



ALBEMARLE COUNTY PLANNING
STAFF REPORT SUMMARY

Project Name: SP201500028 Blue Ridge Swim Club – Day Camp, Boarding Camp SP201500029 Blue Ridge Swim Club	Staff: Scott Clark, Senior Planner
Planning Commission (PC) Hearing: May 21, 2019	Board of Supervisors (BOS) Hearing: TBD
Owner: Tupelo Honey 4/4/4 LLC	Applicant: Tupelo Honey 4/4/4 LLC
Acreage: 13.21 acres	Special Use Permit(s) for: SP201500028: 10.2.2.20 Day camp, boarding camp (reference 5.1.05); SP201500029: 10.2.2.4 Swim, golf, tennis or similar athletic facilities (reference 5.1.16)
Tax Map Parcel (TMP): 05800-00-00-075A0	Zoning/by-right use: RA Rural Areas - agricultural, forestal, and fishery uses; residential density (0.5 unit/acre in development lots)
Magisterial District: Samuel Miller	Location: 1275 Owensville Road
School Districts: Meriwether Lewis – Henley -- Western Albemarle	Conditions: Yes
Development Area: --	Requested # of Dwelling Units/Lots: 1
Proposal(s): SP201500028: Request to amend SP201000035 (day camp) to change the boundaries of the use to permit creation of a separate residential lot, and to remove the existing expiration date for the special use permit SP201500029: Request to amend SP 201000041 (swim club) to permit creation of a separate residential lot.	Comp. Plan Designation: Rural Areas – preserve and protect agricultural, forestal, open space, and natural, historic and scenic resources/ density (0.5 unit/ acre in development lots)
Character of Property: The property is a partially-wooded parcel along a stream valley with a historic stream-fed swimming pool.	Use of Surrounding Properties: The surrounding properties are mostly in low-density residential use.
Factors Favorable: <ol style="list-style-type: none">1. The proposed vegetated-buffer protections and supplemental plantings would protect the character of the historic swim-club facility.2. Adding a dwelling to this site would improve monitoring of the existing pool and camp facilities and help to prevent unauthorized use.3. Removing the expiration date for the camp use seem appropriate, as the County has received no zoning complaints about the use.	Factors Unfavorable: <ol style="list-style-type: none">1. The proposal would add a dwelling in the Rural Areas, where residential uses are not a priority use. However, this portion of the Rural Areas is already heavily developed, so the pattern of land use would not significantly change.
Recommendation: Staff recommends approval of SP201500028 and SP201500029 with conditions.	

STAFF CONTACT:

Scott Clark, Senior Planner

PETITION(s):

PROJECT: SP201500028 Blue Ridge Swim Club – Day Camp, Boarding Camp; SP201500029 Blue Ridge Swim Club

MAGISTERIAL DISTRICT: Samuel Miller

TAX MAP/PARCEL: 05800-00-00-075A0

LOCATION: 1275 Owensville Road

SP201500028: Request to amend SP201000035 (day camp) to change the boundaries of the use to permit creation of a separate residential lot, and to remove the existing expiration date for the special use permit; SP201500029: Request to amend SP 201000041 (swim club) to permit creation of a separate residential lot.

PETITION: SP201500028: 10.2.2.20 Day camp, boarding camp (reference 5.1.05); SP201500029: 10.2.2.4 Swim, golf, tennis or similar athletic facilities (reference 5.1.16)

ZONING: RA Rural Areas - agricultural, forestal, and fishery uses; residential density (0.5 unit/acre in development lots)

ENTRANCE CORRIDOR: No

COMPREHENSIVE PLAN: Rural Areas – preserve and protect agricultural, forestal, open space, and natural, historic and scenic resources/ density (0.5 unit/ acre in development lots)

CHARACTER OF THE AREA:

The area surrounding the swim-club site is a heavily suburbanized portion of the Rural Areas, with a context that largely consists of residential lots. Land cover in the area is a mix of open yards and fragmented forest cover. Some larger open and wooded parcels lie to the west.

PLANNING AND ZONING HISTORY:

According to the history supplied by the applicant during the 2010 review (see below), the site has been operated as a swimming club since 1905. The use continued after the adoption of the Zoning Ordinance as a non-conforming use.

In 2011, the Board of Supervisors approved two special use permits for the site:

- SP201000035: This SP permits a childrens' day camp for up to 100 campers, with up to two overnight stays per week. The Board of Supervisors imposed an expiration date of April 6, 2021 due to concerns about noise or other impacts on adjacent properties.
- SP201000041: This SP brought the existing swim-club use into compliance, and permitted the club use with events for members, pool and birthday parties for members, on-site concessions, and a bath-house.

DETAILS OF THE PROPOSALS:

SP2015000028: The current approved conceptual plan for this use (day camp) covers the entire property, and does not show or permit a dwelling. The applicant wishes to add a dwelling on the site so that they can live on-site with the business and monitor use of the site (including preventing unauthorized off-hours use). The proposed change of the area under the special use permit would allow a portion of the property to be divided off and used as a residential lot, so that a residence would be adjacent to the club and camp facility. Also, this proposal would remove the expiration date that was originally applied by the Board of Supervisors.

SP201500029: The proposal for this SP use (the swim club) is the same as above, except that there is no expiration date to remove.

COMMUNITY MEETING

The applicant held a community meeting on the site on August 25, 2015. Several community members attended and held

discussions with the applicant. In general, attendees expressed no major concerns about the proposed changes to the site.

ANALYSIS OF THE SPECIAL USE PERMIT REQUEST

Section 33.39(B) states that the Commission, in making its recommendation, shall consider the same factors found in Section 33.40(B):

1. No substantial detriment. Whether the proposed special use will be a substantial detriment to adjacent parcels.

The main proposal, to change the SP boundaries, would allow for a residential use to be added to a site already used for commercial recreation. The increase in impacts is not expected to be significant. Also, the addition of a dwelling to the site will allow the site to be monitored by the residents during the hours when the club and camp uses are closed. This will help to prevent unauthorized use of the property, and to prevent noise from such unauthorized use that might affect adjacent parcels.

No zoning complaints have been received about the camp use that was approved in 2011. (Accessible records are available back to 2001, and no complaints about any use on the site have been received during that time.) As the expiration date was imposed on that use in order to limit its duration in case there were detrimental impacts on adjacent properties, and no complaints were received, staff supports the applicant's request to remove the expiration date.

2. Character of the nearby area is unchanged. Whether the character of the adjacent parcels and the nearby area will be changed by the proposed special use.

The surrounding area is already characterized by low-density residential development. The addition of one more dwelling will not change the character of the area.

3. Harmony.

Whether the proposed special use will be in harmony with the purpose and intent of this chapter,

Section 18, Chapter 10 of the Zoning Ordinance outlines the purpose of Rural Areas zoning: "This district hereafter referred to as RA) is hereby created and may hereafter be established by amendment of the zoning map for the following purposes:

- Preservation of agricultural and forestal lands and activities;
- Water supply protection;
- Limited service delivery to the rural areas; and
- Conservation of natural, scenic, and historic resources. (Amended 11- 8 -89)"

The Blue Ridge Swim Club is listed in the National Register of Historic Places (NRHP) and the Virginia Landmarks Register. The pool is among the oldest known concrete outdoor commercial swimming pools remaining or in use in both the state and the country. The pool and its ancillary features (draw pipe, terra cotta pipes, drains, and settling tank) are counted as the single structure that contributes to the significance of the resource. The National Register Nomination Form states that "the property's location and setting were selected for their rural and picturesque qualities, which have been retained to the present day." The pool is situated in a naturalistic, wooded locale that retains a high level of integrity of location, setting, feeling and association (aspects of integrity as defined by the National Register). The area proposed for the new single family residence is included in the boundaries of the NRHP site. A new residence readily visible from the pool could have a negative visual impact on the setting of the historic resource. Although the slope up to the proposed house site is wooded, it is anticipated that tree removal to allow for construction would result in a building that would be visible from below. Staff has worked with the applicant as they have developed the proposed conceptual plan, which shows an existing vegetated buffer and supplemental trees plantings on the swim-club parcel that will protect the visual character of the historic resource and limit the visibility of the new dwelling on the adjacent parcel. The buffer and supplemental plantings are identified as major elements of the conceptual plan in the proposed conditions of

approval. Staff has recommended a new condition of approval requiring that the new landscaping be planted or bonded before the division of the new lot can be approved.

The addition of a dwelling is not directly support of the RA zoning purposes. However, this portion of the Rural Areas has already been significantly impacted by residential development. Also, occupation of the site will allow for better monitoring of the recognized historic site.

with the uses permitted by right in the district,

The swim club predates the surrounding residential development. The proposed amendments would continue the conditions of approval that are designed to keep the uses on the site compatible with the surrounding by-right residential uses.

with the regulations provided in Section 5 as applicable,

5.1.05 DAY CAMP, BOARDING CAMP

a. Provisions for outdoor cooking, campfires, cooking pits, etc., shall be subject to Albemarle County fire official approval whether or not a site development plan is required;

The proposed conditions of approval continue the previous requirement for Fire Department approval of any outdoor cooking or campfire.

b..All such uses shall conform to the requirements of the Virginia Department of Health Bureau of Tourist Establishment Sanitation and other applicable requirements.

The proposed conditions of approval continue the previous requirement for Health Department approval of concession operations and the septic system.

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

The Virginia Department of Transportation has reviewed this proposal, and has not found that any new improvements are necessary for the proposed changes.

4. Consistency with the Comprehensive Plan. Whether the proposed special use will be consistent with the Comprehensive Plan.

The proposed amendment of these special use permits would make the site somewhat less consistent with the Comprehensive Plan, in that a residence would be added in the Rural Areas, where residential development is not a priority use. However, give the extensive existing residential development that already surrounds this site, this change in consistency is not particularly significant. The decreased likelihood of unauthorized access to the site that would result from full-time occupation is less relevant to Comprehensive Plan compliance, but more significant for the immediate surroundings.

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 vegetated-buffer protections and supplemental plantings would protect the character of the historic swim-club facility.
2. Adding a dwelling to this site would improve monitoring of the existing pool and camp facilities and help to prevent unauthorized use.
3. Removing the expiration date for the camp use seems appropriate, as the County has received no zoning complaints about the use.

Factors unfavorable to this request include:

1. The proposal would add a dwelling in the Rural Areas, where residential uses are not a priority use. However, this portion of the Rural Areas is already heavily developed, so the pattern of land use would not significantly change.

RECOMMENDED ACTIONS:

Based on the findings described in this report and factors identified as favorable, **staff recommends approval of special use permit applications SP201500028 and SP201500029 with the following conditions** (below).

Recommended Conditions of Approval:

SP201500028 Blue Ridge Swim Club – Day Camp, Boarding Camp

1. Development of the ~~SP201000035~~ uses camp use shall must be in general accord with the conceptual plan titled "~~Blue Ridge Swim Club~~" prepared by Kelly Strickland and dated December 20, 2010 and revised February 2, 2011 (Attachment A) titled "SUP Concept Plan For: Blue Ridge Swim Club," prepared by Shimp Engineering, and dated 04/01/2019, (hereafter "Conceptual Plan "), as determined by the Director of Planning and the Zoning Administrator. To be in accord with the Conceptual Plan, development ~~shall~~ must reflect the following major elements within the development essential to the design of the development:

- Limits of disturbance
- Location of pavilion building; Pavilion footprint ~~shall~~ may be no larger than 1300 sf ft.
- Location of parking areas
- Minimum clearing possible may be allowed to locate well, septic line and drainfields, parking and pavilion as shown on the Blue Ridge Swim Club concept plan.

Minor modifications to the plan which do not conflict with the elements above may be made to ensure compliance with the Zoning Ordinance.

2. The hours of operation for ~~SP201000035 Blue Ridge Swim Club Camp~~ SP201500028 Blue Ridge Swim Club – Day Camp, Boarding Camp: five days per week, Memorial Day weekend through Labor Day weekend and ~~shall~~ must not begin earlier than 8: 30 AM and ~~shall~~ must not end later than 5: 00 PM Monday, Tuesday, Wednesday, and Friday. On Thursdays, 8: 30 AM through overnight stays ~~shall~~ will be permitted. The nighttime maximum sound level of 55 decibels shall be imposed from 9: 30 PM to 8: 30 AM.

3. All outdoor lighting ~~shall~~ must be only full cut -off fixtures and shielded to reflect light away from all abutting properties. A lighting plan limiting light levels at all property lines to no greater than 0.3 foot candles ~~shall~~ must be submitted to the Zoning Administrator or their designee for approval.

4. Food prepared off -site may be sold from a concession stand that is depicted on the Conceptual Plan.

5. Approval of the Health Department for the well, septic and food concession ~~shall~~ will be required prior to approval of a site plan.

6. Approval by the Virginia Department of Transportation for the entrance ~~shall~~ will be required prior to approval of site plan.

7. Prior approval by the Fire Department ~~shall~~ will be required prior to all outdoor cooking and /or campfires.
8. No amplification of sound ~~shall~~ will be permitted, with the exception of a megaphone used on Fridays during each season (Memorial Day through Labor Day) during field games, radios and electronic sound producing or reproducing devices, provided that any such amplified sound ~~shall~~ must comply with the applicable noise regulations.
9. Parking on Owensville Road by attendees or staff of the Blue Ridge Swim Club or the Camp ~~shall~~ will not be permitted.
10. No more than 200 people ~~shall~~ will be permitted on the property for any purpose at any time.
11. ~~SP 2010-00035 shall be valid until April 6, 2021.~~
12. No more than 100 overnight campers shall will be permitted at any one time.
12. Planting or bonding of the new trees shown on sheet C3 of the Conceptual Plan will be required prior to the approval of a final plat subdividing the property as shown on the conceptual plan.

SP201500029 Blue Ridge Swim Club

1. Development of the ~~SP201000041~~ uses swim club use shall must be in general accord with the conceptual plan titled "~~Blue Ridge Swim Club~~" ~~prepared by Kelly Strickland and dated December 20, 2010 and revised February 2, 2011 (Attachment A)~~ titled "SUP Concept Plan For: Blue Ridge Swim Club," prepared by Shimp Engineering, and dated 04/01/2019, (hereafter "Conceptual Plan "), as determined by the Director of Planning and the Zoning Administrator. To be in accord with the Conceptual Plan, development ~~shall~~ must reflect the following major elements within the development essential to the design of the development:

- Limits of disturbance
- Location and size of pavilion building
- Location of parking areas
- Minimum clearing possible may be allowed to locate well, septic line and drainfields, parking and pavilion as shown on the Blue Ridge Swim Club concept plan.

Minor modifications to the plan which do not conflict with the elements above may be made to ensure compliance with the Zoning Ordinance.

2. The hours of operation for ~~SP201000041~~ SP201500028 Blue Ridge Swim Club ~~shall~~ must not begin earlier than 12:00 PM (noon) and ~~shall~~ must end not later than 8: 00 P. M., each day, seven days per week, Memorial Day weekend through Labor Day weekend.
3. All outdoor lighting ~~shall~~ must be only full cut -off fixtures and shielded to reflect light away from all abutting properties. A lighting plan limiting light levels at all property lines to no greater than 0. 3 foot candles ~~shall~~ must be submitted to the Zoning Administrator or their designee for approval.
4. Food prepared off -site may be sold from a concession stand that is depicted on the Conceptual Plan.
5. Approval of the Health Department for the well, septic and food concession ~~shall~~ will be required prior to approval of a site plan.
6. Approval by the Virginia Department of Transportation for the entrance ~~shall~~ will be required prior to approval of site plan.
7. Prior approval by the Fire Department ~~shall~~ will be required prior to all outdoor cooking and /or campfires.
8. No amplification of sound ~~shall~~ will be permitted, with the exception of a megaphone used on Fridays during each season (Memorial Day through Labor Day) during field games, radios and electronic sound producing or reproducing devices, provided that any such amplified sound ~~shall~~ must comply with the applicable noise regulations.
9. Parking on Owensville Road by attendees or staff of the Blue Ridge Swim Club or the Camp ~~shall~~ will not be

permitted.

10. No more than 200 people ~~shall~~ will be permitted on the property for any purpose at any time.

11. Planting or bonding of the new trees shown on sheet C3 of the Conceptual Plan will be required prior to the approval of a final plat subdividing the property as shown on the conceptual plan.

POSSIBLE PLANNING COMMISSION MOTIONS – SP201500028:

- A. Should the Planning Commission choose to recommend approval of this special use permit:
I move to recommend approval of SP201500028 Blue Ridge Swim Club – Day Camp, Boarding Camp 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 SP201500028 Blue Ridge Swim Club – Day Camp, Boarding Camp for (state reasons for denial).

POSSIBLE PLANNING COMMISSION MOTIONS – SP201500029:

- A. Should the Planning Commission choose to recommend approval of this special use permit:
I move to recommend approval of SP201500028 SP201500029 Blue Ridge Swim Club 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 SP201500029 SP201500029 Blue Ridge Swim Club for (state reasons for denial).

ATTACHMENTS:

- A – Location Map
- B – Conceptual Plan (Sheet C2)
- C – Conceptual Plan (Sheet C3)