need for balance between achieving the kind of development in the designated growth areas that is desirable and the incredible challenges, delays, and expenses that come with the ARB process.
- Retain flexibility in application of the NM Principles. Having 8 rather than 12 provides greater flexibility in how the principles are addressed. If it makes more sense to have 8 principles the smaller number allows the same goals to be achieved. Don't discourage efforts to simplify the process.
- Have the ARB provide better guidance when they are reviewing projects
- Rules need to be flexible enough to achieve the common goals.

Neil Williamson

- The EC Guidelines are ripe for reform as is the role of the ARB. Consideration should be given to establishing performance standards and getting rid of the ARB.
- The Commission should have asked for public comment before discussing the information that came from the staff presentation.
- It is unfair to say that builders are not relegating parking as they are working to do just this.

No formal action was taken.

Old Business:

Mr. Morris asked if there was any old business. There being no old business, the meeting moved to the next item.

New Business:

Mr. Morris asked if there was any new business.

- There will be no Planning Commission meeting on Tuesday, May 29, 2012, June 5, 2012 or June 12, 2012.
- The next Planning Commission meeting will be held on Tuesday, June 19, 2012.

Adjournment:

With no further items, the meeting adjourned at 8:30 p.m. to the Tuesday, June 19, 2011 meeting at 6:00 p.m. at the County Office Building, Second Floor, Room #241, 401 McIntire Road, Charlottesville, Virginia.

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V. Wayne Cilimberg, Secretary

(Recorded and transcribed by Sharon C. Taylor, Clerk to Planning Commission & Planning Boards)