Draft ACTIONS Planning Commission Meeting of June 19, 2018	
AGENDA ITEM/ACTION	**FOLLOW-UP ACTION**
1. **Call to Order**. • Meeting called to order at 6:00 p.m. by the Chair Keller. • PC members present were Ms. More, Mr. Dotson, Chair Keller, Mr. Bivins, Ms. Spain and Mr. Palmer (UVA Rep). Ms. Firehock and Vice-Chair Riley were absent. • Staff members present were Andrew Knuppel, Bill Fritz, Tim Padalino, David Hannah, Andrew Gast-Bray, Sharon Taylor and John Blair.	
2. **Other Matters Not on the Agenda from the Public** None	Clerk: No action required
3a. **Regular Item.** **B-2018-00883ATWR Country Green-Special Exception for a Tier I personal wireless facility proposed on an existing Virginia Dominion power structure** PROPOSAL: Alteration to an existing 100 foot power tower to add antenna on a platform for wireless communication at a new top height of 110 feet and ground equipment in an approximately 300 square foot equipment area that will be fenced and landscaped. The site would be accessed using a 15' wide access and utility easement running parallel to Redfields Road before turning to follow the Dominion power lines. A special exception is requested to permit the platform mounting type. WAIVERS: Yes – § 18-5.1.40.a(4)(f) - showing trees within 50' of the facility, § 18-5.1.40b(2)(c) - projection of antenna beyond 18 inches, and § 18-5.1.40.b(3) - tree conservation plan ZONING CATEGORY: R1 Residential LOCATION: Dominion Virginia Power transmission lines south of Redfields Road; between Hayrake Lane and Fieldstone Road TAX MAP/PARCEL:	Clerk: This matter will be forwarded to the Board of Supervisors to be heard on a date to be determined. Staff: Action Letter – Recommendation as noted in the actions.

	076S0-02-OS-001II, 076S0-02-00-06300 MAGISTERIAL DISTRICT: Samuel Miller (Andrew Knuppel) **RECOMMEND APPROVAL**, by a vote of 4:1 (More no)(Firehock, Riley absent), of the modifications for the reasons outlined in the staff report for B201800883 ATWR Country Green-Special Exception for a Tier I personal wireless facility as shown in **Attachment 1.**	
	The Planning Commission recessed at 7:50 p.m. and the meeting reconvened at 7:56 p.m.	
4a.	**Public Hearing Items.** **ZMA-2017-00010 Boar's Head Connector Road (Sign # 53)** MAGISTERIAL DISTRICT: Samuel Miller TAX MAP/PARCEL: 059D2-01-00-01500 LOCATION: 200 Wellington Dr., Charlottesville, VA 22903 PROPOSAL: Amend ZMA200400015 to construct a permanent vehicular and pedestrian connection between the Boar's Head Sports Club and the adjoining Birdwood property. PETITION: Amend the approved application plan from ZMA200400015 to allow for the construction and permanent, unrestricted use of a new private street and associated pedestrian infrastructure, which would establish interparcel connectivity between this 12.1-acre subject property and the adjoining 544-acre Birdwood property (TMP #07500-00-00-06300). ZONING: HC Highway Commercial – commercial and service uses by right, and residential by special use permit (15 units per acre). OVERLAY DISTRICT(S): AIRPORT IMPACT AREA and STEEP SLOPES – MANAGED. PROFFERS: Yes COMPREHENSIVE PLAN: Neighborhood Mixed Use Center in Neighborhood 6 of the Southern and Western Urban Neighborhoods, which allows for a mixture of residential uses (up to 18 units/acre); office, retail, and service uses primarily to serve nearby residential areas; and places of worship,	Staff: Action Letter – Recommendation as noted in the actions. Clerk: This matter will be forwarded to the Board of Supervisors in a timely manner to be heard on a date to be determined.

	schools, and public and institutional uses. (Tim Padalino) **RECOMMEND APPROVAL,** by a vote of 5:0 (Firehock, Riley absent) of ZMA-2017-00010 Boar's Head Connector Road with recommended changes from staff provided that the owner/applicant make technical changes noted in the report and make a commitment for the owner to pay a proportionate share of the cost of signalization or implementation of other transportation improvements if or when warranted as shown in **Attachment 2**.	
4b.	**SP-201700032 UVA Outdoor Tennis Facility (Sign #57)** MAGISTERIAL DISTRICT: Samuel Miller TAX MAP/PARCEL(S): 07500-00-00-06300 LOCATION: 410 Golf Course Dr., Charlottesville, VA 22903 PROPOSAL: Amend SP201700023 to allow for the construction of a new outdoor tennis facility for use by the University of Virginia men's and women's varsity tennis teams, as well as the expansion of the existing Birdwood Golf Course to consist of a new short course containing six (6) holes, on the Birdwood property. Proposal also includes a request to allow for unrestricted, permanent vehicular use of a new private street to establish interparcel connectivity with the adjoining Boar's Head Sports Club property (TMP #059D2-01-00-01500). PETITION: Swim, golf, tennis, or similar athletic facilities under Section 13.2.2.4 of the zoning ordinance. No new dwellings proposed on this 544-acre parcel. ZONING: R1 Residential, which allows residential use by right (1 unit per acre). OVERLAY DISTRICT(S): ENTRANCE CORRIDOR, AIRPORT IMPACT AREA, and STEEP SLOPES – MANAGED and – PRESERVED. COMPREHENSIVE PLAN: Institutional, which allows for schools, libraries, parks, major utilities, hospitals, universities, colleges, ancillary facilities, and undeveloped publicly owned	Staff: Action Letter – Recommendation as noted in the actions for the special use permit and special exception. Clerk: This matter will be forwarded to the Board of Supervisors to be heard in a timely manner on a date to be determined.

	property; and Parks and Green Systems, which allows for parks, playgrounds, play fields, greenways, trails, paths, recreational facilities and equipment, plazas, outdoor sitting areas, natural areas, and preservation of stream buffers, floodplains, and steep slopes adjacent to rivers and streams in Neighborhood 6 of the Southern and Western Urban Neighborhoods. (Tim Padalino) **RECOMMEND APPROVAL,** by a vote of 5:0 (Firehock, Riley absent) of **SP-2017-00032 for UVA Outdoor Tennis, Permanent Connector Road, and Birdwood Golf Course Addition** with the conditions outlined in the staff report, WITH MODIFICATIONS TO CONDITION #9 AS CONTAINED IN THE HANDOUT TITLED 'UPDATED STAFF RECOMMENDATIONS' DATED JUNE 19" as shown in **Attachment 3**. **RECOMMEND APPROVAL**, by a vote of 5:0 (Firehock, Riley absent) of the requested **Special Exception for an Outdoor Lighting Waiver** for the reasons outlined in the staff report and with the conditions outlined in the staff report as shown in **Attachment 3.**	
5.	**Presentation** **Biodiversity Action Plan** Informational presentation about the recently completed Biodiversity Action Plan for Albemarle County. No action is required at this time by the Planning Commission. County staff developed the plan in consultation with and with approval of the county's Natural Heritage Committee. (David Hannah) **RECEIVED** presentation. No formal action taken.	Staff: At the July 5 meeting of the Board of Supervisors, county staff will request Board approval to begin working with the Planning Commission on an amendment to the Comprehensive Plan. The proposed amendment will incorporate key components and recommendations from the Biodiversity Action Plan.
6.	**Committee Reports** The following committee reports were given: Jenny More reported: - Crozet CAC met with the main topic about Western Park in Old Trail.	

	- ACE met and the recommendations to change the ordinance goes to the Board on Wednesday. Julian Bivins reported: - The Rivanna Water Authority met. tonight for discussion on a water issue about running a pipeline between the two reservoirs	
7.	**Review of Board of Supervisors Meeting** – June 13, 2018 Mr. Gast-Bray reviewed the actions taken at the meeting.	
8.	**Old Business** **None**	
9.	**New Business** - Request for staff to set up short presentation on different types of cell towers and how they may be impacted by legislative changes. - Preliminary calendar distributed to be finalized next week. - Request by Mr. Bivins to work towards a recommendation for a Wireless Policy update.	Staff: - Set up presentation on Wireless Policy legislative changes. - Finalize preliminary calendar.
10.	**Items for follow-up** None	
11.	Adjourn to June 26, 2018 Albemarle County Planning Commission meeting, 6:00 p.m., Auditorium, Second Floor, County Office Building, 401 McIntire Road, Charlottesville, Virginia. • The meeting adjourned at 9:04 p.m.	

ATTACHMENT 1 – **B-2018-00883ATWR Country Green-Special Exception for a Tier I personal wireless facility** – Planning Commission Recommendation
ATTACHMENT 2 - **ZMA-2017-000010 Boar's Head Connector Road** – Planning Commission Recommendation
ATTACHMENT 3 - **SP-2017-00032 UVA Tennis, Permanent Connector Road, and Birdwood Golf Course Addition and Special Exception for Outdoor Lighting** – Planning Commission Recommendation

ATTACHMENT 1 -

B-2018-00883ATWR Country Green-Special Exception for a Tier I personal wireless facility – Planning Commission Recommendation

FACTORS FAVORABLE:

- The facility would utilize an existing structure, not located in an avoidance area.
- The facility would fill in coverage gaps in wireless service to surrounding neighborhoods and adjacent roadways.

The Planning Commission recommends the Board adopt the attached Resolution to approve the following special exceptions:

1) 5.1.40. a (f) – waive requirement to show trees within 50' of the facility.
2) 5.1.40.b(2)(c) – modify projection of antenna to allow stand-off distance beyond 18" from tower structure, provided that the antenna project no more than 3' 6" as shown on Sheet C-7.
3) 5.1.40.f(3) – waive tree conservation plan

SEE PROPOSED RESOLUTION OF INTENT

ATTACHMENT 2 –

ZMA-2017-000010 Boar's Head Connector Road – Planning Commission Recommendation

RECOMMEND APPROVAL, by a vote of 5:0 (Firehock, Riley absent) of ZMA-2017-00010 Boar's Head Connector Road with recommended changes from staff provided that the owner/applicant make technical changes noted in the report and make a commitment for the owner to pay a proportionate share of the cost of signalization or implementation of other transportation improvements if or when warranted.

ATTACHMENT 3 –

SP-2017-00032 UVA Tennis, Permanent Connector Road, and Birdwood Golf Course Addition and Special Exception for Outdoor Lighting - Planning Commission Recommendation

Based on the findings described in the staff report for SP-2017-00032 and factors identified as favorable therein, the Planning Commission **recommends approval of the special use permit amendment SP-2017-00032 with conditions** as recommended in the staff report, but with revisions to recommended condition of approval #9 as shown below:

Recommended Conditions of Approval – SP201700032:

1. Development of the Birdwood Property shall be in general accord with the concept plan entitled "Birdwood SP 2017-00032 Concept Plan" prepared by Elise Cruz, University of Virginia Foundation ("UVAF"), dated April 27, 2018, which includes sheets 1-4 (the "Concept Plan"), attached hereto, as determined by the Director of Planning and Zoning Administrator. To be in general accord, development and use shall reflect the following major elements shown on the Concept Plan and on each corresponding Concept Plan Detail, as noted below:

   A. Exhibit A – Concept Plan (Sheet 1 of 4):
      i. Locations of structures, improvements, and uses;
      ii. Limits of Golf Course, including 18-hole Golf Course, Par 3 Short Course, Practice Ground, Short Game area, and associated improvements; and
      iii. Location and alignment of Connector Road between Golf Course Drive and Berwick Road.
   B. Exhibit B – Tennis Facility Detail (Concept Plan Sheet 2 of 4):
      i. Location of Tennis Facility within area shown in green shading;
      ii. Location of future tennis courts within area outlined in a dashed oval and entitled, "Future tennis courts", and prohibition of high mast lighting in this area; and
      iii. Provision of ADA-compliant pedestrian infrastructure to connect Birdwood property (TMP #75-63) with neighboring Boar's Head Sports Club property (TMP #59D2-01—15).
   C. Exhibit C – Golf Practice Facility Detail (Concept Plan Sheet 3 of 4):
      i. Building location, orientation, and mass;
      ii. Parking lot location;
      iii. Installation of new landscaping for screening purposes;
      iv. Retention of trees shown for preservation; and
      v. Earthen berms adjacent to the new parking lot.
   D. Exhibit D – Connector Road Detail (Concept Plan Sheet 4 of 4):
      i. Location and alignment of Connector Road between Golf Course Drive and Berwick Road; and
      ii. Pedestrian infrastructure (including sidewalks, crosswalks, and outdoor lighting)

   Any new construction and/or improvements at the subject property, other than the site improvements that are in general accord with the Concept Plan and with each corresponding Concept Plan Detail as determined by the Director of Planning and Zoning Administrator, shall require an amended special use permit, except for the following:

   - Modifications to golf course layout within the boundaries of the existing 18-hole golf course, and outside of the boundaries of the Birdwood Mansion "Historic Core" and "Outer Precinct" as identified in the *Birdwood Landscape Site Protection and Stewardship*

Strategies Plan (2015);

- Construction of athletic-related accessory structures or other athletic-related improvements which primarily support the use of the golf course facilities and/or tennis facilities and which occur within the general area of those uses.
- Other minor modifications to the Concept Plan or corresponding Concept Plan Details that do not otherwise conflict with the elements listed above may be made to ensure compliance with the Zoning Ordinance, as determined by the Zoning Administrator.

2. Design and development of the improvements shown on Exhibit C – Golf Practice Facility Detail (Concept Plan Sheet 3 of 4) shall be subject to the following, as determined by the Planning Director or designee:

   a. Placement of the parking lot within the "bowl" created by the existing terrain in a way that minimizes grading of the slope to the north of the new parking lot, which is to be preserved for its screening effect;
   b. Construction of earthen berms adjacent to the parking lot which are compatible with existing topographic variation and which further reduce the visibility of the parking lot and parked cars from Golf Course Drive;
   c. Approved planting plan and planting schedule which, at minimum, include:
      i. New landscaping materials planted in naturalistic or informal arrangements which are consistent and compatible with the existing landscape in terms of character, density, and species;
      ii. A meadow or similar grass landscape along Golf Course Drive; and
      iii. The use of native plant materials; and
   d. Submittal of a conservation plan prepared by a certified arborist to preserve trees identified for preservation, including the treatment of all ash trees (species *Fraxinus)* that are to be preserved for protection against the emerald ash borer *(Agrilus planipennis),* to be used in conjunction with any required conservation checklist. If all reasonable alternatives for preservation have been explored, and such trees cannot be retained due to the health of the tree as determined by the certified arborist, removal may occur.

3. Design and development of the improvements shown on Exhibit D – Connector Road Detail (Concept Plan Sheet 4 of 4) shall comply with the Special Exception (Grading Buffer Waiver) and all Special Exception Conditions approved by the Board of Supervisors on April 4, 2018.

4. Expansion or replacement of the Clubhouse is permissible, provided that all site plan, building permit, and all other applicable permit approvals are properly obtained.

5. No change in use of the Birdwood Mansion is permitted through this Special Use Permit Amendment.

6. All proposed outdoor lighting for the property shall comply with Albemarle County Code, except as otherwise modified or waived by the Board of Supervisors through the approval of a Special Exception request (as may be applicable). Tall mast lighting shall not be permitted for tennis courts in the area designated as "Future tennis courts" on Exhibit B – Tennis Facility Detail (Concept Plan Sheet 2 of 4), dated April 27, 2018.

7. Sound studies that demonstrate compliance with the Albemarle County Noise Ordinance, as determined by the Zoning Administrator or her designee, shall be submitted to Albemarle County prior

to the issuance of a Certificate of Occupancy for the Tennis Facility.

8. The owner's traffic consultant shall conduct signal warrant analyses for the Golf Course Drive and Ednam Drive intersections with U.S. Route 250 to determine if volumes indicate that any modification to intersection controls should be implemented. Such analyses shall be conducted a minimum of two times (the first shall occur twelve (12) months after the permanent opening of the connector road, and the second shall occur twenty-four (24) months after the permanent opening of the connector road), and shall be submitted to Albemarle County for review. If any modification is indicated based on traffic volumes collected per standard procedures of the Virginia Department of Transportation ("VDOT"), the owner's consultant will prepare and submit the requisite Signal Justification Report evaluating alternative intersection control to VDOT and Albemarle County and engage in discussion about the appropriate measures, if any, to be taken at either intersection.

9. **If VDOT and the County determine at any time within five (5) years after the permanent opening of the connector road that signalization or other improvements – together, "transportation improvements" – are appropriate for the Golf Course Drive intersection and/or Ednam Drive intersection with U.S. 250 / Ivy Road, the owner shall pay its pro rata share based on its proportionate contribution to the need for such transportation improvements.**

   ~~In connection with any public transportation infrastructure improvements which may be determined by VDOT and the County to be appropriate for the Golf Course Drive intersection and/or Ednam Drive intersection with U.S. 250 / Ivy Road, the owner/applicant shall pay its pro rata share of the cost for signalization (or for other improvements that may be determined by VDOT and the County to be appropriate – together, "transportation improvements") as follows:~~

   ~~a. Prior to the issuance of a building permit, the owner/applicant shall place funds in escrow or provide other security ("security") acceptable to the County in an amount equal to its pro rata share of the cost of the transportation improvements, which amount shall be calculated by the Director of Community Development in the year in which the security is provided. The security shall continue so that it is available to pay for the cost of the transportation improvements until twenty-five (25) years after the date of approval of this special use permit; security provided that is not in an interest-bearing account shall be renewed every three (3) years; and~~

   ~~b. If, at any time until twenty-five (25) years after the date of approval of this special use permit, VDOT authorizes in writing the implementation of transportation improvements, and VDOT and the County's Engineer approve the transportation improvement's implementation before the applicant has obtained a building permit, the County may demand payment of the applicant's pro rata share of the cost of the traffic signal, and the applicant shall pay its pro rata share of the cost to the County within thirty (30) days of that demand.~~

10. The owner shall continue to implement an Integrated Pest Management/Nutrient Management Plan to reduce adverse water quality impacts.

11. Ingress and egress along Birdwood Drive shall continue to be restricted, to the satisfaction of the Zoning Administrator, to only those residences served by Birdwood Drive and shall not be used as an access to the Indoor Golf Practice Facility or other areas of Birdwood.

12. Use of the property must adhere to the Events Management Plan as described in Proffer #4 of ZMA201700010.

13. SP201700032 shall remain valid so long as construction of any one of the uses proposed herein is commenced within 5 years from the date of approval.

SPECIAL EXCEPTION FOR AN OUTDOOR LIGHTING WAIVER RECOMMENDED CONDITIONS

The Planning Commission recommends approval of the requested Special Exception for an Outdoor Lighting Waiver for the height of the lighting poles supporting the outdoor lights for the hard courts at the proposed tennis facility to be a maximum of 70 feet, **with the following conditions**:

1. All light fixtures used in conjunction with light poles utilizing the maximum allowable height granted by Special Exception must be full cut-off dimmable LED lights, as proposed by the applicants.
2. The full cut-off dimmable LED lights may only be used at the level of illumination required for televised nighttime play during such televised nighttime play, and the lights shall be dimmed during other times (such as evening practices), as proposed by the applicants.
3. The waiver shall only apply to the proposed 12 hard courts within the proposed tennis facility; any future tennis courts located in the area denoted for "Future tennis courts" on Exhibit B – Tennis Facility Detail (Concept Plan Sheet 2 of 4) shall have outdoor lighting consisting of poles which comply with the 35' maximum height and full cut-off luminaires, as proposed by the applicants.