

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

AGENDA TITLE: SP202100003 Caliber Collision	AGENDA DATE: February 16, 2022
SUBJECT/PROPOSAL/REQUEST: Request for a body shop use in an existing building on a 1.02-acre parcel.	STAFF CONTACT(S): Filardo, Rapp, Ragsdale, Gleason
SCHOOL DISTRICTS: Albemarle High, Burley Middle, Agnor-Hurt Elementary schools	PRESENTER(S): Mariah Gleason, Senior Planner II

BACKGROUND:

At its meeting on December 7, 2021, the Planning Commission (PC) conducted a public hearing and voted 6:0 to recommend approval of SP202100003 with revisions to the conditions provided in the staff report. The PC's staff report, action letter, and meeting minutes are attached (Attachments A, B, and C, respectively).

DISCUSSION:

The PC's discussion on the special use permit covered several topics, including the amount of time the existing building has been vacant, the current character of the area, the recommendations of the Rio29 Small Area Plan, and additional mitigating elements that could be incorporated on the site. The PC expressed concerns about the width of the shared use path, specifically the ability to continue the path on neighboring parcels due to area topography and the increase in onsite impervious surfaces.

No members of the public spoke during the public comment portion of the public hearing for this item.

The PC voted 6:0 to recommend approval of the special use application "with the conditions as listed in the staff report, with the following revisions: that the planting strip be 14 feet wide and that the shared use path be 8 feet wide with permeable pavement, with flexibility for staff to adjust as necessary with the applicant to best fit the site with the permeable pavement." Proposed revised conditions reflecting the PC's recommendation were developed in coordination with the County Attorney's Office and are provided below.

ORIGINAL CONDITIONS PROVIDED IN THE STAFF REPORT

1. Development of the use must be in general accord (as determined by the Director of Planning and the Zoning Administrator) with the Conceptual Plan titled "Caliber Collision: Conceptual Site Plan 01," prepared by Bret Flory, dated October 1, 2021. To be in general accord with the Conceptual Plan, development must reflect the following essential major elements:
 - Building footprint
 - Parking areas
 - Eight (8) foot wide planting strip
 - Fourteen (14) foot wide shared use path

Minor modifications to the plan which do not conflict with the elements above may be made to ensure compliance with the Zoning Ordinance.

CONDITIONS BASED ON THE RECOMMENDATIONS OF THE PLANNING COMMISSION

1. Development of the use must be in general accord (as determined by the Director of Planning and the Zoning Administrator) with the Conceptual Plan titled "Caliber Collision: Conceptual Site Plan 01," prepared by Bret Flory, dated October 1, 2021. To be in general accord with the Conceptual Plan, development must reflect the following essential major elements:
 - Building footprint
 - Parking areas
2. Development also must reflect the following additional major elements:
 - A Fourteen (14)-foot wide planting strip
 - An Eight (8)-foot wide shared use path constructed of permeable pavement (subject to existing

easements and other site constraints)
Minor modifications to the plan that do not conflict with the elements above may be made to ensure compliance with the Zoning Ordinance.

If the special use permit were approved, the revised conditions are agreeable to staff. The applicant has also indicated that it is agreeable to the revised conditions.

RECOMMENDATIONS:

Staff recommends disapproval of special use permit SP202100003 based on the findings contained in the staff report, and recommends that the Board adopt the attached Resolution to disapprove the special use permit (Attachment D). If the Board chooses to approve SP202100003, staff recommends that the Board adopt the attached Resolution to approve the special use permit (Attachment E), subject to the conditions attached thereto.

ATTACHMENTS:

- Att. A – PC Staff Report
 - Att. A1 – Vicinity Map
 - Att. A2 – Project Narrative
 - Att. A3 – Conceptual Plans
 - Att. A4 – Public Comments Received via Email
 - Att. A5 – Approved Access Management Exception Request
- Att. B – PC Action Letter
- Att. C – PC Meeting Minutes
- Att. D – BOS Resolution to disapprove special use permit
- Att. E – BOS Resolution to approve special use permit