

ACTIONS Board of Supervisors Meeting of November 2, 2016		
		November 4, 2016
<u>AGENDA ITEM/ACTION</u>	<u>ASSIGNMENT</u>	<u>VIDEO</u>
1. Call to Order. Meeting was called to order at 1:01 p.m. by the Chair, Ms. Palmer. All BOS members were present. Also present were Tom Foley, Greg Kampner, Claudette Borgersen and Travis Morris.		Link to video
4. Adoption of Final Agenda. <u>Liz Palmer:</u> By a vote of 6:0, ADOPTED the final agenda.		
5. Brief Announcements by Board Members.<u>Rick Randolph:</u> - Scottsville has been named Bee City USA - He has been contacted by a NC city asking Albemarle to be a part of a resolution banning the burning of wood pellets. - The Harry Potter celebration in Scottsville was a success, but there was much traffic. <u>Ann Mallek:</u> - Encouraged everyone to be aware of the burn regulations currently in effect. - Announced that she had attended the dedication of the Blue Ridge Heritage Memorial Chimney. - Announced that she had attended her second meeting of the State Workforce Board. <u>Norman Dill:</u> - The county has re-signed the agreement with the city for Darden Towe. The New Strategic Plan is being developed and the committee is taking input. <u>Liz Palmer:</u> - Attended the Apple Harvest festival.		
6. Proclamations and Recognitions: a. Susan Worrell, CPFO Recognition. Recognized.		
7. From the Public: Matters Not Listed for Public Hearing on the Agenda. <u>George Worthington</u>, resident of the Rivanna District and employee of JABA spoke on individuals living with dementia and JABA's memory care program. <u>James Donohue</u>, County resident and President of the Canterbury Hills Homeowner's Association addressed the Board regarding the Spot Blight Ordinance for 2514 Smithfield Road. <u>Liz Emery</u>, resident of the Scottsville District spoke on behalf of IMPACT addressed the Board and encouraged them to support funding for the Region Ten Women's Center. <u>Bill Schrader</u>, resident of the White Hall District addressed the Board concerning his beliefs that the City is in breach of the Revenue Sharing Agreement.		

8.2	FY 2016 Appropriations. ADOPTED, resolution to approve appropriations #2016094 and #2016095 for local government and school division projects and programs.	<u>Clerk:</u> Notify OMB, Finance and appropriate individuals. Forward copy of signed resolution to OMB and County Attorney's office. (Attachment 1)
8.3	FY 2017 Appropriations. ADOPTED, resolution to approve appropriations #2017033, #2017040, #2017041, and #2017042 for local government and school division projects and programs.	<u>Clerk:</u> Notify OMB, Finance and appropriate individuals. Forward copy of signed resolution to OMB and County Attorney's office. (Attachment 2)
8.4	Fiscal Year 2017 County of Albemarle and State Health Department Local Government Agreement. ADOPTED, resolution to approve the FY 17 County of Albemarle and State Health Department Local Government Agreement and AUTHORIZED the County Executive to execute that Agreement.	<u>Clerk:</u> Forward signed copy of resolution to County Attorney's office. (Attachment 3) <u>County Attorney:</u> Provide Clerk with copy of fully executed agreement.
8.5	Millwood Land Trust – ACE Conservation Easement Request. FINDS, that the proposed cemetery use of the proposed two-acre lot by the Church would not be an industrial or commercial use, and that that use would be permitted under section (2)(C)(7) of the ACE deed of easement, provided that no structures other than grave markers were constructed on the lot.	
8.6	FY 18 VDOT Revenue Sharing Program Participation. ADOPTED, resolution approving the County's participation in the Revenue Sharing Program for FY18, and agreeing to match the funding request of \$1,195,000 with \$1,195,000 of the County funds designated for the Transportation Revenue Sharing Program in the FY17 CIP.	<u>Clerk:</u> Forward signed copy of resolution to Community Development and County Attorney's office. (Attachment 4)
8.7	Resolution to accept road(s) in Houndstooth Subdivision into the State Secondary System of Highways. ADOPTED, resolution to accept road(s) in Houndstooth Subdivision into the State Secondary System of Highways.	<u>Clerk:</u> Forward copy of signed resolution to Community Development and County Attorney's office. (Attachment 5)
8.8	Resolution to accept road(s) in Foothills Crossing Subdivision into the State Secondary System of Highways. ADOPTED, resolution to accept road(s) in Foothills Crossing Subdivision into the State Secondary System of Highways.	<u>Clerk:</u> Forward copy of signed resolution to Community Development and County Attorney's office. (Attachment 6)
8.9	Resolution to accept road(s) in Country Green Cottage Subdivision into the State Secondary System of Highways. ADOPTED, Resolution to accept road(s) in Country Green Cottage Subdivision into the State Secondary System of Highways.	<u>Clerk:</u> Forward copy of signed resolution to Community Development and County Attorney's office. (Attachment 7)
8.10	Resolution to accept road(s) in the Stonewater Subdivision into the State Secondary System of Highways. ADOPTED, Resolution to accept road(s) into the Stonewater Subdivision into the State Secondary System of Highways.	<u>Clerk:</u> Forward copy of signed resolution to Community Development and County Attorney's office. (Attachment 8)
8.11	SP-2016-00015. Springhill/Towneplace Suites (Signs 59 & 60) and SP-2016-00016.	<u>Clerk:</u> Forward copy of signed resolutions to Community

	Springhill/Towneplace Suites Parking Structure (Signs 59 & 60). • ADOPTED, resolution approving the special exception to waive the setback requirements. • ADOPTED, resolution approving the special use permits, subject to the conditions attached thereto.	Development and County Attorney's office. (Attachement 9)	
9.	TJPDC Regional Legislative Program – 2017. • RECIEVED		
10.	Blight Ordinance for 2514 Smithfield Road. • By a vote of 6:0, SET public hearing for January 4, 2017 to consider an ordinance declaring 2514 Smithfield Road as blighted, enabling work to proceed under an approved spot blight abatement plan.	<u>Clerk</u> : Schedule on January agenda and advertise in Daily Progress.	
11.	Memorandum of Understanding between the Economic Development Authority and the County. • By a vote of 6:0, DIRECTED staff to forward the MOU to the EDA for its consideration before it is returned to the Board for approval.	<u>County Attorney</u> : Proceed as directed.	
12.	Community Development Workload and Staffing. • By a vote of 5:1 (Randolph), AUTHORIZED two (2) additional planner positions and funding for temporary assistance with permit processing effective January 1, 2017.		
	Recess. The Board recessed at 3:05 p.m., and reconvened at 3:19 p.m.		
13.	Virginia Telecommunication Planning Initiative Telecommunication Plan. • By a vote of 6:0, ACCEPTED the plan presented by the VATPI Committee and AUTHORIZED staff to look into the establishment of a Broadband Regional Authority as soon as practical.	<u>Mike Culp</u> : Proceed as directed.	
14.	Health and Welfare of the Volunteer Fire and EMS System. • RECEIVED.		
15.	Closed Session. Personnel and Legal Matters. • At 4:43p.m., the Board went into Closed Meeting pursuant to Section 2.2-3711(A) of the Code of Virginia under subsection (1), to consider appointments to boards, committees, and commissions in which there are pending vacancies or requests for reappointments; and 2. To discuss and consider the resignation of the director of economic development. Under subsection (7), 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 court facilities.		
16.	Certified Closed Meeting. • At 6:02p.m., the Board reconvened into open meeting and certified the closed meeting.		
17.	Boards and Commissions: a. Vacancies and Appointments. • REAPPOINTED Mr. Will Jones to the Charlottesville-Albemarle Convention and Visitors Bureau (CACVB) Management Board with said term to expire June 30, 2018 • REAPPOINTED Mr. Martin Silverman to the	<u>Clerk</u> : Prepare appointment/reappointment letters, update Boards and Commissions book, webpage, and notify appropriate persons.	

	Jefferson Area Board for Aging (JABA) with said term to expire October 20, 2018.	
18.	From the Public: Matters Not Listed for Public • <u>Vicki Bravo</u>, resident of the City of Charlottesville spoke on behalf of IMPACT in support of the Region Ten Women's Center.	
18a.	Resolution Directing County Staff to Explore and Pursue Opportunities Related to the Relocation of County Court Facilities or County Administration Office. • By a vote of 4:2 (Dill/Palmer), ADOPTED resolution.	<u>Clerk:</u> Forward copy of signed resolution to County Attorney (Attachment 10)
19.	Pb Hrg.:<u>Buck Island River Trail Park Easement.</u> • By a vote of 6:0, ADOPTED resolution approving the County's acquisition of the 122-acre property and the conveyance of the amended easement to the Nature Conservancy, and AUTHORIZED the County Executive to sign all documents on behalf of the County necessary for this conveyance once they have been approved as to form and substance by the County Attorney.	<u>Clerk:</u> Forward copy of signed resolution to Parks and Rec and County Attorney's office. (Attachment 11)
20.	Pb Hrg.:<u>SP-2016-00007. Chapman Grove Baptist Church.</u> • By a vote of 6:0, ADOPTED Resolution to approve SP201600007 with conditions.	<u>Clerk:</u> Forward copy of signed resolution to Community Development and County Attorney's office. (Attachment 12)
21.	Pb. Hrg.: <u>SP-2016-00001. Kapp Driveway Stream Crossing (Signs 75 & 77).</u> • Motion to adopt resolution to approve SP2016-0001 with conditions as recommended by staff FAILED by a vote of 3:3 (Dill/ Mallek/ Palmer). • Motion to reconsider previous action PASSED by a vote of 6:0. • By a vote of 5:1 (Mallek), APPROVED SP2016-0001 with amended conditions.	<u>Clerk:</u> Forward copy of signed ordinance to Community Development and County Attorney's office. (Attachment 13)
22.	From the Board: Committee Reports and Matters Not Listed on the Agenda. <u>Ann Mallek:</u> • Shared information that she received from the Virginia Department of Forestry regarding the harvesting and burning of hardwood pellets in Albemarle County. <u>Liz Palmer:</u> • Reported on a meeting that she attended with the Health Department and DEQ regarding contaminated underground storage tanks and their remediation and coordination.	
23.	From the County Executive: Report on Matters Not Listed on the Agenda. • Reminded Supervisors that on November 9 staff will be presented the County's balanced Two Year Fiscal Plan.	
24.	Adjourn to November 9, 2016, 3:00 p.m., Lane Auditorium. • The meeting was adjourned at 7:47 p.m.	

ckb/tom

Attachment 1 – Resolution to Approve FY 16 Appropriations

Attachment 2 – Resolution to Approve Additional FY 17 Appropriations

Attachment 3 – Resolution to Approve the FY17 Agreement between the County of Albemarle and the Commonwealth of Virginia Department of Health

Attachment 4 – Resolution to Participate in Virginia Department of Transportation Revenue Sharing Program for Fiscal Year 2018

Attachment 5 – Resolution – Houndstooth

Attachment 6 – Resolution – Foothills Crossing Subdivision

Attachment 7 – Resolution – Country Green Cottage Subdivision

Attachment 8 – Resolution – Stonewater Subdivision

Attachment 9 – Resolution to Approve Special Exception SP 2016-15 Springhill/Towneplace Suites and Resolution – Springhill/Towneplace Suites Parking Structure (Signs 59 & 60)

Attachment 10 – Resolution Directing County Staff to Explore and Pursue Opportunities Related to the Relocation of County Court Facilities or County Administration Offices

Attachment 11 – Resolution Approving the Acceptance of Property to be Used as a Public Park and the Granting of an Amended Conservation Easement of the Nature Conservancy

Attachment 12 – Resolution to Approve SP 2016-00007 Chapman Grove Baptist Church

Attachment 13 – Resolution to Approve SP 2016-01 Kapp Driveway

**RESOLUTION TO APPROVE
ADDITIONAL FY 16 APPROPRIATIONS**

BE IT RESOLVED by the Albemarle County Board of Supervisors:

- 1) That Appropriations #2016094 and #2016095 are approved; and
- 2) That the appropriations referenced in Paragraph #1, above, are subject to the provisions set forth in the Annual Resolution of Appropriations of the County of Albemarle for the Fiscal Year ending June 30, 2016.

**RESOLUTION TO APPROVE
ADDITIONAL FY 17 APPROPRIATIONS**

BE IT RESOLVED by the Albemarle County Board of Supervisors:

- 1) That Appropriations #2017033, #2017040, #2017041, and #2017042 are approved; and
- 2) That the appropriations referenced in Paragraph #1, above, are subject to the provisions set forth in the Annual Resolution of Appropriations of the County of Albemarle for the Fiscal Year ending June 30, 2017.

**RESOLUTION TO APPROVE THE FY17 AGREEMENT
BETWEEN THE COUNTY OF ALBEMARLE AND
THE COMMONWEALTH OF VIRGINIA DEPARTMENT OF HEALTH**

WHEREAS, the Board finds it is in the best interest of the County to enter into an Agreement with the Commonwealth of Virginia Department of Health for the operation of the local Thomas Jefferson Health District Health Department.

NOW, THEREFORE, BE IT RESOLVED that, pursuant to Virginia Code § 32.1-31, the Board of Supervisors of Albemarle County, Virginia hereby approves the FY 17 Agreement between the County of Albemarle and the Commonwealth of Virginia Department of Health and authorizes the County Executive to execute it on behalf of the County in a form approved by the County Attorney.

**RESOLUTION TO PARTICIPATE IN
VIRGINIA DEPARTMENT OF TRANSPORTATION
REVENUE SHARING PROGRAM FOR FISCAL YEAR 2018**

WHEREAS, the County of Albemarle desires to submit four (4) applications for allocations of funds totaling up to \$1,195,000 through the Virginia Department of Transportation Fiscal Year 2018 Revenue Sharing Program; and

WHEREAS, the County is willing to commit \$1,195,000 in local funds in order to compete for a Revenue Sharing Program award; and

WHEREAS, these funds are requested to implement the following four (4) projects:

- Preliminary Engineering for the Lewis & Clark Drive Extension from the existing stub out of Lewis & Clark Drive to the existing stub out of Innovation Drive;
- Preliminary Engineering for the Meeting Street Extension from the existing stub out of Meeting Street to Airport Road;
- Preliminary Engineering for the bicycle and pedestrian facilities along Avon Street Extended from the Fifth Street Station Parkway to the existing/currently programmed facilities near Mill Creek Drive; and
- Preliminary Engineering and Construction funding for a pedestrian crosswalk at State Farm Boulevard across US 250 East.

NOW, THEREFORE, BE IT RESOLVED that the Albemarle County Board of Supervisors hereby commits to provide up to \$1,195,000 of local funds in its application for up to \$1,195,000 of revenue sharing funds from the FY 2018 Virginia Department of Transportation Revenue Sharing Program and requests that the Virginia Department of Transportation approve the County's application.

The Board of County Supervisors of Albemarle County, Virginia, in regular meeting on the 2nd day of November, 2016, adopted the following resolution:

R E S O L U T I O N

WHEREAS, the street(s) in **Houndstooth Subdivision**, as described on the attached Additions Form AM-4.3 dated **November 2, 2016**, 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 **Houndstooth Subdivision**, as described on the attached Additions Form AM-4.3 dated **November 2, 2016**, 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

Project/Subdivision Houndstooth Subdivision

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

Street Name and/or Route Number

- **Houndstooth Ct, State Route Number 843**

Old Route Number: 0

-
- From: Rt 601, Free Union Road

To: .144 miles East to Culdesac/ESM, a distance of: 0.14 miles.

Recordation Reference: DB 4578, PG 411-416

Right of Way width (feet) = 0

The Board of County Supervisors of Albemarle County, Virginia, in regular meeting on the 2nd day of November, 2016, adopted the following resolution:

R E S O L U T I O N

WHEREAS, the street(s) in **Foothills Crossing Subdivision**, as described on the attached Additions Form AM-4.3 dated **November 2, 2016**, 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 **Foothills Crossing Subdivision**, as described on the attached Additions Form AM-4.3 dated **November 2, 2016**, 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

Project/Subdivision Foothills Crossing

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

Street Name and/or Route Number

- **Park Ridge Drive, State Route Number 1250**

Old Route Number: 0

-
- From: Rt 1715, Cardinal Crest Ct

To: .27 miles West to ESM, a distance of: 0.27 miles.

Recordation Reference: DB 4319, PG 403-410

Right of Way width (feet) = 0

Street Name and/or Route Number

- **Park Ridge Drive, State Route Number 1250**

Old Route Number: 0

-
- From: Extend From Rt 1328, Raven Stone Rd

To: .11 miles West to Rt 1715, Cardinal Crest Ct, a distance of: 0.11 miles.

Recordation Reference: DB 3794, PG 4-14

Right of Way width (feet) = 0

Street Name and/or Route Number

- **Cardinal Crest Drive, State Route Number 1715**

Old Route Number: 0

-
- From: Rt 1250 Park Ridge De

To: .04 miles South to end of CDS, a distance of: 0.04 miles.

Recordation Reference: DB 3854, PG 716-724

Right of Way width (feet) = 0

Old Route Number: 0

-
- From: Rte 878, Cottage Green Lane

To: .06 miles West To ESM, a distance of: 0.06 miles.

Recordation Reference: DB 3539, PG 381-388

Right of Way width (feet) = 0

Street Name and/or Route Number

- **Cottage Green Way, State Route Number 879**

Old Route Number: 0

-
- From: Rte 878, Cottage Green Lane

To: .02 miles East To ESM, a distance of: 0.02 miles.

Recordation Reference: DB 3539, PG 381-388

Right of Way width (feet) = 0

The Board of County Supervisors of Albemarle County, Virginia, in regular meeting on the 2nd day of November, 2016, adopted the following resolution:

R E S O L U T I O N

WHEREAS, the street(s) in **Stonewater Subdivision**, as described on the attached Additions Form AM-4.3 dated **November 2, 2016**, 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 **Stonewater Subdivision**, as described on the attached Additions Form AM-4.3 dated **November 2, 2016**, 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

Project/Subdivision Stonewater Subdivision

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

Street Name and/or Route Number

- **Penfield Lane, State Route Number 1289**

Old Route Number: 0

-
- From: Rte 1290

To: .07 miles W to end CDS, a distance of: 0.14 miles.

Recordation Reference: DB 4364, PG 45-41

Right of Way width (feet) = 0

Street Name and/or Route Number

- **Penfield Lane, State Route Number 1289**

Old Route Number: 0

- From: Rte 631, Rio Road

To: .13 miles West to Rte 1290, a distance of: 0.26 miles.

Recordation Reference: DB 4364, PG 25-41

Right of Way width (feet) = 0

Street Name and/or Route Number

- **Penfield Place, State Route Number 1290**

Old Route Number: 0

- From: Rte 1289

To: .02 miles N to end of CDS, a distance of: 0.04 miles.

Recordation Reference: DB 4364, PG 25-41

Right of Way width (feet) = 0

**RESOLUTION TO APPROVE SPECIAL EXCEPTION
SP 2016-15 SPRINGHILL/TOWNEPLACE SUITES**

WHEREAS, SSQ LLC (the "Owner") is the record owner of Tax Map Parcel Number 061Z0-03-00-00200 and the buildings located thereon (collectively, the "Property"); and

WHEREAS, the Owner filed a request for a special exception in conjunction with SP 2016-00015, Springhill/Towneplace Suites, to waive the 15 foot stepback requirement for floors above 40 feet or the third story, whichever is less, under County Code § 18-4.20(a).

NOW, THEREFORE, BE IT RESOLVED that, upon consideration of the foregoing, the executive summary prepared in conjunction with the application and its supporting analysis, and all of the factors relevant to the special exception in Albemarle County Code §§ 18-4.20(a)(4) and 18-33.9, the Albemarle County Board of Supervisors hereby approves the special exception to waive the 15 foot stepback requirement of County Code § 18-4.20(a) for the construction of the proposed hotel.

**RESOLUTION TO APPROVE
SP 2016-15 SPRINGHILL/TOWNEPLACE SUITES AND
SP 2016-16 SPRINGHILL/TOWNEPLACE SUITES PARKING STRUCTURE**

WHEREAS, SSQ LLC (the "Owner") is the record owner of Tax Map and Parcel Number 061Z0-03-00-00200 and the buildings located thereon (collectively, the "Property"); and

WHEREAS, the Owner submitted applications for Special Use Permits to permit the construction of a hotel and a parking structure, and the applications are identified, respectively, as Special Use Permit 2016-00015 Springhill/Towneplace Suites ("SP 2016-15") and Special Use Permit 2016-00016 Springhill/Towneplace Suites Parking Structure ("SP 2016-16"); and

WHEREAS, on August 23, 2016, after duly noticed public hearings, the Albemarle County Planning Commission recommended approval of SP 2016-15 and SP 2016-16 with conditions; and

WHEREAS, on October 12, 2016, the Albemarle County Board of Supervisors held duly noticed public hearings on SP 2016-15 and SP 2016-16 and considered three proposed conditions, and deferred action to November 2, 2016; and

WHEREAS, on November 2, 2016, the Board considered the matter for action.

NOW, THEREFORE, BE IT RESOLVED that, upon consideration of the foregoing, the staff report prepared for SP 2016-15 and SP 2016-16 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 §§ 18-22.2.2(7), 18-22.2.2(9), and 18-33.8, the Albemarle County Board of Supervisors hereby approves SP 2016-15 and SP 2016-16, subject to the conditions attached hereto.

* * * * *

**SP 2016-15 Springhill/Towneplace Suites
and SP 2016-16 Springhill/Towneplace Suites Parking Structure
Special Use Permit Conditions**

1. Development and use of the site shall be in general accord with the concept plan entitled "Concept Plan for Springhill/Towneplace Suites" prepared by Dominion Engineering, dated 08/18/2016, last revised on 09/29/2016, as determined by the Director of Planning and the Zoning Administrator. To be in general accord with this plan, development and use of the site shall reflect the general size, arrangement and location of the proposed hotel, associated parking areas (including the parking structure) and interparcel connection. Minor modifications, as approved by the Zoning Administrator, to the plan which do not conflict with the elements above may be made to ensure compliance with the Zoning Ordinance.
2. No parking shall be permitted between the U.S. Route 29 right-of-way and the primary structure located on the Future Development Parcel, as identified on the Concept Plan.
3. The landscape plan shall be subject to approval by the Architectural Review Board.
4. All stormwater treatment shall comply with the County's water protection ordinance.
5. Prior to final site plan approval, the owner of Tax Map Parcel 061Z0-03-00-00200 shall either show on the final site plan the improvements on Attachment C or equivalent improvements as determined by the Director of Planning and the Zoning Administrator, or construct the improvements shown on Attachment D of the Memorandum to the Board of Supervisors dated October 24, 2016, as determined by the Director of Planning and the Zoning Administrator.

Further, if the owner or another party constructs the improvements shown in Attachment D prior to final site plan approval, then the "Future Interparcel Access Easement" shown on the Concept Plan shall be extended across the width of the subject parcel from Tax Map Parcel 061W0-02-0C-00100 to Tax Map Parcel 061Z0-03-00-011C0 on the final site plan to provide future opportunities for interconnection.

**RESOLUTION DIRECTING COUNTY STAFF TO EXPLORE AND PURSUE OPPORTUNITIES RELATED
TO THE RELOCATION OF
COUNTY COURT FACILITIES OR COUNTY ADMINISTRATION OFFICES**

WHEREAS, the Court facilities expansion project represents a major investment of County taxpayer funds reflecting the County's largest capital project outlay for at least the last 40 years and into the foreseeable future; and

WHEREAS, the Board of Supervisors respects the fundamental role the Court system plays in our community and believes that fair and equal administration of justice can be achieved in expansion options that move the Court facilities to either the County Office Building on McIntire Road or to a site in the urban area of the County; and

WHEREAS, significant savings in project costs and debt service are achievable in options that move the Court facilities or the County administration offices, or both, into the County as compared to keeping all of those facilities and offices at their current downtown Charlottesville locations, and these savings create the opportunity for economic development investment; and

WHEREAS, the County has identified urban development and revitalization as its highest strategic priorities in the recently endorsed FY 17 – 19 Strategic Plan and the Board acknowledges that expanding the County's commercial and industrial tax base is essential to relieve the County's dependence on residential real estate taxes and promote the County's long term fiscal health; and

WHEREAS, the Board considers its role as careful and thoughtful steward of public funds as among its highest responsibilities to the County's residents; and

WHEREAS, courthouses and their immediate surroundings have served as community centers and commercial hubs in Virginia localities for centuries; and

WHEREAS, the Court facilities expansion project provides an opportunity for the County to consider relocating the Court facilities or the County administration offices, or both, into the County, and new enhanced Court facilities will further improve the administration of justice and best serve the needs of all County residents; and

WHEREAS, the relocated Court facilities or County administration offices, or both, will facilitate establishing a new community center and commercial hub that fully benefits the residents of the County in the most cost efficient manner.

NOW, THEREFORE, IT IS RESOLVED that the Board of Supervisors directs County staff to fully explore and pursue partnership possibilities that deliver the most cost efficient economic benefit to County residents while preserving accessible Court facilities by relocating either Court facilities or County administration offices to an urban area in the County; and

IT IS FURTHER RESOLVED that these possibilities should be explored and vetted by County staff prior to the County engaging in additional negotiations with the City about the Court facilities remaining in their downtown Charlottesville location so that the Board has fully developed options to make an informed decision about the future direction of the Court facilities expansion project.

**RESOLUTION APPROVING THE ACCEPTANCE
OF PROPERTY TO BE USED AS A PUBLIC PARK AND
THE GRANTING OF AN AMENDED CONSERVATION EASEMENT
TO THE NATURE CONSERVANCY**

WHEREAS, Prana Land LLC owns certain parcels identified as Tax Map Parcels 10500-00-00-02300, 10500-00-00-023A0, 10500-00-00-023B0, 10500-00-00-023C0, 10500-00-00-023D0, 10500-00-00-04500, and 10500-00-00-04800; and

WHEREAS, Prana Land LLC, Hummingbird Holdings, LLC, and Wilson W. Cropp, II previously granted to The Nature Conservancy a conservation easement on those certain parcels, and Prana Land LLC now desires to donate a designated portion of its parcels to the County for the purpose of creating a County park for the benefit of the public; and

WHEREAS, the County and The Nature Conservancy have agreed to amend the conservation easement to facilitate the location of certain park and recreational facilities.

NOW, THEREFORE, BE IT RESOLVED that the Albemarle County Board of Supervisors hereby approves the County's acquisition of the designated portion of the above referenced property, consisting of approximately 122 acres, for use as a County park, and the conveyance of an amended conservation easement to The Nature Conservancy to facilitate the location of certain park and recreational facilities, and authorizes the County Executive to sign all documents necessary to for this conveyance once they have been approved as to substance and form by the County Attorney.

**RESOLUTION TO APPROVE
SP 2016-00007 CHAPMAN GROVE BAPTIST CHURCH**

WHEREAS, Chapman Grove Baptist Church (the "Owner"), is the record owner of Tax Map Parcels 06200-00-00-06700 and 06200-00-00-06800 (the "Property"); and

WHEREAS, the Owner filed an application for a special use permit to expand the existing church building by adding 1,614 square feet and to expand the associated parking on the south side of the church by adding nine spaces, and the application is identified as Special Use Permit 2016-00007 Chapman Grove Baptist Church ("SP 2016-07"); and

WHEREAS, the proposed use is allowed on the Property by special use permit under Albemarle County Code § 18-10.2.2.35; and

WHEREAS, on August 9, 2016, after a duly noticed public hearing, the Albemarle County Planning Commission recommended approval of SP 2016-07 with staff-recommended conditions; and

WHEREAS, on November 2, 2016, the Albemarle County Board of Supervisors held a duly noticed public hearing on SP 2016-07.

NOW, THEREFORE, BE IT RESOLVED that, upon consideration of the foregoing, the Transmittal Report prepared for SP 2016-07 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 §§ 18-10.2.2.35 and 18-33.8, the Albemarle County Board of Supervisors hereby approves SP 2016-07, subject to the conditions attached hereto.

* * * * *

SP-2016-00007 Chapman Grove Baptist Church Conditions

1. Development and use of the site shall be in general accord with the concept plan "Church Addition in Two Phases Amending SDP2000-129" last revised on 6/20/2016, as determined by the Director of Planning and the Zoning Administrator. To be in general accord with this plan, development and use of the site shall reflect the general size, arrangement and location of the existing church facility and proposed additions, which additions shall not exceed 1,900 square feet. Minor modifications to the plan which do not conflict with the elements above may be made to ensure compliance with the Zoning Ordinance.
2. Day care and private school uses shall be prohibited unless approved through an amendment to this permit.
3. The area of assembly shall be limited to a maximum 127-seat sanctuary.
4. No building permit shall be approved without approval from the Virginia Department of Health.

**RESOLUTION TO APPROVE
SP 2016-01 KAPP DRIVEWAY**

WHEREAS, Constance Kapp is the record owner (the "Owner") of Tax Map Parcels 09800-00-00-004C0 ("TMP 98-4C") and 09800-00-00-01400 ("TMP 98-14"); and

WHEREAS, the Owner filed an application for a special use permit to permit floodplain fill and the construction of culverts for two floodplain crossings of the South Branch of the North Fork Hardware River on TMP 98-4C in order to provide access to three existing dwellings on TMP 98-14 and to a currently undeveloped portion of TMP 98-4C, and the application is identified as Special Use Permit 2016-00001 Kapp Driveway (SP 2016-01"); and

WHEREAS, on August 23, 2016, after a duly noticed public hearing, the Albemarle County Planning Commission recommended denial of SP 2016-01 based on a failed motion to approve; and

WHEREAS, on November 2, 2016, the Albemarle County Board of Supervisors held a duly noticed public hearing on SP 2016-01.

NOW, THEREFORE, BE IT RESOLVED that, upon consideration of the foregoing, the staff report prepared for SP 2016-01 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 2016-01, subject to the conditions attached hereto.

* * * * *

SP-2016-00001 Kapp Driveway Conditions

1. The stream crossing locations shall be in general accord with the locations shown on sheet 3 of 4 of the plan titled "Kapp Driveway SP," prepared by Shimp Engineering P.C., and dated 5/25/16.
2. The travelway on each stream crossing shall be at least ten feet in width but shall not exceed twelve feet in width.
3. No more than one dwelling shall be located on the portion of TMP 98-4C south of the North Fork of the Hardware River.
4. Prior to construction of either stream crossing, the applicant shall provide signed and sealed documentation from a licensed engineer establishing that each stream crossing is designed to support a minimum weight of 64,000 pounds for fire-apparatus access.
5. The applicant shall obtain a Program Authority approval for an erosion and sediment control plan, and obtain a land disturbance permit according to the Water Protection Ordinance requirements, prior to the start of construction of either stream crossing, regardless of whether the project exceeds the minimum disturbance limits.
6. The applicant shall obtain a Program Authority approval of a mitigation plan prior to the start of construction of either stream crossing, and provide mitigation according to Water Protection Ordinance requirements.
7. Prior to permitting of a land disturbance in the floodplain, the applicant shall obtain from the Federal Emergency Management Agency (FEMA) a conditional letter of map revision (CLOMR, or CLOMA), and prior to use of the permitted stream crossings the applicant shall obtain from FEMA a letter of map revision (LOMR or LOMA). In addition, the applicant shall copy the County Engineer on all correspondence with FEMA.
8. The applicant shall obtain all necessary federal and state agency approvals prior to the start of construction of either stream crossing (including but not limited to the Army Corps of Engineers and the Department of Environmental Quality).