

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

AGENDA TITLE: ZMA201700008 Charlottesville-Albemarle SPCA Renovation and Expansion	AGENDA DATE: June 13, 2018
SUBJECT/PROPOSAL/REQUEST: Request to rezone property to C1 commercial to match the zoning of the adjacent SPCA property.	STAFF CONTACT(S): Echols, Newberry
SCHOOL DISTRICTS: Agnor-Hurt Elementary, Burley Middle, Albemarle High	PRESENTER(S): J.T. Newberry

BACKGROUND:

At its meeting on April 24, 2018 the Planning Commission conducted a public hearing and voted 6:0 (Firehock absent) to recommend approval of ZMA201700008 with proffers. Attachments A, B, and C are the staff report, action memo, and minutes from the April 24 meeting.

DISCUSSION:

As outlined in the staff report, the original rezoning request by the applicants sought to rezone Tax Map 45, Parcel 88 from R-6 Residential to C1 Commercial without any use restrictions to match the existing zoning of the adjacent SPCA property. Staff expressed several concerns about unrestricted C1 zoning on this parcel due to inconsistency with the Places29 Master Plan and noted the potential for incompatibility with the surrounding residentially-zoned properties in particular. Prior to the public hearing, staff provided the applicants with a list of C1 uses that highlighted which uses could be supported by staff. The list also indicated which uses were determined to be incompatible with the surrounding residentially zoned property.

At the public hearing, the Planning Commission conveyed their agreement with staff's recommendation regarding the need for a restriction of uses. After some discussion regarding which uses should be restricted, the applicants stated that they were open to prohibition of all uses except for the animal shelter use on Parcel 88. However, the proffer form submitted after the Planning Commission meeting did not prohibit all of the remaining uses in the C1 district.

Staff raised concerns with the applicant about the inconsistency between the Commission's recommendation and the proposed proffers. Although excluding incompatible C1 uses (as recommended by staff) was the intent of the SPCA, their verbal commitment to the Commission was different. Staff does not know if the Commission would have been agreeable to the currently proffered uses had the applicant requested those uses.

Nevertheless, the current request before the Board is consistent with staff's recommendation to the Commission. Therefore, staff supports the current request while also acknowledging there is a disconnect between the current proposal and the proposal considered by the Planning Commission.

RECOMMENDATIONS:

Staff recommends that the Board adopt the attached Ordinance (Attachment D) to approve ZMA201700008.

ATTACHMENTS:

Attach.A – Staff Report for 4/24/2018 PC Public Hearing

Attach.A-A1 – Location Map

Attach.A-A2 – Staff Report for CCP201800002

Attach.A-A3 – Minutes of PC meeting on September 5, 2017

Attach.A-A4 – Applicant's Narrative

Attach.A-A5 – Comments from the Public

Attach.B – Action Letter

Attach.C – Meeting Minutes from 4/24/2018 PC Public Hearing

Attach.D – Ordinance to Approve ZMA201700008

Attach.E – Proffers