



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

Wednesday, September 18, 2019

1:00 PM

Lane Auditorium

Regular Second 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. Recognitions:
7. From the Public: Matters Not Listed for Public Hearing on the Agenda.
8. Consent Agenda (on next sheet)

1:30 p.m. - Work Sessions:

9. [19-472](#) Proposed Anti-displacement and Tenant Relocation Assistance Policy for Albemarle County.
(Stacy Pethia, Principal Planner – Housing)
10. [19-476](#) Community Development Work Program, 2019-2022 - Midyear Review.
(Amelia McCulley, Deputy Director, Community Development)

3:00 p.m. - Recess.

3:15 p.m. - Discussion:

- 11. [19-464](#) Climate Action Planning Phase 1 Update.

4:00 p.m. - Presentation:

- 12. [19-462](#) Yancey School Community Center First Year Report.

(Siri Russell, Director of Equity and Inclusion)

13. 4:45 p.m. - Closed Meeting.

- 14. **Certify Closed Meeting.**

15. Boards and Commissions:

- 15.1. [19-436](#) Vacancies and Appointments.

(Travis Morris)

6:00 p.m.

- 16. **From the Public: Matters Not Listed for Public Hearing on the Agenda.**

Public Hearings:

17. [19-469](#) 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 46 residential units and small-scale commercial, retail, and 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 16 and 46 residential units are proposed with a density between 8 units/acre and 24 units/acre. A maximum of 10,000 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.

(Tori Kanellopoulos, Planner)

18. [19-477](#) The Regents School - Reservoir Road. PROJECT: SP201800011 The Regents School – Reservoir Road MAGISTERIAL DISTRICT: Samuel Miller TAX MAP/PARCEL(S): 07500000006600 and 07600000001700 LOCATION: Reservoir Road, approximately 900 feet west of the intersection with Fontaine Ave. Ext. and across the street from Foxhaven Farm Road PROPOSAL: Special Use Permit application to construct and operate a private school for an initial maximum student enrollment of 280 students, and for a potential future maximum student enrollment of 468 students. The proposed campus would include multiple academic buildings, gymnasium, theater, administrative office building, and outdoor athletic field. Proposal includes two Special Exception requests related to proposed outdoor athletic lighting. No residential units proposed. PETITION: Section 13.2.2(5) Private School ZONING: R1 Residential (1 unit/acre) with private schools allowed by special use permit OVERLAY DISTRICT(S): Managed Steep Slopes; Preserved Steep Slopes; Airport Impact Overlay; Entrance Corridor COMPREHENSIVE PLAN LAND USE/DENSITY: Neighborhood Density Residential – residential (3-6 units/acre); supporting uses such as places of worship, schools, public and institutional uses and small-scale neighborhood serving retail and commercial; in Neighborhood 6 / Western Urban Neighborhood.

(Tim Padalino, Senior Planner)

19. [19-459](#) 19-03(2) – Agricultural and Forestal Districts. Ordinance to amend County Code Chapter 3, Agricultural and Forestal Districts, Article II, Districts of Statewide Significance, Division 2, Districts, to add lands to certain districts, to make corrections to certain district regulations to identify all those tax map parcels with the districts, and to review certain districts, as specified below:
- a) AFD 2018-01 Carters Bridge AFD – District Review. The proposed ordinance would amend Section 3-211, Carters Bridge Agricultural and Forestal District, to continue the district for all parcels identified in the district regulations, to set the next district review deadline date of September 18, 2024, to correct a reference of TMP 101-55 to TMP 101-55A (this parcel was referenced incorrectly in Ordinance 17-03(1), adopted on December 13, 2017) and to correct a reference of TMP 114-171(part) to TMP 114-671(part) (this parcel was referenced incorrectly when Ordinance 12-3(2), adopted on December 5, 2012, was codified), and to remove TMPs 113-11A, 113-11G, 113-11G1, 113-11G2, 113-11G3, 114-51, 114-55, 114-56, 114-67G, 114-67H, 114-67H1, 114-68, 114-69, 114-70, 115-10, 122-36, 124-11, and 130-19B, as well as any parcels for which a request for withdrawal is received before the Board acts on the proposed ordinance. The review of the district will be reduced from once every ten years to once every five years, so that the next review of the district after the current review will occur prior to September 18, 2024; and
- b) AFD 2018-02 Lanark AFD – District Review. The proposed ordinance would amend Section 3-225, Lanark Agricultural and Forestal District, to continue the district for all parcels identified in the district regulations, to set the next district review deadline date of September 18, 2029, to identify TMPs 92-64, 92-64A, and 92-64C as being in the district (these parcels were inadvertently omitted from the district in Ordinance 17-03(1), adopted on December 13, 2017), to identify TMP 103-1H1 as no longer being in the district (land from this parcel was added to another parcel in the district), and to remove TMPs 90B-A11, 91-21, 91-21A, 91-31, 92-64, 92-64A, 102-37, 102-40, 102-40B, and 102-40C, as well as any parcels for which a request for withdrawal is received before the Board acts on the proposed ordinance; and
- c) AFD 2018-03 Panorama AFD – District Review. The proposed ordinance would amend Section 3-228, Panorama Agricultural and Forestal District, to continue the district for all parcels identified in the district regulations, to set the next district review deadline date of September 18, 2029, and to remove TMP 31-21E, as well as any parcels for which a request for withdrawal is received before the Board acts on the proposed ordinance; and

- d) AFD 2019-01 Jacob's Run AFD – Addition. The proposed ordinance would amend Section 3-222, Jacob's Run Agricultural and Forestal District, to add TMP 31-44G2 to the district; and
- e) AFD 2019-02 Moorman's River AFD – Addition. The proposed ordinance would amend Section 3-226, Moorman's River Agricultural and Forestal District, to identify TMP 43-24 as no longer existing, and to show TMPs 43-24A, 43-24B, and 43-24C as being in the district (land from TMP 43-24 was distributed to TMPs 43-24A, 43-24B, and 43-24C as a result of a parcel determination), and to add TMPs 60-2A1 and 60-2A2 to the district; and
- f) AFD 2019-10 Free Union AFD – District Review. The proposed ordinance would amend Section 3-215, Free Union Agricultural and Forestal District, to continue the district for all parcels identified in the district regulations, to set the next district review deadline date of September 18, 2024, and to remove TMP 17-8B, as well as any parcels for which a request for withdrawal is received before the Board acts on the proposed ordinance. The review of the district will be reduced from once every ten years to once every five years, so that the next review of the district after the current review will occur prior to September 18, 2024.

A condition to continuation of the districts under review is that the Board of Supervisors may modify the district during its next review by removing parcels with no development rights that cannot be further divided to create one or more parcels less than 21 acres in size, but which qualify for open-space use valuation because of their being in the district.

(Scott Clark, Senior Planner)

20. [19-373](#) ZMA201900002, Hollymead Town Center Area A1, Transit Proffer Amendment. PROJECT: ZMA201900002 Hollymead Town Center, Area A-1 Proffer Amendment MAGISTERIAL DISTRICT: Rio TAX MAP/PARCEL(S): 032000000042A0, 03200000004400, 03200000004500 (portion), 04600000000500 LOCATION: Hollymead Town Center Area A-1, the southwest quadrant of Seminole Trail (US 29) and Towncenter Drive in the Hollymead Development Area. PROPOSAL: Amend approved proffers to modify the contribution towards transit service. PETITION: Request to amend the approved proffers on property zoned Planned Development-Mixed Commercial (PD-MC) which allows large scale commercial uses and residential by special use permit (15 DU/Ac.) OVERLAY DISTRICT(S): Entrance Corridor (EC); Steep Slopes; Airport Impact Area (AIA) PROFFERS: Yes COMPREHENSIVE PLAN: Urban Mixed Use (in Centers) – retail, residential, commercial, employment, office, institutional, and open space uses; Commercial Mixed Use – commercial, retail, employment uses, with supporting residential (no maximum density), office, or institutional uses.

(David Benish, Chief of Planning/Interim Director)

21. **From the Board: Committee Reports and Matters Not Listed on the Agenda.**
22. **From the County Executive: Report on Matters Not Listed on the Agenda.**
23. **Adjourn to October 2, 2019, 1:00 p.m., Lane Auditorium.**

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

- 8.1. [19-406](#) Approval of Minutes: October 3 and November 14, 2018; and March 20, 2019.
- 8.2. [19-471](#) Authorizing Edward Byrne Justice Assistance Program Grants.
(Holly Bittle)
- 8.3. [19-467](#) ZMA200400007 Belvedere Special Exception to Application Plan and Code of Development (Variation #60).
(Rebecca Ragsdale)
- 8.4. [19-434](#) Resolution to accept road(s) in the Old Trail Subdivision Block 15 into the State Secondary System of Highways. (White Hall Magisterial District)

8. FOR INFORMATION (no vote necessary):

- 8.5. [19-410](#) Albemarle County 2019 2nd Quarter Certificate of Occupancy Report.
(Ruth Emerick)
- 8.6. [19-423](#) Albemarle County 2019 2nd Quarter Building Report.
(Ruth Emerick)
- 8.7. [19-465](#) VDoT Monthly Report (September) 2019.
(Joel DeNunzio)

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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