

An adjourned meeting of the Board of Supervisors of Albemarle County, Virginia, was held on March 8, 2017, Lane Auditorium, County Office Building, McIntire Road, Charlottesville, Virginia. The adjourned meeting was held at 3:00 p.m., and was adjourned from March 7, 2017. The regular night meeting was held at 6:00 p.m.

PRESENT: Mr. Norman G. Dill, Ms. Ann Mallek, Ms. Diantha H. McKeel, Ms. Liz A. Palmer, Mr. Rick Randolph and Mr. Brad Sheffield.

ABSENT: None.

OFFICERS PRESENT: Interim County Executive, Doug Walker, County Attorney, Greg Kamptner, Clerk, Claudette K. Borgersen and Senior Deputy Clerk, Travis O. Morris.

Agenda Item No. 1. Call to Order. The meeting was called to order at 3:00 p.m. by the Chair, Ms. McKeel.

Agenda Item No. 2. Economic Development Site Readiness Report.

Ms. Lee Catlin, Assistant County Executive for Community Relations, addressed the Board and stated that staff will be speaking in detail about site readiness, referencing copies of a PowerPoint and an executive summary that had been provided the previous week as a preliminary report to the Board. Ms. Catlin stated that many of the Board's conversations about economic development focus on the County's inventory of available sites, including what they have on hand and what they need to do to have sites on hand that can help meet needs, whether it is existing businesses looking to expand so they can stay in the community, new businesses looking to become established in the community for the first time, or target industries that meet community preferences and are looking at the possibility of relocating here.

Ms. Catlin stated that this work session has two specific outcomes related to the site readiness topic, with the first being educational, as they all need to have shared knowledge and understanding about topics that are foundational to economic development. She said the Board will hear from an expert about site readiness and what it entails, factors and attributes that influence it, and what comprises a site readiness analysis. Ms. Catlin stated that the second outcome is to provide background for the economic development strategic plan, but staff is not looking for the Board to rank sites or make decisions about choices or provide direction at this point in time, nor were they expecting any immediate action steps. She emphasized that staff's goal is to provide a grounding with context and background for the economic development strategic plan when it comes forward.

Ms. Catlin indicated that this report is one critical element for the plan, and there are some other pieces of data and information that will be evaluated as the plan is being drafted, with site readiness options and other strategies to enable the Board to determine their most important priorities. She stated that the sites to be discussed are not the only location possibilities for target industries, and there are redevelopment opportunities being considered for Rio/29, Crozet, and other urban areas. Ms. Catlin said their conversation today will include background from Susan Stimart as to how this particular report came about and why it was put together; Spencer Francis of Bowman Consulting will then provide a general overview of site readiness and how target industries evaluate and rate sites for their viability; and then they will take an in-depth look at the County-owned site at Mill Creek. She noted that they will review a site readiness summary and key factors that influenced how each site was scored, and some general patterns and focus areas that will affect recommendations coming to the Board in the economic development strategic plan.

Ms. Susan Stimart, Economic Development Facilitator, addressed the Board and stated that she will be discussing vacant sites in the growth areas, noting that Bowman Consulting's project further refines the vacant land analysis conducted in 2016, which included February and July joint work sessions with the Planning Commission and Economic Development Authority (EDA) members, and looking at the results of the GIS analysis done. Ms. Stimart noted that the table provided shows the findings in the growth area by Comp Plan designation, removing properties owned by federal, state, or city government. She stated that 12% of growth areas are vacant, with approximately 480 acres designated for industrial use, and the Board provided direction to staff to bring back maps of the vacant parcels for possible assemblage and evaluating site readiness. Ms. Stimart said that several sites were selected for areas that could be assembled and were consistent with Comp Plan recommendations for commerce or institutional uses. She stated that UVA and the Research Park are part of long-term efforts, but at this point chose not to be a part of this study, which does not specifically address what gets built, so it does not relate to the work underway with transit planning, development intensity, or specifics from a given industry or business inquiry.

Mr. Spencer Francis addressed the Board and stated that he is a UVA graduate and was a developer with the Cox Company locally. He stated that Bowman Consulting is a Virginia-based engineering firm, and Froehling & Robertson (F&R) also assisted with this project. Mr. Francis said that site readiness is a foundation for economic development, identifying the needs of interested businesses, managing the cost and risk elements and timeline that are part of the site selection process, ensuring confidentiality for prospects and helping to maintain competitiveness, and educating landowners in what is truly needed to develop a property. He stated that the goal considered for site readiness in the context of this study is looking at property that is zoned for business, either industrial or office, working from the target industries the County has identified, available utilities and access, and current environmental studies and land surveys. Mr. Francis said the next step beyond what is recommended in this study is to

be shovel-ready, with land ready to be cleared, utilities, and access, which are what a prospect would look at in terms of site attractiveness.

Mr. Francis stated that in the context of this study, they have worked with Albemarle's target industries study, focusing on manufacturing and office. He said that key development factors for site readiness include environmental factors, such as phase one environmental reports, examining potential for contamination, wetlands, RPAs, stream buffers; transportation factors and any recent traffic studies, including the potential impact to adjacent properties and roadways; soils and geotechnical factors, understanding rock and potential cost items. Mr. Francis said that to quantify these items, they developed a rating key from 1-4, with 1 being incomplete and 4 being relatively complete, and each topic item may have 10 different line items that feed into each category. He mentioned that the report for each property contains about 100 pages, and this is a first step in getting properties to a readiness state that could potentially move onto the next level of development and construction plans and advance site selection activity.

Ms. Palmer asked if the rating of 1-4 is the site readiness goal in the report, and not the ultimate site readiness goal. Mr. Francis confirmed that this was the case. He stated that another factor affecting site selection is site attractiveness, the intrinsic qualities of the property, such as its proximity to the interstate and how attractive it is on the surface, regardless of how much study has been done. Mr. Francis said that some of the items can be subjective, and he recommends fine tuning this in advancement of the economic development strategic plan.

Mr. Francis referenced an overview of the properties in the study, noting that the Village of Rivanna was on the list earlier but was removed due to community concerns and the question of whether this type of development would make sense in that area. He stated that the UVA Foundation was discussed, but their focus remains on the office park and maintaining momentum there.

Ms. Palmer asked him to comment on UVA's lack of participation in this study, as staff had sat down with the University in 2016, at which time they had expressed interest in being flexible with respect to who came in. Ms. Catlin responded that the County is still continuing to have those conversations with UVA, but the University has wanted those discussions to remain confidential for now and not be shared in a public venue. Mr. Francis noted that the site readiness stage was deemed premature for their involvement.

Mr. Francis presented information on the Mill Creek property, which contains 45 acres near Monticello that was purchased by the County several years ago as a land bank. He stated that the property has some attributes that make it appealing for economic development, and there are complimentary uses, such as Mill Creek Industrial Park nearby, with good utility infrastructure and transportation amenities, such as I-64 located nearby. Mr. Francis referenced a map of the property, with 45 acres qualifying as the study area, with access to the north from Founders Place off of Mill Creek Drive and Galaxy Farm Lane to the south as a small rural roadway. He stated that connectivity here is different than what is in the Comp Plan, as a connection has been made between those two roads to meet the intent of the plan, and the alignment has been adjusted.

Mr. Francis stated that as part of the environmental aspects of site readiness, F&R assisted in identifying the potential for contamination and helped organize information on the issues for this property, but not much environmental evaluation has been done on the property except for an historic and cultural resources inventory. He said they have identified potential for wetlands and potential for threatened and endangered species in the area that might impact the time of year in which construction activities can occur, and the consultants' recommendation is to advance the studies to help quantify the floodplain, wetlands, etc. so there is a true understanding of the elements that will have an impact on development potential and cost. Mr. Francis stated that a strong transportation network is also critical for economic development, with easy interstate access desired, and this property is two miles from I-64. He noted that Founders Place is a substantial road that provides good industrial/commercial access to this property, and Galaxy Farm Lane on the other side has more of a rural character.

Ms. Mallek asked if Galaxy Farm Lane is the border of County ownership or if it bisected the parcel referenced, because it did not look like too bad of a roadway. Mr. Francis responded that it functions properly for its current commercial use, but would likely require widening for truck traffic and larger vehicles, and there is another property that would require easement or right-of-way. He stated that the best potential for transportation access is Mill Creek Drive, with that connectivity ultimately envisioned in the Comp Plan. Mr. Francis noted that a key recommendation is to advance a traffic study for the property that assesses any potential development and its impact and whether Mill Creek Drive is sufficient to support economic development. He stated that they may reach a point where some of the intersections have a grade-level service decrease, which would make it desirable to introduce connectivity to Galaxy Farm.

Ms. Mallek asked if they have templates for numbers of employees to figure out traffic impacts. Mr. Francis responded that they would need some trip generation layouts, which would start with a conceptual layout, and one of the first steps would be to determine how much can be built on the property and what the anticipated uses would be. He stated that they would then determine, through historical data, things like numbers of employees, customers, truck traffic and build trip generation from there.

Ms. Palmer asked if they needed a development plan to have a traffic study, because it sounds as if they could do a traffic study from general information. Mr. Francis said that further in his presentation they make a recommendation for land use and provision of more detail.

Mr. Sheffield recommended to Mr. Francis that he and his team sit down with Chip Boyles of the Thomas Jefferson Planning District Commission, as they use traffic demand modeling for the long-range plan update, and it takes into account certain factors such as land use designations. He stated that this will help them get a better understanding of what can be used to estimate possible ready sites and also get an understanding of what they are doing when they put the plan together, adding that this came into play during the Rio grade-separated interchange discussion.

Mr. Francis noted that a rezoning would typically require a number of different elements, including a traffic impact analysis per VDOT.

Mr. Francis reported that F&R had assisted with the geotechnical overview, which is a critical element for site readiness in terms of quantifying construction techniques as well as cost and risk items involved with rock and soils on a site. He said that in this instance, they have reviewed state and federal surveys and have relied on F&R for their experience to provide general recommendations on the property. Mr. Francis noted that they recommend moving forward with a further geotechnical investigation on the site, which would include taking some soil borings.

Mr. Francis stated that utilities play a large role in site development, with potable water being a key element for any user, and many users will require redundancy in water lines so there will be a water source from a second source in the event of an outage with the first source. Mr. Francis mentioned that they have collaborated with the Albemarle County Service Authority to determine what is available, and have established that there is water from the east from Founders Place to the property, and a waterline to the west, with both connecting to the Avon Street tank but considered to provide partial redundancy because there are two lines. He stated that an item to possibly explore is obtaining the necessary easement so that connectivity can be provided, and another recommendation would be to move forward with a water study to further explore the capacity. He noted that the scope of their study did not delve into capacity and volumes or pressure of water, but on the surface it appears to be adequate and they recommend moving forward with a water study to fully quantify and understand the water requirements.

Mr. Francis said that sanitary sewer is also a critical element for every user that needs water, and gravity sewer is available on the property, which is an asset as there are no offsite extensions and the users could tie directly into the ACSA system, with a recommendation for a master plan to add more detail on how that can serve the entire property. He stated that other utilities are referred to as franchise facilities and include power, gas, fiber, and telecommunications. He noted that redundancy is critical for these utilities as well, and Dominion has two three-phase lines providing two separate taps, which would be appealing to a lot of users. Mr. Francis added that his team recommends moving forward and analyzing the capacity, advancing discussions with utility owners to fully understand it and establish the next steps for connectivity, but it appears as though the utilities are readily available.

Mr. Francis reported that obtaining a land survey is one of the first steps in the process, understanding and mapping the environmental features, boundaries and easements, and looking at existing information of record, which becomes a baseline on which all plans and studies are built. He stated that for planning purposes they can use GIS, but in getting into design and more specific development plans, a land survey would be required for any user to understand the property and map exactly what is being purchased, then build the plans on top of that. Mr. Francis said that his team recommends moving forward with a survey in conjunction with the environmental studies and mapping the wetlands and floodplain. He noted that they did obtain a title report from the County pursuant to their purchase of the property, but a lot of documents are out of date and they recommend updating that and the survey.

Mr. Francis stated that entitlements, such as zoning, comprehensive land use, and small area planning are areas over which a locality has a lot of control, and are also a key element that a user would consider, because a site that had to go through those entitlements would be seen as a negative, particularly in terms of uncertainty and an added timeline involved with a public process. He said the Mill Creek site requires a good bit of work in that regard, including a small area plan based on some of the history and prior development initiatives, a Comp Plan amendment and a zoning amendment. Mr. Francis noted that this is a positive in terms of there being no proffers or conditions that apply to the property, which can be viewed as an added obstacle for businesses in developing a piece of property. He stated that his recommendation is for developing a more detailed land plan to further inform the questions regarding traffic, utility usage, the small area plan, Comp Plan and rezoning, to get the site ready for development.

Mr. Francis reported that the study did look at some high level development potential, with the information gathered established as a land base, a building site area that takes out roadways that come through the site and environmental features, and assumed setbacks around perimeters and between the land base, with established acreages, stormwater and parking. He stated that using industry-accepted floor-to-area ratio guidelines, they have honed in on light industrial for this study, with a typical site having 5-15% slope accommodating about 10,000 square feet per acre, adjusting estimates based on topography. Mr. Francis referenced an exhibit that identified three land bays seen as having potential to support a building, and with this study they did not extend into the fire station, although Monticello Fire Department is on the property and included in the 45 acres, adjacent to land bay B, which totals about 20 acres.

Mr. Francis summarized their findings that the Mill Creek site has good potential for economic development, with many positive attributes, such as proximity to industrial uses, transportation and

infrastructure. He said that from a site readiness standpoint, on the scale of 1-4 as previously described, the average for these properties was a 2.4. Mr. Francis stated that adding the cost elements of a land survey, traffic study, geotechnical report, etc. generates \$11,800 per acre for the readiness to advance development plans. He added that the timeline anticipated is 45 weeks, which is optimistic as the zoning process in Albemarle can take some time and is considered a risk item by developers. Mr. Francis noted that this did not include the small area plan, so that would be on top of the 45 weeks needed for site readiness.

Mr. Francis presented a chart reflecting all of the categories summarized, and reiterated the site readiness rating of 2.4, with many properties not having much study or work done. He emphasized that this does not mean it is not a great economic development site, as some of the characteristics and attributes may be very positive. Mr. Francis stated that the eight properties combined total about 770 acres, and when environmental features, roadways, and setbacks are removed, the total is 540 acres of potential building site area accommodated on the properties. He referenced a summary slide and said if they move forward with one or two items on each property, the recommendation for Next Generation at Boulders Drive is that Comp Plan and zoning amendments are needed to accommodate the uses covered in this targeted industry. Mr. Francis said that Gold Leaf is zoned light industrial but requires a sanitary sewer easement to connect to gravity sewer; the Northpointe properties have a lot of site readiness but still require Comp Plan and zoning amendments to align with targeted industries. He stated that ULC Mooney requires Comp Plan and zoning amendments and is also in need of an offsite sewer easement, which is required to get gravity sewer. He noted that 64 & 29 still requires a zoning modification, and transportation and utilities are still a question in terms of extending infrastructure to the property. Mr. Francis said that Gazebo is similar to Northpointe, but still requires Comp Plan and zoning amendments to align with target industries; Avionix and Cho property requires ongoing environmental remediation and some zoning, with transportation and utilities needing to be extended.

Mr. Dill asked if the Gazebo property is on Pantops. Mr. Francis confirmed that it is.

Mr. Dill commented that the roadways seem so inaccessible that he cannot imagine that property being developed. Mr. Francis responded that it would be a challenge to maintain the access onto Route 250.

Ms. Mallek pointed out that he had assembled these because of proximity, but noted that there is no representation of combined ownership, as some of these properties are not owned by the same individuals. Mr. Francis confirmed that ULC Mooney has two separate owners, and 64 & 29 would be assemblages.

Ms. Mallek added that Avionix and Cho are not owned by the same person. Mr. Francis confirmed this, adding that otherwise the properties have common ownership.

Mr. Francis stated that some patterns have emerged in their study, with most properties needing environmental studies, traffic and access, geotechnical and utility plans, entitlements and land surveys, and a few of the properties need utility extensions, although most have franchise utilities nearby. He said the primary focus surfacing with these properties is entitlements, the land use and zoning required to bring them into place to accommodate the targeted industries. Mr. Francis stated that utilities would be the secondary focus, with transportation being the third.

Mr. Dill asked who would do these studies, because if the properties are for sale, it seems they would fall under a typical commercial real estate proposal, whereby it was negotiated, who would do the surveys and the testing. He stated that if it is important for surveys and studies to be done, he wonders how the government's role would fit into this in the event of a private owner trying to develop the property and a private buyer, and if it is customary for the government to subsidize connections or duplicate services for utilities, such as fiber. Mr. Francis responded that it is typical for the government to be involved in that way, and private development and private investment is a key element that can be encouraged, which is a common way to see development advance. He stated that there are opportunities to utilize the EDA, and many counties will utilize their economic development department and EDA to make these investments, whether it is bonds or other sources of revenue so the County can purchase property and become the landowner, but also to encourage private development with the County advancing funding for things like environmental studies or surveys, which occurs throughout the state.

Ms. Stimart reported that recommended next steps are to move forward with the draft economic development strategic plan, which might include refining target industries from the 2012 report, and to consider some regulatory opportunities to support the site readiness strategies that Bowman Consulting is recommending. She stated that following the draft plan, they would be looking to go forward with some specific action to pursue site readiness strategies, and would continue to work with transportation planning and grant funding to help support site readiness in strategic areas.

Ms. Catlin stated that they are not looking for actions or decisions today, noting that there is a lot of information that will be worked through and brought back to the Board in the form of recommendations. She encouraged them to put forth any questions or comments related to the issues, factors and attributes as presented by Mr. Francis.

Ms. Mallek asked if there had been a prompt for the comment regarding refining the target industries, because they spent a lot of time working on that. Ms. Catlin responded that they would not throw them out, but because it has been five years or so, there would be a refresh to make sure those are still the things that make the most sense going forward. She agreed that they did do a lot of work on it and

it was a great regional study, but they would not blindly proceed with those without establishing that those continue to be the right direction.

Mr. Randolph commented that it would be worthwhile for the Board to look at how many businesses have developed in the County or come to the County that fit roughly into the parameters of the four established industry sectors since they were established, especially to narrow it down into development areas or on the periphery of the development areas. He stated that beyond the known breweries and wineries, it would be helpful to consider the things that have happened and look to be growth potential within the designated development areas. Mr. Randolph said it would be good to discuss that as part of a cluster analysis to see if there is any grouping and have a discussion as to whether they omit specific industries. Ms. Catlin agreed that it would be a good discussion to have, along with information about potential target industries the County may not have been able to get because of site constraints.

Ms. Mallek added that it would also be helpful to have a list of those who got away, including local businesses that left instead of expanding here.

Mr. Dill stated that target industries should be differentiated between those here and those that come from the outside, adding that UVA is fostering an entrepreneurial environment now, with faster growth than any other city in the country in terms of new venture investment. He said the market seems very fluid right now, and they should not have categories be too narrow.

Ms. McKeel commented that she would like them to think about the City, because there are businesses in the City that have left because they could not find places to expand. She said she and Mike Signer have discussed the benefits of working together, and as businesses outgrow the City, the County might be the logical next step.

Ms. Catlin stated that the County has had many conversations with UVA and City colleagues about the "life cycle" piece and how they can effectively provide the next landing places for the businesses here already.

Mr. Randolph said that once they get this started, they then have room to grow into a regional economic development strategy. He recalled the Walmart Distribution Center location that ultimately went to Louisa County, which was described as "one that got away," but Albemarle did not have the kind of level land by the interstate that lent itself to this type of use, and it makes more sense for Walmart to be next door to a Walmart store. Mr. Randolph emphasized that they need to think more regionally in terms of economic development, but said he agrees with Ms. McKeel's suggestion as a starting point. He added that for some businesses it would make more sense for them to be in the City, and for others it would be the County, so that collaboration is important.

Ms. Mallek stated it would be helpful for staff to send the Board a copy of the target industry study so they could read up on it before they do it all over again. Ms. Catlin responded that the idea is not to redo the whole thing, but five years is a long time in terms of businesses evolving, and staff just wants to make sure it is still the right direction. She noted that the study reflects very good data and had a lot of work invested in it, including involvement from a consultant.

Ms. Palmer asked what "opportunities to support site readiness strategies" means, and the cost of it as it pertains to this particular site. Mr. Francis responded that there is a fast track process in the County for zoning on target industries, but he did not think there was currently a site plan fast track process. He stated a lot of that falls on the applicant, consultants and engineer, but a formal process to support the fast track could send a message and help facilitate it.

Ms. Catlin stated that what the Board is considering with the form-based code work at Rio and 29 is not these particular sites but is a redevelopment opportunity, which will provide opportunity for a different regulatory approach to businesses coming into the urban areas.

Ms. Palmer asked for clarification that the recommended next steps would be for staff to have the Board look at this particular property and get the zoning straight. Ms. Stimart explained that the economic development consultant would be the first level of review of all this information to look at this more strategically, but it may not get to the point of stipulating what needs to be considered now with the Mill Creek holdings, as another option may be more productive for economic development impact. She stated that this speaks to the ranking system that Bowman Consulting created, as well as other factors such as site attractiveness, and that will be factored into the economic development strategic plan. There may be additional work required on specific sites, including clarifying the role of government with those.

Ms. Palmer asked if all of this is within the scope of the economic development plan currently being developed. Ms. Catlin responded that the economic development consultant working with staff, the Board, Planning Commission, EDA, and stakeholders will look at a variety of goals and objectives and establish what, if anything, from the report could help advance the goals in the plan. She said if the goals include sites that need to be ready for target industries, that will help them determine priority locations for those and the first round of recommended steps to be considered as part of the strategic plan. Ms. Catlin emphasized that there is nothing that the Board has seen so far that is carved in stone as a recommendation, as this is an input in considering a variety of strategies for economic development, including specific sites being recommended and steps the Board can endorse for site readiness.

Mr. Randolph stated it is important for them to remember that their process is built around

consensus, which is not easily understood by developers who want to get a project done overnight, and while they try to move things along as quickly as possible for the applicant, the determinant is in the hands of the public as well. He said the Board is not here to pick winners and losers and does not always control the schedule of what is going on, and they are accountable to the public.

Ms. Catlin agreed, adding that the site readiness strategies may want to consider that this work is important to do before there is a prospect looking at a property so they have a sure path forward, instead of doing the work while there is an active prospect involved. She stated if they have a strategic plan that really helps them understand what sites would be available for what, and all the community consensus building and preliminary work has been done, that site becomes ready for someone to come in to bring a project forward.

Mr. Randolph acknowledged that this is true if things can be done ahead of time and said that in the case of Deschutes Brewery, Roanoke, as a community, was prepared to undertake the high level of economic development required to locate the brewery there, as well as the infrastructure in place for it, and the Albemarle/Charlottesville community was not.

Ms. Palmer noted that Roanoke also was prepared to give them \$10 million in tax abatement.

Ms. Palmer said they talk a lot about redevelopment and stimulating more tax revenue per acre while increasing density, and these particular sites are not in those areas, but it is part of their economic development strategy. She stated that they have had situations where they put public money into things, such as the YMCA and the new Senior Center, and going forward she is interested in knowing how they can capture those things earlier so they could go into redevelopment areas.

Ms. Stimart asked for clarification as to which things she means. Ms. Palmer responded that she is referring to the private entities with a public benefit, which the County was considering putting money into, as these things had the potential to stimulate economic development around them and make that area more attractive for other businesses to locate.

Ms. Stimart stated that one example was the work done in Crozet's downtown village where they chose very purposefully where to build a new library, building it in a form to allow for private entities to lease space until such time that the library was fully built out. She said this helped inform neighboring property owners on potential uses that were consistent with the Crozet Master Plan goals. She stated this was a public investment that helped support the revitalization of downtown Crozet. Ms. Stimart said that in terms of supporting a private sector business, the County typically bases this on return on investment and what they expect to get in tax revenue impact resulting from a change in building, jobs created, and investment into equipment that results in business personal property. She stated this is the specific criteria used when pursuing a grant that might be matched by state or federal sources, and there may be other factors in terms of how they think about redevelopment within the small area plan. Ms. Stimart noted that Community Development staff would be working with economic development resources to determine what catalysts can help carry redevelopment goals forward.

Ms. Catlin pointed out that the Board's strategic plan has goals related to redevelopment and revitalization, which contain objectives that refer specifically to strategic use of public investment. She said it is a reorientation for them to think about things like the Northside Library as catalysts and focal points, and being very strategic about using those. Ms. Catlin stated that having an economic development advisor to help them look at those opportunities will help them think in a different way about using those dollars to their maximum to spur opportunities.

Ms. Palmer asked about the process by which entities, such as the YMCA, would come to the County, because those items would not go to the Planning Commission first.

Ms. McKeel added that the question is how to get those resources on the table early, because by the time the YMCA came to the Board, they had already picked a location.

Mr. Kamptner explained that County Parks & Recreation had already done a recreational needs assessment several years before the YMCA approached the Board, and that needs assessment identified the need for indoor recreation opportunities for County residents. He stated the project was addressing a need that had already been identified by the County.

Ms. Catlin clarified that the question is how to connect the needs they are investing in with the areas in which they want to stimulate growth.

Mr. Kamptner stated that the rationale for the County contributing to the YMCA and Senior Center is that those things are serving in lieu of County services, not because they are economic generators.

Ms. McKeel said they could do both, even at the same time.

Mr. Randolph said if the County is going to make a commitment from the CIP, they should try to get the highest return possible in terms of benefit to the community, and there can be a multiplier effect.

Ms. Mallek noted that with Belvedere, there was \$100,000 worth of small neighborhood businesses that have just not come online yet, but the new Senior Center will provide more shoppers to use those services. She stated that in talking about fast tracking the site plan process, there is a big difference in the approach that applicants take, as some want to argue about everything and others want

to get things done. Ms. Mallek mentioned that improvements to the County's process have been made, but it is also important to get partners on board who are willing to work towards success.

Ms. Catlin commented that the Board's strategic plan and economic development strategic plan hopefully put them in the role of not being reactive, but instead establishing goals and preferences so they can be intentional about decisions, such as capital investment.

Mr. Kamptner noted this could include proactively amending the Comp Plan in development areas and putting zoning in place that allows uses to be by right, and some things that typically require a special use permit could be replaced with performance standards to take uncertainty out of the process.

Ms. Catlin thanked the Board and said this item will come back to them in the form of recommendations and options, among other things in their draft strategic plan. She noted that the target markets update is going to be a part of the Go Virginia plan, so that work would be done concurrently and would be coordinated by CVPED.

Agenda Item No. 3. Community Development Priorities and Process Discussion.

The Executive Summary presented to the Board states that the purpose of this work session is to consider the Board's interests, as expressed by its adopted strategic priorities, as well as other initiatives not necessary reflected as a strategic priority but still important with the intent to assure that the Community Development Department (CDD) is being responsive to the interests of the Board. The Board's Strategic Plan Priorities and previously established work program initiatives have provided good direction. However, staff recognizes an interest in a number of other initiatives that are not yet part of CDD's work program. The ongoing challenge and opportunity is to assure staff remains focused on completing established expectations, while being responsive to the Board as new interests emerge.

Staff is not recommending a specific solution at this meeting or asking the Board to approve the CDD Work Plan. Instead, it is staff's intent to engage the Board in a dialogue about the current work elements associated with the Board's strategic priorities so that Board and staff can better assure appropriate and reasonable responsiveness to emerging land use policy interests without sacrificing established department performance expectations.

To be sure, the visionary aspects of the Board's interests excites staff. Nevertheless, it remains challenging to staff to prioritize new initiatives and interests against established expectations, while maintaining the high quality of work we understand is expected by the Board and the community. To illustrate this dilemma, CDD is currently engaged with twelve of the Board's Strategic Plan Priorities and the following six additional priorities:

- Residential Impacts / Proffer Policy
- Zoning Ordinance Recodification
- Economic Development Strategic Plan Implementation
- Southwood Redevelopment (per Board adopted resolution)
- Hydraulic / Route 29 Small Area Plan and Transportation Plan
- Natural Resources Strategic Plan Implementation

In addition to those established priorities, staff has noted the following Board interests not yet prioritized in the work program:

- Phase 2 - Wineries, Breweries, Distilleries
- Phase 2 - Rural Area Inns / Historic Districts
- Affordable Housing Policy
- Crossroad Communities
- Dark Skies (lighting restrictions)
- Transient Lodging (e.g. AirBNB)
- Development Density (Gross vs. Net Density)
- Recreational Uses in the Rural Areas (e.g. golf courses)
- RA Churches
- Outdoor Display in Entrance Corridors
- Private Schools, by-right in Development Areas
- Farmer's Markets, by-right in Rural Areas
- "Dwellings" Definition changes
- Solar Farms (e.g. commercial solar production in RA)

Most of these interests will require a robust public engagement process with associated extended process timeframes. Some may be possible to simplify without compromising quality process and outcomes. For most, if not all, a consistent challenge is the assurance that staff is providing the right amount of public engagement with these efforts - recognizing that it is the public engagement aspect of the policy development process that typically determines the time and resources required to be successful. Moreover, each policy issue requires its own assessment and determination of the nature and extent of engagement. For example, staff indicated in 2016 that the Farm Winery, Breweries, and Distilleries ordinance amendment would require an expansive public process and almost a year to complete. Similarly, in late 2015, staff advised that an ordinance amendment for by-right drive through windows could be completed in a couple of months with limited outreach. In both cases, the product was

successfully delivered within the anticipated timeframe with minimal unmitigated controversy at the Board consideration stage.

For this work session discussion, staff is hopeful that through dialogue with the Board about the current priority projects and any additional policy initiatives within a context of process timelines and resource requirements, the Board and staff can be aligned with the CDD work program performance expectations and identify any areas for further discussion.

No changes to the budget are proposed.

Following a short presentation, staff requests Board input regarding alignment between the Board's priority initiatives and the CDD work program performance expectations including the identification of any policy areas that require further discussion and/or resolution.

Mr. Mark Graham, Director of Community Development, addressed the Board and reported that he will be going through Community Development's work program and discussing with them priorities that have not yet been put in the work program, as well as having the Board provide direction to staff. Mr. Graham presented a list of work program items completed over the last two years, stating that this includes 17 items ranging from the Comprehensive Plan to redefining eligible applicants on an application.

Ms. Mallek commented that it is good to see a look back on all of those topics. Mr. Graham responded that it often seems that they are not getting as much done.

Mr. Walker stated it is worth noting that the Board has been successful in partnership with Community Development, the Planning Commission, and the community, and they should not lose sight of the reality that they are all committed to accomplishing the County's priorities.

Mr. Graham added that it is a challenge for staff also because they want to work on the projects and get them done, as it provides a sense of satisfaction to complete them. He presented a pie chart representing the proportions allocated to what Community Development does, stating that the work program is just one element of that. Mr. Graham emphasized that there were a number of items that were not dependent on the number of development applications being submitted, and they had very little control over about three-fourths of what they do as they are reacting to the development activity. He stated that with a fixed number of resources, the more development activity there is, the less capacity there is to work on the work program, and the County had a record number of building permits for dwellings in 2016. Mr. Graham said that associated with total construction was now back to the 2004-2007 boom period for construction, and these resulted in improvements that increase the tax base. He noted that the Fontaine Business Park had a lot of activity in 2007, but those things were now UVA buildings and were falling off the County's tax rolls now; and Martha Jefferson Hospital had about \$200 million of activity in 2009.

Mr. Graham stated that he predicts a continuing trend in development activity for 2017, with housing continuing to boom and no slowdown of building permits over the winter. He said that staff was also seeing the associated public concern with the amount of building activity, and the anxiousness of developers to get more product out there in this good seller's market.

Ms. Palmer asked if the interest rate increases were pushing this. Mr. Graham responded that it is a factor, as building activity is very sensitive to interest rates, and the question is how much things can move up, as he has seen blocks of development that have gone from houses selling in the \$450,000 range to the \$600,000 range. He stated there must be more capacity for people to pay those higher prices, and it is uncertain as to how much capacity is there.

Ms. Mallek noted that there was as much angst from the industry whether rates were falling so builders could borrow, and they have to just do their job and not worry about those factors.

Mr. Graham reported that the workload and turnover are still challenging, and he thanked the Board for adding planners, who were hired and would be coming up to speed. He also thanked them for the temporary help provided, noting that the County is also getting help from the TJPDC. Mr. Graham stated that they are looking forward to having more capacity, and leadership with a total of 86 years of institutional knowledge had left last year, and it will take a bit to recover from that. He said there were process improvements with streamlined reviews that had paid big dividends for the County, but in terms of managing the workload they were still 18% below the staffing levels that they were eight years ago, and they have absorbed most of the efficiency gains with increased development activity. Mr. Graham stated that there had also been increased turnover, which results in more time needed to train and bring new hires up to speed, which means less resources available for the work program. He said there has been strong competition in recruiting good job candidates, and their work to address compression would help in this regard.

Mr. Graham said he will present several case studies, the first of which pertains to how to deal with complex policy issues such as special events at wineries and breweries. He stated that in early 2016, the Board had asked staff to bump it ahead of some other things, which they did, and because of the number of stakeholders with various strong conflicting opinions, it was determined that it would take 10-12 months to get through the process and get something to the Board that would not be controversial once it got to them.

Mr. Dill commented that the process went exceptionally well. Mr. Graham agreed, stating that it takes time to work through the process and resolve issues with stakeholders, and having staff bring forth an ordinance before that effort is made could lead to controversy.

Mr. Graham said an example of a simple technical change is the 5th Street Station development, as the applicant came in repeatedly for special use permits for drive-through windows. He stated that staff saw an opportunity to make this a by-right process without a lot of difficulty, so they brought it to the Board in December as a concept, with the ordinance to the Planning Commission in January, and adoption by the County in March. Mr. Graham noted that in situations of technical changes where there are not a lot of stakeholders with opposing opinions, those items can get completed fairly quickly.

Mr. Graham reported that he will do a quick review of established priorities, including their strategic plan; the Rio Small Area Plan, with conceptual recommendations for the Board expected by October; form-based code, including having the Comp Plan updated and matching the core area to match the plan; revitalization of aging neighborhoods as a priority, with six items that Community Development is taking the lead on and pushing through; and the Pantops Master Plan update, which is two priorities in one as it calls for completion of a Rivanna River Corridor Plan, would also have to be approved by the City. He noted that those 13 fairly significant initiatives would hopefully be completed in the next two years.

Mr. Graham stated that additional priorities include the residential impacts to proffer policy and the associated committee work; zoning ordinance recodification, which was on the Community Development work program for many years; the economic development strategic plan, which was anticipated to have a large number of initiatives that would involve Community Development, such as regulatory process and expedited plan review; the natural resources strategic plan, which had been in the Board's previous strategic plan; the Hydraulic/29 Small Area Plan, with opportunities to work on that arising quickly and the kickoff meeting scheduled for March 9; and the Southwood project and some implementation strategies that would likely involve Community Development.

Mr. Graham noted that there are several other items that have not yet been scheduled, and staff is trying to fit those in as their new resources and capacity come up to speed. He stated that he has divided the list into two parts: those items that staff anticipates having significant policy issues and stakeholder interest; and technical items that are not expected to require a lot of time and constituent involvement. He commented that it is not a situation where staff is not eager to get on these things, but it is a matter of prioritizing things and addressing more pressing items first.

Ms. Mallek stated that Board members have thoughts about what those priorities are, and a "sticker exercise" is helpful in clarifying those.

Mr. Randolph commented that they cannot set priorities today, but there are several of the items that are policy issues and are Comp Plan in nature, and the broader philosophical issues are not time sensitive. He said there are also items associated with applications, and they must evaluate those in as timely a manner as possible. Mr. Randolph agreed with Ms. Mallek that a sticker exercise would be helpful, and noted that new applications could come forward that would require them to reprioritize items.

Mr. Graham stated that in looking at capacity, the County could consider working with consultants and contractors, which has been working well, but they need to be cognizant of consistency and quality control, as it is very difficult to bring someone in to work on things like master planning. He noted that it can also be expensive, and while there is someone else doing the work, there is always someone on staff who has to manage those people. Ms. Mallek responded that staff also frequently ends up having to do the work over.

Mr. Graham said that staff is always looking for ways to do things more quickly, but with stakeholder interests, they need to ensure that they are not proceeding in a way that erodes the public trust. He stated that staff tends to be conservative in this regard, usually allotting additional time for engagement, and the Board often has the best input as to how sensitive issues are in the community. Mr. Graham said they also have prioritization strategies and return on investment, often evaluating technical changes as to which can buy them the most staff time with the least amount of work. He added that big important policy issues tend to get sacrificed because it is very difficult to define a return on investment for those. Mr. Graham stated that they try to use the Comp Plan and the Board's strategic plan as a guide for establishing policies, but there are so many strategies out there, it is hard for staff to ascertain what is really important.

Ms. Mallek stated that the Board left too many strategies in the plan, so that made staff's job even harder.

Mr. Graham said they could use a blended approach using Board evaluation, such as the sticker exercise, but that had its own set of challenges because of the micro level of detail involved and Board members feel they have to be subject matter experts to be able to effectively evaluate the benefits of one item over another.

Mr. Randolph stated that as he looks at the list, if they cluster some of the items; inns and historic districts, crossroad communities, transient lodging and AirBnB, and farmer's markets by right in the rural areas, under "rural economic development," they could all be covered together. He said this would be a similar approach to what they did with grouping breweries and wineries, and perhaps they could have a

series of roundtables in the rural areas to discuss all four of those items. Mr. Randolph noted that this would enable a broader discussion and would address the overlap, as some of the rural area features are located in crossroad areas, and they would be looking at economic development under one of those themes. He commented that he had thought they had already covered the dark skies initiative fairly comprehensively. Mr. Randolph suggested that with the affordable housing policy, having Southwood be a project provides an opportunity for the Board to assess the strengths and weaknesses of that approach, and that could inform the Board to have a broader discussion as what they see as being valuable. He noted that this could be applied to a broader affordable housing policy, a big part of which should be rehabilitation, not just removal and rebuilding.

Ms. Palmer stated that her Planning Commissioner is very interested in the dark skies policy and feels there is much more work to do on that, and she also has several constituents who have contacted her about it, although it may not be at the top of the list.

Ms. Mallek agreed, adding that there is a group of citizens working on talking points and drafts related to that topic, and that was a way to speed things along. She stated there was a group who did the same thing with the over lot grading issue, and it accelerated the process and pushed it through in six months.

Ms. Palmer stated that there was a group ready to work on the dark skies issue, but it was explained to them that staff needed to be involved with it. Ms. Mallek responded that it was not intended to proceed without their involvement, but just to get some work done.

Mr. Graham stated that it is important to staff to assure which of the Board's interests are correctly prioritized, and to verify that they have the right public process for these issues as they go forward. He said the public engagement is the major determinant as to how much time and effort will be required for these items, and with the resolutions of intent that have come forward, they are starting to attach a public engagement plan to them.

Ms. Mallek said there was a whole section of things that require "surgical changes," which are small items that can be addressed by the County Attorney's Office. She stated that the density bonus is giving extra bonuses to people that are doing things they have to do anyway to sell their properties, such as putting in interior streets that are required for lots and planting street trees. Ms. Mallek said that layering on extra value is just adding angst for neighborhoods, and her understanding is that this could be in the short category.

Ms. Mallek stated that Arlington recently passed its regulations for AirBnB, and she asked the Board for their opinion on whether they should follow what the legislature enabled them to do and collect the taxes, require registration, and regulate these BnBs, rather than have a protracted three years of public discussion as to whether people want to be regulated. She commented that she really does not care whether people want to be regulated or not, as she wants to get this done because it is really important to have these rules so that neighbors are protected and residents and visitors have a higher assurance of safety, and so the community has a fair tax structure that is properly enforced. Ms. Mallek emphasized that there are templates out there, and she hopes they will avail themselves of them. She noted that despite some concerns prior to the Arlington ordinance being passed, it has been quiet since and people have accepted it, with the online booking platforms also complying. She commented that she would put this as a very high priority item, as the longer they leave it done, the more disadvantage there is for legitimate bed & breakfasts and short-term rentals. Ms. Mallek stated that this issue was first raised with her in 2008, and she hopes they will get on it as quickly as possible.

Ms. Mallek stated that the other item of interest to her is the recreational uses in the rural area, and there was a lot of discussion about this during the Comp Plan review, with work already done on this item, including numerous public hearings. She said there were just a few sentences removed, and she would like for the Board to consider putting them back in, without taking six months to go through the whole process again. Ms. Mallek emphasized that this is a self-protection element, and if they do not take care of it now they will regret it when people try to get away with things they have been able to do in other places.

Ms. Mallek said the last issue she wants to bring up is the use of partners to do some of this work, such as the river corridor plan, as the TJPDC and Rivanna River Basin Commission are ready to get to work on it, and the Board just needs to turn them loose.

Mr. Sheffield stated that the TJPDC has very strong leadership that they should start to take advantage of.

Ms. McKeel agreed that some of these items do not need to take two or three years. Ms. Mallek responded that she understands that need when there are competing interests, as there were with the winery events issue, and they ended up having great success with that item, but people who are not paying taxes for rentals do not deserve the same level of consideration.

Mr. Randolph agreed.

Ms. Palmer stated that she was at a meeting recently in which two bed and breakfast owners were ranting about this and mentioning AirBnB rentals in their proximity, and she would like to know how they would collect taxes that are several years in arrears. Ms. Mallek responded that they would hold a public process in which the County says that by a certain date, people need to be registered with the

state to pay their transient occupancy tax. She stated that as long as they have a start date and are talking to people ahead of time about it, they could proceed, but her only concern with the licenses is they do not get the word out very well to start doing something they could have been doing since 1983.

Ms. Palmer said that she is just trying to understand if there is a legal issue that would arise if they try to collect taxes from several years in arrears. Mr. Kamptner explained that the County is waiting for the Governor to sign the bill, and he is supporting a bill that is going in the opposite direction, so it is hoped that the General Assembly's vote means he will go ahead and sign the bill. Mr. Kamptner said once that is done and the final language is known, his office will start working on it right away.

Ms. Palmer stated that in terms of changing the Comp Plan language regarding recreational activities in the rural area, they have to go through the process again. Ms. Mallek responded that they have to have a few public hearings, but do not have to have months and months of stakeholder groups.

Mr. Graham confirmed this, stating that any Comp Plan change is supposed to start with the Planning Commission, but they can be directed to provide a recommendation with this and move it forward. He stated that the County has done Comp Plan amendments very quickly when there was an understanding and recognition, and there was not a need to involve a lot of stakeholders.

Mr. Kamptner noted that there is language already in the Comp Plan that speaks to appropriate recreational uses in the rural areas that set the policy for evaluating which uses are appropriate. He said there would be more study needed, and the Comp Plan recognizes that, so a Zoning Text Amendment would take some study to evaluate all of the uses that may or may not be appropriate.

Ms. Palmer stated that when they were having the discussion of the Comp Plan, they put out some language to exclude some of these things, and the Board decided to make it broader and less specific.

Mr. Kamptner said it could have been more specific, but what it does say is that the current recreational uses expressly allowed in the rural area district, the swim, golf and tennis clubs, the Comp Plan speaks to their suburban nature, and they generally require urban or suburban level types of utilities and infrastructure. He stated that the Comp Plan speaks to whether or not that is now appropriate, because those uses have been in place since 1980, and the County's and the Board's vision for the rural areas has evolved over that time.

Ms. McKeel stated that she would like ensure that Mr. Graham is getting what he is hoping for out of this conversation. Mr. Graham responded that he is interested in getting the perspective of all Supervisors and the Board as a whole on what is important in terms of what is important for them as far as working through this list and how to prioritize and move things forward.

Ms. McKeel asked if he is talking about process, or if he wants the Board to prioritize the items he presented.

Mr. Graham stated that he is not asking them to prioritize them, but is trying to convey that the strategic plan priorities and the items he has presented are consuming almost all of staff's time, and until they can get their resources and build some capacity, it will be difficult to take on new things. He said he is trying to clarify where the Board's interests lie, once staff capacity is elevated, and said there are small items, such as rural area churches and by-right farmer's markets, that can be addressed. Mr. Graham stated that Ms. Mallek's example of expediting the AirBnB item is the kind of perspective he is seeking.

Ms. Palmer said that affordable housing and AirBnB are priorities for her.

Mr. Dill commented that those things are on opposite ends of the spectrum, as they could have 10 people working on affordable housing for the next decade and still not tackle it because it is incredibly complicated, whereas AirBnB is an immediate issue that has templates and systems that can be used now. He said the AirBnB is a transformative thing that will not help bed & breakfasts, as having it legal, easy, and understandable will make more people want to do it. Mr. Dill stated that it will likely be disruptive for a while, as there is great demand for it. He said that he would like for them to consider solar farms, as there is an application coming before them soon, although there are limited locations around the County.

Ms. McKeel stated that she is not sure how to provide guidance to Mr. Graham, and whether he is trying to get consensus on some of these items. Mr. Graham responded that he left it open ended because he is trying to get to what is important conceptually to the Board, and if there are specific items that they agree are most important to them.

Ms. McKeel said that Mr. Graham has indicated it would be summertime before the new positions are up and running, and she suggested that the easier items be addressed while those people are training.

Mr. Graham stated that this is the kind of conceptual thinking staff is looking for.

Ms. McKeel said there are enough models for the AirBnB item that it is not exceptionally difficult right now, and some of these could be knocked out quickly while other people come on board.

Mr. Dill commented that he did not have a sense of how many of the items were small things like

the by-right drive throughs, or outdated County policy on wrecked car storage. He said he did not have a sense as to whether there are 50 things like this or just a few. Mr. Graham responded that staff has tried to address the smaller items first, with the drive-throughs representing the second highest number of special use permits.

Mr. Dill asked what the highest number is. Mr. Graham responded that it is rural area churches, and there are already by-right events in the rural area up to 200 people, so staff's thought has been to allow by-right churches with up to 200 people.

Ms. McKeel asked why they could not just do that. Mr. Randolph stated staff needs the Board to sign off on it, but it should be something that is relatively simple.

Ms. Mallek said they have had a lot of misery with this in the last five years, so it is not as simple as it sounds, and the issue started with an established church that wanted to put in a little shed for its lawnmower, which ended up costing them \$2,000 to get it done. She stated this is where the rural church issue started, not with allowing church entrepreneurs who build churches commercially and sell them to people.

Mr. Kamptner said that most of the church special use permits in the rural area are because the churches have been there so long they are conforming uses, so whatever structural changes they make, they must go through the SP process to get approved in order to make structural changes. He stated that some want to expand their sanctuaries, but others just want to build picnic shelters and things like that.

Mr. Walker stated that this was the conversation that was contemplated, and staff is always trying to align the Board's interests and expectations for performance from Community Development, given their capacity, driven in part by their workload but also by urban planning needs that have not fully materialized. He emphasized that this discussion was not intended to reprioritize their priorities, but is an opportunity for the Board to provide direction on where Community Development should go. Mr. Walker said he is hearing that the Board is interested in regulating AirBnBs, so that gives guidance to staff to proceed with it as they have that capacity. He added that he is not certain if the rural churches item would be complex or not complex, but it puts them in a position whereby they can evaluate it and bring forth recommendations as capacity becomes available. Mr. Walker noted that there is an item on a future agenda, as well as a ZTA on solar farms, so those issues will generate discussion.

Ms. Mallek mentioned that when they evaluated the home occupation for the Hungarian bakery, the County was able to do the ordinance change before the item was considered, and she is glad that these applications are spurring these types of items along.

Mr. Walker stated that the farm winery, brewery and distillery item was an example that illustrated how things work well even with a complicated item, and the drive-through item was an example of a simple item that worked well, and somewhere a determination needs to be made that one thing is simple and one thing is not simple.

Mr. Kamptner noted that the drive-through window item was simple because staff looked at the applications and the percentage of approvals, and all but one was approved in the history of the special use, and the conditions had become very standardized. He mentioned that what they have in the ordinance now in terms of performance standards exceeds the last version of the conditions. He said they can look at all the special uses and how often they are approved, as those with standard conditions are probably eligible for consideration as by-right with performance standards, although there are some classes that are not always approved.

Mr. Dill stated that it is not just a matter of doing the easy ones first, it is the easy ones that have the most payoff. Mr. Graham agreed, saying that it is about return on investment.

Ms. Mallek said her follow-up question is whether there are Board members who would want to have an extensive public process on collecting transient occupancy tax for people who rent out rooms in their houses. She stated that if they are interested in getting it accomplished, she would hope that staff would take that as direction to go on and get it done and not have a long process. She said the last time she looked at this, there were more than 400 listings in Albemarle County alone, and lots of them were not in the rural area, they were in neighborhoods. Ms. Mallek noted that staff will not have to collect the money, as each proprietor will be required to sign up with the Virginia Department of Taxation. She added that people are having an extreme response to how much burden this is, but it really is not and the County just needs to say they have to do it.

Ms. Palmer stated that there has to be a public process in terms of how they get it out, and she is in favor of it.

Mr. Dill said the issue of collecting back taxes needs to be discussed.

Ms. Mallek responded that she does not think they could do that, because the ordinance adoption would permit this going forward.

Mr. Dill noted that there are many people who were told they had a business who had no idea they had a business.

Mr. Kamptner said it is the short-term transient lodging issue that is up for consideration.

Mr. Randolph suggested that if Mr. Graham took a half hour with the Board and did a sticker exercise, staff would have their priorities.

Ms. Mallek said that individual Board members can also send him a list of numbered priorities.

Mr. Sheffield stated that they have already done this with the strategic planning effort, and perhaps Mr. Graham could align these things with tiered strategies they have already spent a lot of time on. He added that if there is something that the majority of the Board wants to tackle and it is a low priority, they would need to reassess the priorities.

Ms. Palmer said that it would depend on how much time the items would take, and Mr. Graham could tell them that. She stated that the reason she brought up affordable housing earlier was not to solve the entire problem, but because the County was recently approached by a constituent who said the tax credits for affordable housing would likely be decreasing soon, and asked whether the Board could do something about it. Ms. Palmer said they are asking for tax abatement for 15 years to counter the decreased value of tax credits that would result if the Trump administration reduces the corporate tax rate. She said their discussion could explore whether, in light of that, there is something the County could or should be doing.

Mr. Randolph commented that this is a question for Mr. Ron White.

Mr. Graham agreed, and stated that the issue with affordable housing is that it is a very complicated issue, and no one in the country has figured out a solution for it.

Ms. Mallek stated that the Southwood project would give them some real facts, so it is the best of all possible worlds.

Mr. Graham said that Mr. Randolph's recommendation is to use Southwood as a learning opportunity and then decide what they want to consider with affordable housing.

Ms. Palmer said the particular item to which she is referring is just for rental, not buying, which becomes a lot more complicated. She stated that to make the distinction of whether people were just going to be building rental properties they were planning on owning and taking advantage of tax credits that are going away, she has no idea how that is going to impact them.

Ms. Mallek noted that there are several projects going on in Crozet that will be affected, but that is not something they can study in the next two weeks and figure out.

Ms. Palmer agreed, adding that it is a longer term, involved issue.

Mr. Graham stated that he has enough to work with here, and he would ensure that they are organized to address those things, and staff will come back to them.

Mr. Randolph suggested using a Doodle Poll when surveying the Board.

Mr. Kamptner mentioned that with the zoning ordinance recodification, staff's objective is to get that to the Board, and part of it would depend on the development of the form-based hybrid district regulations, slated for summer 2018. He said in the meantime, the Board will be getting a staff report and resolutions of intent for a lot of the work to be done before then, with some substantive and formatting changes to a number of regulations, as staff is breaking them down into chunks so the Board can see the changes being made.

Ms. Mallek said there are a lot of items on the longer list that staff has been working on for years, such as the definition of "dwelling."

Agenda Item No. 4. Closed Meeting.

At 5:17 p.m., Mr. Randolph offered **motion** that the Board go into Closed Meeting pursuant to Section 2.2-3711(A) of the Code of Virginia: Under Subsection (1), to consider appointments to boards, committees, and commissions in which there are pending vacancies or requests for reappointments; and Under Subsection (7), to consult with and be briefed by legal counsel and staff regarding specific legal matters requiring legal advice relating to probable litigation arising from three related claims where such consultation or briefing in open meeting would adversely affect the negotiating or litigating posture of the public body. The claims allege damages resulting from a death caused by a vehicle versus pedestrian collision on August 21, 2016 at the intersection of Bond Street and District Avenue. Ms. Mallek **seconded** the motion. Roll was called and the motion carried by the following recorded vote:

AYES: Ms. McKeel, Ms. Palmer, Mr. Randolph, Mr. Sheffield, Ms. Dill and Ms. Mallek.
NAYS: None.

Agenda Item No. 5. Certify Closed Meeting.

At 6:04 p.m., the Board reconvened into open meeting, and Mr. Randolph **moved** that the Board

certify by a recorded vote that to the best of each Board member's knowledge, only public business matters lawfully exempted from the open meeting requirements of the Virginia Freedom of Information Act and identified in the motion authorizing the closed meeting were heard, discussed, or considered in the closed meeting. Ms. Mallek **seconded** the motion. Roll was called and the motion carried by the following recorded vote:

AYES: Ms. McKeel, Ms. Palmer, Mr. Randolph, Mr. Sheffield, Ms. Dill and Ms. Mallek.
NAYS: None.

Mr. Dill offered **motion** to appoint Mr. Brad Sheffield as Ms. McKeel's alternate to the Hydraulic Area Project Advisory Panel. Ms. Mallek **seconded** the motion. Roll was called and the motion carried by the following recorded vote:

AYES: Ms. McKeel, Ms. Palmer, Mr. Randolph, Mr. Sheffield, Ms. Dill and Ms. Mallek.
NAYS: None.

Mr. Dill then offered **motion** to adopt three proposed resolutions to disallow claims arising from the death of Ms. Bonnie Baha. Ms. Mallek **seconded** the motion. Roll was called and the motion carried by the following recorded vote:

AYES: Ms. McKeel, Ms. Palmer, Mr. Randolph, Mr. Sheffield, Ms. Dill and Ms. Mallek.
NAYS: None.

RESOLUTION TO DISALLOW CLAIM FOR DAMAGES

WHEREAS, The Personal Representative of the Estate of Bonnie Baha, has asserted a claim against Albemarle County as set forth in the letter dated February 21, 2017, for alleged damages arising from a vehicle-versus-pedestrian collision which occurred on August 21, 2016; and

WHEREAS, the Board of Supervisors finds that the claim should be disallowed because it does not state a cognizable claim against Albemarle County as required under Virginia Code § 15.2-209; and

WHEREAS, the Board of Supervisors finds that the claim against Albemarle County is not supported by the facts or by law.

NOW, THEREFORE, BE IT RESOLVED that the Board of Supervisors of Albemarle County, Virginia disallows the claim of The Personal Representative of the Estate of Bonnie Baha for alleged damages incurred on August 21, 2016.

RESOLUTION TO DISALLOW CLAIM FOR DAMAGES

WHEREAS, Miriam Baha, has asserted a claim against Albemarle County as set forth in the letter dated February 21, 2017, for alleged damages arising from a vehicle-versus-pedestrian collision which occurred on August 21, 2016; and

WHEREAS, the Board of Supervisors finds that the claim should be disallowed because it does not state a cognizable claim against Albemarle County as required under Virginia Code § 15.2-209; and

WHEREAS, the Board of Supervisors finds that the claim against Albemarle County is not supported by the facts or by law.

NOW, THEREFORE, BE IT RESOLVED that the Board of Supervisors of Albemarle County, Virginia disallows the claim of Miriam Baha for alleged damages incurred on August 21, 2016.

RESOLUTION TO DISALLOW CLAIM FOR DAMAGES

WHEREAS, Mustapha Baha, has asserted a claim against Albemarle County as set forth in the letter dated February 21, 2017, for alleged damages arising from a vehicle-versus-pedestrian collision which occurred on August 21, 2016; and

WHEREAS, the Board of Supervisors finds that the claim should be disallowed because it does not state a cognizable claim against Albemarle County as required under Virginia Code § 15.2-209; and

WHEREAS, the Board of Supervisors finds that the claim against Albemarle County is not supported by the facts or by law.

NOW, THEREFORE, BE IT RESOLVED that the Board of Supervisors of Albemarle County, Virginia disallows the claim of Mustapha Baha for alleged damages incurred on August 21, 2016.

Agenda Item No. 6. Call Back to Order. The regular night meeting was called to order at 6:05 p.m. by the Chair, Ms. McKeel.

Agenda Item No. 7. Pledge of Allegiance.
Agenda Item No. 8. Moment of Silence.

Agenda Item No. 9. Adoption of Final Agenda.

Ms. McKeel then introduced County staff and the presiding officer, Officer G. Riley.

Motion was offered by Ms. Mallek, **seconded** by Mr. Sheffield, to adopt the final agenda. Roll was called and the motion carried by the following recorded vote:

AYES: Ms. McKeel, Ms. Palmer, Mr. Randolph, Mr. Sheffield, Ms. Dill and Ms. Mallek.
NAYS: None.

Agenda Item No. 10. Brief Announcements by Board Members.

Ms. Mallek invited the public to attend a Crozet Community Association event at the Field School on March 9, 2017 at 7:30 p.m., with Mr. Peter Lynch, County Assessor, to discuss the new assessment process and answer questions about appeals, with a deadline for appeals of March 15, 2017. She stated there would be another town hall meeting in Earlys ville the following Monday, and in Whitehall the following Saturday.

Agenda Item No. 11. Proclamations and Recognitions:

Item No. 11a. Greater Virginia Muscular Dystrophy Association Fill the Boot Campaign.

Ms. Darcy Warren addressed the Board and stated she is present to recognize the joint efforts of Albemarle County Fire & Rescue, Albemarle County Professional Firefighters Local 4007, and local citizens throughout the region for their incredible impact during the 2016 “Fill the Boot” campaign. Ms. Warren said that professional firefighters nationally have supported MDA for 63 years, and in Albemarle County for the last 9 consecutive years. She stated that while they continue to work hard to identify treatments and a cure for MD, firefighters have brought them light years since the program first began, and because of their support and funding, two drugs have been approved by the FDA to treat the underlying cause of Duchenne Muscular Dystrophy, and give significant muscle strength improvement to people living with the disease. Ms. Warren said the FDA has also approved the first drug to treat children and adults with spinal muscular atrophy, also known as “SMA,” a rare and often fatal genetic disease affecting muscle strength and movement. She stated the average life expectancy of a male with Duchenne Muscular Dystrophy has increased from 16 years to 25 years because of available treatments. Ms. Warren stated that the network of 200 MDA care clinics, 3 of which are at UVA, provide care for over 100,000 Americans, and this multidisciplinary approach has shown to extend life expectancy more than one year in terminally ill patients, versus those not attending an MDA clinic. She said that MDA also committed \$17 million to new research this year and is now supporting over 150 research programs across the world.

Ms. Warren stated that Albemarle County firefighters save lives each day in streets, homes and businesses throughout the area, and by participating in the annual “Fill the Boot” drive, they are saving thousands more and are helping more who are impacted by muscle disease. She said that MDA families live unlimited by defying their physical barriers every day, with many participating in marathons or bike races across the country through the MDA’s teen momentum program. Ms. Warren stated that some choose to follow their passions in arts and music, and many speak and rally on behalf of MDA to help bring awareness and heart to their cause. She said that MDA families also send their children to MDA summer camp each year, and these families bring new meaning to the word “courage” – with assistance and hope given by the firefighters and the campaign.

Ms. Warren recognized ACFR Chief, Dan Eggleston, and Local 4007 Fill the Boot Coordinator Robert Schlottenmeyer, and stated that they raised \$15,339 in 2016, which brings the total raised over the last 9 years for the Greater Virginia MDA to \$137,291.

Mr. Eggleston thanked Ms. Warren and stated that he appreciates the leadership of Master Firefighter Schlottenmeyer in working for this cause.

Ms. Warren introduced Mr. Andy Straka, an Albemarle County resident and business owner, whose daughter, Noelle, is affected by neuromuscular disease and served as their goodwill ambassador last year and this year.

Mr. Andy Straka stated that last year, he spoke with them about the firefighters’ efforts and the Fill the Boot campaign, and he said that his daughter is representative of the thousands of young people across the country who are helped by the MDA. He said that Noelle is 13 years old and is a 7th grader at Regent School in Charlottesville, and she loves animals, art, and shopping, as well as spending time with her family and friends. Mr. Straka stated that Noelle suffers from the most serious genetic form of MD, which is known as CMT and is a progressive neuromuscular disease that slowly degrades the peripheral nerves, severely impacting her balancing and eventually affecting other things in her life. Mr. Straka said

that in spending time with Noelle, you would rarely think about her disease, and even though she must live with her disability, she rarely, if ever, complains. He stated that from the time she joined the family at age 3, they immediately noticed her almost miraculous ability to read the emotions of others, listen, and empathize. Mr. Straka said that Noelle's vast array of loyal friends, classmates, and teachers testify to the amazing impact she has had on others, and he believes that many of the other young people helped by the MDA each year share many of her same qualities. He thanked the Board for allowing the firefighters to raise money each year and for use of the intersections, and the firefighters who selflessly give their time and stand out in the heat and the rain to collect donations.

Item No. 11b. Proclamation proclaiming April 1-7 as Local Government Education Week.

Mr. Sheffield read, and offered **motion**, to adopt the following proclamation recognizing April 1 through April 7, 2017 as Local Government Education Week. Ms. Mallek **seconded** the motion. Roll was called and the motion carried by the following recorded vote:

AYES: Ms. McKeel, Ms. Palmer, Mr. Randolph, Mr. Sheffield, Ms. Dill and Ms. Mallek.

NAYS: None.

Proclamation

April 1-7, 2017 Local Government Education Week

WHEREAS, the nation's 3,069 counties serving more than 300 million Americans provide essential services such as law enforcement, public health and safety, recreational opportunities, and the education of local children to create healthy, safe, economically-resilient, and engaged communities; and

WHEREAS, in celebration and appreciation of the valuable services local governments throughout the Commonwealth provide to the citizens of the communities they serve, the Virginia General Assembly designated the first week in April as Local Government Education Week; and

WHEREAS, Albemarle County takes great pride in our responsibility to protect and enhance the health, well-being and safety of our residents in efficient and cost-effective ways; and

WHEREAS, in order to remain healthy, vibrant, safe, and economically competitive, Albemarle County provides public health, justice, emergency management and economic services that play a key role in everything from resident's daily health to disaster response; and

WHEREAS, Albemarle County encourages active and meaningful community engagement in local government activities through partnerships like the Community Advisory Committees and community policy groups.

NOW, THEREFORE, BE IT RESOLVED that the Albemarle County Board of Supervisors proclaims that April 1-7, 2017 is hereby designated as Local Government Education Week; and

BE IT FURTHER RESOLVED, that the Albemarle County Board of Supervisors and the Albemarle County School Board will partner to promote civic education and engagement in an effort to educate citizens about their local government, strengthen the sense of community, and engage the next generation of local government managers.

Signed this 8th day of March, 2017.

Ms. Kristy Shifflett, Grants and Budget Analyst, addressed the Board and said they would like to put this resolution into action, with the actual week occurring during the school system's spring break. She said the County is planning on a program, in partnership with the school division, to bring high school government students to experience local government careers and their contributions to the community.

Mr. Sheffield commented that many middle school students, like his daughter, are also interested in local government.

Ms. Palmer noted that it is International Women's Day, which is why many people are wearing red.

Agenda Item No. 12. From the Public: Matters Not Listed for Public Hearing on the Agenda.

Ms. Kim Crater addressed the Board, stating that she is a resident of Ivy and is before them on behalf of Ivy Creek United Methodist Church, which is one of 27 congregations that make up IMPACT. Ms. Crater stated that IMPACT congregations have united to address serious problems in the community, such as the issue of crime and drugs that they addressed two years ago. She said they learned there are 3,000 people who go through the regional jail each year and struggle with addiction, with no local residential treatment options for women. Ms. Crater stated that IMPACT asked Region Ten to make a plan for a women's treatment facility, and they have subsequently raised over \$1 million for construction

of the facility and plan to open it next fall. She said the treatment center will serve eight women at a time, with hopes to eventually serve 50 women per year, and each woman can bring up to two preschool-age children with her into treatment, which is a unique aspect of this facility. Ms. Crater commended the County for putting \$75,000 into the proposed budget for the upcoming fiscal year for the operation of the center, and asked the Board to do everything possible to keep this in the budget, because women deserve care, not jail. She stated that the IMPACT Nehemiah Action will be held on April 25 at 6:30 p.m. at the Martin Luther King, Jr. Performing Arts Center at Charlottesville High School, and IMPACT will be sending the Board invitations this week.

Ms. Sheila Herlihy addressed the Board, stating that she works at the Church of the Incarnation, which is in the Rio District. Ms. Herlihy shared several stories about women and families who had been affected by addiction, some of whom had to leave the area to seek treatment. She urged the Board to keep the women's recovery center in the County budget.

Mr. Jay James addressed the Board and stated that he is a City resident and is before them representing a treatment facility for men, as there are significant needs for them as well. He stated that he represents the Bridge Ministry drug and alcohol substance abuse program, which has been in the community about 25 years and is part of the ABRT process. Mr. James said the Bridge program works closely with the regional jail indigent populations who cannot afford drug treatment, and about 50% of those served would otherwise be homeless, with their director setting up programs to work with homeless individuals on the downtown mall. He stated that Bridge is an 18-month residential program, with a cost of about \$24,000 annually per participant. Mr. James said that Region Ten Director, Robert Johnson, had recently presented to the Board and shared some disturbing statistics, which are very accurate and true, and are evident among the population that Bridge serves. He stated that the program served 19 people in the community last year, and he wants to make sure to keep the issue in front of the Board and ask that they consider supporting the program.

Agenda Item No. 13. Consent Agenda.

(Discussion: Ms. Mallek pulled her assigned minutes of June 8, 2016, and asked that they be carried forward to the next meeting. Ms. Palmer pulled her assigned minutes of June 1, 2016, and asked that they be carried forward to the next meeting.)

Ms. Mallek offered **motion** to approve Items 13.2 through 13.4 on the consent agenda. Mr. Dill **seconded** the motion. Roll was called and the motion carried by the following recorded vote:

AYES: Ms. McKeel, Ms. Palmer, Mr. Randolph, Mr. Sheffield, Ms. Dill and Ms. Mallek.
NAYS: None.

Item No. 13.1. Approval of Minutes: June 1, 2016 and June 8, 2016.

By the above-recorded vote, the Board pulled the minutes and carried them forward to the next meeting.

Item No. 13.2. Resolution to accept road(s) in the Foxchase Landing Section One Subdivision into the State Secondary System of Highways. (*White Hall Magisterial District*)

By the above-recorded vote, the Board adopted the following resolution:

The Board of County Supervisors of Albemarle County, Virginia, in regular meeting on the 8th day of March, 2017, adopted the following resolution:

R E S O L U T I O N

WHEREAS, the street(s) in **Foxchase Landing Section One Subdivision**, as described on the attached Additions Form AM-4.3 dated **March 8, 2017**, 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 **Foxchase Landing Section One Subdivision**, as described on the attached Additions Form AM-4.3 dated **March 8, 2017**, 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.

* * * * *

- 1) **Carlyle Place Extension (State Route 1854)** from existing end of State maintenance to .05 miles east to Riley Way (State Route 1855), as shown on plat recorded in the office the Clerk of Circuit Court of Albemarle County in Deed Book 3988, pages 598-602, for a length of 0.05 miles.
- 2) **Riley Way (State Route 1855)** from Carlyle Place Extension (State Route 1854) to .104 miles south to end of State maintenance/cul-de-sac, as shown on plat recorded in the office the Clerk of Circuit Court of Albemarle County in Deed Book 3988, pages 598-602, for a length of 0.10 miles.
- 3) **Carlyle Place Extension (State Route 1854)** from Riley Way (State Route 1855) to .13 miles east to end of State maintenance/cul-de-sac, as shown on plat recorded in the office the Clerk of Circuit Court of Albemarle County in Deed Book 3988, pages 598-602, for a length of 0.13 miles.

Total Mileage – 0.28

Item No. 13.3. Resolution to accept road(s) in the Handley Farm Estates Subdivision into the State Secondary System of Highways. (*White Hall Magisterial District*)

By the above-recorded vote, the Board adopted the following resolution:

The Board of County Supervisors of Albemarle County, Virginia, in regular meeting on the 8th day of March, 2017, adopted the following resolution:

R E S O L U T I O N

WHEREAS, the street(s) in **Handley Farm Estates Subdivision**, as described on the attached Additions Form AM-4.3 dated **March 8, 2017**, 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 **Handley Farm Estates Subdivision**, as described on the attached Additions Form AM-4.3 dated **March 8, 2017**, 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.

* * * * *

- 1) **Handley Way (State Route 849)** from Plank Road (State Route 692) to 1.0 miles south to end of State maintenance, as shown on plat recorded in the office the Clerk of Circuit Court of Albemarle County in Deed Book 4299, pages 551-556, for a length of 1.00 miles.

Total Mileage – 1.00

Item No. 13.4. Club Yancey Grant Renewal Letter.

By the above-recorded vote, the Board authorized the Chair to sign the following letter of endorsement:

"Club Yancey, initiated in 2005 as an after- school and summer program for students in pre-K through fifth grade, continues to provide programs for children in the Esmont area and surrounding communities to develop the necessary academic, social, and physical fitness skills intended to help break a cycle of poverty for many at-risk children in the area. This program has benefited greatly from public-private partnerships that have enabled Club Yancey to serve children who otherwise could not afford participation in after-school and summer enrichment programs. These opportunities in school are a way of broadening and deepening the value of education, enrichment, health, and wellness services to

Yancey students and all community members in Southern Albemarle County.

In December, 2012 the Albemarle County Board of Supervisors and the Albemarle School Board adopted a Charter establishing the B.F. Yancey School Work Group and setting forth five primary objectives including exploration and identification of community-based issues in the community served by the school and to recommend potential community uses of the school for the benefit of Southern Albemarle County. The B.F. Yancey Work Group presented its final report at a joint meeting of the Board of Supervisors and School Board in December, 2013. Since that key milestone event, members of the Workgroup have initiated a variety of innovative programs that build on the success of Club Yancey and demonstrate how effectively the community working together can leverage public support and private resources to maximize the use and benefit of an iconic community facility.

We have seen that this community is stronger when the systems in which services and activities occur are functioning well and community members can readily access them. Programming and services on site at Yancey have been well attended. We recognize the partnership between The Jefferson Area Board of Aging (JABA) and Club Yancey as a successful model of community-based service delivery and support on-going efforts to develop an Intergenerational Learning Center.

As an indication of its support to move forward, the Board of Supervisors and School Board have given its in-kind contributions of \$21,000 over the last 4 years as tangible evidence of a keen interest in the value of public- private partnerships to serve important community needs.

Both boards encourage other public and private interests to contribute to this determined community-lead effort to serve children in Club Yancey and their families in this rural setting of Southern Albemarle County. Thank you for your consideration of this letter of endorsement from the Albemarle County Board of Supervisors and the Albemarle County School Board.”

Item No. 13.5. Copy of letter dated February 9, 2017, from Ms. Sarah Baldwin, Senior Planner, to Ms. Susan M. Perkins re: LOD2016-0020 - Scottsville Magisterial District, ***was received for information.***

Agenda Item No. 14. **Presentation:** Ivy Creek Natural Area Foundation Landscape Improvement Proposal.

Ms. Diana Foster addressed the Board on behalf of the Ivy Creek Foundation, stating that Albemarle County and the City of Charlottesville co-own the Ivy Creek Natural Area and the historic Riverview Farm, and for more than 35 years, the volunteer board of the foundation has managed the area. Ms. Foster stated that based on their day-to-day oversight of the property, they have identified issues of concern about safety, accessibility, and visitor experience, and the purpose of her presentation is to share a comprehensive landscape plan that improves both the natural and cultural aspects of the property. She said the foundation hopes the Board will agree that they all have a responsibility to implement the plan.

Ms. Foster reported that the Ivy Creek Foundation manages the 219 acres that protect the public drinking water, and has raised funds to establish and maintain more than six miles of trails, refurbish an African-American historic barn, build an education facility, provide partnership opportunities for more than 40 community organizations, and offer an extensive array of natural and cultural history programs to the public, including school children. She said that Ivy Creek is the only organization that offers such extensive programming in a City or County park. Ms. Foster noted that the landscape plan they are presenting focuses on the core visitor use area, as highlighted on the map provided. She stated that one of the unique features of the Ivy Creek property is Riverview Farm, established post-emancipation by Hugh Carr, a former slave. She said the property has been recognized by numerous national, state and local organizations as a significant site of African-American heritage. Ms. Foster said that approximately 100,000 visitors come to Ivy Creek each year to walk the trails, have an outdoor experience, and participate in programs, and with this popularity comes a responsibility to ensure the safety and comfort of visitors.

Ms. Foster stated that the plan addresses the issues of concern identified and presents opportunities for enhanced interpretation of the site. She explained that safety concerns begin on the entrance road of Earlysville Road, where there is limited site distance, cars are coming down the hill very quickly, and there is no dedicated turn lane; she noted that the entrance has been the site of numerous accidents. In the Ivy Creek parking lot, Ms. Foster said, there are safety concerns with school children arriving on buses where there is no appropriate drop-off or pickup site for children where they can be protected from cars that are arriving or backing up. She stated that there is also no dedicated bus parking area, and the parking area is insufficient for the number of visitors coming to the natural area, and it is also not ADA compliant. Ms. Foster said the parking area lacks clear delineation and markings, and people regularly park on top of tree roots. She stated that the drainage system for stormwater flow has not been maintained, and there is erosion of the pavement and the soil surrounding it. She stated that the main entrance lacks signage for welcoming or orienting visitors to the site, and the main trail leading to the information kiosk, barn, and education building is confusing for visitors because a portion of it doubles as a service road for maintenance vehicles that are going to the bathroom or the barn. Ms. Foster said the main trails are also not ADA compliant, and the information kiosk is dark, unwelcoming, and potentially unsafe because of the extent of enclosure that exists.

Ms. Foster stated that the Riverview Farm farmhouse has been neglected in recent years and is

badly in need of repair, and local groups have recently recommended protection of this heritage site. She said that Sue Nelson and Warren Byrd, longtime Ivy Creek members and renowned international landscape architects, have worked with the foundation to prepare a landscape plan pro bono. Ms. Foster said the plan is exciting because it presents a vision for how they can address the issues of concern within the core area, breaks down the components into a logical order for implementation and phases, and enhances the interpretive and educational potential of both the natural and cultural heritage aspects of the site. She stated that Ivy Creek has already addressed the safety of the entry drive by having discussions with VDOT and with Ms. McKeel, and the project may qualify for recreational access funding. Ms. Foster said they have also identified a willing neighbor who wants to work with Ivy Creek on the potential of adding an extra lane on Earlysville Road.

Ms. Foster said that in the parking area, the plan is to add a safe drop-off point for school busses, increase parking capacity, address stormwater drainage management and ADA compliance, as well as provide landscaping that will offer opportunities for educating the public about green practices. She stated the plan also relocates the service road to a completely new area in order to get the maintenance vehicles off the main trail, thus clarifying it as a distinct pedestrian trail. Ms. Foster stated that the plan also improves the main trail by making it ADA compliant, expanding the kiosk, and creating a gathering area for the children so they can congregate in a place away from the parking area. She noted that it also has native plantings and educational demonstration gardens.

Ms. Foster stated that the plan also reimagines the role of the farmhouse, thus providing an opportunity to tell the story of Riverview Farm more fully, and support the recommendations of City and County organizations to protect, restore and interpret their African-American history. She said that in times driven by technology and urban sprawl, there is concern about nature-deprived children, and Ivy Creek sees this plan as an opportunity and responsibility for future generations. Ms. Foster commented that the plan is very ambitious, but she hopes the Board will agree that the issues about safety and the needs for maintenance are real. She stated that Ivy Creek requests their approval to move forward with staff on developing plans for implementation and financial support.

Ms. Mallek said she is very excited about the possibility of adding a lane at the entrance. Ms. Foster responded that it is exciting, stating that Ivy Creek has taken it to Mr. Bob Crickenberger and Mr. Brian Daly, who fully support it but said it needs to go to the City and the County. She stated that Ivy Creek is increasing in popularity, and the parking lot is full every day.

Ms. Palmer stated that it has been increasing in popularity, and the proximity to all the schools makes it a phenomenal place for a natural area, with no biking and no dogs. Ms. Foster said there are as many as 3,000 school children visiting the site.

Ms. Palmer asked when the budget impact might be available. Ms. Foster replied that they have very rough estimates for several phases, with the first step being to realign the entry road and the parking lot, and relocate the service road, because everything else they want to do depends on getting the maintenance vehicles off of the main entrance trail. She stated that they have never built a road before, so they would like to work closely with staff, as the Parks Department has put roads in. Ms. Foster said they are moving this forward so they can continue discussions with staff.

Mr. Dill stated that it sounds exciting and cooperative, but they have missed the funding for this cycle because the County is ending the budget process now.

Mr. Randolph said that Mr. Joel DeNunzio of VDOT could probably provide some input on how they feel about the additional lane.

Ms. Mallek suggested that Ivy Creek add the Virginia Museum of Natural History to their partner list.

Mr. Joel DeNunzio of VDOT stated that he had a phone conference with the Richmond office about this, and said that they can help by getting funding for the left-turn lane and any road improvements up to the first parking area, as well as trail improvements. He said the recreational access fund provides \$250,000 for the first part of it, and if the County or City match another \$100,000, VDOT can match another \$100,000. Mr. DeNunzio stated that VDOT can also provide \$100,000-\$200,000 for trails, whether they are shared use paths or sidewalks. He said that VDOT has met with Ivy Creek and it sounds like a good program, and one thing that is required as part of the program is that the road would have to become a state-maintained road. Mr. DeNunzio said that they can put a gate on a recreational access road, but VDOT would want to take the road into the state system up to the first parking lot.

Ms. Foster commented that this could benefit Ivy Creek's efforts to bring the paved roads up to ADA standards.

Mr. Dill asked how this would work if this is a City and County project. Mr. DeNunzio responded that it just needs to be a publicly owned site, and he has already talked with them about joint City/County ownership.

Ms. Mallek said that when Ms. Foster has time, she should email the Board what they have in mind for the house.

Ms. Foster said that she would, and mentioned that the County is doing its own assessment of it as well.

Agenda Item No. 15. **Public Hearing: SP-2015-00024. The Field School of Charlottesville.**
PROJECT: SP201500024 Field School of Charlottesville.
MAGISTERIAL DISTRICT: Jack Jouett.
TAX MAP/PARCEL: 06000000006800, 060000000068E0.
LOCATION: South side of Barracks Road, west of the intersection with Montvue Drive.
PROPOSAL: Construction of new private school for up to 150 students.
PETITION: Private schools under section 10.2.2 of zoning ordinance; no dwellings proposed.
ZONING: RA Rural Areas - agricultural, forestal, and fishery uses; residential density (0.5 unit/acre in development lots).
ENTRANCE CORRIDOR: Yes.
AIRPORT IMPACT AREA: Yes.
COMPREHENSIVE PLAN: Rural Area – preserve and protect agricultural, forestal, open space, and natural, historic and scenic resources; residential (0.5 unit/acre in development lots).
(Advertised in the Daily Progress on

The Executive Summary presented to the Board states that at its meeting on December 13, 2016, the Planning Commission voted 7:0 to recommend approval of SP201500024. Attachments A, B, and C are the Planning Commission's action letter, staff report, and minutes from the December 13, 2016 meeting.

Since the Planning Commission's meeting, the applicant has asked for a modification of the Commission's recommended Condition 4, which restricts the number of events the school can have each year. The condition also prohibits non-school related events. The applicant's request is to allow for community use of his facility on request, as occurs now. The Field School hosts community meetings, County meetings, emergency preparedness meetings, and baseball registration, as well as other similar events. Staff has reviewed this request and does not believe that the Commission intended to prohibit the use of the facility for community meetings and events. Instead, there was a desire to prevent the facility from becoming a rental venue for events. Staff has revised Condition 4 to include opportunities for community use of the facility but has been careful to make sure that it would not encourage additional traffic during peak travel times on Barracks Road. Attachment D is a resolution to approve the special use permit, and includes the amended condition.

A request for a special exception to waive the County's critical slopes regulations and a request to use a central sewerage system are included with this application. Staff analysis of these two requests are included in the PC staff report. Attachment E is a resolution to approve the special exception. A separate public hearing will be needed for the central sewerage system, which can be set for April if the Board approves the special use permit.

Although the property is located in the Rural Area and two community meetings were held near the property prior to the Planning Commission's public hearing, members of the PL29 Hydraulic CAC requested that a special meeting be held for their information and input. That meeting was held on Monday, February 27, 2017 at Greer Elementary School. Notes from that meeting are included as Attachment F.

Staff recommends that the Board adopt: 1) the Resolution to approve the special use permit (Attachment D), subject to the conditions attached thereto; and 2) the Resolution to approve the special exception (Attachment E), subject to the conditions attached thereto.

Ms. Elaine Echols, Principal Planner, addressed the Board and stated that she will be presenting on behalf of Ms. Rachel Falkenstein, who recently had a baby and is only back working part time. She also recognized the attendance of a Boy Scout troop in the audience, stating that her two sons are Eagle Scouts, as was her husband.

Ms. Echols reported that the Field School of Charlottesville item is a special use permit requested for constructing a private school on Barracks Road in the rural area, and the school will be constructed on two parcels that are located about 400 feet southeast of Colthurst Drive. She said there are 31 acres associated with the parcel, but only 25 acres would be expected for use for the school site. Ms. Echols stated that this parcel is west of the development area and Neighborhood 7, and the Comp Plan recommends this area for rural area uses. She said the area is mostly wooded and very rolling, with a three-acre pond, and there has been some fill activity on the site, which has both natural and manmade critical slopes. She presented photos of the area, noting a view from Barracks Road looking west and a view looking onto the site, and pointing out areas that have been cleared and those that have not.

Ms. Echols reported that this proposal is for a school for up to 150 boys, grades 5-8, and the school hours of operation are 9 a.m. to 4 p.m., but the conditions recommended with the special use permit allow for hours broader than that, to allow for teachers to get there before school starts. She said there are occasional sporting events planned but no outdoor lighting proposed, and the school campus would be proposed on the site as shown, with a building footprint of no more than 30,000 square feet and a maximum single-building footprint of 12,000 square feet. Ms. Echols stated that there is a three-acre multipurpose ballfield proposed on the site, as well as buffers proposed with landscaping. She referenced an exhibit showing how the project could develop and pointed out the location of the school buildings and playing field, adding that the final design has not yet been determined. Ms. Echols said the applicant is considering three buildings, including an academic building, gymnasium, and dining hall, and there is also

a request for a central sewage system to allow for connection from the three buildings into one system. She noted that the Board would have to approve that central sewage system for this property.

Ms. Echols stated that there have been a lot of discussions at various levels by various groups on this particular project, and one of the principle issues has been traffic, with a lot of concern about the amount of traffic proposed at this location. She said there have been questions raised as to the amount of slopes disturbance, whether public utilities would be serving this particular property, what the use of the facility might be for events, and whether or not it is an appropriate use in the rural area. Ms. Echols stated that the Planning Commission wrestled with all of those items and ultimately made a recommendation for approval with conditions. She said that since the Commission meeting, the applicant has requested the ability to modify the fourth condition as recommended, to allow community groups to use the facility but not renting it out for events. Ms. Echols said there have been CCAC meetings there, community meetings, emergency preparedness meetings, and sports meetings, and the applicant does not want to cut off the opportunity for members of the community to use the facility as a meeting house. She stated that additionally, members of the Hydraulic CAC asked for more information about this, and a meeting was held in recent weeks, with notes from that meeting included in the Board's packets. Ms. Echols said the applicant has also provided a traffic impact analysis, which staff received the day before this meeting, and Mr. Graham could speak to that analysis, as could VDOT staff. She stated that there were also questions raised about who is responsible for the dam that is next to the pond on the property.

Ms. Echols stated the traffic impact analysis received the previous day shows that there is only a 15-minute peak volume increase, meaning there is an increase of four cars during the time between 8:45 a.m. and 9:00 a.m., which is considered to be very minimal. She said the dam is privately owned, with the owner of the property responsible for the dam, not the County, and in staff's opinion, the questions raised have been answered. Ms. Echols said the recommendation for approval is what is shown, with condition four changed to say that non-sporting school-related events with greater than 50 people are allowed no more than 12 times per year, with four of those events allowed to have up to 300 people, and 8 events up to 200 people. She noted that the facility may also be used for community events on or after 6 p.m. Monday through Friday, and any time of the weekend. Ms. Echols said that events with more than 50 people are to be treated as one of the permissible 12 events as mentioned, in an effort to address the potential conflicts of traffic late in the afternoon and to get any community event traffic happening after the peak rush hour period.

Ms. Echols said the other conditions are fairly standard and are in the staff report. She stated that there is also a critical slopes waiver recommendation for approval, based on the concept plan exhibits and the fact that it is in accordance with the design standards manual. Ms. Echols said there are three actions needed if the Board wants to approve this: approval of the resolution in their packet, approving the special use permit with the conditions as presented; approval of the resolution for the critical slopes disturbance special exception; and setting a public hearing for the ability to use a central sewer system, which staff is recommending to take place at their April 12 meeting.

Ms. Palmer asked for an explanation of what is meant by "central sewer system." Ms. Echols responded that it is three buildings that are going to operate off of the same drainfield and the same system, and she confirmed that it is a traditional septic field.

Mr. Graham stated the critical factor is that the under the County's water and wastewater ordinance, if it has three connections, it must have approval by the Board as a central system. He said that theoretically if the same uses were all combined in one big building, it would be one connection without a "central system" – so in some ways it is a technicality. Mr. Graham reiterated that if a project has three separate buildings with three separate connections to the same sewage system, it becomes a central system under the County's ordinance and must have Board approval.

Ms. Mallek said it is terminology, not a different setup. Mr. Graham confirmed that it could be the same square footage building and the same number of people, and it would not require a central system.

Mr. Randolph noted that it is more cost effective to build one than three.

Ms. Mallek added that there is also less impact on the land.

Ms. Palmer said she would also like to know if it would be appropriate to ask if there is something that requires the applicant to do regular maintenance of that, because it may not have regular inspection by the Health Department. Mr. Graham responded that it would be acceptable to require that they have a five-year pump-out, which has been recommended by the Department of Conservation and Recreation and the Chesapeake Bay Local Assistant Department. He stated that they need to be careful when they hit the point of exceeding state health regulations on this, as there is limited ability in that regard.

Ms. Palmer said she is concerned about a large septic system in a rural area, and it is something she would like the Board to consider as an addition to the special use permit.

Ms. Mallek commented that she is much more comforted by the fact it is a traditional system and not an alternative one.

Ms. Palmer stated that if people do start putting in alternative systems and there is a special use permit situation like this, it may be a good idea to ask that the Health Department bring information forward, and she asked staff for confirmation that there is no intention of doing an alternative system in this case.

Ms. Echols said there is no intent to staff's knowledge, and the applicant could answer that.

Mr. Kamptner noted that one protection the Board has is that they will approve the plan, so they will approve whatever system the applicant is installing.

Ms. Palmer asked if they could ask for regular maintenance as part of the septic discussion, or if it has to be done in the special use permit setting. Mr. Kamptner clarified that what the Board is considering tonight is the school use, and on April 12 the applicant will be coming before them and asking approval of the central sewer system, which would be the appropriate time to consider the condition. He said there is limiting language in the County's ordinance as to the conditions that can be imposed, and they are conditioned upon approval of the plans by the County Engineer, Health Department, and DEQ. Mr. Kamptner said that staff would take a look at that between now and April 12, because in the past there have been some additional conditions because if it comes down to approval with conditions or disapproving it, with other applications, they have suggested that a condition could be appropriate.

Mr. Randolph said there are many reasons why in this school they would follow a standard operating procedure of scheduled pump-outs, and not run the risk of catastrophic failure of the septic system while the school is in session.

Ms. Palmer stated that she knows of a private school in which that exact thing happened, which is why she has that concern, because sometimes things get away from people. She noted in that instance, the school had to close for a few days.

Mr. Kamptner asked Mr. Graham if he knows what the state requires for these types of systems for inspections and maintenance. Mr. Graham said they definitely require it for the alternative onsite systems, but not for conventional systems.

Ms. Palmer stated that she wants to make sure that if anything happens with the dam, it does not come back to the County in terms of responsibility. She said that she was sure the applicant has done their due diligence in having the dam evaluated, but she would like to know if they could have some assurance, even in writing, that this would not come back to the County, or that there is a dam maintenance program.

Ms. McKeel noted that this had happened before as well.

Mr. Dill asked what would happen if the school closes in 10 years or moves to a bigger location, and if there are circumstances that will leave the County ultimately responsible. Mr. Kamptner responded that there are not, unless the Board agrees to accept ownership of it, and this Board or any future Board could always say no. He stated that the owner of the property retains the requirement to maintain it, and he is not sure if this facility is large enough to fall under state regulation.

Mr. Graham said it would be good for the property owner to address that, but it likely fits under the exemption for dam regulations because it is very small. He said those regulations stipulate that it must be a dam higher than 25 feet and contain a volume of more than 15 acre feet of water.

Mr. Dill asked if there would be serious damage to the school if the dam broke. Mr. Graham responded that there would not be, but there could be to Barracks Road as it is uphill from there.

Mr. Kamptner stated that the landowner retains responsibility to maintain impounding water or channelizing water, and it is the upstream landowner who bears responsibility for any damage caused downstream.

Ms. Mallek said the only reason they are responsible for the dam at Hollymead is because there is a County dam going across the road.

Ms. Palmer stated that the County was asked to do Key West because it was in the public right of way, and she was just trying to avoid a political situation in which there is a lot of pressure on a future Board to take it on.

Ms. Mallek asked what other schools have limitations on the number of events that can happen on their property, because she objects to saying they can have no more than 12 school events, given things like graduation and parent conferences. She stated that she does not feel there should be any limitation on school events, as she does not feel it is appropriate to step in and say there can only be 12 groups a year assembling at the school. Ms. Mallek noted that there is a school right over the mountain with 800 students, and there are probably thousands of people who show up for those events. Ms. Echols stated that those conditions may have come about with the last request for the Field School, when it was planned for Polo Grounds Road.

Mr. Kamptner said that some prior special use permits had a condition regarding a "normal number of afterschool evening activities."

Ms. Mallek proposed that they unpasted these, if they were copied and pasted in from the application when the location was Polo Grounds Road.

Mr. Kamptner presented an example from 2012, with the condition stating the hours of operation

for the school except that occasional school-related events may occur after a certain time,” and in this case it would be 6:00 p.m.

Ms. McKeel said the idea with the times was to avoid rush-hour traffic, because a lot of people would be coming from one direction.

Mr. Randolph commented that Ms. Falkenstein did an excellent job with the staff report, and the only recommendation he has is to include reducing middle school enrollment pressure on Albemarle County schools as a favorable factor, as this is an alternative school setting that is siphoning off students who might otherwise go to public schools.

Ms. Mallek added that it should also be stated as a relief to County taxpayers.

Ms. McKeel noted that the City of Charlottesville has many students there as well, who should be noted.

Mr. Randolph stated that the application is to the County, and there could be people from other counties as well.

At this time, the Chair opened the public hearing.

The applicant, Mr. Todd Barnett, the head of the Field School, addressed the Board and stated that the Field School is a middle school for boys in grades 5-8 and was founded in 2007. Mr. Barnett said the school's composition and mission has remained unchanged since that time, and there are no plans to do anything differently in the future, remaining focused on boys during crucial middle school years. He stated there are parents in the area who feel they need something different during those years in order to allow boys to develop fully and enter high school with preparation and confidence. Mr. Barnett said that they have been in two locations in Crozet: in Crozet Park, with 22 acres of fields and forests; and now at Old Crozet School, with 8 acres of fields and just a bit of forest. He stated that they go outside regularly for a long morning recess, for afternoon sports, for walks to the library, for art and science classes, and for regular hikes.

Mr. Barnett commented that getting outside, largely regardless of the weather, makes the school better in terms of having more focused and happy kids, and more productive and meaningful lessons. He stated that they are excited about the prospect of having a conveniently located campus with a three-acre pond, a big forest, a half-mile hiking trail, a big playing field, and a view of the mountains. Mr. Barnett said that one student who wrote the Board previously about the failings of the current school building, which was built in 1923 and has not changed much since, talked about how it is so hot in August and so cold in January, and they need a new building. He stated that their process to seek a new site has been going on for six years now, when considering their previous application, and they look forward to having the County support their work.

Mr. Justin Shimp addressed the Board and stated that this project has been underway for a number of years, referencing a rendering that showed the 25-acre parcel under consideration, with the school's fields and buildings, and pointing out the location of the remaining wooded area. He stated that the school would have a relatively light impact on the overall property, noting that the new site only clips the edge of the growth areas around Charlottesville, so there are a lot more people in this proximity to use the school than there are in Crozet. Mr. Shimp said there was a question about the traffic at Georgetown Road, and using the high-end projection, there would be about 42 trips a day for 150 students, which is 1.9% of the traffic that hits that intersection every day, or 2.6% during peak traffic. He noted that they looked at each 15-minute increment and considered how they might add to it to see if their trips align with peak trips in the intersection, and that only happened between 8:45 a.m. and 9:00 a.m., with people turning left at Georgetown heading north, so this meant four extra cars from the Field School based on their trip distribution data.

Mr. Shimp said there were two intersections in question in terms of how they get from a major corridor to the school, and in looking at trip distribution for Crozet, there are a lot of different ways to get there, and because of the number of intersections crossed, there would be a much bigger impact by having the school away from the population. He stated that in addition to the public stream areas and pond onsite, there is also public water and onsite sewer. Mr. Shimp mentioned that they are also close to emergency services and educational resources in the City. He commented that this is a great site for the school, and both staff and the Planning Commission have supported it, with the applicant working hard to adjust the plan to address concerns with neighbors, including adding additional buffers over time and keeping a maximum amount of wooded area between the school and the neighborhood behind it. He offered to answer questions.

Ms. McKeel stated that she had been a bit concerned about the intersection at Georgetown and Barracks, and also has constituents that live out Garth Road, especially close to Garth Road, who are concerned about traffic as it comes around the curve. She said the Field School's data shows that about 32% of students live in the City, and she is trying to get a sense of how many that would be as Georgetown and Barracks Roads are very busy, especially during the school year when UVA is in session. Ms. McKeel asked for more details on the traffic analysis, and whether it was done when the University was in session.

Mr. Shimp explained that they had done a traffic count at Georgetown and Barracks roads on February 23, so it was capturing the typical traffic, including UVA traffic. He said they assumed that 85%

of all Field School people would go through that intersection, and they assumed that most of the traffic would go that way.

Ms. Palmer said she wants to ask if the dam has been evaluated, and it would be the property owner who would address that. Mr. Shimp responded that he has not done a full evaluation of the dam, which falls under the threshold to be regulated by the state, but the property ownership necessitates that they are responsible for maintenance. He stated that the size of this is more like a farm pond than a dam or lake they would typically look at for failure or catastrophic events, and while it has a creek on it, it is not on a river.

Ms. Palmer stated there are a lot of these around that are not in the best shape because of their age, and she wants to make sure the County is not asked to assume responsibility if something happens. Mr. Shimp replied it is the applicant's understanding that it is his responsibility.

Mr. James Curry addressed the Board and stated that he is a resident of Colthurst Farm neighborhood, which abuts the land on which the proposed school would be built. He stated his approval for the application, contingent on the conditions and limitations noted in the staff report, and others as deemed appropriate. Mr. Curry said his recommendation is not only based on the Field School's reputation for excellence, but also for the reasons outlined by the Planning staff's excellent and thorough report to the Board and the Commission. He stated that Barracks Road has the capacity to accommodate any additional traffic, and VDOT would require construction of turn lanes in both directions off of that road in the entrance into the school, which would help cut down on congestion in that stretch. Mr. Curry said that he does not believe the Field School would substantially affect Colthurst or other nearby neighborhoods, particularly because of the restrictions staff recommends be placed on outdoor activities and the requirement that buffer areas be retained and maintained. He stated that the proposed site is only about 1,000 feet from the development area boundary, and the school would only use about 8 acres of a 25-acre site, with that part of the land previously disturbed and the remaining acreage preserved, which would ensure the rural character of the district would not be changed. Mr. Curry added that the school would also relieve pressure on County schools, as Mr. Randolph had noted.

Mr. Saunders Midyette addressed the Board and stated that he is a resident of Albemarle County and has lived in Colthurst Farm since 1991, with his neighborhood adjoining the Field School's 25-acre parcel for a school of up to 150 students. He said that he and his wife, Shirley, agree with the Planning Commission's and staff's recommendation. Mr. Midyette stated that they have attended several community meetings at which the Field School's teachers, including Mr. Barnett, were present and responsive to community feedback regarding plans to locate the school near Colthurst Farms. He noted that the school is leaving up to two-thirds of the parcel undeveloped and would plant trees on its side of the parcel, which would create a natural buffer and would shield school activities and mitigate the impact of noises on neighbors. Mr. Midyette stated that the school would have no outdoor lighting or amplified sound, and the school was supportive of widening Barracks Road to accommodate two deceleration in both directions for cars turning onto the school and church road, which would promote traffic safety. He said that Colthurst Farm residents were pleased at having St. David's Anglican Church at the entrance to their neighborhood, and they look forward to having the Field School adjoining them. Mr. Midyette noted that the school academically is held in high regard for its well-rounded programs and its graduates, and it will provide an excellent alternative for the greater Charlottesville area residents. He asked the Board for their support of the application.

Mr. Jon Malisek addressed the Board and stated that he recently acquired property at Colthurst Farm. He said that he has not been part of the planning process, but he reached out to the Field School and was extremely pleased with Mr. Barnett's response, including the willingness to meet with him and his wife to explain the school's plans for the site. Mr. Malisek stated that they are excited to have the school, as it provides additional seats for students, and they appreciate the caliber of the school and what it provides. He encouraged the Board to support the application.

Mr. Bill Merrill addressed the Board, stating that he and Kev Lombard are both members of the vestry of St. David's Anglican Church, which shares a property line with the proposed application. Mr. Merrill stated that the church is very much in support of the Field School's application and is hopeful of the Board's approval of the application. He said the church's activities take place on Sundays and Wednesday evenings, so they should not be affected by the school's operations.

Mr. Vito Cetta addressed the Board and stated that he lives in Out of Bounds, which is about one-half mile from the site, and he strongly supports the Field School's application, as does his neighborhood's homeowners association. Mr. Cetta said he thinks it is a wonderful use for the site, stating that the only concern raised at the Hydraulic/29 meeting was the traffic, but he feels that VDOT will have those answers.

Mr. Steve Bolton addressed the Board, stating that he is a parent of an 8th grader at Field School and commenting that his son's four years at the school have been great for his son and his family. Mr. Bolton stated that the most likely other use for this property would be housing, which would make the traffic more of a 24/7 issue instead of limited school hours.

Mr. George Sanker, a resident of the Montview community and headmaster of the Covenant School, addressed the Board and stated his support for the Field School's application. He stated that all-boy education, which he participated in as a student at Gonzaga in D.C., is a great mission and vision to pursue as a school, and this site allows them to fully implement all of the things they want to do outdoors. He said that Montview also supports this project.

Mr. David Shreve of Barracks Road addressed the Board, stating that he is directly adjacent to the Field School site and is before them to support the application. Mr. Shreve said that given the track record of the previous landowner, who had illegal dumping onsite, he is optimistic that the new owner and the Field School managers and owners will be much better stewards of the land. He said they are likely to see enhanced protection of the green space and buffer, and the character of the forest is likely to be improved under the school's stewardship. Mr. Shreve stated that there are probably a number of trips already being made by Field School families on this path, and since his driveway comes out onto Barracks at a blind turn across from the school, turn lanes will likely enhance the safety for his family. He noted that they are in the 45 mph zone, but cars are usually doing about 60 mph as they pass by.

Mr. Will Jackson addressed the Board and stated he is a student at Field School and supports the application. He stated the location of the school on this site will encourage more community participation in events, such as the Spirit Walk, in which students depict historical figures. Mr. Jackson said the students look forward to portraying Hessian soldiers who were once held near the site.

Mr. Dill asked him what historical figure he was this year. Mr. Jackson responded that he portrayed a Confederate soldier that was part of a regiment that was marched through this area during the Civil War.

Ms. Maureen Perriello addressed the Board and stated that she is a science teacher at Field School, and from the school's inception, they have had the top-notch middle school science program in the area. She stated that the students start the year with a hike, construct their own weather equipment, conduct research in area ponds and raise and release trout, and participate in outdoor lectures. Ms. Perriello said that having those things in their backyard will be a huge help to the school and its students, and the property's location will allow them to take advantage of community amenities nearby, which was previously not possible. She stated that their current location is not conducive to a long-term science program they can invest in, and it is important that they provide students choices, and an all-boys middle school is the best choice for some kids, which makes it something the community needs to offer.

Ms. Jennifer Buckett addressed the Board and stated that she is in her eighth year of teaching English at Field School and also coaches cross-country and Frisbee, manages the school library, and directs their outdoor leadership program. Ms. Buckett stated that she believes deeply in their mission and believes the Barracks Road location is an ideal site for the school. She said when she first met Mr. Barnett and visited their original site at Crozet Park, she was immediately hooked by the engaging curriculum, the emphasis on physical activity and field trips, and the school's focus on creating a small community in which middle school boys feel respected, valued, and encouraged to explore their interests. Ms. Buckett stated that the new campus will allow the school to fully realize its vision while benefiting the neighborhood and the community, and the curriculum contains thematic units that help students learn about the local community. She said the Field School takes students hiking every year, and they have hosted one of the only middle school track meets in the area. Ms. Buckett noted that they also hope to add bike trails to the new site, and the neighborhood will benefit from these efforts. She said that Field School students also participate in community service projects, and the majority of them go on to be leaders in their high school classrooms and schools.

Ms. Larissa Sneethern addressed the Board and stated that the Field School has a great group of students, who do great things in their school and their community as a whole. She thanked Ms. Mallek for her suggestion of removing limitations on activities, to engage the community and allow for the boys to be involved in ways outside the classroom.

Mr. Dennis Rooker addressed the Board, stating that he is representing the applicant and noting that the application is recommended by staff and by unanimous vote of the Planning Commission. Mr. Rooker said the staff report goes through the three primary factors that should be considered when evaluating an application like this, with the first being whether a proposal would be a substantial detriment to the adjacent community. Mr. Rooker stated the community does not feel that it would be, and staff concluded that the special use permit would not be a substantial detriment, pointing out that since there is no proposed lighting of the sports field and no amplified sounds, and any noise impacts would be limited and confined to daytime use only. He said staff points out that with the addition of turn lanes to the site, overall impacts to the traffic on Barracks Road are expected to be minimal, which is supported by VDOT. Mr. Rooker noted that an email from Joel DeNunzio of VDOT states, "I would expect a very good level of service on the road and the intersection." He added that the Field School is an existing school with impacts on County roads, and the total miles of traffic generated on the roads to the school would actually be reduced.

Mr. Rooker stated that in evaluating the second Comp Plan factor, impact on character of the district, staff concluded that the character of the district would not be changed by the proposed special use permit. He said that staff points out the use is not expected to impact the other rural area uses in a significant way since the applicant is proposing to buffer and screen use from all adjacent properties, using existing vegetation and supplemental vegetation. He said staff concludes that the third Comp Plan factor of whether the special use permit would be in harmony with the purpose and intent of the plan, with one stated purpose being to facilitate the provision of school services, and the school provides a small, male-only middle school.

Mr. Rooker stated that staff also points out that the proposed school would only use a portion, approximately 8 acres of a 25-acre site, for the school and its fields, and the remainder of the site would be preserved, which is in harmony with the by-right uses in the rural areas. He said that Planning

Commissioner Karen Firehock commented at their hearing on this item that she did not ask her usual multiple questions because she felt it was a well-organized application and much of the due diligence had been done, including involving the community.

Mr. Rooker stated that every factor that the Comp Plan states is important in evaluating a special use permit, supports their approval of the application which is why both staff and the Commission are in favor of it, and he would ask that the Board approve it, along with the critical slopes waiver.

Mr. Rooker mentioned that staff supports the central sewer system because it would be more environmentally damaging to have three separate systems because of the required clearing of forests to accommodate those.

Ms. McKeel asked Mr. DeNunzio to come forward, as she has constituents who live along Garth Road who have concerns about traffic going 50 or 60 mph, and she asked if the County could request a study for a school zone. Mr. DeNunzio explained that at the Board's request, VDOT will do a traffic study for a school zone, which will entail a review of what activity is expected at the school in terms of traffic, such as parents coming in and out of the school entrance during peak hours. He stated if VDOT sees the potential for a lot of vehicle or pedestrian congestion, they would recommend lowering the speed limit to 35 mph or 25 mph during peak times.

Ms. McKeel said there was challenging topography in that area, as well as having the only passing zone for a long distance.

Mr. DeNunzio stated the applicant is showing left and right turn lanes, so there would be no sitting in traffic on Barracks Road itself that could get rear-ended, and they will also be required to meet adequate site distance. He said there is a passing zone in that area, but it will likely be removed when there are turn lanes and because of the school entrance.

Mr. Randolph suggested they request that speed study this evening.

Ms. McKeel mentioned to Mr. DeNunzio that VDOT has done three speed studies in this area over the past three years.

Ms. Palmer noted that the passing lane will go away regardless of whether they get the speed study. Mr. DeNunzio agreed, stating that the passing lane will go away if the entrance is built with right and left turn lanes, because they need about 800 feet per side to get transition areas, and a passing zone needs 2,000 feet.

Ms. Palmer said the flashing lights can reduce the speed limit down to 25 or 35 during peak times, and that request has to come as a resolution from the Board, although it could be applied to private or public schools.

Ms. McKeel stated that she hears a lot of concerns from people that they need to reduce the speed, and asked Mr. DeNunzio to explain why the speeds have not been reduced thus far, despite three speed studies over the last three years.

Mr. DeNunzio explained that speed limits are set by measuring the actual speeds of vehicles and determining the 85th percentile. He stated that VDOT is required under, the Code of Virginia, to be in compliance with the Manual of Uniform Traffic Control Devices, which states the speed limit will be set within 5 miles of the observed speed, and reducing speed too much can actually increase the number of crashes. Mr. DeNunzio said that in a three-year period between Colthurst and Montview, there have been four crashes, two rear-end collisions, one run off the road collision, and one fatal crash as someone passed a car turning left into a driveway. He stated that most of these crashes are rear-end type accidents, which would be mitigated with the addition of the turn lanes, but lowering the speed arbitrarily does not necessarily lower the operating speed on the road. He added that it would be fantastic if they could find a way to do that, as it is one of the top complaints that VDOT gets.

Ms. McKeel stated that she would like to request a school speed zone study.

Ms. Mallek said she would second a motion in that regard.

Mr. DeNunzio noted that he would need to bring back a resolution to that effect.

Mr. Sheffield stated that they may want to approve the school first.

Ms. Palmer suggested to the school that they use native plants onsite.

Mr. Shimp stated that this is a requirement of the County's mitigation ordinance, so they will plant native plants in the buffer.

Ms. Palmer said she would urge them to look at the dam for its integrity as well.

Mr. Kamptner noted that the Board had asked about condition four, and provided replacement language that he said he had based on the County's standard text for school and community events: "Occasional, non-sporting school-related events may occur on and after 5:00 p.m. on Monday through Friday, and on any hours Saturday and Sunday. Occasional community events may occur on and after

6:00 p.m. on Monday through Friday, and on any hours Saturday and Sunday.” He stated that to his recollection, there have never been any complaints about abuse of the “occasional events” provisions.

Ms. McKeel commented that this works for her concerns about the intersection also.

Mr. Barnett acknowledged that he agrees with the revised condition four.

Ms. McKeel then offered **motion** to adopt the proposed resolution to approve SP-2015-00024 subject to the revised conditions as recommended. Ms. Mallek **seconded** the motion. Roll was called and the motion carried by the following recorded vote:

AYES: Ms. McKeel, Ms. Palmer, Mr. Randolph, Mr. Sheffield, Ms. Dill and Ms. Mallek.
NAYS: None.

**RESOLUTION TO APPROVE
SP 2017-24 THE FIELD SCHOOL OF CHARLOTTESVILLE**

WHEREAS, The Field School of Charlottesville submitted an application for a special use permit to construct a new private school on Tax Map Parcel Numbers 06000-00-00-06800 and 06000-00-00-068E0, and the application is identified as SP201500024 The Field School of Charlottesville (“SP 2015-24); and

WHEREAS, on December 13, 2016, after a duly noticed public hearing, the Albemarle County Planning Commission recommended approval of SP 2015-24 with conditions; and

WHEREAS, on March 8, 2017, the Albemarle County Board of Supervisors held a duly noticed public hearing on SP 2015-24.

NOW, THEREFORE, BE IT RESOLVED that, upon consideration of the foregoing, the staff report prepared for SP 2015-24 and all of its attachments, the information presented at the public hearing, and the factors relevant to a special use permit in Albemarle County Code § 18-33.8, the Albemarle County Board of Supervisors hereby approves SP 2015-24, subject to the conditions attached hereto.

* * * * *

**SP-2015-24 The Field School of Charlottesville
Special Use Permit Conditions**

1. Development of the use shall be in general accord with sheet four (4) of the concept plan entitled “Special Use Concept Plan and Exhibits for Field School of Charlottesville” prepared by Shimp Engineering, P.C., revision #5, dated October 27, 2016, as determined by the Director of Planning and the Zoning Administrator. To be in general accord with the concept plan, the development and use shall reflect the following major elements as shown on the concept plan:
 - a. Locations of buildings and sports fields within the indicated envelopes;
 - b. Maximum total building footprint of thirty thousand (30,000) square feet;
 - c. Maximum footprint of twelve thousand (12,000) square feet for any single building
 - d. Preservation and installation of tree buffers as indicated; and
 - e. Preservation of wooded areas and slopes outside of building and sports field envelopes as indicated.

Minor modifications to the plan which are in general accord with the elements above may be made to ensure compliance with the Zoning Ordinance. Modifications are to be considered in terms of minimizing or improving impacts on adjoining properties and roadways. Buildings and parking may be developed in phases.
2. The maximum enrollment shall be one hundred fifty (150) students.
3. Classroom instruction shall not begin before eight o’clock a.m. (8:00 a.m.) and shall not continue later than five o’clock p.m. (5:00 p.m.). These hours shall not apply to sports events. Classes shall not be held on Saturday or Sunday.
4. Occasional non-sporting school-related events may occur on and after five o’clock p.m. (5:00 p.m.) on Monday through Friday and at any hours on Saturday and Sunday. Occasional community events may occur on and after six o’clock p.m. (6:00 p.m.) on Monday through Friday and at any hours on Saturday and Sunday.
5. No construction for the use shall begin without written approval of the proposed septic facilities from the Virginia Department of Health
6. No outdoor lighting of sports fields shall be installed for this use.
7. There shall be no outdoor amplified sound associated with this use.
8. Any new outdoor lighting shall be only full cut-off fixtures and shielded to reflect light away from all abutting properties. A lighting plan limiting light levels at the property lines to no greater than 0.3 foot candles shall be submitted to the Zoning Administrator or her designee for approval.

9. If the construction of the private school for which this Special Use Permit is issued is not commenced by February 28, 2022, the permit shall be deemed abandoned and the authority granted there under shall thereupon terminate.

Ms. McKeel offered **motion** to adopt the proposed resolution to approve the Special Exception for SP-2015-00024 subject to the recommended conditions. Ms. Mallek **seconded** the motion. Roll was called and the motion carried by the following recorded vote:

AYES: Ms. McKeel, Ms. Palmer, Mr. Randolph, Mr. Sheffield, Ms. Dill and Ms. Mallek.

NAYS: None.

**RESOLUTION TO APPROVE SPECIAL EXCEPTION
FOR SP 2015-24 THE FIELD SCHOOL OF CHARLOTTESVILLE**

WHEREAS, The Field School of Charlottesville submitted an application for a special use permit to construct a new private school on Tax Map Parcel Numbers 06000-00-00-06800 and 06000-00-00-068E0 (collectively, the "Property") ("SP 2015-24"); and

WHEREAS, The Field School of Charlottesville filed a request for a special exception in conjunction with SP 2015-24 to allow the disturbance of .85 acres of existing critical slopes, as the Property is depicted on the pending plans under review by the County's Department of Community Development.

NOW, THEREFORE, BE IT RESOLVED that, upon consideration of the foregoing, the executive summary prepared in conjunction with the application, and its supporting analysis, the plans entitled "Special Use Permit Concept Plan and Exhibits for the Field School of Charlottesville" prepared by Shimp Engineering, P.C., and last revised on October 27, 2016, and all of the factors relevant to the special exception in Albemarle County Code § 18-4.2.5, the Albemarle County Board of Supervisors hereby approves the special exception to authorize the disturbance of critical slopes for the Field School of Charlottesville's construction of a new private school on the Property, subject to the conditions attached hereto.

* * * * *

SP 2015-24, The Field School of Charlottesville Special Exception Conditions

1. The area of land disturbance on critical slopes shall not exceed .85 acres as shown on pages 3 and 4 of the plan entitled "Special Use Permit Concept Plan and Exhibits for the Field School of Charlottesville" prepared by Shimp Engineering, L.C. and last revised on October 27, 2016.
2. Any land disturbing activity located within the critical slopes shall comply with the design standards in County Code § 18-30.7.5.

Ms. McKeel said that she would like to request a school speed study, but they could do that at a later date.

Mr. Walker noted that the Board needs to set a public hearing date for the central sewer system item associated with the school.

Ms. Palmer then offered **motion** to set the public hearing to consider the request for a Central Sewage System on April 12, 2017. Ms. Mallek **seconded** the motion. Roll was called and the motion carried by the following recorded vote:

AYES: Ms. McKeel, Ms. Palmer, Mr. Randolph, Mr. Sheffield, Ms. Dill and Ms. Mallek.

NAYS: None.

Agenda Item No. 16. From the Board: Committee Reports and Matters Not Listed on the Agenda.

There were none.

Agenda Item No. 17. From the County Executive: Report on Matters Not Listed on the Agenda.

Mr. Walker stated that the Board had recently discussed two parks and recreation issues: Hedgerow Park and the Board's consideration of accelerating that project, which is being considered for inclusion in the five-year CIP. He said it is on the ten-year capital needs assessment, but more recent conversations in conjunction with Ragged Mountain have brought it more to the forefront. Mr. Walker stated that staff will be prepared to discuss Hedgerow Park on the afternoon of April 12, and staff would also like to discuss Chris Greene Lake issues at that time, as there seems to be more complexity and impact than originally anticipated when staff responded to the cycling issue the previous week. He said the County had made changes to the permitted activities there in response to questions pertaining to the Ragged Mountain Natural Area, and staff is suggesting that they take a comprehensive look at addressing the situation, possibly amending the County Code to reflect the unique status and recreational

uses at Chris Greene Lake as being different from the County's two designated drinking water supplies of Totier Creek and Beaver Creek, and also distinct from Ragged Mountain and Sugar Hollow. Mr. Walker noted that staff is recommending the County pause on making any additional short-term changes to recreational uses at Chris Greene, beyond the cycling uses that are enacted for the next 45-60 days, while the assessment is underway. He stated that this may put them in a situation where there are uncommitted uses at Chris Greene; staff feels it is preferable over initiating major use changes or prohibitions in advance of a Board review of the issue.

Ms. McKeel agreed that it is a great idea to have that discussion.

Ms. Mallek noted that she would like to add to that discussion the situation of cars backing into the water onto boat ramps into the water at Beaver Creek, and she would like to address this.

Mr. Randolph added that it is also a risk for invasive species that are carried into the water that way.

Ms. Mallek noted that gypsy moths were transported on the underside of cars.

Ms. Palmer said it was determined in evaluating the water supply that Chris Greene Lake did not have the right connection to get water anywhere, and they were talking about improving that so the water could get to the North Fork, and she cannot recall if those improvements were ever done. She stated that if it is not usable as a water supply, it should not be on the list in the ordinance as such.

Mr. Kamptner stated that it was originally set as a backup in the event of an emergency or drought, and to Parks and Recreation's knowledge, it has never been used for that purpose.

Ms. Palmer said she would like to know if it can ever be used.

Mr. Dill added that it might determine whether the rules applying to drinking water apply to it.

Ms. McKeel stated that they would discuss it further on April 12.

Mr. Walker presented a brochure entitled, "Factual Information Related to Immigration Status Services and Enforcement in Albemarle County," which was a collaborative effort between the Police Department, Social Services, the School Division, and community partners. He said there were some questions about larger distribution in the community, which staff would begin working on.

Mr. Dill commented that he had attended Liberation Day events the previous week at the University, and there is a consortium of universities studying escaped slaves. He stated that 240 slaves in Albemarle County escaped slavery and served in the Union Army, and it was suggested that there be some sort of commemoration of this. Mr. Dill said that 52% of the population was liberated, but that entire part of history has received little attention.

Agenda Item No. 18. Closed Meeting (*if needed*).

There was no need for a closed meeting.

Agenda Item No. 19. Adjourn to March 14, 2017, 4:30 p.m., Piedmont Virginia Community College.

At 8:22 p.m., Ms. Palmer offered **motion** to adjourn to March 14, 2017, 4:30 p.m., Piedmont Virginia Community College. Ms. Mallek **seconded** the motion. Roll was called and the motion carried by the following recorded vote:

AYES: Ms. McKeel, Ms. Palmer, Mr. Randolph, Mr. Sheffield, Ms. Dill and Ms. Mallek.

NAYS: None.

Ms. Mallek noted that PVCC President, Frank Friedman, had sent the Board some information to review prior to that meeting.

Chairman

Approved by Board
Date 08/09/2017
Initials CKB