

Albemarle County Planning Commission
February 12, 2019

The Albemarle County Planning Commission held a public hearing on Tuesday, February 12, 2019, at 6:00 p.m., at the County Office Building, Lane Auditorium, Second Floor, 401 McIntire Road, Charlottesville, Virginia.

Members attending were Tim Keller, Chair, Pam Riley, Daphne Spain; Bruce Dotson, Karen Firehock, Julian Bivins, Vice-Chair and Luis Carrazana, UVA representative. Absent was Jennie More.

Other officials present were David Hannah, Natural Resource Manager; Andrew Gast-Bray, Assistant Director of Community Development/Director of Planning; Bart Svoboda, Chief of Zoning; Sharon Taylor, Clerk to Planning Commission; Amelia McCulley, Director of Zoning/Zoning Administrator and Andy Herrick, Deputy County Attorney.

Call to Order and Establish Quorum

Mr. Keller called the regular meeting to order at 6:00 p.m. and established a quorum.

The meeting moved to the next item.

From the Public: Matters Not Listed for Public Hearing on the Agenda

Mr. Keller invited comment from the public on other matters not listed on the agenda. Hearing none, the meeting moved to the next agenda item.

Public Hearing Item.

CPA-2018-00006 Birdwood Mansion and Grounds

Mr. Andrew Gast-Bray said that Mr. Padalino had an emergency, so he would fill in and present the staff report. He reported that the Birdwood Area B study and Southern and Western Urban Neighborhoods Master Plan formed the basis for this necessary CPA. He noted that the applicants were the University of Virginia Foundation, represented by Fred Missel as well as Valerie Long.

Mr. Gast-Bray explained that Birdwood was owned by the UVA Foundation and was located in the development area in the Western Urban Neighborhood. He noted that it was also located within Area B and was therefore subject to the Planning and Coordination Council (PACC) joint planning agreement between UVA, the City of Charlottesville, and Albemarle County. He stated that the origins of the Comprehensive Plan go back to 2018 when the UVA Foundation completed the Birdwood Master Plan to guide the future development of their 544-acre property, and that plan became the basis for the Birdwood Area B Study -- which was subject to review by the PACC-TEC and PACC. He noted that PACC endorsed the study in September,

and it has been provided as Attachment F. He noted that the purpose of this CPA was to incorporate elements of the PACC-endorsed Area B Study into the Southern and Western Master Plan so that its land use proposals were consistent, serving as a basis for the changes to align with the future vision.

Mr. Gast-Bray presented what was currently in the Southern and Western Master Plan, adopted in 2015, which identifies Birdwood as an “other area of importance” and the front cover of the plan includes an image of the Birdwood Golf Course. He noted that the future land use plan designated Birdwood primarily for institutional future land uses; additionally, a designation of parks and green systems exists on the undeveloped southern portions of the site. He stated that under this CPA, those particular designations would remain unchanged, and the proposed amendments would involve the Other Areas of Importance subsection, which highlights the Birdwood property and contains more detailed language about future land uses.

Mr. Gast-Bray said the subsection contained language that resulted in some confusion among different users of the master plan document regarding what types of future uses were considered to be appropriate. He stated that specifically, “This large property may serve a more intensive function than it does presently. Possible considerations include but are not limited to a mixed-use area near the entrance and residential uses for other parts of the property not designated as a part of the parks and green systems. Before further development of the property occurs, an amendment to the future land use plan for the Southern and Western Neighborhoods will be need.

Mr. Gast-Bray stated that the exact proposed CPA language was provided with a transmittal summary as attachments D and F, and in drafting these amendments, staff attempted to use the existing language as much as possible, with some minor edits to reduce the ambiguity that was there before. He said that they also drew upon the PACC-endorsed Area B Study when composing proposed amendments. He noted that the CPA language sought to do the following: provide an updated summary of existing uses, reorganize information and provide additional details, and introduce the concept of reusing the historic Birdwood Mansion for events and hospitality, with qualifying language about the necessity of historic preservation in context-sensitive design.

Mr. Gast-Bray provided a summary of project history, noting that the UVA Foundation had submitted a ZMA application for the proposed mansion and grounds -- but that would be a separate application and they were just concentrating on the Comp Plan Amendment and whether the bulk land use was consistent with the greater Comp Plan vision. He stated that there had been a Planning Commission work session, community meetings, and Board of Supervisors meetings on this before -- and no significant issues or concerns had been raised, with no requested modifications to the CPA language identified. He mentioned that community meeting attendees had some concerns about the intersection of US 250/Ivy Road, and Boars Head Drive, formerly known as Golf Course Drive, for traffic safety issues after the

permanent opening of the connector road -- but those would be addressed in the ZMA where there was actual connection to the application at hand.

Mr. Gast-Bray explained that the actual changes before them for the Comp Plan Amendment were the new map, which labeled Birdwood Mansion and showed an arrow for future connectivity southward, and the draft language, which provided an updated summary of existing uses, reorganizes the information, and provides some additional details. He said that it also introduced the concept of reusing the historic Birdwood Mansion for events and hospitality, with the qualifying language about the necessity of historic preservation and context-sensitive design. He said that it also maintained a placeholder section for longer-range future uses and developments, including the addition of future uses appropriate for such a large property within a development area.

Mr. Keller opened the public hearing.

The applicant's representative, Valerie Long of Williams Mullen, addressed the Commission and noted that the County and not the Foundation was the applicant for the CPA. Ms. Long stated that they did not have a formal presentation, based on the feedback received at the Board and Commission level, but they would be happy to answer questions or respond to public comment.

Ms. Spain said that the Commission had heard a request for a CPA and a ZTA, as well as an SP, and asked if there was anything more anticipated to come forth in the immediate future.

Ms. Long noted that it was a ZMA rather than a ZTA, stating that they had a pending ZMA for a portion of this parcel that surrounded the Birdwood Mansion to change the designation to Highway Commercial so it would match the Boar's Head Resort. She stated that the mansion renovations and proposals for hospitality uses were the lasCt anticipated modification.

Mr. Bivins noted that as of July 2019, the University development offices will be on Old Ivy Road -- not Route 250 -- so the applicant may want to remove that.

Ms. Long responded that they would correct it between now and the public hearing.

Mr. Bivins invited public comment.

There being no speakers, Mr. Keller closed the public hearing and brought it back for discussion and action.

Mr. Dotson said that he understood that the forthcoming ZMA would not be compatible with the current version of the Comp Plan, and he asked staff to explain what the current version was regarding that and how this version was different.

Mr. Gast-Bray responded that the most specific aspect pertained to Birdwood Mansion and the use thereof, and that was something explicit as requiring this modification if the applicant came forward with a plan for the mansion.

Mr. Dotson asked if the current language was too vague to make a finding that HC was consistent with it, or if it was that it said something that would not allow the HC zoning.

Mr. Gast-Bray replied that since it did not specifically mention the Birdwood Mansion, it said that before future development of the property occurred, an amendment to the future land use plan for the Southern and Western neighborhoods would be needed. He said that in the presentation, it is that neighborhood master plan.

Mr. Dotson said that he saw the language in Attachment D that said, "In the future, may serve more intensive function than it does presently." He commented that he was comfortable with that but it seemed odd that they were not really seeing what the future was but were being asked to enable that future.

Mr. Gast-Bray responded that if it was just the language land use only, it was not a site plan, so they were not looking at the details of the site plan but were looking at what uses were compatible with a vision that supported the gross direction of the neighborhood plan -- and the community engagement process suggested changing the piece missing from the vision plan there and clear enough that an application could say they were addressing that vision because it was not clearly conceived of at the time that the Southern and Western Neighborhood Plan was written originally.

Mr. Dotson said that the staff may have suggested HC in a conversation about what would be the best and most appropriate zoning.

Mr. Gast-Bray responded that it was complicated because some of the uniqueness of the property and what they were trying to do and protect was the same for the Birdwood Mansion as it was for the Boar's Head Resort itself. He said that the easiest and most straightforward, since they did not have a specific land use that was spot on was to use the same zoning designation that the Boar's Head Resort currently had.

Ms. Spain moved to recommend that the Board of Supervisors adopt the proposed CPA language and the existing land use and future land use "Other Areas of Importance" sections of the Southern and Western Neighborhoods Master Plan as contained in Attachment F.

Mr. Bivins seconded the motion.

Ms. Taylor called the roll, and the item passed 6:0.

Mr. Keller asked if they had a date when this would go to the Board of Supervisors.