



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, July 17, 2019

1:00 PM

Lane Auditorium

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. [19-368](#) Resolution of Appreciation for Mark Graham.
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. [19-390](#) Lewis and Clark Drive Utilities Maintenance Agreement.
(Kevin McDermott, Transportation Planner)

2:00 p.m. - Discussion Item:

10. [19-409](#) Development Area Drainage Infrastructure Program Discussion.
(Greg Harper, Chief of Environmental Services)

11. 2:45 p.m. - Closed Meeting.**12. Certify Closed Meeting.****6:00 p.m.****13. From the Public: Matters Not Listed for Public Hearing on the Agenda.****Public Hearings:**

14. [19-262](#) SP201500028 and SP201500029 Blue Ridge Swim Club. PROJECT: SP201500028 Blue Ridge Swim Club – Day Camp, Boarding Camp and SP201500029 Blue Ridge Swim Club MAGISTERIAL DISTRICT: Samuel Miller TAX MAP/PARCEL: 05800-00-00-075A0 LOCATION: 1275 Owensville Road PROPOSAL: SP201500028: Request to amend SP201000035 (day camp) to change the boundaries of the use to permit creation of a separate residential lot, and to remove the existing expiration date for the special use permit; and SP201500029: Request to amend SP 201000041 (swim club) to permit creation of a separate residential lot. PETITION: SP201500028: 10.2.2.20 Day camp, boarding camp (reference 5.1.05); and SP201500029: 10.2.2.4 Swim, golf, tennis or similar athletic facilities (reference 5.1.16) ZONING: RA Rural Areas - agricultural, forestal, and fishery uses; residential density (0.5 unit/acre in development lots) ENTRANCE CORRIDOR: No COMPREHENSIVE PLAN: Rural Areas – preserve and protect agricultural, forestal, open space, and natural, historic and scenic resources/ density (0.5 unit/ acre in development lots).

(Scott Clark, Senior Planner)

15. [19-405](#) ZMA201800013 Rio West. PROJECT: ZMA201800013 Rio Road W
MAGISTERIAL DISTRICT: Rio TAX MAP/PARCEL: 04500000010000,
045000000100A0, 04500000010100, 045000000101B0, LOCATION:
664 Rio Road West, Charlottesville, VA 22911 PROPOSAL: Request to
rezone the property from C1 Commercial to NMD Neighborhood Model
District to allow a mixed-use development with up to 112 residential units
along Rio Road and storage/warehousing on the back of the site.
PETITION: Rezone 3.3 acres from C1 Commercial – retail sales and
service; residential by special use permit (15 units/ acre) to NMD
Neighborhood Model District - residential (3 – 34 units/acre) mixed with
commercial, service and industrial uses. A max of 112 units is proposed
for a density of approximately 34 units/acre. PROFFERS: Yes
COMPREHENSIVE PLAN: Core Area within Rio 29 Small Area Plan-
area intended to have the highest intensity of development with a mix of
uses including residential, commercial, retail, office, institutional and
employment uses. Buildings with heights of 3-6 stories, built close to the
street, with pedestrian access and relegated parking & 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.

(Rachel Falkenstein, Principal Planner)
16. [19-401](#) ZMA201800014 Birdwood Mansion and Grounds. PROJECT:
ZMA201800014 Birdwood Mansion and Grounds
MAGISTERIAL DISTRICT: Samuel Miller TAX MAP/PARCEL(S):
07500000006300 LOCATION: 500 Birdwood Drive, Charlottesville, VA
22903 PROPOSAL: Rezone a portion of the property from Residential R-1
to Highway Commercial (HC). PETITION: Rezone an approximately
15.2-acre portion of the 544-acre property from Residential R-1 which
allows residential uses (1 dwelling unit/acre) to Highway Commercial (HC),
with proffers, to allow for the renovation of the Birdwood Mansion,
dependencies, and grounds for use as a special events venue that
includes overnight lodging. OVERLAY DISTRICT(S): ENTRANCE
CORRIDOR, AIRPORT IMPACT AREA, and STEEP SLOPES –
MANAGED and – PRESERVED. ENTRANCE CORRIDOR (EC): Yes
PROFFERS: Yes COMPREHENSIVE PLAN: “Institutional” which allows
for schools, libraries, parks, major utilities, hospitals, universities, colleges,
ancillary facilities, and undeveloped publicly owned property; and “Parks
and Green Systems” which allows for parks, playgrounds, play fields,
greenways, trails, paths, recreational facilities and equipment, plazas,
outdoor sitting areas, natural areas, and preservation of stream buffers,
floodplains, and steep slopes adjacent to rivers and streams. In
Neighborhood 6 of the Southern and Western Urban Neighborhoods.

(Tim Padalino, Senior Planner)

17. [19-371](#) ZMA201800017, Woolen Mills Light Industrial Park Steep Slope Modification. PROJECT: ZMA201800017 Woolen Mills Light Industrial Park MAGISTERIAL DISTRICT: Scottsville TAX MAP/PARCEL: 077000000040B0. LOCATION: Property is located in the southeast corner of the intersection of Franklin Street and Broadway Street. PROPOSAL: Request to change the zoning designation of square feet from preserved slopes to managed slopes which would allow the slopes to be disturbed. PETITION: Rezone approximately 0.50 acres from Steep Slopes Overlay District (preserved) which allows uses under Section 30.7.4(b) to Steep Slopes Overlay District (managed) which allows uses under Section 30.7.4(a). No dwellings proposed. OVERLAY DISTRICT: Steep Slopes (SS); Flood Hazard (FH) PROFFERS: No. COMPREHENSIVE PLAN: Parks and Green Systems – parks, playgrounds, play fields, greenways, trails, paths, recreational facilities and equipment, plazas, outdoor sitting areas, natural areas, preservation of stream buffers, floodplains and steep slopes adjacent to rivers and streams.

(David Benish, Interim Planning Director)

18. [19-321](#) ZTA201900001 Zero Lot Line. To receive comments on its intent to recommend adoption of the following ordinance changes to the Albemarle County Code: Amend Section 18-4.19 to replace a side setback of “None” with a side setback of 5 feet in Non-Infill Residential Districts; Amend Section 18-4.11.3 to consolidate and update side yard reductions for non-zero lot line and zero lot line development; Amend Section 18-4.11.1 to allow covered porches, balconies, chimneys, eaves and like architectural features to project no closer than 5 feet to any side lot line in Non-Infill Residential Districts; and Amend Section 18-4.11.2 to allow accessory structures no closer than 5 feet to any side lot line in Non-Infill Residential Districts.

(Kevin McCollum, Planner)

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 August 7, 2019, 1:00 p.m., Lane Auditorium.**

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

- 8.1. [19-411](#) Approval of Minutes: February 28, 2019.
- 8.2. [19-413](#) Commonwealth's Attorney Memorandum of Understanding.
(Bill Letteri)
- 8.3. [19-402](#) Biscuit Run Park Zoning Map Amendment.
(David Benish)
- 8.4. [19-403](#) Real Property Acquisitions for Capital Improvement Program (CIP) Projects.
(Andy Herrick)
- 8.5. [19-407](#) Resolution of Intent to Amend Who is Authorized to Submit Special Use Permit Applications.
(Bill Fritz)
- 8.6. [19-404](#) SDP2018-66 Longhorn Steakhouse - Special Exception to vary SDP1979-7 Application Plan.
(Chris Perez)
- 8.7. [19-397](#) Special Exception to Vary Stonefield Code of Development ZMA2001-7 to allow for drive-thru per 18-8.5.5.3.
(Tori Kanellopoulos)

- 8.8. [19-383](#) ZMA201800011 Brookhill Proffer Amendment. PROJECT: ZMA201800011 Brookhill Proffer Amendment MAGISTERIAL DISTRICT: Rivanna TAX MAP/PARCEL: 046000000019B1, 046000000019B3, 046000000019B4, 046000000018A0, 04600000001800, 046000000019A1, 046000000019A2; High school site or other public institution and road improvements: 046B50000001C0; 046000000018B0 and 0460000018D0 LOCATION: 2571 Seminole Trail (Route 29) at the intersection of Polo Grounds Road PROPOSAL: Amend the previously approved proffers (ZMA201500007) associated with the Brookhill development to reflect changes to the status of VDOT road improvement projects. PETITION: Amend ZMA201500007 Proffer #1D to revise the developer's role and timing requirements for construction of connector road between Berkmar Drive and Rio Mills Road. Amend ZMA201500007 Proffer #1H to remove reference to Proffer #1D. Amend ZMA201500007 Proffer #6 to reduce the total value of credit for in-kind contributions available to the developer by removing reference to the Rio Mills Connector road. Amend Proffer #8 to reduce the minimum acreage required for dedication of land for use as a public high school site or institutional use. No change to the zoning district, application plan, or Code of Development is proposed. ZONING: Neighborhood Model District - residential (3 – 34 units/acre) mixed with commercial, service and industrial uses. RA Rural Areas - agricultural, forestal, and fishery uses; residential density (0.5 unit/acre in development lots). OVERLAY DISTRICT: EC- Entrance Corridor; FH- Flood Hazard; AIA- Airport Impact Area; Managed and Preserved Steep Slopes PROFFERS: Yes COMPREHENSIVE PLAN: Neighborhood Density Residential – residential (3 – 6 units/acre) supporting uses such as religious institutions, schools and other small-scale non-residential uses; Urban Density Residential - residential (6.01 – 34 units/ acre); supporting uses such as religious institutions, schools, commercial, office and service uses; Urban Mixed Use (in Centers) – retail, residential, commercial, employment, office, institutional, and open space; NS-Neighborhood Service Center; Privately Owned Open Space/Environmental Features – privately owned recreational amenities and open space/ floodplains, steep slopes, wetlands, and other environmental features in Hollymead-Places 29 Masterplan. High school site and or public institution and road improvements: Rural Areas in Rural Area 1.

(Cameron Langille)

8. FOR INFORMATION (no vote necessary):

- 8.9. [19-378](#) Albemarle County Service Authority (ACSA) Fiscal Year (FY) 2020 Annual Operating and Capital Budget. (On File in Clerk's Office)

- 8.10. [19-377](#) Copy of letter dated May 28, 2019 from Leah H. Brumfield, Designee of the Zoning Administrator, to Kurt Keesecker RE: OFFICIAL DETERMINATION OF USE – “maker space” and accessory dwelling unit uses at 2000 – 2010 Marchant Street, TMP 07800-00-00-021H0 (the “Property”). (Scottsville Magisterial District)

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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