

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

**SUMMARY OF PLANNING COMMISSION ACTION**

<b>AGENDA TITLE:</b> ZMA201900015 Child Development Center	<b>AGENDA DATE:</b> May 6, 2020
<b>SUBJECT/PROPOSAL/REQUEST:</b> Request to rezone a 3.578 acre parcel from R-1 Residential to C-1 Commercial. No new dwellings proposed.	<b>STAFF CONTACT(S):</b> Filardo, Rapp, Benish, Nedostup, Gleason
<b>SCHOOL DISTRICT:</b> Stony Point (Elementary); Burley (Middle School); Monticello (High School)	<b>PRESENTER:</b> Charles Rapp, Director of Planning

**BACKGROUND:**

At its meeting on February 4, 2020, the Planning Commission recommended denial of ZMA201900015, for the reasons outlined in the staff report. This motion was approved with a vote of 4:1, Vice-Chair Firehock and Mr. Keller were absent.

The Commission's staff report, action memo, and minutes are attached (Attachments A, B, and C).

**DISCUSSION:**

The applicant for this rezoning requested to go straight to a Planning Commission (PC) public hearing without the benefit of receiving staff comments. Thus, the staff report and public hearing functioned as the first opportunity to identify important site constraints as well as issues and concerns raised by staff regarding the proposal, specifically aspects where more information or clarity was needed. A summary of overarching topics of concern and questions raised by the Commission and staff during the PC meeting is provided in Attachment I.

Since the PC meeting, the applicant has worked extensively with staff to address concerns. Staff has found that while many of the issues and concerns that were raised have been addressed, the outstanding concerns regarding an increased use of the existing parking area within the floodplain that would result from approving the proposed Child Development Center as well as additional unspecified commercial uses on this property have not been resolved. Attachment J provides a comparison of concerns raised by the PC and staff and the proffers proposed by the applicant, as well as detailed information regarding the parking within the floodplain.

The applicant has submitted revised materials (Attachments D-H), as well as a revised proffer statement, dated April 8, 2020 (Attachment J).

**RECOMMENDATIONS:**

Based on staff's analysis summarized in Attachment J, specifically regarding the increased use of parking within the floodplain, staff cannot recommend approval of ZMA201900015 Child Development Center. Therefore, staff recommends the Board adopt the Ordinance disapproving ZMA201900015 Child Development Center (Attachment K).

**ATTACHMENTS:**

Att. A – PC Staff Report

Att. A1 – Location Map

Att. A2 – Zoning Map

Att. A3 – Application Plan

Att. A4 – Project Narrative

Att. A5 – Draft Proffer Statement

Att. A6 – Comparison of Permitted and Proffered C1 Uses  
Att. B – PC Action Memo  
Att. C – PC Meeting Minutes  
Att. D – Cover Letter for Revised Project Materials, dated March 6, 2020  
Att. E – Revised Project Proposal, revised February 10, 2020  
Att. F – Revised Proffer Supplement Narrative, revised March 4, 2020  
Att. G – Revised Concept Plan, revised March 6, 2020  
Att. H – Revised Comparison of Permitted and Proffered C1 Uses, dated March 3, 2020  
Att. I – Comparison of Concerns Raised by the PC and Staff and Proposed Proffers  
Att. J – Signed Proffer Statement and Exhibit, dated April 8, 2020  
Att. K – Ordinance disapproving ZMA201900015 Child Development Center