

ACTIONS
Board of Supervisors Meeting of May 14, 2008

May 15, 2008

<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 3:32 p.m., in Lane Auditorium, by the Chairman, Mr. Boyd. All BOS members were present. Also present were Bob Tucker, Larry Davis, Tom Foley, Wayne Cilimberg, Ella Jordan and Meagan Hoy. 	
<p>2. Discussion: Land Use Tax Deferral.</p> <ul style="list-style-type: none"> • DIRECTED, by a vote of 6:0, staff to bring back a re-validation form and a process for re-validation, including what steps the County will take to confirm that those eligible for land use tax would be continued in the program. • DIRECTED, by a vote of 4:2 (Boyd. Dorrier), staff to bring back an analysis of option 2 as described in the Executive Summary dated September 5, 2001, to look at other localities that have put this option in place, and study the implications, effects, advantages and disadvantages. 	<p><u>Clerk</u>: Schedule re-validation discussion on June agenda.</p> <p><u>Staff</u>: Proceed as directed.</p>
<p>3. Recess.</p> <ul style="list-style-type: none"> • The Board recessed at 5:01 p.m. 	
<p>4. Call to Order.</p> <ul style="list-style-type: none"> • Meeting was called back to order at 6:06 p.m., by the Chairman, Mr. Boyd. 	
<p>NonAgenda.</p> <ul style="list-style-type: none"> • APPOINTED Jesica Mauzy to the Crozet Community Advisory Council with said term to expire March 31, 2010. 	
<p>7. Recognition: Business Appreciation Week.</p> <ul style="list-style-type: none"> • Susan Stimart introduced and recognized the following small business owners: <ul style="list-style-type: none"> ○ Brett Wilson, Horse & Buggy, ○ John Meggs, Nature Neutral, and ○ Tom Thorpe, Afton Scientific. 	
<p>8. From the Board: Matters Not Listed on the Agenda.</p> <p><u>Ann Mallek</u>:</p> <ul style="list-style-type: none"> • Asked staff to bring back a discussion on how it plans to implement erosion impact areas. • Suggested mailing out renewals for dog licenses with tax bills. • Requested staff to bring back the Development Activity Report. Mr. Cilimberg commented that staff is working on publishing the report. <p><u>Dennis Rooker</u>:</p> <ul style="list-style-type: none"> • Mentioned that David Toscano has been appointed to the Joint House Senate Subcommittee to study developing land use tools. He is soliciting input on the types of things we would like the subcommittee to look at. • Governor Kaine announced a transportation funding plan and holding several public meetings at locations around the State. A meeting is scheduled to be held in Staunton on May 22, 	

<p>4:00 p.m., at Mary Baldwin College. Discussed comments Board representative would make at hearing.</p> <p><u>David Slutzky:</u></p> <ul style="list-style-type: none"> • Mentioned recent tragic accident on Route 29 North, near Forest Lakes. Mr. Boyd commented that Allan Sumpter is convening an engineering review of the intersection and will bring back some recommendations. They are also working on setting up a town hall meeting with the Forest Lakes Homeowners Association. 	
<p>9. From the Public: Matters not Listed on the Agenda.</p> <ul style="list-style-type: none"> • Megan Jetton, Erin Wise-Ackenbom, Paul Wellen, Virginia Rovnyak, Heather Peck and Grace Matijasic, representing Monticello High School Student Peace Alliance, asked the Board to adopt a resolution supporting the creation of a U.S. Department of Peace and Non-Violence. <ul style="list-style-type: none"> ○ Mr. Boyd read a letter from the Board in support of the concepts of peace and nonviolence but declining to officially adopt the proposed resolution. • Brian Walden, a farmer and resident of the Samuel Miller District, commented on the County's Land Use Taxation Program. 	
<p>10.2 JAUNT Stockholders' Meeting and Appointment of Proxy.</p> <ul style="list-style-type: none"> • APPOINTED Juandiego Wade to act as proxy for the County of Albemarle through September 30, 2008. 	<p><u>Clerk:</u> Forward signed Proxy Form to Donna Shaunese, at JAUNT.</p>
<p>11. <u>PROJECT: SP-2007-054. SOCA Synthetic Fields near Belvedere.</u></p> <ul style="list-style-type: none"> • APPROVED SP-2007-054, by a vote of 6:0, subject to the ten conditions recommended by the Planning Commission and staff. 	<p><u>Clerk:</u> Set out conditions of approval. (Attachment 1)</p>
<p>12. <u>PROJECT: SP-2007-058. SOCA Soccer Fields at Belvedere.</u></p> <ul style="list-style-type: none"> • APPROVED, SP-2007-058, by a vote of 6:0, subject to seven conditions recommended by the Planning Commission and staff. 	<p><u>Clerk:</u> Set out conditions of approval. (Attachment 1)</p>
<p>13. <u>PROJECT: SP-2007-059. John Cann Boat Dock (Sign #2).</u></p> <ul style="list-style-type: none"> • APPROVED SP-2007-059, by a vote of 6:0, subject to the three conditions recommended by the Planning Commission and staff. 	<p><u>Clerk:</u> Set out conditions of approval. (Attachment 1)</p>
<p>14. <u>PROJECT: SP-2007-061. Western Albemarle High School Rowing Club Dock (Sign #20).</u></p> <ul style="list-style-type: none"> • APPROVED SP-2007-061, by a vote of 6:0, subject to the four conditions recommended by the Planning Commission. 	<p><u>Clerk:</u> Set out conditions of approval. (Attachment 1)</p>
<p>15. <u>PROJECT: SP-2007-062. Southwood Community Center Expansion (Signs #24&26).</u></p> <ul style="list-style-type: none"> • APPROVED SP-2007-062, by a vote of 6:0, subject to the two conditions recommended by the Planning Commission. 	<p><u>Clerk:</u> Set out conditions of approval. (Attachment 1)</p>
<p>16. <u>PROJECT: SP 2007-063, 5th Street Development (Sign # 27).</u></p> <ul style="list-style-type: none"> • APPROVED SP-2007-063, by a vote of 6:0 	<p><u>Clerk:</u> Set out conditions of approval. (Attachment 1)</p>

<p>subject to the five conditions recommended by the staff.</p>	
<p>17. From the Board: Matters Not Listed on the Agenda. <u>Sally Thomas:</u></p> <ul style="list-style-type: none"> • Mentioned that City Council will be holding a public hearing regarding the water supply plan and maintenance of the South Fork Rivanna Reservoir. CONSENSUS of the Board that they remain committed to the existing water plan. Board members indicated that they would be contacting City Council members to convey their continued support of the plan. <p><u>Wayne Cilimberg:</u></p> <ul style="list-style-type: none"> • Asked Board support in changing the standard lighting condition to allow for easier interpretation by the Zoning Administrator. CONSENSUS of the Board to support new condition as follows: "All outdoor lighting shall be only full cut-off fixtures and shielded to reflect light away from all abutting properties. A lighting plan limiting light levels at all property lines to no greater than 0.3 foot candles shall be submitted to the Zoning Administrator or their designee for approval." 	
<p>18. Adjourn to May 21, 2008, 12:00 noon, Room 241, for Joint Meeting with Planning Commission and Architectural Review Board.</p> <ul style="list-style-type: none"> • At 8:59 p.m., the Board moved to adjourn to May 21, 2008, 12:00 noon for closed session, followed by joint meeting with Commission and ARB. 	

ewj/mrh

Attachment 1 – Conditions of Approval – Planning Items

CONDITIONS OF APPROVAL

PROJECT: SP-2007-054. SOCA Synthetic Fields near Belvedere.

1. The location of the synthetic field shall be in general accord with the conceptual plan entitled, "Belvedere – SOCA Special User Permit: All Weather Synthetic Turf Field", and dated March 28, 2008;
2. Public streets which provide access to the synthetic field and to the parking area shall be constructed prior to use of the field;
3. Public streets which provide on-street parking to accommodate parking requirements for the synthetic field shall be a minimum of thirty-two (32) feet in width or other width as may be required by the County Engineer and approved as a variation by the Director of Planning;
4. Pedestrian access shall be provided from the end of Belvedere Boulevard to the synthetic field in accordance with the Albemarle County Design Manual standards for permanent paths;
5. In conjunction with it review and approval of a site plan or subdivision plat that pertains to or includes TMP 062A3-00-00-00100, the County may require that Belvedere Boulevard be extended to provide public street access to TMP 06200-00-00-002A0;
6. The applicant shall demonstrate as a condition of final site plan approval that the on-site parking provided for the use, including on-site on-street parking, is adequate for the proposed use;
7. The hours of use for organized activities and events are limited to the time between 8:00 a.m. and 9:30 p.m.;
8. The applicant shall pay five (5) percent of the cost of a signal at Belvedere Blvd and Rio Road/Meadow Creek Parkway upon demand of the County or VDOT;
9. The proposed route of the Meadow Creek Parkway or its other manifestation to be designated on the site plan consistent with the alignment that is shown on the conceptual plan entitled, "Belvedere – SOCA Special User Permit: All Weather Synthetic Turf Field", and dated March 28, 2008; and
10. If the use or structure is not commenced by May 14, 2013, this special use permit shall be deemed abandoned and the authority granted by this permit shall be terminated.

PROJECT: SP-2007-058. SOCA Soccer Fields at Belvedere.

1. The fill in the floodplain shall be as shown generally on the plan entitled, "Belvedere SOCA Special Use Permit: Flood Plain Fields" prepared by McKee Carson and last dated March 25, 2008;
2. If required by the Federal Emergency Management Agency (FEMA), the applicant shall obtain a map revision, letter of revision, or letter of amendment. The County Engineer shall be copied on all correspondence related to changes to the floodplain;
3. Army Corp of Engineers, Virginia Department of Environmental Quality, and other necessary state and federal agency approvals must be obtained prior to issuance of grading permits;
4. Natural Resources Manager approval of a stream buffer mitigation plan prior to the issuance of a grading permit prior to placement of any fill in the floodplain, and County approval an erosion and sediment control plan prior to the issuance of a grading permit for placement of any fill in the floodplain;
5. The seven hundred (700) feet-long section of dry-stone wall bounding the inner edge of the floodplain west and northwest of the proposed flood plain fields as identified in the *Phase I Archaeological Survey and Geoarchaeological Investigation in Two Portions of the Belvedere Development Property, Albemarle County, Virginia* dated February 6, 2008, shall be retained and preserved. The wall shall be clearly identified and labeled on the plan of development. The fifty (50) feet at the northern end of the wall may be disturbed for the proposed road construction as currently illustrated on the plan. The stone that is disturbed by the road construction shall be used to repair remaining portions of the wall or to extend the wall at its south end. A plan detailing the proposed re-use of the stone shall be submitted for review and is subject to the approval of the Director of Planning prior to the commencement of road construction. Methods for protecting the remaining wall during construction and for preserving the remaining wall following construction

- shall be submitted for review and are subject to the approval of the Director of Planning prior to the commencement of road construction;
6. Additional archaeological testing, as recommended in the *Phase I Archaeological Survey and Geoarchaeological Investigation in Two Portions of the Belvedere Development Property, Albemarle County, Virginia* dated February 6, 2008, shall be conducted to more fully assess the extent of cultural resources in Area B of the Belvedere project area. Based on the findings of this additional testing, additional archaeological studies and/or treatments may be required. The additional testing shall be conducted by a qualified archaeologist who meets the qualifications set forth in the Secretary of the Interior's Professional Qualification Standards. Additional studies required as a result of the findings of the testing shall be completed prior to disturbance of the site. Treatments required as a result of the findings of the testing shall be outlined in a treatment plan that is subject to approval of the Director of Planning; and
 7. Construction of the fields and parking lot shall commence on or before May 14, 2016, or this special use permit shall be deemed abandoned and the authority granted hereunder shall thereupon terminate.

PROJECT: SP-2007-059. John Cann Boat Dock (Sign #2).

1. There shall be no lighting within twenty-five (25) horizontal feet of the Reservoir, measured from the elevation of normal pool, which is Elevation 382 (North American Vertical Datum of 1988);
2. There shall be no removal of vegetation or earth disturbance within the two hundred (200)-foot stream buffer associated with the installation of the boat dock. The stream buffer is measured from the edge of the floodplain, which is Elevation 391 (NAVD 1988); and
3. There shall be no other structures, such as decking or stairs, constructed in the two hundred (200)-foot stream buffer.

PROJECT: SP-2007-061. Western Albemarle High School Rowing Club Dock (Sign #20).

1. There shall be no removal of vegetation or earth disturbance within the two hundred (200)-foot stream buffer associated with the installation of the boat dock. The stream buffer is measured from the edge of the floodplain, which is approximated to be Elevation 545 (North American Vertical Datum of 1988);
2. There shall be no other structures, such as decking or stairs, constructed in the two hundred (200)-foot stream buffer;
3. There shall be a memorandum of understanding or agreement between the Albemarle County Parks and Recreation Department and the Albemarle County School Board that addresses public use of the boat dock; and
4. A stable and pervious pedestrian access reviewed and approved by the Director of the Department of Parks and Recreation shall be constructed and maintained from the closest paved parking area to the new boat dock.

PROJECT: SP-2007-062. Southwood Community Center Expansion (Signs #24&26).

1. Development shall be in general accord with the concept plan dated February 26, 2008; and
2. The parking study is based on a maximum of eighty (80) children. There shall be no more than eighty (80) children served at this location of the Boys and Girls Club.

PROJECT: SP 2007-063, 5th Street Development (Sign # 27).

1. The fill in the floodplain shall be shown on a site development plan and shall be in general accord with the "Conceptual Site Plan," dated January 8, 2002, and most recently revised on March 10, 2008, except as may be modified in order to meet the requirements of the County's Water Protection Ordinance, as determined by the County Engineer;
2. The County Engineer's approval of an erosion and sediment control plan;

3. The County Engineer's receipt of proof of compliance with Federal and State agencies regulating activities affecting wetlands and watercourses. The applicant must obtain a map revision, a letter of map revision, or a letter of amendment as required from the Federal Emergency Management (FEMA) and copy the County Engineer on all correspondence;
4. The County Engineer's approval of a mitigation plan outlining mitigation measures for encroachments into the stream buffer; and
5. The County Engineer's approval of computations and plans documenting changes to the floodplain. Computations must demonstrate compliance with Sections 30.3.2.2 [verification of limits of floodway and floodway fringe] and 30.3.3 [general requirements for flood hazard overlay districts] of the Zoning Ordinance. Plans must show the existing and proposed floodplain boundaries and elevations.