

<p style="text-align: center;">ACTIONS Board of Supervisors Meeting of February 15, 2023</p>		
		February 16, 2023
<u>AGENDA ITEM/ACTION</u>	<u>ASSIGNMENT</u>	<u>VIDEO</u>
<p>1. Call to Order.</p> <ul style="list-style-type: none"> Meeting was called to order at 1:01 p.m., by the Chair, Ms. Price. All BOS members were present. Also present were Jeff Richardson, Steve Rosenburg, and Claudette Borgersen. 		<p>Link to Video</p> <p>Link to Zoom Video</p>
<p>4. Adoption of Final Agenda.</p> <ul style="list-style-type: none"> The December 20, 2020, March 10 and March 22 minutes were pulled from the consent agenda. Item #8.3, Albemarle County Emergency Operations Plan, was removed from the consent agenda. Item # 8.4, Resolution Authorizing Staff to Accept Deeds of Easement for Drainage Infrastructure, was pulled from the consent agenda for discussion. Mentioned that item # 8.13, FES Quarterly Report, was pulled from the consent agenda for discussion. Item #21, From the Board: Committee Reports and Matters Not Listed on the Agenda, was moved to after item #13, the United Way of Greater Charlottesville report. By a vote of 6:0, ADOPTED final agenda. 		
<p>5. Brief Announcements by Board Members.</p> <p><u>Ann Mallek:</u></p> <ul style="list-style-type: none"> Commented on the passings of Lindsay Dorrier and Willy Raines, an Albemarle County American History teacher. Announced that on February 25, the Sugar Hollow Bridges 5K Run would be occurring to raise funds for the White Hall Community Building. <p><u>Ned Gallaway:</u></p> <ul style="list-style-type: none"> Remarked that he had shared flyers with the Supervisors regarding the 3rd Annual Piedmont Mobility Summit on Friday, February 24 from 10 a.m. to 3 p.m. at City Space Stated that the Regional Housing Partnership was having its annual conference called Coming Back Home, which was happening on March 24. <p><u>Diantha McKeel:</u></p> <ul style="list-style-type: none"> Commented on the passings of Willy Raines. Shared that she had attended Lindsay Dorrier's funeral in Scottsville the previous Saturday and that the Mayor of Scottsville and Creigh Deeds both spoke. Reflected that as of yesterday, there had been 67 mass shootings in 2023, which 		

<p>was more mass shootings in the year than there had been days of the year.</p> <p><u>Donna Price:</u></p> <ul style="list-style-type: none"> • Commented on the passings of Lindsay Dorrier. • Commented on her recent trip to Atlanta where she learned that approximately 35% of all detached single-family homes were owned by commercial investors. She expressed that she hoped the General Assembly could give localities the tools to control short-term rentals. 		
<p>7. From the Public: Matters Not Listed for Public Hearing on the Agenda or on Matters Previously Considered by the Board or Matters that are Pending Before the Board.</p> <p>The following individuals spoke towards item #11, SE202200068 Kindrick Clean Earth Fill Area:</p> <ul style="list-style-type: none"> • Brian McKay • Paul Haney • Tim Kindrick • David Plunkett, Director of the James Madison Regional Library, announced that JMRL was named the Virginia Library Association's 2022 Library of the Year and thanked the Board of Supervisors and County staff for all of their support of library services in the area. He commented on the upcoming Festival of the Book and "Same Page." 		
<p>8.2 FY 22 Annual Comprehensive Financial Report and Audit Results.</p> <ul style="list-style-type: none"> • ACCEPTED the FY 22 Annual Comprehensive Financial Report. 		
<p>8.3 Albemarle County Emergency Operations Plan.</p> <ul style="list-style-type: none"> • REMOVED from the consent agenda. 	<p><u>Clerk:</u> Schedule when ready.</p>	
<p>8.4 Resolution Authorizing Staff to Accept Deeds of Easement for Drainage Infrastructure.</p> <ul style="list-style-type: none"> • ADOPTED resolution, as amended, authorizing the County Executive to accept deeds of easement for the assessment, maintenance, repair, replacement, and improvement of drainage infrastructure, provided that such deeds are approved as to form and content by the County Attorney. 	<p><u>Clerk:</u> Forward copy of signed resolution to Facilities and Environmental Services and County Attorney's office. (Attachment 1)</p> <p><u>County Attorney:</u> Provide Clerk with copy of recorded deeds.</p>	
<p>8.5 Library Avenue Project - VDOT Agreement Revision.</p> <ul style="list-style-type: none"> • ADOPTED resolution re-affirming the County's commitment to fund its share of the approved project under agreement with the Virginia Department of Transportation and authorizing the County Executive or his designee to execute any such 	<p><u>Clerk:</u> Forward copy of signed resolution to Facilities and Environmental Services and County Attorney's office. (Attachment 2)</p> <p><u>County Attorney:</u> Provide Clerk with copy of executed agreements.</p>	

	agreements and/or addendums once approved by the County Attorney.	
8.6	Resolution Affirming and Accepting County Ownership of Oak Street in Crozet. <ul style="list-style-type: none"> • ADOPTED resolution Affirming and Accepting County Ownership of Oak Street, Crozet. 	<u>Clerk:</u> Forward copy of signed resolution to Facilities and Environmental Services and County Attorney's office. (Attachment 3)
8.7	SE202200067 Woodbrook Station Special Exception. <ul style="list-style-type: none"> • ADOPTED Resolution to approve the proposed special exception to allow the Rio29 Form-Based Code regulations to apply to the newly-adjusted Parcel 04500-00-00-094A2, and not its remaining 0.310 acres. 	<u>Clerk:</u> Forward copy of signed resolution to Community Development and County Attorney's office. (Attachment 4)
9.	SE202200062 Edgefield LLC Homestay. (<i>White Hall Magisterial District</i>) <ul style="list-style-type: none"> • By a vote of 6:0, ADOPTED Resolution to approve the special exceptions, as amended. 	<u>Clerk:</u> Forward copy of signed resolution to Community Development and County Attorney's office. (Attachment 5)
10.	Rivanna Solid Waste Authority (RWSA) Ivy Materials Utilization Center FY 24 Tipping Fees and Charges. <ul style="list-style-type: none"> • By a vote of 6:0, ADOPTED Resolution to request the proposed adjustments of tipping fees and other charges. 	<u>Clerk:</u> Forward copy of signed resolution to Facilities and Environmental Services and County Attorney's office. (Attachment 6)
11.	SE202200068 Kindrick Clean Earth Fill Area. <ul style="list-style-type: none"> • By a vote of 6:0, ADOPTED Resolution to approve special exceptions. 	<u>Clerk:</u> Forward copy of signed resolution to Community Development and County Attorney's office. (Attachment 7)
	Recess. At 3:35 p.m., the Board recessed and reconvened at 3:47 p.m.	
12.	Presentation: Albemarle Charlottesville Regional Jail (ACRJ) Renovation Project Financing Strategy. <ul style="list-style-type: none"> • RECEIVED. 	
13.	Presentation: United Way of Greater Charlottesville. <ul style="list-style-type: none"> • RECEIVED. 	
21.	From the Board: Committee Reports and Matters Not Listed on the Agenda. <u>Jim Andrews:</u> <ul style="list-style-type: none"> • Remarked that he attended the Solid Waste Alternatives Advisory Committee (SWAAC) meeting and received a presentation on PET (Polyethylene terephthalate) recycling and learned about a grant application for the bailing facility. <u>Ann Mallek:</u> <ul style="list-style-type: none"> • Attended the NACo conference and reported on outcomes of the conference. • Mentioned that Operation Greenlight had been happening for several years in the November timeframe. She said that households would put green lights in their windows to show awareness of the Veterans Service Administration and support for veterans and active-duty 	

<p>military.</p> <p><u>Ned Gallaway:</u></p> <ul style="list-style-type: none"> • Commented that he Provided a Regional Housing Partnership presentation to the Nelson County Board of Supervisors. • Mentioned that he hosted a joint townhall on traffic with Ms. McKeel. <p><u>Diantha McKeel:</u></p> <ul style="list-style-type: none"> • Commented that Delegate Hudson had sent the Board a survey regarding Smart Scale and that the Secretary of Transportation and Chairman of the CTB requested the General Assembly to review the SMART Scale process. • Noted that the County would be interviewing for the new positions for the mental health response team. She requested an update on the hiring process. • Requested an update on the invasive plant list. • Requested an update on the review of the home occupation list. <p><u>Bea LaPisto Kirtley:</u></p> <ul style="list-style-type: none"> • Remarked that the last invasive plants study was done in 2013 and that they had a current list, but it had not been approved. She suggested a draft of the list be included on the website so developers could use the updated plants. • Reported that at the 29 North Community Advisory Committee meeting the AC44 survey questions were reviewed. 	<p><u>Staff:</u> Provide the update as requested.</p> <p><u>Staff:</u> Provide the update as requested.</p> <p><u>Staff:</u> Provide the update as requested.</p>	
<p>14. Closed Meeting.</p> <ul style="list-style-type: none"> • At 4:56 p.m., the Board went into closed meeting pursuant to section 2.2-3711(A) of the Code of Virginia under subsection (8) to consult with legal counsel regarding specific legal matters requiring legal advice related to the public animal shelter operated for the County and the City of Charlottesville by the Charlottesville-Albemarle Society for the Prevention of Cruelty to Animals (CASPCA) and the agreement among the County, City and the CASPCA. 		
<p>15. Certify Closed Meeting.</p> <ul style="list-style-type: none"> • At 6:00 p.m., the Board reconvened into open meeting and certified the closed meeting. 		
<p>16. From the County Executive: Report on Matters Not Listed on the Agenda.</p> <p><u>Jeff Richardson:</u></p> <ul style="list-style-type: none"> • Presented the County Executive's Monthly report. 		
<p>17. 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.</p>		

<ul style="list-style-type: none"> • <u>Sally Duncan</u>, Rio District and on behalf of Livable Cville, spoke towards homelessness in the Charlottesville and Albemarle area. • <u>Heather Rowland</u>, Samuel Miller District, spoke towards the conditions and the investigations of the Charlottesville Albemarle SPCA. • <u>Teresa Hepler</u>, Samuel Miller District and an attorney with the Legal Aid Justice Center, requested the Board pause the Albemarle -Charlottesville Regional Jail renovation plans. 		
18. <u>Pb. Hrg.: SP202200017 Maple Grove Daycare Center.</u> <ul style="list-style-type: none"> • By a vote of 6:0, ADOPTED resolution to approve SP202200017 Maple Grove Day Care Center with conditions. 	<u>Clerk:</u> Forward copy of signed resolution to Community Development and County Attorney's office. (Attachment 8)	
19. <u>Pb. Hrg.: SP202200025 Ivy Proper Vet including special exception request SE202200051.</u> <ul style="list-style-type: none"> • By a vote of 6:0, ADOPTED resolution approving SP202200025. • By a vote of 6:0, ADOPTED resolution approving SE202200051. 	<u>Clerk:</u> Forward copy of signed resolutions to Community Development and County Attorney's office. (Attachments 9-10)	
20. <u>Pb. Hrg.: SP202200024 Ivy Proper Water Consumption and SP202200031 Catering.</u> <ul style="list-style-type: none"> • By a vote of 6:0, ADOPTED resolution approving SP202200024. • By a vote of 6:0, ADOPTED resolution approving SP202200031. 	<u>Clerk:</u> Forward copy of signed resolutions to Community Development and County Attorney's office. (Attachments 11-12)	
22. Adjourn to February 22, 2023, 12:00 p.m., Room 241. <ul style="list-style-type: none"> • The meeting was adjourned at 7:02 p.m. 		

ckb/tom

- Attachment 1 – Resolution to Authorize County Executive to Accept Deeds of Easement for Drainage Infrastructure and Stormwater Management
- Attachment 2 – Resolution Affirming Commitment to Fund the Locality Share of Projects Under Agreement with The Virginia Department of Transportation and Provide Signature Authority
- Attachment 3 – Resolution Affirming and Accepting County Ownership of Oak Street, Crozet
- Attachment 4 – Resolution to Approve SE202200067 Woodbrook Station
- Attachment 5 – Resolution to Approve SE2022-00062 Edgefield LLC Homestay
- Attachment 6 – Resolution to Request that the Rivanna Solid Waste Authority Change Its Tipping Fees and Other Charges for the Ivy Material Utilization Center
- Attachment 7 – Resolution to Approve SE2022-00068 – Kindrick Farm – Clean Earth Fill
- Attachment 8 – Resolution to Approve SP202200017 Maple Grove Day Care Center
- Attachment 9 – Resolution to Approve SP 202200025 Ivy Proper Veterinary Office
- Attachment 10 – Resolution to Approve SE202200051 Ivy Proper Veterinary Office
- Attachment 11 – Resolution to Approve SP 202200024 Ivy Proper Water Consumption
- Attachment 12 – Resolution to Approve SP 202200031 Ivy Proper Catering

**RESOLUTION TO AUTHORIZE COUNTY EXECUTIVE
TO ACCEPT DEEDS OF EASEMENT FOR DRAINAGE
INFRASTRUCTURE AND STORMWATER
MANAGEMENT**

WHEREAS, on January 18, 2023, the Board of Supervisors received a comprehensive update of the drainage infrastructure program and its implementation plan;

WHEREAS, the County of Albemarle requires deeds of easement for the installation and maintenance of new drainage and stormwater facilities in site plans, subdivisions, and drainage improvement projects;

WHEREAS, such deeds set forth the rights and responsibilities of the landowners and the County, including the County's rights to maintain the improvements within drainage easements;

WHEREAS, on May 3, 2006, the Board adopted a Resolution authorizing the County Executive to accept such deeds on behalf of the County;

WHEREAS, deeds of easement for the installation and maintenance of such facilities may also be necessary or desirable in other locations in connection with the implementation of the aforementioned drainage infrastructure program;

WHEREAS, the County wishes to clarify the authority of the County Executive to accept such deeds of easement; and

WHEREAS, the efficiency of government is improved by delegating the authority to the County Executive to accept such deeds of easement on behalf of the County;

NOW, THEREFORE, BE IT RESOLVED that the Albemarle County Board of Supervisors authorizes the County Executive to accept deeds of easement concerning the maintenance, repair, improvement, or replacement of existing and new drainage and/or stormwater management facilities, in any location (including platted easements not yet accepted by the County); provided that such deeds of easement are approved as to form and substance by the County Attorney; and

BE IT FURTHER RESOLVED that this Resolution expressly supersedes this Board's prior Resolution of May 3, 2006; provided, any such deed of easement previously accepted by the County Executive pursuant to the authority granted under the prior resolution will remain in full force and effect.

RESOLUTION
AFFIRMING COMMITMENT TO FUND THE LOCALITY SHARE OF PROJECTS
UNDER AGREEMENT WITH THE VIRGINIA DEPARTMENT OF TRANSPORTATION AND
PROVIDE SIGNATURE AUTHORITY

WHEREAS, the County of Albemarle is a recipient of Virginia Department of Transportation ("VDOT") funds under various grant programs for transportation-related projects; and

WHEREAS, the VDOT requires each locality, by resolution, to provide assurance of its commitment to funding its local share;

NOW, THEREFORE, BE IT RESOLVED that the Board of Supervisors of the County of Albemarle hereby commits to fund its local share of preliminary engineering, right-of-way, and construction (as applicable) of the project(s) under agreement with the VDOT in accordance with the project financial document(s); and

BE IT FURTHER RESOLVED that the Board of Supervisors authorizes the County Executive, or his designee to execute all such agreements and/or addendums for any approved projects with the VDOT on behalf of the County provided that such agreements and/or addendums are approved as to form and substance by the County Attorney.

**RESOLUTION AFFIRMING AND ACCEPTING
COUNTY OWNERSHIP OF OAK STREET, CROZET**

WHEREAS, several rights-of-way in Crozet were reserved by plat recorded on January 6, 1947, in Albemarle County Deed Book 272, page 113; and

WHEREAS, in 1963, at the request of this Board, the Virginia Department of Transportation (VDOT) accepted for maintenance certain portions of High Street and Ellison Street, both as shown on said plat, as State Route 1210; and

WHEREAS, the County now wishes to undertake certain additional improvements to Oak Street, also as shown on said plat; and

WHEREAS, the County wishes to facilitate VDOT's acceptance of Oak Street for maintenance, once improved.

NOW, THEREFORE, BE IT RESOLVED that consistent with the Virginia Land Subdivision Law (Acts 1946, chapter 369), the Albemarle County Board of Supervisors hereby affirms and accepts the County's ownership of that certain right-of-way shown as Oak Street on that certain plat recorded on January 6, 1947, in Albemarle County Deed Book 272, page 113; and

BE IT FURTHER RESOLVED that upon completion to State standards and specifications, the Virginia Department of Transportation is hereby recommended to accept into the Secondary System of Highways that certain right-of-way shown as Oak Street on that certain plat recorded on January 6, 1947, in Albemarle County Deed Book 272, page 113.

**RESOLUTION TO APPROVE
SE202200067 WOODBROOK STATION**

BE IT RESOLVED that, upon consideration of the staff reports prepared in conjunction with the special exception request and the attachments thereto, including staff's supporting analysis, all of the comments received, and all of the factors relevant to the special exception in Albemarle County Code §§ 18-20C.2(D) and 18-33.9, the Albemarle County Board of Supervisors hereby finds that the proposed special exception would:

- a. further the purpose and intent of the provisions of the Rio29 Form-Based Code as described in
- b. Albemarle County Code § 18-20C.1 (Purpose and intent);
- c. be consistent with the Regulating Plan; and
- d. be consistent with the Comprehensive Plan.

WHEREUPON, the Albemarle County Board of Supervisors hereby approves SE202200067 Woodbrook Station and grants relief from the provisions of Albemarle County Code § 18-20C.2(B)(3) to allow the Rio29 Form-Based Code regulations to apply to that portion of Parcel 04500-00-00-094A2 shown as adjusted "TMP 45-94A2" on that certain plat of Timmons Group, titled "Plat Showing Boundary Line Adjustment on the Lands of Parkside I, LLC," dated October 24, 2022, and last revised January 11, 2023.

**RESOLUTION TO APPROVE
SE2022-00062 EDGEFIELD LLC HOMESTAY**

WHEREAS, upon consideration of the Memorandum prepared in conjunction with the SE2022-00062 Edgefield LLC Homestay application and the attachments thereto, including staff's supporting analysis, any comments received, and all of the factors relevant to the special exceptions in Albemarle County Code §§ 18-5.1.48 and 18-33.9, the Albemarle County Board of Supervisors hereby finds that a modified regulation would satisfy the purposes of the Zoning Ordinance to at least an equivalent degree as the specified requirement, and that the requested special exceptions:

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

NOW, THEREFORE, BE IT RESOLVED, that in association with the Edgefield LLC Homestay, the Albemarle County Board of Supervisors hereby approves the special exceptions to 1) permit a resident manager to fulfill the residency requirements for a homestay use, and 2) permit a homestay use within up to two new accessory structures, with a total combined enclosed living area of no more than 2,500 square feet

**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 December 2, 2022, the RSWA Executed Director has proposed changes to five 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 five 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 December 2, 2022.

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
SE2022-00068 - KINDRICK FARM – CLEAN EARTH FILL
(4394 CARRIAGE HILL DRIVE)**

WHEREAS, upon consideration of the staff reports prepared for SE2022-00068 Kindrick Farm – Clean Earth Fill and the attachments thereto, including staff's supporting analysis, any comments received, and all of the factors relevant to the special exceptions in Albemarle County Code § 18-5.1.28 and § 18-33.9, the Albemarle County Board of Supervisors hereby finds that modified regulations would satisfy the purposes of the Zoning Ordinance to at least an equivalent degree as the applicable requirements, and that:

- (1) the proposed fill activity would further agricultural use of the property;
- (2) the special exceptions would allow for a more natural appearance of the site after the fill activity has occurred;
- (3) the special exceptions are supported by an abutting owner impacted by them; and
- (4) approval of the special exceptions is consistent with an approved and valid initial or preliminary site plan or other land use decision of the County.

NOW, THEREFORE, BE IT RESOLVED that the Albemarle County Board of Supervisors hereby approves special exceptions SE2022-00068 – Kindrick Farm – Clean Earth Fill to modify the requirements of Albemarle County Code § 18-5.1.28(a)(7), (a)(11), and (b)(5) for clean earth fill activity on Parcels 03200-00-00-00100 and 03200-00-0000200, subject to the conditions attached hereto.

* * *

SE202200068 Kindrick Farm -Clean Earth Fill Conditions

1. Hours of operation are limited to 7:30 am to 6:00 pm, Monday through Saturday. Fill operations are prohibited on Sunday.
2. No more than 10 trucks may be used for fill activity on any day of operation.
3. Trucks must access the site through the intersection of Advance Mills Road and Earlysville Forest Drive to the greatest extent possible.
4. The owner(s) must provide evidence to the County of fill activity related to this Special Exception upon request.
5. Fill activity must conform with Best Management Practices and with the standards, specifications, and other special program criteria obtained from the Natural Resources Conservation Service (NRCS).
6. No more than four acres of activity may be active at any one time: no more than two acres may be in the reclamation process and no more than two acres may be in the fill activity process.
7. Each fill activity must be completed within one year of its commencement.
8. All fill activity under this special exception must be completed by August 31, 2028.

**RESOLUTION TO APPROVE
SP202200017 MAPLE GROVE DAY CARE
CENTER**

WHEREAS, upon consideration of the staff reports prepared for SP 202200017 Maple Grove Day Care Center and all of their attachments, including staff's supporting analysis, the information presented at the public hearings, any comments received, and all of the factors relevant to the special use permit in Albemarle County Code §§ 18-13.2.2 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 Rural Areas zoning district, with the applicable provisions of *County Code* §18-5, 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 SP 202200017 Maple Grove Day Care Center, subject to the conditions attached hereto.

* * *

SP202200017 Maple Grove Day Care Center Special Use Permit Conditions

1. Development of the use must be in general accord with the conceptual plan. To be in general accord with the conceptual plan, development must reflect the following major elements essential to the design of the development:
 - a. Location of buildings, preschool, and playground areas;
 - b. Location of parking areas;
 - c. Site access, including pick-up and drop-off location
 Minor modifications to the plan that do not conflict with the elements above may be made to ensure compliance with the Zoning Ordinance or improve safety
2. Signage for pick-up and drop-off location and circulation may be required at the time of Zoning Clearance to ensure safe vehicular circulation.
3. Enrollment may not exceed fifty (50) children/students per day.
4. The hours of operation for the preschool may not exceed 7:00 a.m.-6:00 p.m. Monday through Friday.
5. Upon demand of the County, the owner(s) must dedicate sufficient right-of-way adjacent to Proffit Road, along the full length of the property, for a multi-use path built to County and VDOT specifications.

**RESOLUTION TO APPROVE
SP 202200025 IVY PROPER VETERINARY OFFICE**

WHEREAS, upon consideration of the staff reports prepared for SP 202200025 Ivy Proper Veterinary Office and all of their attachments, the information presented at the public hearings, any comments received, and the factors relevant to special use permits in Albemarle County Code § 18-22.2.2.5 and § 18-33.8, the Albemarle County Board of Supervisors hereby finds that the proposed special use would:

1. not be a substantial detriment to adjacent parcels;
2. not change the character of the adjacent parcels and the nearby area;
3. be in harmony with the purpose and intent of the Zoning Ordinance, with the uses permitted by right in the zoning district, with the applicable provisions of Albemarle County Code § 18-5, 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 SP 202200025 Ivy Proper Veterinary Office, subject to the conditions attached hereto.

* * *

SP2022-25 Ivy Proper Veterinary Office Special Use Permit Conditions

1. Development and use of the veterinary office must be in general accord with the concept plan titled "Ivy Proper Final Site Plan" prepared by Timmons Engineering and last revised March 24, 2022. To be in general accord with this concept plan, the proposed use must reflect the following major elements essential to the design of the site:
 - a. Location of building and parking
 - b. No outdoor exercise areas or runs.
2. The hours of operation for the clinic must not begin earlier than 7:00 a.m. and must end later than 8:00 p.m., each day, Monday through Saturday. Sunday hours shall be for emergencies only.
3. No overnight boarding use, other than for those animals under medical care, may take place at the veterinary clinic.

**RESOLUTION TO APPROVE
SE202200051 IVY PROPER VETERINARY OFFICE**

WHEREAS, upon consideration of the staff reports prepared in conjunction with SE202200051 Ivy Proper Veterinary Office and the attachments thereto, including staff's supporting analysis, all of the comments received, and all of the factors relevant to the special exception in Albemarle County Code §§ 18-5.1.11(b) and 18-33.9, the Albemarle County Board of Supervisors hereby finds that a modified regulation would satisfy the purposes of the Zoning Ordinance to at least an equivalent degree as the specified requirement.

NOW, THEREFORE, BE IT RESOLVED that the Albemarle County Board of Supervisors hereby approves SE202200051 Ivy Proper Veterinary Office, to allow the veterinary clinic and associated uses to be located less than 200 feet from a residential property line, subject to the condition attached hereto.

* * *

SE202000051 Ivy Proper Veterinary Office Condition

1. Prior to the issuance of a building permit, the applicant must submit information to the satisfaction of the County Engineer and the Zoning Administrator (or their designees) that demonstrate that the sound attenuation qualities of the construction materials used in the renovation, expansion, and/or construction of the veterinary clinic and overnight animal boarding service buildings can reasonably meet the fifty-five (55) decibel sound limit in County Code §18-5.1.11(b).

**RESOLUTION TO APPROVE
SP 202200024 IVY PROPER WATER CONSUMPTION**

WHEREAS, upon consideration of the staff reports prepared for SP 202200024 Ivy Proper Water Consumption and all of their attachments, the information presented at the public hearings, any comments received, and the factors relevant to special use permits in Albemarle County Code § 18-22.2.2.11 and § 18-33.8, 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 SP 202200024 Ivy Proper Water Consumption, subject to the conditions attached hereto.

* * *

SP2022-24 Ivy Proper Water Consumption Special Use Permit Conditions

1. The applicant must install a meter on the well head to monitor water consumption. Results of daily water consumption monitoring must be made available within forty-eight (48) hours of a request by the Zoning Administrator.
2. Water consumption must be restricted to 875 gallons per day.

**RESOLUTION TO APPROVE
SP 202200031 IVY PROPER CATERING**

WHEREAS, upon consideration of the staff reports prepared for SP 202200031 Ivy Proper Catering and all of their attachments, the information presented at the public hearings, any comments received, and the factors relevant to special use permits in Albemarle County Code § 18-22.2.2.16(c) and § 18-33.8, 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 SP 202200031 Ivy Proper Catering, subject to the conditions attached hereto.

* * *

SP2022-31 Ivy Proper Catering Special Use Permit Conditions

1. The gross floor area for catering must be limited to 2,000 square feet.
2. On-site dining is prohibited.