

**COUNTY OF ALBEMARLE
TRANSMITTAL TO THE BOARD OF SUPERVISORS
SUMMARY OF PLANNING COMMISSION ACTION**

<p>AGENDA TITLE: SP201900009 S.L. Williamson Replacement Asphalt Plant Special Use Permit</p> <p>SUBJECT/PROPOSAL/REQUEST: Request for a special use permit to allow an asphalt mixing plant in the Natural Resources Extraction Overlay Zoning District under County Code § 18-30.4.02.2 (2). Associated request (SE202100036) for a special exception to County Code § 18-4.2.3 (b) to disturb critical slopes. Associated request (SE202100037) for a special exception to County Code § 18-4.2.2 (a)(2) to waive building site area and dimension requirements. No dwelling units proposed.</p> <p>SCHOOL DISTRICT: Monticello High School, Walton Middle School, Red Hill Elementary School</p>	<p>AGENDA DATE: January 19, 2022</p> <p>STAFF CONTACT(S): Filardo, Rapp, Maliszewski, Langille</p> <p>PRESENTER (S): Cameron Langille, Principal Planner</p>
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BACKGROUND:

At its meeting on December 7, 2021, the Planning Commission (PC) voted 6:0 to recommend approval of SP201900009 with conditions 1, 3, 4, and 5 as stated in the staff report and a recommendation to remove condition 2.

The PC recommended approval of the two special exception applications, SE202100036 and SE202100037, associated with the special use permit by a vote of 6:0.

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

DISCUSSION:

The PC raised no objections to the S.L. Williamson Replacement Asphalt Plant special use permit request. However, the PC raised concerns with condition #2 recommended by staff which states "Use of the asphalt plant authorized by this special use permit will expire when the adjacent quarry is no longer in operation." The PC discussed several scenarios that could be problematic if condition #2 were imposed on the asphalt plant use. For example, the condition would result in expiration of approval for the asphalt plant use if the quarry were to cease operations for a short period of time due to a change in ownership. Therefore, the PC recommended that condition #2 be removed entirely.

No members of the public spoke at the public hearing for this proposal.

Staff has revised the proposed conditions for SP2019-09 to reflect the Commission's recommendation and these are reflected in Attachment D. The original condition #2 recommended by staff has been removed. The remaining conditions that were recommended for approval by the PC have been renumbered (1-4).

RECOMMENDATIONS:

Staff recommends that the Board:

- 1) adopt the attached Resolution to approve the special use permit request, subject to the conditions attached thereto (Attachment E);

- 2) adopt the attached Resolution to approve the critical slopes special exception request (Attachment F); and
- 3) adopt the attached Resolution to approve the special exception request to waive building site area and dimension requirements (Attachment G).

ATTACHMENTS:

A – December 7, 2021 Planning Commission Staff Report

A1: SP2019-09: Application

A2: SP2019-09: Vicinity Map

A3: SP2019-09: Narrative

A4: SP2019-09: Concept Plan

A5: SP2019-09: FEMA Letter of Map Revision Approval

A6: SP2019-09: SE2021-36 Critical Slopes Waiver Request

A7: SP2019-09: SE2021-37 Building Site Area and Dimensions Waiver Request

A8: SP2019-09: Carbon Emissions Reduction Estimates

A9: SP2019-09: SE2021-36 County Engineer Analysis of Critical Slopes Waiver

B - December 7, 2021 Planning Commission Action Letter

C – December 7, 2021 Planning Commission Minutes

D – SP2019-09 Revised Conditions as Recommended by the Planning Commission

E – Resolution to Approve SP201900009

F – Resolution to Approve SE202100036

G – Resolution to Approve SE202100037