Albemarle County Planning Commission
July 25, 2017

The Albemarle County Planning Commission held a public hearing on Tuesday, July 25, 2017, at 6:00 p.m., at the County Office Building, Room #241, Second Floor, 401 McIntire Road, Charlottesville, Virginia.

Members attending were Tim Keller, Chair; Karen Firehock, Vice-Chair; Mac Lafferty; Pam Riley; Jennie More; Bruce Dotson; and Bill Palmer, University of Virginia Representative. Absent was Daphne Spain.

Other officials present were Amelia McCulley, Director of Zoning/Zoning Administrator; Tim Padalino, Senior Planner; Andrew Gast-Bray, Assistant Director of CDD/Director of Planning; Sharon Taylor, Clerk to Planning Commission and John Blair, Deputy County Attorney.

Call to Order and Establish Quorum

Mr. Keller, 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. Keller invited comment from the public on other matters not listed on the agenda. There being none, the meeting moved to the next agenda item.

Public Hearing Item

ZTA 2017-00002 Chapter 1: The Planning Commission will hold a public hearing on July 25, 2017 to receive comments on its intent to recommend adoption of the following ordinance changes to the Albemarle County Code: Repealing section 18-1.1 and adding a revised section 18-1.1 to reflect that the name of Chapter 18 of the Albemarle County Code is the Albemarle County Zoning Ordinance; Repealing section 18-1.2 and adding a revised section 18-1.2 that establishes the enabling authority of the Albemarle County Zoning Ordinance; Amending and renaming section 18-1.3; Amending and renaming section 18-1.4 to provide that one of purposes of the Albemarle County Zoning Ordinance is to provide reasonable protection for military bases, installations, and airports as well as the adjacent safety areas of those facilities; Repealing section 18-1.5 and renaming, amending, and renumbering section 18-1.6 to become the new section 18.1-5 in order to implement the comprehensive plan; Adding a new section 18.1-6 to describe all territory subject to the Albemarle County Zoning Ordinance; Amending section 18.1-7 to include a new rule of zoning map interpretation for superjacent and subjacent airspace; and Repealing section 18-1.8. A copy of the full text of the proposed ordinance amendments is on file in the office of the Clerk of the Board of Supervisors and in the Department of Community Development, County Office Building, 401 McIntire Road, Charlottesville, Virginia.

Senior Planner Leah Brumfield said she was before them from Community Development and Zoning, and was joined by Amelia McCulley. She said they were present for ZTA-2017-00002, also known as Section 1, and explained that this amendment currently being addressed only makes small minor changes, so she wanted to establish a little bit of a baseline. Ms. Brumfield stated that the type of changes in both this amendment and in the Housekeeping 1 and 2 amendments, which have been recently discussed and were in process, were small changes

known as “housekeeping” changes. She said this was not part of the two text amendment groups, but was similar in scope. She pointed out that it is intended to clarify intent and address small changes to make things clearer for both the public and the staff, but did not change either policy or implementation.

Ms. Brumfield said the purpose of this particular ZTA item was to incorporate recently enacted state law, remove some redundant language, and create ordinance consistency with ordering, numbering, and other small changes. She stated that this pertains to County Code 18-1, which states the County’s authority for intent of the zoning ordinance and related provisions. She said that it describes the state enabling legislation, which staff noted as having some confusing language, and staff wanted to address outstanding changes to the Code of Virginia in this amendment. She reported that on April 5, 2017, the Board of Supervisors adopted a resolution of intent for staff to both conduct research and bring this amendment to public hearing, which was why this item was before them now.

Ms. Brumfield stated that the four basic purposes of the amendment were: renumbering and capitalizing list formats; simplifying language; reordering sections for clarity; and addressing changes to state law, which is the addition of this particular text regarding military bases and installations and the purpose for zoning enabling legislation in the Code of Virginia. She said the language was taken almost verbatim from the Code and put into the purposes for zoning legislation. Ms. Brumfield said staff recommends approval of ZTA 2017-0002, with this item scheduled for public hearing with the Board of Supervisors on October 11, 2017.

Mr. Keller invited questions from Commissioners.

Mr. Keller opened the public hearing and invited public comment. There being none, Mr. Keller closed the public hearing to bring the matter before the Planning Commission for discussion and action.

Mr. Dotson stated that this seemed very much in order from staff, but in the old version there was a section on relationship to the environment and that was being deleted. He asked if that was because there were statements in the Comprehensive Plan about the environment, so the plan was sort of filling in what has been deleted.

Ms. Brumfield asked if he was looking at what was previously 1.4.10.

Mr. Dotson replied it was 1.5, “Relationship to Environment,” which was on page 4.

Ms. McCulley explained that it was already captured in the new 1.5 section in relation to implementation of the Comprehensive Plan, which was probably a better connection and stated it better than the existing language of 1.5 regarding relation to the environment. Ms. McCulley said it was broader and linked back to the planning Foundation for regulations and thanked Mr. Dotson for asking because it was a good question.

Mr. Dotson asked what “super adjacent” and “sub adjacent” meant.

Deputy County Attorney John Blair explained that regarding airspace, super adjacent means lying above or upon, which is the common definition, and it was typically above the actual structure. Mr. Blair replied that sub adjacent would be kind of the airspace around structures and below, but it was rather an odd phrasing to say “below” in the sense below air space. He emphasized that it was really more in reference to airspace around a structure and below, and

with a house super adjacent went above the house, whereas to be sub adjacent would be the airspace outside of the house on the parcel.

Mr. Dotson asked if there was a definition for this in the Code, as he felt there should be.

Mr. Blair replied that it was a good suggestion to add those definitions when they redid Section 3.

There being no further questions or commons, Mr. Keller asked for a motion.

Ms. Firehock moved to recommend approval of ZTA-2017-00002, Section 1.

Mr. Lafferty seconded the motion.

The motion passed by a vote of 6:0. Ms. Spain was absent from the meeting and vote.

Work Session

SP-2017-00009 UVa Indoor Golf Practice Facility Amendment

Senior Planner Tim Padalino addressed the Commission and stated that this was a special use permit amendment request by the UVA Foundation. He provided an update and clarification on the review process, stating that this meeting was the original date for the Commission to conduct the public hearing, but that had been postponed due to issues with the details contained in the legal ad. Mr. Padalino said they are now back on track and the public hearing has been re-advertised for August 8, with a more accurate project description, and the work session now would provide an opportunity for informational exchange – including staff analysis and conclusions, as well as Commission feedback for the applicant. Mr. Padalino noted that his presentation would reflect the fact that the Commission was already somewhat familiar with this proposal, a similar project was reviewed and approved in 2015, and because they had toured the property on a field trip a week earlier, at which time, they had received an onsite presentation on the project from the applicants.

Mr. Padalino stated that regarding the review processes to date, this application was received on April 17, 2017, and more recently, a lot of activity had taken place – with the Historic Preservation Committee reviewing the proposed project on June 24th. He said a community meeting was held on July 10th at Boar's Head, and there was good attendance, an engaged audience, lots of questions, and nothing that would be characterized as opposition or concern from the audience. He noted that Commissioner Firehock and Supervisor Liz Palmer were both at that meeting. Mr. Padalino mentioned that the Planning Commission had a field trip to the Birdwood property on July 18th, and the process would conclude with this work session and the Commission public hearing scheduled for August 8th, finalized by the Board of Supervisors' public hearing tentatively scheduled for September 13th.

Mr. Padalino reported that this is a 544-acre property just west of Charlottesville and UVA and is identified as Tax Map Parcel 75-63 in the Samuel Miller Magisterial District. He said it is also located within Area B, which is an area that is reviewed by the Planning and Coordination Council (PAC), a three-party joint planning entity comprised of the University, County, and City. He noted that the Birdwood property is zoned residential R-1 and has zoning overlays that include the Entrance Corridor and Airport Impact Area. Mr. Padalino reported that this property also has existing special use permit conditions of approval, established with SP-1996-00053,

carried forward by SP-2015-00019 – and those conditions of approval were included as Attachment B in the staff report.

Mr. Padalino referenced a map of the property, stating that it is a remarkable property containing the Birdwood golf course and Birdwood Pavilion historic site, with road frontage on Route 250, which is the entrance corridor. He noted that it also joins the Ragged Mountain Natural Area and Ragged Mountain Reservoir, with the southwest portions of the property identified as an important site by the Albemarle County Natural Heritage Committee and by the biodiversity work group in their 2004 report entitled, "Albemarle County Biodiversity." Mr. Padalino said that although this proposed project was not near those portions of the Birdwood property, County Natural Resources Manager David Hannah emphasized that the undeveloped southwestern portion of the property contains areas that are worthy of protection and conservation, which is formalized in the future land use plan. He noted that in the southwestern portions of the property, there are areas designated as parks and green systems, and the remaining majority of the property is designated as institutional uses.

Mr. Padalino said that in looking more closely at the proposed site and its environs, the proposed site contains a lot of residential uses on the east, north and west sides – including Ednam Village. He said that also adjacent to the Birdwood property and golf course are the Boar's Head Sports Club and Boar's Head resort, and adjacent to the proposed site is the Birdwood historic site, including the Birdwood Pavilion, historic landscape, and historic structures. He noted that there is a 12-acre area contained on the National Register of Historic Places, as well as the Virginia Landmarks Register. Mr. Padalino referenced on a map provided the location of the Birdwood Pavilion and surrounding residential dwellings, as well as a cluster of ornamental farm buildings where the project site is proposed and the edge of the golf course driving range. He presented a view of the project site from the west from across Golf Course Drive, and he noted the location of the brick barn, carriage house, granary and silo, and a stand of trees at the top of the slope, which was where the proposed indoor golf practice facility would be constructed – a 14,000 square foot facility split over two levels, reusing/rehabilitating approximately 3,000 square feet of the existing buildings. Mr. Padalino stated that he has provided a few conceptual drawings presented at the community meeting and the previous week's field trip, including renderings showing the use of the facility as a UVA golf practice facility, taking advantage of the existing slope.

Mr. Padalino referenced a drawing showing the illustrative site plan, which was submitted with the special use permit resubmittal package and includes the building location, orientation, and mass – as well as annotation regarding the elevation of the parking lot, which would be four feet below the existing grade on the eastern edge. He noted the preservation of existing canopy trees, including a stand of pecan trees, and he noted the installation of new landscaping for screening purposes, which are the features shown in darker green. He said that as part of the conceptual site planning process, the applicant has commissioned an historic landscape report, included as an attachment in the staff report, and the Birdwood property was essentially organized into three concentric areas of historic importance. Mr. Padalino stated that at the historic core is the Birdwood Pavilion and its curtilage; surrounding that is the "outer precinct," with moderate sensitivity to change and moderate importance; and the former agricultural landscape, with a lower degree of sensitivity to change. He noted that the previously approved site is to the southeast to Birdwood Pavilion, straddling the outer precinct in the former agricultural landscape, and the current proposal would be within the outer precinct – more adjacent to the historic corridor.

Ms. Heather McMahon stated that she is a senior planner with the County's Community Development Department.

Mr. Keller welcomed the three new staff members who were presenting.

Ms. McMahon said that Birdwood Pavilion is a Jeffersonian Manor built between 1819 and 1830 for William Garth, a prosperous planter, and it was likely built by the same masons and carpenters who contemporaneously were building the University of Virginia. As such, she said, it is listed on the National Register of Historic Places as a "treasure," demanding the "utmost care and sensitive stewardship." She said that staff, members of the Historic Preservation Committee, and the University of Virginia Foundation share this opinion and this goal. Ms. McMahon stated that Birdwood as an estate represents two periods of architectural significance that typify Albemarle County's development pattern: the rise of plantations in the late 18th and early 19th centuries, and the country estate era of the early 20th Century. She noted that both periods are characterized by great houses and their surrounding agricultural fields, and Birdwood's mature yet open landscaping ensures that this property is visible from Ivy Road – the main approach to Charlottesville from the west – but still retains much of its bucolic character.

Ms. McMahon stated that Birdwood's agricultural setting remained largely intact for 165 years, and she presented an aerial photograph from 1980. In 1984, she said, the University developed the former agricultural lands into a golf course, but this landscape design did not detract from the open, rural setting, and the 12-acre precinct is where the house and its ancillary buildings are sited. She noted that it looks much as it did when it was sold to UVA in 1974. Ms. McMahon stated that preservation theory changed over time, and no longer was an isolated building devoid of context the primary element of consideration – and instead, current preservation practices take into account a building's landscape and setting. Ms. McMahon said they must consider Birdwood as a cultural landscape in which multiple parts comprise a greater whole, and with this in mind, the whole assemblage of primary and secondary buildings, structures and landscape features – and their spatial relationships vis a vis one another – that embody the historic landscape. She stated that Birdwood is a layered landscape with different periods of significance, both in 19th Century plantation and the 20th Century country estate eras, and each period of significance is equally important that should not be compared and contrasted hierarchically. Ms. McMahon stated that the historic farm complex that this proposal affects is composed of vernacular utilitarian buildings; however, it is very much an integral element within the designed landscape, and those buildings exhibit a deliberate aesthetic intention as well as a spatial relationship – both with each other and with the Birdwood Pavilion. She said that Birdwood was a plantation that was lightly transformed into an ornamental farm in the early 20th Century, and ornamental farms such as Birdwood attempted to aestheticize working agricultural landscapes, and as such, barns, sheds and stables were designed purposefully within sight of the manor house to create reciprocal vistas, as well as a picturesque backdrop for the estate.

Ms. McMahon stated that the placement of the proposed parking lot lies within 115 feet of Birdwood Pavilion's southwestern dependency, which dates to the original construction period of 1819 to 1830 – unless that parking lot of 115 feet encroaches upon and impacts the heart of this historic plantation. She said that it will also disrupt the visual connection between Birdwood Pavilion and the historic farm complex, and dense, vegetative screening would further sever that visual connection. Ms. McMahon stated that the preservation concerns are fourfold: the proposed parking development will sever the visual connection between the house and the historic farm complex; the proposed parking development would come very close to impacting the historic structures at the heart of this historic and significant plantation; the significant

amount of landscaping proposed for screening purposes would significantly alter that visual relationship between the house and the farm complex, as well as diminish the estate's open vista as it's seen from Ivy Road, one of the County's entrance corridors; and the parking lot's placement near the historic main house and its adjacent outbuildings impacting Birdwood's historic cultural setting.

Ms. McMahon reported that staff has suggested locating the parking directly off of Golf Course Drive, either to the flat, currently landscaped edge below, and to the southwest of the natural hillside, into which the neighbor post facility will be built – or to the west of the brick stables, which would necessitate shelving and steep embankment. She said that this would prioritize the integrity of an 1819 to 1953 historic landscape that's remained relatively intact over a private entrance drive built in 1984, and staff and members of the Historic Preservation Committee would like the representatives of the University of Virginia Foundation to continue to explore options that would relocate the parking off of that 12-acre historic precinct so as to preserve the historic curtilage around the house. She noted that staff and the committee are open to alternative suggestions, such as transporting students from existing carts via golf cart paths, utilizing the existing parking pad north of the carriage house, and providing overflow parking elsewhere, as well as relocating the parking below the plateau on which the house and outbuildings are sited along Golf Course Drive. Ms. McMahon referenced the location of the proposed parking and the barn on an image provided, noting the location of an embankment off Golf Course Drive, and the other proposed location to the west of the proposed facility near a golf cart path.

Ms. McMahon stated that staff and members of the Historic Preservation Committee are concerned that the placement of the proposed parking lot will negatively impact an intact historic landscape, and believe that a solution engaging Golf Course Drive can be explored further. She said they are happy to consider alternate design solutions.

Mr. Padalino reiterated that there are remaining concerns that the proposed configuration would diminish the integrity of the site's intact historic resources, and that was provided in detail in the staff report. He said that one issue not fleshed out in the staff report was where the Department of Historic Resources stood on the issue of project appropriateness and whether it would impact the listing or eligibility of the property for listing. He stated that DHR had provided email correspondence provided to Commissioners earlier that morning, and DHR has concluded that the proposed golf building would be more compatible than the 2015 design that was approved, and applauded the idea of putting the historic buildings back into service. Mr. Padalino said staff certainly agrees that the buildings are not fundamentally problematic, and as shown in the conceptual drawings shared to date appeared to be appropriate in attitude – so they are not really a point of concern or contention. He stated that DHR's findings did seem to focus on the architecture and not necessarily on the landscape, and their acceptance of the parking lot included several qualifying statements about the importance of contact-sensitive site design and tree preservation, and also suggested that the applicants consider using grass pavers or some type of alternative materials as a function of their concern about the adverse visual impacts of the parking lot.

Mr. Padalino said that with regards to a more comprehensive analysis of the proposed project, staff finds favorable factors as: agreement with DHR that the new location's rehabilitation and adaptive reuse of existing structures is a very good thing; views from the Entrance Corridor are not expected to be impacted in ways that could not be mitigated with appropriate landscaping; the site is partially visible during winter and only minimally visible when trees have foliage; the proposed facility is not expected to generate additional vehicle trips; and the proposed facility is

an expanded use of the existing golf course and is also consistent with the future land use designation of "institutional" in the Comprehensive Plan. He stated that staff has remained concerned about the overall appropriateness as shown on the illustrative site plan, the perceived visual impacts on historic resources, and diminishment of the integrity of this historic landscape – which has remained largely intact for generations and is of significant national, state, and local importance.

Mr. Padalino stated that staff also found an unfavorable factor in terms of the applicant's project narrative, which referenced a master planning effort as their rationale for their proposed relocation, away from the previously approved site. He said that this had not been provided to staff in a way that helped them understand why this would be a more appropriate location, as the applicants have stated. Mr. Padalino stated that staff has found favorable factors, but also several significantly unfavorable factors, and as a result was not able to recommend approval at this time. He reiterated that this was not the actual public hearing and was not a point at which they would be making a decision, so staff is just providing this information for reflection and discussion. Mr. Padalino said that he has highlighted a few topics of discussion, including the historic resources and configuration of proposed improvements, which staff has highlighted and detailed.

Mr. Padalino stated that he would point out another topic of discussion as brought forth by the applicants regarding the existing special use permit conditions of approval for this site. He said the applicant has requested that the County consider condition #3, which was created in 1996 and carried forward with the special use permit in 2015, and for the Commission's reference, he has included the existing condition as well as the applicant's proposed condition. Mr. Padalino stated that while staff was aware of some conceptual ideas for future improvements and projects at the Birdwood property, it's not clear what level of analysis would be appropriate or necessary for those different ideas – and some may be appropriate for ministerial review, but others may legitimately require a level of analysis that comes with the legislative review process. He said that staff recognizes the Foundation's concerns about the existing conditions being overly restrictive and realizes they have validity, and remains open to discussing and evaluating possible modifications to this existing condition – but staff's initial position is that the proposed condition as provided via email would be to permissive and would prohibit the County from having to do some review and analysis that would otherwise be necessary. Mr. Padalino stated that staff would recommend an approach that would evaluate modifications to the existing condition, as opposed to repealing and replacing it with entirely different language. He said he recognizes this was a new issue being presented to the Commission, and this was not raised in time to be included in the staff report, but staff did want to recognize the applicant to bring up the issue for discussion.

Ms. More asked if the initial proposed site was being withdrawn and this was an amendment to that request, or if that was a separate special use permit.

Mr. Padalino responded that technically the special use permit is in effect and approved and the conditions of approval are in effect – but the site plan that was submitted in connection with that special use permit approval has been either deferred or withdrawn, which essentially means it is stopped.

Ms. More asked for confirmation that there could be a site plan for the 2015 special use permit in the future.

Mr. Padalino responded that he did not think so because this request had certain square footage details to it, and it was identified as a 14,000-square-foot facility in a legal ad, which also refers to the former location and to the new location 400 feet to the west – and he did not think there was any possibility of two different facilities being constructed with two different approvals. He said that the requested special use permit would in effect supersede SP-2015-00019 if approved.

Ms. Elaine Echols stated that there is the existing special use permit that was approved in 1996 and an amendment for the indoor practice facility and the 2015 special use permit is in effect and in many ways mirrors the same conditions from 1996, with staff just carrying them through. Ms. Echols said that the applicant has also requested a site development plan approval along with this special use permit, and that site plan review has been stopped until a special use permit decision can be made. She said the applicant has requested that one of the conditions recommended to be carried through from 1996 and 2015 with this special use permit be different, asking for something that is a lot more open and permissive than what the current condition is and what they are currently recommending.

Ms. More commented that presumably the site from 2015 could be used for something else in the future.

Ms. Echols responded that it could not be.

Mr. Blair explained that the special use permit was specifically to be in general accord with the plan entitled, "UVA Golf Indoor Practice Facility Site Plan Diagram," which is the 2015 language, and that would limit the use. He stated that the 2015 condition requires that the particular special use permit be developed in general accord with that particular site plan.

Ms. Echols said the one the applicant was requesting now would supersede the one in 2015, and if the conditions recommended by staff continue, then any future use of that particular area, if it's an expansion of golf course activities over and above what has previously been permitted, would then require another review with a special use permit.

Ms. Riley stated that she would still like more information about that, since it was the first the Commission was hearing about it, and she asked staff to explain if there is some modification that would be recommended.

Mr. Padalino said that staff has had very little opportunity to have these discussions, but has been able to schedule a meeting with Ms. McCulley on Friday. He stated that they are certainly open to continuing the conversations, preferably with the applicants, to better understand the goal of the request and the purpose for the condition to be established in the first place – as well as seeing if there is the opportunity to modify some of the existing language. Mr. Padalino stated that the existing condition #3, "Any new construction at the existing golf course facility and site, other than the site improvements shown on the layout plan, except for minor changes such as additional practice tees, modifications of greens, and other changes that do not require a site plan, shall require an amended special use permit." He said that anything not indicated in that parenthetical comment would be a legislative review and approval process, and conceptually the early conversations have included some acknowledgements by staff that there may be some projects that don't need to go through the full legislative process. Mr. Padalino noted that it may be more conducive to look at the existing condition of approval and ways it could be altered for Commission consideration, as opposed to starting with the applicant's proposed replacement condition, which reads: "This permit is for the proposed indoor golf

practice facility and improvements on the site, inclusive of the golf course, the clubhouse, the Birdwood mansion, and related site infrastructure."

Ms. Firehock said that the phrase "related site infrastructure" caught her attention, because infrastructure seems to include roads, driveways, pathways, lighting, and all kind of other elements – so it would be a very broad category to go forward with that review.

Mr. Padalino stated that the Comprehensive Plan does call for a vehicular connection between Golf Course Drive on the Birdwood property and Berwick Drive on the Boar's Head property, so that type of infrastructure would be a positive thing – but there is still a question as to what level of review would be appropriate and required for that kind of substantial change to a significant element of the site.

Mr. Lafferty asked for confirmation that the Foundation was getting ready to hire a consultant to redesign the golf course.

Mr. Padalino responded that this was his understanding as well.

Ms. Echols said the applicant could probably speak in more detail on that.

Mr. Fred Missel of the University Real Estate Foundation addressed the Commission and stated that he and Ms. Valerie Long would be presenting on this item. Mr. Missel said that in 25 years of working with the County, he did not recall a time when the Commission and the Board had come to the site to see the product, and he found it to be very beneficial and helpful for all. He stated that he also saw an added side benefit of being able to walk people through the building itself, and it is indeed viewed as a treasure. Mr. Missel said that the Foundation has owned the building since 2012 and received it from the University, and the primary reason the gift was given to the Foundation was so that it could be preserved. He stated that there were some other outlying pieces of land the University was looking at potentially liquidating, but they wanted to hold onto this one and find ways to restore and renovate it, and find the resources to be able to do that. Mr. Missel commented that the Foundation viewed this proposal as one of the first steps in the restoration of the Birdwood Mansion and the out buildings – as well as the garage and stable.

Mr. Missel presented a PowerPoint that included images of the property and the site and information about the proposal. He mentioned that the arrival to the proposed special use permit location would have crossed in front of the mansion's view shed, and it was critically important to create and retain the views from the landscape beyond from the mansion itself. Mr. Missel said that if the parking location were moved, it was problematic – because moving it to Birdwood Drive was part of their Entrance Corridor, as well as potentially more visible from Route 250; it moves it closer to the Ednam Village community; and it is perched on the side of a hill. He referenced the plan from Charles Gillette and said it showed a fairly clear Hedgerow surrounding the building, which staff does not believe was ever constructed, and he pointed out the location of the practice facility and the parking, noting that it would be outside of what was considered by the Gillette Historic Plan to be the more formal mansion versus the more working landscape.

Mr. Missel referenced the existing site conditions, noting that the home is currently being rented as a residence, and having people stay in the buildings was a way to keep the structures from self-destructing. He said that he and Brian Hogg of UVA worked to identify the view shed, stating that there are two Magnolia trees to be retained that helped frame the view. Mr. Missel

stated that one of the reasons to move the facility to the west and further back was the distance that golfers can hit a ball now – which can be upwards of 300 to 350 yards – and the relocation allows for the extra length. He pointed out the flat area mentioned as a possible place for the parking, but said it is a tee the practice teams use that could potentially be impacted by golf balls from either direction. Mr. Missel said the Foundation has a lot of history of trying to manage rogue golf balls, and there is a fence located by the new squash expansion to block them – but the aesthetics of the fences is "awful." He referenced a letter received from the Department of Historic Resources and pointed out that the eligibility would not be threatened. Mr. Missel stated that having historic buildings put back into service was applauded, and the parking area itself would include a plan to save existing trees. He noted that they would utilize current technology to reduce the visual impact of lighting, and they were employing Archeological Associates to ensure they were progressing in a way that was sensitive. Mr. Missel presented an image showing the parking considerations, and having been on the ARB, he was very careful to ensure that the location of the parking, the existing tree, and the view shed to the existing building were as accurate as could be depicted.

Mr. Missel stated that he wanted to discuss several items in the staff report and ensure the Commission understood the ideas proposed. He said that in terms of the special use permit and the language of condition #3, the reason why the Foundation is before them discussing the special use permit for an exact use located 300 or 400 feet to the west on the same parcel of land is because of the specificity of the past special use permit. Mr. Missel said they were not "in general accord" by relocating the building to this location, which is why they are before the County now. He stated that they have plans to restore or renovate the golf course, and they have hired Davis Love's group to do that. Mr. Missel noted that it was the same use on the same parcel of land and would probably put less land in golf use, because the design now is to bring golf together. He stated that this is one use they want to make sure the special use permit did not preclude, with the second being the connection of Berwick Drive to Golf Course Drive – and making that physical connection would occur on the golf course. Mr. Missel said they did not want to come back for a special use permit to have to do a site plan to make that change, and they are trying to be as careful as possible on the plans.

Mr. Missel noted that in terms of sharing the master plan with the County, he and Tim Rose of the Foundation had met with County staff the previous Friday – and it became clear that the Foundation should be more transparent about what it was doing. He said that some elements of the plan needed to be flexible, sometimes they have donors step up that ask for particular things, such as the squash expansion, and they did not know the timing of tennis and golf expansions. Mr. Missel said they want to be careful that this does not become something within which they have to work, with a special use permit or Comprehensive Plan amendment required for anything outside of that.

Mr. Missel mentioned that the staff report contained several items he wished to address, and under recommended actions, it talks about "elevation of parking lot" as approximately four feet below grade on the eastern edge. He said that if they start digging and get down three feet, then end up needing to stop for some reason, they need to have the flexibility to still eliminate or reduce the views of the parking but work within that general accord and be able to react without having to come back to the County for a special use permit. Mr. Missel stated that another issue relates to the "preservation of all existing canopy trees," and there was a slide entitled, "Project Site from West." He said that this preservation refers to the trees to the north, because all the trees to the south needed to be eliminated to make room for the building, and he would ask for definition as to what that means to provide some flexibility.

Ms. Valerie Long addressed the Commission on behalf of the UVA Foundation, stating that the Foundation offered some revisions to proposed condition #4 under the current special use permit, which was their effort to start a dialogue with staff and take a fresh look at that condition. She said the condition was more than 20 years old and there are changes being made to the property, and the Foundation is looking for ways to craft language that would strike a balance between the County's interest in what's allowed under the special use permit and the Foundation's needs to have a reasonable level of flexibility to carry out the golf course and the property as a whole. Ms. Long stated that they would like to avoid coming back to the special use permit process, so this was just a starting point and they hope to work on the language before this goes to the Board. She said they hope to be able to carry out the golf course hole realignment pursuant to the new plan the Foundation is working on, and to also build the new connector road and not have to come back to the County for those things. Ms. Long said there could be some other small minor issues that would be beneficial, such as realignment of a golf course cart path.

Mr. Missel mentioned that the 14,000 square foot number referred to in the advertisement for the building size was not exact and could be 10,000-12,000, and he wanted to make sure the Foundation was not held to the 14,000.

Mr. Dotson said that moving the practice facility to the proposed location frees up the 2015 site, and asked what the plans are for the 2015 site.

Mr. Missel responded that it has a house on it, the house is occupied, and there are no other plans. He said there were no plans to demolish or renovate the house – and there was really nothing planned at this point.

Mr. Dotson asked if the land would be involved in the redesign and reconfiguring of the golf course.

Mr. Missel responded that it could be, and the most recent plans for the golf course retain the house onsite – which is not a contributing historic structure as it was built in the 1950s. He stated that if they were to build it in the original location, they would have had to demolish that building.

Mr. Dotson commented that screening of the parking area for the new facility fragments the site by rendering some of the contributing buildings no longer visible, and he asked if it was possible to use materials that were low enough to screen the cars in the parking lot but not so tall that the view of the silo and other buildings is lost.

Mr. Missel thanked him for making that point and said that in looking at a 1930s photo of the landscape, the barns, farm buildings, and garages on the property – and it was a wide open landscape that was very visible, but was also utilitarian and the cars were never blocked from the view of the mansion. He stated that this is the reason why Charles Gillette was coming up with the plan to screen the outer, more utilitarian precinct from that. Mr. Missel said the silo and the granary next to it were not technically contributing structures, but the Foundation would like very much to retain them onsite. He stated that they are very careful about using trees and native plants, both at Birdwood and at the Boar's Head, and Lee Palmer – who was very committed to using native plantings – did a lot of the plans here. Mr. Missel said that with the ability to screen, they should also be sensitive to the native landscape and doing a design that respects that.

Mr. Dotson said that staff has mentioned other approaches to the parking, and asked Mr. Missel to walk the Commission through the various options.

Mr. Missel responded that he would, and mentioned that the parking being suggested had been reduced by several spaces from the initial proposal. He stated that the Foundation is hopeful that some of the golf team would still go up to the clubhouse, park there, and use the golf cart to come down to this building, which is why a golf cart path is shown on the illustrative site plan. Mr. Missel said that student athletes now are living out of the trunks of their cars, their bags are there, and they don't have a home – so there would be some who would drive here and park, and the Foundation would like the parking to be as close to the front door as possible for safety reasons. He stated that they looked at the options of potentially putting it in another location and had considered putting it on the slope, but it is further away and they did not want to have to put lights on a site farther away. Mr. Missel said the barn would also be undermined by a parking lot in front from views from the Entrance Corridor into the resort. He stated that the road would get more use once they make the connection to Berwick Drive and thus was part of the facility's entrance corridor. He also pointed out that Birdwood has good relationships with its neighbors and would like to keep it that way, and those neighbors use the sports club, the Old Mill Room, and invite guests to stay at the Boar's Head. Mr. Missel noted the location of another spot staff had recommended and that was not possible because it would be in the driving range. He said that anything further down, past the Magnolia tree, would encroach on the view shed from the mansion itself. Mr. Missel stated that after much study and many consulting hours, the Foundation feels this is the best compromise location – as it retains the large trees and allows it to be screened in a way that is appropriate in terms of its views from the mansion and the corridor.

Ms. More said that she shares Mr. Dotson's comments, and she feels that sharing any master planning to the extent the Foundation is able would be helpful. She stated that she feels there may be an idea of a use for the old 2015 proposed site that may be in a master planning process and keeping that open for something that might come forth in the future. Ms. More echoed Mr. Dotson's finding the balance with the screening, and said that sometimes the County sees applications without a lot of that detail. She stated that the four-foot grading on the eastern side of the proposed parking lot seemed to affect a very small amount of the parking lot, and the rest of it did flatten out – so care with screening would be essential there. Ms. More said there was mention in the report from the Virginia Department of Historic Resources that there were alternate surfaces available besides asphalt that could help, and they did look at the one tree there. She stated that some of her comments were related to the size of the parking lots, and there were 20-24 spaces shown, so she would like that point to be clarified. Ms. More noted that she would also like to know whether the 8 to 14 members annually were the men's and women's teams combined, and there were coaches there as well. She stated that there was another part of the report that mentions use by Birdwood Golf Course members as well as Boar's Head Resort members – so she wondered if there was enough parking here and what overflow would look like. Ms. More emphasized that engaging with staff on this was important, as she was concerned about this location.

Mr. Missel responded that there are eight hitting or practice bays out front on the site, a men's and women's locker room, and student study areas – and his understanding is that the women's team has about eight players, with the men's team having a few more. He stated that they host golf tournaments and fundraisers, but the parking here would not be affected by that, as they would leverage the existing parking up by the clubhouse. Mr. Missel explained that if the new lot were to fill up, they would go to overflow parking at the clubhouse and shuttle people back with golf cards. He said that guests of the Boar's Head who come play here either take a golf cart or

are shuttled, and they try to get people out of their carts. Mr. Missel said he advocates for minimal parking and shared parking, that is one of the benefits of having a resort with a lot of parking, the clubhouse, and they can look at ways to spread the events and do event management.

Ms. More asked if one consideration was to have minimal parking spaces with the proposed new building and have people use that lot.

Mr. Missel responded that the reason they reduced the parking already was so during inclement weather people could still play indoors and hit out and practice. He stated that the balance the Foundation always tries to strike is what is special use permit versus site plan, and the detail in the special use permit starts to feel a lot like a site plan detail. Mr. Missel said that elements such as the four-foot grade, screening, and the views as to what the landscape looks like would be worked out at the site plan stage.

Ms. More acknowledged this, but also said that because of the historic nature and the screening being an integral part of protecting the view shed, more detail at this level might be appropriate. She said that the Historic Preservation Committee has wanted more exploration into alternate parking and into screening, despite having toured the site. Ms. More stated that her interpretation from DHR is that they are commenting more on design and less on location, although they do acknowledge the adaptive reuse. She said that she did not glean from DHR's comments that they felt this was a better site, just which they like the way it looks.

Mr. Missel stated that DHR seemed to be focusing on reuse of the building.

Ms. More said they were very complimentary of the reuse, but their preference relates mostly to architecture.

Mr. Missel agreed.

Ms. Riley stated that it was helpful to have Mr. Missel run through the potential parking locations, but she would like additional detail on the potential site on the slope. Ms. Riley said they have discussed screening possibilities for the preferred site, but wondered if there was not a possibility for screening for the considerations they were concerned about at that site on the slope for the neighbors and for going down.

Mr. Missel responded that he did not know, and the challenge is the grades move up in that direction – so if they are screening by the road, the cars could potentially peak up behind it, or there could be a giant retaining wall that undermines the barn. He stated that they have looked into it, but it was not judged by the design team to be the best option, and it was a matter of balancing the pros and cons to each one.

Ms. Firehock stated that she would like to know the reasons why they could not pick the other sites and the reactions to staff comments, perhaps when they return for the public hearing. She said that she appreciates the desire to have adaptive reuse, but she feels that enveloping it with other buildings detracts from that, and it didn't feel like an ingrained landscape to her. Ms. Firehock said that she did not see the benefit of keeping it because it was so altered by the setting of the buildings around it. She stated that she agrees with a lot of the previous comments, and said that while DHR recommends grass parking lots – but some of them are ugly. Ms. Firehock said that she would like to hear more about the surface treatments of both the parking lot and the area in front of the building.

Mr. Missel responded that they were looking to work that out at the site plan stage, adding that they have used different surfaces around the property. He said that when they initially built overflow parking by the squash project, they used “pea gravel,” which lasted a year but became a maintenance nightmare – so they came back and used asphalt, which was deemed the lesser of all evils. He stated that they would be thinking more about the color and a mixed aggregate that could be put into a surface, but at this stage, he did not know.

Ms. Firehock stated that she would like to see a much more sensitive treatment, because an asphalt treatment was unattractive and jarring, regardless of how it was screened, and there were lighter colored pavement treatments or even permeable pavement.

Mr. Keller commented that the hydrology would work better with permeable pavement.

Ms. Firehock said they were trying to make the best of this building, but she would like to know more about why the parking has to be where it is.

Mr. Lafferty said that besides the Historic Preservation Committee’s concerns, he has his own concerns regarding the redesign of the entire golf course – as they would not be starting with a clean slate. He expressed concern about whether they would make the same mistake they made in 2015.

Mr. Missel responded that they have been working since January of this year and the concept plan recently in the news was part of the reason they relocated to this location, and it is fully integrated into their plan. He said they have a “short game” facility located near the clubhouse, and the concept plan that Davis Love is recommending relocates that facility closer to this golf practice facility so that student athletes are able to utilize that – and it would be located just across the street, across from Golf Course Drive. He stated that the entrance road would remain open landscape, and they would retain it as open landscape, which is part of the important arrival sequence to Birdwood and this historic landscape, as well as to the golf course itself.

Mr. Keller stated that it was refreshing to have new staff members with understanding and expertise in cultural landscapes, and it was also great to have an applicant who is a steward of a number of historic resources in the area – and he hoped that within the next week, they could work out some of the sticking points so they would be addressed prior to the public hearing. Mr. Keller said that it was challenging to have a landscape that has significance because of one time period, a National Register designation that is relatively out of date and focuses on buildings, and a new study with a number of internationally known professionals advising. He emphasized that he hopes this is an opportunity for the County to have applications applied to cases where there is not necessarily the same degree of knowledge available as is the case with this application. Mr. Keller commented that there have been many discussions about historic resources in the County that could have benefited from expertise. He added that because of the country place significance in the cultural landscape, it seems to him that the entry drive sequence is every bit as important as the view shed. Mr. Keller noted that when they were onsite, there was some thought about having to rework the entry drive, and he encouraged the applicant and staff to talk about how those two roads would work because there is the historic roadway entrance and the one that has been added to it. He commented that they may be able to keep the entry sequence, but it may be for something other than vehicles. Mr. Keller said that given improvements in this area, this would continue to be a very significant entry into the County. He mentioned that the country place era is associated with houses that are on the

other side of Route 250 as well, with the UVA Foundation having stewardship of some of those properties.

Mr. Keller stated that with the greater parking issue, there is discussion in society of more sustainable and useful ways of doing things, yet they are talking about students coming individually in their cars to a site. He asked if there might be a way to have mass transit to the site since these are student athletes, and it seemed counterintuitive to provide these spaces for student athletes right in a primary area. Mr. Keller commented that the applicant has said there is an interest in keeping the mid-20th Century residences, another staff member expressed hope that they would no longer be there to impinge on the view of the real historic resource of the core area.

Mr. Missel responded that they may not be.

Mr. Keller encouraged the applicant to be truthful about addressing it in the special use permit, because those are some of the things being discussed, such as the grove of trees. He emphasized that in the future it would be easier for their successors on the Commission to know that this was thoughtfully discussed – and the reality of the growing University and the proximity of this property to the core area of UVA may indeed warrant significant changes to that cultural landscape. Mr. Keller reiterated the importance about transparency in future plans for this area.

Ms. Echols mentioned that at the meeting with the applicant the previous Friday, they discussed possible changes to the site and ideas about improvements and it may be premature to assume that changes to the golf course in its entirety and the Berwick connection would be things staff would recommend for approval. She pointed out that staff had just gotten the list of possible projects and ideas on Friday, and have not yet had the opportunity to discuss these with the zoning administrator to know how close to conformity any of those might need to be in order to be by-right activities. Ms. Echols said there were impacts associated with Berwick and a potential change to the light pattern on Route 250, and the interconnection could potentially change some directional patterns of traffic from the residential uses. She stated that staff had just spoken with Ms. McCulley earlier that day, prior to this meeting, and they want an opportunity to clarify with her that there are not assumptions being made about what can and cannot be done under the existing special use permit or even with the proposed change in language. Ms. Echols said it was important that they have an opportunity to know what is being proposed for change to ensure it is not something requiring changes to the permit.

Mr. Keller asked if that meant the Commission would not be hearing this in early August.

Ms. Echols responded that there was no request to her knowledge for the Berwick Drive connection to be made, and the applicant may be looking to get that through a broader unconditional approval. She emphasized that staff has not analyzed that yet in terms of how it affects traffic patterns, and must have that opportunity to talk to the zoning administrator to find out about the change in the golf course allowed under the current special use permit – and if the changes are not allowed under that, it would benefit everyone to know the applicant's design and future vision. Ms. Echols stressed that seeing something on a concept plan may be so beneficial to understanding the similarities between what has previously been seen and what they are looking for. She said staff was not suggesting that all these things being mentioned are acceptable.

Mr. Missel stated that this was very helpful, but expressed that this is the challenge that the Foundation is facing. He emphasized that the County probably knows everything the

Foundation is planning already, and to him it sounds like there is suspicion that there might be some big thing out there that the Foundation has not shared with them. Mr. Missel said the County was aware of tennis and the Foundation has had conversations with VDOT about the connector road. He stated that the Foundation has one goal and one vision today – and that is to get the special use permit approved for this building so they can move forward. He said that they have to be careful with being an open book in terms of not bogging down other situations, so they are trying to balance the ability to continue to have this move forward. Mr. Missel stated that there is a larger vision in play that includes tennis, a connector road, a new golf course, etc., and if there are opportunities now at the special use permit level to create enough flexibility to allow them to do things that are reasonable and may have even been requested, then this is a reasonable request.

Mr. Missel said that there is not a big grand vision or hidden agenda for the site, and on the *Daily Progress* and other news sites, you will see an image of the golf course that Davis Love has created – showing the tennis, the connector road, a golf practice facility, etc. – and a master plan will not have much more than that. He stated that the Foundation does have the expertise and resources to bring to the table to restore these important facilities that benefit the County.

Mr. Keller stated that the Commission could assume that the Foundation will continue to have dialogue over the next few weeks before this item comes back to them, and hope they will have recommendations that are amenable to everyone.

Committee Reports

Mr. Keller invited committee reports.

Mr. Lafferty reported the Hydraulic CAC had met and received an overview from the TJPDC on the Long Range Transportation Plan; noting that it was the same presentation the Commission had received. He stated that they were making their rounds, which was very positive because they have asked for the last several years that the TJPDC be more open and come around to the different planning commissions for input.

Mr. Lafferty reported that the Citizens Transportation Advisory Committee (CTAC) had also met and reviewed the LRTP, with an update on the I-64 Corridor Study, which connects Charlottesville to Waynesboro, Staunton, and Harrisonburg. Mr. Lafferty said there was an update of the Hydraulic/Hillsdale small area plan, with a timeline of 50 years and planning going on in that regard. He said there was an update of the regional bike and pedestrian plan and there seemed to be more and more interest in bicycle and pedestrian now and incorporating that into the long-range plan – not as a separate item but as part of the whole plan.

Mr. Lafferty stated that the PACTEC meeting – a joint meeting of the City, County, and University – included a helpful update from Mr. Andrew Gast-Bray regarding what was happening with Hydraulic Road, multi-modal infrastructure, and part of 29 North/Rio Road. Mr. Lafferty said there was a lot of discussion about transit and enhancing transit, and the 29/Hydraulic plan looks like it is about halfway through planning. He reported that the City Planning Commission is in the middle of their Comprehensive Plan update, and they are looking at their strategic initiative area (SIA), which is west and south of Belmont Bridge, including the Ix Park area. He stated that they are looking for public engagement, and for the Belmont Bridge, the City is estimating that construction will begin in 2019. Mr. Lafferty said there is lots of building going on in the UVA Health System, which just opened an endoscopic center. He stated that UVA is doing a Fontaine residents park, emergency room improvements, and a

patients' bed tower. He said the Foundation was looking at the 250/Ivy Interchange and Brandon Avenue, and Birdwood – but not much was said about Birdwood during the meeting, as they were just in the planning stages. He mentioned that the Research Park would possibly have a residential component to it.

Mr. Palmer noted that a few of Mr. Lafferty's last items were UVA, and pointed out that he was referring to the UVA Research Park – not Fontaine Research Park – and the Foundation would be exploring possible residential use as well as what was already planned on the books. He explained that there is a master planning effort underway for Fontaine Research Park, which is really focused on making that site. He said that UVA recently did an overall plan of the health system called the "Integrated Health Sciences Plan," which looks at research and clinical uses all around the UVA Health System, and the effort currently includes how to implement that plan

Mr. Keller said a lot of the Foundation's plans are online and asked Mr. Palmer if he knew if the area referring to will be online.

Mr. Palmer replied that he was not sure and he would look into it, noting that those things were in process right now and it depended on who owned the plan. He stated that if it results in a site plan, it is on file with the county or the city, depending on whose jurisdiction it fell in.

Mr. Keller stated that this was most likely a discussion for the staffs that are dealing with planning, because it seems there have not been as many discussions lately as in the past.

Ms. Riley reported the Village of Rivanna CAC met. She said the chair and vice-chair had resigned, with the chair moving to another neighborhood, so an interim leader, Linda White, was serving as the chair. She stated that there was another extensive discussion about the Neighborhood Improvements Funding Initiative (NIFI), and the committee selected the sole project that met the criteria, which was the study of the stabilization of a section of the Rivanna Trail, which goes through Village of Rivanna. She said there was also discussion and review going into the Site Review Committee Meeting on Phase 1 of the Village of Rivanna, so there was some discussion about that in preparation for that meeting this past week.

Ms. More reported she had met with the Historic Preservation Committee yesterday. She pointed out that prior to the meeting, the committee receives a list of demolition permits – and the list looked like a huge spreadsheet but was really a running tab. Ms. More said she thinks that it was really helpful for the committee to see new demolition permits in preparation for their meeting. She stated that it is currently up to the property owner to give permission to document a property that might be significant – and they don't have to allow staff or members of the Historic Preservation Committee to do that, so that is something the committee is starting to have a discussion about.

Ms. Firehock asked what the demolition permits were for.

Ms. More responded that the demo list includes anything that rises to the level of being historic in nature in some way. She gave an example of the Southern Way Café, which is located in an historic building, and those owners agreed to have the building documented. She stated that some permits are issued and the property sits for a while prior to anything happening.

Ms. More reported that she had met with the Crozet Advisory Committee, and they went through the same neighborhood initiative funding process. She said the committee had already refined their list, and Emily Kilroy was present and explained the process moving forward. Ms. More

stated that Supervisor Ann Mallek ended up running the equivalent of a "town hall" and taking questions from the audience about where projects stand. She stated that there were three projects that would be further scoped, which Ms. Kilroy explained.

Ms. More provided an update on the survey that the Crozet community had been putting out to the community. She said she was not here when Ms. Echols gave the update on that. Ms. More explained that they were working with survey specialists, and one thing they have advised is for the scientific sample – which is 3,000 people with 2,000 inside the Crozet growth area and 1,000 outside – is to send a follow up postcard for those people who may have seen the letter. She said the postcards were just sent out and there have been 703 scientific responses and 426 responses that were just public, with any resident able to take it, as they do not have a code. Ms. More stated that those samples are kept separately, and Tom Guterbach has indicated that they should typically get 200-300 responses, so they were getting a pretty big response. She said the survey would close in mid-August and then the data would be complied and shared publicly.

Mr. Dotson reported that on July 27 at 7 p.m. in the lobby of the County Office Building, there would be a second charrette on the small area plan for the Rio/29 area that presented three alternatives – leading in the weeks to follow narrowing that down to one preferred alternative for detailed analysis. He commented that this was a key meeting.

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

Old Business

Mr. Keller invited old business.

Ms. Echols reported that work on transient lodging was continuing, and on July 5 the Board of Supervisors had a work session where they reviewed the County's existing regulations and information from other localities about what they are doing. She said that staff found out from the Board that they held a lot of different opinions about what should happen with transient lodging, but after a lot of discussion, they directed staff to get input on potential whole-house rentals with limitations, and input from the public on short-term rentals in apartments, condos and townhouse – which are not allowed for transient lodging under current regulations. Ms. Echols stated that the plan is for staff to garner public input and bring it back to the Commission along with recommendations developed from public input and studies they have done. She said the public input proposed was not exactly what the Board expected, as they wanted to make sure there were plenty of opportunities for public input. She commented that it is possible that the Board members felt they would agree with one another more than they did when the discussion took place, so they want to slow down the schedule for this rather than accelerate it.

Ms. Echols stated that staff suggested getting public input from hosts – the people who have bed and breakfast facilities, those with transient lodging facilities, and people who rent rooms in their homes. She said they would then have several opportunities for input from development area residents, and staff has suggested using CACs but they would be discussing with the Board how to best get input from residents. Ms. Echols stated that some of the residents may be providers, some may be people who use B&Bs regularly, and some may just be concerned neighbors. She said the third group would be rural area residents, because there is a piece of this that would affect rural area transient lodging as well. Ms. Echols stated that they want to get input from all three of those groups and then synthesize it so they can bring it to the Commission sometime in the fall. She noted that she would be working with Ms. Kilroy and Ms.

Ragsdale on a public participation plan, and then would have a schedule set up so there would be an anticipated date by which they would return to the Commission.

Ms. More asked if there was a timeline for public engagement.

Ms. Echols responded that it would be late August or September, possibly going into October before bringing this back to the Commission.

Ms. More asked if there was a strategy in place to get the hosts involved, as several constituents had reached out to her with a personal interest. She said that there were both small cottage-type renters and much larger operations, and it was very important to have all voices represented.

Ms. Echols agreed, noting that the County did not have a handle on how many transient lodging people there were, but there would be extensive outreach so that people know they can attend any of those meetings. She said that people who are currently operating them have some insights they want to share with staff, and there may be value in hearing from them separately – and anyone operating something large or small should have input. Ms. Echols confirmed that there would be ample advertising for the public input process, and constituents could be put on an email list managed by the County.

Ms. Firehock stated that she thought the procedure was for the County to start to collect lodging tax, then send out notice to people who were not in compliance, and she asked if any of that had been done at this point.

Ms. Echols explained that there had been adoption of a tax amendment, so people who were operating those facilities now were required to collect the transient occupancy tax. She stated that the County has not made any notifications of people operating facilities that are in violation – and there may be some that Zoning is working with in terms of active violation, but the County is not actively seeking out those who are not complying with current regulations. Ms. Echols said they would be looking at what standard the community is willing to accept, and if the regulations change, some of those people may come into compliance. She said that there were two aspects to this: the land use aspect and the finance aspect.

Mr. Blair explained that there were two tracks, and the Board had approved the tax component back in June, with the finance division handling that. He said he did not know if operators had been notified yet.

Ms. Firehock said she just wanted to be sure that she understood what her constituents were receiving.

Ms. Echols clarified that the plan is to go through the potential zoning text amendments first, then establish a registry, then put the word out that people need a zoning permit and registration with finance to pay their TOT. She said that contacting people was being put off until after they do the zoning.

New Business

Mr. Keller invited new business.

The next meeting will be on August 8, 2017.

Adjournment

Mr. Lafferty moved to adjourn the meeting to August 8, 2017. Mr. Dotson seconded the motion, which passed unanimously by a vote of (6-0) (Spain absent).

With no further items, the meeting adjourned at 8:18 p.m. to the August 8, 2017 Planning Commission meeting at 6:00 p.m., Lane Auditorium, Second Floor, County Office Building, 401 McIntire Road, Charlottesville, Virginia.

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Andrew Gast-Bray, Secretary

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

Approved by Planning Commission
Date: 9-26-2017
Initials: sct