

**FINAL ACTIONS**  
**Planning Commission Meeting of September 11, 2012**

<u><b>AGENDA ITEM/ACTION</b></u>	<u><b>FOLLOW-UP ACTION</b></u>
<p>1. Call to Order.</p> <ul style="list-style-type: none"> <li>• Meeting was called to order at 6:00 p.m. by Mr. Morris, Chair. PC members present were Mr. Morris, Mr. Lafferty, Vice-Chair; Mr. Dotson, Mr. Loach, Mr. Franco, Mr. Randolph and Mr. Smith. Ms. Monteith was present.</li> <li>• Staff present was Joanne Tu Purtszevova, Scott Clark, Christopher Perez, Elaine Echols, Wayne Cilimberg, David Benish, Sharon Taylor, 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>• None</li> </ul>	<p><u>Staff:</u></p> <ul style="list-style-type: none"> <li>• None</li> </ul>
<p>3. <b>Committee Reports</b></p> <ul style="list-style-type: none"> <li>• Mr. Lafferty made the Commission aware of VDOT's upcoming September 27<sup>th</sup> meeting at Jack Jouett Middle School regarding the Western Bypass Environmental Impact Statement.</li> </ul>	
<p>4. <b>Review of Board of Supervisors Meeting – September 5, 2012</b></p> <p>Mr. Cilimberg reviewed the Board's September 5, 2012 meeting actions and discussions, including the County's Wireless Policy. He noted that the Wireless Policy report provided to the Board is available at the Board's agenda webpage online.</p> <p>Commissioners expressed an interest in receiving an update on the Wireless Policy.</p>	<p><u>Staff:</u></p> <ul style="list-style-type: none"> <li>• Staff to provide an update on the Wireless Policy at a future meeting.</li> </ul>
<p>5. <b><u>SP-2012-00008 Daylily Preschool</u></b>  <b>PROPOSED:</b> Request for special use permit amendment to increase maximum number of children from 10 to 20 in private preschool located within existing Mountain Plain Baptist Church, but not affiliated with Church</p>	<p><u>Clerk:</u></p> <ul style="list-style-type: none"> <li>• Action Letter – Recommend approval of SP-2012-00008 Daylily Preschool with staff's recommended conditions, as amended, and shown in <b>Attachment 1.</b></li> </ul>

<p>ZONING CATEGORY/GENERAL USAGE: RA Rural Areas - agricultural, forestal, and fishery uses; residential density (0.5 unit/acre in development lots) SECTION: 10.2.2.7 Day care, child care or nursery facility COMPREHENSIVE PLAN LAND USE/DENSITY: Rural Areas in Rural Area 3 - Preserve and protect agricultural, forestal, open space, and natural, historic and scenic resources/density (0.5 unit/acre in development lots) ENTRANCE CORRIDOR: No LOCATION: 4281 Old Three Notch'd Road, at intersection of Brown's Gap Road (Rt. 680) and Seven Hills Lane TAX MAP/PARCEL: 05700-00-00-02600 MAGISTERIAL DISTRICT: White Hall (Joanne Tu Purtsezova)</p> <p><b>RECOMMEND APPROVAL OF SP-2012-00008</b>, by a vote of 7:0, with staff's recommended conditions, as amended and shown in <b>Attachment 1</b>.</p>	<ul style="list-style-type: none"> <li>The request will go before the Board of Supervisors on a date to be determined.</li> </ul>
<p>6. <b><u>SP-2012-00014 Free Union Baptist Church Extension</u></b> PROPOSAL: Expansion of a fellowship hall for an existing church on 2 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: 10.2.2.35 Church building and adjunct cemetery ENTRANCE CORRIDOR: No 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) LOCATION: 3608 Brook Mill Ln. TAX MAP/PARCEL: 04800-00-00-00400 MAGISTERIAL DISTRICT: Rivanna</p>	<p><u>Clerk:</u></p> <ul style="list-style-type: none"> <li>Action Letter – Recommend approval of SP-2012-00014 Free Union Baptist Church with staff's recommended conditions as shown in <b>Attachment 2</b>.</li> <li>The request will go before the Board of Supervisors on a date to be determined.</li> </ul>

<p>(Scott Clark)</p> <p><b>RECOMMEND APPROVAL OF SP-2012-00014</b>, by a vote of 7:0, with staff's recommended conditions as shown in <b>Attachment 2</b>.</p>	
<p>7.. <b><u>SP-2012-00011 Four Seasons Learning Center</u></b>  PROPOSAL: Amend Special Use Permit to increase maximum enrollment for a Child Care Facility from 54 children to 60 children (6 additional students). No residential units proposed.  ZONING CATEGORY/GENERAL USAGE: PUD Planned Unit Development – residential (3-34 units per acre), mixed with commercial, service and industrial uses.  SECTION: Chapter 18 Section 20.3.2.1 of the Albemarle County Code, which allows for child care facilities.  COMPREHENSIVE PLAN LAND USE/DENSITY: Urban Density Residential – residential (6.01 - 34 units/acre) and supporting uses such as religious institutions, schools, commercial, office and service uses in Neighborhood 1 – Places 29.  DEVELOPMENT AREA: Yes  ENTRANCE CORRIDOR: No  AIRPORT IMPACT AREA: Yes  LOCATION: 254 Lakeview Drive Charlottesville VA  TAX MAP/PARCEL: 061X1-00-00-00500  MAGISTERIAL DISTRICT: Rio (Christopher Perez)</p> <p><b>RECOMMEND DENIAL OF SP-2012-00011</b>, by a vote of 5:2, (Morris and Randolph voted nay) based on the discussion and the findings of the staff report as shown in <b>Attachment 3</b>.</p>	<p><u>Clerk:</u></p> <ul style="list-style-type: none"> <li>• Action Letter – Recommend denial of SP-2012-00011 Four Seasons Learning Center based on the discussion and the findings of the staff report as shown in <b>Attachment 3</b>.</li> <li>• The request will go before the Board of Supervisors on a date to be determined.</li> </ul>
<p><b>The Planning Commission took a break at 7:28 p.m. The meeting reconvened at 7:36 p.m.</b></p>	
<p>5. <b>Work Sessions.</b></p> <p><b><u>CPA-2013-00001 Comprehensive</u></b></p>	<p><u>Staff:</u></p> <ul style="list-style-type: none"> <li>• Refer to comments and suggestions as shown in <b>Attachment 4</b> in further work</li> </ul>

<p><b>Plan Draft</b> –Review of first section of draft plan. (Elaine Echols)</p> <p>Elaine Echols provided the Commission a PowerPoint presentation. The Commission received public comment, asked questions and provided comments. Staff was asked to take the Commission’s comments into consideration in the Comp Plan Update as noted in <b>Attachment 4</b>. No formal action taken.</p>	<p>on the Comp Plan Update.</p>
<p>6. <b>Old Business</b></p> <ul style="list-style-type: none"> <li>• None</li> </ul>	<p><u>Staff:</u></p> <ul style="list-style-type: none"> <li>• None</li> </ul>
<p>7. <b>New Business</b></p> <ul style="list-style-type: none"> <li>• NEXT PLANNING COMMISSION MEETING WILL BE ON TUESDAY, SEPTEMBER 18, 2012 in Room 241 with City PC.</li> <li>• Franco moved and Morris seconded to adjourn to Joint City/County Planning Commission meeting at 5:30 p.m. on September 18, 2012 in Room 241. The motion was unanimously approved.</li> </ul>	<p><u>Staff:</u></p> <ul style="list-style-type: none"> <li>• None</li> </ul>
<p>8. • Adjourn to September 18, 2012, 5:30 p.m., Room 241, Second Floor, County Office Building, 401 McIntire Road, Charlottesville, Virginia.</p> <ul style="list-style-type: none"> <li>• The meeting was adjourned at 8:41 p.m.</li> </ul>	

**Attachment 1** – SP-2012-00008 Daylily Preschool – Recommended Conditions of Approval

**Attachment 2** – SP-2012-00014 First Union Baptist Church Extension – Recommended Conditions of Approval

**Attachment 3** – SP-2012-00011 Four Seasons Learning Center – Recommendations

**Attachment 4** – CPA-2013-00001 Comprehensive Plan Draft - Planning Commission Comments

**Attachment 1 –**

SP-2012-00008 Daylily Preschool – Recommended Conditions of Approval

1. Development of the use shall be in general accord with the conceptual plan titled “Special Use Permit 200900022 Daylily Preschool,” prepared by the County of Albemarle, signed by the applicant and dated December 4, 2009, and amended by the applicant and re-submitted on July 2, 2012 under SP201200008 (hereafter “Conceptual Plan”), as determined by the Director of Planning and the Zoning Administrator. To be in general accord with the Conceptual Plan, development shall reflect the following major elements within the development essential to the design of the development:
  - Location of buildings and preschool
  - Location of parking area and entrance to be used for the preschool
  - Relation of buildings and parking to the street
  - Site access including pick-up and drop-off locations and circulation

as shown on the plan.

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 enrollment shall not exceed 20 children.
3. The maximum number of children and staff shall not exceed the capacity determined by the Health Department.
4. The hours of operation for the preschool shall be limited to 4 hours each day, Monday through Friday.
5. The use shall not operate without the required licensure by the Virginia Department of Social Services, as required by Section 5.1.06 of the Zoning Ordinance.
6. The stairway enclosure and smoke detector installation improvements noted in the Building Official’s letter of July 19, 2012 shall be completed, inspected, and approved by the Building Official, prior to the use occupying the upper floor.
7. No portion of the building shall be used without Albemarle County Fire Official approval.
8. No more than five children under the age of 2-1/2 years are permitted.
9. No food preparation is permitted on-site.
10. No washing of clothes is permitted on-site.

**Attachment 2 –**

SP-2012-00014 Free Union Baptist Church Extension – Recommended Conditions of Approval

The Planning Commission recommends approval of SP-2012-00014 Free Union Baptist Church based upon the analysis provided herein, with the following conditions:

1. No new construction shall occur on the site except for the proposed addition to the church building.
2. The floor area of the addition to the existing church building shall not exceed 600 square feet.
3. Construction of the addition shall not commence until the Virginia Department of Transportation has approved the location of the church sign on Route 784.

### **Attachment 3 –**

#### **SP-2012-00011 Four Seasons Learning Center – Recommended Conditions of Approval**

RECOMMEND DENIAL OF SP-2012-00011, by a vote of 5:2, (Morris and Randolph voted nay) based on the discussion and the findings of the staff report as follows.

- The proposed restriction for six (6) additional students limited to sibling of existing students cannot be affectively enforced.
- Continued enlargement of the day care enrollment will create a use that is out of scale with this part of the Four Seasons development.

The two largest impacts from additional students:

- Increased traffic volumes and patterns over an acceptable limit to the neighborhood
- Scale of the use in relation to the residential neighborhood.

During the last two SP applications to increase enrollment at this facility, neighborhood members have spoken in concern of increased traffic on the residential street as well as traffic patterns.

Mr. Lafferty noted it was inappropriate for the neighborhood; that it is over a ten percent increase in their student population; and it would be awfully hard to enforce.

#### **Attachment 4 –**

#### **CPA-2013-00001 Comprehensive Plan Draft – Review of first section of draft plan Planning Commission Comments**

(Discussion began at 7:30 pm and concluded at 8:45 pm in the Auditorium)

Commissioners reviewed the general format of the document, the existing conditions portions including socioeconomic and housing information as well as natural and cultural resources. The Commission also looked at the section on Values, Visions, and Commitments and the Economic Development goals and text.

The Commission made approximately fifty suggestions for the draft. The detailed list will be found in the Minutes.

The major requests from the Commission were to:

- Continue working on format to make it easier to read including moving the County's vision statement to the beginning of the document.
- Provide additional demographic information in relation to the state and region.
- Be consistent with mapping and don't "black-out" any areas.
- Explain how specific facts that have been provided are important to planning for the future.
- Provide additional information on the senior population – where are they living, what do they need and what is their economic impact to the community.
- Discuss the size of the growth areas and how much land has been protected in conservation easements as well. Provide more information on the 95% to 5% RA to DA ratio.
- Change the word, "commitments" to something that is more reflective of what the County wants to do rather than what it is committing to do. The County may not be able to ultimately achieve what it wants to do because of resource limitations, property rights, etc.
- Try to make achieve balance in bulk and information of the various sections of the plan.
- Consider using an appendix or other reference document for background data as well as information on natural resources.
- Provide data on resources lost to development – are their trends showing that we are losing rural land to development? Such as land subdivided (in acres) in the rural area compared to land conserved (in acres) there?
- Include information on BRAC and its relationship to the northern development areas.

#### **Public Comments:**

1. Tom Olivier – representing the Piedmont Group of the Sierra Club: distributed a detailed comment list to the Commission – Stated there should be a discussion of the ecological footprint for the county in the existing conditions section – right now we have an ecological deficit. Referenced the biodiversity workgroup report and the need to us the one page vision statement the Sierra Club prepared last year.



2. Travis Pietela - Southern Environmental Law Center: Referenced more detailed comments submitted to the Commission earlier in the day. Stated the need to address TMDLs and where the county stands on their implementation as well as information on air quality. Remember the cumulative impact of economic development in the RA and its scale in relation to impact on rural character.