



# Albemarle County

## Meeting Agenda Board of Supervisors

*Supervisor, Rivanna District Norman G. Dill*  
*Supervisor, Rio District Ned L. Gallaway*  
*Supervisor, White Hall District Ann H. Mallek*  
*Supervisor, Jack Jouett District Diantha H. McKeel*  
*Supervisor, Samuel Miller District Liz A. Palmer*  
*Supervisor, Scottsville District Rick Randolph*  
*County Executive, Jeffrey B. Richardson*  
*Clerk, Claudette K. Borgersen*

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Wednesday, April 17, 2019

1:00 PM

Lane Auditorium

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### Regular Meeting

1. Call to Order.
  2. Pledge of Allegiance.
  3. Moment of Silence.
  4. Adoption of Final Agenda.
  5. Brief Announcements by Board Members.
  6. Proclamations and Recognitions:
    - 6.1. [19-118](#) Recognition: Tammie Moses for Service on Board of Equalization.  
*(Peter Lynch, County Assessor)*
    - 6.2. [19-268](#) Proclamation Recognizing The Green Olive Tree.
  7. From the Public: Matters Not Listed for Public Hearing on the Agenda.
  8. Consent Agenda (on next sheet)
- 1:30 p.m. - Action Item:**
9. [19-238](#) Potter's Craft Cider Performance Agreement.  
*(J.T. Newberry, Economic Development Coordinator)*

**2:00 p.m. - Discussion Items:**

10. [19-234](#) 2019 Resident Survey Concept Outline.

*(Siri Russell, Director of Equity and Inclusion /Andrew Knuppel, Senior Planner)*

**2:45 p.m. - Recess.****11. 3:00 p.m. - Legislative Items:**

- 11.1. [19-266](#) 2019 Legislative Update.

*(Greg Kamptner)*

- 11.2. [19-256](#) Proposed 2020 Legislative Priorities.

*(Greg Kamptner)*

**12. 4:00 p.m. - Closed Meeting.**

*Pursuant to Section 2.2-3711(A) of the Code of Virginia:*

- *Under Subsection (1), to discuss and consider appointments to the Agricultural and Forestal District Advisory Committee, Charlottesville-Albemarle Convention and Visitors Bureau, the Solid Waste Alternatives Advisory Committee, the Rivanna Solid Waste Authority, and the Rivanna Water and Sewer Authority, for which there are pending vacancies or requests for reappointments; and*
- *Under Subsection (3), to discuss the acquisition of real property in the Crozet area for a public purpose, where discussion in an open meeting would adversely affect the bargaining position or negotiating strategy of the Board; and*
- *Under Subsection (6), to discuss and consider the investment of public funds in an affordable housing project in the northern portion of the Scottsville Magisterial District and an economic development project in Crozet where, if made public initially, would adversely affect the financial interest of the County; and*
- *Under Subsection (7), to consult with legal counsel and briefings by staff members pertaining to litigation between the Board and Global Signal Acquisitions, where consultation or briefing in an open meeting would adversely affect the negotiating or litigating posture of the County and the Board; and*
- *Under Subsection (8), to consult with and be briefed by legal counsel and staff regarding specific legal matters requiring legal advice relating to a volunteer rescue squad.*

*\*Closed meeting motion subject to change.\**

**13. Certify Closed Meeting.**

**14. Boards and Commissions:****14.1. [19-269](#)** Vacancies and Appointments.

*(Travis Morris)*

**6:00 p.m.**

**15. From the Public: Matters Not Listed for Public Hearing on the Agenda.****Public Hearings:**

- 16. [19-180](#)** SP201900001 Amendment to Greenfield Terrace. PROJECT: SP201800019 Greenfield Terrace Apartments and SP201900001 Amendment to Greenfield Terrace MAGISTERIAL DISTRICT: Rio TAX MAP/PARCEL(S): 04500-00-00-15700; 04500-00-00-15800 LOCATION: Greenfield Terrace: undeveloped area at the end of the cul-de-sac. Approx. 420' from the intersection of Greenfield Terrace and Berkmar Drive, and approx. 310' from the intersection of Station Lane and Rio Road W. PROPOSAL: Amend existing SP200000074 to remove Tax Map Parcel 04500-00-00-15800 from the existing SP. New SP201800019 to build 33 multifamily residential dwelling units in a new 39,000 sq. ft. three-story building on Tax Map Parcels 04500-00-00-15700 and 04500-00-00-15800. PETITION: Amendment to existing SP200000074 to remove Tax Map Parcel 04500-00-00-15800. New SP to allow R-15 (15 du/acre) multifamily residential units under Section 23.2.2.9 of the Zoning Ordinance. 33 multifamily residential units are proposed on two parcels (TMP 45-157 and TMP 45-158) on a total of 1.96 acres at a density of 16.84 du/acre. Special Exception request to waive the 20' buffer requirement for adjacent lots zoned residential per 18-21.7(c). Special Exception request to use 18-4.19 residential setbacks instead of 18-4.20 commercial setbacks per 18-21.7(a) and (b). ZONING: Commercial Office – offices, supporting commercial and service; residential by special use permit (15 units/ acre). OVERLAY DISTRICT(S): Airport Impact Area; Entrance Corridor; Steep Slopes- Managed COMPREHENSIVE PLAN: Flex Area within Rio29 Small Area Plan – area intended to allow a flexibility of uses including residential, commercial, retail, office, institutional and employment uses. Buildings with heights of 2-5 stories, built close to the street, with pedestrian access and relegated parking.

*(Tori Kanellopoulos, Planner)*

17. [19-233](#) SP201800019 Greenfield Terrace Apartments. PROJECT: SP201800019 Greenfield Terrace Apartments and SP201900001 Amendment to Greenfield Terrace MAGISTERIAL DISTRICT: Rio TAX MAP/PARCEL(S): 04500-00-00-15700; 04500-00-00-15800 LOCATION: Greenfield Terrace: undeveloped area at the end of the cul-de-sac. Approx. 420' from the intersection of Greenfield Terrace and Berkmar Drive, and approx. 310' from the intersection of Station Lane and Rio Road W. PROPOSAL: Amend existing SP200000074 to remove Tax Map Parcel 04500-00-00-15800 from the existing SP. New SP201800019 to build 33 multifamily residential dwelling units in a new 39,000 sq. ft. three-story building on Tax Map Parcels 04500-00-00-15700 and 04500-00-00-15800. PETITION: Amendment to existing SP200000074 to remove Tax Map Parcel 04500-00-00-15800. New SP to allow R-15 (15 du/acre) multifamily residential units under Section 23.2.2.9 of the Zoning Ordinance. 33 multifamily residential units are proposed on two parcels (TMP 45-157 and TMP 45-158) on a total of 1.96 acres at a density of 16.84 du/acre. Special Exception request to waive the 20' buffer requirement for adjacent lots zoned residential per 18-21.7(c). Special Exception request to use 18-4.19 residential setbacks instead of 18-4.20 commercial setbacks per 18-21.7(a) and (b). ZONING: Commercial Office – offices, supporting commercial and service; residential by special use permit (15 units/ acre). OVERLAY DISTRICT(S): Airport Impact Area; Entrance Corridor; Steep Slopes- Managed COMPREHENSIVE PLAN: Flex Area within Rio29 Small Area Plan – area intended to allow a flexibility of uses including residential, commercial, retail, office, institutional and employment uses. Buildings with heights of 2-5 stories, built close to the street, with pedestrian access and relegated parking.

*(Tori Kanellopoulos)*

18. [19-237](#) Ordinance to Amend County Code Chapter 15, Taxation. To receive public comment on its intent to adopt an ordinance to amend Chapter 15, Taxation, of the Albemarle County Code by reorganizing and rewriting the chapter, repealing obsolete and unnecessary provisions, and adding new provisions. The ordinance also would clarify and consolidate the Director of Finance's powers and duties under State law (new Sec. 15-100), reorganize existing Sec. 15-100 into separate sections pertaining to due dates (new Sec. 15-101), statutory assessments (new Sec. 15-102), penalties (new Sec. 15-103), interest (new Sec. 15-104), and applicability (new Sec. 15-108); revise consumer utility tax exemptions, consistent with Virginia Code § 58.1-3816.2 (new Sec. 15-606); replace numerous lengthy definitions and standards, especially for use-value assessments and veterans-related exemptions, with simple cross-references to controlling State law; extend the deadline for property tax assessment appeals to the Board of Equalization (to March 30), consistent with Virginia Code § 58.1-3378(2) (new Sec. 15-702); eliminate commissions for collecting food and beverage tax, consistent with Virginia Code § 58.1-3833 (existing Sec. 15-1205); and add a short-term rental tax on businesses renting heavy equipment property, consistent with Virginia Code § 58.1-3510.4(B)(2) (new Sec. 15-1201(B)). As reorganized, the subject matter of Chapter 15 would be composed of: Article 1, Administration; Article 2, Retail Sales Tax; Article 3, Recordation Tax; Article 4, Bank Franchise Tax; Article 5, Tax on Probate of Wills or Grants of Administration; Article 6, Consumer Utility Tax; Article 7, Real Property Tax (Div. 1, Generally, Div. 2, Real Property Tax Exemption for Certain Elderly and Disabled Persons, and Div. 3, Special Assessments for Land Preservation); Article 8, Personal Property Tax; Article 9, Transient Occupancy Tax; Article 10, Food and Beverage Tax; Article 11, Service Charge on Tax-Exempt Property; Article 12, Short-Term Rental Property Tax; and Article 13, Property Exempted from Taxation (Div. 1, Generally, and Div. 2, Certified Solar Energy Equipment, Facilities, or Devices and Certified Recycling Equipment, Facilities, or Devices).

*(Andy Herrick, Deputy County Attorney)*

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

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

**21. Adjourn to May 1, 2019, 1:00 p.m., Lane Auditorium.**

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

- 8.1. [19-236](#) Ordinance to Amend County Code Chapter 8, Licenses.  
*(Andy Herrick)*
- 8.2. [19-250](#) Community Development Block Grant.  
*(Ron White)*
- 8.3. [19-249](#) B201900219AI Monticello High School Stadium Lighting Special Exceptions.  
*(Rebecca Ragsdale)*
- 8.4. [19-231](#) Acquisition of Conservation Easements (ACE) Ranking Order for FY18-19 Applicant Class.  
*(Ches Goodall)*

**8. FOR INFORMATION (no vote necessary):**

- 8.5. [19-252](#) Capital Projects Status Report-1st Quarter CY2019.  
*(Blake Abplanalp)*

Thank you for attending today's public hearing. During the 2019 Calendar Year, the Chair is Ned L. Gallaway and the Vice-Chair is Rick Randolph.

During the time set aside for "Matters Not Listed for Public Hearing on the Agenda", individuals may address the Board of Supervisors concerning any issue not listed on the agenda for Public Hearing. Individuals are allowed three minutes to speak, unless otherwise decided. A sign-up sheet is provided at the meeting.

During Public Hearings, the Board will only acknowledge speakers addressing the item listed for Public Hearing. Speakers are limited to one appearance of three minutes per public hearing item. A sign-up sheet is provided at the meeting and you may sign up online in advance of the meeting at <http://www.albemarle.org/bosspeakers/>. Speakers will be called forward in an alternating pattern of in person sign ups and online sign ups. Applicants are limited to a ten minute presentation of their proposal and are allowed a five minute rebuttal at the close of the public hearing.

Time keeping is conducted through a timer and a light system at the podium. The green light will go on when you begin speaking and this begins your allotted time; a yellow light indicates you have one minute to finish your comment; a red light indicates your time has expired. If more than 10 speakers are signed up to speak, the time allotted to speak will be reduced to two minutes and the yellow light will indicate you have 30 seconds to finish your comment. In order to give all speakers equal treatment and courtesy, the Board requests that speakers adhere to the following guidelines:

When called to the speaker's podium, state your name and magisterial district;

Address comments directly to the Board as a whole;

Give written statements and other supporting material to the Clerk;

If you represent a group or organization, you may ask others present to raise their hands and be recognized;

If you exceed your allotted time, you will be asked to end your comments;

If a speaker does not use all allocated time, the unused time may not be shared with another speaker;

Speakers are permitted one opportunity to comment during each of the public comment periods per meeting;

Back-and-forth debate is prohibited;

Do not speak from your seat or out of turn;

Persons in the audience are encouraged to raise their hands to indicate their support or opposition to speakers at the podium or any item during the meeting;

Please refrain from applause and other forms of approval or disapproval, as a courtesy to each speaker;

Signs are permitted in the meeting room so long as they are not attached to any stick or pole and do not obstruct the view of persons attending the meeting.

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

**Please turn off all pagers and cellular telephones.**

Clerk, Board of County Supervisors  
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