

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

AGENDA TITLE: ZMA201700007 Hogwaller Farm	AGENDA DATE: August 1, 2018
SUBJECT/PROPOSAL/REQUEST: Rezone 7.52-acre parcel from Light Industrial (LI) which allows industrial, office, and limited commercial uses (no residential uses), to Rural Areas (RA) which allows agricultural, forestal, and fishery uses as well as residential uses.	STAFF CONTACT(S): Echols, Padalino
SCHOOL DISTRICTS: Cale – Elementary; Walton – Middle; and Monticello – High	PRESENTER(S): Tim Padalino

BACKGROUND:

At its meeting on May 1, 2018 the Planning Commission (PC) conducted a public hearing and voted 5:1 to recommend denial of ZMA201700007 for reasons stated in the staff report and also to protect the ecological functionality of the stream buffer that would be required by the Water Protection Ordinance for all other activities in the Development Areas. Attachments A, B, and C are the staff report, action memo, and minutes from the May 1 PC meeting.

DISCUSSION:

After the PC public hearing, the applicant indicated to staff his desire to address all of the issues raised in the staff report and discussed by the PC. The applicant has submitted revised proffers (Attachment D), which include the following:

1. a revised proffered conceptual plan;
2. a commitment to establish and maintain in perpetuity an “undisturbed riparian buffer area” extending 100’ from the top of the bank of Moore’s Creek or to the outer limits of the Floodway, whichever is greater, as had been recommended by staff;
3. a commitment to install and maintain signage denoting the extent of the undisturbed riparian buffer area; and
4. a commitment to restrict the permissible future uses on the property as described in Proffer 4.

Staff believes that these substantial modifications successfully address and resolve the issues that were identified in the staff report and which were the PC’s stated reasons for recommending denial. Therefore, staff recommends approval of ZMA201700007 with proffers.

RECOMMENDATIONS:

Staff recommends that the Board adopt the attached Ordinance (Attachment E) to approve ZMA201700007 with proffers.

ATTACHMENTS:

Attach.A – Staff Report for 5/1/2018 PC Public Hearing

Attach.B – Action Letter for 5/1/2018 PC Public Hearing

Attach.C – Meeting Minutes from 5/1/2018 PC Public Hearing

Attach.D – Revised Proffer Statement (signed and dated 6/29/2018) with proffered Conceptual Plan (dated 6/27/2018)

Attach.E – Ordinance to Approve ZMA201700007