



**ALBEMARLE COUNTY PLANNING
STAFF REPORT SUMMARY**

Project Name: SP201700032 UVA Tennis, Permanent Connector Road, and Birdwood Golf Course Addition	Staff: Tim Padalino, AICP, Senior Planner
Planning Commission (PC) Hearing: June 19, 2018	Board of Supervisors (BOS) Hearing: to be determined
Owner: University of Virginia Foundation (UVAF)	Applicant: University of Virginia Foundation (UVAF)
Acreage: 544 acres	Special Use Permit for: "Swim, golf, tennis or similar athletic facilities" (Section 13.2.2 of zoning ordinance)
Tax Map Parcel (TMP): 07500-00-00-06300	Zoning/by-right use: R-1 Residential (1 unit/acre).
Magisterial District: Samuel Miller	Location: 410 Golf Course Drive, Charlottesville, VA
School Districts: Murray – Elementary, Henley – Middle, and Western Albemarle – High	Conditions: Yes
Development Area: Neighborhood 6 in the Western Urban Neighborhoods	Requested # of Dwelling Units/Lots: N/A
Proposal: Amend SP201700023 to allow for the construction of a new University of Virginia outdoor tennis facility, as well as a "short course" addition to the existing Birdwood Golf Course containing six par-3 holes. Proposal would also allow for unrestricted permanent vehicular use of a private street connecting the subject property with the adjoining Boar's Head properties. Proposal includes a request for a Special Exception (Outdoor Lighting Waiver).	Comp. Plan Designation(s): <u>Institutional</u> – schools, libraries, parks, utilities, hospitals, universities, colleges and other developed and undeveloped publicly owned property; <u>Parks and Green Systems</u> – parks, playgrounds, play fields, greenways, trails, paths, recreational facilities and equipment, natural areas, and preservation of stream buffers, floodplains, and steep slopes adjacent to rivers and streams.
Character of Property: Birdwood Golf Course and historic Birdwood Mansion, listed on the National Register of Historic Places and Virginia Landmarks Register.	Use of Surrounding Properties: Boar's Head Inn and Sports Club; residential neighborhoods of Ednam, Ednam Village, Ednam Forest, Bellair, Kenridge, and White Gables; Ragged Mountain Reservoir and Natural Area.
Factors Favorable: <ol style="list-style-type: none"> 1. The proposed use is consistent with the Master Plan land use designation for Institutional uses. 2. The proposed permanent vehicular connection is shown between the Birdwood Golf Course and the Boar's Head properties on the transportation plan in the Master Plan. 3. The proposal advances Neighborhood Model principles of interconnection and pedestrian orientation. 4. The proposal locates new UVA athletic facilities on a large developed parcel inside the Development Areas and collocates them with existing UVA-affiliated "swim, golf, tennis, and similar athletic facilities" uses. 5. The use and location of the UVA Tennis facility would be complimentary to the existing UVA-affiliated facilities on adjoining Boar's Head property. 6. The proposal consolidates numerous prior County approvals through a property-wide Conceptual Plan and project-specific Concept Plan Details. 	Factors Unfavorable: <ol style="list-style-type: none"> 1. Outdoor lighting for the Tennis Facility might negatively impact nearby residential properties; however, the proposal restricts the locations of more intensive lighting and uses full cut-off dimmable LED fixtures to minimize these impacts. 2. Increased noise/sound might occur with the new outdoor tennis facility; however, no residents have raised concerns. 3. New traffic patterns will result from the interconnection and increased traffic volumes from the new tennis courts; however, the applicant has proffered a traffic management plan for events. Visual impacts of the interconnection will be partially mitigated through adherence to the Landscaping and Screening Exhibit requirements established by a Special Exception approved on April 4, 2018.
Recommendation: Staff recommend approval of SP-2017-00032 with conditions; and recommend approval of the Special Exception (Outdoor Lighting Waiver) to increase the maximum height of athletic lighting poles with conditions.	

STAFF CONTACT:
PLANNING COMMISSION:
BOARD OF SUPERVISORS:

Tim Padalino, AICP, Senior Planner
June 19, 2018
TBD

PETITION:

PROJECT: SP201700032 – “UVA Tennis, Permanent Connector Road, and Birdwood Golf Course Addition”

MAGISTERIAL DISTRICT: Samuel Miller

TAX MAP/PARCEL(S) (TMP): 07500-00-00-06300

LOCATION: 410 Golf Course Drive, Charlottesville, VA 22903

PROPOSAL: Amend SP201700023 to allow for the construction of a new outdoor tennis facility for use by the University of Virginia men’s and women’s varsity tennis teams, as well as a “short course” addition to the existing Birdwood Golf Course containing six par-3 holes. Proposal also includes a request to allow for unrestricted, permanent vehicular use of a private street connecting the subject property with the adjoining Boar’s Head Sports Club property (TMP #059D2-01-00-01500). Proposal includes a request for a Special Exception (Outdoor Lighting Waiver) to waive/modify outdoor lighting requirements to allow for the maximum light pole height to be increased from thirty-five (35) feet to seventy (70) feet.

PETITION: Amend special use permit for “swim, golf, tennis, or similar athletic facilities” under Section 13.2.2.4 of the zoning ordinance. No new dwellings proposed on this 544-acre parcel.

ZONING: R1 Residential, which allows residential use by right (1 unit per acre).

OVERLAY DISTRICT(S): EC – Entrance Corridor; AIA – Airport Impact Area; and Steep Slopes – (Managed) and (Preserved).

COMPREHENSIVE PLAN: Institutional use which allows for schools, libraries, parks, major utilities, hospitals, universities, colleges, ancillary facilities, and undeveloped publicly owned property; and Parks and Green Systems which allows for parks, playgrounds, play fields, greenways, trails, paths, recreational facilities and equipment, plazas, outdoor sitting areas, natural areas, and preservation of stream buffers, floodplains, and steep slopes adjacent to rivers and streams in Neighborhood 6 of the Southern and Western Urban Neighborhoods.

CHARACTER OF THE AREA:

The Birdwood property is a 544-acre parcel which contains the 18-hole Birdwood Golf Course, including a driving range and short game practice area, clubhouse, parking area, and various maintenance and storage structures. The course and associated structures are on the northern portion of the parcel and the remainder of the parcel is mostly wooded. Birdwood is the home golf course for the University of Virginia (UVA) Men’s and Women’s Golf Teams and is also open to the public, including guests of adjacent Boar’s Head Inn. The golf course is accessed from U.S. 250 (Ivy Road) via Golf Course Drive, which is a private street.

A 12-acre portion of the Birdwood property is listed on the National Register of Historic Places as well as the Virginia Landmarks Register. The historic site (which includes Birdwood Mansion, the historic landscape, and several outbuildings) is located on the northern portion of the property and is accessed by a private drive off of Ivy Road called Birdwood Drive. The new UVA Golf facility approved earlier this year is currently being constructed immediately southwest of the Birdwood Mansion historic site.

Neighboring properties are mostly residential. Bellair neighborhood is to the east. To the north across Ivy Road are the neighborhoods of Kenridge and White Gables. To the west of the golf course are the neighborhoods of Ednam, Ednam Village, and Ednam Forest. The Boar’s Head Inn property is also located to the west, and includes the Boar’s Head Sports Club which, like the Birdwood Golf Course, is used for University of Virginia varsity sports. To the south is the Ragged Mountain Reservoir property, Ragged Mountain Natural Area, and several large wooded parcels. (Attachment A)

The Birdwood property is zoned R-1 Residential. Most adjacent parcels are also zoned residential, with the exceptions of the Boar's Head Sports Club (zoned HC Highway Commercial), the Ednam Business District (zoned CO Commercial Office), and Kenridge and White Gables which are located across U.S. 250 / Ivy Road from Birdwood (zoned CO Commercial Office with approved special use permits for residential uses).

PLANNING AND ZONING HISTORY:

- Birdwood Golf Course was constructed in 1984; as a property zoned R-1 and owned by a state institution, the University of Virginia (UVA) was not required to have a special use permit for a golf course. In 1989 UVA transferred the property to the University of Virginia Foundation (UVAF).
- SP1996-53 – Special Use Permit approved with conditions for the continued golf course use on property zoned R-1 and to allow the construction of an enclosed golf cart storage facility.
- SUB201500070 – Boundary line adjustment plat to combine Birdwood Pavilion parcels with the Birdwood Golf Course parcel; approved 5/6/2015.
- SP201500019 – Amendment to SP1996-53 to allow for the construction of an indoor golf practice facility to the southeast of the Birdwood Pavilion; approved with four conditions on 9/2/2015. (*Please see Attachment B*)
- SP201700009 – Amendment to SP201500019 to allow for the construction of an indoor golf practice facility to the southwest of the Birdwood Pavilion; approved with seven conditions on 9/13/2017.
- SDP201700058 – Final Site Plan for proposed indoor golf facility at location corresponding with recently approved SP201700009; approved on 1/11/2018.
- SP201700023 – Amendment to SP201700009 to allow for the construction and restricted (temporary) use of a new private street that establishes vehicular interparcel connection with the Boar's Head properties; approved with conditions on 12/13/2017. (Attachment B – Existing SP Conditions of Approval)

DETAILS OF THE PROPOSAL:

The applicant is requesting a special use permit amendment to the recently approved special use permit for the Birdwood property (SP201700023) to allow for several proposed improvements:

UVA Tennis Facility:

- Construction of a new UVA Outdoor Tennis Facility, comprised of a maximum of (12) new outdoor tennis courts and a UVA Tennis Pavilion to house the locker rooms, training rooms, and coaches offices for the UVA Men's and Women's Tennis Teams (together referred to as the "Tennis Facility"). As noted in the project narrative, the "primary function of the Tennis Facility is to provide practice courts and tournament/match space for the [UVA] Men's and Women's Tennis Teams."
- Proposed lighting for the outdoor tennis courts would be "high mast option full cut-off dimmable LED lighting" at a proposed height of seventy (70) feet; this height would not be permissible without an approved Special Exception (SE) for an Outdoor Lighting Waiver.

Birdwood Golf Course Addition:

- An "expansion" to the existing 18-hole Birdwood Golf Course, comprised of a six (6) hole "par-3 short course." These six additional holes would not require a physical expansion of the existing golf course; rather, they would be located within the limits of the existing golf course. The proposed par-3 short course would be constructed in conjunction with the overall (separate but approved) renovation of the entire golf course, which includes a reconfiguration or relocation of numerous

holes as well as the relocation of the short game practice facilities and driving range, all occurring within the limits of the existing Birdwood Golf Course.

Permanent Connector Road:

- Use of the recently approved temporary connector road to provide for permanent, unrestricted use of the connector road between Golf Course Drive (on the Birdwood property) and Berwick Road (on the Boar's Head properties). Extensive information about this element of the proposal is contained in the staff report for the corresponding application ZMA201700010.

For more detailed information about each element of the proposal, please see the "Project Narrative" (Attachment C), as well as Exhibit A "Birdwood Conceptual Plan – Sheet 1 of 4" (Attachment D) and Exhibit B "Conceptual Plan Sheet 2 of 4 - Tennis Facility Detail" (Attachment E).

COMMUNITY MEETING

The applicants conducted a Community Meeting for SP201700032 and ZMA201700010 at the Boar's Head Inn on Monday, February 12th at 5:30pm. Approximately 25 neighbors were in attendance. Topics of discussion involving members of the audience *and a general summary of answers provided by members of the applicant team* included:

- A. Questions and concerns about transportation impacts, including questions about possible future intersection improvements at Golf Course Drive and Route 250, and questions about changes to the existing signal at Ednam Drive and Route 250.

Applicants' answers: The decisions about the intersection improvements at either location are ultimately VDOT's decisions to make, and are not decision that we can make as applicants, or even decisions that the County can make. VDOT has expressed their preference that the existing traffic signal at the intersection of Ednam and 250 be removed and relocated to the intersection of Golf Course Drive and 250; however, the traffic impact study that was completed for these projects and which was reviewed by VDOT did not indicate that the changes to the traffic patterns created by the proposed projects would warrant a traffic signal or require other improvements at Golf Course Drive and 250 in order to maintain the same level of service as currently exists.

- B. Questions about the magnitude of the traffic impacts near residential neighborhoods and in the center of the Inn and Sports Club areas.

Applicants' answers: The connector road will create a second entrance and second exit which improves access and safety in the case of an emergency. These projects will help to remove service vehicles from the Inn's pedestrian core. The designs will include traffic calming materials and features and safe crosswalks. The connector road project is being designed as an experiential entrance corridor – not a "break-neck cut through."

- C. Questions and concerns about visual changes and impacts to views from residences associated with the new proposed connector road and the associated increase of traffic on existing Golf Course Drive.

Applicants' answer: These projects will create short-term disruption and a short-term mess; but in the long run these projects will be done well, and will improve the properties, and are necessary in order to improve the experience for residents, guests, and visitors.

- D. Questions about whether the proposal(s) include an increased amount of parking.

Applicants' answers: Yes; including through improved/expanded parking at Clubhouse, and additional parking at Sports Club, and the lighting will be improved at these parking locations.

E. Questions about outdoor lighting along proposed connector road or Golf Course Drive.

Applicants' answer: outdoor lighting is probable in some locations, including at the entrance to the UVA Golf Facility.

F. Questions about whether the proposed par 3 short course or the relocated practice facility will involve the removal of trees or other vegetation.

Applicants' answers: The short course will not involve removal of trees along Ednam Village; relocated practice facility will involve the removal/elimination of some trees along Ednam Office Park and Route 250.

G. Questions about golf course management practices – will use of herbicides and pesticides increase with the relocated and expanded elements of the golf course?

Applicants' answer: The entire Birdwood Golf Course property is a "Certified Audubon Sanctuary" which requires an environmentally-conscious approach to the use of chemicals, the use of water for irrigation, and the management of the property for wildlife habitat.

ANALYSIS OF THE SPECIAL USE PERMIT REQUEST

Section 33.8 of the Zoning Ordinance states that the Planning Commission and Board of Supervisors shall reasonably consider the following factors when reviewing and acting upon an application for a special use permit:

No substantial detriment. The proposed special use will not be a substantial detriment to adjacent lots.

While no substantial detriment to adjacent lots is expected from the proposed permanent connector road, staff do have some concerns for potential impacts on nearby residential properties from new outdoor lighting, new traffic patterns, increased traffic levels on Berwick Road and Golf Course Drive, and noise from the tennis facility.

The proposed height of the new light poles for the outdoor tennis courts could create spillover and glare. However, opportunities exist to mitigate potential impacts by requiring context-sensitive specifications for light poles, outdoor light fixtures/luminaries, screening and landscaping, and other site planning and design details.

Noise from the tennis facility could also negatively impact nearby residential properties. Types of noise could include noises directly associated with tennis (including the voices of student-athletes and spectators) as well as noises associated with the use of amplified sound systems. Staff concerns relate to the latter type of noise. However, residents have not raised concerns about noise and the use of amplified sound systems will be subject to the County's Noise Ordinance. Opportunities exist to ensure compliance by requiring a sound study to be conducted and submitted to the Zoning Administrator for acceptance prior to the issuance of a Certificate of Occupancy for the tennis facility.

Traffic impacts generally relate to changes in traffic patterns between Birdwood Golf Course and Boar's Head properties, and are discussed in detail later in this report. Mitigation of these potential visual impacts on nearby residential properties will occur through site-specific landscaping and screening requirements in areas between the connector road and the adjoining R1 and R4 residential districts, per Special Exception Condition #3 of the Grading Buffer Waiver approved by the BOS on April 4, 2018.

Character of district unchanged. The character of the district will not be changed by the

proposed special use.

The R1 Residential district near Birdwood and Boars Head is primarily residential (most notable are the Bellair and Ednam Forest neighborhoods), with some institutional uses (at Birdwood) and open space. The basic character of the zoning district would remain unchanged with this proposal to establish additional institutional uses on the 544-acre Birdwood property.

Harmony. The proposed special use will be in harmony with the purpose and intent of this chapter.

The intent of the R-1 Residential zoning district is to provide for low density residential and appropriate amenities. “Swim, golf, tennis, or similar athletic facilities” are permissible by special use permit pursuant to Section 13.2.2.4 of the zoning ordinance, and this property has been permitted for such uses for over 20 years. No conflict has been found between this request and the intent of the Zoning Ordinance.

...with the uses permitted by right in the district.

By-right uses are mostly residential in the R-1 Residential zoning district. Golf and tennis uses are allowed by special use permit.

The par-3 short course addition would be an “expansion” of the existing Birdwood Golf Course within the current limits of the course, which has existed for over 30 years. Additionally, the applicants explained at the community meeting that the existing trees and landscaping between Ednam Village and the proposed par-3 short course would be retained. As such, an amendment to the “Swim, golf, tennis, or similar athletic facilities” special use permit for the short course addition on this 544 acre property is not expected to be problematic.

The tennis facility would be a new UVA athletic facility collocated with other existing UVA-affiliated “swim, golf, tennis, and similar athletic facilities” uses. Although an institutional-scale tennis facility might not be considered harmonious with uses permitted by right in other R1 Residential locations, the site-specific context at Birdwood is different. The proposed tennis facility site is approximately 0.25-miles from the nearest residential properties to the east in Bellair; and is situated in a location that is largely obscured from nearby residential properties to the west (Ednam Forest and Ednam Village) by the existing Boar’s Head Sports Club and the existing topography. Based on multiple site visits by staff, the site of the proposed tennis facility appears to be directly visible from only two (2) R1 Residential properties in Ednam Forest. As such, an amendment to the “Swim, golf, tennis, or similar athletic facilities” special use permit for the tennis facility is not expected to be unharmonious with the uses permitted by right in the district.

The proposed permanent, unrestricted use of the connector road is viewed to be in harmony with these uses because it creates better traffic management opportunities during events held in the adjacent HC district. Positive benefits may accrue to nearby residents from the use of the permanent sidewalks and other pedestrian infrastructure, which would provide access to cart paths and hiking trails on the Birdwood property.

The proposed outdoor lighting for the tennis facility could potentially be unharmonious with uses permitted by right in the R1 Residential District. However, opportunities exist to mitigate these concerns through the required use of full cut-off fixtures, and through the prohibition of any high mast outdoor athletic lighting in areas that would be more visible from adjoining residential areas [such as the area labeled as “Future tennis courts” on Exhibit B – Tennis Facility Detail (Concept Plan Sheet 2 of 4)].

...with the regulations provided in section 5 as applicable.

Section 5.1.16 of the zoning ordinance lists additional regulations relating to “Swimming, Golf, Tennis Clubs.” This section allows the Board of Supervisors to require additional conditions it deems necessary for the protection of the community including, but not limited to provisions for additional fencing and/or planting or other landscaping, additional setback from property lines, additional parking space, location and arrangement of lighting, and other reasonable requirements.

Based on comments and questions during the Community Meeting, and with regards to the proximity of the proposed golf course addition (par-3 short course) to Ednam Village, staff believes it is appropriate for additional conditions to be established to require existing landscaping to be maintained and/or additional landscaping buffers to be established, as may be appropriate, to protect the use and enjoyment of existing residential properties in this area of intensified golf use.

Additionally, staff believes that conditions are needed to require full cut-off lighting for some or all of the outdoor lighting for the Tennis Facility – especially for the light fixtures on the proposed high mast light poles (as has been proposed by the applicants in the Project Narrative dated April 30, 2018).

...and with the public health, safety and general welfare.

Traffic safety and mobility are the primary concerns with the proposed permanent, unrestricted use of the connector road and the proposed new uses and improvements. These proposals could potentially result in significant changes to traffic patterns at Birdwood and Boar’s Head, and along this portion of U.S. 250 / Ivy Road.

In total, the new uses being proposed with the application for SP201700032 are estimated to generate an average of 472 new daily trips (or an average of 236 additional vehicles per day). These estimated new daily trips are anticipated to be primarily “off-peak” – with only 19 additional trips anticipated during the AM peak and 41 additional trips anticipated during the PM peak.

Although these additional trips will be noticeable to the neighborhood, some positive benefits may also be realized. For example:

- the dispersed traffic circulation patterns that would be enabled through an interconnected private street network would help to offset the estimated increase in daily vehicle trips, allowing for the same level of service (LOS B) to be maintained at the Ednam Drive and Golf Course Drive entrances during peak hours;
- the permanent interparcel connection is expected to partially offset the estimated increase in daily vehicle trips, by allowing for “internal” vehicular travel between Birdwood and Boar’s Head which does not currently exist (and thereby eliminating the necessity for all vehicles to leave one property, travel down Ivy Road, and enter the other property from Ivy Road); and
- the permanent interparcel connection would provide for a second point of ingress and egress for the Birdwood and Boar’s Head properties, as well as the surrounding neighborhoods of Ednam Forest and Ednam Village, which presently have only one access point to and from U.S. 250 / Ivy Road (at Ednam Drive).

The proposal, including the Traffic Impact Analysis (Attachment F) that was conducted for this application and Event Management Plan (Attachment G), have been reviewed collaboratively by the Virginia Department of Transportation (VDOT), the Transportation Planner, and the Director of Planning, with the applicants and their traffic engineering consultants (Vanasse Hangen Brustlin, Inc. / “VHB”). VDOT indicated no objection to the proposal most recently on June 8, 2018.

VDOT has previously recommended that the existing traffic signal at Ednam Drive be relocated to Golf Course Drive; however, staff are not recommending a signal relocation at this time, provided that

additional future traffic analyses are conducted by the applicant at the U.S. 250 / Ivy Road intersections with Ednam Drive and Golf Course Drive at specified time periods (12 months after permanent opening of connector road, and again at 24 months after permanent opening of connector road). Staff do strongly recommend that any future evaluation and decision-making concerning traffic signals and all other transportation management issues be consistent with the STARS Corridor Preservation Study being conducted for U.S. 250 West (between U.S. 29 and VA Route 240). As indicated in the staff report for ZMA201700010, staff believe that it is appropriate for the owner/applicant to provide their proportional share of the cost of future traffic signals (or other transportation improvements that may be determined by VDOT and the County to be appropriate) on U.S. 250 / Ivy Road, as determined by the proportional amount of traffic contributed from the development to the intersection(s) requiring improvement(s).

To address traffic management and parking management during special events, the applicants have submitted an Event Management Plan as “Exhibit K” with SP201700032 and corresponding application ZMA201700010. (Attachment G) The plan addresses issue such as on-site parking management, shuttle services, event signage, and the use of appropriate personnel to manage event traffic, and contains strategies for managing these issues that have been organized into three tiers corresponding with different event levels (sizes/intensities). The Event Management Plan has been proffered with the ZMA application.

Consistency with the Comprehensive Plan. The use will be consistent with the Comprehensive Plan.

The Comprehensive Plan designates this part of the Birdwood property for “Institutional” land use(s) in the Future Land Use Plan for the Southern and Western Urban Neighborhoods Master Plan (S+W Master Plan).

The Institutional future land use designation (shown in blue on the Future Land Use Plan, below) represents areas and uses which serve a public function. Primary uses include “universities” and “ancillary facilities” such as sports facilities for the University. This proposal to expand existing Institutional uses (Birdwood Golf Course – the home course for the UVA Men’s and Women’s Golf teams) and to establish new Institutional uses (UVA Tennis Facility) is consistent with the future land use designations in the Master Plan.

Similarly, this proposal to provide a permanent, unrestricted vehicular connection and safe, convenient pedestrian connections between the existing Birdwood Golf Course (the home course for UVA Golf), Boar’s Head Sport’s Club (home venue for UVA Tennis), and the McArthur Squash Center (home venue for UVA Squash) is consistent with the future land use designations and transportation recommendations in the Master Plan.

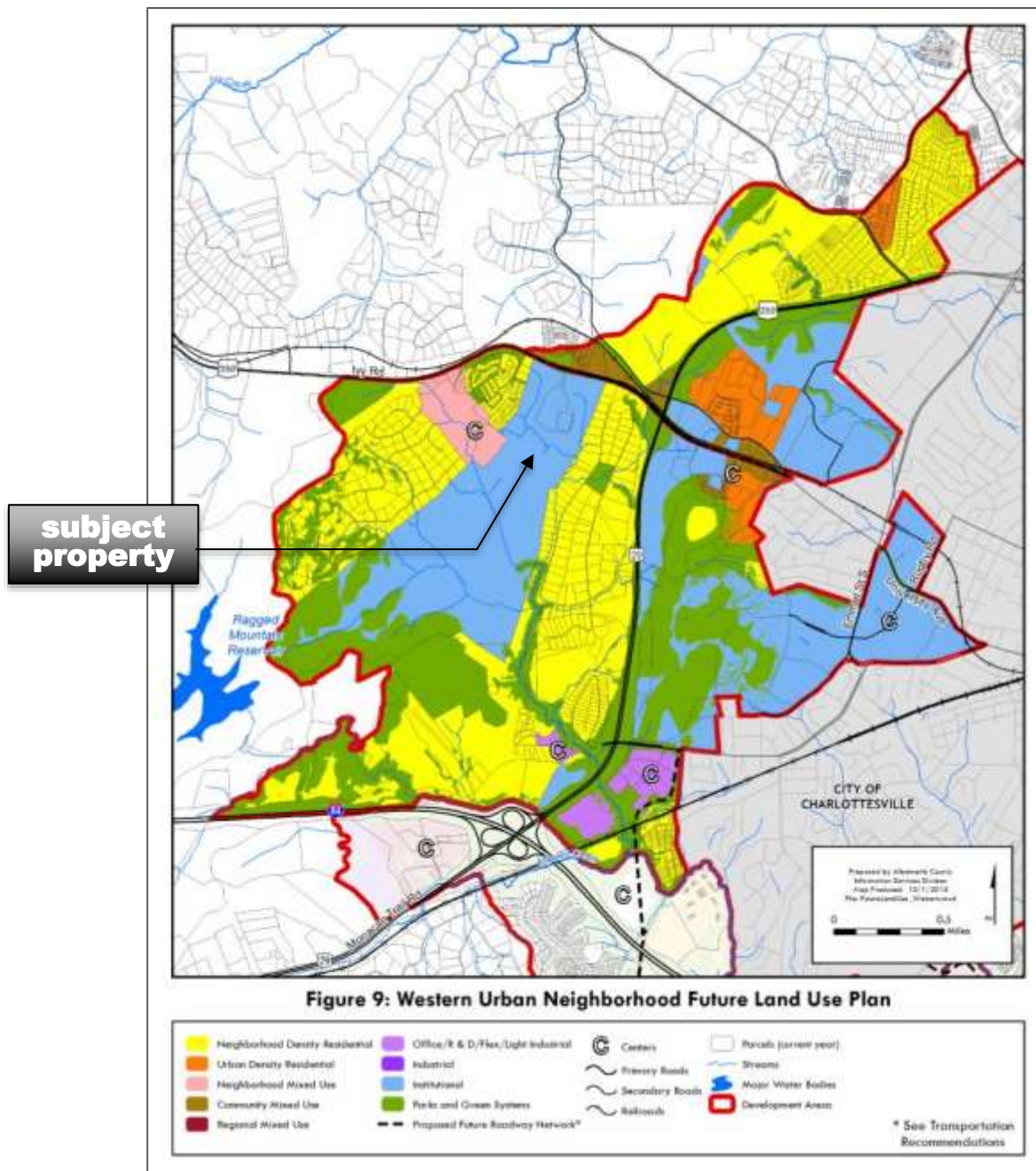


Figure 9: “Western Urban Neighborhoods Future Land Use Plan” (S+W Master Plan p. 31)

In addition to the Future Land Use Plan (S+W Master Plan p. 31) and Future Land Use Categories and Guidelines Chart (S+W Master Plan p. 34), the S+W Master Plan also contains the following pertinent details for the Birdwood “Area of Importance” (including an explicit recommendation for an interparcel vehicular connection):

Other Areas of Importance – 1. Birdwood (S+W p. 44-45):

- “It is shown for Institutional uses [and] is affiliated with the adjacent Boar’s Head Resort.”
- “An interconnection to the Boar’s Head property should be provided.”
- “Pedestrian connections to nearby residential developments should also be considered.”

Neighborhood Model Development: Staff's analysis below addresses the applicable principles of the Neighborhood Model.

Pedestrian Orientation	<p>Pedestrian infrastructure (including sidewalks, crosswalks, and outdoor lighting) is shown on the application materials, which would provide new pedestrian connections between various locations and destinations on the Birdwood and Boar's Head properties, and which would provide improved, safer conditions for some existing connections.</p> <p><i>Principle is met.</i></p>
Mixture of Uses	<p>A mixture of uses exists in this area with the residential neighborhoods, the Birdwood Golf course, and the Boars Head Inn and Boar's Head Sports Club. Addition of the tennis program will increase the mixture of uses in this area.</p> <p><i>Principle is met.</i></p>
Neighborhood Centers	<p>The Boar's Head Area is designated as an existing Center of neighborhood scale mixed use, with residential, office, commercial, and recreational uses which serve the vicinity. The permanent connector road and pedestrian infrastructure would strengthen the physical and experiential relationship between the historic, institutional, and recreational features on the Birdwood property and the Boar's Head Sports Club and Boar's Head Inn. The improved walkability and pedestrian accessibility would enhance this existing Center's identity as a prominent destination in the Western Urban Neighborhood.</p> <p><i>Principle is met.</i></p>
Relegated Parking	<p>The proposals for these previously-developed parcels include new parking spaces on the Boar's Head property (through the conversion of existing tennis courts), and new parking spaces on the Birdwood property (through the expansion of an existing parking lot at the Clubhouse). Neither parking area would be located in an area that would be prominently visible from the U.S. 250 / Ivy Road Entrance Corridor (EC), or in visible locations between the EC and existing primary structures.</p> <p><i>Principle is not met; however, staff believe this principle is only partially applicable due to the size of the parcel and the existing park-like setting.</i></p>
Interconnected Streets and Transportation Networks	<p>A permanent interparcel connection between Boar's Head and Birdwood would significantly improve the current transportation pattern in which all vehicle trips between the properties must exit and travel along U.S. 250 / Ivy Road. With these proposals, such vehicle trips would be able to occur internally on private streets, which would reduce traffic volumes on U.S. 250 / Ivy Road and also reduce vehicle miles travelled and emissions. The interconnection would also satisfy an explicit County goal for this part of the Development Area. (S+W Master Plan 45)</p> <p><i>Principle is met.</i></p>
Multimodal Transportation Opportunities	<p>It is unclear if/how public transit service (CAT and/or UTS) might be incorporated into the use of existing and proposed University athletic facilities, either on a regular basis or in support of special events. An opportunity exists to enhance transit services between Boar's Head (a designated community "center" for the Western Urban Neighborhoods), Birdwood (an increasingly important destination for UVA varsity sports programs), and the University (where student-athletes are generally located).</p> <p>The proposals do not include any information about a possible shared-use path along or near Ivy Road / U.S. 250, which would support multi-modal goals contained in the Comp</p>

	<p>Plan (such as Transportation Objectives 3, 4, and 6). Specifically, such a path would represent significant progress on the implementation of the proposed Three Notch'd Trail, which has become a project of interest for the three members of the Planning and Coordination Council (PACC).</p> <p><i>Principle is not clearly met; however, multimodal opportunities such as the proposed Three Notch'd Trail and enhanced transit services can be studied and a plan for implementation incorporated into the recently-initiated Area B Study / Birdwood Master Plan process.</i></p>
Parks, Recreational Amenities, and Open Space	<p>The proposed uses provides for additional amenity areas for guests of the Boars Head resort, the University, and (in the case of the golf course) the public. Additionally, the proposal includes improved and expanded pedestrian infrastructure, which would be accessible to guests as well as to neighboring residents. The proposal would not alter any of the forested foothills or other undeveloped areas that are designated as "Parks and Green Systems" on the Future Land Use Plan. As noted above, the proposals do not include information about the proposed Three Notch'd Trail, which would be a valuable recreation amenity (in addition to being a major public asset for alternative transportation).</p> <p><i>Principle is generally met, to the extent that it is applicable to this proposal on this property. The opportunity to support shared-use paths, such as the proposed Three Notch'd Trail, can be studied and a plan for implementation incorporated into the recently-initiated Area B Study / Birdwood Master Plan process.</i></p>
Buildings and Spaces of Human Scale	<p>The UVA tennis facility, which includes a maximum of 12 courts and a multi-story tennis pavilion, appears to be a facility of significant size.</p> <p><i>Principle is not met; however, staff believe this principle is only partially applicable and should be evaluated within the unique context of Birdwood, which is a very large parcel with a park-like setting and existing athletic facilities. An outdoor tennis facility is anticipated to be less monumental in scale as compared to indoor tennis court facilities, which typically require large buildings and limited numbers of windows.</i></p>
Redevelopment	<p>The proposals represent a relatively well-contained and concentrated intensification of uses that is somewhat akin to infill development (new University-related athletic facilities at an existing University-related Golf Course and adjacent to an existing University-related Sports Club).</p> <p><i>Principle is met.</i></p>
Respecting Terrain and Careful Grading and Re-grading of Terrain	<p>Based on conceptual plans and conceptual renderings provided with the original submittal of this application, it appears that the University intends to construct the new athletic facilities and related improvements thoughtfully, by siting buildings and parking into the existing rolling terrain. However, it can be reasonably anticipated that the proposed improvements would require extensive site work. Without conceptual grading plans, it is difficult to clearly determine if the proposed improvements would embody context-sensitive site design and planning principles, or not.</p> <p><i>Principle appears to be met, to the extent that it can be determined from conceptual application materials. However, due to the size of the parcel and the siting of the buildings and parking away from existing neighborhoods, negative impacts on adjoining owners are not anticipated.</i></p>
Clear Boundaries	<p>The Birdwood property is located within the Development Area (DA) and the Rural Areas (RA) adjoin the parcel to the south. All of the existing and proposed development on the</p>

<p>Between the Development Area and the Rural Areas</p>	<p>Birdwood parcel is concentrated in the northern portion. There are no improvements proposed in or near the undeveloped southern portions of the Birdwood property, which are comprised of forested foothills and which border the Ragged Mountain Natural Area and Ragged Mountain Reservoir. In this way, the proposal maintains a transition from the DA to the RA that currently exists on the Birdwood property, which in turn preserves the larger-scale distinction between the DA and adjoining RA.</p> <p><i>Principle is met.</i></p>
--	---

SUMMARY:

After review of this request, staff have identified the following factors of this proposal which are favorable and unfavorable:

Factors favorable to this request include:

1. The proposed use is consistent with the Master Plan future land use designation for Institutional uses.
2. The proposed permanent vehicular connection is shown between the Birdwood Golf Course and the Boar's Head properties on the transportation plan in the Master Plan.
3. The proposal advances Neighborhood Model principles of interconnection and pedestrian orientation.
4. The proposal locates new UVA athletic facilities on a large developed parcel inside the Development Areas and collocates them with existing UVA-affiliated "swim, golf, tennis, and similar athletic facilities" uses.
5. The use and location of the UVA Tennis facility would be complimentary to the existing UVA-affiliated facilities on adjoining Boar's Head property.
6. The proposal consolidates numerous prior County approvals through a property-wide Conceptual Plan and project-specific Concept Plan Details.

Factors unfavorable to this request include:

1. Outdoor lighting for the Tennis Facility could potentially create negative impacts to nearby residential properties; however, the proposal restricts the locations of more intensive lighting and uses full cut-off dimmable LED fixtures.
2. Noise/sound associated with outdoor tennis facility could potentially create negative impacts to nearby residential properties; however, this issue has not been raised by residents.
3. New traffic patterns and increased traffic volumes on Golf Course Drive and Berwick Road could potentially create negative impacts to nearby residential properties; however, this will be partially mitigated through adherence to the Landscaping and Screening Exhibit requirements established by a Special Exception approved on April 4, 2018.

RECOMMENDED ACTION:

Based on the findings described in this report and factors identified as favorable, **staff recommend approval of the special use permit amendment SP201700032 with the following conditions** (below). Please note that the recommended conditions for this requested special use permit amendment are a consolidation of prior existing conditions of approval, with additional new recommended conditions.

Recommended Conditions of Approval:

1. Development of the Birdwood Property shall be in general accord with the concept plan entitled

“Birdwood SP 2017-00032 Concept Plan” prepared by Elise Cruz, University of Virginia Foundation (“UVAF”), dated April 27, 2018, which includes sheets 1-4 (the “Concept Plan”), attached hereto, as determined by the Director of Planning and Zoning Administrator. To be in general accord, development and use shall reflect the following major elements shown on the Concept Plan and on each corresponding Concept Plan Detail, as noted below:

- A. Exhibit A – Concept Plan (Sheet 1 of 4):
 - i. Locations of structures, improvements, and uses;
 - ii. Limits of Golf Course, including 18-hole Golf Course, Par 3 Short Course, Practice Ground, Short Game area, and associated improvements; and
 - iii. Location and alignment of Connector Road between Golf Course Drive and Berwick Road.
- B. Exhibit B – Tennis Facility Detail (Concept Plan Sheet 2 of 4):
 - i. Location of Tennis Facility within area shown in green shading;
 - ii. Location of future tennis courts within area outlined in a dashed oval and entitled, “Future tennis courts”, and prohibition of high mast lighting in this area; and
 - iii. Provision of ADA-compliant pedestrian infrastructure to connect Birdwood property (TMP #75-63) with neighboring Boar’s Head Sports Club property (TMP #59D2-01—15).
- C. Exhibit C – Golf Practice Facility Detail (Concept Plan Sheet 3 of 4):
 - i. Building location, orientation, and mass;
 - ii. Parking lot location;
 - iii. Installation of new landscaping for screening purposes;
 - iv. Retention of trees shown for preservation; and
 - v. Earthen berms adjacent to the new parking lot.
- D. Exhibit D – Connector Road Detail (Concept Plan Sheet 4 of 4):
 - i. Location and alignment of Connector Road between Golf Course Drive and Berwick Road; and
 - ii. Pedestrian infrastructure (including sidewalks, crosswalks, and outdoor lighting)

Any new construction and/or improvements at the subject property, other than the site improvements that are in general accord with the Concept Plan and with each corresponding Concept Plan Detail as determined by the Director of Planning and Zoning Administrator, shall require an amended special use permit, except for the following:

- Modifications to golf course layout within the boundaries of the existing 18-hole golf course, and outside of the boundaries of the Birdwood Mansion “Historic Core” and “Outer Precinct” as identified in the *Birdwood Landscape Site Protection and Stewardship Strategies Plan* (2015);
 - Construction of athletic-related accessory structures or other athletic-related improvements which primarily support the use of the golf course facilities and/or tennis facilities and which occur within the general area of those uses.
 - Other minor modifications to the Concept Plan or corresponding Concept Plan Details that do not otherwise conflict with the elements listed above may be made to ensure compliance with the Zoning Ordinance, as determined by the Zoning Administrator.
2. Design and development of the improvements shown on Exhibit C – Golf Practice Facility Detail (Concept Plan Sheet 3 of 4) shall be subject to the following, as determined by the Planning Director or designee:
- a. Placement of the parking lot within the “bowl” created by the existing terrain in a way that minimizes grading of the slope to the north of the new parking lot, which is to be preserved for its screening effect;
 - b. Construction of earthen berms adjacent to the parking lot which are compatible with existing topographic variation and which further reduce the visibility of the parking lot and parked cars from Golf

Course Drive;

- c. Approved planting plan and planting schedule which, at minimum, include:
 - i. New landscaping materials planted in naturalistic or informal arrangements which are consistent and compatible with the existing landscape in terms of character, density, and species;
 - ii. A meadow or similar grass landscape along Golf Course Drive; and
 - iii. The use of native plant materials; and
 - d. Submittal of a conservation plan prepared by a certified arborist to preserve trees identified for preservation, including the treatment of all ash trees (species *Fraxinus*) that are to be preserved for protection against the emerald ash borer (*Agrilus planipennis*), to be used in conjunction with any required conservation checklist. If all reasonable alternatives for preservation have been explored, and such trees cannot be retained due to the health of the tree as determined by the certified arborist, removal may occur.
3. Design and development of the improvements shown on Exhibit D – Connector Road Detail (Concept Plan Sheet 4 of 4) shall comply with the Special Exception (Grading Buffer Waiver) and all Special Exception Conditions approved by the Board of Supervisors on April 4, 2018.
 4. Expansion or replacement of the Clubhouse is permissible, provided that all site plan, building permit, and all other applicable permit approvals are properly obtained.
 5. No change in use of the Birdwood Mansion is permitted through this Special Use Permit Amendment.
 6. All proposed outdoor lighting for the property shall comply with Albemarle County Code, except as otherwise modified or waived by the Board of Supervisors through the approval of a Special Exception request (as may be applicable). Tall mast lighting shall not be permitted for tennis courts in the area designated as “Future tennis courts” on Exhibit B – Tennis Facility Detail (Concept Plan Sheet 2 of 4), dated April 27, 2018.
 7. Sound studies that demonstrate compliance with the Albemarle County Noise Ordinance, as determined by the Zoning Administrator or her designee, shall be submitted to Albemarle County prior to the issuance of a Certificate of Occupancy for the Tennis Facility.
 8. The owner’s traffic consultant shall conduct signal warrant analyses for the Golf Course Drive and Ednam Drive intersections with U.S. Route 250 to determine if volumes indicate that any modification to intersection controls should be implemented. Such analyses shall be conducted a minimum of two times (the first shall occur twelve (12) months after the permanent opening of the connector road, and the second shall occur twenty-four (24) months after the permanent opening of the connector road), and shall be submitted to Albemarle County for review. If any modification is indicated based on traffic volumes collected per standard procedures of the Virginia Department of Transportation (“VDOT”), the owner’s consultant will prepare and submit the requisite Signal Justification Report evaluating alternative intersection control to VDOT and Albemarle County and engage in discussion about the appropriate measures, if any, to be taken at either intersection.
 9. In connection with any public transportation infrastructure improvements which may be determined by VDOT and the County to be appropriate for the Golf Course Drive intersection and/or Ednam Drive intersection with U.S. 250 / Ivy Road, the owner/applicant shall pay its pro rata share of the cost for signalization (or for other improvements that may be determined by VDOT and the County to be appropriate – together, “transportation improvements”) as follows:
 - a. Prior to the issuance of a building permit, the owner/applicant shall place funds in escrow or provide other security (“security”) acceptable to the County in an amount equal to its pro rata share of the cost of the transportation improvements, which amount shall be calculated by the Director of Community Development in the year in which the security is provided. The

security shall continue so that it is available to pay for the cost of the transportation improvements until twenty-five (25) years after the date of approval of this special use permit; security provided that is not in an interest-bearing account shall be renewed every three (3) years; and

- b. If, at any time until twenty-five (25) years after the date of approval of this special use permit, VDOT authorizes in writing the implementation of transportation improvements, and VDOT and the County's Engineer approve the transportation improvement's implementation before the applicant has obtained a building permit, the County may demand payment of the applicant's pro rata share of the cost of the traffic signal, and the applicant shall pay its pro rata share of the cost to the County within thirty (30) days of that demand.

10. The owner shall continue to implement an Integrated Pest Management/Nutrient Management Plan to reduce adverse water quality impacts.
11. Ingress and egress along Birdwood Drive shall continue to be restricted, to the satisfaction of the Zoning Administrator, to only those residences served by Birdwood Drive and shall not be used as an access to the Indoor Golf Practice Facility or other areas of Birdwood.
12. Use of the property must adhere to the Events Management Plan as described in Proffer #4 of ZMA201700010.
13. SP201700032 shall remain valid so long as construction of any one of the uses proposed herein is commenced within 5 years from the date of approval.

POSSIBLE PLANNING COMMISSION MOTIONS – SP201700032:

- A. Should the Planning Commission **choose to recommend approval** of this special use permit:
I move to recommend approval of SP201700032 for "UVA Tennis, Permanent Connector Road, and Birdwood Golf Course Addition" with the conditions outlined in the staff report.
- B. Should the Planning Commission **choose to recommend denial** of this special use permit:
I move to recommend denial of SP201700032 for "UVA Tennis, Permanent Connector Road, and Birdwood Golf Course Addition" for (state reasons for denial).

SPECIAL EXCEPTION – OUTDOOR LIGHTING WAIVER REQUEST:

The applicant has requested a Special Exception pursuant to Zoning Ordinance Section 4.17.5(a) and Section 18-33.9 for an Outdoor Lighting Waiver. Specifically, the applicant requests the maximum allowable height of the high mast light poles for athletic use to be increased from thirty-five (35) feet to seventy (70) feet. The purpose for this request is to allow for evening outdoor tennis practice and televised outdoor nighttime play. The applicant's explanation and justification are provided in the Waiver Request – "Exhibit I." (Attachment H)

Zoning Ordinance Section 4.17.5(a) allows for modifications upon these findings by the Board:

1. Strict application of the standard would not forward the purposes of this chapter or otherwise serve the public health, safety or welfare, or that alternatives proposed by the owner would satisfy the purposes of these outdoor lighting regulations at least to an equivalent degree.
2. An outdoor luminaire, or system of outdoor luminaires, required for an athletic facility cannot reasonably comply with the standard and provide sufficient illumination of the facility for its safe use, as determined by recommended practices adopted by the Illuminating Engineering Society of

North America for that type of facility and activity or other evidence if a recommended practice is not applicable. (Amended 10-17-01)

3. The maximum permitted height of a pole supporting an outdoor luminaire lighting an athletic facility under the applicable district regulations would prevent the luminaire from providing sufficient illumination of the facility for its safe use, as determined by the recommended practices adopted by the Illuminating Engineering Society of North America for that type of facility and activity or other evidence if a recommended practice is not applicable. (Added 7-9-08)

Analysis of Z.O. 4.17.5(a)-1:

According to the Zoning Ordinance, the purposes of the outdoor lighting regulations are to, “to protect dark skies, to protect the general welfare by controlling the spillover of light onto adjacent properties, and to protect the public safety by preventing glare from outdoor luminaires.” To achieve this protection, the zoning ordinance regulates the direction of light emitted from certain luminaires and limits the intensity of light on certain adjacent properties.

The alternatives proposed by the applicant are full cut-off dimmable LED lighting at a height of 70’. According to the applicant, “All lighting will be directed and contained within the general area of the tennis courts, with no spillover onto residential properties or areas.” Additionally the applicant has said that “A photometric lighting plan and lighting specifications will be included with the site plan review process for the Tennis Facility.” The waiver request further states that the applicant will also comply with specific minimum and maximum footcandle levels and lighting pole numbers (12) that are typical for facilities with televised nighttime use.

In consideration of these details, and the proposed tennis facility’s distance to the nearest residential properties to the east, and the proposed siting of the tennis facility behind the Boar’s Head Sports Club and below the highest terrain on this vicinity of the Birdwood Golf Course, staff believes that the health, safety, and welfare of the public will be protected.

Analysis of Z.O. 4.17.5(a)-2:

Section 4.17.5(a)-2 requires that the County make a finding that an outdoor luminaire, or system of outdoor luminaires, required for an athletic facility cannot reasonably comply with the standard and provide sufficient illumination of the facility for its safe use. The applicant has stated that the safest way to illuminate the 12 hard courts is by using a smaller number of taller (“high mast”) light poles. According to the applicant, the poles must be located away from the courts so as to remove the risk of student-athletes colliding with the poles during practice or match play. This precaution of providing safe distance between the courts and the poles requires the use of high mast poles to properly illuminate the courts for safe evening and nighttime play, and to illuminate the courts to the levels required for televised nighttime use. Staff agrees with the applicant’s justification for the need.

Analysis of Z.O. 4.17.5(a)-3:

Section 4.7.5(a)-3 requires that the County find that the maximum permitted height of a pole supporting an outdoor luminaire lighting an athletic facility under the applicable district regulations would prevent the luminaire from providing sufficient illumination of the facility for its safe use. According to the applicant, if the tennis facility was restricted to using 35’ tall poles for outdoor athletic lighting, then the courts could only be properly illuminated for televised nighttime use by using much brighter lights on low mast poles. The applicant suggests that the high-mast approach of using 70’ tall poles with full cut-off dimmable LED lights is the “most efficient and least obtrusive method of achieving the consistent lighting standards for televised events,” and would “allow for less luminaires that are focused in a very specific area.” Staff agrees that desire for nighttime televised events is sufficient justification for the lighting waiver, if the Board agrees to approve the special use permit for outdoor tennis courts.

RECOMMENDED ACTION:

In consideration of the information provided by the applicant analysis provided above, and the relatively unique use of this proposed facility for televised NCAA / ACC athletic performances and the associated lighting requirements for such televised broadcasts, the height waiver request seems acceptable provided that the lights do not create an adverse impact on nearby residential properties.

Therefore, **staff recommend approval of the requested Special Exception for an Outdoor Lighting Waiver** for the height of the lighting poles supporting the outdoor lights for the hard courts at the proposed tennis facility to be a maximum of 70 feet, **with the following conditions:**

1. All light fixtures used in conjunction with light poles utilizing the maximum allowable height granted by Special Exception must be full cut-off dimmable LED lights, as proposed by the applicants.
2. The full cut-off dimmable LED lights may only be used at the level of illumination required for televised nighttime play during such televised nighttime play, and the lights shall be dimmed during other times (such as evening practices), as proposed by the applicants.
3. The waiver shall only apply to the proposed 12 hard courts within the proposed tennis facility; any future tennis courts located in the area denoted for "Future tennis courts" on Exhibit B – Tennis Facility Detail (Concept Plan Sheet 2 of 4) shall have outdoor lighting consisting of poles which comply with the 35' maximum height and full cut-off luminaires, as proposed by the applicants.

POSSIBLE PLANNING COMMISSION MOTIONS – OUTDOOR LIGHTING WAIVER REQUEST:

Zoning Ordinance Section 33.4.o requires that the Commission include in its recommendations for ZMAs and SPs with special exceptions a recommendation on the special exceptions and any conditions.

- A. Should the Planning Commission choose to recommend approval of the requested special exception: I move to recommend approval of the requested special exception for an Outdoor Lighting Waiver for the reasons outlined in the staff report and with the conditions outlined in the staff report.
- B. Should the Planning Commission choose to denial or modification of the special exceptions: I move to recommend denial of the requested special exception for an Outdoor Lighting Waiver (state reasons for recommending denial).

ATTACHMENTS:

- A – [Location Map](#)
- B – [Existing SP Conditions of Approval \(SP201700023 – approved December 13, 2017\)](#)
- C – [Project Narrative / "Project Proposal" \(dated April 30, 2018\)](#)
- D – [Concept Plan / "Exhibit A – Birdwood Conceptual Plan – Sheet 1 of 4"](#)
- E – [Tennis Facility Concept Plan / "Exhibit B – Conceptual Plan Sheet 2 of 4 - Tennis Facility Detail"](#)
- F – [Traffic Impact Analysis / "Site Traffic Evaluation" \(dated December 18, 2017\)](#)
- G – [Event Management Plan – Boar's Head Sports Club / "Exhibit K" \(dated April 30, 2018\)](#)
- H – [Outdoor Lighting Waiver Request / "Exhibit I – Special Exception Request: Project Lighting Waiver"](#)