

**COUNTY OF ALBEMARLE  
TRANSMITTAL TO THE BOARD OF SUPERVISORS**

**SUMMARY OF PLANNING COMMISSION ACTION**

<b>AGENDA TITLE:</b> SP201500032 Restore'n Station	<b>AGENDA DATE:</b> September 14, 2016
<b>SUBJECT/PROPOSAL/REQUEST:</b> Amendment of previous special use permit conditions to allow the construction of additional building space, allow expanded business hours and fuel sales and allow overnight parking.	<b>STAFF CONTACT(S):</b> Bill Fritz, John Anderson
	<b>PRESENTER (S):</b> Bill Fritz

**BACKGROUND:**

A special use permit was issued to this property to allow water consumption in excess of 400 gallons per acre per day on November 3, 2010. That approval, SP 2009-34, limited water consumption to 1,625 gallons per day, building size and activities on site. The applicant is not proposing to change the amount of water that may be used. The applicant is requesting that the building size be increased and an expansion of the activities that may occur on site.

**PLANNING COMMISSION ACTION:**

On June 7, 2016, the Planning Commission recommended denial by a vote of 6:0 (Spain)

**DISCUSSION:**

The Planning Commission recommended denial of the changes to the original conditions of SP 2009-34. The Commission stated that the original conditions control the recharge and intensity of the use on the property, and that they were tied to the water consumption.

The Commission expressed concern that expanded uses and increased customer traffic could accelerate water use, and that data from comparable businesses is not available. The Commissioners stated that some increase in building size could be accommodated, but were not sure how much. The Commission also expressed concern that the mix of uses made predictions of water use difficult, and stated that the limitation on the hours of operation should remain on the businesses, but that hours of operation of the gas pumps could be expanded.

**RECOMMENDATIONS:**

The Planning Commission recommends denial of this application for the reasons stated above. Staff recommends approval based on no requested or expected change in water use, and staff's belief that groundwater recharge will remain adequate based on a groundwater study and that the application is consistent with the criteria for issuance of a special use permit.

**ATTACHMENTS:**

- Attachment A – Staff report presented to the Planning Commission on June 7, 2016
- Attachment B – Planning Commission Action Letter
- Attachment C – Planning Commission Minutes
- Attachment D – Information received after preparation of the staff report for the June 7, 2016 Planning Commission Meeting
- Attachment E – Resolution approving special use permit