## AGENDA ITEM/ACTION

### 1. Call to Order.
- Meeting was called to order at 6:00 p.m. by Mr. Zobrist. PC members present were Mr. Morris, Mr. Loach, Ms. Porterfield, Mr. Franco, Mr. Lafferty, Mr. Smith, and Mr. Zobrist. Ms. Monteith was present.
- Staff present was Summer Frederick, Bill Fritz, Glenn Brooks, Wayne Cilimberg, Sharon Taylor, and Greg Kamptner.

### 2. From the Public: Matters Not Listed for Public Hearing on the Agenda.
- Bill Wanner, Thomas Jefferson Planning District Commission, provided information on the Commission's Public Service Training Program. Information cards were provided to the Commissioners and additional cards were left with staff.

### 3. Review of Board of Supervisors Meeting – January 12, 2011.
- Staff: No other action required.

### 4. Deferred Request

**SP-2010-00033 Four Seasons Learning Center**
- PROPOSED: Amend special use permit to increase maximum number of children in daycare from 40 to 64. No residential units proposed.
- ZONING CATEGORY/GENERAL USAGE: PUD Planned Unit Development which allows residential (3 - 34 units per acre), mixed with commercial and industrial uses
- SECTION: 20.3.2.1, which allows for child care facilities
- COMPREHENSIVE PLAN LAND
- USE/DENSITY: Urban Density Residential (6-34 units/acre) in Neighborhood 1.
- ENTRANCE CORRIDOR: No X
- LOCATION: 254 Lakeview Drive, at the corner of Four Seasons Dr. and Lakeview Dr.
- TAX MAP/PARCEL: 061X1-00-00-00500
- MAGISTERIAL DISTRICT: Rio (Elaine Echols)

**DEFERRED SP-2010-00033**, by a vote of 7:0 to February 8 Planning Commission meeting as requested by staff due to an error in the notification to abutting owners.

### FOLLOW-UP ACTION

Clerk: No action required
5. **Regular Item**

**SUB-2010-0156 Willow Lake**

PROPOSED: Request for preliminary plat approval for the creation of six single family, six duplex lots, and one common space lot on 7.42 acres. This application includes a request to modify Section 4.2.3.2 of the Zoning Ordinance to allow activity on critical slopes.

**ZONING CATEGORY/GENERAL USAGE:** R4 Residential

**SECTION:** Chapter 14 Section 206 of the Subdivision Ordinance; and, Chapter 18 Section 4.2 of the Zoning Ordinance

**COMPREHENSIVE PLAN LAND USE/DENSITY:** Neighborhood Density in Urban Area 4

**ENTRANCE CORRIDOR:** Yes

**LOCATION:** Southeast side of Willow Lake Drive, approximately one quarter mile from its intersection with Route 20S.

**TAX MAP/PARCEL:** 77E1-01-00-01700, 77E1-01-00-000B0, 77E1-01-00-000C0, 77E1-02-00-000A0,

**MAGISTERIAL DISTRICT:** Scottsville (Summer Frederick)

**ACCEPTED APPLICANT’S REQUEST FOR DEFERRAL,** by a vote of 7:0.

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6. **Old Business**

   • None

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7. **New Business**

   • By a vote of 7:0, the Planning Commission adopted a resolution of intent to amend Section 35.1 of the Zoning Ordinance, which establishes fees for various zoning applications, as noted in Attachment 1.
   
   • NO MEETING ON FEBRUARY 1, 2011
   
   • NEXT MEETING ON FEBRUARY 8, 2011

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8. **Adjourn to February 8, 2011, 6:00 p.m., Auditorium, Second Floor, County Office Building, 401 McIntire Road, Charlottesville, Virginia.**

   • The meeting was adjourned at 8:00 p.m.

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**Attachment 1 – Adoption of Resolution of Intent to Amend Section 35.1 of Zoning Ordinance**
RESOLUTION OF INTENT

WHEREAS, Section 35.1, Fees, of the Zoning Ordinance (Chapter 18 of the Albemarle County Code) establishes a schedule of fees for various zoning related applications and approvals under the Zoning Ordinance; and

WHEREAS, the Zoning Ordinance has been recently amended to change or add classes of uses for farmers’ markets (County Code § 18-5.1.47) and major and minor home occupations (County Code § 18-5.2A); and

WHEREAS, farmers’ markets require a special use permit in most zoning districts but no specific fee for such a special use permit is imposed under Section 35.1 and it is desired to establish a specific fee rather than to have the general fee for special use permits to which a specific fee does not apply; and

WHEREAS, there are other minor services provided for which fees are desired that are not currently included in Section 35.1 including, but not limited to, a fee for minor amendments to approved site plans for which only a letter of revision is required; and

WHEREAS, the Zoning Ordinance requires that notice be provided to the owners of abutting properties after an application for farm sales, farm stands, farmers’ markets (County Code § 18-5.1.47) or major or minor home occupations (County Code § 18-5.2A) is submitted, and the required fees for such notice is currently $200.00 plus the actual cost of first class postage; and

WHEREAS, it is desired to amend Section 35.1 of the Zoning Ordinance in order to add farmers’ markets and other minor services to the schedule of fees and to add a separate fee for the notice required for farm sales, farm stands, farmers’ markets, major home occupations and minor home occupations that is adequate to cover the reasonable cost of the service provided.

NOW, THEREFORE, BE IT RESOLVED THAT for purposes of public necessity, convenience, general welfare and good zoning practices, the Albemarle County Board of Supervisors hereby adopts a resolution of intent to amend Section 35.1 of the Zoning Ordinance to achieve the purposes described herein; and

BE IT FURTHER RESOLVED THAT the Planning Commission shall hold a public hearing on the zoning text amendment proposed pursuant to this resolution of intent, and make its recommendations to the Board of Supervisors at the earliest possible date.

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