

**Albemarle County Planning Commission
FINAL Minutes January 18, 2022**

The Albemarle County Planning Commission held a public hearing on Tuesday, January 18, 2022 at 6:00 p.m.

Members attending were Karen Firehock, Chair; Corey Clayborne, Vice-Chair; Julian Bivins; Fred Missel; Daniel Bailey; Luis Carrazana.

Members absent: Jennie More.

Other officials present were Charles Rapp, Director of Planning; Andy Herrick, County Attorney's Office; Cameron Langille; Francis MacCall; Scott Clark; Jodie Filardo; Bart Svoboda; and Carolyn Shaffer, Clerk to the Planning Commission.

Call to Order and Establish Quorum

Ms. Firehock said the meeting was being held pursuant to and in compliance with Ordinance No. 20-A(16), "An Ordinance to Ensure the Continuity of Government During the COVID-19 Disaster." She said opportunities for the public to access and participate in the electronic meeting were posted at www.albemarle.org/community/county-calendar when available. She said there would be further instruction for public comment during public hearings.

Ms. Shaffer called the roll.

Ms. Firehock established a quorum.

Other Matters Not Listed on the Agenda from the Public

There were no speakers.

Consent Agenda

Ms. Firehock said there was no consent agenda. She noted that the item SP202100016 CVEC Cash's Corner Substation was requested for deferral. She explained that the Commission did not need to vote on the request because the applicant was not the party making the request. She said the request was due to an advertising error, and the item would be deferred to the February 15, 2022 Planning Commission meeting.

Public Hearing

SP202000008 Boys & Girls Club – Northside

Ms. Firehock asked for the staff report.

Mr. Cameron Langille said he was a Principal Planner with the Community Development Department (CDD). He said that SP202000008 Boys & Girls Club – Northside was a request for a special-use permit. He explained that the parcels identified in the request were labeled in the County tax map records as Tax Map Parcel (TMP) 60-78A. He said that the property was owned

by the public school system, and it was the location of the Albemarle High School, Jack Jouett Middle School, and Greer Elementary School.

Mr. Langille explained that the property was 216 acres, and the request was for a 5.15-acre portion of the total acreage. He said the property was located in Rural Area (RA) 1 in the County's Comprehensive Plan. He said the property was surrounded primarily by undeveloped land, but there were single-family dwellings to the south and southeast. He noted the Georgetown Green neighborhood of single-family attached homes and a neighborhood of single-family detached homes further to the west.

Mr. Langille displayed an image of the zoning map and explained that the property in question was highlighted in yellow and colored white because it was the color that indicated the RA zoning district. He said the properties that surrounded the parcel were mostly zoned RA—he noted the Georgetown Green properties were zoned R6 Residential, indicated by orange in the image, which allowed up to six dwelling units per acre. He said Hydraulic Road ran along the property's east boundary, and he noted the variation of colors at the bottom of the image and explained those colors indicated commercial zoning districts. He said the property was within two overlay zoning districts, including the Airport Impact Area Overlay and the Entrance Corridor Overlay.

Mr. Langille explained that the Boys and Girls Club of Central Virginia (BGCCVA) requested to redevelop a central portion of the property currently used for the driver education purposes of the school system. He said the requested redevelopment was for a community center use primarily operated by the BGCCVA. He explained that a community center in a RA required a special-use permit granted by the Board of Supervisors. He said that the BGCCVA before and after school activities would occur in the community center—those activities were currently held out of Jack Jouett Middle School. He said the BGCCVA requested to relocate its administrative offices from Cherry Street to the proposed community center.

Mr. Langille said the community center would be able to host activities for outside partner agencies. He said the applicant would provide more detail as to the type of partner agencies and activities. He said the proposed building was two stories tall and a total of 49,000 square feet. He said Attachment 3 of the staff report displayed the conceptual plan for the development of the area. He said the blue shapes with numbers in the conceptual plan represented the buildings, and the numbers indicated the usage as explained in a legend on the right side of the image. He said new parking lot areas would be constructed along with vehicle pull-in areas for pick up and drop off. He said there would be recreational fields that could be used for a variety of activities.

Mr. Langille said the image displayed was also from Attachment 3 and showed the limits of disturbance—the area to be graded in order to construct the new improvements. He said that the general location of the buildings, parking, and outdoor athletic courts and fields were represented in the image.

Mr. Langille said that the staff report found 4 factors favorable and did not find any factors unfavorable with the request. He said the request was consistent with the purpose and intent of the RA zoning district; it would not create a substantial detriment to adjacent properties; the use was consistent with the character of the nearby area; and the use was consistent with many recommendations from the Rural Areas and Community Facilities chapters of the Comprehensive Plan.

Mr. Langille said staff recommended approval of the special-use permit with two conditions—outdoor amplified music or outdoor amplified sound must cease between the hours of 10 p.m. and 7 a.m.; activities requiring night lighting must cease between the hours of 10 p.m. and 7 a.m. He said the conditions were zoning performance standards typical for the type of request, specifically limiting outdoor noise and lighting in order to be consistent with the second favorable factor. He said he was available for questions.

Mr. Missel noted that there were critical or managed slopes indicated on the site plan that would be impacted by the project. He said he did not see information related to the slopes in the staff report, and he asked if it were accurate that the managed slopes would be impacted, not critical slopes

Mr. Langille said Mr. Missel was correct. He said the property was located in the RA of the Comprehensive Plan, so steep slopes and critical steep slopes were not the same as the managed and preserved steep slopes overlay zoning district. He explained that the applicant had proposed to disturb some areas of critical slopes on the property, but they had received approval for a special exception from the Board of Supervisors. He said there were under 0.5 acres of critical slopes to be disturbed.

Mr. Carrazana noted that there was an original site considered, and a Community Advisory Committee (CAC) had discussed moving the development site. He asked for more information about the site selection process and how many sites were evaluated.

Mr. Langille said that originally, BGCCVA considered developing a part of the property located behind Jack Jouett Middle School. He explained that in order to build in that location, it would require more land disturbance, tree clearance, and grading areas of critical steep slopes. He said that based on feedback from staff, the CAC, and members of the public, BGCCVA reevaluated the original proposal and identified the redevelopment of the driver's education course in the center of the property. He said that the BGCCVA would enter into a land-lease with the public school system.

Mr. Bivins said he had been involved in the process because the project was in his district. He said the community had expressed approval of the location in the center of the property. He said that there was a group convened by the school system to consider how the Lambs Lane Campus—which encompassed Albemarle High School, Jack Jouett Middle School, Greer Elementary School, and Ivy Creek School—could be utilized in a way to enhance and progress the education mission of the County. He said that it made sense to take the BGCCVA activities out from the school facilities into its own space, and he said that it was a better use of the space than the driver's education course.

Mr. Carrazana said he had visited the property with Mr. Bivins and Supervisor McKeel. He said that he was glad there was progress for a campus. He said that the site of the building was appropriate for the use and ease of construction. He asked if there were opportunity costs to the project. He noted that there was not a master plan for the property, and if it strived to become a campus, it had to consider the long-term use of the facility and if it was the right kind of facility for a future campus. He said the current campus did not look like or feel like a campus because of legacy functions. He said there were opportunities to plan the development of the area to provide more insight for the next proposal.

Mr. Bivins said that the group convened by the school system to discuss the Lambs Lane campus would begin to consider what the master plan for the property would look like. He said there was the possibility that 25 acres of existing structures would be redeployed or relocated.

Ms. Firehock asked if the driver's education course would relocate or take place on the County roads. She said the project proposed to disturb an already paved site. She asked if the applicant would have to provide additional stormwater management, and she asked what the stormwater conditions were on the site.

Mr. Langille responded that the site had undergone a full water protection ordinance application review which included the approval of a stormwater pollution prevention plan (SWPP) with the CDD engineering division. He said the development of the site would involve two large sediment traps to ensure run-off and stormwater was managed within the applicable regulations. He said that the applicant was required to go through the stormwater management process and approval. He said he was not aware of the plan for driver's education. He noted that there was not a site plan to relocate the driving course within the property, and he did not know if the school system planned to relocate the course to one of the parking lot areas or an undeveloped area of the site. He said he could provide more information later.

Mr. Bivins said Albemarle High School was the only to school to have a dedicated track for driver's education. He said that the other high schools, Western Albemarle and Monticello, set up the driver's education course in a parking lot with cones. He said once the track was gone, Albemarle High School would use the same method of parking lot cone courses for driver's education. He continued that while there was not a designated track for driver's education, there had been discussion to put a designated track on some County owned land that the 3 high schools could access.

Ms. Firehock said there were no more questions for staff, and the applicant could begin their presentation.

Mr. L.J. Lopez said he worked with Milestone Partners, the owner's representative for the BGCCVA. He introduced Mr. James Pierce, Chief Operating Officer (COO) of the BGCCVA. He said that the application requested that the BGCCVA have primary use of the facility, including the relocation of its administrative offices. He said the BGCCVA would have the ability to partner and leverage the facility to partner with organizations when the facility was not in its primary use during school, after school, or during summer care.

Mr. Lopez said that the site plan and stormwater management plan, following the WPO ordinance, and the engineering review had been conducted and approval had been authorized. He said that there were temporary sediment basins for construction and planned permanent underground stormwater management facilities of corrugated metal pipe. He said land at the site was at a premium, so the stormwater management was underground to leverage the site and create as much active and open space as possible. He said the applicant had purchased stormwater quality credits in lieu of any of the onsite measures as part of the overall stormwater strategy. He said he would take any technical questions on the special-use permit application.

Mr. Pierce said that the BGCCVA responded in 2018 to a request for proposals from the school system. He said the school system wanted to determine how to serve more children outside of school hours. He noted that there were 1,000 members of the Albemarle County student body

who had more of a need for out of school activities, and 24% of all students from the County school systems attended school at the Lambs Lane campus.

Mr. Pierce said new flat field space was proposed to the west of the redevelopment site. He noted that all the existing flat spaces were used by school activities, so there was a need for more. He said the proposed new flat spaces would be shared with the school system during the day. He said a basketball court was proposed for the east of the site that would also be accessible to the school system during the school day. He noted that the proposed “terrace” was a dining and program activity space to serve as a launching point into the surrounding trail system. He explained that proposed to the west of the buildings was “the bowl” area—an outdoor amphitheater with a stage—near a basketball half-court.

Mr. Pierce said the areas marked in blue on the image would be primarily used by younger students, the areas marked in green would be used by teenage students, and the pink areas indicated multi-age use. He said that the BGCCVA served children from the ages of 5–18. He continued that there will be a small and a large gymnasium in the buildings, a cafeteria and instructional cooking space, small group learning spaces, and two game rooms, one for younger members and one for older members. He said that the spaces were usable during the school day for functional skills classes. He said further uses could be discussed.

Mr. Pierce said there were unique sports facilities, such as squash courts, in the basement of the facilities. He noted that there was a burgeoning squash movement in the City. He explained that the BGCCVA, along with the Jouett Club, had a four-year long partnership with the University of Virginia (UVA) Squash Program. He continued that together, those groups would help Albemarle County have the first public school squash team in Virginia and a developmental program starting kids at age five learning the game of squash.

Mr. Pierce said the top floor would house the BGCCVA administrative offices which served 6 clubs across 4 counties and city locations. He said the large gymnasium was a place for mentors and positive adult role models to interact with members. He explained that there would be one squash professional whose job was to get kids excited about moving, staying fit, and learning the game of squash. He said there were about 10 learning space rooms throughout the facility that would be used for BGCCVA purposes during non-school hours—four hours a day after school, before school if needed, and all day during the summer. He continued that during the school day, the facilities were available for the Albemarle County Schools to utilize to the maximum capacity.

Mr. Pierce displayed aerial images of the site. He said there was a live camera feed for the construction, and he could give the commissioners access. He said the foundation for the facility was in place, and the elevator shaft was under construction.

Mr. Lopez said that was the end of the presentation.

Mr. Pierce added that the BGCCVA had been invited to participate in the campus-wide visioning sessions. He said the building could be a trend-setter and a change-agent for the rest of the campus. He noted that four or five potential locations were considered at the beginning of the process in 2016 and 2017. He said the current site had the potential to be helpful to the whole campus.

Mr. Clayborne asked if the facilities satisfied the long-term capacity needs of the BGCCVA and the schools. He asked if the facility would be the organization’s “forever home.”

Mr. Pierce said the facilities expected to serve 300 members a day. He said there would still be a need for the County after-school program, and the facility did not compete with the after-school program because it took every resource to fill the need in the space. He said that the building would last for generations for the purposes of the BGCCVA.

Mr. Clayborne asked about the sustainability goals of the project.

Mr. Pierce said that he knew the architect team brought in advisors to ensure that sustainable materials were used with an eye on long-term sustainability.

Mr. Lopez said that Design Team was a local design and construction team. He said that sustainability initiatives included a partnership with Sun Tribe Solar. He explained that the applicant wanted to leverage all of the available roof space for maximum solar production to offset energy consumption. He said other sustainability efforts were inherent in building design and good design practice. He noted daylight into the building was maximized, and the building system was energy efficient in terms of insulation, air barrier, the materials used, and the assembly of the materials. He said that the applicant did not seek sustainability certification, but the design team was challenged through the building program to do go beyond minimum code requirements.

Mr. Pierce added that the firm had gained a lot of data from the construction of the Cherry Avenue facility in 2009 and 2010 and had implemented items such as double door vestibule entries to conserve energy.

Mr. Clayborne said that he hoped this could be a model for other projects that come to the County. He asked a question about the community center use [audio drop].

Mr. Lopez said [audio drop] power outage, based on fire code, the elevator would return to the ground floor where there was direct access out and egress through the basement level of the building to an area of refuge and safety.

Mr. Clayborne said he asked not so much out of safety concerns but because of a community need. He said a snowstorm recently brought 12 inches of snow, and the community center could serve as a temporary home for folks without power for extended durations. He recommended that the dialogue about that type of use be continued.

Mr. Pierce said the BGCCVA often volunteered its facilities when asked by the County Police to be warming centers or phone charging centers. He mentioned that the South Wood location opened last week for emergency use during a time when many residents did not have power. He said that the BGCCVA would be able to be included on the County's list of warming stations.

Ms. Firehock said that the BGCCVA was a non-profit and its fundraising ability was limited, and she noted the budget demands. She asked for more information about the sustainability efforts. She said there were a lot of sustainability measures that could be done in terms of stormwater runoff. She mentioned basketball courts in New York public schools that were stormwater infiltration sites. She mentioned playgrounds that were infiltration zones. She said the campus could be a place to get kids more excited about science.

Ms. Firehock said the purpose of the public hearing was to review if the use for the location was appropriate, not to review the site plan. She said there were no speakers signed up for public

comment. She opened and closed the public comment. She noted that the use that most closely aligned with the application was a community center, and as Mr. Clayborne said, there were additional community needs to consider, such as emergency facilities in times of disaster. She asked for questions or comments from the Board.

Mr. Carrazana asked if the need for approval of the special-use permit was already asked and answered since the project was under construction.

Ms. Firehock said it was an appropriate question. She said maybe the County Attorney had insight as to reviewing the use when the building was under construction.

Mr. Andy Herrick, County Attorney, said that he did not know for certain the answer to Mr. Carrazana's question. He said he suspected that a building permit was issued which was a separate determination from whether the use was authorized. He said a building could be constructed to building code, but without a special-use permit, there would not be the authority to use it as a community center.

Ms. Firehock said it was her understanding that there was pressure to have the construction underway so that if the use were approved, then the facility would be able to serve its clients in a timely fashion. She said it was unusual situation, and it was a worthwhile question.

Mr. Carrazana said that the facility was designed for a specific use and the site plan was designed for a specific use. He said the special-use application should have come before the Planning Commission and the Board of Supervisors prior to the site plan review and construction.

Ms. Firehock said in this case, the proposed use was a use supported by the Commission. She said she did not know what the situation would be if the Commission did not support the use. She questioned if the Commission would feel undue pressure to support the use because of the resources already invested.

Mr. Bart Svoboda, Zoning Administrator, said there was a determination on how the particular use functioned with the schools and what it provided the school system. He explained that the facility uses which involved the schools, such as the after-school program, were part of the public use. He said the limited use allowed it to be a public use. He continued that the special-use permit would allow the use to expand beyond serving only the school system. He explained that in regard to public use, the BGCCVA acted as a contractor for the school to provide after-school care, among other services, which were strictly associated with the school function. He said the special-use permit allowed the broader community center use and opened up the facilities to the rest of the community.

Mr. Lopez said there was a zoning determination submitted and the Club, before school, after school, and summer operations, were a public use, ancillary to the public-school use, which was a special use permit in and of itself. He said the Club could operate in Jack Jouett Middle School or in its own facilities as an ancillary use. He explained that in the absence of a special-use permit, the Club, the before school, after school, and summer operations would continue to be able to operate.

Mr. Lopez explained that the BGCCVA preferred to operate its building as a facility and broaden the use to include outside partner organizations. He continued that the administrative function on the second floor was not allowable under the use as a Club. He explained further that the TMP

would have 2 special use permits: one for public schools and school use, and one for community center use.

Mr. Lopez said the Club use was permitted, so construction proceeded in order to open by fall 2022. He said the special-use permit request ran in parallel with the activity. He explained that if the permit were approved, the Club would be the primary use and the community center would be a secondary use, and through the community center use the headquarters would be allowed to reside in the facility.

Ms. Firehock asked Mr. Svoboda if Mr. Lopez's explanation was a correct characterization.

Mr. Svoboda said nothing else had to be added and the Commission could move on.

Ms. Firehock said the explanations she received were much clearer than what she had heard previously. She recommended that the Board of Supervisors receive a similar explanation to the one Mr. Lopez gave to make sure they understood the context.

Mr. Bivins said that the Commission had undergone a similar process for community space with the Center 2 and the Yancy School projects. He said the special use allowed the space to be opened to the community without detracting from the educational use. He said the permit did not address the educational use, rather, it allowed the BGCCVA to open the facilities to public use. He noted that power to the area around the Lambs Lane campus and along Hydraulic Road was restored much quicker than other areas because the 4 schools were prioritized.

Mr. Missel encouraged the applicant to consider infrastructure as related to the master plan in order to avoid underwater stormwater management and leverage economies of scale for future uses on the site.

Mr. Bivins **moved** to recommend approval of SP202000008 Boys & Girls Club Northside with conditions as recommended in the staff report. Mr. Clayborne **seconded** the motion. The motion carried unanimously (6-0).

Old Business/New Business

Ms. Firehock said she had asked at the beginning of the year if any commissioners had travel plans to ensure a quorum at meetings. She said commissioners should email her if there were out-of-town trips scheduled. She said that she would review the days commissioners would be absent to ensure there were no conflicts. She said there would not be a Commission meeting on January 25 because there were no topics for the session.

Ms. Firehock mentioned there was the option to hold Commission meetings every other Tuesday of the month instead of on the first 3 Tuesdays of the month. She said the work session day would be held prior to a Commission meeting instead of on the fourth Tuesday. She said she wanted to open the topic up for discussion. She asked Mr. Rapp to weigh in with his opinion. She said that the format was currently demanding on staff as they had late night work sessions with the Board and with the Commission. She wanted to know if there were alternate times that would be easier for everyone involved.

Mr. Carrazana said if there was enough lead time for the work sessions, then the schedule could be managed, but if the work sessions became more sporadic, then it would be harder to manage. He wanted to know how early of notice the commissioners would receive for the meetings.

Ms. Firehock said commissioners would likely receive similar notice to the notice they currently received for work sessions—typically six weeks, by the first of the month at the latest.

Mr. Rapp said that staff attempted to release the schedule a month early. He said that the schedule was traditionally crafted with a public hearing, followed by a work session, followed by a public hearing, then followed by the fourth Tuesday of every month. He said that the Board had work sessions in the afternoon followed by public hearings, and the meetings were on the first and third Wednesday every month. He said that was nearly the same schedule for the Commission, and so it stacked work for the staff. He said the Commission could meet on the second and fourth week of every month and host the work sessions prior to the meetings in order to stagger the meetings with the Board.

Mr. Bivins said he was in support of staggering the meeting schedules to balance the workload. He said that as the County prepared for the Comprehensive Plan, a lot of the material would be presented and discussed during a work session. He said the Commission would be better served to have a Comprehensive Plan discussion separate from the public hearings.

Mr. Missel said he supported the change in meeting schedule. He said it was helpful to have a day set off every month for a potential work session. He asked if it was likely there would only be one work session a month.

Mr. Rapp said there was typically one work session a month. He explained that sometimes there was not a full work session of material, so the meetings were canceled or loaded up.

Mr. Missel asked if there could be more than one work session a month.

Mr. Rapp said he had never had more than one work session in a month, but if needed, it could be called. He said commissioners had a lot of meetings to attend and the meeting load was quite heavy.

Mr. Missel said he was not suggesting extra work sessions.

Ms. Firehock said there had been multiple weeks where she had meetings from Monday night through Thursday night for the Commission. She said the agenda would need to be balanced so that major items were not scheduled for the same night and overload the meeting. She said that the Commission did not need to meet for meeting's sake. She proposed that Mr. Rapp review the upcoming schedule and see if the suggested changes were possible. She said that the change in the schedule would not cause further delay to applications.

Items for Follow-Up

There were no items.

Adjournment

At 7:30 p.m., the Commission adjourned to February 1, 2022, Albemarle County Planning Commission meeting, 6:00 p.m. via electronic meeting.



Charles Rapp, Director of Planning

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

Approved by Planning Commission
Date: 02/15/2022
Initials: CSS