

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

<p><b>AGENDA TITLE:</b> SP202400015, SE202400011, and SE202400012 Knight Berkshire Mixed Use</p> <p><b>SUBJECT/PROPOSAL/REQUEST:</b> <u>SP202400015</u>: Special use permit to allow a maximum of 15 dwelling units under Section 18-22.2.2(6) and Section 18-18.2.1(3) on a property zoned C-1 Commercial.</p> <p><u>SE202400011</u>: Special exception request to waive the 15-foot setback requirement under Section 18-4.20(a)(4).</p> <p><u>SE202400012</u>: Special exception request to allow disturbance in the required 20-foot use buffer under Section 18-21.7(c).</p> <p><b>SCHOOL DISTRICT:</b> Agnor Hurt Elementary, Burley Middle, and Albemarle High School</p>	<p><b>AGENDA DATE:</b> November 6, 2024</p> <p><b>STAFF CONTACT(S):</b> Filardo, Herrick, Barnes, McDermott, Shoaf</p> <p><b>PRESENTER (S):</b> Syd Shoaf, Senior Planner</p>
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**BACKGROUND:**

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.

**DISCUSSION:**

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.

**RECOMMENDATIONS:**

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.

**PROPOSED MOTIONS:**

To approve SP202400015:  
I move to adopt the resolution attached to the staff report as Attachment E.

To approve SE202400011:  
I move to adopt the resolution attached to the staff report as Attachment F.

To approve SE202400012:

I move to adopt the resolution attached to the staff report as Attachment G.

**ATTACHMENTS:**

- A – September 10<sup>th</sup>, 2024 Planning Commission Staff Report
  - A1: Existing Conditions Map
  - A2: Zoning Map
  - A3: Applicant Narrative
  - A4: Applicant Conceptual Plan
  - A5: SE202400011 Special Exception Request
  - A6: SE202400012 Special Exception Request
- B – September 10<sup>th</sup>, 2024 Planning Commission Action Letter
- C – September 10<sup>th</sup>, 2024 Planning Commission Minutes
- D – Revised Conceptual Plan
- E – SP202400015 Resolution
- F – SE202400011 Resolution
- G – SE202400012 Resolution