



Albemarle County

Meeting Agenda Board of Supervisors

Supervisor, Rio District Ned Gallaway
Supervisor, Rivanna District Bea LaPisto-Kirtley
Supervisor, White Hall District Ann H. Mallek
Supervisor, Jack Jouett District Diantha H. McKeel
Supervisor, Samuel Miller District Liz A. Palmer
Supervisor, Scottsville District Donna P. Price
County Executive, Jeffrey B. Richardson
Clerk, Claudette K. Borgersen

Wednesday, December 2, 2020

1:00 PM

Electronic Meeting

Regular First Meeting

This meeting is being held pursuant to and in compliance with Ordinance No. 20-A(16), An Ordinance to Ensure the Continuity of Government During the COVID-19 Disaster. The opportunities for the public to access and participate in the electronic meeting are posted on the Albemarle County website on the Board of Supervisors' home page and on the Albemarle County calendar. Participation will include the opportunity to comment on those matters for which comments from the public will be received.

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 or on Matters Previously Considered by the Board or Matters that are Pending Before the Board.
8. Consent Agenda (on next sheet)

1:40 p.m. - Action Items:

9. [20-560](#) SE202000012 Homestay Special Exception Awen Retreat (Geiger).
(Rebecca Ragsdale, Principal Planner)
10. [20-561](#) SE202000013 Homestay Special Exception - Place of Grace (Mariah C. Dean).
(Rebecca Ragsdale)
11. [20-568](#) Revocable License Agreement for Construction of Drainage Improvements on County Property along Eastern Avenue.
(Frank Pohl, County Engineer)

2:45 p.m. - Recess.

3:00 p.m. - Action Items (continued):

12. [20-569](#) Consideration of New Enabling Authority to Levy Taxes on the Sale or Use of Cigarettes, and Two Finance and Budget Tax Deadline Extension Ordinances.
(Nelsie Birch, Chief Finance Officer / Lori Allshouse, Assistant CFO for Policy & Partnership)

4:00 p.m. - Presentations:

13. [20-574](#) FY 20 Comprehensive Annual Financial Report (CAFR).
(Nelsie Birch)
14. [20-494](#) Board-to-Board, November 2020, a monthly report from the Albemarle County School Board to the Albemarle County Board of Supervisors.
(Graham Paige, Chair, Albemarle County School Board)

15. 4:45 p.m. - Closed Meeting.

Closed Meeting pursuant to Section 2.2-3711(A) of the Code of Virginia:

- *Under Subsection (1), to discuss and consider appointments to the Architectural Review Board and multiple regional boards and commissions, authority boards, and advisory committees.*

Closed meeting motion subject to change

16. Certify Closed Meeting.

17. Boards and Commissions:

- 17.1. [20-499](#) Vacancies and Appointments.
(Travis Morris)

6:00 p.m.

18. From the Public: Matters Not Listed for Public Hearing on the Agenda or on Matters Previously Considered by the Board or Matters that are Pending Before the Board.

Action Item:

19. [20-567](#) The Regents School - Private Central Sewerage System.

(Frank Pohl, County Engineer)

Public Hearings:

20. [20-559](#) ZMA202000009 Forest Lakes PDSC Amendment. PROJECT: ZMA202000009 – Forest Lakes PSDC Amendment MAGISTERIAL DISTRICT: Rivanna TAX MAP/PARCEL: 046B4000000300 LOCATION: Parcel has frontage on both Route 29 (Seminole Trail) and Worth Crossing. Northeastern corner of the parcel is adjacent to the intersection of Worth Crossing and Regent Street. Parcel is approx. 670 feet south of the intersection of Route 29 and State Route 649 (Airport Road). PROPOSAL: Request to amend existing proffers and application plan per ZMA198800016 to increase the maximum square footage allowed and revise building footprint locations. PETITION: Amend proffers and application plan approved with ZMA198800016 for existing Planned Development Shopping Center (PDSC) – shopping centers, retail sales and service uses. Request to increase the maximum square footage on Tract III to 110,000 square feet. Currently, 71,800 square feet of uses are permitted on Tracts II and III. The total permitted square footage would be 181,800 square feet on Tracts II and III. Request to revise location of building footprints as shown on the application plan. ZONING: PD-SC Planned Development Shopping Center – shopping centers, retail sales and service uses. OVERLAY DISTRICTS: Entrance Corridor, Airport Impact Area, Steep Slopes – Managed PROFFERS: Yes per ZMA198800016 COMPREHENSIVE PLAN: Urban Mixed Use (in Centers) – commercial, retail, and office uses that are accommodated in Centers and residential uses (6.01 – 34 units/acre) in the Places29 Master Plan. Located within Community Center, which calls for uses that serve the Places29 community.

(Tori Kanellopoulos, Senior Planner)

21. [20-562](#) Realignment of Galaxie Farm Lane. To receive public comment on its intent to consider vacating the County-owned right-of-way across Galaxie Farm Lane (TMP 09100-00-00-01000) in exchange for acquiring a right of way across the proposed realigned Galaxie Farm Lane (TMP 09100-00-00-00900) to facilitate the development of neighboring parcels.

(Andy Herrick, Deputy County Attorney)

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

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

24. Adjourn to December 8, 2020, 6:00 p.m., electronic meeting pursuant to Ordinance No. 20-A(16).

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

- 8.1. [20-566](#) FY 21 Appropriations.
(Andy Bowman)
- 8.2. [20-542](#) Schedule a Public Hearing to consider the Adoption of an Ordinance to Amend County Code Chapter 7, Health and Safety, Article 3, Smoking.
(Greg Kamptner)
- 8.3. [20-547](#) B. F. Yancey Community Food Pantry lease for a portion of the Yancey School Community Center.
(Michael Freitas)
- 8.4. [20-575](#) Maintenance Agreement for North Pointe Pedestrian Tunnel.
(Kevin McDermott)
- 8.5. [20-573](#) Amendment to the Board of Supervisors' Rules of Procedure Regarding Deferred Matters for Which a Public Hearing was Previously Held.

8. FOR INFORMATION (no vote necessary):

- 8.6. [20-555](#) Albemarle County 2020 3rd Quarter Certificate of Occupancy Report.
(Bill Fritz)
- 8.7. [20-556](#) Albemarle County 2020 3rd Quarter Building Permit Report.
(Bill Fritz)
- 8.8. [20-582](#) Land Use and Environmental Planning Committee 2020 Report.
(Lance Stewart)

Thank you for attending today's public hearing. During the 2020 Calendar Year, the Chair is Ned L. Gallaway and the Vice-Chair is Donna P. Price.

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
401 McIntire Road
Charlottesville, Virginia
22902-4596