

ACTIONS
Board of Supervisors Meeting of March 3, 2004

March 4, 2004

<u>AGENDA ITEM/ACTION</u>	<u>ASSIGNMENT</u>
<p>1. Call to Order.</p> <ul style="list-style-type: none"> • Meeting was called to order at 9:00 a.m., by the County Executive, Mr. Tucker. All BOS members present. Also present were Bob Tucker, Larry Davis, and Ella Carey. 	
<p>4. From the Public: Matters Not Listed on the Agenda.</p> <ul style="list-style-type: none"> • Mr. Bill Puso requested the Board pave Route 666, Allen Road, under the Rural Rustic Road Program. • Ms. Nancy Dresner requested the Board pave Route 640, Gilbert Station Road, as a pilot for the Rural Rustic Road Program. • Mr. Tom Sullivan, present for Route 795, Blenheim Road, said he would allow VDoT to update the Board on this project. • Mr. Jeff Winsett said safety should be a concern in considering the paving of Route 640, Gilbert Station Road. • Ms. Kim Innes said emergency vehicle access should also be considered in the paving of Route 640, Gilbert Station Road. 	
<p>5.2 Proclamation recognizing March 22 through March 26, 2004 as the Tenth Annual Virginia Festival of the Book.</p> <ul style="list-style-type: none"> • ADOPTED the attached proclamation. 	<p><u>Clerk:</u> Forward proclamation to Nancy Damon of the Festival of the Book (Attachment 1).</p>
<p>5.3 Adopt resolution accepting landowners' offer to sell conservation easement.</p> <ul style="list-style-type: none"> • ADOPTED the attached resolution accepting the landowners' offer to sell conservation easement to the County for the price specified and subject to the terms and conditions contained in the proposed deed of easement and AUTHORIZED the County Executive to sign the final deed of easement for the property. 	<p><u>Clerk:</u> Forward the attached resolution to the County Attorney's office and a copy to Ches Goodall to proceed as directed (Attachment 2).</p>
<p>6a. Update on Route 795 (Blenheim Road) and Six Year Secondary Road Plan.</p> <ul style="list-style-type: none"> • DEFERRED the Six Year Secondary Road Plan until March 17, 2004, with the following revisions/ comments: <ul style="list-style-type: none"> ○ Remove Route 633, Heards Mountain Road from the priority list. ○ Redo the project listing into two lists – one for roads to be paved and the other roads eligible for the rural rustic roads program. Rank the roads (include reason for ranking) and provide revised cost estimates based on type of project. Before moving around priorities look at vehicle trips served for costs expended. ○ For roads being considered for rural rustic need 	<p><u>Planning and VDoT staff:</u> Proceed as discussed.</p>

<p>to know percentage of truck traffic because of the type of materials used on the road.</p> <ul style="list-style-type: none"> ○ Provide estimate of money to set aside for rural rustic roads. ○ Suggested piloting more than one project for rural rustic. ○ Provide new cost estimate for Gilbert Station and Allen Roads based on qualifying as rural rustic roads. ○ If Gilbert Station was actually put on a list in the 1970s, it was suggested that that be given some credibility in the ranking. Asked staff to review the history for accuracy. <ul style="list-style-type: none"> ● David Bowerman mentioned the proposed improvements to Rio Road @ Pen Park Lane (intersection improvement in the City to be funded by private source). The developer is willing to do the improvements but the property owner is not willing to donate the necessary right-of-way. If a compromise cannot be reached, it may mean a taking of the property. ● VOTED, 5:1, to accept Mr. Sullivan's offer to pave a portion of Route 795, Blenheim Road. subject to VDoT approval. 	
<p>6b. Jarman's Gap Road (Route 691) Alternatives, Request for Resolution of Support.</p> <ul style="list-style-type: none"> ● ADOPTED the attached resolution concurring with modified Option A for VDoT to proceed with the design for public hearing. 	<p><u>Clerk:</u> Forward the attached resolution to Jim Bryan (Attachment 3).</p>
<p>6c. Transportation Matters Not Listed on the Agenda. <u>Ken Boyd:</u></p> <ul style="list-style-type: none"> ○ Suggested the Board discuss and revisit its position on the Route 29 Bypass. Following some discussion, it was the consensus of the Board that staff schedule a work session to discuss transportation processes, i.e., various road plans, traffic flow in and around the County including neighborhoods, MPO, CHART <p><u>Sally Thomas:</u></p> <ul style="list-style-type: none"> ○ Said there will be another public session on Hydraulic Road/Route 29. She encouraged Board members to attend the presentation. ○ Asked about the status of the County's grant application for the safety project on Hillsdale Drive. Juan Wade responded that he has contacted VDoT and is waiting for confirmation on the status of the project. 	<p><u>County Executive's office:</u> Coordinate work session for future agenda.</p>
<p>7. Board to Board Presentation, School Board Chairman.</p> <ul style="list-style-type: none"> ● Dennis Rooker asked that before the joint meeting with the School Board on March 17th, staff provide a chart which shows the County's teacher salary scale in comparison to Charlottesville's and Fluvanna's scale and some of the surrounding areas. 	<p><u>School Board office:</u> Provide requested information.</p>

<ul style="list-style-type: none"> The Board recessed at 11:33 a.m. and reconvened at 11:45 a.m. 	
<p>8. Public hearing: Proposed FY 2004 Budget Amendment.</p> <ul style="list-style-type: none"> APPROVED the FY 2004 Budget amendment in the amount of \$936,984.75 and APPROVED Appropriations #2004057, #2004059, #2004060, #2004061, #2004062, #2004063, #2004064, #2004065, #2004066, and #2004067 to provide funds for various General Government and School programs. 	<p><u>Clerk:</u> Forward signed appropriation forms to Melvin Breeden and copy appropriate individuals.</p>
<p>9. Update on Consolidation of Development Departments.</p> <ul style="list-style-type: none"> RECEIVED. 	
<p>10. Discussion: Supplemental Funding Request – JAUNT.</p> <ul style="list-style-type: none"> APPROVED a supplemental allocation of \$60,000 to JAUNT for the remainder of the current fiscal year. It was suggested that a representative of CTS speak to the Board about the size and use of their buses. 	<p><u>Clerk:</u> Forward signed appropriation forms to Melvin Breeden and copy appropriate individuals.</p> <p><u>Roxanne White:</u> Coordinate with CTS for presentation.</p>
<p>11. Briefing on FY 2005 Operational and Capital Budgets.</p> <ul style="list-style-type: none"> RECEIVED. 	
<p>12. Closed Session: Personnel and Legal Matters.</p> <ul style="list-style-type: none"> At 12:13 p.m., the Board went into closed session to consider appointments to boards and commissions and to consult with legal counsel and staff pertaining to specific legal issues. 	
<p>13. Certify Closed Session.</p> <ul style="list-style-type: none"> At 1:45 p.m., the Board reconvened into open session and certified the closed session. 	
<p>14. Appointments</p> <ul style="list-style-type: none"> REPOINTED Hollis Lumpkin to the Albemarle County Service Authority, as the Scottsville District representative, with said term to expire April 16, 2008. APPOINTED Alan Collier to the Equalization Board, as the Rivanna District representative, with said term to expire December 31, 2004. APPOINTED A. Scott Ward to the Equalization Board, as the Scottsville District representative, with said term to expire December 31, 2004. APPOINTED Jennifer Hallock to the Historic Preservation Committee. REAPPOINTED Barbara Barrett to the Region Ten Community Services Board, with said term to expire on June 30, 2007. 	<p><u>Clerk:</u> Prepare appointment letter, update Boards and Commissions book and notify appropriate persons.</p>
<p>15. SP-2003-081. Crozet Commons (Sign #43).</p> <ul style="list-style-type: none"> APPROVED SP-2003-81, by a vote of 6:0, subject to the 11 conditions recommended by the Planning Commission. 	<p><u>Clerk:</u> Set out conditions of approval. (Attachment 4)</p>
<p>16. Update on North Pointe.</p>	<p><u>Clerk:</u> Schedule on agenda.</p>

<ul style="list-style-type: none"> • SCHEDULED an additional work session for April 7, 2004. • Tentatively SCHEDULED public hearing for May 12, 2004. • REQUESTED Al Reaser confirm with the School Board as to its need for an elementary school in this area and whether the indicated size is adequate to serve the needs of the school. 	
<p>24. From the Board: Matters not Listed on the Agenda. <u>Sally Thomas:</u></p> <ul style="list-style-type: none"> • Mentioned the contributions Victoria Crow made to this community and asked the Board to consider doing something in her memory. It was the CONSENSUS of the Board to suggest a joint ceremony with the City and to look into putting a plaque on the Front Lawn fountain in her memory. • Mentioned communication regarding the possible relocation of the Jefferson Madison Regional Library into the Jefferson School. It was the CONSENSUS of the Board to invite the County representatives on the Library Board to make a report to the Board of Supervisors. • Suggested looking into having a nuisance dog ordinance. <p><u>David Wyant:</u></p> <ul style="list-style-type: none"> • Suggested possibly holding a public informational meeting on the Crozet Master Plan in the Crozet community. <p><u>Lindsay Dorrier:</u></p> <ul style="list-style-type: none"> • Mentioned a letter from Mr. Barry Price requesting road signs dedicating the road on which the National Guard Armory is located to the 116th Regiment of the National Guard. <p><u>Bob Tucker:</u></p> <ul style="list-style-type: none"> • Said he received a message from David Blount informing him that SB 670, Charlottesville Bypass Bill, was defeated on the House this afternoon by a 63-35 vote. HB 1419, creating the local transportation district, will be in the Senate Transportation on Thursday afternoon. 	<p><u>County Executive's office:</u> Contact Parks and Rec to work out details, and bring back to Board for review.</p> <p><u>County Executive's office:</u> Invite Library Board members to speak to the Board of Supervisors.</p> <p><u>County Executive's office:</u> Invite Animal Control Officer to make a brief presentation.</p> <p><u>County Executive:</u> Draft response for Chairman's signature.</p>
<p>25. Adjourn.</p> <ul style="list-style-type: none"> • The meeting was adjourned at 3:50 p.m. 	

/ewc

- Attachment 1 – Virginia Festival of the Book Proclamation
- Attachment 2 - Resolution Accepting Offer to Sell A Conservation Easement Under The ACE Program
- Attachment 3 - Jarman's Gap Road Resolution
- Attachment 4 - Conditions for Planning items

VIRGINIA FESTIVAL OF THE BOOK

WHEREAS, *Albemarle County is committed to promoting reading, writing, and storytelling within and outside its borders; and*

WHEREAS, *our devotion to literacy and our support of literature has attracted over 1,000 writers and tens of thousands of readers to our VIRGINIA FESTIVAL OF THE BOOK; and*

WHEREAS, *the VIRGINIA FESTIVAL OF THE BOOK celebrates the power of books and publishing; and*

WHEREAS, *businesses, cultural and civic organizations, and individuals have contributed to the ongoing success of the VIRGINIA FESTIVAL OF THE BOOK; and*

WHEREAS, *the citizens of the County of Albemarle and Virginia, and the world, have made the VIRGINIA FESTIVAL OF THE BOOK the best book festival in the country;*

NOW, THEREFORE, *I, Lindsay G. Dorrier, Jr., Chairman, on behalf of the Albemarle Board of County Supervisors, do hereby proclaim Wednesday, March 22, 2004 through Sunday, March 26, 2004 as the tenth annual*

VIRGINIA FESTIVAL OF THE BOOK

and encourage community members to participate fully in the wide range of available events and activities.

**RESOLUTION ACCEPTING OFFER TO SELL
A CONSERVATION EASEMENT UNDER THE ACE PROGRAM**

WHEREAS, the County has received an offer to sell a conservation easement under the ACE Program from the owner of the following properties:

Tax Map 36, Parcel 19 (Marshall Property)
Tax Map 36, Parcel 19B (Marshall Property)

WHEREAS, the owner offered to sell a conservation easement on the respective properties to the County for a fixed purchase price, subject to terms and conditions set forth in the proposed deed of easement enclosed with the County's invitation to offer to sell, subject to any further revisions deemed necessary by the County Attorney and agreed to by the owner.

NOW, THEREFORE BE IT RESOLVED that the Board of Supervisors hereby accepts the offer to sell a conservation easement described above, and authorizes the County Executive to execute all documents necessary for completing the acquisitions.

BE IT FURTHER RESOLVED that the Board of Supervisors hereby directs the County Attorney to send copies of this resolution to the owner of the properties identified herein, or their contact persons.

**A RESOLUTION ENDORSING JARMANS GAP ROAD
DESIGN ALTERNATIVE
IN ALBEMARLE COUNTY**

WHEREAS, the Virginia Department of Transportation (VDOT) held a Public Information Meeting to solicit input on the proposed design concept for Jarmans Gap Road (Route 691) (Project 0691-002-258, C501), located in Albemarle County, Virginia. Two design alternatives were presented for consideration at the informational meeting – Option A and Option B; and

WHEREAS, 174 written comments were received. The comments were essentially evenly split between the two options; and

WHEREAS, after reviewing the options, public and written comments, and considering all aspects of the proposed project, VDOT recommends Option “A” for the following reasons:

- it has least impact to historic properties;
- it is the least expensive option;
- it will facilitate the use of Federal funds;
- it will avoid an expensive environmental remediation.

NOW, THEREFORE, BE IT RESOLVED, that the Albemarle County Board of Supervisors, does hereby endorse Option "A" with the proposed modifications by the Virginia Department of Transportation which will reduce property impacts, reduce overall project costs and allow the project to be built sooner:

- limiting the sidewalk to one side of the road; and
- terminating road construction at Gray Rock Subdivision with the continuation of shoulder improvements for bicycle traffic all the way to Route 684.

CONDITIONS OF APPROVAL

Agenda Item No. 15. **SP-2003-081. Crozet Commons (Sign #43).** Request to allow residential use in commercial zoning district in accord w/Secs 22.2.2.6 & 18-2.1.3 of the Zoning Ord. TM 56A2, P 1-31 contains 1.37 acs. Znd C-1. Loc on Rt 240 (Three Notch'd Rd) approx 1.2 mls from intersect of Rt 240 & Rt 250. The proposed master plan for Crozet includes this property w/in the Development Area. White Hall Dist.

1. Residential uses shall be allowed in a mixed-use development as generally shown on the concept plan entitled, "Crozet Commons Concept Plan" dated 2/3/04;
2. In keeping with the illustration entitled "Crozet Commons (color rendering)" dated 3/22/00, the following features of the development will be provided:
 - a. a sidewalk and street trees shall be provided across the public road frontage; and
 - b. a "downtown" type streetscape shall be provided that includes the scale and alignment of building shown in the illustration.
3. A maximum of ten (10) dwelling units shall be allowed in the mixed-use development;
4. Residential uses may be mixed with other C-1 uses within buildings or may be in separate buildings;
5. If residential uses are mixed with other C-1 uses within a building; there shall be no commercial uses on floors above residential uses other than home occupations;
6. The following uses shall not be allowed on the parcel because of incompatibilities between residential and nonresidential uses (See Section 22 of Albemarle County Zoning Ordinance in effect on 2/17/04, attached):
 - a. funeral homes;
 - b. movie theaters;
 - c. automobile service stations;
 - d. fire and rescue stations;
 - e. automobile truck repair shop; and
 - f. medical center.
7. A medical office may be allowed provided the office hours are between 8:30 a.m. and 5:00 p.m.;
8. A convenience store may be allowed provided the hours of operation are between 7:00 a.m. and 11:00 p.m.;
9. Interparcel vehicular and pedestrian access to the adjoining parcels shall be provided at locations shown on the conceptual plan or otherwise approved by the director of planning within the department of community development;
10. A condominium regime will be established for unified ownership and maintenance of the real property; and
11. The concept plan referenced in these conditions is not considered a "site plan" meeting the requirements of the Zoning Ordinance; therefore, a subsequent site plan is required.