

A regular meeting of the Board of Supervisors of Albemarle County, Virginia, was held on March 4, 2020 at 1:00 p.m., Lane Auditorium, Second Floor, County Office Building, McIntire Road, Charlottesville, Virginia.

PRESENT: Mr. Ned Gallaway, Ms. Beatrice (Bea) J. S. LaPisto-Kirtley, Ms. Ann H. Mallek, Ms. Diantha H. McKeel, Ms. Liz A. Palmer, and Ms. Donna P. Price.

ABSENT: None.

OFFICERS PRESENT: County Executive, Jeffrey B. Richardson; Deputy County Executive, Doug Walker; County Attorney, Greg Kamptner; Clerk, Claudette K. Borgersen; and Senior Deputy Clerk, Travis O. Morris.

Agenda Item No. 1. Call to Order. The meeting was called to order at 1:00 p.m., by the Chair, Mr. Gallaway.

Agenda Item No. 2. Pledge of Allegiance.
Agenda Item No. 3. Moment of Silence.

Agenda Item No. 4. Adoption of Final Agenda.

Mr. Gallaway said that Item 8.4 was being removed from the consent agenda, which was "Resolution - Revitalization Area Designation for Southwood Low Income Housing Tax Credit (LIHTC) Project."

Mr. Gallaway said he would like to pull Item 8.5, "VDOT Monthly Report" for a comment. He asked if there were any other changes to the agenda and/or consent agenda.

Motion was offered by Ms. McKeel to adopt the final agenda. Ms. Price **seconded** the motion. Roll was called and the motion carried by the following recorded vote:

AYES: Mr. Gallaway, Ms. LaPisto-Kirtley, Ms. Mallek, Ms. McKeel, Ms. Palmer, and Ms. Price
NAYS: None.

Agenda Item No. 5. Brief Announcements by Board Members.

Ms. Price commented on the opportunity that the Board had a couple weeks earlier to attend the Southwood Showcase Weatherization Program. She said this was a program sponsored through LEAP (Local Energy Alliance Program) as the project manager and implementation, Habitat for Humanity of the Greater Charlottesville Area (an implementation partner), Creative Conservation (which later became an implementation partner through donation), Albemarle County, Dominion Energy, Fitch Services (an implementation subcontractor), and an anonymous donor who was very generous in helping to fund this.

Ms. Price said this was an opportunity to go through Southwood and improve the weatherization on a number of the residences there, providing incredible benefit both in terms of better climate control the residents have, reducing their expenses, and also helping to reduce some of the environmental impacts from individuals having to use too much energy to either heat or cool their homes. She said it was another great example of partners working together in the community to make life better for its citizens. She said it was a pleasure to be there and thanked each of the individuals and organizations for their contribution to the betterment of the area.

Ms. Mallek said last Friday, she was fortunate to go along with Mr. Mike Culp on an adventure to Buckingham for the \$28 million announcement from the USDA to CVEC (Central Virginia Electric Co-Op) to greatly support the project they are doing to provide internet and broadband to many of the surrounding counties. She said the Albemarle Station primarily included in the new funding will be the White Hall Substation. She said this grant will help CVEC continue to forward momentum and add White Hall to its Firefly current fiber build by the substation list. She said the Midway projects were already underway, but that they were still several years away with the rest.

Ms. Mallek said they were encouraging people who are interested in learning more about the CVEC-Firefly schedule to check in with Mr. Culp, or to go to fireflyvirginia.com, where there are maps and dates. She said it was a great way to learn about the partnerships between the local communities, the State, and the federal government who are working together to provide this for residents. She offered tremendous credit to Mr. Culp for his work.

Ms. Mallek said the second Saturday (March 14) was the Small Town, Big Art Festival, where arts locations and restaurants were holding special events, such as the Crozet Artisan Depot, the old railroad station, and studios throughout the area.

Ms. McKeel said everyone there that afternoon attended the Annual Police Foundation Banquet Saturday night, where they awarded Albemarle County's finest awards and celebrated the great work from the Police Department. She said it was good for people to recognize that there is a Police Foundation, noting they were happy to take donations towards the good work the police force does in

keeping the community safe each day.

Ms. Mallek said the Well Water Testing Clinic, sponsored by Virginia Tech and the Virginia Cooperative Extension, will take place May 25. She encouraged people to check in with the Extension agent, as there will be a chance to purchase testing kits ahead of time, which sometimes sell out.

Ms. Palmer piggybacked on Ms. Mallek's comments about Mr. Culp's work with CVEC, adding that there is a much better ability to map underserved areas now because of the good work that staff has done. She encouraged everyone that, if they know people who have poor internet service in the Rural Areas, they should have them do the speed test and provide the information to the County's IT department, as they are collecting a list of people in need. She said they are trying to cobble together groups in areas that need service in order to apply for grants.

Ms. Palmer said there is a grant with Albemarle County, the State, and Century Link to bring much better internet service to 837 residents in the County which, along with the wonderful work that CVEC is doing, represents a large portion of Albemarle County. She said there are about 3,300-3,600 houses in the County that are served by CVEC, which are almost all rural, and that CVEC would be getting to everyone at some point in the next few years.

Mr. Gallaway said he voted in the primaries the day before, late in the evening, and that he wanted to thank all the volunteers who made sure the polls ran smoothly all day long. He said in the precinct where he votes, he was told they had a 40% turnout, which was higher than expected. He said it was encouraging to hear people were participating.

Ms. McKeel added that elections are always looking for more volunteers, and that it is a very rewarding experience, though it is a day-long job. She said it was a wonderful effort on behalf of the community, and that she knew that they were struggling to get lots of volunteers for future elections. She said Mr. Jake Washburn was the point person for election volunteering, if anyone was interested.

Ms. Price echoed these comments, noting she was a local precinct election official for about 15 years. She said if one wants to feel good about serving their community and country, this was a great way to do it.

Ms. McKeel said there is a comradery to it as well.

Ms. Price said it was also nice on Election Day not to talk politics, because as an election official, one cannot do that, but just make sure the election runs smoothly. She said this actually offers a break from everything else taking place.

Introductions. At this time, Mr. Gallaway introduced staff present and the presiding security officers, Office Kevin Dean and Captain Terry Walls.

Agenda Item No. 6. Proclamations and Recognitions.

Item No. 6.a. Proclamation recognizing SAME PAGE 2020: "Brown Girl Dreaming" by Jacqueline Woodson.

Mr. Gallaway said Mr. David Plunkett, Executive Director of the Jefferson-Madison Regional Library (JMRL), was present.

Mr. Gallaway **moved** to accept the proclamation recognizing SAME PAGE 2020: "Brown Girl Dreaming" by Jacqueline Woodson as he read it aloud. Ms. McKeel **seconded** the motion. Roll was called and the motion carried by the following recorded vote:

AYES: Mr. Gallaway, Ms. LaPisto-Kirtley, Ms. Mallek, Ms. McKeel, Ms. Palmer, and Ms. Price
NAYS: None.

Mr. Plunkett thanked the Board for its support of the SAME PAGE program for library services and everything they do to support literacy and reading in the County and region. He said they were fortunate to have the Festival of the Book there, and the library was fortunate to be able to partner with them.

Mr. Plunkett said this was the third year the library has partnered with the Festival of the Book in this event. He said he hoped everyone would join them to meet Jacqueline Woodson (New York Times Best Seller and National Book Award winner), noting there was no literary award that she hasn't won. He said this would take place Wednesday, March 18 at 6:00 p.m. at the Dickinson Theater at PVCC. He said they ran out of room at the Northside Library the last two years, so they had to expand. He said he brought a copy of the book for each Supervisor.

Ms. Price thanked Mr. Plunkett for the great work the library does, and to have a regional library so that no matter where one lives, within 24 hours, they can have any book delivered or go online to download the audio books. She said she was pleased the day before, at the budget meeting, to make some comments and see some additional expansion of hours at Northside. She thanked him for the contribution at the Jefferson Madison Regional Library makes for their community.

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PROCLAMATION

**SAME PAGE 2020:
“Brown Girl Dreaming”
by Jacqueline Woodson**

WHEREAS, Same Page provides residents with the opportunity to read and discuss a single book within their community by an author appearing at the Virginia Festival of the Book; and

WHEREAS, the Jefferson-Madison Regional Library invites all book lovers to participate in Same Page, which will be held throughout March 2020; and

WHEREAS, the library's goal is to encourage all residents of Central Virginia to read and discuss “Brown Girl Dreaming” by Jacqueline Woodson; and

WHEREAS, the book is a collection of vivid poems that describe what it was like to grow up as an African American in the 1960s and 1970s; and

WHEREAS, Same Page is generously funded by the Friends of JMRL, supported by the Art and Jane Hess Fund of the Library Endowment and also the Virginia Festival of the Book; and

NOW, THEREFORE, BE IT PROCLAIMED, that we, the Albemarle County Board of Supervisors, do hereby recognize Same Page during March 2020 and encourage all residents to read “Brown Girl Dreaming” during this time.

Signed this 4th day of March 2020.

Item No. 6.b. Proclamation Recognizing March 18 through March 22, 2020 as the 26th Annual Festival of the Book.

Mr. Gallaway said Ms. Jane Kulow, Executive Director of the Virginia Center for the Book, was present.

Ms. McKeel **moved** to accept the proclamation March 18 through March 22, 2020 as the 26th Annual Festival of the Book as she read it aloud. Ms. Mallek **seconded** the motion. Roll was called and the motion carried by the following recorded vote:

AYES: Mr. Gallaway, Ms. LaPisto-Kirtley, Ms. Mallek, Ms. McKeel, Ms. Palmer, and Ms. Price
NAYS: None.

Ms Kulow thanked the Board for the proclamation and their longtime support of the Virginia Festival of the Book. She said it is apparent that the Board and County staff recognize the value and impact that the Festival provides to County residents, and the entire community, through accessibility to 125 free public programs that year, the diversity and inclusion of speakers and attendees, author presentations to thousands of Albemarle County students in 21 County public schools, and the many thousands of attendees. She said some attendees travel more than an hour to attend and come from at least 40 states, bringing economic benefit to County tourism, restaurants, and hotels. She welcomed the Board and all county attendees to participate in the Festival of the Book and said she looked forward to seeing them there.

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**PROCLAMATION
VIRGINIA FESTIVAL OF THE BOOK**

WHEREAS, Albemarle County believes that literacy is critical to active and engaged citizenship, and is committed to promoting reading, writing, and storytelling within and outside its borders; and

WHEREAS, reading stimulates the creative and intellectual growth of individuals, while also building community through shared experiences and understanding; and

WHEREAS, the **VIRGINIA FESTIVAL OF THE BOOK** draws attendees, authors, illustrators, and publishing professionals from the region, the Commonwealth, other states, and indeed the world, serving as an economically significant event for this area, while providing the majority of programs free of charge; and

WHEREAS, Virginia Humanities, the Virginia Center for the Book, the University of Virginia, local businesses and schools, as well as cultural and civic organizations collaborate with the **VIRGINIA FESTIVAL OF THE BOOK** to explore the world through reading, foster empathy for the stories of others, and promote literacy for all.

NOW, THEREFORE, BE IT PROCLAIMED, that we the Albemarle County Board of

Supervisors, do hereby recognize

**WEDNESDAY, MARCH 18 THROUGH SUNDAY, MARCH 22, 2020
AS THE
TWENTY-SIXTH ANNUAL
VIRGINIA FESTIVAL OF THE BOOK**

and encourage community members to participate fully in the wide range of available programs and activities.

Signed this 4th day of March 2020.

Item No. 6.c. Proclamation Celebrating Women's History Month.

Ms. Price invited Ms. Charlotte Gibson, President of the Charlottesville chapter of the National Organization for Women, to the podium. She said before making the motion on the proclamation, she wanted to say it was personally a great pleasure. She said Ms. Gibson was one of the first people she met when she moved to the area years ago. She said she then quickly joined the local chapter. She said Ms. Gibson's actions and efforts in improving the recognition and protections of women's rights, and that "women's rights are civil rights, and civil rights are human rights," are worthy of recognition in its own right.

Ms. Price **moved** to accept the Proclamation Celebrating Women's History Month as she read it aloud. Ms. LaPisto-Kirtley **seconded** the motion. Roll was called and the motion carried by the following recorded vote:

AYES: Mr. Gallaway, Ms. LaPisto-Kirtley, Ms. Mallek, Ms. McKeel, Ms. Palmer, and Ms. Price

NAYS: None.

Ms. Gibson said women have made a lot of history, but one wouldn't know that from the history books. She said many still don't know that International Women's Day (coming that Sunday) was first celebrated in 1911. She said the United Nations has sponsored it since 1975.

Ms. Gibson said before the 1970s, women's history was largely absent from school curriculums. She said in 1978, an education task force in California created Women's History Week, and the idea rapidly spread across the country. She said President Carter then declared the first National Women's History Week in 1980, and states began expanding this to a month. She said in 1987, Congress established March as National Women's History Month.

Ms. Gibson said in 1966, a new organization, the National Organization for Women (NOW) was founded to take action to achieve and protect social, political, and economic equality for women. She said in 1975, Charlottesville NOW secured its first local government proclamation for Women's Equality Day to both recognize women achieving voting rights and to acknowledge how far they have yet to go to achieve full equality.

Ms. Gibson said that since then, they have taken many actions to both make history and make sure that women's history is recorded. She said they only have to look at Virginia to see how important this is. She said the first women were brought to Virginia by the colonists to be wife servants for the men. She said black women were brought to be slaves. She said over 400 years later, they now have the first woman speaker of the Virginia General Assembly, and the first African American woman as the majority leader.

Ms. Gibson said after hundreds of years, finally this year, the first monument to women has been unveiled at the Virginia Capitol. She said as they celebrate National Women's History Month this month, they remember the empowering women who recognized the need for change and acted upon it, and they celebrate history in the making.

Ms. Gibson said on January 27, Virginia became the 38th and final state needed to ratify the Equal Rights Amendment, enabling Constitutional equality for women in the United States. She said a parade to mark this accomplishment would be held that Sunday (International Women's Day) at 3:00 p.m. in Richmond. She said everyone is invited to join the celebration and be part of the historic photo to be taken on the steps of the Capitol. She said all the details on this could be found at varatifyera.org.

Ms. Gibson said on March 17, Charlottesville NOW invites everyone to their Women's History Month program, "Her Story, Her Voice," 6:30 p.m. at Northside Library. She said the speaker will be an author of the just-released book, *The Campaign for Women's Suffrage in Virginia*. She said it reveals the overlooked history of the many Virginia women who organized, marched, lobbied, and even went to jail to obtain voting rights for all women in the United States in 1920.

Ms. Gibson said at this meeting, they would also hold their annual book drive for the Jefferson-Madison Regional Library. She asked NOW members and friends to donate feminist books for children and adults from a wish list that the library provides each year.

Ms. Gibson encouraged to ensure that women's voices are among those recorded and available at institutions of learning. She thanked the Board for taking the initiative to recognize the importance of

Women's History Month and by issuing the proclamation.

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**PROCLAMATION
CELEBRATING WOMEN'S HISTORY MONTH**

WHEREAS, Women's History Month, celebrated during the month of March, originated in 1987 to recognize the heritage and achievements of women in the United States; and

WHEREAS, women of every race, class, religious, and ethnic background have been fundamental to the growth and development of Albemarle County, yet their contributions have been consistently overlooked and undervalued; and

WHEREAS, the leadership of women have been critical to the prosperity of Albemarle County, including the contributions of Sarah B. Jones, born in southern Albemarle, who became the first Black woman to pass the Virginia Medical Examining Board's licensing exam in 1893 to become a practicing physician; Mary Rawlings, who wrote multiple books about the history of Albemarle County and was one of the founders of the Albemarle County Historical Society; Agnes Rothery, whose will provided the means to found the Albemarle County Society for the Prevention of Cruelty to Animals; Dorothy Newton Earp, who endowed Crozet with its first library in 1907; Mary Frazier Cash, a long-time president of the local League of Women Voters, who once said "Whatever I have done is the result of a life-long love affair with Albemarle County," and

WHEREAS, there is a history of courageous female leadership on the Albemarle County Board of Supervisors, including Opal David, Ellen Nash, Patricia Cooke, Charlotte Humphris, Sally Thomas, Ann Mallek, Jane Dittmar, Diantha McKeel, Liz Palmer, Beatrice LaPisto-Kirtley, and Donna Price who all have provided exceptional guidance.

NOW, THEREFORE, BE IT PROCLAIMED, that we, the Albemarle County Board of Supervisors, do hereby acknowledge the importance of celebrating Women's History Month as an opportunity for all County residents to recognize and honor the contributions of women throughout the history Albemarle County in order to encourage and empower future women leaders and pioneers.

Signed this 4th day of March 2020

Item No. 6.d. Proclamation Celebrating the 100th Anniversary of the League of Women Voters of the United States.

Ms. Palmer said she asked to read the proclamation, even though other Board members wanted to. She said when she first moved to the area in the late 1990s and recognized there was a problem with water and sewer infrastructure, and the environmental impact it was having on rivers, she started asking who works on this. She said at that time, it was the Natural Resource Committee of the League of Women Voters. She said she joined them, which is when she met Sally Thomas and Treva Cromwell, noting that anyone who knew her knew how extraordinary she was. She said she wouldn't have been on the Rivanna Water and Sewer Authority or the Board if it wasn't for the League.

Ms. Palmer said Ms. Pat Cochran, President of the Charlottesville Area League of Women Voters, was there to accept the proclamation.

Ms. Palmer **moved** to accept the Proclamation Celebrating Women's History Month as she read it aloud. Ms. Mallek **seconded** the motion. Roll was called and the motion carried by the following recorded vote:

AYES: Mr. Gallaway, Ms. LaPisto-Kirtley, Ms. Mallek, Ms. McKeel, Ms. Palmer, and Ms. Price
NAYS: None.

Ms. Cochran thanked the Board for the proclamation and recognition of the League. She said its members have been working to make a better democracy through informed and registered voters for 100 years. She said she hoped the continuing volunteer efforts of the men and women members of the League inspire upcoming generations to continue their important work for another 100 years.

Ms. Cochran invited everyone to the Northside Library exhibit that will be maintained during the month of March celebrating this centennial anniversary, noting they were excited that it showed the past, present, and future activities of the League. She asked everyone to join them tomorrow for activities celebrating it.

Mr. Gallaway asked members of the League to stand and be recognized.

Ms. Palmer said when she first got on the Board, she advocated for getting all the meetings online so people could watch them, which was a direct result of conversations from the League and her interactions with them.

Ms. LaPisto-Kirtley asked if Ms. Sally Thomas wanted to say anything.

Ms. Thomas said it was wonderful to see so many women on the Board.

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**PROCLAMATION
CELEBRATING THE 100th ANNIVERSARY OF THE
LEAGUE OF WOMEN VOTERS OF THE UNITED STATES**

- WHEREAS,** the League of Women Voters was founded in 1920 as a “mighty political experiment” by the foremothers of the suffragist movement at the National American Woman Suffrage Association, and their goal was to help the 20 million women who were granted the right to vote by the 19th Amendment understand and carry out their new responsibility as voters; and
- WHEREAS,** with the success of this effort and the tireless efforts over the last 100 years to strengthen and uphold its mission to empower voters and defend democracy, the League has become a trusted nonpartisan, grassroots organization; and
- WHEREAS,** the League has sponsored legislation and fought in the courts to protect and strengthen voting rights and access, and for free and fair elections, civil rights, children, community health, and education; and
- WHEREAS,** the League has consistently been noted for its nonpartisan election information, including sponsorship of candidate forums and information on state and local ballot issues, as well as its commitment to register, educate, and mobilize voters, and the League champions government systems that are open, transparent, inclusive, and equitable; and
- WHEREAS,** the League believes that active and engaged citizens, irrespective of gender, ethnicity, or political affiliation, are the hallmark of democracy.
- NOW, THEREFORE, BE IT RESOLVED,** that we, the Albemarle County Board of Supervisors, in recognition of its 100th birthday, wish the League of Women Voters and its local affiliate, the League of Women Voters of the Charlottesville Area, many more years of Defending Democracy.

Signed this 4th day of March 2020.

Agenda Item No. 7. From the Public: Matters Not Listed for Public Hearing on the Agenda.

Mr. James Pierce (Rivanna District) said he was overwhelmed by the sense of community he has already seen acknowledged there. He thanked everyone who was recognized for all that they do, and the Board’s appreciation for a good public-private partnership. He said this is what makes their community great.

Mr. Pierce said he is the CEO of the six area Boys and Girls Clubs, and that he would submit, for public record, their request for inclusion in the upcoming Operating Plan the Board would be considering shortly.

Mr. Pierce said he wanted to share a story about what happened for the past two days in the club, and the timeline over the last three years as they have come closer to the request.

Mr. Pierce said schools had been closed for the past two days for voting and to give teachers a chance to engage in professional development. He said during that time, the kids go to the Boys and Girls Club where they learn, stay fit, engage in acts of public service, and have a great time. He said the last two days have been fantastic, and that it is an unseen time of year where Boys and Girls Clubs are open during school closure times. He said this also happens during Spring Break and summer, and that they were excited to expand their opportunities to serve more kids from Albemarle County.

Mr. Pierce said the Supervisors were all familiar with the organization’s request, and that he would submit a copy of it to the Clerk before leaving. He said they have gotten very engaged in this, starting back in 2017 when they discovered that there were 1,000 kids without a positive place to be during out-of-school time, from an Albemarle Public Schools study. He said from there, the Boys and Girls Club and Albemarle County Schools engaged in the study, and came up with a good plan. He said it was costly site, and would not be easy to do, but they think they can rally the resources with the County’s involvement to get it done in order to serve 500 more kids.

Mr. Pierce said there are 500 kids unavailable to be there because they are in school, but that during out of school time, they need a place to be that is positive. He said they are ready to charge \$35 a year for membership. He said they scholarship kids who cannot afford it. He said they provide the best out-of-school time as possible, within their budget.

Mr. Pierce said they look forward to continued partnership with the Board, thanking them for everything they have already made possible for the County’s kids.

Mr. Eddie Payne (Scottsville District) said a friend of his, Mr. Steve Besecker, suffered a massive heart attack, and passed away at the age of 65. He said he worked at Albemarle County for most of his life, had recently retired, was a widower, and a chief caregiver for his mother, who also recently passed away.

Mr. Payne said Mr. Besecker always wanted to be a cowboy and would spend his vacations hunting, fishing, and horseback riding out west. He said he was a great handyman. He said he devoted his life to helping his family, friends, and the greater community of both Fluvanna and Albemarle Counties. He said he was always willing to help anyone anywhere, at any time.

Mr. Payne said Mr. Besecker was a life member of the Scottsville Volunteer Rescue Squad for 35 years – over half of his life – helping to serve the citizens of Scottsville and Albemarle County. He said he was never paid, and just knowing that he was there for people in need of emergency care and assistance was enough for him.

Mr. Payne said he has seen times where first responders pass away, and there is a great public outpouring of sympathy, some publicity, and perhaps a motorcade of police, fire, and rescue. He said he didn't see that type of recognition at Mr. Besecker's service on Friday, nor would Mr. Besecker have wanted it. He said he did see a gathering of people from all walks of life who he had touched at one time or another, and whose own lives were enriched by just knowing him.

Mr. Payne said the purpose of his visit to the Board was to ask the County of Albemarle to reach out to Mr. Besecker's family and the citizens in the county he served for so many years with some type of resolution or recognition for his devotion to emergency medical services and service to his fellow man. He submitted a copy of a resolution from the Scottsville Town Council, and that any questions could be addressed to the Town of Scottsville's administrator.

Mr. Craig Decker (Greene County) said he had two matters to speak to. He said the first was possible events around Thomas Jefferson's birthday that year, which would be the 75th anniversary of it being celebrated by Albemarle. He said the second matter was the possible disposition of the Lewis, Clark, and Sacagawea statue.

Mr. Decker said he came before the Board last June to speak in favor of keeping Jefferson's birthday. He said he must not have been very persuasive because that same week, both the Board and City Council voted to do away with it as a holiday. He said he was given the impression that the County was not hostile to Jefferson, and that it was a matter of keeping the courtroom open. He said he was hoping to come back and get ideas from the Board on possible events that year.

Mr. Decker reiterated that this will be the 75th anniversary to be celebrated by the County, and that he was trying to start a guide on the UVA, City of Charlottesville, and Albemarle County tentatively called, "The New Ridge Guide." He said one thing he would like to encourage is some things around Jefferson's Day. He said he would be following up with an email to the Supervisors to get their ideas on events, people, or groups within their districts that might be interested in participating. He said his initial thought was to have a series of days, perhaps from Jefferson's birthday to the end of the Tom Tom Festival, which would be from around April 11-18. He said it could be broadened to not only Jefferson, but all three of the hometown residents, including Madison and Monroe.

Mr. Decker said he understands that it is likely that the City of Charlottesville will be getting rid of the Lewis and Clark and Sacagawea statue. He said he also understood that Merriweather Lewis was a native son of Albemarle and felt that perhaps the Board would want some input as to where that statue is to go after 100 years, if the City decides to dispose of it. He said Ivy, where Lewis was born, could be one possibility, and that the Lewis and Clark Exploration Center could be another. He said he would follow up with an email on this.

Dr. Charles Battig (Scottsville) said at the last meeting, two of the Supervisors had related how, on their vacation time, they had flown over the states or made some trips, giving them a newfound interest and appreciation for environmental destruction. He said that he was puzzled that the Board was still all-in with the Paris Climate Agreement. He said that on native land they are putting in concrete and steel structures, using thousands of tons of material. He said once it is all done, they don't go away. He said windmills are bird killers which have to be serviced and wear out.

Dr. Battig said Harvard did a study about windmills, and that if enough of these are done, they actually warm the climate instead of cooling it. He said if flying over Nevada or Southern California, they would have seen a huge mirror complex that is a \$2 billion waste of public money on solar power, and something similar near Sparks, Nevada that was \$1 billion.

Dr. Battig said in the area, there is a process called biomass that is much promoted and uses bits of pieces of lumber. He said it became so successful that forests are now being cut down to grind up the wood and ship it to England, where the wood pellets can be burned rather than the coals they have.

Dr. Battig said if the Governor's plan gets signed off, he would be authorizing many of these things. He said the Board is afraid of seeing the destruction of neighborhood habitats, but to imagine

seeing thousands more of these. He said these things wear out over time, resulting in a disposal problem. He said at a factory in Germany, they cut down 800 acres of native forest. He said Scotland cut down 17,000 acres and millions of trees.

Dr. Battig said fossil fuel works 24-7, unlike wind and solar. He said one can hide a pipeline, which is buried, and the green self-grows. He presented a slide with a picture and said this is a resting place for turbines out in the desert.

Dr. Battig said the Board is worried about plastic residue and mentioned fishing nets made from plastic. He asked if the Board really knew where the plastic they recycle goes. He said most of it goes to the Far East, and that they are no longer accepting as much of it in China. He said they are dumping it in their rivers, and it ends up floating out and being seen again.

Mr. Sean Tubbs (Piedmont Environmental Council) said he wanted to start with the fact that the League of Women Voters were here that day. He said his own desire to do that work was very much inspired by the legacy that he believes they have left for the community.

Mr. Tubbs said in the growing community, where there are many competing needs, the work ahead of the Board with the Community Development Department's work program will determine the future that the children inherit. He said for decades, the department has led Albemarle's effort to plan and implement for the future, protecting natural resources while preparing the ground for the urbanizing community that they find themselves in. He said everyone there benefits from the stewardship of previous leaders, and PEC urges continued support for attention to growth management policies that balance rural and urban needs.

Mr. Tubbs said there were many unprogrammed requests, and that he didn't have a lot of time to go over them all that day. He said he looked forward to discussion about the recycling uses in the program. He said it was his understanding that this was supposed to move forward from the September meeting.

Mr. Tubbs encouraged the Board to think about prioritizing the second round of agricultural operations, given that there are still multiple loopholes that could lead to outcomes that are against the Comprehensive Plan. He said recently, a potential commercial industry came very close to setting up a use that was not consistent with the plan, which was another reason to go back for that.

Mr. Tubbs said he was also intrigued that there was an item called, "Overlay districts around the drinking water impoundments." He said this perhaps gets to the matter, but that he was curious to see the detail.

Mr. Tubbs said there have also been calls for the Board to revisit the Lighting Ordinance, fulfilling a longstanding Comprehensive Plan strategy. He said he has been working with others to help publicize efforts that have been coming forward for that for years and believes that people previous to him have suggested a fairly low-cost solution to proceed. He said he looked forward to what staff would be presenting.

Mr. Tubbs said of course, the Board cannot get to everything, as scarcity of resources was very important. He said when he was listening to the budget discussion the day before, he was very interested in the \$356,000 that is being suggested in one-time money, set up from anticipated fees, that would pay for some of the additional things in the work plan. He said rather than invest in consultants for this, perhaps the Board could consider investing in staff.

Mr. Tubbs said there was one item in particular, the Hydraulic Small Area Plan, that would be great to see go forward. He said in the footsteps of the Rio Plan and Pantops Plan, it would be interesting to see if they could think about building the capacity in Community Development as well as hiring consultants.

Mr. Tubbs said PEC believes that Albemarle's leaders should put a priority on anything that helps strengthen the urban area and preserves the rural area. He said this overall strategy has served the PEC well and has created the community where they all want to be successful, and that some continue to defend.

Mr. Rick Barnett (City of Charlottesville) said he was pushing for a specific urgent priority with Community Development's work priorities list, which is the Lighting Ordinance, expressing that it is badly in need of an upgrade.

Mr. Barnett said if taking a look at a map of light pollution in the area, it is stunningly simple to see what has happened in the last 20 or more years while the second phase of the Dark Skies initiative of 1998 has remained near the bottom of the list of priorities for the County. He said what has followed is not just two decades of intense new growth, but the introduction of LED lights and poor enforcement of guidelines from the original exterior lighting ordinance.

Mr. Barnett said it has become clearly understood how artificial light and the lack of natural darkness is damaging human health and is interrupting, or eliminating, natural habitat for many plants and animals. He said the spread of new lights and the abundance of LED bulbs being installed in old fixtures,

and even newly designed LED fixtures (which are incorrectly installed) have all contributed to the over-lit and often blinding experience of nighttime.

Mr. Barnett said there was a fairly dark sky to be seen from his yard on the southeast side of Charlottesville, but that has been sadly diminished in the last 25 years, most especially in the last 5 years. He said now, there is obvious sky glow from Pantops and the RWSA sewage plant, as well as the development areas of Mill Creek, Monticello High School, and generally south of I-64. He said even the clouds are lit from the underside, and that none of this wasted light is doing anyone good.

Mr. Barnett said he would imagine there was no one who would hang a bare lightbulb inside their house, as they know how unpleasant and how annoying that would be. He asked why, then, the County allows this to be done out where it can affect others.

Mr. Barnett said any steps towards upgrading the ordinance, and more strict enforcement, will encourage Charlottesville to do the same. He said this will, in turn, improve the quality of night and quality of life for the County.

Mr. Barnett left the Clerk with some brochures about the matter.

Mr. Maynard Sipe, a land use and zoning attorney in Charlottesville, said he was representing Ms. Elizabeth Hyatt, the owner of Whistlefield Farm in Afton, and was there to speak to a matter coming up on the agenda shortly.

Mr. Sipe said Ms. Hyatt is opposed to granting the Special Exception for the homestay for Guinea Inn at 8500 Beacon Hill Lane. He said he would say that this is not a personal objection to this particular applicant, but that Ms. Hyatt is greatly concerned about the continuing expansion of new commercial uses in the Rural Area and their impacts on existing landowners and residents.

Mr. Sipe said landowners and residents, even out in Afton, are increasingly seeing their peaceful enjoyment of their property and the homes and intruded upon by these new uses. He said the problem is that often, they are seeing persons or companies (many from outside the community now) seeking to establish commercial uses, such as event spaces for weddings and conferences, and they develop the minimum agricultural component needed under the law to justify them.

Mr. Sipe said this can be true as well for homestays and short-term rentals. He said while each one may only have a few guests, the cumulative impact of traffic, noise, and the interference with the rural way of life can become a nuisance to area residents. He said Ms. Hyatt already contends that every week, in addition to noise from Blue Ridge Brewery (which is just over the line in Nelson), she faces trespassing from the guests of neighbors.

Mr. Sipe said if the Board should approve this use, he would recommend they adopt the recommended conditions by staff. He suggested adding a third condition that requires establishment of a fence along the back property line, which is the property line with Ms. Hyatt, as she is an abutting property owner. He said this was not a great expense to put up, perhaps even a wire fence, but it would help to ensure that the guests at the inn know the bounds of the property, if they are walking in the woods or walking their dog, and that they do not trespass on abutting owners such as Ms. Hyatt.

Mr. Sipe reiterated that Ms. Hyatt is against approval of these homestay uses.

Mr. Neil Williamson, Free Enterprise Forum, said the forum is a privately funded public policy organization focused on local governments in the Charlottesville-Albemarle area. He said as they learned in the budget meeting the day before, the FY 21 projected income from Community Development fees increased by over \$400,000. He said this is not a windfall. He said as by State Code, fees are designed to be cost recovery. He said the Forum further believes that the cost recovery should be about 80%, as there is clearly a community benefit to having such inspections and fees done.

Mr. Williamson said the day before, in the budget work session, they were encouraged to hear a new term: external resources, as it relates to Community Development. He said later that day, the Board would hear the Community Development work plan that will further explain this process. He said with the risk of being supportive of something that the Board may suddenly not like, the Forum supports testing the external resources, as they see it as a best-management practice that utilizes and expands the internal staff capacity with the active management of such external resources, rather than letting them go and come back.

Mr. Williamson said the Forum further believes that this test, managed properly, will be successful and worthy of rolling out in the future. He said in the future, they can see where the use of such external resources, with internal management, could positively impact the County's capacity for inspections, site plan reviews, Small Area Plans, rezoning reviews, traffic studies, and much more.

Mr. Williamson said such activity also prepares Albemarle County for what he calls the "current and impending silver tsunami." He said there are a number of staff members in the County that are punching the clock and are headed toward retirement. He said these types of innovative management strategies expand the County's capacity and may get them through the "silver tsunami."

Mr. Williamson said the Forum respectfully asks for the Board's support of these external resources.

Ms. Palmer said the RWSA and lighting were mentioned. She said she wanted to note, while the member of the public was still there, that staff is working with RWSA to improve their lighting.

Mr. Gallaway closed Matters from the Public.

Agenda Item No. 8. Consent Agenda.

Motion was offered by Ms. Price to approve the consent agenda as amended. Ms. McKeel **seconded** the motion. Roll was called and the motion carried by the following recorded vote:

AYES: Mr. Gallaway, Ms. LaPisto-Kirtley, Ms. Mallek, Ms. McKeel, Ms. Palmer, and Ms. Price
NAYS: None

Mr. Gallaway noted that he did not need an action or response from staff that day on the VDOT report that he asked to be approved. He said he wanted to state for the record that since they have been discussing the Reas Ford/Earlsville intersection, that intersection is on the report as a secondary six-year project study to further scope.

Mr. Gallaway said he wanted to make sure it is clear, as they discuss it through the Strategic Board Priority Reserve, that he is looking for a faster track than going through that process, and hopes that with the new VDOT representative, they understand the Board is looking for their assistance, but that this is something the Board is trying to get done without having to go through the length of time it takes to sometimes get funding through other means.

Mr. Gallaway said he wanted to confirm his understanding that the temporary radar signs, as listed in the monthly report, are temporary because of the mini roundabout that is coming. He said otherwise, they expect that they will be there until such time that the intersection receives further safety upgrades. He said he was directing this more towards staff and team than he was to VDOT.

Mr. Gallaway said their VDOT representative, Mr. Alan Saunders, was present, along with Ms. Carrie Shepherd, the new VDOT Charlottesville residency administrator.

Ms. Mallek said the surveyors were out on the corner that afternoon, and so someone was at work there.

Mr. Saunders introduced Ms. Shepherd, who has both a bachelor's degree and a master's degree in Environmental Engineering. He said she has a broad spectrum of VDOT experience, and that he was excited she was coming to the Charlottesville residency.

Mr. Saunders said there were a couple items on the monthly report, and that if there were any the Board wanted to address at that time, he could answer, although he did not prepare a presentation.

Mr. Gallaway replied no. He said this was more directed towards staff. He said VDOT wasn't ready for the Board to respond to it, as it was on the Consent Agenda. He said the Board would give them a pass until they were before them again and ready to answer questions on the report.

Ms. Shepherd said she was excited to meet the Board. She said it was her second week in the Charlottesville residency and that she had much to learn. She asked the Board to let her know if they would like to schedule a ride-along in their area. She said she would leave her card with her cell phone number, and that the Board could always call if they needed anything.

Ms. McKeel asked Ms. Shepherd where she relocated from.

Ms. Shepherd replied that she is from Suffolk, Virginia and attended Old Dominion University. She said she worked for a few years with a private consulting firm out of college, then relocated to Salem, where she started working for VDOT. She said she started as a hydraulics engineer, and then became Assistant Resident Engineer in Farmville. She said she relocated again to Lynchburg, where she has been for the past four years. She said most recently, she is relocating to Charlottesville for her new position.

Ms. Palmer asked if the Board had Ms. Shepherd's email address.

Mr. Gallaway replied yes.

Mr. Saunders said he would work for Ms. Shepherd for a few more weeks before easing back to Louisa.

Mr. Gallaway thanked Mr. Saunders for his service.

Ms. McKeel pointed out to the public that on the report, there are six major projects in the community that are anticipated to start construction in 2020 and 2021. She said she felt this was

important, as the community talks about transportation needs and a need to build critical infrastructure. She said some of what they were looking for is coming, and that many complaints in the areas talked about are on that list. She said everyone would have to be patient, but that it will be wonderful to have the projects done.

Item No. 8.1. Approval of Minutes: August 21, September 4, September 5, September 9, and September 17, 2019

Ms. Palmer had read the minutes of August 21, 2019 and September 17, 2019 and found them to be in order.

Mr. Gallaway had read the minutes of September 4, 2019 and found them to be in order.

Ms. Mallek had read the minutes of September 5, 2019 and found them to be in order.

Ms. McKeel had read the minutes of September 9, 2019 and found them to be in order.

Item No. 8.2. FY 2020 Appropriations

The Executive Summary forwarded to the Board states that Virginia Code §15.2-2507 provides that any locality may amend its budget to adjust the aggregate amount to be appropriated during the fiscal year as shown in the currently adopted budget; provided, however, any such amendment which exceeds one percent of the total expenditures shown in the currently adopted budget must be accomplished by first publishing a notice of a meeting and holding a public hearing before amending the budget. The Code section applies to all County funds, i.e., General Fund, Capital Funds, E911, School Self-Sustaining, etc.

The total change to the FY 20 budget due to the appropriations itemized in Attachment A is \$760,000.00. A budget amendment public hearing is not required because the amount of the cumulative appropriations does not exceed one percent of the currently adopted budget.

Staff recommends that the Board adopt the attached Resolution (Attachment B) to approve the appropriations for local government and school projects and programs as described in Attachment A.

Appropriation #2020051		\$610,000.00
Source:	Reserve for Contingencies – ongoing*	\$ 11,600.00
	General Fund fund balance	\$610,000.00

*This portion of the appropriation does not increase or decrease the total County budget.

This request is to appropriate \$11,600.00 from the General Fund Reserve for Contingences and \$610,000.00 from General Fund fund balance for leases at 206-216 Albemarle Square (three contiguous spaces) and related operating and initial one-time capital costs pursuant to Board of Supervisors action at its February 19, 2020 meeting. This funding will be allocated as follows:

Office of Voter Registration	\$ 11,600.00
Office of Voter Registration Relocation Capital Cost	\$610,000.00

After approval, the FY 20 General Fund Reserve for Contingencies balance will be \$110,304.60. Of that amount, \$78,487.60 is for unanticipated expenses that may require ongoing funding and \$31,817.00 is for expenses that may require one-time funding.

This proposed use of the General Fund fund balance will not reduce the County's 10% unassigned fund balance or 1% Budget Stabilization Reserve; however, it does reduce the amount of FY 19 undesignated funds that would be available for other uses.

Appropriation #2020052		\$ 150,000.00
Source:	Local Revenue (Donations/Contributions)	\$150,000.00

On July 11, 2012, the Board of Supervisors approved a streamlined appropriation process for anticipated School Fund revenue associated with miscellaneous grants, donations, and School Activity Funds. In accordance with this process, an appropriation of \$150,000.00 is needed to cover donations and other miscellaneous revenue received by the School Division to date and for anticipated contributions through the end of FY20. Funds will not be expended until the revenues are actually received.

By the above-recorded vote, the Board adopted the following Resolution to Approve Additional FY 2020 Appropriations:

RESOLUTION TO APPROVE

ADDITIONAL FY 2020 APPROPRIATIONS

BE IT RESOLVED by the Albemarle County Board of Supervisors:

- 1) That Appropriations #2020051 and #2020052 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, 2020.

APP#	Account String	Description	Amount
2020051	4-1000-13020-413020-800801-1001	SA2020051-Early Voting Security Deposit	\$11,600.00
2020051	4-1000-99900-499000-999990-9999	SA2020051-Early Voting Security Deposit	-\$11,600.00
2020051	4-9010-13020-413020-800610-1170	SA2020051-Early Voting	\$610,000.00
2020051	3-1000-51000-351000-510100-9999	SA2020051-Early Voting	\$610,000.00
2020051	4-1000-93010-493010-930027-9999	SA2020051-Early Voting	\$610,000.00
2020051	3-9010-51000-351000-512074-9999	SA2020051-Early Voting	\$610,000.00
2020052	4-2000-62101-461101-580240-6599	SA2020052-Donations and Contributions	\$75,000.00
2020052	4-2000-62101-461101-580250-6599	SA2020052-Donations and Contributions	\$75,000.00
2020052	3-2000-62000-318100-181109-6599	SA2020052-Donations and Contributions	\$150,000.00

Item No. 8.3. Amendment of the County's Purchasing Manual.

The Executive Summary forwarded to the Board states that Albemarle County's Purchasing Manual, as adopted by the Board of Supervisors, governs and guides local government and school purchases in accordance with the Virginia Public Procurement Act (VPPA). Following a review of the Manual in 2018, staff from the Purchasing Office and the County Attorney's Office recommended amendments to the Manual to reflect current best practices, to ensure improved regulatory compliance, to increase purchasing efficiency, and to reflect the 2018 General Assembly enacted changes to the VPPA that affect purchase processes. As such, on October 10, 2018, the Board of Supervisors voted to amend the County's Purchasing Manual.

During the 2017-2018 review of the County's Purchasing Manual, staff did not review the chapters on Design-Build and Construction Management Procedures for compliance with VPPA, and those chapters were removed from the amended Purchasing Manual that the Board adopted on October 10, 2018.

Staff has determined that those chapters are relevant to the County's work, and that they should be re-added to the Purchasing Manual at this time. Staff has confirmed that the proposed Chapter 27, Design-Build Procedures, complies with the VPPA, and Chapter 28, Construction Management Procedures, has been updated to comply with the VPPA.

Adding these two chapters back to the Purchasing Manual will require that the current Chapter 27 be renumbered to Chapter 29, and that the Table of Contents be updated to reflect these changes.

There is no additional budgetary impact.

Staff recommends that the Board adopt the attached Resolution (Attachment A) to amend and re-adopt the Albemarle County Purchasing Manual by adding Chapter 27, Design-Build Procedures (Attachment B) and Chapter 28, Construction Management Procedures, by renumbering the current Chapter 27 to Chapter 29, and by updating the Table of Contents.

By the above-recorded vote, the Board adopted the following Resolution to Amend and Re-adopt the Albemarle County Purchasing Manual:

**RESOLUTION TO AMEND AND RE-ADOPT
THE ALBEMARLE COUNTY PURCHASING MANUAL**

WHEREAS, the County of Albemarle Purchasing Manual ("Manual") delineates not only the requirements of the Virginia Public Procurement Act, but also the methods and procedures that best enable the County to procure the highest quality goods and services at a reasonable cost and in an efficient, fair, and competitive manner; and

WHEREAS, the Manual was last amended on October 10, 2018; and

WHEREAS, the Board finds it is in the best interests of the County to add chapters regarding design-build and construction management procedures in accordance with the Virginia Public Procurement Act.

NOW, THEREFORE, BE IT RESOLVED that the Albemarle County Board of Supervisors hereby amends and re-adopts the Albemarle County Purchasing Manual by adding Chapter 27, Design-Build

Procedures, and Chapter 28, Construction Management Procedures, renumbering the current Chapter 27, Participation of Small Business and Minority-Owned, Women-Owned, and Service Disabled Veteran-Owned Business in County Procurement to Chapter 29, and updating the Table of Content to reflect these changes.

Item No. 8.4. Resolution - Revitalization Area Designation for Southwood Low Income Housing Tax Credit (LIHTC) Project.

The Executive Summary forwarded to the Board states that The Piedmont Housing Alliance (PHA) is pursuing Low Income Housing Tax Credit (LIHTC) financing for an 80-unit affordable rental housing project on Block 12 (TMP 09000-00-00-0001A) in Phase 1 of the Southwood Mobile Home Park redevelopment. To support a successful LIHTC application for project financing, PHA is requesting the Albemarle County Board of Supervisors designate the development site as a revitalization area as defined by Virginia Code Section 36-55.30:2(A).

Piedmont Housing Alliance (PHA) is proposing to build 80 affordable rental units in Phase 1 of the Southwood redevelopment. The proposed project will be located on the portion of TMP 09000-00-00-0001A designated as Block 12 in the Phase 1 Concept Plan (Attachment D). To help finance the project, PHA is applying for Low Income Housing Tax Credits (LIHTC) through the Virginia Housing Development Authority (VHDA). This financing program requires that, at a minimum, 40 percent of the residential units in the development be reserved for households earning not more than 60 percent of area median income (area median income is currently \$89,400 for a four-person household in Albemarle County).

To increase the likelihood of obtaining this financing, VHDA recommends that the local governing body adopt a resolution designating the development site as a Revitalization Area as defined under Virginia Code Section 36-55.30:2(A). The designation for the proposed project is based on the following conditions: (1) the project is located in an area that is blighted, deteriorated or, if not rehabilitated, likely to deteriorate by reason that the buildings, improvements, or other facilities in such area are subject to one or more of the following conditions: dilapidation, obsolescence, overcrowding, inadequate ventilation, light or sanitation, excessive land coverage, deleterious land use, or faulty or otherwise inadequate design, quality or condition; and (2) private enterprise and investment are not reasonably expected, without assistance, to produce the construction or rehabilitation of decent, safe and sanitary housing and supporting facilities that will meet the needs of low and moderate income persons and families in such area and will induce other persons and families to live within such area and thereby create a desirable economic mix of residents in such area.

The proposed project addresses critical affordable housing needs in Albemarle County. Additionally, the project will satisfy the conditions outlined in Section 5(B) of the Southwood Performance Agreement to "Construct or Install at Least 80 LIHTC Affordable Dwelling Units."

There is no direct budgetary impact related to this action.

Staff recommends the Board adopt the attached resolution (Attachment A) making the determinations requested by Piedmont Housing Alliance for the proposed Southwood LIHTC project.

This item was removed from the agenda.

Item No. 8.5. VDOT Monthly Report (March) 2019, **was received for information.**

Agenda Item No. 9. Board-to-Board, February 2020, A Monthly Report from the Albemarle County School Board to the Albemarle County Board of Supervisors.

Mr. Jonno Alcaro, School Board Chair, presented. He said one reason he was pleased to be there today because his first and last of the five topics he would bring to the Board are two of his favorite subjects in every school year.

Mr. Alcaro said the first was the Winter Song concert that took place last Saturday night at Monticello High School. He said it raises money for the Shelter for Help and Emergency (SHE) that has been a very important group within the County. He said since its debut in 2015, when Craig Jennings started it, the Winter Songs concerts have raised up to \$20,000 a year for SHE. He said this funding assists about 400 women in need each year solely from Winter Songs and provides up to two months of care for them. He said Mr. Jennings, who directs a choral program at Burley Middle School, established the concert in response to concerns in the community about dating and relationship violence.

Mr. Alcaro said the Winter Songs concert provided much more than two months of shelter for 400 women last year. He said joining the Burettes in the concert were women's choruses from Henley, Jouett, Southerland, and Walton Middle Schools, as well as Albemarle, Charlottesville, Monticello, Orange County, and William Monroe High Schools. He said the women's chorus from Charlottesville Day School also participated.

Mr. Alcaro said in the last part of the show, all 300 of the young women are on stage, and Jennifer Morris (Albemarle High School) trained them that morning and afternoon to do one song all together. He said it was magnificent and not to be missed next year.

Mr. Alcaro said with regards to the Sutherland Renaming Committee, the Sutherland Community Advisory Committee meeting was held the night before last, on March 2. He said there were a total of 13 school and community members who have been selected to serve on the committee, which will review the name of the school, consistent with a School Board directive and the School Division's updated naming policy.

Mr. Alcaro said members of the Sutherland Advisory Committee were chosen from among those who expressed specific interest in serving. He said two committee members (Megan Wood and Jasmine Fernandez) are in required positions. He said Ms. Wood is the Principal of Sutherland, and Ms. Fernandez will provide support to the committee and its deliberations at the committee leader. He said three committee members are from the Sutherland faculty. He said three are parents are Sutherland students. He said two live in the school community, but do not have students attending Sutherland. He said there are three parents of children who attend elementary schools that feed into Sutherland.

Mr. Alcaro said the committee will also include a student representative who will keep students informed of the Advisory Committee's progress and will solicit name suggestions from students.

Mr. Alcaro said Sutherland Middle School is the second school in the division to have its name reviewed following the School Board's decision to have Dr. Haas evaluate all schools named for individuals. He said of the division's 25 schools, 14 are named for individuals.

Mr. Alcaro said Mortimer Sutherland was a teacher and later, principal, in the School Division, retiring in 1946. He said between 1954 and 1962, he served on first the Albemarle County School Board, and then the Board of Supervisors. He said the middle school bearing his name was built in 1994.

Mr. Alcaro said the committee's final recommendation on a school name will be provided to the Superintendent who, in turn, will make a recommendation to the School Board.

Mr. Alcaro said he would give a quick update for the public about the funding request. He said on Tuesday, February 25 (a week ago), he and Mr. Graham Paige presented the School Board's funding request to the Board of Supervisors for its review and adoption as part of the County's overall budget for the new year. He said the School Board will formally adopt its budget in April. He said they continue to thank the Board of Supervisors and taxpayers of the County for their ongoing support of the County's public schools.

Mr. Alcaro said he would speak about the proposed merger of the County's two charter schools. He said at the February 13 meeting of the School Board, Mr. Chad Ratliff (Principal of Murray High School and Community Public Charter School (CPCS)) proposed to the School Board that the two schools be merged into one, beginning in August of that year. He said students from the middle and high schools already share the same building within the Murray High School, but that students receive instruction in separate areas of the building. He said currently, 81 students attend Murray, and 58 are enrolled in CPCS.

Mr. Alcaro said Mr. Ratliff's proposal was in the form of an amendment to the Murray charter, which is before the School Board for its five-year renewal. He said the School Board approved the merger of the two schools in its work session on February 27. He said as a side point, the average scores in both the schools on the State SOL the past year exceeded their counterparts across the State, which he was very proud of. He said compared to two years before, applications to the two schools have grown significantly, from 6 new applications for CPCS to 130 that year; and from 12 new applicants to 90 for Murray High School. He said this was a total of 18 applicants that grew to 220 in two years. He said the new programs are outstanding.

Mr. Alcaro said the last topic he would mention is the Spelling Bee. He said an 8th grade student at Henley Middle School became the School Division's first three-time champion in Lane Auditorium two weeks earlier in the 15th Spelling Bee, with 21 rounds of competition among the 25 students who won their individual school championships. He said Layla Buber captured the title. He said more than 1,000 students in grades 4-8 competed in their school-wide spelling bees, beginning last November. He said Ingrid Flowerdy, a 7th grade Burley Middle School student, finished second.

Mr. Alcaro said the top 6 placements qualify for the regional competition, which will include champions from public and private schools throughout Central Virginia. He said the Regional Bee will be held at Albemarle High School this Saturday, March 7 beginning at 10:00 a.m.

Mr. Alcaro said in addition to Layla and Ingrid, the four students who also qualified for the Regional Bee are all elementary school students and include Maximillian Alhousen from Brownsville, Sophia Ailer from Woodbrook, Lewis DeFranzo from Agnor Hurt, and Hayden Castle from Merriweather Lewis.

Mr. Alcaro said this is the fifth consecutive year that Layla has moved on to the Regional Bee. He said the winner of the bee will be qualifying for the Scripts National Spelling Bee (which Layla attended last year). He said this year, it will be held the week of May 24-29 in National Harbor, Maryland.

Ms. McKeel said Murray High School used to have spots for Charlottesville students long ago, and they had a school with spots for Albemarle County students, making for a reciprocity. She asked if this was still happening.

Mr. Alcaro replied no. He said there also used to be students from outside the County who could be admitted, which was also no longer the case. He said everyone must be a County resident now.

Ms. McKeel said Mr. Pierce was there earlier speaking about the proposed new Boys and Girls Club at the Lambs Lane campus. She said about 25% of the students in Albemarle County Public Schools could spend up to 12-13 years on that campus. She asked for Mr. Alcaro's thoughts on the proposed club.

Mr. Alcaro said he loved the concept of the Boys and Girls Club. He said he was not completely familiar with what the ask is for the funds that Mr. Pierce is looking for, but that he was very supportive of the Boys and Girls Club. He said it is something that is needed in this part of the School Division and would serve the students well.

Mr. Alcaro said he and Dr. Kate Acuff were at the Barracks West apartment complex a couple years ago to talk with parents who don't normally come to School Board meetings or don't reach out, and that they were not even aware that there was after school programming available. He said none of them would have been able to afford the schools' EDEP. He said he has so much respect for the Boys and Girls Club and what it is they are trying to do, and that the cost factor would be fabulous for that community, and for the community in the area of the Lambs Lane campus.

Ms. McKeel said she believes the School Board has already seen a proposed design.

Mr. Alcaro replied that they had seen preliminaries.

Ms. Mallek asked if Mr. Alcaro could provide an update on where the driving course and building would be located, and if the plan had changed.

Mr. Alcaro replied that it is different. He said the building would now be located behind Jack Jouett and somewhat down the hill. He said the entrance would be with the driving range on the left, and that going down the hill, the entrance would be on the right.

Ms. McKeel said this would require a lot of environmental work. She asked if they were losing fields with this.

Mr. Alcaro replied no. He said there is a lot of wooded area there, and nothing that is already developed.

Ms. McKeel said that trees were coming down.

Mr. Alcaro replied yes.

Ms. McKeel said there would then not be a loss of fields, but that a stand of trees would be removed in the back.

Mr. Alcaro replied that at least a portion of the stand would be removed.

Ms. McKeel said this was already a very confusing driving area. She said there are some maps of how people have to drive through Lambs Lane campus, and that it is very confusing. She said they have had the Electoral Board complain and ask the Board if they could do something about it.

Ms. McKeel urged Mr. Alcaro that if he is looking at connections, new roads, and a way to get to that facility that he looks at it holistically and not just as a separate road, to see how they can fix this driving issue from a whole campus viewpoint. She said other School Board members have mentioned this to her as well.

Mr. Alcaro agreed with Ms. McKeel's point.

Agenda Item No. 10. HS201900009 Homestay Special Exception (Daniels).

The Executive Summary forwarded to the Board states that the applicants request special exceptions pursuant to County Code § 18-5.1.48(i)(1)(i) for a homestay at 4411 Stony Point Road to modify County Code §18-5.1.48(j)(1)(iii) to allow an increase in the number of guest rooms associated with a homestay from two guest rooms to four guest rooms and to modify County Code 18-5.1.48(j)(1)(v) to reduce the required 125' setback for parking for a homestay use from the rear property line.

Please see Attachment A for full details of staff's analysis and recommendations.

Staff recommends that the Board adopt the attached Resolution (Attachment E) to approve the special exceptions with the conditions contained therein.

Mr. Francis MacCall, Principal Planner, said he was joined by Ms. Rebecca Ragsdale for two Special Exception requests for homestays, with the first being for HS201900009 Homestay Special Exception Daniels.

Mr. MacCall said that as they have done with previous Special Exceptions for homestay applications, staff would provide a quick overview of the homestay regulations and Special Exception process before getting into the specifics of the request, the characteristics of the property, and the recommendation the Board received in their packets.

Mr. MacCall presented a slide about the Homestay Regulations for Rural Area properties of less than 5 acres. He said that any homestay is subject to the items listed on the slide, noting they were all the same and applicable for all homestays. He said for Rural Area properties of less than 5 acres, they are limited by additional criteria such as the rental of no more than two guestrooms, no accessory structures, no more than one homestay on the property, no whole-house rental, and a 125-foot setback yard requirement for dwelling and parking.

Mr. MacCall said the subject parcel is 3.73 acres, and therefore subject to those regulations. He presented a slide that was about the regulations subject to Special Exceptions. He noted there were four, and that the particulars with this application that are being asked for are the increase in the number of guest rooms and reduced setbacks.

Mr. MacCall presented a quick overview of the Board's actions that can happen with Special Exceptions, with regards to the factors that are considered. He said the two factors identified in the regulation itself are that there is no detriment to any abutting lot; and that there is no harm to the public health, safety, and welfare. He said the Board has to option, when reviewing these, to approve; approve, with conditions; or deny the Special Exception. He said they are not required to make specific findings in support of said action.

Mr. MacCall said as noted in the report, the request for this Special Exception for the application is for an increase from two to four guestrooms, and the modify the 125-foot rear setback for parking only. He said the dwelling itself meets the 125-foot setback from all property lines.

Mr. MacCall said the abutting owner notification resulted in one letter of support for the proposal, and with that, staff is of the opinion that the additional guest room and parking setback reduction would not cause detriment to abutting lots, nor harm to the public health, safety, and welfare.

Mr. MacCall presented an aerial photo of where the property lies off of Stony Point Road. He said there is a private street that goes in that is basically the driveway, which gets to the lot in the back. He indicated to surrounding features and wooded area to the rear. He indicated to the location of the homestay location.

Mr. MacCall presented a slide that was included in the additional Board packet, which represents what they see with the survey that was provided. He said Ms. Ragsdale also sent an email about this. He said this was the layout that is used for the condition for the proposal, which shows the homestay location, along with the approximate 100 feet from the property line. He said this worked out better than most because there was an actual physical survey that the applicant provided, which shows the distances as far as how far the house is from the different property lines.

Mr. MacCall said as noted in the report, staff is recommending approval for both of the Special Exceptions, with the resolution in Attachment E, which includes two recommended conditions.

Ms. Mallek asked to see the aerial photo again. She asked if the trees shown were substantial. She said she thinks this is what provides the cover to make the setback changes more reasonable, as the trees could block headlights.

Mr. MacCall presented another image to show the location of the gravel. He said he believed that the wooded area would provide a visual buffer. He said he didn't know beyond the stand of trees how far away the existing dwelling might be on the adjacent property.

Ms. Palmer said she sent out an email to staff asking that since this more intense use of a Special Exception would go with the land, how abutting neighbors would know that this more intense use was in effect, if the property was ever sold. She said the presented image showed her why this was important, as she remembered an incident in her district where someone bought a piece of property, had to cut down all the trees for the septic field, and then next door was a structure that the neighbors didn't want to look at. She said they hadn't known about it.

Ms. Palmer said uses can be intensified not just with setbacks, but by going from two rooms to four, and that when the ordinance was created, they settled on rooms rather than the number of people. She said they could assume that this would likely be 8 people in a household, but that there could also be more, as there is no understanding of how many people could sleep in the room. She pointed out that this use would go with the property. She said she would like to be assured that if they start approving these things, that someone looking at the GIS and property records will be able to identify that there is a more intense, commercial use on this piece of property.

Mr. MacCall said he knew there were many emails about this. He asked Ms. Palmer to remind him of the specifics of what could be done.

Ms. Palmer said she would have to go back to the email, but she had basically asked how they would put this in the GIS. She asked if Mr. Kamptner could speak to this.

Mr. Kamptner said Special Exceptions either are, or could be, identified on the GIS system, as it becomes part of the zoning regulations and decisions that apply to a particular property.

Mr. MacCall said this was exactly how he had heard that, and he wanted to make sure he wasn't hearing anything different about there being other ideas. He said it was potentially GIS, or the database that staff currently keeps with Special Use Permits and a number of other applications. He said they currently don't do that for Special Use Permits or Special Exceptions, but they do for Zoning Map Amendments, as that is actually identified in the code to do that.

Mr. Kamptner said the other component of that is that potential buyers need to actually look at the County's records. He said they may, at most, look at the zoning that applies to their own property, but may not necessarily look at the surrounding properties.

Ms. Palmer agreed they may not but said that if someone is doing their due diligence, they can. She said when she bought her house, she looked at all the surrounding areas, but acknowledged that not everyone does that, though they should. She said she didn't know how the rest of the Board felt about deciding that this should be on the electronic records when someone goes to look. She said there was a discussion some time ago about interest in streamlining that information, as she had asked why there wasn't something on the records. She recognized there is interest in not making the data too cluttered.

Ms. Mallek said she couldn't find Mr. Kamptner's response to her question about this, but that she knew he had identified that the County could register a document at the Clerk's office.

Mr. Kamptner said he would need to check with the Circuit Court Clerk's office, and that the regular practice would be that since the Board now takes actions on Special Exceptions, Special Use Permits, and rezonings, there are documents that are adopted (either regulations or ordinances). He said he needs to see if the Circuit Court Clerk's office would accept those into the land records so they could be picked up in title searches.

Mr. Kamptner said he did know that though the information was old, over the years, there has been the question about recording proffers, and that they are only aware of one locality (James City County) that was recording proffers. He said traditionally, these types of County legislative decisions are not recorded in the Court, but become part of the zoning regulations, which are separate from the land records. He said someone would have to come into Community Development and look at the records that apply to the parcel that they are considering buying and the surrounding properties.

Ms. Palmer expressed that this would be difficult, and no one would do a title search on a property that they are not buying.

Mr. Kamptner agreed. He said it is not going to show up, and that someone would have to dig through the records to go through it. He said a better approach would be for the citizens to come in and talk to people at the desk in Community Development to find out what the plan documents show for a parcel in an area, what the zoning says, and what kind of zoning decisions have been approved on the parcel and in the surrounding neighborhood.

Ms. Palmer asked if it was difficult to put that there is a Special Exception on the list of assessments, property information, and summary information.

Mr. MacCall replied that he did not know how difficult that is, but that staff would have to speak with other divisions, such as GIS and Finance, as much of this information is linked in there.

Mr. MacCall said one suggestion of his was for staff to look into this more, then come back to the Board at the April 15 work session they plan to have with more information. He noted there is a particular position in the CDD office that handles these kinds of request when a citizen comes in. He said he was in this position for a long time and enjoyed it as far as talking to the citizens and giving them that information about the surrounding properties. He said as Mr. Kamptner mentioned, CDD does this kind of work to help people with this information when they ask. He said on April 15, they could come back to the Board with more ideas on how this could potentially work with the GIS system, or a webpage.

Ms. Palmer said perhaps there could be an asterisk noting a Special Exception, and then people could look it up. She said it didn't have to be a big explanation, but some kind of indication that there is a commercial use on a residential property. She said it is one thing if there is an ordinance throughout the County so that everyone knows that there may be a homestay application on any property. She said the intensification of the commercial use on a property is something that people might want to know about.

Ms. LaPisto-Kirtley she said one way to handle it is instead of saying a property has a Special Exception, there could be notes in the GIS to be sure to check neighboring surrounding properties for any Special Exceptions. She said this means that the citizen will have to come to CDD to find out if there are those exceptions that they need to know about. She said this would make people aware that there may be Special Exceptions for a property nearby.

Ms. Mallek said Special Exceptions on a property could include a number of different topics.

Ms. LaPisto-Kirtley agreed, noting that it was a general statement that puts the onus on that person, instead of staff making sure that there is a note for each surrounding property.

Mr. Gallaway said this topic could come back in April, encouraging the Board to stay on the topic of this specific application.

Ms. Price said her question had to do with parking. She said if one makes a hotel reservation, the rooms will typically say something like, "No more than 2 adult guests." She said they will sometimes say that there cannot be a rollaway bed there. She said as part of an earlier discussion, they have talked about bedrooms that are available to rent and not necessarily the number of people.

Ms. Price said that if going to four bedrooms, theoretically, there could be two adults in each bedroom, which means eight adults and eight vehicles that show up at the house. She said if parking is limited to what is currently existing, she wondered where they should draw the line on parking. She asked if this was the small expanded parking area, or if it included the private street easement as well (which is a shared driveway).

Mr. MacCall indicated on the image to where the additional parking area is. He said a dwelling requires two spaces, and so each guest room would require one additional space. He said there should be an area there for six vehicles if it goes to four guestrooms.

Ms. Price said she saw that the application said six spaces and asked how they could know exactly how many cars can fit in that particular area.

Ms. Ragsdale replied that staff visited the site and documented this with the homestay clearance approval. She presented the survey that shows the location of the spaces, which were verified in the field. She said when the homestay clearance (the next step after the Special Exception) gets approved, it is documented. She said as Mr. MacCall said, the requirement is one space per guestroom, and that this would be part of the process and things documented when clearances are approved.

Ms. Price said she appreciated this, as the copy that was provided in the packet was light and difficult to read. She said she was not trying to imply any ill intent on any applicant, but that the County is trying to work through what achieves all its objectives.

Ms. LaPisto-Kirtley **moved** to adopt the attached Resolution (Attachment E) to approve the special exceptions for HS201900009 Homestay Special Exception (Daniels), with the 2 conditions contained therein. Ms. Price **seconded** the motion. Roll was called and the motion carried by the following recorded vote:

AYES: Mr. Gallaway, Ms. LaPisto-Kirtley, Ms. Mallek, Ms. McKeel, Ms. Palmer, and Ms. Price
NAYS: None.

**RESOLUTION TO APPROVE SPECIAL EXCEPTIONS
FOR HS2019-00009 DANIELS**

BE IT RESOLVED that, upon consideration of the Memorandum prepared in conjunction with the application and the attachments thereto, including staff's supporting analysis, any written comments received, and all of the factors relevant to the special exception in Albemarle County Code §§ 18-5.1.48 and 18-33.49, the Albemarle County Board of Supervisors hereby approves the special exceptions to modify the number of guest rooms permitted in a homestay from two to four, and to modify the minimum 125 foot rear yard required for a homestay in the Rural Areas zoning district for HS2019-00009 Daniels, subject to the conditions attached hereto.

* * *

HS 2019-00009 Daniels Special Exception Conditions

1. No more than four (4) guest rooms may be rented for homestay use.
2. Parking for homestay guests is limited to the existing parking areas as depicted on the physical survey prepared by Commonwealth Land Surveying, dated March 4, 2015.

Agenda Item No. 11. HS201900030 Homestay Special Exception Guinea Inn (Joyce)

The Executive Summary forwarded to the Board states that the applicant requests one special exception pursuant to County Code § 18-5.1.48(i)(1)(ii) for a proposed homestay at 8500 Beacon Hill Lane to modify County Code 18-5.1.48(j)(1)(v) to reduce the required 125' setback for a homestay use from the front and west side property lines.

Please see Attachment A for full details of staff's analysis and recommendations.

Staff recommends that the Board adopt the attached Resolution (Attachment F) to approve the special exception with the conditions contained therein.

Mr. MacCall said this parcel is over 5 acres, so it was different than the above request when it comes to the additional regulations. He said the same homestay regulations apply to everything there,

but for these particular properties, they are permitted to rent up to five guestrooms. He said the 125-foot setbacks still apply. He said only existing accessory structures may be used for the guestrooms, that a maximum of two homestay uses may be permitted, and that whole-house rental is permitted with properties over 5 acres.

Mr. MacCall said that in this particular case, the applicant is requesting only the reduced setback Special Exception. He said as noted in the report, the request is to modify the 125-foot front and side setback for the dwelling and parking. He said the dwelling does meet the 125-foot setback on the rear and side property line, and as noted in the objection during the public comments, that rear property line is approximately 800 or more feet away from the homestay structure that is on the property.

Mr. MacCall said the abutting notification went out, and that staff only received one letter of support for the proposal. He said that afternoon was the first time that staff had actually heard of the objection.

Mr. MacCall said currently, staff is recommending that the application be approved with the two, conditions but that he would show more about the specific site location. He indicated on a photo to the location of the property in the subdivision the property is in. He presented a closer look with an aerial view, noting it unfortunately did not represent the distance seen with the wooded areas, which go all the way back to the rear property line.

Mr. MacCall presented the parking and housing location exhibit that will be used for the proposed condition, noting that the parking is approximately 90 feet, with the structure itself being 121 feet or more from that edge. He said this was not far from the 125-foot setback requirement.

Mr. MacCall said with this, staff does not believe that modifying the yard requirements would result in a detriment, based on the characteristics of the wooded lot. He said thus, staff is recommending approval with the two conditions recommended with the resolution (Attachment F).

Ms. Mallek asked if staff had any comments about the suggestion about a fence.

Mr. MacCall replied that while staff was hearing that objection, he looked up the property, and it is approximately 800 feet to the back property line. He said the house itself, to the other house of the objector's property, is over 2,000 feet. He said if staff had heard that objection, he wasn't sure if they would have seen a detriment there to recommend an additional fence or not, but that he would leave it to the Board to see if this was appropriate.

Ms. Mallek said if it would have been a neighbor 112 feet away, for instance, that perhaps would have been more necessary.

Mr. Gallaway asked to see the GIS map. He asked if the person who spoke that day was representing Tax Map Parcel 69-30.

Mr. MacCall replied yes, noting that on the GIS, the house would be far away from the site. He said there is a large stand of trees there as well between this property and the actual home there.

Ms. Mallek said trees on the host property are even more important as these are the ones that those people can't control.

Mr. MacCall added that the property is actually under a conservation easement.

Ms. Mallek said this was predictable, then. She said she assumed they wouldn't get into whether or not the easement will allow the use, as that is someone else's difficulty, unless it is an ACEA easement. She said this is likely outside of the County's jurisdiction, on the applicant's property, as it was something they would have to settle with their own easement holder.

Mr. MacCall replied he believed so, but that he was not aware that this particular subject property has an easement on it.

Ms. Mallek said she misunderstood.

Mr. MacCall clarified that the big property has the conservation easement.

Ms. Palmer asked if she was correct that it was over 5 acres, but it was residentially zoned and therefore, they are limited to two guestrooms, which is continuing.

Ms. Ragsdale replied that it is zoned Rural Areas, and they have requested two guestrooms, which is less than the five that are permitted on a larger Rural Area zoned parcel. She said as Mr. MacCall mentioned, the parcels that are greater than 5 acres in size may have up to five guestrooms, and the condition limits them to only two.

Ms. Ragsdale said they do note in the report that the residential zoning districts in the County are allowed two guestrooms by right, and that there is no increased setback.

Ms. Palmer asked what would happen if the applicant wanted to go to five guestrooms.

Mr. MacCall replied that if the Board approves this Special Exception, the applicant is limited to two. He said they have only asked for two. He said any Rural Area property of 5 acres or greater that met all of the regulations could actually, by right, have up to five.

Ms. Palmer asked if the applicant would have to come back and ask for another Special Exception.

Mr. MacCall replied yes.

Mr. Gallaway said alternatively, a future property owner would.

Mr. Gallaway commented that when the Board was working through the homestay regulations, they were in some ways trying to use Airbnb regulations to regulate behavior.

Ms. Gallaway said issue of trespass has nothing to do with whether or not there is a homestay there, and if someone is trespassing, that is against code, and there are other avenues for that to be dealt with than trying to come through this Special Exception thinking that this could restrict it. He said if a fence is put around the property, someone could just walk around the fence. He said there are other things that need to be addressed, and if trespass is an issue, he would recommend that the gentleman who was there representing the property owner explores other means that are afforded to them under code to deal with trespass issues.

Ms. McKeel said there are always signs the owner could post to make sure people are aware.

Ms. Mallek **moved** to adopt the Resolution (Attachment F) to approve the special exception for HS201900030 Homestay Special Exception Guinea Inn (Joyce), with the conditions contained therein.

Ms. McKeel **seconded** the motion. Roll was called and the motion carried by the following recorded vote:

AYES: Mr. Gallaway, Ms. LaPisto-Kirtley, Ms. Mallek, Ms. McKeel, Ms. Palmer, and Ms. Price

NAYS: None.

**RESOLUTION TO APPROVE SPECIAL EXCEPTION
FOR HS2019-00030 GUINEA INN**

BE IT RESOLVED that, upon consideration of the Memorandum prepared in conjunction with the application and the attachments thereto, including staff's supporting analysis, any written comments received, and all of the factors relevant to the special exception in Albemarle County Code §§ 18-5.1.48 and 18-33.49, the Albemarle County Board of Supervisors hereby approves the special exception to modify the minimum 125 foot front and west side yard required for a homestay in the Rural Areas zoning district for HS2019-00030 Guinea Inn, subject to the conditions attached hereto.

* * *

HS 2019-00030 Guinea Inn Special Exception Conditions

1. No more than two (2) guest rooms may be rented for homestay use within the existing residence as depicted on the Parking and House Location Exhibit dated February 11, 2020.
2. Parking for homestay guests is limited to the existing parking areas as depicted on the Parking and House Location Exhibit dated February 11, 2020.

Agenda Item No. 12. 2020 Community Development Work Program.

The Executive Summary forwarded to the Board states that the purpose of this work session is to update the Board on the status of the work program presented at the Board meeting on 9-18-19, to review the current workload facing CDD, to review the summary of items currently awaiting prioritization and to present a way forward consistent with the Board's interests. The Board's Strategic Initiatives and previously established work program have provided initial direction, but staff recognizes there remain additional initiatives not yet included in CDD's work program. The ongoing challenge is to manage the Board's interests while addressing the needs of the department to build capacity in a world of increasing volumes in the CDD workload.

At this meeting, staff is looking for Board direction related to the suggested approaches outlined in this work session. At the September 18, 2019 Board meeting, staff presented a mid-year update to the work program initially presented in February 2019 predicated on the assumption of capacity across CDD with which to address the additional initiatives. This assumption is not borne out by the data. In fact, since the implementation of KRONOS, the County's new timekeeping system, for the first time staff can see the amount of overtime worked and the accrued compensatory time built up by individuals in an effort to keep abreast of incoming applications and other requests for service. During this work session, we will review the current CDD workload and resource capacity. Staff will outline the initiatives accomplished since last September, the upcoming targets for delivery of initiatives in the pipeline, the list of requests not yet scheduled, and a suggested way forward given the known requests for service. In Attachment A please find the work program presented to the Board at the 9-18-19 meeting. In Attachment B please find

the list of project status on each project in the pipeline. Finally, in the February 2019 work program presentation last year at about this time, staff requested the Board consider the option of directing resources towards a comprehensive examination of development review starting in mid-2020. The intent was not to simply consider the development review process, but instead focus on the extent and complexity of development requirements. Having completed two major and numerous minor examinations of development review process over the last 15 years, staff believes there is not likely to be much improvement by simply looking at process. To address the root cause of process challenges involves strategic alignments of the comprehensive plan to mirror policies already adopted by the Board since 2015. Further it necessitates the re-writing of the zoning ordinance to reflect the comprehensive plan while understanding and aligning the regulations. Only then can the development process updates make sense.

In this presentation, no additions to headcount are being requested. Performing the comprehensive plan review and updates, the zoning amendment re-write, and the development process realignment work will require the diversion of an estimated 3-4 FTEs over the course of an estimated 2 years to accomplish. In addition, the use of external resources from one-time funds is recommended to cover the re-write of the wireless ordinance and other specific time-sensitive plans. While no firm quotes have been sought pending this meeting and Board direction on the work program, based on previous experience with the initial writing of the wireless ordinance and other similar, sizable projects, we estimate the need for approximately \$200,000 of one-time funds in FY21 to complete these projects.

This matter is presented for discussion. Following staff's presentation, staff requests Board direction on this work program.

Ms. Jodie Filardo, Director of Community Development, said she was joined by Ms. Amelia McCulley, Deputy Director of Community Development. She said Mr. David Benish, Interim Planning Director, was also in attendance.

Ms. Filardo acknowledged the help and guidance they have received over the past couple months in building this approach. She said from the Board of Supervisors to the Planning Commission, the County's Executive Office, the Organizational Leadership Team (OLT), and Community Development team, many have guided the work she was presenting that day.

Ms. Filardo thanked fellow OLT members in the audience who were there to show their support, as well as the CDD team.

Ms. Filardo presented the Community Development Work Program, 2020-2023 update, as of March. She said this program outlines the discretionary policy initiatives work beyond that which the department is mandated to perform. She said on a regular basis, CDD comes before the Board to summarize projects requested by various sources and to request input from the Board on those requests. She said set in the context of the County Executive's FY 21 budget, this work program outlines recommended ways in which the CDD seeks to work differently, more efficiently, and more effectively to position themselves for the future.

Ms. Filardo said today was a time of transition for the County, as the population expands. She said that in contrast to concerns of an economic downturn, in CDD, they are experiencing a surge in demand for services. She said despite a hardworking team of can-do members, this environment challenges their ability to keep up. She said therefore, to address increases in demand, they must update their processes for this new reality.

Ms. Filardo said she and Ms. McCulley will outline the discussion in context. She said further, they will provide an update on the work program the Board reviewed last September 18th. She said they will then go over the upcoming work they face, moving forward.

Ms. Filardo said as this was scheduled as a work session, they will provide an approach to the work ahead, with full expectations of the Board's engagement. She said by the end of the session, they hope to have Board alignment with their approach for the next six months.

Ms. Filardo presented a chart, noting it was familiar to many, and illustrates CDD has little control of its overall workload. She said they are mandated to complete these nondiscretionary, mandatory items, with the exception of the work program component. She said volumes of many of these items (residential building permits and zoning complaints, in particular) have increased substantially year over year. She said there would be slides that follow with further data.

Ms. Filardo said staff notes management's and experienced staff's capacity continue to limit resources available for the work program. She reminded that the work program is a compendium of discretionary projects and policy updates desired by the Board and others.

Ms. Filardo said in pursuing projects, the complexity and number of stakeholders with differing interests directly correlate to the time necessary for completion. She said they strive to right-size engagement processes to the project's complexity and impacts.

Ms. Filardo presented a slide, explaining its purpose was to illustrate that the amount of staff time available for the work program is limited by nondiscretionary demands.

Ms. Filardo said a topical array of 21 different nondiscretionary demands on staff time is illustrative, but not exhaustive. She said each varies in the people and time needed to address them and in the frequency in which they receive these requests for service. She said some of these items are legislated, with commensurate timetables associated such as review times for applications and legislative mandates.

Ms. Filardo said some projects are driven by the Board's strategic initiatives, while others are organizational mandates, such as the implementation of Kronos (the timekeeping system) and new website. She said other items are dictated by requests for support from their sister departments, such as high-priority projects determined in collaboration with the Economic Development office.

Ms. Filardo said all these items illustrate the magnitude of requests the department faces daily. She said of these, the category over which they have some control is the work program. She said in the present environment, addressing this work is challenging. She said increasing volumes of nondiscretionary requests leave little or no time to assess or improve the efficiency of the processes, or to take on extra projects and requests.

Ms. Filardo said one example of nondiscretionary demand increases is residential dwelling permits, which was one type of application named on the previous slide. She said receipt of these permit applications represent a substantial increase since pre-recession levels. She said the 2019 volume, in fact, represents the highest volume experience in the past 12 years.

Ms. Filardo said policy changes have driven expansion in the number of zoning cases and complaints. She said in Zoning, their code compliance officers handle both homestay investigations and complaints. She said year over year, counts grew 82% from 2018-2019, due in large part to the new homestay ordinance. She said while regular complaints remained relatively stable from 2018-2019, 197 of the 434 cases were attributable to homestays. She said of those, all but 5 were found as a result of the software used to identify homestays advertising on social media platforms.

Ms. Filardo said as of late January 2020, 43% of last year's homestay complaints were resolved. She said regarding homestay cases for this year, 29 new cases have been opened since the beginning of January.

Ms. Filardo spoke to who works on CDD's request for service, noting that staffing levels haven't kept pace with service requests. She said they have a team of 74.5 professionals working hard every day on behalf of Albemarle County. She said many staff have master's degrees and that most are professionally credentialed in the fields of engineering, residential and commercial inspections, planning, and zoning. She said approximately 75% of the team are classified as non-exempt employees and therefore, earn comp time or overtime.

Ms. Filardo said that thanks to the work of the Kronos team and the CDD timekeepers, they now have visibility into exactly how much overtime individual team members work. She said she would explore with the Board CDD's capacity in more depth.

Ms. Filardo said one way to address increased demands is to work overtime. She said thanks to Kronos (implemented in April 2019), they now have accurate monthly information on how much overtime and comp time individuals earn while attempting to cover increased demand. She said they have a dedicated staff working hard to get the job done, but it simply isn't enough. She said the CDD non-exempt team alone has earned comp time and overtime that is almost equivalent to an extra person. She said the figures presented don't show the amount of extra time worked by exempt employees.

Ms. Filardo said CDD recognizes the need to approach their work differently, moving forward, and will explore some thoughts on an approach to that in the presentation.

Ms. Filardo presented a chart demonstrating CDD staffing levels over the past 12 years, noting that current staffing has not caught up with staffing from 2008. She said this was only part of the story, however. She said they are resource-constrained in other ways as well.

Ms. Filardo said CDD enjoys a seasoned staff and overall, their employees' average length of service is about 10 years, resulting in extensive institutional knowledge. She said due to their long length of service, their employees drive an equivalent of three full-time positions in annual leave obligations per year. She said in addition, there are currently five employees on FMLA, which by law yields an annual impact of 1.15 full-time equivalents.

Ms. Filardo said CDD has three open positions in varying stages of recruitment. She said they also have approximately 3 FTEs working on the timekeeping system and on the upgrade to the new website.

Ms. Filardo said the good news is that since 2008, their staff has worked to increase efficiencies. She said in 2011, the employees processed an average of 12 permits per person. She said that by 2019, the staff processed 15 permits per person, which resulted in a 25% increase in productivity. She said this was not enough, however, to meet demands of customers.

Ms. Filardo said in the past, CDD has added to staff to address volume-related increases. She said with this year's budget instructions, they requested four additions to staff to address transportation needs, inspection compliance levels for the Engineering Division, and for support in permit review in the

Intake area. She said due to budget constraints, these positions could not be funded.

Ms. Filardo said for FY 20, the Board gave CDD an additional \$20,000 to fund a temporary position to help with anticipated homestay volumes. She said this has helped.

Ms. Filardo said in the County Executive's proposed budget, all departments are called on to work differently in the future to address the County's needs. She said as a result, a holistic approach to improving departmental efficiencies is essential. She said that while CDD has implemented departmental efficiencies over time, the data and customers indicate that more is needed.

Ms. Filardo said over the last six months, they have engaged with a variety of community members to discuss their thoughts on doing business with CDD. She said different developers, attorneys, and engineers have come in to share their experiences, frustrations, and hopes for improvements in CDD's ability to reduce cycle time on projects. She said they have also engaged with business-related and environmental organizations and have run this work program presentation through an array of OLT members as well, who have all been helpful in tuning the presentation.

Ms. Filardo said three developers have taken CDD on site visits, and that this is a group who all appreciate the knowledge of and care with which staff evaluates projects. She said all were concerned about the time it takes to develop projects in Albemarle County, in contrast to neighboring counties. She said additional feedback indicated the development review process is difficult to navigate, as the Comprehensive Plan doesn't align with the Zoning Ordinance. She said this misalignment results in a lack of certainty and excessive cost to develop in the County, plus increased review time.

Ms. Filardo said the developers and builders are open to working collaboratively, aimed at finding a win-win forward, benefiting the County and residents. She said their desires align with support needed from CDD to further Project ENABLE as well.

Ms. Filardo said staff interacts with and receives input from residents in various ways. She said these include Community Advisory Committees, the Planning Commission, and Board of Supervisors meetings, as well as neighborhood meetings near new development.

Ms. Filardo said the need to address transportation is a recurring theme. She said as the Board was aware, Transportation Leveraging funding was the number one choice for the CIP funding identified by each group at the recent joint CAC meeting. She said transportation funding must consider not only existing and proposed vehicular traffic, but multimodal traffic as well. She said the public also wants more convenient connectivity as the County continues to develop to include transit options.

Ms. Filardo said as development projects are proposing rezoning for additional dwellings or for nonresidential buildings moving forward, the public is also concerned about inadequate infrastructure. She said this infrastructure gap includes the lack of school capacity in place or planned. She said these issues impact directly what residents perceive to be their quality of life.

Ms. Filardo said given all the customer feedback, CDD would like to summarize documents and policies adding additional guidance to the department and the process they follow. She said for the public, they would quickly review the nine Board of Supervisors 2020-2022 strategic initiatives. She said CDD is involved in various ways in every one of those nine.

Ms. Filardo said the first strategic initiative was Climate Action Planning. She said the goals include continuing to expand and promote the County's outdoor recreational parks and amenities, developing an economic development program, school space needs, infrastructure planning, revitalizing aging urban neighborhoods, expanding and upgrading the General District Court and Circuit Court, redeveloping Rio Road/Route 29 intersection area, and expanding broadband.

Ms. Filardo said the Board's adoption of Project ENABLE (the Economic Development strategic plan) also put forward priorities impacting CDD. She said Project ENABLE asks, "How do we reduce uncertainty and shorten approval times?" She said Zoning Ordinance simplifications are possible without compromising health, safety, welfare, or environmental impacts. She said these changes are not easy and take a lot of time to do. She said it also posits the need to effectively remove and reduce barriers while simplifying requirements.

Ms. Filardo said currently, staff is already working on the following EDO priority projects: Southwood Phase I, Woolen Mills (Broadway Blueprint), and Stonefield upgrades, to name a few. She said the Comprehensive Plan, Zoning Ordinance, and development process improvements (which are the basis for improvements that need to be made), however, have not been addressed in a comprehensive way.

Ms. Filardo said before discussing these, they would cover the current status of items from the previous work program, presented to the Board last September.

Ms. Filardo said in the next section, they would review the previously approved work program, progress made, and additional requests to projects from the Board and staff.

Ms. Filardo presented a slide showing the approved work program, outlining discretionary work from the Board's work session on 9/18/19. She said this work program view shows, outlined in red, the work allocated to fourth quarter 2019 through first quarter 2020. She said last September, CDD

suspected they would be stretched to capacity during that timeframe, which is why they recommended that work relating to the new priorities begin after they have completed the items already underway.

Ms. Filardo said she was happy to say that they completed three projects. She said at the 12/4/19 Board meeting, the Board approved the Biscuit Run Park rezoning and that on 12/18/19, they approved religious assembly and a Special Use Permit on authorized signatures.

Ms. Filardo said also at that September meeting, the Board selected the Fill and Waste project as its top priority to be addressed over the subsequent six months. She said they discussed right-sizing this project to streamline it and improve their chances of completing it without scope creep. She said the Fill and Waste project is ongoing, and that the ordinance is under development with a draft being vetted with key stakeholders. She said this project is scheduled to return to the Board in the last meeting in June.

Ms. Filardo said also at the September work session, the Board supported hiring a consultant to update the wireless policy, in keeping with their strategic goals. She said the initial rough funding estimate for that consultant was \$100,000. She said the search for funding for this project is ongoing, and CDD hopes to begin their scoping of the project in the second quarter of 2020.

Ms. Filardo said given the feedback from their customers and the demand on staff, they need to build capacity and increase efficiency to work differently. She said they recommend they finish what they have started. She noted that the list of projects appears in the work recommended to continue through fourth quarter 2020. She said work on Southwood Phase I is ongoing, as agreed, as are the homestays lodging and affordable housing projects. She said a Board update on homestays is scheduled for April 2020. She said the update on affordable housing was due at the present Board meeting, with work continuing this calendar year and a housing policy expected by September 2020.

Ms. Filardo said Crozet Master Plan is on schedule to be completed in the fourth quarter of 2020. She said the related parking study and transportation modeling are already budgeted.

Ms. Filardo said Rivanna Corridor Plan Phase II is underway to be completed by fourth quarter of 2020. She said Thomas Jefferson Planning District Commission (TJPDC) is managing that project, with CDD assisting.

Ms. Filardo said she would transition to items previously requested, but not scheduled, at the September presentation to the Board. She said Ag Operations Phase II, Rural Area Landscape Contractors, Recycling Uses, and Home Occupations in the Development Area are not scheduled yet, although CDD thinks they can fit two of those projects into the recommended work program, moving forward – the RA Landscaping Contractors, and Recycling Uses. She said they consider “nimble projects” to be those with a very narrow and well-defined scope, requiring limited resources and short cycle times.

Ms. Filardo said they understand there is also interest in amending the ordinance related to performance standards for commercial industrial uses in the Rural Areas of the Comprehensive Plan. She said CDD is working to understand what that means and how best to accomplish it.

Ms. Filardo said she would list Board items raised since September 2019. She said that since the updates to the work plan last September, staff has received additional discretionary requests from Supervisors, although these haven't yet been vetted by the entire Board. She said due to the time constraint on the Opportunity Zone related project, CDD has a suggestion on how to approach the first project on the list. She said the remainder of this list is not included in this presentation, as scheduled.

Ms. Filardo said in order to grow staff capacity to address discretionary projects, they would now consider an approach to increase capacity and efficiency.

Ms. Filardo said CDD must work smarter and more effectively to deliver those things which the Board and community need them to be doing. She said for years, they have tried to cobble together solutions, but they cannot increase efficiencies with misaligned tools. She said they must set up their approach to business so that the majority of requests for service can be handled without exception processing.

Ms. Filardo said prioritization in implementing the Comprehensive Plan, Zoning Ordinance, and development process updates necessitates diverting key members of Planning and Zoning staff to do this work. She said they intend to right-size the Comprehensive Plan update to incorporate those policies already adopted by the Board and not yet reflected in the plan. She said it is CDD's intention to be strategic and restrained in their update process to maximize the result while minimizing the elapsed time. She said this means they will need to delay new Master Plans and substantive Zoning Text Amendments to accomplish these updates.

Ms. Filardo said in a couple slides, she would be presenting the work they are planning in a similar work program format to the previous format the Board saw last year.

Ms. Filardo said to augment staffing, CDD will pursue external resources where possible, with Board concurrence. She said even with this restrained approach, this is a heavy lift using critical resources.

Ms. Filardo said as noted in the Board's most recent meeting, land use designations (especially in

the Rural and Development Areas), densities, and housing policy updates are especially critical. She said these must inform updates to the Zoning Ordinance and Zoning Map.

Ms. Filardo said she would explain the work they would undertake to build capacity. She said they need to invest in career development and management training to support succession planning and to find ways to work differently, more collaboratively, and more efficiently. She said they need to look at managing more decisions administratively to speed up the process and to reduce the staff burden of these projects.

Ms. Filardo said as previously mentioned, they intend to pursue external resources to expand capacity without expanding staff. She said further, if they do experience a prolonged economic downturn and a reduced demand for services, they will redeploy staff resources, as appropriate. She said they are committed to working smarter and doing the right work.

Ms. Filardo said to sum this up, the county is rural, suburban, and urban, and are becoming more urban in the Development Area, as intended. She said CDD believes this drives the bottom line listed on the slide.

Ms. Filardo said she would briefly touch on Item 5. She said as they update their guiding documents and processes, they will begin an exploration of updating their tools, particularly their permitting and review tool, County View, which is 16 years old and no longer serving their needs. She said this is simply a heads-up and will not impact their plan immediately. She said they will likely begin an exploration of the marketplace for such tools before the end of FY 20. She said it is a key component to working smarter.

Ms. Filardo said she would ask Ms. McCulley to walk the Board through the suggested 2020 work program.

Ms. McCulley presented a slide depicting projects which CDD thinks are very well-suited to the use of external resources. She said they can be handled more expeditiously that way, and sometimes, they are using resources externally that have subject matter expertise that CDD does not have internally. She said that of course, managing those projects will require their staff resources.

Ms. McCulley said given the Board's initial support for the pursuit of external resources in its budget meeting the day before, CDD plans to scope each of these projects and derive some related cost estimates. She said each project, in some way, relates to the necessary Comprehensive Plan work.

Ms. McCulley said she would quickly go through an overview of each project.

Ms. McCulley said that relative to the multimodal transportation systems plan, this plan is needed to inform key aspects of the Comprehensive Plan update. She said the Hydraulic Commonwealth Road Small Area Opportunity Zone Plan is very time-critical, at this point. She said it is an Opportunity Zone designation for investment, with a remaining window of 8 years. She said if they wish to spur investment in this area, time is of the essence in examining this.

Ms. McCulley said that as for the Rio Road Corridor Study, CDD is currently considering an array of development projects on Rio Road, with one coming to the Board that evening. She said residents in the area have been vocalizing concerns about impacts to the traffic volumes on Rio Road. She said this Rio Road Corridor Study would assist staff, the Planning Commission, and the Board in making informed decisions on these development projects.

Ms. McCulley said the Mill Creek Small Area Plan is a focus planning process for the area that includes and surrounds the large undeveloped parcels that are owned by the County in the Mill Creek Drive area. She said it is a Small Area Planning process that would be a collaborative process to result in a plan that addresses land uses and form of development, size, scale, massing, and buildings, with a pedestrian orientation for civic activities; transportation connectivity with road connections, transit, and bike access; protection and management of important environmental features (streams, stream buffers, preserved slopes); open space and parks and recreational needs; and other design guidance and implementation priorities for the area.

Ms. McCulley said thus far, the Board has been provided context for the work program. She said moving forward, they would be discussing the specifics of the new work program in three slides. She said CDD believes it is critical to emphasize that what they are proposing is not "business as usual."

Ms. McCulley presented a slide showing both started projects CDD would finish, and projects they recommend for improving departmental efficiencies. She said the blue triangles on the slide indicate major milestones, deadlines, or completion of key features of that project. She noted there is an overlap in that CDD will continue to finish what they started at the same time as they are proposing to take on some of the new projects that appear under the "Schedule the Unscheduled" list.

Ms. Palmer asked to see the project list slide again. She said she wanted to see the differences in the water resources and stream health for the Development Area versus the Rural Area. She said the printout in her packet was too small to read.

Ms. McCulley said the "Finish What We Started" project list depicts the existing work program that CDD brought the Board in September, and that it shows they plan to finish what they had talked to the

Board about. She said they have already started on at least 8 of the 10 projects, with those projects being underway at this point, in this quarter. She said at the bottom of the slide was the wireless policy, which the Board would recall endorsing in September.

Ms. McCulley said she would move on to the recommended work program for CDD to do “the right work.” She said the three major initiatives, which appear under the header “Schedule the Unscheduled,” is a bold yet critically strategic effort to better position themselves for the present as well as the future. She said this work has three components for a strategic Comprehensive Plan update, Zoning Ordinance amendments that implement that update, and development process improvement. She said all of these update and align key tools. She said the critical work that come from the three initiatives will increase sufficiency and better assure that they are attaining the land uses and development that is consistent with their policies.

Ms. McCulley reminded the Board about projects for which CDD is seeking external resources support, for which they will bring updates back to the Board later.

Ms. McCulley said the Board may see this as a substantial investment. She said it will cause a delay of other projects. She said the question was as to “why now?” and “why this work?” She said that first, much of the work that CDD has been asked to consider has happened on a Special Exception basis. She said the Board just heard two Special Exceptions that afternoon. She said at almost every meeting, they have had 1-3 Special Exceptions, and that this was part of project time. She said this was not a good use of anyone’s time – not the Board’s time, staff’s, the applicants’, nor the public.

Ms. McCulley said the second reason was that for years, there has been a mismatch between the guiding policy document (the Comprehensive Plan) and the Zoning Ordinance (which is intended to implement the Comprehensive Plan). She said it is time, within an organization-wide approach, to improve efficiencies and have alignment.

Ms. McCulley said third, there are possible legal implications for not fixing the tools. She said there are known outlying issues, and some loose ends they want to tie up.

Ms. McCulley said fourth, these documents being out of sync negatively impacts the County’s credibility.

Ms. McCulley said fifth, as Mr. Williamson previously mentioned during public comment, the “silver tsunami” is hitting the workforce, and they were certainly experiencing that there in the County, so they need to prepare their staff for the future and make sure they are working on the right work.

Ms. McCulley said the third item under “Schedule the Unscheduled” is development process efficiencies, which links back very directly to Project ENABLE.

Ms. McCulley said below those three large efforts that are the “right work,” there is a very narrow window of opportunity with Zoning Ordinance work. She said the Zoning Ordinance work is not projected to begin until first quarter of 2021 because to implement the Comprehensive Plan policy work, there is a natural timeline. She said they believe they can seize this opportunity window with two nimble projects, and that they must be nimble as they need to be things staff can do with limited resources and in a short amount of time.

Ms. McCulley presented two projects that came up in the September work plan discussion. She said they believe these are the right ones to move forward on, and that they can get both done in that projected timeline.

Ms. McCulley said in summary, stepping back overall, this is not “business as usual.” She said if they want different results, they have to do things differently. She said CDD believes this is the right change and the right work to position them for a better future.

Ms. Filardo said this presentation walked through the previous work program for discretionary projects; recommended an approach for the 2020 work program, predicated on finishing what they started; revising the Comprehensive Plan, Zoning Ordinance, and related development processes to increase efficiencies; and pursuing external resources to augment staffing on very specific projects.

Ms. Price thanked Ms. Filardo and Ms. McCulley for the work they and their staff have done. She recognized that everything they do is significant and did not, in any way, want to have her comments diminish one area over the other, noting that there are pressing things CDD has to do every day.

Ms. Price said with regards to “Scheduling the Unscheduled,” the Comprehensive Plan update, and the zoning consistency, she didn’t think there would be anything more important CDD would be doing over the long-term than that. She said as Ms. McCulley just mentioned, the County needs consistency, credibility, and to reduce their liability because of those inconsistencies. She said she thinks everyone wishes it could happen sooner, but that they all appreciate that CDD will take the actions to bring those into consistency.

Mr. Palmer said she had a clarification question. She asked what the milestones for the development process efficiency for 2020 (in the third quarter) and 2021 (in the first quarter) are. She said she didn’t see this in the Board’s materials and wanted to understand what a milestone is for that activity.

Ms. Filardo asked Ms. Palmer if she was referring to specific things that CDD would be undertaking as part of the Comprehensive Plan, at least in terms of what they are envisioning will be those triangles on the slide.

Ms. Palmer replied yes, explaining that she wanted to know what the triangles represent in the development process efficiency.

Mr. Gallaway said that slide 33, "The Right Work," was likely the slide.

Ms. McCulley replied that this work has not been fully scoped. She said CDD does believe that there will be some earlier gains they can receive in terms of process improvement, and others that will take longer. She said it was not fully defined, at that point, but it was something that, with the Board's endorsement of the plan moving forward, they would begin working on very soon.

Ms. Palmer asked if the Fill and Waste project was still included in the program.

Ms. Filardo replied yes, explaining that this was due to come back to the Board with a Zoning Code update at the end of June. She said it is on the "Finish What We Started" list.

Ms. McCulley said the project is underway and that CDD intends to meet their milestone they shared with the Board of June.

Ms. Palmer said the Board has received several emails on the Dark Skies situation. She said Kelsey Johnson sent the Board her TED Talk the day before about this. She said Dark Skies has been discussed for many years and put it off for good reason, as there was not time in the work plan.

Ms. Palmer said she wanted everyone to know that in her meeting with Ms. Filardo, staff, and her Planning Commissioner, Ms. Karen Firehock once again brought up a plan with several professionals (led by one of the astronomers from McCormick Observatory and others) to do the work for planning to run the outreach to get people to comment on Phase II of the Dark Skies Ordinance, write the ordinance, and hand it over to staff. She said she assumed it would take at least a year to do this.

Ms. Palmer said there were obviously many questions and issues that must be considered, and that she completely understood this. She said since this effort would take at least a year, she hoped that somewhere along the way, CDD could consider getting this kind of professional help from people. She said in the TED Talk she mentioned, Ms. Johnson mentioned something she had no idea about – that some LED lights are much worse than others, as far as the environmental impacts. She said she would like to make sure that when CDD looks at lighting for projects, they are taking these things into consideration, and that there are professionals willing to help do the work for staff.

Ms. McKeel said last fall, she had brought up that the lighting ordinance was almost as old as their wireless ordinance, which was part of the problem. She said technology has moved ahead of the County. She said the community strives to have dark skies, but they cannot make the skies over Albemarle County dark if they do not consider the City and UVA. She said when she comes over Pantops and looks down, much of what she is seeing in the way of real lighting is coming from UVA. She said if she looks away from UVA, she sees much darker skies, relatively speaking.

Ms. McKeel said although she didn't know if this was a possibility, there is now a working group with UVA, the City, and the County that she believes would be a great group to take on what it would look like if this community tried to reduce its light scatter. She said everyone must do this together to achieve their goals. She said this means UVA and the City have lights they need to address. She said she didn't know if a common lighting ordinance among all three jurisdictions would be beneficial or even possible. She said she did know that if they do not look at this as a community regional problem, they won't get there.

Ms. McKeel said they need to look at what the developers are doing. She said she liked the developer who put in a community behind her neighborhood, but that the lights stay on 24-7. She said this is what they are making in the market these days, and that she didn't understand why. She said outdoor lighting fixtures now stay on 24-7. She said she can stand on a sidewalk in a new subdivision and read the newspaper at 2:00 a.m. She said the developers were not thinking about this.

Ms. McKeel said she was wondering if looking at this from a bigger perspective with the City, County, and UVA (including Scott Stadium and the hospital) would be beneficial, with the new working group. She said she didn't know if this was appropriate for her to suggest.

Ms. Palmer said Ms. McKeel's point was excellent, and her bringing up the working group was much appreciated. She said the group that has organized around the subject included several people from UVA and some from the City. She said if the working group would get in touch with the lighting group, it might help.

Ms. McKeel encouraged working together rather than in silos.

Ms. Palmer said the group that has been identified in talking to the County for years now are likely talking to UVA as well, and perhaps the working group can be the one that decides whether or not there should be an ordinance for all three jurisdictions.

Ms. McKeel said she didn't know if this involved the work plan or staff, but that this might be a way to move the project forward in a different way.

Ms. McCulley said a regional approach to dealing with lighting makes sense because it is not an issue that stops at jurisdictional boundaries. She said CDD also thinks there is a logical connection with what will be in the first phase of Comprehensive Plan work in integrating the Climate Action Plan and strategies to implement that plan. She said she thinks there will be an opportunity in some of the work they have already identified to find some dovetailing of implementation strategies for things like this.

Ms. Palmer asked Ms. McCulley if she could let the Board know about whether they provide the information on environmental impacts of different types of LEDs to people who come in for approval of lighting on their projects.

Ms. McCulley asked Ms. Palmer if they were currently providing that information.

Ms. Palmer replied yes.

Ms. McCulley said she would need to check on that, as she was not aware of what type of assistance CDD provides. She said the lighting regulations were amended to address LEDs, and that Dark Skies regulations are the easier first phase of implementation. She said to get more advanced than that, it is fairly complex and will take time and effort, and that they do not want it to detract from the important work on the Comprehensive Plan.

Ms. Palmer said she understood this but wanted to know what was currently being done.

Ms. McCulley said she would check and get back to Ms. Palmer.

Ms. McKeel said she was only suggesting that this might be a way to get started on that with another group.

Ms. Mallek said having a blank piece of paper when all the groups get together is daunting, and that the Albemarle County group that was very instrumental in the first Dark Skies effort could do their work, then have something ready to be considered as something to talk about. She said the needs of the different regions are dramatically different, in some ways, and that rather than looking at the big picture, they should look at simply having a start.

Ms. Mallek said one thing that showing up with newer construction in the White Hall District has been that the numbers for the lumens they use for the old incandescent lights do not help with LEDs because the same number is blinding compared to what was generated in older lights. She said the County has a good structure that needs to be modernized.

Mr. Gallaway said when thinking about this meeting over the past week, he would see an item and think it could get in the work plan. He said what he understood from listening to Ms. McCulley and Ms. Filardo is that doing the bigger Comprehensive Plan will hit these items so that they do not have to take on those individual items.

Ms. Filardo said this was true, where practicable. She said she didn't want to be restrictive, but that this would be their fondest hope. She said they haven't had a chance to meet with the outside group, at that point. She said she sits on LUEPC (Land Use and Environmental Planning Committee) and can carry the interest forward to see what kind of interest they receive from UVA and the City. She said it does fall in a land use and environmental planning context, and that she would recommend that rather than trying to give an answer now, consider an approach to this and come back to the Board with an update, if that would be acceptable to the Board.

Mr. Gallaway said perhaps he should make his comment differently. He said coming into this meeting, his CAC was interested in having a Master Plan update for the Rio-29 area. He said in listening to this approach and getting up to speed, and with what CDD is proposing, it convinces him not to come in and piecemeal ask for that project because the work they are going to do on the Comprehensive Plan and zoning alignment will, in many ways, take care of some of the concerns and why people are asking for that Rio-29 Master Plan update.

Mr. Gallaway said this same thinking would apply to Dark Skies, or other projects. He said his point was that some want to get going on specific projects, but that having a strategic approach dealing with the bigger picture will help them get there, even though it is not defined down to a very specific project.

Ms. Filardo agreed.

Ms. McKeel said she was very supportive of doing this work first. She said it was the matter that Dark Skies came up, and that she had been thinking about LUEPC, so she wanted to mention it. She agreed with Mr. Gallaway that they have to do the structure and process first.

Ms. McCulley said she believed they would know more as they come back to the Board with scoping for the Comprehensive Plan work.

Ms. LaPisto-Kirtley complimented CDD on the work they have done, noting she was excited

because she has seen at least two instances where the Comprehensive Plan doesn't match the zoning, and the developers are getting frustrated because they are being told different things. She said they were long overdue for this work, which will address many of the other issues.

Ms. Mallek said she was encouraged by the discussion they just had with Mr. Gallaway because something that came up abruptly because of outside forces was doing something to reinstate a stronger Water Protection Ordinance from the water's edge of all the reservoirs. She said perhaps those things could be inserted when the Comprehensive Plan is updated, much like they will drop in the new Master Plans. She said bringing these other things into the modern age will be important, now that they know more about what is ahead and what the challenges will be.

Ms. Mallek said she assumed and hoped that once more people who are doing homestays become more compliant as the new rules are implemented, and as small changes to be made to the rules are determined, means that some of the matters will be addressed. She said she looked towards simplicity, going forward, which would free up resources.

Ms. Mallek said two years ago, they changed the rules about how one had access to a Comprehensive Map Amendment (CMA or CPA), and that it had to come through the Board only. She recalled something coming out stating that this would no longer be done. She asked what the status of this is.

Mr. Bill Fritz (Community Development) replied that these were Section 33 changes, and what had been discussed was undoing the changes that had been made in 2018 and going back to what they had before. He said he has looked at this, and that there are some things the Board did that they had said they wanted to do, such as changing the Zoning Text Amendment and Comprehensive Plan Amendment. He said they are trying to retain those things while fixing a few other things, and that he believes they can bring back to the Board an ordinance that returns them to what they had previously while fixing some things.

Mr. Fritz said it was not a major change and was in the final drafting stages. He said it will go to the County Attorney's Office for final vetting, and it can then be scheduled for the Planning Commission to review.

Ms. McCulley said Ms. Mallek had also alluded to the fact that they had previously had publicly initiated Comprehensive Plan and Zoning Text Amendments, and that this process was changed to have them come through the Board. She said this was not changing.

Mr. Fritz said it was retaining that it was coming through the Board of Supervisors and would not be publicly initiated.

Ms. McKeel said she had been hearing some reference to working differently, and that this may mean using some outside help. She said she was all in favor of that. She said at the same time, she has been hearing about using outside help, but maintaining control within, which is critical. She said this still involves staff, and it is not as if they were simply sending the work off. She asked for further details about how this might work.

Ms. Filardo said following this meeting, CDD has a meeting set up for early next week to have a discussion of the approach on all of this, and so further details may be premature. She said they were hoping to scope out each of the projects that are on the external resources list, and also come up with some rough cost estimates, which could all be brought back to the Board. She said there will be an approach at that point.

Ms. McKeel said this was helpful.

Ms. McCulley said Ms. McKeel was correct in that it was not a handoff of work, and that staff must continue to remain involved to make sure that the resources are achieving the intended purpose for the County.

Mr. Gallaway said as noted earlier, the Rio Road Corridor Study would be a project that the County would have to hire external resources for. He said this was not a matter of capacity or timing, but of skillset. He said they were now starting to smartly think about how to also do this for capacity and timing, which made sense to him.

Ms. Mallek asked if staff could report back to the Board with an update about the Rio Road Corridor plan. She said they didn't take as long a pause at the end of Phase I as she was anticipating, and that it went straight into Phase II. She said at some point, she would like to have a thorough discussion about what else they can logically accomplish with all the investment, as she was uncertain about it.

Ms. Filardo asked Ms. Mallek if she was referring to Rio form-based code.

Ms. Mallek clarified that she had meant to say the Rivanna River.

Ms. McKeel said that look at the work plan differently, through change, was good.

Mr. Gallaway asked to see the slide on overtime. He said he was guilty himself of thinking about

what projects need to be done and timelines, but in his work outside the Board, if this chart was to be brought to him in his organization, it would be so unacceptable. He said he appreciated the fact CDD was saying it was not viable, and that it was also completely unfair of the employees to have to work that kind of overtime.

Mr. Gallaway said that knowing well of the approach CDD brought, from a standpoint of getting at the things the Board would like to attack (projects and things that the Board believes will create efficient work for them), that part of the plan is to also cut into this. He said if they start working more efficiently, it will bring the workload down. He said work-life balance is something people need to have, and part of this is being able to go home without stressing about the work one didn't finish.

Mr. Gallaway asked to see the slide about "We are Community Development." He said he appreciated this approach and that he had appreciation for the Board and its guidelines. He said he appreciated how on the timing slide, where there were pie charts about how staff time is taken up, he noticed there was not a piece of the pie for dealing with elected officials. He said he appreciated the guidelines that while he may bring staff an urgent item, his urgency does not mean it is an urgent item.

Mr. Gallaway said in following the guidelines and going through the County Executive and director, it is staff's job to manage what actually is the urgency. He said because they are dealing with such a stretched capacity team with so much overtime involved, it is incredibly important that those guidelines are in place so that when the Board brings something to staff (regardless of how much a Board member may think it needs to be addressed right away), it is contingent on staff to figure out what this is about relative to everything else they are dealing with. He said he was hopeful that the plan helps with this, as once they have the bigger picture things taken care of, there may not be so many things coming to the Board that they think are "urgent."

Mr. Gallaway said he knew this was what would eventually allow the County to get to capacity, as they were currently at zero not just because of the things they want to do, but because of overtime and the spot decisions that are being made. He said all the evidence is there that CDD brought forward, and he wanted to make the endorsement of what they brought forward.

Ms. Mallek said for many years, there was a complete lid on staff expansion, and that she kept arguing with the previous County Executive and director about the fact that there were too many tasks (even in the mandated category) for the number of people. She asked CDD to keep in mind and debate with the County Executive about how, when they get to the overtime equaling an FTE level, perhaps that over hire is also helping to work ahead towards succession and increase. She said projects are not going to go away and that there is a lot of long-time preparation. She said she would expect it takes years for a new employee to take off in this complex environment.

Ms. Mallek said she, certainly, has to ask staff for things all the time that she should know, but that she is too afraid to give the wrong recommendation to someone. She said though it is better this way, it creates a lot of work for staff. She said not only was the mathematical component important, but prevention of disaster as well.

Ms. Palmer echoed Ms. Mallek's comments. She said when thinking about the "silver tsunami" that Mr. Williamson mentioned earlier, she questions if CDD hired someone else now, by the time they got through all the work and another year of redoing it, if they would need to hire someone anyway, especially when the presentation showed the impact that vacation time has on the department. She said perhaps CDD should be arguing more with the County Executive about staffing. She said she appreciated the frugality, but that she was also very concerned, having read through the plan, that there is not the capacity.

Mr. Gallaway said he didn't disagree with this, but that the bigger picture strategic plan will help address that.

Ms. Palmer agreed, but contended that in the interim, she was concerned, especially with the homestays and given that there is turnover, as there are many older staff.

Ms. McCulley said she wanted to clarify the Board's expectation relating to the Dark Skies issue. She said what she heard was that there is interest in finding ways that dovetails with the work that is already scheduled, which is something staff would know more about when they come back to the Board with scoping, if that occurs sooner or in the six-month checkback. She asked if this was what the Board was asking staff to do.

Ms. Palmer replied this is what she would like staff to do. She said she would like Ms. Filardo to talk with LUEPC, and for staff to talk with some of the group that has stepped forward and said they were willing to put in the time and effort. She said perhaps this conversation had already happened, and they have already come up with decisions. She said if there is something that the group could do that is acceptable to staff, she would like for staff to hear their story. She said she wasn't asking that they necessarily do it but take the time to listen to what they have to offer.

Ms. McCulley said Ms. Palmer would like staff to explore about what needs to be done, along with some of the "how," and come back to the Board before staff is committed to resources undertaking that work.

Ms. Palmer and Ms. Mallek agreed.

Ms. McKeel reiterated that this was a regional problem. She said the County can take care of their side, but they need to look at this through a regional lens, which they may have an opportunity through LUEPC.

Ms. Filardo said she thought this was viable. She said at LUEPC, they have not firmed up their agendas yet, or even how they would operate this, so it would take some time to establish in that organization. She said LUEPC would be coming back to the Board in either May or June, perhaps earlier, to provide an update on its work. She said it may need to fold in after that initial discussion so the Board can weigh in on how LUEPC is trying to approach doing business.

Ms. Filardo said she heard that a regional consideration does make sense from the Board's perspective and that there is a group that is willing to work on a volunteer basis. She said it would be prudent to at least have a conversation with them to see if there are some opportunities. She said this is something CDD could do and then bring an update to the Board.

Ms. McKeel said it may be that they decide this is not appropriate for LUEPC for four or six months, but that at some point, they should consider the regional issue.

Ms. Filardo said it may be that the rest of the members of LUEPC decide they don't want to tackle it.

Ms. McKeel agreed.

Ms. Palmer said given that several of those people are from UVA, she suspected that they were also pushing UVA for the same change. She said she assumed they were pushing the City, too, and that she would be surprised (with the group's affiliations) if they were focusing entirely on the County.

Mr. Richardson said there is an internal scoping just with CDD staff related to the Comprehensive Plan, and that there needs to be some attention there. He said he heard several Board members say that the newly formed LUEPC group could be a great venue to talk about whether it is possible to have a regional approach.

Mr. Richardson said it would be good for Ms. Filardo and her team to be able to look and do some internal scoping with the Comprehensive Plan (which is specific to the County), and have an initial discussion with this group that several of the Board members are aware of that are very interested in this and have some skills. He said it may take some time to get all those pieces to come back to the Board, and that he was trying to manage expectations.

Ms. Palmer said she understood, and that when she came on the Board in 2014, within six months, she started getting emails about Dark Skies. She said this wasn't a new issue. She said apparently, the policy was last updated in 1998, which she had not heard before.

Ms. McCulley said comprehensively, there have been some other dates. She said she wanted to be mindful that even if someone handed them, today, the most well-researched lighting ordinance, the staff who would need to vet it (current development review staff, zoning code compliance staff) would be working on some of the things the County is already committed to, and so she wanted to be mindful of timelines and the best way to get this done. She said if it can integrate with work that it already has a relationship to (like Climate Action Plan implementation), this makes a lot of sense.

Ms. Palmer added that it could relate to the Natural Resources Plan.

Ms. Mallek asked what LUEPC stands for.

Ms. Filardo replied it stands for Land Use and Environmental Planning Committee.

Ms. McKeel said her comment was more directed at the Board. She said they were talking currently about departments doing things differently, looking through a different process lens, and evaluating work in a different way. She said if looking at the Board of Supervisors office, the overtime is enormous for three people. She said going forward, the Board needs to discuss its work and how they can help their Clerks and the people in their office also look at processes and use technology to help them. She said this was exactly the same thing CDD was talking about, but bringing it home to the Board's own office to help its office become more efficient.

Ms. Palmer said Mr. Gallaway was going to meet with the Clerks to scope this conversation out first.

Mr. Gallaway said he could bring this back and update what the plan is.

Ms. McKeel said this could be a good topic for the Board's retreat.

Mr. Gallaway said he thought it was clear what the direction was for the work plan. He said he didn't think anyone disagreed with what CDD brought forward.

Ms. Filardo said hearing no objection, CDD would proceed with this plan.

Agenda Item No. 13. Closed Meeting

At 4:14 p.m., Ms. LaPisto-Kirtley **moved** that the Board go into Closed Meeting pursuant to Section 2.2-3711(A) of the Code of Virginia:

- Under Subsection (1), to discuss and consider appointments to the Board of Equalization, the Joint Airport Commission, the Community Policy and Management Team, and several County committees; and
- Under Subsection (6), to discuss and consider the investment of public funds in the Scottsville Magisterial District where bargaining is involved and where, if made public initially, the financial interest of the County would be adversely affected; and
- Under Subsection (8), to consult with and be briefed by legal counsel regarding specific legal matters requiring legal advice relating to a lease.

Ms. Palmer **seconded** the motion Roll was called and the motion carried by the following recorded vote:

AYES: Mr. Gallaway, Ms. Mallek, Ms. McKeel, Ms. Palmer, and Ms. Price
NAYS: None.

Agenda Item No. 14. Certify Closed Meeting

At 6:00 p.m., Ms. LaPisto-Kirtley **moved** that the Board of Supervisors certify by a recorded vote that, to the best of each supervisor's knowledge, only public business matters lawfully exempted from the open meeting requirements of the Virginia Freedom of Information Act and identified in the motion authorizing the closed meeting, were heard, discussed, or considered in the closed meeting.

The motion was **seconded** by Ms. Mallek. Roll was called and the motion carried by the following recorded vote:

AYES: Mr. Gallaway, Ms. Mallek, Ms. McKeel, Ms. Palmer, and Ms. Price
NAYS: None.

Agenda Item No. 15. Boards and Commissions

Item No. 15.a. Vacancies and Appointments

Motion was offered by Ms. Price to appoint the following people to Boards and Commissions:

- **Appoint** Ms. Michelle Busby to the Community Policy and Management Team (CPMT) as the Parent Representative with said term to expire May 31, 2022.
- **Appoint** Mr. William Cromwell to the Equalization Board as the Scottsville District Representative with said term to expire December 31, 2020.
- **Appoint** Mr. John Mattern, III to the Joint Airport Commission to fill an unexpired term ending December 1, 2020.
- **Appoint** Ms. Peggy Cornett to the Natural Heritage Committee with said term to expire September 30, 2023.
- **Appoint** Mr. Todd W. Cone to the Places 29 (Rio) Community Advisory Committee with said term to expire September 30, 2021.
- **Reappoint** Mr. John Springett to the Police Department Citizens Advisory Committee with said term to expire March 5, 2022.
- **Appoint** Mr. Brian Williams to the Police Department Citizens Advisory Committee with said term to expire March 5, 2022.
- **Appoint** Mr. Thomas Baker to the Solid Waste Alternatives Advisory Committee (SWAAC) with said term to expire May 31, 2023.

Ms. Mallek **seconded** the motion. Roll was called and the motion carried by the following recorded vote:

AYES: Mr. Gallaway, Ms. Mallek, Ms. McKeel, Ms. Palmer, and Ms. Price
NAYS: None.

Agenda Item No. 16. From the Public: Matters Not Listed for Public Hearing on the Agenda.

Mr. John Edward Hall (City of Charlottesville, Fry Spring) said he has titled his talk, "Second-Chance Farmers and Merchants." He said as he walks the land of Albemarle and the City's public parks, he is sensitive to the burdens borne by the mentally ill and former inmates from jails who are poor and disenfranchised for the rest of their lives upon community reentry. He said they are deprived of the right to vote, the right to many privileges, and have few powers. He said that in many cases, they lack decent pay and gainful employment.

Mr. Hall said he has talked to Colonel Martin Kumer (Superintendent of Albemarle-Charlottesville Regional Jail) about this, and that Col. Kumer pointed out that inmates could work in park community gardens if under the purview of a nonprofit entity. He said he then founded Second-Chance Artisans and Farmers. He said he outlined his program to Col. Kumer, and he said it sounded great, applauding him for taking the initiative to develop it, and commenting that it could be a great reentry program for inmates once they are released.

Mr. Hall said he would talk to Mr. Gary Spry, reentry manager at OAR on Monday, March 9. He said he was also interested in the drug court, probation, and other areas for farmers.

Mr. Hall said he hit a stumbling block with Mr. Todd Brown, Interim Director of Charlottesville Parks and Recreation. He said he requested 20 acres of Pen Park for his program. He said Mr. Brown said the idea of community gardens there has not yet been included in the Master Plan for that park but was on the drawing board for the future.

Mr. Hall said he hoped that the Board of Supervisors might suggest a location for a 20-acre plot in which he can help 40 individuals and families harvest money crops in this first fiscal year, at one-half acre each. He said the land needs to be plow shared ASAP in order for disking and planting in late April. He asked to help the poor in spirit and mind by working together for a bright future for them, as reflected in his handout. He asked the Board to study his land grid layout.

Ms. Vivian Feggans (Samuel Miller District) said she just learned about the meeting that day from Facebook, and that she sent an email to the link on the Board page, but it was returned for some reason.

Ms. Feggans said there is a dire need in her area, where she lives in the poorest precinct section of Esmont. She said there is a dire need for a walking trail in that area, which is something that has been brought up before to some members of the Board. She said there is a need because Esmont and Porters is an area where so many people suffer from dire health problems such as obesity, diabetes, high blood pressure, and related complications. She said there is no walking area in the precinct at all.

Ms. Feggans said people who have a desire to improve their overall health or love fitness in general walk and jog on Porters Road (Route 627). She said this corridor is a main thoroughfare for the people in Southern Albemarle to get to Route 20. She said it is not safe at all. She said when walking on this road, one has to jump off the road into the ditch, or onto someone's property, because there is no shoulder.

Ms. Feggans said about two years ago, she received an email survey distributed by County Parks and Recreation asking citizens like herself to respond about their desires and opinions about parks in their area of the County. She said she enthusiastically completed the survey, and never heard anything back.

Ms. Feggans said the communities of Esmont and Porters need this trail for their children, as children need to spend time outside. She said they need it for families and communities, acknowledging that though Yancey Community Center is open, the children who come there are still playing inside and that it is only sometimes for a few hours every other week.

Ms. Feggans said as a person herself who is interested in health and fitness, along with her family (who has health issues), they need to have a trail. She said she didn't know how to get it started, and asked if someone could help her understand, as she would be willing to do this. She said she hoped money could be found somewhere to help with this problem.

Mr. Gallaway asked if someone could get the correct email address for Ms. Feggans so her written remarks could be sent to the Board.

Ms. Palmer encouraged Ms. Feggans to email her directly to discuss.

Ms. Kimberly Fontaine said she serves as the director of AIM (Alliance for Interfaith Ministries) in Charlottesville. She said she doesn't live in the area and couldn't afford to. She said AIM existed for the past 40 years providing assistance to individuals in need in Charlottesville and the County, which is their service area. She said the majority of seniors they provide assistance to live in the County. She said they help individuals who are in danger of being evicted, losing their utilities due to nonpayment, and with a myriad of other issues. She said no matter what the call is about, they try to assist.

Ms. Fontaine said she was there that evening because when she moved to the area three years ago, she did some research. She said she found that there were tons of affinity groups for housing, and that affordable housing was being discussed.

Ms. Fontaine said when she came to the area, she was astonished because she couldn't tell them how many affordable housing units have been created in the past 3-5 years. She said when she was talking about affordable housing, she was not talking about 80% AMI, but about seniors who have an income of \$771 per month. She said AIM cannot find a place for them to live, and they cannot find a place for themselves to live. She said they cannot afford to continue to live in the area, although they grew up there or have been there for 40 years. She said these were retired UVA professors who didn't

handle their money well, nurses, CPAs, school employees, poor seniors, and single parents.

Ms. Fontaine said currently, she could say there were more than 100 units of affordable housing in the County that the County could purchase, but it is not being done. She said the units are sitting there, and that individuals who don't have a clean criminal record and don't have funds to afford a security deposit are using those units. She said they are paying \$1,200 per month to live in an old motel. She said this is horrific, and the situation that exists has been passed on from one group to another. She said no one is stepping forward to take responsibility. She said it is reprehensible.

Ms. Fontaine said there is a woman named Sue who is in her 70s, is disabled, and has lived in the County all her life. She said Sue owns her 40-year-old mobile home. She said this park has been purchased by a developer, like the other 822 units that are ripe for a developer in this region. She said all 68 units are being kicked out and must be out by November. She asked where these people would go.

Mr. Gallaway closed Matters from the Public.

Agenda Item No. 17. **ZMA201900001 999 Rio Road.**

PROJECT: ZMA201900001 – 999 Rio Road East

MAGISTERIAL DISTRICT: Rio

TAX MAP/PARCELS: 06100-00-00-154B0

LOCATION: 999 Rio Road East, Charlottesville, VA 22901. Parcel is located at the intersection of Rio Road East and Belvedere Boulevard.

PROPOSAL: Request to rezone the property from R-4 Residential to NMD Neighborhood Model District to allow a mixed-use development with up to 28 residential units and small-scale professional office uses.

PETITION: Rezone 1.947 acres from R-4 Residential - (4 units/acre) to NMD Neighborhood Model District - residential (3 – 34 units/acre) mixed with commercial, service and industrial uses. Between 11 and 28 residential units are proposed with a density between 6 units/acre and 15 units/acre. A maximum of 6,000 non-residential square footage is also requested. Request for private street authorization per 14-233(A)(1); for variation of curb and gutter requirement per 14-410(I); for variation of sidewalk requirement per 14-422(E); and for variation of planting strip requirement per 14-422(F).

ZONING: R-4 Residential (4 units/acre)

OVERLAY DISTRICTS: Entrance Corridor, Airport Impact Area

COMPREHENSIVE PLAN: Urban Density Residential – residential (6.01 – 34 units/ acre); supporting uses such as religious institutions, schools, commercial, office and service uses in Neighborhood 2 of the Development Area of the Places29 Master Plan.

The Executive Summary forwarded to the Board states that, at its meeting on January 14, 2020, the Planning Commission voted 4:3 to recommend approval of ZMA201900001. The Planning Commission also approved a private street and variations related to standards under the Subdivision Ordinance, to allow amenity-oriented lots in Block 2. No action by the Board is required for the exception and variation requests. The Planning Commission also recommended (7:0) to note its outstanding concerns to the Board of Supervisors: concern with the Flex use permitted in the Code of Development; a question of whether there is adequate parking; concern over existing traffic issues; and concern on allowing 0-foot setbacks for the attached units in Block 1.

The Planning Commission's staff report, action letter, and minutes are attached (Attachments A, B, and C).

At the Planning Commission meeting, staff recommended approval of the proposed Zoning Map Amendment application. The proposal is consistent with the future land use and development recommendations specified in the Places29 Master Plan and the Albemarle County Comprehensive Plan.

Since the Planning Commission public hearing on January 14, 2020, the applicant has revised the Code of Development and Application Plan to address the Planning Commission's concerns. The following is a summary of changes made:

- The permitted non-residential uses have been reduced. The uses of 'Flex' and 'Furniture Store' have been removed. The only non-residential uses permitted are 'Office/R+D'.
- The applicant has revised the minimum front setback in Block 1 from 0 feet to 3 feet.
- The applicant revised the Application Plan so that the first entrance is an additional 2.5 feet from Rio Road East, ensuring VDOT spacing requirements are being met.

Staff continues to recommend that any requested parking reductions be processed with future site plan applications. Given that a range of non-residential square feet (500-6,000 sq. ft.) and a range of units (11-28) are permitted, it is difficult to process a parking reduction request at this time. Staff finds that the applicant has demonstrated sufficient parking for the proposed development, and the applicant will need to meet the parking requirements of the Zoning Ordinance with a site plan submittal. Additionally, Transportation Planning and VDOT staff continue to have no objection to the proposal and find that there would not be significant traffic impacts from this development.

There were two previous public hearings and actions for this project: the Planning Commission public hearing on June 25, 2019, and the Board of Supervisors public hearing on September 18, 2019. A summary of the actions and discussions from these meetings is included as Attachment D. The applicant held a second community meeting with the Places29 Rio Community Advisory Committee, which was not

required. A summary of the discussion from that meeting is included as Attachment A8.

Staff recommends that the Board adopt the attached Ordinance (Attachment E) to approve ZMA201900001.

Ms. Tori Kanellopoulos, Lead Planner for the project, said this was a request to rezone from R4 Residential to Neighborhood Model District on one parcel totaling 1.94 acres at the address of 999 Rio Road. She said she would start with a brief history of the application and previous public hearings, move to the background and context of the site, discuss the proposed code of development and application plan, and provide staff's recommendation and the motions.

Ms. Kanellopoulos noted that Transportation Planner Mr. Kevin McDermott was present and available to answer questions.

Ms. Kanellopoulos said this application has been through the full standard rezoning process once, with a community meeting in March of 2019, and two public hearings. She said at the June 25 public hearing for the Planning Commission, the Planning Commission recommended approval 4-1. She said at the September 18 Board of Supervisors public hearing, the Board voted to defer the application back to the Planning Commission with some recommended revisions, mainly to revise the scale of the nonresidential uses and to further address traffic concerns.

Ms. Kanellopoulos said the applicant then resubmitted their application on December 16 to address these concerns heard from the Planning Commission, Board, and community. She said she would discuss the main differences between the applications later in the presentation.

Ms. Kanellopoulos said the applicant held a second community meeting, which was not required. She said there were mixed comments from community members at this meeting, with some residents still concerned with the nonresidential uses and potential traffic issues, while others felt that the project had been appropriately scaled back.

Ms. Kanellopoulos said at the second Planning Commission public hearing, the Commission recommended approval 4-3, which was on January 14, 2020. She said the only substantial change since the Planning Commission meeting is that the applicant has removed Flex as a permitted use and revised the minimum front setbacks from 0 feet to 3 feet.

Ms. Kanellopoulos said she would move to the context and project proposal. She said the proposed development is located at the intersection of Belvedere Boulevard and Rio Road East. She said it is at the main entrance to the Belvedere development.

Ms. Kanellopoulos said the site currently consists of a single-family home with several accessory structures. She said the property is adjacent to the Dunlora neighborhood, is across Belvedere Boulevard from the Covenant Church, and is across Rio Road from CATEC.

Ms. Kanellopoulos noted that the County's GIS needs to be updated, and that based on a plat submitted by the applicant, the parcel is not adjacent to Shepherd's Ridge Road and does not have frontage on that road. She said there is a parcel in between owned by Dunlora LLC. She presented two images, noting the one on the left showed the survey submitted by the applicant, and the one on the right showed the County's GIS.

Ms. Kanellopoulos said the property is currently zoned R4 Residential. She said that up to 7 units are allowed by right, or up to 11 units with bonus factors such as affordable housing. She said nearby zoning districts include R4 and R2 Residential, Commercial Office, C1 Commercial, and Neighborhood Model District.

Ms. Kanellopoulos said there are no environmental features on the site, such as steep slopes or stream buffers.

Ms. Kanellopoulos said the property is designated Urban Density Residential in the Places29 Master Plan. She said this classification calls for primary uses to consist of residential uses, with densities between 6-34 units per acre. She said the proposal meets the density called for in the Comprehensive Plan, with a proposed density between 6-15 units per acre, depending on the ultimate number of units built, with a range between 11-28 units.

Ms. Kanellopoulos said secondary uses in this classification include supporting uses such as retail, commercial, office, and institutional uses. She said the Master Plan calls for these uses to be located in centers, or located outside of centers by exception. She said based on similarly designated properties in other developments (such as Brookhill and Belvedere), the property's location near three Neighborhood Service Centers, and the goals of the Comprehensive Plan and Neighborhood Model District and principles, staff finds that the proposal is consistent with the Comprehensive Plan.

Ms. Kanellopoulos said the proposal also extends the existing multiuse path, as shown in the Places29 Master Plan. She said if this were a by-right development, the applicant would only be required to construct sidewalks rather than a multiuse path.

Ms. Kanellopoulos said the application is also consistent with the relevant portions of the

Comprehensive Plan policies, including efficient use of the Development Area, promoting density within the Development Areas to help create compact urban places, the housing policy of having at least 15% units affordable with rezonings, directing affordable housing activities to the Development Areas, and using rezonings to ensure a mixture of housing types that also support all income levels of the County residents.

Ms. Kanellopoulos said the application plan shows areas where certain features must be located during site planning. She said the purple and yellow areas are the buildable areas, so any buildings would need to be contained within those locations. She said all parking must be within the parking areas, and green and amenity spaces with the remaining areas.

Ms. Kanellopoulos said the application plan regulates where certain features must be located, while the code of development regulates the uses and types of housing permitted. She said Office and Research and Development is the only use allowed in Block 1, per the code of development, and must be located within the purple (buildable) area.

Ms. Kanellopoulos said the proposed application plan shows two blocks, with Block 1 having between 3-14 single-family attached and multi-family units (which would be basement apartments for the townhouses), and up to 6,000 square feet of office space.

Ms. Kanellopoulos said Block 2 is residential only and would have between 8-14 single-family attached or detached units.

Ms. Kanellopoulos said there are two entrances proposed off of Belvedere Boulevard, which would need to meet VDOT spacing standards at site planning. She said that while there is no vehicular connectivity between the two blocks, there is pedestrian connectivity, including through the central green, for the amenity-oriented lots in Block 2.

Ms. Kanellopoulos said one of the major community concerns was potential traffic impacts from this development. She said this proposal did not meet the threshold for a formal Traffic Impact Analysis; however, the applicant completed a traffic study, which found that the proposal would generate a maximum of 37 trips during peak hour, assuming maximum buildout. She said Transportation Planning staff concur with these findings.

Ms. Kanellopoulos said the increase is not high enough to warrant off-site improvements; however, the applicant has stated they will coordinate with VDOT and dedicate right-of-way needed for future improvements. She said VDOT is continuing their study of the intersection and is in the process of proposing an improvement, likely in the form of an R-cut.

Ms. Kanellopoulos said that for informational purposes, staff notes that the applicant forwarded a petition that day in support of the application, with approximately 51 signatures sent to staff and the Board.

Ms. Kanellopoulos said that since this proposal is for a Neighborhood Model District, the applicant submitted a code of development, which would regulate development in the proposal. She presented a snapshot showing the potential buildout range for residential and nonresidential uses. She said only Block 1 permits the nonresidential uses, which are consistent with the secondary uses described in the Places29 Master Plan for Urban Density Residential designated areas.

Ms. Kanellopoulos said the nonresidential uses are intended to be at the Neighborhood Service scale, and only consist of office space.

Ms. Kanellopoulos said the maximum building height permitted in both blocks is three stories, which is consistent with the Comprehensive Plan. She said the applicant revised the maximum building height from four to three stories after receiving community feedback and has further reduced the maximum building height for the nonresidential uses to be one story.

Ms. Kanellopoulos said the Neighborhood Model District also requires 20% of the site to be amenity and green space. She said this proposal meets the requirement and includes a central green, a plaza, a natural playscape, and a dog park.

Ms. Kanellopoulos said the code of development also requires at least two housing types in this development and requires at least 15% of the units to be affordable. She said the application meets these requirements.

Ms. Kanellopoulos said the applicant has made significant changes since the first submittal. She said the proposed development is still within the recommended Comprehensive Plan density but is now at the lower end. She said there is a 40% reduction in density with the proposal, and that the trip count has been decreased by approximately 50%. She said the maximum square footage of the nonresidential use is now 6,000 square feet (also a 40% reduction).

Ms. Kanellopoulos said the maximum height is now one story for the nonresidential use, and that the permitted nonresidential uses are now limited to only an office, while the first submittal allowed a range of retail, commercial, and office uses. She said there is now also additional green and amenity space.

Ms. Kanellopoulos said as outlined in the transmittal summary, the applicant made minor changes between Planning Commission public hearing and this public hearing based on feedback received by the Commission, including removing Flex as an allowed use, and revising the minimum front setback in Block 1 from 0 feet to 3 feet.

Ms. Kanellopoulos said there were four Special Exceptions and waivers included with the proposal, and that the purpose of these exceptions is to provide amenity-oriented lots in Block 2. She said all the Special Exceptions were approved by the Planning Commission.

Ms. Kanellopoulos said based on the favorable factors and analysis outlined in the staff report, staff recommends approval of the rezoning request. She said the Planning Commission recommended approval 4-3, and sent along the following concerns to the Board of Supervisors, as included in the transmittal summary: concern with the Flex use in the code of development; a question on whether there is adequate parking; concern over existing traffic issues; and concern on allowing a 0 minimum front setback.

Ms. Kanellopoulos said since the Commission meeting, as noted, the applicant has removed the Flex use and revised the minimum front setback. She said as outlined in the transmittal summary, staff would assess parking at the time of a site plan. She said the applicant has demonstrated there is sufficient parking on site for their proposed uses; however, given the range of possible units and square footage of nonresidential uses, staff would evaluate any parking reduction request with the site plan, when the exact number of units and nonresidential square footage was known.

Ms. Kanellopoulos said the applicant has reduced the trip count and density, and staff finds that the applicant has satisfactorily addressed traffic impacts.

Ms. Nicole Scro, real estate developer of Gallafrey and former land use attorney, said she was there with Mr. Justin Shimp of Shimp Engineering.

Ms. Scro presented an image that was done by Mr. Chris Fuller, noting that he is a great asset in the community, focused on green site design and green building space and had helped with the EcoVillage.

Ms. Scro said that over the course of the year, she has done a lot of community engagement. She said she met twice with the Places29 CAC and had a meeting with the Belvedere HOA as well as continuous emails, phone calls, and in-person meetings. She said she also spent a lot of time with adjacent residents and the people she believed would be most impacted by the development (e.g. people in a quarter mile, such as on Shepherd's Ridge Road and Fowler's Ridge). She said she was able to collect about 51 signatures on a petition in support of the project, and that there were more in the audience as well.

Ms. Scro said what she heard from the Board and from some residents was that the previous application was too large and intense, given traffic concerns and the designation of the road as an Entrance Corridor. She said the community mobilized to extend the Entrance Corridor to include her property and beyond, emphasizing that quality building and green space was important for this by-way. She said there were also concerns about commercial use, given residential nearby.

Ms. Scro said to address these factors, revisions were made. She said they decreased their density by 40% (maximum from 46 units to 28). She said Mr. Bivins of the Planning Commission had noted that the Commission doesn't see that much of a reduction that often. She said this is a major reduction in the scale of the property. She said the commercial use was decreased by 40% as well, and restricted uses even further so that retail is no longer allowed. She said there cannot be the heavier traffic-generating uses there (like a drive-thru restaurant), and there can only be an office.

Ms. Scro said to address the idea of green space, quality of building, and aesthetics along the Entrance Corridor, the applicant has designated 6,000 square feet of green space along Rio Road and is setting back the building 35 feet to include some right-of-way. She said when driving along Rio, the building will be 60 feet away from drivers. She said the building will be set back and there will be landscaping in front of it to try to address the concerns. She said that building is one story, and that the landscaping can shield or be the main feature of that property rather than the building.

Ms. Scro said she made further revisions from the Planning Commission.

Ms. Scro said in terms of traffic, VDOT and the Transportation Planning staff thought that the previous, larger proposal had minimal impacts. She said she has reduced an already small project even smaller, with a 52-59% reduction in trips. She said when she spoke to traffic engineers, who told her that if studying the traffic impacts relative to Belvedere and Rio, they were so small that the project would be within the margin of error for a traffic study, and therefore a study cannot garner much.

Ms. Scro said another point was that during the two rush-hour peak hours, the production of the traffic from the site is one car every two minutes, expressing that this was minimal.

Ms. Scro presented the concept plan, noting small houses at the back (about 11), 6,000 square feet of commercial space, and 5 townhouses along Belvedere Boulevard.

Ms. Scro presented an illustration of the office building from Rio. She said she would want to play

with the landscaping, and that Ms. Firehock of the Planning Commission mentioned that her students of the Landscaping Architectural program at UVA would like to contribute to this project, if approved, to see what can be done with green features.

Ms. Scro presented another angle from the intersection of Belvedere and Rio, noting that the main feature of the project is the green space in that the buildings are set back and smaller by comparison to the landscaping.

Ms. Scro said there was also the matter of what could be done by right. She said there has been talk about a Rio Road Corridor and zoning changes, but the reality is that this will happen down the road, and that she has scaled down her project so much that it is almost at the by-right valuation. She said if this is not passed, they would see a by-right plan. She said this would mean 11 large houses. She said they already know what this looks like, as it was built next door in the Shepherd's Ridge community. She said the houses, though beautiful, are very large (with some at 5,000 square feet). She said some look to be three stories.

Ms. Scro said if the site was built by right, it is exempt from the Architectural Review Board, so there would be no ARB input on the plan. She said they would likely see a continuation of massive homes there.

Ms. Scro said the choice before the Board was not between the project and nothing; or the project and what could be done in five years, if the zoning is changed. She said it was a choice between the proposed project, or by right. She said the by-right plan would result in \$450,000-600,000 homes. She said if they rezone, the houses would be \$280,000-380,000 (the missing middle). She said four units are required to be even further deeply affordable.

Ms. Scro said by right, there is no requirement for green space. She said the houses in the by right plan are so big that they would actually be building more. She said the buildable square footage is bigger in the by right plan than the proposed plan. She said if looking at the pervious areas (not the roadways), there is 44% pervious area under the by right plan, and 47% pervious area in the rezoning.

Ms. Scro acknowledged that there was slightly more traffic with the rezoning proposal. She asked if they would let the very marginal increase in traffic sway the Board to not consider the benefits of affordable housing, missing middle housing, and 6,000 square feet of green space along Rio Road. She said if they build by right, they have to be 25 feet from Rio Road. She said she didn't think the choice was a hard one, and that the very marginal increase in traffic is worth the benefits of missing middle housing, required affordable housing, required green space, input from the ARB, the multiuse path extension, and better design (as they are incorporating adjacent residents' input into their screening decisions).

Ms. Scro said she has spent countless hours talking with the residents. She presented a picture of the residents who have signed to support the project. She said these are the people who will be impacted by the project, look at and drive by it every day, and deal with the construction noise. She said they have decided by a majority of 75% to support it, and she believes this should give weight to the discussion.

Ms. Palmer asked how big the dog park would be.

Ms. Scro replied that the dog park would be 800 square feet.

Ms. Palmer said it is small and that she understands why.

Ms. Scro said to be more precise, it is 969 square feet of dog area. She acknowledged it was small.

Ms. Palmer said she asked because about 40-50% of people own dogs, and living in an area like this, it is hard to find a place like this and is an important amenity.

Mr. Gallaway opened the public comment portion of the hearing.

Ms. Laura Mulligan Thomas (Rio District) said she has been a resident of the County for 40 years, and is married to a multigenerational Albemarle family. She said while she appreciates the listening and that some scale back has been accomplished, and while there are 51 people who have approved the rezoning, she opposes it, and that nearly 500 of her neighbors do as well. She said that is because once the parcel is rezoned, it will never go back to R4. She said they are concerned about traffic and the commercial use. She said she was concerned that if the parcel was ever sold, it could become more commercial and not have to go through the various steps that this project has gone through.

Ms. Thomas said the project is surrounded by a church (across the street) and a school. She said there is no office. She said there are three convenience stores and service centers very close by. She said they do not need more office space, as there is lots of office space that goes unused in the Rio Corridor.

Ms. Thomas said she was concerned about traffic and that there is a horrible intersection at Belvedere and Rio. She said there is a horrible intersection at John Warner Parkway and Rio. She said it would take years to make the necessary improvements.

Ms. Thomas said her concern is the direction they are going in. She said when she looks at the number of trips, it doesn't look terrible, but that they have The Center (formerly The Senior Center) coming into Belvedere, which will increase traffic, as well as soccer fields at Pen Park. She said there is the potential Wetzel property that even if not rezoned, but developed by right, will add an enormous amount of traffic to the intersection.

Ms. Thomas asked the Board to consider that once they rezone, they cannot go back. She asked the Board to heed the desires of the 500 residents who have signed a petition requesting that they remain R4.

Ms. Marty Topel (Rio District) said as a residential neighborhood, they are fortunate to have included churches and schools, along with the coming of The Center and Martha Jefferson Outpatient Care Center (which are welcome additions). She said now, they are faced with a proposal on less than a 2-acre parcel that is planned to have between 11-28 residential units, along with commercial development.

Ms. Topel said she would be very amenable to having some of the units to be affordable housing. She said she didn't agree with the commercial aspect.

Ms. Topel said the area is the Entrance Corridor for the neighborhood, and including those guidelines, it states that new development should "harmonize with the existing character of the corridor," and that "buildings should relate to their site and the surrounding context of buildings." She said adding a commercial entity is out of character, and does not achieve unity and coherence, in the words of the Entrance Corridor parameters.

Ms. Topel said she had a concern that in the Neighborhood Model District, it states that the designation may generate significant employee traffic. She said this would add even more traffic to the already-challenging situation.

Ms. Topel said they have been amenable to much growth and change in the neighborhood, along with the negative increase in traffic. She said they do, however, have control of this critical decision of this rezoning. She said allowing this commercial space would permanently alter the character of the community. She said there will be no turning back, as it would fundamentally change it.

Ms. Topel said she agreed with the R4 by-right zoning for the property, as it would be similar to the neighboring homes, maintaining continuity and limiting the amount of added traffic. She said this is a community of homes and the institutions that support them, along with even the bright aspect of the wildflower meadow. She said this is their community, and one that they must maintain and be allowed to be proud of.

Mr. Ed Guida (Rio-29 area) said the hutzpah of the developer blackmailing the Board of Supervisors with R4 as the only thing they could do amazes him. He thanked the Board for the opportunity to speak again about traffic and traffic safety in the Dunlora area. He said there is traffic originating from, terminating, and transiting this area. He said it is a major artery for the City, so he expected to find a large traffic area study. He said he didn't find one.

Mr. Guida said it is a busy travel fare, noting that anyone who travels it would agree. He said traffic volumes will certainly mount with nearly completed projects such as Brookhill, the Lofts, and The Center. He said this is common sense, without a study.

Mr. Guida said that according to County Police, there have been 10 accidents for the six-month period ending in January 2020 along Rio Road East and John Warner Parkway. He said safety is clearly an issue.

Mr. Guida said the developer offers that her project contributes little to the traffic. He said perhaps, if only they could rid the project of commercial or whatever changing title she puts on the space.

Mr. Guida asked where the solutions are, where the money is, and how long it will take to improve the situation. He said traffic is moving quickly on Rio Road at 40 mph or higher, with some going downhill. He asked where the deceleration lanes are, as cars hopefully slow for the John Warner Parkway intersection and the lower speed limit.

Mr. Guida said he didn't know if the Board members have attempted a left-hand turn off of Belvedere, but that it can be a hair-raising experience, at most any time. He said the suggested solution was an R-cut at Rio Road East. He asked if anyone had looked at this concept without thinking about seizure of property along Gasoline Alley.

Mr. Guida said in terms of money and schedule for road improvements, He said there would need to be money in the millions, and a completion schedule of no earlier than five years out.

Mr. Guida said growth in the County was good and inevitable. He said those people who use the roads continue to look to the County leadership to provide realistic, timely solutions, especially before new growth in the area caused by high-density rezoning.

Ms. Martha Springett (Rio District) said she was speaking for the majority in the Dunlora

neighborhood who desire the development of 999 Rio Road be kept in the by-right R4 designation.

Ms. Springett said she had four areas of concern, with one being the overcrowded schools. She said that according to statistics from Ms. Schmidt (COO of Albemarle County Public Schools), the Treedale complex has 88 units total and currently, there are 64 students living there. She said the Lofts at Meadow Creek has a total of 65 units, which would equate to 14 students. She said the present site plan submitted for Rio 999 includes up to 28 units, and that using the yield rates above, this could mean 8-10 students.

Ms. Springett said the neighborhood schools are already overcrowded. She said a school bus must stop to pick up and discharge on Belvedere Boulevard because there is no way to come in and turn around in the planned development. She said it is close to the entrance from Rio Road, so there will be little distance for stopped cars to line up behind the bus without spilling back onto Rio Road. She said there is no deceleration lane to accommodate that lineup.

Ms. Springett said her second concern was overbuilding urban density. She said she researched the number of multifamily housing units existing in and planned for the Route 29 area. She said in the 2019 Growth Management Report, Appendices A and B, the estimates show there will be an excess of all housing units for 2020, as well as an excess of up to 12,880 units needed for population growth in 2040.

Ms. Springett said her third concern was changing demographics. She said according to the Community Profile Demographic Analysis put out by Parks and Recreation Needs Assessment, at present, the largest age segment of Albemarle County is 55 and up, making up 30.8% of the population. She said those who are 55 and older are projected to continue to increase over the next 15 years, making up to 36.8% by 2032.

Ms. Springett said therefore, the majority of populations coming to Albemarle are most likely older people who will need more homes like cluster carriage homes, duplexes, triplexes, and quadruplexes exactly like the homes highly sought and still being built in Dunlora Park, Dunlora Gates, Dunlora Forest, and Shepherd's Ridge. She said they fit perfectly into the by-right zoning for 999 East Rio Road. She said this was in place and did not need to be changed, and that they could certainly all be affordable.

Ms. Springett said that fourth, Ms. Scro informed residents that she had removed the Flex category, yet her petition states, "mixed with commercial, service, and industrial uses." She said Flex or not, they do not need any commercial, service, or industrial uses on this tiny plot.

Ms. Springett said she knew the Board had a difficult job and appreciated their hard work. She said she appreciated that they still live in a country where local citizens have a right to speak to the development of their surroundings, and that the notion of owning private property is still a Constitutional right.

Ms. Judy Schlusel (Rio District) said she is a member of the Rio-29 CAC. She said on Friday, February 28, 2020, the developer (Ms. Scro) met with five people from Dunlora. She said Ms. Scro indicated that financially, her rendition needs the commercial entity to be feasible. She said Ms. Scro presented a rendition of what the parcel would look like if built by right. She said the rendition contains 11 single-family homes somewhat larger than what she has proposed. She said the single-family homes are somewhat smaller than the homes in Shepherd's Ridge or Dunlora but are most definitely compatible with the existing communities.

Ms. Schlusel said that after some discussion, Ms. Scro proposed an option of townhomes, which the group who attended the meeting indicated could be a possibility but wanted to see some drawings. She said Ms. Scro indicated that she could make the buildings look like townhomes, like The Reserve at Belvedere, but having a center staircase. She said driving through The Reserve at Belvedere, they are most definitely not townhomes but are apartments. She said what Ms. Scro will be proposing is actually at a higher density, creating a parking shortage as well as more traffic concerns. She said based on the presentation, Ms. Scro did not follow through.

Ms. Schlusel said the definition of a townhome is a single-family home that shares one or more walls with other independently owned units. She said they are often uniform homes of two stories. She said what Ms. Scro has proposed in place of the commercial is an apartment building where the only shared part of the unit is the ceiling and floor.

Ms. Schlusel said several times throughout the meeting, Ms. Scro mentioned that financially, she couldn't do certain things. She said as a developer, she wants her project to be a financial success. Ms. Schlusel said that Ms. Scro's financial success, however, should not be at the community's expense and should not impact the environment negatively.

Ms. Schlusel said change is inevitable, asking at what expense projects for rezoning should be approved. She said on the Albemarle.org website, under the Community Development Department, the Places29 Master Plan dated August 11, 2009 indicates that 999 Rio Road is semi-public open space. She asked if this designation had been changed, and if not, how a legitimate request for rezoning be presented before the Board of Supervisors. She said she would give her copy to the Clerk so that the Board could note the website.

Ms. Schlusel said that although the parcel is in the urban ring, it has a country feel, with greenery growing that is home to many critters large and small. She asked the Board to take a look at

the parcel. She said there are many old trees that will need to be cut down to meet the needs of the developer. She asked if any of the trees could be considered witness trees, harboring precious history of the area. She urged the Board not to rezone the request.

Mr. Kent Schlusel (Rio District) said he was one of the many citizens in the County that must live with the Board's decision that evening concerning the rezoning. He said he has presented to the Board many reasons why not to approve the request for rezoning. He said he presented the Board data, sent them some facts, and hoped that they have reviewed the information.

Mr. Schlusel said this area of the County is his home. He said many years ago, he lived in Northern Virginia. He said he didn't want Albemarle to become a smaller version of Northern Virginia. He said he enjoyed the openness of the neighborhoods and the feel of the semi-rural area.

Mr. Schlusel said that he, along with several of the neighbors, have met with the developer in trying to reach some sort of agreement. He said for many, however, the objections to the commercial property and/or apartments she proposed previously on the parcel are still there. He said in his opinion, because of some bad financial decisions in the past, he understands why these elements need to be included, but does not want to have to be the person to pay for these mistakes. He said the developer has admitted that she needs commercial property for financial success.

Mr. Schlusel said as he stated previously, his preference would be to leave the property as open space or as a nice park. He said the current zoning of R4 fits in the community, as this is infill and not Neighborhood Model.

Mr. Schlusel said the previous idea about reducing traffic by having people bike or walk to work from this parcel was not feasible. He said to say that people would be able to walk or bike to work from this location because the work centers at 29 North, UVA, and Pantops, which are too far to bike or walk. He said if one works downtown, depending on the weather, age of the person, work hours, childcare, and many other reasons, it is very questionable that this walking or biking is truly a solution to traffic. He said better infrastructure is, however.

Mr. Schlusel said the affordable housing proposal of the small houses is noteworthy. He said R4 does not preclude affordable housing. He said in fact, on the MLS listing last week, there were almost 100 houses for sale that were under \$350,000. He said many of them look very nice, from the pictures.

Mr. Schlusel said with regards to apartments, an April 2019 study completed by the US Department of Housing Urban Development titled, "Comprehensive Housing Market Analysis for Charlottesville, Virginia" reports that for the forecasted period for the next year, "All the demand is expected to be met by the 1,275 units currently under consideration, and the 460 units in planning that have applied for Federal Housing Administration Insurance." He said this does not include the new permits issued since then.

Mr. David MacFarlan (Fowler Ridge, Rio District) said he grew up in Earlysville Forest, and that it has been challenging for him to watch that area of town change significantly. He said Whyte's Supermarket was the center of the community but doesn't quite look the same now and doesn't have the same community feel. He said when he went to Northern Virginia after high school, he saw what boom growth looked like, particularly in Loudon County. He said after about a decade in Northern Virginia, he went to Vicksburg, Mississippi, where he saw what death looks like, despite rich history.

Mr. MacFarlan said he could say to the Board and other residents that while he and his wife are concerned about development and construction where their three young kids under 5 play, they appreciate being in an area of growth. He said he appreciated how much Ms. Scro has asked the residents to be involved in the development of the area, according to economic factors that make sense to her and to the residents.

Mr. MacFarlan said that though he could not speak on behalf of any other residents, given the two options, from his perspective, R4 maximally developed versus what Ms. Scro presented, he would love to live next door to what she is proposing. He said he would make them even smaller, more affordable houses.

Mr. John Atkinson (Dunlora, Rio District) urged the Board to disallow the request for zoning of the property. He said he and his family bought their home in Dunlora because of the blending of the central location, with an attractive outdoor environment and otherwise attractive and friendly neighborhood, as well as modest traffic encountered when traveling to and from the community.

Mr. Atkinson said the Rio, adjacent Rivanna, and Jack Jouett areas have well-defined shopping and commercial areas. He said they do not need additional commercial development adjacent to the community, as there is already considerable vacant office space nearby.

Mr. Atkinson said most Dunlora residents choose the community for the same reasons that his family chose the area, and that the majority oppose the rezoning of the property under discussion.

Mr. Atkinson said his greatest concern was safety, and the impact that rezoning will have on the Dunlora community. He said this concern is equally expressed when considering the traffic situation at the intersection of Belvedere and Rio Road, where 1,800 members of the new Center and 500 or more residents of The Reserve apartment complex will attempt to make left-hand turns either to or from

Belvedere Boulevard. He said he was told that most of The Center's membership is in their 70s, which creates a potentially dangerous situation that will only be exacerbated by the rezoning of the property under discussion.

Mr. Atkinson said during a recent conversation with a representative of The Center, he remarked, "It's just a matter of time before someone is killed at this intersection." He said he realized that no responsible citizen would deny that affordable housing should be available to those in need, but that such housing and proposed commercial space at this location is a bad and dangerous idea.

Mr. Atkinson said if a solution to the traffic situation can be designed, and if the additional land that will be required could be acquired, he was told it would be 5-7 years before such a project could be undertaken, and that it would be very costly. He said the odds were that this would not happen.

Mr. Atkinson said that with due respect to all concerned, this project is ill-advised and is, in fact, one that will certainly create unintended consequences that can readily be foreseen by responsible public officials.

Ms. Jennifer Mathis (Dunlora, Rio District) said along with many residents there, she was concerned about the traffic and the fact that there is little (or, in the case of the John Warner Parkway, no) solution of how to fix it.

Ms. Mathis presented a poster she noted she had shown in September, when the rezoning petition first came before the Board. She said as she showed at that time, the housing construction either approved or already underway along Rio Road will likely increase the immediate traffic by over 50%. She said most of these units have not yet been occupied and are therefore not generating traffic, which was important to note. She said they have not seen the effect of these housing units yet. She said this does not include the over 1,500 units proposed at Brookhill, nor does it include The Center, which is estimated to generate significant trips per day.

Ms. Mathis said this also does not take into consideration the traffic from the new SOCA fields. She said as a mom of four travel SOCA players, she could say it will generate over 200 trips per hour during rush hour traffic on Tuesdays, Wednesdays, and Thursdays. She said if the Board didn't believe her, they should head over to Polo Grounds Road on those days at 5:00 or 6:30 p.m. to see how many cycles of the traffic lights it takes to get through the Polo Grounds intersection.

Ms. Mathis said back when they were first looking at this issue, they were told by Mr. McDermott that the SOCA study called for signaling Rio/Belvedere, and stated that doing that would relieve Dunlora Drive from potential negative impacts. She said this was because people would then prefer to use the Belvedere entrance as opposed to the Dunlora cut-through. She said their answer now, however, is an R-cut which, by the County's own estimates, is a minimum of 5-7 years away. She asked what will happen to this traffic.

Ms. Mathis said that as the study indicated, a large percentage is likely to try to exit through Dunlora onto an intersection that has a current grade of a D, and an intersection where there is no idea how to fix it.

Ms. Mathis said Ms. Scro made a comment at the last CAC meeting that she thought a lot about. She said Ms. Scro mentioned she had spoken to the residents of the new Ryan Homes that front Rio Road, and that several were thinking of selling because they didn't realize how bad the traffic would be. She said before the Board was a petition to rezone land at a higher density, with more traffic. She said she wondered if, in addition to the many residents there, the Board should also be thinking of those potential future residents who would rather not move into an area where traffic is horrible, turns are dangerous, and waits are frustrating.

Ms. Mathis said the idea that infrastructure and traffic should not be as important as housing is short-sighted because it diminishes the value of the current, as well as the proposed, housing they are considering. She urged the Board to vote no to rezoning, at least until such time that any housing built can be supported.

Ms. Janice Huebner (Rio District) said she would speak against the rezoning. She said other than the developer's plan, she didn't think much had changed with regard to the issues with the rezoning since it was last before the Board of Supervisors. She said there are already traffic issues on Rio Road and John Warner Parkway. She said the Lofts at Meadowcreek Apartments were now being leased. She said Lochlyn Hill and Dunlora Park were still being built, and that construction in Belvedere would continue for some time. She said in addition to more homes, The Center, Sentara Medical Center, and a soccer field are being added in Belvedere. She said a large development is being built on Polo Grounds Road.

Ms. Huebner said all of this development will bring more traffic to an already busy area. She said getting in and out of the Rio Road/Belvedere intersection was already dangerous and will be complicated not only by the increase in traffic from the developments already in progress, but especially by any development on that corner.

Ms. Huebner said those in the back of Belvedere will quickly learn to cut through Dunlora if they need to go left or get to the John Warner Parkway. She said they will cut through on the one-way bridge to the neighborhood on the other side of Belvedere if they need to go right. She said this will create more

traffic in these neighborhoods, as well as at their entrances and exits, one of which is at the intersection of Rio and John Warner Parkway.

Ms. Huebner said no new commercial space should be considered in the 999 Rio Road plan when there is so much unoccupied commercial space already in the area. She said there is unused commercial space in just about every strip mall or business park in the area, with significant vacancies in Seminole Square and Fashion Square Mall. She said the area does not need any additional commercial space.

Ms. Huebner said revitalization of Fashion Square Mall and Seminole Square should be considered. She said she understood that apartments may go in the old Giant building at Albemarle Square, which is currently very empty. She said this is the type of development that she would like to see, versus letting existing space go to waste, and destroying green space to build in an already overdeveloped area.

Ms. Huebner asked the Board to vote against the rezoning of 999 Rio Road.

Mr. Richard Berger (Rio District) said he would like to talk about the policy considerations that underlie the application before the Board. He said when they look at this use (an infill parcel), they have to look at the considerations that govern what justifies a dense building on a parcel that is otherwise a lightly built residential area. He said he was not an expert in this area and apologized for possibly mistaking some of the provisions.

Mr. Berger said the Comprehensive Plan, as he understands the policy for development of infill parcels, says something to the effect that it is to promote infill development and more density in areas adjacent to, or near, public transit or public facilities. He said no one there had spoken about whether this parcel is adjacent to public transit. He said as far as he could tell, there was minimal public transportation along the Rio Corridor. He said he quickly looked it up that day to see how long it would take to go by bus from the Belvedere intersection to UVA Hospital, Downtown. He said it would take slightly over an hour. He said this was not convenient public transportation.

Mr. Berger said he didn't think anyone had mentioned whether there are any public facilities in the area that creating a dense population center there would serve. He said there are none. He said as mentioned, there is a church across the street and another church across Rio (which one cannot get to via pedestrian access without walking a great distance around). He said CATEC is across the street. He said he didn't believe any of those were the types of public facilities that are considered under the Comprehensive Plan.

Mr. Berger said it seemed to him that it was somewhat inappropriate to invoke policy favoring dense development of infill properties when the sole benefit is a financial benefit to the developer. He said this is what was said at the Board meeting some months ago, when they talked about infill development. He said the developer conceded that without a commercial aspect, the development was not financially viable. He said he didn't believe the County should reward a developer just because they need the commercial aspect.

Mr. John Springett (Rio District) said during the past several months, he has spoken before the Board and the Planning Commission several times in opposition to the rezoning request for 999 Rio Road. He said additionally, he has written numerous detailed letters explaining the reasons for his opposition, which he wouldn't repeat.

Mr. Springett said in summary, his concerns (and those of over 500 residents living adjacent to the properties) are insufficient and dangerous transportation infrastructure, no plan for correction of the Rio Road/John Warner Parkway intersection in the foreseeable future, and especially the force fitting of unneeded and unwanted commercial activities into a residential area.

Mr. Springett said when the Board met on September 18, 2019 to review the Rio Road application, it was clear that many of the community's concerns were recognized and shared by members of the Board. He said consequently, the rezoning application was deferred. He said unfortunately, the staff did not mention that one of the major issues that was raised by the Board was the use of commercial application in this parcel. He said since that time, several revised proposals have been floated by the applicant. He said the assumptions underlying those proposals seem to continually change, even though they were foundational to the revised application. He said the applicant seems to say one thing, then does another.

Mr. Springett said the bottom line is that currently, the revised proposal does little or nothing to address the Board of Supervisors' September 18 comments and the community's opposition. He said during a February 28 meeting with the applicant, she openly stated that the reason for rezoning Rio Road for commercial was to increase profits enough to compensate for initially paying too much for the property. He said it is not the responsibility of the Board of Supervisors, or Albemarle County citizens, to offer their way of life to compensate for a developer wanting greater profit.

Mr. Springett said he would like to dispel a rumor. He said he had not spoken to anyone who is against the development of affordable housing under the R4 zoning. He said this rezoning application should be denied.

Ms. Janie Pudhorodsky (Rio District) said she and her husband are long-term residents of

Dunlora. She said her volunteer work with IMPACT (Interfaith Movement Promoting Action by Congregations Together) has informed her of the great need in the community for affordable housing at all levels. She said this is one reason she is speaking in support of the rezoning of 999 Rio Road.

Ms. Pudhorodsky said they have seen the housing around them continue to climb in costs and that, in fact, her single-level 3-bedroom home in Dunlora would now sell for well over \$400,000. She said this is one of the smaller homes in the neighborhood, and the others go for high into the \$400,000 and \$500,000 range. She said the range of homes Ms. Scro plans for (\$280,000-380,000) is needed for those who provide much services in the community such as teachers, firefighters, policemen, and nurses. She said presently, they drive to qualify to outlying counties, as they cannot afford to live where they work. She said some may bike or walk to work if they lived within the urban density area.

Ms. Pudhorodsky said Ms. Scro has listened to the surrounding neighbors and has made substantial changes, and that this development will still provide needed homes for the working families, and possibly some seniors who may be able to walk instead of drive to The Center (opening later that year).

Ms. Pudhorodsky requested that the Board consider and approve the rezoning for the proposal of the development. She said although it was not 500, she had an additional 33 signatures, with some from Dunlora, but most being from the greater community who understand the need for affordable housing within the area and any area considered for development.

Ms. Caitlin Henning (Rio District) said her issue was not the desire to develop the property, but more about the drastic difference between going from four residences per acre to up to 34. She said commercial blight was her main concern. She said Route 29, as well as many sections on Rio Road and the Albemarle Square shopping center, have a tremendous number of empty, leasable commercial spaces. She said it was clear that additional commercial space was not needed in the area and that for the sake of the community, they should be encouraging businesses to move into existing commercially-zoned area in order to prevent this commercial blight.

Ms. Henning said this, paired with the safety concerns about traffic that many homeowners have, suggest that the commercial space in this area should not be approved.

Mr. Greg Benham (Rio District) said he stood with those who were not necessarily opposed to the proposal, but are opposed to the sequencing of considering high density before taking care of the infrastructure needed, impacting the ability of Albemarle citizens and anyone using the Rio Corridor to get to work.

Mr. Benham said he has been to a couple hearings on the matter, and found it curious and coincidental that there was usually a young man who would come up at the end and say that he was moved to speak, giving a heartfelt soliloquy which couldn't have been more pro-developer if it had been written by the developer herself. He said if this coincidence happens again, he hopes the Board would see it for what it's worth.

Mr. Rory Stiltenberg (City resident, former County resident) said that in this and any other land use decision the Board makes, he would ask them to think about the people. He said they were contemplating 17 new homes that evening that 17 families will live in. He said these are people who would love to be the neighbors there. He said they have jobs in the area, whether on 29, UVA, or Downtown, and will have to live in the area, regardless.

Mr. Stiltenberg said it was up to the Board whether they get to live in an area close to trails that bring them to Downtown, across the street from a bus stop, in ways where they might not be driving through the corridor. He said alternatively they may choose to live in Greene, development is rapidly continuing there, and they are observing the increasing demand for homes.

Mr. Stiltenberg said the Board has already rejected 18 of the potential new neighbors and encouraged them to think about the new 17 when they make their decision that evening.

Mr. Sean Tubbs (City resident, Piedmont Environmental Council) said he would not necessarily take a position one way or the other but would offer some guidelines and comments. He said before the Board that evening is a compromised version that incorporates feedback the Board has all heard over the previous public hearing, but also satisfies the Comprehensive Plan's call for a dense urban development in the places where they have already planned for it in order to support the overarching goal of preserving the Rural Area.

Mr. Tubbs said this general area is a location that is ideally situated in a constructed place where people who want to drive less can do so. He said they can make that choice and still work, live, and play in the area. He said these systems must be made better, and that in the conversations he's had before the Board, they are trying to figure out ways where they can put people who don't want to drive and can take alternate modes can do so. He said this is the 21st century, not the 20th.

Mr. Tubbs said one time last month, he was on a public bus that did get to between Downtown and Fashion Square Mall in 25 minutes. He said this was success, for him. He said it was also during rush hour. He said he brought this up to say that there is public transit at this location. He said there is also the John Warner Parkway trail there. He said it is not lit currently, but in the future, if everyone could work together to make that happen, there could be people who live in this location that drive and take the

transit and never have to get a car. He said he walked to the meeting that day, as he was a person trying to do these things in his own life.

Mr. Tubbs said it has been known for a long time that Albemarle would urbanize, and that they were seeing this happen parcel by parcel, application by application. He said there has been a lot of concern that transportation initiatives will not happen, but that transportation staff are working to prioritize attention to this area. He said they also heard at the work session that day that there is work going on for a Master Plan for the area, to actually do the work that it takes to get the Master Plan in place, which is also in the Comprehensive Plan.

Mr. Tubbs said also in the Comprehensive Plan, in the Development Area chapter, is Objective 4, which states, "Use Development Area land efficiently to prevent premature expansion of Development Areas." He said Objective 5 is, "Promote density within the Development Areas to help create new compact urban places." He said a lot of care has gone into these issues over time, knowing what they knew then about the potential for population growth.

Mr. Tubbs said he could keep going throughout the Comprehensive Plan, including the strategies that talk about education for why this is important, and what motivates him to do the work he and his colleague Peter Krebs is doing to figure out how to give people options to move around without a car. He asked if not here, where.

Mr. Tubbs said they are moving towards a County that is promoting economic development more. He said they have urban centers that are becoming job centers, which will attract more people. He said those people will need a place to live.

Mr. Tubbs said these are tough issues, which was why he didn't have a recommendation except to thank the Board for being there and listening to everyone.

Mr. Gallaway closed the public hearing and brought the matter back to the Board.

Ms. Price said her question was first for County staff and then, if necessary, for the applicant. She said there has been a lot of conversation and comment that evening about commercial space. She said she was not concerned as much about where the application started as she is about where it currently is. She asked if it was commercial or office, and for the distinction between the two as the application currently exists.

Ms. Kanellopoulos replied that currently, the application is just for Office, or for Research and Development (which is essentially an office use that might involve using some kind of small manufacturing prototypes, computer software, etc.). She said this was the only allowed nonresidential use.

Ms. Price asked about the distinction between Office and Commercial.

Ms. Kanellopoulos replied that Commercial would entail retail, restaurants, and stores. She said there are no restaurants or retail allowed.

Mr. Kamptner said another way to characterize it is that an Office use is a subset of a broad range of Commercial uses.

Ms. Palmer asked if staff could speak about the differences in traffic between the by right development versus this particular plan. She said her assumption was that given the industrial uses that are allowed on the property, that the traffic would actually be less likely to happen during rush hour. She said this seemed to be reducing the traffic.

Mr. Kevin McDermott (Transportation Planner) asked Ms. Kanellopoulos to remind him what the by-right uses are.

Ms. Kanellopoulos replied it would be 7 dwelling units, or up to 11 with bonus factors.

Mr. McDermott asked if no commercial was allowed by right.

Ms. Kanellopoulos replied yes.

Mr. McDermott asked Ms. Palmer if she was asking for the difference between commercial and residential as far as time of peak hour.

Ms. Palmer replied yes. She said she was trying to get an idea of if they put 11 houses on the property, what the traffic impact difference would be.

Mr. McDermott replied that there wasn't a big difference. He said Office and Residential will have about the same amount of traffic, except that with an Office, there would be more vehicles coming in during the morning peak hour, so it would split the difference. He said if it were all residential, all those vehicles would be leaving at the same time and coming back at the same time, approximately, at the beginning of the day and in the evening.

Mr. McDermott said if it is split by commercial and residential, they would be splitting some of the

difference so instead of having everyone leave, a portion of the property would be generating exiting trips while the other portion would be generating entering trips. He said because offices open about the same time, during the same peak hour, and people are going to offices, the number of overall trips would still be about the same, approximately.

Ms. Price said it would be half in, half out in the morning; and half in, half out in the evening.

Mr. McDermott replied yes. He said splitting is one of the minor benefits of how mixed uses can benefit transportation, as it doesn't have everyone coming to and leaving from an area at the same time.

Ms. Palmer said one of the very first speakers was concerned about if the property was sold, something very different could occur on the property. She asked if staff could speak to that concern.

Ms. Kanellopoulos replied that the rezoning would run with the land, so the application plan and code of development were being approved, which run with the parcel. She said if someone were to buy the property, they would still have to use the same application plan and code of development.

Ms. Palmer said she would like to learn more about the history of the traffic light that was discussed with The Center, and is being considered as an R-cut now.

Mr. McDermott replied that what was mentioned was an old rezoning or Special Use Permit when SOCA fields were approved. He said they did a traffic study that said there should be a signal there, in the future. He said unfortunately, the project didn't proffer that to happen, and it was only a recommendation. He said they cannot use money from SOCA to build a signal. He said this was many years ago, in the mid-1990s, that this happened.

Mr. McDermott said since then, some opinions on the effectiveness and safety of signals have changed, which is why while VDOT may have been supportive of a signal at that time, they are not sure now if this is the best solution. He said staff is currently evaluating with VDOT to see what possible solutions could be there. He said they expect to submit a grant application for Smart Scale that year, based on the results of that study.

Ms. Palmer asked if that study was not completed, and it was not definite that the R-cut would be what they would suggest.

Mr. McDermott said it was not, but that he has seen the preliminary evaluations, and that it looked like an R-cut is what VDOT would be recommending.

Mr. Gallaway said he had to stop the Board's questions because he had neglected to give the applicant time for a rebuttal period. He apologized to the applicant and allowed her to come forward.

Ms. Scro said there was a gentleman who insinuated that she was fabricating young men coming forward to speak. She said that gentleman owed her an apology. He said the man who came to speak is a City Planning Commissioner. She said he was speaking because he knows about the issues. She said what she is speaking to is right. She said there are people who cannot afford to live in the area, and it is important that the application builds houses that the people can afford elsewhere. She said they are traveling from outside the County to work there. She said people were saying those things because they are true, not because she is fabricating them.

Ms. Scro said in terms of the financial issues, that was brought up because the cost of land is so high that she has to reach a certain valuation in order to pay for the land. She said she talks about by right versus the rezoning because this was the reality of what happens in real estate. She said they need to be able to pay for the land in order to build anything. She said she didn't want to hold the by right zoning over the Board's head, but that she scaled down the application so much that another application is not likely because if her valuation wasn't met, then no valuation would be met by another developer, and it was not worth it.

Ms. Scro said this was the reality and that it was not about her financial gain, but that this was needed in order to get bank approval.

Mr. Justin Shimp (Shimp Engineering) said it was true that as long there are employment centers in the area (which the County is trying to increase), people will keep moving to the area and keep driving. He said the reason there are a Comprehensive Plan and pedestrian networks is because the vision is that one day in the future, there will be density and transit inside close areas where everyone does not need to drive. He said the jobs are close to the building, and that people are driving from 29 to Rio, driving through the same light in question at Rio and The John Warner Parkway, and every light going down 29 to that point.

Mr. Shimp said when this is planned, it is not because Ms. Scro has a good plan, but because there is long-term consideration about people living closer to where they work and having more choices and variety in housing. He said this will result in fewer vehicle miles traveled on County roads, reducing congestion overall. He said there may be a spot where there is trouble, but that saying no to development close to employment centers will not help the situation and will make it worse.

Mr. Shimp said with regards to the reference that was made to safety on Rio Road, there are some unsafe spots and accidents, but they are up the street, such as near Old Brook Road. He said

bringing more traffic from 29 is adding to a problem there and not doing anything at John Warner Parkway.

Mr. Shimp said the people on the Board who wrote the Comprehensive Plan did so wisely to get this sort of development in this location.

Mr. Gallaway asked Ms. Palmer if her questions about the intersection were answered.

Ms. Palmer replied that her question was answered. She said she had been trying to go through the questions that she wrote down that she wanted to be sure were answered for the community. She said the Board hears these things, unfortunately too frequently, and that traffic is a huge problem. She said something must be done about the area.

Ms. Palmer said with regards to the people who spoke about how this should be a park, this was not a property owned by the County, as it is private property. She said the County does not have any say over whether it becomes a green space. She said she, and others, have seen what happened with some of the by right developments.

Ms. Mallek said there was such an uncertainty, in her mind, of how many units there will actually be. She said perhaps there will be some more information that comes forward, as it does make a difference by hundreds on the trips per day, which may be small compared to other places.

Ms. Palmer asked if Ms. Mallek wanted to know the maximum units under the plan.

Ms. Mallek asked if it was 14, 17, or 28.

Ms. Kanellopoulos clarified that the first application was 16-46 units, and the current application has a minimum of 11 total units, with a maximum of 28 total units.

Ms. Mallek asked if this total included both blocks, both above the office and the other block.

Ms. Kanellopoulos replied yes.

Ms. Price asked how accurate what the Board saw in the graphic was, in terms of the actual housing units versus what would actually be developed. She said there was a slide that showed 11 individual units, with 6 that were like townhouses or apartments, and some that were over the office. She asked the applicant if they knew how many would actually be developed.

Ms. Scro replied that what they see in the graphic is 11 small houses in the back, and 5 townhouses. She said those townhouses will have an interior unit below, which is why the numbers looked unusual. She said they were showing 22 units, and that 28 units could be built. She said this difference is often seen because perhaps, for instance, there could be a unit they could squeeze in, although she doubted this would be the case, in this instance.

Ms. Scro said another restriction she discussed with Ms. Kanellopoulos was that the residential has to face Belvedere Boulevard, and that they cannot physically fit more than 22 units. She said these 22 units include the 5 townhouses with the units below (which count as 10).

Mr. Gallaway asked for the square footage of the small houses.

Ms. Scro replied they would be 800-1,600 square feet.

Ms. LaPisto-Kirtley asked if Ms. Scro planned to have homes built atop the commercial development. She said she had thought it was just a one-story office.

Ms. Scro replied it would just be a one-story office.

Ms. Price said she had misspoken and thanked Ms. LaPisto-Kirtley for clarifying.

Mr. Gallaway said he had some questions for staff and some for the applicant. He said he was grateful to the applicant for the community outreach and recognized from all the emails he received from the community that a community conversation occurred over this time. He said some community members have changed their mind, over time, and that he appreciated that. He said this is part of the reason there are CACs, so there is conversation instead of people simply coming to public hearings instead of conversing with the developer. He said the fact that extra community meetings were held was noted and appreciated.

Mr. Gallaway noted that the traffic study was outdated, at that point. He said The Center would be opening in a few weeks and that to Mr. Krebs' credit, this facility will be successful to a magnitude he had not imagined, based on other organizations that will be interested in using a facility that was masterfully designed. He asked what happens if, at some point, even though they may be continuing with the R-cut or longer-term visioning (and a corridor study), a traffic light is warranted.

Mr. McDermott replied that at that point, staff would reach out to VDOT and request to get a permit to install a light and seek funds. He said they could use the Transportation Leveraging fund in the CIP for this. He said if this is what the Board desired to move forward with, if it were warranted, they

could work with VDOT to make that happen.

Mr. Gallaway noted he was not making an opinion on the traffic light but wanted to understand process and timeline. He said to imagine that 6 months from then, it was warranted. He asked if a light could be installed within a year.

Mr. McDermott replied that it was possible. He said even with a warrant, VDOT still does have to grant permission for that. He said he has already told VDOT that if the application for Smart Scale (assuming it is an R-cut) is not successful, and The Center opens, that a new signal warrant analysis would be done. He said he told VDOT that the County would desire a light, if it was warranted, at that point. He said VDOT understands this is the County's intention. He said he didn't expect to hear them say no, if everything points to a need for a light there.

Ms. McKeel asked if Mr. McDermott could briefly explain what it means when VDOT says, "warranted."

Mr. McDermott replied that VDOT uses standards from the Manual of Uniform Traffic Control Devices, which is a standard used throughout the country that sets up certain criteria for which one would allow a signal to be installed. He said they look at things such as crashes; pedestrian activity; and the volumes of both street at peak hour, 4-hour, and 8-hour levels. He said they count all the vehicles, which is how they determine whether or not they think a signal is warranted.

Ms. McKeel said when people hear the word "warranted," they sometimes think this means that they want it.

Mr. McDermott said there is very specific criteria that they have to meet for the number of vehicles per period of time.

Mr. Gallaway said it still has to come back to the Board, and they have to find the money.

Mr. McDermott said with no infrastructure there, it could be \$750,000 to install a signal. He said this is something that could be put in with the CIP Transportation Leveraging Fund, but it would be up to the Board to decide.

Ms. Mallek asked what the timetable would be, as she assumed that with a Smart Scale application, it could take years to implement. She asked Mr. McDermott if he might know something sooner as far as if it might be approved in time to then bring a signal analysis on in a fairly timely way.

Mr. McDermott said the timelines were not easy to nail down. He said VDOT is always changing timelines. He said he could say it would be 6 years minimum, but that they will never know, and it could be done much quicker than that based on VDOT's timelines with when they can get the County the funding and when they could get it in. He said he didn't think they would see something like this within three years, but that there was always a chance.

Mr. McDermott said they would make an application that fall, and that they would learn next spring if it got funded. He said it would then have to be built within the next 6 years after that. He said it could happen within 2-3 years, if it were the R-cut.

Mr. McDermott pointed out that there is a situation in Ms. Mallek's district at the Route 151/250 intersection, where there was an approval for a signal that was put in, even though the County had received approval for a Smart Scale project to do a roundabout there. He said they put in a temporary signal until they got the roundabout built. He said if the money for the R-cut isn't available in the next couple years, they could say they have a signal warrant analysis that shows they could put a signal there and request a temporary signal until the money is available. He said they could do a cheaper version of the signals, in that case.

Ms. Mallek said scheduling the signal warrant analysis was something the Board could choose when it happens.

Mr. McDermott said they could do a signal warrant analysis at any point in time. He said the County may have to fund that, depending on what they have available in the secondary 6-year plan that they have used for other projects. He said he thinks they could get VDOT to do it, and that it could happen very quickly.

Ms. Palmer asked if this would be appropriate to do some length of time after The Center opens.

Mr. McDermott said he would recommend to let The Center be fully open and allow people develop their patterns as far as when they are coming and going, and whatever time that takes. He said staff can discuss this with VDOT and The Center to find out, and that this could happen 5-6 months after the opening.

Mr. McDermott said that other than The Center, however, there has not been a lot of development activity in Belvedere since the last signal warrant analysis. He said he believes about 50 new homes had been built since the end of 2016.

Ms. McKeel said she understands that R-cuts can also have signals.

Mr. McDermott said this was correct, depending on the volumes of turning traffic.

Ms. McKeel said it was not as if an R-cut could not have a signal at it.

Mr. McDermott said this can be done in a lot of locations, but to imagine that at the U-turn location, they could put in a signal for the oncoming traffic there to stop it and allow the U-turn to be made.

Ms. McKeel said Hillsdale Drive (where the Senior Center is currently located) had a lot of traffic construction there. She said during the construction, the infrastructure was placed to put in a traffic signal, if and when it was needed. She said up until this point, the warrants haven't shown that it was needed, and that she didn't see many people walking. She asked if they put in an R-cut and thought at some point they would need a traffic signal, could they put in the infrastructure so that it is less expensive, rather than retrofitting later.

Mr. McDermott said this was correct. He said VDOT looks a certain number of years out, and if it looks like this may trigger the need for it, they will go ahead and install the infrastructure at that time.

Ms. McKeel asked if this R-cut, if put in, wouldn't be any different, and VDOT would say that they could need a traffic signal and the infrastructure.

Mr. McDermott replied yes.

Mr. Gallaway said they are already theorizing the traffic signal with the R-cut. He said if an R-cut goes in, they will be signaling it. He said this has already been discussed in the preliminary design, and that it wouldn't go in without signals. He said he was recalling the VDOT engineer's remarks. He said the U-turn would stop traffic.

Mr. McDermott said there would be a presentation on R-cuts at the April meeting, from VDOT, and that all those questions could be answered.

Mr. Gallaway said he was impressed at the level of discourse the Planning Commission had in their discussion, and that he learned a lot reading through the Planning Commission minutes. He said the four issues that the Commission brought to the Board included Office/Flex/R&D (which he understood Flex to now be removed) and the setback for attached units (which had been 0 feet). He said there were also Commission concerns about parking adequacy and asked if staff could speak more about the parking.

Ms. Kanellopoulos said since there is a range of potential units (11-28), and the office use (minimum of 500 square feet, maximum of 6,000 square feet), the applicant has shown parking areas. She said looking at what they could build and adding those up quickly, it looks like there is sufficient space for that. She said if the applicant wants to ask for a parking reduction to ask for less parking, they will review this with a site plan. She said it would be challenging to review that currently with not knowing exactly what would go in.

Mr. Gallaway said the fourth concern from the Planning Commission was traffic safety, noting that everyone knew where they stood and that this had been discussed.

Mr. David Benish (Interim Planning Director) said once a project has developed, any new use has to go through a zoning clearance, and that parking is one of the things that is evaluated when the use is changed over time.

Mr. Gallaway said Ms. Mathis had picked up that Ms. Scro had had a lot of conversation with the Fowler Ridge Court residents. He asked Ms. Scro to elaborate on that conversation about their saying that it was more impactful than they thought and that they were struggling to sell homes there.

Ms. Scro said there was a lot of conversation about what was planted behind them as landscaping and why.

Mr. Gallaway asked if Ms. Scro meant what was planted behind them, to the road.

Ms. Scro replied it was what was planted behind them, to the road, facing Rio. She said she had that conversation because there had been previous conversation about putting residential right up against Rio. She said she felt it would be too much of an impact on that unit to put residential right up against Rio, so she asked those residents what they thought of it. She said the residents had mixed feelings. She said some said at first, it was bad, and it was something they got used to. She said other people did want to move. She said one person is now moving to D.C. and is having trouble selling their house.

Ms. Scro said this convinced her that this was not a place where residential is appropriate. She said the County just spent \$30 million on John Warner Parkway, and the pedestrian and bicycle infrastructure there that goes to the City. She said she thought it was important to still put residential nearby to utilize that.

Mr. Gallaway said it sounded like maximizing a by right use in a place that has such big impacts might not be the best by right market decision. He said to presume that this would be maxed out in this

place, by right, might not be the appropriate thing to go with.

Ms. Scro said she personally knew that builders would build that. She said they would see that Shepherd's Ridge was built and make that same decision again. She said they are national builders and will continue that.

Mr. Gallaway said he understood, and that it was just an opposing viewpoint.

Mr. Gallaway said he would get to his opinion on the matter and would not rehash everything he said at the last meeting. He said he appreciated the Planning Commission going back to it. He said he would hit his main concern and the reason for his opinion.

Mr. Gallaway said there was no way to say his comment without it sounding like he was taking a shot at staff and apologized for that. He said it was not his intent. He said when the application was deferred and sent back to the Planning Commission, it stated the main concern from the Board was "the potential traffic impacts of this development."

Mr. Gallaway said he didn't believe he had ever stated his concerns for the traffic impacts of the development. He said his concern was for the almost 1,700 units that have already been approved and are in the pipeline, and what the whole area means, from a traffic standpoint, and that they put the neighborhood in that position by approving projects like this. He said he couldn't do anything about by right developments, but that this project was in front of him and that he does get to make a decision on it.

Mr. Gallaway said the fact that this went out to the public and to the Planning Commission, there were some concerns by other Board members specific to this site, and the commercial and retail use. He said he had specific objection to the building. He said his own remarks were not ever to the impacts of this particular development, as it was about the bigger picture, to him, and that is where his opinion lies.

Mr. Gallaway said someone in public comment said to think of the 17 people who will live there. He agreed, noting he was also thinking of the 500 people that are going to live there that have yet to have their units built, and what they will encounter.

Mr. Gallaway said while he appreciated the 25-minute bus ride, the transit along that route is ineffective. He said he didn't need to say anymore to that, as there would be plenty of chance to discuss that during a budget work session coming up a week later.

Mr. Gallaway said as a Supervisor, philosophically, he was not opposed to density or developing in the Development Area. He said there have been newspaper articles and comments made as if this decision to oppose this project was somehow against that. He said the Comprehensive Plan is correct to putting the density where it is, and that he was not disputing any of that philosophy. He said what the Comprehensive Plan doesn't speak to is the timing of when to do this.

Mr. Gallaway said he thinks Ms. Scro has done an excellent job of making this decision very difficult. He said she made it much harder on him after deferring and coming back, but the fact of the matter was that he had to take into consideration timing. He said the biggest thing the former Supervisor who represented the Rio District imparted onto him was to think about the planning of the Rio Corridor. He said he knows where that former Supervisor would have stood on that project, and another that would be coming before the Board. He said he agrees that the planning along the corridor is something that he has to take seriously and take into account.

Mr. Gallaway said there is a severe traffic situation there that has built up. He said it is over 1,700 units before this property and the Wetzel property (Parkway Place), and that is before taking into account the traffic from The Center and SOCA.

Mr. Gallaway said if anyone wants to doubt his commitment to affordable housing and wants to peg this decision to that, that is their prerogative. He said he has a record on both of the issues that he voted on and will continue to support, moving forward. He said he was comfortable saying that in his district, when rezonings come before them, it won't just be because they are in the Development Area (which most of his district is), but that he will look at the timing of this.

Mr. Gallaway said he was thrilled with the work plan brought before the Board that afternoon. He said they would get into those issues in the Comprehensive Plan and aligning the zoning with it. He said a week ago, he told Ms. Filardo and Ms. McCulley that the timing of when needs to be addressed in the Comprehensive Plan so that developers don't just think it is a foregone conclusion. He said the Board is always hearing the argument that the Comprehensive Plan state something, and then the Supervisors are trying to argue why it might not be a good idea. He said the timing needs to be taken into account.

Mr. Gallaway said he was very concerned about intersections all along the Rio Corridor and that if they start doing one intersection fix, and they don't know yet how the whole corridor study goes, they won't know how that will impact the rest of the corridor, moving forward. He said one bad decision along a dozen intersections along Rio Road throws the whole thing off, and then that would make him a bad planner who is not doing a good job representing the area.

Mr. Gallaway said there are plenty of places in the Rio District that he approved, like the EcoVillage, noting that this was an area that was enough out of the way where much of the traffic can get right and go to the City without putting a burden on the intersection. He said to not think about what all

these projects will do there, relative to traffic, and knowing what is coming online, he would be remiss not to have concerns about it. He said this is how he can take action, when applications like this come before him. He said it backs up how he thinks about this.

Mr. Gallaway said this was his opinion. He said he would not go back through all the numbers of units. He wished them well with The Center, noting it would be wildly successful with the number of cars coming through. He said soccer will add to it. He asked the Supervisors that if they disagree with him on the application and vote yes on it, he hopes that when things come forward to fix the issues that this will continue to create, that the support will be there to help make sure that those things happen as well. He said the idea is that this is where the Board has to stop and say if this is the right time for this particular type of density and use. He said it was clearly the right place but asked if it was the right time.

Mr. Gallaway said he would not be supporting the application that evening for those reasons.

Ms. Palmer agreed with Mr. Gallaway on many of his points, adding that the timing issue has come up many times for the Board. She said she would certainly support projects in this area to deal with the traffic. She said she is troubled, however, with this particular application and how small an area it is, where it is, and the impacts. She said it was no offense to Ms. Scro, but that it was not her description of the by right versus what she is doing, but because she has seen the by right in so many areas and that she didn't see any way to stop that. She said her feeling is that she is trying to make the decision, and that she would rather have the better development rather than the by right.

Ms. Palmer said she was very concerned about the traffic generated from The Center and moving forward with a signal or whatever is needed. She said she is very concerned about the larger upcoming project coming to the Board in April. She said she wasn't sure how the Board would handle this, if it goes in by right.

Ms. Palmer said she would vote in favor of the application that evening because she thinks the by right would be much worse, and that she didn't see a significant traffic impact that is different. She said Mr. Gallaway's points were all well-made and important. She said she just didn't see a way out of that and didn't see the Community Development Work Plan solving their timing issue with the roads and traffic.

Ms. Mallek said at the previous hearing before the deferral, she was thrilled when the cumulative effect was brought up, as it was something that the County has not dealt with correctly, in her personal opinion, for 30 years. She said whether it is how many lots are built, or how many units are built, members in everyone's districts in these growth areas have always been seeking that information of what's in the pipeline, how many they have, and when they will get more. She said it was very difficult to have those numbers.

Ms. Mallek said with this particular project, she would absolutely support that the timing is essential, as they are finally getting all the parts of the puzzle lined up to be able to find the answers and to make some significant improvements. She said she was very willing to say they were not ready for this project yet because the timing is right for improvements in decision making and design, and the transportation corridor information that the Board has to have. She said she would be happy to say that this project has to wait.

Ms. Price said she wanted to express her deep appreciation for the comments Mr. Gallaway made, which she knew were both from his head and his heart. She said it is his district, and that he understands many of these areas at a deeper level than she might.

Ms. Price said in part, because of that, she drove the area a couple times because she wanted to get a sense for what it was really like. She said what struck her initially was how much development is taking place and has taken place further down Belvedere from this particular piece of property.

Ms. Price said this brought to mind a previous Board of Supervisors meeting last year, when she was observing, and that she would use this as an example to explain part of her opinion on this project. She recalled there was a graph shown on the screen that showed three identical pieces of property in a row. She said based upon the absence of setback requirements, what was shown is if the two owners on the outside pieces did some development close to the property line, that then precluded the middle property owner from being able to do something on theirs.

Ms. Price said what she took away from this was that it was allowing other development to then place what she would perceive as an undue burden upon another property owner, as the other people were able to do whatever they wanted to do, but that this kept the one from the middle being able to do what they wanted to do.

Ms. Price said there is a lot of speculation as to what might happen if the Board denies the application. She said they know what could happen, but that they don't know what will happen. She said at the same time, it is a matter of being careful what they ask for, because they just might get it if they deny the application. She said if a by right development comes in, they may end up getting something that is not as appealing and attractive.

Ms. Price said one of the things she has been receiving information on was getting the distinction between commercial versus office space. She said there is a lot of vacant commercial space going up Route 29, but that she knows there is also an absence of adequate office space, particularly for the jobs

that generate income from the local area. She said a Class A office space is more attractive and brings in better income-producing jobs. She said the appearance of the project strikes her as that sort of situation rather than commercial.

Ms. Price said she is concerned about the traffic. She said one of the problems she has observed is that until a need is demonstrated, it is difficult to get the funding and approval to improve the roads. She said they find themselves in a Catch-22 where they need to improve the roads, but they can't get approval to improve them until they demonstrate that they need it. She said she would support Mr. Gallaway's or any other Board member's request for traffic, as they all know it is one of their top priorities to improve their transportation.

Ms. Price said she was very impressed with the community outreach that has been done by the applicant, and that while she has only been a Board member since January, she has followed the application through her observing other meetings. She said it was not perfect, and that she greatly appreciated what the applicant has done over the months to reduce the impact, and to improve the totality of the project. She said she would support the application that evening.

Ms. McKeel said she appreciated Mr. Gallaway's thoughtfulness. She said when considering votes, approvals, or denials, she seriously tries to take to heart the Supervisor of record's feelings because they really know the areas the best.

Ms. McKeel said she was very concerned in the community about the absence of affordable housing. She said there is also a shortage of office space (not commercial). She said she wanted to make sure that they provide the housing not only for the people who are there now, but that she wanted her children and grandchildren who live in Belvedere to be able to live in the community. She said she didn't want them to have to go to Greene or Fluvanna.

Ms. McKeel said she understood the concerns. She said she was married for 38 years to a VDOT traffic engineer. She said she also understood that they cannot build ahead for what they anticipate. She said the conundrum is that they have to have the need to be able to build. She said the same is true for schools and overcrowding. She said she would support a traffic infrastructure in the area. She said she would support the project because she believes Ms. Scro has worked with the community, and that it provides affordable housing for the people who need it.

Ms. LaPisto-Kirtley said she also respects the fact that it is Mr. Gallaway's district, and that she respected the other Supervisors' comments as well. She said she knew about transportation needs and how long it takes, and that there really needs to almost be a crisis situation for VDOT or others to pay attention. She said in her district, she has been trying to get a couple roads paved and because there is not enough traffic there, VDOT won't pave them.

Ms. LaPisto-Kirtley said she would vote for approval of the project because she believes that something needs to be done. She said the number one concern in Pantops, Rio, and every other area is traffic. She said they are facing shortages in Fire Rescue and EMT services because the population is growing in all different areas. She said there didn't used to be so many people in Crozet years ago, but it has grown to a small town, which causes other issues. She said they need to make sure they get the transportation issue addressed, and that the only way they will is if they show there is a need.

Ms. LaPisto-Kirtley said she is also in favor of affordable housing. She said she has been in the Belvedere area, and that she didn't see this particular project as being what kicks it over the edge. She said she thinks, however, that other projects coming up will, and that she would definitely be supporting any traffic mitigation that the Board has to take. She said the time has come, and that something needs to be done. She said it will be a big investment, but that it was something she would also be supporting.

Ms. Palmer said having counted the votes, what she would say was not a great consolation for all the people who had worked so hard against the application. She said the quality of the arguments were very good. She said she learned and read a lot, followed links, and that everyone made the project a lot better than it would have been.

Mr. Gallaway said of the 500 units that are coming online that are already in the pipeline (e.g. The Lofts at Meadowcreek), a lot of the improvements were done, and there were even changes to some of the future already-approved Belvedere units to allow the accessory units that were upstairs to be floor level. He said of those 500 units that were in the pipeline prior to this project, there are a lot of affordable units coming online with the remaining development that is occurring in that area.

Mr. Gallaway said he would be remiss not to make a correction about the community mobilization for the Entrance Corridor. He said Mr. Bruce Dotson (his Planning Commissioner) is the energy behind getting that done, but even that was stimulated by the roadway being designated an arterial roadway. He said all of the arterials to follow suit and be consistent in the County are defined as Entrance Corridors, so it was really correcting that.

Mr. Gallaway said the community was supportive, and that it sounded like it was in the best wishes of those who oppose the project or other projects there, but that the fact was it was following the practices that are County-wide for arterial roads, as designated by the State.

Mr. Gallaway said since the project was in his district, but he was not in support of moving to adopt, he would ask another Supervisor to bring the motion forward.

Ms. Price **moved** that the Board adopt the ordinance (Attachment E) to approve ZMA201900001 999 Rio Road. Ms. McKeel **seconded** the motion. Roll was called and the motion carried by the following recorded vote:

AYES: Ms. LaPisto-Kirtley, Ms. McKeel, Ms. Palmer, and Ms. Price
NAYS: Mr. Gallaway and Ms. Mallek

**ORDINANCE NO. 20-A(4)
ZMA201900001**

**AN ORDINANCE TO AMEND THE ZONING MAP
FOR TAX PARCEL 06100-00-00-154B0**

BE IT ORDAINED by the Board of Supervisors of the County of Albemarle, Virginia, that upon consideration of the transmittal summary and staff report prepared for ZMA201900001 and their attachments, the information presented at the public hearing, any written comments received, the material and relevant factors in Virginia Code §§ 15.2-2284 and County Code § 18-20A.1, and for the purposes of public necessity, convenience, general welfare and good zoning practices, the Board hereby approves ZMA 201900001.

Recess.

At 8:15 p.m., Mr. Gallaway announced a recess.

At 8:26 p.m. Mr. Gallaway called the meeting back to order.

Agenda Item No. 18. **County Executive's Recommended Budget.** To receive comments on the County Executive's FY 2020/2021 Recommended Budget.

Mr. Jeff Richardson (County Executive) said he would briefly highlight the key aspects of the FY 21 recommended budget and would also go over some technical updates since the budget was first presented in mid-February.

Mr. Richardson said the recommended FY 21 budget is balanced, at a total of just over \$452 million, which is balanced on a tax rate of 85.4 cents per \$100 assessed value. He highlighted that this is the same tax rate as the present tax year.

Mr. Richardson said he would focus the rest of his remarks on the General Fund, which is the primary funding for General Government. He presented a chart that provided an overview of where revenues are coming from. He noted that there is a strong reliance on general property taxes as being the significant revenue that supports the General Government budget.

Mr. Richardson said the next slide showed the Board and members of the public where the expenditures are going. He said the darker red on the right side of the chart reflected the transfer to the public school system. He said the dark yellow at the bottom of the page denotes the County's commitment to public safety.

Mr. Richardson said the next slide was busy but telling. He said it illustrates what a dollar of tax revenue supports in the coming fiscal year recommended budget.

Mr. Richardson presented a slide, noting it was familiar to the Board and that they return to it regularly throughout their work session. He said it was an update to the major drivers of local revenues, as was projected by staff in late February. He said for the Board's consideration and for the general public, what typically happens is staff will look at revenues in the December to early January timeframe, which is when they are getting into the details of building the budget and bringing a balanced budget for the Board's consideration. He said with real estate, as they have done over the past several years, they went back and did a recheck of the revenues in late February, resulting in a nominal adjustment in real estate.

Mr. Richardson said the second category on the slide was local personal property, where they saw about a 2.5% jump from the December review to the late February review. He said this yielded approximately \$800,000 of additional revenue for consideration. He reminded the Board and public that this happened after staff presented the recommended budget in mid-February.

Mr. Richardson said the third category was business-driven, which includes BPOL (Business, Professional, and Occupational License) taxes. He said this stayed the same.

Mr. Richardson said the final category, consumer-driven taxes, jumped approximately 1%.

Mr. Richardson said from the updates on the shared local revenues, the next slide broke out the

per funding formula calculation, first with the School Division. He said this meant that the schools would enjoy an additional \$857,000 of ongoing money for next year's budget. He said the capital program, per formula, would enjoy an additional \$195,000. He said General Government would receive approximately \$572,000.

Mr. Richardson said taking the \$572,000, he would remind the Board that through many months of collaborative discussions and guidance from both the School Board and from the Board of Supervisors, they worked together to come up with a strategy for a July 1 implementation of \$15/hour minimum wage, which would be for both the School Division and for County Government. He said he was happy to report that they are able (and is included in this budget) to implement this on July 1. He said in order to do that, they would take \$400,000 of the \$572,000 to be able to fully implement this on July 1, taking them to a difference of \$172,000.

Mr. Richardson said they add two additional revenue adjustments that do not go through the shared formula, giving them about \$366,000 of additional revenue through the technical adjustments that were made at the end of February.

Mr. Richardson said as was covered in the budget work session the day before, the staff then looked at the additional recommendations in priority order for the Board's consideration, which includes two police officers; two frontline-level positions in the Finance department; an additional \$20,000 for the Emergency Utility Program that is housed out of Social Services; and \$28,000 of additional funding that could leverage additional State money, depending on what the final State budget looks like. He said this reconciles the additional technical adjustments of \$366,000.

Mr. Richardson said in addition to those revenues, they also took a look in February at the Community Development related fees, including development and inspection fees. He said there was a longer lag time from when these figures had first been looked at to the time in late February, and that he was pleased to report that the additional revenue check yielded an additional \$454,168 for consideration in next year's budget.

Mr. Richardson said staff recommended adding one additional Engineering Inspector position to support the continued heavy workload within the Community Development Department, and that the Board had heard about their workload and strategic plan, moving forward. He said this includes earmarking approximately \$356,000 to consider some external resource assistance to align with the internal work plan and the priorities that were discussed with the Board that evening.

Mr. Richardson said in front of the Board was a Position Summary, and that the Position Summary includes the positions he just covered, as those that were rolled out to the Board in the mid-February presentation.

Mr. Richardson said he would give a brief overview of several of the larger items that were recommended in the coming year's budget. He said the budget makes capital investments that staff believe have a positive return on investment for the community they serve. He said the budget supports expansions at Cale and Crozet Elementary Schools, which are two high-priority schools with capacity issues. He said this will help to address the recent student enrollment increase.

Mr. Richardson said regarding transportation, this budget recommends setting aside \$22.75 million over the next five years that will provide funding for Transportation Leveraging.

Mr. Richardson said in the area of economic development, this budget recommends flagging \$4 million for potential land acquisition for public-private partnerships that will enable site control, which could help the County spur positive economic development with a public benefit.

Mr. Richardson said in the area of elections, this budget provides for funding that will enable them to open a new early voting location. He said a recent State Code change to take effect for the November 2020 Presidential Election removes the need for an excuse to participate in in-person early voting. He said they would be leasing space at Albemarle Square Shopping Center to offer convenient central voting. He said this space will be available for the County and for private events outside of the voting periods.

Mr. Richardson said in the area of equity (which focuses on fair access to opportunity, information, resources, and treatment), the budget proposes an expansion of the Equity and Inclusion Program. He said this includes greater language accessibility offerings to further support and enhance programs at the Yancey Community Center and expanding their Emergency Utility Program. He said it also forms a strategic partnership with AHIP to provide weatherization and housing rehabilitation. He said staff believes this is in line with their Climate Action work, to enable low-income residents to take actions to reduce their energy needs.

Mr. Richardson said this also looks at compensation for the County. He said he mentioned the commitment to moving to \$15/hour, effective July 1. He said this would be a strategic focus on the bottom third of the pay plan, who are entry-level wage earners in the organization. He said the slide depicted a high-level focus on those entry-level grades, beginning at Grades 4, 5, 6, and 7; and that up to Grade 12, addressing compression issues that need attention as this is implemented. He said this would affect approximately 159 full-time staff and 171 part-time and temporary staff, and recommends a 2% salary increase for all County employees.

Mr. Richardson said there is a lot of talk during the year about the need to continue to focus on business optimization, meaning that the organization is committed to working differently. He said they are committed to applying the right resources to the right areas to get the right results for the community. He said they continue to look hard at realignment of the business systems to free up capacity to do better and higher-level work. He said these can be business systems that are cross-departmental in nature, with the customer experience in mind. He said this budget supports an additional \$500,000 to the business process optimization reserve. He said it also recommends \$35,000 to expand leadership and technical training for staff.

Mr. Richardson said the budget addresses an emerging need in the Albemarle County Fire Rescue (ACFR) system. He said ACFR received notice from Charlottesville Albemarle Rescue Squad that in the future, it will not be able to reliably send Advanced Life Support (ALS) services into Albemarle County on nights and weekends. He said to address these emergency medical needs, this budget supports 12 new positions that would enable staffing of an ALS ambulance at the Ivy Station and Pantops Station on a 24-hour, 7-day-a-week basis.

Mr. Richardson said the proposal provides consistent, reliable County-wide ALS ambulance service, and it improves EMS response times in most areas of the County. He said the total cost of these 12 positions is only \$332,000 because there are offsetting revenues for the services that are provided for an emergency transport.

Mr. Richardson presented a slide depicting funding for agencies, arts, and the community partners that the County desperately need to be able to affect the quality of life in the community. He said the County has a strong history of regionalism and partnerships with agencies and non-profits, as well as community arts and cultural groups that work to enhance the lives of so many citizens. He said the budget for next year commits \$1.7 million for the 33 agencies that currently work through the outside ABRT funding process.

Mr. Richardson summarized that the FY 21 budget totals a little over \$452 million. He said it is balanced on a tax rate of 0.854 per \$100 assessed value, which is the same tax rate in the calendar year. He said he was not recommending a tax rate for the coming year.

Mr. Richardson said with this budget, staff believes that Albemarle County is expanding opportunity in ways that are measurable and meaningful. He said they are also trying to align with the Board's high strategic initiatives and believe that they have put their discretionary money to the degree that they can in those areas.

Ms. Palmer asked if the 2% increase was on top of the \$15 per hour for the lower paid employees.

Mr. Richardson replied that it was on top of it. He said they would process the positions shown on the slide to make the moves necessary to implement the \$15/hour, which would be a separate move from then a 2% overlay to all County employees.

Ms. Palmer asked if given they are trying to deal with the compression issue over time, why they would go forward with the 2% to the people who were getting a good jump in pay.

Mr. Richardson said this was a good question, and that there was some subjectivity with his response. He said they looked at this as two separate issues. He said the first issue is trying to create and implement a strategy that focuses on the lowest wage earners in the County. He said the second issue is moving the entire pay plan ahead by 2%. He said these two issues were separated rather than blending those issues for the people who were targeted for the minimum wage implementation.

Mr. Richardson said this is consistent to how they would have handled things in the past, where there is an issue that they are trying to resolve. He said separate from that, they are trying to move the pay plan and the employees within that pay plan relative to market, so they are handling it separately and on a parallel track.

Ms. Ann Eddins (Rivanna District) said she has lived on Polo Grounds Road, next to the Bentivar subdivision, for 29 years. She said two years ago, her neighbor convinced her to join him on the board of the Stony Point Volunteer Fire Company.

Ms. Eddins said the proposal to reassign the paid weekday crews is apparently based on volume of calls, and it seemed to her that Stony Point would be having more calls if their first due had not been shrinking in recent years. She said that her neighborhood, in fact, was shifted from Stony Point's first due to that of Seminole Trail Volunteer Fire Station, which is on Berkmar near its intersection with Route 29. She said Seminole Trail is bound to become even busier when people move into Brookhill in large numbers, and the ice rink opens.

Ms. Eddins said meanwhile, for Seminole Trail to serve a fire in her neighborhood, they need to rely on getting through the one-lane railroad underpass on Polo Grounds Road, which is occasionally blocked by an accident or traffic. She said furthermore, neither Seminole nor Stony Point has a fire engine small enough and light enough to cross the 16-ton weight limit bridge on Proffit Road. She said Stony Point has long wanted a smaller fire engine for the low-weight limit bridges and narrow, winding mountain roads in the Rural Areas, but it has not been able to secure one from the County. She said with

community support, they are now saving up to purchase one as a last resort.

Ms. Eddins said their main concern is taking away the paid crew, and leaving the Stony Point Station empty from 6:00 a.m. to 6:00 p.m. on weekdays, will lengthen response times for her area, and even more for the areas further to the north and east.

Ms. Eddins said her neighbor, Nat, has already written to all the Board members about his stroke on Memorial Day Monday last year, and how great the Stony Point Volunteer Fire Company responded in just a few minutes to save him from what could have been considerably more damage.

Ms. Eddins said another one of her neighbors, Cricket Aberdeen, who was coming home from teaching at Jouett back when she taught health and physical education there, came around the turn into Bentivar, and two teenagers were racing on their motorcycles, one in each lane. She said the next thing she knew, the one going the wrong way hit a car head on and flipped himself and the motorcycle over it. She said she hurried to help him, calling 911 and fearing he was already dead. She expressed that the response time in Stony Point was important.

Mr. John Edward Hall (City resident) said he made a mistake signing up for the budget talk, but that it gave him a great opportunity. He said he found a pamphlet saying, "Got farmland in Albemarle? Let's talk." He said the brochure talks about financial reimbursement for fencing, water systems, trees, cover crops, erosion control and more. He said this pamphlet was put out by the Thomas Jefferson Soil and Water Conservation District and includes contact information. He said the program provides up to \$100,000 in assistance to farmers and landowners interested in improving soil and water quality while increasing their bottom line.

Mr. Hall said he would like to start a compost operation in the fall as part of his program. He said that for Board members, or those in the audience or viewing from home, his number is 978-4040. He said someone may know a landowner in Albemarle County near the Charlottesville Area Transit bus route to provide 20 acres of land for his program. He said he could share the money received from the program for use of the land. He said he was excited about finding this information.

Ms. Vikki Bravo said she was representing IMPACT. She said they were there to support the creation and funding of an affordable housing fund. She said the reason for an affordable housing fund is that it is the best use of taxpayer money. She said an affordable housing fund is a distinct fund that receives ongoing dedicated sources of public funding to support the preservation and production of affordable housing. She said affordable housing funds in counties around the country leverage, on average, over \$6 for every \$1 put in by the county in monies from federal, state, and other sources.

Ms. Bravo said an affordable housing fund is a flexible tool. She said the fund is used to meet local needs, whether building, refurbishing, or whatever the locality decides. She said people who are living in the County now, but are unable to afford the cost of maintaining their home or renovating their home, can be helped by this fund. She said the Board could decide how it is used.

Ms. Bravo said an affordable housing fund incentivizes private developers to include affordable housing, along with market rate housing. She said it is expensive to build affordable housing, and developers can use these funds to add workforce or lower-income housing to current development plans.

Ms. Bravo said this fund serves all levels of housing needs -- workforce (e.g. teachers, firefighters, health care workers), families, people with disabilities, and seniors. She said she applauds the over \$6 million in the budget that goes towards various affordable housing projects, but that the housing needs assessment confirms that there are not enough units of housing to meet the need.

Ms. Bravo said the affordable housing fund provides assistance for future funding of good ideas. She said it can be set up as a grant or a loan, and Arlington County's fund gives loans, so the money gets put back in.

Ms. Bravo said funding is needed now so that the fund can start being used immediately. She said \$5 million in the fund could turn into 167 apartments per year. She said this is a best practice around the country to deal with the housing crisis. She said it is a tool to encourage both the private and nonprofit sectors to provide housing.

Ms. Bravo said IMPACT invites all Supervisors to their Nehemiah Action on March 31. She said they are disappointed that some Supervisors would not be attending. She said the invitation is still open. She said over 1,000 people will come together looking for County Supervisors' leadership on this issue.

Mr. Tom Eckman (Rivanna District) said he is also with IMPACT. He said for over three years, IMPACT has been trying to get the County to incentivize affordable housing for over 1,000 elders in the community who are struggling and paying over 50% of their income on housing, by creating a housing trust fund. He said unfortunately, for these struggling low-income seniors, they have not seen many new homes being built.

Mr. Eckman said there is \$500,000 in federal dollars provided by HUD, which is part of the \$6 million that Ms. Bravo mentioned. He said this is used by Social Services for rental assistance vouchers.

He said unfortunately, the waiting list for these vouchers is already closed, which also points out the need to do something quickly for these seniors.

Mr. Eckman said IMPACT applauds the help that the County has given Habitat for Humanity in support of Southwood to create affordable housing units, but that those units were about 5 years away and have not yet started to be built.

Mr. Eckman said IMPACT also applauds the County for what they have done in helping Piedmont Housing Alliance in their effort to preserve units that remain affordable. He said he just heard that 500 accessory dwelling units would be opening up in Belvedere, and that IMPACT appreciated this as well.

Mr. Eckman said in this budget cycle, they need \$5 million in new dollars put into the affordable housing trust fund so that when the housing policy is adopted by Ms. Stacey Pethia, they can move quickly to start building the units later that year.

Mr. Eckman said this budget is \$451 million in revenue, and that most of the revenue came from the real estate taxes. He said he thinks that since most of the budget is from real estate taxes, that \$5 million could and should go into the housing fund.

Mr. Eckman said until the County incentivizes builders to build smaller, more affordable units and create zoning for higher density, they will continue to build large single-family homes which are not affordable for most people.

Ms. Daniella Pretzer, Executive Director of the Bridge Line, which is a nonprofit organization in Charlottesville that provides services for adults with brain injuries (including traumatic brain injuries, stroke, brain tumors, and infections of the brain). She said they have appreciated that for the past three years, they got funding from the County to support their day program, which is a pre-vocational program so that people from the County can come in and relearn skills they need in order to start perhaps with a volunteer job, then become employed again so that they can put money back into the community.

Ms. Pretzer said she was very pleased that last year, it took the Board about 10 minutes to make the decision to do the ABRT process, like it was before. She said this was great to hear, and that she was grateful that in the proposed budget, they would hopefully be supported again. She said she wanted to let the Board know how important their program is because people with brain injuries fall through all the cracks, and don't fit into any other program that is available to people in the area.

Ms. Janie Pudhorodsky (Rio District) said she was speaking on behalf of IMPACT. She said as Mr. Eckman stated, for over three years, IMPACT has been seeking commitments from the Board to implement actions that would incentivize the building of affordable housing for seniors of the community, but that little has been done to alleviate the struggles of those seniors with very limited resources.

Ms. Pudhorodsky said as Ms. Bravo stated, money in an affordable housing fund could provide incentives, leverage more dollars, can be used for workforce or lower-income housing, as well as refurbishing housing to allow seniors to age in place.

Ms. Pudhorodsky said funding needs to be put in place now so that when the policy that Ms. Pethia and her stakeholders' group is developing is completed and approved, action can happen without waiting for yet another budget cycle to approve monies. She said they need the \$5 million in an affordable housing fund now.

Mr. Jay Hightman (Rio District) said he specifically lives in the Camelot subdivision. He said he wanted to talk about pedestrian and bicycle infrastructure. He said he was aware of several provisions in the budget to have leveraging funds, but specifically, he would like to speak about the problem with transportation infrastructure. He said this is important to him because he lost his 20-year-old daughter, Robin, last year when she was hit by a truck. He said twice last year, his younger daughter (a second-year at UVA) was hit by vehicles within the area. He said she is a triathlete and that cycling is very important to her.

Mr. Hightman said he was aware of a pedestrian who was killed near Free Bridge that Monday. He said he saw an article in C-Ville Weekly from November 13, 2019 that on the 29 Corridor, 8 pedestrians have been killed, and in the City of Charlottesville (on Route 29), 5 pedestrians have lost their lives.

Mr. Hightman said given where they live, his wife has a younger child who goes to Sutherland. He asked if he could bike to school, and the answer was no. He said there is no infrastructure to get from Camelot to Sutherland, and that one would be taking their life in their own hands.

Mr. Hightman said he has been in Charlottesville since 1979 and that it was possible to ride out Barracks Road, Garth Road, White Hall, through Crozet, back onto Route 250 and feel safe. He said this is no longer possible.

Mr. Hightman said although there were no specific items in the budget, he would appreciate looking at programs that would allow there to be safer programs for pedestrians and cyclists. He said Mr.

Tubbs had mentioned lighting along John Warner Parkway. He said the programs extending the Berkmar Drive extension are great. He said perhaps having a bridge across the Rivanna, near Free Bridge, would have saved a life.

Mr. Hightman said hopefully as the conversation goes forth with these programs, they will be able to look at things that will allow low-income people to afford e-bikes, which would be a green solution for the community because the environment would not be helped by adding more infrastructure for cars.

Mr. Jay James, Assistant Director of The Bridge Ministry Substance Abuse and Reentry Program. He said they are part of the ABRT process. He said they have an 18-month residential program that serves men dealing with life-controlling issues who are facing employment barriers, opioid addiction, and incarceration. He said the program has been dealing with this for over 22 years.

Mr. James said he was there that evening because he was not asking the Board to go outside of the normal ABRT process but wanted to share the ABRT evaluation of their program. He said ABRT had the following to say about their program. He said the application addresses an Albemarle goal, presents local data to describe the need, demonstrates good understanding of the participants, strategies, and addresses an identified need. He said strategies utilize the best practices research for evidence-based practice. He said they provide a financial benefit. He said the program has appropriate strategies for outreach and engages the needy and underserved populations. He said the program or organization is fiscally sound.

Mr. James said that over 70% of the individuals his program serves who deal with opioid addiction would otherwise be homeless, and that over 90% are indigent. He said they bring these people into their program and through a partnership with PVCC and the Workforce Services Department, they give these people career service jobs with the Network to Work program, so they started a floor above the living wage, at \$16 an hour and up.

Mr. James said they offer professional certifications in small engine repair, HVAC, OSHA training, and any number of professional development certifications. He said for individuals 21-30 years old coming into the program, over 95% of them have no skills, but they leave the program with the ability to be productive members of the community.

Mr. James said they have served over 21 individuals over the last three years in Albemarle County, and 27 in the City of Charlottesville. He said they made an investment of over \$500,000 into the rehabilitation of those individuals in that timeframe. He said they have an 81% success rate. He said had those individuals in Albemarle been incarcerated, 81% of 21 is 17. He said if 17 individuals had been incarcerated in the regional jail (noting he is on the Jail Authority Board and received these statistics directly from the Superintendent), it would have cost the community \$884,212 to incarcerate them. He said they invested \$500,000 into them and saved the community over \$800,000.

Mr. James said what they are asking for as part of the ABRT process is less than 25% of what they have invested. He said at the beginning of his talk, he had said that this was not going outside the ABRT process. He said ABRT didn't fund the program because they are under the impression that the program doesn't have an audit, and yet, they do. He said there may have been a misunderstanding. He said the program's board made the decision to have an audit every three years, with the City being a part of that process. He said he could share this information with staff.

Mr. Jason Buyaki (Rivanna District) said he was before the Board to talk about the plan to move Stony Point and East Rivanna daytime fire staff to Pantops and Crozet. He said he opposes this plan.

Mr. Buyaki said that first, Chief Eggleston said to his Fire & Emergency Medical Services (FEMS) Board in January that his plan increases risk for residents and commuters served by Stony Point and East Rivanna Fire Companies. He said current response times of 6-8 minutes would increase to 22-28 minutes. He said this is a serious increase in risk, and that it is too much risk for rural communities dependent on the services of these fire stations. He said these communities need daytime staff.

Mr. Buyaki said Chief Eggleston is working within the constraints applied to him, and that he believes those constraints come from the Board and the County Executive. He said it may not be from the Board members that make up the current Board, but that they could be former Board member constraints that have been applied throughout the process.

Mr. Buyaki said Crozet and Pantops have long been in the Master Plan, for perhaps 15 years or longer. He said the real solution for daytime paid staffing for those areas has really never been deeply investigated to understand what each of those areas need.

Mr. Buyaki said his belief is that this Board has the opportunity to correct things and be able to serve all communities with paid daytime staff.

Mr. Buyaki said one question that must be asked is why they have not really dug into the details to find out why they do not have sufficient coverage for Crozet and Pantops. He said he thinks this is risky. He urged the Board to be the Board that corrects this.

Mr. Buyaki said for the last four years, the County has had budget surplus of \$10 million, and \$8

million the year before that. He said these savings prove that the money is available to fund daytime staffing at Crozet and Pantops Stations. He said it is time to dig into the budget, appropriate the funds, change some expenditures and appropriations within the budget to ensure that there is adequate coverage across the entire County.

Mr. Buyaki asked the Board to preserve the Stony Point and East Rivanna Fire Companies and fund staffing for Crozet and Pantops Fire Companies. He said the alternative was not worth the risk.

Ms. Cara Metcalf, a volunteer at Stony Point Fire Department, said she has been on the board of the volunteer system for about three years. She said she currently lives in Waynesboro but did start in Albemarle County when she was volunteering. She said she was present to oppose the removal of the day crew to Pantops and Crozet, although she didn't behoove those areas any of those services, as they are needed.

Ms. Metcalf said to remove resources from a volunteer County station that has been there for about 23 years, and not giving the community enough of a warning to say that their services would be taken away from them, is regretful.

Ms. Metcalf said while she understands that the budget process is cumbersome, and that Chief Eggleston has to work with what is given to him, she wondered if there is any other way that they can be provided for and not have to count the rural lives differently from the city lives.

Ms. Metcalf said every life is counted as the same, and to take the station day crew away from 6:00 a.m. to 6:00 p.m., with most of the calls happening during those weekday daytime times, they would go from a 2- to 8-minute response time within the local area to a 20-minute or higher response time in that area, barring any of those times when Station 12 or Station 16 is not already on a call. She said they are then calling for Stations 11 or 15 to potentially respond to those calls where coverage is needed.

Ms. Metcalf asked the Board to think about the budget that Mr. Buyaki mentioned, and determine if there is any way to reappropriate funds to allow for all County stations to cover their needs, as well as addressing Pantops and Crozet along with Stations 2 and 6.

Ms. LaPisto-Kirtley mentioned that on Monday, March 9 at 6:00 p.m. at Stony Point Elementary School, the fire department (including Chief Eggleston and Deputy Chief Puckett) would be there to address the community. She said she would also attend, as their Supervisor, to address and answer questions, and to let everyone know what is going on. She said this is a difficult situation and not easy at all. She encouraged people to get the word out, noting that it was also being advertised through A-mail.

Ms. Palmer said one of the earlier speakers brought up something that reminded her about shrinking the first due area for Stony Point, and that this reduced the calls. She said it was about 3-4 years ago that this was discussed, and it was a complaint. She said accusations were made of the County trying to put Stony Point out of business by shrinking the area that it covers. She said she would like to hear more about this, and perhaps more would be heard at the budget meeting.

Ms. Palmer said she would also like to learn more about the audit issue that Mr. James spoke about.

Chief Dan Eggleston (Fire Rescue Chief) said he has heard the complaint before, and that he would go over the process quickly. He said they have all the stations in the County mapped in GIS, and that they use the GIS technology to determine who is the closest area, given their location and any obstacles (e.g. bridge capacity issues) they may see. He said this process is run as a group and is reviewed by the FEMS Board. He said there is also a process to appeal so that if someone feels the area is not correct based on that analysis, they can go through an appeal process which includes drive time. He said this is appealed to a group that looks at this and adjusts as necessary.

Chief Eggleston said he feels good about this process, as it is very collaborative, uses technology, and includes the appeal process to allow someone to come forward if they have different information, to plead with the group to make that change.

Chief Eggleston said he would like to put to rest the idea that anyone shrank an area to put people out of business. He said this was ridiculous and wanted to stop this, if he could. He said he is very proud of the process, as it determines who can get there the quickest, which is what really best serves the citizens.

Ms. Palmer asked when the full-time paid staff was put at Stony point on weekdays.

Chief Eggleston replied that it was over 20 years ago, well before his time. He said he believed it was in 1998.

Ms. Mallek asked if the changes to the bridge over the railroad tracks at Proffit Road have an impact on the redesign of the first due system. She recalled that when the weights were reduced tremendously, some changes had to be made.

Chief Eggleston replied that he didn't recall. He said it was years ago when the bridge was

reinforced that the decision was made to keep it at 16 tons. He said he didn't recall when it was anything different than 16 tons. He said this inhibits people from getting into Stony Point as well as people getting out. He said there is a workaround and that people can drive through Polo Grounds. He acknowledged that the tunnel was not the best access there.

Ms. LaPisto-Kirtley asked if the bridge where the weight limit was recently changed had an impact because then, Seminole Trail had to service everyone on that side of Route 20, while everyone else had to be serviced by Stony Point because they didn't have the correct vehicle light enough to go over the bridge. She asked if her understanding was correct.

Chief Eggleston replied that the engines cannot go over the bridge. He said this is a new capacity issue that has been addressed by VDOT. He said Fire Rescue is going through the analysis to determine whether or not they want to apply for a permit for exemption on that. He said they do have fire trucks in the stations that can access very difficult lanes as well as the bridge. He said they have been able to configure those vehicles and be successful in communities such as North Garden, Crozet, and Earlysville that have similar access issues.

Ms. LaPisto-Kirtley said she was aware that Fire Rescue is applying for a variance for the bridges, but that it was not inexpensive and has a yearly fee.

Chief Eggleston said this was correct. He said it is a very cumbersome process.

Ms. LaPisto-Kirtley said this was something that the federal government changed in terms of the weight limit, and that the County had nothing to do with that.

Chief Eggleston replied this was correct.

Mr. Gallaway said he had two comments to make. He said in a recent news article, it said the School Division's \$400,000 was a loan to the General Government. He said this was not a loan but would be a one-time give over. He said he wanted to make that correction, on the record, that that was never designed to be a loan but would be a one-time use of money that they would send back to the County that would help with their wishes. He said the School Division believed in the \$15/hour wage, and that this was being returned to them.

Mr. Richardson said this was exactly the case.

Mr. Gallaway said it was not a "loan." He said he also wanted to correct a public speaker who was responding to a remark he had made at recess about 500 affordable units coming online in Belvedere.

Mr. Gallaway said he had said there would be 500 or more units coming online in the Belvedere area, and that a percentage of that would be affordable units that would be coming online. He said he didn't want to make it sound like he was saying there were 500 affordable units.

Mr. Gallaway said he agreed with Mr. Neil Williamson that the development fees are not a windfall, but that he would project that it is a better job at projecting what the revenues should be. He said he appreciated the fact that they did the revenue update, that this was teased out, and that they are doing a better job of projecting what the actual revenues will be through the Community Development Department.

Ms. McKeel thanked Mr. Richardson for the process being much better. She said years ago, what would have happened was in June, they would have ended up with a big windfall after having raised the tax rate because they didn't realize what the real numbers were. She said the process was greatly improved and is more transparent for the school system and the public.

Mr. Gallaway thanked everyone who came out to give public comment on the budget. He said there will be additional opportunities to do so, both through townhall meetings the Supervisors were starting to schedule and additional public hearings.

Agenda Item No. 19. From the Board: Committee Reports and Matters Not Listed on the Agenda.

Mr. Gallaway asked Dr. Denise Bonds if she wanted to provide an update.

Dr. Bonds said as full disclosure, she was there to be sure there wouldn't be any questions about the budget. She thanked the Board for its work on the budget.

Dr. Bonds said she would make an update on the Coronavirus. She said Virginia remained Coronavirus free, at least as she was aware of. She said there were three outstanding PUIs (Persons Under Investigation), though none in the Thomas Jefferson Health District, and that they were waiting on tests.

Dr. Bonds said there are a number of individuals in the United States that do have the Coronavirus, and that there does appear to be community transmission. She said this was a change from when she was before the Board. She said there have been a number of individuals who died on the West

Coast, primarily associated with a nursing home.

Dr. Bonds said Coronavirus seems to be impacting people who are older, disproportionately, in comparison to people who are younger. She said moving forward, they will need to think about ways to protect vulnerable citizens from this disease.

Dr. Bonds encouraged everyone to think about their emergency preparedness plan. She said everyone should have a plan in place regarding what they will do in any sort of emergency, whether it be a natural disaster or an outbreak of a new disease like Coronavirus. She said this is an excellent opportunity to sit down with one's family and discuss this plan, and what they would do if they were forced to stay home for a couple weeks because they had been exposed to someone who had the virus. She said people will need to plan for how they will deal with getting food into the household, what they would do for childcare, and what their arrangements would be with their jobs.

Dr. Bonds encouraged businesses to dust off their continuity plans and think about what they would do if they had part of their workforce out. She said she is happy to provide information, and that the CDC has provided excellent guidance that she is happy to help people link to and share.

Dr. Bonds said at that point in time, there were no cases of Coronavirus in Virginia, but that it was absolutely the time to begin thinking about personal preparations and preparations as an employer or worker in the community.

Ms. Price thanked Dr. Bonds for the update. She said she has raised a concern over the increased budgetary impact for Dr. Bonds' department in terms of not if, but when, they do have to deal with the Coronavirus. She said she recognized it was very much asking her to look through the "looking glass" to a place that was unknown but asked that Dr. Bonds is continually thinking about what additional funding resources she may need as they prepare for it.

Dr. Bonds thanked Ms. Price. She said even then, they are feeling somewhat stretched. She said the Health Department has instituted their continuity plan and are meeting on a regular basis to ensure they have appropriate support. She said this was not a sprint, but a marathon, as she often tells her staff, and that it is very important that they care for staff at the Health Department to make sure they are getting appropriate rest and time off, and that they are allowed to take care of their responsibilities at home as well. She said they are looking at their resources, and certainly want to make sure they have enough people to answer questions to make sure that the community is safe.

Dr. Bonds said the Health Department would keep the Board apprised and was cautiously hopeful that there will be some federal dollars that trickle down, as it looked like there will be a package coming out. She said at the moment, they were doing fine, but they would certainly come back if this seemed to not be the case.

Ms. McKeel said looking in house for the County, the Social Services department and first responders may need to be thinking about resources.

Dr. Bonds agreed. She said they were all meeting on a regular basis and keeping those lines of communication open. She said she has met with both Ms. Phyllis Savides and the Fire Department on a regular basis to have those discussions. She said the shortages they were seeing are not easily fixed, such as shortages of N95 masks. She asked the public not to buy these masks and leave these so that medical personnel who are doing high-risk procedures on individuals that may be infected have adequate supplies. She said hospitals are already expressing that they may not have enough of those very protective masks available to them.

Dr. Bonds said unfortunately, this was not something that is easily fixed, but that it was something the public could do in refraining from buying those masks. She said if someone is sick, a regular surgical mask to protect other people from their germs is really all they need. She said appropriate handwashing was just as effective as hand sanitizer. She encouraged people not to touch their faces, and not to hug or kiss people who are sick but to do an elbow bump instead. She said at this point, they need to think about social distancing factors that they all have control over, that don't require purchasing anything, and will protect individuals.

Dr. Bonds said she was happy to come back at any time to answer questions the public may have. She said the Health Department is working on having regular outgoing newsletters and letters to the public, which can be shared widely.

Ms. Mallek asked if Dr. Bonds could give clarification about using disposable masks properly. She said she understood that one should not wear them for a second or third day, as they are already full of contaminants and would reinoculated the person.

Dr. Bonds said this was correct. She said if someone is going to wear a mask because they are sick with flu or a similar illness, they should wear a mask but carefully dispose of it to not contaminate. She said this means holding them by the strings and making sure they are putting them in a waste receptacle. She said the mask should be changed on an appropriate basis -- at least every day, or perhaps more frequently than that. She said they start to become contaminated and when they begin to become saturated or wet, they are no longer doing their job.

Ms. McKeel said she received information from Mr. James Mann, chairman of the CAT Advisory

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Board. She said Charlottesville is looking for at least one or two Albemarle County transit riders to join the advisory board. She said this was great news because during the last iteration, the County didn't have a seat at the table. She said she wondered if there was a way to put this information and a signup sheet out so that people could sign up.

Ms. Palmer asked if Ms. Emily Kilroy could put it out in A-mail.

Agenda Item No. 20. From the County Executive: Matters Not Listed on the Agenda.

Mr. Richardson said the Board members had a March report at their desks, and that there was no formal report that evening.

Agenda Item No. 21. Adjourn.

At 9:29 p.m., the Board adjourned their meeting to March 5, 2020 at 3:00 p.m. in Room 241 for the third budget work session.

Chairman

Approved by Board
Date 07/01/2020
Initials CKB