

**Albemarle County Planning Commission
Work Session and Regular Meeting
Final Minutes May 27, 2025**

The Albemarle County Planning Commission held a public meeting on Tuesday, May 27, 2025, at 4:00 p.m.

Members attending were Fred Missel, Chair; Luis Carrazana, Vice-Chair; Julian Bivins; Corey Clayborne; Karen Firehock; Nathan Moore; Lonnie Murray.

Members absent none

Other officials present were Michael Barnes, Director of Planning; Ben Holt, Senior Planner II; Margaret Maliszewski, Planning Manager; Rebecca Ragsdale, Planning Manager; Andy Herrick, County Attorney; Jennifer Tevendale, Senior Assistant County Attorney; and Carolyn Shaffer, Clerk to the Planning Commission.

Call to Order and Establish Quorum

Ms. Shaffer called the roll.

Mr. Missel established a quorum.

Consent Agenda

Ms. Firehock motioned that the Planning Commission adopt the Consent Agenda as presented. Mr. Clayborne seconded the motion, which carried unanimously (7-0).

Public Hearing

SP202400024 Spring Hill Farm Subdivision

Rebecca Ragsdale, Planning Manager, said that she would provide an overview of the Spring Hill Farm subdivision request, which the Commission previously discussed in March. She said that due to the significant changes since then, she would focus on the key updates and staff's revised recommendation. She said that as a reminder, this property was located west of Charlottesville, near the Ivy Interstate Interchange off Dick Woods Road. She said that the property spanned over 340 acres and featured multiple access points, including Grassmere Road, Dick Woods Road, and sections of Spring Hill Village that were already developed, such as Loblolly Lane and Spring Lane, which would provide access to new lots.

Ms. Ragsdale said that the parcel contained a great deal of history, but the main point to emphasize was that the original Special Use Permit was approved in 1981, under a different comprehensive plan and ordinance. She said that the key restriction that had carried forward was that the remainder of the tract could not be developed without special use permit approval. She said that the primary focus was on how this property would be developed under this unique provision of the ordinance.

Ms. Ragsdale said that there was special use permit activity in 2000 and 2002, but those expired. She said that in 2022, a special use permit was approved to allow the development of two lots, located off Dick Woods Road. She said that the parcel's boundaries were defined by open space along Dick Woods Road and Ivy Creek. She said that staff's primary concern during the review of the concept plan was to minimize development and preserve as much area as possible in conservation zones, such as critical slopes, Little Ivy Creek, and Grassmere along Dick Woods Road. She said that it was currently entirely wooded.

Mr. Ragsdale said that when they reviewed the previous concept plan in March, staff expressed concerns about the length of driveways, the number of driveways, and the location of building sites. She said that they also discussed the balance between residential lots and acreage under common ownership in conservation areas. She said that in response to these concerns, the applicant has made significant changes, including reducing driveway lengths, reconfiguring lots, and decreasing the acreage in residential tracks.

Ms. Ragsdale said that this was not a site plan, and as acknowledged in the staff report, they did not believe it will impact critical slopes, but if it should, it would go through a separate process. She said that staff would formulate a review and act on the waiver to a single point of access. She said that a single point of access would not make sense given the configuration of this parcel, which was noted in the staff report.

Ms. Ragsdale said that the applicant had provided a summary of their changes, which included reducing the number of residential lots from 263.77 acres to approximately 193.94 acres and decreasing the number of driveway links. She said that these adjustments had led to some reconfiguration of the lots and building sites on the revised plan. She said that staff had reviewed the criteria for this special use permit, which was a key aspect of their review process. She said that based on their evaluation, they did not believe that this proposal would cause a substantial detriment to adjacent properties.

Ms. Ragsdale said that the community meeting attendees were generally satisfied with the layout and approach, and they did not identify any public health, safety, or welfare concerns. She said that their primary goal in rural areas was not to further residential development, and they did not anticipate any issues with this proposal. She said that they believed the applicant had addressed their concerns with their revised concept plan and their refined conditions of approval, which she could elaborate on in more detail. She said that staff were now recommending approval.

Ms. Ragsdale said that given the complexity of the project, which involved residential development in a rural area, they had included several detailed conditions. She said that the conditions built upon the previously approved conditions for lots one through five, which were included with the original approval in 2022. She said that they added a condition to ensure that they could review grading and erosion and sediment control measures. She said that this allowed them to review the project regardless of any exemptions that may be claimed.

Ms. Ragsdale said that staff also added a condition regarding driveway length, as the ordinance covered the design of driveways. She said that, however, after consulting with the fire marshal, they determined that they needed to ensure there was adequate emergency vehicle turnaround at the end of the driveways. She said that with these conditions and the revised concept plan, staff had recommended approval. She said that they had also noted the plan's consistency with lot patterns, its conservation and critical resource features, and its increase in conservation areas.

Mr. Bivins said that he wanted to clarify Condition 2 regarding dwelling units. He asked if when they stated that only one dwelling unit was permitted on each new tract, that included or excluded accessory units.

Ms. Ragsdale said that this ordinance did not address accessory apartments, which meant that within a single-family detached dwelling, they would be permitted an accessory apartment, but it must be within the footprint of the existing single-family dwelling and was restricted in size.

Mr. Murray said that in staff's item about stream buffers, they stated that the stream buffers may be protected consistent with the County's ordinance for stream buffers. He said that currently, their ordinance allowed for the removal of streams wholesale, after which they no longer enforced

the stream buffers. He said that he assumed this would not be allowed. He said that it would make more sense to specify that the stream buffers as described on this site plan were protected.

Ms. Ragsdale said that there were additional conditions beyond their ordinance that applied to riparian buffers, mitigation plantings, and additional regulations on agriculture. She said that she believed Condition 3 would apply to stream buffers. She said that although she did not believe these streams could be piped, staff could verify this before the Board took action. She said that they could review the conditions and make any necessary adjustments before the Board acted on the Special Use Permit.

Mr. Missel opened the public hearing. He asked if the applicant had a presentation.

Ethan Miller said that he was joined by his wife Diane. He said that they were the owners of this property through their company, Blue Springs Land Corporation. He said that he would skip the majority of the history that had already been heard. He said that to summarize, this property was acquired by his grandmother, Nettie Marie Jones, in 1980. He said that originally, it was 695 acres. He said that she applied for and received special use permits in 1981 to divide the property into 33 lots, containing approximately 153 acres, plus 10 acres of roads and residue parcels totaling around 531 acres.

Mr. Miller said that one of the key features of the plan was preserving the original Spring Hill farmhouse, dating back to the 1830s, and the surrounding acreage. He said that essentially, the plan kept the farm in the center and placed residential building lots around the edges. He said that his grandmother passed away in 1991, and his wife and he acquired the property two years later. He said that they held the residue of approximately 500 acres for nearly 30 years. He said that in 2022, they subdivided the southern 100 acres, which was topographically different, and entered it on Dick Woods Road, across from Bloomfield Road.

Mr. Miller said that in 2024, they submitted this plan, which was previously heard by the Commission on March 27. He said that this plan included six new lots, approximately 264 acres, with an average lot size of 44 acres. He said that the total driveway length to serve the lots was approximately 8,400 linear feet, including 2,200 feet of existing farm road. He said that in response to staff concerns, they reduced the acreage in the lots by 70 acres, resulting in an average lot size of around 32 acres. He said that as required, the lots must be at least 21 acres in size.

Mr. Miller said that another constraint the property was mostly forested and the minimum acreage required for land use taxation was 20 acres. He said that this would allow residents to choose to preserve the forest if they wished. He said that furthermore, they had reduced the driveway lengths by 2,500 feet by using joint driveways. He said that to summarize, they created a joint driveway for lots 2 and 3 from the top of Loblolly Lane, and another joint driveway for lots 4 and 6 from Grassmere Road.

Mr. Miller said that lot 5 would use an existing farm road that had been in place for over 50 years, so it was not a new driveway construction. He said that lot 1 would access a right of way on Spring Lane to the right. He said that the main difference between this plan and the previous one was that they had included a restriction on residential clearing and a two-acre restriction, including driveways, for all areas except lot 5.

Mr. Miller said that this would result in approximately one acre of driveways out of the total 342 acres. He said that what was most important here was the resident support, as Ms. Ragsdale had pointed out in the staff report. He said that the residents of Spring Hill were overwhelmingly supportive of this plan due to several reasons. He said that one reason was that it would preserve the property in its current state. He said that they would only use 12 acres of the remaining 342 acres for residential purposes, with the rest being forest or agriculture use.

Mr. Miller said that additionally, this plan created hiking trails and granted ownership of parcels around the streams, Little Ivy Creek and Ivy Creek, to the homeowners. He said that in response to the question of whether they would eliminate the streams, he believed that was unlikely to happen here and the intent was that it clearly would not. He said that he did not think that it was an issue.

Mr. Miller said that to summarize, the plan resulted in the clearing of only 12 acres of the 342-acre resident parcel, leaving 96.5% of the property in forestal use. He said that in their view; the plan struck a balance between preserving the rural character of the area and allowing for some economic return from its ownership. He said that they were happy to address the staff concerns and were willing to address any other concerns the Planning Commission members may have tonight.

Mr. Bivins asked if the two acres preserved on each lot would be composed of one acre for the driveway and one acre for the residence.

Mr. Miller said that as revised, the total length of the new driveway construction will be approximately 3,600 feet, which is equivalent to about one acre. He said that this new driveway will serve five of the lots. He said that to clarify, it would be an average of 0.2 acres per lot. He said that the only distinction was lot five, which already had an existing road. He said that if the use of each lot was restricted to two acres, for example, the driveway for lot 1 would be included in the construction, so 1.8 would remain after the 0.2 acres for the driveway.

Mr. Moore said that he appreciated the revisions from the applicant; it appeared that some of the concerns they had heard in March were being addressed. He said that he was wondering about the management of Area 1, Area 1A, Conservation Area A, and Conservation Area B, which collectively encompassed a significant amount of acreage. He said that he was wondering who would be responsible for maintaining the trails and other aspects of these areas, and whether they would remain in their ownership.

Mr. Miller said that Area 1 was along Dick Woods Road and Ivy Creek, which would be deeded to the Spring Hill Phase 1 lot owners, so the homeowners in Phase One would own the land along their lots. He said that in section to the south of those lots; those would be owned by those same homeowners or the two adjoining owners. He said that he would not own it.

Mr. Miller said that in terms of Tract 2, which ran along Little Ivy Creek, it would be owned by the Phase 2 Homeowners Association. He said that the conservation areas, initially owned by himself, would eventually be transferred to one of the lot owners, who would assume responsibility for them. He said that their long-term plan was to have the conservation areas owned by the lot owners, with the possibility of revising the arrangement in the future.

Mr. Missel asked if any members of the public wished to speak on this item.

John Hedges said that he was one of the owners of the original Spring Hill farmhouse, from which the farm was developed for the phase one and phase two lots 40 years ago, spoke. He said that the initial plan, conceived by Mr. and Mrs. Miller, was a good one. He said that the plan presented before the Commission today was also a good one. He said that his property was arguably the most affected by any development. He said that they fully supported the applicant and their efforts. He said that the applicant had put together a thoughtful plan, consulting with all of the current residents and being very responsive. He said that he recommended the Commission support this project.

Mr. Missel asked if the applicant had a response to public comment before he closed the public hearing.

Mr. Miller said that he was happy that the residents supported their plan.

Mr. Missel closed the public hearing, and the matter rested with the Commission.

Mr. Murray said that he wanted to bring up a concern he previously raised. He said that the reason for a conservation easement being held by another party was to ensure the conservation actually happened. He said that when a situation arose in Albemarle County, he recalled the Piedmont Environmental Council (PEC) discussing a piece of park property with Albemarle County, where the County acquired the property after initially holding a conservation easement.

Mr. Murray said that one of the discussions was that, in this case, the conservation would no longer be ensured because the property owner and the easement owner were now the same entity. He said that this effectively nullified the easement. He said that in this situation, if they claimed these conservation areas were truly conservation areas, the ownership issue became a concern.

Mr. Murray said that the fact that there was no third-party owner to ensure the conservation meant that, in essence, they were just other lots. He said that there was nothing that set them apart as truly conservation areas. He said that if they were owned by an HOA or a third party, then that would make them more conservation-oriented.

Ms. Firehock said that she assumed that, when they eventually worked out the details, they would have a deeded easement across the properties for the trail. She said that she understood the point being made, but she did not interpret it as meaning that these open space deeded easements would be conservation easements.

Mr. Murray said that he was informed explicitly that conservation easements would not be included; this was his primary concern. He said that if there was a deeded trail easement owned by the HOA or the community, it would make a lot more sense. He said that in this case, it would appear that they were creating additional lots rather than dedicated open space.

Ms. Firehock said that those zones were set aside specifically for people to recreate and enjoy the natural area. She said that they were not just private lots, but rather designated spaces.

Mr. Murray asked what party would ensure that happened.

Ms. Firehock said that she would imagine that those property owners with access to the easements would have a vested interest in ensuring they could continue to access them. She said that she believed they would have their own recourse to require the space remained open.

Mr. Murray said that there would be no legal recourse.

Ms. Firehock said that no; there would be a deeded easement, so there would be a legal agreement to allow people to continue to traverse the trails.

Mr. Bivins said that they were not creating public space. He said that they were creating private community space. He said that if bad behavior were to occur, he believed the community was small enough that they would be able to work with the perpetrating property owner and alleviate the issue internally.

Ms. Firehock said that she was pleased with the changes that were made by the applicant. She said that she believed the applicant and staff had worked diligently to address the issues and that the outcome was a positive one. She said that although the applicant may have been frustrated with the lengthy process, she thought that they had achieved a better result.

Ms. Firehock said that the revised design was more effective, using less land and having a reduced impact on the environment. She said that it would also provide sufficient habitat for wildlife, such as birds, butterflies, bears, and people, to coexist.

Mr. Bivins said that he wished that accessory dwellings were allowed in this subdivision so that people could live there without being responsible for a large amount of land.

Ms. Firehock motioned that the Planning Commission recommend approval of SP202400024 Spring Hill Farm Subdivision for the reasons stated in the staff report and with the recommended conditions. Mr. Carrazana seconded the motion, which carried unanimously (7-0).

Adjournment

At 7:20 p.m., the Commission adjourned to June 10, 2025, Albemarle County Planning Commission meeting, 6:00 p.m.



Michael Barnes, Director of Planning

(Recorded by Carolyn S. Shaffer, Clerk to Planning Commission & Planning Boards; transcribed by Golden Transcription Services)

Approved by Planning Commission:
Date: 06/10/2025
Initials: CSS