



ALBEMARLE COUNTY PLANNING
STAFF REPORT SUMMARY

Proposal: SP202100005 Haupt Property Day Camp	Staff: Andy Reitelbach, Senior Planner
Planning Commission Public Hearing: August 24, 2021	Board of Supervisors Hearing: TBD
Owner(s): Margaret B. Haupt and Richard A. Haupt Trust	Applicant(s): Margaret and Richard Haupt
Acreage: 103.56 acres	Zoning/By-right use: RA, Rural Areas - agricultural, forestal, and fishery uses; residential density (0.5 unit/acre in development lots)
TMPs: 08500-00-00-003A0; 08500-00-00-003A1 Location: 7181 Batesville Road, Afton, VA 22920	Special Use Permit for: Request to amend existing special use permit SP198900110 for a day camp under Section 18-10.2.2.20 of the Zoning Ordinance.
Magisterial District: Samuel Miller	Conditions: Yes
School District: Brownsville Elementary, Henley Middle, Western Albemarle High	DA - RA - X
Requested # of Dwelling Units: N/A	Comp. Plan Designation: Rural Area – preserve and protect agricultural, forestal, open space, and natural, historic and scenic resources; residential (0.5 unit/ acre in development lots)
Proposal: Request to amend existing special use permit SP198900110 in order to expand the existing day camp use to allow for 1) an increase in the number of participants from 10 to 50; 2) an increase in the number of days of operation from 30 days per year to 45 days per year; and 3) an additional parcel to be added to the special use permit, for a total of approximately 103.56 acres on two parcels of land.	Character of Property: The subject property is hilly and largely wooded, with some meadows along the Mechums River, which forms the southern property line. A residential structure and other outbuildings are near the north-central portion of the property. Two ponds exist, one on the west side and one on the east side of the property. Both subject parcels are located within the Batesville Agricultural-Forestal District.
Use of Surrounding Properties: The surrounding area is primarily wooded with residential dwellings and some pasture. Adjacent property to the southeast has recently been approved for a solar power generation facility.	
Factors Favorable: 1. The proposed use is consistent with the Albemarle County Comprehensive Plan. 2. Minimal disturbance of land allows for continued ability for agricultural and forestal production, protection of water supply watershed, and conservation of natural resources. 3. Determined by the AFDAC to be in accordance with the purposes of the agricultural-forestal districts.	Factors Unfavorable: 1. The use will generate additional vehicular trips on the surrounding street network; however, the recommended conditions and shared transportation options will reduce trip generation.
Recommendation: Staff recommends approval of SP202100005 Haupt Property with conditions.	

STAFF CONTACT:
PLANNING COMMISSION:
BOARD OF SUPERVISORS:

Andy Reitelbach, Senior Planner
August 24, 2021
TBD

PETITION

PROJECT: SP202100005 Haupt Property

MAGISTERIAL DISTRICT: Samuel Miller

TAX MAP/PARCEL(S): 085000000003A0; 085000000003A1

LOCATION: 7181 Batesville Road, Afton, VA 22920

PROPOSAL: Request to amend existing special use permit SP198900110 in order to expand the existing day camp use to allow for 1) an increase in the number of participants from 10 to 50; 2) an increase in the number of days of operation from 30 days per year to 45 days per year; and 3) an additional parcel to be added to the special use permit, for a total of approximately 103.56 acres on two parcels of land.

PETITION: Special Use Permit request for a day camp or boarding camp in accordance with Section 10.2.2.20 of the Zoning Ordinance, on two parcels totaling approximately 103.56 acres. No dwelling units proposed.

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

OVERLAY DISTRICT(S): Flood Hazard Overlay District

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

CHARACTER OF THE AREA

The Haupt property consists of two contiguous parcels totaling approximately 103.56 acres – one parcel of 79.5 acres and one parcel of 24.06 acres. The property is located on the south side of Batesville Road, between Ortman Road to the west and Craigs Store Road to the east. (See Attachment 1 – Location Map.) The property is hilly and largely wooded, with some meadows along the Mechums River, which forms the southern property line. A residential structure and other outbuildings are near the north-central area of the property. Two ponds exist, one on the west side and one on the east side of the property. TMP 85-3A (the 79.5-acre property) is under a conservation easement held by The Nature Conservancy.

The surrounding area is primarily wooded with intermixed pasture and dwellings. Adjacent property to the southeast, across the Mechums River, has recently been approved for a solar power generation facility (SP2021-00001). Both subject parcels, along with other nearby property, are located within the Batesville Agricultural Forestal District. The Batesville Historic District is located approximately $\frac{3}{4}$ mile to the east. The subject property, and all other surrounding parcels, are zoned RA, Rural Areas. (See Attachment 2 – Zoning Map.)

PLANNING AND ZONING HISTORY

The property is zoned RA, Rural Areas. Both subject parcels are located within the Batesville Agricultural Forestal District. The original special use permit for this property, which the applicant is requesting to amend, is SP1989-00110. This SUP was approved by the Board of Supervisors on February 21, 1990, and allows for a day camp to operate for a maximum of 30 sessions per year, with ten participants per session. This SUP applies only to TMP 85-3A, the 79.5-acre parcel.

DETAILS OF THE PROPOSAL

The applicant has requested to amend the previously approved special use permit (SP1989-00110) to permit an expansion of the day camp. This expansion would allow for 1) an increase in the number of participants from 10 to 50 (including staff); 2) an increase in the number of days of operation from 30 days per year to 45 days per year; and 3) an additional parcel to be added to the special use permit,

for a total of approximately 103.56 acres on two parcels of land. TMP 85-3A1 would be added to the SUP, as the existing SUP applies only to the larger TMP 85-3A.

The day camp would be operated for daily weekday sessions for nine weeks (a total of 45 days) during the summer months. The camp would operate from 9am-4pm, with staff on site from 8am-5pm. Attendance would be a maximum of 50 participants, with 42 children and eight staff members. The camp would utilize the existing features and facilities on the property. The only new construction proposed is a potential permanent wooden pavilion to be built at some time in the future. For a full description of the applicant's proposal, see the applicant's submitted project narrative and concept plan, which are attached as Attachment 3 – Project Narrative and Attachment 4 – Concept Plan.

COMMUNITY MEETING

A virtual community meeting was held on Tuesday, April 27, 2021. The main concern that was raised involved the impacts of increased traffic on the transportation network in the area, especially on Batesville Road, which is a gravel road, and through the historic Batesville community. Other concerns that were raised include the following: the potential impacts of noise on surrounding properties; property value impacts; impacts on the quality of life of neighbors; liability issues if camp participants might accidentally wander onto neighboring properties; and health and safety issues, such as sanitary provisions for the camp participants and plans for inclement weather.

A recording of the community meeting may be found on the County Calendar for April 27, 2021, or by clicking [HERE](#). For a compilation of additional community comments received regarding this application, see Attachment 6 – Community Comments.

ANALYSIS OF THE SPECIAL USE PERMIT REQUEST

Special Use Permits are evaluated under reasonable standards, based on zoning principles, which include the proposal's compliance with the Comprehensive Plan. Any impacts caused by the proposal may be addressed through conditions, and those conditions must be reasonably related and roughly proportional to the impacts.

Section 33.39(B) of the Zoning Ordinance states that the Planning 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.*

This property has previously been used for a day camp operation, although it has been inactive for several years, and this request does not represent the introduction of a new use into the area. Impacts from the proposed expansion of the day camp use are likely to be from noise and increased traffic on surrounding roads.

With the increase in maximum participation numbers from 10 to 50, there will be an increase in noise generated by camp attendees. However, this impact will be partially mitigated by the addition of a second parcel to the SP, enlarging the area of the proposed camp activities to over 100 acres. The applicant has stated that attendees will be further divided into smaller groups, thus dispersing activities throughout the property, and limiting noise impacts from large gatherings of campers. The main centers of activity for the camp are also located away from adjacent property lines and dwellings. The parking and drop-off areas are near the north-central portion of the property, closest to the property owner's own residence and approximately 500 feet from the nearest property line. The proposed pavilion is near the river, closest to the property owned by the Central Virginia Electric Cooperative, which is approximately 200 feet away, farther from this shared property line than what the minimum setback requires. The CVEC property has recently been approved for a solar farm, so

sound generated from activities at the pavilion would not have an impact on the use of that property. In addition, a recommended condition has been included to prohibit sound amplification of any type.

Another expected impact from the expansion of the use is increased traffic on Batesville Road. The applicant has stated that a bus and carpools will be used to reduce the number of trips to and from the property each day. VDOT has reviewed the proposal and indicated that the site entrance would meet the requirements for a low volume commercial entrance. To ensure that traffic impacts are minimized, recommended conditions have been included requiring the use of a bus and carpools to transport camp participants and that trip generation cannot exceed VDOT's requirements for a low volume commercial entrance.

With the proposed conditions, no substantial detriment to adjacent parcels is expected.

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.*

This request does not represent the introduction of a new use into the area but is an expansion of an existing use already permitted. It is therefore not expected to change the character of the nearby area. Day camps are a permitted use, with the approval of a special use permit, in the RA (Rural Areas) Zoning District, which is the predominant zoning district in the County-designated Rural Areas of the Comprehensive Plan.

Due to the potential effects of noise and traffic impacts from the increase in use of the site, staff has proposed several conditions to mitigate these potential impacts on the nearby area. The applicant will also have to meet all the requirements of the Zoning Ordinance, including supplemental regulations for day camps, as well as the regulations of Community Development Department divisions and other agencies, such as County Engineering, Fire-Rescue, VDH, and VDOT, at the site planning and/or zoning clearance stages.

The use of adjacent properties for forestry and agriculture is not affected by the proposed day camp. Both subject parcels are located within the Batesville Agricultural Forestal District, as are several other adjacent and nearby parcels. This project was reviewed by the Agricultural Forestal Districts Advisory Committee (AFDAC) on March 16, 2021. By a vote of 6:1, the committee found that the proposal does not conflict with the purposes of the districts. A recording of the committee meeting may be found on the County Calendar for March 16, 2021 or by clicking [HERE](#).

The primary commercial use intended for the Rural Areas is the production of forestal and agricultural commodities. While a day camp use is not identified as a policy priority for the Rural Areas, it does not conflict with the goals of the Comprehensive Plan for Rural Areas. As minimal land disturbance and new construction is proposed with this use, the subject property would still be able to be used for the production of forestal and agricultural commodities and would not prevent other nearby properties from doing the same. A day camp would not, as a use type, 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,*

Staff has reviewed the purposes of the Zoning Ordinance (Chapter 18, Section 1.4) and the intent of the Rural Area District (Chapter 18, Section 10.1). The review criteria for a special use permit are designed to address the purpose and intent of the ordinance as stated in these sections. Section 10.1 states in part:

“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.”

As mentioned previously, there is minimal new grading and construction proposed for the day camp use, and it will preserve the ability of the property to engage in agricultural and forestal production and activities. The one new structure proposed to be built is a wooden pavilion to provide shelter and a center for activities. This structure is proposed to be constructed outside of the floodplain, water protection ordinance buffers, and critical slopes that are located on the property. Any grading needed for the construction of this pavilion would need to meet Engineering requirements and would be reviewed at the site planning stage. There is already an existing dirt trail on the property that leads to the location of the proposed pavilion.

The subject property has frontage along the Mechums River, which is in the South Fork Rivanna Reservoir water supply watershed. With minimal disturbance of the property for a day camp use, the property will continue to contribute to continued protection of this water supply. The proposed use will not require the extension of public utilities or other services to the property. The day camp proposes to be a nature-based camp with an intent to promote an understanding of the natural world, which would support the goals of the conservation of the County’s resources. In addition, the larger 79.5-acre parcel is under a conservation easement held by The Nature Conservancy. TNC has provided a letter (see Attachment 5) stating that the proposed day camp would not conflict with the intent and requirements of its easement. It is expected that the day camp use will be in harmony with the purpose and intent of the Zoning Ordinance and Rural Areas zoning district.

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

It is not anticipated that the expansion of the day camp will negatively affect any uses permitted by right in the zoning district.

...with the regulations provided in Section 5 as applicable,

There are two supplemental regulations provided in Section 5.1.05 of the Zoning Ordinance for the operation of day camps:

- 1) 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;
- 2) All such uses shall conform to the requirements of the Virginia Department of Health Bureau of Tourist Establishment Sanitation and other applicable requirements.

Compliance of the day camp with these two regulations is expected. Demonstration of compliance would be required prior to the issuance of a Zoning Clearance allowing operation of this use to commence.

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

Based on information provided by the applicant, in coordination with the conditions recommended by staff, staff finds that the proposed use will not be a detriment to public health, safety, or general welfare.

As stated above, additional approvals from the County’s fire official and the Health Department to ensure the safety and health of participants and the community will be required for the day camp to

commence and maintain operations.

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

The two subject parcels of this special use permit request are both designated as “Rural Areas” in the County’s Comprehensive Plan. In addition, all surrounding parcels are designated as Rural Areas. The recommended uses for parcels designated as Rural Areas include those uses that preserve and protect agricultural, forestal, open space, and natural, historic, and scenic resources, along with dwellings developed at a density of 0.5 unit/acre in development lots. The property is currently forested, with some meadows and pasture, as well as one residential dwelling unit and an existing special use permit to allow for the operation of a 10-person day camp. With minimal grading and new construction limited to one proposed wooden pavilion, there is little expected change to the topography and environment of the property with the expansion of the day camp to a maximum of 50 participants. Agricultural and forestal uses would still be able to operate on the site, and the natural and historic resources of the site would be maintained. The existing conservation easement on TMP 85-3A also helps to ensure that the natural resources of the property will be preserved, and the small amount of increase in the amount of impervious surface on the property from the construction of the pavilion will have little impact on the preservation of open space on the site for protecting the reservoir watershed. The proposed use of expanding the day camp remains consistent with the Comprehensive Plan.

RECOMMENDED REVISION

There is a revision recommended by staff to the concept plan to better clarify the proposal, which should be completed prior to the public hearing with the Board of Supervisors:

1. Provide an estimated maximum square footage of the footprint of the proposed wooden pavilion to be located on TMP 85-3A1.

SUMMARY

Staff finds the following factors favorable to this request:

1. The proposed use is consistent with the Albemarle County Comprehensive Plan.
2. Minimal disturbance of land allows for continued ability for agricultural and forestal production, protection of water supply watershed, and conservation of natural resources.
3. Determined by the AFDAC to be in accordance with the purposes of the agricultural-forestal districts.

Staff finds the following factors unfavorable to this request:

1. The use will generate additional vehicular trips on the surrounding street network; however, the recommended conditions and shared transportation options will reduce trip generation.

RECOMMENDED ACTION

Based on the findings described in this staff report and factors identified as favorable, **staff recommends approval of special use permit application SP202100005 Haupt Property, with the following conditions**, provided that the above-mentioned “recommended revision” is made to the application prior to a public hearing with the Board of Supervisors:

1. Development of the use must be in general accord (as determined by the Director of Planning and the Zoning Administrator) with the concept plan entitled, “SP202100005 Haupt Property Day

Camp, Day Camp Map,” prepared by B. Clark Gathright, LLC, dated May 20, 2021. To be in general accord with the exhibit, development must reflect the following essential major elements:

- Location of the camp entrance
- Location of the staff parking and drop-off/turnaround areas
- Location of the future pavilion
- Location of outhouses/privies
- Minimum grading and clearing possible may be allowed to locate sanitary facilities and pavilion as shown on the Haupt Property Day Camp concept plan

Minor modifications to the plan which do not conflict with the elements above, with the approval of the Zoning Administrator and the Director of Planning, may be made to ensure compliance with the Zoning Ordinance and State and Federal laws.

2. The hours of operation: five days per week, Monday through Friday, for a maximum of 45 days per year, from June through August, beginning no earlier than 8:00 AM and ending no later than 5:00 PM. Overnight boarding or camping is not permitted.
3. No more than 50 people are permitted at each daily session of this camp use, including both camp staff and camp attendees.
4. Bus and carpool trips must be the primary means of transportation for camp staff and attendees.
5. Daily trip generation from this use must not exceed the requirements of VDOT for a low volume commercial entrance. VDOT approval of such an entrance is required prior to issuance of a Zoning Clearance.
6. Health Department approval is required for all well, septic, and outhouse facilities prior to issuance of a Zoning Clearance.
7. Prior approval by the Fire Department will be required prior to all outdoor cooking and/or campfires.
8. All outdoor lighting 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 must be submitted to the Zoning Administrator or their designee for approval.
9. Sound amplification of any type is not permitted.

ATTACHMENTS

Attachment 1 – Location Map

Attachment 2 – Zoning Map

Attachment 3 – Project Narrative

Attachment 4 – Concept Plan, dated May 20, 2021

Attachment 5 – Letter from The Nature Conservancy

Attachment 6 – Community Comments