

# WILLIAMS MULLEN

March 19, 2018

Megan Nedostup  
Albemarle County  
Department of Community Development  
Via: Hand Delivery

**RE: SP 2018-001 Keswick Hall and Golf Club**

Ms. Nedostup:

This comment response letter covers staff comments dated March 2, 2018 for the initial submittal for a special use permit amendment to the Keswick Hall and Golf Club (SP2000-23 and SP2008-42).

1. Section 10.2.2.27(b) of the Zoning Ordinance, which requires the Inn to be served by a **water and sewerage systems having adequate capacity for both the existing and proposed uses and facilities without expansion of either system.**

*An updated Water and Waste Water Facilities Plan has been provided with this submittal. Concurrent with the expansion of the Inn, the applicant intends to expand the water system capacity through the addition of a well, pump and storage tank, thus ensuring capacity for all residential lots as well as the Inn and Golf Club uses.*

*Timmons Group studied the existing Water and Wastewater Treatment Facilities to confirm that the proposed expansion of the Inn would not exceed the capacity of the existing systems. With 86 total rooms, Keswick Inn remains under the threshold of the existing facility, with a maximum capacity of 76,000 gallons per day. The previous submittal included a summary of the study, however this submittal includes the fully updated Water and Waste Water Facilities Plan, prepared by Timmons Group, is attached as Exhibit G. The previous report had a slightly different number of rooms proposed, however the updated report is consistent with this application and draws the same overall conclusions.*

2. Will there be a future phase? The prior SP's included two phases, however it now appears that this will be the extent of the expansions for the Inn and associated uses. Please clarify for both the uses and for the water and sewage information.

*No second phase is planned at this time, however we want to maintain reference to the banquet hall and additional rooms that were approved for Phase 2 in previous amendments dating back to 2000 with the understanding that additional development would require a*

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*future amendment to the Special Use Permit's Concept Plan.*

3. A left turn lane and right turn taper at the Route 22/Hunt Club Road intersection will be required due to the changes requested to the property. See attached comments from VDOT and the County Transportation Planner for further detail.

*As discussed in our meeting with staff on March 12, the TIA concludes that neither a left nor a right turn lane are warranted based on the uses proposed and the resulting minimal increase to traffic in the area. All intersections continue to function at the same high levels of service, with Route 22 and Hunt Club Road continuing to operate at a Level of Service C and Black Cat Road and Club Drive continuing to operate at a Level of Service A. The study also confirms that queuing or delays are minimal to none. The Inn and Golf Club are both off peak uses, with multiple access points from Route 22, Keswick Road and Black Cat Road. With a majority of Inn guests arriving from the South, the recommendation that this applicant should be tasked with providing such expensive and unnessecary improvements that are unrelated to any impact of their uses is inconsistent with the standard of review for a Special Use Permit.*

*As we demonstrated in the March 12<sup>th</sup> meeting, the crash history data shows that several of the noted crashes in this general area are not related to turn movements at the intersection. Regardless, 9 crashes over 5 years in the general area is very low by VDOT standards. In the meeting, VDOT confirmed that this crash history would not warrant the investment of any VDOT funds in the intersection. In addition, Route 22 is a scenic byway and part of the Southwest Mountains Rural Historic District. Residents of this area are extremely opposed to any road widening in this area, including new turn lanes, that would impact the bucolic character of the surroundings. For these reasons, the applicant is not including turn lanes on Route 22.*

4. Clarify and include all existing and proposed uses and spaces. The water usage table provided included a Café/Retail space as well as Villa Crawford Bar Addition. Will these be open to the public? Also during the tour it was mentioned that the old Fossetts kitchen will be remodeled and used as a catering kitchen, provide this use as well. Please see historic preservation comments for information on remodeling the historic portion of the Inn.

*Villa Crawford Bar will continue to operate in its same general location in a renovated space, serving drinks and lite fare. This existing use is intended to primarily serve guest of the Inn, but it remains open to the public, consistent with prior to the start of renovations of Keswick Hall.*

*The Café/retail space is for guests only, similar to a small inn gift shop. All uses are covered within the updated Water and Waste Water Facilities Plan, included.*

5. SP2008-042 Condition #3 was related to future subdivisions as it relates to water usage. The lots that would relate to this condition should be a part of the special use permit, as it limits water and sewage capacity.



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*Condition #3 was originally established through SP 2000-33. Our current submittal is consistent with SP 2008-42 in which no additional lots were included in the request. While water usage is studied for all of the lots within the Keswick subdivision, the uses associated with this Special Use Permit only apply to TMP 80-8Z, 80-9 and TMP 80-60A.*

6. The critical slopes shown on the application Steep Slopes exhibit do not match the County GIS critical slopes layer. Please update exhibit to show the critical slopes as shown on the County GIS layer. This is a zoning layer and cannot be changed without a Zoning Map Amendment. Areas that are surveyed and found to be less than 25% or resulting from development activities can be identified with a different hatch to allow development within these areas in accordance with 18-4.2.5.b. All grading within critical slopes should be included in the area of impacts (please confirm).

*Critical slopes and conceptual grading have both been updated. A detailed critical slopes waiver request will accompany our site plan review process.*

## **Planning**

**Comprehensive Plan.** Comments on how your project conforms to the Comprehensive Plan will be provided to the Planning Commission and Board of Supervisors as part of the staff report that will be prepared for the work session or public hearing.

The proposed expansion is not consistent with the Comprehensive Plan, which does not recommend hotels or resorts in the County's designated Rural Areas. However, staff notes that this use was approved with prior special use permits.

*Keswick Hall is consistent with the Comprehensive Plan's goals to promote economic development and tourism within the County. In addition, the expansion of Keswick Hall allows for the renovation and maintenance of the entire structure, including the Villa Crawford wing. As stated in our narrative, properties such as Keswick Hall allow visitors and County residents to have an immersive experience in the Virginia countryside, creating new advocates for protection of our rural areas.*

## **Planning Comments**

1. Changes to the site including parking will require a site plan amendment. These changes should also be stated in the narrative, as they are changes to the application plan.

*The narrative has been updated to include changes to the parking lot.*

2. Provide information on parking requirements for all of the uses.

*Parking information has been added to the narrative. Specific parking layouts and counts will be included in the site plan review process.*

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3. See attached comments from Kevin McDermott regarding transportation.

*Noted.*

## Fire/Rescue

Staff is pursuing further comments from Fire/Rescue and will provide those comments at a later date.

*Noted.*

## Zoning

The following comments related to zoning matters have been provided by Andrew Knuppel:

1. Please ensure that the water uses outlined in Exhibit G are consistent with the information in the Project Narrative. It is unclear where the "Café/Retail" and "Villa Crawford Bar Addition" uses in Phase 1A are occurring on the provided plans. Please include these on the concept plan.  
*Villa Crawford Bar area is being reconfigured within the Villa Crawford wing of Keswick Hall, consistent with the current general location. The full water report has been attached for staff review and is consistent with all existing and proposed uses.*
2. Please clarify which uses listed in Phase 1A in Exhibit G will be open to the public, versus those that shall be used only by the guests of the inn and their invitees or members of the Keswick Country Club and their invitees.  
*The relocated Fossett's restaurant will be open to the public, consistent with the existing restaurant and previous approvals. The proposed Spa facility will be open to the public, as approved in SP 2008-42. All other facilities and uses are for members of the Golf Club or Guests of Keswick Hall.*
3. Please be aware of the following text from Zoning Ordinance Section 10.2.2.27(b):  
"Nonconforming uses, provided the restaurant or inn is served by existing water and sewerage systems having adequate capacity for both the existing and proposed uses and facilities without expansion of either system."  
*Noted. Water capacity is available to serve the restaurant and inn uses as required by the referenced text.*

## Engineering and Water Resources

The following comments related to engineering and water resources have been provided by Frank Pohl:

The critical slopes shown on the application Steep Slopes exhibit do not match the County GIS critical slopes layer. Please update exhibit to show the critical slopes as shown on the County GIS layer. This is a zoning layer and cannot be changed without a Zoning Map Amendment. Areas that are surveyed and found to be less than 25% or



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resulting from development activities can be identified with a different hatch to allow development within these areas in accordance with 18-4.2.5.b. All grading within critical slopes should be included in the area of impacts (please confirm).

*Updated exhibits with conceptual grading and conceptual impacts are attached. More detailed exhibits will be provided with the Critical Slopes waiver that accompanies the Site Plan review process.*

Notes from the pre-application meeting follow below:

Critical slopes waivers were granted with SP 2000-33 for improvements shown on the plan approved with the SP. However, some of the improvements were approved in a different location with SP 2008-42 which nullified some of the approvals provided with SP2000-33. Staff recommends that you avoid critical slopes or provide field run topo to show the slopes are not critical. If you can't avoid the slopes, you will need to request a special exception. Staff recommends that you request a special exception for critical slopes disturbance for all slopes that you wish to disturb rather than try to figure out what slopes have and have not been approved for disturbance. Critical slope disturbance on manmade slopes outside of the required stream buffer can be supported. Staff can typically support approval of critical slopes that are isolated small bands not part of a larger system or related to a stream.

*Noted.*

The Water Protection Ordinance was last amended on July 1, 2014. Any new development must comply with the current ordinance, including stream buffer regulations (17-600). A VSMP application/approval is required and shall comply with Part 2B stormwater management requirements (9VAC25-870).

*Noted. It is acknowledged that the plan must adhere to the Water Protection Ordinance, including stream buffers and Part 2B stormwater management requirements. Regarding stream buffers, the spa location that is being shown will adhere to being setback 100' from the stream and any contiguous wetlands. Those details will be provided with the site plan amendment application. Additionally, the team is currently studying low impact techniques for stormwater and is anticipating a greater amount of treatment on site, then would be required, capitalizing on runoff reduction methods to assist with water quality and flow reduction.*

## **Historic Preservation**

The following comments related to the Historic Preservation have been provided by Heather McMahon:

1. The DHR report that the interior and exterior of the Villa Crawford retain a significant degree of integrity and should be preserved and/or sensitively restored. Rehabilitation or remodeling of this wing of the hotel should be limited and undertaken in consultation

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with the *Secretary of Interior's Standards for the Treatment of Historic Properties*. Architectural features such as the windows and doors should be replaced in like materials with the same/original configuration of lites; the interior wood flooring should be protected; the interior detailing, such as fireplace mantles, stair balustrade and rail, wainscoting, paneling, dentilated cornice, scroll brackets, door surrounds, and window frames should be preserved in situ. The Villa Crawford retains its original floorplan (room layout) and this should continue to be preserved.

*As previously established, no part of the project is subject to specific historic protections due to the extensive renovations and expansion completed in the 1990's. However, the proposed renovation and addition seek to preserve the historic quality, character, and key detailing of the original 'Villa Crawford' wherever possible, and only perform select, critical modifications to the space necessary to achieve a standard of guest comfort and operational viability needed for the success of the hotel. The addition to the building will be of a like style and architectural character, with complimentary massing that respects the existing Hall as the primary, grand villa of Keswick.*

## VDOT

The following comments have been provided by Adam Moore:

1. The department has reviewed the TIA and studied crash data for the studied intersections. At this time the Department recommends that a left turn lane and right turn taper be installed at the Route 22/Hunt Club Road intersection. This intersection has a history of rear end crashes, which could potentially increase with greater traffic generated by Keswick Hall. The turn lane and taper can reasonably be expected to reduce the incidence of rear end crashes.

*As discussed in our meeting with staff on March 12, the TIA concludes that neither a left nor a right turn lane are warranted based on the uses proposed and the resulting minimal increase to traffic in the area. All intersections continue to function at the same high levels of service, with Route 22 and Hunt Club Road continuing to operate at a Level of Service C and Black Cat Road and Club Drive continuing to operate at a Level of Service A. The study also confirms that queuing or delays are minimal to none. The Inn and Golf Club are both off peak uses, with multiple access points from Route 22, Keswick Road and Black Cat Road. With a majority of Inn guests arriving from the South, the recommendation that this applicant should be tasked with providing such expensive and unnessecary improvements that are unrelated to any impact of their uses is inconsistent with the standard of review for a Special Use Permit.*

*As we demonstrated in the March 12<sup>th</sup> meeting, the crash history data shows that several of the noted crashes in this general area are not related to turn movements at the intersection. Regardless, nine crashes over five years in the general area is very low by VDOT standards. In the meeting, VDOT confirmed that this crash history would not warrant the investment of any VDOT funds in the intersection. In addition, Route 22 is a scenic byway and part of the*



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*Southwest Mountains Rural Historic District. Residents of this area are extremely opposed to any road widening in this area, including new turn lanes, that would impact the bucolic character of the surroundings. For these reasons, the applicant is not including turn lanes on Route 22.*

## **Virginia Department of Health (VDH)**

The following comments have been provided by Josh Kirtley:

VDH does not have authority over the permitting process for any additional connections made to an existing DEQ permitted treatment system.

At this point, it's a matter of ensuring that both the water and wastewater supplies have adequate capacity for the proposed expansion. The applicant has provided a report which lists the water capacity at 76,000 gpd and the sewage treatment plant capacity to be 60,000 gpd. The report goes on to estimate the water demands after Phase IB of this project to be 74,300 gpd. At first glance, it appears that the water supply demand will exceed the sewage treatment plant capacity. I would question how much of the current and estimated water use is used for irrigation, pool filling, etc and therefore never makes it to the treatment plant in the form of sewage.

Taking into consideration the existing water use and the proposed additions, along with the permitted capacity of the STP, I would tend to think that they should be able to justify the proposal with further correspondence. I say this because they appear to be well under the permitted capacity based on a peak daily average and I'm assuming that a certain portion of the water that is used never makes its way to the STP. I also believe that they can itemize the additional uses to justify the expanded services.

Please note that the projected water use and wastewater treatment capacity doesn't appear to take into consideration any future development on the property.

*Noted. The full utility report has been included with this submittal. Water supply demand and permitting is based on the peak flow necessary, while sanitary permitting is based on the average flow. This is further discussed in the updated Water and Wastewater Report (included), as the uses and their impact on both the existing water and sewer system are defined. The existing water and sanitary systems have available capacity to support this Special Use Permit request.*

## **SP Conditions**

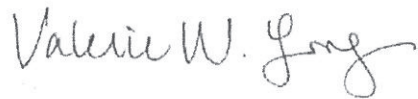
Staff has not drafted conditions to date for this special use permit, due to the potential changes that need to occur and additional information requested. Once conditions are drafted, staff will send it out to you.

*Noted.*

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Thank you for your assistance with these applications. Please let us know as soon as possible if there is any other information that you require to address your comments.

Sincerely,

A handwritten signature in cursive script that reads "Valerie W. Long".

Valerie Long

Enclosures

cc: Keswick Club LLC  
Ashley Davies, Williams Mullen

35820711\_1



To: Kevin McDermott (Albemarle County)  
From: Steve Schmidt, PE, PTOE  
RE: Keswick Hall Traffic Analysis – Response to VDOT and County Comments  
Date: March 20, 2018  
Copy: Craig Kotarski, PE, LEED AP (Timmons Group)

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Timmons Group completed a traffic study for the proposed Keswick Hall project which was submitted on 1/15/18.

The study shows that a right turn lane or taper is **not** warranted at the Louisa Road/Hunt Club Road intersection.

The study shows that under total conditions, the VDOT nomographs indicate a left turn lane is marginally warranted. However, the necessity of the left turn lane is questionable based on the following:

- The percentage of left turns (2.5%) is well below the 5% threshold of the chart; however, the 5% chart is the lowest warrant chart provided by VDOT.
- The southbound thru-left lane would operate at an LOS A with 0.7 seconds/vehicle of delay and a 95<sup>th</sup> percentile queue of 1 foot.

In short, left turns will wait less than 1 second and will experience a 1-foot queue before being able to turn onto Hunt Club Road.

After reviewing the study, both Albemarle County Staff and VDOT are recommending turns lanes at the Louisa Road/Hunt Club Road intersection. A copy of the County and VDOT comments is attached for reference.

The recommendations center around two main points. The first is that the existing traffic counts used in the study are lower than previous counts and may not accurately depict the traffic at the intersection. The second comment is that there is a history of rear-end crashes at the intersection and the turns lanes “can reasonably be expected to reduce the incidence of rear end crashes.”

These items/comments were discussed at a meeting with VDOT and County staff on March 12, 2018.

Taking the comments one at a time:

1. The existing traffic counts at the Louisa Road/Hunt Club Road intersection were conducted in November 2017 less than two months prior to the club closing for renovations. The County compared these to previous counts collected in 2000 (i.e. 17 years prior). The County also commented that the trip generation estimates contained in the study were “extremely” conservative.

In response, we offer the following:

- While this comparison revealed higher left/right turn volumes at the subject intersection in 2000, the age of the data calls into question its validity.
  - The November 2017 counts, on which this work is based, were conducted in accordance with all VDOT and County guidelines. Similarly, the trip generation was completed in accordance with all guidelines. Both of these items were agreed upon at the scoping meeting with representatives from the County and VDOT.
  - If the traffic entering/exiting Hunt Club Road was 100% higher (double what was counted/forecasted), analysis shows a delay of only 1.3 seconds per vehicle with a queue of 3 feet; if the counts are low, the analysis indicates left turns onto Hunt Club Road will operate with approximately the same amount of delay and queue. The right turn is unopposed and will not experience any delay. The discrepancy in the counts does not impact the analytical results and does not indicate the need for turn lanes.
2. The crash history at the intersection indicate the presence rear-end crashes. VDOT states, “this intersection has a history of rear end crashes, which could potentially increase with greater traffic generated by Keswick Hall. The turn lane and taper can reasonably be expected to reduce the incidence of rear end crashes.” The County states, “The crash history at the intersection of Louisa Road and Hunt Club Road shows nine (9) crashes attributable to turning movements onto Hunt Club Road in the past five years. This number concerns the County enough to warrant the recommendation for inclusion of the left-turn lane at the described location.”

In response, we offer the following:

- Timmons Group examined the publicly available crash data (VDOT Tableau) for the last six years (2011-2017) and identified 11 rear-end crashes at the intersection. We have requested the police reports (FR-300s) from VDOT to perform a more detailed analysis of the causes surrounding those crashes, but have not received that information to date. However, based on the publicly available data, three (3) of those crashes are attributable to causes other than traffic entering/exiting Hunt Club Road and would not have been correctable by turn lanes. One (1) was caused by a dog running into the road, the second was caused by a vehicle travelling well below the speed limit outside the intersection’s functional area, and the third was the result of a vehicle stopped for another accident.



- Removing the three (3) aforementioned crashes leaves eight (8) rear end crashes over a six-year period. At this time, we are unsure of the direction the vehicles involved in the remaining crashes were traveling or the surrounding circumstances. The requested FR-300 police reports should provide this information, which is vital to understanding if/how the turn lanes will address the intersection's crash history.
- Eight (8) crashes in six (6) years does not constitute a crash history; on average that is just over one (1) crash per year.
- At the meeting on March 12<sup>th</sup>, both VDOT and the County indicated that neither agency has plans to install turn lanes at the subject intersection to address the existing concerns.

Should you have any questions or comments please contact me (804.200.6502) or Scott Dunn (804.200.6955).