

ACTIONS		
Board of Supervisors Meeting of March 19, 2025		
		March 20, 2025
AGENDA ITEM/ACTION	ASSIGNMENT	VIDEO
<p>1. Call to Order.</p> <ul style="list-style-type: none"> The meeting was called to order at 1:01 p.m. by the Chair, Mr. Andrews. All BOS members were present. Also present were Jeff Richardson, Andy Herrick, Claudette Borgersen, and Travis Morris. 		
<p>4. Adoption of the Final Agenda.</p> <ul style="list-style-type: none"> By vote of 6:0, ADOPTED the final agenda. 		
<p>5. Brief Announcements by Board Members.</p> <p><u>Ned Gallaway:</u></p> <ul style="list-style-type: none"> Thanked staff and community members for their participation and attendance at the Budget Town Hall which was held at The Center at Belvedere on March 18, 2025. <p><u>Ann Mallek:</u></p> <ul style="list-style-type: none"> Reported that issues have come up at the trails around the Crozet area about off-leash dogs in the Crozet area. Reminded residents that dogs must be on leashes unless they are in a dog park and to pick up after their dogs. Reported that there have been issues of vandalism in the Crozet area and reminded residents to lock their vehicles and to remove keys from their cars. Mentioned that the <i>At Home in Shenandoah</i> program, would be held virtually on March 27, 2025. Announced that there is a webpage for the Crozet Square & Oak Street Improvements Project. Reported on her attendance at the Piedmont Workforce Development Board Chief Local Elected Officials (CLEO) meeting on March 18 and announced that Virginia Career Works Piedmont Executive Director Sarah Morton would be receiving the Woman of Excellence Award on March 20 from the Chamber of Commerce. <p><u>Bea LaPisto-Kirtley:</u></p> <ul style="list-style-type: none"> Commented that she is looking forward to her upcoming Budget Town Hall meetings and encouraged residents to attend. <p><u>Diantha McKeel:</u></p> <ul style="list-style-type: none"> Announced that JABA (Jefferson Area Board for Aging) would hold a wills, power of attorney, and advanced medical directives planning event on April 9, 2025, from 9:00 – 3:00 p.m., at JABA on Hillsdale Drive. She noted that registration in advance was required. <p><u>Jim Andrews:</u></p> <ul style="list-style-type: none"> Announced Saturday, April 19, 2025, will be an eWaste Collection Day at the Ivy Solid Waste and Recycling Center from 9:00 a.m. – 3:00 p.m. Mentioned that he is looking forward to the Budget Town Hall on March 20 at Monticello High School from 5:30 p.m. – 7:30 p.m., and on March 27, 2025, at the Yancey Community Center. <p><u>Bea LaPisto-Kirtley:</u></p>		

[Link to Video](#)

	<ul style="list-style-type: none"> Reported that the Plastic Bag Tax is working well and is being used for an upcoming litter cleanup event. She thanked staff for their efforts in setting up the event. 	
7.	<p>Public Comment on: Matters Previously Considered or Currently Pending Before the Board (Other than Scheduled Public Hearings).</p> <ul style="list-style-type: none"> <u>The following individuals addressed the Board concerning the FY 26 Operating and Capital Budgets as it relates to Affordable Housing and Climate Action Funding:</u> <ul style="list-style-type: none"> Vikki Bravo Colleen Swingle-Titus Tom Eckman Mark Van Meter Frances Lee-Vandall Sadhbh O'Flynn <u>Neil Williamson</u>, Free Enterprise Forum, addressed the Board on Residential Use in Commercial Zoning Districts, highlighting delays in considering amending the zoning text. 	
8.2	<p>Rivanna Solid Waste Authority Ivy Materials Utilization Center FY 26 Fees and Charges.</p> <ul style="list-style-type: none"> ADOPTED Resolution to request the proposed adjustments of tipping fees and other charges. 	<p><u>Clerk:</u> Forward copy of signed resolution to Facilities and Environmental Services and County Attorney's office. (Attachment 1)</p>
8.3	<p>Schedule a Public Hearing for Spot Blight Ordinance for 50 Churchill Lane, Parcel ID 07400-00-00-08200.</p> <ul style="list-style-type: none"> AUTHORIZED a public hearing on a spot blight abatement ordinance for 50 Churchill Lane, Parcel ID 07400-00-00-08200. 	<p><u>Clerk:</u> Schedule on a future agenda and advertise in the Daily Progress.</p>
8.4	<p>Schedule a Public Hearing for Spot Blight Ordinance for 2632 Hydraulic Road, Parcel ID 06100-00-00-04110.</p> <ul style="list-style-type: none"> AUTHORIZED a public hearing on a spot blight abatement ordinance for 2632 Hydraulic Road, Parcel ID 06100-00-00-04110. 	<p><u>Clerk:</u> Schedule on a future agenda and advertise in the Daily Progress.</p>
8.5	<p>SE202400036 Belvedere 4B Setback Modification to reduce minimum rear yard setback requirement of Section 4.19.</p> <ul style="list-style-type: none"> ADOPTED Resolution to approve a special exception for a reduced 10-foot setback on the subject parcels, allowing the projected features to be as close as six feet to the access easement, as permitted. 	<p><u>Clerk:</u> Forward copy of signed resolution to Community Development and County Attorney's office. (Attachment 2)</p>
9.	<p>Work Session: FY 2026 Operating and Capital Budget.</p> <ul style="list-style-type: none"> HELD. 	<p><u>Clerk:</u> Post notices and advertise in the Daily Progress.</p>
	<p>Recess. At 3:26 p.m., the Board recessed and reconvened at 3:40 p.m.</p>	
	<p>Work Session (continued): FY 2026 Operating and Capital Budget.</p> <ul style="list-style-type: none"> Motion that the Board advertise the following rates for public hearing for the 2025 tax year: <ul style="list-style-type: none"> \$0.894/\$100 of assessed value for real estate, public service property, and manufactured homes; \$4.28/\$100 of assessed value for tangible personal property; \$4.28/\$100 of assessed value for miscellaneous and incidental tangible personal property employed in a trade or 	

<p>business that is not otherwise classified as machinery and tools, merchants' capital, or short-term rental property, and that has an original cost of less than \$500; and</p> <ul style="list-style-type: none"> • \$4.28/\$100 of assessed value for machinery and tools, PASSED by a vote of 6:0. • By a vote of 6:0, AUTHORIZED staff to advertise for public hearing the FY 26 proposed budget which is the same as the County Executive's Recommended Budget, including any staff recommended changes (and any additional amendment(s) made by the Board of Supervisors). 		
<p>10. Closed Meeting.</p> <ul style="list-style-type: none"> • At 4:10 p.m., the Board went into Closed Meeting pursuant to section 2.2-3711(A) of the Code of Virginia: <ul style="list-style-type: none"> • under subsection (6) to discuss and consider the investment of public funds related to a performance agreement with Bonumose, Inc., where bargaining is involved and where, if made public initially, would adversely affect the financial interest of the County; • under subsection (8) to consult with legal counsel regarding specific legal matters related to a performance agreement with Bonumose, Inc., which requires the provision of legal advice by such counsel; and • under subsection (29), to discuss the renegotiation of separate public contracts with Crozet New Town Associates, LLC and Bonumose, Inc., each involving the expenditure of public funds, where discussion in an open session would adversely affect the bargaining position or negotiating strategy of the County and the Board. 		
<p>11. Certify Closed Meeting.</p> <ul style="list-style-type: none"> • At 6:01 p.m., the Board reconvened into an open meeting and certified the closed meeting. 		
<p>12. From the County Executive: Report on Matters Not Listed on the Agenda. <u>Jeff Richardson:</u></p> <ul style="list-style-type: none"> • Presented the March Progress Albemarle report. 		
<p>13. Public Comment on: Matters Previously Considered or Currently Pending Before the Board (Other than Scheduled Public Hearings).</p> <ul style="list-style-type: none"> • <u>Gary Grant</u>, Rio Magisterial District, spoke regarding tax increases. • <u>Kathy Kuhlmann</u>, Rivanna Magisterial District, spoke toward adding equestrian trails back into the Biscuit Run Park plans. 		
<p>14. <u>Pb. Hrg.: Spot Blight Declaration - 5624 Brownsville Road, Parcel ID 05600-00-00-026E1 (Samuel Miller District).</u></p> <ul style="list-style-type: none"> • By a vote of 6:0, ADOPTED ordinance declaring the property blighted and AUTHORIZED staff to implement the County's abatement plan. 	<p><u>Clerk:</u> Forward copy of signed ordinance to Community Development and County Attorney's office. (Attachment 3)</p>	

15. <u>Pb. Hrg.: SP202400018 Charlottesville Community Church.</u> <ul style="list-style-type: none"> By a vote of 6:0, ADOPTED resolution to approve SP202400018 Charlottesville Community Church. 	<u>Clerk:</u> Forward copy of signed resolution to Community Development and County Attorney's office. (Attachment 4)	
16. From the Board: Committee Reports and Matters Not Listed on the Agenda. <u>Ned Gallaway:</u> <ul style="list-style-type: none"> Asked staff and Board members to think about innovative ways for revenue diversification. <u>Ann Mallek:</u> <ul style="list-style-type: none"> Commented that in terms of revenue diversification, Primary Business (bringing outside dollars to our community) was becoming a part of the new economic development strategy. <u>Mike Pruitt:</u> <ul style="list-style-type: none"> Commented that he had participated in an empty chair town hall in Goochland County where concerns were shared about the cuts in the federal government funding. <u>Diantha McKeel:</u> <ul style="list-style-type: none"> Mentioned that only 6.5% of inmates at the Albemarle County Regional Jail had GED's (General Educational Development), but it was difficult to verify because those who do not have one must participate in a GED program. Expressed hope that the Board would discuss manufactured homes within the next year or so, and she believed they would be particularly beneficial in rural areas, because the costs in development areas were too high. <u>Jim Andrews:</u> <ul style="list-style-type: none"> Mentioned that he had attended the Affordable Housing Summit the previous week and shared statistics from Comprehensive Planning session showing that empty bedrooms in the United States had increased dramatically. 		
17. Adjourn to April 2, 2025, 1:00 p.m. Lane Auditorium. <ul style="list-style-type: none"> The meeting was adjourned at 7:26 p.m. 		

ckb/tom

Attachment 1 – Resolution to Request RSWA Change Its Tipping Fees and Other Charges for IVY MUC
Attachment 2 – Resolution to Approve SE 2024-00036 Belvedere 4B Modification
Attachment 3 – Ordinance No. 25-A(1) Ordinance to Declare 5624 Brownsville Road A Blighted Property
Attachment 4 – Resolution to Approve SP202400018 Charlottesville Community Church

**RESOLUTION TO REQUEST THAT THE RIVANNA SOLID WASTE AUTHORITY
CHANGE ITS TIPPING FEES AND OTHER CHARGES FOR THE IVY MATERIAL
UTILIZATION CENTER**

WHEREAS, the May 4, 2016 Amended and Restated Ivy Material Utilization Center (MUC) Programs Agreement between the County of Albemarle and the Rivanna Solid Waste Authority (RSWA) provides that the RSWA shall propose any changes to tipping fees and other charges for use of the Ivy MUC for adoption by the RSWA's Board of Directors as requested by majority vote of the Board of Supervisors; and

WHEREAS, by letter dated January 21, 2025, the RSWA Executive Director has proposed changes to two tipping fees or other charges for the Ivy MUC; and

WHEREAS, the Board of Supervisors finds that it is in the best interest of the County to request that the RSWA adopt the two changes proposed by the RSWA Executive Director.

NOW, THEREFORE, BE IT RESOLVED that the Albemarle County Board of Supervisors hereby requests that the RSWA adopt all changes to tipping fees and other charges for the Ivy MUC that were proposed by letter of the RSWA Executive Director dated January 21, 2025.

BE IT FURTHER RESOLVED that the Albemarle County Board of Supervisors hereby directs the Director of the Facilities and Environmental Services Department to forward a certified copy of this resolution to the Rivanna Solid Waste Authority.

**RESOLUTION TO APPROVE SE 2024-00036
BELVEDERE 4B MODIFICATION**

WHEREAS, upon consideration of the staff reports prepared for SE2024-00036 Belvedere 4B and the attachments thereto, including staff's supporting analysis, any comments received, and all relevant factors in Albemarle County Code §§ 18-4.19.2, and 18-33.9, the Albemarle County Board of Supervisors hereby finds that the proposed special exception is consistent with both the intent of the R-4 Residential zoning district and the Development Area Objectives of the Comprehensive Plan.

NOW, THEREFORE, BE IT RESOLVED that the Albemarle County Board of Supervisors hereby approves a special exception on Parcels 062A3-00-00-001B5 and 06100-00-00-160R5 to reduce the 20-foot minimum rear setback otherwise required by County Code § 18-4.19 to 10 feet as shown in the Proposed Plan from Collins Engineering, dated November 4, 2024.

ORDINANCE NO. 25-A(1)

**AN ORDINANCE TO DECLARE THE PROPERTY LOCATED AT 5624 BROWNSVILLE ROAD A
BLIGHTED PROPERTY**

WHEREAS, on July 17, 2024, the County's Director of Community Development, as designee of the County Executive, made a preliminary determination that the property located at 5624 Brownsville Road, further described as Parcel ID 05600-00-00-026E1 ("Property"), is a blighted property; and

WHEREAS, notice of the Determination was provided to the owner of the Property in accordance with the requirements of *Virginia Code* § 36-49.1:1(B), and the owner failed to respond with a spot blight abatement plan to address the blight within a reasonable time; and

WHEREAS, the Board conducted a duly-noticed public hearing on this Ordinance on December 11, 2024, and the Board has considered all of the information and recommendations presented;

NOW, THEREFORE, BE IT ORDAINED that the Board of Supervisors of Albemarle County hereby finds and declares the Property located at 5624 Brownsville Road to be a "blighted property," as that term is defined in *Virginia Code* § 36-3. The County Executive or his designee is authorized, on behalf of the Board, to acquire or repair the Property and to recover the costs of any repair or disposal of such Property from the owner or owners of record, all in accordance with *Virginia Code* § 36-49.1:1.

**RESOLUTION TO APPROVE SP202400018
CHARLOTTESVILLE COMMUNITY CHURCH**

WHEREAS, upon consideration of the staff report prepared for SP202400018 Charlottesville Community Church, the recommendation of the Planning Commission, the information presented at the public hearing, any comments received, and all of the relevant factors in Albemarle County Code §§ 18-13.2.2(10) 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, 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 SP202400018 Charlottesville Community Church, subject to the conditions attached hereto.

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SP202400018 Charlottesville Community Church - Conditions

1. The development of the use must be in general accord (as determined by the Director of Planning and the Zoning Administrator) with the sheet titled, "Charlottesville Community Church Special Use Permit Application Plan", provided in the document entitled "Charlottesville Community Church Special Use Permit Narrative and Application Plan", prepared by Collins Engineering dated June 17, 2024, last revised February 6, 2025 (hereafter "Concept Plan"). To be in general accord with the Concept Plan, development and use must reflect the following major elements as shown on the Plan:
 - a. Location of the proposed building envelopes;
 - b. Location of the proposed parking envelope;
 - c. Location of the open space (amenity area) envelope; and
 - d. Landscape buffers along the property's boundaries;
 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 area of assembly is limited to a maximum 500-seat sanctuary.
3. An area for a 10' shared use path along Scottsville Road must be reserved for future dedication to the County. Within this area, the owner must design the shared use path to VDOT standards and must grade the path in with the first phase of development. The path must be constructed outside of the landscape buffer.
4. A pedestrian connection must be constructed from the future 10' shared use path along Scottsville Road and tied into the site's internal pedestrian network.
5. A pedestrian connection from the site to the Avinity Estates subdivision must be made if approved by the Avinity Estates HOA.
6. The use must commence on or before March 19, 2030, or the permit will expire and be of no effect.