

<p style="text-align: center;">ACTIONS Board of Supervisors Meeting of February 10, 2016</p>		
		February 11, 2016
<u>AGENDA ITEM/ACTION</u>	<u>ASSIGNMENT</u>	<u>PODCAST</u>
1. Call to Order. <ul style="list-style-type: none"> Meeting was called to order at 3:01 p.m., by the Chair, Ms. Palmer. All BOS members were present. Also present were Tom Foley, Larry Davis, Ella Jordan and Travis Morris. 		Link to video
2. Discussion: Strategic Plan Refocus (<i>continued from February 3, 2016</i>). <ul style="list-style-type: none"> HELD. 		
2a. Action Item: Reconsideration of Applicant Initiated Zoning Text Amendments (continued from February 3, 2016). <ul style="list-style-type: none"> By a vote of 6:0, APPROVED staff's recommendation to proceed on a limited zoning text amendment for transient lodging with historic properties. 		
3. Recess. The Board recessed at 4:59 p.m.		
4. Reconvene and Call back to Order. <ul style="list-style-type: none"> At 6:00 p.m., the Board reconvened and the Chair called the meeting back to order. 		
7. Adoption of Final Agenda. <ul style="list-style-type: none"> Added agenda item #14 to the consent agenda. By a vote of 6:0, ADOPTED the final agenda. 		
8. Brief Announcements by Board Members. <u>Ann Mallek:</u> <ul style="list-style-type: none"> Reported on the Virginia Natural History Museum Master Naturalist program. <u>Rick Randolph:</u> <ul style="list-style-type: none"> Announced that Wegmans will be hiring 550 people, 500 of which will be locally hired. Announced that there will be a new 5th Street Station stop on the Charlottesville Area Transit. <u>Brad Sheffield:</u> <ul style="list-style-type: none"> Requested that the Board discuss Woodburn Road after public comment. 		
9a. Recognition: Proclamation recognizing THE BIG READ 2016: "The Heart is a Lonely Hunter" by Carson McCullers. <ul style="list-style-type: none"> By a vote of 6:0, ADOPTED and presented proclamation. 	(Attachment 1)	
9b. Recognition: Albemarle County Fire-Rescue, Albemarle Professional Firefighters' Local 4007 and the Muscular Dystrophy Association - 2015 Fill the Boot Campaign. <ul style="list-style-type: none"> Recognized. 		
10. From the Public: Matters not Listed for Public Hearing on the Agenda. <u>The following individuals spoke on the use of Woodburn Road as a staging area for Route 29 construction:</u> <ul style="list-style-type: none"> Beth Schmidt Sarah Shepherd Jack Schmidt 		

	<ul style="list-style-type: none"> • Andrew Hershey • <u>Teddy Hamilton</u>, resident of Key West and President of the Central Virginia Pickleball Club, gave presentation on pickleball. • <u>Lynda Harrill</u>, resident of the Samuel Miller District and representative of Quick Start Tennis, spoke on the need for full sized tennis courts and requested that the County refurbish the tennis courts at Darden Towe Park. 		
	<p>Non Agenda. Discussion: Woodburn Road.</p> <ul style="list-style-type: none"> • Discussed. • CONSENSUS, that staff prepare a letter regarding VDOT staging area on Woodburn Road. 	<u>Doug Walker</u> : Staff prepare letter and send to VDOT as directed.	
11.2	<p>Resolution to Accept Road(s) in Lochlyn Hill Subdivision into the State Secondary System of Highways (<i>Rio Magisterial District</i>).</p> <ul style="list-style-type: none"> • ADOPTED resolution. 	<u>Clerk</u> : Forward copy of signed resolution to County Engineer. (Attachment 2)	
11.3	<p>Salary Supplement for Commonwealth's Attorney Position.</p> <ul style="list-style-type: none"> • ADOPTED, Resolution to authorize a local supplement for the Commonwealth's Attorney in the amount of \$19,951.15 effective January 1, 2016. 	<u>Clerk</u> : Forward copy of signed resolution to Finance, Human Resources and County Attorney's office. (Attachment 3)	
	<p>ZMA-2004-00024. Special Exception to Vary Old Trail Village Code of Development.</p> <ul style="list-style-type: none"> • ADOPTED, Resolution approving the special exception to permit 7.5 foot side setbacks in Block 31, as described by staff. 	<u>Clerk</u> : Forward copy of signed resolution to Community Development and County Attorney's office. (Attachment 4)	
12.	<p>Pb. Hrg.: PROJECT: CLE-2015-00231 Charlottesville Beautiful Minds.</p> <ul style="list-style-type: none"> • By a vote of 6:0, ADOPTED resolution to approve the family day home with conditions. 	<u>Clerk</u> : Forward copy of signed resolution to Community Development and County Attorney's office. (Attachment 5)	
13.	<p>Pb. Hrg.: PROJECT: ZMA-2015-00001. Old Trail Village (Sign 51 & 41).</p> <ul style="list-style-type: none"> • By a vote of 6:0, ADOPTED ordinance approving ZMA-2015-00001. • By a vote of 6:0, DEFERRED the special exception to modify sign area and sign height regulations, at the request of the applicant, until the matter is brought back by staff. 	<u>Clerk</u> : Forward copy of signed ordinance to Community Development and County Attorney's office. (Attachment 6)	
14.	<p>ZMA-2004-00024. Special Exception to Vary Old Trail Village Code of Development.</p> <ul style="list-style-type: none"> • Moved to consent agenda. 		
15.	<p>Amending Albemarle County's 2016 Holiday Schedule.</p> <ul style="list-style-type: none"> • By a vote of 6:0, ADOPTED resolution to Amend Personnel Policy P-81 to remove Lee-Jackson Day (the Friday before Martin Luther King, Jr.'s Birthday) from and add Veteran's Day (November 11) to the County holiday schedule. 	<u>Clerk</u> : Forward copy of signed resolution to Human Resources and County Attorney's office. (Attachment 7)	
16.	<p>Reconsideration of Applicant Initiated Zoning Text Amendments (continued from February 3, 2016).</p> <p>Moved to Item 2a.</p>		
17.	<p>Discussion: Agenda for Joint City Council/Board of Supervisors meeting.</p> <ul style="list-style-type: none"> • Discussion moved to February 19. 		

18.	<p>From the Board: Matters Not Listed on the Agenda.</p> <p><u>Ann Mallek:</u></p> <ul style="list-style-type: none"> Mentioned that a letter of support for a TJSWCD grant will be circulating around to Supervisors for their review. <p><u>Brad Sheffield:</u></p> <ul style="list-style-type: none"> Asked Board members if they had any objection to the County Attorney being added to the Boards email distribution list. Asked that staff be prepared to answer questions on through truck restrictions on Reas Ford Road. 		
19.	<p>From the County Executive: Report on Matters Not Listed on the Agenda.</p> <p><u>Tom Foley:</u></p> <ul style="list-style-type: none"> Reminded Board members to let staff know of any materials needed for their budget community meetings. 		
20.	<p>Adjourn to February 19, noon.</p> <p>The meeting was adjourned at 9:29 p.m.</p>		

ewj/tom

Attachment 1 – Proclamation recognizing THE BIG READ 2016

Attachment 2 – Resolution to Accept Road(s) in Lochlyn Hill Subdivision into the State Secondary System of Highways

Attachment 3 – Resolution to Authorize A Local Supplement for the Albemarle County Commonwealth's Attorney Position

Attachment 4 – Resolution to Approve Special Exception for ZMA 2004-024, Old Trail Village

Attachment 5 – Resolution to Approve Special Exception for CLE 2015-231 Charlottesville Beautiful Minds (Kristie Davis)

Attachment 6 – Ordinance No. 16-A(1) ZMA 2015-00001 Old Trail Village

Attachment 7 – Resolution Amending the County's Holiday Schedule

Proclamation

**THE BIG READ 2016:
“The Heart is a Lonely Hunter”
by Carson McCullers**

WHEREAS, THE BIG READ is designed to restore reading to the center of American culture and provides our citizens with the opportunity to read and discuss a single book within our community; and

WHEREAS, the Jefferson-Madison Regional Library invites all book lovers to participate in THE BIG READ that will be held throughout March 2016. The Library's goal is to encourage all residents of Central Virginia to read and discuss “THE HEART IS A LONELY HUNTER” by Carson McCullers; and

WHEREAS, the novel tells a dramatic story of poverty and racism in a 1930s Georgia mill town, and explores themes such as isolation and deaf culture; and

WHEREAS, THE BIG READ is an initiative of the National Endowment for the Arts in partnership with Arts Midwest; and is supported by the Art and Jane Hess Fund of the Library Endowment;

NOW, THEREFORE, BE IT RESOLVED, that I, Liz Palmer, Chair of the Board of Supervisors of Albemarle County, proclaim THE BIG READ during March 2016 and encourage all residents to read “THE HEART IS A LONELY HUNTER” during this time.

The Board of County Supervisors of Albemarle County, Virginia, in regular meeting on the 2nd day of December, 2015, adopted the following resolution:

RESOLUTION

WHEREAS, the street(s) in **Lochlyn Hill Subdivision**, as described on the attached Additions Form AM-4.3 dated **February 10, 2016**, fully incorporated herein by reference, is shown on plats recorded in the Clerk's Office of the Circuit Court of Albemarle County, Virginia; and

WHEREAS, the Resident Engineer for the Virginia Department of Transportation has advised the Board that the street(s) meet the requirements established by the Subdivision Street Requirements of the Virginia Department of Transportation.

NOW, THEREFORE, BE IT RESOLVED, that the Albemarle Board of County Supervisors requests the Virginia Department of Transportation to add the street(s) in **Lochlyn Hill Subdivision**, as described on the attached Additions Form AM-4.3 dated **February 10, 2016**, to the secondary system of state highways, pursuant to §33.2-705, Code of Virginia, and the Department's Subdivision Street Requirements; and

BE IT FURTHER RESOLVED that the Board guarantees a clear and unrestricted right-of-way, as described, exclusive of any necessary easements for cuts, fills and drainage as described on the recorded plats; and

FURTHER RESOLVED that a certified copy of this resolution be forwarded to the Resident Engineer for the Virginia Department of Transportation.

The road(s) described on Additions Form AM-4.3 is:

- 1) **Lochlyn Hill Drive (State Route 1399)** from the intersection of Lochlyn Hill Lane (State Route 1400) west to ESM/City line, as shown on plat recorded in the office the Clerk of Circuit Court of Albemarle County in Deed Book 4476, pages 197-249, for a length of 0.05 miles.
- 2) **Lochlyn Hill Drive (State Route 1399)** from the intersection of Lochlyn Hill Lane (State Route 1400) east to ESM/City line, as shown on plat recorded in the office the Clerk of Circuit Court of Albemarle County in Deed Book 4476, pages 197-249, for a length of 0.02 miles.
- 3) **Lochlyn Hill Lane (State Route 1400)** from Pen Park Lane (State Route 1481) south to intersection with Lochlyn Hill Drive (State Route 1399), as shown on plat recorded in the office the Clerk of Circuit Court of Albemarle County in Deed Book 4476, pages 197-249, for a length of 0.09 miles.
- 4) **Pen Park Lane (State Route 1481)** from intersection of Lochlyn Hill Lane (State Route 1400) east to City line, as shown on plat recorded in the office the Clerk of Circuit Court of Albemarle County in Deed Book 4472, pages 387-393, for a length of 0.03 miles.
- 5) **Pen Park Lane (State Route 1481)** from Woodmont Drive (State Route 1482) east to intersection with Lochlyn Hill Lane (State Route 1400), as shown on plat recorded in the office the Clerk of Circuit Court of Albemarle County in Deed Book 4472, pages 387-393, for a length of 0.07 miles.

Total Mileage – 0.26

**RESOLUTION TO AUTHORIZE A LOCAL SUPPLEMENT FOR THE ALBEMARLE COUNTY
COMMONWEALTH'S ATTORNEY POSITION**

WHEREAS, Virginia Code § 15.2 – 1605.1 enables localities to supplement the salary of constitutional officers; and

WHEREAS, the Board finds that it is appropriate to supplement the salary of the County's Commonwealth's Attorney position.

NOW, THEREFORE, BE IT RESOLVED, that the Albemarle County Board of Supervisors hereby authorizes a local supplement for the Commonwealth's Attorney's position in the amount of \$19,951.15 effective January 1, 2016, to be adjusted annually based on the percentage salary increase approved by the Board in the County's budget for County staff.

**RESOLUTION TO APPROVE SPECIAL EXCEPTION
FOR ZMA 2004-024, OLD TRAIL VILLAGE**

WHEREAS, March Mountain Properties, LLC (the "Owner") is the owner of Tax Map and Parcel Number 055E0-01-00-000A1; and

WHEREAS, the Owner filed a request for a special exception to vary the Code of Development approved in conjunction with ZMA 2004-024, Old Trail Village to reduce the minimum side setbacks in Block 31.

NOW, THEREFORE, BE IT RESOLVED that, upon consideration of the foregoing, the executive summary prepared in conjunction with the special exception request, staff's supporting analysis included in the executive summary and the attachments thereto, and all of the factors relevant to the special exception in Albemarle County Code §§ 18-8.5.5.3(c) and 18-33.9, the Albemarle County Board of Supervisors hereby approves the special exception to vary the Code of Development approved in conjunction with ZMA 2004-024, Old Trail Village, to reduce the minimum side setbacks in Block 31 subject to the condition attached hereto.

ZMA 2004-24, Old Trail Village Special Exception Condition

1. Lots 1-7 in Block 31 shall have minimum seven and one-half (7.5) foot side setbacks.

**RESOLUTION TO APPROVE SPECIAL EXCEPTION
FOR CLE 2015-231 CHARLOTTESVILLE BEAUTIFUL MINDS (KRISTIE DAVIS)**

WHEREAS, Kristie L. Davis and Miles J. Davis II are the owners of Tax Map and Parcel Number 073B0-01-00-07400 (the "Property"); and

WHEREAS, Kristie Davis filed a request for a special exception in conjunction with CLE 2015-231 Charlottesville Beautiful Minds (Kristie Davis) on November 10, 2015 to allow Charlottesville Beautiful Minds to care for six to twelve children.

NOW, THEREFORE, BE IT RESOLVED that, upon consideration of the foregoing, the executive summary prepared in conjunction with the special exception request, staff's supporting analysis included in the executive summary, and all of the factors relevant to special exceptions in Albemarle County Code §§ 18-5.1.56(b)(7)(b) and 18-33.9, the Albemarle County Board of Supervisors hereby approves the special exception to allow Charlottesville Beautiful Minds to care for six to twelve children in conjunction with CLE 2015-231, as described hereinabove, subject to the performance standards for this use in Albemarle County Code § 18-5.1.56(b) and the conditions attached hereto.

CLE 2015-231 Charlottesville Beautiful Minds (Kristie Davis) Special Exception Conditions

1. No outside activities associated with this use other than child drop-off and pick-up shall occur before 10:00 a.m. or after 7:30 p.m.;
2. Parking for child drop-off and pick-up and for any employee not residing in the home shall be off-street only; and
3. Child drop-off and pick-up times shall be staggered at a minimum ten (10) - minute interval so that no more than two vehicles arrive to drop off or pick up at the same time.

**ORDINANCE NO. 16-A(1)
ZMA 2015-00001 OLD TRAIL VILLAGE**

**AN ORDINANCE TO AMEND THE ZONING MAP FOR TAX MAP AND PARCEL NUMBERS
055E0-01-00-000A1 (portion), 055E0-01-00-000A2, 055E0-01-00-000A3, 055E0-01-00-000A4, 055E0-01-
00-000A5, 055E0-01-27-01000, 055E0-01-27-01100, 055E0-01-27-01200, 055E0-01-27-01300,
055E0-01-27-01400, 055E0-01-27-01500, 055E0-01-27-01600, 055E0-01-27-01700, 055E0-
01-27-01800, 055E0-01-27-01900, 055E0-01-27-02000, 055E0-01-27-02100,
055E0-01-27-02200, 055E0-01-27-02300, 055E0-01-27-02400,
AND 055E0-01-27-02500**

WHEREAS, the application to amend the zoning map for Tax Map and Parcel Numbers 055E0-01-00-000A1 (excluding those portions that lie outside the zoning boundary for ZMA 2004-024), 055E0-01-00-000A2, 055E0-01-00-000A3, 055E0-01-00-000A4, 055E0-01-00-000A5, 055E0-01-27-01000, 055E0-01-27-01100, 055E0-01-27-01200, 055E0-01-27-01300, 055E0-01-27-01400, 055E0-01-27-01500, 055E0-01-27-01600, 055E0-01-27-01700, 055E0-01-27-01800, 055E0-01-27-01900, 055E0-01-27-02000, 055E0-01-27-02100, 055E0-01-27-02200, 055E0-01-27-02300, 055E0-01-27-02400, and 055E0-01-27-02500, collectively, “the Property”, is identified as ZMA 2015-00001, Old Trail Village (“ZMA 2015-00001”); and

WHEREAS, the Property is zoned Neighborhood Model District – NMD, subject to the Code of Development, the Application Plan, and Proffers, all of which were adopted on September 15, 2005 in conjunction with ZMA 2004-024; and

WHEREAS, the Property was subsequently amended by ZMA 2008-05 on November 12, 2008, which amended the Code of Development and the Proffers, and by ZMA 2014-04 on March 11, 2015, which again amended the Code of Development and the Proffers; and

WHEREAS, ZMA 2015-00001 proposes to amend the Code of Development, the Application Plan, and the Proffers applicable to the Property in order to:

- reduce the minimum number of residential units from 1,600 to 1,000 units;
- remove, revise and add a number of regulatory tables and text pertaining to street specifications, density and floor area ranges, maximum units by unit type, zoning regulations, spatial enclosure, building height, setbacks, architectural and landscape standards, and land uses allowed;
- add farm stands, Tier I, Tier II, and Tier III Personal Wireless Facilities, and Cluster cottage units as permitted uses; and
- revise the street system plan/map to show only the major streets, to delete two street interconnections, and to update the designations of those streets serving amenity oriented lots and those that are approved as private streets; and

WHEREAS, on December 15, 2015, after a duly noticed public hearing, the Planning Commission recommended approval of ZMA 2015-00001, provided that the Planning Commission’s recommended changes and any other minor technical revisions recommended by staff were made to the Code of Development, the Application Plan, and the Proffers before the ZMA was presented to the Board for its approval, and such revisions have since been made.

BE IT ORDAINED by the Board of Supervisors of the County of Albemarle, Virginia, that upon consideration of the staff report prepared for ZMA 2015-00001 and its attachments, including the Code of Development, the Application Plan, and the Proffers revised after the Planning Commission public hearing, the information presented at the public hearing, the material and relevant factors in Virginia Code § 15.2-2284, and for the purposes of public necessity, convenience, general welfare and good zoning practices, the Board hereby approves ZMA 2015-00001, with the Code of Development, entitled “Old Trail Village Amendment, ZMA-2015-00001, Amended Code of Development, March Mountain Properties, LLC” and dated January 14, 2016, the Application Plan, entitled “Old Trail Village Rezoning, ZMA 2015-00001, Amended Application Plan” and prepared by Roudabush, Gale & Associates, with pages 3, 7, 8 and 9 last revised on November 12, 2015, pages 2, 4, and 5 last revised on January 4, 2016, page 1 last revised on January 14, 2016, and page 6 removed, and the Proffers dated January 13, 2016, attached hereto and incorporated herein, and the zoning map for Tax Map and Parcel Numbers 055E0-01-00-000A1 (portion), 055E0-01-00-000A2, 055E0-01-00-000A3, 055E0-01-00-000A4, 055E0-01-00-000A5, 055E0-01-27-01000, 055E0-01-27-01100, 055E0-01-27-01200, 055E0-01-27-01300, 055E0-01-27-01400, 055E0-01-27-01500, 055E0-01-27-01600, 055E0-01-27-01700, 055E0-01-27-01800,

055E0-01-27-01900, 055E0-01-27-02000, 055E0-01-27-02100, 055E0-01-27-02200, 055E0-01-27-02300, 055E0-01-27-02400, and 055E0-01-27-02500, are amended accordingly.

RESOLUTION

WHEREAS, the County of Albemarle Personnel Policy has been adopted by the Board of Supervisors; and

WHEREAS, the Board desires to amend the employee holiday schedule.

NOW, THEREFORE, BE IT RESOLVED THAT the Board of Supervisors of Albemarle County, Virginia, hereby amends Section P-81, Holidays, of the County of Albemarle Personnel Policy, as follows:

§P-81

HOLIDAYS

All permanent employees are allowed twelve paid holidays per year:

1. New Year's Day – January 1
2. Martin Luther King, Jr. Day - Third Monday in January
3. President's Day (Washington's Birthday) – Third Monday in February
4. Jefferson's Birthday – April 13
5. Memorial Day – Last Monday in May
6. Independence Day – July 4
7. Labor Day – First Monday in September
8. Veteran's Day – November 11
9. Thanksgiving Day – Fourth Thursday in November
10. Friday after Thanksgiving
11. Christmas Eve – December 24
12. Christmas Day – December 25

Other holidays are granted by special proclamation of the Governor and/or Board of Supervisors. Permanent employees are eligible for holidays with pay as soon as they begin work. If a holiday falls on a Sunday, the following day will be observed as a holiday. If a holiday falls on a Saturday, the previous day will be observed as a holiday. If a holiday falls within the employee's vacation, it is not charged to that employee's annual leave.

Holiday Pay

Employees who are terminating employment with the County will not qualify for holiday pay unless they work the next working day after the holiday.

Note: The above-noted holidays, while being followed by the majority of employees, are not guaranteed as to specific dates. Under some situations, due to coverage requirements, the holidays for an individual employee or group of employees may be scheduled by the department head on alternate dates as long as the total number of holidays per fiscal year is granted to the employee(s).

Amended: August 4, 1993; August 2, 2000; February 10, 2016