

ACTIONS
Board of Supervisors Meeting of March 20, 2019

March 27, 2019

AGENDA ITEM/ACTION	ASSIGNMENT	VIDEO
<p>1. Call to Order.</p> <ul style="list-style-type: none"> Meeting was called to order at 1:01 p.m., by the Chair, Mr. Gallaway. All BOS members were present. Also present were Jeff Richardson, Greg Kamptner, Claudette Borgersen and Travis Morris. 		
<p>4. Adoption of Final Agenda.</p> <ul style="list-style-type: none"> By a vote of 6:0, ADOPTED the final agenda. 		
<p>5. Brief Announcements by Board Members.</p> <p><u>Liz Palmer:</u></p> <ul style="list-style-type: none"> Invited citizens to attend a town hall on April 4, 2019 at 7:00 p.m. at the North Garden Volunteer Fire Station. <p>Diantha McKeel:</p> <ul style="list-style-type: none"> Announced that Superintendent Dr. Matt Haas and County Executive Jeff Richardson would host a town hall meeting on March 21 at 6:00 p.m. at Woodbrook Elementary <p><u>Rick Randolph:</u></p> <ul style="list-style-type: none"> Mentioned a meeting of the 5th and Avon Citizen Advisory Committee on March 21, 2019 and would discuss a resolution for a town center small area plan. <p><u>Ned Gallaway:</u></p> <ul style="list-style-type: none"> Reminded citizens that the Thomas Jefferson Soil and Water Conservation District has funds available to assist property owners with the repair and replacement of failing septic systems. 		
<p>6. Proclamations and Recognitions.</p> <p>a. Proclamation Recognizing March 2019 as Colon Cancer Awareness Month</p> <ul style="list-style-type: none"> By a vote of 6:0, ADOPTED proclamation and presented to Cathy Bauer. <p>b. Proclamation Recognizing Census Awareness Day.</p> <ul style="list-style-type: none"> By a vote of 6:0, ADOPTED proclamation. <p>c. Government Finance Officers Association (GFOA) Budget Award.</p> <ul style="list-style-type: none"> Curtis Doughtie, President, Virginia's Government Finance Officers Association, RECOGNIZED the Office of Management and Budget. 	<p>(Attachment 1)</p> <p>(Attachment 2)</p>	<p>Link to video</p>
<p>7. From the Public: Matters Not Listed for Public Hearing on the Agenda.</p> <p><u>The following individuals spoke in regard to Climate Change and the reduction of Carbon Emissions:</u></p> <ul style="list-style-type: none"> Tom Olivier Pete Borches Stella O'Conner Lila Lunsford Reese McCardie Sahalia Muenchechanya Sienna Robinson Asha Parmar Asher Grunden Eddie Stembard David Jaffee 		

<ul style="list-style-type: none"> • Joshua O'Neill • John Kluge • Susan Kruse • Kirk Bowers • Dave Redding • Sean Tubbs • Neil Williamson <p><u>Colleen Keller</u>, Executive Director of the Charlottesville Free Clinic, spoke towards the importance of health care and thanked the Board for funding for the medical and dental clinics.</p> <p><u>Sheila Herlihy</u>, IMPACT, spoke towards affordable housing needs in Albemarle County. She Invited the Board to the Nehemiah Action meeting on April 11, 2019.</p>		
<p>8.1 Adoption of Amended Board Rules of Procedures and Adoption of Amended Board Administrative Policies.</p> <ul style="list-style-type: none"> • ADOPTED. 		
<p>9. Amendment to the FY 20 Proposed Budget.</p> <ul style="list-style-type: none"> • By a vote of 6:0, ADOPTED amendment to the Proposed FY 20 Budget. 		
<p>10. Religious Land Uses.</p> <ul style="list-style-type: none"> • ENDORSED the process. 		
<p>11. Climate Action Plan Update.</p> <ul style="list-style-type: none"> • HELD. 		
<p>12. Planning Consideration for FY 21 - 25 CIP Development Process.</p> <ul style="list-style-type: none"> • DISCUSSED. 	<p><u>Clerk</u>: Schedule Joint meeting with the School Board.</p>	
<p>13. Closed Meeting.</p> <ul style="list-style-type: none"> • At 3:16 p.m., the Board went into Closed Meeting pursuant to Section 2.2-3711(A) of the Code of Virginia: • Under Subsection (1), to discuss and consider appointments to the Albemarle County Economic Development Authority for which there are pending vacancies or requests for reappointments; and • Under Subsection (3), to discuss and consider the acquisition of real property for a public sidewalk and related improvements in the Jack Jouett Magisterial District, 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 infrastructure improvements in Crozet where bargaining is involved and 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: 		

<ol style="list-style-type: none"> 1. The County's duty to maintain and repair real property that it owns in the Scottsville Magisterial District; and 2. A pending zoning map amendment and the law pertaining to conditions; and 3. The terms and status of a possible agreement with a volunteer rescue squad. 		
<p>Non-Agenda: The Board agreed there was not a need for the March 28, 2019 Budget Work Session.</p>	<p><u>Clerk:</u> Cancel the meeting on the Board calendar and all public calendars.</p>	
<p>14. Certify Closed Meeting.</p> <ul style="list-style-type: none"> • At 6:07 p.m., the Board reconvened into open meeting and certified the closed meeting. 		
<p>15. Vacancies and Appointments.</p> <ul style="list-style-type: none"> • APPOINTED, Mr. David Shreve to the Economic Development Authority, as the Jack Jouett District representative, with said term to expire January 19, 2023. • REAPPOINTED, Mr. Donald Long to the Economic Development Authority, as the At-Large representative with said term to expire January 19, 2023. 	<p><u>Clerk:</u> Prepare appointment/reappointment letters, update Boards and Commissions book, webpage, and notify appropriate persons.</p>	
<p>16. From the Public: Matters Not Listed for Public Hearing on the Agenda.</p> <ul style="list-style-type: none"> • <u>Janie Pudherodsky</u>, Rio District and member of IMPACT, spoke regarding the need for affordable housing for seniors. • <u>Tom Eckman</u>, Rivanna District and member of IMPACT, spoke regarding the need for affordable housing for seniors. • <u>Eric Macallan</u>, Jack Jouett District, spoke towards the volume of traffic and the speeding between the Earlysville General Store and Broadus Wood Elementary School. • <u>Nancy Carpenter</u>, City of Charlottesville, spoke regarding the need for affordable housing. • <u>Valerie Long</u>, White Hall District, spoke towards item #8.3 on the agenda. 		
<p>17. Pb. Hrg: ZMA201800006 3223 Proffit Road.</p> <ul style="list-style-type: none"> • By a vote of 5:0:1 (Dill absent), ADOPTED ordinance to approve ZMA201800006 3223 Proffit Road. 	<p><u>Clerk:</u> Forward copy of signed ordinance to Community Development and County Attorney's office. (Attachment 3)</p>	
<p>18. Pb. Hrg: CPA201800006 Birdwood.</p> <ul style="list-style-type: none"> • By a vote of 5:0:1 (Dill absent), ADOPTED the CPA201800006 Birdwood resolution. 	<p><u>Clerk:</u> Forward copy of signed ordinance to Community Development and County Attorney's office. (Attachment 4)</p>	
<p>19. 19-03(1) – Agricultural and Forestal Districts.</p> <ul style="list-style-type: none"> • By a vote of 4:1:1 (Palmer) (Dill absent), ADOPTED ordinance, subject to the condition that the Board 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. 	<p><u>Clerk:</u> Forward copy of signed ordinance to Community Development and County Attorney's office. (Attachment 5)</p>	
<p>19. From the Board: Committee Reports and Matters Not Listed on the Agenda. <u>Rick Randolph:</u></p> <ul style="list-style-type: none"> • Reminded staff that he had requested an update on the status of Chris Greene Lake and had yet to receive it. • Asked Ms. Mallek to update the Board regarding Little Discovery School. Ms. Mallek 	<p><u>Parks and Recreation:</u> Provide the update as requested. <u>Clerk:</u> Schedule on agenda when ready.</p>	

<p>replied that she heard from staff and the church pastor that they had agreed to plans for planting shrubbery and a fence.</p> <p><u>Ann Mallek:</u></p> <ul style="list-style-type: none"> • Commented that there needs to be further discussion on the Wireless Policy. 	<p><u>Clerk:</u> Schedule on agenda when ready.</p>	
<p>20. From the County Executive: Report on Matters Not Listed on the Agenda.</p> <ul style="list-style-type: none"> • Reported that the March 9, 2019 Ribbon Cutting for the opening of Yancey School Community Center in Esmont was attended by around 200 citizens and many non-profit organizations. 		
<p>21. Adjourn to April 3, 2019, Lane Auditorium.</p> <ul style="list-style-type: none"> • The meeting was adjourned at 7:50 p.m. 		

ckb/tom

Attachment 1 – Proclamation Recognizing March 2019 as Colon Cancer Awareness Month

Attachment 2 – Census Awareness Day

Attachment 3 – Ordinance No. 19-A(3) ZMA 2018-00006 an Ordinance to Amend the Zoning Map for Tax Map and Parcel 032A0-02-00-00200

Attachment 4 – Resolution to Approve CPA 2018-00006 Birdwood Mansion and Grounds

Attachment 5 – Ordinance No. 19-3(1)

**PROCLAMATION
RECOGNIZING MARCH 2019
AS COLON CANCER AWARENESS MONTH**

WHEREAS, Albemarle County recognizes the month of March as Colon Cancer Awareness to bring greater awareness to colon cancer and the importance of being screened; and

WHEREAS, colon cancer is the second leading cause of cancer death in the United States, and 1 in 20 people will develop colon cancer, and every 10 minutes a life is lost to the disease; and

WHEREAS, this year alone, 142,000 new cases of colon and rectal cancer will be diagnosed in America and nearly 50,000 deaths are expected; and

WHEREAS, a simple screening test is recommended to individuals over age 50 and those with a family history to help combat the disease, and through recommended screenings, this cancer can be caught early when treatment is most effective; and

WHEREAS, Albemarle County recognizes that increase screening can save lives in Albemarle County and across the country, and education and increased awareness can help inform the public of methods of prevention and the early detection of colon cancer.

NOW, THEREFORE, BE IT RESOLVED, that we, the Albemarle County Board of Supervisors, do hereby proclaim the Month of March 2019 to be Colon Cancer Awareness Month in the County of Albemarle and encourage all individuals to work together to promote awareness and understanding of colon cancer and the need for screening to eradicate the disease.

CENSUS AWARENESS DAY

WHEREAS, every ten years, Article 1, Section 2 of the United States Constitution mandates a count of all the people living in the United States and its territories; and

WHEREAS, the 2020 Census will address every household in the nation with a simple questionnaire with the goal of counting everyone once, only once, and in the right place; and

WHEREAS, data obtained by the survey will be used to help determine how approximately \$675 billion will be distributed from the federal government to state, local, and tribal governments annually; and

WHEREAS, up to \$2,000 of federal funding will be lost for each person not counted; as well as upwards of \$20,000 of federal funding lost every ten years; and

WHEREAS, a complete count requires that we bring together leaders from all communities of the Commonwealth, so that every Virginian regardless of racial, social, or economic background is counted; and

WHEREAS, Governor Ralph S. Northam has established the Virginia Complete Count Commission, which is comprised of 40 members to collaborate with community partners and local Complete Count Committees to ensure an accurate 2020 Census count.

NOW, THEREFORE, BE IT RESOLVED, that we, the Albemarle County Board of Supervisors, do hereby proclaim April 1st, 2019, as Census Awareness Day.

ORDINANCE NO. 19-A(3)
ZMA 2018-00006

**AN ORDINANCE TO AMEND THE ZONING MAP
FOR TAX MAP AND PARCEL 032A0-02-00-00200**

WHEREAS, the application to rezone 7.29 acres from RA Rural Areas to R-15 Residential for Tax Map Parcel 032A0-02-00-00200 is identified as ZMA 2018-00006, 3223 Proffit Road (“ZMA 2018-00006”); and

WHEREAS, staff recommended approval of ZMA 2018-00006, provided recommended revisions were made to the proffers and the concept plan; and

WHEREAS, on January 29, 2019, after a duly noticed public hearing, the Planning Commission recommended approval of ZMA 2018-00006, with provisos; and

WHEREAS, subsequent to the Planning Commission meeting, the applicant voluntarily submitted revised proffers and a revised concept plan, which staff believes address the issues raised by staff, the Planning Commission, and the public; and

WHEREAS, on March 20, 2019, the Albemarle County Board of Supervisors held a duly noticed public hearing on ZMA 2018-00006.

BE IT ORDAINED by the Board of Supervisors of the County of Albemarle, Virginia, that upon consideration of the transmittal summary and staff report prepared for ZMA 2018-00006 and their attachments, including the proffers and the concept plan, the information presented at the public hearing, any written comments received, 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 2018-00006 with the proffers dated February 14, 2019, and the concept plan entitled “Zoning Map Amendment – 3233 Proffit Road”, prepared by Roudabush, Gale & Associates, dated June 28, 2018, last revised on February 14, 2019.

**RESOLUTION TO APPROVE CPA 2018-00006
BIRDWOOD MANSION AND GROUNDS**

WHEREAS, the Birdwood Property is located on Tax Map Parcel 75-63, and within Area B as identified in a 1986 planning agreement between the University of Virginia, the City of Charlottesville, and Albemarle County, which requires the University and the County to work together on the master plan for the Property; and

WHEREAS, the University of Virginia Foundation completed a master plan for the Birdwood property in 2018, and developed the Birdwood Area B Study in close coordination with the County's Community Development Department to inform future uses on the Property; and

WHEREAS, the Albemarle County Planning Commission adopted a Resolution of Intent on April 10, 2018 to initiate a Comprehensive Plan Amendment to the Southern and Western Urban Neighborhoods Master Plan pending the completion of the Birdwood Area B Study; and

WHEREAS, the Planning and Coordination Council endorsed the concepts in the Area B Study on September 20, 2018; and

WHEREAS, on February 12, 2019, the Albemarle County Planning Commission held a duly noticed public hearing on CPA 2018-00006, at which it recommended approval of CPA 2018-000006; and

WHEREAS, on March 20, 2019, the Board of Supervisors held a duly noticed public hearing on CPA 2018-00006.

NOW, THEREFORE, BE IT RESOLVED that, upon consideration of the foregoing, and for the purposes articulated in Virginia Code § 15.2-2223, the Albemarle County Board of Supervisors hereby approves CPA 2018-00006 and amends the "Existing Land Use" and the "Future Land Use – Other Areas of Importance" sections of the Southern and Western Urban Neighborhoods Master Plan, which is part of the Albemarle County Comprehensive Plan, as shown on Attachment F of the staff report, attached hereto and incorporated herein.

CPA-2018-00006 Birdwood – Staff Report Attachment F
Southern and Western Urban Neighborhoods Master Plan

Existing Land Uses: Institutional (page S+W 16)

Existing:

UVA represents the largest institutional use in the Western Neighborhood. In addition, there are several large office complexes related to UVA that include the Fontaine Research Park, the University Health Sciences Foundation, the Kluge Children’s Rehabilitation Center, and the University Development offices.

Proposed:

UVA and Birdwood represent the largest institutional uses in the Western Neighborhood. In addition, there are several large office complexes related to UVA that include the Fontaine Research Park, the University Health Sciences Foundation, the “Ivy Mountain” redevelopment of the former Kluge Children’s Rehabilitation Center, and the University Development offices.

Future Land Use – Other Areas of Importance (pages S+W 44-45)

Existing:

Figure 27: Birdwood Golf Course Property



1. The **Birdwood** property (Figure 27), currently owned by the UVA Foundation, is the University’s golf course. It is shown for Institutional uses. It is affiliated with the adjacent Boar’s Head Resort, which is also owned by the UVA Foundation. Encompassing over 500 acres, the property is in **Area B** and includes an 18-hole golf course as well as a historic mansion. Dependencies are present near the entrance to the property. The golf course is available to students, faculty, and the general public. The mansion provides a venue for small University related events.

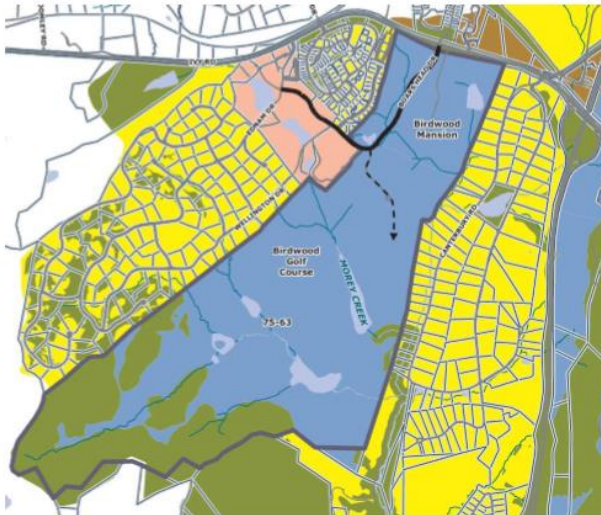
In the future, this large property may serve a more intensive function than it does presently. Possible considerations include, but are not limited to, a mixed-use area near the entrance and residential uses for other parts of the property

not designated as a part of the Parks and Green Systems. Before further development of the property occurs, an amendment to the Future Land Use Plan for the Southern and Western Neighborhoods will be needed.

The historic mansion and important dependencies should be retained in any future development. An interconnection to the Boar’s Head property should be provided. Pedestrian connections to nearby residential developments should also be considered.

Proposed:

Figure 27: Birdwood Property



1. The historic **Birdwood** property (Figure 27) encompasses over 540 acres in the Development Area. The property, which is owned by the UVA Foundation, is also located in Area B. Birdwood is designated for Institutional future land uses.

The 18-hole Birdwood Golf Course is used by the University's varsity golf programs, and is also available for use by students, faculty, guests at Boar's Head Resort, and the general public. In October 2018, a new facility for UVA Golf opened at Birdwood and an extensive renovation of the 18-hole Birdwood Golf Course was initiated for improved play and to incorporate a new par-3 short course. The Birdwood property is also

designated for use by the University's varsity tennis programs, with a UVA Tennis facility permitted in proximity to the adjoining Boar's Head Sports Club. The uses and improvements at Birdwood will be increasingly affiliated with the adjacent Boar's Head Resort, which is also owned by the UVA Foundation, and which also hosts UVA varsity sports in the Boar's Head Sports Club and McArthur Squash Center. A new interparcel connection was constructed in 2018 to better facilitate vehicular and pedestrian movement between these two affiliated properties.

The Birdwood property also includes the historic Birdwood Mansion, which is listed on the National Register of Historic Places and the Virginia Landmarks Register. This 14-acre historic site includes the Birdwood Mansion, several contributing dependencies, and the surrounding historic landscape. In the past, the mansion has provided a venue for small University related events. The historic mansion, the surrounding historic landscape, and important dependencies should be carefully retained in any future development.

The PACC-endorsed Birdwood Area B Study includes near-future plans for the Birdwood Mansion, dependencies, and surrounding grounds to be rehabilitated and repurposed for University-related events, other special events associated with the adjoining Boar's Head Resort, and other hospitality and short-term lodging uses. Such planned reuse of the Birdwood Mansion would bring a new era of utility and vitality to this historic site that is currently vacant, provided that it is done in a context-sensitive way that does not compromise the historic integrity of the buildings or landscape, and does not jeopardize its listing on the state or national register.

In the long-range future, portions of this large property could potentially serve a more intensive function than it does presently. Possible considerations include, but are not limited to, a mixed-use area near the entrance; additional University-related institutional, athletic, and/or hospitality uses; and/or residential uses for other parts of the property not designated as a part of the Parks and Green Systems. Before Birdwood could be further developed in ways that are not contemplated in this Master Plan or contained in the PACC-endorsed Birdwood Area B Study, an amendment to the Southern and Western Urban Neighborhoods Master Plan would be needed.

Future use and development of the property should include pedestrian and bicycle connections to nearby residential developments as well as to the Boar's Head Resort. A future connection providing vehicular, bicycle, and/or pedestrian access between Birdwood and the Centers envisioned at Morey Creek and Fontaine Research Park is also important; further study would be required to determine the most feasible alignment and the most appropriate mode(s) of travel. Additionally, future use and development of Birdwood should endeavor to accommodate the planned Three Notch'd Trail – a shared-use path envisioned as a commuter and recreational connection between Crozet and Charlottesville.

The Parks and Green Systems portion of the Birdwood property, which adjoins the Ragged Mountain Natural Area – a County-designated Important Site for biodiversity – should continue to be preserved as an undeveloped sanctuary for biodiversity and as a valuable resource for outdoor recreation in a pristine natural setting within the Development Area.

ORDINANCE NO. 19-3(1)

AN ORDINANCE TO AMEND AND REORDAIN CHAPTER 3, AGRICULTURAL AND FORESTAL DISTRICTS, ARTICLE II, DISTRICTS OF STATEWIDE SIGNIFICANCE, DIVISION 2, DISTRICTS, OF THE CODE OF THE COUNTY OF ALBEMARLE, VIRGINIA.

BE IT ORDAINED by the Board of Supervisors of the County of Albemarle, Virginia, that Chapter 3, Agricultural and Forestal Districts, Article II, Districts of Statewide Significance, Division 2, Districts, of the Code of the County of Albemarle, Virginia, is hereby amended and reordained as follows:

By Amending:

Sec. 3-218 Hardware Agricultural and Forestal District

CHAPTER 3. AGRICULTURAL AND FORESTAL DISTRICTS**ARTICLE II. DISTRICTS OF STATEWIDE SIGNIFICANCE****DIVISION 2. DISTRICTS****Sec. 3-218 Hardware Agricultural and Forestal District.**

The district known as the "Hardware Agricultural and Forestal District" was created and continues as follows:

- A. *Date created.* The district was created on November 4, 1987.
- B. *Lands within the district.* The district is composed of the following described lands, identified by parcel identification number:
 - 1. Tax map 72: parcel 51C.
 - 2. Tax map 73: parcels 38, 41A, 41B1, 41B2, 42, 42A, 43, 44.
 - 3. Tax map 74: parcels 6H, 6N, 26, 28, 28B.
 - 4. Tax map 75: parcels 4A, 5.
 - 5. Tax map 86: parcels 16, 16A, 16C, 16D, 16F, 16F1, 16F2, 16H, 27, 27A.
 - 6. Tax map 87: parcels 10, 13A1, 13A2, 13E (part consisting of 89.186 acres), 16A.
 - 7. Tax map 88: parcels 2A, 3M, 3R, 3T, 3U, 3V, 6A, 20A, 20B, 20C, 20D, 20F, 23, 23E, 23F, 24, 24A, 24B, 26B (part), 29, 40, 42.
 - 8. Tax map 99: parcels 10 (part), 29, 52, 52B.
- C. *Review.* The district is reviewed once every five years and will next be reviewed prior to March 20, 2024.

(Code 1988, § 2.1-4(h); § 3-214, Ord. No. 98-A(1), 8-5-98; Ord. 00-3(2), 7-12-00; Ord. 07-3(2), 9-12-07; Ord. 09-3(4), 12-2-09; Ord. 10-3(2), 7-7-10; Ord. 10-3(3), 12-1-10; Ord. 12-3(1), 7-11-12; Ord. 13-3(1), 12-4-13; Ord. 14-13(2), 11-12-14; Ord. 15-3(1), 12-2-15; § 3-218, Ord. 18-3(1), 11-7-18)