

**ACTIONS**  
**Board of Supervisors Meeting of December 13, 2017**

December 14, 2017

<u>AGENDA ITEM/ACTION</u>	<u>ASSIGNMENT</u>	<u>VIDEO</u>
<p>1. Call to Order.</p> <ul style="list-style-type: none"> <li>Meeting was called to order at 2:05 p.m., by the Chair, Ms. McKeel. All BOS members were present. Also present were Claudette Borgersen, Greg Kamptner, Travis Morris and Jeff Richardson.</li> </ul>		<a href="#">Link to video</a>
<p>2. Government Operations/Courts Relocation Opportunities Analysis - Final Report.</p> <ul style="list-style-type: none"> <li><b>RECEIVED.</b></li> </ul>		
<p>Recess.</p> <ul style="list-style-type: none"> <li>At 3:49 p.m., the Board recessed and reconvened at 4:01 p.m.</li> </ul>		
<p>3. FY19 – FY20 Recommended Two Year Fiscal Plan – Guidance for Annual Budget Development.</p> <ul style="list-style-type: none"> <li><b>RECEIVED.</b></li> </ul>		
<p>4. Closed Session. Personnel and Legal Matters.</p> <ul style="list-style-type: none"> <li>At 4:52 p.m., the Board went into Closed Meeting pursuant to Section 2.2-3711(A) of the Code of Virginia:</li> <li>Under Subsection (1), to discuss and consider the appointment of an interim director of finance; and</li> <li>Under Subsection (3), to discuss and consider the acquisition of real property in the southern part of the County, where discussion in an open meeting would adversely affect the bargaining position or negotiating strategy of the County.</li> <li>Under Subsection (8), to consult with and be briefed by legal counsel and staff regarding specific legal matters requiring legal advice about:               <ol style="list-style-type: none"> <li>The adjustment of County boundary lines in the southern part of the County; and</li> <li>A zoning overlay district.</li> </ol> </li> </ul>		
<p>6. Certified Closed Meeting.</p> <ul style="list-style-type: none"> <li>At 6:02 p.m., the Board reconvened into open meeting and certified the closed meeting.</li> </ul>		
<p>7. Call back to Order.</p> <ul style="list-style-type: none"> <li>At 6:02 p.m., the meeting was called back to order by the Chair, Ms. McKeel.</li> </ul>		
<p><b>Non-Agenda.</b> Appointment of Interim Finance Director.</p> <ul style="list-style-type: none"> <li>By a vote of 6:0, <b>ADOPTED</b> resolution appointing William Letteri as Interim Director of Finance.</li> </ul>	<p><u>Clerk:</u> Forward copy of signed resolutions to Finance, Human Resources and County Attorney's office. (Attachment 1)</p>	
<p>9. Adoption of Final Agenda.</p> <ul style="list-style-type: none"> <li>By a vote of 6:0, <b>ADOPTED</b> the final agenda.</li> </ul>		
<p>10. Brief Announcements by Board Members.  <u>Ann Mallek:</u></p> <ul style="list-style-type: none"> <li>Mentioned letter to the editor in the NACO Journal referencing climate change.</li> </ul>		

	<p><u>Rick Randolph:</u></p> <ul style="list-style-type: none"> <li>Observed that France is hiring U.S. climate scientist to work at universities in France.</li> </ul>	
	<p>Non-Agenda. Recognition of Brad Sheffield.</p> <ul style="list-style-type: none"> <li>Joel DeNunzio and Lou Hatter presented a certificate of appreciation.</li> </ul>	
12.	<p>From the Public: Matters Not Listed for Public Hearing on the Agenda.</p> <ul style="list-style-type: none"> <li><b><u>The following individuals spoke on behalf of IMPAC in regards to affordable housing for seniors and people with disabilities in the County:</u></b> <ul style="list-style-type: none"> <li><u>Vikki Bravo</u></li> <li><u>Janie Pudhorodsky</u></li> </ul> </li> <li><b><u>The following individuals addressed the Board concerning the potential relocation of the county courts:</u></b> <ul style="list-style-type: none"> <li><u>Liz Murtaugh</u></li> <li><u>Bruce Williamson</u></li> </ul> </li> </ul>	
13.2	<p>Huntley Farm Court Road Name Change</p> <ul style="list-style-type: none"> <li>By a vote of 6:0, <b>ADOPTED</b> Resolution approving changing the road name of Huntley Farm Court to Lofton Lane and <b>AUTHORIZED</b> staff to implement the change.</li> </ul>	<p><u>Clerk:</u> Forward copy of signed resolutions to Community Development and County Attorney's office. (Attachment 2)</p>
13.3	<p>Resolution to accept road(s) in the Belvedere Phase 1 Subdivision (County Phase 1A Bond Project) into the State Secondary System of Highways. (Rio Magisterial District)</p> <ul style="list-style-type: none"> <li><b>ADOPTED</b> resolution.</li> </ul>	<p><u>Clerk:</u> Forward copy of signed resolution to Community Development. (Attachment 3)</p>
13.4	<p>Resolution to accept road(s) in the Belvedere Phase 1 Subdivision (County Phase 2 Bond Project) into the State Secondary System of Highways. (Rio Magisterial District)</p> <ul style="list-style-type: none"> <li><b>ADOPTED</b> resolution.</li> </ul>	<p><u>Clerk:</u> Forward copy of signed resolution to Community Development. (Attachment 4)</p>
13.5	<p>Special Exception: B201701292SF on Tax Map 84, Parcel 71.</p> <ul style="list-style-type: none"> <li><b>ADOPTED</b> approve the special exception subject to conditions.</li> </ul>	<p><u>Clerk:</u> Forward copy of signed resolution to Community Development and County Attorney's office. (Attachment 5)</p>
14.	<p><b><u>Pb. Hrg.: 17-03(1) – Agricultural and Forestal Districts:</u></b></p> <p><del>a) <b><u>AFD 2017-01 Free Union AFD – Addition.</u></b></del></p> <ul style="list-style-type: none"> <li>Removed from agenda.</li> <li><b><u>b) AFD 2017-02 Hardware AFD – District Review.</u></b></li> <li>Motion to direct staff to provide notice to affected landowners in the Hardware Agricultural and Forestal District that the Board is considering modifying the district and imposing a condition that will remove the 11 parcels on December 31, 2018, <b>PASSED</b> by a vote of 6:0.</li> <li><b><u>c) AFD 2017-03 Nortonville Local AFD - District Review.</u></b></li> <li>By a vote of 6:0, <b>ADOPTED</b> ordinance amending Chapter 3 of the Albemarle County Code continuing the Nortonville Local AF District.</li> </ul>	<p><u>County Attorney/CDD:</u> Proceed as directed.</p> <p><u>Clerk:</u> Forward copy of signed ordinance to Community Development and County Attorney's office. (Attachment 6)</p> <p>Prepare letter for Chair's signature.</p>

	<p><b>d) <u>AFD 2017-04 Ivy Creek AFD – Addition.</u></b></p> <ul style="list-style-type: none"> <li>By a vote of 6:0, <b>ADOPTED</b> ordinance amending Chapter 3 of the Albemarle County Code approving the addition to the IVY Creek AF District.</li> </ul>	
15.	<p><b><u>Pb. Hrg.: SP201700023: Birdwood - Boar's Head Temporary Connector Road – Amendment.</u></b></p> <ul style="list-style-type: none"> <li>By a vote of 6:0, <b>ADOPTED</b> resolution to adopt resolution to approve the special use permit.</li> </ul>	Clerk: Forward copy of signed resolutions to Community Development and County Attorney's office. (Attachment 7)
16.	<p><b><u>Pb. Hrg.: ZMA201600023 – Brown Toyota Steep Slope Amendment Request.</u></b></p> <ul style="list-style-type: none"> <li>By a vote of 6:0, <b>ADOPTED</b> ordinance 17-A(10) to approve ZMA201600023.</li> </ul>	Clerk: Forward copy of signed resolution to Community Development and County Attorney's office. (Attachment 8)
17.	<p><b><u>Pb. Hrg.: Ordinance to Amend County Code Chapter 1, General Provisions.</u></b></p> <ul style="list-style-type: none"> <li>Motion to bring ordinance to amend county code back on the January 10, 2018, Consent Agenda <b>PASSED</b> by a vote of 6:0.</li> </ul>	Clerk: Schedule on the January 10 consent agenda.
18.	<p>From the Board: Committee Reports and Matters Not Listed on the Agenda.</p> <p>a. Gillums Ridge Road Quiet Zone Petition.</p> <ul style="list-style-type: none"> <li>Members of the Board requested direction from the County Attorney.</li> </ul> <p>b. Wildflower Project.</p> <ul style="list-style-type: none"> <li>By a vote of 6:0, <b>ADOPTED</b> resolution to approve appropriation #2018060 for the CATEC/Rio Road Wildflower Meadow Project.</li> </ul>	Clerk: Forward copy of signed resolution to Community Development and County Attorney's office. (Attachment 9)
19.	<p>From the County Executive: Report on Matters Not Listed on the Agenda.</p> <p>a. Year-in-Review.</p> <ul style="list-style-type: none"> <li><b>RECEIVED.</b></li> </ul>	
20.	<p>Closed Meeting.</p> <ul style="list-style-type: none"> <li>At 8:25 p.m., the Board went into a Closed Meeting pursuant to Section 2.2-3711(A) of the Code of Virginia:</li> <li>Under Subsection (8), to consult with and be briefed by legal counsel and staff regarding specific legal matters requiring legal advice relating to the negotiation of an agreement for, and the possible relocation of, court facilities.</li> </ul>	
	<p>Certify Closed Meeting.</p> <ul style="list-style-type: none"> <li>At 9:09 p.m., the reconvened into open meeting and certified the closed meeting.</li> </ul>	
21.	<p>Adjourn to December 18, 2017, 6:00 p.m., Lane Auditorium.</p> <ul style="list-style-type: none"> <li>The meeting was adjourned at 9:10 p.m.</li> </ul>	

ckb/tom

Attachment 1 – Resolution Appointing the Interim Director of Finance

Attachment 2 – Resolution to Change the Name of Huntley Farm Court to Lofton Lane

Attachment 3 – VDoT Resolution - (County Phase 1A Bond Project) Belvedere Subdivision Phase I

Attachment 4 – VDoT Resolution - Belvedere Subdivision Phase I (County Phase 2 Bond Project)

Attachment 5 – Resolution To Approve Special Exception: B201701292SF on Tax Map 84, Parcel 71

Attachment 6 – An Ordinance to Amend and Reordain Chapter 3, Agricultural and Forestal Districts, Article II, Districts of Statewide Significance, Division 2, Districts, and Article III, Districts of Local Significance, Division 2, Districts, Of The Code Of The County Of Albemarle, Virginia

Attachment 7 – Resolution to Approve SP 2017-23 Birdwood – Boar's Head Temporary Connector Road – Amendment

Attachment 8 – Ordinance No. 17-A (10) ZMA 2016-00023 Brown Toyota  
Attachment 9 – Resolution to Approve Additional FY 18 Appropriations

**RESOLUTION APPOINTING THE  
INTERIM DIRECTOR OF FINANCE**

**BE IT RESOLVED** by the Board of Supervisors of the County of Albemarle, Virginia, that William M. Letteri is hereby appointed the Interim Director of Finance for the County of Albemarle, Virginia effective January 1, 2018 pursuant to Virginia Code § 15.2-512; and

**BE IT FURTHER RESOLVED** that, during the term of this appointment, he shall have all those powers and duties of a Director of Finance set forth in Virginia Code § 15.2-519 and in other sections of the Code of Virginia (1950), as amended, those powers and duties delegated or imposed by the Albemarle County Code and by duly adopted motions, resolutions, or ordinances of the Albemarle County Board of Supervisors, and those powers and duties as otherwise provided by general law; and

**BE IT FURTHER RESOLVED** that during the term of this appointment he shall continue to perform his duties as Deputy County Executive under the direction of the County Executive; and

**BE IT FURTHER RESOLVED** that his annual salary during the term of this appointment shall be unchanged from his current salary as Deputy County Executive, subject to any cost-of-living increase provided to County employees generally; and

**BE IT FURTHER RESOLVED** that he shall serve as Interim Director of Finance at the pleasure of the Board; and

**BE IT FURTHER RESOLVED** that, except as otherwise provided in this resolution, he shall be entitled to all other rights and benefits that he would receive as a Deputy County Executive; and

**BE IT FURTHER RESOLVED** that the term of this appointment shall not extend beyond the effective date of the appointment of a new permanent full-time Director of Finance or a different Interim Director of Finance; and

**BE IT FURTHER RESOLVED** that, upon the expiration of the term of this appointment, his resignation as Interim Director of Finance, or his removal as Interim Director of Finance by the Board, he may return full-time to his position as Deputy County Executive unless he has committed an act that would warrant his termination from County employment.

**RESOLUTION TO CHANGE THE NAME OF  
HUNTLEY FARM COURT TO LOFTON LANE**

**WHEREAS**, Virginia Code § 15.2-2019 enables the County to rename any road at any time; and

**WHEREAS**, the County's Road Naming and Property Numbering Ordinance and Manual establish policies and guidelines for naming roads; and

**WHEREAS**, the County's Road Naming and Property Numbering Ordinance and Manual provide that a road can be renamed with the approval of a majority of the property owners served by the road; and

**WHEREAS**, the landowner of all of the properties served by Huntley Farm Court has submitted a request to change the road name of Huntley Farm Court to Lofton Lane, and the above-referenced requirement has been met.

**NOW, THEREFORE, BE IT RESOLVED**, that the Board of Supervisors hereby changes the name of Huntley Farm Court to Lofton Lane, and directs the Board Clerk to forward a certified copy of this Resolution to the Albemarle County Circuit Court Clerk pursuant to Virginia Code § 15.2-2019, and directs staff to implement the change.

The Board of County Supervisors of Albemarle County, Virginia, in regular meeting on the 13<sup>th</sup> day of December 2017, adopted the following resolution:

RESOLUTION

WHEREAS, the street(s) in **Belvedere Subdivision Phase I**, as described on the attached Additions Form AM-4.3 dated **December 13, 2017**, fully incorporated herein by reference, is shown on plats recorded in the Clerk's Office of the Circuit Court of Albemarle County, Virginia; and

WHEREAS, the Resident Engineer for the Virginia Department of Transportation has advised the Board that the street(s) meet the requirements established by the Subdivision Street Requirements of the Virginia Department of Transportation.

NOW, THEREFORE, BE IT RESOLVED, that the Albemarle Board of County Supervisors requests the Virginia Department of Transportation to add the street(s) in **Belvedere Subdivision Phase I**, as described on the attached Additions Form AM-4.3 dated **December 13, 2017**, to the secondary system of state highways, pursuant to §33.2-705, Code of Virginia, and the Department's Subdivision Street Requirements; and

BE IT FURTHER RESOLVED that the Board guarantees a clear and unrestricted right- of-way, as described, exclusive of any necessary easements for cuts, fills and drainage as described on the recorded plats; and

FURTHER RESOLVED that a certified copy of this resolution be forwarded to the Resident Engineer for the Virginia Department of Transportation.

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**Report of Changes in the Secondary System of State Highways**

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**Project/Subdivision Belvedere Subdivision Phase I**

**Type Change to the Secondary System of State Highways: Addition**

The following additions to the Secondary System of State Highways, pursuant to the statutory provision or provisions cited, are hereby requested; the right of way for which, including additional easements for cuts, fills and drainage, as required, is hereby guaranteed:

Reason for Change: New  
subdivision street Pursuant to Code of  
Virginia Statute: §33.2-705

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**Street Name and/or Route Number**

◆ **Free State Road (New Alignment), State Route Number 651**

Old Route Number: 0

- 
- From: Route 1920, Belvedere Boulevard

To: .02 Miles West To Railroad  
Bridge, a distance of: 0.02 miles.  
Recordation Reference: DB 4349,  
PG 264-272

Right of Way width (feet) = 0

**Street Name and/or Route Number**

◆ **Belvedere Boulevard, State Route Number 1920**

Old Route Number: 0

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- From: Route 1920, Belvedere Boulevard 3 Lane Section

To: .6 Miles North To Route 651, Free State Road, a distance of: 0.60 miles. Recordation Reference: DB 3543, Pg 225-255  
Right of Way width (feet) = 0

**Street Name and/or Route Number**

◆ **Belvedere Boulevard, State Route Number 1920**

Old Route Number: 0

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- From: Route 631, Rio Road East

To: .06 Miles North (3 Lanes), a distance of: 0.06 miles. Recordation Reference: DB 3543, PG 225-255  
Right of Way width (feet) = 0



The Board of County Supervisors of Albemarle County, Virginia, in regular meeting on the 13<sup>th</sup> day of December 2017, adopted the following resolution:

RESOLUTION

WHEREAS, the street(s) in **Belvedere Subdivision Phase I**, as described on the attached Additions Form AM-4.3 dated **December 13, 2017**, fully incorporated herein by reference, is shown on plats recorded in the Clerk's Office of the Circuit Court of Albemarle County, Virginia; and

WHEREAS, the Resident Engineer for the Virginia Department of Transportation has advised the Board that the street(s) meet the requirements established by the Subdivision Street Requirements of the Virginia Department of Transportation.

NOW, THEREFORE, BE IT RESOLVED, that the Albemarle Board of County Supervisors requests the Virginia Department of Transportation to add the street(s) in **Belvedere Subdivision Phase I**, as described on the attached Additions Form AM-4.3 dated **December 13, 2017**, to the secondary system of state highways, pursuant to §33.2-705, Code of Virginia, and the Department's Subdivision Street Requirements; and

BE IT FURTHER RESOLVED that the Board guarantees a clear and unrestricted right-of-way, as described, exclusive of any necessary easements for cuts, fills and drainage as described on the recorded plats; and

FURTHER RESOLVED that a certified copy of this resolution be forwarded to the Resident Engineer for the Virginia Department of Transportation.

\* \* \* \* \*

**Report of Changes in the Secondary System of State Highways**

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**Project/Subdivision Belvedere Subdivision Phase I**

**Type Change to the Secondary System of State Highways:      Addition**

The following additions to the Secondary System of State Highways, pursuant to the statutory provision or provisions cited, are hereby requested; the right of way for which, including additional easements for cuts, fills and drainage, as required, is hereby guaranteed:

Reason for Change:              New subdivision street

Pursuant to Code of Virginia Statute:    §33.2-705

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# In the County of Albemarle

By resolution of the governing body adopted December 13, 2017

The following VDOT Form AM-4.3 is hereby attached and incorporated as part of the governing body's resolution for changes in the secondary system of state highways.

A Copy Testee

Signed (County Official):

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## Report of Changes in the Secondary System of State Highways

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### Project/Subdivision Belvedere Subdivision Phase I

#### Type Change to the Secondary System of State Highways:

#### Addition

The following additions to the Secondary System of State Highways, pursuant to the statutory provision or provisions cited, are hereby requested; the right of way for which, including additional easements for cuts, fills and drainage, as required, is hereby guaranteed:

Reason for Change: New subdivision street

Pursuant to Code of Virginia Statute: §33.2-705

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#### Street Name and/or Route Number

##### ◆ **Belvedere Boulevard, State Route Number 1920**

Old Route Number: 0

- 
- From: Route 1921, Tyree Lane

To: .07 Miles North East to Route 1922, Farrow Drive, a distance of: 0.07 miles.

Recordation Reference: DB 3543, PG 225-255

Right of Way width (feet) = 0

#### Street Name and/or Route Number

##### ◆ **Belvedere Boulevard, State Route Number 1920**

Old Route Number: 0

- 
- From: Belvedere Drive (Private)

To: .03 Miles North West to Colbert Street (Private), a distance of: 0.03 miles.

Recordation Reference: DB 3543, PG 225-255

Right of Way width (feet) = 0

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**Street Name and/or Route Number**

◆ **Belvedere Boulevard, State Route Number 1920**

Old Route Number: 0

- 
- From: Colbert Street (Private)

To: .08 Miles South West to End of Circle, a distance of: 0.08 miles.

Recordation Reference: DB 3543, PG 225-255

Right of Way width (feet) = 0

**Street Name and/or Route Number**

◆ **Cole Street, State Route Number 1924**

Old Route Number: 0

- 
- From: Route 1920, Belvedere Boulevard

To: .078 Miles South to Route 1922, Farrow Drive, a distance of: 0.08 miles.

Recordation Reference: DB 3543, PG 225-255

Right of Way width (feet) = 0

**Street Name and/or Route Number**

◆ **Tyree Lane, State Route Number 1921**

Old Route Number: 0

- 
- From: Route 1920, Belvedere Boulevard

To: .07 Miles North West to Route 1922, Farrow Drive, a distance of: 0.07 miles.

Recordation Reference: DB 3543, PG 225-255

Right of Way width (feet) = 0

**Street Name and/or Route Number**

◆ **Tyree Lane, State Route Number 1921**

Old Route Number: 0

- 
- From: Route 1920, Belvedere Boulevard

To: .10 Miles East to Route 1922, Farrow Drive, a distance of: 0.10 miles.

Recordation Reference: DB 3543, PG 225-255

Right of Way width (feet) = 0

**Street Name and/or Route Number**

◆ **Butler Street, State Route Number 1925**

Old Route Number: 0

- 
- From: Route 1922, Farrow Drive

To: .09 Miles South to Route 1712, Pike Place, a distance of: 0.09 miles.

Recordation Reference: DB 3543, PG 225-255

Right of Way width (feet) = 0

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**Street Name and/or Route Number**

◆ **Belvedere Boulevard, State Route Number 1920**

Old Route Number: 0

- 
- From: Beginning of Circle

To: .03 Miles North East to Butler Street (Private), a distance of:  
0.03 miles.

Recordation Reference: DB 3543, PG 225-255

Right of Way width (feet) = 0

**Street Name and/or Route Number**

◆ **Belvedere Boulevard, State Route Number 1920**

Old Route Number: 0

- 
- From: Route 651, Free State Road, (East)

To: .11 Miles East to Route 651 Free State Road (West), a  
distance of: 0.11 miles.

Recordation Reference: DB 3543, PG 225-255

Right of Way width (feet) = 0

**Street Name and/or Route Number**

◆ **Farrow Drive, State Route Number 1922**

Old Route Number: 0

- 
- From: Route 1920, Belvedere Boulevard

To: .044 Miles North West to Route 1921, Tyree Lane, a distance  
of: 0.04 miles.

Recordation Reference: DB 3543, PG 225-255

Right of Way width (feet) = 0

**Street Name and/or Route Number**

◆ **Belvedere Boulevard, State Route Number 1920**

Old Route Number: 0

- 
- From: Colbert Street (Private)

To: .03 Miles North to Belvedere Drive (Private), a distance of:  
0.03 miles.

Recordation Reference: DB 3543, PG 225-255

Right of Way width (feet) = 0

**Street Name and/or Route Number**

◆ **Belvedere Boulevard, State Route Number 1920**

Old Route Number: 0

- 
- From: Route 651, Free State Road (East)

To: .08 Miles North East to Route 1921, Tyree Lane, a distance of:  
0.08 miles.

Recordation Reference: DB 3543, PG 225-255

Right of Way width (feet) = 0

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**Street Name and/or Route Number**

◆ **Farrow Drive, State Route Number 1922**

Old Route Number: 0

- 
- From: Route 1921, Tyree Lane

To: .02 Miles North West to Route 1923, Addison Street, a distance of: 0.02 miles.

Recordation Reference: DB 3543, PG 225-255

Right of Way width (feet) = 0

**Street Name and/or Route Number**

◆ **Belvedere Boulevard, State Route Number 1920**

Old Route Number: 0

- 
- From: Butler Street (Private)

To: .06 Miles North East to Colbert Street (Private), a distance of: 0.06 miles.

Recordation Reference: DB 3543, PG 225-255

Right of Way width (feet) = 0

**Street Name and/or Route Number**

◆ **Belvedere Boulevard, State Route Number 1920**

Old Route Number: 0

- 
- From: Route 1922, Farrow Drive

To: .06 Miles North East to Route 1924, Cole Street, a distance of: 0.06 miles.

Recordation Reference: DB 3543, PG 225-255

Right of Way width (feet) = 0

**Street Name and/or Route Number**

◆ **Farrow Drive, State Route Number 1922**

Old Route Number: 0

- 
- From: Route 1920, Belvedere Boulevard

To: .046 Miles South East to Route 1921, Tyree Lane, a distance of: 0.05 miles.

Recordation Reference: DB 3543, PG 225-255

Right of Way width (feet) = 0

**Street Name and/or Route Number**

◆ **Addison Street, State Route Number 1923**

Old Route Number: 0

- 
- From: Route 1922, Farrow Drive

To: .051 Miles North East to Route 1924, Cole Street, a distance of: 0.05 miles.

Recordation Reference: DB 3543, PG 225-255

Right of Way width (feet) = 0

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**Street Name and/or Route Number**

◆ **Farrow Drive, State Route Number 1922**

Old Route Number: 0

- 
- From: Route 1921, Tyree Lane

To: .08 Miles East to Route 1925, Butler Street, a distance of: 0.08 miles.

Recordation Reference: DB 3543, PG 225-255

Right of Way width (feet) = 0

**Street Name and/or Route Number**

◆ **Cole Street, State Route Number 1924**

Old Route Number: 0

- 
- From: Route 1920, Belvedere Boulevard

To: .072 Miles North West to Route 1923, Addison Street, a distance of: 0.07 miles.

Recordation Reference: DB 3543, PG 225-255

Right of Way width (feet) = 0

**Street Name and/or Route Number**

◆ **Belvedere Boulevard, State Route Number 1920**

Old Route Number: 0

- 
- From: Route 1924, Cole Street

To: .036 Miles North East To Beginning Of Circle, a distance of: 0.04 miles.

Recordation Reference: DB 3543, PG 225-255

Right of Way width (feet) = 0

**RESOLUTION TO APPROVE SPECIAL EXCEPTION  
FOR B201701292SF ON TAX MAP 84, PARCEL 71**

**WHEREAS**, the Applicant filed an application for a building permit to construct a single-family detached residence on Tax Map Parcel Number 08400-00-00-07100 (the "Property") ("B 2017-1292"); and

**WHEREAS**, the Applicant also filed a request for a special exception to allow the disturbance of 0.24 acres of existing critical slopes, as the Property is depicted on the pending plans under review by the County's Department of Community Development.

**NOW, THEREFORE, BE IT RESOLVED** that, upon consideration of the foregoing, the executive summary prepared in conjunction with the application, and its supporting analysis, the plan entitled "Figure 5: Survey with remaining 0.522 acre buildable area" prepared by Roudabush, Gale and Associates, Inc. on August 18, 2016, and all of the factors relevant to the special exception in Albemarle County Code § 18-4.2.1(a), 18-4.2.1(b), 18-33.5, and 17-321, the Albemarle County Board of Supervisors hereby approves the special exception to authorize the disturbance of critical slopes for the applicant's construction of a single-family detached residence on the Property, subject to the condition attached hereto.

\* \* \*

**B 2017-1292 on Tax Map 84, Parcel 71 Special Exception Conditions**

1. The area of land disturbance on critical slopes shall not exceed the 0.24 acres labeled as the "approximate building site" shown on plan entitled "Figure 5: Survey with remaining 0.522 acre buildable area" prepared by Roudabush, Gale and Associates, Inc. on August 18, 2016.
2. An erosion and sediment control plan is required as part of the building permit review to ensure disturbance is minimized and erosion BMPs are implemented.
3. Any land disturbing activity located within the critical slopes shall comply with the design standards in County Code § 18-30.7.5.

**ORDINANCE NO. 17-3(1)**

AN ORDINANCE TO AMEND AND REORDAIN CHAPTER 3, AGRICULTURAL AND FORESTAL DISTRICTS, ARTICLE II, DISTRICTS OF STATEWIDE SIGNIFICANCE, DIVISION 2, DISTRICTS, AND ARTICLE III, DISTRICTS OF LOCAL SIGNIFICANCE, DIVISION 2, DISTRICTS, OF THE CODE OF THE COUNTY OF ALBEMARLE, VIRGINIA.

BE IT ORDAINED by the Board of Supervisors of the County of Albemarle, Virginia, that Chapter 3, Agricultural and Forestal Districts, Article II, Districts of Statewide Significance, Division 2, Districts, and Article III, Districts of Local Significance, Division 2, Districts, of the Code of the County of Albemarle, Virginia, is hereby amended and reordained as follows:

**By Amending:**

Sec. 3-217 Ivy Creek Agricultural and Forestal District  
Sec. 3-307 Nortonville Agricultural and Forestal District

**CHAPTER 3. AGRICULTURAL AND FORESTAL DISTRICTS  
ARTICLE II. DISTRICTS OF STATEWIDE SIGNIFICANCE  
DIVISION 2. DISTRICTS**

**Sec. 3-217 Ivy Creek Agricultural and Forestal District.**

The district known as the "Ivy Creek Agricultural and Forestal District" consists of the following described properties: Tax map 44, parcels 18, 19, 19A, 19B, 20, 20A, 20B, 20C, 20D, 20E, 20F, 20G, 21A1, 21A2, 21A3, 21C(part); tax map 45, parcels 5F, 5F4. This district, created on November 2, 1988 for not more than 7 years, since amended at its last review on December 4, 2013 to continue for not more than 10 years, shall next be reviewed prior to December 4, 2023.

(4-14-93; 2-14-96; Code 1988, § 2.1-4(n); Ord. 98-A(1), 8-5-98; Ord. 03-3(1), 7-9-03; Ord. 09-3(4), 12-2-09; Ord. 13-3(1), 12-4-13)

**ARTICLE III. DISTRICTS OF LOCAL SIGNIFICANCE  
DIVISION 2. DISTRICTS**

**Sec. 3-307 Nortonville Local Agricultural and Forestal District.**

The district known as the "Nortonville Local Agricultural and Forestal District" consists of the following described properties: Tax map 8, parcels 26 and 28 (part consisting of 2 acres). This district, created on October 6, 1999 for a period of 8 years, and last reviewed on December 13, 2017, shall next be reviewed prior to December 13, 2025.

(Ord. 99-3(5); 10-6-9; Ord. 07-3(3), 9-12-07)



**RESOLUTION TO APPROVE  
SP 2017-23 BIRDWOOD – BOAR’S HEAD  
TEMPORARY CONNECTOR ROAD – AMENDMENT**

**WHEREAS**, the University of Virginia Foundation filed an application to amend a previously-approved special use permit (SP 201700009) for Tax Map Parcel 07500-00-00-06300 to construct a temporary connector road between Golf Course Drive on the Birdwood property and Berwick Road on the Boar’s Head Inn and Sports Club property for temporary use between July 22, 2018 and August 11, 2018, and the application is identified as Special Use Permit 2017-00023 Birdwood – Boar’s Head Temporary Connector Road – Amendment (“SP 2017-23”); and

**WHEREAS**, on October 31, 2017, after a duly noticed public hearing, the Albemarle County Planning Commission recommended approval of SP 2017-23 with conditions; and

**WHEREAS**, on December 13, 2017, the Albemarle County Board of Supervisors held a duly noticed public hearing on SP 2017-23.

**NOW, THEREFORE, BE IT RESOLVED** that, upon consideration of the foregoing, the staff report prepared for SP 2017-23 and all of its attachments, the information presented at the public hearing, and the factors relevant to a special use permit in Albemarle County Code § 18-33.8, the Albemarle County Board of Supervisors hereby approves SP 2017-23, subject to the conditions attached hereto.

\* \* \*

**SP-2017-00023 Birdwood – Boar’s Head Temporary Connector Road – Amendment Conditions**

1. Development of the indoor golf facility shall be in general accord with the plan entitled “Illustrative Site Plan – Parking Option C” prepared by the University of Virginia Foundation dated August 21, 2017 and as modified by staff (hereafter “Illustrative Site Plan”), as determined by the Director of Planning and the Zoning Administrator. To be in general accord, development and use shall reflect the following major elements as shown on the plan:
  - a. Building location, orientation, and mass;
  - b. Parking lot location;
  - c. Installation of new landscaping for screening purposes;
  - d. Retention of trees shown for preservation; and
  - e. Earthen berms adjacent to the new parking lot.

Minor modifications to the plan that do not otherwise conflict with the elements listed above may be made to ensure compliance with the Zoning Ordinance, as determined by the Zoning Administrator.

2. Design and development of the improvements shown on the Illustrative Site Plan for the indoor golf facility shall be subject to the following, as determined by the Planning Director or designee:
  - a. Placement of the parking lot within the “bowl” created by the existing terrain in a way that minimizes grading of the slope to the north of the new parking lot, which is to be preserved for its screening effect;
  - b. Construction of earthen berms adjacent to the parking lot which are compatible with existing topographic variation and which further reduce the visibility of the parking lot and parked cars from Golf Course Drive;
  - c. Approved planting plan and planting schedule which, at minimum, include:
    - i. New landscaping materials planted in naturalistic or informal arrangements which are consistent and compatible with the existing landscape in terms of character, density, and species;
    - ii. A meadow or similar grass landscape along Golf Course Drive; and
    - iii. The use of native plant materials; and
  - d. Submittal of a conservation plan prepared by a certified arborist to preserve trees identified for preservation, including the treatment of all ash trees (species *Fraxinus*) that are to be preserved for

protection against the emerald ash borer (*Agrilus planipennis*), to be used in conjunction with the conservation checklist described in Condition 6. If all reasonable alternatives for preservation have been explored, and such trees cannot be retained due to the health of the tree as determined by the certified arborist, removal may occur.

3. Ingress and egress along Birdwood Drive shall be restricted, to the satisfaction of the Zoning Administrator, to only those residences served by Birdwood Drive and shall not be used as an access to the indoor golf practice facility.
4. Any new construction at the existing golf course facility and site other than the site improvements shown on the Illustrative Site Plan referenced in Condition #1 or on the Concept Plan referenced in Condition #7 or on the Preliminary Plan for Birdwood Golf Course approved with SP199600053, except for minor changes (such as additional practice tees, modifications of greens and other changes that do not require a site plan), shall require an amended special use permit.
5. The owner shall continue to implement an Integrated Pest Management/Nutrient Management Plan to reduce adverse water quality impacts.
6. Prior to any land disturbing activity on the indoor golf facility site, the conservation plan and checklist, the landscape plan, and the grading plan shall be approved by the County Engineer and the Director of Planning or their designees.
7. In addition to the preceding conditions, the following project-specific conditions apply to all development, improvements, and uses associated with SP201700023 ("Birdwood – Boar's Head Temporary Connector Road"):
  - a. Development shall be in general accord with the plan entitled "Temporary Golf Course Connector Road – Exhibit A" prepared by Dewberry Engineers, Inc. received September 21, 2017 (hereafter "Concept Plan"), as determined by the Director of Planning and the Zoning Administrator. To be in general accord with the Concept Plan, development and use shall reflect the following major elements as shown on the plan:
    - i. connector road alignment between Golf Course Drive and Berwick Road;
    - ii. gate (or similar physical barrier for access management); and
    - iii. pedestrian infrastructure (including sidewalks, crosswalks, and exterior lights);
  - b. Access to and use of the connector road is restricted and temporary; the road may only be used by vehicles between July 22, 2018 and August 11, 2018;
  - c. The location(s) and material specification(s) for all access management features, including the gate (or similar physical barrier) and all associated signage (or other informational materials) must be reviewed and approved by the Albemarle County Department of Fire Rescue Chief or his/her designee and by the County Engineer or his/her designee; and
  - d. A Maintenance of Traffic Plan (MOT Plan) must be reviewed and approved by the Area Land Use Engineer for the Charlottesville Residency of VDOT or his/her designee.

**ORDINANCE NO. 17-A(10)  
ZMA 2016-00023 BROWN TOYOTA**

**AN ORDINANCE TO APPROVE ZMA 2016-00023 BROWN TOYOTA  
TO AMEND THE COUNTY'S STEEP SLOPES OVERLAY DISTRICT BOUNDARIES  
ON TAX MAP PARCEL NUMBERS 07800-00-00-01400 AND 07800-00-00-014E0**

**WHEREAS**, the application to amend the Steep Slopes Overlay District boundaries by removing .05 acres of managed slopes and approximately .20 acres of preserved slopes and to establish a new area of approximately .25 acres of managed slopes on Tax Map Parcel Numbers 07800-00-00-01400 and 07800-00-00-014E0 (the "Property") is identified as ZMA 2016-00023 Brown Toyota ("ZMA 2016-23"); and

**WHEREAS**, staff recommended approval of ZMA 2016-23 with proffers; and

**WHEREAS**, the Planning Commission held a duly noticed public hearing on ZMA 2016-23 on October 31, 2017, and recommended approval, conditioned on the staff-recommended proffers; and

**WHEREAS**, on December 13, 2017, the Albemarle County Board of Supervisors held a duly noticed public hearing on ZMA 2016-23.

**BE IT ORDAINED** by the Board of Supervisors of the County of Albemarle, Virginia, that upon consideration of the staff report prepared for ZMA 2016-23 and its attachments, including the Rezoning Application Plan entitled "Brown Toyota & Mercedes Dealerships, 1357 and 1381 Richmond Road, Charlottesville, Virginia 22911, Re-Zoning Application Plan," prepared by B. Clark Gathright LLC, and dated September 26, 2017, proffers dated December 5, 2017, the information presented at the public hearing, the material and relevant factors in County Code §§ 18-30.7.6 and 18-33.6 and Virginia Code § 15.2-2284, the characteristics of managed slopes and preserved slopes stated in County Code § 18-30.7.1, and for the purposes of public necessity, convenience, general welfare and good zoning practices, the Board hereby approves ZMA 2016-23, with the Rezoning Application Plan entitled "Brown Toyota & Mercedes Dealerships, 1357 and 1381 Richmond Road, Charlottesville, Virginia 22911, Re-Zoning Application Plan," prepared by B. Clark Gathright LLC, and dated September 26, 2017, and the proffers dated December 5, 2017.

**RESOLUTION TO APPROVE  
ADDITIONAL FY 18 APPROPRIATIONS**

**BE IT RESOLVED** by the Albemarle County Board of Supervisors:

- 1) That Appropriation #2018060 is approved; and
- 2) That the appropriation referenced in Paragraph #1, above, is subject to the provisions set forth in the Annual Resolution of Appropriations of the County of Albemarle for the Fiscal Year ending June 30, 2018.