



Albemarle County

Meeting Agenda Board of Supervisors

Supervisor, Samuel Miller District Jim Andrews
Supervisor, Rio District Ned Gallaway
Supervisor, Rivanna District Bea LaPisto-Kirtley
Supervisor, White Hall District Ann H. Mallek
Supervisor, Jack Jouett District Diantha H. McKeel
Supervisor, Scottsville District Mike Pruitt
County Executive, Jeffrey B. Richardson
Clerk, Claudette K. Borgersen

Wednesday, August 7, 2024

1:00 PM

Lane Auditorium

Regular First Meeting

1. Call to Order.
2. Pledge of Allegiance.
3. Moment of Silence.
4. Adoption of Final Agenda.
5. Brief Announcements by Board Members.
6. Proclamations and Recognitions:
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.
8. Consent Agenda (on next sheet)

1:40 p.m. - Action Item:

9. [24-337](#) Public-Private Transportation Act (PPTA) Finding of Public Interest - Eastern Avenue.
(Lance Stewart, Director, Facilities and Environmental Services)

2:30 p.m. - Presentations:

10. [24-343](#) Wildland Fire Prevention Strategies.
(Dan Eggleston, Chief of Fire/Rescue)

11. [24-341](#) Virginia Department of Transportation (VDOT) Quarterly Report.

(Carrie Sheppard, Charlottesville Residency Administrator)

12. 3:30 p.m. - Closed Meeting.

Closed meeting pursuant to section 2.2-3711(A) of the Code of Virginia:

- *under subsection (1), to discuss and consider appointments to various boards and commissions including, without limitation, Agricultural and Forestal District Advisory Committee, Economic Development Authority, Places 29 (Hydraulic) Community Advisory Committee, and Places 29 (North) Community Advisory Committee;*
- *under subsection (1), to discuss and consider appointment of an interim county attorney;*
- *under subsection (7), to consult with legal counsel and receive briefings by staff members pertaining to actual litigation concerning a decision of the Board of Zoning Appeals in the case styled In re June 6, 2023 Decision of the Board of Zoning Appeals of the County of Albemarle, Virginia where consultation or briefing in open meeting would adversely affect the negotiating or litigating posture of the County and the Board; and*
- *under subsection (39), to discuss or consider information subject to the exclusion in subsection (3) of § 2.2-3705.6 related to business development in the Rio Magisterial District.*

13. Certify Closed Meeting.

14. Boards and Commissions:

14.1. [24-355](#) Vacancies and Appointments.

(Travis Morris)

6:00 p.m.

15. From the County Executive: Report on Matters Not Listed on the Agenda.

16. 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.

Public Hearings:

17. [24-340](#) Compensation Increase for Planning Commission and Other Appointed Boards. To receive public comment on the proposed ordinance to amend Section 2-401 to increase the compensation of the voting members of the Planning Commission, from \$7,534.00 per year to \$7,685 per year; and to amend Section 2-905 to increase the compensation of members of the Architectural Review Board, the Board of Zoning Appeals, the Building Code Board of Appeals, the Board of Equalization, and the Fire Prevention Code Board of Appeals for each regular or special meeting attended from \$83.00 to \$85. This ordinance would take effect upon adoption.

(Jessica Rice, Director, Human Resources – Local Government)

18. [24-313](#) SP202300021 Flow Hyundai Outdoor Storage, Display, and Sales and SE202300046 Flow Hyundai. PROJECT: SP202300021 and SE202300046 Flow Hyundai MAGISTERIAL DISTRICT: Rio TAX MAP/PARCEL: 04500-00-00-068C0 LOCATION: Between 2070 and 2150 Seminole Trl. fronting on both Seminole Trl. and Berkmar Dr. PROPOSAL: Establish outdoor storage, display and sales of vehicles PETITION: Outdoor storage, display and sales serving or associated with a permitted use in accordance with Section 30.6.3.a.2(b) of the Zoning Ordinance on approximately 5.73 acres. No dwelling units proposed. Associated with this request is a special exception request to waive the requirement under 5.1.31(b) regarding eliminating visibility of vehicles awaiting repair. ZONING: HC Highway Commercial – commercial and service; residential by special use permit (15 units/ acre) ENTRANCE CORRIDOR: Yes OVERLAY DISTRICT: EC Entrance Corridor, AIA Airport Impact Area, and Steep Slopes – Managed COMPREHENSIVE PLAN: Urban Mixed Use (in areas around Centers) – commercial and retail uses that are not accommodated in Centers and residential (3 – 34 units/ acre) in Neighborhood 1 in the Places 29 Master Plan.

(Christopher Taggart, Senior Planner I)

19. [24-303](#) ZMA202300010 Granger Development. PROJECT: ZMA202300010 Granger Development MAGISTERIAL DISTRICT: Jack Jouett and Samuel Miller TAX MAP/PARCEL: 07600-00-00-02400 LOCATION: 400 Stribling Ave Ext. just past the existing Nob Hill neighborhood. Property is along Sunset Ave. Ext and abuts I-64. The proposed development is across from the Jefferson Ridge and Eagles Landing apartment homes. PROPOSAL: Rezone property from R-1 Residential to Planned Residential Development (PRD). PETITION: Rezone 68.96 acres from R-1 Residential which allows residential uses up to 1 dwelling unit per acre to Planned Residential Development (PRD). The proposal is for 203 units, a mixture of single family detached and single family attached housing units, at a net density of 5.98 dwelling units per acre or a gross density of 2.94 dwelling units per acre. The proposal also includes over 50% of the site as green space with public and private recreational amenities. ZONING: R-1 Residential - 1 unit/acre ENTRANCE CORRIDOR: Yes OVERLAY DISTRICT: EC Entrance Corridor, AIA Airport Impact Area, FH Flood Hazard, Steep Slopes – Managed and Preserved PROFFERS: No COMPREHENSIVE PLAN: Neighborhood Density Residential – residential (3-6 units/acre); supporting uses such as places of worship, schools, public and institutional uses and small-scale neighborhood serving retail and commercial. Parks and Green Systems – parks, playgrounds, play fields, greenways, trails, paths, recreational facilities and equipment, plazas, outdoor sitting areas, natural areas, preservation of stream buffers, floodplains and steep slopes adjacent to rivers and streams. In Neighborhood 5 of the Southern and Western Neighborhoods Master Plan.

(Kevin McCollum, Senior Planner II)

20. [24-334](#) ZTA 2023-00008 Grading Standards and Steep Slopes Overlay District. To receive comments on proposed amendments to the following sections of the Albemarle County Code: Section 18-4.3.3 – to apply uniform design standards to any land disturbing activity either (i) to establish a use permitted by right or by special use permit in the Steep Slopes Overlay District or (ii) requiring a Virginia Erosion and Sediment Control Program (VESCP) application plan and/or a Virginia Stormwater Management Program (VSMP) application plan, and to allow the Board of Supervisors to grant a special exception to the height of a retaining wall. Section 18-30.7.5 – to remove design standard requirements and replace them with the grading standards contained in 18-4.3.3. This change would increase the permitted retaining wall height in the Steep Slopes Overlay District from 6 (six) to 10 (ten) feet and allow the Board of Supervisors to grant a special exception to the height of a retaining wall.

(Bill Fritz, Development Process Manager)

21. From the Board: Committee Reports and Matters Not Listed on the Agenda.

22. Adjourn to August 14, 2024, 5:30 p.m. Room 241.

CONSENT AGENDA**8. FOR APPROVAL (by recorded vote):**

- 8.1. [24-354](#) Approval of Minutes: August 17, October 19, October 26, 2022, and May 15, 2024.
- 8.2. [24-344](#) Fiscal Year 2024 Appropriations.
(Ryan Davidson)
- 8.3. [24-365](#) Fiscal Year 2025 Appropriations.
(Ryan Davidson)
- 8.4. [24-339](#) Tax Refund Approval Request.
(Jennifer Matheny)
- 8.5. [24-330](#) Resolution Approving the County's Participation in a Proposed Settlement of Opioid-Related Claims.
(Andy Herrick)
- 8.6. [24-325](#) Approval of Boards and Commissions Welcome Pamphlet.
(Claudette Borgersen)

8. FOR INFORMATION (no vote necessary):

- 8.7. [24-364](#) Transportation Planning Quarterly Report.
(Jessica Hersh-Ballering)
- 8.8. [24-348](#) Albemarle Broadband Authority Quarterly Report.
(Michael Culp)
- 8.9. [24-326](#) Board to Board, July 2024, A Monthly Report from the Albemarle County School Board to the Albemarle County Board of Supervisors.
(Helen Dunn)
- 8.10. [24-347](#) Albemarle County Service Authority (ACSA) Fiscal Year (FY) 2025 Annual Operating and Capital Improvement Budget.
ON FILE IN CLERKS OFFICE

Thank you for attending today's public hearing. During the 2024 Calendar Year, the Chair is Jim Andrews and the Vice-Chair is Diantha H. McKeel.

Opportunities for the public to access and participate in this meeting are posted on the Albemarle County website on the Board of Supervisors home page and on the Albemarle County calendar. Participation will include the opportunity to comment on those matters for which comments from the public will be received.

During the time set aside for "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" ("From the Public"), individuals are allowed three minutes to speak. Up to 10 persons may speak during each "From the Public" session. The 10 speakers are determined on a first-come, first-served basis. Each speaker may speak at only one "From the Public" session at each meeting. The sign-up period closes when "From the Public" begins. Electronic presentation materials may be displayed by a member of the public provided it is emailed to the Clerk at least 48 hours in advance of the Board meeting. .

During Public Hearings, the Board will only acknowledge speakers addressing the item listed for Public Hearing. Speakers are limited to one appearance of three minutes per public hearing item, unless otherwise decided. Applicants are limited to a ten-minute presentation of their proposal and are allowed a five-minute rebuttal at the close of the public hearing.

To speak during Public Hearings and "From the Public" Albemarle County community members may sign up online in advance of the meeting at <https://albemarle.legistar.com/Calendar.aspx>. Click on eComment for the select meeting. To create an account, click on the sign-up link at the top right corner of the eComment webpage. Community Members who are unable to sign up in advance of the meeting may do so during the meeting either through the webinar chat or in person, provided there are remaining slots available. If you require assistance, please contact the clerk's office at clerk@albemarle.org or call 434-296-5843.

Time keeping is conducted by the Clerk. In order to give all speakers equal treatment and courtesy, the Board requests that speakers adhere to the following guidelines:

Time keeping is conducted through a timer and a light system at the podium. The green light will go on when you begin speaking and this begins your allotted time; a yellow light indicates you have one minute to finish your comment; a red light indicates your time has expired. In order to give all speakers equal treatment and courtesy, the Board requests that speakers adhere to the following guidelines:

- When called to the speaker's podium, state your name and magisterial district
- Address comments directly to the Board as a whole
- Give written statements and other supporting material to the Clerk
- If you represent a group or organization, you may ask others present to raise their hands and be recognized
- If you exceed your allotted time, you will be asked to end your comments
- If a speaker does not use all allocated time, the unused time may not be shared with another speaker
- Speakers are permitted one opportunity to comment during each of the public comment periods per meeting
- Back-and-forth debate is prohibited
- Do not speak from your seat or out of turn
- Persons in the audience are encouraged to raise their hands to indicate their support or opposition to speakers at the podium or any item during the meeting
- Please refrain from applause and other forms of approval or disapproval, as a courtesy to each speaker
- Signs are permitted in the meeting room so long as they are not attached to any stick or pole and do not obstruct the view of persons attending the meeting

All comments are live streamed, recorded and published on the Albemarle County website.

Please turn all device notifications to vibrate.

Clerk, Board of County Supervisors
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