

**FINAL ACTIONS**  
**Planning Commission Meeting of July 17, 2012**

<b><u>AGENDA ITEM/ACTION</u></b>	<b><u>FOLLOW-UP ACTION</u></b>
<p>1. Call to Order.</p> <ul style="list-style-type: none"> <li>• Meeting was called to order at 6:00 p.m. by Calvin Morris, Chairman.</li> <li>• PC members present were Mr. Morris, Mr. Loach, Mr. Randolph, Mr. Franco, and Mr. Lafferty. Absent were Mr. Dotson, Mr. Smith, and Ms. Monteith.</li> <li>• Staff present was Sarah Baldwin, Christopher Perez, Claudette Grant, Bill Fritz, Wayne Cilimberg, Sharon Taylor, David Benish, Mark Graham, and Greg Kamptner.</li> </ul>	
<p>2. <b>From the Public: Matters Not Listed for Public Hearing on the Agenda.</b></p> <ul style="list-style-type: none"> <li>• Neil Williamson, with Free Enterprise Forum, spoke regarding the Fauquier County Board of Supervisors recent adoption of new winery regulations which he believes are “draconian”. He noted his belief that Albemarle County’s Winery Ordinance balances the needs of neighbors and agribusinesses. He discouraged Albemarle County from following Fauquier’s lead.</li> </ul>	<p><u>Clerk:</u></p> <ul style="list-style-type: none"> <li>• No action required</li> </ul>
<p>3. <b><u>Committee Reports</u></b></p> <ul style="list-style-type: none"> <li>• Mr. Franco reported the Affordable Housing Group met to look at the policy and are likely on track to have something for the PC in August.</li> <li>• Mr. Lafferty reported the CHART Citizen Transportation Committee met to primarily discuss the changes in Map21 and the Federal Transportation Budget amendments and what those</li> </ul>	<p><u>Clerk:</u></p> <ul style="list-style-type: none"> <li>• No action required</li> </ul>

<p>changes will mean to communities for the next two years. He noted that there was also considerable discussion of the Eastern Bypass (Eastern Avenue) concepts.</p> <ul style="list-style-type: none"> <li>• Mr. Randolph reported the Historic Preservation Meeting discussed the possibility of meeting with the Planning Commission about historic preservation and would hope to do so in the next six to nine months out.</li> </ul>	
<p>4. <b><u>Review of Board of Supervisors Meeting – July 11, 2012</u></b></p> <p>Mr. Cilimberg reviewed the actions taken on July 11, 2012.</p>	<p><u>Clerk:</u> No action required</p>
<p>5. <b><u>Consent Agenda</u></b></p> <p><b><u>Approval of Minutes:</u></b> February 8, 2012 and May 15, 2012</p> <p><b>APPROVED CONSENT AGENDA,</b> by a vote of 5:0. (Smith, Dotson absent)</p>	<p><u>Clerk:</u></p> <ul style="list-style-type: none"> <li>• Finalize Minutes &amp; Obtain Signature</li> </ul>
<p>6. <b><u>Item Requesting Indefinite Deferral</u></b></p> <p><b><u>SP-2012-00017 Ntelos Wireless - Llandaft Property - Tier III PWSF (Sign # 90)</u></b></p> <p>PROPOSAL: Tier III personal wireless service facility on 19.8 acres. No dwellings proposed. ZONING CATEGORY/GENERAL USAGE: RA Rural Areas - agricultural, forestal, and fishery uses; residential density (0.5 unit/acre in development lots). SECTION: Chapter 18 Section 10.2.2(48) of the Albemarle County Code, which allows for Tier III personal wireless service facilities (reference 5.1.40). ENTRANCE CORRIDOR OVERLAY DISTRICT to protect properties of historic, architectural, or cultural</p>	<p><u>Clerk:</u></p> <ul style="list-style-type: none"> <li>• Action Letter – SP-2012-00017 was indefinitely deferred at the request of the applicant.</li> </ul>

<p>significance from visual impacts of development along routes of tourist access: Yes.</p> <p>COMPREHENSIVE PLAN: Rural Areas – preserve and protect agricultural, forestal, open space, and natural, historic and scenic resources/ density (0.5 unit/ acre in development lots).</p> <p>LOCATION: 4319 Scottsville Rd (Route 20).</p> <p>TAX MAP/PARCEL: 11200-00-00-00900.</p> <p>MAGISTERIAL DISTRICT: Scottsville (Brent Nelson)</p> <p><b>APPLICANT REQUESTS INDEFINITE DEFERRAL.</b></p> <p><b>INDEFINITELY DEFERRED SP-2012-00017</b>, by a vote of 5:0, as requested by the applicant.</p>	
<p>4. <b>SDP-2012-00030 Estes Park - Preliminary Site Plan</b></p> <p>PROPOSAL: Request for approval of preliminary site plan for 68 single family attached units on 12.75 acres.</p> <p>PROFFERS: Yes</p> <p>ZONING: PRD- Planned Residential Development- residential (3-34 units/acre) with limited commercial uses per ZMA2010-011</p> <p>EXISTING COMPREHENSIVE PLAN LAND USE/DENSITY: Urban Density Residential – residential (6.01 – 34 units/ acre); supporting uses such as religious institutions, schools, commercial, office and service uses.</p> <p>ENTRANCE CORRIDOR: No</p> <p>LOCATION: In the southeast quadrant of the intersection of Proffit Road (Rt 649) and Worth Crossing, approximately 800 feet south of Proffit Road in the Community of Hollymead.</p> <p>TAX MAP/PARCEL: 03200000003300; 03200000003400</p> <p>MAGISTERIAL DISTRICT: Rivanna</p>	<p>Clerk:</p> <ul style="list-style-type: none"> <li>Action Letter – SDP-2012-00030 was indefinitely deferred at the request of the applicant.</li> </ul>

<p>(Megan Yaniglos)</p> <p><b>INDEFINITELY DEFERRED SDP-2012-00030</b>, by a vote of 5:0, as requested by the applicant.</p>	
<p><b><u>Public Hearing Items</u></b></p> <p><b><u>SP-2012-00015 Verizon Wireless Colthurst-Ingleridge LLC., Tier III Personal Wireless Service Facility (Signs # 20 &amp; 21)</u></b></p> <p>PROPOSED: Request for installation of a three new flush-mounted antennas on an existing tower which will involve retrofitting an extension mount to a new height of 139 feet, relocation of the existing antenna array and changes to associated ground equipment.</p> <p>ZONING CATEGORY/GENERAL USAGE: RA, Rural Areas-agricultural, forestal, and fishery uses; residential density (0.5 unit/acre in development lots); FH Flood Hazard – Overlay to provide safety and protection from flooding; AIA Airport Impact Area-Overlay to minimize adverse impacts to both the airport and the surrounding land.</p> <p>SECTION: 10.2.2 (48) which allows for Tier III personal wireless facilities in the RA Zoning District.</p> <p>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 (0.5 unit/ acre in development lots).</p> <p>ENTRANCE CORRIDOR: YES.</p> <p>LOCATION: 1575 Ingleridge Farm.</p> <p>TAX MAP/PARCEL: 06000-00-00-002A0</p> <p>MAGISTERIAL DISTRICT: Jack Jouett. (Sarah Baldwin)</p> <p><b>RECOMMEND APPROVAL</b>, by a vote of 5:0, of the special exceptions for the modification for SP-2012-</p>	<p><b>Clerk:</b></p> <ul style="list-style-type: none"> <li>• Action Letter – Recommend approval of the special exceptions for the modifications for SP-2012 -00015 Verizon Wireless Colthurst-Ingleridge LLC., Tier III PWSF to allow the height increase to 139 feet, additional antenna arrays and associated ground equipment and modifications provided in the staff report.</li> <li>• Recommend approval of SP-2012 -00015 Verizon Wireless Colthurst-Ingleridge LLC., Tier III PWSF with the conditions outlined in the staff report as shown in Attachment 1.</li> <li>• The request will go before the Board of Supervisors on August 1, 2012.</li> </ul>

<p>00015 Verizon Wireless Colthurst-Ingleridge LLC., Tier III PWSF as recommended by staff.</p> <p><b>RECOMMEND APPROVAL OF SP-2012-00015</b>, by a vote of 5:0, with the conditions outlined in the staff report and in Attachment 1.</p>	
<p><b><u>SP-2012-00016 NTELOS WIRELESS – CV825 Cedar Hill-Tier III Personal Wireless Service Facility (Sign # 91 &amp; 94)</u></b></p> <p>PROPOSED: A one hundred and fifteen (115) foot tall steel monopole tower painted brown with a flush-mounted antenna array consisting of three (3) panel antennas and associated ground equipment which will be located within a twenty (20) foot by thirty (30) foot leased compound area. The access road to the proposed facility is an existing paved road.</p> <p>ZONING CATEGORY/GENERAL USAGE: (RA) Rural Areas – agricultural, forestal, and fishery uses; residential density (0.5 unit/acre in development lots).</p> <p>SECTION: 10.2.2(48) which allows for Tier III personal wireless service facilities in the RA Zoning District.</p> <p>COMPREHENSIVE PLAN LAND USE/DENSITY: Rural Areas 4 – Preserve and protect agricultural, forestal, open space, and natural, historic and scenic resources/ density (.5 unit/acre in development lots).</p> <p>ENTRANCE CORRIDOR: NO.</p> <p>AGRICULTURAL FORESTAL DISTRICT: YES</p> <p>LOCATION: David Road, Marshall Manor Subdivision, East Side of Rte 20.</p> <p>TAX MAP/PARCEL: 090B0-00-0A-01100.</p> <p>MAGISTERIAL DISTRICT: Scottsville (Christopher Perez)</p>	<p>Clerk:</p> <ul style="list-style-type: none"> <li>• Action Letter – Recommend approval of SP-2012-00016 Ntelos Wireless – CV825 Cedar Hill – Tier III PWSF with conditions as revised by staff eliminating condition 1, as outlined in Attachment 2.</li> <li>• Recommend approval, by a vote of 5:0, of the special exception for the modification to allow the facility to be up to 10’ above the reference tree for reasons outlined in the staff report.</li> <li>• Recommend approval of the special exception to allow the disturbance of critical slopes.</li> <li>• The request will go before the Board of Supervisors on August 1.</li> </ul>

<p><b>RECOMMEND APPROVAL OF SP-2012-00016</b>, by a vote of 5:0, of Tier III PWSF with conditions as revised by staff eliminating condition 1.</p> <p><b>RECOMMEND APPROVAL</b>, by a vote of 5:0, of the special exception to allow the facility to be up to 10' above the reference tree for reasons outlined in the staff report.</p> <p><b>RECOMMEND APPROVAL</b>, by a vote of 5:0, of the special exception to allow the disturbance of critical slopes.</p>	
<p>5. <b><u>ZMA-2011-00010 Albrecht Place (Sign #101)</u></b>  PROPOSAL: Request to include a required application plan on 3.398 acres for property zoned PDSC which allows shopping centers, retail sales and service uses; residential by special use permit at a density of (15 units/acre). No dwellings proposed. No change in zoning district proposed.  ENTRANCE CORRIDOR: Yes  PROFFERS No  COMPREHENSIVE PLAN: Urban Mixed Use (in Centers) – retail, residential, commercial, employment, office, institutional, and open space in Neighborhood 1 in Places 29.  LOCATION: Directly behind the north section of Shoppers World shopping Center and directly behind 2111 &amp; 2115 Berkmar Drive.  TAX MAP/PARCEL:  061M00012001E0  MAGISTERIAL DISTRICT: Rio (Claudette Grant)</p> <p><b>RECOMMEND APPROVAL OF ZMA-2011-00010</b>, by a vote of 5:0, as outlined in Attachment 3.</p> <p><b>RECOMMEND APPROVAL OF SPECIAL EXCEPTION TO ALLOW</b></p>	<p><u>Clerk:</u></p> <ul style="list-style-type: none"> <li>• Action Letter – Recommend approval of ZMA-2011-00010 as outlined in Attachment 3.</li> <li>• Action Letter – Recommend approval of special exception for disturbance of critical slope.</li> <li>• The requests will go before the Board of Supervisors on a date to be determined.</li> </ul>

<p><b>DISTURBANCE OF CRITICAL SLOPES</b> by a vote of 5:0.</p>	
<p><b>The Planning Commission took a ten minute break at 7:20 p.m. and the meeting reconvened at 7:30 p.m.</b></p>	
<p>6. <b><u>ZTA-2012-00006 Ministerial Review Process</u></b>  Amend Secs. 3.1, Definitions, 32, Site Plans, 35.1, Fees, and 35.2, Calculation of fees in special circumstances, of Chapter 18, Zoning, of the Albemarle County Code. This ordinance would add and delete definitions (3.1), repeal existing site plan regulations (32.1 through 32.7.10.2) and add new site plan regulations in Sec. 32 pertaining to general provisions (32.1 <i>et seq.</i>), applicability (32.2 <i>et seq.</i>), administration (32.3 <i>et seq.</i>), procedures for submittal, review and action on site plans (32.4 <i>et seq.</i>), the form and content of initial site plans (32.5 <i>et seq.</i>), the form and content of final site plans (32.6 <i>et seq.</i>), minimum standards for improvements (32.7 <i>et seq.</i>), and the completion of on-site improvements and surety (32.8 <i>et seq.</i>). This ordinance also would amend Sec. 35.1 to add a \$500 fee for preapplication plans but which would also be applied toward the initial site plan fee, add a \$240 fee for resubmitting a final site plan within 15 days after it has been disapproved for being incomplete, change references to fees for “preliminary” site plans to “initial” site plans, change cross-references to revised section numbers to which fees pertain. This ordinance also would amend Sec. 35.2 to change references to “preliminary” site plans to “initial” site plans. The proposed fees are authorized by Virginia Code §§ 15.2-2241(9) and 15.2-</p>	<p>Clerk:</p> <ul style="list-style-type: none"> <li>• Action Letter – Recommend adoption of ZTA-2012-00006 as recommended by staff in Attachment A of staff report with changes outlined in Attachment 4 to be addressed before the Board of Supervisors public hearing.</li> <li>• ZTA-2012-00009 Ministerial Review Process Improvements (site plans) to be scheduled for the Board of Supervisors on a date to be determined.</li> </ul>

<p>2286(A)(6). A copy of the full text of the ordinance, and documentation pertaining to the proposed fees, are 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. (Bill Fritz)</p> <p><b>RECOMMEND APPROVAL OF ZTA-2012-00006</b>, by a vote of 5:0, as recommended in staff report with the changes noted in Attachment 4 to be included prior to the Board public hearing.</p>	
<p>8. <b>Old Business</b></p> <ul style="list-style-type: none"> <li>• None</li> </ul>	
<p>9. <b>New Business</b></p> <ul style="list-style-type: none"> <li>• Next Meeting – July 24, 2012.</li> </ul>	
<p>10. Adjourn to July 24, 2012, 6:00 p.m., Auditorium, Second Floor, County Office Building, 401 McIntire Road, Charlottesville, Virginia.</p> <ul style="list-style-type: none"> <li>• The meeting was adjourned at 8:34 p.m.</li> </ul>	

- Attachment 1** - SP-2012-00015 Verizon Wireless Colthurst – Ingleridge LLC., Tier III PWSF - Planning Commission Recommendation
- Attachment 2** - SP-2012-0016 Ntelos Wireless – CV 825 Cedar Hill – Tier III PWSF – Planning Commission Recommendation
- Attachment 3** - ZMA-2011-00010 Albrecht Place - Planning Commission Recommendations
- Attachment 4** - ZTA-2012-00006 Ministerial Review Process - Planning Commission Recommendation



**ATTACHMENT 1**  
**SP-2012 -00015 Verizon Wireless Colthurst-Ingleridge LLC., Tier III PWSF**

The Planning Commission recommends approval of the following:

- The special exceptions for the modifications for SP-2012 -00015 Verizon Wireless Colthurst-Ingleridge LLC., Tier III PWSF with the conditions outlined in the staff report, as amended, for Sections 5.1.40(c)(3)(i),(c)(4), (c)(5), (d)(5), and (d)(6) under the special exception criteria of Section 31.8. The recommendation would allow the height increase to 139 feet, additional antenna arrays and associated ground equipment and modifications provided in the staff report, as follows:
  1. Section 5.1.40(c)(3)(i)-Size of antenna.
  2. Section 5.1.40(c)(4)-Submittal of a tree conservation plan.
  3. Section 5.1.40(c)(5)-Site to be in accordance with a tree conservation plan.
  4. Section 5.1.40(d)(5)-Maximum size of base and diameter of tower.
  5. Section 5.1.40(d)(6)-Height of tower in relation to tallest tree.
- SP-2012 -00015 Verizon Wireless Colthurst-Ingleridge LLC., Tier III PWSF with the conditions outlined in the staff report, as follows:

**Conditions of approval:**

1. Development and use shall be in general accord with what is described in the applicant's request and site plans, entitled "Colthurst LTE 4G Upgrade", with a final zoning drawing submittal date of 6/25/12 (hereafter "Conceptual Plan"), as determined by the Director of Planning and Zoning Administrator.

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

**ATTACHMENT 2**  
**SP-2012-00016 Ntelos Wireless – CV825 Cedar Hill – Tier III PWSF**

The Planning Commission recommends approval of the following:

- SP-2012-00016 Ntelos Wireless – CV825 Cedar Hill – Tier III PWSF with conditions, as revised, outlined in the staff report eliminating condition 1, as follows:
  - ~~1. The Special Use Permit cannot be approved until the Board approves the Special Exception to disturb the Critical Slopes on the site.~~
  2. Development and use shall be in general accord with the conceptual plan titled “Cedar Hill (UVA Foundation Property) CV825” prepared by Brian Crutchfield and dated 6-25-12 (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 elements within the development essential to the design of the development, as shown on the Conceptual Plan:
    - a. Height
    - b. Mounting type
    - c. Antenna type
    - d. Number of antenna
    - e. Distance above reference tree
    - f. Color
    - g. Location of ground equipment

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

- Recommend approval, by a vote of 5:0, of the special exception for the granting of the modification to allow the facility to be up to 10’ above the reference tree for reasons outlined in the staff report.

Section 5.1.40(d)(6) – The approved height shall not be more than seven (7) feet taller than the tallest tree within twenty-five (25) feet of the monopole...

- Recommend approval of the special exception to allow the disturbance of critical slopes.

**ATTACHMENT 3**  
**ZMA-2011-00010 Albrecht Place**

- The Planning Commission recommended approval of ZMA-2011-00010 Albrecht Place with the following condition:
  1. The applicant to provide letter from the traffic consultant reiterating what was said at the July 17 meeting about the traffic impacts when this moves forward to the Board.
- The Planning Commission recommended approval of special exception for disturbance of critical slope associated with ZMA-2011-00010.

**Attachment 4**  
**ZTA-2012-00006 Ministerial Review Process –**  
**Planning Commission Recommendation**

The Planning Commission recommended approval of ZTA-2012-00006 Ministerial Review Process (site plan process improvement) as outlined in Attachment A of the staff report, as amended with the following conditions to be addressed prior to the Board of Supervisors hearing:

1. Address the Architectural Review Board's authority to require changes to the layout of the site.
2. Address bike paths separately from sidewalks and other pedestrian ways. Incorporate bike paths as transportation.
3. Insure that the ordinance allows for the placement of conditions on the issuance of a grading permit as part of initial approval.
4. The ARB staff and not the full ARB is on Site Review Committee