

COUNTY OF ALBEMARLE

TRANSMITTAL TO THE BOARD OF SUPERVISORS

SUMMARY OF PLANNING COMMISSION ACTION

AGENDA TITLE: ZMA201400006 Avon Park II Amendment	AGENDA DATE: April 12, 2017
SUBJECT/PROPOSAL/REQUEST: Request to amend proffers and application plan for Avon Park II Planned Residential District (PRD)	STAFF CONTACT(S): Walker, Kamptner, Graham, Gast-Bray, Echols, Falkenstein
SCHOOL DISTRICT: Elementary: Cale; Middle: Walton; High: Monticello	PRESENTER (S): Elaine Echols

BACKGROUND:

At its meeting on July 12, 2016, the Planning Commission voted to recommend approval of ZMA201400006 provided that the applicant make technical changes noted in the staff report, demonstrate that access to water exists for the neighboring properties to the south, and look into tree issues that concern property owners to the north. The Commission did not support the applicant's request to reduce the cash proffer amount because insufficient information had been provided on mitigation of impacts from this rezoning. Attachments A, B, and C are the staff report, Planning Commission's action letter, and minutes from the July 12, 2016 meeting.

DISCUSSION:

With the exception of cash proffers, the applicant has addressed the Planning Commission's requested changes and all other outstanding technical issues. Regarding cash proffers, the total value of proffers in 2012 was estimated at \$371,556. For the July 2016 Planning Commission meeting, the total value was estimated to be \$97,466. Since the Commission's meeting, the applicant has increased the total value to \$242,526. To increase proffers to the 2012 level, the applicant would need to provide approximately \$129,000 more.

Attachment D provides the applicant's justification for the reduced proffer amount. He has said that the costs to address the Fire and Rescue Department's requirement for a secondary entrance during site plan review, which was not required during the ZMA process or early site development plan review, is between \$150,000 and \$170,000. The applicant is requesting credit for the unanticipated cost. The Director of Community Development has reviewed the information in Attachment D but cannot substantiate the applicant's claim that the requirement for a secondary entrance results in significant grading costs. While Fire and Rescue's requirement for a secondary entrance came at the site plan stage, it appears the approved plan could have been modified without significant grading costs had the design not changed to increase the number of lots. (The number of units did not change.)

RECOMMENDATIONS:

While staff believes that all other changes necessary for approval have been made, it cannot recommend approval of the proffers because no information has been provided to demonstrate that impacts of the units have been addressed. However, if the Board wishes to approve the application plan change and proffers, then staff recommends that the Board adopt the attached Ordinance (Attachment E) which includes the applicant's current proffers to approve ZMA201400006.

ATTACHMENTS:

- A - Planning Commission staff report
- B - Planning Commission action letter
- C - Planning Commission minutes
- D - Letter from applicant dated January 30, 2017
- E - Ordinance to approve zoning map amendment
- F - Proffers dated March 30, 2017