

FINAL ACTIONS
Planning Commission Meeting May 8, 2012

<u>AGENDA ITEM/ACTION</u>	<u>FOLLOW-UP ACTION</u>
<p>1. Call to Order.</p> <ul style="list-style-type: none"> • Meeting was called to order at 6:00 p.m. by Calvin Morris, Chairman. • PC members present were Mr. Morris, Mr. Loach, Mr. Dotson, Mr. Randolph, Mr. Franco, Mr. Smith, and Mr. Lafferty. Ms. Monteith was present. • Staff present was Scott Clark, Megan Yaniglos, Ron Higgins, David Benish, Sharon Taylor, and Greg Kamptner. 	
<p>2. From the Public: Matters Not Listed for Public Hearing on the Agenda.</p> <p>Doug Arrington, resident of Fiddlestick Lane one lot removed from Whittington Development, noted the only reference in Sunday's Progress towards highway infrastructure was they don't have the money – but they can't let that get in the way. He disagrees with that. Virginia Code Section 15-2-2200, declaration of legislation of intent, states that the comprehensive plan should establish for orderly and efficient development. Due to the fact that there isn't money now or in the foreseeable future for infrastructure improvements to achieve an orderly and efficient development he would argue that they indeed need to place limits on the comprehensive plan. Once again he would like to bring into the conversation the creation of an escrow account dedicated to infrastructure in the southern urban development area, which he refers to as the north end of Biscuit Run Valley. It could be funded with proffers through the ZMA process, creation of a special tax district, sales and property taxes, and/or some other means deemed appropriate. Due to the traffic overload on the 5th Street bridge he would ask the Commission in consideration with the Board to seriously look at the infrastructure in the Southern Urban Development Area since it is not fair to the people who live along the Southern Parkway for proposed routes.</p>	<p><u>Clerk:</u></p> <ul style="list-style-type: none"> • No action required
<p>3. Committee Reports</p> <ul style="list-style-type: none"> • Mr. Lafferty reported the PACC Tech Committee did not meet. The MPO Policy Committee meets on May 23rd at 4:00 p.m. in the Water Street Office of the TJPDC. The Charlottesville Albemarle Regional Transportation 	<p><u>Clerk:</u></p> <ul style="list-style-type: none"> • No action required

<p>Advisory Committee (CHART) met last week and reviewed next year's draft Charlottesville-Albemarle MPO Unified Planning and Work Program. The MPO's Transportation Improvement Program and the Long Range Transportation Plan were also discussed. He provided a brief summary of the Transportation Plan funding expectations and traffic modeling results.</p> <ul style="list-style-type: none"> Mr. Lafferty also noted May is Bike Awareness Month and next week is Bike Awareness Week. He described a number of next week's activities. 	
<p>4. Review of Board of Supervisors Meeting – May 2, 2012</p> <p>Mr. Benish reviewed the Board actions taken on May 2, 2012.</p>	<p><u>Staff:</u></p> <ul style="list-style-type: none"> No action required
<p>5. Public Hearing Items</p> <p><u>SP-2012-00003 Congregation Beth Israel Cemetery in Ivy</u></p> <p>PROPOSAL: Special Use Permit to allow a cemetery on a rural area residential property which allows a cemetery under Section 10.2.2 (32) of the Zoning Ordinance.</p> <p>ZONING: RA- Rural Areas- agricultural, forestal, and fishery uses; residential density (0.5 unit/acre in development lots)</p> <p>ENTRANCE CORRIDOR: Yes</p> <p>COMPREHENSIVE PLAN: Rural Areas- preserve and protect agricultural, forestall, open space, and natural, historic and scenic resources/density (0.5 unit/acre in development lots)</p> <p>LOCATION: 4460 Ivy Road</p> <p>TAX MAP/PARCEL: 058000000064NN</p> <p>MAGISTERIAL DISTRICT: Samuel Miller (Megan Yaniglos)</p> <p>RECOMMEND APPROVAL OF SP-2012-00003, by a vote of 7:0, subject to the conditions stated in the staff report, as amended and shown in Attachment 1.</p>	<p><u>Clerk:</u></p> <ul style="list-style-type: none"> Action Letter – Recommend Approval of SP-2012-00003 subject to conditions recommended by staff, as amended and shown in Attachment 1. The matter will be forwarded to the Board of Supervisors on a date to be determined.
<p>6. <u>SP-2010-00046 New Hope Community Church</u></p> <p>PROPOSED: 400-seat church with offices and classrooms</p> <p>ZONING CATEGORY/GENERAL USAGE: RA Rural Areas - agricultural, forestal, and fishery uses; residential density (0.5 unit/acre in development lots); EC Entrance Corridor - Overlay to protect properties of historic, architectural or cultural significance from visual impacts of development along routes of tourist access; AIA Airport Impact</p>	<p><u>Clerk:</u></p> <ul style="list-style-type: none"> Action Letter – Recommend Approval of SP-2010-00046 (church only), by a vote of 7:0, with the conditions recommended by staff, as amended and outlined emphasizing it is for the church only. The Conceptual Plan identified in recommended condition 1. will need to be modified to reflect the approval for the church, only. Action Letter – Recommend approval of the critical slopes waiver for the church only under Section 4.2.5(a) for SP 2010-46 New Hope Church.

Area - Overlay to minimize adverse impacts to both the airport and the surrounding land
SECTION: 10.2.2.35, Church building and adjunct cemetery
COMPREHENSIVE PLAN LAND
USE/DENSITY: Rural Areas - preserve and protect agricultural, forestal, open space, and natural, historic and scenic resources/ density (.5 unit/ acre in development lots)
ENTRANCE CORRIDOR: Yes
LOCATION: Northwest side of intersection of Dickerson Road (Route 606) and Dickerson Lane (Route 763).
TAX MAP/PARCEL: 02100000012C1
MAGISTERIAL DISTRICT: White Hall

AND

SP-2010-00047 New Hope Community Church Soccer Field

PROPOSED: Soccer field for athletic events, on grounds of proposed new church
ZONING CATEGORY/GENERAL USAGE: RA Rural Areas - agricultural, forestal, and fishery uses; residential density (0.5 unit/acre in development lots); EC Entrance Corridor - Overlay to protect properties of historic, architectural or cultural significance from visual impacts of development along routes of tourist access; AIA Airport Impact Area - Overlay to minimize adverse impacts to both the airport and the surrounding land
SECTION: SP201000047: 10.2.2.4, Swim, golf, tennis or similar athletic facilities (reference 5.1.16)
COMPREHENSIVE PLAN LAND
USE/DENSITY: Rural Areas - preserve and protect agricultural, forestal, open space, and natural, historic and scenic resources/ density (.5 unit/ acre in development lots)
ENTRANCE CORRIDOR: Yes
LOCATION: Northwest side of intersection of Dickerson Road (Route 606) and Dickerson Lane (Route 763).
TAX MAP/PARCEL: 02100000012C1
MAGISTERIAL DISTRICT: White Hall
(Scott Clark)

APPROVED DEFERRAL OF SP-2010-47 (soccer field), by a vote of 7:0 as per the applicant's request. The applicant plans to meet with the neighborhood residents on the soccer field plan prior to rescheduling.

RECOMMEND APPROVAL OF SP-2010-00046 (church), by a vote of 7:0, with the conditions recommended by staff, as amended and shown in **Attachment 2**.

- Action Letter – Granted deferral for SP-2010-00047(soccer field), by a vote of 7:0, as requested by the applicant. It is the Commission's expectation that the applicant will work on the plan for the soccer field/multi-purpose field with the neighbors prior to rescheduling.
- The matter will be forwarded to the Board of Supervisors on a date to be determined for SP-2010-00046 (church only) and associated critical slopes waiver.

<p>RECOMMEND APPROVAL OF Critical Slopes Waiver for SP-2010-00046 (church only), by a vote of 7:0, with the conditions recommended by staff, as amended and shown in Attachment 2.</p>	
<p>The Planning Commission took a break at 7:25 p.m. The meeting reconvened at 7:32 p.m.</p>	
<p>7. SP-2011-00027 Panorama Events PROPOSED: Special events in existing barn ZONING CATEGORY/GENERAL USAGE: RA, Rural Areas- agricultural, forestal, and fishery uses; residential density (0.5 unit/acre in development lots) SECTION: 10.2.2.50, which allows for Special events (reference 5.1.43) COMPREHENSIVE PLAN LAND USE/DENSITY: Rural Areas in Rural Area 1 - Preserve and protect agricultural, forestal, open space, and natural, historic and scenic resources/ density (.5 unit/acre in development lots) ENTRANCE CORRIDOR: No LOCATION: Reas Ford Lane (Route 661), approximately 0.5 miles south of its intersection with Reas Ford Road (Route 660) TAX MAP/PARCEL: 04500-00-00-00100 MAGISTERIAL DISTRICT: Rio Scott Clark)</p> <p>RECOMMEND APPROVAL OF MODIFICATIONS to Sections 5.1.43(e)(1) by a vote of 7:0, with the recommended condition as shown in Attachment 3.</p> <p>RECOMMEND APPROVAL OF SP-2011-00027, by a vote of 7:0, with the conditions recommended by staff, as shown in Attachment 3.</p>	<p><u>Clerk:</u></p> <ul style="list-style-type: none"> • Action Letter – Recommend Approval of SP-2011-00027 with the condition as shown in Attachment 3, including a modification of Section 5.1.43(e)(1) to permit up to 200 attendees • The matter will be forwarded to the Board of Supervisors on a date to be determined.
<p>8. Old Business</p> <ul style="list-style-type: none"> • An abridged Land Use Law Handbook and a cheat sheet (quick reference), would be worked on by Mr. Kemptner and made available in several weeks. • Bruce Dotson brought up an excellent point that various professional organizations, state as well as national, select certain comp plans and other planning documents that judges feel are deserving of special merit. He suggested possibly getting some of these and passing out copies to the Planning Commission and sitting down to determine what makes them so special. • Additional information on the transportation models passed around 	<p><u>Secretary:</u></p> <ul style="list-style-type: none"> • Research obtaining copies of planning documents receiving special merit from web site. • Find out status of request for joint meeting.

<p>by Mr. Lafferty can be obtained from the MPO web site.</p> <ul style="list-style-type: none"> Request for status of request for joint meeting with Board about expansion of the Development Area. The majority of the Commission felt that it was not appropriate at this time. 	
<p>9. New Business</p> <ul style="list-style-type: none"> Request to possibly adjust PC meeting dates in summer to accommodate absences. Commissioners should forward dates they will be away to staff for consideration of schedule change. Julia Monteith will be absent at next week's meeting on May 15. Commissioners want to discuss the characteristics and character of rural area and what it means to live in the rural areas. When the Commission discusses the rural area section in the comp plan there are issues that the Commission wants to rediscuss based on the vision of the rural areas. Several Commissioners missed the rural area discussion. It may be helpful to have a higher level view to make sure they are on the same page for the current comp plan. It would be helpful to discuss the changes and the cumulative effect of that. 	<p><u>Staff:</u></p> <ul style="list-style-type: none"> Staff to provide dates set aside in summer months for public hearings. Commissioners to email dates they will be away during summer months. Staff to provide an overview on the vision of the rural areas with where they are today and what changes they expect to be making.
<p>10. Review of Board of Supervisors Meeting – May 2, 2012</p> <p>Mr. Benish reviewed the Board actions taken on May 2, 2012.</p>	<p><u>Staff:</u></p> <ul style="list-style-type: none"> No action required
<p>11. Adjourn to May 15, 2012, 6:00 p.m., Auditorium, Second Floor, County Office Building, 401 McIntire Road, Charlottesville, Virginia.</p> <ul style="list-style-type: none"> The meeting was adjourned at 8:21 p.m. 	

Attachment 1 - SP-2012-00003 Congregation Beth Israel Cemetery in Ivy – Recommended Conditions of Approval

Attachment 2 - SP-2010-00046 New Hope Community Church – Recommended Conditions of Approval

Attachment 3 – SP-2011-00027 Panorama Events – Recommended Conditions of Approval

ATTACHMENT 1

SP-2012-00003 Congregation Beth Israel Cemetery in Ivy – Recommended Conditions of Approval

1. Development and use shall be in general accord with the conceptual plan titled “Concept Plan for Special Use Permit” prepared by Brian Smith and dated April 12, 2012 (hereafter “Conceptual Plan”), as determined by the Director of Planning and the Zoning Administrator. To be in general accord with the Conceptual Plan, development and use shall reflect the following major elements within the development essential to the design of the development, as shown on the Conceptual Plan:
 - a. *Location of proposed parking area*
 - b. *location of buildings and structures*
 - c. *location of proposed cemetery*
2. The maintenance and operation (digging of graves) of the cemetery shall be conducted during day light hours only.
3. No new buildings including maintenance buildings, mausoleums, columbarium or the like shall be constructed on the property.
4. **The deadline for construction to commence for the special use permit extended from 24 months (2 years) to 48 months (4 years).**

Attachment 2

SP-2010-00046 New Hope Community Church – Recommended Conditions of Approval

1. Development and use shall be in general accord with the conceptual plan titled “Conceptual Plan: New Hope Community Church,” prepared by Blackwell Engineering PLC, revision number 3 (dated 2-18-12), (hereafter “Conceptual Plan”), as determined by the Director of Planning and the Zoning Administrator. To be in general accord with the Conceptual Plan, development and use shall reflect the following major element within the development essential to the design of the development, as shown on the Conceptual Plan **for the church only**:
 - location of buildings and structures, which may be built in phases
 - location and maximum number of parking spaces, which may be built in phases
 - location of the entrance
 - location of the “wooded area to remain,” within which land clearing and development shall not occur, with the exception that the designated “Proposed Reserve Drainfield” site may be cleared and used only for that purpose

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

2. All outdoor lighting shall be only full cut-off fixtures and shielded to reflect light away from all abutting properties. A lighting plan limiting light levels at all property lines to no greater than 0.3 foot candles shall be submitted to the Zoning Administrator or their designee for approval.
3. All outdoor lighting shall be only full cut-off fixtures and shielded to reflect light away from all abutting properties. A lighting plan limiting light levels at all property lines to no greater than 0.3 foot candles shall be submitted to the Zoning Administrator or their designee for approval.
4. There shall be no day care center or private school on site without approval of a separate special use permit;
5. Entrance design and location must be approved by the Virginia Department of Transportation before construction of the access road for this use may commence.
6. Written approval of water-supply and septic facilities from the Virginia Department of Health must be submitted before this use may commence.
7. **Adjustments to be made to concept plan prior to scheduling with Board to ensure that the concept plan is consistent with just the approval of the church.**

Attachment 3
SP-2011-00027 Panorama Events – Recommended Conditions of Approval

The Planning Commission recommends approval of SP-2011-00027 with the conditions stated in the staff report, as follows.

1. Development of the use shall be in conformity with the conceptual plan entitled “Concept Plan” and labeled “Attachment A: Aerial View.”, prepared by the applicant,

To be in general accord with the plan, development shall reflect the following central features essential to the design of the development:

- the structure used for the events
- location of the entrance and parking areas

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

2. The maximum number of events per calendar year shall not exceed 24.
3. The maximum number of event guests shall not exceed 200 persons.
4. Hours of operation for the events shall be no earlier than 11:30 a.m. and no later than 10:30 p.m.
5. No new permanent outdoor lighting shall be installed for this use.
6. There shall be no outdoor amplified sound permitted for this use.
7. The use shall not commence without approval from the Virginia Department of Transportation of sight distance from the entrance to the property.

Modifications:

By a vote of 7:0, the Planning Commission recommends approval of granting the modification from Section 5.1.43(e)(1) for SP-2011-00027 Panorama Events with the following condition for reasons outlined in the staff report.

1. The maximum number of event guests shall not exceed 200 persons.

Note: The proposed modification is to permit 200 attendees rather than the maximum of 150 as required under 5.1.43(e)(1).