

A regular meeting of the Board of Supervisors of Albemarle County, Virginia, was held on November 6, 2024, at 1:00 p.m. in Lane Auditorium, Second Floor, Albemarle County Office Building, 401 McIntire Road, Charlottesville, Virginia, 22902.

PRESENT: Mr. Jim H. Andrews, Mr. Ned Gallaway, Ms. Beatrice (Bea) J.S. LaPisto-Kirtley, Ms. Ann H. Mallek, Ms. Diantha H. McKeel (absent from 5:10 p.m. to 6:03 p.m.), and Mr. Mike O. D. Pruitt (arrived at 1:16 p.m.).

ABSENT: none.

OFFICERS PRESENT: County Executive, Jeffrey B. Richardson; Interim County Attorney, Andy Herrick; 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 1:00 p.m., by the Chair, Mr. Jim Andrews.

Mr. Andrews said that a quorum was present, and that they expected Mr. Mike Pruitt to join them shortly.

Mr. Andrews introduced the Albemarle County Police Department Officers present to provide their services at the meeting, Lieutenant Angela Jamerson and Master Police Officer Dana Reeves.

Agenda Item No. 2. Pledge of Allegiance.
Agenda Item No. 3. Moment of Silence.

Agenda Item No. 4. Adoption of Final Agenda.

Mr. Andrews noted that there had been some minor changes to the agenda. He said that specifically, Item 17, Our Lady of Peace, had been corrected to refer to both SE2024-00006 and SE2024-00007 in the online resolution. He said that additionally, the order of the two presentations of proclamations under agenda Item 6 had been swapped.

He said that he was not aware of any other suggested changes to the agenda and asked if there was a motion.

Ms. Mallek **moved** to adopt the final agenda. Ms. McKeel **seconded** the motion. Roll was called and the motion carried by the following recorded vote:

AYES: Mr. Andrews, Mr. Gallaway, Ms. LaPisto-Kirtley, Ms. Mallek, and Ms. McKeel.

NAYS: None.

ABSENT: Mr. Pruitt.

Agenda Item No. 5. Brief Announcements by Board Members.

Mr. Gallaway said that he had no announcements.

Ms. LaPisto-Kirtley announced that she was thrilled that Freebridge Lane had finally been closed. She said that this was a significant benefit to the entire Albemarle area, including the Rivanna District, Pantops, and the rest of Albemarle. She said that now, people could safely run, walk, stroll, bike, and teach their children how to ride bicycles in a protected area that was over half a mile long and completely car-free. She said that closing this street was a huge success, and she appreciated the Board's encouragement and support for this pilot program, which was set to run for a year.

Ms. LaPisto-Kirtley said that although she did not have all the details, she knew that many people were already using it. She said that she would like to extend a special thank you to Sarah Robinson, who played a crucial role in making this happen. She said that as part of the Pantops Master Plan, Ms. Robinson's dedication to the community and her ability to work with everyone made this project possible. She said that she would also like to express her gratitude to all of those who contributed to making this happen, and she thanked the Board for their efforts.

Ms. Mallek agreed that it was a wonderful event, and she was delighted to speak with Ms. Robinson, whom she first met in the early 2000s. She said that Ms. Robinson had brought this initiative forward at that time, and she was impressed by her perseverance, which had taken 20 years to come to fruition.

Ms. Mallek announced that Operation Green Light is a month-long recognition of veterans and active duty service members, as well as a campaign to raise awareness about the services available to them and their families in their area and beyond. She said that during Operation Green Light, which takes place in November, the green spotlights on the front of the County Office Building would be visible after 6:00 p.m. She said that last year, they also lit up businesses and front porches throughout the rural and urban areas, and people commented on the display, asking what it was all about.

Ms. Mallek said that the goal was to spark interest and encourage people to learn more. She said that there had been significant changes to the veteran services available, and the Veterans Affairs (VA) had introduced several improvements in the past year. She said that even if someone had been previously denied coverage, the PACT (Promise to Address Comprehensive Toxins) Act had undergone changes, and it was essential that they continued to share this information with people of all ages and their family members. She said that she would like to thank the businesses and individuals who were participating in Operation Green Light.

Ms. Mallek said that unfortunately, she would be missing the ceremony on Monday, November 11, for the second time in 17 years, and she was truly sorry to do so. She said that she would be thinking about the leaders she had worked with over the years as she attended an out-of-town event.

Ms. Mallek said that this weekend, the 30th Annual Artisan Studio Tour would take place, and she would like to thank Albemarle County for sponsoring this event. She said that the Artisan Studio tour would feature dozens of studios and workspaces throughout central Virginia, open to the public on November 9 and 10 from 10:00 a.m. to 5:00 p.m. She said that for more information, please visit [ArtisanStudioTour.com](https://www.artisanstudiotour.com). She said that refreshments would be available at each location, and people would have the opportunity to meet and speak with the artisans. She said that it was a wonderful opportunity to find Christmas gifts without the hassle of online shopping.

Ms. Mallek said that the Orange Dot 6.0 was presented at PVCC (Piedmont Virginia Community College), and although she was having trouble recalling the exact date, it was last week. She said that the report provided an update of their progress over the past 10 years, marking the 10th anniversary of this celebration. She said that she was still in awe that it had been 10 years since this initiative began.

Ms. Mallek said that the group discussed their plans for expansion and their friend Ridge Schuyler, who had returned as Dean at PVCC, was leading the effort with his usual enthusiasm and dedication. She said that he continued to be a valuable asset to the community, and she encouraged everyone to review the Orange Dot 6.0 report, which was available via a QR code in the minutes. She said that this would provide a convenient way to access the report at their leisure.

Ms. McKeel said that she had no announcements.

Mr. Andrews acknowledged that the election process yesterday went very smoothly in the County. He expressed his gratitude to their Registrar, the Board of Elections, and the many volunteers who made it possible.

Agenda Item No. 6. Proclamations and Recognitions.

Item No. 6.b. 2024 Virginia Association of Counties (VACo) Achievement Award.

Mr. Jeremy Bennett, Director of Intergovernmental Affairs for the Virginia Association of Counties (VACo), said that it was his distinct privilege to present Albemarle County with the VACo Achievement Award. He said that for the benefit of their constituents who may not be as familiar with the Virginia Association of Counties, VACo has existed since 1934 to support their efforts as County officials. He said that they support their efforts through various means. He said that first, they advocate for their interests at the General Assembly and at the federal level.

Mr. Bennett said that they also serve counties through their communication efforts, education programs, and member services. He said that he would like to note that they are fortunate to have Supervisor Mallek as their current sitting president at VACo, and they appreciate the work that she and the rest of the County do for them.

Mr. Bennett said that in 2003, they established their Achievement Awards program to recognize counties that have adopted innovative approaches to providing public services and identifying programs that could serve as models for other counties. He said that today, he was proud to present Albemarle County with an Achievement Award for the Health Services Alternative Response Team, or HART Program.

Mr. Bennett said that as brief background on the Achievement Awards: it was their 22nd annual program, and they received a record 145 entries in 2024. He said that it was a highly competitive program, as out of that, only 45 winners were selected from 32 counties; that was a 31% success rate. He said that they should be very proud of themselves. He said that the County has won nine achievement awards through the length of the program, with the most recent ones in 2021, 2023, and 2024.

Mr. Bennett said that the awards are given based on several criteria, including whether the program offers an innovative solution to a problem or delivers services, promotes intergovernmental cooperation, and can serve as a model for other counties. He said that he would like to give their Director of Human Services, Kaki Dimock, the opportunity to brag about the program herself. He said that if that was acceptable to the Chair, he would like to invite her up and they could present it to her after she had had a chance to share her thoughts.

Ms. Kaki Dimock, Director of Human Services, said that she would like to express her sincere gratitude. She said that this program had far exceeded their expectations, both in terms of the number of individuals it has served and the positive impact it has had on the continuum of care for those

experiencing behavioral health concerns. She said that she would like to extend her appreciation to all of the Board members for their support in creating and expanding this program, starting in January. She said that Albemarle County Fire Rescue Chief Eggleston's and Albemarle County Police Department Colonel Reeves' innovative thinking in identifying the need for an alternative response team laid the groundwork before her arrival at the County, and she was grateful for their vision.

Ms. Dimock said that the team had done extraordinary work in the community, likely having a lasting impact on long-term system outcomes and significantly improving well-being. She said that one aspect of the team's success that she would like to highlight is the way they formed, slowly and based on transparency and trust-building, which had served them exceptionally well in the field, particularly during unusual and unexpected crises. She said that she was deeply proud of the team and the award, and she would like to thank the Board for their support.

Mr. Bennett presented the award to Ms. Dimock.

Mr. Jeff Richardson, County Executive, said that he wanted to start by acknowledging the significance of this award to Albemarle County. He said that he appreciated Mr. Bennett's presence in Albemarle County. He said that he appreciated the work that VACo does for the County. He said that he appreciated the collaborative efforts between VACo and the County, and he was pleased to continue working with them.

Mr. Richardson said that this award spoke to the heart of what they strove for in local government. He said that they faced complex issues every day, and this Board was effective in challenging them to find innovative solutions and achieve different outcomes. He said that he could not think of anything else they had done that spoke to that more. He said that Ms. Dimock's emphasis on addressing issues earlier in the process was particularly noteworthy. He noted that it required leaders who were open to sharing and working cross-departmentally, and he had seen this in action.

Mr. Richardson said that Ms. Dimock, Chief Eggleston, and Colonel Reeves were all committed to staying current in their fields. He said that they regularly attended state and national conferences, and they were always looking for best practices. He said that he had firsthand knowledge of Chief Eggleston's dedication to his field. He said that as the International Association of Firefighters president, he had traveled extensively throughout the United States to support his colleagues and stay current in his field.

Mr. Richardson stated that he also knew that Colonel Reeves had been actively engaged in the International Association of Police Chiefs, and he had been working diligently to stay up-to-date on the latest developments. He said that in fact, he had the opportunity to speak with Colonel Reeves in Boston, and he mentioned that at times there were 10 to 20 different sessions competing for their time at the conferences. He said that these international conferences brought together experts from around the globe. He said that Ms. Dimock was a leader in her field. He said that all of this mattered related to building cross-departmental collaboration.

Mr. Richardson said that the Board had asked their team members to stand up, and these were the people in the field everyday serving the citizens, saving Albemarle County time, capacity, and resources, and providing essential services to the residents. He said that it was clear that he was extremely proud of this group. He said that this was an excellent example of how, in 2024, local government must adapt and work differently to tackle complex problems and achieve better outcomes. He said that he could go on and on about this.

Mr. Richardson said that during the budget process, the Board successfully doubled their footprint and allocated additional funds to address some of their most pressing issues. He said that he had the opportunity to discuss these challenges with some of the police officers present this evening, and they had shared their concerns about the need for more expertise in certain areas. He said that to address these needs, they required a broader range of experts in the field. He said that therefore, he commended the Board for their ability to find capacity and make the most of this project during a challenging budget process.

Mr. Gallaway thanked Mr. Bennett for his presence today and for acknowledging the team's efforts. He said that it was a pleasure to be recognized, but all the credit went to this exceptional team. He said that as Ms. Dimock had mentioned, the awareness of Colonel Reeves and Chief Eggleston were instrumental in recognizing the need for an alternative response.

Mr. Gallaway said that their commitment to seeing how the alternative response was not only the right thing to do for individuals in crisis, but also for countering the crisis. He said that it helped keep everybody safer psychologically and emotionally because of what the alternatives would be without having the team. He said that he appreciated the collective efforts and buy-in from everyone involved, which would undoubtedly benefit the community members and staff.

Ms. LaPisto-Kirtley said that she was very impressed by their leadership, particularly Chief Sean Reeves and Chief Dan Eggleston, as well as Kaki Dimock, who had come up with this and had been instrumental in the success of this program. She said that she spoke of the HARTS program to her constituents, and she had not received a single negative comment. She said that the feedback had been consistently positive, and she would like to thank the Board for its efforts in supporting this important program.

Ms. LaPisto-Kirtley said that she believed that one of the hallmarks of their County government

was its strong leadership at all levels, who brought things to the Board, which was able to effectively approve and implement initiatives that made sense. She said that she would like to acknowledge the individuals who were making a difference in the County.

Ms. Mallek said that she would like to express her gratitude for this success and the daily achievements of the team. She said that this is just one example of the County staff and leadership taking a different approach to achieve better results. She said that since 2008, both Colonel Reeves and Chief Dan Eggleston had been working to enhance the effectiveness and quality of the public safety departments. She said that the results were a radical departure from the situation that existed for both departments since 2008. She said that she was extremely proud of all that they had accomplished, and she was delighted to acknowledge the County staff's efforts. She said that these departments' innovative changes were something they could be proud of.

Ms. Mallek said that when people said that Police Departments were the source of the problem, she said that they were not, and that they just needed to do their best, and that would lead to improvement. She said that over the past 17 years, she had witnessed this trajectory, and she was proud of all that they had achieved. She said that Chief Eggleston also represented the County at the National Association of Counties (NACo) Fire Services Board, ensuring their interests were represented at the federal level. She said that she would also like to commend Ms. Dimock for her personal approach to serving clients, focusing on individual needs rather than categories. She said that this approach was in line with the HARTS team's daily efforts.

Ms. McKeel said that she appreciated the comments from fellow Board members. She said that she agreed with all of them. She said that she was glad Mr. Bennett was there. She said she truly appreciated his presence and learning that he was a former Albemarle County resident. She said that this partnership had been a great success. She said that Ms. Dimock had done an outstanding job, as had their police chief, fire chief, and entire staff. She said that she had received numerous compliments from residents and businesses alike, who appreciated the team's assistance in resolving issues. She said that she wanted to express sincere gratitude to them and their team. She said that while the credit may be going to them, it was really their staff who had made this partnership shine. She said that they had done an excellent job, and they appreciated their efforts.

Mr. Pruitt said that he would like to briefly discuss leadership and what it means to lead as a government. He said that as a relatively affluent and large County, they had a significant amount of resources at their disposal to address problems. He said that they were home to a highly educated population, which housed a Tier 1 research organization. He said that this intellectual brainpower enabled them to innovate and deploy effective solutions.

Mr. Pruitt said that the state had long recognized the importance of addressing mental health crises across the Commonwealth, and they had pledged to take action on this issue, but that the Marcus Alert was never fully activated in all locations. He said that they were still struggling to obtain the necessary resources from the state. He said that as a result, Albemarle County had innovated and led the way. He said that he was glad that this program was being recognized, as it represented the kind of deep Commonwealth leading policy leadership that they were capable of as a government. He said that this was entirely due to the incredible talent and resources that they could bring to bear, and they were uniquely positioned to do so.

Mr. Pruitt said that he was grateful for the departmental leadership that had made this program a success, and he appreciated the praise they had received. He said that their Police, Fire, and Human Services staff had played a crucial role in making this opportunity a reality, and he thanked the taxpayers who were willing to support this innovative solution. He thanked everyone. He said that he was excited for Albemarle County to continue showcasing its leadership and innovation.

Mr. Andrews said that he would like to second the comments made by his colleagues and extend his gratitude to Mr. Bennett for presenting this award, which he believed was a testament to the hard work of the team that had put it together.

Item No. 6.a. Proclamation Recognizing Veterans Day.

Mr. Pruitt **moved** to adopt the Proclamation Recognizing Veterans Day, which he read aloud.

Ms. Mallek **seconded** the motion. Roll was called and the motion carried by the following recorded vote:

AYES: Mr. Andrews, Mr. Gallaway, Ms. LaPisto-Kirtley, Ms. Mallek, Ms. McKeel, and Mr. Pruitt.
NAYS: None.

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Proclamation Recognizing Veterans Day

WHEREAS, throughout our Nation's history, the United States of America has called on its citizens in uniform to serve and protect our national security; and

WHEREAS, at home and abroad, generations of American patriots have defended the freedoms and American values of equality, democracy, and justice for all; and

WHEREAS, November 11, 2024, marks the 86th anniversary of Veterans Day being recognized as a national holiday. On this day, and every day, we remember the millions of patriots who have served and sacrificed for the betterment of our nation; and

WHEREAS, many veterans continue to serve their country in public schools and government as public officials, teachers, police officers, fire rescue, and other professions providing services to all community members; and

WHEREAS, with a profound debt of gratitude, we especially recognize the local veterans in Albemarle County for their continued service.

NOW, THEREFORE, BE IT RESOLVED, that the Albemarle County Board of Supervisors does hereby recognize and proclaim November 11, 2024, as Veterans Day and celebrates all who have served our country around the world and continue to serve as veterans in Albemarle County.

Signed this 6th day of November, 2024

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Mr. Trevor Henry, Deputy County Executive, said that he would like to extend his gratitude to the Board for presenting this proclamation and for honoring veterans on Veterans Day with a local holiday, as well as for providing this facility for a Veterans Day ceremony at 11:00 a.m., which was always a meaningful event. He said that he would also like to express his appreciation on behalf of the over 100 employees who were veterans and worked for Local Government and Schools. He said that it was his distinct honor and privilege to introduce Colonel Eric Haas.

Mr. Henry said that Colonel Haas was the commanding officer of the National Ground Intelligence Center (NGIC) at Rivanna Station in Albemarle County. He said that Colonel Haas was in his second year of command and had been a great partner to the County in their efforts to support Rivanna Station and Rivanna Futures. He said that Colonel Haas lived in the County, planned to retire to the County, and that he was a native of Virginia, hailing from Williamsburg, and was a graduate of the College of William & Mary.

Mr. Henry said that Colonel Haas had commissioned as a military intelligence officer after college and had served in multiple leadership roles in the Korean Peninsula. He said that Colonel Haas had deployed to Iraq and Afghanistan in various command roles. He said that Colonel Haas's awards were numerous and impressive, including the Legion of Merit, Bronze Star Medal, Meritorious Service Medal, and Presidential Unit Citation, among others. He said that Colonel Haas had also received the Military Intelligence Corps Association's Knowlton Award, which was a testament to his dedication to military intelligence. He said that it was a great honor for him to be recognized by his peers.

Colonel Eric Haas, Commander for NGIC, accepted the proclamation. He said that it was a true honor to be here today to accept this proclamation from Albemarle County. He said that on behalf of all veterans, he would like to express his gratitude for this recognition. He said that Albemarle County held a distinct place in American history and had deep ties to the veteran community. He said that many residents of Albemarle County responded to the Continental Congress's calls and joined the Continental Army in June 1775, a year before the Declaration of Independence was signed.

Mr. Haas said that that legacy of service to the County and country had remained unbroken to the present day, as sons and daughters of this County continued to serve in the armed forces and answered the nation's call. He said that as a son of an Army family, he had commissioned through Army ROTC, but he also had a personal connection to the Air Force through his spouse. He said that he understood that each branch of service took pride in its unique principles and values. He said that however, these values were rooted in service and a shared commitment to the Constitution and the ideals it represented.

Mr. Haas said that each veteran's journey was unique, yet they all shared a common commitment to the nation, to each other, and to the principles of justice and equality. He said that accepting this proclamation acknowledged not only past service but also ongoing responsibility to uphold these principles in the communities. He thanked them again for this honor. He asked that they continue to work together to build a better future for continued service to this great nation and to ensure that the American experiment remained an example to all.

Mr. Pruitt presented the proclamation to Mr. Haas.

Mr. Gallaway expressed his gratitude to Colonel Haas for being present with them today to allow them to express their appreciation for not just him and the team he led, but also the veterans who were with them today. He said that he was deeply in awe of those who chose to serve their country and then continued to find other ways to serve after leaving that service. He said that his grandfather had served in the Air Force, his father in the Army, and his brother-in-law in the 10th Mountain Division of the Army. He said that it was personal to him, and that this connection made his admiration for Colonel Haas and his team all the more sincere. He said that he was in awe of all of them, and he wanted to extend his gratitude again for being present with them today.

Ms. LaPisto-Kirtley said "Go Army," and that as an Army brat, she was definitely pro-Army. She

said that she supported all veterans, of course. She said that like Mr. Gallaway, her family, including her dad and three brothers, had all served. She said that she was too short to enlist at the time, but she was glad to hear that the height requirement had changed. She said that she was still not going to enlist.

Ms. LaPisto-Kirtley said that what she wanted to say was that they were so proud to be there supporting their veterans. She said that Albemarle did a great job, and as a Board, they did a great job in supporting their veterans. She said that she was proud to be able to do that. She said that what the veterans did to keep their country safe was truly remarkable. She said that she was also excited about the Rivanna Station, which would be a big boost for their community. She said that they looked forward to seeing it come to fruition soon.

Ms. Mallek expressed her gratitude for the presentation, as she would be missing the ceremony on Monday and was truly thankful to hear it today. She said that it was very thoughtful, and that she would be thinking of him as well. She said that she was reminded that fewer than 6% of the American population had any connection with the military now. She said that in contrast, many more individuals in her father's generation had served. She said that they all had an obligation to support those who chose to serve, as well as ensure that their elected officials at the federal and state levels fulfilled their duties with the PACT (Promise to Address Comprehensive Toxins) Act and other initiatives, providing necessary services to those in service, veterans, and those transitioning out.

Ms. Mallek said that they had learned a great deal in the last decade about the challenges veterans faced during transition. She said that they all needed to do a more personal job in addressing these issues. She was proud of the work of local agencies, such as Living Free Together, who were providing on-the-ground services. She was also thrilled that Colonel Haas's family would be able to stay in this community after retirement. She said that many predecessors of his at NGIC had done the same. She said that if she had known this, she would have spoken with Steve Hood the previous day. She said that they had spent five hours together at the polls, and he had introduced her to the station back in 2008. She said that they were delighted to have Colonel Haas here and hoped he would enjoy his stay.

Ms. McKeel thanked Colonel Haas for being present. She said that her father was a Navy veteran, so she would say "go Navy." She said that she was particularly pleased to see the number of veterans working in their organization. She said that as a retired nurse at the University of Virginia, she had always valued the opportunity to work with veterans. She said that the University of Virginia also had a significant number of veterans among its staff, but she believed Ms. Mallek's statistic was correct - only around 6% of families in the United States had a family member serving.

Ms. McKeel said that it was essential for their children and everyone to be exposed to veterans, so they could appreciate their skillset and experiences, which were often shared. She said that she wanted to express her sincere gratitude to everyone, including those who stood up to share their service. They said that they appreciated their dedication and thanked them for their service.

Mr. Pruitt said, "Go Navy." He said that he was in fifth grade when the 9/11 attacks occurred, and from that point forward, for almost his entire life, they had been involved in warfare abroad. He said that the Country was still embroiled in that same conflict when he graduated from high school and began to consider his future. He said that he decided to pursue a career in the Navy, which he did for eight years and for which he was very proud.

Mr. Pruitt said that during this generation of warfare, they had transitioned to an entirely volunteer force, which he believed highlighted the bravery and role that members of their armed forces had played in their community. He said that it also underscored a difficulty they faced as a country in confronting the cost of their ongoing conflicts abroad. He said that they had become a nation with a warrior class, bearing the emotional burdens of their conflicts abroad, while the rest of the country remained insulated from these issues.

Mr. Pruitt said that on Veterans Day, they recited their love for veterans, but that they had seen a slow erosion of VA services for those who served during wartime, a growing mental health crisis among veterans and service members, and he was proud of the work their County's Human Services Department did to help bridge these gaps. He said that he was also grateful for the work being done at the VA hospital there.

Mr. Pruitt said that despite this progress, there was still much to be done, as their community often forgot the weight that people were carrying. He said that he recalled during his service, he received a call from a peer who had died of a drug overdose, and when he himself was in rehab, one of his peers in his group committed suicide. He said that when he was serving in the Office of Naval Intelligence, he was preparing a report for the admiral who led a fleet, only to learn that his report no longer had a due date, as he had taken his own life.

Mr. Pruitt said that in their own community, just a year ago, a minor hate crime occurred on-grounds was found to have been perpetrated by a veteran who was struggling deeply with his reintegration into the community and his own mental health struggles. He said that he believed there was much more their country, and their community could do to ensure they shared the burdens that their veteran community carried. He said that he hoped they continued to live up to the promise they made here on Veterans Day.

Mr. Andrews expressed his gratitude for Colonel Haas's presence and also appreciated the sentiments expressed regarding their desire to do more for veterans than a single day. He said that

recognizing the obligation to serve veterans was an important part of their local government, as well as their state and federal governments. He said that he thanked Colonel Haas again and appreciated the opportunity to be there. He said that he wanted to acknowledge and appreciate the service of all veterans.

Agenda Item No. 7. From the Public: Matters on the Agenda but Not Listed for Public Hearing or on Matters Previously Considered by the Board or Matters that are Pending Before the Board.

Ms. Emily Smith stated that she was a housing attorney with the Legal Aid Justice Center, speaking on behalf of the Charlottesville Low Income Housing Coalition, a grassroots organization dedicated to improving deeply affordable housing. She said that she was there to discuss changes that she hoped would be implemented in the AC44 process.

Ms. Smith said that thousands of Albemarle residents faced extreme or very low-income levels, with over half of those residents having unmet housing needs. She said that this disproportionately affected seniors, people of color, and families with children. She said that the dramatic increase in rents had accelerated displacement and housing instability. She said that through her work in eviction defense, she saw this struggle daily among Albemarle residents.

Ms. Smith said that they were advocating for a rezoning and expansion of Growth Areas to increase density, meet projected needs, and slow displacement and homelessness. She said that they proposed substantial and thorough upzoning, focusing on maximizing housing in the urban ring and adjacent to other counties' dense developments.

Ms. Smith said that they learned last week at the community check-in that 60% of the County lived on 5% of the land, which was an unsustainable ratio for a growing population. She emphasized that focusing on increased density at activity centers would not provide sufficient solutions to the current shortage of affordable housing. She said that as recommended by the PC, they also asked that the County eliminate neighborhood residential zoning or redefine it to allow more density. She said that increasing density primarily through special use permits would have minimal impact.

Ms. Smith said that they hoped to gather information about manufactured housing preservation and implement an assertive vision that prevented displacement and loss of this important stock of affordable housing. She said that they also requested the inclusion of affordable housing incentives and allowances throughout the zoning code. She said that strong inclusionary zoning would help expand access to affordable housing. She said that she had a copy of their memo from the Charlottesville Low Income Coalition that she would like to leave with the Board Clerk.

Ms. Emily Johnson, a social worker in the Albemarle community, said that they were living in the Jack Jouett District prior to their eviction. She said that her daughter, Eva Johnson, would like to read a statement to the Board.

Ms. Eva Johnson said that she would explain how it felt to be homeless for Christmas 2023. She said that living in an apartment with rats, flooding, mold, and bugs was never the best, but it was something. She said that she would tell her story. She said that she had never liked the experience of picking up rat poop, scratching in the walls, coughing all day, and dealing with the occasional leaks and flooding. She said that rats may not be the most horrible thing, but imagine not being able to cook, use the stove, or use their dishes without washing them twice due to the rat poop.

Ms. Johnson said that it was not a healthy situation, but at least they had a roof over their head. She said that no matter how much they cleaned, the rats never seemed to leave. She said that the day they found the letter on the door, she read the word eviction. She said that after five years of living in the apartment, they were being evicted. She said that she did not know where they would go or how they would live. She said that school became a struggle, and she found it hard to focus or complete tests.

Ms. Johnson said that she felt a lot of anxiety about finding a new place to live and paying rent. She said that they were never noisy, but they were simply being evicted and did not know why. She said that she always wondered where she would go, how she would make friends, and what school she would attend. She said that her mother said they would be okay, but it did not feel that way. She said that looking for housing was overwhelming because there was nothing available. She said that at least she had a family to stay with, but she knew other kids would be on the streets.

Mr. Neil Williamson said that he was unsure of how to follow the previous speakers' remarks. He said that he was the President of the Free Enterprise Forum, a privately funded public policy organization focused on local government in central Virginia. He said that today, the Board would be discussing their philosophies on the Development Area and Growth Area.

Mr. Williamson said that last week, he had the opportunity to tour a new community that had excellent interconnectivity, was conveniently located on the bus line, and was close to essential services, making it a highly influential community. He said that Biscuit Run was 1,200 acres that had been taken from their Development Area and had not been replaced. He said that this was just one example of how their Development Area had shrunk. He said that they had implemented large stream buffers, which were done for good environmental reasons, but that it had shrunk the Development Area. He said that every

time they made a decision to allow certain things to happen, they were shrinking the Development Area. He said that their report highlighted the consistent message from previous Boards, with 58% of approved density being approved by the Board, and not proposed by the developer.

Mr. Williamson said that the reality was that there was a government scarcity, and it was also a representative government scarcity, as the people who elected them did not want more housing. He said that they claimed to want it, but they did not. He said that during public hearings, local attorneys had stated that they supported affordable housing, but only in specific areas. He said that the current situation was that they could simply swap out what they had shrunk, and they could have a significant increase in the Development Area. He said that they did not have enough potential in the Development Area, and that it was not working. He asked if the Board was going to face that, or if they would continue on the exact same path as Biscuit Run State Park.

Agenda Item No. 8. Consent Agenda.

Mr. Andrews said that he was not aware of any requests to pull any items, so the floor was open for a motion.

Ms. Mallek **moved** to approve the consent agenda. Ms. McKeel **seconded** the motion. Roll was called and the motion carried by the following recorded vote:

AYES: Mr. Andrews, Mr. Gallaway, Ms. LaPisto-Kirtley, Ms. Mallek, Ms. McKeel, and Mr. Pruitt.
NAYS: None.

Item No. 8.1. Approval of Minutes: December 7 (Work Session), December 7 (Regular Meeting), December 14, 2022; January 4, January 11, January 18, 2023; and July 17, 2024.

Ms. LaPisto-Kirtley had read the minutes of December 7, 2022 (Work Session) and found them to be in order.

Ms. Mallek had read the minutes of December 7, 2022 (Regular Meeting) and found them to be in order.

Mr. Andrews had read the minutes of December 14, 2024 and January 4, 2023 and found them to be in order.

Mr. Gallaway had read the minutes of January 11, 2023 and found them to be in order.

Ms. McKeel had read the minutes of January 18, 2023 and found them to be in order.

Mr. Pruitt had read the minutes of July 17, 2024 and found them to be in order.

By the above-recorded vote, the Board approved the minutes as read.

Item No. 8.2. Fiscal Year 2025 Appropriations.

The Executive Summary forwarded to the Board states that Virginia Code §15.2-2507 provides that any locality may amend its budget to adjust the aggregate amount to be appropriated during the fiscal year as shown in the currently adopted budget; provided, however, any such amendment which exceeds one percent of the total expenditures shown in the currently adopted budget must be accomplished by first publishing a notice of a meeting and holding a public hearing before amending the budget. The Code section applies to all County funds, i.e., General Fund, Capital Funds, E911, School Self-Sustaining, etc.

The total change to the Fiscal Year 2025 (FY 25) budget due to the appropriations itemized in Attachment A is \$35,668. A budget amendment public hearing is not required because the amount of the cumulative appropriations does not exceed one percent of the currently adopted budget.

The total change to the Fiscal Year 2025 (FY 25) budget due to the appropriations itemized in Attachment A is \$35,668.

Staff recommends that the Board adopt the attached resolution (Attachment B) to approve the appropriations for County government projects and programs described in Attachment A.

By the above-recorded vote, the Board adopted the attached resolution (Attachment B) to approve the appropriations for County government projects and programs described in Attachment A:

**RESOLUTION TO APPROVE
ADDITIONAL FY 2025 APPROPRIATIONS**

BE IT RESOLVED by the Albemarle County Board of Supervisors:

- 1) That the FY 25 Budget is amended to increase it by \$35,668;
- 2) That Appropriations #2025013; #2025014; and #2025015 are approved;
- 3) That the appropriations referenced in Paragraph #1, above, are subject to the provisions set forth in the Annual Resolution of Appropriations of the County of Albemarle for the Fiscal Year ending June 30, 2025.

* * * * *

Appropriation #2025013

Sources:	Community Safety Contingency (Previously Appropriated)	\$100,000
Uses:	Health and Welfare Agency Contributions	\$100,000
Net Change to Appropriated Budget:		\$0

Description:
This request is to distribute \$100,000 previously appropriated to the Human Services Community Safety Contingency, to three different projects.

- \$50,000 to the UVA Equity Center for implementation of Project Safe Neighborhood.
- \$40,000 to Charlottesville Department of Human Services for Albemarle County kids to participate in Teens Given and the Community Attention Youth Internship Program (CAYIP).
- \$10,000 to Charlottesville Department of Human Services for Albemarle County kids to participate in a pre-arrest diversion program.

Appropriation #2025014

Sources:	Local Revenue	\$25,668
Uses:	Vehicle Replacement Fund	\$25,668
Net Change to Appropriated Budget:		\$25,688

Description:
This request is to appropriate \$25,668 in insurance recovery revenue to the Vehicle Replacement Fund to be used toward the purchase of replacement vehicles for the Police Department.

Appropriation #2025015

Sources:	Local Revenue – Crozet Trails Crew Donation	\$10,000
Uses:	Parks & Recreation Department	\$10,000
Net Change to Appropriated Budget:		\$10,000

Description:
This request is to appropriate a \$10,000 donation from the Crozet Trails Crew to the Parks and Recreation budget to complete a technical memorandum advising on permitting, design and construction of a bike/pedestrian connection across Lickinghole Creek.

* * * * *

APP#	Account String	Description	Amount
2025013	4-1000-59200-453000-560000-0062	SA2025013 UVA Equity Center	\$50,000.00
2025013	4-1000-59200-453000-560000-0014	SA2025013 Charlottesville Dept of Human Services	\$50,000.00
2025013	4-1000-59200-453000-999999-9999	SA2025013 Reduce Community Safety Contingency	-\$100,000.00
2025014	3-7200-99000-341000-410800-9999	SA2025014 Insurance Reimbursement for Police Totaled Vehicle	\$25,668.00
2025014	4-7200-31100-412560-800500-9999	SA2025014 Police Totaled Vehicle reimbursement funding for new purchase	\$25,668.00
2025015	3-1000-71000-318000-181109-9999	SA2025015 Donation for technical memo on bike/ped crossing	\$10,000.00
2025015	4-1000-71200-471000-342000-9999	SA2025015 Funds for technical memo on bike/ped crossing	\$10,000.00

Item No. 8.3. 2025 Thomas Jefferson Planning District (TJPD) Legislative Program.



October 28, 2024

TO: Members, Albemarle County Board of Supervisors
Albemarle County Executive

FROM: David C. Blount, Director of Legislative Services

RE: 2025 TJPD Legislative Program Approval

Attached for your review and consideration is the draft 2025 TJPD Legislative Program. It will be on the consent agenda for approval at your November 6 meeting. The draft program continues three top legislative priorities for 2025 as follows:

- 1) Public Education Funding
- 2) Budgets and Funding
- 3) Land Use and Growth Management

The accompanying “Legislative Positions” section focuses on the most critical recommendations and positions in other areas of current interest and concern in the region. Items in this section that have been substantively amended are noted following this memo.

A summary of the priority positions will be produced and distributed later for you to use in continuing to communicate with your legislators.

Thank you for your consideration.

Recommended Action: Approve the draft 2025 TJPD Legislative Program

Substantive Changes to Legislative Positions Section

Environmental and Water Quality (p. 5; first bullet): Added specific support for state assistance to improve water quality of Lake Anna.

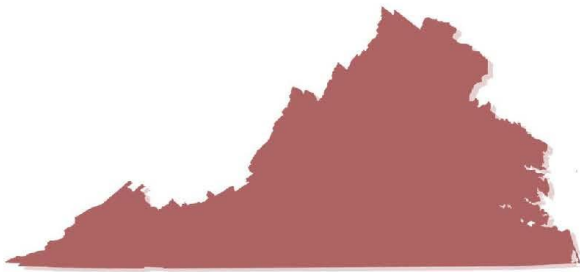
General Government (p. 6, seventh bullet): Added a position in support of local discretion to determine the best uses of artificial intelligence (AI).

Health and Human Services (p. 6, second bullet): Revised existing language to support improvements in state hospital capacity to accept individuals under a TDO.

Housing (p. 7, first bullet): Added language to support funding for rental assistance to low-income families with school-aged children.

Public Safety (p. 7, second bullet): Revised existing language on recruitment/retention of volunteers by adding a provision to oppose actions that hinder the provision of emergency services by increasing costs of operations or deterring recruitment and retention.

By the above-recorded vote, the Board approved the Draft 2025 Thomas Jefferson Planning District (TJPD) Legislative Program:



Thomas Jefferson Planning District
2025 LEGISLATIVE PROGRAM

Albemarle County | City of Charlottesville
Fluvanna County | Greene County
Louisa County | Nelson County
DRAFT

October 2024

Tony O'Brien, Chairman
Christine Jacobs, Executive Director
David Blount, Director of Legislative Services

TOP LEGISLATIVE PRIORITIES

Public Education Funding

PRIORITY: The Planning District’s member localities urge the State to fully fund its share of the realistic costs of the Standards of Quality (SOQ) and reverse policy changes that previously reduced funding or shifted funding responsibility to localities.

The State will spend more than \$18 billion dollars on direct aid to public education in the current biennium. Additional state funding for teacher salaries, at-risk students and childcare subsidies in the current biennium are appreciated. However, we continue to believe that the State should increase its commitment to K-12 education in a manner that reflects the true costs of K-12 education. The 2023 Joint Legislative Audit and Review Commission (JLARC) report on K-12 education funding confirmed this, finding that public education in Virginia is underfunded, while noting that local school divisions receive less K-12 funding per student than divisions in other states and several key funding benchmarks.

Local governments consistently go “above and beyond” their responsibilities by appropriating twice as much K-12 funding as required by the state. We believe localities need an adequately defined SOQ that more equitably shares the costs of public education between the state and local governments, in order to ensure the overall success of students across the Commonwealth.

Further, we urge state efforts to support 1) flexibility in the use of state funds provided for school employee compensation; 2) adequate pipeline programs for teachers, especially in critical shortage areas; and 3) funding and policies that assist localities in addressing challenges with hiring school bus drivers and mental health professionals.

Budgets and Funding

PRIORITY: The Planning District’s member localities urge the governor and legislature to enhance state aid to localities, to not impose unfunded mandates on or shift costs to localities, and to enhance local revenue options.

As the State fine-tunes revenue and spending priorities for the current biennium, we encourage support for K-12 education, health services, public safety, economic development and other public goals. Localities continue to be the state’s “go-to” service provider and we believe state investment in local service delivery must be enhanced. The State should not expect local governments to pay for new funding requirements or to expand existing ones on locally-delivered services, without a commensurate increase in state financial assistance.

We oppose unfunded state and federal mandates and the cost shifting that occurs when the State or the federal government fails to fund requirements or reduces or eliminates funding for programs. Doing so strains local ability to craft effective and efficient budgets to deliver required services or those demanded by residents.

We support the legislature making additional revenue options available to localities in order to diversify the local revenue stream. Any tax reform efforts should examine the financing and

delivery of state services at the local level and how revenue is generated relevant to our economic competitiveness. The State should not eliminate or restrict local revenue sources or confiscate or redirect local general fund dollars to the state treasury. This includes Communications Sales and Use Tax Trust Fund dollars, the local share of recordation taxes, and any state-mandated exemptions to local revenue sources, unless a viable revenue-replacement to local governments is established.

Land Use and Growth Management

PRIORITY: The Planning District’s member localities encourage the State to resist preempting or circumventing existing land use authorities, but rather support local authority to plan and regulate land use.

In the past, the General Assembly has enacted both mandated and optional land use provisions, some of which have been helpful, while others have prescribed one-size-fits-all rules that hamper different local approaches to land use planning. Accordingly, we support local control of decisions to plan and regulate land use and oppose legislation that weakens these key local responsibilities.

- We support the State providing additional tools to plan and manage growth, as current land use authority often is inadequate to allow local governments to provide for balanced growth in ways that protect and improve quality of life.
- We support local authority to address siting and other impacts associated with utility-scale installation of clean energy resources. We support state funding and technical assistance that address the planning, production, transmission, and deployment of new energy resources.
- We support broader impact fee authority for facilities other than roads, and changes to provisions of the current proffer law that limit the scope of impacts that may be addressed by proffers.
- We oppose legislation that would 1) restrict local oversight of the placement of various telecommunications infrastructure; 2) single out specific land uses for special treatment without regard to the impact of such uses in particular locations; and 3) exempt additional facilities serving as event spaces from building, fire code and other health and safety regulations.
- We believe accessory dwelling units should not be mandated, and that local governments should retain the authority to regulate them.
- We request 1) state funding and incentives for localities, at their option, to acquire, preserve and maintain open space, and 2) enhanced ability for localities to balance growth and development as it pertains to farm and forestland within their jurisdiction.
- We support greater flexibility for localities in the preservation and management of trees.

LEGISLATIVE POSITIONS

Broadband

The Planning District’s member localities urge and support state and federal efforts and financial incentives that assist localities and their communities in deploying universal, affordable access to broadband technology in unserved areas. While we appreciate federal and state actions that have substantially increased funding for the Virginia Telecommunication Initiative (VATI), we believe state and federal support for broadband expansion that utilizes both fiber and wireless technologies, public/private partnerships and regulated markets should include the following:

- Support for cooperative efforts among private broadband, internet and wireless companies, and electric cooperatives to ensure access to service at an affordable cost.
- Support for linking broadband efforts for education and public safety to private sector efforts to serve businesses and residences.
- Maintaining local land use, permitting, fee and other local authorities.
- The ability of localities to establish, operate and maintain sustainable broadband authorities to provide essential broadband to communities.
- Provisions and incentives that would provide a sales tax exemption for materials used to construct broadband infrastructure.

Children’s Services Act

The Planning District’s member localities urge the State to be partners in containing Children’s Services Act (CSA) costs and to better balance CSA responsibilities between the State and local governments. Accordingly, we take the following positions:

- We support local ability to use state funds to pay for mandated services provided directly by the locality, specifically for private day placements, where the same services could be offered in schools.
- We support the state maintaining cost shares on a sum sufficient basis by both the State and local governments; changing the funding mechanism to a per-pupil basis of state funding would shift the sum sufficient portion fully to localities, which we would oppose.
- We support enhanced state funding for local CSA administrative costs.
- We support a cap on local expenditures (with the State making up any gaps) in order to combat higher costs for serving mandated children.
- We support the State being proactive in making residential facilities, services and service providers available, especially in rural areas, and in supporting locality efforts to provide facilities and services on a regional level.
- We oppose state efforts to increase local match levels and to make the program more uniform by attempting to control how localities run their programs.

Economic and Workforce Development

The Planning District’s member localities recognize economic development and workforce training as essential to the continued viability of the Commonwealth. Policies and additional state funding that closely link the goals of economic and workforce development and the state’s efforts to streamline and integrate workforce activities and revenue sources are crucial. Accordingly, we support the following:

- Enhanced coordination with the K-12 education community to equip the workforce with in-demand skill sets, so as to align workforce supply with anticipated employer demands.
- Continuing emphasis on regional cooperation in economic, workforce and tourism development.
- Continuation of the *GO Virginia* initiative to grow and diversify the private sector in each region.
- State job investment and small business grants being targeted to businesses that pay higher wages.
- State support for the Virginia Business Ready Sites Program and for an economic development project adjacent to the existing Rivanna Station.
- Increased state funding for regional planning district commissions.

Education

The Planning District’s member localities believe that, in addition to funding the Standards of Quality (as previously noted), the State should be a reliable funding partner with localities by recognizing other resources necessary for a high-quality public education system. Accordingly, we take the following positions:

- Concerning school facilities:
 - >We support allowing all localities the option of levying a one-cent sales tax to be used for construction or renovation of school facilities.
 - >The State should discontinue seizing dollars from the Literary Fund to help pay for teacher retirement.
 - >We appreciate and support the school construction assistance programs enacted in 2022 and request that they be consistently funded.
- We support 1) amending the LCI formula to recognize the land use taxation value, rather than the true value, of real property; and 2) preserving current *Code* provisions stipulating that local school funds unexpended at the end of the year be retained by the local governing body.
- We believe that unfunded liability associated with the teacher retirement plan should be a shared responsibility of state and local government.

Environmental and Water Quality

The Planning District’s member localities believe that environmental and water quality should be funded and promoted through a comprehensive approach, and address air and water quality, solid waste management, land conservation, climate change and land use policies. Such an approach requires regional cooperation due to the inter-jurisdictional nature of environmental

resources, and adequate state funding to support local and regional efforts. Accordingly, we take the following positions:

- We oppose legislation mandating expansion of the Chesapeake Bay Preservation Act's coverage area. Instead, we urge the State to provide legal, financial and technical support to localities that wish to improve water quality and use other strategies that address point and non-point source pollution. This includes support for cyanobacteria monitoring, mitigation and remediation efforts at Lake Anna. We also support aggressive state investment in meeting required milestones for reducing Chesapeake Bay pollution to acceptable levels.
- We support state investment targeted to permitted dischargers to upgrade treatment plants, to aid farmers with best management practices, and to retrofit developed areas.
- We support continued investment in the Stormwater Local Assistance Fund (SLAF) to assist localities with much-needed stormwater projects and in response to any new regulatory requirements. Any such requirements should be balanced, flexible and not require waiver of stormwater charges.
- We support the option for localities, as a part of their zoning ordinances, to designate and/or reasonably restrict the land application of biosolids to specific areas within the locality.
- We support legislative and regulatory action to ensure effective operation and maintenance of alternative on-site sewage systems and to increase options for localities to secure owner abatement or correction of system deficiencies.
- We support dam safety regulations that do not impose unreasonable costs on dam owners whose structures meet current safety standards.
- The State should be a partner with localities in water supply development and should work with and assist localities in addressing water supply issues, to include providing funding for development and implementation of state-required regional plans and investing in regional projects.

General Government

The Planning District's member localities believe that since so many governmental actions take place at the local level, a strong local government system is essential. Local governments must have the freedom, flexibility and tools to fulfill their responsibilities. Accordingly, we take the following positions:

- State policies should protect local governments' current ability to regulate businesses, to include collection and auditing of taxes, licensing and regulation (whether they are traditional, electronic, internet-based, virtual or otherwise), while encouraging a level playing field for competing services in the marketplace.
- We oppose intrusive legislation involving purchasing procedures; local government authority to establish hours of work, salaries and working conditions for local employees; matters that can be adopted by resolution or ordinance; and procedures for adopting ordinances.
- The state should maintain the principles of sovereign immunity for local governments and their employees, to include regional jail officers.
- Localities should have maximum flexibility in providing compensation increases for state-supported local employees (including school personnel), as local governments provide significant local dollars and additional personnel beyond those funded by the State. We also support the use of a notarized waiver to allow volunteer workers to state they are willing to provide volunteer services and waive any associated compensation.
- We urge state funding to address shortfalls in elections administration dollars, as administration has become more complex and federal and state financial support for elections continues to lag

behind the need. We request adequate funding for costs associated with voting equipment, registrar offices, early voting requirements and election security standards.

- We urge state funding necessary for agencies to carry out tasks such as processing applications, reviewing permits and other critical administrative functions.
- We support expanding the allowable use of electronic meetings for all local public bodies, with flexibility for them to determine public comment, participation and other procedures. Also, any changes to FOIA should preserve 1) a local governing body’s ability to meet in closed session; 2) the list of records currently exempt from disclosure; and 3) provisions concerning the creation of customized records.
- We support the use of alternatives to newspapers for publishing various legal advertisements and public notices.
- We support federal and state funding for localities to acquire and maintain advanced cybersecurity to protect critical systems and sensitive data.
- We support enhanced state funding for local and regional libraries.
- We support expanding local authority to regulate smoking in public places.
- The State should not inhibit the ability of localities to determine how best to use artificial intelligence (AI) or require any related reporting requirements that are unreasonable.

Health and Human Services

The Planning District’s member localities recognize that special attention must be given to helping disabled people, poor people, and young and elderly people achieve their full potential. Transparent state policies and funding for at-risk individuals and families to access appropriate services are critical. Accordingly, we take the following positions:

- We support full state funding for any local costs associated with Medicaid expansion, including local eligibility workers and case managers, but oppose any shifting of Medicaid matching requirements from the State to localities.
- The State should provide sufficient funding to allow Community Services Boards to meet the challenges of providing a community-based system of care for people with behavioral health and developmental disability service needs that helps divert people from needing state hospital care, as well as having services such as outpatient and permanent supportive housing available. We also support improvements in state hospital capacity to accept individuals under a TDO.
- We support the provision of sufficient state funding to match federal dollars for the administration of mandated services within the Department of Social Services, and to meet the staffing standards for local departments to provide services as stipulated in state law.
- We support continued operation and enhancement of early intervention and prevention programs, including the Virginia Preschool Initiative and Part C of the Individuals with Disabilities Education Act (infants and toddlers).

Housing

The Planning District’s member localities believe every citizen should have an opportunity to afford decent, safe and sanitary housing. The State, regions and localities should work to promote affordable and mixed-use housing, and to expand and preserve the supply and improve the quality of housing that is affordable for the elderly, disabled, and low- and moderate-income households. Accordingly, we take the following positions:

- We support 1) local authority to promote and flexibility in the operation of housing affordability programs and establishment of affordable dwelling unit ordinances; 2) increased federal and state funding, as well as appropriate authority and incentives, to assist localities in fostering housing that is affordable; 3) grants and loans to low- or moderate-income persons to aid in purchasing dwellings; 4) funding for rental assistance to low-income families with school-aged children; and 5) policies and direct state investments to prevent homelessness and to assist the chronic homeless.
- We support incentives that encourage rehabilitation and preservation of historic structures.

Public Safety

The Planning District's member localities encourage state financial support, cooperation and assistance for law enforcement, emergency medical care, criminal justice activities and fire services responsibilities carried out locally. Accordingly, we take the following positions:

- The Compensation Board should fully fund local positions that fall under its purview, to include supporting realistic levels of staffing to enable constitutional offices to meet their responsibilities and limit the need for localities to provide additional locally-funded positions. The Compensation Board should not increase the local share of funding for Constitutional offices or divert money away from them, and localities should be afforded flexibility in the state use of state funds for compensation for these offices.
- We encourage state support and incentives for paid and volunteer fire/EMS/first responders and related equipment needs, given the ever-increasing importance they play in local communities. We oppose regulatory action that hinders the provision of emergency services by increasing costs of operations or deterring recruitment and retention of emergency services employees.
- We support state efforts to assist localities in recruiting and retaining law enforcement personnel.
- We support changes to the Line of Duty Act (LODA) to afford officers employed by private police departments the benefits available under LODA.
- We urge state funding of the HB 599 law enforcement program in accordance with *Code of Virginia* provisions.
- We support adequate and necessary funding for mental health and substance abuse services at juvenile and adult detention facilities and jails.
- We encourage needed funding for successful implementation of policies and programs that 1) supplement law enforcement responses to help individuals in crisis to get evaluation services and treatment; 2) provide alternative transportation options for such individuals; and 3) reduce the amount of time police officers must spend handling mental health detention orders.
- In an effort to fairly share future cost increases, we support indexing jail per diem costs as a fixed percentage of the actual, statewide daily expense average, as set forth in the annual Jail Cost Report.
- We support the ability of local governments to 1) adopt policies regarding law enforcement body worn cameras that account for local needs and fiscal realities, and 2) utilize photo speed camera devices to address safety concerns, including on locally-designated highway segments.

Transportation

The Planning District's member localities recognize that revenues for expanding and maintaining all modes of infrastructure are critical for meeting Virginia's well-documented transportation challenges; for attracting and retaining businesses, residents and tourism; and for keeping pace with growing public needs and expectations. We encourage the State to prioritize funding for local and regional transportation needs. Accordingly, we take the following positions:

- As the State continues to adjust the "Smart Scale" prioritization and the funds distribution process, there should be state adequate funding and local authority to generate transportation dollars for important local and regional projects across modes.
- We support additional authority to establish mechanisms for funding transit and non-transit projects in our region.
- We support the Virginia Department of Transportation utilizing Metropolitan Planning Organizations and regional rural transportation staff to conduct local transportation studies.
- We oppose attempts to transfer responsibility to counties for construction, maintenance or operation of current or new secondary roads.
- We support ongoing state and local efforts to coordinate land use and transportation planning and urge state and local officials to be mindful of various local and regional plans when conducting corridor or transportation planning within a locality or region.

Item No. 8.4. Tax Refund Approval Request.

The Executive Summary forwarded to the Board states that Virginia Code §58.1-3981 requires that erroneous tax assessments shall be corrected and that a refund, with interest as applicable, be paid back to the taxpayer. Tax refunds resulting from erroneous assessment over \$10,000 must be approved by the Board of Supervisors before any payments are made.

Staff is requesting approval from the Board for the itemized refunds in Attachment A totaling \$206,665.30 to conform with Virginia Code §58.1-3981. Each refund amount listed has been reviewed and certified by staff and the Chief Financial Officer with the consent of the County Attorney's Office. It is the County's practice to request such refunds on a quarterly basis.

Staff do not anticipate a budget impact associated with the recommended Board action. Tax refunds are a customary part of the revenue collection process and refund expectations are included in the annual revenue budget assumptions.

Staff recommends the Board adopts Resolution (Attachment A) to approve the refund requests and authorize the Department of Finance and Budget to initiate the refund payments.

By the above-recorded vote, the Board adopted the Resolution (Attachment A) to approve the refund requests and authorize the Department of Finance and Budget to initiate the refund payments:

**RESOLUTION
REQUESTING TAX REFUNDS**

WHEREAS, Virginia Code §58.1-3981 requires that erroneous tax assessments be corrected and that a refund, with interest as applicable, be paid back to the taxpayer;

WHEREAS, Tax refunds resulting from erroneous assessment over \$10,000 must be approved by the Board of Supervisors, after being certified by the Chief Financial Officer and the County Attorney;

NOW, THEREFORE, BE IT RESOLVED that a refund in the amount of \$37,091.94 has been reviewed and certified due to business tangible personal property tax returns being filed in Albemarle County in error and this refund shall be remitted to Caton Construction Group Inc. to conform with Virginia code §58.1-3981;

BE IT RESOLVED that a refund in the amount of \$30,000.00 has been reviewed and certified due to overpayment of real estate taxes and this refund shall be remitted to Webb, Bernard C Trust & Alison H Webb Trust to conform with Virginia Code §58.1-3981;

BE IT RESOLVED that a refund in the amount of \$28,478.74 has been reviewed and certified due to amended business tangible personal property tax filings and this refund shall be remitted to LTD Hollymead LLC to conform with Virginia Code §58.1-3981;

BE IT RESOLVED that a refund in the amount of \$22,910.69 has been reviewed and certified due to overpayment of real estate taxes and this refund shall be remitted to Charlottesville Chelsea Store LLC to conform with Virginia Code §58.1-3981;

BE IT RESOLVED that a refund in the amount of \$19,721.24 has been reviewed and certified due to amended business tangible personal property tax filings and this refund shall be remitted to The Blake at Charlottesville LLC to conform with Virginia Code §58.1-3981;

BE IT RESOLVED that a refund in the amount of \$15,283.16 has been reviewed and certified due to overpayment of business license and this refund shall be remitted to Alltel Corporation D/B/A Verizon Wireless to conform with Virginia Code §58.1-3981;

BE IT RESOLVED that a refund in the amount of \$15,017.75 has been reviewed and certified due to overpayment of real estate taxes and this refund shall be remitted to Keating, Kevin B & Masha Keating, Co-Trustees to conform with Virginia Code §58.1-3981;

BE IT RESOLVED that a refund in the amount of \$13,801.63 has been reviewed and certified due to overpayment of real estate taxes and this refund shall be remitted to Bright, Michie P Revocable Trust Agreement to conform with Virginia Code §58.1-3981;

BE IT RESOLVED that a refund in the amount of \$12,673.65 has been reviewed and certified due to overpayment of real estate taxes and this refund shall be remitted to Clouse, William D & Krista K Clause, Trustees U/T to conform with Virginia Code §58.1-3981; and

BE IT RESOLVED that a refund in the amount of \$11,686.50 has been reviewed and certified due to overpayment of real estate taxes and this refund shall be remitted to Downer, William B to conform with Virginia Code §58.1-3981.

Item No. 8.5. Amendments to Albemarle County Fire Rescue and Sheriff's Office FY25 Pay Scales.

The Executive Summary forwarded to the Board states that Albemarle County maintains a classified employee pay scale and separate public safety pay scales for the Police Department, Sheriff's Office, and Department of Fire and Rescue. Each year, the Board of Supervisors approves the pay scales for County staff in conjunction with the adoption of the budget for the upcoming fiscal year. The pay scales set forth pay ranges in a grading system that are established through the County's classified and public safety compensation strategy.

The FY25 pay scales for classified and public safety personnel were adopted on May 1, 2024, the same meeting during which the FY25 budget was adopted. The Department of Fire Rescue and the Sheriff's Office are now requesting approval for modifications to the FY25 pay scales (Attachment A).

Fire Rescue

The Department of Fire Rescue has identified a cost savings strategy to provide supervision and oversight for the new ladder truck, while ensuring there is adequate management coverage for 2 pieces of heavy equipment deployed from the same station. In the adopted budget, there were funds to support 3 Captains for this responsibility. Fire Rescue has more narrowly focused the responsibility of those positions and is now able to fill them at a lower supervisory rank. This request is to approve a frontline supervisor role of Lieutenant, which is positioned as an assistant to an existing Captain and is a more cost-effective method to add additional units and/or personnel to a fire station with an existing Captain. The proposed scale modification adds the position of Lieutenant to the scale to reflect a front-line supervisory position that can be assigned to smaller scale teams and operations and better leverage the skills of the Fire Captain for more complex assignments. Three Captain positions will be converted to fill

the Lieutenant role.

Sheriff's Office

The Sheriff's Office currently has four Sergeants and a Chief Deputy Sheriff in supervisory positions. The Sergeants supervise Sheriff Deputies serving in singular functional areas. The Chief Deputy Sheriff oversees all of the operations and processes, asset management, financial, and administrative functions. The proposed pay scale change is to create a Lieutenant role in the department to provide day-to-day supervision of the Sergeants and manage assets. One of the Sergeant positions would be converted to fill the Lieutenant role.

The Fire Rescue request will result in overall savings of approximately \$30,000. The Sheriff's Office request will be completed through vacancy savings and would result in overall savings of approximately \$25,000 once completed.

Staff recommends adoption of the attached Resolution (Attachment B) to approve the revised FY 25 ACFR and Sheriff pay scales (Attachment A).

By the above-recorded vote, the Board adopted the attached Resolution (Attachment B) to approve the revised FY 25 ACFR and Sheriff pay scales (Attachment A):

FY 2025 Amended ACFR and Sheriff's Office Pay Scale RESOLUTION

WHEREAS, the County's budget for Fiscal Year 2025 ("FY25") was adopted on May 1, 2024 and became effective on July 1, 2024, and included funding for employee compensation based on the pay scales outlined in the COUNTY OF ALBEMARLE Classified Public Safety Pay Scales, for each of the Police Department, Department of Fire and Rescue, and Sheriff's Office (collectively, the "FY 2025 Salary Scales"); and

WHEREAS, the Department of Fire and Rescue has proposed modifications to its pay scale as detailed in the attached COUNTY OF ALBEMARLE Fire Rescue public safety pay scale to better align with industry standards and its competitive market, address projected leadership gaps through succession planning, and include a frontline supervisor position;

WHEREAS, the Sheriff's Office has proposed modifications to its pay scale as detailed in the attached COUNTY OF ALBEMARLE Sheriff public safety pay scale to better align with operational and supervisory needs;

NOW, THEREFORE, BE IT RESOLVED, that the Board of Supervisors of Albemarle County hereby approves the amended Fire Rescue public safety pay scale, and the Sheriff public safety pay scale, as presented, to be effective on November 6, 2024.

* * * * *

COUNTY OF ALBEMARLE Classified Public Safety Pay Scale																												
Fire Rescue Revised July 1, 2024 - June 30, 2025																												
Salary Step Scale			* 2% Increase between steps																									
Fire Department Positions	Promotion %	0	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22	23	24	25	26
Fire Rescues Battalion Chief	15%																											
Fire Captain I	5%																											
Fire Captain II	13% from Fire Tech II																											
Lieutenant	5%																											
Fire Technician I	9%																											
Fire Technician II	5%																											
Fire Fighter																												
Hourly Rate at 2080 Annual Hours																												
Fire Rescue Department Positions	Promotion %	0	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22	23	24	25	26
Fire Rescues Battalion Chief	15%																											
Fire Captain I	5%																											
Lieutenant	5%																											
Fire Technician I	5%																											
Fire Technician II	5%																											
Fire Fighter																												
Hourly Rate at 2496 Annual Hours																												
Fire Rescue Department Positions	Promotion %	0	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22	23	24	25	26
Fire Rescues Battalion Chief	15%																											
Fire Captain I	5%																											
Lieutenant	5%																											
Fire Technician I	5%																											
Fire Technician II	5%																											
Fire Fighter																												
Hourly Rate at 2912 Annual Hours																												
Fire Rescue Department Positions	Promotion %	0	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22	23	24	25	26
Fire Rescues Battalion Chief	15%																											
Fire Captain I	5%																											
Lieutenant	5%																											
Fire Technician I	5%																											
Fire Technician II	5%																											
Fire Fighter																												

COUNTY OF ALBEMARLE Classified Public Safety Pay Scale																																	
Sheriff's Office Revised July 1, 2024 - June 30, 2025																																	
Hourly Rate Step Scale *2% increase between steps																																	
Sheriff's Office Positions	Promotion %	0	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22	23	24	25	26	27	28	29	30	
Lieutenant	10%							\$38.02	\$38.78	\$39.56	\$40.35	\$41.15	\$41.98	\$42.82	\$43.67	\$44.55	\$45.44	\$46.35	\$47.27	\$48.22	\$49.18	\$50.17	\$51.17	\$52.19	\$53.24	\$54.30	\$55.39	\$56.50	\$57.63	\$58.78	\$59.95	\$61.15	
Sergeant	10%				\$32.53	\$33.20	\$33.87	\$34.56	\$35.27	\$35.99	\$36.72	\$37.47	\$38.24	\$39.02	\$39.80	\$40.59	\$41.41	\$42.23	\$43.08	\$43.94	\$44.82	\$45.72	\$46.63	\$47.56	\$48.51	\$49.48	\$50.47	\$51.48	\$52.51	\$53.56	\$54.64	\$55.73	
Master Deputy	5%													\$35.47	\$36.18	\$36.90	\$37.64	\$38.40	\$39.16	\$39.95	\$40.75	\$41.56	\$42.39	\$43.24	\$44.10	\$44.99	\$45.89	\$46.80	\$47.74	\$48.69	\$49.67	\$50.66	
Senior Deputy	5%									\$31.21	\$31.83	\$32.47	\$33.12	\$33.78	\$34.46	\$35.15	\$35.85	\$36.57	\$37.30	\$38.04	\$38.81	\$39.58	\$40.37	\$41.18	\$42.00	\$42.84	\$43.70	\$44.57	\$45.47	\$46.38	\$47.30	\$48.25	
Deputy First Class	5%					\$27.46	\$28.01	\$28.57	\$29.14	\$29.72	\$30.32	\$30.92	\$31.54	\$32.17	\$32.82	\$33.47	\$34.14	\$34.83	\$35.52	\$36.23	\$36.96	\$37.70	\$38.45	\$39.22	\$40.00	\$40.80	\$41.62	\$42.45	\$43.30	\$44.17	\$45.05	\$45.95	
Deputy	5%	\$24.16	\$24.64	\$25.14	\$25.64	\$26.15	\$26.68	\$27.21	\$27.75	\$28.31	\$28.87	\$29.45	\$30.04	\$30.64	\$31.25	\$31.88	\$32.52	\$33.17	\$33.83	\$34.51	\$35.20	\$35.90	\$36.62	\$37.35	\$38.10	\$38.86	\$39.64	\$40.43	\$41.24	\$42.06	\$42.91	\$43.76	
Deputy Non LEO and/or Recruit		\$23.01	\$23.47	\$23.94	\$24.42	\$24.91	\$25.40	\$25.91	\$26.43	\$26.96	\$27.50	\$28.05	\$28.61	\$29.18	\$29.77	\$30.36	\$30.97	\$31.59	\$32.22	\$32.86	\$33.52	\$34.19	\$34.88	\$35.57	\$36.28	\$37.01	\$37.75	\$38.51	\$39.28	\$40.06	\$40.86	\$41.68	

Estimated Salary Annualized at 2080 Hours																																	
Sheriff's Office Positions	Promotion %	0	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22	23	24	25	26	27	28	29	30	
Lieutenant	10%							\$79,083	\$80,664	\$82,278	\$83,923	\$85,602	\$87,314	\$89,060	\$90,841	\$92,658	\$94,511	\$96,401	\$98,329	\$100,296	\$102,302	\$104,348	\$106,435	\$108,563	\$110,735	\$112,949	\$115,208	\$117,513	\$119,863	\$122,260	\$124,705	\$127,199	
Sergeant	10%				\$67,665	\$69,046	\$70,455	\$71,893	\$73,360	\$74,858	\$76,385	\$77,944	\$79,535	\$81,158	\$82,781	\$84,437	\$86,126	\$87,848	\$89,605	\$91,397	\$93,225	\$95,090	\$96,991	\$98,931	\$100,910	\$102,928	\$104,987	\$107,086	\$109,228	\$111,413	\$113,641	\$115,914	
Master Deputy	5%													\$73,780	\$75,256	\$76,761	\$78,296	\$79,862	\$81,459	\$83,088	\$84,750	\$86,445	\$88,174	\$89,938	\$91,736	\$93,571	\$95,442	\$97,351	\$99,298	\$101,284	\$103,310	\$105,376	
Senior Deputy	5%									\$64,916	\$66,214	\$67,538	\$68,889	\$70,267	\$71,672	\$73,106	\$74,568	\$76,059	\$77,580	\$79,132	\$80,714	\$82,329	\$83,975	\$85,655	\$87,368	\$89,115	\$90,898	\$92,715	\$94,570	\$96,461	\$98,390	\$100,358	
Deputy First Class	5%					\$57,116	\$58,259	\$59,424	\$60,612	\$61,824	\$63,061	\$64,322	\$65,609	\$66,921	\$68,259	\$69,624	\$71,017	\$72,437	\$73,886	\$75,364	\$76,871	\$78,408	\$79,976	\$81,576	\$83,208	\$84,872	\$86,569	\$88,300	\$90,066	\$91,868	\$93,705	\$95,579	
Deputy	5%	\$50,254	\$51,259	\$52,284	\$53,330	\$54,396	\$55,484	\$56,594	\$57,726	\$58,880	\$60,058	\$61,259	\$62,484	\$63,734	\$65,009	\$66,309	\$67,635	\$68,988	\$70,368	\$71,775	\$73,210	\$74,675	\$76,168	\$77,691	\$79,245	\$80,830	\$82,447	\$84,096	\$85,778	\$87,493	\$89,243	\$91,028	
Deputy Non LEO and/or Recruit		\$47,861	\$48,818	\$49,794	\$50,790	\$51,806	\$52,842	\$53,899	\$54,977	\$56,077	\$57,198	\$58,342	\$59,509	\$60,699	\$61,913	\$63,151	\$64,414	\$65,703	\$67,017	\$68,357	\$69,724	\$71,119	\$72,541	\$73,992	\$75,472	\$76,981	\$78,521	\$80,091	\$81,693	\$83,327	\$84,993	\$86,693	

For employees on this pay scale with the following degrees, certifications, or working in the following capacities,

Item No. 8.6. Rivanna Futures Land Use Agreement for Federal Training.

The Executive Summary forwarded to the Board states that In December 2023, the County purchase the 462-acre Rivanna Futures property on Boulders Road in the Rivanna Magisterial District. The property is currently largely undeveloped and is ideal for conducting outdoor non-combat field training. The Defense Intelligence Agency has requested to use portions of the County property to conduct non-combat training for personnel stationed at the adjacent Rivanna Station facility.

Currently, Albemarle County Police Department (ACPD) and Albemarle County Fire Rescue (ACFR) use the Rivanna Futures property to conduct trainings to maintain proficiency. The Defense Intelligence Agency (DIA) has requested use of nine of the County's Rivanna Futures parcels to conduct similar non-combat training, including in Medical, Land Navigation, Basic Outdoor / Survival Evasion skills, Downed Aircraft Recovery Team (DART), Chemical, Biological, Radiological, and Nuclear Defense (CBRN) threat protective gear, and Counterintelligence threat identification and mitigation. These courses are considered unclassified and low risk.

The proposed agreement (Attachment A) specifically would prohibit the following activities on County property: use of firearms, combat or combat-like simulations, use of heavy or combat vehicles, permanent changes to the property or land, and hunting/fishing/personal recreational use.

Previous courses have been conducted in locations where the public has had some limited visibility and free access. The request is to continue training in a more isolated location to avoid incidents with civilians unknowingly entering a training scene and eliciting a Public Safety response, disrupting training.

The DIA would coordinate with County Facilities and Operations to deconflict dates/times to use the property and provide notification on each day of training

Approval of this agreement would have no impact on the County budget.

Staff recommends that the Board adopt the attached resolution (Attachment B), authorizing the County Executive to sign an agreement to allow non-combat training on the County's Rivanna Futures property, once the agreement has been approved as to form and substance by the County Attorney.

By the above-recorded vote, the Board adopted the attached resolution (Attachment B), authorizing the County Executive to sign an agreement to allow non-combat training on the County's Rivanna Futures property, once the agreement has been approved as to form and substance by the County Attorney

**RESOLUTION TO AUTHORIZE THE COUNTY EXECUTIVE TO SIGN
RIVANNA FUTURES LAND USE AGREEMENT**

WHEREAS, the County of Albemarle purchased the 462-acre Rivanna Futures property on Boulders Road in the Rivanna Magisterial District in December 2023;

WHEREAS, the property is currently largely undeveloped and well-suited for conducting non-combat field training; and

WHEREAS, the Defense Intelligence Agency (DIA) has requested to use portions of the Rivanna Futures property to conduct non-combat training for personnel stationed at the adjacent Rivanna Station facility;

NOW, THEREFORE, BE IT RESOLVED that the Albemarle County Board of Supervisors authorizes the County Executive to sign a proposed agreement on behalf of the County to allow non-combat training on the County's Rivanna Futures property, once the agreement is approved as to form and substance by the County Attorney.

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**TRAINING LAND USE GRATUITOUS SERVICES AGREEMENT
BETWEEN THE COUNTY OF ALBEMARLE, VIRGINIA AND THE
OPERATIONS SECTION, OFFICE ADVANCED TECHNOLOGIES
INTELLIGENCE, DIRECTORATE FOR SCIENCE AND TECHNOLOGY,
DEFENSE INTELLIGENCE AGENCY**

DATE: 25 SEPTEMBER 2024

1. Overview.

1.1. Purpose: The purpose of this document is to establish a gratuitous land use agreement between the County of Albemarle, Virginia (hereinafter the "County") and the Operations Section, Office Advanced Technologies Intelligence, Directorate for Science and Technology, Defense Intelligence Agency (hereinafter "Land User") for County-owned property in vicinity of Rivanna Station for training purposes. The following agreement is for the use of the following County-owned parcels (hereinafter "County Property"):

- 02100-00-00-014C0
- 03300-00-00-00100
- 03300-00-00-001B0
- 03300-00-00-001D0
- 03300-00-00-001G0
- 03300-00-00-01000
- 03300-00-00-01400
- 03300-00-00-01500
- 03300-00-00-01600

1.2. Participating Parties This land use agreement (the "Agreement") is between the County and the Land User . This agreement will outline both parties' responsibilities. It encompasses:

- 2. Term of Agreement
- 3. Permitted Use of County Property
- 4. Prohibited Use and Items
- 5. Responsibilities of Land User (DIA/ST/ATI Operations)
- 6. Responsibilities of the County
- 7. Insurance and Liability
- 8. Costs or Fees
- 9. Termination
- 10. Miscellaneous
- 11. Points of Contact

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2. **Term of Agreement-** This Agreement will commence on 1 OCTOBER 2024 (start date) and will continue until 01 OCTOBER 2025 (end date), unless terminated earlier in accordance with the provisions of this Agreement. Either party may terminate this Agreement at any time for any reason. This Agreement will be reviewed and may be updated as needed by each party.

3. **Permitted Use of County Property**

- 3.1. The County grants the Land User the right to enter upon the County Property for training purposes. The specific activities permitted include, but are not limited to, the below list.

- **Land Navigation** – Students will navigate from point to point utilizing map and compass. Participants may be in military uniform. Exercise control will establish markers for points prior to training and remove upon completion.
- **Basic Outdoor/ Survival Evasion Skills** – This training will train students ranging from having prior training and Military backgrounds to students that have never camped before. While this training may be mostly classroom, it may also transition to practical outdoor training scenarios.
- **Medical training** – This training may encompass and/or reinforce lifesaving principles in a simulated austere environment. Training may include Live Actors (simulated injuries), Simulaid (mannequin) realistic looking injuries, and/or load and drive causality in vehicle (training would not enter public roadways).
- **Downed Aircraft Recovery Team (DART) Training-** Downed Aircraft Recovery Team (DART) training would consist of students learning what duties to do as part of a DART team. Training locations would be set up with pieces of an Aircraft or drone and student will learn how to recover those pieces, or techniques to destroy those pieces (no explosives or destructive techniques will occur). All material used for the training will be packaged and removed from County property at the end of training.
- **CBRN threat/ Protective gear training-** Chemical, Biological, Radiological, Nuclear (CBRN) threats training will give students a brief overview of what CBRN threats exist; how and what types of CBRN threats are used; protective gear overview and techniques for protective equipment; and decontamination processes. No chemical, biological, radiological, or nuclear materials will be used during this training, as the training will focus on just techniques. Students may be in Personal Protective Equipment (PPE).
- **Counterintelligence threat identification and mitigation or other intelligence training-** Students will study techniques and procedures to identify potential counterintelligence threats. Mitigation tactics will be covered, and the Land User

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may request use of the house on Parcel 03300-00-00-00100 to complete hands-on practical exercise. As with elsewhere, no weapons or firearms will be used during this training.

- **UAS/Drone use-** If drone use for training is needed, the Land User will coordinate with the Charlottesville/Albemarle Airport per FAA regulation and inform the County prior to any such use.

4. Prohibited Use and Items

4.1. The below listed activities and items are strictly prohibited on the County Property. Negligence or failure to adhere to the County's Prohibited Use and Items list by the Land User may result in the termination of this Agreement. The County may add to this list at any time but must notify the Land User in writing.

- **Firearms** – At no time will any firearms be authorized on the County Property. The County does not allow firearms or weapons training (lethal or non-lethal), combat or combat-like simulations, paratroop training, or any similar training on the County Property. This is intended for the safety of everyone involved, including County employees, DIA employees, and any civilians that may be in the general vicinity. Any training aids that look like or resemble firearms must be bright in color or have bright tape or markings around the muzzle and along the barrel to ensure they can be easily identified training aid from a functional weapon. If the Land User intends to use any "look alike" or other dummy weapons during any training, it must notify the County prior to requesting use of the County Property.
- **Large Military Vehicles-** No heavy or combat vehicles (i.e. tanks, HEMTT, Oshkosh, HMMWV, etc.) are allowed on the County Property. Land User vehicles are restricted to standard 4x4 passenger vehicles or 4-wheeler-like transport.
- **Permanent Change to Property or Land-** The Land User is not allowed to permanently change any of the County Property.
- **Hunting/fishing/personal recreational use-** The County Property may be used for professional training only during such periods of use relevant to this Agreement. No personal leisure activities such as hunting or fishing will be permitted on the County Property under this Agreement.

5. Responsibilities of the Land User (DIA/ ATI/ ST Operations)

- 5.1. The Land User will notify the County Facilities & Environmental Services office of any future training no later than 30 days prior to the start of training.
- 5.2. The Land User will notify the County Facilities & Environmental Services office daily at the commencement of each day of training. Notification can be by: Phone, text message, or email.

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- 5.3. The Land User must ensure that all activities conducted on the County Property are safe and do not cause damage to the County Property.
- 5.4. The Land User must maintain the County Property in good condition and perform any necessary cleanup or repairs resulting from its use.
- 5.5. The Land User must comply with all applicable laws, regulations, and ordinances during the use of the County Property.
- 5.6. Upon completion of each training event, the Land User must remove all Land User property and restore the County Property to its original condition, reasonable wear and tear excepted.
- 5.7. Upon completion of training activities, the Land User will notify the County Facilities & Environmental Services office. Notification can be by: Phone, text message, or email.
- 5.8. In the event of a medical emergency, the Land User will utilize standard emergency response procedures, such as local first-aid and 9-1-1 emergency lines.

6. Responsibilities of the County

- 6.1. The County will provide access to the County Property during the agreed-upon times and dates. The County will provide the Land User's team with combination to property gates and will unlock dwelling on Parcel 03300-00-00-00100 if requested in advance.
- 6.2. The County will notify and deconflict with DIA/ST/ATI Operations team and other parties if any other entities are using the County Property.
- 6.3. The County will inform DIA/ST/ATI Operations of any known hazards or conditions on the County Property that may affect the safety of the activities conducted.

7. Insurance and Liability

- 7.1. The Land User must ensure that all Participants sign any Liability Waivers or Releases that the County may require prior to engaging in any activities on the County Property. The Waiver must be in a form satisfactory to the County and at its discretion;
- 7.2. Additionally, the Land User hereby releases the County from any and all claims, demands, actions, suits, or proceedings of every kind and nature whatsoever, including but not limited to claims for personal injuries, property damage, or other losses or damages, arising out of or resulting from the activities of the Participants on the County Property;
- 7.3. The Land User hereby waives any and all rights to seek damages or other relief from the County, including but not limited to claims for negligence, breach of contract, or any other tort or breach of duty.
- 7.4. The County is not responsible or liable for any legal liability or recourse arising out of or resulting from the activities of the Participants on the County Property, including but not limited to claims for personal injuries, property damage, or other losses or damages. The Land User hereby indemnifies and holds harmless the County from and against any and all claims, demands, actions, suits, or proceedings of every kind and nature whatsoever arising out of or resulting from the activities of the Participants on the County Property.

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7.5. The Land User must ensure that any Waivers or Releases requested by the Landowner are signed by all Participants prior to engaging in any activities on the Land, and provide the County with copies of the signed Waiver(s) prior to the commencement of any activities on the County Property.

8. Costs or Fees

- 8.1. There are no costs or fees to the Land User in order to use any of the referenced County Property pursuant to this Agreement.
- 8.2. Any County-required fees or costs would necessitate further review by the Land User in accordance with the Land User's policies and regulations.
- 8.3. The Land User is responsible for all costs to return the County Property to its original state, with reasonable wear and tear excepted.

9. Termination

- 9.1. Either party may unilaterally terminate this Agreement with thirty (30) days written notice to the other party.
- 9.2. Upon termination of this Agreement, the Land User must remove all of its property, and restore the County Property to its original condition to the practical extent possible, with reasonable wear and tear excepted.

10. Miscellaneous

- 10.1. This Agreement constitutes the entire agreement between the parties and supersedes all prior agreements, representations, and understandings.
- 10.2. This Agreement may be amended only in writing signed by both parties and will be reviewed and require signature yearly.
- 10.3. If any provision of this Agreement is found to be invalid or unenforceable, the remaining provisions will continue in full force and effect.
- 10.4. This Agreement will be governed by and construed in accordance with the laws of the Commonwealth of Virginia.

11. Points of Contact- The point of contact (POC) for this document for the County is Bill Strother, Chief of Facilities and Operations, 434-296-5816, Ext. 3939 bstrother@albemarle.org. The Land User POC is Zachary Wood, Operation Support Specialist, 434-995-4132 or zachary.wood5@dodjiis.mil.

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LANDOWNER
COUNTY OF ALBEMARLE, VIRGINIA



Jeffrey B. Richardson
County Executive

LAND USER
DIA/ST/ATI OPERATIONS



Adam N. Escobar
Chief of Operations

Date: 11/12/24

Date: 09/25/2024

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Item No. 8.7. Letter of Support for VDOT Acceptance of Hunterstand Court (Rte. 1700). (Rio Magisterial District)

The Executive Summary forwarded to the Board states that Hunterstand Court (Rte. 1700) was proposed to be a private street within the Airport Industrial Park Subdivision, project No. 2105. The developer's Road/Subdivision Performance Bond in the amount of \$27,000 was called by the County on September 14, 2009 (Attachment A). The bonding company has been collaborating with VDOT to finish the road. Because VDOT owns property at the road's end, the bonding company transferred the right-of-way and road to VDOT, to enable VDOT to finish the improvements and accept Hunterstand Court as a public road.

VDOT has requested a letter of support from the County for VDOT Project 1700-002-048, UPC 126312, Hunterstand Court (Attachment B). This letter would show County support for the acceptance of Hunterstand Court off of Quail Run (Rte. 1666).

Staff recommends that the Board adopt the attached Resolution (Attachment C), authorizing the County Engineer to sign a letter of support on behalf of the County for acceptance of Hunterstand Court into the VDOT Secondary Street system.

By the above-recorded vote, the Board adopted the attached Resolution (Attachment C), authorizing the County Engineer to sign a letter of support on behalf of the County for acceptance

of Hunterstand Court into the VDOT Secondary Street system.

**RESOLUTION TO AUTHORIZE COUNTY ENGINEER
TO SIGN A LETTER OF SUPPORT FOR
ACCEPTANCE OF HUNTERSTAND COURT
INTO THE STATE SECONDARY SYSTEM**

WHEREAS, Hunterstand Court (Rte. 1700) was proposed to be a private street within the Airport Industrial Park Subdivision, Project No. 2105;

WHEREAS, the developer's Road/Subdivision Performance Bond in the amount of \$27,000 was called by the County on September 14, 2009;

WHEREAS, the bonding company has been collaborating with the Virginia Department of Transportation (VDOT) to finish the road;

WHEREAS, because VDOT owns property at the road's end, the bonding company transferred the right-of-way and road to VDOT to enable VDOT to finish the improvements and accept Hunterstand Court as a public road; and

WHEREAS, VDOT has requested a letter of support for acceptance of Hunterstand Court into the VDOT Secondary Street system;

NOW, THEREFORE, BE IT RESOLVED that the Albemarle County Board of Supervisors hereby authorizes the County Engineer to sign a letter of support on behalf of Albemarle County for acceptance of Hunterstand Court into the VDOT Secondary Street system.

* * * * *



County of Albemarle
COMMUNITY DEVELOPMENT DEPARTMENT

401 McIntire Road, North Wing
Charlottesville, VA 22902-4579
Telephone: 434-296-5832
WWW.ALBEMARLE.ORG

November 13, 2024

Carrie Shephard, P.E.
Resident Engineer / Charlottesville
Virginia Department of Transportation
701 VDOT Way
Charlottesville, VA 22911

**Subject: VDOT Project 1700-002-048, UPC 126312
Hunterstand Court (Rte. 1700)**

Dear Ms. Shephard:

In my capacity as County Engineer and on behalf of the Albemarle County Board of Supervisors, the County supports the acceptance of Hunterstand Court (Rte. 1700 – UPC 126312, Project 1700-002-048) into the State Secondary System, and the related Highway System Changes associated with this project. The highway changes include:

- Code Section §33.2-705 – Addition to Secondary Route

Please see the attached sketches for the location and additional details regarding this request.

If you have any questions related to this project, do not hesitate to contact me.

Sincerely,


Frank V. Pohl, P.E., CFM
County Engineer
Community Development
Date: 2024.11.13 09:29:19-0500

Frank Pohl, P.E.
County Engineer
Community Development

Item No. 8.8. Resolution to Accept Road(s) in Hyland Park Phase 2 Subdivision into the State Secondary System of Highways. (Rivanna Magisterial District).

By the above-recorded vote, the Board adopt the attached Resolution to Accept Road(s) in Hyland Park Phase 2 Subdivision into the State Secondary System of Highways:

The Board of County Supervisors of Albemarle County, Virginia, in regular meeting on the 6th day of November 2024, adopted the following resolution:

RESOLUTION

WHEREAS, the street(s) in **Hyland Park Phase 2**, as described on the attached Additions Form AM4.3 dated **November 6, 2024**, 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 **Hyland Park Phase 2**, as described on the attached Additions Form AM-4.3 dated **November 6, 2024**, 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.

* * * * *

Form AM 4.3
(Rev 10/15/2024)

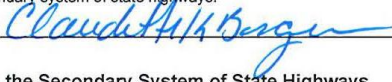
ICR ID: 40189825
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COMMONWEALTH OF VIRGINIA DEPARTMENT OF TRANSPORTATION
Form AM 4.3

In Albemarle County

by Resolution of the governing body adopted 11/6/2024

The following VDOT Form AM-4.3 is hereby attached and incorporated as part of the governing body's resolution for changes to the secondary system of state highways.

A Copy Testee Signed (County Official): 

Report of Changes in the Secondary System of State Highways

Project/Subdivision: Hyland Park Ph 2

CHANGE TYPE	RTE NUM & STREET NAME	CHANGE DESCRIPTION	FROM TERMINI	TO TERMINI	LENGTH	NUMBER OF LANES	RECORDATION REFERENCE	ROW WIDTH
Addition	Rt. 1888 - Belluno Lane	New subdivision street §33.2-705	Int Via Florence Road Rt 1775	Belluno Lane CDS	0.11	2	DB 5460/81	54
Addition	Rt. 1889 - Belluno Court	New subdivision street §33.2-705	Belluno Lane (Future Rt 1888)	West to Belluno Court CDS	0.06	2	DB 5460/81	54

Item No. 8.9. SE202400021 Victorian Heights (Rear Yard Setback Reduction Request).

The Executive Summary forwarded to the Board states that The applicant requests a special exception to reduce the minimum rear setback required by County Code §18-4.19 as it applies to Parcel IDs 045A2-00-00-00100, 045A2-00-00-00200, 045A2-00-00-00300, 045A2-00-00-00400, 045A2-00-00-00500, 045A2-00-00-00600, 045A2-00-00-00700, 045A2-00-00-00800, 045A2-00-00-00900, 045A2-00-00-01000, 045A2-00-00-01100, 045A2-00-00-01200, 045A2-00-00-01300, 045A2-00-00-01400, 045A2-00-00-01500, 045A2-00-00-01600, 045A2-00-00-01700, 045A2-00-00-01800, 045A2-00-00-01900, 045A2-00-00-02000, 045A2-00-00-02100, 045A2-00-00-02200, 045A2-00-00-02300, 045A2-00-00-02400, 045A2-00-00-02500, 045A2-00-00-02600, 045A2-00-00-02700, 045A2-00-00-02800, 045A2-00-00-02900, 045A2-00-00-03000, 045A2-00-00-03100, 045A2-00-00-03200, 045A2-00-00-03300, and 045A2-00-00-03400. Under Albemarle County Code §18-4.19, R-15 Residential Non-Infill Residential lots generally must have a minimum rear yard setback of 20 feet. However, County Code §18-4.19 (2) allows any minimum setback to be reduced by special exception. The proposed units front on Woodburn Road with access to the rear of the lots for parking from Perseus Lane, a private access easement that is an alley. The proposed special exception would reduce the rear minimum setback of 20 feet along Perseus Lane to allow planned decks to extend over driveways (Attachment A). County Code §18-4.11 allows up to a four-foot projection for covered porches, balconies, chimneys, eaves and like features. Though the applicant had sought a reduced setback of only ten feet, County Code §18-4.11.1 also restricts these features from being located closer than six feet to any lot line.

Staff recommends that the Board adopt the attached Resolution (Attachment C) to approve a special exception for a reduced 10-foot setback on the subject parcels, allowing the projected features to be as close as six feet to the lot lines, as permitted.

By the above-recorded vote, the Board adopt the attached Resolution (Attachment C) to approve a special exception for a reduced 10-foot setback on the subject parcels, allowing the projected features to be as close as six feet to the lot lines, as permitted:

**RESOLUTION TO APPROVE SE 2024-00021
VICTORIAN HEIGHTS**

WHEREAS, upon consideration of the staff reports prepared for SE2024-00021 Victorian Heights and the attachments thereto, including staff's supporting analysis, any comments received, and all relevant factors in Albemarle County Code §§ 18-4.19 and 18-33.9, the Albemarle County Board of Supervisors hereby finds that:

- (i) the requested special exception would allow the applicant flexibility in design to construct a compact, high-density development, with a variety of housing types, including single-family attached units and multi-family residential units;
- (ii) the proposed design of the site would relegate all driveways and garages to the rear of the proposed units; and
- (iii) the proposed special exception would allow the applicant flexibility with the design of the proposed decks.

NOW, THEREFORE, BE IT RESOLVED that the Albemarle County Board of Supervisors hereby approves a special exception to reduce the 20-foot minimum rear setback otherwise required by County Code § 18-4.19 on Parcels 045A2-00-00-00100, 045A2-00-00-00200, 045A2-00-00-00300, 045A2-00-00-00400, 045A2-00-00-00500, 045A2-00-00-00600, 045A2-00-00-00700, 045A2-00-00-00800, 045A2-00-00-00900, 045A2-00-00-01000, 045A2-00-00-01100, 045A2-00-00-01200, 045A2-00-00-01300, 045A2-00-00-01400, 045A2-00-00-01500, 045A2-00-00-01600, 045A2-00-00-01700, 045A2-00-00-01800, 045A2-00-00-01900, 045A2-00-00-02000, 045A2-00-00-02100, 045A2-00-00-02200, 045A2-00-00-02300, 045A2-00-00-02400, 045A2-00-00-02500, 045A2-00-00-02600, 045A2-00-00-02700, 045A2-00-00-02800, 045A2-00-00-02900, 045A2-00-00-03000, 045A2-00-00-03100, 045A2-00-00-03200, 045A2-00-00-03300, and 045A2-00-00-03400 to 10 feet.

Item No. 8.10. SE2024-23 Crozet Wastewater Pump Station 3.

The Executive Summary forwarded to the Board states that the applicant is proposing to install a 2,000 gallon fuel storage tank approximately 25 feet from a lot line. The ordinance requires fuel storage tanks in excess of 600 gallons to be set back 100 feet from any lot line.

Staff recommends that the Board adopt the resolution (Attachment E) to approve the proposed special exception to allow a fuel storage tank to be located less than 100 feet from any lot line.

By the above-recorded vote, the Board adopted the resolution (Attachment E) to approve the proposed special exception to allow a fuel storage tank to be located less than 100 feet from any lot line:

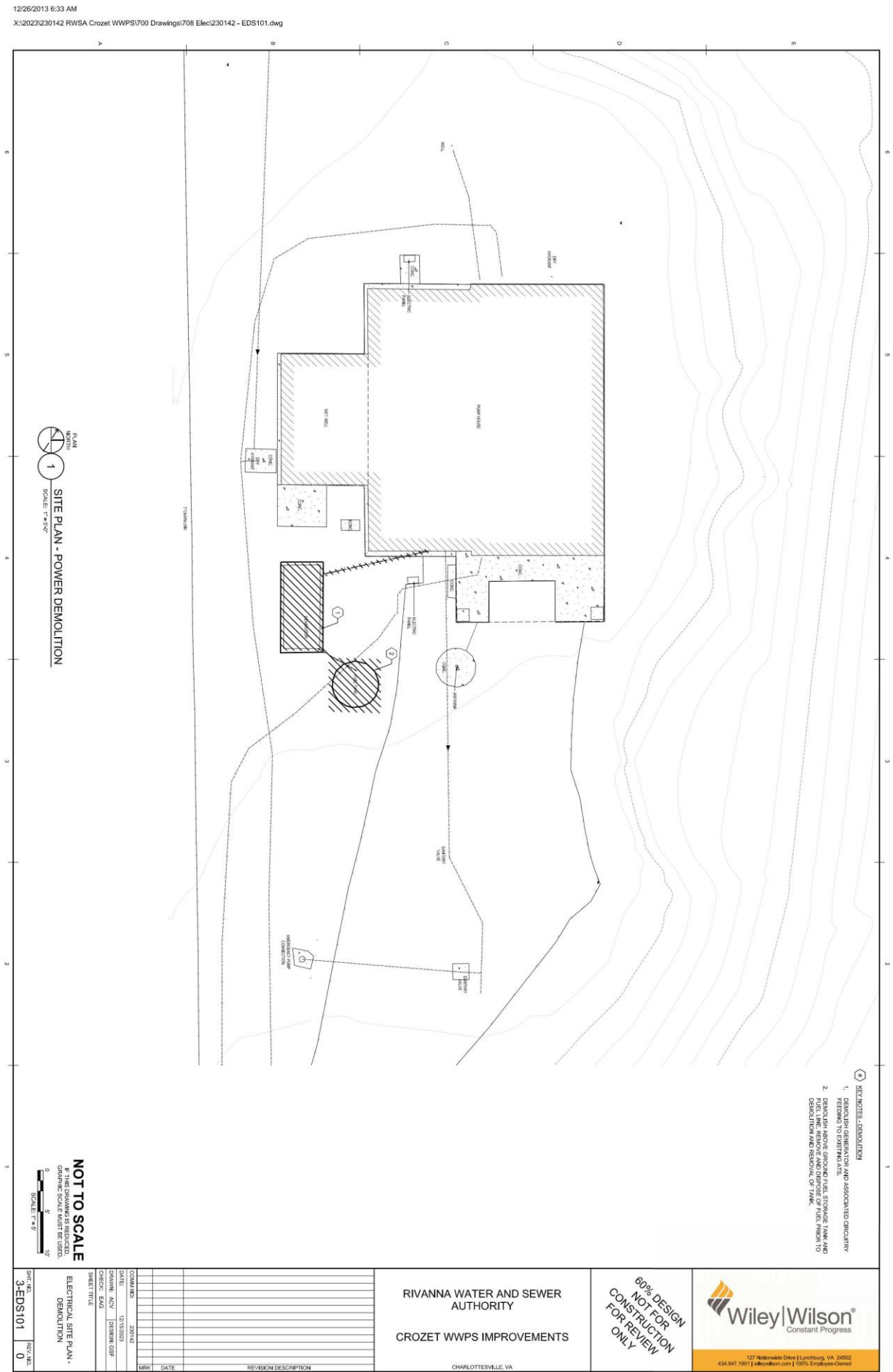
**RESOLUTION TO APPROVE SE2024-00023
CROZET WASTEWATER PUMP STATION 3**

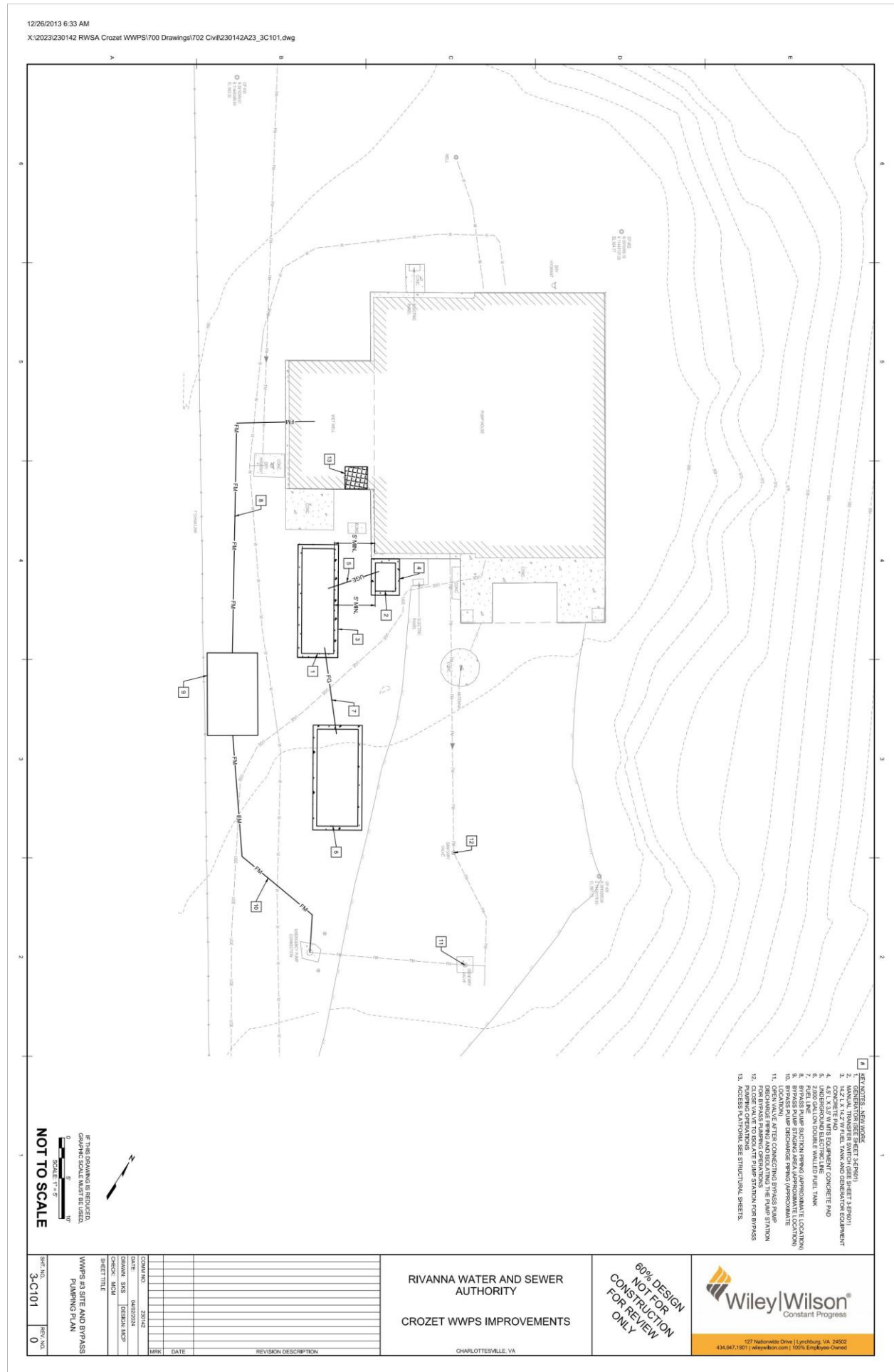
WHEREAS, upon consideration of the Memorandum prepared in conjunction with the SE2024-00023 Crozet Wastewater Pump Station 3 application and the attachments thereto, including staff's supporting analysis, any comments received, and all of the relevant factors in Albemarle County Code §§

18-5.1.20(b) and 18-33.9, the Albemarle County Board of Supervisors hereby finds that a modified regulation would satisfy the purposes of the Zoning Ordinance to at least an equivalent degree as the specified requirement.

NOW, THEREFORE, BE IT RESOLVED, that in association with SE2024-00023 Crozet Wastewater Pump Station 3, the Albemarle County Board of Supervisors hereby approves a special exception to modify the 100 foot setback otherwise required by Albemarle County Code § 18-5.1.20(b) on Parcel 05700-00-00-079A1 to approximately 25 feet, as shown on the “Rivanna Water and Sewer Authority Crozet WWPS Improvements” plans attached to the applicant’s “SE Request Letter CZWWPS 3,” dated May 13, 2024.

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Item No. 8.11. SE2024-24 Crozet Wastewater Pump Station 4.

The Executive Summary forwarded to the Board states that the applicant is proposing to install a 2,000 gallon fuel storage tank approximately 25 feet from a lot line. The ordinance requires fuel storage tanks in excess of 600 gallons to be set back 100 feet from any lot line.

Staff recommends that the Board adopt the resolution (Attachment E) to approve the proposed special exception to allow a fuel storage tank to be located less than 100 feet from any lot line.

By the above-recorded vote, the Board adopted the Resolution (Attachment E) to approve the proposed special exception to allow a fuel storage tank to be located less than 100 feet from any lot line:

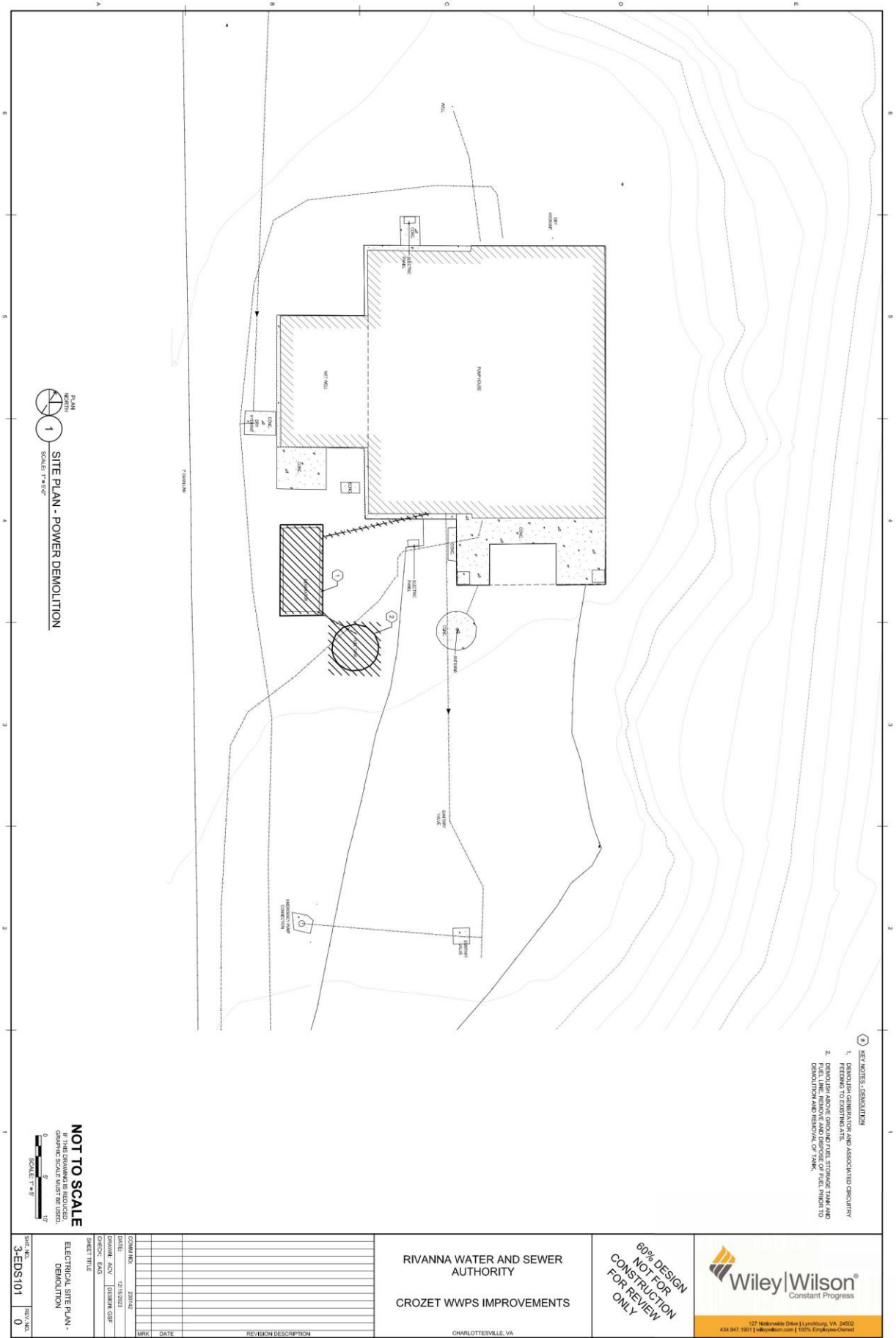
**RESOLUTION TO APPROVE SE2024-00024
CROZET WASTEWATER PUMP STATION 4**

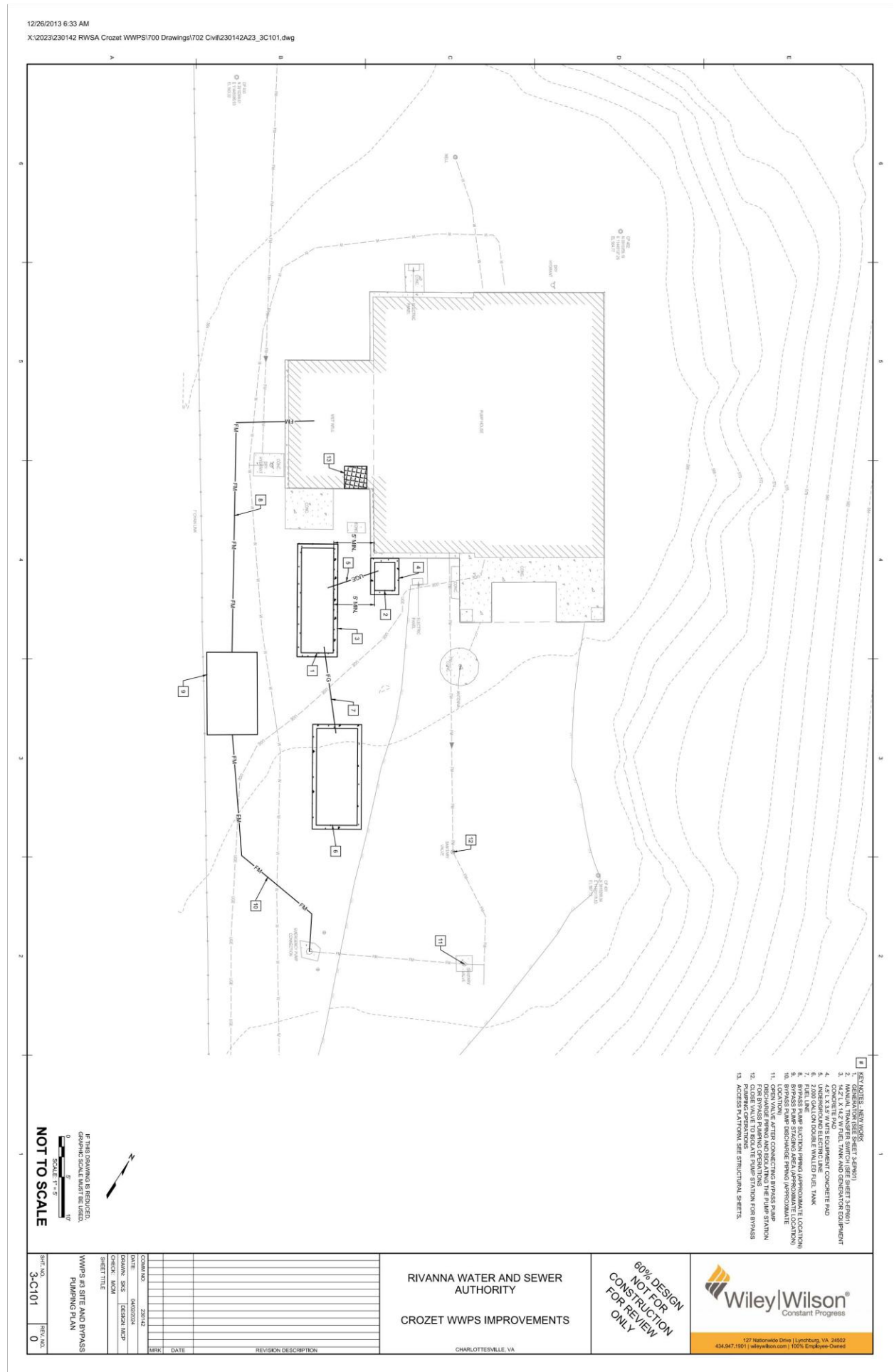
WHEREAS, upon consideration of the Memorandum prepared in conjunction with the SE2024-00024 Crozet Wastewater Pump Station 4 application and the attachments thereto, including staff's supporting analysis, any comments received, and all of the relevant factors in Albemarle County Code §§ 18-5.1.20(b) and 18-33.9, the Albemarle County Board of Supervisors hereby finds that a modified regulation would satisfy the purposes of the Zoning Ordinance to at least an equivalent degree as the specified requirement;

NOW, THEREFORE, BE IT RESOLVED, that in association with SE2024-00024 Crozet Wastewater Pump Station 4, the Albemarle County Board of Supervisors hereby approves a special exception to modify the 100-foot setback otherwise required by Albemarle County Code § 18-5.1.20(b) on Parcel 05700-00-00-035A0 to approximately 25 feet, as shown on the applicant's "Rivanna Water and Sewer Authority Crozet WWPS Improvements" plans attached to the applicant's "SE Request Letter CZWWPS 4," dated May 13, 2024.

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12/26/2013 6:33 AM





Item No. 8.12. Albemarle Broadband Authority Quarterly Report., ***was received for information.***

Agenda Item No. 9. **Presentation:** Annual Human Resources and Workforce Presentation.

The Executive Summary forwarded to the Board states that Albemarle County ended the shared service Human Resources (HR) model in Fiscal Year 2023 (FY 23) and approved the formation of a HR Department dedicated to local government operations and services. The intent was to enhance focus on local government workforce needs, build transformational human resource best practices and support long-term staffing strategies that would support the County's future service needs.

In spring 2022, the first positions of the County's HR department were filled in preparation for the Department launch at the beginning of FY23. The Human Resources Department has now been in operation for 2 ½ years. As a newly staffed department, the priorities have been balanced on building organizational and enterprise-wide best practices while learning the nuances of each department's culture and function. The primary focus has been on establishing processes for core human resource functions to include recruiting, compensation and benefits, employee safety, and training. During FY24, the HR Department successfully moved from focusing on core transactional functions to a model focused on internal partnerships and services, and innovative solutions.

The purpose of this presentation is to share current workforce demographics, review workforce metrics, and share current initiatives that provide insight into the organization's performance in executing Strategic Plan: Goal 6- Workforce & Customer Service.

Ms. Jessica Rice, Director of HR for Local Government, said that she would be presenting an update on the County's workforce and the work they had initiated in response to their Strategic Plan, Goal 6, for FY24. She said that during this presentation, she would have the opportunity to introduce some of their HR staff who were with them today. She said that she would share the foundational work that had occurred since the creation of the Government HR Department and outline their objectives for FY24. She said that next, they would move on to a current state overview of the County's workforce and the stabilization efforts that had taken place in FY24. She said that finally, they would close the presentation with a glimpse at the work already underway for FY25.

Ms. Rice said that before she began, she would like to take a minute to introduce their HR team. She said that she would like to ask them to stand up so the Supervisors could meet them all. She said that their hard work, dedication, and perseverance had been instrumental in getting the department and the organization to where it was today. She said that these were skilled HR professionals came to work every day with the goal of making Albemarle County a great place to work. She said that without them, she would not be standing here today, nor would they have achieved the great outcomes she would be sharing with the Board this afternoon. She thanked the team members.

Mr. Rice said that for those of them on the Board, she would like to take a moment to provide some context. She said that the HR Department was established in July 2022, following a need for a Government-focused HR Department, as they previously had a shared services HR Department with the School Division. She said that there was a need to focus on their Government operations and the services they provided as a local government.

Ms. Rice said that in the first year of the HR Department's operation, which was FY23, they focused on establishing fundamental HR functions that served Local Government operations and their staff, including recruiting, payroll, benefits, and regulatory reporting. She said that during that first year, they were also in the middle of two large projects, one of which was implementing an HR payroll technology, or HRIS, that synced up with a new payroll system they implemented. She said that the second item was the compensation and classification study. She said that these took place during their first year as an HR Department.

Ms. Rice said that in their second year of operation, which was FY24, their objectives were to collaborate and partner with stakeholders on initiatives, focusing on internal departments that they worked with daily. She said that they aimed to transition the department and organization from building the basics to implementing best practices. She said that key areas of focus included compliance and regulatory training, automating payroll processes, policy modernization, developing supervisory and performance management skills across the organization, and implementing a problem solver service level for the departments and offices they supported.

Ms. Rice said that in response to organizational needs, the HR Department restructured to a service-focused model, where staff worked in teams to troubleshoot by function or provide broader HR services to the departments and agencies they served. She said that currently, the HR Department served 15 County departments, six partner agencies, and the constitutional offices, encompassing over 1,100 full and part-time permanent county staff, as well as over 200 temporary employees and 400 seasonal employees.

Ms. Rice said that over the next several slides, she would share data on the diversity and stability of the County's workforce, as well as initiatives from FY24 aimed at addressing areas of opportunity. She said that the data she would present included full and part-time permanent County staff only, excluding partner agencies and elected official personnel or temporary employees. She said that this information was directly tied to Strategic Plan Goal 6 and impacted programming and service levels for the Albemarle County community.

Ms. Rice said that in the next section, they would discuss demographics of their workforce and what could be gleaned from this information. She said that as of mid-October, they had 830 full and part-time permanent staff in their core organization. She said that the pie charts they saw were pictorials, so she would walk them through the written demographics on the left, making it easier to understand.

Ms. Rice said that in terms of gender, their County workforce consisted of 60% males and 40% females, whereas their community was comprised of 48% males and 52% females. She said that this indicated that their organization had a lower percentage of females than they represented in the community. She said that analyzing this demographic, it was clear that their workforce was not

representative of the community; however, they had taken some steps to retain their current female staff and were working towards improving this demographic. She said that they had launched a women in government affinity group, conducted a pay equity analysis in FY24, and implemented exit surveys. She said that these initiatives would continue and expand in FY25.

Ms. Rice said that, in the category of race, their organization's demographics were as follows: 80% of the County workforce was white, which was slightly higher than the community's 74% white demographic. She said that in contrast, their workforce had 11% individuals who identified as Black or African American, which was higher than the community's 8%. She said that they were not aligned with the community in terms of Hispanic representation, with the County having less than 1% Hispanic individuals and the community having 6%.

Ms. Rice said that this information highlighted the need for targeted recruitment and engagement efforts to support women and Hispanic applicants, and other underrepresented demographics in their workforce. She said that the FY25 outlook would showcase some of the work they had planned to address these disparities, and they had already launched some initiatives.

Ms. Rice said that she would like to touch on the generation aspect of their workforce. She said that the analysis of their workforce's age was important because it informed the type of work environment, schedules, benefits, and other factors that supported their employees and their balanced home lives. She said that these were essential considerations for all of them. She said that the information also helped them predict potential future skill and knowledge gaps for succession planning. She said that in addition to the four generations shown on the screen, they also had another generation on staff, comprising approximately three individuals from the silent generation, who were born prior to the baby boomers. She said that this brought their total to five generations.

Ms. Rice said that the data showed that the Millennial and Gen Z generations had surpassed the Boomer and Gen X generations, with significant implications for their organization. She said that the shifting needs of these younger generations would impact their organization, particularly in terms of health and wellness benefits, flexible work methods, and technology reliance. She said that furthermore, they were observing a trend where fewer people were choosing careers in government organizations that relied on their services. She said that to address this, they were planning to implement more partnership programs with colleges, universities, and in-house training.

Ms. Rice said that the next set of demographics would be used for longer-term workforce planning, and they offered fascinating insights. She said that for example, 35% of their County staff resided within Albemarle County, and an additional 14% lived within the City limits of Charlottesville, which were often considered part of the same community. She said that this meant that approximately 49% of staff lived within their community, a number that was lower than what they typically saw in local government prior to the pandemic, which was around 70% at that time.

Ms. Rice said that the pandemic, remote work, and other factors had contributed to this decrease. She said that it would be interesting to see how these numbers changed when they assessed their progress across Virginia and the nation. She said that residency could be correlated with longer employee tenure, job satisfaction, and a sense of working to serve a home community that supports family and friends. She said that she was one of them, and that her family and friends lived in the County. She said that contributing factors to this lower number had already been mentioned. She said that some of that was attributed to hybrid work and other factors that played into affordable housing, which they had discussed briefly today.

Ms. Rice said that the next demographic of interest was that 51% of County staff had worked for the County for four years or less. She said that this was significant because it highlighted the need for skill development and leadership development to prepare for the next generation of leaders, as some department heads and officials were nearing retirement.

Ms. Price said that additionally, speaking about workforce planning, they had 69 employees currently eligible for VRS retirement, their state retirement plan. She said that this became significant because they needed to plan to backfill those positions and prepare for those individuals leaving.

Ms. Rice said that in the next portion of the presentation, she would share metrics used to determine the stability of the workforce and the work that had been done in response to that information. She said that two key metrics they used to assess the stability of the workforce were the vacancy rate and turnover rate. She said that she would break them down individually.

Ms. Rice said that the vacancy rate was a percentage of unfilled positions in an organization relative to the total number that could be filled. She said that for example, they had some positions that were frozen and were not included in this number. She said that their goal for this was 7.5%, which was the national average. She said that initially, their goal was just to be better than the national average. She said that they had started with a vacancy rate at around 15% prior to FY23. She said that by the end of FY23, they had decreased to 9.1%, and by the end of FY24, their vacancy rate was 6.4%.

Ms. Rice said that this was a notable achievement, and it was a result of the Board's investment in the Government-focused HR Department, in modernizing technology, and in addressing competitive compensation, which would be discussed further in the presentation. She reiterated that this was a significant development and has a substantial impact on their team and the services they provide to the community.

Ms. Rice said that the turnover measures the number of employees leaving an organization over a specified period. She said that it was considered best practice to measure this rate annually. She said that this data they pulled was from the end of FY24, which is June. She said that the goal set was a 1.5% turnover rate, which is the national average for local government. She said that she did not have data for FY23, but at the end of FY24, they were at 0.9%.

Ms. Rice said that this metric is important because it serves as an indicator of potential problem areas within their workforce, such as culture, supervisor and management skills, policies, pay and benefits, or any combination of these factors. She said that this metric is just another tool in their toolbox for gauging the stability of their workforce.

Ms. Rice said that she would like to take this opportunity to share an example of how their organization has collaborated across departments to stabilize their workforce. She said that prior to the onset of COVID-19, the community relied heavily on access to outdoor green space, recreation facilities, and supplemental programming. She said that however, the County struggled to fill vacant positions for these services, often closing swimming venues and programming intermittently with Parks and Recreation due to staffing shortages. She said that in November 2023, the HR Department and Parks and Recreation Department began discussing a plan to address this difficult recruitment effort.

Ms. Rice said that various marketing strategies were deployed over the winter, along with pay adjustments for returning seasonal staff and split incentives. She said that as a result, for the first time in many years, the County was able to fill all seasonal positions and open swimming venues and recreational programs for the entire spring and summer season. She said that this summer was a success for cross-departmental collaboration and creativity, and planning during FY24.

Ms. Rice said that in FY24, they reimagined and launched new programming for new employees, providing immediate integration into the culture, setting clear expectations early on, and providing support resources in addition to traditional regulatory training and benefits overviews. She said that this new approach included an introduction to County values and outreach from the County Executive's Office on the very first day of employment.

Ms. Rice said that they also offered training and tools for supervisors, including goal-setting and expectations, and an HR check-in, with planned check-ins with both the new employee and supervisors within the first 90 days of hire. She said that this multi-faceted approach included a new orientation program, support for supervisors and skill development, and intervention from HR right out of the gate within the first 90 days.

Ms. Rice said that as the data showed, many positions were filled in FY23 and FY24, and all of those employees went through this new programming. She said that the feedback had been overwhelmingly positive, with many of their current and tenured staff members requesting permission to attend and participate in the new programming to better understand what their new employees were learning and plan accordingly.

Mr. Ryan Lipscomb, Assistant Director of HR for Local Government, said that he was grateful for the opportunity to present to the Board today. He said that the subject of employee performance was his primary focus. He said that when he arrived, this area was a work in progress, and it still was. He said that however, managing performance was a critical component of sustaining their workforce, in addition to driving their culture and defining their expectations as they moved forward.

Mr. Lipscomb said that to adequately manage performance, they needed to modernize and create new policies. He said that a tremendous work effort in FY24 led to the creation or revision of 18 personnel policies. He said that as a result of this foundation, they had now improved clarity and consistency for their employees regarding the expectations of the organization, and they were able to ensure fairness and equity in their processes because they had made it objectively clear what those standards were.

Mr. Lipscomb said that with sound policy in place, they had been able to educate employees at various stages of their career here at Albemarle County, continually reinforcing those expectations. He said that for example, as Ms. Rice had previously discussed, their new employee onboarding (NEO) curriculum was largely based on education of this policy and onboarding employees to their culture.

Mr. Lipscomb said that additionally, in FY24, they had launched their need-to-know curriculum, which was delivered through their learning management system and consisted of all pertinent need-to-know information that kept them educated and compliant under the law. He said that the training modules were assigned to staff each quarter and included four learning tracks: safety, policy and employment law, fostering diversity, equity, and inclusion, and anti-harassment. He said that furthermore, they had dedicated a module in one quarter to delivering organizational reminders, targeted to all supervisors, as a means of providing asynchronous training on essential best practices for them.

Mr. Lipscomb said that additionally, in FY24, multiple County departments had collaborated to conduct quarterly supervisor conferences, focusing on re-establishing expectations and best practices in performance management. He said that this effort had begun in August 2023, when the HR Department had facilitated or supported 21 trainings on topics such as crafting and creating goals, delivering performance reviews, and leveraging new technology to enhance the program. He said that however, when it came to goal setting, they had developed a performance review process that required all regular

full-time and part-time employees to be evaluated not only on the core competencies of their culture and organization, but also on the individualized operational and developmental goals set with their supervisors, which were directly tied to the department's goals for fulfilling core services and ultimately the Strategic Plan. He said that with that, Ms. Rice would continue the presentation.

Ms. Rice said that the next portion of the presentation focused on employee total rewards. She said that this was one of the largest considerations when choosing an employer. She said that total rewards encompassed benefits, compensation, paid leave, reward and recognition, and training and development opportunities. She said that she would like to spend a few minutes highlighting the significant impact of the two largest components of total rewards: benefits and compensation.

Ms. Rice said that as they had shared in a previous slide, their workforce comprised five generations, each with unique priorities for health. She said that however, all staff shared a common need for comprehensive health insurance options and wellness programming. She said that of their benefits-eligible staff, 90% were enrolled in one of the County's medical plans. She said that this meant that 90% of their workforce either relied solely on the County's benefit or valued it more than their other options. She said that they were proud to provide their staff with options to suit their medical needs for themselves and their families.

Ms. Rice said that the breakdown of what the County currently offered included two health insurance plans: a traditional plan and a high-deductible health plan with an HSA savings account. She said that they also offered two dental plans: Dental High and Dental Low, which differed in terms of upfront costs, with the high plan providing more comprehensive dental coverage. She said that additionally, they provided other health benefits that may not be standard in some organizations, such as an optional vision plan, medical FSA, a sick leave bank for catastrophic illness and injury, and vaccination clinics where employees could receive vaccinations at no cost.

Ms. Rice said that in FY24, the HR Department and the organization placed a heavy focus on wellness for their staff. She said that they recognized the importance of addressing both mental and physical health needs, and that the best way to stabilize the workforce was to keep them working. She said that as a result, they implemented new programming and resources and developed a Strategic Plan that focused on four areas of wellness: mental health, physical health, occupational health, and financial health. She said that throughout the year, various trainings, workshops, consultants, and resources were made available to staff in the four designated areas. She said that these resources could be utilized as needed.

Ms. Rice said that in FY24, they also launched the first-ever benefits and wellness fair specifically for Local Government employees. She said that they brought on-site representatives from all their benefit providers, covering their insurances, voluntary benefits, VRS retirement plan, and this was also the first glimpse of what would become the health clinic later in the year. She said that finally, they introduced a new wellness incentive, which encouraged folks to get check-ups and focus on themselves in a preventative manner, rather than waiting for something to go wrong, which would result in their getting pulled out of work and creating hardship for themselves and their families.

Mr. Rice said that in the area of compensation, in FY24, it was certainly unprecedented. She said that they implemented all recommended changes from the comprehensive and class study in one year, which was virtually unheard of. She said that it was strategically significant due to the situation they were in with vacancies and the concerns regarding impacts to services. She said that at the time of implementation, most of the local government organizations in their competitive market were still doing research and completing their studies, so essentially, they were one of the first out of the gate to implement, and that played a large role in how they were able to fill their open positions.

Ms. Rice said that in July 2023, they also gave staff a 4% cost of living adjustment (COLA) in the adopted budget. She said that finally, in FY24, they implemented sign-on incentives for positions across the organization where previously they had only been available for public safety personnel during the pandemic. She said that since that time, they had awarded 112 of those sign-on incentives, which helped them staff Parks and Recreation programming such as lifeguards, and filled their public safety vacancies.

Ms. Rice said that for the first time last year, Fire and Rescue was able to fill all department vacancies during their recruit school, largely due to all of these implementations in the past year. She thanked the Board for their continued support of their workforce and their investment in keeping wages competitive so that they were able to provide services for the community and do the things the Board had asked of staff.

Ms. Rice said that all of the combined elements of this presentation formed a holistic approach to workforce stability. She said that addressing only one or two of these elements would not achieve the County's goals of maintaining a high-performing, innovative, and service-level-exceeding workforce that meets the community's expectations. She said that instead, the key is to balance the competing needs within all of these elements while focusing on long-term objectives.

Ms. Rice said that based on their current data, trends, and forecasted workforce needs, which they had just discussed, she would now share what they were working on for FY25. She said that the first item was the Employee Health Clinic. She said that the organization has identified the need for more holistic and accessible health and wellness solutions to support the diverse needs of their multi-generational workforce and mitigate future benefit costs. She said that the health clinic is scheduled to launch in early 2025, and that they have partnered with Care ATC to manage the facility.

Ms. Rice said that they are also committed to compensation competitiveness. She said that they continued to analyze their competitive market and maintained the compensation philosophy established by the Board to attract and retain talent. She said that many organizations had recently implemented recommendations from their own compensation and classification studies and made changes to their highly competitive positions, so they must stay competitive.

Ms. Rice said that for performance management, the focus of their plan was to continue to build on the FY24 foundational work by providing additional analysis, supervisor training, and technology solutions to maintain equity, transparency, and consistency in performance management.

Ms. Rice said that for diversity and inclusion, in response to the workforce demographic data, they had begun more intentional marketing and recruiting efforts to reach a diverse applicant pool and create opportunities for employee engagement that incorporated their heritages and cultures, fostering a greater sense of inclusion and belonging.

Mr. Gallaway asked if Ms. Rice could provide the total number of frozen positions.

Ms. Rice said that she could provide the number of positions frozen for this current budget year.

Mr. Gallaway asked if this decision was a result of a budgetary choice made last year to find additional savings in the operating fund.

Ms. Kristy Shifflett, Chief Operating Officer, said that the number was low, but they would provide the accurate number. She said that their decision was made after reviewing vacancies that had been open for a prolonged period, and they worked closely with each department to determine which items were essential, whether re-engineering was necessary, and if there was an opportunity to modify a position, and in order to fill another position to meet a higher need.

Mr. Gallaway said that as they approached this budget, it would be a good idea to flag this so they would remember the decisions they had made previously.

Ms. Shifflett said that they had already begun discussing that topic, and they would plan with that in mind.

Mr. Gallaway said that staff had mentioned earlier when discussing the residents of the County and City, as well as those who did not reside here, and he believed that affordable housing and remote work were two of the issues that were highlighted. He said that he was wondering if there was additional commentary or insights that could help them go beyond those two issues. He asked if they had considered exploring it further.

Ms. Rice said that they had not explored this topic yet, but one potential approach could be to include it in their employee survey, which they typically conducted every few years. She said that since their next survey was due soon, they could incorporate this question to gain a better understanding of the workforce's perspectives on this issue. She said that by doing so, they could have a more informed discussion about whether their current approach was effective or if there were areas that needed to be reevaluated.

Mr. Gallaway said that it was great news on the turnover rate; well done on that achievement, and it was also noteworthy that they were tracking it to gain a better understanding of their current situation. He said that they seemed to be in a good position relative to the target number. He said that regarding the sign-on incentives, he would like to know the budget source for this incentive. He said that it was unclear whether it was from the HR Department, individual departments, or if it was the lapse factor.

Ms. Rice said that the money came from the vacancy of the position they were trying to fill. She said that there was no additional cost associated with that. She said that they implemented it for all departments, and it was available to positions that met certain criteria. She said that initially, it was introduced in the public safety departments during the pandemic, and it was found to be highly effective. She said that they decided to try it for some of their other hard-to-fill positions, and it had a significant benefit.

Mr. Gallaway said that he thought it was a smart approach. He said that it appeared to be a policy direction rather than a budgeted amount per year, as it allowed departments to utilize the facility if they experienced lapses in their departments.

Ms. Rice said that it must meet specific criteria, such as categorizing a position as hard to fill, which typically meant that they had had to post the job multiple times or the applicant pool had been very limited.

Ms. LaPisto-Kirtley asked if they were planning to continue to offer sign-on incentives as needed.

Ms. Rice confirmed that was correct. She said that she had appeared before the Board previously, and there was actually an ordinance that had been adopted that allowed them to continue with that, and it had indeed made a significant difference. She said that she was pleased to report on this, but they intended to continue with this approach unless they needed to consider alternative options.

Ms. LaPisto-Kirtley said that she wanted to commend Ms. Rice on successfully filling Fire Rescue, Parks and Recreation, and lifeguard positions. She said that she believed that this was very important to the community.

Ms. Rice said that that was also due in part to those departments' hard work. She said that they were here to assist; they were an internal service department.

Ms. LaPisto-Kirtley said that the fact that staff was considering consolidating some frozen positions and exploring options for filling or not filling them, as well as potential consolidations, suggested that they were modernizing the entire process to determine which positions were no longer necessary and whether alternative arrangements could be made. She said that she appreciated their willingness to examine the entire system and make necessary adjustments.

Ms. Rice said that it was a collaborative effort across all departments, where they were seeking to optimize efficiency. She said that they were examining various work assignments, skills, and performance opportunities to determine where they could achieve more with less, or repurpose resources to address a more pressing need.

Ms. LaPisto-Kirtley said that when staff analyzed the demographics of the workforce, including gender and race, it was specific to the employees working at the organization. She said that however, the overall demographic figures for Albemarle County were not accurately reflected in that.

Ms. Rice said that the information on the slide was specific to their workforce, and the additional piece she had provided verbally included the community demographics as well. She said that she could provide more detailed information to the Board as a follow-up.

Ms. LaPisto-Kirtley said that it surprised her that the County was 8% Black while 15% overall of the County was Black.

Ms. Rice said that the County organization was actually 11% Black, and the community was 8% Black. She said that the organization was higher in that demographic.

Mr. Richardson noted that the 15% demographic number may be inclusive of the City's demographic as well. He clarified that the data provided by Ms. Rice was specific to Albemarle County and not the City.

Ms. LaPisto-Kirtley expressed her support and appreciation for staff tracking through data, which aligned with their goals and was a valuable approach.

Ms. Mallek said that she believed Ms. Rice and her staff had been working diligently for the past two years to catch up from a starting point of zero, and it was impressive to see the data that they had accumulated.

Ms. Rice said that it had been tremendous. She said that they had received a lot of support. She said that from all departments, including Performance and Strategic Planning, she wanted to acknowledge the team that had been with her since the beginning. She said that several of the individuals behind her had been part of this journey from day one, and she could not have achieved this without their collective efforts.

Ms. Mallek said that she was particularly pleased to hear about the information on training for supervisors and evaluators, as it was not something that was immediately intuitive. She said that they needed to think about how to help their employees improve and meet their expectations, in addition to simply putting a checkbox in a number. She said that this philosophy aligned with her own approach, which emphasized having high expectations while also ensuring that they provided the necessary support for individuals to thrive and achieve their goals.

Ms. Mallek said that she had been struck by the significant increase in women in leadership roles over the past four or five years, and she was curious to see how this would impact the workforce as a whole. She said that the turnover issue was particularly challenging due to the loss of institutional knowledge, which was exacerbated by the large hiring of staff in the late 1980s. She said that she was glad to hear that staff was considering this transition and working to transfer that knowledge to each department.

Ms. Mallek said that she wanted to suggest bringing back County-Palooza, which had not been held for some time. She said that it was like a fair, and that it was a great way to foster collaboration and understanding among departments, and she believed it could be a valuable tool for their organization once again. She said that she believed this would be a morale-boosting and fun event, also serving as an opportunity to raise awareness about what their peers were doing. She said that everyone would be able to come together and have a good time.

Ms. McKeel said that she would be interested in the community data to compare to this report. She said that she did not think she was overstating when she said that they wanted to be an employer of choice, and that was what they often discussed. She said that she did see efforts towards that, such as the health clinics and some of the work they were doing. She said that there were many positives in the report, but also some work to be done.

Ms. McKeel said that she was struck by a point on page 10, and she would like to clarify it. She said that they had mentioned there was no data, but she wanted to ensure that she understood the context correctly. She said that specifically, she was wondering if the separation of HR functions between the School Division and their organization was reflected in the no data.

Ms. Rice said that she believed the timing was a bit different. She said that the lack of data was a result of them being new to using metrics to plan for the future and to develop and project what their work would look like. She said that much of this data had only started being tracked in the last year or so, which was why they were experiencing a lack of data. She said that this also presented an opportunity to tell a great story about their ability to utilize data to inform their work as they moved forward.

Ms. McKeel said that she remembered receiving the data and was surprised to hear that they were not tracking anything.

Ms. Shifflett noted that the data was tracked manually. She said that if data received previously was tracked manually, it was likely due to the lack of an HR system at the time. She said that when they transitioned to their own system, as Ms. Rice mentioned, one of the first steps was implementing ADP for benefits and payroll. She said that this also introduced new processes for position control, recruitment, and staffing. She said that as a result, this team had worked together to understand these processes, how they extracted data from their system, and ensured that the data was reliable. She said that this is why they could now confidently demonstrate that they had reliable data for FY24.

Ms. McKeel thanked Ms. Rice and Ms. Shifflett for the explanation. She asked if the HR Department still performed exit interviews, which she recalled used to be greatly emphasized in the County.

Ms. Rice confirmed that they do. She said that there was a lot to be gained from that information. She said that sometimes they were able to intervene and preserve the employment relationship, but other times they were not. She said that however, they could learn from these situations and use that knowledge to improve their ability to address any issues that were brought up.

Ms. McKeel said that as someone who had consistently advocated for conducting exit interviews, she knew of their great benefits. She said that not everyone may be willing to participate, but when they did, they could be very valuable. She said that she appreciated staff's confirmation on this. She said that she would also like to know more about the current landscape of remote work within their organization. She said that while she understood the implications for building utilization, it would be helpful to have a better sense of the number of employees working remotely or full-time remotely, especially as they approached the budget cycle. She said that she believed that they were supportive of remote work, but she did not have a clear understanding of the current situation. She said that she would appreciate any information staff could provide on this.

Ms. McKeel said that additionally, she noticed that the pay scales for employees in ECC, Fire, and Rescue were currently separate, and they would continue to address this during the budget cycle. She said that she was glad to have had the opportunity to discuss these matters with staff.

Mr. Pruitt said that it was not lost on him when he considers what Albemarle is good at. He said that as a government organization, their strength was evident in their top-notch personnel, and that they retain them. He said that they retained their employees better than their peers, and they had quality individuals who surpassed their peers. He said that he believed this made a significant difference in the consumer experience of interacting with government. He said that their outstanding customer service was a testament to the excellent work done by their division, and it was well-captured in this presentation. He said that he appreciated the continued effort.

Mr. Pruitt said that to clarify, he had a few questions for his own edification. He said that he had some friends who lived south of town outside of the County but had an easy commute due to working at Scottsville Elementary. He said that he was unsure if the County had work sites located outside the urban ring like that.

Ms. Rice said that they did have some facilities, such as recreation facilities and community centers that were not located within the urban ring. She said that there were a couple of these facilities, one of which was located west of Crozet, Yancey, which was south of the City area. She said that their main base, however, was located in this building and out of 5th Street, with the exception of the staff members who worked in the field every day.

Mr. Pruitt said that the career Fire and Rescue were also clocking in to their individual stations. He said when examining staffing trends, he was interested in knowing if there notable patterns or concerns that emerged when breaking it down by department. He said that he had heard anecdotal reports suggesting that it had taken longer to fill positions in the Police Department, but he did not have that data readily available.

Ms. Rice said that they always had concerns when it came to life and limb, so their essential personnel included Police, Fire, and Social Services. She said that these were the areas that they had had to focus on, and they had used the sign-on incentive to help fill many of those positions. She said that the County was mandated by state regulations to meet caseloads and other requirements, but more importantly, this was a critical service that their community needed, and they must be able to provide it.

Mr. Pruitt said that to clarify his concern and question, he was focusing on departments that struggled to adequately staff. He said that this was still consistent with their earlier discussion. He asked if these departments were relatively understaffed compared to the County's mean staffing numbers.

Ms. Rice said that she did not have that information. She said that the determination of the staffing needs would be based on factors such as workload, department structure, staff tenure, and skill set. She said that that was not information that she personally had.

Mr. Pruitt said that something on the short list of things that their Governor did that he particularly liked, along with funding Afton Scientific, was that he also eliminated degree barriers from all Commonwealth jobs. He said that he would like to know more about the nature and status of any existing degree requirements in the County.

Ms. Rice said that many of their positions included a requirement for a degree, but there was a caveat that allowed for a certain amount of experience to be substituted for the degree. She said that this was actually part of their current plan to review and update these requirements. She said that in some cases, they may have initially thought that a four-year college degree was necessary, but it had become clear that what they were really looking for was a specific skill, not necessarily the degree itself. She said that as a result, they already had an either-or approach in place, but they planned to revisit this and ensure that it remained relevant today, compared to when it was originally established.

Mr. Pruitt said that he would like to understand this better, as his work was in housing, which may not be directly comparable, but they did frequently examine documentary barriers to applicants. He said that specifically, they looked at the types of documents applicants needed to present and what triggered concerns about potential discrimination, specifically against people of Latino origin. He said that although their process did require a social security number or employee identification number for payroll purposes, he was wondering if there were any other barriers that Latinos might face that were comparable to these.

Ms. Rice said that to her knowledge, they did not have any special provisions or arrangements beyond the standard I-9 verification requirements. She said that their process was standardized across the board, and it included options within the I-9 verification for acceptable documentation types. She said that this was currently their established procedure.

Mr. Pruitt said that to clarify, he did not intend to suggest that they were doing anything improper. He said that he was simply trying to think through and openly consider potential barriers that might be hindering the Latino population in this community from applying to work in County Government.

Mr. Pruitt said that they had a Tier 1 research organization that was producing highly talented graduates. He said that he also noticed that their County Government staff hired at different locations, and that they had hired at a Clemson job fair, which he thought was great. He said that he was wondering if staff could help him gain a sense of the scope of their school connections, both with pre-professional and degree-awarding institutions.

Ms. Rice said that this was a work-in-progress situation. She confirmed they did have connections with UVA and the local community college. She said that they also had outreach efforts in place, even with their School System. She said that what they had not done was establish meaningful connections beyond their local community, which was one of the opportunities they had.

Mr. Pruitt said that he was aware that VCU had a highly regarded Master's in Urban and Regional Planning program. He said that many of those graduates could be valuable assets here. He said that he was aware that VCU had a significantly larger minority population of applicants compared to the University of Virginia, which was an uncommonly white state school. He said that if diversity was a goal they were striving for, he believed they might be well served by considering applicants from other schools.

Ms. Shifflett said that she wanted to add one note regarding their departments' recruitment efforts. She said that many of their departments had been conducting their own recruitment, which was why they would attend these events. She said that this was particularly true for their public safety, Parks and Recreation, and Social Services departments, which had historically been involved in these recruitment efforts. She said that they were now attempting to adopt a more centralized approach to ensure they covered all their opportunities. She said that as Ms. Rice had mentioned, they had work to do in this area, but now that they had some of the larger projects behind them, this was the work they were looking forward to in the future.

Mr. Andrews said that he would like to express his appreciation for staff's time and Ms. Rice's presentation. He said that this information was truly helpful. He said that he had been attending meetings with other jurisdictions, and he often heard them discuss potential studies, such as employee classification. He said that when they said they might do it, he responded that Albemarle was so far ahead in this regard, and it was a joy to share their experiences. He said that he was pleased to hear that some of the topics discussed today would be explored further, including the frozen positions.

Mr. Andrews said that he was interested in the data regarding where employees lived and the connection to remote work. He said that he believed a deeper dive into this data would be beneficial. He said that he also appreciated the discussion on the survey of employees, where they wanted to live, particularly tied to two careers where they were already tied to another jurisdiction due to where their spouse worked. He said that he thought a more in-depth analysis of the data, including categories such as gender, race, and barriers to employment, would be valuable.

Mr. Andrews said that he was pleased to hear that they had a strong representation of female leaders, but he suggested considering a quick salary count to better understand the pay disparities between male and female employees, as well as between different racial groups. He said that overall, he believed most of his questions had been answered, and he appreciated the effort to provide this information. He said that he was looking forward to hearing more about the employee health clinic and the health and wellness initiatives in the future, and he would like to see more data on this topic as well.

Ms. Mallek asked if the need for childcare, better opportunities, and interest of staff was a question that she wrote down after she had her turn. She said that with the growth of certificate programs through community colleges and others, she would like to know if certificate-based skills were already included in job descriptions. She said that this addressed part of the document barrier that Mr. Pruitt had mentioned. She asked if the County currently worked with the local Workforce Center to advertise job openings or inform them about the positions that needed applicants. She said that as a federally funded and established agency, she believed they could be a valuable resource for the County.

Recess. The Board adjourned its meeting at 2:53 p.m. and reconvened at 3:08 p.m.

Agenda Item No. 10. **Work Session:** AC44 Development Area Land Use Tools and Policy.

The Executive Summary forwarded to the Board states that Albemarle County is updating the Comprehensive Plan through the Albemarle County 2044 (AC44) project. The project is in Phase 3: drafting language for the four- part Comprehensive Plan document and developing Plan actions. Staff presented language from Part II Growth Management Policy for review and discussion at the October 16th Board meeting and previewed the Land Use Tools from Part III.

The draft language for the Part III - Development Area Land Use (DA LU) chapter in Attachment B is built upon community input and reflects the Planning Commission's and Board's feedback. For reference, the following is a summary of previous Planning Commission and Board of Supervisors feedback on the land use categories, Future Land Use Map, and the Activity and Employment Centers:

- At the August 8, 2023, Planning Commission work session, the Commission was generally supportive of the Activity Centers concept, especially encouraging infill, redevelopment, walkability, and a mix of uses when paired with services, infrastructure, amenities and public transit. The Commission recommended that the updated Comprehensive Plan should consolidate the number of centers and better focus land use recommendations and infrastructure projects.
- At the September 6, 2023, meeting, the Board directed that the Activity Centers be identified, mapped, connected with multimodal transportation options, and consolidated from the current 50 centers identified in the 5 Area Plans.
- At the December 19, 2023, Planning Commission work session, the Commission recommended considering additional height and density bonuses and using gross density for residential density calculations.
- At the February 13, 2024, Planning Commission work session, the Commission recommended applying the Missing Middle and Urban Residential land uses in more locations (with future Area Plan updates) and noted that Neighborhood Residential is not efficient use of limited DA land.
- At the March 20, 2024, Board of Supervisors work session on Development Areas and Rural Area Land Use and Transportation, the Board affirmed the 10 draft DA wide land use categories and the one to one 'matching' approach for mapping the categories.

An updated AC44 outline is provided as Attachment A. As a reminder, the topics within the red box will be the focus of today's work session. This work session focuses on proposed comprehensive plan language within Attachment B, specifically, the land use categories, Future Land Use Map, and the Activity and Employment Centers. These land use tools are key to achieving the objectives of the Growth Management Policy by encouraging the type of development we need to accommodate the anticipated growth in Albemarle County. Staff will ask for feedback on the remaining text in this chapter regarding Development Areas goals, objectives, and actions will be presented at PC on November 12 and the Board of Supervisors on November 20.

There is no budget impact associated with this agenda item.

Staff requests the Board review and provide feedback on the draft recommended land use categories, Future Land Use Map, and Activity and Employment Centers.

Ms. Jodi Filardo, Community Development Director, said that the County Executive's Office has provided direction, and she was pleased to inform the Board that staff greatly appreciated their enthusiasm last time they presented on the Development Area Utilization Review on October 16. She said that as a result, she had been instructed to reach out to several consulting firms with whom they work to establish a scope of work to assist them with those formulas. She said that Chair Andrews shared some insightful and informative questions via email regarding the topics on tonight's agenda.

Ms. Filardo said that in light of the complexity of the Development Area Utilization Review, particularly in relation to the two projects before the Board, they recognize that staff will need expert

guidance to navigate these challenges. She said that she wanted to assure the Supervisors that staff was actively working on this, although they were not quite ready to bring it to a full presentation just yet. She said that they were going to seek additional support to help them untangle the complexities, and they appreciate the Board's continued support in this matter. She said that the Board would hear more from them on that soon.

Ms. Tonya Swartzendruber, Planning Manager, said that on tonight's agenda, they would examine how they got where they were and explore the future land use categories, activity centers, and discuss recent feedback from the PC and the public. She said that she would also review upcoming events and public engagement. She said that this presentation outlined the chapter structure for the Development Areas. She said that she would focus on the future land use categories, accompanied by an associated map, as well as activity and employment centers.

Ms. Swartzendruber said that the actions they would be discussing next time they presented would also be addressed. She said that provided were the direction topics that they would be seeking the Board's feedback on this evening. She said that she had printed a copy of this for their notes and reference as they discussed these topics. She said that this document was available in front of them, and it would be displayed as the final slide before they began their discussion.

Ms. Swartzendruber said that she would start by examining how they had arrived at this point. She said that when writing the plan recommendations, they had incorporated feedback from the community, the PC, the Board of Supervisors, technical expertise, best practices, and the AC44 guiding principles.

Ms. Swartzendruber said that during Phase 1 and 2, they had received input themes that emphasized the importance of walkable and mixed-use development with a variety of housing types, pairing activity centers with higher density and amenities, and encouraging infill development. She said that they also recognized the need to invest in existing neighborhoods and coordinate land use and transportation planning. She said that as shown on the right side of the slide, they had documented all the events and opportunities that had taken place during Phase 1 and 2. She said that they would have similar opportunities throughout Phase 3, which she would elaborate on later in the presentation.

Ms. Swartzendruber said that based on the Board's feedback, they had drafted 12 standard future land use categories, as presented in the packet and the draft chapter. She said that this consolidated over 20 categories across five area plans. She said that the crosswalk provided in one of their attachments detailed how the 2015 land use categories matched with the proposed AC44 land use categories. She explained that the categories had been mapped as a one-to-one approach, so that the color on the map or the name of the category might be different, but the overall land use recommendations remained the same. She clarified that this did not affect zoning entitlements, and as part of the adoption of the Comprehensive Plan, they would also ask the Board to adopt the FLUM.

Ms. Swartzendruber said that the categories listed on the slide were the ones they had developed, and during the preview of the land use tools, the Board stated that they would prefer publicly accessible open space and privately owned environmental features to be mapped separately, so they would not ask for further feedback on this topic. She said that since PC also agreed, they would proceed with making this mapping change.

Ms. Swartzendruber said that there would be a summary for each of the 13 categories, which included a description with primary and secondary land uses, building form, and ground floor use. She noted that this was one of the direction topics that they would discuss later this evening. She said that staff was suggesting that the floor density range be raised to 12 units per acre from six units per acre in the activity areas in an effort to encourage higher density.

Ms. Swartzendruber said that Rio 29 was its own designation and referred to the Form-Based Area Plan, which would remain the same. She said that there were three legacy land use categories that were carried over from the area plan and would not be applied to future area plan updates. She stated that these were Crozet Downtown, Town Village Center, and Neighborhood Density Residential Low. She stated that the latter category only showed up across Crozet and the Village of Rivanna, and across other Development Areas, the least dense designation was Neighborhood Residential, which recommended three to six units per acre.

Ms. Swartzendruber noted that the lowest density standard land use category was Neighborhood Residential, and recommends three to six units per acre, they recommended as a housing type within this land use category was an accessory unit. She said that this was one of the direction topics that they would like to revisit later in this discussion. She said that given the significant amount of Neighborhood Residential on the map, which was again yellow, one way to address housing choice was to allow detached accessory units in all residential zoning districts for single-family detached houses. She said that therefore, these types of units could be built throughout the Development Areas.

Ms. Swartzendruber said that they needed direction on these, and whether they should be allowed by right as part of the legislative review or administrative review process. She said that regardless of how they were allowed, staff recommended establishing performance standards. She said that this change could be part of the Zoning Ordinance update, which could be informed by the updated Comprehensive Plan.

Ms. Swartzendruber said that the land use categories and how they were applied to the FLUM,

along with the activity centers, impacted the effectiveness of their Growth Management Policy. She said these were designed to foster the desired features of the Development Areas, which were based on best practices and community input, and included housing and transportation choices, varied land uses, walkable neighborhoods, parks, and amenities.

Ms. Swartzendruber said that the activity centers will focus growth and help identify core areas of higher intensity mixed-use development within a hierarchy, which will help prioritize their infrastructure projects and investments. She said that they will operate as a land use overlay, providing additional guidance for development along with the underlying future land use categories. She said that projects located within the activity center will be encouraged to develop at the higher end of the recommended density and intensity range.

Ms. Swartzendruber said that in the draft chapter, there is a place type summary sheet, which includes a description and expectations for anticipated land use, built form, and multimodal transportation. She said that the menu of place types was developed with a hierarchy in mind. She said that as the development density increases from local to regional, the feasibility of transit and larger public amenities also increases and may require larger public investment and/or public-private partnerships in order to catalyze development.

Ms. Swartzendruber said that the table on the slide provides a summary of their four center place types, including an overview of the typical attributes. She said that as mentioned, these centers function like a land use overlay and encourage higher intensity development. She said that they will also explore examples of what these centers could look like.

Ms. Swartzendruber said that there are four types of centers in the Development Areas, ranging from most intense and dense to least, including regional, employment, community, and local. She said that they will delve into the features of each in the next slides. She said that 30 draft centers are proposed within AC44, which is a consolidation of the 50 centers currently identified in the five area plans currently in existence. She said that many of these centers are small and not currently or anticipated to be mixed-use. She said that this consolidated set of centers helps focus their development and public projects.

Ms. Swartzendruber said that looking in the Pantops area, the Riverbend Shopping Center is identified as the regional center, shown here in red. She asked them to imagine this area as a vibrant, urban mixed-use area with residential, goods, services, and entertainment options accessible by a variety of transportation options and could serve as a regional destination.

Ms. Swartzendruber said that it covers approximately a half mile with a quarter of that mile focused in a core area. She said that buildings are generally three to eight stories with structured parking and fit into the surrounding context. She said that ground story uses are required within the core area, and the built environment includes wide sidewalks and streetscape elements that encourage pedestrian activity.

Ms. Swartzendruber said that shown in blue is an example of the community center, this one at Rivanna Ridge. She said that this area will be a focal point for commercial and cultural activities that are accessible by a variety of transportation options, with a walk shed of a half mile and a core central area of a quarter mile. She stated that the core area will consist of buildings at least two stories tall and possibly up to six stories. She stated that these buildings should fit in with the surrounding context. She said that parking is relegated to the side or rear of buildings, and the use of on-street parking is encouraged. She said that medium-scale plazas and parks are encouraged and should be visible and linked together.

Ms. Swartzendruber said that the employment centers at Broadway and Sentara Martha Jefferson Hospital were shown in purple. She said that these centers have a concentration of employment-generating uses that support basic industries and economic development goals. She said that while mixed use is encouraged, residential, commercial, and retail should be secondary uses that support the employees and community members. She said that this center does not have a defined walk shed or center, per se, but instead consists of a cluster of related facilities. She said that buildings are generally two to four stories, with massing, height, and step backs consistent with localized recommendations.

Ms. Swartzendruber said that the local centers, shown in orange, such as the one at Route 20 and Riverside Village, are the least dense and intense of the center types. She said that they are also smaller in scale of activity and support a quarter-mile walking radius. She said that a mix of uses is expected, and buildings have at least two stories and can be up to four stories. She said that active ground-story uses are encouraged, along with small to medium-sized publicly accessible open spaces, with relegated parking to encourage pedestrian activity. She said that bike and pedestrian facilities connect to adjacent neighborhoods and other activity and employment centers.

Ms. Swartzendruber said that before proceeding with the feedback received on these topics since Phase 2, they will be revisiting the goals, objectives, and actions on November 20 and presenting the same topic to the PC on November 12. She said that they would also be discussing the Rural Area Land Use chapter with the PC to complete the year, and they would return to the Board in early January to discuss the same topic.

Ms. Swartzendruber said that in addition, they had developed a public engagement plan that included the chapter rollout content, virtual lunch and learn opportunities, and quarterly in-person community check-ins. She said that the Board would receive more details on this public engagement plan

in their inbox tomorrow. She said that the draft Rural Area Land Use chapter would also be posted to their inbox tomorrow, and it would be available on the website early next week.

Ms. Swartzendruber said that building on the feedback they received during the future land use preview from the Board a few weeks ago, they would be distinguishing the green designation between publicly and privately owned properties. She said that they would also consider incentives, such as by-right approval with an optional form-based code or similar.

Ms. Swartzendruber said that they had received from the PC their feedback on land use categories. She said that they generally supported the categories staff proposed. She said that the PC suggested making Middle Residential the lowest density residential category instead of Neighborhood Residential. She said that there was also general support for accessory units, including in low-density residential, but the PC felt that these should not be by right. She added that however, they suggested allowing it by right in and around activity centers.

Ms. Swartzendruber said that the PC also agreed with the Board's direction to use two different green colors on the FLUM, and they would make this change for the next draft. She said that regarding the FLUM, the PC recommended that they use the consolidation and matching approach as planned, but moving forward, they should encourage more Middle Residential, especially in the urban ring.

Ms. Swartzendruber said that they should also consider adding additional land use categories and designations in the Rural Area that are specific to the Rural Area. She said that a current recommendation of the Rural Area chapter was to complete a Rural Area land use plan, which would include multiple Rural Area distinctions.

Ms. Swartzendruber said that the PC's feedback on activity centers was generally supportive of the center's approach to implement the Growth Management Policy and encourage higher intensity of uses. She said that they should add stronger ties to transportation and encourage the redevelopment of large, underutilized parking lots. She said that there was overall support for the center place types.

Ms. Swartzendruber said that community centers should also mention structured parking, consider incentives for green stormwater management infrastructure, and more public gathering places to build community. She said that there was overall support for the distribution of the centers, with the concern that the employment center did not seem to fit with the other three. She said that staff suggested that they change the reference from employment centers to employment district to make the distinction clearer.

Ms. Swartzendruber said that the PC also suggested, as did the Board, that they discuss County incentives and investments with the actions for this chapter. She said that they should consider building or incentivizing structured parking and investing in parks and gathering spaces.

Ms. Swartzendruber said that she wanted to highlight the past community input opportunity that they had just last week, where they received initial feedback. She said that they had heard that the FLUM may need to make more substantive changes to address current housing challenges. She said that they also heard that they should connect land use to transportation planning and encourage development via incentives. She said that the full summary of their feedback from the community check-in event would be posted on their AC44 website, and they would incorporate it at the Board's direction. She said that they would also provide the Board a summary, and staff was happy to provide incorporation of any of those comments.

Mr. Swartzendruber said that the direction topics had been distributed to the Supervisors, so she would pause here and let them discuss these topics and provide staff with the direction they needed.

Mr. Andrews said that at this point, they had the direction topics, as well as the packet materials provided, which included a significant amount of narrative. He said that however, the full packet extended to pages 33, 34, and 35, which focused on the goals, objectives, and actions. He said that these topics would be covered in their next meeting, which would be an evening work session focused on the same developments. He said that with that in mind, they would begin reviewing comments and questions, both from the materials provided here and the specific questions presented in the presentation.

Mr. Gallaway said that he would walk through his notes, and he did not include page numbers, but hopefully, this would make sense. He said that there had been a lot of discussion, including in public comment today, about the 58% figure. He said that they had been talking about the 57.5% percent that lived in the Development Area. He said that the projection for the growth that was coming was 31,000 people by 2044. He said that if they broke that out by percentage, 57.5% was 17,800, and 42.5% was 13,175. He said that he had written the question, "What do we do with this information?"

Mr. Gallaway said that the language in this opening piece said they wanted the majority of these newcomers in the Development Area. He said that however, 58% was a majority, but they did not seem to be happy with that. He said that they needed to start identifying how many newcomers they expected to be in the Development Area and then ask if this chapter would accomplish that. He said that as it stood, they were unhappy with 58%, but their language was not saying anything other than that was acceptable because 51% would be a majority.

Mr. Gallaway said that if people were happy with 42% moving forward, with 13,000 people ending up in the Rural Area, he would be curious to hear if they would find that acceptable and where they would

go. He said that that was not really a question, but rather some commentary on the big picture ideas and philosophy behind this chapter, and what they were trying to achieve and how they worded it and what they said mattered. He said that the majority was not what they were looking for; they were apparently seeking super majorities. He said that they should move forward and change their language to reflect that. He said that they should then figure out how to plan for it.

Mr. Gallaway said that he also noted the replacement rate to account for those displaced, given the situation in their community. He said that when they received the economic report from Dr. Bailey, she mentioned how the poverty rate was declining. He said that he had made comments suggesting that the decline was not solely due to people rising out of poverty, but rather, impoverished people had simply left the County.

Mr. Gallaway said that when they were considering 31,000 new residents, they needed to account for the numbers being displaced to retain them, and how did they factor that into this chapter. He said that this went right to housing affordability. He said that there were a lot of people looking at the Board for the Development Area Utilization Review and the Development Area Land Use to not just solve how they would maintain 5% of the County as Development Area to keep 95% protected as rural, but they are also looking to the Development Area as a solution to the housing crisis predominately. He said that in the Rural Areas, affordable housing was available but on a smaller scale.

Mr. Gallaway said that as he had mentioned at the last meeting, the pressure was on the Development Area to succeed in keeping all of that area rural while providing walkability, affordability, and efficient transportation. He said that it was a lot to ask, and some had said that the Development Area had gone away, and there were comments about Rivanna. He said that he thought it was essential when they thought about land use in the Development Area.

Mr. Gallaway said that at the all-CAC (Community Advisory Committee) meeting, someone had asked how they had done so far, which was a great question. He said that he knew that evening was not the time to discuss it, so some of the responses to the questions that arose were not fully addressed due to time constraints. He said that however, he believed it was a good question. He said that the utilization review would ultimately get there, but that it went beyond just percentages. He said that they needed to consider how well they had provided for public transportation and overall transportation needs.

Mr. Gallaway said that he got a little nervous or anxious when people said, even in their County, they would build it here because it was on a bus line. He said that they knew they would get there, but that bus line was not currently working. He said that they should stop saying that it was located in a place with effective things as if they had already met the goal; they had not. He emphasized that they needed to keep that in mind. He said that the plan did mention using Development Areas land effectively and ensuring they were vibrant.

Mr. Gallaway said that he had found three specific results stated in the plan: they wanted a lighter environmental footprint per household, more housing affordability, and more housing choice. He said that he thought the housing choice with the different things outlined in there they were getting at, but he was concerned about the housing affordability aspect. He said that it seemed to rely on the assumption that more housing would lead to more affordable housing, which may not be the case. He said that the actual potential in the Development Area was limited by its landlocked nature as well as the existing potential at the current time.

Mr. Gallaway said that the lighter environmental footprint per household was not fully addressed, but it may be more of an action item for later. He said that he appreciated Ms. Filardo's comments on the Development Area Utilization Review, and that his next remark may fall into the answer she gave, but at the last meeting, it was not just heads nodding; other supervisors also endorsed the concept of a scorecard accompanying each new application. He said that he did not see this mentioned in the provided document. He said that he expected these scorecards to be included in drafts for their next review. He said that if other individuals had expressed interest in this idea, he believed it should be incorporated into the process.

Mr. Gallaway said that it still had the two-year cycle in there, and that he had mentioned at the last meeting that there may be some things that were reasonable to think about on that two-year cycle, but that they would be doing another Comprehensive Plan review in another five years, and they will have only received two utilization reviews in that timeframe. He said that this was not acceptable to him.

Mr. Gallaway said that he wanted to see a per-application scorecard baked into the process, allowing them to determine how it worked for them. He said that although they may not be able to provide details on the review process yet, it was essential that they incorporate these changes into the overarching philosophy of the chapter. He said that the same should be true for other proposed changes. He said that he did not want to review drafts that did not include agreed-upon changes or requested modifications, only to have to revisit and make adjustments later. He said that these changes should be incorporated before they were presented to the Board. He said that he understood that this was not an easy task.

Mr. Gallaway said that also, under the Utilization Review, if the Development Area was not performing as expected, it was stated that they would explore an array of options. He asked what those options were, and whether they knew what they were yet or if they needed to do the work first.

Ms. Swartzendruber said that they had identified a few of the available options. She said that she

did not believe that the list was exhaustive.

Mr. Gallaway said that he wanted to start understanding what those were and what they meant. He said that although he did not need this information now, he believed it would become relevant when they discussed goals and objectives, and he would like to familiarize himself with those.

Mr. Gallaway said that the plan also mentioned the lessons learned since 2015. He said that he was wondering if those lessons were listed somewhere. He said that he did not expect to find them in the Comprehensive Plan, but he thought it was essential that the Board was aware of what those lessons were and that they tracked them across all chapters to ensure they were addressing the issues in the new chapters. He said that if they did not actually learn any lessons, then they should not claim to have done so. He said that he was interested in what those lessons were.

Mr. Gallaway said that based on their growth calculation, he wondered if they expected the population to support the activity in employment centers as theorized. He said that they had destinations, housing types, and employment centers, with retail already set up in many of the 12 categories. He said that in the employment center at the bottom of Pantops, the developer had trouble incorporating commercial elements on the first floor, and retail turnover was already occurring there.

Mr. Gallaway said that it was challenging. He said that when considering Albemarle and Charlottesville with a combined population of 160,000, it was unclear whether these centers could sustain a high volume of retail, such as a Starbucks on every corner. He said that he wondered if that was viable in their County in general, let alone in every center. He said that staff talked through the example of the employment center at Pantops, and they had mentioned entertainment. He said that he was wondering what entertainment options were currently available in that center, aside from bars, restaurants, and shopping.

Mr. Gallaway said that if it is redeveloped, it could potentially include entertainment features. He said that however, they could not have entertainment centers in each employment center in Albemarle, as there simply were not enough people to support them. He said that even if Pantops were to experience an increase in visitors, the Alamo would likely suffer, or Stonefield. He said that he was trying to think of alternative forms of entertainment beyond UVA sporting events.

Mr. Gallaway said that the Paramount was one, but it was located in the City. He said that he was not convinced that they wanted to build similar facilities in the County, given the limited population, but that they were planning for it. He said that his next question was how they were considering the master plan for the various employment centers, activity centers, local centers, and how they would interact and connect to support a vibrant business and residential community that was not reliant on its own self-sufficiency.

Mr. Gallaway said that for instance, Belvedere was intended to have a mix of retail and other components. He said that there was a dentist office and the Centre, but even with its full capacity of 2,000 units, they were used to going to other areas of town for services. He said that this was a concern for him, and he believed they needed to carefully strategize these activity centers and employment centers to ensure that not everyone had to be self-sufficient, but they worked together to produce a vibrant Development Area that could support the entire population.

Mr. Gallaway said that regarding the ground floor possibilities, it said, "single use and future use," and he was not quite sure what that meant. He said that given their experience with the last five years, especially since the pandemic, he could not imagine that the ground floor could be conceived only as retail, coffee shops, and restaurants. He asked if there were other types of businesses could they accommodate in these centers, such as Light Industrial and employment-type businesses that were not just for shopping or browsing. He said that for example, Stonefield was struggling in some ways.

Mr. Gallaway said that regarding community mixed use, active ground story uses were encouraged, and buildings that started as single-use could be designed to allow for future conversion to active ground story uses. He said that he was still trying to understand what that meant, and he would appreciate an explanation.

Mr. Gallaway said that his concern was that if they built all the buildings to support something that could not be supported, they would end up with a lot of unused area, similar to what they already had in the Development Area. He said that he wanted to avoid that. He said that therefore, he thought they needed to be more creative with what was allowed in these spaces, which started with thinking about what could go in there. He said that he was not sure where that fit into this chapter, perhaps in the descriptions, and possibly in the objectives and actions when they built it out more.

Mr. Gallaway said that he was glad to see "secondary land use" mentioned, including Light Industrial, Urban Residential, and other options he had seen. He said that he would have allowed Light Industrial in every one in the Development Area, as it was driving employment in their biotech sector, and if it was safe and effective for a particular Light Industrial business to be on a floor with residential units, he did not see why that would be a problem. He said that he had previously suggested that Light Industrial could potentially expand into another area, such as Urban Residential, as it was not currently included. He said that he was not sure if this was a viable idea, but he wanted to bring it up.

Mr. Gallaway said that regarding the FLUM, he was wondering if there were any existing models that theorize the growth that could help them understand and plan for the growth of their community. He

said that specifically, he was curious about academic or research models that could inform how they strategized and planned their land use maps to accommodate growth rates.

Mr. Gallaway said that regarding the interpretation policy, he was particularly interested in the statement about gross density and the calculation of density based on the entire area, rather than just the net. He said that this led him to wonder if they should consider building with a gross density number in a net density area, and if they were simply asking if the Board members were okay with that. He said that he believed they had to be okay with that, because he was struggling to understand how to get past the 58% number, and he was not sure what that meant or if they needed to do more in the chapter to get to that point.

Mr. Gallaway said that he was also thinking about the mentioned concept of a five-minute walk. He said that he lived in Dunlora, and he would not be able to get out of his neighborhood in five minutes by walking, although he was situated right in the Development Area. He said that if he were living in downtown Charlottesville, a five-minute walk would likely make a significant difference than if he lived in Belvedere, Dunlora, or on Northfield Road, a five-minute walk may not be achievable.

Mr. Gallaway said that he did not want to set unrealistic expectations for their community's geography. He said that while they could allow for high density in certain areas, such as the Northfields and Overlooks, which had smaller lots, it was a five-minute walk for them just to get to Rio, and the actual walking distance to the transit stop may be longer. He said that microtransit could be a solution, as it eliminated the need for residents to walk.

Mr. Gallaway said that also, regarding the quarter-mile and half-mile walking radiuses for some centers, he would like to see a map of the actual walking distances in areas where major barriers existed, such as Route 29 at the Woodbrook neighborhood. He said that for instance, getting to Kroger might be within a quarter mile, but there was a significant barrier to pulling that off. He said that it also stated that the Development Area should drive the CIP and investment, and if they were going to plan for pedestrian access, they needed to understand the challenges from the outset, including the possibility of building multiple pedestrian bridges over Route 29, which may not be feasible in the next five years or even 50 years from now.

Mr. Gallaway said that he would throw out some ideas, keeping in mind that time was of the essence, and he did not expect a lot of response today. He said that regarding the regional center example of the Food Lion on Avon Extended and focal points for public investment. He said that he had written down a question, "Will we have a guiding matrix driven by the Comprehensive Plan to dictate our transportation priorities list?"

Mr. Gallaway said that if the Comprehensive Plan was really something worth stating that they were going to try to achieve, and they were saying that the Development Area needed to house the super majority of new residents, then public investment into infrastructure should be driven by the Comprehensive Plan, informing the CIP and budget, and helping them achieve that. He said that currently, their transportation priority list included everything, regardless of location, and they, as the Board, worked out the top priorities, applying Band-Aids to issues.

Mr. Gallaway said that however, this Comprehensive Plan was suggesting that Development Areas should drive those decisions. He said that he appreciated that; he thought it was a good idea. He said that to make it work, they would need a guiding matrix within the Comprehensive Plan, prioritizing transportation needs based on the Development Area, for example, if 40 out of 120 transportation priorities were in the Development Area, those should be given priority. He said that they would then make decisions based on that. He said that he had not thought about it that way before, so he thanked staff for including it.

Mr. Gallaway said that similarly, he appreciated the mention of parks, public spaces, and open spaces, as currently, residents from the Development Area often had to leave the area to access these amenities. He said that they currently lacked a CIP to put them in there, with the exception of a \$5,000 placeholder for a public space in the Development Area. He said that he believed that this focal point for public space and public funds was a positive aspect that they should expand upon and should drive decision-making processes. He said that he looked forward to exploring this during the upcoming budget cycle and pushing through related threads. He said that same for public, civic, and open spaces. He said that he had already begun considering cost estimates and maintenance requirements for these areas. He said that they had discussed the need for public works departments, but that was a separate topic.

Mr. Gallaway said that there was a lot of discussion regarding building floors and building heights, so he would ask, "What is the realistic maximum height of a building in Albemarle?" He said that he had brought this up previously, and he believed it was relevant to this conversation. He said that they had mentioned six and eight stories; however, a maximum of seven stories was stated in the small area plan.

Mr. Gallaway said that he thought they needed to establish a realistic height limit, and he would like to collaborate with developers to determine what that number was. He said that this would help them avoid throwing out numbers that they were not willing to commit to or that were not economically feasible. He said that he was not sure what that number was, but he would like to explore it further. He said that by defining a clear height limit, they could provide a more accurate estimate for developers and make it easier for them to plan their projects.

Mr. Gallaway said that regarding ADUs (affordable dwelling units), he would like to at least be

able to have a legislative review to allow them. He said that he was not ruling out the possibility of having them as a by-right use, but he was not saying no to them. He said that they could consider the feasibility of ADUs in areas with current infrastructure and planned future development that could support ADUs. He said that rather than a blanket approval in all Development Areas, with better planning, they could identify specific areas where ADUs could be a good fit and only be subject to administrative review.

Mr. Gallaway said that for example, if they were to build 40 more units in an area with sufficient infrastructure, it could support the development. He said that he did not think ADUs were a silver bullet solution for all their needs; however, they did help. He said that there would be areas where it might not make sense to have them, so thought they could nuance the approach to allow for different layers of review, while also making it easier to support ADUs in areas where they could be beneficial. He said that he was fine with moving the floors from six to 12 units.

Ms. LaPisto-Kirtley said that she would like to clarify that when staff was discussing the distinction between private versus public land, this was specifically referring to County-owned versus private land in Rural Areas.

Mr. Michael Barnes, Planning Director, said that that was the point they made last time when they showed the map with green open space in the Development Area, but some of it was private.

Mr. Andrews said that it was not a matter of ownership, but rather whether it was truly public or not. He said that they just wanted to make the map show which was which.

Ms. LaPisto-Kirtley said she was grateful for the clarification. She said that regarding Mr. Gallaway's comments about the centers, she agreed that the centers represented a missed opportunity, because Pantops did not materialize as an employment center, and Brookhill, which was supposed to have a skating rink and various businesses, did not come to fruition either. She said that she was wondering how they could look into the future to determine what they needed and whether they were agile enough to adapt and change their plans. She said that for example, at Brookhill, if there was unused space for a Light Industrial or retail use, how could that be used, and could they speak with developers to get some ideas. She said that she was concerned about the centers because they did not seem to be coming to fruition, and she was wondering if she was correct in her assessment.

Mr. Gallaway said that it was simply a matter of what the population of the area could support.

Ms. LaPisto-Kirtley said that it was the same issue as with transit, and it was very difficult to have a viable transit system without a sufficient population to support it. She said that the larger cities, such as New York and Paris, had a wonderful transit system because they had a large population. She said that their population was not only smaller, but it was also spread out across the County, making it even more challenging. She agreed that the population density was not sufficient, and the radius areas around activity centers, as mentioned by Mr. Gallaway, posed a significant issue. She said that she was not sure how many viable activity centers they currently had.

Ms. LaPisto-Kirtley said that she did not consider Pantops or Brookhill to be activity centers, as they lacked the necessary retail, employment, or other services. She said that Hillsdale Drive was another example, but she said she was not sure if it should be included as an activity center, and whether it included Whole Foods, which was the only thing she saw around there.

Ms. LaPisto-Kirtley said that in terms of employment, they had Sentara Martha Jefferson Hospital and Bonumose, and some medical services. She said that she was seeing all these categories, but that she was not seeing them fulfilled. She said she was wondering if this was something they were aiming for in the future, or if they were being overly ambitious. She asked if they prepared to pivot if it did not work out. She said that she had questions about the investment in structural parking, specifically whether it would be underground or a separate structure of open-air parking.

Ms. Swartzendruber said that it could be either option. She said that the decision ultimately depended on what could be supported and what was easiest to build. She said that for instance, an underground facility was significantly more expensive. She said that therefore, it could be an open-air type facility. She said that alternatively, it could be associated with shopping, retail, or residential structured parking.

Ms. LaPisto-Kirtley said that she would love to see that at Stonefield, which she knew they were holding on to, but she hoped they were doing well. She said that she thought it would be great if they had residential space above them. She said that they were supposed to, but the recession hit and, unfortunately, they did not follow through. She said that she was not sure if developers were simply building what they could due to the numerous stipulations in place. She said that she had many questions.

Ms. LaPisto-Kirtley said that regarding structured parking, she knew underground was more expensive, and she assumed they would not see it until they reached maximum capacity. She said that at that point, underground parking would be a necessity. She said that otherwise, they would likely have structures, unless they wanted a large open area for parking, which she did not think anyone wanted. She said that she agreed with a lot of Mr. Gallaway's comments.

Ms. Mallek said that in relation to other comments about the CIP and investments, she would like to highlight an opportunity they had with legitimate proffer authorization, which they currently had, but only

if they had a developed CIP. She said that unfortunately, they did not have one, so they could not apply those proffers that other communities were using because they had a more developed CIP for their current needs. She said that she would like to see this issue added to the list of things that needed to be revisited, as they seemed to have fallen behind on this since the 2016 General Assembly. She said that she hoped they could rectify this and move forward.

Ms. Mallek said that she had been watching these for a long time, and it just took a lot longer to accomplish what they were trying to achieve than they had allowed it to happen.

Ms. Mallek said that one of the issues she had with using the term "mixed use" was that it was often applied to very small lots. She said that the Zoning Ordinance that was currently in effect specified a minimum of 50 acres to have a bona fide mixed use. She said that however, she believed this term was not effective, as evidenced by the Hollymead Town Center, which met the minimum requirements, and the smaller lot on Belvedere and Rio 29, which had a few houses and shops in an attempt to qualify for that term but was not a true mixed-use development.

Ms. Mallek said that the walking radius worked well for the town of Crozet, as it had been in place for 150 to 200 years and featured small lots, complemented by a thriving close-in residential area, along with new developments. She said that the 2010 Crozet Master Plan had included numerous small centers, which had contributed to the population growth from 12,000 to 25,000 people in a single Board of Supervisors meeting in 2005.

Ms. Mallek said that the current population of 16,000 was still awaiting necessary infrastructure to support potential changes, such as increasing neighborhood residential to a higher density when these were 100-year-old neighborhoods with no sidewalks and 10-foot-wide roads. She said that she appreciated what somebody said about where the amenities already existed or are funded in the next five years, then there was the possibility to use any one of these different options that were being discussed. She said that she would have huge difficulty saying that they should just do this everywhere, maybe just in case they would get what they hoped for. She said that without carefully thought-out performance standards and instructions, if one checked all of the boxes, they charged forward.

Ms. Mallek said that the 2010 DCD (Downtown Crozet District) is a form-based code that had been used to a limited extent, such as in the Piedmont Place, which was shown on the page where they wanted to increase the residential component from six to 12 units. She said that there were only six or eight units in Piedmont Place, which was six stories tall, primarily due to the project's focus on business and employment in the downtown core, where services and employment opportunities cater to existing residents and newcomers.

Ms. Mallek said that to answer staff's questions regarding the standard and legacy categories, she was comfortable with the land use categories, provided they understood that the legacy ones were because of the series of master plans that were done based upon that. She said that where there were laps in the ability for people to get anywhere at commuter time, or sidewalks to walk on, and pedestrians had to walk in the street while dump trucks were going by, then they could not be putting a whole lot of density in those circumstances in this next interval.

Ms. Mallek said that meeting housing needs, that she had a lot to learn about it. She said that she would share that in Washington, D.C., where they had the authority to create accessory units, the cost for homeowners was absolutely unsupportable by anything except for university student tenants who could pay several thousand dollars for a month of living there.

Ms. Mallek said that she was skeptical about this being a magic solution, as she had not seen it implemented elsewhere in the country. She said that she was trying to be thoughtful about what would lead to success in addressing the tremendous need for housing. She noted that additionally, the heartbreaking story from this morning had highlighted the need for better regulatory authority for the County to address deplorable housing conditions. She said that she wanted to ensure that they had both action items and planning items.

Ms. Mallek said that regarding the middle residential category, it required neighborhood-by-neighborhood consideration of amenities for her to think that was a good idea. She said that they were seeing a lot of so many centers, that, with the five significant rezonings in 2004, 2005, and 2006, there was now an abundance of space that could not be supported, and they were oversaturated.

Ms. Mallek said that North Point had been forced to abandon plans for at least 100,000 square feet of commercial space because there was less demand for it. She said that she hoped that they would recognize that and recognize the challenges associated with mixed-use development. She said that they must better define where it was appropriate and where it might be allowed but was not necessarily required in order for anything to happen.

Ms. Mallek said that with supporting retail, Old Trail was nearing 1,000 units yet still faced difficulties in this area. She said that this was a White Hall District project, which was initially intended to have 2,000 units, and was unsupportable financially, development-wise, and market-wise, and now had a minimum of 1,000 units instead of the initially proposed 2,000 units. She said that perhaps in 20 years, they would get there.

Ms. Mallek said that she believed the Comprehensive Plan was a 20-year thing, and they should be optimistic and keep working. She said that they must be more analytical about the Pollyanna things

they said and not have anyone come back to them in a few years and say that they really blew it on that one. She said that there were many things in their current Comprehensive Plan that they would like to do but had not. She clarified that it was not that it was a bad idea to include them, but being more realistic would ultimately serve them better.

Ms. Mallek said that someone mentioned performance spaces, and that there was a strong desire for a 600-seat venue. She said that the University's planned project on Ivy Road was not going to be available to the community. She said that if they could find a developer willing to build a facility like that, at the mall perhaps, it would be used very quickly by the arts community.

Ms. Mallek said that the ultimate goal for the Growth Area over the past 30 years had been to create a place where people wanted to live. She said that otherwise, it would fail.

Ms. Mallek said that they also needed to figure out their plans and rules to build truly affordable units. She said that considering the projected 31,000 people who may move there and asked if they were they using the 4% per year growth rate, which they had seen for the past two years, or the 1.5% per year growth rate they had experienced in the 30 years prior. She said that either way, that was a lot. She said that if growth continued at 4% per year, they would have real problems dealing with anything they had going on. She said that every district experienced huge traffic problems during commuter hours. She said that anyone traveling between McIntire and Freebridge during peak hours was stuck for a long time.

Ms. Mallek said that she strongly supported structured parking. She said that in fact, traffic studies for Crozet 10 years ago had recommended this solution. She said that she had even tried to get one additional deck at the library in 2008, but it would have cost \$1 million. She said that unfortunately, she could barely secure the funds to build the library, let alone implement that solution. She said that however, if they had installed structured parking on Crozet Avenue and Library Avenue, it would have made a huge difference. She expressed her hope that they would not repeat the same behavior but actually try to figure out a way to work with their businesses and incentivize the differences that people had discussed five and ten years ago, regarding the high cost of land and the potential for structured parking.

Ms. Mallek said that she was truly sorry that David King had passed away, as he had mentioned to her that as soon as they secured the necessary zoning for J.B. Barnes, he would be on board with the idea, given his experience with structured parking in Houston. She said that when they had areas with high foot traffic, where they wanted people to come, live, and work, and they did not want to waste a lot of expensive beautiful viewshed and space on a parking lot, there would be a huge economic development benefit and the finances to make this work. She said that somebody had sent her a paper that she had not yet read but would share with everybody about the links between structured parking and economic development, even in smaller cities. She said that she committed to pursuing this idea.

Ms. Mallek said that regarding activity centers, she had mentioned the need to reduce the number of them in total to meet demand, thereby minimizing empty commercial spaces. She said that she was having trouble recalling the location of Rivanna Ridge.

Mr. Barnes said that it was in lower Pantops, where the Giant grocery store is located.

Ms. Mallek said that now that she understood, and the higher stories were over there, which made much more sense.

Ms. Mallek said that to help clarify, when they saw a Crozet map with all that yellow, those areas represented built-out neighborhoods already. She said that she was addressing this when they discussed where those accessory units would be built. She said that she would reserve her decision on accessory units and the process involved until she knew the performance standards, such as setbacks and other requirements, as these would make a difference. She said that she recalled a significant issue that had taken about 10 years to resolve when an earlier zoning code allowed zero lot line for accessory structures, leading to a maintenance disaster due to the required trespassing on neighboring lots in order to fix a structure that had been built legitimately under a rule that needed to be changed. She said that they had eventually changed the code, and it was no longer an issue, but it made her cautious when she heard about new additions without knowing the details.

Ms. McKeel said that she would like to address the 12 standards plus three legacy land use categories. She said that she had no major issues with this, and she thought it made sense, with some caveats. She said that she would like to take this opportunity to suggest that where they had an area like the Village at Rivanna, where they knew it was not going to happen, that they explore the possibility of swapping Development Areas, where something could actually happen. She said that she thought this was an important consideration.

Ms. McKeel said that allowing accessory units with performance standards was something she was supportive of, with many caveats, and not by right. She said that she was very supportive of encouraging developers to build accessory dwelling units in areas like Belvedere, where they had been successfully implemented. She said that this provided additional housing options and worked well. She said that she did get concerned, however, about the potential impact of a large number of accessory dwelling units in a university town, such as Charlottesville, and how it might shift the burden off of the University of Virginia to provide student housing.

Ms. McKeel said that she had seen this happen in her district, where affordable apartments and

houses in older neighborhoods with no HOA tended to fill up with UVA students. She said that it was not necessarily a bad thing, and that this got to the regional work the County was doing with UVA, but they needed to consider how UVA could help address the challenges in their Development Areas and Urban Areas with their growth of students. She said that she understood that students needed a place to live, but her priority was her constituents and bringing people back to the community.

Ms. McKeel noted that she did not think everyone wanted to live in the Development Area or Albemarle County; some people preferred to live in Fluvanna. She said that they should not assume that everyone must live in Albemarle County. She said that however, providing transit and a way for them to get to work and back was essential. She expressed her concern about accessory dwelling units being arbitrarily placed as a by-right use.

Ms. McKeel said that in her experience, many new developments, including those with HOAs, did not allow them. She said that this type of regulation could force them into areas that were not designed for them. She said that she was not entirely opposed to the idea, but she needed to see performance standards and how they would work in practice. She said that this opportunity also allowed them to think about how to work with UVA to comprehensively address their student housing needs.

Ms. McKeel said that she was supportive of the proposed range and changes. She said that she agreed that crosswalks connecting was a great idea.

Ms. McKeel said she was also concerned about activity centers, as she feared they may be setting themselves up again. She said that Stonefield, North Point, and Brookhill were all struggling with commercial spaces, and she was looking at this as a unit. She said that they were unable to fill their commercial spaces. She said that North Point was particularly challenging, as it was a food desert, and finding a grocery store to come into the area was difficult. She emphasized that they needed to carefully consider how they were spreading out mixed-use, as it was not working now. She said that perhaps in 20 years they would have the density to support it, but for now, she agreed they did not have it. She said that the question was, at what point would they have the density. She said that she was not convinced they would reach that point in 20 years. She said that people often mentioned light rail going up 29, but that that was not going to happen here.

Ms. McKeel said she would like to have a future discussion around manufactured housing, as it could provide affordable housing options. She said that this might be a better conversation for the Rural Area rather than the Development Area. She said that she wanted to keep this in mind.

Ms. McKeel said that regarding building heights, what she was hearing seemed reasonable to her, but she was not an expert and would like to learn more.

Ms. McKeel said that parking was a concern, and she was tired of seeing huge empty parking lots. She said that they needed to address this, as it was private property. She said that they could not just allow it to continue; they needed to rein in parking. She agreed that they should consider structured parking options, which made sense to her. She said that underground parking was extremely expensive, especially in their community, where it often required blasting.

Ms. McKeel said that while Stonefield was an example of this, it was so expensive that it did not seem rational. She said that they had successfully integrated parking into the building, which was impressive but likely too costly as a general practice. She said that, nevertheless, she believed that they needed to address parking and reassess their expectations, particularly with regard to reducing the amount of parking required. She said that they must also prioritize public transportation as well.

Ms. McKeel said that regarding parks, she was puzzled that her constituents could not access parks without having to drive. She said that they needed to start thinking creatively about how to incorporate green spaces into Development Areas, envisioning more trees and green spaces, rather than just relying on cars or buses. She said that she would like to learn more about the differences between public and private green spaces, and they had all agreed on this.

Ms. McKeel said that she would appreciate Mr. Gallaway's help with their form-based code. She said that after two years of working on this, she was still unclear about where it stood.

Mr. Gallaway said that it was in the small area plan and was really a voluntary overlay.

Ms. McKeel asked if it had ever provided any benefits.

Mr. Gallaway said that there had never been a formal application come forward; however, one was working through that process now.

Ms. McKeel said that they had discussed the form-based code extensively and approved it; however, she thought they may have lost sight of its implementation. She said that she would appreciate a brief overview of form-based code at some point to better understand it and how they could utilize it more effectively. She said that it could be a valuable topic, even if it was not an agenda item.

Ms. McKeel said that she was interested in prioritizing their transit and capital with the Comprehensive Plan. She said that right now, they were discussing ways to enable students to use CAT (Charlottesville Area Transit) and public transit, but public transit did not currently go down Hydraulic Road past Lambs Lane Campus. She said that looking at this through the lens of future transit plans and

how to get people onto transit, while also prioritizing where they spent their money on capital for roads and transit, and how they would make it all work. She said that she often found herself wishing she could walk to Barracks Road from her house in just a few minutes, and she lived only four to five blocks away.

Mr. Andrews said that they were referring to what the center size was.

Ms. McKeel said that she understood. She said that she was concerned about the five-minute walk metric.

Mr. Gallaway asked if the five-minute walk referred to the distance from one side of the center to the other while walking.

Mr. Andrews said that would be 10 minutes. He said that the center concept was centered around a quarter-mile radius, meaning one could walk from the center to the edge in a quarter mile. He said that it did not mean that one could reach every point within the center in a quarter mile. He said that rather, the centers themselves were defined by a quarter-mile radius.

Mr. Barnes said that one key point they were trying to bring up was that the neighborhood model, when it was first conceived, envisioned a center that was a quarter-mile walk for everyone, resulting in numerous centers. He said that he thought one of the goals they were trying to achieve was to reduce the number of centers. He said that in previous plans, they had proposed 50 centers, but they had aimed to reduce that to around 30.

Mr. Barnes said that they had established a hierarchy of centers, with a focus on regional centers. He said that he believed that having four or five regional centers could be a place to concentrate density, investment, and potentially public investment, including transit, parks, and other amenities. He said that they could not have a mixed-use center everywhere if they did not have enough density to support it. He said that they wanted to have something that they could target to try to create walkable nodes that, over time, could be built upon.

Ms. McKeel said that she agreed with what he was saying, exactly. She said that too many, and to try to narrow it down, and that that worked for her. She said that she believed some Light Industrial could thrive in their residential areas, but it did not have to be large-scale operations with smokestacks. She said that they had examples of Light Industrial in her district, off of Route 29, and people did not even know it was there. She said that she was very much in favor of this, with conditions on performance criteria.

Ms. McKeel said that as they were doing this work, she thought it was essential to consider how their regulations might inadvertently harm struggling commercial areas. She said that for instance, if a mixed-use development included apartment complexes and a restaurant or coffee shop, they should not make it difficult for them to advertise with signage. She said that this was related to what Ms. LaPisto-Kirtley, and she had discussed when they visited a restaurant. She said that she understood the reasoning behind some of the ARB's (Architectural Review Board's) decisions, but if a restaurant or coffee shop was to succeed, it should not be forced to plant trees that obscured their signage, making it invisible to potential customers. She said that if they wanted businesses to thrive, they needed to provide them with the necessary tools to attract customers.

Ms. McKeel said that she thought she had covered most of the points on the slide, but she wanted to offer a couple of caveats. She said that their lack of affordable housing was a significant issue, and it was largely due to the Board's inability to support and pass affordable housing complexes that had come to them. She said that they needed to have the political will to do that. She said that the other concern she had was that while everyone wanted roads, sidewalks, and connections, they needed to be realistic about the cost. She said that infrastructure development did not come without a price tag, and they needed to be willing to pay for it. She said that it was the right thing to do, but it was essential to consider the financial implications.

Mr. Pruitt said that he wanted to begin by discussing a topic that had been brought up by his constituents on several occasions. He said that he wanted to be direct and clear: the Village of Rivanna was an absolute policy failure. He said that it should not exist. He said that the planning decisions that led to its creation, he believed, represented catastrophic mistakes that also spoke to racial and class biases that may have been present at certain points in time. He said that unfortunately, significant damage had already been done, and the village was almost entirely built out.

Mr. Pruitt said that while he knew the residents of the Village of Rivanna with whom he had spoken were not happy with the fact that they continue to be in a Development Area, many were concerned about the potential development of the remaining undeveloped lots. He said that the small area plan called for light commercial use, which he found unlikely to occur. He said that he thought the Board needed to understand the complexities involved in changing the status of the area to a Rural Area, taking into account the existing infrastructure. He said that it was unlikely that ACSA services would be rolled back, and houses not built on two acres would not be bulldozed.

Mr. Pruitt said that he was curious about the implications of transferring the 2.7 acres of land. He said that he wondered what that would mean for the residents of the jurisdiction, and how they would manage such a transfer. He said that he had been thinking about this issue since it was first broached, and he believed that if there was an appetite for change, they should act now, rather than waiting for another decade for the next Comprehensive Plan review. He said that he realized that this was a big ask

midway through the process, but that he would be interested in it.

Mr. Pruitt said that he would like to touch on the FLUM planning process and potential inconsistencies. He said that he would like to highlight an immediate point. He said that when they used Broadway as an example of an employment center, it was worth noting that this example was not entirely consistent with their previous discussions about utilizing Broadway. He said that specifically, their recent Broadway plan mentioned the potential for energizing and incentivizing non-employment area uses, despite their insistence that the primary purpose of Broadway should be Light Industrial.

Mr. Pruitt said that this inconsistency made him wonder if there were other statements by the Board that contradicted what they were saying they were going to do here. He said that he would like to examine the conflicts between their master plans and the Comprehensive Plan Development Area chapter, as well as other small area plans, to see how they might use specific employment centers in other local regions. He said that this inconsistency also challenged the way they thought about and discussed the FLUM, as it was unclear when he, as a supervisor, should discuss or suggest changes.

Mr. Pruitt said that they had previously discussed the FLUM during the Growth Management Policy, but it did not feel like the right moment to address it. He said that now, as part of the Development Area, it was being informed by their respective master plans, and that it would inform the zoning code, which was a separate conversation that needed to take place after this. He said that he was unsure when he should express his thoughts and the community should share their preferences for potential changes.

Mr. Pruitt said that it was unclear to him if there was a process in place other than petitioning individual appointees on the different CACs who participated in master planning, which felt like an inefficient way to engage and energize the community. He said that there were many things that he did not think Charlottesville's government did the way he would like it to be done, but they had had a very robust, challenging, but productive conversation on their FLUM, which deeply energized the local community and provided numerous opportunities for feedback. He said that he was unsure how he or a constituent could provide feedback on the FLUM, as he was not aware of the specific process or timeline for doing so.

Mr. Barnes said that in general, their strategy was to standardize and reduce the number of land use categories from previous master plans to around 12 or 13 districts. He said that there were a few legacy categories that would remain. He said that their goal was to achieve this standardization across the County through the FLUM. He said that their strategy had not been to change the existing land use designations from the small area plans that were considered previously for individual portions of the Development Area.

Mr. Barnes said that instead, they planned to revisit these designations on a neighborhood-by-neighborhood basis, such as in Pantops or Places 29, and have a discussion then about potential changes to the land use category from neighborhood residential to missing middle or mixed-use, or removing it from the mixed-use zone. He said that if there was a need to get into more detail, they could, but in general that was not their intent.

Mr. Pruitt asked if these changes should be implemented at the master planning level.

Mr. Barnes said that right now, they were really discussing the broader issue. He said that when considering the overall map, they should evaluate if there was an imbalance between one type of development and another, or did they need to focus on meeting affordable housing goals by increasing the ADU capacity in some of the lower residential intensity areas.

Mr. Pruitt said that this was a bigger problem than they could get into here, but that he was beginning to question. He said that as someone familiar with master planning through the CACs before joining the Board, he was starting to question if this was where their Comprehensive Plan land use map was coming out of. He said that given that their zoning code would be heavily influenced by that, he wondered if this delegation of hyper-local stakeholders was well thought out. He said that these stakeholders, who were not elected officials, were governing all Development Area land use. He said that he was not sure if this approach was community-oriented or County-oriented; it appeared as more of a protectionist posture for how they viewed their land.

Mr. Pruitt said that Mr. Gallaway said had mentioned the concept of what it meant for a majority of new residents to arrive, and he thought it was essential that they capture this in their Comprehensive Plan. He emphasized that all or nearly all new construction should be located within Development Area. He said that personally, he saw every new development in the Rural Area as a minor policy failure, and he was curious about why they were being built there, why the incentives were not sufficient, and why the scale of development was what it was. He said that he understood that he would like to live in the Rural Area, but that he could not afford it. He said that however, he believed their goal should be to locate all new construction within the Development Area, as this aligned with their environmental preservation, carbon neutrality, and affordability goals because they would be able to build denser and higher.

Mr. Pruitt said that he was supportive of accessory dwelling units, and he thought they should be implemented with minimal review to make them economically feasible. He said that legislative review may not be feasible for most people. He said that he would be in favor of legislative review over what they currently had, just to clarify. He said that however, he would also be in favor of administrative review or by-right.

Mr. Pruitt said that by-right development would need to be constrained by sufficient policies, guardrails, and performance standards. He said that if these conditions were met, it could be an appropriate approach. He said that nevertheless, this would require significant development. He said that he would also caution against acting as if ADUs would be a solution of considerable magnitude. He said that ADUs were necessary but insufficient for addressing their housing needs.

Mr. Pruitt said that given their land use map, which had a significant amount of light yellow, mostly indicating existing single-family developments, changing it would not make a substantial difference. He said that they needed to utilize every tool available to extract additional units out of that. He said that in his view, their community was well-positioned to see uptake in ADUs, particularly due to their student population and working singles who struggled to live close to their workplaces. He said that he would be interested in exploring by-right or administrative approaches, with a focus on the individual burden and the ease of implementation.

Mr. Pruitt said that before they began discussing this, Mr. Gallaway had shared well-reasoned insights, and his peers had echoed these concerns. He said that he had previously written down a question about whether mixed-use neighborhood development even worked, and he shared his peers' concerns. He said that the Board had consistently expressed a preference for mixed-use developments, which aligned with residents' desires for walkability, proximity to work, and amenities like shopping centers and coffee shops. He said that however, he was aware of only one successful example of a Grit Coffee shop built in a concrete pediment.

Mr. Pruitt said that he appreciated the point that they needed to be honest about their capacity. He said that residents seemed to prefer a light smattering of commercial uses that were more likely to be used in their daily lives. He said that he believed there was a decreasing desire for large-scale regional hubs. He said that if there was a capacity question, he wondered if they were relying too heavily on very large-scale regional hubs, which may be consuming demand for more micro and local-scale services.

Mr. Pruitt said that he could see some skepticism, but his point was that if there was only a limited amount of business that could be supported by people in a given square-mile area, he wondered if they doing themselves a disservice by prioritizing mega-scale services and amenity spaces when what people wanted were more micro-scale services. He said that he was not sure if this was sustainable, but he suggested that they explore this idea.

Mr. Pruitt said that he thought, either way, what he was hearing from himself and others was that they may have identified more regional community and local-scale centers than were actually sustainable, even after they had pared down from the previous neighborhood model, which had 50 centers. He said that he appreciated the point that this had been pared down, but it was not clear to him that what they had identified as sustainable still met his vision for these areas, which made them attractive and desirable.

Mr. Pruitt said that he agreed and thought this was important because they do signal the need for funding. He said that if they were going to label something, he wanted them to actually have the capacity and gumption to build out those support centers. He said that when he looked at this, he thought a disaggregated set of employment centers was untenable. He said that he did not think he could realistically visit every single one of those centers, and it already seemed impractical to have a square mile of crosswalk and sidewalk investment if he had to hit all of them. He said that he suggested they consider this point further.

Mr. Pruitt said that he also echoed some of his peers' comments that they needed to investigate what it meant to create walkable areas. He said that he lived near an employment center and a community-level center, and he was also a quarter of a mile from Tangerine's Kitchen and Food Lion. He said that both of these locations were easily accessible on foot, but there were no crosswalks or sidewalks between them. He said that he had to walk uphill against traffic in a single-lane road to reach them. He said that this experience had made him realize that they needed to critically think that through.

Mr. Pruitt said that he wanted to discuss parking. He said that he was not sure when to bring this up, but he would like to address it now. He said that he was wondering why they had parking minimums for commercial space. He said that individual landlords already knew what their prime clients expected in terms of parking. If he were building for a specific tenant, such as 7-Eleven, he would build to their specifications because it would make it more marketable.

Mr. Pruitt said that similarly, if he were a 7-Eleven looking to build and own his own things, he would know what his corporate headquarters required in terms of parking. He said that he genuinely could not think of a good reason for them to impose an artificial minimum that might be higher than what was necessary. He said that he did not mean to be abrupt, but he saw little to no value in commercial parking minimums.

Mr. Pruitt said that he thought they should reevaluate residential parking minimums, but he believed they could make a case for that because that could force things onto other streets that could have downstream effects, potentially affecting individual residents who may not have a say in the matter. He said that he thought both residential and commercial parking minimums should be discussed in the Comprehensive Plan.

Mr. Pruitt said that he believed they needed to thoroughly examine their current residential parking requirements and question whether they were appropriate. He said that at the very least, they should be able to justify commercial parking. He said that he was not convinced that they needed a

requirement for commercial parking, as the market seemed well-equipped to provide the minimum amount required.

Mr. Pruitt said that he was puzzled by the role of government in setting minimums rather than minimums, as they had minimums but not maximums. He said that he would like to know if other members of the Board would support a proposal like this or if they needed more information on this. He said that this concept was confusing to him, and he would like to see it changed as soon as possible.

Mr. Pruitt said that he agreed with the change of six to 12.

Mr. Pruitt said that he also wanted to mention that he continued to support the per-application review process, which allowed for iterative feedback on how they were adhering to their growth management goals. He said that he wanted to hear from some of his peers on whether his perspective on the commercial parking piece was entirely off the mark. He said that he left it to the Chair to manage how they would handle that.

Mr. Andrews said that to address that, he believed they needed more information about parking minimums in commercial applications, including how they were imposed and the potential downsides of having lower or no parking minimums for commercial spaces. He said that he thought he understood Mr. Pruitt's general concept, but he did not feel he had enough knowledge to fully participate in this discussion at that point.

Mr. Andrews said that regarding the land use categories, he would try to keep this focused on the current topic, but he had many comments that may relate to the other areas. He said that when reviewing the 12 standard and the three legacy land use categories, he appreciated paring it down and the crosswalk that helped explain it.

Mr. Andrews said that he had reviewed page 7 of their materials, which included the future land use key, and it described these different things. He said that however, when he reviewed the more detailed descriptions, he noted that residential uses did not currently include light industrial as a secondary use. He said that this decision was not something he was ready to make, but he observed that light industrial was already a secondary use in all mixed-use categories, and residential was already a primary use in all mixed-use categories. He said that he was not troubled by this; he believed that what they were laying out made sense so far.

Mr. Andrews said that when they moved to commercial and employment uses, light industrial was included as a primary use, while secondary residential still applied in general commercial, office flex, and light industrial in the descriptions he was reading. He said that only in industrial did they see no mention of residential use, which seemed appropriate. He said that he liked what he was seeing. He said that institutional did not mention light industrial but did mention residential as an allowed use.

Mr. Andrews said that regarding housing needs, the community mixed-use changing from 12 to 34 instead of 6 to 34, and he was fine with the change. He said that however, he did notice that they often discussed secondary uses in other areas and still applied the 6 to 34 standard, so he was wondering why they were not using the 12 to 34 standard consistently, especially in areas where it was a secondary use so they could increase density.

Mr. Andrews agreed with the idea of mapping more middle residential versus neighborhood residential, but noted they would need to dive into the specifics of the neighborhoods in the development center as part of the master plans. He said that specifically, he would like to discuss Rivanna, which required its own discussion. He acknowledged that there were problems with Rivanna, but he did not think they would be addressed in this Comprehensive Plan discussion. He said that he believed it was essential to consider Rivanna's issues as they moved forward with the master plans.

Mr. Andrews said that on the subject of accessory dwelling units, the devil was in the details, and he thought that they were location dependent. He said that he believed there were possibilities, particularly in neighborhoods where they were already built out. He said that these units could provide additional housing without disrupting the neighborhood's character or potential future redevelopment. He said that a concern that was raised at the PC was that allowing ADUs by right could lead to a neighborhood with two units per acre being made into three units per acre when it really needed to be redeveloped into six units per acre.

Mr. Andrews said that he thought it was essential to conduct a thorough analysis to determine where this would work. He said that he believed this idea was worth exploring, and where they could find that it would be appropriate, he would prefer to see it by right or administrative review rather than presenting it to the Board, as this would likely kill it. He said that for individuals seeking to build a grandmother suite, he understood the desire to avoid Board approval. He said that there may be instances where this was feasible, such as in the Rivanna area, subject to HOA requirements.

Mr. Andrews said that moving on to activity centers, he was supportive of the mapping crosswalk for the comparison, which had reduced the number from 50 to 30. He said that he acknowledged that the activity centers were functioning as an overlay, and he was satisfied with this approach. He said that earlier, Mr. Gallaway discussed the potential incompatibility of employment centers with retail establishments, or not needing more Starbucks and things like that. He said that, however, he did not see these as being about retail, but rather about the uses that support the employees in that use. He said that therefore, these were really restricted in that sense and had a narrow use of the activity center. He said

that this was in contrast to local community centers and regional centers, which often featured retail as well as mixed uses of residential, non-residential, and local centers, mixed uses of residential, non-residential, with the different heights. He said that he did not wish to lower those heights. He said that he did not want to rule out the possibility due to Charlottesville potentially considering 10-story buildings in the future. He acknowledged that there may be more 8-story buildings in certain parts of the County as well, and he did not want to discourage this.

Mr. Andrews said that, however, he preferred the idea of an overlay that designated areas where intense activity was expected to take place. He said that as an overlay, it also came with the expectation that they would invest in or incentivize necessary infrastructure. He said that this was where their discussion of structured parking came into play. He said that while it was a change, he believed it was very important to recognize that to achieve urban-type density, they must have structured parking. He said that the current amount of surface parking throughout the County was hindering redevelopment and development in the Development Area.

Mr. Andrews agreed with the comments on prioritizing transportation projects in those areas, infrastructure, and finding space for parks. He said that he understood that for the activity centers, the quarter mile was just trying to find the radius of the activity center, not the expectation that everybody had to be within a quarter mile of this. He said that those living in the activity center area, which was a residential area as well, a five- to 10-minute walk to the store was a reasonable expectation.

Mr. Andrews said that he was intrigued by the idea of accessory dwelling units being developed by developers. He recalled that in Southwood, there were units that resembled townhouses, but behind them were accessory units. He said that he was unsure whether to count these as accessory units or as part of the density for that area. He said that this was where he got confused, as accessory units typically referred to after-the-fact development or where it was otherwise expected to be single-family residential type of development. He said that he did not think they were limiting there.

Mr. Andrews confirmed that the feedback from the all-CAC meeting would be posted and asked that the Board be alerted when that feedback was posted.

Ms. McKeel left the meeting at 5:10 p.m.

Mr. Gallaway said that he would like to make a few quick points regarding the walking map. He said that upon reviewing it again, he did understand it. He said that the document specifically stated that local and activity centers were a quarter mile from lower-density neighborhoods. He said that this meant it was not just about the activity center's diameter, but also about breaching into these lower-density neighborhoods.

Mr. Gallaway said that he used the example of Dunlora, which he should not have, as it was not identified as a local center or activity center. He said that the regional center's map listed a half-mile distance from lower-density neighborhoods. He said that his point remained valid for what he was requesting, and he believed the maps would help them understand it. He said that for instance, at Rio Hill Apartments, walking to the Food Lion was a mile, and it was likely longer than half a mile to walk to Kroger. He said that even Google's route planner warned about the lack of pedestrian infrastructure on Route 29. He said that this highlighted the need for caution when navigating the area.

Mr. Gallaway said that his original point and request regarding this matter still stood. He said that he would like to clarify the LI designation. He said that he wondered if it was equivalent to commercial, to Mr. Andrews' point about the LI not being, and being comfortable with that. He said that the LI was specifically not called out in urban residential, which was where he thought it could be. He said that commercial was as a secondary use, but he did not know if commercial equated to LI. He said that he would appreciate it if this could be clarified at some point in the future.

Mr. Andrews said that he did not think that LI was specifically mentioned in those contexts. He said that regarding the quarter-mile and half-mile designations, there may be a discrepancy in the short descriptions and in the narrative's explanation of the measurement of the distance. He noted that it was inconsistent between the two.

Ms. Mallek said that firstly, she would like to mention manufactured housing, which was brought up during the discussion. She said that in Urban Areas, manufactured housing can be very successful, especially with the current building codes and new ones. She said that she had hoped that Habitat would consider using manufactured housing as a cost-effective solution rather than traditional build methods.

Ms. Mallek said that secondly, she would like to bring up tree conservation rules, and the need for trees in the Growth Area, which have been a topic of discussion for decades. She said that while other counties have successfully implemented these rules to maintain equity in Urban Areas, they continued to allow the removal of mature trees, which can take decades to mature and provide benefits. She said that she would like to add this to the list.

Ms. Mallek said that Mr. Barnes had mentioned that they would have four to five centers with a special focus, and she would appreciate if staff could share more information on these centers and when they were willing to discuss them further. She said that categorizing them would help her better understand it, as she was really floundering about this. She said that they had 16 centers in Crozet in 2005, and she thought they needed to get them down small enough to succeed would really help.

Ms. Mallek said that regarding the swap out for Village of Rivanna, this was done in Crozet during the master plan in 2010, so it could be a model for them. She said that additionally, she would like to note that Comprehensive Plan amendments were always part of the zoning process for projects that did not align with the Comprehensive Plan. She said that she would like to encourage them not to go down the drain about this being stuff for 20 years because there were ways to get this out.

Ms. Mallek said that supporting ADUs as affordable housing was something she could support, but she had a question for the Interim County Attorney. She asked if they have the authority to waive fees if a building was designed to be permanently affordable. She said that this was not a question for today's discussion, but rather a consideration for the future.

Ms. Mallek said that she believed the overall goal for many of their neighborhood models, which seemed to have been lost, was to replicate the organic, small-town atmosphere that developed over a hundred years. She said that in places like Old Town Winchester, which was just 20 blocks, this was working beautifully. She said that the County seat, houses, stores, and everything were packed into a small area with narrow entrances to backyard parking spaces, and each property had a small kiosk for parking payment. She said that people were making it work.

Ms. Mallek said that they needed to revisit the 2010 decision for the form-based code for the Downtown Crozet District, which dramatically eliminated parking requirements. She said that this decision had led to a desperate need for structured parking as a replacement for the surface parking, which would go away as J.B. Barnes began to build out, but would also benefit the library users, the ice cream parlor, and other businesses where people were now parking all over the place on the dirt, gravel, and grass to be able to get there.

Mr. Andrews requested that staff remind the Board when certain topics may be better suited for a different work session or if items of concern were addressed in specific chapters of the Comprehensive Plan draft.

Mr. Barnes said that it was helpful to bring up these matters as they progressed through the discussion, but the tree-related action items were indeed listed as one of the specific action items in this particular chapter as they correlated to land use. He said that manufactured housing was likely best addressed in the affordable housing chapter rather than as an overall land use goal.

Mr. Barnes said that transportation was a complex issue, closely tied to land use, and they had somewhat artificially separated the two. He said that they would continue to discuss activity centers as a way to help not only prioritize transportation investments but also to plan for them, particularly with regards to transit and bike infrastructure. He stated that there would be linkages as they went through the subsequent chapters.

Mr. Barnes said that for the initial two chapters focusing on land use in the Development Area and Rural Area, because they were very fundamental, they were intentionally presenting policies at one meeting and actions at the next. He said that they would do the same thing with the Rural Areas. He said as they started getting to the other ones, they would present both policies and actions at the same work session.

Ms. LaPisto-Kirtley said that she agreed with Ms. Mallek that the ADUs must be tied to something legally in order to keep them affordable, otherwise they would be taken up by people who could afford more rent but chose the ADUs.

Ms. Mallek said that on page 7, in the Rural Area box, it states one unit per two acres. She said that the minimum lot size in the Rural Area is 21 acres, and each parcel has five two-acre exemptions from the land use, the downzoning in 1980. She said that Bill Fritz had helped her understand this many years ago, and he had advised explaining it in this way so that people would understand. She requested that staff make this clear in the document.

Agenda Item No. 11. Closed Meeting.

At 5:20 p.m., Mr. Pruitt **moved** that the Board go into Closed Meeting pursuant to Section 2.2-3711(A) of the Code of Virginia:

- Under subsection (1), to discuss and consider:
 - appointments to various boards and commissions including, without limitation: the Agricultural and Forestal District Advisory Committee, the Architectural Review Board, the Crozet Community Advisory Committee, the Historic Preservation Committee, the JAUNT Board, the Pantops Community Advisory Committee, the Places 29 (Hydraulic) Community Advisory Committee, the Places 29 (North) Community Advisory Committee, the Places 29 (Rio) Community Advisory Committee, the Police Department Citizens Advisory Committee, the Solid Waste Alternatives Advisory Committee, and the Village of Rivanna Community Advisory Committee; and
 - the annual performance of the County Executive; and
- Under subsection (5), to discuss the location of a prospective industry in the Rio Magisterial District where no previous announcement has been made of the industry's interest in locating its facilities in the community; and
- Under subsection (6), to discuss and consider the investment of public funds for the location of an

industry in the Rio Magisterial District, where bargaining is involved and where, if made public initially, would adversely affect the financial interest of the County.

Ms. Mallek **seconded** the motion. Roll was called and the motion carried by the following recorded vote:

AYES: Mr. Andrews, Mr. Gallaway, Ms. LaPisto-Kirtley, Ms. Mallek, and Mr. Pruitt.

NAYS: None.

ABSENT: Ms. McKeel.

Agenda Item No. 12. Certify Closed Meeting.

Ms. McKeel returned to the meeting at 6:03 p.m.

At 6:03 p.m., Mr. Pruitt **moved** that the Board of Supervisors certify by a recorded vote that, to the best of each supervisor'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: Mr. Andrews, Mr. Gallaway, Ms. LaPisto-Kirtley, Ms. Mallek, Ms. McKeel, and Mr. Pruitt.

NAYS: None.

Agenda Item No. 13. Boards and Commissions.
Item No. 13.a. Vacancies and Appointments.

Ms. McKeel **moved** that the Board make the following appointments to Boards and Commissions:

- **Appoint** Ms. Antoinette Brewster and Mr. Hamilton Moses to the Agricultural and Forestal District Advisory Committee with said term to expire on April 17, 2027.
- **Reappoint** Mr. Dade Van Der Werf and Mr. Taro Matsuno to the Architectural Review Board with said term to expire November 14, 2028.
- **Appoint** Ms. Erin Houlihan and Ms. Katya Spicuza to the Crozet Community Advisory Committee with said terms to expire on March 31, 2026.
- **Appoint** Ms. Kristi Hagen to the JAUNT Advisory Board to fill an unexpired term ending on September 30, 2026.
- **Appoint** Mr. Christopher Fuller to the Places 29 (Hydraulic) Community Advisory Committee with said term to expire on August 5, 2026.
- **Appoint** Mr. Frank Safertal to the Places 29 (North) Community Advisory Committee with said term to expire on August 5, 2026.
- **Reappoint** Mr. Lee Kondor to the Places 29 (Rio) Community Advisory Committee with said term to expire on September 30, 2026.
- **Appoint** Mr. Dennis King to the Police Department Citizens Advisory Committee with said term to expire March 5, 2026.
- **Appoint** Mr. Lee Kondor to the Solid Waste Alternatives Advisory Committee with said term to expire May 31, 2026

Ms. Mallek **seconded** the motion. Roll was called and the motion carried by the following recorded vote:

AYES: Mr. Andrews, Mr. Gallaway, Ms. LaPisto-Kirtley, Ms. Mallek, Ms. McKeel, and Mr. Pruitt.

NAYS: None.

Agenda Item No. 14. From the County Executive: Report on Matters Not Listed on the Agenda.

There was no report from the County Executive.

Agenda Item No. 15. From the Public: Matters on the Agenda but Not Listed for Public Hearing or on Matters Previously Considered by the Board or Matters that are Pending Before the Board.

Ms. Donna Price, Scottsville District, said that she was here today to briefly speak on two things. She said that first, she recently visited the Center at Belvedere, formerly known as the Senior Center. She said that the facility had decided not to be referred to as the Senior Center, as its clientele is not limited to seniors, although most of its patrons are of her generation. She said that she wanted to mention this briefly because, as the Board was aware, this Board and the County provided a substantial capital donation contribution towards the construction of their center.

Ms. Price said that she just wanted to express her gratitude as a resident and community member for the gem that this facility is to their community. She said that they offer over 170 different activities each week. She said that she attended a "Try It Tuesday" event there yesterday, and it was a

lively and welcoming atmosphere. She said that the vibes were incredible. She said that she would like to thank the County and the Board for the work they had done in establishing this as well as the Brooks Family YMCA and the Boys and Girls Club at Lambs Lane Campus. She said that these are truly exceptional facilities.

Ms. Price said that she had been fortunate enough to travel to France and Spain recently, and she had the opportunity to walk a portion of the Camino de Santiago. She said that she would love to share some of her experiences with the Board, and she presented a slide show of some of the features of the Camino de Santiago. She said that it reminded her of the Loop de Ville but also brought to mind the County Parks and Recreation. She said that the Camino was very well marked, with signs indicating the distance to the end and maps showing the route. She said that the Camino also featured a credential book with stamps from each station, which she thought could be a great way to enhance the Loop de Ville experience.

Ms. Price said that she would like to propose that the County collaborate with the City and community groups to establish these stations with local businesses, where participants could get their stamps. She said that this could also be applied to County parks, making it fun for families to explore and encouraging them to get their little booklet stamped. She said that by working with local businesses, they could create a positive experience for patrons, boosting commerce and making it a desirable destination for visitors. She said that she believed that with a collaborative effort, they could turn this into a standalone project that showcased their community's unique character.

Agenda Item No. 16. Public Hearing: SP202400015, SE202400011, and SE202400012 Knight Berkshire Mixed Use.

PROJECT: SP202400015, SE202400011, and SE202400012 Knight Berkshire Mixed Use

MAGISTERIAL DISTRICT: Rio

PARCEL ID: 04500-00-00-091A0

LOCATION: 615 Woodbrook Drive

PROPOSAL: A request for a special use permit to allow R-15 residential use on a C-1 commercial parcel to construct an approximately 7,880 square foot mixed use building. The ground level is proposed for a commercial use while the three stories above would contain 15 units for a density of 15 dwelling units per acre. Associated with this request are two special exception applications. The first is in accordance with Section 4.20 (a)(4) to reduce the 15-foot setback requirement to 0 feet under Section 4.20. The second is in accordance with Section 21.7 (c) to allow disturbance in the required 20-foot use buffer under Section 21.7.

PETITION: Request for a special use permit in accordance with Section 22.2.2 (6) to allow R-15 residential use. Request for a special exception under Section 4.20 (a)(4) to reduce the 15-foot setback to 0 feet. Request for a special exception under Section 21.7 (c) to allow disturbance in the 20-foot use buffer.

ENTRANCE CORRIDOR: No

ZONING: C-1 Commercial – retail sales and service; residential by special use permit (15 units/ acre)

OVERLAY DISTRICT: AIA Airport Impact Area; Steep Slopes – Managed

COMPREHENSIVE PLAN: Urban Density Residential – residential (6.01 – 34 units/ acre); supporting uses such as religious institutions, schools, commercial, office and service uses in Neighborhood 1 of the Places 29 Master Plan.

The Executive Summary forwarded to the Board states that at its meeting on September 10, 2024, the Planning Commission (PC) voted 7:0 to recommend approval of SP202400015 with the conditions listed in the staff report, with an additional recommendation to update the Concept Plan to remove the proposed connection to Agnor Hurt Elementary School. The PC was not required to and therefore did not take action on proposed special exceptions SE202400011 and SE202400012. As noted in the PC Staff Report (Attachment A1), staff is recommending approval of both SE202400011 and SE202400012.

Attachments A, B, and C are the PC staff report, action letter, and meeting minutes.

At the PC's public hearing, no members of the public spoke. The PC discussed the removal of the connection between the subject property and Agnor Hurt Elementary School. Staff explained that Albemarle County Public Schools (ACPS) staff did not desire this connection because a future connection to a larger multi-family unit development to the north was going to be provided to the school.

Following the PC meeting, the applicant provided a revised Concept Plan (Attachment D) that removed the connection.

Staff recommends that the Board adopt the attached resolutions (Attachment E, F, and G) to approve SP202400015, SE202400011, and SE202400012, respectively, for Knight Berkshire Mixed Use.

Mr. Syd Shoaf, Senior Planner II, said that he would be presenting staff's recommendations for Special Use Permit SP202400015 and Special Exceptions SE202400011 and SE202400012 Knight Berkshire Mixed Use. He said that this application seeks to allow 15 multifamily residential dwelling units in the C-1 Commercial Zoning District, along with two associated Special Exceptions for a setback waiver and a disturbance in the use buffer.

Mr. Shoaf said that the subject property, located north of the City of Charlottesville at 615 Woodbrook Drive, is approximately 1.05 acres and is zoned C-1 Commercial, with the Comprehensive Plan designating it as Urban Density Residential. He said that the adjacent parcels include Agnor Hurt Elementary School to the southwest, multifamily residential units to the north, and C-1 Commercial zoning to the northeast and southeast. He said that the existing one-story building, which had a footprint of 6,500 square feet, was currently used as a dental office with a rental office space, will be demolished and replaced with a proposed 7,880 square foot footprint, four-story building featuring office/commercial space on the first floor and 15 residential units on the top three floors. He said that the applicant proposes 37 shared parking spaces onsite and a proposed stormwater facility in the rear.

Mr. Shoaf said that after reviewing the application under the factors for consideration outlined in the Zoning Ordinance, staff believes that the proposed special use permit would not be detrimental to adjacent parcels, would not change the character of the nearby area, would be in harmony with the C-1 Commercial zoning district, and was consistent with the Comprehensive Plan. He said that there was one condition for this application, and in summary, it requires the development to be in general accord with the provided conceptual plan. He said that staff identified three essential elements, which include the location of the building envelope, the location of the parking areas, and the building height.

Mr. Shoaf said that in summary, there are three positive aspects. He said that the first is that it is consistent with the review criteria for special use permits contained in the Zoning Ordinance. He said that the second is that the use is consistent with the Places 29 Master Plan. He said that the third is that the proposal provides an additional commercial use in residential units for people who live and work in the area. He said that staff recommends approval with the conditions as recommended in the staff report.

Mr. Shoaf said that the first special exception was a request to reduce the 15-foot step back requirement to zero feet. He said that the Zoning Ordinance required a minimum step back of 15 feet for each story above 40 feet in height or for each story above the third story, whichever was less. He said that staff recommended approval without conditions as recommended in the staff report.

Mr. Shoaf said that the second special exception was a request to allow disturbance in the required 20-foot use buffer. He said that the first part of the disturbance was to allow the existing entrance to remain, which currently encroached approximately 35 feet into the use buffer. He said that the applicant had proposed a maximum of 475 square feet of disturbance to grade and extend the existing curb line to allow the existing wood retaining wall to remain, which would allow for a larger building footprint and an additional parking area. He said that the second disturbance in the use buffer was to allow for a connection to an existing stormwater pipe. He said that the storm pipe would connect to an existing facility within the rear of the rear 20-foot use buffer, as shown in red on the screen.

Mr. Shoaf said that this was the proposed condition for SE202400012, which was essentially in general accord with the conceptual plan. He said that the two essential elements were the location for the minor grating within the 20-foot use buffer to allow the existing entrance alignment to remain. He said that the second was the location to allow new stormwater connections to existing storm pipes within the use buffer. He said that for SE202400012, staff recommended approval with the condition as outlined in the staff report.

Mr. Gallaway asked if Mr. Shoaf knew the rationale behind the School Division's decision not to allow a walkway to cut through the property to the school.

Mr. Shoaf said that the applicant initially provided that information on the conceptual plan because, prior to submitting the special use permit to the County, they had pre-application meetings, and staff at that time recommended that the applicant show that connection. He said that at that time, Albemarle County Public Schools (ACPS) reviewed the connection and declined it. He said that their rationale was that the proposed connection would ultimately link to a larger multifamily residential subdivision located two parcels to the north, rather than to this potential multifamily commercial site.

Mr. Gallaway said that adding residential units on top of the existing building would essentially be a straightforward process. He said that if families living in the area attended Agnor Hurt Elementary School, they would have to walk down to Berkmar, down to the frontage and up the hill, which did not have a sidewalk, or they would have to walk up the hill through the new residence and all the way to Woodburn because the connection to the school property would be up there. He said that the distance from the proposed building to Agnor Hurt was approximately 50 yards, so it seemed excessive to reroute potential students more than 200 yards. He said that it would either push them to Berkmar, which had a sidewalk, but there was no sidewalk going up the hill into Agnor Hurt or force them to walk through the multifamily that they approved.

Mr. Gallaway said that he did not agree with the assessment that this connection not be allowed. He said that although the development consisted of only 15 units, he believed this decision was overly focused on the School Division and not on the needs of the families who could potentially live there. He said that the area behind the building, with its soccer field, playgrounds, and community use, suggested that a safer option would be to create a pedestrian connection from the property to Agnor Hurt Elementary School, eliminating the need for students to interact with vehicular traffic. He said that he thought more thought could go into that, especially because it was elementary-aged children.

Ms. LaPisto-Kirtley agreed that she would like to better understand the reasoning behind the School Division's disapproval of the proposed pedestrian connection. She said that she was otherwise supportive of the proposal.

Ms. Mallek said that given the tragic incident involving a Brownsville student being hit by a vehicle in the parking lot a few years ago, the concept of walking up a driveway with no sidewalk was unacceptable to her. She said that she would strongly oppose that concept, and if approved, she believed the responsibility for addressing this issue should fall on the parties involved, as it was simply not right.

Mr. Gallaway asked if there was a sidewalk at the main entrance off of Berkmar.

Mr. Shoaf said that he was unsure of the existing conditions of the road at this time.

Ms. McKeel said that she could not picture any issues with the request for two entrances. He said that she did not have any other concerns.

Mr. Pruitt agreed with the concerns about the access point, and he could think of reasons why they might have opposed it, such as whether it would incentivize adults using the school as a cross-through during working hours, potentially creating stranger danger elements. He said that he was not entirely convinced how that would weight out. He said that he still believed that inter-parcel connectivity would be preferable, especially for families who might use it to get to school or access amenities after hours. He said that he shared his peers' concerns on that matter.

Mr. Pruitt said that he was trying to understand the posture of this issue, as it felt like a ZMA (Zoning Map Amendment), but it was not. He said that it was a special use requirement. He said that based on his limited understanding of the zoning code, he gathered that C-1 Commercial areas were allowed a certain level of density by special use permit without requiring a rezoning.

Mr. Shoaf said that as a special use permit and not a rezoning, the C-1 Commercial use would remain, and the special use permit would allow the R-15 Residential use on the C-1 Commercial site.

Mr. Pruitt said that since it was a special use permit rather than an upzoning, it also meant that it did not trigger any of their ordinances or policies that were triggered by upzonings, such as affordability levels.

Mr. Shoaf said that was correct.

Mr. Pruitt said that he found it a very particular and arbitrary choice in a way that hurt them. He said that the Comprehensive Plan and zoning map were in discordance here, which was the only reason it was before the Board. He said that this discordance had likely significantly increased the cost of this development, and consequently, the rents that would be charged.

Mr. Gallaway said that regarding people crossing the property, they had highlighted other connections to the property, so that appeared to not be a concern.

Ms. McKeel said that there were nearby playing fields that were heavily utilized.

Mr. Andrews opened the public hearing.

Ms. Kendra Moon, Civil Engineer with Line + Grade Civil Engineering, said that she was joined by Dr. Jay Knight, the owner of the parcel, and he will be available for questions should the Supervisors have any. She said that this was a request for a special use permit to allow up to R-15 density on a 1-acre site, which would accommodate 15 units. She said that this was consistent with the surrounding uses, which include C-1 Commercial to the south and R-15 to the north. She said that the orange parcel on the zoning map has been re-zoned to Planned Residential Development (PRD), allowing for 34 dwelling units per acre.

Ms. Moon said that she would also like to touch on the Agno Hurt conversation while she was on the relevant page. She said that they would notice that there are trees located near the back of the site, and the terrain is quite steep. She said that this may be a factor in the decision-making process, and that it was not a readily accessible path that can be created through the site. She said that however, the owner has expressed a willingness to include a pathway, should conversations with ACPS continue on this issue.

Ms. Moon said that the provided aerial image shows the existing building, which is approximately 6,500 square feet in size, with 23 existing parking spaces. She said that the proposed site will roughly resemble this, with the same building size.

Ms. Moon said that the existing building is currently a dentist's office, operated by Dr. Jay Knight. She said that he will continue to practice dentistry here after the special use permit is approved; the ground floor will remain dedicated to dentistry, with the existing hours of operation from 8 to 5, Monday through Thursday. She said that the office has a maximum of eight employees per shift and typically sees three patients per hour on site. She said that when he bought this site, it was already a commercial property, and that the building size needs and parking needs do not necessarily meet his current operation.

Ms. Moon said that to provide some context, during their PC discussions, they received questions about the existing infrastructure, including stormwater and water and sewer mains that run through the

parking area. She said that this is one of the reasons they were proposing to keep the existing parking layout. She said that there is a water and sanitary main that runs through the existing parking in front of the building, and an existing stormwater detention facility on the adjacent lot that the current parking lot ties into.

Ms. Moon said that additionally, there is an existing storm pipe through the back of the subject parcel that ties into the overall stormwater infrastructure here, and this is where they would propose to connect to. She said that the proposed site layout would be roughly the same as the existing one, with additional parking to account for the increased use. She said that the existing building will be demolished and rebuilt, with a slightly south orientation to allow for wraparound parking. She said that the footprint will be slightly increased.

Ms. Moon said that what was shown is a maximum, and it may be more complex than just a box, as they have not yet secured an architect. She said that the building is set back from the road due to the utility mains running through the parking lot. She said that the dentist office is proposed to remain on the ground floor. She said that one side does not require as much space as it currently has, so it could be an accessible unit on the ground floor with residential units above.

Ms. Moon said that up to 15 residential units are to be added, with 20% of those units being affordable. She said that this means that three units would be affordable, out of a total of 15 units. She said that a shared parking agreement will be necessary, as the residential and commercial uses would require more parking than can fit on the site. She said that however, these uses complement each other well in terms of the hours of use, making a shared parking arrangement feasible.

Ms. Moon said that the two special exceptions are to address disturbance within the use buffers adjacent to residential, specifically the existing perch on Woodbrook Apartments to the north and Agnor Hurt behind the site, which will slightly encroach. She said that one was to connect to the existing storm pipe in the rear of the site, and the other was to maintain the existing entrance alignment and extend it to increase parking. She said that the tree line should not be disturbed in that location, as indicated by the survey. She said that the second exception was for the building's setback, as the current set so far back from the road and sidewalk, they do not anticipate a cave-like feeling for pedestrians.

Ms. Moon said that this is consistent with the identified uses in the Comprehensive Plan. She said that this was Urban Density Residential, with a suggested residential density between 6 and 34 dwelling units per acre, falling within the middle range. She said that this was also in line with Albemarle's 2021 housing policy recommendations. She said that overall, this was a desirable walkable area with a nearby bus stop, making it an excellent spot for residences and fitting well with the surrounding uses.

Mr. Gallaway said that upon reviewing the connection through Woodburn, he noticed that it extended all the way to the left corner of the area. He said that the original intention was to connect it to the sidewalk that ran around the loop and into the back entrance. He said that the school drop-off zone was located in that big parking lot. He said that if they needed to access the sidewalk that ran along Berkmar, even if there was a sidewalk on the northern or western side, they would have to cross the driveway to get to that sidewalk.

Mr. Gallaway said that otherwise, they would have to walk up the grass all the way up. He said that however, if they built a wooden stairway, it would provide a path up the incline. He said that then, they could simply cut through the entranceway that was already designed for pedestrian traffic, without interacting with any cars. He said that he was a bit perplexed by this situation.

Ms. LaPisto-Kirtley said that she was not sure if the School District was hesitant about adding another path to the school due to concerns about surveillance. She said that one possible solution could be installing a gate that was open during school hours and locked otherwise. She said that she had seen this approach used before, and the occupants seemed willing to collaborate with the School District, which was a positive aspect.

Ms. Mallek said that she supported the application.

Mr. Pruitt said that it appeared to be a promising project.

Mr. Andrews said that he appreciated the applicant's willingness to provide that path. He said that he believed the Board should consider discussing this with the School District, which they did not have the ability to do at this juncture, and he would not want to hold this up for that. He said that he did not see anywhere in the conditions that they would maintain 20% affordable if there were over 10 units, so there would be 3 if there were 15 units. He asked if this was something that should be in a condition to memorialize what the applicant had said.

Mr. Andy Herrick, Interim County Attorney, said that in order to be enforceable, it must be in a condition. He said that staff could work to draft that condition.

Mr. Gallaway said that he understood that they could not dictate to the School Board that they must accept or include a path. He asked if they could approve the project with the applicant's willingness to incorporate it, in the hopes that if it was revisited with ACPS in the future, perhaps with additional thought or consideration, it could be included.

Mr. Herrick said that the original application and special exception request had aimed to disturb the 20-foot use buffer. He said that currently, the exception to disturb this buffer was limited to two specific things, so to allow the third thing, which was the school crossing, the exception would need to be amended.

Mr. Kevin McDermott, Deputy Director of Planning, said that he would like to add two quick points. He said that firstly, if the applicant was willing to modify their plan, even if it was not initially stated, and the special exception was amended, they could still work with ACPS but they would not be forced to do it. He said that if ACPS did not want the path, then the applicant would not need to return to amend the plan. He said that they could still approve this and hope that the applicant would continue to work with them to get that path created.

Mr. McDermott said that an alternative option was to revert to the original concept plan, which was presented to the PC and included the path to the schools. He said that this would enable the Board to specify in the motion that they had intended to use the original concept plan, provided the applicant was willing to accept it. He said that the alternative path was not located all the way up on Woodburn Road, but rather at the boundary. He said that they were requiring the Woodbrook Apartments to include a public sidewalk connection in their development, which would extend from this location through their development and connect to that.

Mr. Andrews said that his understanding was that they just wanted the current special exception to be extended to allow that additional path, but it would not be required.

Mr. McDermott said that was correct, that they did not need to change the concept plan, as long as the applicant was willing, and that just gave them the flexibility just in case.

Mr. Andrews closed the public hearing and the matter rested with the Board.

Mr. Gallaway said that he believed that this was a wonderful project. He said that the Rio 29 CAC was strongly in support. He said that this was a standing business with a great reputation. He said that adding the units above provided housing and also offered potential upside for the property owner in terms of longevity. He said that they would be gaining a couple of affordable units right next to a school, which was a positive outcome. He said that overall, he thought that this was a great project and well-located.

Ms. LaPisto-Kirtley said that it was a great project and that she supported it.

Ms. Mallek said that there were other residences in the area that would benefit from the walkway, and that she definitely supported this.

Ms. McKeel said that she was supportive.

Mr. Pruitt said that the only issue he had was that they just spent two hours saying that mixed use did not work, and here was a mixed-use project that was going to be residential and commercial.

Mr. Andrews said that this was one of the two projects he previously discussed with the Department of Community Development regarding how to accurately count capacity when redeveloping an existing site, such as this commercial property. He said that it turns out that in this case it was right for redevelopment. He said that they truly appreciated their efforts in this matter, and he was very supportive.

Mr. Andrews said that they were looking for a motion.

Mr. Herrick said that there would be three motions; one for the SP and one each for each the special exceptions. He said that he had forwarded the Board revised resolutions for both the special use permit as well as the second special exception, along with suggested motions. He said that if the Board was inclined to require a condition for affordable housing, there was a revised resolution that included that, and he had provided a revised motion for the Board, and that would be the first motion.

Mr. Gallaway **moved** that the Board of Supervisors adopt the proposed Resolution to Approve SP202400015 Knight Berkshire Mixed Use, dated November 6, 2024. Ms. McKeel **seconded** the motion.

Roll was called and the motion carried by the following recorded vote:

AYES: Mr. Andrews, Mr. Gallaway, Ms. LaPisto-Kirtley, Ms. Mallek, Ms. McKeel, and Mr. Pruitt.
NAYS: None.

Roll was called and the motion carried by the following recorded vote:

AYES: Mr. Andrews, Mr. Gallaway, Ms. LaPisto-Kirtley, Ms. Mallek, Ms. McKeel, and Mr. Pruitt.
NAYS: None.

Mr. Gallaway **moved** that the Board of Supervisors adopt the proposed resolution to approve SE202400012 Knight Berkshire buffer, dated November 6, 2024. Ms. McKeel **seconded** the motion.

Roll was called and the motion carried by the following recorded vote:

AYES: Mr. Andrews, Mr. Gallaway, Ms. LaPisto-Kirtley, Ms. Mallek, Ms. McKeel, and Mr. Pruitt.
NAYS: None.

Mr. Gallaway **moved** that the Board of Supervisors adopt the resolution to approve SE202400011 Knight Berkshire Stepback Waiver, in the form of Attachment F. Ms. Mallek **seconded** the motion

Roll was called and the motion carried by the following recorded vote:

AYES: Mr. Andrews, Mr. Gallaway, Ms. LaPisto-Kirtley, Ms. Mallek, Ms. McKeel, and Mr. Pruitt.
NAYS: None.

—————
**RESOLUTION TO APPROVE SP202400015
KNIGHT BERKSHIRE MIXED USE**

WHEREAS, upon consideration of the staff reports prepared for SP 202400015 Knight Berkshire Mixed Use and all of their attachments, including staff’s supporting analysis, the information presented at the public hearings, any comments received, and all of the relevant factors in Albemarle County Code §§ 18-22.2.2(6), 18-18.2.1(3), and 18-33.8(A), the Albemarle County Board of Supervisors hereby finds that the proposed special use would:

- 1. not be a substantial detriment to adjacent parcels;
- 2. not change the character of the adjacent parcels and the nearby area;
- 3. be in harmony with the purpose and intent of the Zoning Ordinance, with the uses permitted by right in the C-1 Commercial zoning district, and with the public health, safety, and general welfare (including equity); and
- 4. be consistent with the Comprehensive Plan.

NOW, THEREFORE, BE IT RESOLVED that the Albemarle County Board of Supervisors hereby approves SP 202400015 Knight Berkshire Mixed Use, subject to the conditions attached hereto.

* * *

SP202400015 Knight Berkshire Mixed Use Special Use Permit Conditions

- 1. Development of the use must be in general accord with the conceptual plan titled “Knight Berkshire Mixed Use Special Use Permit,” drawn by Line and Grade Civil Engineering dated April 15, 2024, last revised September 18, 2024. To be in general accord, development must reflect the following major elements essential to the design of the development:
 - a. Location of building envelope;
 - b. Location of the parking areas; and
 - c. Building height

—————
**RESOLUTION TO APPROVE SE2024-00012
KNIGHT BERKSHIRE BUFFER**

WHEREAS, upon consideration of the staff reports prepared for SE2024-00012 Knight Berkshire Buffer and the attachments thereto, including staff’s supporting analysis, any comments received, and all relevant factors in Albemarle County Code §§ 18-21.7(c) and 18-33.9, the Albemarle County Board of Supervisors hereby finds that:

- (i) the developer or subdivider has demonstrated that grading or clearing is necessary or would result in an improved site design;
- (ii) minimum screening requirements will be satisfied; and
- (iii) existing landscaping in excess of minimum requirements will be substantially restored.

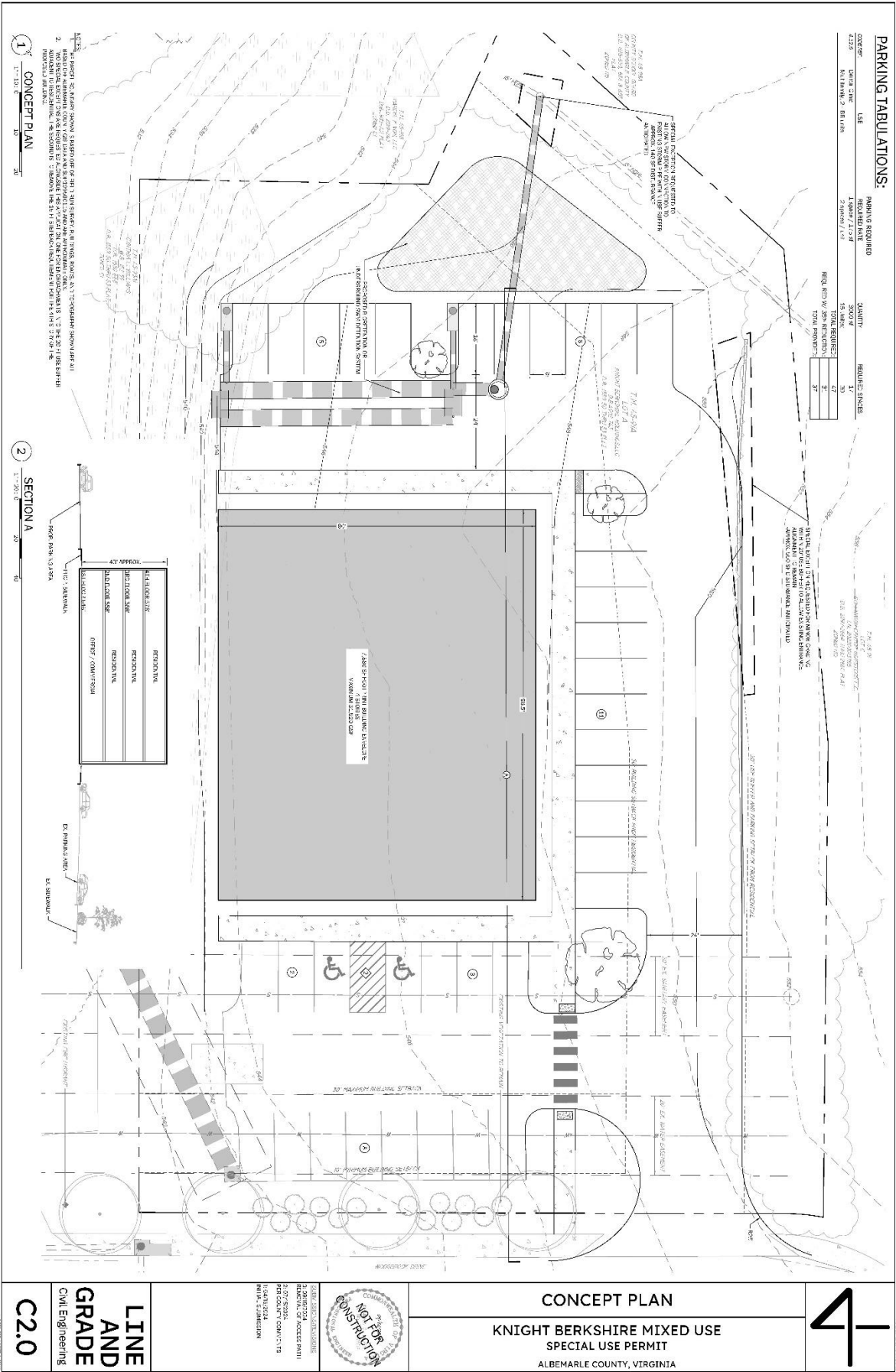
NOW, THEREFORE, BE IT RESOLVED that the Albemarle County Board of Supervisors hereby approves a special exception to allow a disturbance of the 20-foot buffer area otherwise required by County Code § 18-21.7(c) on Parcel 04500-00-00-091A0, subject to the following condition:

- 1. Development of the use must be in general accord with the conceptual plan titled “Knight Berkshire Mixed Use Special Use Permit,” drawn by Line and Grade Civil Engineering dated April 15, 2024, last revised July 15, 2024. To be in general accord, development must reflect the following major elements essential to the design of the development:
 - a. The location for minor grading within the 20’ use buffer to allow existing entrance alignment to remain;
 - b. The location to allow new storm water connection to existing storm pipe within use buffer; and
 - c. The location to allow for a future pedestrian connection to Agnor Hurt Elementary School, if this connection is desired by the Albemarle County Public Schools.
-

**RESOLUTION TO APPROVE SE2024-00011
KNIGHT BERKSHIRE STEPBACK WAIVER**

WHEREAS, upon consideration of the staff reports prepared for SE2024-00011 Knight Berkshire Stepback Waiver and the attachments thereto, including staff’s supporting analysis, any comments received, and all relevant factors in Albemarle County Code §§ 18-4.20(a)(4), 18-22, and 18-33.9, the Albemarle County Board of Supervisors hereby finds that the proposed waiver would be consistent with the intent of the Commercial Districts – Generally zoning district and the Neighborhood Model Principles of the Comprehensive Plan, including criteria contained in land use recommendations from the Places29 Master Plan and relevant Neighborhood Model Principles contained in Chapter 8 of the Albemarle County Comprehensive Plan.

NOW, THEREFORE, BE IT RESOLVED that the Albemarle County Board of Supervisors hereby approves a special exception to waive the 15-foot stepback requirement of County Code § 18-4.20(a)(4) on Parcel 04500-00-00-091A0.



Agenda Item No. 17. **Public Hearing: SP202400009, SE202400006, and SE202400007 Our Lady of Peace Amendments (advertised as SP202400009 Our Lady of Peace Amendment).**

PROJECT: SP2024-00009 Our Lady of Peace Amendment
MAGISTERIAL DISTRICT: Rio
TAX MAP/PARCEL: 061Z00300001A0; 061Z0030000800
LOCATION: 635 and 751 Hillsdale Drive, Charlottesville, VA 22901
PROPOSAL: Amendment to previously approved Special Use Permit SP199700042 for an expansion of the existing assisted living facility, on two parcels of approximately 12.51 acres and 6.95 acres, in the designated Residential section of the Branchlands Planned Unit Development. Requests for two special exceptions to 1) permit minor changes to yard requirements (18-8.5.5.3(A)1) in a planned development and 2) permit changes to the arrangement of buildings and uses shown on the plan (18-8.5.5.3(A)2) of a planned development.

PETITION: Assisted living facility and skilled nursing facility, in accordance with Section 20.3.2.3 of the Zoning Ordinance.
ZONING: PUD Planned Unit Development – residential (maximum of 35 units/acre), mixed with commercial, service, and uses; in accordance with ZMA198800007.
OVERLAY DISTRICT(S): AIA – Airport Impact Area; Steep Slopes – Managed; and Steep Slopes – Preserved
COMPREHENSIVE PLAN: Urban Density Residential – residential (6.01 – 34 units per acre), along with supporting uses such as religious institutions, schools, and other small-scale non-residential uses; in Neighborhood 2, in the Places29 Master Plan area.

The Executive Summary forwarded to the Board states that at its meeting on September 10, 2024, the Planning Commission (PC) voted 7:0 to recommend approval of SP202400009 for the reasons listed in the staff report. The PC asked a few clarifying questions and had minimal comments. The PC's original staff report, action memo, and minutes are attached (Attachments A, B, and C).

During the public hearing on September 10, 2024, the PC did not vote on the special exception requests (Attachment A4) to modify the lot sizes and uses as shown on the ZMA199800007 Application Plan. The Board of Supervisors acts on such exception requests. As stated in the PC staff report (Attachment A), staff recommends approval of SE202400006 and SE202400007.

Staff recommends that the Board adopt the attached Resolution to approve SP202400009 Our Lady of Peace Amendment with the proposed conditions (Attachment D).

Staff further recommends that the Board also adopt the attached Resolution to approve SE202400006 and SE202400007 (Attachment E).

Mr. Cameron Langille, Principal Planner, said that he would be presenting the staff recommendation on SP 202400009, a special use permit amendment for the Our Lady of Peace facility. He said that to provide context, this proposal affects two parcels of land. He said the southern parcel, currently occupied by the Church of the Incarnation Catholic Church, measures 12.51 acres. He said that the northern parcel, where the Our Lady of Peace facility is located, is 6.95 acres. He noted that Our Lady of Peace is a retirement community, offering varying levels of care, including memory care, assisted living, and independent living. He said that the existing structure is between two and four stories tall.

Mr. Langille said that these properties are situated within the Places 29 Development Area, specifically neighborhood two. He said that the surrounding uses are varied, with most parcels zoned within the Branchlands Planned Unit Development (PUD) zoning district, including the two subject properties. He said that Hillsdale Drive is to the west and continued to the north, and the Virginia Institute for the Aging Offices is across from these parcels. He identified the location of a Courtyard by Marriott Hotel, , what was formerly a Toys R Us then a Big Lots, a Food Lion, and a variety of residential communities, including the Branchlands Independent Living Facility, the Linton House Assisted Living Facility, and the Branchlands Retirement Village. He said that further north, this neighborhood was Cobalt Ridge and is zoned R-15, and separated by a vegetated buffer, eventually there was Fashion Square Mall.

Mr. Langille said that he would now provide some of the key details regarding the special use permit request for Our Lady of Peace. He said that the proposal seeks to add 54 new assisted living and skilled nursing facility units, bringing the total number of beds or units to 217. He said that in order to construct these new units, a new wing will be built, attached to the existing structure, and will be three stories tall, with two floors of actual building space located above a ground level parking area. He said that to accommodate this, the parking and travel ways on both the Church of the Incarnation parcel and the Our Lady of Peace property will need to be reconfigured.

Mr. Langille said that additionally, a boundary line adjustment will be required to gain acreage on the Our Lady of Peace property from the church parcel. He said that the proposed reconfiguration could be seen on the image provided, which shows the limits of disturbance, marked by a dashed line. He said that sidewalks would be installed to replace what would be torn up. He said that the driveway entrance into the ground level parking area would be relocated under the Our Lady of Peace wing that would be added. He said that it was worth noting that there was an existing inter-parcel connection between the two properties, which would be retained even with this new development.

Mr. Langille said that the proposal was consistent with the review criteria for special use permits outlined in the Zoning Ordinance, and staff had identified no unfavorable factors. He said that staff recommended approval of the special use permit, subject to the condition that the development would be in general accord with the concept plan and the specific features they had outlined. He said that there were two special exceptions accompanying the special use permit request. He said that these exceptions related to the properties' zoning in the Branchlands PUD, which included a ZMA and an application plan that provided general information about the parcel sizes and building locations.

Mr. Langille said that in order to build the new wing of the Our Lady of Peace facility and make the necessary boundary line adjustment, the parcel sizes shown on the application plan, SE202400006, would need to be adjusted, and the actual location of the new wing would also need to be allowed, which was in SE202400007. He said that staff had identified no unfavorable factors with either request, and therefore, staff recommended approval of both special exceptions. He said that a detailed analysis was provided in the staff report for those who would like more information.

Ms. LaPisto-Kirtley asked if the parking lot would be enclosed or open-air.

Mr. Langille said that he believed it was a combination of both, so they would enter through an entrance and then there would be a concrete structure. He said that the applicant may have more renderings of the actual facade, but he did not think it would be a completely open space. He said that there would be some form of structure present.

Ms. McKeel asked where the construction entrance would be.

Mr. Langille said that he did not believe that they had fully addressed that at this stage. He said that there were multiple entrances to both the Our Lady of Peace and the Church of the Incarnation parcels due to the existing interconnections. He said that there was a primary driveway into the church, and access to Our Lady of Peace was available at another location. He said that it was possible that this driveway could serve as the construction entrance, and the existing inter-parcel connection would allow trucks to access the Our Lady of Peace site. He said that he would let the applicant clarify that.

Mr. Pruitt said that he would like to ask another question to clarify what triggers a legislative process. He said that if they were only considering the density level, they were still within their by-right density level, and they were actually under it. He said that therefore, he was struggling to understand why expanding this wing would necessitate a special use permit.

Mr. Langille said that the original rezoning for this area of Branchlands was intended to be used for residential purposes. He said that a special use permit was obtained in the 1990s to allow it to be used as an assisted living facility, with a cap on the number of units that could be built. He said that a detailed analysis was conducted as part of this permit, explaining that even though they were not having traditional residential uses, such as detached or attached dwellings, they could have an assisted living facility.

Mr. Langille said that the analysis noted that the number of beds that could be occupied by this facility was equivalent to the number of units that could be built. He said that at the time, the Board approved this special use permit, but any additional units that came in required a further review through a legislative act. He said that he had a write-up on this in the staff report, which was available on page 3 under the relevant planning and zoning history.

Mr. Andrews opened the public hearing.

Ms. Lori Schweller, Attorney with Williams Mullen, said that she was representing Our Lady of Peace tonight. She said that with her tonight were Rachel Lindberg, Executive Director, John Albert, Vice President of Development, Jonathan Showalter with Timmons Group, and Jyke Jones with Jones and Jones Architect. She said that the applicant was requesting an amendment to the special use permit to allow Our Lady of Peace to add 34 new Medicare short-term nursing beds, private rooms, 20 new memory care units, to expand its existing independent living, memory care, and assisted living units.

Ms. Schweller said that they could see on the slides the location of the existing building and the Church of the Incarnation, which were related entities. She said that the proposed new wing was indicated by the star. She said as they had heard, this was part of a planned unit development, and it was designated as Urban Density Residential in the Comprehensive Plan. She said that they were seeking to amend a special use permit that was approved in 1997, which was an amendment to a previous special use permit.

Ms. Schweller said that the affected acreage was approximately 8 acres, which included the existing Our Lady of Peace seven acres and an additional acre from the church, which they were requesting to be adjusted through a boundary line adjustment. She said that this area was part of the Branchlands PUD, which was designated by zoning in 1988. She said that as part of this PUD, they would be seeking special exceptions at the end of their presentation. She said that the proposed new wing would be located between the existing Our Lady of Peace building and the church.

Ms. Schweller said that next on the slide was a view of the existing entrance to Our Lady of Peace from Hillsdale, as well as the main entrance to the church from Hillsdale. She said that the entrance they would be focusing on would be the entrance into the new wing, the new garage, and this was where their new sidewalk from Hillsdale would be located. She said that additionally, this area would also serve as the construction entrance. She said that all of this would be repaved. She said that looking at the same area from the other direction, on their right, where those trees were, was where the new wing would be located.

Ms. Schweller said that next was an overview of existing conditions, and they could see here the existing building that managed slopes. She said that the proposed addition would allow for the expansion of the existing facility to add 20 new memory care units and 34 new private skilled nursing home beds. She said that these are private rooms, and this was all because Our Lady of Peace had obtained the license and certificate of public need to provide these units to the area, making it a real boon to the community. She said that the new wing would have a below-ground, one floor of parking, and then two stories above that. She said that a pedestrian passage would be available from here into the building and through the building here.

Ms. Schweller said that she was showing the location of the existing boundary line, marked by orange arrows, and the new boundary line, marked by blue arrows. She said that a close-up here showed the new sidewalk connecting Hillsdale Drive to the new wing, and the vehicular access into the below-ground parking garage. She said that pedestrians could walk here, across here, and choose to enter the parking garage or walk through here to get into the existing building courtyard.

Ms. Schweller said that there was also a connection to the church, which would be maintained. She said that a close-up of that showed the pedestrian walkways. She said that Our Lady of Peace would be adding a new bicycle rack, and there would be new ramps here for pedestrians' safety. She said that to illustrate the garage's layout, they could see that the first floor was at this level, and the second floor was above, with the existing building in the background. She said that this gave an idea of how the different components interacted.

Ms. Schweller said that there was no significant traffic impact associated with the proposed increase in rooms, so a traffic impact analysis was not necessary. She said that the church currently had 115 required parking spaces, and it would need to give up 23 of those for the new wing, but it would still have 205 spaces, exceeding the required amount. She said that for the proposed project tonight, they needed 30 spaces, and the parking garage would provide 38, which met the needed capacity for staff and residents. She said that the area already had several transit stops, including one located in front of the existing facility.

Ms. Schweller said that as expected, there would be no impact on preserved slopes, and the disturbance of managed steep slopes would be in accordance with design standards. She said that stormwater management would be designed in compliance with County WPO (Water Protection Ordinance) and VSMP (Virginia Stormwater Management Program) requirements. She said that the trees that would be removed for the new wing were primarily pines in poor health.

Ms. Schweller said that one of the concerns raised during the community meeting was stormwater flow. She said that she would address any questions about storm drainage contributing to the pond at the Branchlands Community. She said that initial calculations by Timmons showed that the peak flow of the one-year storm in the disturbed area would be reduced, as required by state stormwater regulations, by 20% - 50%. She said that the 10-year storm must be held to pre-construction conditions, and the methods for dealing with this would be determined during site planning. She said that in response to the specific question about the Branchlands Pond, the project site contributed less than 2% of the drainage into that pond. She said that the entire drainage area for the Branchlands Pond was 91.38 acres, and the additional project area of Our Lady of Peace was 1.26 acres, contributing less than 2% of the drainage into that pond. She said that there was also an aerial view of the area for reference.

Ms. Schweller said that she would next discuss a stream restoration project that the County had assisted Our Lady of Peace with. She said that the following photographs showed the retaining wall near the Memory Care Center before restoration in 2015 and after restoration in 2019. She said that the current views also demonstrated the project's success, as the stream was no longer experiencing siltation, and this project would not contribute to additional siltation. She said that she would like to share this information with the Board.

Ms. Schweller said that she would skip the next slide, as Mr. Langille's presentation had already covered the neighborhood model principles. She said that the applicant was also requesting two special exceptions for modifications to the ZMA 1988 Branchlands PUD. She said that these requests were straightforward: they were revising the acreage of parcels A and B, which included the Church parcel and the Our Lady of Peace parcel, respectively. Parcel A, which was Our Lady of Peace and was seven acres, would be increased in size, while parcel B, which was 12 acres, would be decreased by approximately one acre through a boundary line adjustment. She said that this would result in a change in acreage and in use.

Mr. Gallaway asked if there would be an opportunity for improved design elements at the church to accommodate some of their larger events.

Mr. John Albert, Our Lady of Peace, said that the major demand for parking at the facility was typically Monday through Friday from 8:00 a.m. to 4:00 p.m. He said that after that, it became less congested. He said that he had been discussing with Monsignor Keeney at Church of Incarnation to allow them to access the parking garage. He said that the bishop owned both properties, but they would definitely work with Church of Incarnation throughout the entire process, including construction, to find suitable staging areas for equipment and materials, and to ensure that it was restored to its original condition and better than when they first arrived.

Ms. LaPisto-Kirtley said that she supported this project.

Ms. Mallek said that this filled a real need.

Ms. McKeel said that this was great for the need in the community.

Mr. Andrews said that he was curious as to how this would fit into their density calculation.

Mr. Andrews closed the public hearing and the matter rested with the Board.

Mr. Gallaway **moved** that the Board of Supervisors adopt the resolution to approve SP202400009 Our Lady of Peace Amendment, in Attachment D. Ms. Mallek **seconded** the motion.

Roll was called and the motion carried by the following recorded vote:

AYES: Mr. Andrews, Mr. Gallaway, Ms. LaPisto-Kirtley, Ms. Mallek, Ms. McKeel, and Mr. Pruitt.
NAYS: None.

Mr. Gallaway **moved** that the Board of Supervisors adopt the resolution to approve SE202400006 and SE202400007, Our Lady of Peace Amendments (Attachment E). Ms. LaPisto-Kirtley **seconded** the motion.

Roll was called and the motion carried by the following recorded vote:

AYES: Mr. Andrews, Mr. Gallaway, Ms. LaPisto-Kirtley, Ms. Mallek, Ms. McKeel, and Mr. Pruitt.
NAYS: None.

**RESOLUTION TO APPROVE SP202400009
OUR LADY OF PEACE AMENDMENT**

WHEREAS, upon consideration of the staff reports prepared for SP 202400009 Our Lady of Peace Amendment and all of their attachments, including staff's supporting analysis, the information presented at the public hearings, any comments received, and all of the relevant factors in Albemarle County Code §§ 18-20.3.2(3), 18-5.1.13, and 18-33.8(A), the Albemarle County Board of Supervisors hereby finds that the proposed special use would:

1. not be a substantial detriment to adjacent parcels;
2. not change the character of the adjacent parcels and the nearby area;
3. be in harmony with the purpose and intent of the Zoning Ordinance, with the uses permitted by right in the Planned Unit Development (PUD) zoning district, with the applicable provisions of Albemarle County Code § 18-5, and with the public health, safety, and general welfare (including equity); and
4. be consistent with the Comprehensive Plan.

NOW, THEREFORE, BE IT RESOLVED that the Albemarle County Board of Supervisors hereby approves SP 202400009 Our Lady of Peace Amendment, subject to the conditions attached hereto.

* * *

SP 202400009 Our Lady of Peace Amendment Special Use Permit Conditions

1. Development of the property must be in general accord with the concept plan titled "Our Lady of Peace Special Use Plan," dated 2/19/2024 and last revised 5/20/2024. The following major elements must be developed as shown on the concept plan:
 - a. General location, sizes, and heights of buildings, and parking areas;
 - b. Limits of disturbance; and
 - c. Interparcel connection.

**RESOLUTION TO APPROVE SE 2024-00006 AND SE 2024-00007
OUR LADY OF PEACE AMENDMENTS**

WHEREAS, upon consideration of the staff reports prepared for SE2024-00006 and SE2024-00007 Our Lady of Peace Amendments and the attachments thereto, including staff's supporting analysis, any comments received, and all relevant factors in Albemarle County Code §§ 18-8.5.5.3(c) and 18-33.9, the Albemarle County Board of Supervisors hereby finds that the proposed special exceptions:

1. are consistent with the goals and objectives of the comprehensive plan;
2. do not increase the approved development density or intensity of development;
3. do not adversely affect the timing and phasing of development of any other development within the Planned Unit Development (PUD) zoning district;
4. do not require a special use permit; and
5. are in general accord with the purpose and intent of the approved application.

NOW, THEREFORE, BE IT RESOLVED that the Albemarle County Board of Supervisors hereby approves special exceptions:

- a. SE2024-00006 -- to adjust the size of Parcel 061Z0-03-00-00800 ("Area A") to approximately 7.91 acres and of Parcel 061Z0-03-00-001A0 ("Area B") to approximately 11.58 acres; and
- b. SE2024-00007 -- to allow the location of the new wing of the Our Lady of Peace facility proposed with the SP202400009.

CONCEPTUAL PLAN
COUNTY OF ALBEMARLE, VIRGINIA

2/19/2024

[illegible][illegible]

YOUR VISION. ACHIEVED THROUGH OURS.

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To consider conveying temporary construction, private sanitary sewer, and drainage easements across County-owned Parcel 09100-00-00-002E0, located at 1515 Founders Place, to the Albemarle County School Board. The proposed easements are to support a proposed new elementary school on the adjacent Parcel 09100-00-00-01100, located at 133 Galaxie Farm Lane. In addition to the easements, additional right-of-way is being proposed dedication for Founders Place widening and sidewalk construction.

The Executive Summary forwarded to the Board states that Albemarle County Public Schools (ACPS) is developing Parcel 09100-00-00-01100 for the Southern Feeder Pattern Elementary School Project. To support the upcoming construction and future operation of the new elementary school, several easements have been requested across the adjacent County-owned Parcel 09100-00-00-002E0. Albemarle County Fire Rescue Station 11 is located on this parcel.

Three easements are requested.

- 1) Temporary Construction Easement: This easement would allow ACPS to carry out essential construction work, including widening Founders Place, adding a sidewalk, updating the ADA curb ramp, and installing necessary utilities.
- 2) Private Sanitary Sewer Easement: This easement is needed for the installation and maintenance of a private sanitary sewer line connecting the school to the existing Albemarle County Service Authority infrastructure on County property.
- 3) Drainage Easement: This easement would enable the effective management of stormwater runoff from the widening of Founders Place and help prevent drainage issues on the County owned property.

Additionally, as part of the Founders Place widening and sidewalk construction, dedication of additional right-of-way for public use has been requested.

There would be no budget impact for these proposed easements and dedications.

Staff recommends that the Board adopt the attached Resolution (Attachment D) approving the easements and public right-of-way dedication to public use and authorizing the County Executive to execute a deed and any other necessary or related documents to convey these interests.

Mr. Bill Strother, Chief of Facilities and Operations for Facilities & Environmental Services (FES), said that this item pertained to several easement and right-of-way requests to support the construction of a new elementary school on parcels located behind the Monticello Fire Station off of Mill Creek Drive.

Mr. Strother said that the parcels that would be affected were 91-2E, which housed the Monticello Fire Station 11, and 91-11, where the school would be built, which was just behind the Monticello Fire Station. He said that the school's construction plan was outlined in the provided document, which provided an overview of the relationship between the school and the County-owned property where Fire Station 11 was located.

Mr. Strother said that to complete this construction, several easements would be required. He said that these included a temporary construction easement, a sanitary sewer easement, an additional right-of-way dedicated for public use, and an extension of an existing drainage easement. He said that he would now explain each of these easements in more detail.

Mr. Strother said that the first was a construction easement that would support the widening of Founders Place, including the addition of a sidewalk along Founders Place to allow students to safely walk to and from school. He said that this easement would also enable the installation of necessary utilities, such as water, sewer, electrical, and data lines. He said that the location of this easement was shown on the left side of the slide, and it was situated near the Monticello Fire Station 11, as indicated by the orange marker. He said that this would allow them to conduct the necessary construction work for all of the easements and utility installations.

Mr. Strother said that the second easement was a sanitary sewer easement. He said that currently, there was an existing easement for the Albemarle County Service Authority (ACSA) along the Station 11 property. He said that however, there was a 20-foot shortfall between the school property and the County property, requiring a small easement to connect a private sanitary sewer line to the ACSA line. He said that this easement was located on the south part of the parcel, along the property line with the school property.

Mr. Strother said that additionally, there was a right-of-way dedicated to public use, which would support a widening of Founders Place, the installation of additional sidewalk along Founders Place up to the new elementary school, and the installation of additional handicap ramps, including ADA ramps from the sidewalk to the front of the station. He said that the location of this right-of-way dedication was shown on the slide.

Mr. Strother said that the next item was an extension of the existing drainage easement in this location where that public right-of-way would be, which would allow for the installation of additional drop-inlets to catch the additional stormwater created with the drainage from the widening of Founders Place. He said that this easement was also located near the entrance of the fire station coming down the hill on Founders Place. He said that all of these easements were in direct relation to a public right-of-way, supporting Albemarle County Public Schools (ACPS) and the construction of the new elementary school.

Mr. Strother said that this arrangement would help save considerable construction costs by avoiding the need to route materials in a different direction. He said that staff had reviewed this with county stakeholders, including Albemarle County Fire Rescue (ACFR), and they had no concerns. He said that they had also assured that these easements would not interfere with any ACFR operations at Station 11 during construction or other processes.

Mr. Strother said that ACPS and FES would work together with ACFR to coordinate everything around their use. He said that with that, staff recommended that the Board adopt the attached resolution, Attachment D, approving the easements and public right-of-way dedication to public use and authorizing the County Executive to execute a deed and any other necessary or related documents to convey these

interests. He said that he had Matt Workman, the Director of Building Services for ACPS, present to answer any questions the Board may have.

Mr. Andrews opened the public hearing. Seeing no speakers, he closed the public hearing and the matter rested with the Board for a motion.

Mr. Pruitt **moved** that the Board of Supervisors adopt Attachment D. Ms. McKeel **seconded** the motion.

Roll was called and the motion carried by the following recorded vote:

AYES: Mr. Andrews, Mr. Gallaway, Ms. LaPisto-Kirtley, Ms. Mallek, Ms. McKeel, and Mr. Pruitt.
NAYS: None.

**RESOLUTION APPROVING THE PROPOSED CONVEYANCE OF EASEMENTS
AND RIGHT-OF-WAY ACROSS COUNTY-OWNED PARCEL 09100-00-00-002E0**

WHEREAS, the County of Albemarle owns Parcel 09100-00-00-002E0, where Albemarle County Fire Rescue Station 11 is located;

WHEREAS, Albemarle County Public Schools (ACPS) is developing the Southern Feeder Pattern Elementary School Project on the adjacent Parcel 09100-00-00-01100 and is requesting that the County grant a temporary construction easement and permanent private sanitary sewer and drainage easements across this County-owned Parcel;

WHEREAS, ACPS is also requesting dedication of additional right-of-way for public use as part of the Founders Place widening and sidewalk construction; and

WHEREAS, the requested easements and right-of-way access are necessary for the development of the Southern Feeder Pattern Elementary School Project.

NOW, THEREFORE, BE IT RESOLVED that the Albemarle County Board of Supervisors hereby approves the granting of the proposed easements and right-of-way across Parcel 09100-00-00-002E0, and authorizes the County Executive to execute any deeds and other necessary or related documents to convey these interests, once approved as to form and substance by the County Attorney.

202400010874.001
VIRGINIA LAND RECORD COVER SHEET

Commonwealth of Virginia VA. CODE §§ 17.1-223, -227.1, -249

FORM A – COVER SHEET CONTENT

Instrument Date: 12/19/2024

Instrument Type: AG

Number of Parcels: 1 Number of Pages: 9

[] City [X] County ALBEMARLE COURT
CIRCUIT COURT

Tax Exempt? VIRGINIA/FEDERAL CODE SECTION

[X] Grantor: 58.1-811(A) (3) & 17.1-266

[X] Grantee: 58.1-811(A) (3) & 17.1.266

Business/Name

1 X Grantor: COUNTY OF ALBEMARLE

Grantor:

1 X Grantee: COUNTY OF ALBEMARLE SCHOOL BOARD

Grantee:

Grantee Address

Name: COUNTY OF ALBEMARLE SCHOOL BOARD

Address: 401 MCINTIRE ROAD

City: CHARLOTTESVILLE State: VA Zip Code: 22902

Consideration: \$0.00 Existing Debt: \$0.00 Actual Value/Assumed: \$0.00

PRIOR INSTRUMENT UNDER § 58.1-803(D):

Original Principal: \$0.00 Fair Market Value Increase: \$0.00

Original Book No.: Original Page No.: Original Instrument No.:

Prior Recording At: [] City [] County Percentage In This Jurisdiction: 100%

Book Number: Page Number: Instrument Number:

Parcel Identification Number/Tax Map Number: 09100-00-00-002E0

Short Property Description: 13.27 ACRES

Current Property Address: 1515 FOUNDERS PLACE

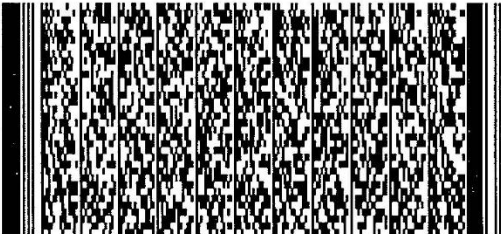
City: CHARLOTTESVILLE State: VA Zip Code: 22902

Instrument Prepared By: RICHARD G. RASMUSSEN, III Recording Paid By: ALBEMARLE COUNTY

Recording Returned To: MCCALLUM & KUDRAVETZ, P.C.

Address: 250 EAST HIGH STREET

City: CHARLOTTESVILLE State: VA Zip Code: 22902



RECORDED IN
ALBEMARLE COUNTY, VA
JON R. ZUG
CLERK OF CIRCUIT COURT
FILED Dec 20, 2024
AT 02:58 pm
BOOK
START PAGE
END PAGE
INST # 202400010874
TOTAL NUM PAGES 10

MEB

(Area Above Reserved For Deed Stamp Only)

202400010874.002

Prepared by:
Richard G. Rasmussen, III, VSB # 40694
McCallum & Kudravetz, P.C.
250 E. High Street
Charlottesville, VA 22902
(434) 293-8191

Parcel ID: 09100-00-00-002E0

This deed is exempt from taxation under *Virginia Code* §§ 58.1-811(A)(3) and/or 58.1-811(C)(4) and from Clerk's fees under *Virginia Code* § 17.1-266.

EASEMENT AGREEMENT

THIS EASEMENT AGREEMENT made this 19th day of December, 2024, by and among the COUNTY OF ALBEMARLE (the "County") and the COUNTY OF ALBEMARLE SCHOOL BOARD (the "School Board").

WITNESSETH:

WHEREAS, the County is the owner of that certain tract or parcel of land currently designated as Albemarle County Tax Map Parcel 09100-00-00-002E0, containing 13.27 acres, more or less (the "County Parcel"), as shown on a plat prepared by Timmons Group, dated June 21, 2024, revised August 1, 2024, entitled "Plat Showing Right-of-Way Dedication and Various Easements Across the Lands of County of Albemarle Tax Map Parcel 91-2E, Scottsville Magisterial District, Albemarle County, Virginia", which plat is attached hereto as Exhibit A and recorded herewith (the "Plat").

WHEREAS, the School Board is the owner of that certain tract or parcel of land currently designated as Albemarle County Tax Map Parcel 09100-00-00-01100, containing 15.80 acres, more or less, being the same property conveyed to the School Board by Deed of Gift of the County of Albemarle, Virginia, dated December 19, 2019, recorded in the Clerk's Office of the Circuit Court of Albemarle County, Virginia in Deed Book 5258, page 620 (the "School Board Parcel"), which is adjacent to the County Parcel.

202400010874.003

WHEREAS, the County desires to grant certain easements to the School Board, as more particularly described herein and shown on the Plat.

NOW THEREFORE, in consideration of the foregoing recitals and the following mutual promises, agreements and undertakings, and other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, the parties hereto agree as follows:

1. Temporary Construction Easement. The County does hereby grant and convey unto the School Board, and its successors and assigns, a temporary construction easement (the "Temporary Construction Easement") in the area designated as "TEMPORARY CONSTRUCTION EASEMENT (27,073 SF)" on the Plat (the "Temporary Construction Easement Area"), to allow the School Board and its respective employees, contractors, and agent to enter upon the County Parcel to (i) widen the entrance road, build an additional sidewalk, and rebuild the ADA curb ramp; (ii) construct stormwater management facilities; and (iii) install a conduit and connect to an existing conduit for the connection of ACPS fiber to the School Board Parcel (collectively, the "Construction Work"). The Temporary Construction Easement shall automatically terminate upon the completion of the Construction Work. Upon termination of the Temporary Construction Easement, the Temporary Construction Easement Area shall be restored to substantially the same condition that existed before commencement of the Construction Work with the exception of all improvements constructed as a part of the Construction Work which may remain. The Construction Work shall not disturb or impede the rights of ingress and egress of the Albemarle Fire and Rescue Station located on the County Parcel.

2. Private Sanitary Sewer Easement. The County does hereby grant and convey unto the School Board a perpetual easement upon, over and under the portion of the County Parcel designated as "20' PRIVATE SANITARY SEWER EASEMENT HEREBY DEDICATED (107

202400010874.004

SF)” on the Plat (the “Sanitary Sewer Easement Area”), to construct, install, maintain, repair, replace, and extend sanitary sewer lines consisting of pipes and appurtenances thereto, and to connect such improvements to the School Board Parcel. The costs of maintaining the improvements within the Sanitary Sewer Easement Area shall be borne solely by the School Board.

3. Easement Areas. As used herein, the term “Easement Areas” shall include the Temporary Construction Easement Area and the Sanitary Sewer Easement Area.

4. Ownership of the Improvements. All fiberoptic cables installed by the School Board and all improvements constructed within the Sanitary Sewer Easement Area shall be and remain the property of the School Board. All other improvements constructed pursuant to this Agreement shall be and remain the property of the County.

5. Right of Ingress and Egress. The School Board shall have the right and easement of ingress and egress over any lands of the County adjacent to the Easement Areas between any public or private roads and the Easement Areas, to inspect, maintain and operate the improvements.

6. Right to Inspect, Maintain and Operate the Improvements. The School Board may enter the Easement Areas to inspect, maintain and operate the improvements in the Easement Areas.

7. Right of the School Board to Disturb and Maintain the Easement Areas. The School Board shall have the right within the Easement Areas to trim, cut or remove any trees, brush or shrubbery, remove fences, structures or other obstructions, and take other similar action reasonably necessary to provide adequate and fully functioning improvements; provided, however, that the School Board, at its own expense, shall restore as nearly as possible, the premises to their original condition. This restoration shall include the backfilling of trenches, the replacement of fences and shrubbery, the reseedling or resodding of lawns or pasture areas, and the repair or replacement of

202400010874.005

structures and other facilities located outside of the Easement Areas that were damaged or destroyed by the School Board. However, the School Board shall not be required to repair or replace any structures, trees, or other facilities located within the Easement Areas, but be required only to repair or replace groundcover within the Easement Areas that was disturbed, damaged or removed as a result of installing or maintaining any of the improvements. In addition, the School Board shall remove from the Easement Areas all trash and other debris resulting from the installation, maintenance or operation of an improvement, and shall restore the surface thereof to its original condition as nearly as reasonably possible. Notwithstanding the foregoing, the School Board shall not be required to repair or replace anything identified in this paragraph if to do so would be inconsistent with the proper maintenance or operation of the improvements. In addition, neither the School Board nor any other public agency shall be responsible for conducting routine maintenance except as expressly provided in this paragraph.

8. Right of the County to Maintain the Easement Areas. The County shall have the right to perform routine maintenance of the Easement Areas, including the removal of trash and landscaping debris, mowing and manicuring lawns and groundcovers, and making any other aesthetic improvements desired by the County that are not inconsistent with the rights herein conveyed, and which do not adversely affect the proper operation of any of the improvements. The right to maintain the Easement Areas does not include the right to maintain the improvements.

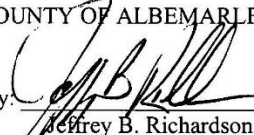
9. School Board's Right to Assign. The School Board shall have the right to assign this Easement as its interests may require.

10. Binding Effect. The easements and the rights and obligations established herein shall run with the land in perpetuity, and shall be binding upon the County, the School Board, and their successors and assigns. All references herein to the County and the School Board include

202400010874.006

their respective successors and assigns, and, when exercising any right or obligation herein,
includes their officers, employees and agents.

WITNESS the following signatures and seals.

COUNTY OF ALBEMARLE
By:  (SEAL)
Jeffrey B. Richardson
County Executive


COMMONWEALTH OF VIRGINIA
CITY/COUNTY OF Charlottesville

The foregoing instrument was acknowledged this 19th day of December 2024,
by Jeffrey B. Richardson, County Executive of the County of Albemarle, on its behalf.


Notary Public

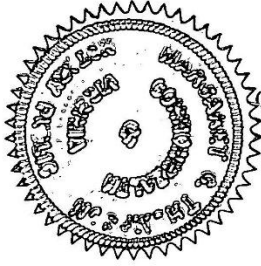
My Commission Expires: Oct. 31, 2027

Approved as to Form:


Albemarle County Attorney



202400010874.007



COUNTY OF ALBEMARLE SCHOOL BOARD

By: [Signature] (SEAL)
Name: Judy Le
Its: _____

COMMONWEALTH OF VIRGINIA
CITY/COUNTY OF Charlottesville

The foregoing instrument was acknowledged this 13th day of December 2024,
by Judy Le, Chair of the County of Albemarle School Board, on its
behalf.

[Signature]
Notary Public

My Commission Expires: 3.31.2027 # 355411

202400010874.008

EXHIBIT A

be there and excited to be a part of this team, as he had a personal connection to the area, having been married there and had two children there.

Agenda Item No. 19. From the Board: Committee Reports and Matters Not Listed on the Agenda.

Ms. Mallek said that she was thrilled that so many of them would be attending VACo (Virginia Association of Counties), and she wanted to thank them.

Mr. Andrews said that he was also looking forward to VACo.

Non-Agenda Item. Closed Meeting.

At 7:20 p.m., Mr. Pruitt **moved** that the Board go into Closed Meeting pursuant to Section 2.2-3711(A) of the Code of Virginia:

- Under subsection (1), to discuss and consider the annual performance of the County Executive.

Ms. Mallek **seconded** the motion. Roll was called and the motion carried by the following recorded vote:

AYES: Mr. Andrews, Mr. Gallaway, Ms. LaPisto-Kirtley, Ms. Mallek, Ms. McKeel, and Mr. Pruitt.
NAYS: None.

Non-Agenda Item. Certify Closed Meeting.

At 8:34 p.m., Mr. Pruitt **moved** that the Board of Supervisors certify by a recorded vote that, to the best of each supervisor'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: Mr. Andrews, Mr. Gallaway, Ms. LaPisto-Kirtley, Ms. Mallek, Ms. McKeel, and Mr. Pruitt.
NAYS: None.

Agenda Item No. 20. Adjourn.

At 8:35 p.m., the Board adjourned its meeting to November 20, 2024, 1:00 p.m. in Lane Auditorium, Albemarle County Office Building, 401 McIntire Road, Charlottesville, VA, 22902. Mr. Andrews said information on how to participate in the meeting would be posted on the Albemarle County website Board of Supervisors home page and on the Albemarle County calendar.

Chair

Approved by Board
Date: 10/01/2025
Initials:CKB