A regular meeting of the Board of Supervisors of Albemarle County, Virginia, was held on April 16, 2025, at 1:01 p.m. in Lane Auditorium, Second Floor, Albemarle County Office Building, 401 McIntire Road, Charlottesville, Virginia, 22902.

PRESENT: Mr. Jim H. Andrews, Mr. Ned Gallaway (absent from 3:51 p.m. to 5:05 p.m.), Ms. Beatrice (Bea) J.S. LaPisto-Kirtley, Ms. Ann H. Mallek, Ms. Diantha H. McKeel, and Mr. Mike O. D. Pruitt.

ABSENT: none.

OFFICERS PRESENT: County Executive, Jeffrey B. Richardson; County Attorney, Andy Herrick; Clerk, Claudette K. Borgersen; and Senior Deputy Clerk, Travis O. Morris.

Agenda Item No. 1. Call to Order. The meeting was called to order at 1:01 p.m., by the Chair, Mr. Jim Andrews.

Mr. Andrews introduced the Albemarle County Police Department Officers present to provide their services at the meeting, Jerry Schenk and Caden Painter.

Agenda Item No. 2. Pledge of Allegiance.
Agenda Item No. 3. Moment of Silence.

Agenda Item No. 4. Adoption of Final Agenda.

Ms. Mallek **moved** to adopt the final agenda. Ms. McKeel **seconded** the motion. Roll was called and the motion carried by the following recorded vote:

AYES: Mr. Andrews, Mr. Gallaway, Ms. LaPisto-Kirtley, Ms. Mallek, Ms. McKeel, and Mr. Pruitt.
NAYS: None.

Agenda Item No. 5. Brief Announcements by Board Members.

Ms. McKeel extended her gratitude to the staff for hosting her budget town hall on Monday evening. She said that approximately 25 citizens attended the event at Journey Middle School, and around 30 staff members. She said that overall, the event was a success, with attendees asking thoughtful questions and they were glad to have the opportunity to learn more about the budget.

Ms. Mallek expressed her appreciation to all citizens and staff who attended the Western Albemarle High School meeting, despite its smaller size compared to previous events. She said that the turnout was still excellent, with many thoughtful questions. She said that as a reminder to the community and building occupants, this Friday, April 18 at 11:00 a.m. would mark the 59th rededication of the Dogwood Vietnam Memorial, located down the road at McIntire. She said that parking would be available in the field, accessible through the skate park for that event.

Ms. LaPisto-Kirtley thanked all of those who attended the budget town hall at North Fork. She said that the event was well-organized, and the staff did an excellent job. She said that they received many thoughtful questions from the public, and she appreciated the effort by concerned residents to understand the proposed tax increase. She said that while they acknowledged the challenges this may pose, she believed the majority of residents understood the reasoning behind their proposal and appreciated their efforts to educate them. She said that her goal was to inform and engage the community, and she was grateful for the opportunity to do so.

Mr. Andrews stated that he had a few announcements on events scheduled on their calendar. He reported that Saturday, April 19, would be the Rivanna Solid Waste Authority (RSWA) Household Waste Unwanted Electronic Devices Collection. He said that although this event may be fully booked, he encouraged people to sign up in case cancellations occurred, and if someone had already signed up but no longer intended to attend, he asked them to cancel so that someone else could take their spot.

Mr. Andrews said that there would be hazardous household waste collection days on April 25 and April 26, from 8:30 a.m. to 4:00 p.m., on May 3 for mattresses and furniture, on May 10 for appliances, and on May 17 for tire collection. He said that the Solid Waste and Recycling Center would be hosting these events.

Mr. Andrews said that April 26 was National Drug Takeback Day, an important event for the community. He explained that individuals should not dispose of unused medications by throwing them away or down the drain but rather take them to one of the designated locations: the 5th Street Police Station, Wegmans, Sentara Martha Jefferson Outpatient Care Center, or the Crozet Family Practice Medicine at Park Ridge. He said that any of these locations would accept medications.

Mr. Andrews stated that despite some challenges in managing grants, the Resilient Together Community Design Nights would be held starting April 28 at the Carver Recreation Center, followed by events on May 12 at Stony Point Elementary, May 20 at Yancey Community Center, and May 29 at Greenwood Community Center. He said that these events would provide opportunities for discussion on making their community more climate resilient.

Ms. LaPisto-Kirtley thanked Mr. Andrews for bringing up the topic of recycling medications. She said that she was very interested in reading about it, and it was worth noting that it was not just prescription medications that can be recycled, but also over-the-counter medications such as Tylenol or Advil, and any other medications they may have.

Agenda Item No. 6. Proclamations and Recognitions.

There were none.

Agenda Item No. 7. From the Public: Matters on the Agenda but Not Listed for Public Hearing or on Matters Previously Considered by the Board or Matters that are Pending Before the Board.

Mr. Gary Grant, Rio District, thanked the staff who remained calm and competent throughout the six budget town hall meetings he attended. He said that Albemarle Government held seven town halls this spring, of which he attended six. He said that he had asked two questions, but he had a few more. He said that he would like to address the shift in terminology used in the budget discussions. He said that terms like "contributions" and "investments" were being used instead of "expenses" and "expenditures".

Mr. Grant asked why Supervisors and the County Executive struggled to say "raise". He asked why they did not discuss the hold harmless or lowered tax rate for FY26, which is $0.813 cents by State law. He asked why the County Executive did not use slides to illustrate the assessment increases, which would provide a more transparent calculation of the tax burden on property owners.

Mr. Grant asked why they did not hear Supervisors or the County Executive express empathy or sympathy towards taxpayers regarding the increased tax burden from assessment increases and tax rate increases in the same year. He asked why they did not hear Supervisors or the County Executive thank taxpayers for the money already taken and for the additional amount that will be taken in FY26, with the unanimously approved $0.894 cent increased tax rate for public hearing. Mr. Grant said that he had a question regarding the Scottsville Supervisor's statement at the March 20 town hall. He said that when he heard him say, "If I were to describe the thing that Albemarle County does best, we are deeply professional," he wondered if he intended to imply that the elite group of Supervisors included himself. He said that he had two follow-up questions from the April 10 Town Hall. He asked when taxpayers could examine the public records for the Rivanna Supervisor's personal expenses, including the 1,000-plus snow cones, and the Rio Supervisor's snow cones budget move, or if such a silly bit of engagement first required a FOIA (Freedom of Information Act) request.

Mr. Neil Williamson stated that he served as president of the Free Enterprise Forum, a privately funded public policy organization focused on Central Virginia's local governments. He said that it was hard to believe that nearly four years of work, there was a typo in the title of one of the AC44 Comprehensive Plan chapters, which would be discussed later in the work session. Instead of a chapter on economic development, the Free Enterprise Forum suggested the title "Driving Economy Chapter." He said that in yesterday's Economic Development Authority meeting, Albemarle County Economic Development Director Emily Kilroy indicated that two days of intense focus groups with employer segments revealed consistent themes across industry sectors, including housing availability and housing affordability.

Mr. Williamson said that at the Charlottesville Chamber of Commerce event that many Supervisors attended, Hamilton Lombard, a demographer from Weldon Cooper, noted that 40% of the region's workforce commuted from outside the region. He said that at the last meeting, Supervisor McKeel's recent declaration that "we are Aspen" highlighted the need for expansion of the Nixonian-era development area boundaries. He said that restricting economic and residential activity to less than 5% of the landmass was shortsighted and potentially planning malfeasance.

Mr. Williamson said that Albemarle County needed room to grow economically. He said that attracting and retaining employers was a competitive effort, and they must recognize that other regional competitors had successfully marketed themselves as desirable places to live and work. He said that without an increase in permitted supply, projected demand would drive up land prices, pricing more workers, including teachers, firefighters, and police officers, out of the region.

Mr. Williamson said that the challenge with a Comprehensive Plan was that everything was interconnected. He said that the politics of change could be hard, but the politics of no change were harder. He said that if Albemarle County maintained its Nixonian-era development boundaries, it would continue to need service workers, teachers, and public safety employees, who would have to drive further to get to work. He was curious to know how this would impact absenteeism, employee retention, and the significant impacts of driving two hours every day. Ultimately, it was the Board's choice: did they want a driving economy or a thriving economy?

Agenda Item No. 8. Consent Agenda.

Ms. McKeel **moved** to approve the consent agenda. Ms. Mallek **seconded** the motion. Roll was called and the motion carried by the following recorded vote:

AYES: Mr. Andrews, Mr. Gallaway, Ms. LaPisto-Kirtley, Ms. Mallek, Ms. McKeel, and Mr. Pruitt.
NAYS: None.

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Item No. 8.1. Approval of Minutes: March 24, June 7, June 22, July 12, August 5, September 20, and October 4, 2023

Mr. Gallaway had read the minutes of March 24, 2023, and found them to be in order.

Mr. Andrews had read the minutes of June 7 and October 4, 2023, and found them to be in order.

Ms. Mallek had read the minutes of June 22, 2023, and found them to be in order.

Ms. LaPisto-Kirtley had read the minutes of July 12, 2023, and found them to be in order.

Ms. McKeel had read the minutes of August 5 and September 20, 2023, and found them to be in order.

By the above-recorded vote, the Board approved the minutes of March 24, June 7, June 22, July 12, August 5, September 20, and October 4, 2023 as read.

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Item No. 8.2. Piedmont Liability Trust Tax Agreement.

By the above-recorded vote, the Board adopted the attached Resolution (Attachment A) approving an agreement with the Piedmont Liability Trust for payment in lieu of taxation and authorized the County Executive to sign such an agreement once it has been approved as to form and content by the County Attorney:

**RESOLUTION APPROVING AN AGREEMENT WITH
THE PIEDMONT LIABILITY TRUST FOR PAYMENT IN LIEU OF TAXATION**

WHEREAS, the Board finds it is in the best interest of Albemarle County to enter into an agreement with the Piedmont Liability Trust providing for payment in lieu of taxation.

NOW, THEREFORE, BE IT RESOLVED that the Albemarle County Board of Supervisors hereby approves entering an agreement with the Piedmont Liability Trust providing for payment in lieu of taxation and authorizes the County Executive to sign such an agreement once it has been approved as to form and content by the County Attorney.

* * * * *

PIEDMONT LIABILITY TRUST
AGREEMENT FOR PAYMENT IN LIEU OF TAXES

This Agreement for Payment in Lieu of Taxes is made this 31st day of March, 2025 by and between the PIEDMONT LIABILITY TRUST (the "Trust") and the COUNTY OF ALBEMARLE, VIRGINIA (the "County"), a political subdivision of the Commonwealth of Virginia.

RECITALS:

R- 1. For purposes of this Agreement, the parties agree that pursuant to Title 58.1 of the *Code of Virginia*, the Trust is currently exempt from property taxation on its property.

R-2. The Trust owns certain real property that is not directly used by the University of Virginia for scientific, educational, or literary purposes. Because the Trust acknowledges that it benefits from significant public services provided by the County, the Trust agrees to make annual payments equal to the amount of real estate taxes that would be due on any of its real property not leased to the University of Virginia or its governing body, or to the University of Virginia Foundation if such property is to be used for the direct benefit of the University of Virginia for literary, scientific or educational purposes, under the terms set forth in this Agreement

NOW THEREFORE, WITNESSETH that in consideration of the premises, the mutual promises made herein, and other good and valuable consideration, the receipt and sufficiency of which the parties hereby acknowledge, the County and the Trust hereby agree as follows:

1. Effective July 1, 2025 ("Effective Date"), the Trust, and its successors and assigns, shall make annual payments to the County in lieu of taxes for any real property, or any portion thereof, that the Trust owns that is not leased to the University of Virginia or its governing body, or to the University of Virginia Foundation if such property is to be used for the direct benefit of the University of Virginia for literary, scientific or educational purposes, on January 1st of each tax year. The Trust shall make such annual payments based upon the general real estate tax rate then in effect; such payments being due and payable in two (2) installments, the first being due and payable on or before June 25th of the year for which such payments in lieu of taxes are assessed and the second being due and payable on or before December 5th of the year for which such payments in lieu of taxes are assessed. In consideration of the Effective Date, the Trust shall pay the County its prorated share of real estate tax for tax year 2025 on or before December 5, 2025. Penalty and interest applicable to Albemarle County real estate taxes shall be applied if the installments are not paid when due.

2. Any current outstanding tax assessment made by the County on Parcel ID 059D2-01-00-010B2 is hereby abated. No payment is or will be due from the Trust as a result of any tax assessment prior to the Effective Date, and the County hereby agrees it will not in the future issue any retroactive tax assessments for any time prior to the Effective Date, and it will not seek any payment in lieu of taxes for any time prior to the Effective Date.

3. This Agreement is effective for tax year 2025, and will continue in full force and

effect for each subsequent tax year for so long as the Trust's property remains tax exempt pursuant to the laws of the Commonwealth of Virginia, unless otherwise modified by mutual agreement of the County and the Trust.

IN WITNESS WHEREOF, the parties have executed this Agreement as of the date and year first written above.

WITNESS:

PIEDMONT LIABILITY TRUST

BY: ______________________
Bruce D. Gehle, Chief Executive Officer

COUNTY OF ALBEMARLE, VIRGIN1A

BY: ______________________
Jeffrey B. Richardson, County Executive

Approved as to form:
____
County Attorney

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Item No. 8.3. Board of Supervisors and Economic Development Authority Memorandum of Understanding.

The Executive Summary forwarded to the Board states that in August 2024, the Board and the Economic Development Authority (EDA) met for a joint session to discuss the EDA's interest in adopting a revised Memorandum of Understanding (MOU) to facilitate the County's current economic development priorities, especially as it related to the Rivanna Futures project. Based on the discussion during that session, in December 2024, the EDA presented the Board with a draft term sheet and the Chair of the EDA facilitated a work session with the Board to gain additional feedback to inform the development of a draft MOU.

Using the draft term sheet and the feedback provided by the Board of Supervisors, a draft MOU has been prepared (Attachment A). The terms included on the MOU closely parallel the term sheet, with one exception - in discussion with staff, the matter of administrative fees to paid by the EDA would be detailed in a Fiscal Services Agreement, to be drafted and entered into as a separate agreement at a later date. The EDA approved the draft MOU at its March meeting.

There is no budget impact associated with adoption of the MOU. When the Fiscal Services Agreement is drafted, however, it will include an administrative fee to be paid by the EDA to Albemarle County, which will generate revenue for Albemarle County.

Staff recommend that the Board approve the MOU provided as Attachment A.

By the above-recorded vote, the Board approved the MOU (Attachment A):

MEMORANDUM OF UNDERSTANDING
between
THE BOARD OF SUPERVISORS FOR THE COUNTY OF ALBEMARLE, VIRGINIA,
and
THE ECONOMIC DEVELOPMENT OFFICE OF ALBEMARLE COUNTY, VIRGINIA

This Memorandum of Understanding is dated April 23 2025, and is entered into by and between the **COUNTY OF ALBEMARLE, VIRGINIA**, a political subdivision of the Commonwealth of Virginia (the "County"), and the **ECONOMIC DEVELOPMENT AUTHORITY OF ALBEMARLE COUNTY, VIRGINIA**, a political subdivision of the Commonwealth of Virginia (the "EDA").

The purpose of this Memorandum of Understanding is to state the respective roles of the County and the EDA in implementing the County's policies, objectives, and goals pertaining to economic development as provided in the County's Comprehensive Plan and the County's Economic Development Strategic Plan, each as amended from time to time.

The County and the EDA agree to share in and to promote the County's economic development goals as articulated in the County's adopted Economic Development Strategic Plan.

1. **The County, through its Board of Supervisors (the "Board"), will:**
   a. Adopt and keep current the Economic Development Strategic Plan, in consultation with the EDA.
   b. Through the County's economic development strategic plan, guide the County's economic development activities and investments, which will be implemented by the staff of the County's Economic Development Office and the EDA Board of Directors.
   c. Support the EDA in utilizing the statutory powers granted to it by Virginia Code § 15.2-4905, as amended.

d. Support the EDA in its economic development efforts identified below in Section 2(a).
e. Appropriate funds to the EDA for the purpose of the EDA incentivizing, through grants and loans up to $250,000.00, economic development activity within target industries and other opportune businesses and industries subject to a Board-approved framework or policy.

2. **The EDA will, to the extent that it is authorized under the Industrial Development and Revenue Bond Act (Virginia Code § 15.2-4900, *et seq.*), and to the extent that it has funding for these purposes:**
   a. Act in the following areas subject to conformity with the County's adopted Comprehensive Plan and adopted Economic Development Strategic Plan, as amended from time to time:
      i. Business attraction with emphasis on identified target industries.
      ii. Ecosystem development and support with an emphasis on identified target industries.
      iii. Business retention and expansion with an emphasis on identified target industries.
      iv. Workforce development focusing on partnerships and networks to align workforce training with projected workforce talent need within target industries.
      v. Real estate development, redevelopment, and building reuse in conformity with the County's Comprehensive Plan, the EDA's Building Reuse Grant Policy, and other applicable County and EDA plans and policies.
      vi. New business establishment focused on partnerships that support entrepreneurial activity.
      vii. Providing incentives at its discretion, including grants and loans of up to $250,000.00, with an emphasis on target industries. The EDA's discretion must be exercised within a Board-approved framework or policy.
   b. Work with Board to develop the Rivanna Futures project.

c. Execute a Fiscal Services Agreement wherein the County's Department of Finance and Budget will provide fiscal services to the EDA under terms and conditions as agreed upon by the Board and the EDA.

3. **Interpretation and implementation.** This Memorandum of Understanding will be interpreted and implemented as follows:
   a. The Board or its express designee will have the sole responsibility to interpret the County's Comprehensive Plan.
   b. The term "target industry" will be interpreted consistent with the definition or description contained within the County's Economic Development Strategic Plan.
   c. This Memorandum of Understanding is not to be interpreted so as to prohibit or restrict the EDA, its directors, or the County's EDO staff from discussing and exploring potential economic development projects with existing or prospective businesses and County landowners in an effort to gather information for the Board's consideration, deliberation, and potential support. In this context, the EDA will either directly or through EDO and other County staff communicate relevant economic development information to the Board.
4. **Amendment.** The Memorandum of Understanding may be amended at any time in writing by mutual agreement of the County and the EDA.
5. **Term.** Upon full execution, the initial term of this Memorandum of Understanding is five (5) years. Thereafter, it will renew automatically for successive one-year terms unless either the County or the EDA provides the other's Chair with ninety (90) days advance written notice of nonrenewal.
6. **Legislative powers preserved.** The Memorandum of Understanding does not restrict or alter any legislative power granted to the Board under the Industrial Development and Revenue Bond Act or any other law.

[Signatures are on the Following Page]

COUNTY OF ALBEMARLE, VIRGINIA

James Andrews, Chair
Board of Supervisors

Date 4/23/2025

ECONOMIC DEVELOPMENT AUTHORITY OF ALBEMARLE COUNTY, VIRGINIA

Donald D. Long, Chair
Board of Directors

Date 4/17/25

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Item No. 8.4. SE-2025-00006 Avon Court Industrial (Stepback Waiver).

The Executive Summary forwarded to the Board states that the applicant requests a special exception to waive the minimum stepback required by County Code § 18-4.20. (Attachment A) In industrial districts, the County Code requires that for each story that begins above 40 feet in height or for each story above the third story, whichever is less, the minimum stepback is 15 feet. However, County Code § 18-4.20(b)(3) allows the minimum 15-foot stepback to be reduced by special exception.

The proposed building is 64'10" in height with four stories fronting along Avon Court. The applicant has proposed for the building to be set back 64' from Avon Court. Additionally, the finished floor elevation of the building is proposed to be lower than the elevation at the entrance of the site.

Staff analysis is provided as Attachment B.

Staff recommends that the Board adopt the attached Resolution (Attachment C) to approve a special exception to waive the 15-foot stepback requirement for the proposed industrial building.

By the above-recorded vote, the Board adopted the attached Resolution (Attachment C) to approve a special exception to waive the 15-foot stepback requirement for the proposed industrial building:

RESOLUTION TO APPROVE SE 2025-00006
AVON COURT INDUSTRIAL STEPBACK WAIVER

WHEREAS, upon consideration of the staff reports prepared for SE2025-00006 Avon Court Industrial Stepback Waiver and the attachments thereto, including staff's supporting analysis, any comments received, and all relevant factors in Albemarle County Code §§ 18-4.20(b)(3), and 18-33.9, the Albemarle County Board of Supervisors hereby finds that the proposed special exception is consistent with both (i) the intent of the Neighborhood Model Principles of the Comprehensive Plan and (ii) the designation of Industrial in the Southern and Western Master Plan.

NOW, THEREFORE, BE IT RESOLVED that the Albemarle County Board of Supervisors hereby approves a special exception on Parcel 07700-00-00-008B0 to waive the 15-foot minimum stepback otherwise required by County Code § 18-4.20(b)(3).

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Item No. 8.5. Rivanna Water and Sewer Authority (RWSA) Quarterly Report, ***was received for information***.

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Item No. 8.6. Albemarle County Service Authority (ACSA) Quarterly Report, ***was received for information***.

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Item No. 8.7. VDOT Monthly Report (April) 2025, ***was received for information***.

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Agenda Item No. 9. **Action Item:** SE-2025-00005 3130 Sugar Hill Lane Homestay. (White Hall Magisterial District).

The Executive Summary forwarded to the Board states that the applicants are requesting a special exception for a homestay at 3130 Sugar Hill Lane, in Crozet.

Accessory Structure. Pursuant to County Code § 18-5.1.48(d), the applicants are requesting authorization under County Code § 18-5.1.48(c)(2)(ii) to use an accessory structure built after August 7, 2019 for a homestay use on a parcel of five acres or more in the Rural Areas zoning district.

Please see Attachment A for full details of staff's analysis and recommendations.

Staff recommends that the Board adopt the attached Resolution (Attachment F) to approve the special exception.

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Ms. Lea Brumfield, Senior Planner II, stated that she would be presenting a special exception request for a homestay at 3130 Sugar Hill Lane. She explained that the special exception was relatively straightforward, as it was a small space above the garage to be used as the homestay. She stated that the property, owned and occupied by Stella and Albert Kim, was a 7.27-acre parcel located in a rural area. The special exception was being requested under County Code 18-5.1.48. (c)(2)(ii), which required that homestays on large rural area properties be operated within the primary dwelling or an accessory structure built before 2019.

Ms. Brumfield explained that the dwelling and its accompanying garage were built in 2023, and the applicants were seeking an exception to permit use of the garage as a homestay. She said that a review of the aerial and surrounding parcels revealed that the area was heavily forested and primarily used for residential purposes. The Kims' parcel was situated near the Moormans River, and the property was accessed by a private driveway. The applicants' accessory structure, shown in the parking and structures exhibit, was perpendicular to their home and created a surround around the large parking area. She noted that the classification of the garage as an accessory structure was due to the lack of conditioned space between the primary dwelling and the garage; however, there was a breezeway that attached the primary and accessory structures.

Ms. Brumfield said that the applicants, who owned and occupied the parcel, were requesting permission to use the accessory structure for a homestay on a large rural area parcel. Staff had received no negative feedback from neighbors regarding this application. One neighbor had called in asking about which property was the subject of the request. When she was informed that the applicants were the Kim's, she stated that they would be exemplary hosts and had no concerns. Additionally, she would like to note that, upon reviewing the background of the displayed photo, it was clear that the garage space did not constitute a full dwelling. The presence of a sink and a mini fridge was the extent of the kitchen spaces here, and staff had no concerns about that.

Ms. Brumfield stated that staff did not believe that this homestay would create any adverse impacts to the surrounding neighborhood or general public health, safety, or welfare. The homestay use itself was by right in an accessory structure built previous to 2019. She said that the use was considered consistent with the Comprehensive Plan as its accessory to the dwelling. The proposed accessory structure was consistent with the size and type in the neighborhood, and their analysis of the use itself, based on the property and in the greater context of the neighborhood, led staff to recommend approval for this application.

Ms. Mallek asked if it goes with the owner or with the land.

Ms. Brumfield said that the special exception runs with the land and that it needs to be re-registered every year for safety inspections. She said that staff did not require new owners to reapply for another special exception. She said that the new owner would need to get a new homestay clearance, continue to get safety inspections, and register every year which informs staff of the primary contact information. She said if the application meets all those requirements, it is by right.

Mr. Andrews asked if it was possible for the accessory structure to be a long-term rental, even though it was not classified as a dwelling.

Ms. Brumfield replied that she was uncertain about the building code requirements for a rental property. She said that according to zoning regulations, it would not be considered a dwelling.

Ms. Mallek **moved** that the Board of Supervisors adopt the Resolution for SE202500005 3130 Sugar Hill Lane Homestay, attached to the staff report as Attachment F. Ms. McKeel **seconded** the motion.

Roll was called and the motion carried by the following recorded vote:

AYES: Mr. Andrews, Mr. Gallaway, Ms. LaPisto-Kirtley, Ms. Mallek, Ms. McKeel, and Mr. Pruitt.
NAYS: None.

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RESOLUTION TO APPROVE SE-2025-00005
3130 SUGAR HILL LANE HOMESTAY

WHEREAS, upon consideration of the Memorandum prepared in conjunction with the SE-2025-00005 3130 Sugar Hill Lane Homestay application and the attachments thereto, including staff's supporting analysis, any comments received, and all of the relevant factors in Albemarle County Code §§ 18-5.1.48 and 18-33.9, the Albemarle County Board of Supervisors hereby finds that a modified regulation would satisfy the purposes of the Zoning Ordinance to at least an equivalent degree as the specified requirement, and that the requested special exception:

(i) would not cause adverse impacts to the surrounding neighborhood;
(ii) would not cause adverse impacts to the public health, safety, or welfare;
(iii) would be consistent with the Comprehensive Plan and any applicable master or small-area plan(s); and
(iv) would be consistent in size and scale with the surrounding neighborhood.

NOW, THEREFORE, BE IT RESOLVED, that in association with the SE-2025-00005 3130 Sugar Hill Lane Homestay application, the Albemarle County Board of Supervisors hereby grants a special exception to authorize the use of an accessory structure for a homestay use on Parcel 04100-00-00-041A2.

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Agenda Item No. 10. **Action Item:** Old Dominion Village - Private Central Sewerage System Request.

The Executive Summary forwarded to the Board states that As required by County Code § 16-102, the property owner has notified the Clerk of the Board of Supervisors of its request to establish a central sewerage system (Attachment A) to service the proposed development. Under County Code §§ 16-104 and 16-105, the Board is to consider this proposal and either approve or deny this request. This request is for a central sewerage system to serve one existing business and 110 proposed townhomes (111 total connections) on Parcels 56-67B and 56-74A. The development is in the Crozet Comprehensive Plan Area and the Albemarle County Service Authority (ACSA) Jurisdictional Area.

STRATEGIC PLAN: Infrastructure & Placemaking - Invest in infrastructure and amenities that create connection, opportunity, and well-being

DISCUSSION: On August 17, 2022, the Board approved Zoning Map Amendment ZMA20200005 for Old Dominion Village (with conditions) to allow rezoning of two parcels from Rural Areas to Neighborhood Model District, with both residential (max of 110 units) and non-residential (max of 5,000 sq. ft.) components. That day, the Board also approved an amendment to the Albemarle County Service Authority (ACSA) Jurisdictional Area Map to include Parcel IDs 05600-00-00-067B0 and 05600-00-00-074A0 in the Jurisdictional Area. The subject property is in the County's Jurisdictional Area for public water and sewer.

Because most of the subject property is below the elevation of Three Notch'd Road, a gravity sewer connection to the existing ACSA facilities is not feasible. The existing veterinarian business is currently served by a conventional septic tank with drain field system.

This proposal is to allow for the construction of a new central sewerage system, which would consist of gravity mains, two pump stations, and a private force main to connect to the existing ACSA manhole on Parcel 056A3-00-00-00700.

Though the subject property is in the County's Jurisdictional Area for public water and sewer, the ACSA has determined that there is no cost-effective means of providing public sewer service to the development and does not envision that a public pump station in this location could ever serve a large enough population to justify the ongoing maintenance cost. The ACSA suggested that the developer consider an alternative low-pressure central sewer system with individual owner grinder pumps and a private sewer force main to eliminate the need for private central pump stations and gravity mains. This system would then have connected to a shared ACSA-owned sewer force main along Route 240. This system would still be considered a central system requiring board approval, as it would still have more than three connections.

The Applicant's Engineer indicated it was more cost effective to build the two private stations instead of having a private pump at each lot. Therefore, the ACSA recommended that the owner connect its proposed design to the existing ACSA manhole on Parcel 056A3-00-00-00700 using a private force main. County Code § 16-101(1) defines a central sewerage system as a system "designed to serve three or more connections". Because there would be more than three connections, this system is considered a "central system" requiring Board approval. The owner proposes 111 total individual connections, including one business connection.

Staff believes that given the current ACSA Policy, allowing a central system is the only way to provide sewerage services to the new development. For this reason, staff supports the request and recommends approval of the proposed central sewerage system as presented, consisting of a private gravity main, a force main, and two pump stations.

Staff recommends that, if approved, the Board impose the following conditions:

1. The central sewerage system must be constructed in accord with the Old Dominion Village CSW-2025-00002 preliminary plan (Attachment B) and the DEQ Reliability Classification Worksheets (Attachment C).
2. Final plans and specifications require County Engineer approval with the final site plan prior to commencing construction of the sewerage system.
3. Prior to issuance of any certificate of occupancy for any building to be served by the sewerage system, the owner must demonstrate to the satisfaction of the County Engineer that the system was constructed in accord with public utility standards.
4. The Old Dominion Village property owners association must assume full responsibility for the operation and maintenance of the sewerage system.
5. The Old Dominion Village property owners association must annually document compliance with all state operation and maintenance requirements.

No budget impact is anticipated beyond the staff time to perform document reviews.

Staff recommends the Board adopt the attached Resolution (Attachment D) approving the installation of a central sewerage system, subject to the conditions therein.

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Mr. Gregory Krystyniak, Civil Engineer II, stated that he would present the Old Dominion development request for a central sewer system. The location was on the east side of the Crozet Master Plan area, on the north side of Route 240. A notable landmark in the area was the Old Dominion Vet Hospital. To provide more detail, the location was in the White Hall District, with the local address being 5258 Three Notched Way. As they could see on the screen in the corner, the property included a single-family home, which would be removed, and the vet building, which was adjacent to Parkview and Route 240. The property was zoned as a neighborhood model. The jurisdictional area was the Albemarle County Service Authority (ACSA), and it was located within a water supply protection area.

Mr. Krystyniak stated that a bit of history was relevant here. In 2022, the Board had taken several actions to stage this development. The first was a zoning amendment, which had changed the property's zoning from rural to neighborhood model, allowing for a maximum of 110 units and a non-residential unit for the vet. There was also an amendment to incorporate the two tax map parcels, TMP 05600-00-00-067B0 and TMP 0560-00-00-074A0, into the jurisdictional area for the Albemarle County Service Authority. The existing conditions did not support any other development options, with only two drain fields for the existing businesses and residential units.

Mr. Krystyniak stated that the proposed system was an 111-unit connection, consisting of gravity, force main, and two pump stations. He said as this was a central system, County Code Chapter 16 required that it have three or more connections, which it did. This required a public hearing and Board action to approve the central system. He said that the next couple of slides would show the system in the development, and he had colored in a couple of key colors to help illustrate the plan. The dark green represented gravity, the light green represented the force main, and they had five branches of gravity that extended from the laterals to the individual homes, connecting to pump stations one and two.

Mr. Krystyniak continued that from there, the lime green pathway led out of the development and off site to the closest Albemarle County Service Authority sanitary sewers. He said that the next slide showed 1,100 feet to demonstrate the offsite utility plan would require the force main to be 1,100 feet from the nearest manhole. He stated that analyzing the factors, both favorable and unfavorable, it did support goal number three of the County's strategic goals, infrastructure, and placemaking. The Department of Environmental Quality (DEQ) would issue the construction permit and regulate the system's operation.

Mr. Krystyniak said that the system would be privately maintained, with a maintenance cost per connection that would be shared among 111 connections. He explained that staff recommended five conditions as part of the resolution to support the project and the central system. He said that these conditions included the assumption of full responsibility for operating, maintaining, and performing annual documentation of the system by the property owner's association. He added that Engineer Tim Miller was also present to answer any questions from the Board.

Mr. Gallaway said that the staff report and review were straightforward and clear. He said that he had a question regarding Condition 4 for assumed full responsibility. He said that he would like to know what specific requirement must meet to fulfill that condition from the County's perspective. He asked if it was a provision in a Homeowners Association (HOA) covenant or bylaw that mandated a certain reserve level. He said that the statement in the condition seemed to be a simple affirmation, but he would like to understand the legal compliance aspect of this agreement.

Mr. Krystyniak stated that when the HOA was created, it should be part of that condition. He noted that Condition 5 was that prior approvals for central systems mandated that they submit documentation on an annual basis.

Mr. Gallaway said that he understood the process the HOA would follow. He said that he was seeking clarification on the requirement for the County, specifically regarding the annual requirement and why is it different from the previous four-year requirement. He said that he was trying to understand the legal basis for the County's assumption of full responsibility, and how they legally committed to this responsibility. He said that he wanted to know if there was a signed contract or document that outlined their obligations.

Mr. Bart Svoboda, Deputy Director of Community Development, clarified that the County was not responsible for this matter. He said that the permitting process through the Department of Environmental Quality would handle it. He said that the permit would be issued to the Homeowners Association, which would be responsible for the entity they created to manage this process.

Mr. Gallaway said that at the end of the day, he believed that if a community association or homeowners association failed to maintain its system, they should be held accountable for the costs of repair or replacement. He said that when they came to them seeking assistance, there should be a clear expectation that they would take responsibility for their own costs, rather than shifting the burden to the County.

Mr. Gallaway said that he would be satisfied with measures that were put in place to prevent future issues, such as special assessments or bylaw provisions. He said that what he was trying to convey was that simply stating the issue was not enough; they needed to take proactive steps to reduce their liability in 25 years when potential problems arose. He said that he was not suggesting that the owners and engineers here would not do the right thing; he was simply trying to think of ways to mitigate the County's risk.

Mr. Svoboda said that Mr. Herrick may be able to assist him if he was incorrect, but he did not believe there was a mechanism or enabling legislation that allowed them to bond the private utilities in a subdivision.

Mr. Andy Herrick, County Attorney, confirmed that that was correct. Condition 4 would require a straightforward agreement, which the County Engineer could certify. However, since this was not part of the zoning ordinance, it could not be enforced as a zoning violation. He said that the County would not be a party to it, and it would not be something the County could take enforcement action on. He said that nevertheless, the County Engineer could certify that the agreement was met before it was approved. He said that in terms of continuing enforcement, unfortunately, that option was not available under the zoning ordinance.

Mr. Pruitt said that he was curious to know if they currently had information on how the deployment of this project would be financed and delivered.

Mr. Tim Miller, Meridian Civil Survey, stated that he was the design engineer, and that Katurah Roell would be here shortly to answer financial questions.

Mr. Pruitt stated that he was familiar with the concept of specialized investment organizations that provided capital for sewage infrastructure development in communities. He said that they deployed funds, undertook capital outlays, and then collected loans, capturing the returns. He said that he assumed the HOA lacked sufficient liquid capital to deliver this project. He said that this was something he was considering.

Mr. Pruitt said that although it appeared there was no alternative to a privately developed project, he believed it was prudent to consider the possibility of an additional party profiting at the public's expense, resulting in a net loss. He said that this was something he would like to highlight whenever they discussed additional costs associated with HOA infrastructure. He said that the investment trust's capture of dividends from their investments may not be a net benefit to the public, so he would like to point this out.

Ms. McKeel agreed with Mr. Gallaway that it was important to provide a clear standard to the

HOA so they understood the burden of the maintenance was on them rather than the County. It was important to ensure they prevented it from becoming a major issue for the County to resolve in the future.

Mr. Svoboda said that this was normally handled through covenants, requiring realtors to provide the necessary documents to the property owners, including information on maintenance, fees, and the free structure. He said that, as Mr. Pruitt had mentioned, this would be factored into the development costs, with the maintenance handled through the HOA or community. He said that to get it up and running, a business would need to be established, with someone owning it.

Mr. Svoboda said that there had been a previous discussion about a central well system, which was either here or at the Planning Commission, and the outcome was that the neighborhood came together to address the need for water. He said that Ms. McKeel pointed out that the system was approximately 30 years old, but the community had bonded together to find a solution, determining whether to hire a contractor or establish their own entity to meet the requirements and keep the system viable.

Ms. McKeel said often times entities come to the County first. She asked if it was a law for the covenant to be in the contract.

Mr. Svoboda said he believed that to be true, that when you close on a house that has restrictive covenants, it is in the closing package.

Mr. Pruitt stated that his earlier question was regarding how this development would be financed.

Mr. Katurah Roell, Owner of Design Builders Remodelers, stated that the First National Bank would be financing it.

Mr. Pruitt asked if the HOA would be taking out the loan.

Mr. Roell replied that the developer would be responsible for the debt.

Ms. Mallek asked who would be financing the ongoing maintenance. She asked how the HOA would source the funds necessary.

Mr. Roell said that it would come from contributions from the 110 lots as part of the HOA fees.

Ms. Mallek said that when the rezoning proposal came up for discussion, there was assurance that everything would be fine, with no risk or problem. However, upon reviewing slide five, she noticed that the gravity was flowing north in that water line, affecting the lots on the east side. This meant that the slope was downhill, directly impacting the stream that ran through those lots.

Mr. Roell confirmed that all of the lines flowed downhill to the main sewer.

Ms. Mallek said that she was not concerned about the sewer; her concern lay in the fact that a major stream for Beaver Creek Reservoir was located directly above the map. Given that this area was part of a drinking water watershed, she found this situation to be a significant concern. She said this was a concern shared by many, including those who spoke at the public hearing, which was held during the COVID-19 pandemic and proved to be challenging to manage. She asked what alternative options were available to this privately maintained system.

Mr. Roell replied that there were none. He explained that this was what led them to design this system. They had searched high and low for a gravity sewer line out, but there was nothing to be done.

Ms. Mallek said that Emerson Commons also had a pump system, but nowhere near the density of 111 different units. She also had concerns about the maintenance and inspection requirements for this facility; she was unsure who would be responsible for addressing these concerns. She said that she would appreciate information on the frequency of maintenance and inspections for this facility, as she considered it to be an extremely high-risk location for failure. She said that if a failure were to occur, it could pose a significant risk to the drinking water system serving 12,000 residents in Crozet. She would appreciate more details on this matter, including the frequency of inspections and the potential County and DEQ involvement.

Mr. Roell explained that in terms of systems maintenance, there were two pump station locations. They were designed by the engineer and constructed by a competent contractor. They had backup generators in case of a power failure to ensure continued operation, and they would receive routine inspections, which would be scheduled by the contractor who installed them.

Ms. Mallek asked if the same contractor who installed the system would perform the inspections.

Mr. Roell confirmed that that was correct.

Mr. Svoboda said that the DEQ would issue the permit, and that particular office would also monitor the permit to ensure compliance with the regulations.

Ms. Mallek asked if the Harrisonburg office would come on a regular basis to check on things.

Mr. Svoboda said that while it may not be as cumbersome as the County's own water and sewer treatment plants, there were still regulations that applied to this type of facility. He said that ACSA would likely be interested in this development, as it would be integrated into their system. He said that as a result, there would be coordination involved in the process.

Ms. Mallek noted that Brandon Kiracofe was the head of DEQ in Harrisonburg, so she supposed he would be involved with that. She said that moving forward, she would like to know the estimated annual maintenance cost. She asked if it would be around $10,000 per year.

Mr. Roell stated that he did not think so. He said that the development behind this site was also connected to a pump station for that entire project, and it had been in operation for a number of years with no maintenance issues.

Ms. Mallek said that she was trying to understand the financial burden on homeowners. She said that she was concerned about the annual inspection burden that would be assigned, as well as the requirement to save $1,000 per unit per year for maintenance. She said that she was being diligent about this issue because, in the past, when a community refused to address a needed dam repair in 2008, the situation escalated to a catastrophic failure in 2018, resulting in a five-fold cost to replace it.

Ms. Mallek said that this was a difficult burden to place on individuals. She said that she was seeking to determine where the documentation was written that a buyer should be aware of their obligations ahead of time. She said that she believed it would be reasonable and fair to provide similar notification to buyers, so they could make informed decisions before purchasing and securing a mortgage.

Mr. Roell replied that he wholeheartedly agreed. He said that they would be notified about this condition, and it would be included in the HOA documents. Before the pump was replaced, they would review the necessary procedures. The estimated cost for removal and installation of the new pump was between $5,000 and $7,000. He said that he was aware of the costs associated with the new equipment, and the largest expense was the cost of digging the hole, installing the tank, setting up the generator, and other related costs. He said that they would hopefully have natural gas for the generators as well.

Ms. Mallek asked if there was gas piped in the ground there.

Mr. Roell confirmed that there was. He indicated the 50-foot easement on the left side of the utility plan map.

Ms. LaPisto-Kirtley said that she was somewhat familiar with this system because, where she lived, they had their own private water and sewer. She explained that all the details were included in the documents that came with purchasing the land, which were also outlined in the HOA documents. She said that any documents when they purchased that indicated this was a private system they were responsible for. She asked if the residents would pay monthly for treatment and pumping into the County system or, if applicable, on-site treatment.

Mr. Roell replied that the sewer was put through a grinder pump that directly transported wastewater to the sewer system located up the road. He said that they had public water.

Mr. Andrews stated that Condition 5, which stated they must annually document compliance, meant that it required submitting compliance documentation to the County.

Mr. Krystyniak confirmed that that was correct.

Mr. Andrews asked if the operation and maintenance requirements would be subject to State regulations and documentation.

Mr. Krystyniak confirmed that that was correct.

Mr. Andrews said that his only other concern was that he was aware of difficulties in finding maintenance personnel and contractors for private water systems in the past. He said that this system appeared to be more common and accessible for maintenance.

Ms. Mallek **moved** that the Board of Supervisors adopt the resolution attached to the staff report as Attachment D. Ms. LaPisto-Kirtley **seconded** the motion.

Roll was called and the motion carried by the following recorded vote:

AYES: Mr. Andrews, Mr. Gallaway, Ms. LaPisto-Kirtley, Ms. Mallek, Ms. McKeel, and Mr. Pruitt.
NAYS: None.

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RESOLUTION TO APPROVE OLD DOMINION VILLAGE CENTRAL SEWERAGE SYSTEM

WHEREAS, Old Dominion Village is seeking approval of a central sewerage system to serve up to 111 connections on Parcels 05600-00-00-067B0 and 05600-00-00-074A0 (collectively, "Old Dominion Village").

NOW, THEREFORE, BE IT RESOLVED that, upon consideration of the foregoing, the staff report prepared for this request and all of its attachments, the information presented to the Board of Supervisors, and the factors relevant to central sewerage systems in County Code Chapter 16 and the Albemarle County Comprehensive Plan, the Albemarle County Board of Supervisors hereby approves a new central sewerage system, as proposed in the submitted materials, to serve up to 111 connections on Parcels 05600-00-00-067B0 and 05600-00-00-074A0, subject to the conditions attached hereto.

* * *

Old Dominion Village Central Sewerage System Conditions

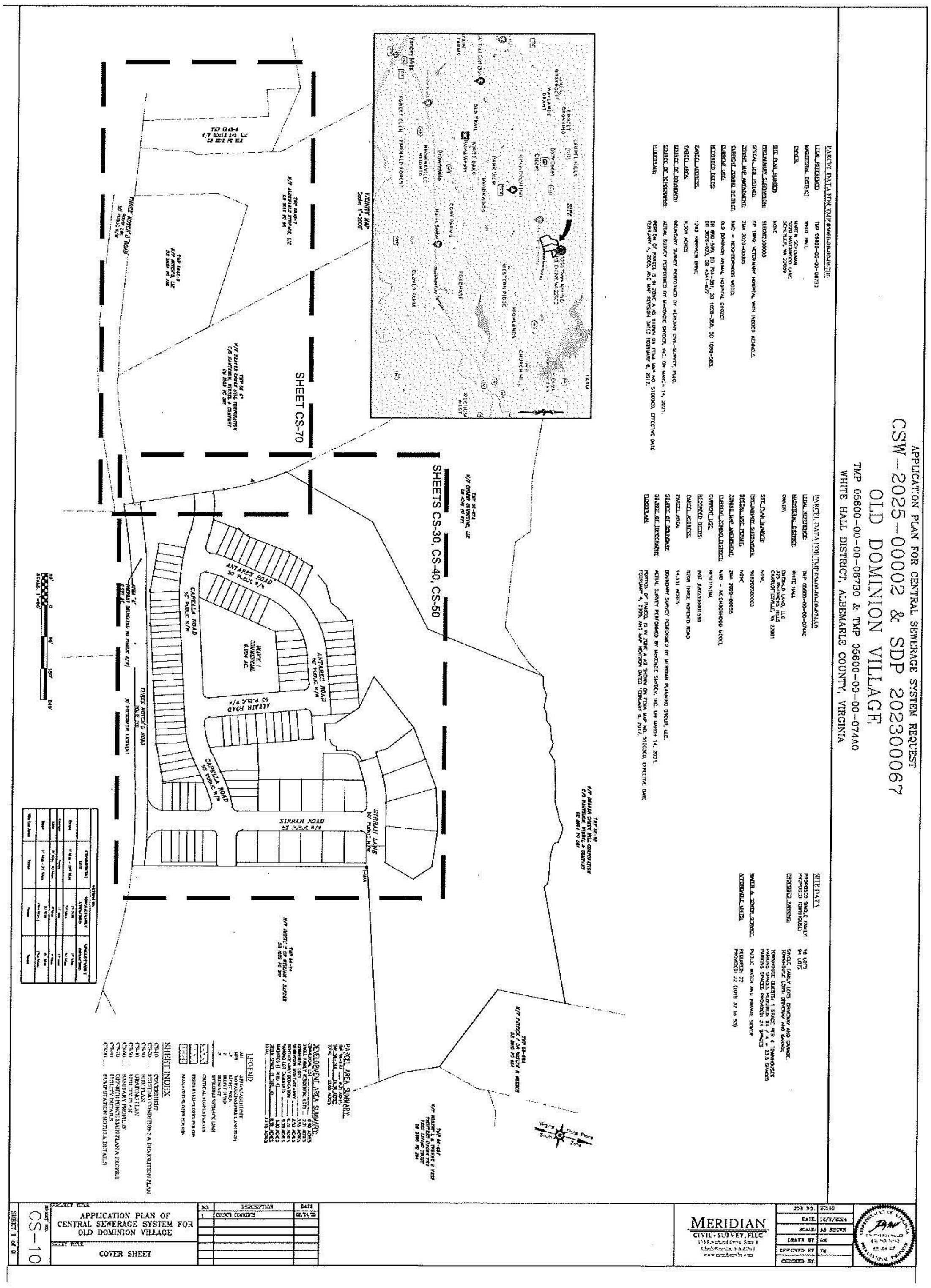
1. The central sewerage system must be constructed in accord with the Old Dominion Village CSW-2025-00002 preliminary plan and the DEQ Reliability Classification Worksheets.

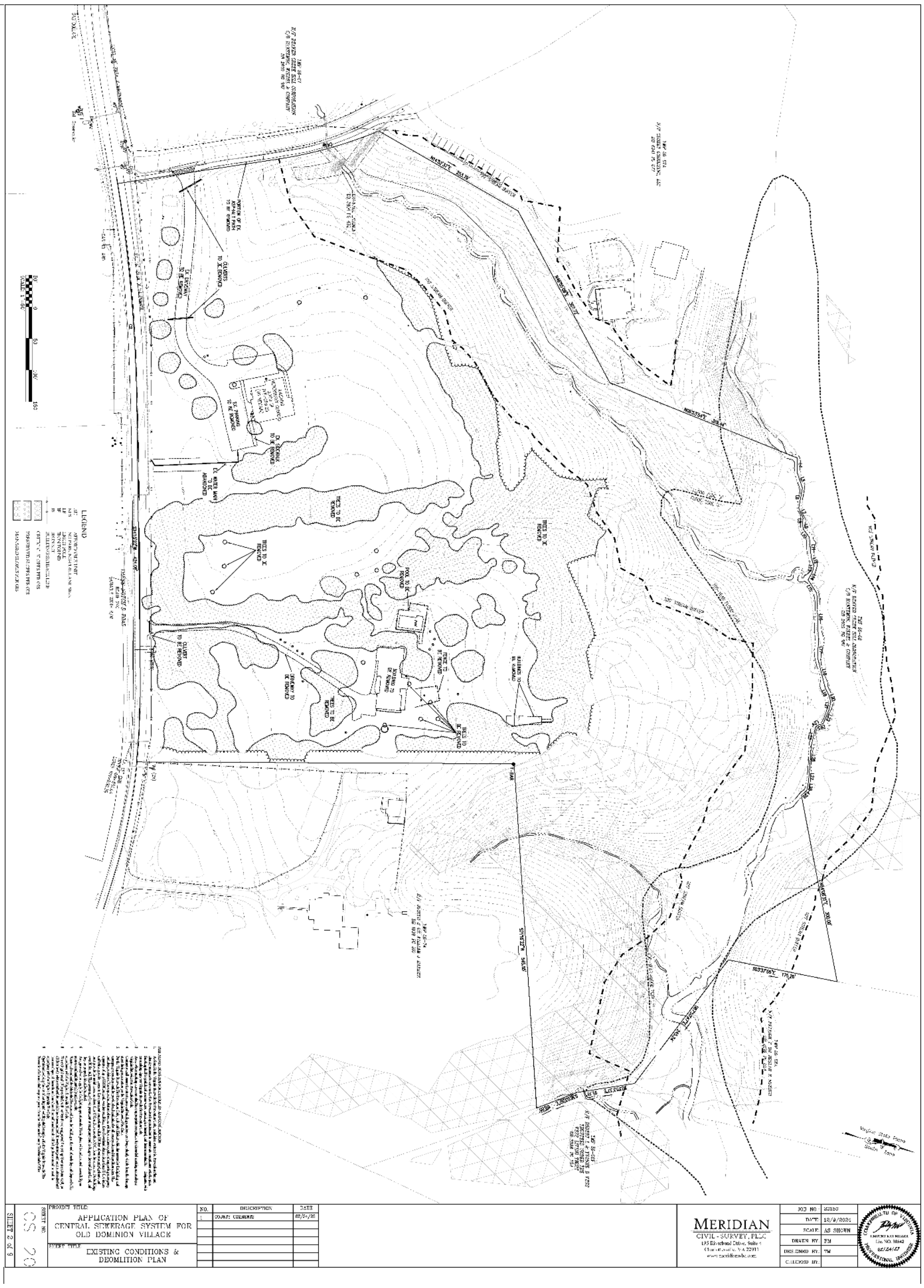
2. Final plans and specifications require County Engineer approval with the final site plan prior to commencing construction of the sewerage system.

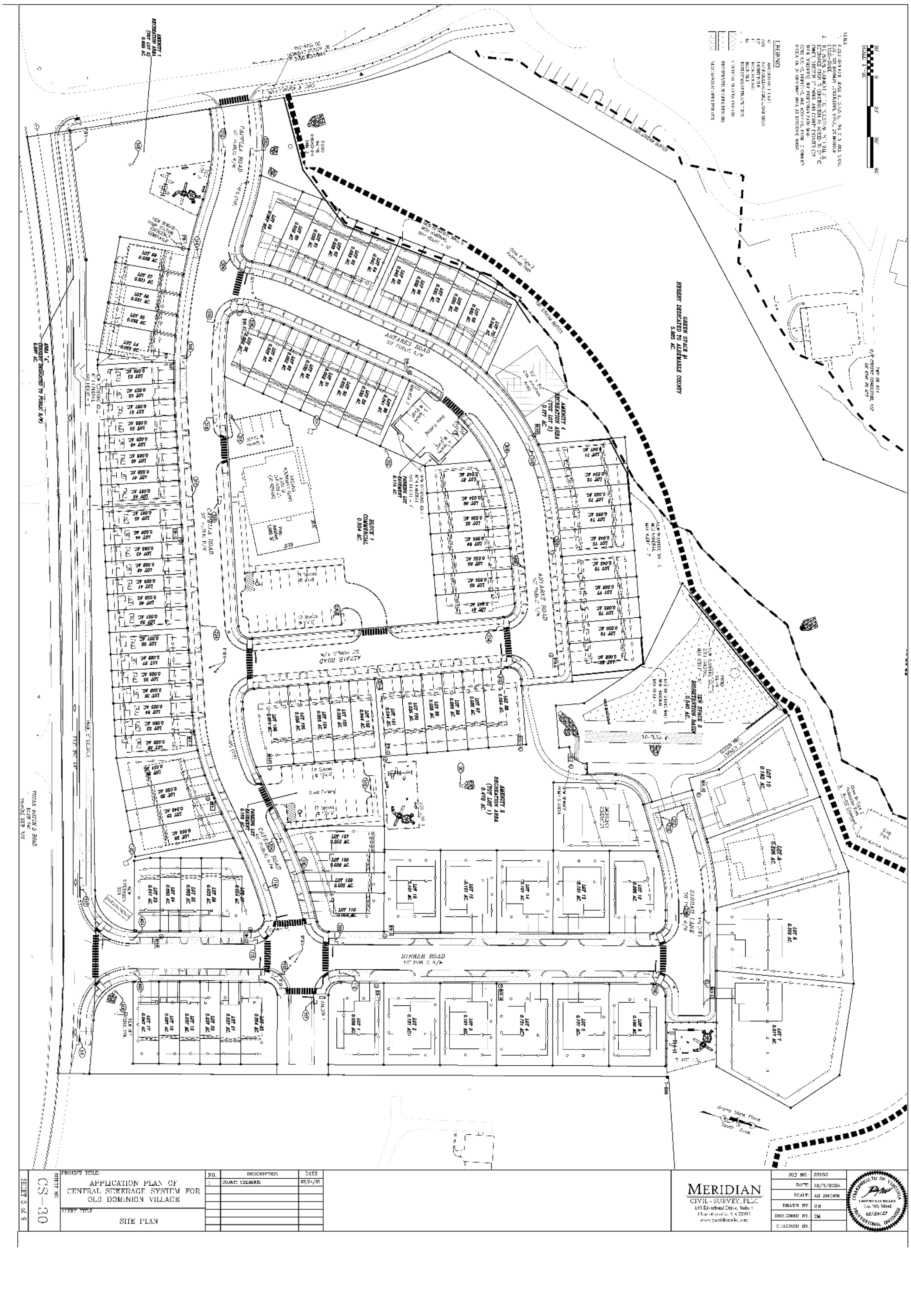
3. Prior to issuance of any certificate of occupancy for any building to be served by the sewerage system, the owner must demonstrate to the satisfaction of the County Engineer that the system was constructed in accord with public utility standards.

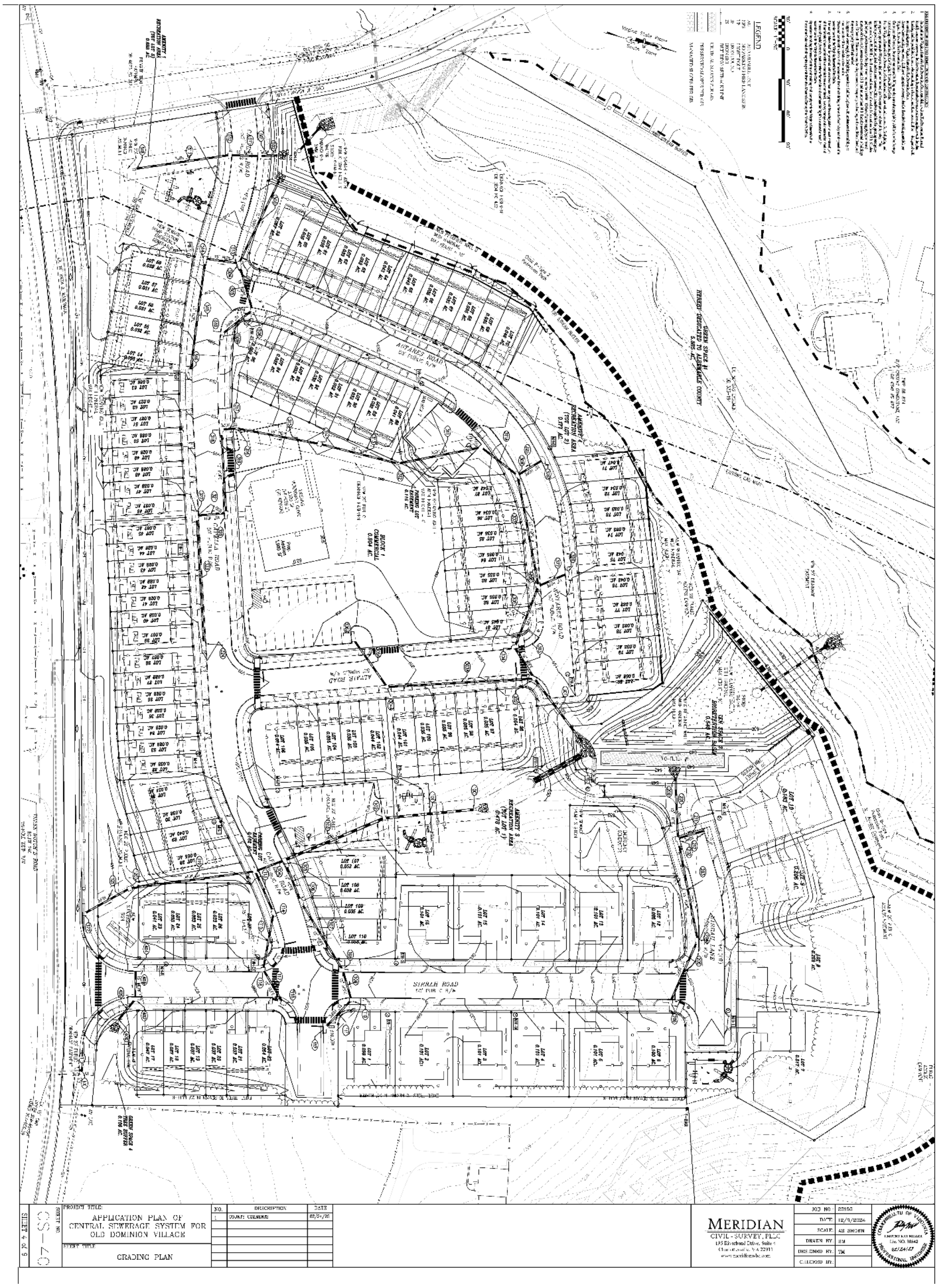
4. The Old Dominion Village property owners association must assume full responsibility for the operation and maintenance of the sewerage system.

5. The Old Dominion Village property owners association must annually document compliance with all State operation and maintenance requirements.


APPLICATION PLAN FOR CENTRAL SEWERAGE SYSTEM REQUEST
CSW-2025-00002 & SDP 202300067
OLD DOMINION VILLAGE
TMP 05600-00-00-067B0 & TMP 05600-00-00-07440
WHITE HALL DISTRICT, ALBEMARLE COUNTY, VIRGINIA
SHEET CS-70
SHEETS CS-30, CS-40, CS-50
MERIDIAN
APPLICATION PLAN OF CENTRAL SEWERAGE SYSTEM FOR OLD DOMINION VILLAGE
COVER SHEET
CS-10


APPLICATION PLAN OF
CENTRAL SEWERAGE SYSTEM FOR
OLD DOMINION VILLAGE
EXISTING CONDITIONS &
DEMOLITION PLAN
MERIDIAN
CIVIL · SURVEY, PLLC
SCALE: AS SHOWN


APPLICATION PLAN OF
CENTRAL SEWERAGE SYSTEM FOR
OLD DOMINION VILLAGE
SITE PLAN
CS-30
MERIDIAN
CIVIL · SURVEY, PLLC
SIMRAH ROAD
ALTAIR ROAD
ANTARES ROAD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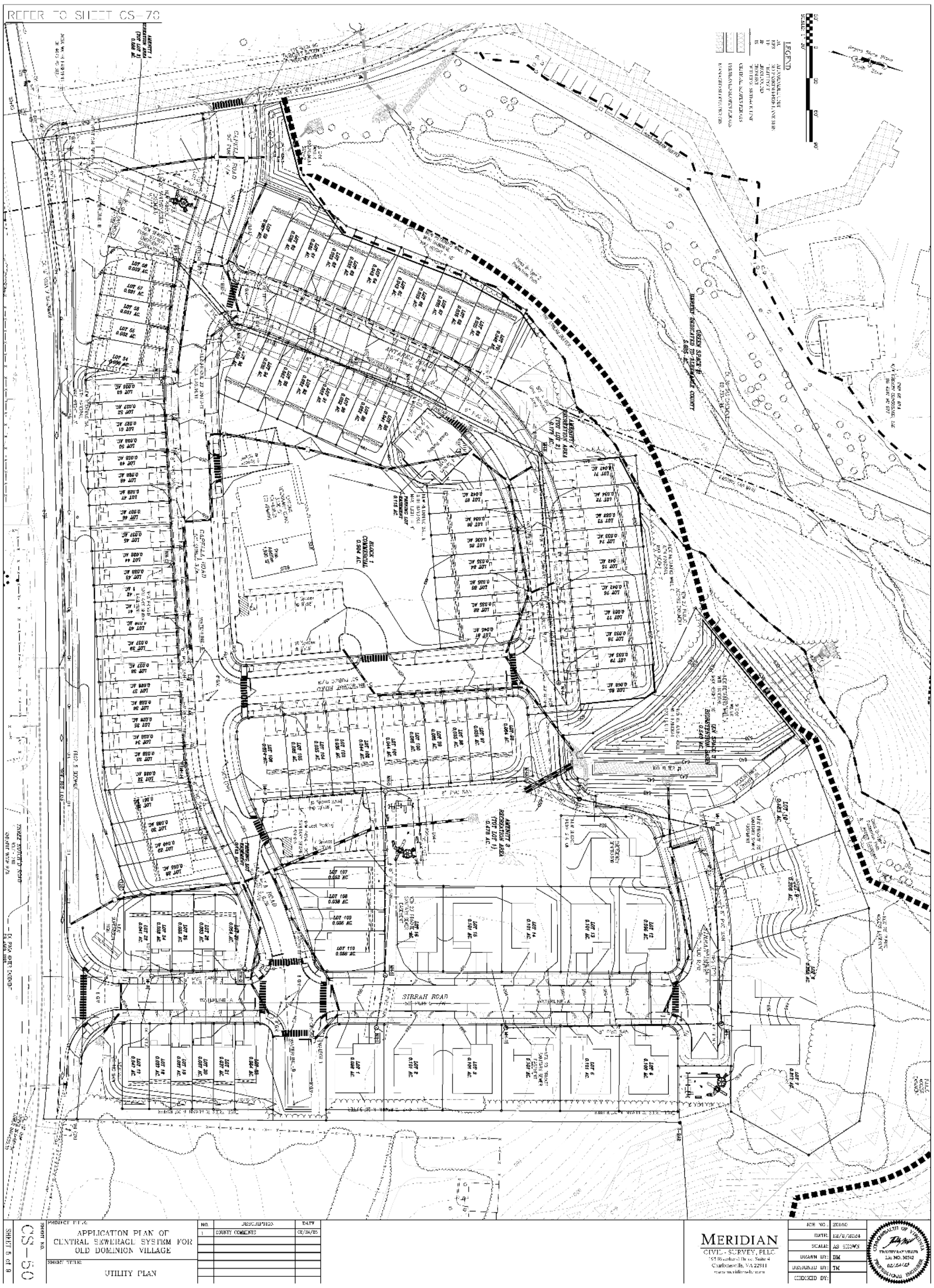
OLD DOMINION VILLAGE
GRADING PLAN
MERIDIAN
CIVIL - SURVEY, PLLC


REFER TO SHEET CS-70
SIRRAH ROAD
APPLICATION PLAN OF
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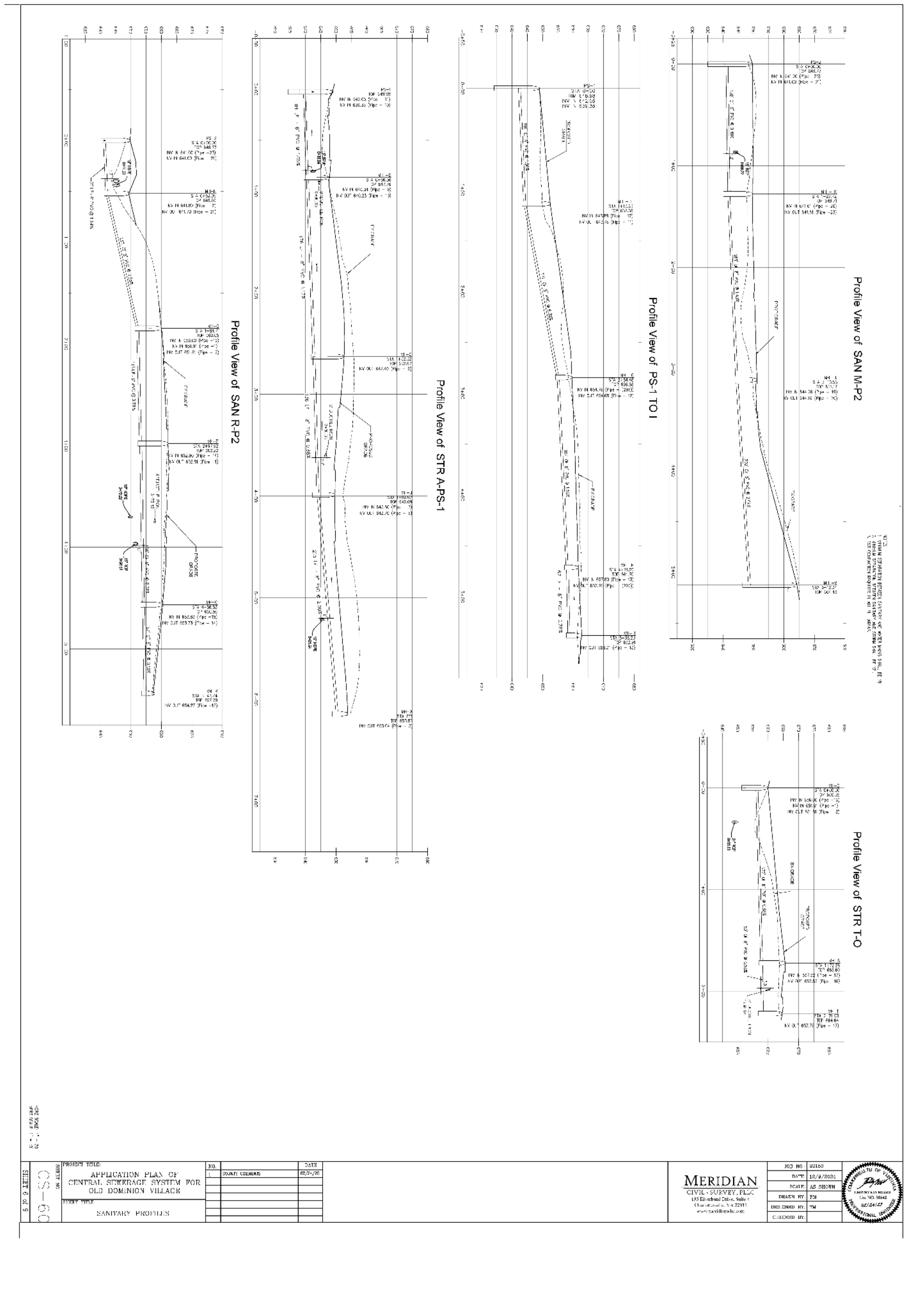
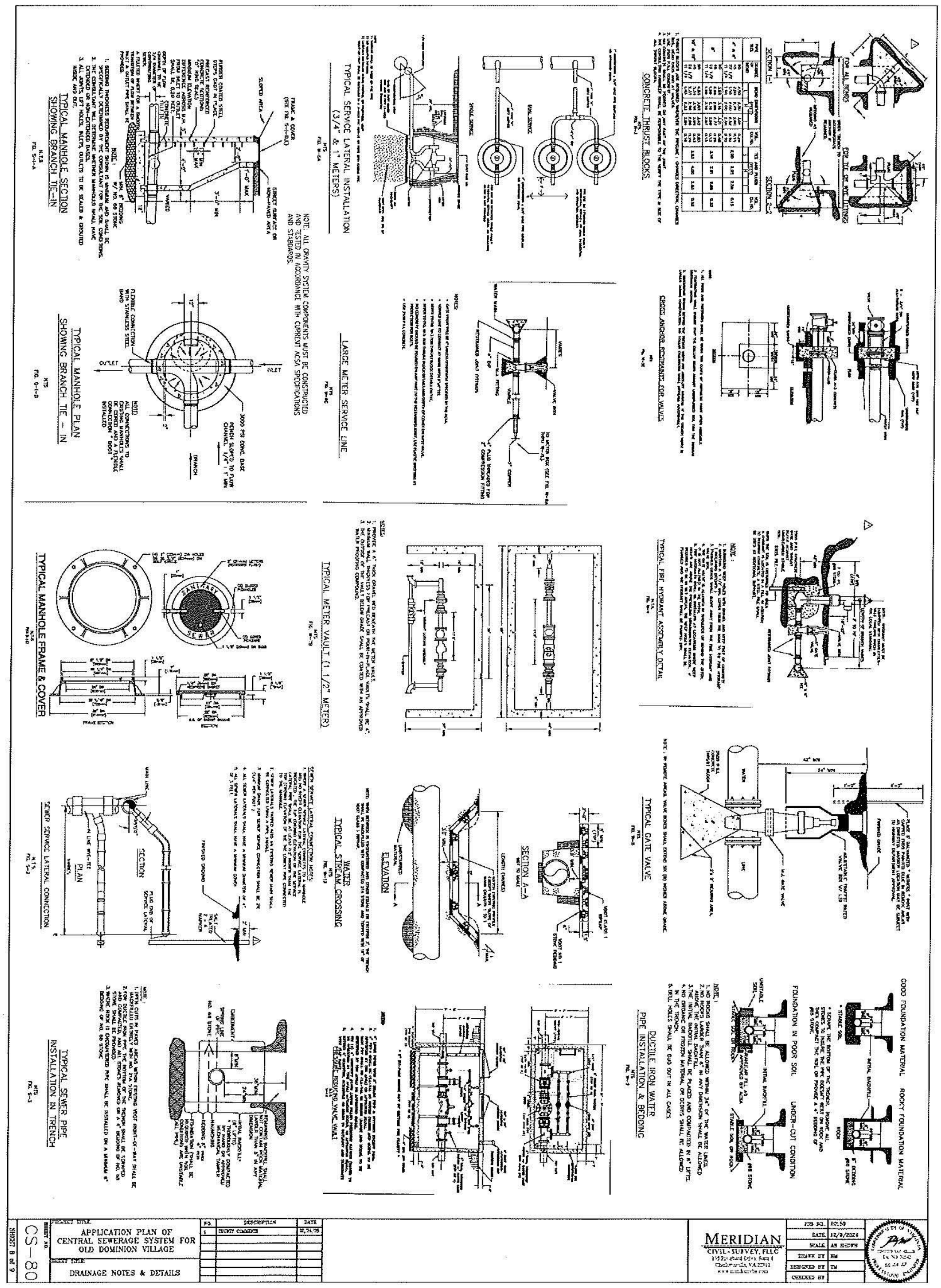
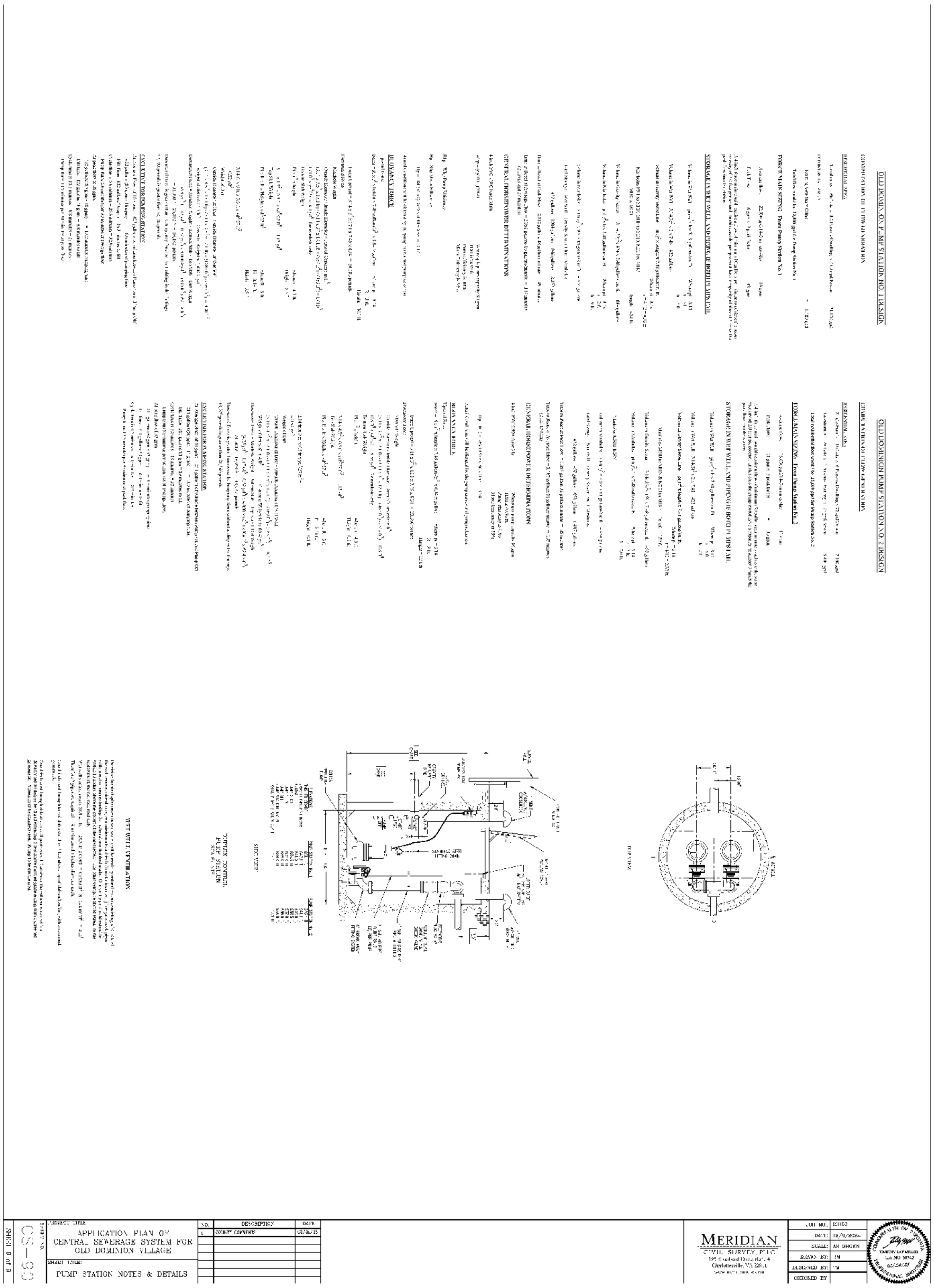
OLD DOMINION VILLAGE
UTILITY PLAN
CS-50
COUNTY COMMENTS
MERIDIAN
CIVIL · SURVEY, PLLC


Profile View of SAN R-P2
Profile View of STR A-PS-1
Profile View of PS-1 TO I
Profile View of SAN M-P2
Profile View of STR T-O
APPLICATION PLAN OF CENTRAL SEWERAGE SYSTEM FOR OLD DOMINION VILLAGE
SANITARY PROFILES
MERIDIAN
CIVIL - SURVEY, PLLC
AS SHOWN


REFER TO SHEET CS-60
APPLICATION PLAN OF
CENTRAL SEWERAGE SYSTEM FOR
OLD DOMINION VILLAGE
OFF-SITE FORCE MAIN PLAN
& FORCE MAIN PROFILE
MERIDIAN
CIVIL • SURVEY, PLLC


APPLICATION PLAN OF CENTRAL SEWERAGE SYSTEM FOR OLD DOMINION VILLAGE
DRAINAGE NOTES & DETAILS
CS-80
MERIDIAN
CIVIL + SURVEY, PLLC
CONCRETE THRUST BLOCKS
TYPICAL SERVICE LATERAL INSTALLATION (3/4" & 1" METERS)
TYPICAL MANHOLE SECTION SHOWING BRANCH TIE-IN
TYPICAL MANHOLE PLAN SHOWING BRANCH TIE - IN
LARGE METER SERVICE LINE
TYPICAL FIRE HYDRANT ASSEMBLY DETAIL
TYPICAL METER VAULT (1 1/2" METER)
TYPICAL MANHOLE FRAME & COVER
TYPICAL GATE VALVE
WATER STREAM CROSSING
SEWER SERVICE LATERAL CONNECTION
DUCTILE IRON WATER PIPE INSTALLATION & BEDDING
TYPICAL SEWER PIPE INSTALLATION IN TRENCH


APPLICATION PLAN OF
CENTRAL SEWERAGE SYSTEM FOR
OLD DOMINION VILLAGE
PUMP STATION NOTES & DETAILS
DESCRIPTION
DATE
MERIDIAN

Reliability Classification
Worksheet for Sewage Pumping Stations

Pump Station Name: PS-1

Location: OLD DOMINION VILLAGE, CROZET, VA

Average Daily Design Flow/ Peak Design Flow (MGD/MGD): 0.020 MGD / 0.050 MGD

Complete Part I and Part II of this form, and submit this form with your CTC application. All assessments are based on the average daily design flow of the pump station (not peak flow or current flow).

Part I. Reliability Classification Assessment

1. Is the station located in the Dulles Watershed (9 VAC 25-401) or in the Occoquan Watershed (9 VAC 25-410)?

   ☐If yes, STOP - Reliability is Class I with special construction requirements (see 9 VAC 25-401 and/or 410).
   ☒If no, proceed to Question 2.

2. The default Reliability Classification for all other pump stations within Virginia is Class I. Is the pump station to be constructed to meet Reliability Class I?

   ☒If yes, STOP - Reliability is Class I.
   ☐If no, proceed to Question 3.

3. Is the design average daily flow to the pump station greater than or equal to 0.5 MGD?

   ☐If yes, STOP - Reliability is Class I.
   ☐If no, proceed to Question 4.

4. Is the pump station located in the any of the following localities? **Counties** of Accomack, Charles City, Essex, Gloucester, Isle of Wight, James City, King and Queen, King George, King William, Lancaster, Mathews, Middlesex, New Kent, Northampton, Northumberland, Richmond, Southampton, Surry, Westmoreland or York; or **Cities** of Chesapeake, Franklin, Hampton, Newport News, Norfolk, Poquoson, Portsmouth, Suffolk, Virginia Beach or Williamsburg.

   ☐If yes, STOP - Reliability is Class I.
   ☐If no, proceed to Question 5.

5. Is a public water supply surface water intake within 5 miles downgradient of the pump station or within 1 tidal cycle upstream of the pump station?

   [Contact the appropriate field office of VDH's Office of Drinking Water https://www.vdh.virginia.gov/drinking-water/contact-us/. Provide VDH with latitude/longitude information for the pump station and the average and peak design flows.]

   ☐If yes, STOP - Reliability is Class I.
   ☐If no, proceed to Question 6.

6. If the pump station were to overflow, is there high probability of public contact with the wastewater? [Is the station close to residential/commercial/institutional areas and/or recreational areas (boat landings, posted swimming/fishing/boating areas, parks) such that an overflow would likely present a public health hazard?]

   ☐If yes, STOP - Reliability is Class I.
   ☐If no, proceed to Question 7.

7. Is average daily design flow to the pump station < 2000 gpd?

   ☐If yes, STOP - Reliability is Class II.
   ☐If no, proceed to Question 8.

8. Is there a perennial surface water located within 1500 ft downgradient of the facility? (Perennial stream defined as a solid blue line on USGS quad map or determined from field investigation.)

☐If no, STOP - Reliability is Class II.
☐If yes, proceed to Question 9.

9. Does the perennial surface water considered in Question 8 above provide less than a 10:1 dilution (7Q10 receiving water flow to average daily design flow); OR is the perennial surface water a 303d listed impaired segment?

   ☐If yes to either of the questions, STOP - Reliability is Class I.
   ☐If no, STOP - Reliability is Class II.

Based on the Part I assessment, the designated reliability classification for this pump station is CLASS I.
Note that DEQ has determined that Reliability Class III is not protective of water quality and is not a valid classification for a new pump station.

Part II. Method of Complying with Reliability Classification
For this pump station, select your method of complying with the reliability class requirements.
Reference 9 VAC 25-790-390 through 420.

Reliability Class I:

☒Option A: Emergency generator with automatic transfer switch or dual electrical feeds. Class I must monitor main power supply, auxiliary power supply, failure of pump to discharge, and high liquid level in wet/dry wells; a test function must also be provided. On-site audio-visual alarm required with telemetry or autodialer to site manned 24 hours a day.

☐Option B: Permanently installed engine-driven emergency pump. Wet well storage above the high water alarm equal to or greater than documented response time of owner/service provider (i.e., no overflow is allowed). Automatic transfer in the event of a power failure is preferred. The emergency pump must pass the peak flow and must monitor main power supply, failure of pumps to discharge, and high liquid level in wet/dry wells; a test function must also be provided. On-site audio-visual alarm required with telemetry or autodialer to site manned 24 hours a day. Battery or other acceptable backup for pump controls is required.

☐Option C: 24 hour emergency storage. Class I must monitor main power supply, failure of pump to discharge, and high liquid level in wet/dry wells; a test function must also be provided. On-site audio-visual alarm required with telemetry or autodialer to site manned 24 hours a day. (24 hour storage based on average daily design flow.)

☐Option D: Closing the facility to eliminate generation of sewage. On-site audio-visual alarm required with telemetry or autodialer to site manned 24 hours a day. (Only available to facilities that <u>will</u> close during a power outage such as schools, certain industries, some recreational and park areas.)

☐Option E: Portable Equipment (e.g., pumps and generators). [Only available for facilities to be owned and operated by a locality, utility, or service authority.] Wet well storage above the high water alarm equal to or greater than documented response time of owner/service provider. Owner/Service Provider has sufficient portable equipment (see 9 VAC 25-790410 for details). Portable pump and/or portable generator hookup provided. Class I must monitor main power supply, failure of pump to discharge, and high liquid level in wet/dry wells; a test function must also be provided. On-site audiovisual alarm required with telemetry or autodialer to site manned 24 hours a day.

☐ Option F: For facilities in the Dulles Watershed Only: In addition to complying with Reliability Class I requirements in 9 VAC 25-790, the facility also complies with 9 VAC 25-401-30.D.

☐Option G: For facilities in the Occoquan Watershed Only: In addition to complying with Reliability Class I requirements in 9 VAC 25-790, the facility also complies with 9 VAC 25-410-20-F.5.

Reliability Class II:
☐Option A: Portable/standby generator (manual transfer switch or quick connect). On-site audio-visual high water alarm.

☐Option B: Emergency pump connection (and access to a portable pump). On-site audio-visual high water alarm.

☐Option C: Closing the facility to eliminate generation of sewage. On-site audio-visual high water alarm. (Only available to facilities that <u>will</u> close during a power outage such as schools, certain industries, some recreational and park areas.)

Form to be completed and signed by Design Engineer.

Form completed by _______________ (signature)

Printed name TIMOTHY MILLER

Reliability Classification
Worksheet for Sewage Pumping Stations

Pump Station Name: PS-2
Location: OLD DOMINION VILLAGE, CROZET, VA
Average Daily Design Flow/ Peak Design Flow (MGD/MGD): 0.150 MGD / 0.375 MGD

Complete Part I and Part II of this form, and submit this form with your CTC application. All assessments are based on the average daily design flow of the pump station (not peak flow or current flow).

Part I. Reliability Classification Assessment

1. Is the station located in the Dulles Watershed (9 VAC 25-401) or in the Occoquan Watershed (9 VAC 25-410)?

   ☐If yes, STOP - Reliability is Class I with special construction requirements (see 9 VAC 25-401 and/or 410).
   ☒If no, proceed to Question 2.

2. The default Reliability Classification for all other pump stations within Virginia is Class I. Is the pump station to be constructed to meet Reliability Class I?

   ☒If yes, STOP - Reliability is Class I.
   ☐If no, proceed to Question 3.

3. Is the design average daily flow to the pump station greater than or equal to 0.5 MGD?

   ☐If yes, STOP - Reliability is Class I.
   ☐If no, proceed to Question 4.

4. Is the pump station located in the any of the following localities? **Counties** of Accomack, Charles City, Essex, Gloucester, Isle of Wight, James City, King and Queen, King George, King William, Lancaster, Mathews, Middlesex, New Kent, Northampton, Northumberland, Richmond, Southampton, Surry, Westmoreland or York; or **Cities** of Chesapeake, Franklin, Hampton, Newport News, Norfolk, Poquoson, Portsmouth, Suffolk, Virginia Beach or Williamsburg.

   ☐If yes, STOP - Reliability is Class I.
   ☐If no, proceed to Question 5.

5. Is a public water supply surface water intake within 5 miles downgradient of the pump station or within 1 tidal cycle upstream of the pump station?

   [Contact the appropriate field office of VDH's Office of Drinking Water https://www.vdh.virginia.gov/drinking-water/contact-us/. Provide VDH with latitude/longitude information for the pump station and the average and peak design flows.]

   ☐If yes, STOP - Reliability is Class I.
   ☐If no, proceed to Question 6.

6. If the pump station were to overflow, is there high probability of public contact with the wastewater? [Is the station close to residential/commercial/institutional areas and/or recreational areas (boat landings, posted swimming/fishing/boating areas, parks) such that an overflow would likely present a public health hazard?]

   ☐If yes, STOP - Reliability is Class I.
   ☐If no, proceed to Question 7.

7. Is average daily design flow to the pump station < 2000 gpd?

   ☐If yes, STOP - Reliability is Class II.
   ☐If no, proceed to Question 8.

8. Is there a perennial surface water located within 1500 ft downgradient of the facility? (Perennial stream defined as a solid blue line on USGS quad map or determined from field investigation.)

☐If no, STOP - Reliability is Class II.
☐If yes, proceed to Question 9.

9. Does the perennial surface water considered in Question 8 above provide less than a 10:1 dilution (7Q10 receiving water flow to average daily design flow); OR is the perennial surface water a 303d listed impaired segment?

☐If yes to either of the questions, STOP - Reliability is Class I.
☐If no, STOP - Reliability is Class II.

Based on the Part I assessment, the designated reliability classification for this pump station is CLASS I
Note that DEQ has determined that Reliability Class III is not protective of water quality and is not a valid classification for a new pump station.

Part II. Method of Complying with Reliability Classification
For this pump station, select your method of complying with the reliability class requirements. Reference 9 VAC 25-790-390 through 420.

Reliability Class I:

☒Option A: Emergency generator with automatic transfer switch or dual electrical feeds. Class I must monitor main power supply, auxiliary power supply, failure of pump to discharge, and high liquid level in wet/dry wells; a test function must also be provided. On-site audio-visual alarm required with telemetry or autodialer to site manned 24 hours a day.

☐Option B: Permanently installed engine-driven emergency pump. Wet well storage above the high water alarm equal to or greater than documented response time of owner/service provider (i.e., no overflow is allowed). Automatic transfer in the event of a power failure is preferred. The emergency pump must pass the peak flow and must monitor main power supply, failure of pumps to discharge, and high liquid level in wet/dry wells; a test function must also be provided. On-site audio-visual alarm required with telemetry or autodialer to site manned 24 hours a day. Battery or other acceptable backup for pump controls is required.

☐Option C: 24 hour emergency storage. Class I must monitor main power supply, failure of pump to discharge, and high liquid level in wet/dry wells; a test function must also be provided. On-site audio-visual alarm required with telemetry or autodialer to site manned 24 hours a day. (24 hour storage based on average daily design flow.)

☐Option D: Closing the facility to eliminate generation of sewage. On-site audio-visual alarm required with telemetry or autodialer to site manned 24 hours a day. (Only available to facilities that <u>will</u> close during a power outage such as schools, certain industries, some recreational and park areas.)

☐Option E: Portable Equipment (e.g., pumps and generators). [Only available for facilities to be owned and operated by a locality, utility, or service authority.] Wet well storage above the high water alarm equal to or greater than documented response time of owner/service provider. Owner/Service Provider has sufficient portable equipment (see 9 VAC 25-790410 for details). Portable pump and/or portable generator hookup provided. Class I must monitor main power supply, failure of pump to discharge, and high liquid level in wet/dry wells; a test function must also be provided. On-site audiovisual alarm required with telemetry or autodialer to site manned 24 hours a day.

☐ Option F: For facilities in the Dulles Watershed Only: In addition to complying with Reliability Class I requirements in 9 VAC 25-790, the facility also complies with 9 VAC 25-401-30.D.

☐Option G: For facilities in the Occoquan Watershed Only: In addition to complying with Reliability Class I requirements in 9 VAC 25-790, the facility also complies with 9 VAC 25-410-20-F.5.

Reliability Class II:
☐Option A: Portable/standby generator (manual transfer switch or quick connect). On-site audio-visual high water alarm.

☐Option B: Emergency pump connection (and access to a portable pump). On-site audio-visual high water alarm.

☐Option C: Closing the facility to eliminate generation of sewage. On-site audio-visual high water alarm. (Only available to facilities that <u>will</u> close during a power outage such as schools, certain industries, some recreational and park areas.)

Form to be completed and signed by Design Engineer.

Form completed by ________________________(signature)

Printed name TIMOTHY MILLER

Recess. The Board adjourned its meeting at 1:48 p.m. and reconvened at 2:05 p.m.

Agenda Item No. 11. **Work Session:** AC44: Thriving Economy and Community Facilities & Infrastructure Draft Chapters.

The Executive Summary forwarded to the Board states that Albemarle County is updating the Comprehensive Plan through the Albemarle County 2044 (AC44) project. The project is in Phase 3: drafting language for the four-part Comprehensive Plan document and developing Plan actions.

The draft language for the Part III - Thriving Economy and Community Facilities & Infrastructure chapters in Attachments B and C are built upon input from the community and County staff and reflect the Planning Commission's and Board's feedback.

THRIVING ECONOMY

A thriving economy in Albemarle County is essential for residents' well-being, offering job opportunities, career growth, and economic stability. Equitable job access, business support, and workforce training are crucial, alongside essential community services like housing, childcare, and infrastructure.

The County's Economic Development Office (EDO) is currently working on an economic development strategic plan (EDSP). The Albemarle County EDO has hired Resonance Consultancy Inc.

to lead an inclusive and data-driven approach to updating the County's EDSP. The updated plan will provide goals, objectives, and actions that reflect community input and analysis of the County's current conditions and best practices in economic development. Once completed, the plan will guide the County's decision-making around economic development-related work and priorities over the next five years.

Since the EDSP update is in progress, the AC44 Thriving Economy chapter goal establishes the County's higher-level expectation for a thriving, sustainable, diverse economy by supporting businesses, workforce training, and strategic land use planning. While the objectives identify important elements that contribute to maintaining and enhancing economic vitality, especially related to land use and other community priorities heard during AC44 engagement, more detailed and specific directions and actions will be established with the EDSP. As the EDSP is completed, the Thriving Economy chapter may be revised to reflect the updated plan.

COMMUNITY FACILITIES AND INFRASTRUCTURE

Community facilities and infrastructure enhance residents' quality of life by ensuring health and safety and supporting the County's growth management and land use policies. AC44 guides facility development, ensuring equitable service distribution while aligning with financial and environmental considerations.

The chapter covers facilities such as public schools, libraries, and public safety stations and infrastructure such as public water, sewer, and solid waste services. It's important for the County to provide responsible and cost-effective public services while maintaining the public's health, safety, and welfare, consistent with the County's Mission Statement: To enhance the well-being and quality of life for all community members through the provision of the highest level of public service consistent with the prudent use of public funds.

For reference, a summary of previous Planning Commission and Board of Supervisors feedback on Thriving Economy and Community Facilities & Infrastructure is provided as Attachment F and G. Community input themes associated with these topics are summarized in Attachment D and E.

An updated AC44 outline is provided as Attachment A. As a reminder, the topics within the red box will be the focus of today's work session. This work session focuses on proposed comprehensive plan language within Attachment B and C, including the draft actions.

The Planning Commission previously held a work session on Tuesday, March 11, 2025, to discuss the Thriving Economy chapter and on Tuesday, March 25, 2025, to discuss the Community Facilities & Infrastructure Chapter.

Staff does not have specific questions or clarifications for these chapters. Instead, we request feedback on the content of both chapters as written.

There is no budget impact associated with this agenda item.

Staff requests the Board review and provide feedback on the draft Thriving Economy and Community Facilities & Infrastructure chapters.

_____

Mr. David Benish, Development Process Manager, stated that he would present two items for the Board's consideration. First, they would review the Thriving Economy Chapter, seeking the Board's feedback and then staff would discuss the Community Facilities Chapter.

Mr. Benish said that for the Thriving Economy Chapter, their agenda included reviewing the Planning Commission and Board's previous feedback, summarizing community themes from the early process, and providing a basic chapter overview. They would also summarize comments from the Planning Commission and incorporate feedback from the Economic Development Authority. They would briefly discuss the upcoming schedule and conclude with a discussion of this section. Staff did not have specific questions for the Board at this time, so as they reviewed the objectives and actions, they would seek the Board's feedback in sequence.

Mr. Benish said that the Planning Commission and Board of Supervisors had previously suggested addressing the readiness and availability of land for target industries, retaining current industrial designations and zoning, and focusing on providing Tier 4 and Tier 5 sites with necessary infrastructure. They had also recommended a short-term inventory of available lands for business location opportunities, addressing cost barriers to small businesses, supporting small businesses, and addressing cost barriers and supporting employees for workforce development and training. Additionally, they had emphasized the need for strategic economic opportunities in the rural area that aligned with their growth management policy.

Mr. Benish said that the community had expressed a desire for career ladder job opportunities focused on target industries, as well as attracting new jobs in general. Furthermore, there was discussion and identification of artisan and craft businesses as having an important role, and a desire to reduce restrictions for low-impact home occupations to support small businesses and entrepreneurs. He said a common theme was the need for land and infrastructure, with a focus on infill and adaptive reuse to address demand and need.

Mr. Benish said that streamlining the development review process was also identified as a way to facilitate the redevelopment and development of lands and businesses in the area. Supporting local workforce development, including jobs and technical training, was also emphasized. This could be achieved through partnerships with local colleges and vocational schools, as well as providing or encouraging support services that served both employers and employees, such as childcare, transportation, and affordable housing.

Mr. Benish explained that in developing this chapter, staff recognized that achieving a thriving economy was supported by many of their chapters and recommendations, not just this one. He said that the County's economic development efforts, guided by their growth management policy, rural area land uses, and development area land use plans, were intended to support their Comprehensive Plan. He said that they were mindful of their equity and climate action initiatives in updating this section and worked closely with their Economic Development Office to develop this chapter.

Mr. Benish said that the scope of this chapter acknowledged the ongoing update of their economic development strategic plan and recognized that this chapter should not conflict with it. Instead, it aimed to establish a good relationship between the two plans, ensuring that the guidance from the Economic Development Strategic Plan (EDSP) was clear and understood. He said that the focus of this chapter was on land use and infrastructure, as it related to their Comprehensive Plan and land use plan.

Mr. Benish said that the actions outlined were primarily focused on land use and infrastructure, and those that were consistent across the end product of the EDSP. He said that they also recognized that as the strategic plan was adopted, there may be a need to refine, revise, or update this specific chapter. He said that other sections of their Comprehensive Plan addressed Economic Development, including the Development Areas chapter, and Rural Areas, as they related to tourism, agriculture, forestry, outdoor, historic, and cultural activities.

Mr. Benish stated that Development Areas were seen as a focal point for industrial activity, supporting quality of life, density, mix of uses, and employment and activity centers. The Transportation and Community Facilities plan also provided for the necessary infrastructure to support businesses. Some of the actions and objectives came from the Rural Area Land Use Plan and the Development Area Land Use Plan, which aimed to utilize economic development strategies to encourage agribusiness activities in Rural Areas and support zoning ordinance amendments consistent with their growth management policy.

Mr. Benish said that he had a list of these objectives available, which they could review as needed if questions arose about other chapters. He said that the challenges staff focused on were gaps in the inventory of industrial land, the need for site-ready locations, supporting existing target industries, and addressing the needs of existing businesses through employee support services, career training, barriers to employment (such as childcare, housing, and transportation), and increasing career ladder jobs. He said they had listed the objectives, which would be reviewed later, but staff believed they addressed the chapter’s goals.

Mr. Benish stated that the feedback from the Planning Commission's work session highlighted a desire for more information to clarify the build-out analysis, its creation, and the source of those numbers, with a bit more detail to help to make it clear and facilitate further study and emphasis on more dense development and redevelopment to support economic development activities and incentivize such work. He said that the Board emphasized the importance of infrastructure and transportation in economic development, noting that strategies for business retention, attracting, and retaining employees were challenging due to housing affordability and the need for support services.

Mr. Benish said that these efforts should be emphasized, and continued support for tourism and the recreational-related economy should also be recognized. The changes to the current plan focus on a higher level of detail, rather than specific actions, primarily due to the development of the economic development strategic plan. He said that this chapter acknowledged the relationship between the two and generally aligned with the 2015 plan in terms of overall objectives. He said that they did attend a meeting with the EDA to receive their comments, and several suggestions were made, including adding the word "attraction" to Objective 3 to imply a willingness to attract outside businesses.

Mr. Benish said that the EDSP also recommended a more prominent note on agriculture and agribusiness. He said that as the EDSP developed, coordination may be necessary to integrate discussions of agribusiness into this chapter or the EDSP. He said that this concluded his overview of the Chapter. As was tradition, he would provide a quick update on upcoming work. He said that on May 24 they would hold a virtual Lunch and Learn on Housing and Community Facilities.

Mr. Benish stated that the Housing Chapter would be presented to the Planning Commission for discussion on April 8 and to the Board on May 7. He said that the Transportation Chapter would be presented to the Commission and the Board on May 6 and May 28, respectively. He said the Cultural Resources and Community Resilience would be presented to the Planning Commission on May 13 and to the Board on June 4.

Mr. Gallaway said that he was generally supportive of the current draft, and he thought it was beneficial to paint in broad strokes. He said that as he began to review and provide comments, he realized that this was the type of work he should be focusing on when the strategic plan was being developed, not at the Comprehensive Plan level. He said that he believed the devil was in the details of that Project ENABLE strategic plan update.

Mr. Gallaway noted that by the time they voted and approved this plan, it would be 2025, marking a 10-year gap since the last Comprehensive Plan update. He said that the strategic plan could undergo significant changes, and it was likely that the next update would be completed closer to 10 years rather than five. They may need to revisit a strategic or economic development plan in the meantime.

Mr. Gallaway said that there was a concept that had been discussed at the town hall meeting at the Center, where one of the speakers had asked a question about how other Counties or jurisdictions approached creative taxing strategies to diversify their tax base. He said that that was the framework he was working under. As a result, he had been doing some research and asking questions of staff to gain a better understanding of the issue. He said that he had never really considered this question before.

Mr. Gallaway said that the second comment from another resident stated that if the goal was to reduce the burden, which was expected to increase to 68% if the proposed budget was adopted, the burden on housing and property would be significant. The resident suggested that if the County truly wanted to move the number, it should set specific goals and timelines for achieving it. He said that this was where their economic development activity came into play, as they claimed to be using it to diversify their tax base; however, they did not clearly state this in their planning documents.

Mr. Gallaway said that he believed a great opportunity to address this was in the Thriving Economy section of their Comprehensive Plan. He said that they should acknowledge that part of the reason for their economic development plan was to bring in more revenue from the commercial sector. He said that they should also discuss potential targets and timelines for achieving this goal.

Mr. Gallaway said that this was not limited to the Rivanna Futures plan, as other economic development activities, such as Home Depot and another project on Rio Road would also contribute to their tax base. He said that the Rio Road project was expected to bring a property back onto their tax rolls in the near future. He said that he thought it was essential that they clearly stated their strategy for diversifying their tax base and economic development as the approach to achieve it.

Mr. Gallaway said that this should be reflected in their Comprehensive Plan, and they should articulate it in a way that was philosophically sound and reflected the County's overall strategy. Then it would give them time to develop a couple of objectives or action steps to achieve that goal. He said that this would put them on notice that they could not simply announce their intentions without a clear plan in place. He asked if Mr. Richardson thought the Thriving Economy Chapter was the right place to address this issue.

Jeff Richardson, County Executive, stated that he recalled being present when that discussion took place at the budget town hall. The citizen pointed out that, currently, their revenue from commercial industry was 11.3%, while residential revenue was 72%. He said that Mr. Sumner, their Chief Financial Officer, had conducted initial analysis showing that commercial industrial revenue used to be in the 15% range, which did not necessarily indicate a mass exodus of commercial and industry from the community. However, it did suggest that the residential side had grown much faster than commercial and industry, a trend that this Board had observed during his time here.

Mr. Richardson noted that when the reports from Mr. Lynch, the County Assessor, were received in December, he would break out the assessment growth on the residential and commercial sides, and typically, the residential side outpaced the commercial industry side. He suggested that this issue be discussed in the economic vitality chapter, and as the work from the economic development strategic plan was completed, performance benchmarks should be established that lived in the economic development strategic plan and the broader reference should be in the Comprehensive Plan, recognizing the need for balance.

Mr. Richardson added that some may argue that solely focusing on commercial and industrial growth reduced the reliance on residential taxpayers. However, without the cost-for-services study, which Weldon Cooper conducted, this perspective was incomplete. The study would be presented to them on May 21. In broad strokes, it was essential to remember that the cost to serve residential taxpayers was higher than the cost to serve commercial and industry taxpayers.

Mr. Richardson stated that by building a strong residential tax base, they generated revenue that helped to fund the services and obligations they provided to the County. It was a proven strategy, and the Board was seeking balance, which they were discussing in terms of both the housing side and the economic development side.

Mr. Gallaway said that he agreed with the point about performance metrics being included in the economic development section, as it would allow them to establish clear benchmarks and avoid guessing. He said that if it was included in the Comprehensive Plan, he hoped it would be clear and understandable, and that it would encourage people to take action. He would leave it to the team to figure out the details. He said that this topic actually came up during the town hall meeting, and he apologized for not bringing it up earlier. He said that from a text standpoint, he believed his other comments were likely included in the actions and goals.

Mr. Pruitt stated that he did not have any major concerns about the body text.

Ms. McKeel said that while she had more comments on the body text for the next chapter, she would like to start by saying that she had a few observations about the current document. She said that one thing she would like to see was the identification of the pictures included. She said that while some were labeled, she thought it would be helpful to have a brief caption or description underneath each image. She said that she was trying to understand what she was looking at.

Ms. McKeel said that she did notice a couple of typos which she would make sure staff was aware of, but those were small details. She said that she agreed with some of the comments on page 4 about the top 10 employers being an interesting fact, but it would be beneficial to also include information on the sectors represented by those employers. She said that on page 6, she was surprised to see a picture of the Charlottesville Albemarle Technical Education Center (CATEC) facility, because it was not an Albemarle County public school. She said that they did have children who attended CATEC, but in the context of a 21st-century model, she thought it would be better to use a different image.

Mr. Benish confirmed that staff had discussed that internally.

Ms. McKeel said that she did not think CATEC was an appropriate model to reference when their center schools were much more accurate. Additionally, on page 7, it was stated that non-residential land uses within the build-out and analysis are divided into categories, but manufacturing was noticeably absent. She said that she was simply bringing to staff’s attention a couple of discrepancies here.

Mr. Benish said that this could potentially be classified as industrial.

Ms. McKeel stated that it could be either industrial or light industrial, but she would leave it to staff to determine the best classification. She said that moving forward, she would like to point out that it appeared this was a good area to provide documentation regarding the amount of the development area that had been underutilized. She said that there were some portions of the 5% of the development area, such as Biscuit Run, that had taken a significant amount of developable land away. There were other decisions made that resulted in land removed from the development area, and considering the heightened need for housing and the community's pushback on density, she would like to see some information in this document about the actual amount of land they had lost, compared to 15 years ago or when they first established the 5% development area.

Mr. Benish said that they could also cross-reference with other sections that contained that data.

Ms. McKeel said that it appeared this was a good section to mention that topic. She said that it was clear that they had reduced the actual usable development area, and she thought it was worth noting. She said that she was also curious about the criteria for potential removal of land from the development area, which they had previously discussed in terms of swapping development area land for rural area land and vice versa. She said that however, she did not see that being addressed in this document. She asked where that criteria would be listed.

Mr. Barnes said that the Comprehensive Plan consisted of three major sections. He said that the introductory section focused on growth management policy, and he believed that they had previously discussed implementing criteria such as build-out analysis and the ways to effectively manage their inventory of land and how to reduce the size of development area or add to it.

Ms. McKeel asked if that would be discussed in a different chapter.

Mr. Barnes said that staff were aiming to complete these 10 chapters, which constituted part three of the Comprehensive Plan, by early June, and then they would be returning for a work session to focus on the first two sections. He said that following that, they would return again to discuss the growth management policy and delve into some of the dynamics Ms. McKeel was addressing.

Ms. McKeel said that was good because it also discussed property that was owned by Albemarle County. She said that she would like to explore that topic further at some point.

Mr. Benish said that in the Community Facilities section, they were developing a draft that may include all County-owned lands as an inventory, along with potential uses if those were known.

Ms. McKeel said that she had these thoughts as she was reviewing this and trying to determine where they would be most relevant. She said that they were also based on ideas they had previously discussed. She said that she would like to make one other comment. She said that she was aware that some of the data was outdated. She believed it would be beneficial to obtain more current data, as it would always be lagging behind somewhat. She said that she understood that such data could be difficult to capture, but she thought it was essential that they strive to have the most up-to-date information available. She said that by doing so, they could avoid referencing outdated information, such as events that occurred five years ago.

Ms. Mallek said that she agreed with the Planning Commission’s comments about the need for more frequent build-out analyses. She said that additionally, she was grateful for the discussion about diversifying revenue, as it reminded her of Ken Boyd's concerns in 2010 about the high dependence on residential value, which had only become more apparent since then. She said that Mr. Richardson's comments about the growth of their residential sector, which had actually increased their reliance on that revenue source, meant they would face greater challenges in achieving healthy diversification.

Ms. Mallek said that what had not been discussed, but was relevant to the Comprehensive Plan, was that in order to reduce the burden on their residents, they must slow the growth of operational costs. She hoped they had reached that point after making some big investments in things. She said that having a stable budget and a growing percentage of revenue from the business side would be very helpful. She clarified that regarding Biscuit Run, 400 acres had been in the growth area, and 800 acres had already been in the Rural Area when it was reclassified in 2010.

Ms. Mallek noted that on page 2, Objective 4 mentioned access to jobs, but failed to mention workforce training for workers. She thought this should be considered, as businesses often mentioned the importance of strengthening workers' skills. She had proposed an additional objective in her notes, which encouraged rural businesses to thrive in a way consistent with the quality of life of rural residents. She explained that many of their residents made a living through agriculture, and it should be a point of consideration in their planning, especially regarding their major employment sectors.

Ms. Mallek stated that on page 5, the defense industry had been mentioned, citing a 2020 impact that was almost double what it should be according to the 2024 report. She said that the total number of jobs in these three categories had been over 10,000 several years ago, and she believed it had only grown since then. She said that she also had a note that she had sent to staff regarding some pushback on the last bullet point on the right-hand column. She said that she expressed concern that the language used made it sound as though the Charlottesville-Albemarle Convention and Visitors Bureau (CACVB) was solely responsible for the success of their local viniculture, which she believed was a misrepresentation of the efforts of the family vineyard and winery owners, who had worked in conjunction with the CACVB.

Ms. Mallek said that on page 6, she was unclear about the terms "primary business" and "traded sector business," and she hoped there would be a clearer explanation of these terms. She had noticed that some language used in the document was not the same as their local terms, which had led her to wonder where this language originated. She said that on page 7, the third line referenced “designation of adequate land,” and she believed it should be “adequate and appropriate” for commercial, industrial, and office uses.

Ms. Mallek stated that she agreed with what was written at the end of the first paragraph, but only because it was clear that higher population areas were better equipped to support businesses. She said that in contrast, many rural areas had empty spaces where multiple tenants had come and gone without sufficient customer traffic to be viable. She said that they needed to consider where the buyers were and where they wanted to do things.

Ms. Mallek stated that she agreed that manufacturing should be clearly stated in the second paragraph, as it was something she had noted as well. She noted that on the last bullet point in the left column, they did not discuss the significant amount of land that had been removed from its prior designation as industrial and heavy industry. She said that for example, the area where Wegmans was now was once the Brass property, which was industrial and provided employment.

Ms. Mallek said that over the past 20 years, the Boards had been eager to support transitioning this highly desirable and expensive property from employment to residential use, primarily for the convenience of owners. She believed they should avoid doing this. She said that regarding the column on the top of page seven, she would like to know where today's numbers were. She said that 20 years from now, they did not know where they were starting, and she was unsure what those numbers meant unless they stated what they had now. She thought that Jeff Werner's old files contained valuable data that they could find, which would show them where they had been for the last 20 years.

Ms. Mallek said that the last item on this page, in the three zones on the right-hand side, she would like to know where redevelopment fit in. She said that it was not mentioned anywhere. She said that they were focusing on new properties but appeared to be ignoring hundreds of acres of parking lots and other areas that needed to be repurposed in a more effective way.

Ms. Mallek added that on page 8, on the right-hand side, only one property met the description of a Tier 4 shopping center, which involved utilities and other factors. She said that many of these properties already had transit, but they had not been considered in the analysis so far, and they also would not be considered in the build-out analysis that would be redone in the next period of time. She emphasized that this would significantly change the numbers, so prioritizing redevelopment was important.

Mr. Barnes said that to ensure they were working on a development, he would like to add that they were currently conducting a new build-out analysis. He said that they recently signed a contract this week, and as previously discussed, this project involved updating and providing additional figures. He said that the goal was to develop a tool that would help them evaluate the efficiency of their development area during rezoning processes. He said that staff was actively working on this task, and they would be able to update those figures.

Ms. LaPisto-Kirtley asked if staff would be updating all the data from 2022 and onward.

Mr. Barnes said that the build-out analysis was one of the initial steps taken as part of the comprehensive plan effort, so their goal was to revise those figures and develop a tool that could serve as a tracking mechanism for future updates.

Ms. LaPisto-Kirtley stated that on page 4, she noticed that they had listed the top 10 employers in Albemarle County by the total number of employees. She said that while this was important, she would also like to see the top money-making employers in the County. For instance, they should consider a business with only three employees, but they generated $5 million in annual revenue. She said that she would like to see this information categorized by businesses or even by types of businesses, such as related but independently owned entities that collectively brought in significant revenue.

Ms. LaPisto-Kirtley stated that it would be valuable to have this data available to support their efforts and potentially attract businesses that generated substantial revenue for the County. She continued that on page 7, in the lower right-hand corner, they had listed 22,900 total development area parcels. She asked if this indicated the number of parcels available for development within the development area. She said that underneath, it stated there were 39 tier-qualified parcels, but it did not specify what tier.

Mr. Benish clarified that there were 39 parcels that met the criteria for the tiers.

Ms. LaPisto-Kirtley asked if staff could explain the triangle graphic that specified a minimum of three acres vacant and appropriately zoned or designated.

Mr. Benish explained that what were in the triangle were those parcels were defined by specific parameters, which included a minimum of three acres, being vacant, and being appropriately zoned and designated. This analysis was focused on short-term availability, considering sites that could be developed immediately or within 12 to 18 months, allowing businesses to build a pad-ready site or begin construction without needing to rezone. He reiterated that this was not a comprehensive inventory analysis, but rather an assessment of the level of site readiness for developers to build risk-free. He said that there were 39 parcels that met these criteria.

Ms. LaPisto-Kirtley asked if 39 parcels met that criteria out of 22,900 parcels in total.

Mr. Benish confirmed that that was correct.

Ms. LaPisto-Kirtley said that on page 8, it was stated that only one property in the development area met the description of a Tier 4 parcel. She asked where that property was located.

Ms. Emily Kilroy, Director of Economic Development, stated that the Tier 4 property was the North Fork Discovery Site property, and as previously mentioned by the Board of Supervisors, some of the information had changed. She said that for instance, the analysis conducted a couple of years ago no longer included Rivanna Futures as an opportunity parcel. She said that given the shifting landscape and the feedback received through the economic development strategic plan process, she anticipated that the draft plan framework would place a greater emphasis on managing their site inventory in a more comprehensive manner, allowing them to better understand the opportunities available.

Ms. LaPisto-Kirtley asked if everything would be updated in the next iteration.

Mr. Benish said that some of the reasons for the outdated information were tied to waiting for the results and analysis from the Economic Development Strategic Plan. He said that it was worth noting that this chapter was dynamic and subject to updates and revisions, and they would revisit and refine it in the future.

Ms. LaPisto-Kirtley stated that that made sense. She said that underneath that, the third bullet, on page 8, staff estimated that nine additional properties could also be supported or could also support development within the 12-to-18-month time frame but may require some extension of infrastructure. To her, that was nine potential properties, which was important. She thought that they wanted to note and ensure that they accomplished this and that it was in an area where the EDA could effectively promote development.

Mr. Andrews said that he agreed with Supervisor Gallaway's point about diversifying the tax base, which should be highlighted in their economic development chapter. He said that he also concurred that captioning photos and correcting typos would be beneficial. He said that he thought it would be helpful to include additional information, such as top sectors or top revenues, to provide a more comprehensive view.

Mr. Andrews said that he understood that there were various ways to present this data, and he would be open to exploring alternative approaches. He said that in this context, he wondered if they could consider how their efforts aligned with the current governor's Virginia Research Quadrangle, which are Virigina Tech, Virginia Commonwealth University, Old Dominion University and University of Virginia, initiatives. He said that they had not yet explored this connection, and he believed it had the potential to be a valuable aspect of their aspirations for years to come. He said that he agreed that industrial should include manufacturing as a reference. He said that there was a question about identifying lost land, and he thought this was largely part of the growth management policy, which he appreciated.

Mr. Andrews stated that, however, he believed there was also a need for updating, which he hoped would occur. He said that he recognized that this was closely tied to the Economic Development Strategic Plan, but he would not want to see outdated data included, even if the other plan would have more updated information. He said that he would prefer to pull out the old data rather than include it. He said that regarding redevelopment comments, he had a question regarding a site like Home Depot, for example. He said that the vacant parcel that was once a mall, no longer in use, was both vacant in one sense and not in another; it was obviously not just empty land, so he was wondering how it would be categorized.

Mr. Benish said that in the build-out analysis, this was typically examined to determine whether what was developed versus the value of the land as a proxy to determine whether something was developed or not. He said that he may need to re-examine the case of the mall, as it was not entirely dead, but rather, it was still operational and generating revenue.

Mr. Andrews said that they were revisiting the question of whether the building was worth less than the land underneath it.

Mr. Benish said that one of the points the Commission made was that more information about the study would help clarify the meaning of those numbers. He said that he believed some of the vacant land was indeed accounted for in the inventory, but he was not in a position to confirm this for the specific site in question. He said that if a site was underdeveloped, the value of the building was smaller than a certain percentage of the total value, and it was seen as an opportunity for redevelopment.

Mr. Andrews said that he appreciated the clarification. He said that 22,900 total development area parcels had only 39 development area tier-qualified parcels. He said that he was unclear about the status of parcels that were underdeveloped, whether they were excluded or included. He said that he wanted to ensure that this was clearly explained before they proceeded with using this information. He said that he agreed with Ms. Mallek’s comment about the confusion between traded and primary. He said that the use of these terms in consecutive paragraphs, with one discussing traded versus non-traded and the next referring to primary, had left him uncertain about the distinction.

Ms. Kilroy clarified that she was responsible for that. She said that traditionally, they had used primary language in Albemarle County. However, the term "traded sector" was more commonly used by her peers in the Commonwealth to describe business attraction work. She said that it was the language used by other communities to describe businesses that sell goods and services beyond their local community. She said that in essence, it referred to the same thing. She believed that it was an effort to align their language with that used by the Virginia Economic Development Partnership, the Regional Partnership for Economic Development, and other organizations. For example, WillowTree, which developed software at the Woolen Mills property in Albemarle County, was selling its products and services globally.

Mr. Andrews stated that there had been significant discussion about identifying industrial losses to commercial uses, followed by changes to residential areas. He said that as background, he had provided the Southern and Western Neighborhoods parcel, which was previously discussed between Route 29 and Interstate 64, offering possibilities for industrial or light industrial use. He said that this parcel was now being transitioned, and its potential impact was uncertain, with the possibility of loss or gain, which could be discussed at a future time.

Ms. McKeel said that she wholeheartedly agreed with that concept of diversifying revenues. She said that she was curious because they currently had 11% commercial revenues, and she recalled that 10-12 years ago, they were closer to 15-16%. According to staff at the time, a healthy economy should ideally have a mix of around 30% commercial. She said that her question was, what was considered best practice? She said that if they were aiming for 16%, while a community should ideally be 25%, is there was a best practice they should be adhering to.

Ms. Kilroy explained that the answer was frustrating because it depended on various factors. She said that specifically, it depended on the community's assets. She said that if they were located on the Chesapeake Bay, they would focus on growing their tourism sector, which could account for 60% of their revenues. She said that in a small-town coastal town, the tourism sector was a dominant force, whereas in heavy industrial cities, commercial activities generated a higher percentage of revenues.

Ms. Kilroy clarified that it was not a one-size-fits-all solution, and there was no magic percentage that worked for everyone. She said that the ideal target percentage was subjective and depended on the community's comfort level with industrial and commercial activities. She believed that 11% was a low target, but to determine the right percentage, they needed to determine the ideal amount of commercial and industrial activity for Albemarle’s community. This would be dependent on their land use determinations. She said that the key work ahead was to articulate a target that aligned with the County's goals, as articulated in the AC44 process.

Mr. Richardson added that they had done some excellent two-on-two work with the economic development consultants. He said that when they visited, they mentioned that they had tried to find pure communities with attributes similar to theirs. He said that they noted that all of them were well-traveled and had visited other communities that shared similarities and differences with theirs. He thought the consultants had done a good job of identifying that no community was identical to theirs, but rather, they could find communities that shared attributes that drove the local economy. He said that through this work, they would learn about what other communities looked like and be able to drill down and focus on what they saw, which would inform their community.

Mr. Richardson noted that there were unique aspects of their community, such as the split between the rural area and development area, which had existed for decades and drove the balance between rural quality of life and urban quality of life. Another unique aspect of the County was its concentration of wealth, which resulted in a loss of $10 million in school funding from the state based on the local composite index (LCI), which put pressure on local government to diversify revenues and develop density within the development area to better balance the problems associated with rising residential costs.

Mr. Richardson stated that he believed that the strategic plan would be beneficial in addressing these issues. He noted that Mr. Sumner's analysis of other Virginia communities, including simple benchmark analysis of 10 to 15 communities, would also be valuable. Furthermore, he said that it was essential to pay attention to the City, as the County was closely tied to it, despite its 10.5 square-mile containment. He said that the substantial revenue sharing agreement between the City and the County was a significant factor to consider.

Mr. Richardson stated that he believed that this amount of money moving back and forth between the two entities played a crucial role in driving their decisions. He said that Ms. Kilroy and he would likely agree that 11.3% was too low a percentage for commercial tax revenue. Furthermore, the year-over-year assessments of residential properties had brought this to the forefront. He agreed it was a critical issue, particularly given their current situation with the Comprehensive Plan, economic development strategic plan, and recent reassessments at the residential level.

Ms. McKeel said that she would like to add that the University of Virginia and the University of Virginia Foundation were also taking properties, which was an issue worth exploring further. She said that it was important for planning purposes that they understood the extent of these acquisitions and their potential impact on their community. She said that she had heard that in their community, there was often a sentiment that everything was fine, and they should not make any changes.

Ms. McKeel said that she believed it was essential to acknowledge that some changes were necessary, such as diversification, to avoid pricing out their community. She said that they were not perfect, and no one was, but the decisions the Board made had a significant impact on their current situation and the problems they faced. She said that simply continuing to do the same thing would only lead to worsening issues. She said that she was not suggesting they throw the baby out with the bathwater, but rather that some changes were necessary.

Mr. Andrews stated that next, the Board would review the objectives for this chapter.

Mr. Gallaway said that he had neglected to mention that if they did not focus on attracting new businesses, they risked losing existing ones that grew and expanded there. He said that companies that started there, grew there, and were attractive to others may eventually leave to meet their own business needs. He said that they could try to retain them, but they would not be successful if they were not actively attracting new businesses. By controlling what sectors they wanted to attract and what they wanted to attract, they could increase their chances of success. However, if they were not actively attracting new businesses, it would be challenging to increase their commercial growth.

Mr. Gallaway said that currently, there were only so many new businesses that could start and grow, and only so much growth that existing companies could achieve. He agreed that this was an important addition. He said that perhaps more relevant to the economic strategic plan, for Tier 4 and Tier 5 preparation, they should consider developing an incentive and game plan to redevelop vacant or underdeveloped lands, including those with emerging biotech sectors.

Mr. Gallaway stated that, for example, biotech companies were unlikely to build a new facility or put down a pad without a suitable location. He said that if they did not have a place to move into, they would go to a community with existing infrastructure, such as their one Tier 4 site, which was currently pad-ready but did not have a structure yet. To encourage this, they needed to think about how to incentivize these developments, not just through financial incentives, but also through the work of local staff, Supervisors, and County Executive Departments, including networking and building relationships to attract these companies to their locality.

Mr. Gallaway said that businesses operated in a certain way, and if one needed to build a building, parking lot, and infrastructure, while another community already had that, it was only good business sense to choose the one that already had the environment most conducive to starting business operations. He said that businesses should not necessarily need to pay extra to be in Albemarle. He noted that Supervisor Fairchild from Fluvanna discussed "come here's" and "from here's." He said that if they considered businesses that way, their "from here's" appreciated that, but the "come here's" were looking at other places, and the County needed to figure that out. He said that he would likely address this in the detail-level performance objective work in the strategic plan, but he wanted to mention it, nonetheless.

Mr. Gallaway said that under ECON 2, he believed they should have two objectives, one for having 11 actions and some sub-actions. He said that this may indicate the need for an ECON 4 or 5. He said that he was not too concerned about it, but there was a lot under ECON 2, and they were also considering the Rivanna Futures and defense sector, which added to the complexity. He said that they may need to refer it to the strategic plan or re-evaluate the objectives when they became too bulky with action items.

Mr. Gallaway said that under 2.4, they stated the need to analyze the use of County-owned land to adjust priority land use needs and include opportunities to develop, initiate, and County-led initiatives. The point was made about losing commercial to residential, and he agreed that the pressure to convert to housing could not take away their highest and best use for further Tier 4 and Tier 5 sites. They needed to take this analysis further, even if the site may not be a Tier 2, but if it was a prime Tier 5 location, they must have a way to analyze it, so they did not simply rely on the incredible need for housing.

Mr. Gallaway said that he was aware of a project coming from Rio that would convert some commercial space into residential, but it was a smaller location and may be a suitable use for it. He said, however, there were other sites in the County that he would not say were suitable for conversion due to their location and available space. He would like to see a more thorough analysis of Action 2.4, as this was a long-term action item. He said that he had been coming to realize that he needed to punt some of these decisions to the strategic plan, as this type of analysis required flexibility and uncertainty.

Mr. Gallaway said that he noticed that in the action items, there was a mention of streamlining or expediting the process, although he was not certain what it was called. He said that it was not expedited review, but it sounded like a way to speed up the process. He said that he wanted to ensure that in these action items, they were not only considering incentives such as grants, but also capturing the work being done in the Community Development Department (CDD) to streamline the process. He said that this was particularly crucial, as the speed at which a project was completed could significantly impact its success, especially in the housing sector.

Mr. Gallaway said that for businesses, a timeline for getting to market was equally important. He said that he was not suggesting that Albemarle was the only County with slow processes, but rather that other counties may also have similar challenges. He said that the fastest ones may have an advantage, and they needed to take this into account in their analysis. He said that he believed they should call out their goal to expedite the process generally, rather than just focusing on specific projects that may be receiving expedited review. He said that they should strive to make improvements that benefited everyone, not just a select few.

Mr. Benish clarified that they did have a priority review process in place when they reached Objective 4, which was meant to articulate a more refined approach and clearly outline their steps in the CDD process, as well.

Mr. Gallaway said that that was the language he was looking for. He said that if they failed to continually improve their basic review process, then the priority review process became even more valuable, as it served as a model for what their basic process should be.

Mr. Barnes said that he understood the point. He said that for special projects, speed was crucial, and in general, they needed to do everything faster.

Mr. Gallaway said that he wanted to add to Ms. Mallek's point about rural area businesses. He said that she had mentioned inappropriate locations, which they had previously discussed in an AC44 meeting. He said that he had argued that these businesses often thrived in rural areas because of the right combination of vision and resources. He said that the crossroads community that emerged was a result of this unique combination. He said that if they tried to force this process, it may not work. However, if they limited rural area businesses to areas with existing populations, they risked losing the unique benefits that rural areas could provide.

Mr. Gallaway said that in the past, they had inadvertently created barriers to profitability for these businesses through regulations and zoning restrictions. For example, limiting the number of seats in a restaurant could be a significant obstacle for business owners. He said that he wanted to emphasize that a thriving economy was not just about developing areas, but also about supporting rural areas. They could not assume that a thriving development area economy would automatically benefit a struggling rural area economy. Instead, they should consider rural area target sectors that aligned with their development strategies and re-examined their zoning regulations to identify potential barriers to existing businesses.

Mr. Gallaway stated that this was particularly relevant to their breweries, cideries, and wineries. He stated that these businesses could not simply be pet projects of individuals with significant wealth; they had to be able to generate success for the business owner, which in turn would contribute to the overall success of their revenue collection efforts.

Mr. Pruitt said that he would like to support some of the statements Supervisors had made regarding the previous section. He agreed that text captions for images were a prudent and helpful approach, as he had mentioned in a previous chapter. He said that he believed it would be valuable to highlight their stated goal of revenue diversification in the narrative or in an objective manner.

Mr. Pruitt said that he was in full agreement with Mr. Gallaway and Ms. Mallek on the importance of an additional objective focused on rural economic development. He thought this would be a challenging but necessary discussion, as they strove to agree on what rural economic development meant and looked like. He believed the ideas that had been proposed were suitable for scoping this discussion and ensuring that their approach to rural economic development was consistent with the expectations of the rural community.

Mr. Pruitt said that he did not intend to introduce these ideas at this time. He said that he would like to focus on Action 2.2, which was a critical aspect of their discussion regarding the intersection of land use and economic development in the Comprehensive Plan. He also wanted to acknowledge that he was not certain if their Comprehensive Plan explicitly contradicted some of the ideas they had discussed.

Mr. Pruitt said that they had previously discussed the conversion of existing commercial properties into residential uses, and he wondered if this topic had been touched upon in the relevant slide. There was a slide which cross-referenced development area objectives and actions, but they may have glossed over this point in their previous discussion. Specifically, he was curious about the action related to commercial redevelopment or repurposing for residential use, as he was not entirely sure if this had been addressed.

Mr. Benish said that these actions were among the examples they cited in the development area as related to providing for inventory and supporting employment districts and activity centers. He said that this list was not all inclusive, but it represented some of the ways industrial inventory addressed economic development issues.

Mr. Pruitt said that he had raised this point to highlight the importance of considering the potential consequences of their decisions. He said that when they created a pinch point, it was not just a matter of stating the positive outcomes but also evaluating the cost-benefit analysis. He said that in this case, the Action 2.2 cost-benefit decision conflicted with some of their other goals.

Mr. Pruitt said that it may not need to be addressed at this stage, but it was something they should consider when implementing the next tier of actions and metrics. He also wanted to emphasize to this Board that when they said they would protect high-value sites from encroachment of incompatible land uses they were specifically referring to preventing the conversion of commercial to residential or light industrial to residential. These were the most likely encroaching land uses, and they offered the highest economic deliverables in Albemarle County.

Mr. Pruitt stated that therefore, they must be prepared to address this conflict. He was not sure that they had fully grappled with this issue, and he was not trying to dictate a specific approach. However, he did think they needed to develop a clear understanding of what this meant. Furthermore, regarding Action 1.1 and their economic development strategy, they often discussed target industries in great detail, but they rarely used that language or identified them in their decision-making process. He asked if that was because those target industries were meant to exist solely in the economic development strategic plan.

Mr. Benish said that if the timing were different, he would have envisioned that the Comprehensive Plan would cite those target industries, but there was the potential for adjustments to those industries. He said that in drafting this with the Economic Development Office, they decided it was a safer approach to not cite those industries at this time. They did not want to cite them until they knew they would continue to be the same. He believed it would be beneficial for this document to include a higher, clear level of expectation of those industries, even if it was not explicitly stated. He reiterated that they could be included, but due to the timing of these planning projects, they were not specifically named in this document.

Mr. Pruitt noted that one thing that stood out to him was when he saw something that appeared to be responsive to current circumstances rather than a long-term vision. He said that he thought of this as a 20-year plan, although they scheduled it to be reviewed every five years, it took about ten years to complete the review and update. He said that when he looks at Section 2.2 forward, he sees something that is responsive to the planning and activities in which the County is currently engaged. He said it seemed like the plan was more focused on their current activities and intentions, rather than long-range planning.

Mr. Pruitt said that specifically, he was not seeing any mention of how they planned to energize and incentivize the second-order effects of Rivanna Station, or how they would partner with State agencies to create opportunity windows that did not currently exist. He said that this seemed like the kind of aspirational and long-range thinking that he would like to see in their Comprehensive Plan. He said that while the plan did provide a tutorial on what the next five years of Rivanna Futures may look like, he wanted to see beyond that and have confidence that the Comprehensive Plan was taking a long-term view.

Ms. McKeel stated that as she reviewed the list of actions, she felt it may need condensed or refined so that the list was not so long. She said that additionally, as a general principle, she thought they should consider the benefits of CACVB and tourism, as it brought significant revenue to their community. However, they must be cautious and avoid putting all their eggs in one basket, as a downturn in the economy could quickly impact tourism. She was always looking for a balance between tourism and other revenue sources.

Ms. McKeel said that furthermore, she believed they needed to focus on local workforce access to job training, particularly in collaboration with the County public school system and the Chamber of Commerce. They must work together to create career pathways and job opportunities that allow their graduates to stay in the area and contribute to the local economy. By connecting the public schools, the Chamber, and the County organization, she believed they could create a more cohesive and effective approach to supporting their community's growth and development.

Ms. McKeel recalled that there was a time when the school division and the County government was more involved with the Chamber than they were today. However, it was crucial when discussing career pathways, job prospects, and the kids. She said, regarding Action 5, essential transportation and infrastructure improvements to access employment opportunities, she wanted to stress this point because it was so critical, especially in her district. While it was fine to discuss bike paths and connections for recreation, she was trying to focus on getting sidewalks in the urban area, so people could walk safely to a grocery store, pharmacy, and job.

Ms. McKeel stated that some people may use a bicycle, but many others would walk, and it was essential to provide that pedestrian infrastructure. She felt like they did not have enough conversations about how to get people safely to critical needs like grocery stores, pharmacies, and jobs. She was not dismissing recreational biking, and it could be an economic driver, but they needed to prioritize ensuring people could access basic necessities, especially during an economic downturn.

Ms. McKeel said that she had already mentioned that they needed to analyze the lost acres of developable land to parks and other rezoning criteria. She recalled when Roger was their Economic Development Director, they requested that every rezoning to go through economic development for staff to comment on whether it was an appropriate rezoning when taking away commercial or industrial land.

Mr. Gallaway said that he believed that the intent was that this type of scorecard would be included when developments came before them for consideration.

Mr. Benish agreed that it was a useful internal tool for staff, but they no longer performed that analysis.

Ms. Mallek asked staff to please make sure all the graphs and tables had dates associated with them. She said that she had jotted down some notes during their conversation about business, commercial, and residential development. She said that for example, if a community had a nuclear power plant, a 60-40 split between business and residential was often more feasible. She said that one of their neighbors had achieved this balance, despite having a small population and high-value tax revenue.

Ms. Mallek said that Counties with significant assets, such as Reagan Airport, may have a more challenging time striking this balance due to their larger population. She said that she was not diminishing the need to consider this, but these factors did make it more complicated. She said that she appreciated the example of Mathews County's location near the Chesapeake Bay, which was a great demonstration.

Ms. Mallek said that she also knew that they would be discussing the cost of services at a future meeting, but she wanted to highlight the approach taken by some Counties that had resisted rapid residential development in favor of protecting their existing taxpayers. She said that for instance, Counties like those in the Commonwealth that had been clear about not becoming bedroom communities for larger cities, such as Richmond. This was particularly relevant for rural businesses, as evidenced by the example of Michie Tavern which was in Earlysville, on the stagecoach road between Richmond and the Valley.

Ms. Mallek stated that Murray Electrical Boxes had employed 1,200 people for 20 years, and it was put on the back side of the Murray farm, Panorama, on Reas Ford Road. These were places where transitions happened due to modern globalization and the businesses were now in warehouses, along with small businesses and craftspeople fulfilling niches. She said that it was a good use, but it was not the same as being one of the two largest manufacturers of electric switch boxes in the country, which it had been for a long time.

Ms. Mallek stated that their discussions regarding rural economic health would be interesting. She said that she would support having a separate objective for military facilities, as this could help to quickly make Objective 2 more manageable. In response to another comment about protecting non-compatible sites, she was reminded of the potential rezoning for high-density residential that had been proposed directly south of Rivanna Station, which would have posed a significant security risk. Although that proposal was no longer viable, it highlighted the potential for interference between industry and housing.

Ms. Mallek said that there were many examples of this, and she had no idea what the next ten years would hold for economic development and specifically for Rivanna Station, as the situation evolved every three years or so. She said that she was concerned about the impact of tourism, particularly with the Canadians being the state's highest tourist cohort. She said that she was strongly supportive of prioritizing sidewalks in Action 5.1, as it would improve safety for pedestrians, such as those in the Crozet neighborhoods within a half mile of major shopping and employment areas.

Ms. Mallek said that regarding Action 2.3, she was also concerned about the need to strengthen their existing attractions rather than constantly trying to attract new visitors without doing their homework to retain their homegrown residents. She said she would prioritize redevelopment of existing buildings, parking areas, and brownfields. This approach would allow them to reorganize the existing framework. She had already sent this to staff for their consideration. She believed they needed more detail on Action 2.4, and breaking it down into smaller, more manageable sections would be beneficial.

Ms. Mallek stated that regarding 4.3, she had repeatedly emphasized the importance of not ignoring the major source of funding for job workforce training, which was federal and state Workforce Innovation and Opportunity Act (WIOA) money. She said they must acknowledge that they were partnering with federal and state workforce training systems. She said public schools should collaborate with these agencies, rather than duplicating their efforts.

Ms. Mallek stated that the Pathways program, which was a state initiative adopted locally, was a prime example of this. She aimed to ensure that they incorporated language that prevented them from duplicating efforts, simply because they were Albemarle. She said she was concerned that Virginia may have a tendency to think it had the best approach, but she believed it was essential to make the most of available information and funding, rather than duplicating it from the County budget.

Ms. LaPisto-Kirtley agreed with Mr. Gallaway's comments. She stated that she thought he made some really good, strong points about looking into the future. She noted that regarding the permit process, while they had priorities and regular ones, she believed the entire system needed improvement. She said that she had heard from developers and businesses that the permit process often took too long. She said that she believed staff was addressing this issue, which she thought was a step in the right direction.

Mr. Barnes confirmed that staff was looking to improve the process. He said that extensively, EPNL would assist them in implementing the new software program, which would enable them to track their capacity to deliver comments on time and gain a better understanding of where they may be running long in certain processes.

Ms. LaPisto-Kirtley said that it did come with a cost, which was the time and money invested in developing it. She said that when considering changing light industrial to residential, she did not think it was the greatest area for residential. She said that however, she did think that having an EDA scorecard was a good idea if they were considering switching from light industrial manufacturing to residential so they could get their expert opinions.

Ms. LaPisto-Kirtley stated that it was known that the County lost residents from ages 25 to 35, which was due to there being more opportunities in other localities. She thought tourism played a significant role, as it provided activities for their youth to enjoy. However, the youth tended to return once they started families, and this became a place they came back to. She stated that they may decide to remain if they could find more opportunities for that age group.

Ms. LaPisto-Kirtley said that in rural areas, she believed it was essential to encourage small businesses that were suitable for a rural environment, rather than simply opening up opportunities without careful consideration. She said that however, there were places in rural areas where businesses could thrive, and this could contribute to the local economy. She said that while it was not a universal solution, it was an approach that could be effective in certain locations. She said that it was worth noting that tourism generated $1.3 billion, surpassing the revenue from Rivanna Station in terms of tax base. She said that she thought this was an area that they should continue to promote.

Ms. LaPisto-Kirtley said that as a government, she did not think that they should be inflexible in their approach. She said that she believed they needed to be open to new ideas and consider alternative venues. She said that they needed to bring in a diverse range of businesses that would attract entrepreneurs. She said that the success of the BioHub in North Fork was a prime example of this. She said that that project had the potential to boom, and she thought that they could further work from that success. She said that by expanding their focus to become a tech and biotech center, they could create opportunities for even greater growth and development.

Mr. Andrews agreed that Objective 2 was too large and unwieldy, and he found some areas where things overlapped, leading him to question the need for multiple initiatives. For example, Action 2.4 and 2.8 both mentioned initiating County-led rezonings, which seemed redundant. Similarly, Actions 2.6, 2.7, and 2.9 all discussed site readiness, but in different ways, suggesting potential inconsistencies. He said that he also found the language in Action 2.7 to be somewhat unusual, as startups were often just corporations in the early stages.

Mr. Andrews agreed with the comments about attracting businesses, particularly in objective three, which focused on retention and expansion. He said that he thought the concept of priority review, mentioned by Mr. Gallaway, could be broader than just the specific reasons mentioned in Actions 3.1 and 4.2. Furthermore, he wondered if the workforce training mentioned in Action 4.3, particularly in relation to the high school center model, could be expanded to include partnerships with Piedmont Virginia Community College (PVCC).

Mr. Andrews said that objective ECON 6 on rural opportunities was worth exploring further. He said that while many comments emphasized the importance of people being able to stay in the area, he felt fortunate to have been able to return after attending school here. However, he recognized that thousands of students passed through Charlottesville each year, and it was not always possible for them to stay. For families, it was also a consideration, but it was part of the same overall picture, as they were all ultimately competing for the same type of opportunities.

Ms. Mallek noted that they did not mention veterans in their military component, but it was suggested by a constituent that they include contributions for active-duty and veteran residents who returned to their area. She said that some word revisions should be made to the military component.

Mr. Pruitt said that he wanted to revisit Objective 4, which he was glad was included. He said that he recognized that this was, in part, a response to community feedback they had received on this issue, which was incorporated into their plan. He emphasized that as it currently stood, it seemed underdeveloped. He wanted to acknowledge that the County's economic development capacity had grown significantly quickly, and he thought they had seen a lot of new learnings from their Economic Development staff. These were heavily business partner-focused, and that was what their new capacity was focused on.

Mr. Pruitt said that he did not think that was wrong, but he did not see the same level of formation and development in how they thought of workforce development from staff. He said that he did not see a level of comfort and proficiency with what workforce development looked like that he saw from the rest of this chapter. It felt underdeveloped and did not represent the level of expertise he expected. Furthermore, he thought some of the actions, specifically Actions 1 and 3, were too broad and anything could take credit for them, so they were not particularized enough to direct meaningful action.

Mr. Pruitt stated that for example, promoting the development of industries could involve creating an evaluative criteria for economic development programs or a guidance document for what they expected from industry partners related to workforce development. It could be increasing resources or support to their career work. He said that they had a career one-stop shop that was established about four years ago, but he was concerned that they had not had continual engagement or re-evaluations and assessments of that program.

Mr. Pruitt suggested that one potential solution could be re-investigating their partnership with the local Workforce Development Board, a resource that he believed Ms. Mallek had recommended before. This partnership was a core component of their strategy. He said that providing resources to Albemarle County Schools was crucial, but he was not seeing a clear plan for how this would be achieved. As an employer, the County could sponsor apprenticeship programs, convene employer consortia to partner with the schools, and provide stipends to PVCC.

Mr. Pruitt said that they could also identify specific trades or industries to stimulate by providing targeted stipends for those areas. For example, if they were addressing a housing shortage, they could offer tuition stipends for people in the building trades at PVCC. He said that the current plan lacked specificity, and he was concerned that it may not reflect their organization's proficiency and competency in economic development.

Mr. Pruitt expressed concern that this lack of clarity raised alarm bells for him, and he had expressed similar concerns in previous discussions about workforce development. He said that he was not seeing a clear understanding of the current standards and trends in workforce development, which concerned him.

Ms. McKeel clarified that when she discussed students staying here, she was specifically referring to families whose children attended Albemarle County Public Schools. She stated that she did not feel the need to focus on opportunities for college students to stay here; they already were successful in attracting those young people. She continued to state that however, families needed access to job opportunities that did not necessarily require a college education, such as apprenticeships in trades like plumbing or electrical work. Their local businesses benefited from training individuals in these fields, so she did not want staff to interpret her own comments as suggesting they needed a large influx of University of Virginia students to return and live here.

Mr. Benish said that he would now move on to the Community Facilities and Infrastructure section. He said that he would highlight the key points from the previous discussions. There were no focus topic questions for them to address, so they would review this section in sequence. He said that to recap, the Planning Commission and Board had previously identified water and sewer service to properties and housing in the development area and adjacent to rural areas as a lacking public utility issue.

Mr. Benish said that this slide noted some of the changes they had made to address this issue. He said that moving forward, they had identified a need for third places, such as community meeting spots. He said that wireless service for public parks was also identified as a safety concern. He said that comments from the Commission and Board had been addressed in other sections of the Comprehensive Plan, including the Resilient Community Chapter, such as hazard mitigation for catastrophes, fire hazard overly district. solar support for food systems, and sustainable resources.

Mr. Benish stated that the overall community themes they had heard included more library services, particularly for rural areas, concerns about school capacity and bus availability after school programs, and the need for more recycling options, education, and incentives. He said that they had also heard a need for improved stormwater management, adequate water supply, and addressing above ground power lines and failing septic systems, especially when they impacted public water supplies and when homeowners required financial assistance. He added that some of these topics had been addressed in the Rural Areas Chapter draft.

Mr. Benish stated that in developing this, they all knew that facilities and services were a crucial implementation tool for their growth management policy and economic development, as they had previously suggested, as well as other sections. He explained that the implementation of facility recommendations was primarily driven by budget issues and the management of other agencies, some of which were the County's and some were shared, joint or partnership agencies.

Mr. Benish said that to highlight this relationship and the importance of the budget process, he had included a table to sort out the various agency or department work programs and their funding limitations. He said that as it related to this section and how it differed from the 2015 Comprehensive Plan, the objectives and actions on 2015 had focused on supporting the implementation of growth management policies. He said that the draft provided continued flexibility for providing health and safety facilities throughout the County.

Mr. Benish said that the newly drafted policies offered greater clarity for allowing health and safety facilities in rural areas. He said that previously, these facilities were permitted under exceptions, but they had recognized that health and safety facilities needed to be provided based on access issues.

This clarity was now reflected in the policies, indicating when Fire Rescue and Police services could be provided.

Mr. Benish said that they had also acknowledged that private central and water and sewer system maintenance was becoming an issue in rural areas. He said that in this draft, there were fewer actions and standards for service. He said that in contrast to the previous plan, which had more service standards and related operational issues, they were stepping away from this approach, recognizing that these agencies had a relationship with the Board or School Board in establishing operational issues.

Mr. Benish said that as a result, they would not see as many service standards provided in this draft plan as they would have in the prior plan. He noted that the Planning Commission generally felt that some of the objectives could be combined because they were similar in nature. He said that they also noted that technical demands and needs for electrical service were not identified or discussed in sufficient depth in this section of the plan.

Mr. Benish said that staff recognized their limitations on planning and controlling utility planning. He said that the Commission also suggested that green infrastructure should be noted in this section or cross-referenced from where it is noted in other sections. Additionally, package treatment wastewater treatment systems were discouraged; however, the language in that section was deemed somewhat weak by the Planning Commission.

Mr. Pruitt stated that he did not have any major concerns with the text, but he suggested that certain captions be highlighted.

Mr. Benish apologized for that, as well as the typos, which he would make sure were corrected in the subsequent draft.

Ms. McKeel stated that this particular section required improvement. She said that there was a considerable amount of duplication, and unlike other work from staff, she believed this one needed to be thoroughly reviewed and streamlined. She said that she had been trying to identify areas of document duplication, and it had occurred to her while reading this section that it could potentially benefit from editing through an artificial intelligence (AI) tool.

Mr. Barnes acknowledged that it may be possible to condense some of the chapter. He agreed there were a number of objectives, which were meant to cover a wide array of material.

Ms. McKeel noted that there were also some inaccuracies in this document. When discussing the Albemarle High School campus, they were referencing outdated information that no longer applied. This information needed to be updated to reflect current circumstances, at least for now. She said that she found some repetition in the Fire and Rescue section, where they mentioned the former Fashion Square Mall and the County Public Safety Operations Center, only to reiterate the same information two paragraphs later. She said that this type of redundancy was unnecessary and could be improved. Overall, she said that she agreed with the content, but again, it required some revisions to make it more accurate and concise.

Ms. Mallek said that on page 6, they addressed ACSA, and they needed to add more detail, specifically constructing and distributing the collection lines, not just the work itself, as the contractors were responsible for building. She said that Rivanna was not building the distribution lines in the County; Ms. McKeel had already pointed out the duplication on that page. On page 8, in the right-hand column, she was unclear about the numbers: 3,000 initial calls and 500 outgoing.

Mr. Benish said that his recollection was that there were different categories of calls, including total calls, and actual deployments and emergency calls. He said that he hoped to receive confirmation of this categorization, but based on his understanding, there were multiple calls that received assignments, but there were also emergency-level calls, which were associated with the 500.

Ms. Mallek expressed concern regarding using such numbers without relevant context.

Mr. Benish clarified that these sections were drafted by the agencies involved, so perhaps they could add definitions to those terms to clarify the meaning.

Ms. Mallek replied that she would appreciate that clarity. She said that under wireless, she did not understand the “transfer of communications” meant in the first sentence. In that same paragraph, it mentioned that hundreds of approvals that were issued, but it did not mention that many of them had not been built by the companies that had the approval. She said that to complete this thought, she would rephrase the paragraph to explicitly state that many of the approvals had not been built by the companies that had the approval. She said that the name of the solid waste and recycling center had been corrected to Ivy Solid Waste and Recycling Center, as it was no longer referred to as the MUC.

Ms. LaPisto-Kirtley agreed with Ms. McKeel regarding shortening this section. She said that while she agreed with the content of page 2, for example, she thought they were seeking clarity and concision. She said that specifically, Objective 6 stated that “in partnership with service providers, achieve, maintain and enhance the quality of universal, affordable, and adequate broadband access.” She said that in her opinion, the goal was simply to provide universal, affordable, and adequate broadband service. She felt they had too many words and it needed to be more concise.

Mr. Benish noted that in reviewing the agencies' concerns, if they had simply stated the plain language, the implication would have been that the County funds the service. He said that therefore, the partnership was a way to clarify that the County's efforts were intended to incentivize, but ultimately the agencies were responsible for providing the service, which was why it was stated as such.

Mr. Andrews stated that there was a lot of content in this chapter, and it seemed to require a multitude of objectives due to the various topics and methods involved. He believed it would be challenging to streamline, as he noticed differences in each of these areas. However, he did agree with Ms. Mallek' comments on some of the content. Regarding the initial calls versus outgoing calls on page 8, and then the initial statement which stated that the County operated 14 stations in response to over 19,000 incidents per year, one aspect that had not been discussed was the extent to which false alarms contributed to these incidents. He said that he wanted them to investigate this further and consider taking actions to improve the process and make it more streamlined and accurate.

Ms. Mallek said that this was in addition to the fines that were already in place, which had had a significant impact on reducing the numbers dramatically.

Mr. Andrews stated that according to page 9, it discussed the strategically located smaller offices for the Police Department. He said that he was unclear if this referred to the Yancey location or if it was a separate concept being considered.

Mr. Benish confirmed it referred to Yancey, and Crozet also had a small office space, approximately 800 square feet.

Mr. Andrews stated that next, they would review the objectives and actions for the Community Facilities chapter.

Mr. Pruitt stated that generally, he believed this section could be condensed. He said that some of these actions may not be necessary, as many of them stated the County would continue to provide the same service they currently did. He said that for example, under broadband, one of the actions aimed to do just that. While he appreciated the service they provided and hoped they would continue to do so, he wondered if they needed to explicitly mention in the Comprehensive Plan that the office was fulfilling its core function.

Mr. Pruitt said that he was not convinced that they needed to do so, or if they did, they should be more specific and visionary in their approach. Upon reviewing the pages, he believed they could identify other areas that could be improved. He said that he would like to draw special attention to their solid waste objective, specifically under Objective 8. He said that in contrast, this one stood out to him as particularly focused on change and objectives.

Mr. Pruitt said that he would also like to highlight Action 8.4, as he believed it may become increasingly challenging as they moved forward with infill development. Specifically, he envisioned a development in the narrow strip between Scottsville and Avon that would likely be higher-density multi-family housing. If they started requiring that every single one of those parcels with eight housing units on them have a compost pit, they may encounter challenges.

Mr. Pruitt stated that as someone who appreciated composting, he had concerns that this could be a complicated issue. He said that he wondered if it would be prudent to establish standards for composting and recycling on-site. He realized this may contradict his previous statements that these should be particularized and actionable, but he worried that they may be tying their hands to something that could become more complicated during implementation.

Mr. Pruitt stated that with all these initiatives, he said that it would be beneficial to understand the Key Performance Indicators (KPIs) they would ultimately use. For example, Action 8.3 was meaningless without a clear performance indicator. Attaching a KPI to this goal would significantly change how the Board viewed its palatability. Although it was a great goal and one he thought they should be striving for, if they were saying that all these developments would be entirely energy neutral or positive, the implications would be significantly different. He believed his stance on these issues would change when they knew what and how much they were measuring.

Mr. Pruitt stated that he would like to draw attention to Action 4.1. He appreciated how this action was phrased, and he was glad they were doing something tricky. As part of the County's broad strategic goals, they aimed to site developments in the development area to reduce travel time and environmental inefficiency. He said that he wanted to flag potential equity issues, such as the location of Walton and Scottsville Elementary, which were critical and could create serious disparities if not addressed.

Mr. Pruitt stated that this action, as written, mostly achieved its goals but was more concerned with the constraints of impossibility than the constraints of desirability and equity. He said that the second sentence created a boundary, essentially stating that it was physically impossible to implement certain solutions in the development area. He said that he believed this guardrail was stating that they could put schools in the rural area when it could literally not be done in the development area. However, there may be a point in the future where they should prioritize citing schools in the rural area, as it may align with both student need and economic feasibility, even if there was an option to do so in the development area.

Mr. Pruitt said that he was concerned that by foreclosing this option, they may be missing out on opportunities. Additionally, he was aware that some of their older schools were those located in rural areas, possibly due to past policies. He thought they would be surprised by the impact of this policy, particularly when they were faced with aging schools that may be slated for closure, while new ones opened. This could have significant equity implications for their rural communities, so he was not sure he was comfortable with the potential consequences.

Mr. Benish clarified that most of this language was already present in the existing Comprehensive Plan. He stated that he believed they were attempting to address Mr. Pruitt's concern in the last phrase of that sentence, where there was a lack of current availability of land for development or existing service considerations may have necessitated it. He said that the intention behind highlighting service circumstances was to imply that there may be rural populations that might need that service.

Mr. Benish said that, however, it appeared that Mr. Pruitt may not have fully grasped this intention, which suggested that the language may not be adequate enough. He said that nevertheless, he believed the original intent was to broaden the opportunities for providing services to rural areas, so they would take a closer look at making the language more explicit.

Ms. McKeel reiterated that she believed that some of these sections could be condensed and improved. She noted that regarding Action 1.8, she strongly supported the idea of collaborating with stakeholders and timing projects to avoid unnecessary pavement replacement and subsequent digging for water pipes, electrical undergrounding, or other infrastructure. She said that regular meetings between local agencies, including VDOT, Dominion Energy, the Service Authority, and others, would help ensure that projects were coordinated and completed efficiently.

Ms. McKeel said that she believed this approach was essential, and she was in favor of it. However, she said that she was unsure if this could be achieved through Land use Planning Environmental Committee (LUPEC) alone. She said that some meetings through LUPEC did address these issues, but they needed to be strengthened. She said that moving on to Action 2.1, she thought it was crucial to coordinate with Rivanna Water and Sewer Authority (RWSA) and ACSA to provide public water and sewer services in the development area. Unfortunately, she had observed some failures on the edge of the development area, which was concerning.

Ms. McKeel stated that when reviewing page 6, she was reminded of the issues in the rural area, particularly with private wells and septic systems. The discussion about their water system, including individual wells and septic systems on each property, was alarming. She said that she understood the reality of this situation. The truth was, if they truly wanted to protect their underground water and their underground system, they would have to eliminate their septic systems and transition everyone to public sewer. However, that was not a feasible solution.

Ms. McKeel reiterated that having public sewer would be the best way to protect their water for human consumption. Although, she must admit that the report reflected the reality of the situation, and it was quite alarming.

Mr. Benish noted that the Planning Commission felt that the proposed language was too weak, and instead of simply allowing, they recommended being more explicit and stating that it should be prohibited.

Ms. McKeel said that she wished there was a way to solve this problem that they could afford throughout the County. She stated that regarding Action 2.8, she agreed that they should continue to follow the policy of not applying biosolids produced by the County to land as fertilizer. She said that she strongly supported this policy and suggested that they adopt the Chesapeake Bay Water Protection Act, which prohibited the use of biosolids altogether.

Ms. McKeel said that this would be a positive step in her view, as it would eliminate the use of sewage sludge, which they did not want in Albemarle County. The Chesapeake Bay Act would also align with the County's stated values and protect the environment. She also noticed that Actions 3.1 and 3.4 could be consolidated and tightened up for clarity. She agreed with Mr. Pruitt that the statement of locating new schools in development areas or directly adjacent was understandable, but it was not practical nor reasonable to include.

Ms. McKeel stated that she understood the challenges associated with the school placement, but perhaps the language could be improved. She was supportive of including language to support the schools to be used as community spaces, and she would like to revisit a point they had discussed previously, regarding the 29 North area in the northern part of their population center, which lacked access to community space. This was a genuine need in that area.

Ms. McKeel stated that regarding Action 4.5, there was nothing about shared parks and playground areas, and it seemed to her that it could be clarified or expanded upon. She added that she appreciated the mention of smaller emergency response vehicles, which was noted in Action 5.9. It was also worth noting that CAT and the University Transit System were adopting smaller buses, which was a positive development. Furthermore, she had noticed some redundancy in the Actions 6.1, 6.2, 6.3, and 6.4 sections.

Ms. McKeel said that finally, she had a question about solar panels in entrance corridors. She asked if it was correct that solar panels were not allowed in entrance corridors because they had a negative impact on the aesthetics of the entrance corridor.

Mr. Barnes said that the new solar ordinance would be presented to the Board in June. He stated that solar would be permitted by right, although there may be some conditions for installation in an entrance corridor.

Ms. McKeel stated that regarding Action 9.3, she would like staff to expand on the recommendation to eliminate the use of natural gas in County facilities.

Mr. Benish said that this action was consistent with their Climate Action Plan, which discouraged the use of natural gas due to its environmental impacts. He clarified that this was an effort to reflect their desire to reduce usage of natural gas and align with that goal.

Ms. McKeel expressed concern over private properties that were recommended to transition from using natural gas but did not want to incur the expense associated with doing so. She believed the County needed to find a way to ensure private properties transitioned away from using natural gas.

Ms. Mallek disagreed with Mr. Pruitt that the objectives and actions should not refer to maintaining their current practices. She said that, in her view, as a document that outlined their county's history and operations, it was essential to emphasize and standardize the things that were important to them, which they had been doing and would continue to do. According to Action 1.3, healthcare was included as an essential service provided by the County, but they use their words carefully, as they only provided healthcare to their government employees and not as a service to the general public. They were, however, providing emergency services and other necessary care.

Ms. Mallek stated that in the ACSA report, it was noted that they were installing piping early to get it done before paving began, which she found to be very encouraging. She said that regarding Action 1.9, in 2010, the Board had adopted a safer chemical policy, which had become largely ineffective. She said that she did not think there was adequate documentation of alternatives before waivers were granted, so it was essential that they address this issue and make it a priority for the comp plan.

Ms. Mallek stated that moving on to page 15, when she read Action 4.1, she thought of Broadus Wood School. She said that when it was built, students rode horses to school. It was impossible to do that by riding an extra 10 miles to the development area. She believed that this comprehensive plan should not recommend elimination of rural schools; there would always be children in the rural area who need a relatively close school. In the rural area, volunteer firehouses and schools served as gathering places and provided essential services, bringing people together.

Ms. Mallek stated that as a student at Albemarle High School, she recalled that it was the only high school in the area, resulting in a long one-hour ride for students in Scottsville to attend. Monticello was seen as a step forward because it was halfway, reducing the travel time to 30 minutes instead of 60. She said that the special activity bus, including sports buses, often did not return home until 7:30 p.m. at night, which was very late. She said that she believed they had done a good job in maintaining these services.

Ms. Mallek agreed that for 5.9, transitioning to smaller fleet models for emergency services was crucial, as it was a long-overdue request from the volunteers. Currently, they had to purchase their own equipment due to county policy restrictions, which limited their ability to adapt to mountainous terrain. She was pleased to see this as a significant step forward. She said that on page 17, section 6.5, she had a question regarding pre-wiring neighborhoods, particularly in new developments like those in the White Hall District. She asked if they were requiring zoning regulations that necessitated this infrastructure in future neighborhoods.

Mr. Benish stated that it was designed to mirror the coordination with other utilities, ensuring that consideration was given to the installation of fiber optics and their integration. It was a site planning effort aimed at ensuring continuity and coordination, and since it could be incorporated with actions in the previous objective, they could likely eliminate it from this particular section.

Ms. Mallek asked if staff could please address the issue of continued telephone service. She said that recently, she had a conversation with a contractor working on Advance Mills Road, and he mentioned that they would be removing all the telephone poles. She said that she asked him how people would continue to get telephone service, and he said that Brightspeed no longer wanted to provide it.

Ms. Mallek expressed concern that when they transitioned to broadband, they would inadvertently leave behind thousands of residents who relied on copper connection telephone to their doctor's offices and other essential services. She said that this had happened in Arlington, where the company removed the copper lines without notifying residents, and the residents had to pay $100 each to have them reinstalled. She said that she would be closely monitoring this issue and would like staff to explore ways to ensure that these residents were not left without access to telephone service.

Ms. Mallek also said that she wanted to emphasize that they should not focus solely on upgrading from 25 to 100 Mbps until they had addressed the needs of those who currently had very slow broadband connections. She said that this was a matter of equal opportunity and fairness. Regarding 8.3, solid waste facilities, she assumed they were referring to the Ivy facility, which was their only operational site. She said that she was not aware of any plans to increase this capacity, but she thought that convenience centers could be equipped with solar panels to reduce their environmental impact. Additionally, the goal of having compost for every household was admirable, but there may be limitations that prevent it from being feasible for everyone.

Mr. Benish said that to clarify, this simply involved reserving space, similar to the requirement for a dumpster pad. He said that it did not necessitate the provision of composting services. He said that rather, it was part of the site planning process, allowing for the possibility of adding composting in the future if desired. He said that it would be like a business could decide to implement private collection for each contracted unit instead of using a dumpster, as that was the original intent. He said that his understanding was that the language was intended to incorporate composting into the space, which still required more space than previously anticipated and had some impact, but it was not intended to force on-site composting.

Ms. Mallek stated that regarding Action 9.3, she wanted to note that people tended to avoid discussing the source of electricity. She said that personally, she would prefer natural gas over electricity generated from coal. She said that this was one of the issues she had with the demand for electrification of everything; they still had not addressed the source problem, and therefore, they needed to tackle that first.

Mr. Andrews said that he would be pushing back on certain points, including Action 1.3, where there was a concern about healthcare. He said that, in this context, healthcare was facilitated through collaboration with community partners, such as the Yancey Community Center, which provided satellite offices for providers. He said that this arrangement allowed organizations to offer healthcare services in rural areas, rather than the County providing direct healthcare services. He noted that there was a hyperlink provided for the Community Water Supply Plan, and it made him think how beneficial it would be for all community plans to be linked in the document.

Mr. Benish explained that the listed documents served a purpose in their review processes. He said that State Codes required compliance with Comprehensive Plan reviews that if public facilities were not identified in the Comprehensive Plan, these documents highlighted some of the improvements that were part of the water supply plan. He said that this allowed for a streamlined process for items that had already been agreed upon. He said that although it may seem wordy, this language was useful in helping staff make informed decisions in similar situations. He acknowledged that they could review the hyperlinks and see what could be added, as they were all on the RWSA website.

Mr. Andrews stated that he appreciated that. Moving on to Action 3.4 and Action 3.1, he noticed that there were repeated discussions about libraries in these two places. He said that on Action 4.1, there had been discussion about this topic. He said that he was pushing back a bit but also emphasizing that they had a Long-Range Planning Committee at the school, which was not currently part of this process, but should be. He said that they would play a crucial role in determining the need for new schools, including renovations of existing ones. When it mentioned new schools, did that include renovations or the construction of entirely new buildings?

Mr. Andrews said that his main concern was that once they started discussing schools, they needed to consider the involvement of the School Board, committees, and community organizations in this process. The objective stated that they would provide Albemarle County Public School facilities for a high-quality, equitable, inclusive educational system for students. However, Action 4.3 aimed to serve residents, provide space for community gatherings and meetings, and Action 4.5 mentioned multi-purpose functions.

Mr. Andrews reiterated that there seemed to be a need to reconcile these objectives to ensure that they included all relevant actions. He said that the objective already encompassed all the necessary actions. He wanted to push back again on section 6, specifically regarding the broadband office. He believed that regarding Objective 6, referring to the Broadband Office continuing to provide their service, he felt this was crucial, as it dictated the County's engagement with providers who sometimes fell short. The Broadband Office had been an extremely valuable service, providing coordinating communication with providers.

Mr. Andrews stated that he did not want to see this office eliminated, as it was essential. He continued that Action 7.2 mentioned stormwater management practices and the use of native plants, and he felt it was not clear whether the proposed actions aligned with the overall objective, or if the objective needed to be broadened. Additionally, Action 1.9 seemed to relate to reduction of greenhouse gases, as well. He wanted to push back on another point again. Action 8.4 required space for compost and recycling bins, which was an important consideration.

Mr. Andrews noted that he had planned to report on this at the end of the meeting regarding the most recent Solid Waste Alternatives Advisory Committee meeting. He said that he had also inquired with staff if whether a new apartment was required to provide a place for people to put their trash also meant they had a place required for their recycling, and the answer was no. He said that this highlighted the need to pay attention to this aspect as well.

Mr. Andrews said that composting was not necessarily about on-site composting, but rather reducing greenhouse gas emissions associated with organic waste, which this action addressed, and therefore was necessary to include. He stated that he believed this was a positive addition, as it required space and ensured that they considered this in their site reviews to enable sustainable practices. He said that moving forward, he would like to draw attention to Action 11.1, which referred to maintaining native landscape demonstration sites.

Mr. Andrews said that as someone working with a national park, he had seen the importance of native landscaping and the need to be aware of changes in native species over time. He said that the 20-year plan should acknowledge that some native species may not thrive as well as they once did, and some may become invasive. He said that several invasive species were on the list that they did not want to see here. He said that however, he was aware that climate change would significantly impact red oaks.

Ms. LaPisto-Kirtley stated that regarding Action 2.2, she was very concerned about the first line, the first bullet point, which referred to the development area boundaries used to guide the ACSA jurisdictional area for the provision of public water and sewer. She said that changes to the ACSA boundaries outside the development areas should only be considered when the area to be included was adjacent to and can be served by existing lines. She worried that it could lead to connections being added down a road as it developed over time, leading to an extended service line into a rural area.

Mr. Benish clarified that all three criteria must be met, which were adjacency, a health or safety issue, and the lack of a viable private alternative. Those three criteria had been effective in the past in controlling development of public water connections.

Ms. LaPisto-Kirtley noted that on 4.1, Mr. Pruitt had brought up a point regarding the schools, and she was wondering if the referred action item was meant to provide public water and sewer to new schools.

Mr. Benish acknowledged that was part of the reasoning. He stated that according to policy, public utilities were located within their development area, and schools had a high demand due to their size. They also wanted to acknowledge that there were other locations, particularly elementary schools, that may have had the capacity to be connected to package systems if needed.

Ms. LaPisto-Kirtley asked if a package system was a septic system.

Mr. Benish clarified that it could be water or septic, but usually it was septic. He said that package sewage plants are the ones that are usually the driver.

Ms. LaPisto-Kirtley asked if there were elementary schools in the County that were on septic and well water.

Mr. Benish confirmed that there were several elementary schools on septic and well, including Walton, Broadus Wood, and Stone-Robinson.

Ms. LaPisto-Kirtley stated that regarding Action 5.9, she had spoken with Chief Eggleston about how when she visited Tokyo, she noticed that they had fully functional fire trucks that were significantly narrower than their local trucks, yet still capable of performing the same tasks. She said that Chief Eggleston stated that they would look into that. She said that regarding Action 8.4, she was glad that staff had clarified the space for composting and recycling. She said that she had previously discussed this with a developer at a Solid Waste Alternatives Committee (SWAC) meeting, who stated that they would now be implementing it.

Ms. LaPisto-Kirtley said that it was important to provide the space and facilities to allow people to participate in recycling and composting in order to encourage positive behavior, especially in townhome and apartment developments. She said that there were a few companies that offered recycling services, primarily in urban areas. She continued that Action 8.11 was to provide incentives to recycle construction and demolition materials. She said that she was wondering why the responsibility for this would not fall on the developers. She said that she was thinking of examples such as artificial turf and solar facilities that were no longer in use, and other industrial items like these.

Mr. Benish said that his understanding was that a significant portion of the waste was being dumped without proper recycling or reuse. He said that there were still issues with filling the County's landfill and transfer facility, as they struggled to manage the volume of waste without finding ways to recycle or reuse those materials.

Ms. LaPisto-Kirtley asked why the County was providing incentives to recycle when it should be that the responsibility for managing this material rested with the individual, developer, or owner who generated it.

Mr. Benish explained that it was not happening with the current practice, so the statement was more general in nature, applying to both the Solid Waste Authority and other potential incentives. He said that it seemed to suggest that incentives might not be limited to fee reductions but could also include other measures that made it easier for property owners to recycle materials. He said that this was a broad recommendation aimed at addressing the issue, and it provided a high-level overview without delving into specific details about what they were trying to achieve directly.

Ms. LaPisto-Kirtley asked if they did not have a clear plan in place for implementing this initiative, so they were uncertain about the specific incentives that would be used, whether they would be monetary, tax-related or something else.

Mr. Benish said that "incentive" sounded specific, but its purpose was to explore ways to minimize the disposal of these materials and instead encourage recycling them.

Ms. LaPisto-Kirtley stated that regarding Action 9.3, she did not understand why they were unsupportive of natural gas.

Mr. Andrews clarified that it was a greenhouse gas; it was an environmentally harmful source of energy.

Mr. Benish added that the intent was to reflect the Climate Action Plan recommendations.

Mr. Andrews acknowledged that many of these objectives in Objective 8 were informed by SWAAC.

Mr. Benish said that one of the questions staff intended to discuss was related to broadband. He said that given that they had a Broadband Office, one possible approach to streamlining this section would be to leave a broad, objective statement about broadband and refer specific actions to the Broadband Office. Considering the time constraint, he believed they had already heard some of the key points regarding broadband that were important to the community. He said that this section could be pared down more significantly.

Mr. Andrews said that it appeared in several places that these specific actions under the objectives had likely been developed with the assistance of others. There may be a need to establish an overarching sense of what level of detail they wanted to achieve and to bring them into better coherence with the other objectives. It seemed that one group had provided very detailed lists, while others had provided more general guidance.

Mr. Benish said that he wanted to mention as a heads up that it might be one of the sections that could be scaled back a bit.

Ms. Mallek stated that it was important to state the goal in the Comprehensive Plan, because Jason was their key contact to get their renegade providers to behave, and was representing the community's essential service needs, which were crucial to their well-being.

Mr. Benish clarified that they would not take out those statements identified as important.

Ms. Mallek stated that duplication was distinct from editing. She said that the reason why their current Comprehensive Plan was so thick was because they had not duplicated content, but they had accumulated a significant amount of background information, which she personally appreciated.

Agenda Item No. 12. Closed Meeting.

At 4:50 p.m., Mr. Pruitt **moved** that the Board go into Closed Meeting pursuant to Section 2.2-3711(A) of the Code of Virginia:

- Under subsection (1), to discuss and consider the assignment of specific employees of the County;
- Under subsection (3), to discuss and consider the acquisition of an interest in real property in the White Hall Magisterial District where discussion in an open meeting would adversely affect the bargaining position or negotiating strategy of the County; and
- Under subsection (7), to consult with legal counsel regarding specific legal matters requiring the provision of legal advice by such counsel, including on a contract payment issue.

Ms. Mallek **seconded** the motion. Roll was called and the motion carried by the following recorded vote:

AYES: Mr. Andrews, Mr. Gallaway, Ms. LaPisto-Kirtley, Ms. Mallek, Ms. McKeel, and Mr. Pruitt.
NAYS: None.

Agenda Item No. 13. Certify Closed Meeting.

At 6:04 p.m., Mr. Pruitt **moved** that the Board of Supervisors certify by a recorded vote that, to the best of each supervisor’s knowledge, only public business matters lawfully exempted from the open meeting requirements of the Virginia Freedom of Information Act and identified in the motion authorizing the closed meeting, were heard, discussed, or considered in the closed meeting.

Ms. Mallek **seconded** the motion. Roll was called and the motion carried by the following recorded vote:

AYES: Mr. Andrews, Mr. Gallaway, Ms. LaPisto-Kirtley, Ms. Mallek, Ms. McKeel, and Mr. Pruitt.
NAYS: None.

Mr. Andrews noted that their Zoom capabilities for this meeting were currently down but should be restored soon.

Agenda Item No. 14. From the County Executive: Report on Matters Not Listed on the Agenda.

Mr. Jeff Richardson, County Executive, stated that he would provide his monthly Progress Albemarle report to the Board. He said that as they were aware, they had strived to connect the meaningful work happening in the organization to their strategic plan and goals. He would also like to remind the Board that, as they did every month, they would pass this presentation along to the Board at the conclusion of this meeting, so they could share it with community members as needed.

Mr. Richardson stated that he would begin by discussing their continued work on their employee health care program. He said that Albemarle County had opened a second employee health clinic, located on Route 29. He said that this expansion would increase access to care for local government employees, public schools, and partner agency employees under their self-funded health care plan.

Mr. Richardson said that with the addition of this new location, more appointment times were now available, improving access to their employees and families and reinforcing their commitment to removing barriers to healthy living. He said that the first clinic, located in Pantops, had been attended by the Board at a ribbon-cutting ceremony several months ago, and it had achieved an impressive 85% booking rate in its first month.

Mr. Richardson said that all weekend appointments had been filled, indicating a strong need for Saturday service. He said that by providing access to preventative care, chronic disease management, mental health support, and fostering a culture that supports healthier, more resilient employees, they could also help control rising health care costs. He said that he had had the opportunity to visit the clinic, and he had been impressed by the outstanding level of customer service. He noted that several employees had posted videos showcasing the exceptional care they had received. He thanked the Board and their management team for their hard work and support.

Mr. Richardson stated that he was pleased to announce that their Tyler Enterprise Resource Planning system had gone live on April 1, replacing an outdated system with a modern, integrated financial management system. Under the leadership of Jacob Sumner and his Finance team, and in collaboration with Kristy Shifflett and her performance planning team, along with a number of support team members from information technology and other departments, this comprehensive and contemporary financial system had replaced older systems, offering greater integration between expenditures, reporting, the general ledger, and budget.

Mr. Richardson said that the training and support for staff had included labs, video tutorials, step-by-step instructions, and one-on-one virtual help, both prior to the launch and ongoing. He added that this initiative affected their school system, just as it did their local government's Finance Department and all operating departments that were working together. He was most impressed with the amount of training and the commitment to training, which had enabled the system to be implemented effectively from the start. Although it was an internal system, it would allow them to be more efficient, timelier with their reporting, and perform better data analytics.

Mr. Richardson stated that in collaboration with the Office of Emergency Management, their Information Technology (IT) Department recently conducted a tabletop continuity of operations exercise to test the system's ability to maintain critical services during a disruption. This exercise focused on identifying gaps, strengthening response protocols, and ensuring key systems and data remained accessible during an emergency. This initiative was part of a Countywide commitment to strengthening their continuity of operations management process, ensuring they did not experience delays during emergencies and could continue to ensure essential functions were maintained.

Mr. Richardson noted that the first things they considered were weather-related emergencies, which they had seen more frequently over the past several years. The key to this emergency planning was cross-departmental collaboration and connections to partner agencies. He would like to extend his appreciation to the Emergency Management team, Fire Rescue, IT, and all departments involved.

Mr. Richardson stated that Albemarle County's Family Support Team was coordinating a cleaning supplies and hygiene drive throughout April to assist local families in need, as hygiene and cleaning products were often expensive and hard to access, but were essential for maintaining safe, healthy living environments. He said that donated items would help families care for their homes, prevent illness, and build stability on their path forward toward self-sufficiency. Collection bins were located at county buildings on McIntire and Fifth Street. Additionally, the Food Lion at Forest Lakes, as well as the Kroger on Barracks, served as locations for these donations.

Mr. Richardson stated that recently, the Albemarle County Police Department hosted a 2025 Citizens Police Academy. He was aware that some of the Board members present had been involved in these police academies in the past, or they may have had the opportunity to participate in the one they recently completed. This free three-day program provided community members with a behind-the-scenes look at law enforcement. He said that participants gained hands-on experience through ride-alongs, crime scene investigations, K-9 demonstrations, and virtual reality training.

Mr. Richardson explained that the program aimed to build a better understanding of what it was really like at the Police Department on a day-to-day basis, as well as strengthen relationships between their officers and the community they served. Through real-world scenarios and open dialogue, the academy supported a safer, more connected community. He said that 15 citizens from the community participated in this year's program. In light of this, they would take a best practices approach and step back to evaluate their Citizen Police Academy, examining best practices across the United States to see how they could improve it.

Mr. Richardson said that this was a best practices approach, as community Citizen Police Academies were a best practice across the United States. Often, community members who participated in these programs were disappointed that it was over, but they had made some really strong connections with their Police Department.

Mr. Richardson stated that their Fire Rescue Department had recently conducted a series of realistic field training exercises at Rivanna Futures, a property they had purchased on 29 North, near the Rivanna Station. He said that during these exercises, crews practiced rapid intervention team drills, learning to remove a downed firefighter from a smoldering structure and evacuate victims from elevated areas using ladders. He said that the current recruit school had utilized the space to train in search techniques and rescue task force operations, while the technical rescue team had held trench rescue sessions, prepared by Parks and Recreation.

Mr. Richardson recalled that during their budget town halls, they had discussed a piece of performance data, which showed that from January 1 through March 8, their Fire Rescue Department had answered 3,488 calls. He said that what stood out to him was the number of motor vehicle accidents in their County, which in some cases were very serious and required extrication from the vehicle, and the need for a team-based process.

Mr. Richardson continued that the Jefferson-Madison Regional Library had recently completed its 2025 Same-Page community reading program, an annual event that brought readers together around a featured title. He said that this year's selection, Chesapeake Requiem by Earl Swift, was distributed to the community through over 800 free copies and featured in over 25 related programs. Hundreds of readers participated in events across the library system, including author visits to the Crozet, Northside, and Scottsville branches, and a featured appearance at the Virginia Festival of the Book.

Mr. Richardson stated that as part of the Resilient Together initiative, Albemarle County, the City of Charlottesville, and the University of Virginia were hosting Community Design Nights this spring. These interactive workshops invite residents to help shape strategies for building a stronger, safer, and healthier community in the face of climate change. Events include hands-on activities with open discussions focused on climate resilience, accompanied by light refreshments to create an informal, welcoming atmosphere.

Mr. Richardson said that the Crozet Square Improvement Project was underway, and they were working to ensure the community continues to support local businesses throughout the construction period. He said that to encourage people to visit the businesses, they have launched the "Shop the Square" campaign, which includes targeted advertising, public messaging, and a business toolkit with resources and marketing materials to help businesses stay visible and connected to customers during this project. These improvements will enhance safety, accessibility, and stormwater management, while their outreach efforts will help maintain the vibrancy of Crozet's business during the work.

Mr. Richardson stated that in partnership with the Albemarle County Police Department, Sentara, Wegmans, Crozet Family Medicine, and the Drug Enforcement Administration, they would have four drop-off locations for the National Prescription Drug Take-Back Day on Saturday, April 26, 2025. He said that this was a very popular program in their community, where these agencies would receive the tonnage and report back to the Board the exact amount they were able to collect and safely dispose of.

Mr. Richardson stated that this concluded his report. He said that he would also like to express his gratitude to the Board for their energy and commitment to these budget town halls. They had spent a total of 33 hours devoted to working on the budget with staff and the community. It was a significant undertaking, and he appreciated the time and effort they had devoted to working with their community, pushing the budget message, and receiving questions. He said that he would like to thank Abbey Stumpf and her team for their exceptional work in designing these town halls.

Mr. Richardson said that they did an outstanding job of engaging their community and allowing them to visit with community members, representing all departments. He said that they averaged over 30 staff members at each town hall. He said that he believed they had between 20 to 35 citizens and community members present, as well as representatives from the Community Advisory Committees (CAC) and Planning Commissioners. He said that this was a truly productive and engaging experience.

Ms. Mallek noted that there still were two public hearings, so she encouraged the public to continue to share their thoughts to the Board regarding the budget.

Agenda Item No. 15. From the Public: Matters on the Agenda but Not Listed for Public Hearing or on Matters Previously Considered by the Board or Matters that are Pending Before the Board.

There were no speakers from the public.

Agenda Item No. 16. **Public Hearing: ZMA202300005 Berkmar Flats.**
PROJECT: ZMA202300005 Berkmar Flats
MAGISTERIAL DISTRICT: Rio
TAX MAP/PARCEL(S): 04500000008100; 04500000008200; 045000000082A0
LOCATION: 2175 Woodburn Road
PROPOSAL: Rezone 3.621 acres from the R-6 Residential Zoning to R-15 Residential
OVERLAY DISTRICT(S): AIA – Airport Impact Area and Steep Slopes – Managed
PROFFERS: Yes
COMPREHENSIVE PLAN: Office/R&D/Flex/Light Industrial.

The Executive Summary forwarded to the Board states that the proposed zoning map amendment ZMA202300005 was discussed at the Planning Commission (PC) on both June 11, 2024 and January 28, 2025. At the June 11, 2024 meeting, all four members of the public spoke in opposition. These speakers were concerned with environmental and traffic impacts. Staff was concerned about interconnections. The PC's discussion focused on transportation access and the site design, specifically that there was too much impervious area and a lack of greenspace for residents. At that meeting, the applicant requested and received a six-month deferral on a 5-0 vote.

At the January 28, 2025, the PC voted 7:0 to recommend approval of for the reasons discussed at the PC public hearing and with an updated concept plan that addressed previous PC concerns.

Attachments A, B, and C are the PC staff report, action letter, and meeting minutes.

t the PC public hearing on January 28, staff had recommended denial because the interconnection through the parcel from Berkmar Drive to Woodburn Road was no longer provided. The PC discussed interconnectivity within the site and the greater area between Woodburn Road and Berkmar Drive. Overall, the PC appreciated the applicant's revision to its plan regarding the livability and green spaces on-site. Two members of the public shared concerns regarding grading, drainage, screening, traffic, and the future shared use path along Berkmar Drive.

Following the PC meeting, staff updated the PC staff report to provide more current information regarding the status of High School Center II.

Staff recommends that the Board adopt the attached ordinance (Attachment E) to approve ZMA202300005 Berkmar Flats.

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Mr. Syd Shoaf, Senior Planner II, stated that he would be presenting staff's presentation on Zoning Map Amendment Application ZMA202300005 Berkmar Flats. He explained that this was a proposed rezoning for 3.62 acres from R6 residential to R15 residential. The subject property was located north of the City of Charlottesville, between Woodburn Road and Berkmar Drive. He said that it was situated near the Victorian Heights development with 88 units, the Berkmar Overlook development with 52 units, and the Woodbrook apartment development with 244 units.

Mr. Shoaf stated that the subject property consists of three parcels, designated as TMP 45-81, 45-82, and 45-82A, totaling 3.62 acres. All three parcels were currently zoned R6 residential, and one parcel contains an existing structure at 2175 Woodburn Road. He noted that as shown on the previous slide, all three parcels are zoned R6 residential, marked as orange on the map. The parcels to the southwest were zoned R6 residential, comprising the Berkmar Flats development. The adjacent parcel to the northeast was also zoned R6 residential, consisting of a single-family residence. To the northeast lies the Victorian Heights subdivision, zoned R15 residential.

Mr. Shoaf said that to the north, across Woodburn Road, was the rural area, and to the southwest, across Berkmar Drive, the parcels were zoned Highway Commercial (HC). The subject parcel featured steep slopes along its frontage with Berkmar Drive and was also within the Airport Impact Area overlay district. The subject parcels were located within the Places 29 Master Plan, with the future land use designating the three parcels for Office, R&D, Flex, and Light Industrial, which also allowed residential as a secondary use.

Mr. Shoaf explained that for this proposal, the applicant was seeking to rezone the 3.62 acres from R6 residential to R15 residential to construct 54 units. He said that displayed on the slide was the conceptual plan presented to the Planning Commission on January 28, which was currently under consideration this evening. He said that the non-vehicular connection proposal was referenced in the staff report, as it built upon a prior conceptual plan that included an internal travel way connecting access points between Woodburn Road and Berkmar Drive.

Mr. Shoaf said that the applicant would have the opportunity to provide further details during their presentation. This conceptual plan included two access points on Woodburn Road and Berkmar Drive, with an internal pedestrian connection. There would be 14 units utilizing the Woodburn Road entrance and 40 units utilizing the Berkmar Drive entrance. The central feature of this plan was an enhanced recreation and amenity area that exceeded the ordinance requirements, which are proffered. He said that a proposed 50-foot inner parcel connection to the parcel to the north was included.

Mr. Shoaf said that the applicants had provided two proffers. The first was for the property to be developed in "general accord" with certain essential elements such as building locations, recreational area square footage, and sidewalks along Woodburn Road. He said that the second proffer was for 15% of the total residential units to be affordable housing units. He noted that this application was received prior to the change in the County's 20% housing policy. At the January 28 meeting Planning Commission public hearing, the Planning Commission (PC) voted 7-0 to recommend approval of the updated concept plan, addressing previous PC concerns. Staff recommended that the Board adopt the attached ordinance, Attachment E, to approve ZMA202300005 Berkmar Flats.

Mr. Gallaway stated that he felt like he had seen this item before. He asked if the Board had seen it before or if he was recalling the PC meetings.

Mr. Shoaf clarified that this was the first time the application was being presented to the Board, as far as he understood. He said that the application had been submitted in 2023, so some time had passed. He said that it initially went to the Planning Commission in June 2024 and then was sent back to the Planning Commission in January 2025.

Mr. Gallaway said that he recalled the connection through the property. He said that the main change that had been discussed across the different iterations was the connection between Berkmar to Woodburn.

Mr. Shoaf confirmed that that was correct. He said that the first proposal was presented to the Planning Commission in June 2024, the connection in question was located on the right side, near his cursor on the slide. He said that the original proposal had a greater impervious area and less green space. He said that the applicant had requested a deferral to revise the plan, and the new proposal they submitted removed the inter parcel internal travel way connection, instead enhancing and adding more green space areas to the plan.

Mr. Pruitt stated that typically, he would make a point about the inconsistency between their zoning map and the Comprehensive Plan, as their zoning map was not aligned with what they were stating in their plan. He said that in this case, they were stating that this area was intended for office and commercial use, yet it appeared that none of the surrounding areas were zoned for office or light industrial/commercial use. He was wondering if there was something he was missing, given his less intimate familiarity with this area of the Rio neighborhood, that explained why they had designated this as a commercial light industrial region, despite the surrounding areas not reflecting that designation.

Mr. Shoaf said that the Comprehensive Plan designates the majority of the area for Office/Flex/R&D/Industrial, with residential as a secondary use allowed. He said that he was not aware of what the next Comprehensive Plan had in store for the area.

Mr. Pruitt said that it would remain the same for now, as it would be incorporating the master plans, which had not changed.

Mr. Michael Barnes, Director of Planning, said that one of the main goals of their land use plan was to minimize changes to the underlying planning that was established with master plans in the past. He said that the Places 29 Master Plan, which was developed a long time ago, originally envisioned commercial uses for this area. However, the market had shifted significantly, and this stretch between Woodburn and Berkmar was now more suited to residential development.

Mr. Barnes stated that this shift began before he joined the staff, and he believed they had had multiple rezonings along this stretch, which had allowed for residential use in this area. Unfortunately, these rezonings did not align with the Comprehensive Plan, but they were made with the intention of respecting past decisions and recognizing the unique character of this area, which was better suited to either commercial or residential uses.

Mr. Pruitt said that he wanted to bring this to the Board's attention, not as a suggestion that it would impact his decision today, but rather as a point of discussion. He said that this issue was related to the conflict of preventing encroaching uses, which was exactly what had occurred here. He said that an encroaching use had been allowed on a site they had identified for commercial and economic purposes, despite not taking any actions to prevent it. He said that while he was not implying that this was inherently wrong, he wanted to highlight the inconsistency between their stated goals and the actions they had taken.

Ms. McKeel said that she was going to ask about the same issue, and she agreed; she understood why they had this, but she was concerned about the trend of losing light industrial space to residential development. They had a discussion earlier today with AC44 about the importance of maintaining commercial areas with light industrial uses, and it seemed like they were losing that space to residential development. While she acknowledged the need for residential development, it was a concern as it related to their industrial-zoned properties. Based on her reading and his previous comments to the Planning Commission, she believed the Planning Commission had expressed reservations due to the lack of a second access point and the need for interconnectivity.

Mr. Shoaf said that from his understanding, and based on the initial Planning Commission review, the Planning Commission had expressed concerns about the lack of green space and the significant amount of impervious area on the site. He noted that staff had supported the internal travel way connection to link Woodburn Road and Berkmar Drive.

Ms. McKeel asked if it now had the interconnectivity.

Mr. Shoaf clarified that the proposal before them tonight lacked an internal connection for vehicles between Woodburn Road and Berkmar Drive. He said that access was available through the respective access points, and a proposed inter-parcel connection was planned to the future development to the north.

Ms. McKeel said that they had two exits out of the property.

Mr. Shoaf confirmed that that was correct.

Ms. McKeel stated that she supported that; it was much safer. She appreciated the enhanced green space and potential for recreational space.

Ms. Mallek said that she appreciated the explanation for this being a smaller parcel, and she acknowledged that it may not have as significant of an impact on the light industrial index. However, she was concerned about the potential drawbacks of giving up this vehicular connection. The main purpose of having two interconnections for these many units was to provide an alternative route in case of an emergency, such as a tree falling on one of the connections.

Ms. Mallek said that now, with only one connection available, people on the Berkmar side would be unable to exit the property in an emergency on the Woodburn side. She said that while there may be a small amount of additional grass, she struggled to see this as a preferable trade-off. She said that she understood that the staff valued the interconnectivity, but she would like to understand why this compromise was made.

Mr. Shoaf said that staff initially preferred the interconnectivity because this map showed the Victorian Heights and Woodbrook Apartments developments, both of which were currently undergoing development. He said that Victorian Heights had been approved, while Woodbrook Apartments was in the process of obtaining a site plan. He said that both developments would have internal connections that linked Woodburn Road and Berkmar Drive, providing additional access for residents on either side.

Mr. Shoaf said that regarding this proposal, the issue lay in a grading problem on the site, which affected the location of the green space. He said that the applicant could provide more information on this issue, including specific engineering details. He said that the connection would have been located in the area where the green space was, and the applicant could elaborate on this.

Mr. Barnes said that the transition between Berkmar and Woodburn was quite significant. He said that the previous plan they had examined attempted to achieve an acceptable slope on the travel way, working between the lower street and the upper street, and as a result, the other plan featured a substantial amount of asphalt. He said that the Planning Commission had expressed concerns about this, which led staff and the Commission to suggest an alternative direction to balance the need for green space with the requirement for a travel way connecting the lower and upper roads. Unfortunately, it proved challenging to meet both objectives, and the applicant ultimately had to make compromises. As a result, staff recommended the configuration that appeared on the screen, which prioritized open space.

Ms. Mallek said that the travel way being removed measured approximately 10 feet in width and 50 feet in length.

Mr. Barnes said that he believed it was more appropriate to focus on the overall design rather than just the width of the travel way. He said that the key was to get it in, and that required maintaining a certain slope. He said that as a result, they had to zigzag back up the site to access the area, essentially. He said that this could be seen in the previous site plan, which demonstrated the necessity of this approach.

Ms. LaPisto-Kirtley said that she appreciated the second proposal that was presented. She said that she had a question regarding the numbers that were provided. Staff mentioned the number of cars exiting Berkmar Drive versus Woodburn. She said that upon reviewing the map, it appeared that there were actually more cars exiting Woodburn than Berkmar. She said that she may have misheard or misunderstood the numbers that were shared earlier. She said that he could clarify or provide more information on this point.

Mr. Shoaf clarified that he had misspoken, and he apologized for the mistake. He said that the applicant could provide more detailed information on that point, but it appeared that the issue would be more related to the increased number of cars exiting onto Woodburn Road. He said that County Transportation staff and Virginia Department of Transportation (VDOT) staff had no concerns about the amount of traffic on either road.

Ms. LaPisto-Kirtley asked if the residents moving in or the developer would be able to change their minds if they did not want a pollinator garden, for example, and instead preferred a different type of green space, such as a park or a different landscape feature.

Mr. Shoaf said that this was a conceptual plan, and as such, it would be subject to a site plan review. He said that they could discuss the details of that process at a later time.

Mr. Andrews stated that to clarify, this matter had gone before the Planning Commission and, according to staff, had been recommended for denial. However, the Planning Commission had unanimously recommended approval. He asked if anything about the plan had changed in the interim.

Mr. Shoaf explained there was the proposal that was presented to the Planning Commission, versus the proposal that was submitted in June 2024. He said that they recommended denial due to staff's recommendation to prioritize the interconnection between Woodburn Road and Berkmar Drive. However, the Planning Commission valued the enhanced green space and reduced impervious surface area on site, leading to this revised proposal being presented to them this evening. He said that staff had recommended approval of this proposal.

Mr. Andrews opened the public hearing.

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Ms. Kelsey Schlein, Planner with Shimp Engineering, stated that she was here tonight representing Third Mesa LLC, the owner of this property. She was joined by Justin Shimp, the engineer on the project, and Whit Graves with Evergreen Home Builders, who would be building the 54 units, if they received the Board’s support tonight. She would like to note that the property was currently zoned R6, allowing for up to 28 units by right. They were currently reviewing a by-right site plan, which would cover 14 of the units on the property, including those fronting Woodburn Road. Connectivity has been a key factor in designing this plan.

Ms. Schlein stated that she would like to take a step back and review the evolution of their plans. As she recalled, at the community meeting, they did not have a connection to Woodburn Road in mind. They initially envisioned Woodburn Road as the dividing line between rural areas and the proposed development. However, through discussions with staff and community members, they found no neighbors along Woodburn had concerns but did receive input from other neighboring developments. She stated that she would be happy to provide more details on the site grading, which is the largest consideration in determining connectivity.

Ms. Schlein explained that the Berkmar development patterns dated back to 2011, when the Places 29 Master Plan designated the west side of Berkmar Flats as Office/Flex/Light Industrial. However, this property was zoned for residential use by right. She believed the market had shown that the east side of Berkmar, with commercial designation, was the correct use. She said this was evident in the development that has occurred, including the recent hotel opening on the west side of Berkmar Drive and the Berkmar Overlook project.

Ms. Schlein stated that additionally, Victorian Heights was currently under construction, and a 2-acre residential home is being built adjacent to it. She said that Berkmar Flats was situated between these developments, creating a 3.6-acre area with a 2-acre adjacent pocket of land designated as flex light industrial in the Comprehensive Plan. She said that given the recent development patterns, it made sense as residential.

Ms. Schlein noted that in the AC44 plan currently under review, this property was designated as urban density residential, a designation that had been reviewed and consistent throughout the AC44 process. She said that she would now address the connections, particularly the Swede Street connection, which was relevant to the Board's questions. She said that Swede Street directly stubs out to the property. She said that this public road provided an ideal opportunity to continue inter-parcel connectivity.

Ms. Schlein said that they utilized the public road system, but there was an issue with the road's profile and the profile of the Rivanna Water and Sewer Authority's (RWSA) water main that runs along the shared property boundary. She said that the water main was a large pipe coming directly from the reservoir, and its elevation would be below the proposed continuation of Swede Street, as shown in the purple dots on the cross-section.

Ms. Schlein said that the existing Swede Street was marked in blue, and it was clear that the water line would intersect with the road. She said that they had numerous conversations with VDOT, the County, and RWSA about this issue, and it was determined that it would not be feasible for interconnectivity. She said that she would also like to bring up a few other points regarding their prior concept. One of the requirements was a full inter-parcel connection from Woodburn to Berkmar. She said that however, they had specific slope requirements in these areas to meet parking regulations. When entering from either Woodburn or Berkmar, they needed to establish a landing with a slope of less than 4% to meet VDOT regulations.

Ms. Schlein said that this meant they could not immediately start building the road, as it would require a significant amount of grading to establish the required parking lots with slopes of less than 5%. She said that in fact, the grade drop from the lowest point to the highest point on this site is approximately 42 feet, and from entrance to entrance, it was around 36 feet. She said that this significant grade made it necessary to flatten out these areas to establish their parking lots.

Ms. Schlein said that during their conversation with the Planning Commission in June, they had tasked them with exploring inter-parcel connectivity, but also with developing a better design that respected the terrain and incorporated more green space. She said that this was what they saw before the Board tonight, and an additional cross-section helped illustrate the proposed design compared to the previous concept. She said that the orange hatch indicated the amount of cut required to establish each development.

Ms. Schlein said that in the previous concept, they had a significant amount of earthwork, which was common in the Piedmont region. However, in this case, they were able to establish a full inner parcel connection, which required a substantial amount of earthwork. She said that by splitting the connection and keeping the portion of the site accessible from Woodburn high, and the portion from Berkmar low, they were able to reduce the amount of grading on the property and increase the green space.

Ms. Schlein noted that in their proffer statement, they had committed to a 20% increase in recreational area over the required amount. She said that typically, this would be 5% of the area, so they were increasing it by 20%, which would add approximately 2,000 to 3,000 square feet, equivalent to the size of an additional required tot lot. She said that this demonstrated their commitment to making the site more livable.

Mr. Gallaway asked if there would be pedestrian connectivity, even if there was not a road connection between parcels.

Ms. Schlein stated that there would be an additional 1.1 mile of shared use path along Berkmar, to be completed in 2027. There would also be a sidewalk along Woodburn, a bus stop nearby and the 2.7 miles of shared use path, which would allow people to bike all the way to Hollymead.

Mr. Gallaway asked if someone wanted to get from Swede Street to this development, they would have to go down to Berkmar and walk to the entrance.

Ms. Schlein stated that unfortunately, due to the grade change, they would have to put stairs there for pedestrians, but VDOT would not permit them to do so. Therefore, it would not be a formal connection, but she was certain people would still walk that path.

Ms. Mallek expressed concern regarding the safety of navigating the slopes of the property. She asked if there would be a path on the north side.

Ms. Schlein said that they could incorporate some steps or terraced retaining walls into some of the slopes.

Mr. Andrews asked if there would be a walkway from Berkmar to Woodburn, and if it would be Americans with Disabilities Act (ADA)-accessible or stairs only.

Ms. Schlein stated that through the site from Woodburn to Berkmar, she was unsure if it would be entirely ADA accessible, with less than a 5% slope in every area. She said that it was an important consideration, and she would appreciate any information Mr. Shimp may have on the ADA requirements for this site, as they would not be implementing ADA compliance on this particular site.

Justin Shimp, Engineer, stated that the path would not be an ADA route, but it would have a few alternatives. He said there was a sidewalk that wrapped around the edge of the property, which connected to the road. He said that there was also a path between the buildings, which included a grade step, resulting in steps in that direction. He said that for ADA compliance, they had designated accessible parking spaces on each level. He said that if someone was disabled, they would use a parking space on their own level to access the accessible route, but it may not be a direct route between the Berkmar side and the Woodburn side.

Mr. Andrews said that for someone wanting to use public transit, they would need to travel from the Berkmar side by going down Berkmar Road and then up to the transit stop. He said that for someone living on the Woodburn side, it was unclear how they would access the transit stop.

Mr. Shimp said that they would use the sidewalk around the edge of the property.

Mr. Andrews asked if parking would be assigned.

Mr. Shimp said that he was not sure if they had reached that level of parking restriction yet. He said that the County parking ordinance typically required sufficient parking, and there were often empty spaces available, which meant that there was not necessarily a parking restriction due to space constraints. He said that parking could be accommodated on either side of the property. He said that it may be that assigning parking to one side or the other was a matter of convenience, but that would be something they would work out during the final planning phases.

Mr. Andrews said that another factor contributing to his question was that they had Berkmar, which had two lower sections of units with parking directly in front of them, and then there was parking on both sides of the upper units, as well as a parking lot that extended beyond the dog park area. He said that he assumed that this parking lot was intended for the lower units as well, although it did not appear to reach the upper units.

Mr. Shimp said that in grade, there was a basement walkway that connected this parking lot to the area below. He said that while some residents may have parked over here and walked to their units, others may have parked up here and descended the stairs to access their units on the side. He said that as a result, there were logistical considerations to address regarding the placement of parking. He said that generally speaking, these units, along with some of the others, were intended to be accessible from the parking lot below, with additional parking available in the upper lot to facilitate access to the units via the stairs.

Ms. McKeel added that she would suggest the applicant consider a different recreational space than a dog park here.

Mr. Shimp said that the beauty of this location was that the County was investing heavily in the shared use path, for example. He said that the shared use path provided a safe route for dog owners to stroll up to Hollymead Town Center. He said that as a result, he imagined that people would utilize these amenities more than they would the community amenities, which the County had done an excellent job of planning and executing.

Mr. Andrews noted that the stormwater management facility was located above ground.

Mr. Shimp confirmed that that was correct; it was a traditional open stormwater management pond.

Mr. Andrews stated that as he read the Planning Commission minutes, it was not necessarily a wet pond.

Mr. Shimp confirmed that that was correct. This would likely be a dry pond, with landscaping within it, and it would not have standing water in it at all times.

Ms. Mallek said that she was fond of bioswales, which effectively drained everything beyond that point and took care of all the necessary functions. She said that adding attractive plantings could be a great asset to the property, rather than just a plain bowl with grass in it. She said that she was not sure if this was something that could be further developed, as it would require a significant area. She asked if the bioswale would likely be fenced off to prevent folks from entering it from the walking area.

Mr. Shimp said that the facility may have a small fence to restrict access. He said that the depth was dependent on technical details. He said that although it was not a large pond, it was a substantial, green area.

Mr. Andrews noted that there were no speakers from the public, so he closed the public hearing and said the matter rested with the Board.

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Mr. Gallaway noted that part of the reason he believed this parcel never came into use for commercial was due to the steep slopes and grading necessary to use it. Additionally, there was other office space along Berkmar that could be utilized instead. He stated that he was less concerned over losing office space on this property, especially considering they struggled to fill that existing commercial space across the County.

Mr. Gallaway noted that this would be a great place for residents to walk to safely walk to a grocery store and to the nearby school. He stated that some car connections were eliminated and that is worthy of celebration. He said the bigger picture is connectivity and the reduced reliance on cars. He said that people would have eventually figured out that there was cut through and he preferred not to have that and instead focus on the pedestrian amenities to create a neighborhood. He noted that there were people who were concerned about the additional traffic, but this plan splits the traffic.

Mr. Gallaway **moved** that the Board of Supervisors adopt the ordinance attached to the staff report as Attachment E. Ms. McKeel **seconded** the motion.

Roll was called and the motion carried by the following recorded vote:

AYES: Mr. Andrews, Mr. Gallaway, Ms. LaPisto-Kirtley, Ms. Mallek, Ms. McKeel, and Mr. Pruitt.
NAYS: None.

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ORDINANCE NO. 25-18(2)
ZMA 2023-00005

AN ORDINANCE TO AMEND THE ZONING MAP FOR
PARCELS 04500-00-00-08100, 04500-00-00-08200, and 04500-00-00-082A0

WHEREAS, application ZMA2023-00005 (Berkmar Flats) was submitted to rezone Parcels 04500-00-00-08100, 04500-00-00-08200, and 04500-00-00-082A0 from R-6 Residential to R-15 Residential; and

WHEREAS, on January 28, 2025, after a duly noticed public hearing, the Planning Commission recommended approval of ZMA 2023-00005;

NOW, THEREFORE, BE IT RESOLVED by the Board of Supervisors of the County of Albemarle, Virginia, that upon consideration of the transmittal summary and staff report prepared for ZMA 2023-00005 and their attachments, the Proffers signed April 2, 2025, the information presented at the public hearings, any written comments received, the material and relevant factors in *Virginia Code* § 15.2-2284 and *Albemarle County Code* § 18-33.6, and for the purposes of public necessity, convenience, general welfare, and good zoning practices, the Board hereby approves ZMA 2023-00005 subject to the Proffers signed April 2, 2025.

Agenda Item No. 17. **Public Hearing: <u>SP202400004 and SE202400004 The K9 Hotel.</u>**
PROJECT: SP202400004 and SE202400004 The K9 Hotel
MAGISTERIAL DISTRICT: Rivanna
TAX MAP/PARCEL: 04800-00-00-077A3
LOCATION: 3225 Gilbert Station Road
PROPOSAL: A new commercial kennel (Sections 10.2.2.17) for a capacity of up to 12 dogs on a 5-acre parcel and special exception to reduce the required setbacks under Section 5.1.11.
ZONING: RA Rural Areas
COMPREHENSIVE PLAN: Rural Area

The Executive Summary forwarded to the Board states that at its meeting on January 28, 2025, the Planning Commission (PC) voted 7:0 to recommend approval of SP202400004 with the conditions stated in the staff report, with an amendment to increase the maximum permissible size of the kennel building in Condition #4 from 650 square feet to 1,200 square feet. Because the PC was not required to act on SE202400004, it did not do so.

Attachments A, B, and C are the PC staff report, action letter, and meeting minutes.

The PC public hearing included discussion about the proposed building size, setbacks, fencing, sound-proofing, and noise. Four members of the public spoke in support and three others voiced concerns, primarily regarding water contamination, noise impacts, property values, and County enforcement.

Following the PC public hearing, staff revised the conditions based on the PC's recommendation and internal staff discussion.

Below are the revised conditions proposed for SP202400004:

1. Development of the use must be in general accord with the Conceptual Plan titled, "Plat Showing Survey of TMP 48-77A3" drawn by Residential Surveying Services dated October 3, 2024. To be in general accord with the Conceptual Plan, development must reflect the following major elements essential to the design of the development:
    a. Location of proposed building; and
    b. Location of proposed parking area

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

2. The structures must not exceed one-story in height.

3. The use may not exceed twelve (12) dog kennels.

4. The kennel building must not exceed 1,200 square feet in size and must be sound-proofed.

5. The outdoor run area must not exceed 1,560 square feet in size.

6. The outdoor run must be surrounded by a sound-dampening fence.

Staff recommends that the Board adopt the attached resolutions (Attachment D and E) to approve SP202400004 and SE202400004, respectively, for The K9 Hotel.

Mr. Syd Shoaf, Senior Planner II, said that this was a request to allow a commercial kennel on a rural area zoned parcel, and the Special Exception was a request to vary the setback requirement for a commercial kennel. He said that the subject property, located at 3225 Gilbert Station Road, near Stony Point, was approximately five acres and was designated as a rural area in the Comprehensive Plan. He said that the site contained an existing single-family residence where the applicant resided.

Mr. Shoaf said that the site was accessed through a 30-foot access easement, a gravel driveway, through two other properties. He said that in areas where it was steep, the driveway was paved, and there were also areas of critical slopes, marked as orange, and a portion of the water protection ordinance buffer, marked as purple on the map. He said that the adjacent properties were all zoned rural areas and were undeveloped according to the County's GIS Map. He said that beyond the adjacent properties, there were properties with single-family residences, with the closest one approximately 700 feet away.

Mr. Shoaf said that there were two applications before the Board this evening. He said that the first was SP202400004, requesting a new commercial kennel with a capacity up to 12 dogs. He said the Special Exception was a request to reduce the required setbacks from residential and rural properties under Section 18-5.111.

Mr. Shoaf said the applicant's conceptual plan, if approved, would place the kennel building approximately 75-feet away from the closest property line, with the proposed outdoor run area approximately 92 feet from the closest property line. He said that the kennel would be soundproofed, and a sound-dampening fence would be provided around the proposed outdoor run area. He said that the existing single-family residence would remain on site, where the applicant continued to reside.

Mr. Shoaf said that further details of the proposal would be provided by the applicant. He said that these supplementary regulations outlined the requirements the applicant must meet prior to approval of a site plan, building permit, and zoning clearance by the County. He said that the first requirement was that animals confined in soundproofed, air-conditioned buildings be located no closer than 500 feet to any agricultural or residential lot line, but this did not apply to the proposal. He said that the second part was for an external solid fence for non-soundproofed confinements, which the applicant had proposed. He said that the second requirement was also for soundproof confinements, where no structures could be closer than 200 feet to any property line.

Mr. Shoaf said that the applicant had requested a Special Exception to reduce the setback from 200 feet to 75 feet. He said that all confinements must meet the requirement that sound levels at the nearest property line not exceed 55 decibels. He said that the applicant must meet this requirement. He said that the third requirement was that animals must be in an enclosed building from 10 p.m. to 6 a.m. He said that the applicant indicated that this would be met. He said that the applicant indicated that this would be met.

Mr. Shoaf said that the fifth requirement was that the animals must be in an enclosed building from 10 p.m. to 6 a.m. He said that the applicant indicated that this would be met. He said that staff believed the proposal would not be detrimental to adjacent parcels, would not change the character of the nearby area, would continue to be in harmony with the rural area zoning district, and was consistent with the comprehensive plan.

Mr. Shoaf said that they had drafted six conditions for this application. He said that the first condition was for the development to be in general accord with the conceptual plan, which included the location of the proposed building and the proposed parking area. He said that the second condition was that the maximum height of the building be one story. He said that the third condition was that the maximum number of dog kennels be 12, as requested by the applicant. He said that the fourth and fifth conditions were to limit the size of the proposed kennel building and the outdoor run area. He said that the sixth condition required a sound-damping fence, which was already mandated by the supplementary regulations.

Mr. Shoaf said that in summary, staff had determined that this aligned with the review criteria for special use permits outlined in the zoning ordinance. He said that staff had no concerns and recommended approval with the conditions outlined in the staff report.

Mr. Shoaf said that the Special Exception was submitted by the applicant to reduce setbacks from residential rural properties. He said that this section of the ordinance listed the supplementary regulations for specific uses, including additional requirements for the commercial kennel. He said that the applicant was proposing to vary only the requirements of Section 18-5.111(B), which stipulated that soundproof confinements could not be located closer than 200 feet to any agricultural or residential lot line.

Mr. Shoaf said that the applicant was requesting a reduction of the 200-foot requirement to 75 feet from the closest property line. He said that given that the closest residences were approximately 700 feet away from the proposed kennel, staff recommended approval without conditions as outlined in the staff report.

Mr. Gallaway said that the soundproofing measures being implemented seemed to exceed the minimum requirements, but he was not certain if this was solely due to the setback change or if the applicant's commitment to being a good neighbor was also a factor.

Mr. Shoaf said that they were not required to provide soundproof structures. He said that if a non-soundproof structure was provided, it must be at least 500 feet away from the closest lot line. He said that in this case, the applicant was soundproofing the building, which meant the standard requirement of 200 feet applied, and they had obtained a special exception to reduce this distance to 75 feet.

Mr. Gallaway said that the soundproofing was being implemented because of this. He asked what the difference was for kennels regarding the noise ordinance. He said that in comparison, if he were to have a neighbor with a barking dog, he believed the noise ordinance would be triggered if the dog barked continuously for 30 minutes without stopping for five minutes. He asked if this was the same in the rural and development areas.

Bart Svoboda, Deputy Director of Community Development, said that there were two main types of noise regulations: the nuisance noise regulations, which were part of the County code and addressed issues like barking dogs and prolonged noise, and the performance standards for these regulations, which were 55 decibels. He said that he believed that daytime noise levels in rural areas was around 65 decibels, which matched evening levels.

Mr. Svoboda said private dogs were subject to the 30-minute rule. He said that he had a brief conversation with one of the officers present tonight, and generally speaking, when they responded to noise complaints, it often took around 20 to 30 minutes to arrive on the scene. He said that by that time, the noise had usually subsided, and they typically did not encounter the issue.

Mr. Gallaway asked if there was a reason the applicant requested 12 kennels.

Mr. Shoaf said he believed it was a spacing issue.

Mr. Andrews opened the public hearing for presentations from the applicant.

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Ms. Nikki Marcum, representing the applicant, said she and her husband, Cody Marcum, resided at 3225 Gilbert Station Road on a five-acre property. She said that she was born and raised in Stony Point and had lived there for 35 years. She said Mr. Marcum had been a part of the community for 17 years. She said that in 2008, they built their home, and they were now fortunate to raise three children. She said that following high school, she and her husband worked for local Stony Point businesses.

Ms. Marcum said they started and operated their own fencing and landscape company, Marcum Services. She said that unfortunately, due to Mr. Marcum's ongoing health issues, they had to gradually shut down the business and it was no longer safe for him to operate and drive machinery. She said that starting this small-scale dog boarding business would allow them to work from home on their own property and support their family. She said that it would also provide a much-needed service to Stony Point and surrounding areas as Albemarle County continued to grow.

Ms. Marcum said the proposed project was small in size and similar to others that had already been approved and were successfully operating in the County. She said a concern was raised that their business would negatively impact residents, however, many long-standing Stony Point residents, whether they were here tonight or had submitted letters of support, stood with them and supported this business. She said their closest neighbors and surrounding properties supported the project as well. She said the properties directly adjacent to theirs were undeveloped farmland, and their building would be no larger than a standard garage or workshop.

Ms. Marcum said that if this business were to fail, it could easily be repurposed. She said that she had submitted a detailed narrative for their review, but she would like to provide a quick overview. She said the Planning Commission had recommended that they enlarge the building to avoid space limitations. She said they had followed that suggestion and increased the building size to 1,200 square feet, which would allow for a bigger, dedicated office and drop-off area and an indoor dog play area, which would be helpful during inclement weather conditions. She said that the one-story building would house 12 dog kennels and be fully enclosed.

Ms. Marcum said dogs would not have their own access to the outdoors. She said that the kennels would feature anti-flight partition panels on each side, which would help block the view of neighboring dogs. She said that they would only be outside in the dog run while under supervision. She said the outdoor dog run would be surrounded by a seven-foot privacy fence, with evergreens and other shrubbery planted inside and outside the fence for visual appeal and noise buffers. She said one side of the proposed fence already had 18-foot-tall green giants growing. She said dogs would be kept indoors between 10 p.m. and 6 a.m., and the building's close proximity to their home allowed them to respond quickly to any issues that may arise.

Ms. Marcum said there would be no grooming or doggy daycare services, just overnight boarding. She said that construction would not require disturbing existing trees or vegetation, and they were well outside of the Water Protection Ordinance. She said that additionally, all dog waste would be bagged and removed by a professional, local dog waste removal company. She said that existing mature vegetation, including dense evergreens like pine, cedar, and green giants, and mature oak trees, already buffered their property, further reducing any potential sound from the outdoor area.

Ms. Marcum said that the green giants, which were already planted along one side of the proposed privacy fence, were fast-growing evergreens known for screening abilities. She said they would grow to great heights and provide dark green foliage year-round, and they would continue to add more screening.

Ms. Marcum said that she would like to address some misinformation that had been circulated. She said that the Blankenship’s, Hamm, and King family, who were all part of the same family, had sent a letter containing false claims to hundreds of residents within a 10-mile radius of their property. She said that she felt it was necessary to stand up for herself and her family.

Ms. Marcum said that regarding claim number one, which was that the site was surrounded by a residential community, their property was zoned rural and surrounded by farmland. She said that regarding claim number two, which was that their business would negatively impact property values, there was no evidence to support this claim. She said that in fact, property values in their area continued to rise every year. She said that regarding claim number three, which was that the business belonged in a light industrial area, they were caring for animals, something very much aligned with rural living. She said that their building would not be constructed to look like a commercial building and could be repurposed for agricultural use.

Ms. Marcum said that the letter claimed noise would be an issue. She said that the letter sent out failed to mention any soundproofing efforts, a privacy fence, and landscaping buffers that they had spoken about in their proposal and narrative. She said that the Blankenship’s had gone as far as to hire a sound engineer to speculate about potential noise the kennel may generate and how the building needs to be constructed and operated.

Ms. Marcum said that she would like to reiterate that they were only asking to board 12 dogs. She said that who was to say they would always be fully booked. She said that not all dogs would be outside at the same time during breaks. She said that during the first public meeting at Stony Point Elementary and the January Planning Commission meeting, it was noted that there was no limit to how many dogs a person could personally have or hunting dogs a person can have on their property. She said that hypothetically, they could personally have far more dogs and hunting dogs on their property than the 12 they were proposing for their business.

Ms. Marcum said that they were committed to running this responsibly and professionally. She said that their proposal had been thoroughly reviewed, researched, and approved by the County staff and the Planning Commission. She said that they had complied with all recommendations, and they respectfully asked that the Board allow them to exercise their property rights to build a small, meaningful business that would support her family, the community, and contribute to County tax revenues.

Ms. McKeel said that she had a fence around her yard, having previously had dogs, but she wanted to clarify the mention of a sound-dampening fence. She said that she was wondering as to whether it was simply a fence, or if there was something additional, such as a coating or treatment, being applied to the fence.

Ms. Marcum said that the proposed fence was a seven-foot-tall wooden privacy fence, and they would plant shrubbery on both sides.

Ms. LaPisto-Kirtley asked if all 12 dogs could be outside at the same time.

Ms. Marcum said that if she was fully booked with 12 dogs, she would not take all 12 out at once for a break. She said that instead, she would take a few dogs out at a time.

Mr. Andrews opened the hearing for comments from the public.

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Mr. Addison Barnhardt, attorney for the Belinda and Chip Blankenship, who were out of town and he had been asked by them to come speak in their. He said that the Blankenship’s resided 0.4 miles away from the applicants on Gilbert Station Road. He said that his clients were not opposed to the applicants' right to operate a commercial kennel on their property. He said that they were not against the business itself, but rather against the proposed outdoor run that would allow dogs to be outside, which would result in barking. He said this was the primary concern of his clients.

Mr. Barnhardt said that following the Planning Commission meeting, his clients had hired sound engineers to model the noise impact of dogs barking outside the applicant's property. He said the noise assessment was available, and he hoped the Board would give it serious consideration. He said it was unbiased and clearly concluded that, regardless of how well-run the kennel was, outdoor dog barking would violate the County noise ordinance at the property boundaries. He said the property appeared too small to accommodate an outdoor run, and outdoor dog barking would increase ambient noises above legal levels in the community. He said the noise assessment also described how the indoor space should be soundproofed to meet the noise ordinance requirements.

Mr. Barnhardt said notably, a seventh condition previously required soundproofing of the indoor space, but it was no longer present. He said this condition should be reinstated, and they should also know the materials used for soundproofing, as well as a measurement or standard for assessing whether the indoor space was actually soundproofed. He said the community had been divided on this issue, with 10 people writing in support of the project, including the applicants, but also seven people, including his clients, who had expressed opposition to it. He said this issue affected nearly all the owners in the area. He said those who were opposed to approval were consistently against outdoor dog barking at the kennel.

Mr. Barnhardt said kennel dog barking was not a familiar sound in the country, and it was not natural or agricultural. He said if one was to open the door to a groomer or kennel, the sound of barking would be immediately apparent. He said that the noise assessment indicated that a fence alone would not mitigate outdoor dog barking, so the kennel must be indoors on the property. He said that indoor kennels were common in the area. He said that his clients requested that the Board send this issue back to the Planning Commission to give the applicants more time to work with the County and their neighbors to reduce the impact on others, or they hoped that the Board would deny the outdoor run portion of the application.

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Ms. Donna McDaniel said she was a resident of Stony Point for 37 years. She said that she also owned a home-based business for 35 years. She said that Stony Point was home to at least 20 home-based businesses, making their community a strong and supportive one. She said that they relied on each other to make a solid living and care for themselves and one another. She said that this is exactly what the Marcum’s were trying to accomplish.

Ms. McDaniel said that they aimed to provide a healthy, safe life for their children. She said that she had known Ms. Marcum since she was born. She said that she was a second-generation resident of Stony Point, and her family had strong ties and roots in their community. She said that the business was needed in Stony Point and will be used by many families. She said that a majority of their community supported their endeavor for the future.

Ms. McDaniel said that having a local kennel would be a great addition to Stony Point. She said that she was confident that the Board will make the best decision for the majority of Stony Point families and community. She asked the Board to approve the project.

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Ms. Emily White, Rivanna District, said she was in support of the K-9 Hotel. She said that the applicants were proposing soundproofing because they were good neighbors in addition to the regulation requirements. She said they aimed to make this business profitable for their family's success while also being considerate and having minimal impact on neighbors. She said that from their presentation, it was clear that the Marcum's lived on site, and they were not asking their neighbors to endure more than they themselves will experience. She said they were established members of the community, Albemarle County School graduates, and their children attend Albemarle County Schools.

Ms. White said that Mr. Marcum was formerly a volunteer firefighter, and they were dedicated to their community. She said that Albemarle County had rules, regulations, and processes in place to ensure everyone had the opportunity to speak about this proposed use and to learn and follow guidelines that made the community a thriving one that respected everyone's needs.

Ms. White said that if the Marcum's were to sell the kennel, County staff had ensured the business would operate respectively, regardless of who operated it. She said there was a great need for dog boarding in the community, and this would be a wonderful addition. She said that locals would appreciate not having to travel to Charlottesville or other counties for this support. She asked the Board to approve the project.

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Mr. Scott Cunningham said he resided approximately half a mile away from the applicants. He said that he was familiar with the area, and he appreciated the natural surroundings, including the miniature donkeys from his neighbors, which can be quite vocal, especially in the evening or at dawn. He said that during the time of day when the sound test was conducted, the animals were not typically active. He said he found the sound study to be somewhat biased.

Mr. Cunningham said that he would like to pass along his concerns because they were important. He said that the decision to conduct the study at a specific time was interesting, and so was the decision to use modeling data from other dogs and other projects. He said he had some reservations about the modeling components of the study, which he believed may be suspect. He said that he hoped the Board had a chance to thoroughly review the report subjectively. He said he fully supported Marcum's request.

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Ms. Brianna Rae Hundley said she lived approximately two miles from the Marcum residence. She said she supported the K-9 Hotel project. She said that over the past three years, she had the pleasure of getting to know the Marcum family through their daughters' kindergarten classes. She said she also had the opportunity to learn about the Marcum family's deep roots in the community and their respect from their other neighbors, who also had long and deep roots in the Stony Point District.

Ms. Hundley said that, based on her personal experience, she was confident that the Marcum's would operate the canine hotel in a manner that was respectful of the small rural community. She said she was aware that some had expressed concerns about noise. She said that growing up in Spotsylvania County, she lived in a small neighborhood where a neighbor ran a dog kennel, but she only recently discovered this, and she had lived there for many years without knowing.

Ms. Hundley said that as a result, she could attest that dog kennels were generally not a significant source of noise for neighbors outside of normal barking. She said that as a dog owner herself, she knew that not all dogs barked incessantly. She said she believed the Marcum's would take steps to address any barking issues with dogs housed at their facility and would show respect for their neighbors.

Ms. Hundley said she would like to highlight the need for more canine boarding establishments in the rural area, particularly those that were community-run and offered green outdoor spaces. She said that as a dog owner, this was an important consideration for her when selecting a facility for her pet.

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Mr. David Norford said that he and his wife owned the property that bordered the Marcum's on one side, and they leased the Wilson property on the other side as part of their farm operation. He said he had the pleasure of knowing the Marcum's since they were young. He said that he considered them to be responsible and hardworking individuals. He said that he was aware that they had identified a need for the service they wished to provide in the County, and he and his wife wholeheartedly supported it.

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Mr. Andrews provided the applicant with five minutes for rebuttal.

Ms. Marcum said that she wanted to touch on the sound testing report. She said that Scott Cunningham had mentioned it, but she had some concerns about its accuracy, particularly for a small, family-run business like theirs. She said that it was stated that the test was based on measurements from a previous project, but she was not sure how relevant that was to their specific situation.

Ms. Marcum said that the terrain used for the test was reportedly cut grass, whereas their property was wooded. She said that she had noticed that seven letters of opposition had been sent, but she thought it was worth noting that at least three or four of those letters appeared to be from the same family, who resided on the Blankenship farm.

Mr. Gallaway said that when they had approved daycare centers and a few other dog kennels in the past, they had often asked about future expansion. He said that the way it was written, it would require further approval to Board a 13th dog. He said they might not be thinking about building space larger to accommodate it, however, if the business were to grow and thrive, they would still need to go through this process again, which could be tedious and costly.

Mr. Gallaway said that if the business were to expand, they would still need to meet the same requirements, but they would have the capacity to grow without having to reapply for the necessary permits. He asked if the applicant was comfortable limiting the number of dogs.

Ms. Marcum said that they could definitely accommodate more kennels, particularly with the ability to expand to the 1,200 square feet of the building. She said that this expansion would enable them to house more than 12 dogs.

Mr. Marcum said that they could double the number of dogs with the proposed size.

Mr. Gallaway asked if the business plan was to stay with 12 dogs or if they would increase the number if they were able.

Ms. Marcum said that they selected 12 dogs because she believed it was a reasonable number. She said that they were not attempting to disturb their neighbors or cause inconvenience. She said that if they were permitted to have more dogs, they would certainly increase the number right away.

Mr. Gallaway said that he wanted to bring this to the Board's attention because the sound requirements were the same, regardless of the number of dogs. He said that it did not matter if they had two dogs or 200 dogs; they must still meet the same noise mitigation standards. He said that he was simply trying to think of a business and consider the responsibility of informing the applicant that if they planned to expand beyond the number they were requesting, they would need to go through this entire process again.

Ms. LaPisto-Kirtley asked what number of dogs the applicant wanted to board.

Ms. Marcum said she would request up to 20 dogs.

Ms. Mallek said that when Wakefield recently renovated their facility, they discussed having separate rooms in the kennel. She said that in contrast, her father's boarding kennel from the 1950s had individual cubicles with runs. She said that she was curious about how the interior spaces in the proposed building were divided.

Ms. Marcum said that a picture was attached to the application showing the layout. She said that the kennels were four by six feet, with six on each side of the wall. She said that they also had office space, and they were planning to add an indoor play area for dogs.

Mr. Marcum said that each kennel on the back included a window.

Ms. LaPisto-Kirtley said she had seen similar implementations near Culpeper, where each kennel was separated by a wall, effectively hiding the other dogs and reducing barking. She said that she appreciated the number provided. She said that they mentioned that the outdoor plumbing was located on the outside of the building, yet there was a room inside. She asked if that had been changed.

Mr. Marcum said that they had a septic system.

Ms. Marcum said there was a bathroom in the facility.

Ms. LaPisto-Kirtley said that the plumbing seemed to be located outside the building, which would be susceptible to freezing and other issues.

Ms. Marcum said she did not believe that was ever brought up.

Mr. Andrews asked if two dogs could be housed in one kennel.

Ms. Marcum said that she would not put two dogs in a kennel.

Mr. Marcum said that was a possibility, if they were from the same household and got along.

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Mr. Andrews closed the public hearing and brought the matter back before the Board.

Mr. Gallaway said that he had heard a comment about dog kennels being in light industrial, and he must disagree with that assessment. He said that in his opinion, dog kennels were not the highest and best use for light industrial areas. He said that he believed dog kennels could be a suitable use, especially considering the soundproofing and additional regulations that were typically associated with kennels.

Mr. Gallaway said that he understood that some people may think that more dogs would mean more noise, but he thought it was worth noting that kennel owners could take steps to mitigate noise complaints. He said that the noise ordinance was in place to ensure that noise complaints were addressed, and he believed that this use would be an appropriate one in a rural area.

Mr. Gallaway said that he appreciated the fact that they were allowing home businesses in the rural area, and he believed that this kennel application aligned with their goals for supporting local entrepreneurship. He said that he would be happy to support the application, and he would be willing to support up to 20 kennels if the motion was made.

Mr. Barnes said that the public hearing was advertised for 12 kennels and asked for clarification from the County Attorney.

Mr. Andy Herrick, County Attorney, said there was a reference to a specific code section regarding the potential need to re-advertise again. He said that upon reviewing the State law, he believed it applied to zoning map amendments rather than special use permits.

Mr. Gallaway said that he had previously discussed this topic, and they had advertised certain numbers, such as for daycares, where they then increased the allowed student capacity during the public hearing. He said that this was not a unique situation, as it was similar to what they had done in the past.

Mr. Herrick said that was correct. He said his reading of the State Code indicated that the need to re-advertise was only invoked in zoning map amendments, not in special use permits.

Mr. Gallaway said that if the proposal were to increase the number of dogs to 40, he believed that would be a different scenario altogether. He said that with increasing the number by 8, he did not think it would be a problem. He said that the mitigating factors that addressed complaints or potential nuisances would remain the same, and therefore, the process would not need to be repeated.

Mr. Pruitt said that he wanted to reiterate a point he had made since joining the Board, that he did not think they should view the rural area as a static, preserved environment. He said that the country was a real place where real people lived and real economic activity occurred. He said that he believed the applicants had done a good job of identifying a use that was consistent with the rural area, aligned with what their neighbors preferred, and met an existing need.

Mr. Pruitt said that personally, he lived close to various businesses, including a doggy daycare, and he did not experience any disturbances from them. He said that these issues were subjective and influenced by various factors, but the notion that they might be bothersome to an owner half a mile away seemed implausible. He said that in a rural area, there was already noise from animals, and the applicant's property, which was approximately five to seven acres, could accommodate multiple heads of cattle or goats, all of which made noise.

Mr. Pruitt said that a cow, for example, produced sound at around 50-90 decibels, comparable to a dog. He said that he found the suggestion to be generally frustrating, and he often felt the need to provide advocacy tips. He said that for instance, he once advised someone on how to effectively advocate for a policy they disagreed with at the local level. He said that in individual resident disputes, he recommended against commissioning a study and hiring a lawyer to present before the Board. He said that he wanted to emphasize the unusual optics of this approach, noting it was not an effective strategy.

Ms. McKeel said that this was a rural area, and as a lifelong dog owner, though she had lost her own dog, she was aware of the need for dog kennels in this area. She said that she was familiar with the kennel she used to use, which was surrounded by a residential neighborhood, and they had never received complaints about noise or barking. She said that she was supportive of this proposal and would be supportive of language allowing up to 20 kennels. She said that she believed that number would provide flexibility for the kennels to determine their own capacity.

Ms. Mallek said that she had taken note of the information and compared it to the 45-year-old kennel in Earlysville, where the closest house was 55 feet away. She said that the kennel had been a part of the neighborhood for 45 years, with dozens of other homes nearby, and had undergone several renovations. She said that it was essential to have a trustworthy operation with a carefully planned and designed structure and outdoor pen. She said that she had lived in the rural area for a long time and had two rabbit packs of beagles within a half mile of each other. She said that the most burdensome experience was a neighbor with 75 dogs in a small pen, which was a significant concern.

Ms. Mallek said that she believed that with the County's adopted rules and the planning that had gone into this project, it would be a success and would not harm the neighbors. She said that she was confident in this, as her father had built a boarding kennel in the neighborhood in 1953, when she was three, which had been well-received by the surrounding residents. She said that she was very much in support of this project and would also support the up to 20 kennels.

Ms. LaPisto-Kirtley said she was in full support of this proposal and was grateful for the thoughtful consideration given to the proposal, particularly in terms of the number of dog kennels. She said it was crucial that they ensured there were enough kennels to accommodate the needs of the community, as they would not want to limit the success of this project.

Ms. LaPisto-Kirtley said when she and her late husband first moved to this area with their four dogs, it was challenging to find a place of real quality. She said she believed this facility would offer quality in the rural area, as many people considered their dogs to be their children. She said she was very supportive of this proposal and of increasing the number of dog kennels to 20.

Mr. Andrews said that he had a neighbor who ran a dog shelter, specifically caring for older dogs, and they had 20 dogs. He said that this was a number he was more familiar with, and he was able to offer his support. He said that therefore, he had no problem with this application.

Ms. LaPisto-Kirtley **moved** that the Board of Supervisors adopt the resolution attached to the staff report as Attachment D, amending condition 3 to allow the use not to exceed 20 dog kennels. Ms. Mallek **seconded** the motion.

Roll was called and the motion carried by the following recorded vote:

AYES: Mr. Andrews, Mr. Gallaway, Ms. LaPisto-Kirtley, Ms. Mallek, Ms. McKeel, and Mr. Pruitt.
NAYS: None.

Ms. LaPisto-Kirtley **moved** that the Board of Supervisors adopt the resolution attached to the staff report as Attachment E. Ms. Mallek **seconded** the motion.

Roll was called and the motion carried by the following recorded vote:

AYES: Mr. Andrews, Mr. Gallaway, Ms. LaPisto-Kirtley, Ms. Mallek, Ms. McKeel, and Mr. Pruitt.
NAYS: None.

RESOLUTION TO APPROVE SP202400004
THE K9 HOTEL

WHEREAS, upon consideration of the staff report prepared for SP202400004 The K9 Hotel, the recommendation of the Planning Commission and the information presented at the public hearing, any comments received, and all of the relevant factors in Albemarle County Code §§ 18-10.1 and 18-33.8(A), the Albemarle County Board of Supervisors hereby finds that the proposed special use would:

1. not be a substantial detriment to adjacent parcels;
2. not change the character of the adjacent parcels and the nearby area;
3. be in harmony with the purpose and intent of the Zoning Ordinance, with the uses permitted by right in the zoning district, with the applicable provisions of Albemarle County Code § 18-5.1.11, and with the public health, safety, and general welfare (including equity); and
4. be consistent with the Comprehensive Plan.

NOW, THEREFORE, BE IT RESOLVED that the Albemarle County Board of Supervisors hereby approves SP202400004 The K9 Hotel, subject to the conditions attached hereto.

* * *

SP202400004 The K9 Hotel - Conditions

1. Development of the use must be in general accord with the Conceptual Plan titled, "Plat Showing Survey of TMP 48-77A3" drawn by Residential Surveying Services dated October 3, 2024. To be in general accord with the Conceptual Plan, development must reflect the following major elements essential to the design of the development:
   a. Location of proposed building; and
   b. Location of proposed parking area

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

2. The structures must not exceed one-story in height.

3. The use may not exceed twenty (20) dog kennels.

4. The kennel building must not exceed 1,200 square feet in size and must be sound-proofed.

5. The outdoor run area must not exceed 1,560 square feet in size.

6. The outdoor run must be surrounded by a sound-dampening fence.

RESOLUTION TO APPROVE SE2024-000004
THE K9 HOTEL SPECIAL EXCEPTION

WHEREAS, upon consideration of the staff reports prepared for SE2024-000004 The K9 Hotel Special Exception and the attachments thereto, including staff's supporting analysis, any comments received, and all relevant factors in Albemarle County Code §§ 18-5.1.11(b) and 18-33.9(A), the Albemarle County Board of Supervisors hereby finds that a modified regulation would satisfy the purposes of the Zoning Ordinance to at least an equivalent degree as the specified requirement;

NOW, THEREFORE, BE IT RESOLVED that the Albemarle County Board of Supervisors hereby grants the proposed special exception to modify the 200 foot setback otherwise required by County Code § 18.5.11(b) to 75 feet on Parcel 04800-00-00-077A3.

Agenda Item No. 18. From the Board: Committee Reports and Matters Not Listed on the Agenda.

Mr. Jeff Richardson, County Executive, said he participated in the TomTom Festival this morning, and he sent an email to the Board to inform them of his invitation. He said that this was the first time the County Executive's Office had been involved in the event, and it was a joint speaking engagement with the City Manager, the University President, and himself, where they discussed future economic development opportunities, partnerships between the City and the County, and the University. He said that the session lasted approximately 45 minutes.

Mr. Richardson said that the City recorded the session, and they would send it to the County, which they would then forward to the Board's inbox for their review, if they had time. He said that the event was facilitated by L.F. Payne, and he thought it was well done. He said that he appreciated the questions and remarks from the audience, who seemed well-informed about economic development, biotech, and the innovation corridor in the City and County. He said that the University also provided good comments.

Agenda Item No. 19. Adjourn.

At 7:59 p.m., the Board adjourned its meeting to April 23, 2025, 6:00 p.m. in Lane Auditorium, Albemarle County Office Building, 401 McIntire Road, Charlottesville, VA, 22902. Mr. Andrews said information on how to participate in the meeting would be posted on the Albemarle County website Board of Supervisors home page and on the Albemarle County calendar.

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Chair

Approved by Board
Date:11/19/2025 Initials:CKB