Albemarle County Planning Commission
April 21, 2015

The Albemarle County Planning Commission held a public hearing on Tuesday, April 21, 2015, at 6:00 p.m., at the County Office Building, Room 241, Second Floor, 401 McIntire Road, Charlottesville, Virginia.

Members attending were Cal Morris, Chair; Karen Firehock, Richard Randolph, Thomas Loach, Bruce Dotson and Tim Keller. Absent was Mac Lafferty, Vice Chair. Julia Monteith, AICP, Senior Land Use Planner for the University of Virginia was present.

Other officials present were Scott Clark, Senior Planner; David Benish, Chief of Planning; Sharon Taylor, Clerk to Planning Commission 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.

From the Public: Matters Not Listed for Public Hearing on the Agenda.

Mr. Morris invited comment from the public on other matters not listed on the agenda.

Tom Weaver, member of Pantops Advisory Committee and 37 year resident of Key West Subdivision off Route 20 North, said he is interested in talking about the results of the development on Route 20 North and more specifically the difficulty and safety of pedestrians crossing Route 20 and Route 250. Those of us who travel that road understand how difficult it is to get through there in a vehicle and can imagine what it is like to get through there walking. Coming from Key West going towards Route 20 there is a big housing development on the left hand side, Riverside, which is being developed and will be occupied later this year or early next year. There are traffic problems for people who walk to or try to get to the grocery store who don't have vehicles and walking becomes a secondary means of getting to the shopping center. This has come up with our committee several times, and they are trying to get the word out to merchants in the area to speak on our behalf to get help to solve this problem. However, he does not have a solution for the problem. There is also a problem that exists on the top of the mountain at Giant with the people who come out of that large development. He asked the Commission to give consideration to this problem. He did not know what monies are involved here for lights or some sort of cross walk. However, it is a real problem and he hopes they don't wait until somebody gets hit for somebody to take some responsive action.

Mr. Randolph asked Mr. Weaver to identify where he sees pedestrians potentially crossing. He asked if he was looking at the intersection of Route 20 and 250 or further north on 20 up to where Darden Towe Park is located. He asked where exactly Mr. Weaver would like to see safer pedestrian crossing.

Mr. Weaver replied if they had to rank the order of them he would say the intersection of Route 250 and 20. On the top of the hill there is another issue with the people coming from behind Rite Aid trying to get across 250. With the addition of Chick-fil-A there may be people coming across on both sides trying to get across 250 for lunch. Moving down it could be on State Farm Boulevard. It is an issue that is not going to go away. He knows there are budgets and priorities, but this is a serious problem that needs to be solved.

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

Review of Board of Supervisors Meeting – April 8, 2015.

Mr. Cilimberg reviewed the actions taken on April 8, 2015.

Consent Agenda:

a. **ZTA-2015-000XX Wireless Amendment – Antenna size and mounting standards (ROI) (Bill Fritz)**

b. **ZTA-2015-000XX Wireless Amendment – Public Notice. (ROI) (Bill Fritz)**

c. **Approval of Minutes: March 10, 2015**

Mr. Morris asked if any Commissioner would like to pull an item from the consent agenda for further review. He noted the approval of the minutes had been pulled from the agenda.

Motion: Mr. Randolph moved and Mr. Loach seconded for approval of the consent agenda for items a. and b.

The motion carried by a vote of (6:0). (Lafferty absent)

Mr. Morris noted the consent agenda was approved.

RESOLUTION OF INTENT

WHEREAS, County Code § 18-5.1.40, which is part of the Albemarle County Zoning Ordinance, establishes regulations pertaining to personal wireless service facilities ("Wireless Facilities"); and

WHEREAS, on March 10, 2015, as part of its recommendation for approval of ZTA 2015-00001, Wireless – FCC Mandated Changes, the Commission recommended that the Albemarle County Board of Supervisors also consider amending County Code § 18-5.1.40: (1) to change the requirement that antennas not project more than 12-inches from the pole so that the points of measurement are changed from the pole to the face of the antenna, as currently required, to the pole to back of the antenna; and (2) to increase the maximum size for each antenna from 1152 square inches to 1400 square inches; and

WHEREAS, the Commission's recommended changes to ZTA 2015-00001 could not be acted on by the Board of Supervisors in conjunction with that zoning text amendment because they were beyond the scope of the resolution of intent and the published notice; and

WHEREAS, after the Planning Commission's recommendation on ZTA 2015-00001, Ntelos, a local wireless service provider, filed an application to amend the Zoning Ordinance to make the changes recommended by the Commission hereinabove; and

WHEREAS, the changes may more allow wireless facilities to be more efficiently deployed in Albemarle County without materially adversely affecting the concealment elements that are fundamental to the County's performance standards for wireless facilities, and without

creating material additional visual and other impacts on abutting lots, neighborhoods, and districts.

NOW, THEREFORE, BE IT RESOLVED THAT for purposes of public necessity, convenience, general welfare and good zoning practices, the Albemarle County Planning Commission hereby adopts a resolution of intent to consider amending County Code § 18-5.1.40 to achieve the purposes described herein; and

BE IT FURTHER RESOLVED THAT the Planning Commission will hold a public hearing on the zoning text amendment proposed pursuant to this resolution of intent, and make its recommendations to the Board of Supervisors at the earliest possible date.

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RESOLUTION OF INTENT

WHEREAS, County Code § 18-5.1.40, which is part of the Albemarle County Zoning Ordinance, establishes regulations pertaining to personal wireless service facilities ("Wireless Facilities"); and

WHEREAS, although some Wireless Facilities are permitted only by discretionary approval following a public hearing for which published notice and individual written notice is provided to abutting landowners, many Wireless Facilities are authorized by administrative decisions for which notice is not required by State law or current County regulations where the application satisfies the County's reasonable performance standards; and

WHEREAS, County Code § 18-5.1.40's performance standards are intended to, among other things, minimize potential adverse impacts from new or expanded Wireless Facilities on abutting lots, the neighborhood, and within the district; and

WHEREAS, it may be desirable to inform landowners of abutting lots, or those within the neighborhood or the district, of such pending applications by amending County Code § 18-5.1.40 to require that written notice be provided to such interested persons of pending applications for Wireless Facilities where such decisions are ministerial in nature and for which notice is not presently required by State law or by the Albemarle County Code.

NOW, THEREFORE, BE IT RESOLVED THAT for purposes of public necessity, convenience, general welfare and good zoning practices, the Albemarle County Planning Commission hereby adopts a resolution of intent to consider amending County Code § 18-5.1.40 to achieve the purposes described herein; and

BE IT FURTHER RESOLVED THAT the Planning Commission will hold a public hearing on the zoning text amendment proposed pursuant to this resolution of intent, and make its recommendations to the Board of Supervisors at the earliest possible date.

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Regular Items:

a. **SP-2015-00004 Gordonsville-Somerset Rebuild Project**
MAGISTERIAL DISTRICT: Rivanna
TAX MAP/PARCEL: 03700-00-00-01100, 03700-00-00-011A0, 03700-00-00-011B0

LOCATION: 8258 Gordonsville Road
PROPOSAL: Replace existing electrical-transmission-line, and replace existing wooden poles with steel structures approximately 16 feet taller
PETITION: Energy and communications transmission facilities under section 10.2.2.6 of the Zoning Ordinance (reference 5.1.12). No dwelling units proposed.
ZONING: RA Rural Areas – agricultural, forestal, and fishery uses; residential density (0.5 unit/acre in development lots)
ENTRANCE CORRIDOR: Yes
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)
(Scott Clark)

Scott Clark presented a PowerPoint presentation regarding SP-2015-0004 Gordonsville-Somerset Rebuild Project.

This is a special use permit request for replacement of the lines and towers for an existing electrical-transmission-line. It is located in the northeast corner of the county on Route 231 on the boundary with Orange County. He pointed out that the two larger parcels as shown on the aerial view are the Lawson Farm. There is a row of existing woodland pole towers going across the farm carrying the line from the substation. He explained it was about 750' from the highway to these towers. The existing wooden 70' poles are being replaced with 85' – 86' metal poles, which would weather or rust to a brownish color. The reason this is needed is the upgrades that are needed to the line involve heavier conductor lines that need to be kept up off the ground or taller with more substantial poles. The proposal is for the replacement of the existing towers in the existing right-of-way at least 750' from the Entrance Corridor on Route 231 changing from wood to metal poles with a 16' increase. Staff did not see any significant increases in physical or visual impacts. The towers are larger, but similar in the same location.

The Lawson farm is under an ACE Program Conservation Easement. The right-of-way easement for these poles predates that conservation easement by several decades and so trumps the conservation easement in this case. He did not see a real significant conflict anyway. However, when it comes down to it the right-of-way already exists and been recorded. Therefore, the company has the right to do work in that corridor. It does not affect the farm since they are already farming around the poles as it is and will continue to do that.

SUMMARY:

Staff has identified the following factors favorable to this application:

1. The proposed upgrade would remain within a longstanding utility corridor.
2. No significant new physical or visual impacts would be created by the upgrade.

Staff has identified no factors unfavorable to this application:

RECOMMENDED ACTION:
Based on the findings contained in this staff report, staff recommends approval of SP-2015-00004 Gordonsville-Somerset subject to the following condition:

1. Transmission lines and supporting structures on the property shall remain within the right-of-way easement recorded at the Albemarle County Circuit Court in Deed Book

Mr. Morris invited questions for staff. There being none, Mr. Morris opened the public hearing to the applicant and for public comment. He invited the applicant to come forward and address the Planning Commission.

Courtney Fisher, present on behalf of Dominion/Virginia Power, said their business address was 701 East Cary Street, Richmond, Virginia 23219. She was here with her colleague Susan King. She would spare the Commission any presentation, but merely wanted to take some time to thank staff for working with us. She wanted to note for the record that they did have two open houses. There was one attendee who actually was from Orange County. Mr. Lawson, the property owner, has signed off on the special use permit application. They met with him and talked with him on several occasions. The need for this project is just to ensure the local reliability of the electrical system. There are certain contingency events that caused thermal overloads to the line. As Mr. Clark pointed out they are proposing to replace the structures and the conductor with modern facilities. If there are any further questions, she would be happy to answer them. Otherwise, if there are any speakers from the audience she would like to reserve a little time to address any public comment.

Mr. Morris pointed out she would have five additional minutes for any rebuttal. He invited questions for the applicant.

Mr. Dotson said they don't see many of these applications and was trying to understand it more. They are apparently the end of the line since this is a much larger project reaching back up into Orange County. He wondered if she could describe the total project.

Ms. Fisher replied this project is not even 3 miles from the Gordonsville Substation to Somerset in Orange County. The portion in Albemarle is .83 miles. The same construction will go on in Orange County just replacing the existing structures with the new Corten structures.

Mr. Dotson said he was curious about the new taller metal structures. He could understand the metal is more doable, stronger and so forth. He asked Ms. Fisher to explain the need for a taller structure and whether there are any national standards they are complying with in doing that.

Ms. Fisher replied that they have to comply with the National Electric Safety Code. The new conductor is heavier and when heated to its maximum potential has higher sag. The increase in height is necessary in order to keep it to its minimum height above ground for safety purposes.

Mr. Dotson questioned if this is just the beginning of similar requests. The Planning Commission has been seeing with cell towers, for instance, a beginning of a wave of upgrading multiple, multiple towers in the county. He asked are they likely to see upgrading of multiple, multiple Dominion facilities to this same standard?

Ms. Fisher replied that Dominion Power is constantly evaluating the entire system to ensure reliability across their service territory. She has worked on a number of projects in Albemarle County. However, it is hard to pinpoint any other projects at this time that the Commission does not already know about.

Mr. Randolph questioned whether they are increasing the rural wattage on the line as a result of the upgrade. He asked if additional power will now be coming into this substation.

Ms. Fisher replied that it would remain at the existing115 kV.

Mr. Randolph asked if that is all residential usage or is part of that line dedicated for a government facility as well.

Ms. Fisher replied it is not segmented for government, commercial, industrial or residential. It is wherever the need is. The115 kV voltage is not for distribution hooking up to individual homes or businesses. Typically the transmission lines at Dominion runs are 115 kV, 230 kV and 500 kV. So this is a lower end of our transmission system.

Mr. Randolph asked where the next substation would be located south of this location, and Ms. Fisher replied that she did not know that.

Mr. Keller asked if they are seeing Dominion or other regional providers undergrounding power lines at this level.

Ms. Fisher asked if he was asking are other companies undergrounding 115 kV lines.

Mr. Keller replied he was asking if Dominion is undergrounding power lines anywhere.

Ms. Fisher replied that Dominion Power typically does not underground transmission lines because the cost to the rate payer goes up substantially. Dominion Power will underground residential distribution lines. Most localities now have their zoning ordinances that would require that in new subdivisions. It is completely different in the world of distribution and transmission. The distribution lines can be done with a ditch witch whereas the transmission line is a much larger land disturbance activity and the costs go up. The benefit is mostly visual, which she does not want to discount. However, at the same time, the cost to our rate payers is substantial and the land disturbance involved with the undergrounding of 115 kV or any transmission line goes up substantially.

Mr. Keller pointed out in Canada there are movements to underground more of these larger distribution lines. He was just wondering if as a major regional provider whether Dominion is anticipating that in any arena.

Ms. Fisher said she thinks our position would remain strong to not do that for our rate payers. The State Corporation Commission has jurisdiction over lines 138 kV and above. So if they were to initiate any sort of program like that it would have to be run though the State Corporation Commission as they look out for the rate payers as well.

Mr. Morris invited public comment. There being no public comment, Mr. Morris closed the public hearing to bring it back to the Planning Commission for discussion and action.

Motion: Mr. Loach moved and Mr. Randolph seconded to recommend approval of SP-2015-00004 Gordonsville-Somerset subject to the condition as recommended by staff.

1. Transmission lines and supporting structures on the property shall remain within the right-of-way easement recorded at the Albemarle County Circuit Court in Deed Book 738, Page 758.

The motion passed by a vote of 6:0. (Lafferty absent)

Mr. Morris noted that SP-2015-00004 Gordonsville-Somerset would be forwarded to the Board of Supervisors with a recommendation for approval on a date to be determined.

Mr. Benish pointed out staff found out yesterday they are going to have a pre-application meeting for a Central Virginia Electrical Coop line in this similar area of the 231 Corridor that is essentially going to be doing the same thing. To answer the question, staff is aware of one request coming along fairly quickly.

Mr. Morris asked if the new application to the best of his knowledge would have an increase in height and so on.

Mr. Benish replied that he had not had a chance to look at it, but it is the same thing in they need to boost up the capabilities of that corridor. So he assumes it is going to be something similar since the preliminary meeting had just been scheduled.

The meeting moved to the next agenda item.

b. **SP-2014-00015 Heartrock – Day Camp**
MAGISTERIAL DISTRICT: White Hall
TAX MAP/PARCEL: 00600-00-00-028B0
LOCATION: 6600 Blackwells Hollow Road
PROPOSAL: Day camp
PETITION: Day camp with outdoor play areas and environmental education as permitted under Section 10.2.2.20 of zoning ordinance. No dwelling units proposed.
ZONING: RA Rural Areas – agricultural, forestal, and fishery uses; residential density (0.5 unit/acre in development lots). Day camp, boarding camp (reference 5.1.05) – (10.2.2.20).
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)
(Scott Clark)

Scott Clark presented a PowerPoint presentation regarding SP-2014-000015 Heartrock – Day Camp.

This is a special use permit request for a day camp. It is located on Blackwells Hollow Road in the northwest part of the county adjacent to Byrom Forest Preserve Park. The proposal is in close proximity to Byrom Park.

The applicants can provide a lot more detail on the interesting design they have come up with. However, in simple terms the proposed use would include:

- An existing barn, to be used for shelter, programs, and restroom facilities
- A play area with "natural playscapes" incorporating trees, rocks, water, and other natural features
- Recreational features such as trails and a labyrinth
- A primitive tent-camping area with six sites
- The conceptual plan shows 28 parking spaces. Typically a four-person vehicles would allow a maximum of 112 attendees.
- Landscaping features such as edible gardens and native-plant areas

He reviewed the conceptual plan for the use on the 28 acre site. The current fenced area will essentially be the location of the play areas where children and families will be able to run around and use the play facilities. The entrance road will be moved slightly to match up with the VDOT entrance requirements. The parking is essentially in the back where the farm road ends behind the barn. The six tent sites will be located in the green area. In the less developed area in the rear there will be trails going around the back. There are a couple of open areas. However, the site is mostly wooded.

There would be no amplified sound systems. The only new infrastructure needed would be:
- relocated access road which is just moving slightly from the location of the existing farm road,
- the parking area, and
- improvements to the existing barn.

Safety improvements, as recommended, would include:
- fencing for the play area (which is adjacent to the state road),
- VDOT approval of the entrance design, and
- staffing requirement for the site. (Staff recommends the site be staffed by someone working for the organization at any time even if it has been reserved for a private group. Because they have the limited parking areas there should be someone on site to work with the customers and manage the people who arrive and provide safety backup.)

This use falls under the section of the Rural Areas Plan. The Rural Areas Plan includes a goal calling for the County to "Encourage creative and diverse forms of rural production and support rural land uses that provide rural landowners with economic viability." This property could be developed with up to four residences by right. The proposed use would be an alternative to residential development, and could be more easily converted back to agricultural and silvicultural use.

The plan states that such alternative uses should be: ***Reversible (so that the land can easily return to farming, forestry, conservation, or other preferred rural uses).*** Other than the driveway and parking area, the use would not create areas that could not revert to preferred rural uses. Staff thinks this use matched this criterion pretty well.

Scaled and sited to cause minimal impacts on their rural surroundings;
The majority of the impacts of the use would occur in already-disturbed areas of the property. Given that they have limited the scale of the use by the parking area, which is 28 cars at a maximum and no overflow parking outside, it keeps the use from getting too large or becoming a large intense use. The potential main impacts on the intermediate surroundings other than that traffic would be noise. There is no amplified sound, but there will be people outdoors.

Minimal in their public health and environmental impacts; and
The small amount of construction on the site would limit impacts on the natural resources of the site and the surrounding parcels. There is very little change to the vegetation on the site. There is not much being actually developed since they are mainly using what is there. Actually quite a bit of planting will go on in addition to what is required.

Viable with no increase in public infrastructure or services, either at time of approval or later.

The use would be supported by on-site water and septic capacity, and no increase in public infrastructure has been requested or recommended. The owners are not requesting any increase in public infrastructure.

SUMMARY:
Staff has identified the following factors favorable to this application:

1. The proposed use is consistent with the Comprehensive Plan's standards for "alternative" commercial uses in the Rural Areas, and the site could easily revert to agricultural, silvicultural, and/or conservation uses.
2. The design and scale of the use are consistent with the character of the surrounding rural area.

Staff has identified the following factor unfavorable to this application:

1. The proposed layout of the site would place a play area in close proximity to a public road, raising safety concerns. A condition recommended by staff would address this factor by requiring safety fencing around the play area.

RECOMMENDED ACTION:
Staff recommends approval of SP-2014-00015 Heartrock Day Camp subject to the following conditions:

1. Development of the use shall be in general accord with the conceptual plan titled "Heartrock Farm," prepared by Sophie Johnston, Landscape Architect, and dated February 17th, 2015 (hereafter, the "Conceptual Plan") as determined by the Director of Planning and the Zoning Administrator. To be in general accord with the Conceptual Plan, the development shall reflect the following major elements within the development essential to the design of the development:
    - Number of parking spaces (maximum of 28)
    - Number and location of tent-camping sites
    - Size and location of barn

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

2. Customer parking shall only be permitted in the parking spaces shown on the conceptual plan.
3. The permittee shall obtain written approval of the entrance design from the Virginia Department of Transportation prior to the County's approval of the final site plan for the use.
4. The permittee shall obtain written approval of the water supply and the onsite sewage system from the Virginia Department of Health prior to the County issuing a zoning clearance and the permittee commencing the use.
5. All outdoor lighting at the site that is exclusively for camp use shall either emit 3,000 lumens or less or be a full cutoff luminaire.
6. No amplified sound systems shall be used on the site.
7. The area shown on the conceptual plan as "Mowed Play Yards" shall be within fencing conforming to ASTM standard F2049, except where it abuts a structure. All gates into this area shall be located at least 300 feet from Blackwells Hollow Road.
8. Overnight camping shall be limited to tent camping. Overnight use of recreational vehicles is not permitted.
9. At all times when the facility is open, except when the only active use is overnight camping, at least one staff member shall be on site.

Mr. Morris invited questions for staff.

Mr. Randolph asked staff to identify what kind of fencing he had in mind when he specifies on page 4 safety fencing, which he agreed with. He asked if the fencing would be wood and not metal.

Mr. Clark replied that it could be chain-link fencing. From his discussion with the applicant the fencing probably will be inside the existing rail fence and not be very visible. The ASTM standard gives a few different options for how to construct the fence and chain-link is one of them. There are also some types of slat fencing that could also work. However, any fence type that met that safety standard was fine.

Mr. Randolph explained this section of road is really one of the most beautiful sections of rural road in Albemarle County, which he gets to enjoy frequently in cycling. He would hate to see metal fencing on that road. Therefore, he would urge that whatever fencing is specified that this be as natural looking as possible for the aesthetics of the fencing. Understanding cost he really thinks metal fencing would look totally inappropriate in this location.

Mr. Clark pointed out the two options they talked about earlier today was possibly having the safety fencing inside the rail fence and also having it be a dark color like dark brown or black so it would not be as visible as the typical shiny silver chain-link fence.

Mr. Loach agreed if they can retrofit the fence that would be fine.

Mr. Clark pointed out that he did not think there was any intent to replace the rail fence, but just to augment it.

Mr. Loach asked since staff said there are no RV's does that include pop up tent campers, and Mr. Clark replied yes, that is meant literally to be just for tents.

Mr. Dotson agreed with staff, but would also hope it would be an augmentation of the existing fence and not a solid fence. He pointed out his next question might be more for the County Attorney. In the staff report Mr. Clark points out this use would be instead of developing the property with its potential of four dwelling units. He was curious if there is a special use permit on the property that shows a site plan and the use of the whole property what is the duration of that. In effect it almost sounds like through the side door easement on the property that because as long as the special use permit is being utilized the dwelling units could not be developed. Therefore, he was curious about that.

Mr. Kamptner replied the special use permit goes with the land and generally the special use permit does not preclude the land owner from making other uses of the property that may be allowed by right. So it is possible that in approving this special use permit that if the land owner can comply with all of the conditions that they could also put dwelling units on the property. He asked if there would be a site plan.

Mr. Clark replied yes, they will have a site plan.

Mr. Kamptner said since the land owner will have a site plan for this land that they can only use the land in the manner that is shown on the site plan. Therefore, that will be an additional constraint on what they can do.

Mr. Clark pointed out when they had the Blue Ridge Swim Club special use permit about a year and a half ago that the applicant came in and wanted to put a house on the property for the owner/manager to actually live there to keep an eye on things. The applicant actually had to come in for an amendment to the special use permit. He can't remember whether they were just building the house or if they also were going to divide it off. However, it was a similar situation in that they wanted to have one dwelling and had to amend the special use permit.

Mr. Benish pointed out the applicants were going to subdivide the property. However, before they could divide the property the special use permit had to be amended. So there is that aspect that is available.

Mr. Dotson pointed out he wanted to ask just so everybody understood.

Mr. Kamptner noted the additional layer here is that they are developing the site in accordance with the conceptual plan, which is how it is titled here. As long as they are using it for this camp the site has to be developed as it is shown on the conceptual plan.

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

Kevin Schuyler introduced Sophie Johnston, Landscape Architect, who was not his wife, Carolyn, who he would speak about in his comments. He and his wife Carolyn are the owners of Heartrock Family Farm, LLC located at 6600 Blackwells Hollow Road. They also are residents of the county and live at 2521 Summit Ridge Trail in the Ashcroft neighborhood. He imagines that most Commissioners have had the opportunity to get out to the site and see this part of the county. He has heard from at least one Commissioner that they really appreciate what the site offers. He explained the proposal.

- Attachment A shows they are up by the Patricia Byrom Park, which is a very beautiful part of the county on the back side of Fox Mountain. They are right next to Patricia Byrom Park. The site is surrounded on two sides by the park. As they can see from the map they are in the extended shadow so to speak of Shenandoah National Park. The property has spectacular views up and down the valley. There are three pristine and free flowing streams on the property presently. There is an abundance of wild life of all types including flowers, trees and also animals. Our vision for the property is to connect children and their families to this special natural area. Many have probably heard about our vision this past week at the Tom Tom Founders Festival. His wife Carolyn presented their plan to the Crowdfunded Pitch Night and our pitch was awarded the grand prize by members of our community. There is also a very nice picture of his wife in the paper.

- Attachment B actually shows our property. As Mr. Clark indicated the property they purchased last year is basically in the same condition it was when they bought it. Therefore, all the things that exist are essentially what they inherited. Our plan is to try to work with the existing infrastructure. The prior owner had built the large barn and created the fenced pasture that is basically between the barn and the road. They intend to make use of these existing improvements. Our plan as was indicated does not call for any additional new large buildings or substantial infrastructure that would permanently impact the landscape. There is a horse riding ring outside the barn, but that is going away. Also, there is a very steep road that goes up a 20 percent grade that they are

going to let fill in naturally with trees, bushes and so forth. So the steep road will go away as well.

- Attachment C shows our plan that was skillfully created by Sophie Johnston. Ms. Johnston took her ideas and brought them to life. As represented in the drawing it has been a wonderful collaboration and they are happy to have Ms. Johnston's expertise as part of this project. From the map he would just note a few things. They are intending to convert the pasture as was indicated into a natural playscape for children. They believe children benefit from a connection to nature, which he believes was a central theme in what propelled Carolyn to receive the award last week at the Tom Tom Founders Festival. People basically understand that children are not getting outdoors enough the way we did when we were all children. They all know intuitively, and he thinks it has also been demonstrated scientifically, that children who spend more time outdoors are healthier, more resilient and better long term stewards of the natural resources that they all depend upon. Naturally these experiences are more difficult to come by in the classroom or perhaps in a video game. So they hope to offer the real thing just off of Blackwells Hollow.

There are three existing meadows shown in the diagram that they are going to use. They intend to add trees and native species to the meadows. They are slightly realigning the entrance road as described only at the suggestion of VDOT. There are other important elements in the plan including the labyrinth, meditation areas, and some very simple trails. They are going to be adding appropriate parking and an overflow parking area as shown on the map. There are basically two parking sections, six camp sites and improvements to the interior of the barn. Basically, the barn improvements at this point would potentially include a floor since it is basically a dirt floor right now. Also, they would be adding restrooms, which were partially installed by the prior owner. There is a septic tank already in the ground. In addition to the required public meetings they have made an effort to engage the neighbors, especially our intermediate neighbors to the south. So he thinks if they go back to Attachment B basically they are surrounded on two sides by Patricia Byrom Forest Park and Blackwells Hollow Road. Then they saw the barn and the property nearby with the buildings to the south. The property is owned by Lieutenant Colonel Christopher Byrom who is an amateur surveyor. He was willing to learn so they spent some time together trying to find the various survey stakes on their mutual border. They discovered that his 12 year old is probably the best surveyor of the crowd. He grew up on the property and it is a very special place for him as it is for us. They both share a mutual interest in maintaining the special character of a very special place. He currently rents his property under two long term leases. One of them actually extends all the way to 2035, which are the folks that live in the house as shown in the picture. They have spent time with them and their names are Joe and Anna. They are the most intermediate neighbors and they obviously live there closer to the barn. Since they have arrived they have been very supportive of our plan. They have gone through the plan with them. In fact, below one of the windows is their propane tank. Perhaps as a small indication of their support, but certainly an act of kindness they painted black spots on their propone tank so it appears to be a cow. He thinks that will probably be surely appreciated by the children and they appreciate it as well.

They have also been in touch with other neighbors kind of up and down the valley so to speak. But, in particular David and Tom Steppe are keeping cows within our pastures currently and have been able to help out with maintenance and mowing. They also have started to build relationships with some of the people that use the park. In fact, there is probably one gentleman who uses it just about every day and maybe considers it his personal park because it is almost like his backyard since he is there so frequently. At no point during either the public

hearing on the property which they had at the barn or any of these conversations have they received any negative feedback from any of our neighbors as it relates to our plan. In addition to the general support, a number of our neighbors have expressed a willingness to help out as volunteers or even as staff. So it is nice to be able to potentially call upon our neighbors in that regard. They have reviewed the staff report prepared by Mr. Clark. They believe it fairly reflects our plans. They share the county's interest in safety especially for children and all folks who come to our playscape. In fact, if it was not pointed out in materials his wife is a certified playground safety expert. She went through that training as part of our effort to come up to speed in these areas. They believe staff's recommendations are reasonable and generally acceptable in terms of the stipulations Mr. Clark outlined a few moments ago. They would be delighted to receive the Planning Commission's recommendation for approval and are happy to address questions or comments.

Mr. Morris invited questions for the applicant.

Ms. Firehock said she liked the idea of the camp very much. So these questions are really just due diligence to make sure that it is safe and the least impact. She asked are there currently restrooms in the barn or are they having to put those in.

Mr. Schuyler replied that he would say yes and no. The prior owner basically had buried the septic tank; ran the line from the septic tank into the barn; there is a concrete pad in the barn and the pipes are sticking up out of the concrete pad. So it is kind of half way there, but it is not fully installed.

Ms. Firehock asked how many restrooms he would have. She asked will he have just one toilet for all the campers or multiple stalls. She was trying to get a sense of how many people will be using this and what your facilities are like.

Mr. Schuyler replied that it would kind of be like what is seen in the picture. In the picture on the left hand side there is a white door by the corner and two windows. That basically is an entrance area so people can enter through that existing door. As they go through that area and enter the larger part of the barn is where the concrete pad is. They envision putting the men and women restroom kind of side by side.

Ms. Firehock noted that it would be two toilets. She asked how many children or people would be at the camp.

Mr. Schuyler replied basically they can accommodate 28 cars or however many show up in any particular day in 28 cars.

Ms. Firehock pointed out that one car could have two or three kids in it.

Mr. Schuyler replied yes, the car could have two or three kids or only one. They went through this with Mr. Clark and the team and settled in that 28 spaces was the right amount.

Ms. Firehock asked if he was sure he had enough area for the septic drain field to accommodate up to 40 people using two toilets every day.

Mr. Schuyler replied yes, that there are basically two very large septic drain fields that are accessible to the property. They have already received a soils survey from Afton Soil Consultants. There was already a permit on this particular septic obviously because they

started the process. They have had communications with Mr. Davis and the folks at the Health Department.

Ms. Firehock pointed out she asks these questions because she knows of several camps where they have not addressed septic adequately and have had major problems with pollutions. She just wanted to make sure that was carefully considered.

Mr. Schuyler pointed out if they look at the conceptual plan they can see the proposed drain field is quite a large area. He did not know if that gave her any comfort or not. But, obviously one of the stipulations was that the Health Department would have to approve everything.

Ms. Firehock noted that she also has had experience with the Health Department approving things that were not installed. In other words, the Health Department approved an application and the person did not put in the things that the Health Department wanted. So she gets that, but was just trying to be careful and was talking to him and not the Health Department. The other concern she has is about response time in case of an emergency. She asked how far the closest emergency response is. She would also like him to address whether staff on site will have EMT training or what provision he will have for any kind of accidents because children are always hurting themselves.

Mr. Schuyler replied that there is already a telephone on the site. So our proposal is to have an emergency phone available, which is essentially the same provision that available at the Patricia Byrom Forest Park next door. They have basically a pick up emergency phone. So they would have the same thing. They have not called the ambulance out there and they hope to never have to. But, our neighbors tell us that the response time is not great.

Mr. Loach pointed out the response time from Western Albemarle is about 20 to 25 minutes.

Ms. Firehock noted that was what she had figured. She was not sure they would put this as a condition of the special use permit, but she would strongly advise that they have anyone who is staffing that site certify as an EMT. She noted that you basically are the first responders to any kind of emergency situation.

Mr. Schuyler said that he appreciated her input.

Ms. Monteith said she thinks this is a very interesting project and a beautiful site plan. She had a couple of questions. She asked if he had specified an age range of the children.

Mr. Schuyler replied that it was going to be a range. They are kind of basically building the playscape. There are basically three pastures because there were two cross fences. So they are designing it in such a way that the younger children would best be accommodated right up next to the barn. That would be kind of the younger kids like essentially toddlers. The middle or largest section would be most appropriate for maybe kids larger up to 10 or something like that. Then the lower section where the stream is would be most appropriate for older children. But, they will not exclude anyone that is not children. So they are welcoming parents and grandparents as well. Some people might say that he is just a large child too.

Ms. Monteith asked is there seasonality to the use of the property.

Mr. Schuyler replied yes, that is dependent on Mother Nature. However, he thinks they anticipate that would generally be kind of in the March/April timeframe and maybe through the

October/early November timeframe. Their aspiration is that children ought to have the opportunity to be outside in all types of environments and all types of weather. However, he thinks the practical reality is of being 40 minutes from Downtown Charlottesville that they are probably not going to get heavy use during the winter.

Mr. Loach asked what the hours of operation would be.

Mr. Schuyler replied right now they are just anticipating being open to the public on Saturdays and then by appointment or reservation the rest of the time.

Mr. Morris invited other questions.

Mr. Dotson said he may have just answered his question. He was curious about his business plan in the sense of he was thinking if his grandchildren were here and said this would be a neat experience how would that desire be actualized: would he have seen advertising in the news; how would he know about it; would he call or make an online appointment; or would he just show up.

Mr. Schuyler replied the reason his wife is not here tonight is she is enrolled in a community investment cooperative program, which is 17 weeks. If you miss one week you cannot graduate. So she is across the street during her studies. A big part of that program is trying to figure out exactly the economics and how this makes sense. They think there is probably going to be some type of user fee for those who show up and then clearly there would be a user fee for the overnight camping. So that is essentially the revenue model. Our hope is that the revenue is enough to sustain the staffing and maintenance necessary to continue the project. But, it probably won't make much of a contribution towards the capital costs of the land itself and the improvements in terms of building the playscape, realigning the road and stuff like that. They will see how it turns out. He happens to be on a board of an organization called the The Stone Barn Center up in Westchester, New York, which is basically sustainable agriculture. Most people who drive up would just call it a farm. But, their mission is sustainable agriculture. One of things that was an interesting learning for us as they were thinking about this and working together with the staff at the county is that once it become discovered your problem is less about attracting people and more about managing the number of people. He does not anticipate that they will have a massive advertising campaign. He thinks it is probably going to be primarily word of mouth. Hopefully, that will allow us to manage the growth and the use without getting out of control.

Mr. Keller asked has there been consideration of cistern water instead of wells and composting toilets instead of toilets using a septic system.

Mr. Schuyler replied they thought about a wide range of options from not offering anything to all the way to offering compost toilets and things like that. So they considered a broad range, but ended up more in the middle. Either they were going to do something very similar to what they have in the barn next door, which is basically a luxury outhouse, or do kind of a traditional bathroom setup. They ended up with the traditional bathroom setup.

Mr. Keller noted there are many parts of the world such as Scandinavia where there is high quality bathrooms that are not water based. So it does not have to be a latrine.

Mr. Schuyler pointed out that was not his territory.

Ms. Firehock said she had a question about the parking. She knows this is not a site plan yet, but are you considering permeable pavers, reinforced turf or other low impact development approaches instead of just gravel which can become effectively imperviousness or something worse like paved.

Mr. Schuyler replied that he would ask Sophie Johnston to speak to that.

Ms. Sophie Johnson, landscape architect, replied they have to get more scientific data on whether that is acceptable. They had always talked about the road coming in as gravel and it may be that the primary parking is gravel. However, that overflow parking, which also serves as the fire truck turn around, they would like that to be stabilized turf.

Mr. Clark noted they had talked about a fair amount, but it did not seem to be critical at the decision point about whether the use was okay or not.

Ms. Firehock pointed out she liked to plant these seeds early.

Mr. Clark said they have actually talked about it quite a bit, but there were so many questions about what materials to use. He knows our engineers have a lot of concerns about the durability of more permeable materials over time plus and gravel compacting.

Ms. Firehock noted there are some that the county has experimented with like the rings with the graveling that don't work, which she was not suggesting. There is definitely good research out there in what is proven to actually work. It is not quite such a fuzzy field and she was sure they can find something. However, since they are kind are implying this is a sustainable low impact playground and people will be visiting it that any chance to educate the public about what they have done is a great opportunity.

Mr. Randolph asked if Mr. Schuyler and his wife have discussed the possibility of ADA access on this site.

Mr. Schuyler replied yes, it has been discussed and publicly communicated that they intend to have ADA access and hopefully serve children that rely on assistance to move around to let them participate in the whole experience including the play yard.

There being no other questions, Mr. Morris invited public comment. There being no public comment, the public hearing was closed to bring the matter before the Planning Commission for discussion and action.

Motion: Mr. Loach moved and Mr. Randolph seconded to recommend approval of SP-2014-00015 Heartrock Day Camp subject to the conditions as recommended by staff.

Mr. Morris invited further discussion.

Ms. Firehock said she did not want to condition the application, but she did want the notes to strongly reflect my recommendation that somebody is trained as an EMT. She has been meeting with the County Office of Emergency Response on other issues about emergency response time in the County and they have been talking about the fact that residents become the first responders. Since they have small children in their care she just wants to make it real clear that she thinks that needs to be part of the training.

There being no further discussion, Mr. Morris asked for a roll call.

The motion passed by a vote of (6:0). (Lafferty absent)

Mr. Morris noted that SP-2014-00015 Heartrock Day Camp would be forwarded to the Board of Supervisors with a recommendation for approval on a date to be determined.

Old Business:

Mr. Morris asked if there was any old business. He suggested the Commission take a moment and address what Mr. Weaver was talking about as far as some way to get pedestrians across Route 20 and 250. It is interesting that connecting onto Darden Towe Park from Fontana they do have a delayed signal where people can press to cross Route 20. This weekend his wife went to a meeting and one of the residents of the Independence, which is a retirement home, was saying that she and her husband went to walk from the Independence across 250 and go shopping at Foodlion and so forth. He said the residents take their life in their own hands to do so; but, they moved there specifically because they would like pedestrian activity. However, we don't give them the opportunity. This group of residents are well into their 60's and they are taking a chance anyway as are the people up on the top of the hill going to Giant and so on. It is a real problem, especially since the resident's husband had a fall and was using a walker, but he still wants to go shopping.

The Planning Commission held a discussion on potential ways to address Mr. Weaver's concern to get pedestrians safely across Route 250 and 20.

Ms. Firehock asked if the Pantops Master Plan addressed or talked about pedestrians. Mr. Morris replied they have looked at that from the very beginning, but the problem is how do they get the pedestrians across and keep the flow of traffic moving. Because there is no money he questioned if they could provide pedestrian crosswalks underground or over the road.

Mr. Benish said first he would give the Commission a little bit of background.

- There are crossings recommended in the master plan. Of course, this requires VDOT approval to establish the crosswalks. They have tried on a number of occasions to get at grade crossings, but because of the volume of traffic, the width of the road and the lack of sufficient median spacing for a mid-block refuge VDOT won't approve pedestrian crosswalks. Next month the Board of Supervisors will be looking at comments on the State's Six-Year Improvement Program. What will be recommended as priority projects that staff would like the Board to suggest to the state is consider funding of crossings that could be either at grade or grade separated on Route 250 and Route 29. That is one of the ways that they can request that crossing. They are still back and forth with VDOT to figure out if there is some way to make exceptions to those standards.
- The issue on 250 that adds to the ability to get at grade crossings is that those lights are using the Advance In Sync Lighting Program. That makes it extra hard to cycle in pedestrian crossings. It may be that the ultimate result, particularly at Route 20, is going to have to be something grade separated. They actually have a grade separation at the river as part of the greenway, and so we are looking into a possibility of taking advantage of that.
- The Chick-Fil-A site coming in has a private road that will create a four-legged intersection, and VDOT has said they can get a crosswalk there because the median is wide enough. So they are hoping to have the first crosswalk with the completion of that project. They would at least be getting one in the area and they are trying to find ways to work towards doing others. The cost to do an at grade crossing is unknown because they don't know whether

even with a mid-block crossing VDOT would approve a cycle that would allow cars to go across. He noted that is kind of a status of where we are.

Mr. Morris commented it is truly a situation that you are darn if you do and darn if you don't since they want to keep that traffic moving, but also allow the people to walk across the road.

Mr. Keller said when you have that kind of high volume road there is a possibility for that one at grade crossing to have the LED lights like the city streets have or is that just something that would be torn up by the heavy trucks.

Mr. Benish asked if he meant at an intersection.

Mr. Keller replied yes, if they were able to get the one at Chick-Fil-A that he was talking about. He thinks those flashing lights are extremely effective.

Mr. Benish commented that VDOT typically does not approve the mid-block in light crossings. At an intersection he thinks if VDOT feels like that helps enhance access or visibility of a crosswalk that may be possible. However, he has never seen VDOT do that since they usually will have the flashing lights that are on the posts.

Ms. Monteith noted they can't use the LED blinking lights at an intersection because it is a visual conflict for people. The blinking lights that they have installed all around UVA have taken an incredible amount of maintenance. So they are actually switching to a flashing beacon approach, which they can already see at Culbreath. Personally aesthetically she likes the blinking lights better because they are in the ground and you don't see them other than when they are being used. She is always not a fan of additional visual clutter in signs. However, because of the amount of maintenance that they are demanding they are actually shifting our use and are going to be installing even more of the flashing beacons. She can't respond on whether the flashing beacons could be used at a signal, but she doubts it because again that would be another conflict. This conversation of how to get people across the road, across the railroads it just never ever stops. The problem is to go over you have to go up so high and then you really need to make them universally accessible so they may need to have ramping systems. They would be way up in the numbers. If you try to go under often time there is too much infrastructure to be able to go under. Under is also a public safety issue. She thinks it is very important that they are thinking about this, but she did not know of an easy solution right now.

Ms. Firehock suggested as an out-of-the-box idea that a little mini shuttle that just went back and forth at a couple of intersections would be idea. They would have to staff it and pay for the vehicle keep up. There is no free solution, but it might be a safe way to move people and does not require a lot of engineering or VDOT rules.

Mr. Benish noted that actually transit has been considered as one option. The proposal is to try to get 15 minute headways at peak hours on that Route 10. So it is not a shuttle and is not as nice. However, it is accessible and that aspect of it is being looked at, too.

Ms. Monteith pointed out she knew friends at EC Davis where they have so many bicycles that it is almost unsafe for pedestrians. The way that they manage it is the whole campus is based on the traditional agricultural grid. So that is the way that the street pattern is on the campus. One of the things that they do is they require that all of their vendors come in during class time. So any kind of delivery or service truck has to come in before 6 in the morning or if they have to

access the campus during the day they have to come in during a class time so that they are not out when everybody else is moving around. So what it brings to mind to me would there be any way to think about every hour and at the ½ hour there is an allowance for pedestrians to get across the road for three minutes. If they could plan for it and you knew that you have to go at the 30 or the 12.

Mr. Morris agreed that was a good idea.

Mr. Benish said they were going to try every mechanism. They have exchanged some emails with the Traffic Office about the Rolkin Crossing.

Mr. Morris thanked everyone for being interested in this. Of course, it is not just Pantops as he clearly pointed out, but it is all up and down Route 29. It is our comprehensive plan and they want to make it accessible, multi-modal and so on.

The meeting moved to new business.

New Business

Mr. Morris asked if there was any new business.

- Email about electronic plan review – Staff suggested Commissioners contact Mandy Burbage if interested.
- There will be no Planning Commission meeting on Tuesday, April 28, 2015 and Tuesday, May 5, 2015.
- The next regular scheduled Planning Commission meeting on Tuesday, May 12, 2015.
- Adjourn to Neighborhood Leadership Summit on Wednesday, April 29, 2015

Motion: Mr. Loach moved and Mr. Keeler seconded to adjourn to Neighborhood Leadership Summit on Wednesday, April 29, 2015 at 5:30 in Lane Auditorium.

Adjournment:

With no further items, the meeting adjourned at 7:14 p.m. to the Neighborhood Leadership Summit on Wednesday, April 29, 2015 at 5:30 p.m. at the County Office Building McIntire, Room #235, 401 McIntire Road, Charlottesville, Virginia.

V. Wayne Cilimberg, Secretary

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