**Albemarle County Planning Commission**
**June 19, 2012**

The Albemarle County Planning Commission held a regular meeting on Tuesday, June 19, 2012, at 6:00 p.m., at the County Office Building, Lane Auditorium, Second Floor, 401 McIntire Road, Charlottesville, Virginia.

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

Other officials present were Francis MacCall, Senior Planner; Joanne Tu Purtsezova, Planner; Claudette Grant, Senior Planner; Scott Clark, Senior Planner, David Benish, Chief of Planning; Wayne Cilimberg, Director 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.

- Neil Williamson, with Free Enterprise Forum, noted he drove through Hollymead yesterday and found one shop that had a front and rear entrance that had a paper posted saying "use front door." The majority of the parking for this facility is on the far side. He had raised this issue in 2003 in their discussion of relegated parking. He raised this to the attention of the Architectural Review Board yesterday as they were going to be discussing how relegated parking impacts the Entrance Corridor. The ARB brought forward a motion to have the Board of Supervisors talk about the Entrance Corridors and relegated parking as a part of their discussion of the Comprehensive Plan. As this group has endorsed the Neighborhood Model and the idea of relegated parking, despite his admissions not to, he would encourage them to be a part of that discussion so they won't spend a lot of time moving something forward that will never go anywhere because they won't endorse it.

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

**Committee Reports**

Mr. Morris invited committee reports. There being no committee reports the meeting moved to the next item.

**Review of Board of Supervisors meeting – June 6, 2012**

Mr. Cilimberg summarized the actions taken by the Board of Supervisors on June 6, 2012.

**Consent Agenda**

**Approval of Minutes**: November 15, 2011 and April 17, 2012.

Mr. Morris asked if any Commissioner would like to pull an item from the consent agenda for further review.

**Motion:** Mr. Lafferty moved and Mr. Randolph seconded for approval of the consent agenda.

The motion carried by a vote of 5:0. (Smith & Dotson absent)

Mr. Morris noted the consent agenda was approved as submitted.

**Regular Item**

**SDP-2012-00025 Verizon Wireless (Vest Property) Tier II**
PROPOSED: Request to replace an existing wood monopole with a new steel monopole in order to support the attachment of six new antennas in two vertical arrays. The new proposed height of the replacement steel monopole will be 92-feet, 6-inches, an 18-foot, 2-inch increase from the 74-foot, 4-inch existing wood monopole, and will be approximately 7 feet above the reference tree. Associated with this request is a critical slopes waiver.
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 3 - Preserve and protect agricultural, forestal, open space, and natural, historic and scenic resources/ density (0.5 unit/acre in development lots)
ENTRANCE CORRIDOR: YES
LOCATION: 795 feet east of U.S. 29 at 5469 Murrays Lane
TAX MAP/PARCEL: 10900-00-00-043C0
MAGISTERIAL DISTRICT: Samuel Miller
(Joanne Tu Purtsezova)

Joanne Tu Purtsezova presented a Power-Point presentation and summarized the staff report.

**Proposal**:

- Request to replace an existing wood monopole with a new steel monopole in order to support the attachment of six new antennas in two vertical arrays
- The new proposed height of the replacement steel monopole will be 92-feet, 6-inches
- 8-foot, 2-inch increase from the 74-foot, 4-inch existing wood monopole

- 7 feet above the reference tree
- Associated with this request is a critical slopes waiver

**Notes**:
- The existing wooden monopole was previously approved through a Special Use Permit
- The proposed replacement steel monopole is now allowable by-right through the Tier II process, rendering the conditions of SP-2003-072 invalid

The proposal meets all the requirements of Section 5.1.40 as well as 4.2.5 for critical slopes waivers. The review is under Section 31.8 for special exceptions, which is in addition to what is in staff report.

Critical Resources Map
- The property is not in a conservation easement.
- Adjacent properties are in conservation easement

Balloon Test done on May 29, 2012 – Review of Photos

- Balloon was not visible from this corridor along U.S. 29
- First sighting of balloon close to Henderson Lane

Existing conditions: wooden monopole with antennas

Existing ground equipment

The current proposal is to move the ground equipment a little further away.

Examples shown of two trees to be removed – The balloon test was conducted at a slightly higher level due to a dead tree.

To address the two letters of opposition from adjacent property owners, (Stolz family), she had GDS assist in a view shed analysis. The map in the presentation shows the 12 parcels under ownership by Mr. Shultz. There are several sets of tree lines throughout the adjacent property so she did not believe the tower would be visible and there were plenty of tree lines serving as a backdrop.

## FAVORABLE FACTORS

1. The amount of total disturbance is limited.
2. Proper retaining wall construction, control of drainage, and vegetative stabilization will prevent any movement of soil.
3. Siltation and septic effluent concerns are minimal.
4. Approval of the critical slopes waiver would better serve public welfare than strict application of the regulations.
5. Strict application of regulations would otherwise restrict a well-sited tower.
6. Minimal loss of aesthetic resource is expected.

**UNFAVORABLE FACTORS**

1. The disturbance of critical slopes is to a larger system of critical slopes.
2. An adjoining property owner has submitted a letter of opposition.

**Critical Slopes Request:**

The lease area has been expanded from 382 square feet to 10,000 square feet. However, she thought that was based on the area that the ground equipment is in and not based on the contract for the lease area. The actual lease area is not getting larger. It is just that they are using more area. The applicant can speak to that. Engineering has reviewed the critical slopes request.

Staff recommends approval of the critical slopes waiver since it would better serve public welfare in order to provide cell phone service in this area in Covesville. Since the monopole exists the applicant would not be able to use the site further if the critical slopes waiver is not approved in this case.

Mr. Morris invited questions for staff. He asked about the fall zone and if the tower fell would it stay on its own property.

Ms. Purtsezova replied that a fall zone easement has been signed.

Mr. Morris opened the public hearing and invited the applicant to address the Planning Commission.

Lori Schweller, attorney with LeClair Ryan, represented Verizon Wireless. As Ms Purtsezova so well described they are requesting their recommendation for approval of a Tier II Personal Wireless Communications Facility. It is proposed to be a steel monopole painted brown with two sets of flush mounted antennas 92.5' tall to replace an existing wooden monopole. It is about 20' shorter. They also are requesting a critical slopes waiver. The site is not changing. The lease area has always been 10,000 square feet and will remain so. However, they are going to be using a couple hundred additional square feet just to add the additional monopole. They are not clearing any further for the new ground equipment. They are adding a new generator, and a new LTE box. The clearing is needed for the new steel monopole. .

Ms. Schweller asked to make a couple comments about the conservation easement opposition letter. This property is owned by an entity called Covesville Investments with a mailing address in Florida. All of those parcels appear to be vacant residential land. She reviewed the easement. There are no particular historic or natural resources identified for a particular preservation or special attention. It is a standard PFRA easement. Although what is a little unusual about it is that it does permit up to 18 parcels by subdivision, up to 19 residences, all the utilities and roads that go along with that, additional outbuildings, and the buildings can be up to 6,000 square feet. She just wanted to point out that what could happen on the eased property would certainly exceed in scope anything that they were proposing here with a monopole nearly 7' above the trees. She would be happy to answer questions.

Mr. Morris invited questions for the applicant.

Mr. Loach asked if this was a replacement of the existing wood pole and how much higher would the steel pole be.

Ms. Schweller replied yes, that the steel pole was a little less than 20' higher than the existing wood pole. This was necessary in part from the growth of trees. It has been many years. It was also because they need to put two sets of flush mounted antennas rather than one. They could have both sets of flush mounted antennas just above the trees if they had that 7' above the reference tree. She requested the Commission's recommendation of approval.

Mr. Morris invited public comment.

Witt Stolz said that his family and parents own the property intermediate adjacent property and have written several letters expressing their objections to the tower as it is currently proposed. They own several parcels, some of which were not even reflected on the map. As they noted on the map they placed a conservation easement for the benefit of Albemarle County Public Recreational Facilities Authority a couple decades ago. As part of what was specifically negotiated was they retained a few development parcels for his family. Although it is held in this Covesville Investments that is something they set up to limit their liability going forward. Even though the address is Florida they are all here in Virginia. The staff failed to take into account the perspectives of the balloon from their property. At no point did they ever ask to view the balloon from their property and see the impact it would have on this conservation easement area. Furthermore, from our reading of this the staff said that this is a by-right cell tower, but from Verizon's own documents its submittal states that Verizon Wireless is requesting approval to allow the monopole to have a larger diameter at its top than the 18" or allow any cables that don't fit to be run up back of the pole as allowed for wooden monopoles. So that was on page 4 of their original application. They would request the Commission defer its decision on this until additional tests are run so that the staff can come see the impact it is going to have on this property. At a minimum it should limit the height of the tower, which is currently functional, to the current height of the wooden monopole rather than adding 20' to it. They have had no degradation in cell service.

Mr. Lafferty asked if he was made aware of the balloon test.

Mr. Stolz replied yes, but he was out of town. His parents said that they saw the balloon.

Mr. Loach noted that they were only talking about 7' above the reference trees. There is only going to be 7' above the trees rather than 18' above the trees.

Mr. Stolz noted that the current one is well below the trees and still is very functional. It provides perfect cell coverage for our area.

Mr. Loach noted they are introducing new technology which creates the need for the additional flush mounted antennas as he gathered from the applicant.

Mr. Stolz said that he could not speak to that technology. The current old technology works so he would imagine the newer technology would be operating under the same environment as the older one with a few trees in the way.

Mr. Loach asked the applicant to come back and address the question. He assumed that one of the reasons they were asking for the increased height is because of the dual mounted antennas because of the change in technology as they have hear before. He asked the question previously stated why not put the two dual flush mounted antennas on the lower pole and assume that it is going to be just as good.

Lori Schweller replied that was right. The existing antennas are actually below the level of the trees. They will continue to provide from those antennas or one set of antennas for personal cellular service and cell service that Verizon Wireless provides. They do need that additional flush mounted set of antennas for the LTE, the 4-G service. They need both of those to be above the trees. They certainly would not be making this change if they did not need improved and additional service. What they have there is not adequate and of course they don't the LTE antennas there. She asked to address a few of the points that Mr. Stolz raised.

Mr. Morris asked if she wanted this as her rebuttal.

Ms. Schweller asked to reserve the rebuttal time.

There being no further public comment, Mr. Morris invited the applicant to make her rebuttal.

Lori Schweller noted her email just reiterates the tree preservation plan that they have in place. One of the sheets of the site plan identifies 29 trees that have been identified as to their height; their diameters, locations and the type of tree will be having a tree preservationist prepare a tree conservation plan for the site. All of the trees will remain except for four pine trees that have been marked ranging from 8" to 12" diameter. Those need to be removed to put in the new pole. This facility will not be skylit from any point. Because of the slope they will always have that background and it will be surrounded by trees. They are not taking down any trees that are providing cover for any part of the facility. It needs to be made clearer that this steel monopole will be painted flat matte brown as will all of the antennas. It is not going to reflect light. It really does blend very well into the surroundings. She believed that addresses all of the points that Mr. Stolz raised. She would be happy to answer questions.

Mr. Morris asked based upon the current regulation governing Tier II facilities what is the recommended height that they stay within with the tower going above the reference tree. Is it 7' and can go up 10' so they are well within the regulations as he reads them.

Ms. Schweller replied yes, that in Albemarle County what they refer to as the by right tree top tower is 7' above the reference tree. If they obtain their approval and now the

Board of Supervisors as well they can go 10' above the reference tree for a Tier II. She thinks one of the points of confusion about their requesting special approval had to do with their narrative regarding the diameter of the pole and the cables that run through the pole. They are not requesting any type of waiver for the diameter. In the Albemarle County ordinance the diameter must be no more than 18" at the top and 30" at the bottom, which they are complying with. What they commented on was that because they have so many cables for the three technologies they can't always run all of them through the pole. They will run all of them through the pole that will go through the pole. The rest will be along the back to have the minimal visibility. This is what they do routinely. This is not a modification of the ordinance provision. They are complying with the ordinance provision which states that to the extent that they can they will run them through the pole. She thought that was a point of confusion there.

Mr. Lafferty asked if their effort toward the LTE is commonly known as 4G.

Ms. Schweller replied that is correct.

Mr. Lafferty said that they were upgrading to 4G service, and Ms. Schweller replied that was correct.

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

Mr. Loach supported the proposal at 7' above the reference tree.

Mr. Franco said because the mountains backdrop this as opposed to being skylit it is less visible. Even from the adjacent properties they may be seeing the balloon or the pole, but they were seeing it with a backdrop that was dark and wooded.

**Motion for Tier II Personal Wireless Service Facility**:

**Motion**: Mr. Loach moved and Mr. Randolph seconded to recommend approval of special exception for SDP-2012-00025 Verizon Wireless (Vest Property) Tier II Personal Wireless Service Facility with antennas and associated ground equipment at the proposed height of seven (7) feet above the reference tree.

The motion passed by a vote of 5:0. (Smith, Dotson absent)

Mr. Morris said the request would be forwarded to the Board of Supervisors with a recommendation for approval at a time to be determined.

**Motion for Recommendation on Modification**:

**Motion**: Mr. Loach moved and Mr. Randolph seconded to recommend approval of the special exception to allow disturbance of critical slopes for SDP-2011-00025 Verizon Wireless (Vest Property) Tier II Personal Wireless Service Facility for the reasons outlined in the staff report.

The motion passed by a vote of 5:0. (Smith, Dotson absent)

Mr. Morris noted that the special exception for SDP-2012-00025 Verizon Wireless (Vest Property/Hardware River) Tier II Personal Wireless Service Facility and the special exception to allow disturbance of critical slopes will go to the Board of Supervisors on July 11, 2012 with a recommendation for approval.

**Public Hearing Items**:

**SP-2012-00004 Community Christian Academy**
PROPOSAL: Request a special use permit for a private school in a church on 3.14 acres under Section 14.2.2(5) private school of zoning ordinance. No dwellings proposed.
ZONING: R-2 which allows residential uses at a density of 2 units/acre.
ENTRANCE CORRIDOR: Yes
COMPREHENSIVE PLAN: Neighborhood Density Residential – residential (3 – 6 units/acre) supporting uses such as religious institutions, schools and other small-scale non-residential uses – Places 29 corridor.
LOCATION: 1410 Old Brook Road in Neighborhood 2.
TAX MAP/PARCEL: 06100000012700
MAGISTERIAL DISTRICT: Rio
(Claudette Grant)

Claudette Grant presented a Power-Point presentation and summarized the staff report.

**Purpose of Special Use Permit**: The applicant is requesting a special use permit to allow a private elementary school to be located in the existing church, which is known as the Alliance Bible Church of Charlottesville.

The property is zoned R-2, Residential. The church, associated parking and a parsonage for the minister are currently located on the property. There are no physical changes proposed for the site.

The Merridale Preschool was located in the church previously. It closed several years ago. The proposed school will utilize the old preschool site. Over the course of the next couple of years the applicant anticipates up to 85 elementary aged students.

While the school day is between 8:15 a.m. and 3:00 p.m. there will be an extended day program allowing children to dropped off as early as 7:40 a.m. and picked up by 6:00 p.m. She brings that to the Commission's attention because one of the proposed conditions should actually read 7:40 a.m. instead of 8:15 a.m. The school will be open Monday through Friday and the applicant anticipates 8 staff members for the 85 students.

**Factors favorable**
- The use is consistent with the Land Use Plan.
- Provides an alternative elementary school option for people who live and work in the area.

**Factors unfavorable**

- The site is not in compliance with the landscaping shown on the approved site plan, dated 4-14-87.

Staff has been working with the applicant and the minister of the church to address this issue. It has been brought to her attention just earlier today that the issue is now resolved.

Staff recommends approval of SP-2012-00004 Community Christian Academy with conditions and as noted in the staff report with the exception of condition 4, which is revised to say the hours of operation for the school shall be between 7:40 a.m. to 6:00 p.m. except that occasional school related events may occur after 6:00 p.m.

Mr. Morris invited questions for staff.

Mr. Loach asked how many students were in the prior preschool.

Ms. Grant replied that she did not know that.

Mr. Morris opened the public hearing and invited the applicant to address the Planning Commission.

Kimberly Moore, Executive Director of Community Christian Academy, represented their Board of Directors. To answer the question she did not know exactly how many children were there before, but they do have a letter on file from Social Services allowing up to 80 children when they were operating the preschool. Her assumption was that they were probably around that number. However, they had that approval on file. They are asking to use this site for kindergarten through third grade. Adding a grade per year they do not envision that they would be in that building past elementary school. When they were aware that they were not in compliance with the landscaping they met with the church and the pastor met with Francis MacCall in Community Development to make sure that he understood how they were not in compliance. They made arrangement to be in compliance. In fact, she took some pictures today. They planted the required shrubs and trees just yesterday. Therefore, she could show them the pictures showing that they are now in compliance.

Mr. Morris invited questions for the applicant.

Mr. Randolph asked that the photos be passed around for Commission review.

Mr. Morris invited public comment. There being no public comment, the public hearing was closed and the matter before the Planning Commission.

Mr. Morris asked if the first bullet under condition 1 should be changed.

Mr. Cilimberg said that was the landscaping requirement. He was going to note that if they don't change it tonight in their recommendation that staff will make sure that it is addressed before the Board meeting. If it is not necessary, they can remove it.

Mr. Morris said that as long as there was no confusion as it goes forward.

**Motion**: Mr. Franco moved and Mr. Loach seconded to recommend approval of SP-2012-00004, Community Christian Academy with conditions as recommended by staff, as amended, to revise Condition 4 "Hours of operation for the school shall be between 7:40 a.m. to 6:00 p.m., except that occasional school-related events may occur after 6:00 p.m.

1. The existing building and use shall be in general accord with the site plan titled Alliance Bible Church "Community Christian Academy" prepared by Roudabush, Greene, & Gale and date approved 4-14-87 (hereafter "Site Plan"), as determined by the Director of Planning and the Zoning Administrator. To be in accord with the Site Plan, the existing building and use shall reflect the following major elements within the site essential to the design of the site, as shown on the Site Plan:
    - Landscaping (or revision of landscaping in accordance with current Zoning Ordinance requirements)
    - Location of buildings, uses, and structures
    - Location of parking areas
    - Location of outdoor play area
    - Relation of buildings and parking to the street; and
    - Site access

    Minor modifications to the plan which do no conflict with the elements above may be made to ensure compliance with the Zoning Ordinance.
2. Maximum enrollment shall be 85 children.
3. All students shall be over the age of 2 ½ years old.
4. Hours of operation for the school shall be between 7:40 a.m. to 6:00 p.m., except that occasional school-related events may occur after 6:00 p.m.

The motion passed by a vote of 5:0. (Dotson, Smith absent)

Mr. Morris noted that SP-2012-00004 Community Christian Academy will go to the Board of Supervisors on a date to be determined with a recommendation for approval.

**SP-2010-00036 MonU Park**

PROPOSED: Creation of an athletic club with 4 soccer fields and 96 parking spaces
ZONING CATEGORY/GENERAL USAGE: RA -- Rural Areas: agricultural, forestal, and fishery uses; residential density (0.5 unit/acre in development lots); FH Flood Hazard - Overlay to provide safety and protection from flooding; EC Entrance Corridor - Overlay

to protect properties of historic, architectural or cultural significance from visual impacts of development along routes of tourist access
SECTIONS: 10.2.2.4 Swim, golf, tennis or similar athletic facilities (reference 5.1.16)
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: Yes
LOCATION: Southeast corner of US 29 and Polo Grounds Road (Route 643).
TAX MAP/PARCEL: Tax Map 46 Parcel 18C
MAGISTERIAL DISTRICT: Rivanna
(Scott Clark)

Scott Clark presented a Power-Point presentation and summarized the staff report.

This is a special use permit request for a soccer field facility on Polo Grounds Road at the intersection with US 29 in the Rural Areas. There is an extensive wooded area along Polo Grounds Road and a small riparian buffer along the river. The proposed use would occur entirely on the route of the existing access and within the open area.

**Proposal Outline**

- Four grass fields in existing open area of parcel
- Paved entrance drive
- Surfaced parking area for 96 cars
- No lighting
- No structures
- No amplified sound for the soccer use

Some of the neighboring land owners have questioned why the request to expand the SOCA facilities farther down the road in 2006 was denied and staff is recommending approval for this facility. Staff reviewed the Comparison – MonU Park vs. SOCA Expansion Request in a chart.

Structures: The structures in the MonU Park proposal would be in the floodplain. However, there can be no structures and no structures are proposed.

The SOCA expansion area was up above the floodplain. They proposed a 30,000 square foot building, which would have been one of the 15 largest buildings in the rural areas.

Number of Fields: MonU Park is proposing 4 fields. The expansion for SOCA would have had one indoor field and one outdoor field, which would be in addition to the existing fields down at the floodplain.

Outdoor Lighting: MonU Park is proposing no lighting. The expansion for SOCA would have had outdoor lighting to be used in the spring and fall season.

Distance to Nearest Dwelling: MonU Park – 1,200 feet
The expansion for SOCA was 300 feet from an existing dwelling.

Other Use Proposed: There are none for MonU Park. Originally the expansion proposal for SOCA included four non-soccer events essentially renting the facility for commercial uses as a fundraiser. That was eventually withdrawn after the Planning Commission recommended denial of the proposal.

Different in Season: The SOCA facility would have made it more of a year round use. During the summer and winter seasons they were not very active for community use.

Traffic Generation: The MonU Park - ITE estimated increase at peak of 57.5 vehicles per hour (half arriving, half departing) – for example, between morning and afternoon sessions. Assuming two (2) sessions and grouped arrivals (within one hour), approximately 115 vehicles per day.

SOCA expansion - ITE estimated increase of 515 vehicles per day over current facilities at peak use (from 357 to 872).

(Note: The ITE is based on a fairly small sample size. So the numbers are not meant to be exact counts, but indicative of the scale.)

Public-facilities Demand: MonU Park – None
The SOCA expansion was going to need sewer because the site could not support a facility of that size on a septic system. Expansion of the sewer into the rural areas is against Comprehensive Plan policy.

Reversibility: The Comprehensive Plan talks about reversibility for commercial like uses and can the land go back to agricultural and forestry or conservation, which are priority uses, easily if the use ends. In the MonU Park proposal the only lasting footprint would be the driveway and the parking area. Staff is recommending a condition of approval that those be removed if the use ends. There was no reversibility for the SOCA facility. The 30,000 square foot building plus an artificial field and the facility to support that was not going to go away.

Parking: Both proposals would have 96 parking spaces.

Critical Slope Disturbance Requested: The SOCA facility needed a critical slopes waiver; whereas, MonU Park does not.

Tree Clearing Proposed: There is no tree clearing proposed for MonU Park because it is using an existing driveway and open area. Whereas, there was grading on the SOCA facility to create the artificial field that would have disturbed a critical slopes area with trees on it that would need to be replanted.

In addition from the SOCA trip estimation it was estimated that 96 percent of the traffic would go to US 29. The tunnel under the railroad tracks on Polo Ground Road is always a concern for uses in this area. The estimate for the SOCA expansion, again, was denied that said that 4 percent of the traffic would go that way. The MonU Park

use similarly is even closer to US 29. Therefore, staff would say that a similar percentage would come from the highway there.

Staff passed out a handout to the Commission entitled Summary of Trip Generation Calculation for 4 Fields of Soccer Complex June 19, 2012. Mr. DeNunzio from VDOT is present to explain this and provide more information on why the proposed entrance design, which is a 100' right turn taper and no left turn, was considered appropriate for this use. Several of the nearby landowners have questioned why this relatively small entrance change was sufficient.

Mr. Morris invited Joel DeNunzio to address the Planning Commission.

Joel DeNunzio, VDOT representative, apologized that there was no paragraph in the handout that explained it. He explained the first sheet is the trip generation. The original plan was done off of the seventh generation ITE numbers. Since then they have updated it. It is very similar numbers. However, what they see in the handout is the eighth generation. The two highlighted numbers are the peak hour numbers or the 4 to 6 p.m. peak hour, which is 57.5, and the Saturday peak hour, which is 55. In the red is the existing Route 643 information.

Mr. Lafferty pointed out that the copies are not color coded.

Mr. DeNunzio noted it was the handwritten information.

Mr. Lafferty noted that the handwritten information was barely visible.

Mr. DeNunzio explained the Summary of Trip Generation Calculation handout.

- The summary said on Route 643 Polo Grounds Road, the speed is 45 miles per hour. The average daily traffic is 2,400 vehicles. Typically when they have traffic data they have what they call a K and D factor. That determines what percentage of traffic occurs in the peak hour as the K factor. Typically that is about 10 to 12 percent. The defector is the directional factor that shows the direction of most of the traffic, which is typically 50 to 60 percent. They don't have that data for Polo Grounds Road, which does not have enough traffic that they actually generate that data. When they don't have that data what they assume is 11 percent for a K times D factor. From that they are able to determine right turn and left turn lane warrant out based on that. If they look at the PHDV under the ADT it says 264. Basically that is the 2,400 multiplied by the 11 percent, which is what hourly traffic they expect on Polo Grounds Road in each direction in the peak hour of the afternoon. So that is 264 peak hour trips in each direction on Polo Grounds Road.
- From that they look at 264 approaching from the 29 side and 264 from the left. So they look and get the right and left turn lane analysis. Typically their splits are not 50/50. Normally it is anywhere between and 50 and 60. So the number beside PHDV says 60 percent. That is if they take the peak hour traffic and they apply the 60/40 split to it and the 317 represents what 60 percent of that is. A conservative approach to this is to take 60 percent on the approach. So 60

percent coming from 29 to look at the right turn analysis and 60 percent coming from the east to look at the left turn analysis. That is just the existing data.

- The next page is what they do for right turn lane analysis. He explained the numbers on the graph represent the peak hour numbers for opposing and advancing volumes of traffic. They can see the top two dots lie within the taper required. That is how they determined what the right turn taper needed to be. It is all based on the existing volume and proposed volume of the site. The 57 number written in is assuming 100 percent of the traffic is coming from Route 29. A right turn taper is also required for that. So even if 100 percent comes from Route 29 it still warrants only a right turn taper.
- The next two sheets are the left turn lane warrant analysis. The first one says likely scenario. That is assuming a 60 percent split coming from the other direction. Most traffic will probably come from Route 29. However, with a conservative approach again he assumed that 60 percent comes from the other direction. If they look at what that 60 percent is on the bottom graph these graphs are all based on the volume that turns left into the site. The calculated number as shown on the bottom graph is well outside of the left turn lane warrant analysis.
- Basically, what this is showing is that for the traffic generated from this site in the peak afternoon hour, which is the peak hour of the generator, there is no left turn lane warranted and there is no right turn lane warranted; however, there is a right turn taper to allow for some deceleration of the traffic entering the site.

Mr. Loach asked Mr. DeNunzio to give an analysis in his opinion about general levels of service on Polo Grounds Road.

Mr. DeNunzio replied that the general level of service analysis for Polo Grounds Road was a difficult analysis to come across. Typically, a two lane road can carry 1,700 vehicles per hour per lane, which seems like a real high number. That was seen on roads more like Rio Road down the three lane section. The level of service on a two lane road is nowhere near that. The level of service on a two lane road is for perfect conditions being straight and no grades, good shoulders, horizontal curves, site distance and vertical grades. Every factor that is not perfect decreases that level of service. When they see 2,400 trips on a road even if it is not the perfect road with everything they like to see the capacity is still not an issue on the two lane road itself. Typically the level of service is applied more on the intersection. The sight entrance intersection is not a concern with the level of service. The traffic will be able to move in and out of the site just fine without delay.

Mr. Morris invited other questions.

Mr. Lafferty said they are putting more traffic on Polo Grounds Road. He asked if they would consider changing the sequence of the light. They were saying that it backs up now. He asked if he was saying there would be a taper on Polo Grounds Road or a taper on 29.

Mr. DeNunzio replied all of this information is just for the site entrance. The intersection at 29 and Polo Grounds Road is a different issue. When he was requested to look at

that intersection he sent a request to their traffic engineers to send the level of service. He thinks they probably have that data. He sent that request today and did not get it yet. He would share that information when he gets it. What he would be interested in looking at with that data is the overall level of service at the intersection and the level of service on the Polo Grounds approach, specifically the left turns to south 29. The other turns normally would only be blocked by the stacking from the left turns or the volume from Route 29 is so high that they can't take a turn on red. They should have current counts on that. He would share that information as soon as he gets it. He received calls about that intersection not specific to this site probably within the past couple of years about the stacking problems out there. Typically the complaints have been from his experience in the a.m. peak hour. If they look at the front sheet the a.m. peak hours is extremely low volumes for this kind of site. They are looking at exiting traffic from the 7 to 9 a.m. peak hour as 3 vehicles. So it is pretty insignificant compared to the overall traffic there. They are looking at 1 vehicle every 20 minutes on average. The queuing in the a.m. peak hours are not a concern. In the p.m. peak hour for this type of site there are 26 vehicles. That is if 100 percent comes to this. It could cause additional queuing and a decrease in the level of service. That is something he would have to look at and get them that information.

Mr. Morris noted that it had bothered him if they have 30 to 40 vehicles leaving the new area at any one time and the majority of those will probably head for 29. There is only .2 of a mile of Polo Ground Road between that entrance and light. It seems that is going to stack up and back up very quickly. The number of times he goes there, which is quite a bit living in Key West, the majority of the time the maximum cars that he can see make the left hand turn onto 29 is between 5 and 6. He asked how they can handle this. He would not suggest that they shorten the time of the green light on 29. They can't do that because they need to have the traffic flow. He can just see Polo Grounds Road turning into a parking lot.

Mr. DeNunzio replied the one thing they are looking at, which he was not sure it had been implemented, was similar to the new adaptive technology they have implemented on Pantops, which was called adaptive technology. It works as a system and he believes they are implementing it on Route 29 right now. What it does is work as a whole system and looks at the side streets. It does not just run a total phase but looks at the side streets and allows the side streets to clear whenever there is a gap in the traffic coming up. It has worked very well on 250 and he knew they were looking at doing that on 29. He was not sure how much of that had been implemented. However, it was something he could get back to them on regarding the status of that. It could be a big help with all intersections.

Ms. Monteith said she understood that he had looked at the turn movements right and left into the site. Since it seems they were so proximate to the intersection with the signal on 29 she was curious why they did not look more into the LOX and functioning of that signal and this use might affect that.

Mr. DeNunzio replied that with their understanding that the problem was in the morning and this use was such a low generator in the morning they did not consider that as being a problem.

Ms. Monteith asked if they know what time of day this field will be used.

Mr. DeNunzio replied what they know from past studies is typically the afternoon from 4 to 6 p.m. is the peak generator. That is when most of the traffic is coming in and out of the site.

Mr. Lafferty pointed out it does look like the entrance is 1500' from the traffic light.

Mr. Morris said it was just about exactly .2 of a mile.

Mr. Cilimberg noted two of the suggested conditions refer to the time they would begin their operations. It was 11 a.m. on Saturdays and Sundays and not until 4 p.m. on Monday through Friday

Mr. Clark agreed that was correct.

Ms. Monteith noted that correlates with the peaks at least through the week. She was not sure that would really help.

Mr. Cilimberg said Mr. DeNunzio would have to speak to that. He thought he said they were sensitive to the morning peaks for the left hand turns.

Mr. DeNunzio said it was his understanding that most of the problem now, not considering this application, is in the morning peak. He normally hits the intersection in the afternoon and was not sure about the morning peak. From what he has heard from the phone calls he sends out the traffic guys and asks them to put more green time on that side of the street. He hoped it has helped because he has not received many complaints recently. However, it does not mean that there is not a problem. He asked if they see a p.m. problem now or is it mostly in the morning.

Mr. Morris said he never hits it in peak traffic. He always gets there and there are always 3 or 4 cars. He always hits the red light. In talking with the people who live there they say it can be miserable when they have traffic problems with SOCA.

Mr. DeNunzio said when they let the traffic out at one time it is causing a problem, and Mr. Morris agreed from what he understands because he did not live on that road.

Mr. DeNunzio apologized that he did not have time to get that data today on the level of service at that intersection. He will share it with them when he gets that, which he thinks will address a lot of their concerns regarding when they expect to see the worse conditions out there. Then they could apply that to the existing conditions.

Mr. Morris said it would help to have that information. There being no further questions he asked staff to conclude his presentation.

Mr. Clark concluded the presentation.

Staff has identified factors which are favorable and unfavorable to this proposal:
Factors favorable to this request include:

1. Impacts of the use would be limited by the absence of lighting or amplified sound systems on the site.
2. As recommended by the Rural Areas chapter of the Comprehensive Plan, the on-site impacts of the proposed use can be reversed if the use ends.
3. The use would assist in meeting the demand for soccer fields in the County. In the email from Bob Crickenberger he said this facility would help get more soccer fields in the county, which would help reach their goal and take up a portion of the demand for more soccer fields.

Factors unfavorable to this request include:

1. The use will generate additional traffic on Polo Grounds Road, a rural road that serves both Rural Area and Development Area residents and an existing soccer facility. However, the site's proximity to US 29 and the scale of the use will limit the extent of those impacts.

Another issue is that several adjacent landowners were concerned with noise even if there was no outside amplification. Some of them have said they hear voices and shouts from the existing SOCA facilities. Again, MonU Park will be a daytime use because there would be no lighting and there is a longer distance from the nearest resident to this site.

Staff recommends approval with the conditions as outlined in the staff report. He noted the applicant might want to expand the months in which the facility would be used to include two additional months for practice. During the winter and summer months there would be no impacts on the area.

Mr. Morris invited questions for staff.

Mr. Lafferty said the drive in would be paved, but how about the parking lot since he just said it would be surfaced.

Mr. Clark replied that had not been entirely worked out yet and would be resolved during the site plan process. Because this use involves a change in the entrance and the parking it would require a site plan. That discussion would be held in more detail with the county engineer during that process.

Mr. Loach asked since this property was in the floodplain if they have information on the degree of flooding it has.

Mr. Clark replied that he did not have information on that.

Mr. Benish noted that the property does flood and the SOCA fields have been flooded.

Mr. Loach pointed out the only problem he saw was the portable toilets if it gets flooded. Regarding the noise concern he assumed this use would come under the rural noise levels of 65 decibels.

**The Planning Commission took a break at 7:22 p.m. and the meeting reconvened at 7:29 p.m.**

Mr. Morris opened the public hearing and invited the applicant to address the Planning Commission.

Dan Ivory, Director of Coaching, board member, referee and Coordinator of the Monticello United Soccer Club (MonU), said he had been coaching soccer in this area for 34 years and was present on behalf of the applicant. They started MonU with the goal to provide a more family oriented affordable organization. They are a small youth only club and plan to stay that way. They have no adult divisions or rec divisions. They travel and have one-half of their games away and one-half at home. Their players participate in other community events. They have a very low cost fee and don't make a lot of money. They operate as a non-profit.

Mr. Ivory said they are trying to put four soccer fields on this property. Their entrance would be a quarter of a mile from Route 29. They have a 100' mandatory deceleration lane. They simply want to grow grass, put soccer goals on it and let the children play soccer. The grass exists and there is no need for any type of irrigation. They would like to keep the land as rural as possible. There would be no buildings, no lights, no irrigation, no water hook and would pull nothing from the river. There is an existing entrance and a 400' driveway that they will modify to meet VDOT specifications. They prefer not to pave the parking lot and will work closely with the county on that.

Over the past 6 years they have averaged 98 members which come out to 2 to 3 games a weekend in September, October, November and 2 games a weekend in late March, April and June. They encourage their members to play high school. So the fall system is the peak and in the spring they have younger kids. There is nothing from Thanksgiving through January and February. As Mr. Clark said, they would like to amend the staff report to include the months of July and August since they have training activities during these months. Regarding the adjoining properties there is a thick growth of brush and trees and with the elevation and river it helps muffle sounds. There is no sound system. They have a portable john contract, which removes them from the property at the end of the season. The property slopes away from the river. He invited the input and suggestions from the neighbors. He asked for approval of the request.

There being no questions for the applicant, Mr. Morris invited public comment.

Ray Caddell, resident of 334 Dover Road, said it was his understanding that there had been no formal traffic study done. He had not heard anyone address what happens when both MonU Park and the SOCA games let out at the same time. He asked how the people in Montgomery Ridge get up and down Polo Grounds Road and what kind of traffic issues it is going to make at the intersection of 29. He questioned if it was going to create a true public recreational area. The very first they have heard about a public use of it was just now. He asked how many people were going to be allowed to use the facilities and what would happen to the porta johns. He could not even imagine how that is going to work. It is a private organization and serves at the maximum 130 children and not all of the county's residents. The property is in the rural area and

bounded by the Rivanna River. Today they heard for the first time about fertilizer. That was a specific question they asked staff when they met with them. They were told that was not an issue. To claim that the fertilizer cannot possibly make its way to the Rivanna is absolutely ridiculous. Those who live in that area see all kinds of things float by. The 100-year flood occurs every 2, 3 or 4 years. So it is a very fragile eco system there at the Rivanna. The adjacent nearby property owners were already severely impacted by traffic and noise. He was concerned with the potential noise impacts. He asked that they take the request seriously.

Mitch Feldman, resident of 2535 Montgomery Ridge Road, said he was approaching the Commission this evening from a safety standpoint more than anything else for any type of emergency vehicle. In March, 2011 he had to take a family member to the hospital around 6:30 p.m. Usually between 6:30 and 7:00 at night is when the traffic backs up on Polo Grounds Road. He was able to get his mom to the hospital. However, right after that he notified VDOT and sent them several inquires through their website. He did not hear anything. Then he contacted the Albemarle Board of Supervisors. He has been working with Ann Mallek since March of this year. She has been very influential as far as getting VDOT to respond to the issues on Polo Grounds Road. She got back to him last week. About a week ago VDOT did come back by and adjust the timing on the light. That is good news. However, the individual she dealt with from VDOT said that he did not know if this was actually a solution and the real solution to the problem is to widen Polo Grounds Roads. At the current time because of the funding constraints with VDOT it will probably be added to the six-year plan if that happens.

Mr. Feldman noted from the Albemarle County Land Use Handbook it states that all county officials have immunity and they are free from liability. However, there are several exceptions. One of them is gross negligence. There was a case back in 2005 Green versus Ingram where basically if gross negligence has been defined show as that degree of negligence which shows indifference to others as it constitutes other disregard to prudence amounting to a complete neglect of the safety of another. Once again, they have a safety issue here and until Polo Grounds Road is widened or until something is done where they can have easy access in and out of their community, the same for emergency vehicles, then he had no problems with the proposed expansion area for soccer fields.

Constance Stevens, resident of 3508 Marlboro Road in Carrsbrook, said the noise will adversely impact them. She is not adjacent to it, but still hears SOCA quite loudly since sound does travel in the floodplain. She was concerned with the impact on the Rivanna River, particularly the porta-johns. She asked if somebody is going to be monitoring the weather. The Monticello United Soccer Club is a corporation. It is a commercial enterprise not to benefit the public at large. According to their tax returns some of their directors are compensated. They are being asked to adversely impact many of the neighbors by the noise, traffic and safety. It will very much endanger the river for a commercial enterprise. Therefore, many of the neighbors oppose the request.

Joe Kulbok, President of the Montgomery Ridge Owner's Association, said Montgomery Ridge has 60 families. They have a lot of soccer players and they support that. The

only problem is traffic. People are very concerned about it. Montgomery Ridge is .7 of a mile from the intersection with 29. On occasion there will be traffic there. To put additional facilities there without making changes to the road will cause absolute gridlock. He took exception to some of the comments. On a regular basis traffic will back up way beyond the entrance to the new soccer facility. Those people will not be able to get out. He asked the Commission to look down the road for consideration of the growth of soccer. They are not dealing with a small organization. The traffic situation will get worse and that is going to affect the safety and quality of life for the folks who live in Montgomery Ridge and all the people who live along Polo Grounds Road. It is a very big issue. When they present this to the Board please do not discount that aspect of it.

Cathy O'Hara, resident of 2507 Montgomery Ridge Road, said she had a daughter that plays for MouU. She supports the establishment of the MonU Park soccer fields on Polo Grounds Roads. There is a need for recreational facilities in the county. She has three children who play sports. Therefore, she travels that road multiple times a day as a stay at home mom. Recreational facilities in our county are inadequate. The new fields would give an opportunity for more children to play. So this is a great need. She has been impacted by the traffic coming out of SOCA. Primarily the try out days tend to be the worse. She has seen it once or twice backed up to the level of Montgomery Ridge Road. She did not like it and it was not enjoyable since she wants to get through there. She has never sat longer than ten minutes to get through. While it has been an inconvenience she did not believe it has been an emergency situation. She thinks some working with the lights would help to mitigate that. MonU is a very small organization with very few games especially compared with SOCA. It is a worthy organization to support and a great need that they have.

Nat Howell, resident of 2248 Polo Grounds Road, spoke as a veteran of the soccer war concerning the SOCA request. At that time this board strictly limited the number of fields to four although the request was much larger because of the traffic situation. The traffic and road has not been improved since that time. He and his neighbors live in the rural area and chose to be there. There are inconveniences and benefits. When the county zones a property rural area or industrial it seems that the citizens should have a right to believe they can count on that before they make their investments. Regarding the road they need to be clear that the VDOT representative talked about the capacity of straight roads. Polo Grounds Road is not straight. It has many twists and turns and is in fact a very dangerous road particularly during rain or in fog. They have had one death on that road before the guardrails were installed. There are times when SOCA traffic backs up to the entrance of Montgomery Ridge. If they get more than six cars through that light someone is in line for a ticket. That is a problem. He is on the Board of the Stony Point Volunteer Fire Company. Emergency vehicles have to come into the area. In their area they have real problems with emergency vehicles. One message sent to him was that one must ask how many times we must defend our area from the kind of inconvenience by persons who by and large live elsewhere. If there is a real need for more of these kinds of recreational facilities it is time for the county to look for adding public facilities at schools and public parks. This gentleman is a past Supervisor of this county.

Jeff Boecker, resident of River Inn Lane in the Steel Meadows neighborhood, said he lives directly across from the current SOCA field complex. He has absolutely no problem with the noise. The noise from his neighbor's lawnmower is louder. He hoped the application would be approved since the proposal will be much smaller than the SOCA facility. He suggested that the four fields will only add incrementally to what is there and really not the problem associated with noise and traffic. From past experience with his children playing soccer, he felt it was obviously that the soccer fields in the county are inadequate. He supported MonU Park's application and asked that it be approved.

David Schmitt, resident of 2308 Walnut Ridge Lane and adjacent to the Bentivar complex, said that he uses Polo Grounds Road for leaving and entering the area. There are issues of need, safety, and traffic. In addition there is the issue of the safety and preservation of the Rivanna River, which is a real consideration. The wetlands need to be considered. Soccer fields played on regularly will need some kind of care. That is going to include water and fertilizer. Those are going to end up in the Rivanna River, which has been declared a national treasure and a wetland. It has to be considered from that point of view. He was sympathetic to the community's need for playing fields for kids. Well exercised children are an asset to the community. His experience with Polo Grounds Road is that it is a curvy exciting road to drive. Any additional traffic brought by MonU has to be considered in the context of the existing problem with traffic already produced by SOCA. It is tolerable, but at certain times unbearable. This is going to be a jump in the traffic on that road. Anyone coming from the northeast has to cross a one lane bridge coming across the railroad tracks entering onto Polo Grounds from Profit Road. Anyone coming from the east has to deal with the severely angled dangerous underpass. He asked for consideration of future growth of the four soccer fields, which would increase traffic. He was against the approval of the request and he hoped all of the concerns from the community expressed would be considered. This particular area is utterly inappropriate.

Jane Williamson, resident of 313 E. Monacan Drive in Carrsbrook, pointed out on the question of the floods they have seen a half dozen to a dozen 100-year floods. They have ridden in a motorized boat across their 80 acre field through a swift current. They have seen the farm crops washed away in that area. The area has been flooded. They are talking about a child's game. The question is whether this game is of sufficient value to approve a venue in the rural area in a flood plain which will have many negative effects. She asked the Commission to take into consideration the deterioration of their quality of life as discussed thus far in perpetuity. She spoke against the approval of the request due to the noise impacts. If the county values the game so much then the issue ought to be that they should find some public land to lease or build the fields themselves.

Lettie Schmitt, resident of Bentivar, spoke against the request due to the traffic concerns. She has seen the traffic backed up 1.2 miles off of 29 on more than one occasion. They have not talked about the traffic associated with parents dropping off their children or on days with back to back games. If they approve this request they would be doing a disservice to the people who live in the area.

James Dean, resident on Profit Road, spoke in opposition to the request. He asked for consideration of the traffic issues and other concerns expressed.

Stephen Lavene said he lives in an old farm behind the Bentivar Subdivision. They have 154.5 acres of floodplain just down from the soccer fields. He has lived there five years and has paddled the land twice in a canoe. Those are 100-year floods as others have said. It is clear what the solution is here. The county needs to step up and provide more soccer fields. He is sympathetic with MonU Park. He played soccer and loved the sport. It is healthy for the children. The county needs more fields. However, this is the wrong place for it for all the reasons they have heard.

Fred Gercke, President of the Profit Community Association, said he drives Polo Grounds Road twice a day. He has driven the road for 28 years. It is a dangerous road. They are going to force more traffic on the road if they approve the request. There needs to be two lanes at 29 and Polo Grounds Road. People going right are stuck in line because of the beautiful guardrails. He has seen the floods over the years, which has gotten worse as the area developed. The problem is not with MonU since they are a good organization. What they want to do is a good thing. However, it is just in the wrong place. The county needs additional recreational facilities in the northern end of the county.

Gary Hatter, citizen of Albemarle County, said he was very sympathetic to the need for recreational field needs in the area. They all agree that fields around public schools should be better. This is an example of sort of a public/private use where the initiative of a few will benefit quite a few, but not all citizens. The problems stated are incremental and not wholesale changes to people's lifestyles. MonU is truly a nonprofit and not one is getting rich off this. It is a good fit for children that are overlooked. His children play for MonU and he felt it would be wonderful if the county could step forward and provide better playing surfaces at the schools. That being unlikely in the current budgetary situation he encouraged the Commission to support the initiative.

Gerald Long, a Bentivar resident, said he had no trouble with soccer. It is a wonderful sport. The issue is not whether SOCA or MonU a good organization. He wanted to add his name to the list of those against the list specifically on traffic. Secondly, he was concerned about the future of MonU. He would like to keep their area a rural community.

Jeff Werner, PEC representative and a coach in the city, applauds the situation and intentions. However, it is a land use decision and requires evaluation. If the special use permit is approved it will run with the land. The bottom line is they are dealing with rural land with a rural road. They need to work with the traffic situation at the intersection with 29. He hated the traffic when his son played soccer. The situation was created when 150 cars try to leave the parking lot while 150 cars are trying to come in. The traffic situation needs to be evaluated. The special use permit does not preclude clearing for any use. There are a lot of questions.

Carol Carter, property owner in Bentivar and real estate agent in area, asked to add her name to list to ask to vote against this. It is a land use decision and also is in rural area.

There are a lot of safety issues to consider with the blocking of the road particularly with sitting at the light. It is hard enough to travel the road already and to safely get vehicles through the area. The wildlife needs to respected in the area.

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

Mr. Morris invited the applicant's rebuttal.

Pat Reilly, President of Monticello United Soccer Club, provided a rebuttal to the concerns raised. He noted they were not adding to the traffic problem that may or may not exist with their four soccer fields. There was screening on all sides of the property. He did not consider the sound of children playing a noise. The cars and trucks on 29 he considered a noise. He asked for approval of the request.

Mr. Morris invited questions. There being none, he closed the public hearing to bring the matter before the Planning Commission for discussion and action.

Mr. Morris mentioned that Mr. DeNunzio may have additional information at a future time. He asked if it was something they want to look at prior to making a decision. He questioned if they should ask the applicant to defer until they get this information.

The Planning Commission discussed the proposal and whether the outstanding issues could be addressed by conditions on the special use permit. The following issues and concerns were discussed:

- The use appeared to be appropriate in that location by a majority, but it was a matter of trying to mitigate those impacts. The two major concerns brought up specifically were the traffic and noise issues. The largest issue is the traffic impact issue. It was the matter of trying to understand the data on noise and traffic and how to mitigate those a little bit better.
- To understand the noise impact, noise measurements could be taken from certain locations of what SOCA's noise is now. There is no way to predict the noise on this site very easily without similar activities occurring there. There is another use close by they could take measurement from.
- Further traffic analysis is needed. A suggestion was made to defer until Joel DeNunzio from VDOT looked at the LOS and provide a traffic analysis and really looked at understanding what could improve the conditions and what can make it safer for everybody that lives in this community. They need a better understanding of the impacts at the intersection of 29 and Polo Grounds Road. Potentially there could be a traffic management plan as well to help minimize the impacts.
- Fertilizing concern (Mr. Benish pointed out fertilizing is not a requirement, but subject to stormwater impacts and the residual impacts from runoff.)
- Since the special use permit goes with the land a question was raised about conditioning the special use permit if the MonU Park use vacated from property so the land use reverts back to its current state. (Suggestion made with direction from PC that staff can propose a condition potentially about a time limit after the

use vacates the property for the Board. Staff could work with the owner to see if they would be willing to do an easement in lieu of just a condition recognizing that an easement was permanent and a condition would be attached just to this particular use) There was a need for a riparian buffer easement based on the parking and where the road accessed the parking. There is a need for some kind of buffer.

Mr. Morris said it is up to the applicant to ask for a deferral. The Planning Commission could take a look at the additional traffic information and noise measurements in order to make an informed decision.

After discussion, the Commission suggested that the applicant ask for a deferral until some data was available from VDOT and then they could go back and work with staff. Mr. DeNunzio could get the level of service on 29 and any information on the methodology to improve the overall situation.

Mr. Randolph asked Mr. DeNunzio what the time frame would be for the results of the study.

Mr. Benish pointed out he was not sure VDOT can do any additional analysis. Staff will need to sit down and factor what kind of information they have.

Mr. Franco clarified that it would be some additional traffic information and not a full blown traffic study. It would not be a full blown noise study, but to try to get some typical readings from the adjacent use SOCA and maybe understanding how that was applied to this site.

Mr. DeNunzio said what he would be able to provide is the existing level of service there. As far as mitigation they don't usually identify mitigations for impacts from traffic for this type of special use or a rezoning. It is typically up to the applicant to provide the analysis that shows what would work. They would have existing data that shows what the data shows as the existing function of that intersection. They will not necessarily be able to do the work that proposes and says they need two lanes coming out of Polo Grounds Road each with 200' of storage or additional lanes on Polo Grounds Road. They are not going to be able to identify that with the information he has.

Mr. Benish pointed out staff would need to assess what that information says and then go from there as to what additional information was needed.

Mr. DeNunzio noted what he heard tonight was that perhaps a lot of the impacts are possibly due to another soccer field when they let out. He was not sure of that time. He was not sure the existing traffic data was going to capture those specific events. They are looking at normal average conditions. If they have something that occurs five times in one month for one month out of the year their data available now might not capture those kinds of things. When he hears was that traffic backs up sometimes to Montgomery Ridge. He might not be able to capture that with the data they have available right now because he was not sure when that occurs. He would be able to provide information if VDOT is in the process of implementing the new light system and

if they are not when they are going to. It is his understanding that they are looking into implementing that system like they did on Pantops. He should have access to that data within the next few days.

Mr. Cilimberg pointed out that it could take a little bit of time to get this figured out. They don't have the staff either to do the traffic analysis. That is really an applicant responsibility.

Ms. Monteith noted that this might need some creative solution. Some kind of a traffic management plan is a potential creative solution here. They also heard from the applicant that SOCA patterns are changing. Mr. DeNunzio made a good point it is a little bit of a moving target that they are working with here.

Mr. Reilly pointed out that the traffic backup occurred only a few times possibly in May and June, but was not the norm. Unfortunately, that kind of back up is what would stick in people's minds. He asked for a deferral pending more information received.

Mr. Morris noted that the deferral would be until they had worked out the issues and they were ready to come back.

Mr. Kamptner asked that it be deferred to a specific date so that it would not need to be readvertised.

Mr. Cilimberg noted that the earliest date would be July 31. They can give a safe date for deferral that would give some time for the work to be done and then see where they are. That way there would be no additional expense for the applicant.

Mr. Lafferty said what he heard was the traffic analysis that they have is an average and they probably are not going to get much more specific than that. They are asking the applicant to defer when whatever analysis it will be will come to the board.

Mr. Loach said they would have a better analysis of the level of service on Route 29 at least at the intersection. That is his understanding.

Mr. Monteith said the idea is for VDOT to look at the facts. Then between the planning staff and VDOT they will get some options that could be mitigations for the concerns.

Mr. Franco said he thought the other thing that Mr. DeNunzio was pointing out was he may not have specific data associated with some of these events such as SOCA letting out. They won't have that. However, they could collect that by simply having traffic counts made. It does not have to be with the house across the road. It can be physical counts to have a better understanding of what is going on. At the same time staff and the applicant can go out with a noise meter and pick up the noise information they are looking for as well. A lot of that information can be collected at little or no cost and help them make a more informed decision.

Mr. Lafferty noted the traffic counts are impulse when it is really high. All they have to do is go out at the wrong time and they get 4 or 5 cars per hours. If they go out at the

right time when SOCA is getting out they may get 150 cars. However, the way they average the count over a month it comes out much less.

Mr. Franco said that is the challenge with traffic. It is all about peaks. It is not really about volume. The complaints come because of the peaks and traffic backing up.

Mr. Lafferty noted that it was the frequency of the peaks, too.

Mr. Benish said the unique issue here is that it is unlike normal business hours from 9 to 5. This has peaks and volumes by season and by periods of a week. Therefore, it is a bit harder to get that data.

Mr. Franco said SOCA is in session so to speak at this time. They should be able to pick a time when they know SOCA is going to have the turn around and pick out that peak to help understand better what that impact is.

**Motion**: Mr. Franco moved and Mr. Loach seconded to accept the applicant's request for deferral to July 31 in order for the Commission to look at traffic and noise information in order to make a better informed decision.

The motion passed by a vote of 5:0. (Dotson, Smith absent)

Mr. Morris noted that SP-2010-00036 MonU Park was deferred to July 31, 2012 as per the applicant's request.

**Old Business**

Mr. Morris invited old business. There being none, the meeting moved to the next item.

**New Business**

Mr. Morris invited new business.

- The next Planning Commission meeting will be held on Tuesday, June 26, 2012.
- Mr. Kamptner briefly reviewed the contents of the Planning Commission training materials distributed to the Commission.

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

**Adjournment**:

With no further items, the meeting adjourned at 9:06 p.m. to the Tuesday, June 26, 2012 Planning Commission meeting at 6:00 p.m. at the County Office Building, Second Floor, Auditorium, 401 McIntire Road, Charlottesville, Virginia.

V. Wayne Cilimberg, Secretary

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