

Syd Shoaf

From: Jessica Lowe <jlowe@law.virginia.edu>
Sent: Thursday, January 18, 2024 6:00 PM
To: Syd Shoaf
Subject: Special Use Permit, Kappa Sigma headquarters statement of concern

CAUTION: This message originated outside the County of Albemarle email system. DO NOT CLICK on links or open attachments unless you are sure the content is safe.

Dear Syd,

Thanks again for the information you provided about SP200600021, Kappa Sigma's request to amend their special use permit. I'm unable to attend the meeting tonight but want to register my concern. The proposed new building site is on my property line at 3653 Moffat St. My understanding is that you will be hearing from many of my Avinity neighbors; I join their concerns and write to add my own.

My home, purchased in late 2021, is directly on the other side of the Moffat Street privacy fence. According to the Plan, Kappa Sigma proposes to relocate their proposed building from the center of their property to the corner abutting the homes on Moffat and Montague Streets. (Plan Submittal, 11/06/2003). The Permit Narrative says the building will contain "private lodging, meeting/conference room space, and support facilities" as well as room for archives, a theater, other displays, and will be used for "hosting special events for its membership." (11/02/23 Permit Narrative, Page 1). The Permit Narrative estimates that on a typical day, the new facilities will draw around 152 vehicles per day, and up to 707 vehicles for special events. (11/02/23 Permit Narrative, Page 2). In other words, the new facility will at times host 600-700 guests.

Before purchasing, I made extensive inquiries about plans for adjoining properties. There was no reason to think that Kappa Sigma would attempt to move this proposed building to our boundary. Had there been such an indication, I would have thought hard about purchasing this home, and had I gone ahead with the purchase, the substantial detriment of having such a large convention facility so nearby would have surely been figured significantly into the purchase price.

Since living in my home, I have often been able to hear Kappa Sigma events, even across their large lot. Events in the new facility, so much closer to my home, with 150 to 700 people per day, will undoubtedly cause a much bigger problem. Having this amount of noise and foot traffic so nearby will fundamentally alter the character of my yard and home. It is one thing to have a neighbor who occasionally hosts a party, another to have a convention center a few yards away.

Furthermore, Kappa Sigma articulates no clear reason for this change. Their offered rationale is to make the grounds seem "more inline [sic] with a Jeffersonian style." (11/02/23 Plan Narrative, Page 1). As a scholar of Jefferson and former UVA Lawn resident, I always appreciate admiration of Jefferson's grounds and attempts to create communal space. But it seems unfair – and contrary to county guidelines for such adjustments – to significantly change the character of two full streets of adjoining parcels, based on nothing more than an aesthetic whim. Kappa Sigma has a large, beautiful lot, with many other sites on which it could build this planned center, including the original one; there is no reason to move their convention center to the one spot on that property where it would impact the most adjoining parcels to the biggest detriment. I ask that the permit adjustment be denied.

Thanks for your time,
Jessica Lowe

Jessica K. Lowe
University of Virginia School of Law
<https://www.law.virginia.edu/faculty/profile/jkl4h/1517188>

Syd Shoaf

From: Stephen Strobel <stephen_strobel@hotmail.com>
Sent: Tuesday, January 23, 2024 10:34 PM
To: Syd Shoaf
Subject: Fw: Input on Kappa Sigma proposals

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Sid,

This email to your correctly spelled email address will reach you, I trust

Stephen Strobel

From: Stephen Strobel <stephen_strobel@hotmail.com>
Sent: Friday, January 19, 2024 1:00 PM
To: sshoaf@albamarle.org <sshof@albamarle.org>
Subject: Input on Kappa Sigma proposals

Sid,

Thank you for presenting at Thursday's CAC meeting. Your introductory review of the four approval criteria was instructive.

Regarding Kappa Sigma's latest proposal, it would result in substantial detriment to the 5 (or 7) Avinity residents dwelling parallel to the proposed new structure.

The structure would largely eliminate the view these Avinity residents have of Carters Mountain. The Carters Mountain view was a prime selection criteria favoring their decision to buy the units.

This proposal does not qualify for approval.

Stephen Strobel
616-502-5878

Syd Shoaf

From: Lydia Ooghe <lydia@ooghe.com>
Sent: Thursday, February 29, 2024 8:48 PM
To: Syd Shoaf
Cc: June Ooghe
Subject: Fwd: Fw: SP202300018 Kappa Sigma International Headquarters - Request for Special Use Permit Process Information

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Hi, Mr. Shoaf-

I met you at the 13 January meeting which I attended along with about 10 other Avinity Estates community members concerned about Kappa Sigma's revised building proposal. I'm sorry to be contacting you so long after that meeting, but as I recall you had recommended that we reach out to you via email with our feedback on the proposal. So, as I told those in attendance on 13 January, my reasons for asking that the plan be reconsidered and/or reverted to the one originally approved by the County are as follows:

I live at 3419 Montague Street with my son and mother (cc'd here), just on the other side of the fence from where Kappa Sigma has proposed relocation of its approved building project. All our windows and our backyard patio face the Kappa Sigma lot from the other side of the fence which divides our properties.

From images circulated of the revised proposal, it looks as though the building could be of sufficient height and proximity to my family's home as to eradicate our view, not simply of Carter Mountain but of anything other than the building itself. We don't mind an altered view, but to have it obstructed entirely would radically alter the character of our property. As you may know, we do have a few trees along the fence but they are quite sparse.

More importantly, I have serious privacy and safety concerns: As confirmed at the January meeting, the proposed building would be used for commercial and other non-residential purposes which ordinarily would be of no concern to me as a neighbor. Due to the real possibility, however, that this building's windows would enjoy a view into my backyard patio and upstairs windows, I feel uneasy as a mother, particularly a single one solely responsible for my own mother's safety and that of my toddler-aged son. It frightens me to think anyone who might visit this building for business or recreational purposes could size us up and take advantage.

If the new building were in the location originally approved, all of my concerns would be resolved! They would also be resolved if I knew that the building would not be tall and/or close enough to the fence between Avinity and Kappa Sigma to compromise my family's privacy.

I hope this is helpful, and please let me know if I can provide any further information that may help contribute to an amicable resolution.

Kind regards,
Lydia Ooghe
3419 Montague Street
Charlottesville, VA 22902
(804) 833-3880

----- Forwarded message -----

From: SHBSammy@icloud.com <SHBSammy@icloud.com> on behalf of sammy.webmail@icloud.com <sammy.webmail@icloud.com>
Sent: Friday, January 12, 2024 10:46 AM
To: 'Randy Wear' <avinitymanager@gmail.com>
Cc: 'Paul McArtor' <pdmcartor@gmail.com>
Subject: FW: SP202300018 Kappa Sigma International Headquarters - Request for Special Use Permit Process Information

Hi Randy,

Syd Shoaf, Senior Planner-Community Development Department-Albemarle County, was kind enough to send me the following email, including links to general information on how the review process works.

Those interested may want to read what is shown in the links, ***especially the second link regarding "Special Use Permits; Relevant Factors to be Considered; Conditions; Revocation"***.

It looks like we should have a good turnout at tomorrow's meeting and we are especially looking forward to having Paul share his own experience with how this process works.

Thanks again for your assistance in forwarding important information to us!
Sammy Barnes

From: Syd Shoaf <sshoaf@albemarle.org>
Sent: Friday, January 12, 2024 10:19 AM
To: sammy.webmail@icloud.com
Subject: SP202300018 Kappa Sigma International Headquarters - Request for Special Use Permit Process Information

Good morning Sammy,

Thank you for your voicemail this morning. Below are some links related to the Special Use Permit application process.

[LINK](#) to Chapter 18, Section 33.4 – Uniform Requirements for Owner Initiation of Zoning Map Amendments and Special Use Permits

[LINK](#) to Chapter 18, Section 33.8 – Special Use Permits; Relevant Factors to be Considered; Conditions; Revocation

I understand you and other community members will be meeting tomorrow, and I want to provide that I will be going over this same information at the community meeting on Thursday, January 18th. If you have any questions or would like to provide public input, please email me directly.

Thank you,

Syd Shoaf
Senior Planner
Community Development Department
[Albemarle County](#)

sshoaf@albemarle.org
434-296-5832 ext. 3902
401 McIntire Road, Charlottesville, VA 22902

From: sammy.webmail@icloud.com <sammy.webmail@icloud.com>

Sent: Thursday, April 11, 2024 7:37 PM

To: Carolyn Shaffer <cshaffer2@albemarle.org>

Cc: Syd Shoaf <sshoaf@albemarle.org>

Subject: SP202300018 Kappa Sigma International Headquarters - Planning Commission Public Hearing on Tuesday, April 23, 2024

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To: Planning Commission Clerk

From: Sammy Barnes

RE: Request to speak at upcoming Planning Committee meeting

Hello,

Per instructions in the email below, could you please include me on the agenda for Kappa Sigma International Project Review on Tuesday, April 23, 2024?

As the revised project plans show the proposed new building will have a ground level of 527 ft, I would like to ask if any soil boring or other tests have been done to insure that excavation for the building will be successful. If the new building cannot be placed at 527 ft, mountain views from our homes will be severely impacted.

Also, is a retaining wall planned to prevent erosion from the ground behind the excavated area?

Please let me know if anything else is needed for this request.

Thank you!

Sammy Barnes

3421 Montague St.

214-957-6083

From: Lauren Shockley <lauren.shockley.11@cnu.edu>
Sent: Friday, April 12, 2024 12:22 PM
To: Carolyn Shaffer <cshaffer2@albemarle.org>
Cc: Forrest Compton <forrest.compton.10@cnu.edu>
Subject: Comments to submit to Planning Commission ahead of 4/23/24 meeting

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Good afternoon,

I am a homeowner of the Avinity neighborhood and have attached some questions for the Planning Commission's consideration to hopefully be asked of the Kappa Sigma's project representatives at the upcoming Planning Commission meeting on April 23, 2024 regarding the project. If appropriate, I can pass these questions along directly to the Planning Commission and request that they consider and/or ask these questions directly to the Kappa Sigma representatives at the April 23 meeting. Alternatively, I can state these questions during the meeting's public comment period, however I recognize that there will not be a public Q&A during the meeting so this might not be the best avenue.

Would you please let me know which option would be best?

Thank you,

Lauren Compton
757-706-6225

To: Planning Commission Clerk (cshaffer2@albemarle.org)

From: Lauren Compton

RE: Public Comments for 4/23/24 Planning Committee meeting re. Kappa Sigma Project

Hello,

Per the instructions from the County of Albemarle Committee Development Department letter dated April 5, 2024, I have a few questions I would like to submit to the Planning Commission for consideration in advance of the Planning Commission meeting scheduled for Tuesday, April 23, 2024, regarding the agenda item for the Kappa Sigma International Project Review.

As I reviewed the project documents available on the County's website, I was unable to find details regarding the questions outlined below. The excerpts below are taken from the letter provided by Ammy George dated March 29, 2024 (letter titled "SP202300018 Resubmittal 2024-03-29 (2)" on the [County link](#)). Would you please pass these questions along to the Planning Commission for consideration in the decision or to be asked during the upcoming Planning Commission meeting? Alternatively, I can read these questions during public comment during the April 23, 2024, meeting if more appropriate. Please confirm which avenue would be best.

1. For the question below related to off-site parking, the letter mentions off-site parking will "vary". Has it been confirmed that nearby schools will allow for individual vehicles to be parked or is it assumed that will be allowed based on past experiences?

E. Albemarle County Transportation Planning

1. Please elaborate on where off-site parking will be taking place for large events.
Off-site parking locations will vary based on the size of the meeting or event. For the Convention and Decade events, the vast majority of attendees will be coming from local hotels; shuttle buses operate between the hotel properties and Kappa Sigma. Other parking locations will be based on availability. In the past, arrangements have been made with nearby schools where individual vehicles can be parked to access shuttle service.
2. Regarding public infrastructure, per the information provided below, the letter references a parking study dated 2004. As this was conducted over 20 years ago, it appears that an updated study would be in order. Will this be provided prior to project approval?

IMPACTS ON PUBLIC FACILITIES & PUBLIC INFRASTRUCTURE

Transportation:

The traffic estimation below (vehicles per day) is based upon the approved parking study dated February 26, 2004 which detailed the square footage of the uses inside the buildings and anticipated member participation. The ultimate project build out with the proposed Phase 3 Building will be comparable with the areas/uses of the original SP2003-91. The on-site parking was designed to accommodate the daily needs with the extra parking demands for special events to be accommodated by car-pooling and/or chartered vans or shuttle buses.

Daily	152 VPD (vehicles per day)
General Weekend	212 VPD
Monthly Meetings	400 VPD
Quarterly Meetings	414 VPD
Leadership Schools	678 VDP (summer months)
Convention	707 VPD (annually or biennially)
Decade Event	999 VDP (once per decade)

3. In addition to the parking study, the letter references a VDOT traffic study (excerpt below) that was conducted in 2021 during the height of the pandemic when there was less traffic on the road. To have more accurate data regarding traffic on Rt. 20, will a new VDOT study be conducted prior to project approval to understand the impact on the surrounding community?

Per 2021 VDOT Traffic Data, Route 20 segment in the vicinity of the Kappa Sigma Headquarters has approximately 6,200 Annual Average Daily Trips (AADT)¹. The daily/general weekend traffic will only respectively account for 2.5%/3.4% of the average daily trips for this segment of Route 20. The summer Leadership Schools, Convention and Decade Event will respectively account for 10.9%/11.4%/16.1% of the average daily trips, but will only impact the traffic for up to 2 days during the event.

4. The letter indicates that the rear building is mostly for displaying memorabilia and archives but will also be configured for “meetings, research, and classroom space”. Can project representatives elaborate on that use?
5. Can project representatives explain what a typical day (not including the Convention and Decade events) would be like regarding traffic and noise levels on the property? I do not see any information in the documents provided regarding typical noise level expectations (only the Convention and Decade event noise levels are referenced).
6. The letter indicates that music groups or DJs will perform for the Convention and Decade events. Can project representatives confirm that those music performances will **not** be held in the rear building but rather the main building?

main building. The events typically end between 9:00 PM to 10:00 PM.

- The Convention and Decade events also take place over a weekend. And like the quarterly meetings/leadership school, the guests are transported to the property via a van or shuttle bus. The activities during these events include two to four catered meals in the pavilion. These events may include music by small performing groups or a DJ. These events may also have a firework show at dusk. The events typically end between 9:00 PM to 10:00 PM. (The last two Convention events were held on the property during the last week of July in 2019 and 2023. The next Decade event is being planned for 2027.)
7. Will there be an attached loud, HVAC or generator next to the rear building? If so, this noise will likely affect adjoining property owners even if not visible through the tree line.
 8. When would this project be slated to begin construction if approved by the Board of Supervisors? Can project representatives please provide dates for both the attached wing and the rear building?
 9. As noted in the letter below, can project representatives confirm that the middle peak of the proposed rear building will **not** be visible from the homes in the Avinity neighborhood? The letter indicates that the middle peak would be 27.5' tall measured from finished floor to the ridge of the roof.

The building height that is now shown on the Site Data on Page 2 of the Concept Plan. The proposed building height is measured from the finished floor elevation to the ridge line of the roof. This is slightly different that the definition of building height in the Zoning Ordinance. We gave this measurement since it not dependent on the type of roof used and will be a readily identifiable measurement to the adjacent neighbors who are concerned about how the proposed building will impact their view.

The planned roof lines for the additional building are below the rooflines of the existing building. The proposed building has main roof line and three peaks as shown in the architectural elevation. The height of the main roof running between the peaks is 19' measured from finished floor to the ridge of the roof. The height of the right and left peaks at the ends of the building is 23.2' measured from finished floor to the ridge of the roof. The height of the middle peak of the roof is 27.5' measured from finished floor to the ridge of the roof.

The finished floor of the proposed building will be approximately 527, where the finished floor elevation of the units directly behind the proposed building range from 535 (Lots 56/57) to 554 (Lots 51/52). This means the finished floor of the proposed building will sit somewhere between 8' to 27' below the finished floor elevation of the adjacent townhomes. The elevation of the crest of Carters Mountain directly in front of the Kappa Sigma property and Avinity Estates is roughly 1463.

Please let me know if anything else is needed for this request.

Thank you!

Lauren Compton
3241 Bergen St.
757-706-6225