

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

<b>AGENDA TITLE:</b> R. A. Yancey Lumber Corporation: Special Exception Request	<b>AGENDA DATE:</b> August 19, 2020
<b>SUBJECT/PROPOSAL/REQUEST:</b> Requests for special exceptions to allow reduction in setbacks and expanded hours of operation. Approval of the special exceptions would bring the existing mill into compliance and authorize new construction.	<b>STAFF CONTACT(S):</b> Kamptner, Filardo, Fritz
<b>SCHOOL DISTRICTS:</b> Brownsville E.S, Henley M.S., Western Albemarle H.S.	<b>PRESENTER (S):</b> Bill Fritz

**BACKGROUND:**

On July 15, 2020, the Board of Supervisors approved 14 special exceptions to allow existing buildings to remain on the subject property, subject to conditions (Attachment A), and deferred action on three requested special exceptions related to the construction of a sorter/stacker, in order to allow staff to evaluate conditions that would address the concerns of the Board, the public, and the applicant. The Board took no actions on two special exception requests that were withdrawn by the applicant.

On August 5, 2020, the Board of Supervisors discussed the three special exception requests related to the construction of a sorter/stacker. The Board directed staff to work with the applicant and abutting owners to develop conditions to address fencing along Yancey Mill Lane and adjacent to property north of Yancey Mill.

**DISCUSSION:**

Staff has worked with the applicant and the abutting owners to develop conditions that address fencing. These conditions have been agreed to by all parties. Staff has prepared a Resolution that includes the following: 1) Restatement and reaffirmation of the 14 special exception requests originally approved on July 15, 2020; 2) Approval of the three special exception requests related to the stacker/sorter (items 4,6, and 7) that were deferred from the July 15 meeting; 3) Withdrawal of two special exception requests (items 18 and 19) by the applicant; and 4) Conditions related to all of the approved special exception requests. Staff's newly-recommended conditions related to the sorter/stacker are to require the installation of noise attenuating materials and fencing, the submittal of studies to demonstrate that the requirements of the ordinance are being met, and the construction of a fence to minimize impact on a property to the south caused by dust and lights, as well as a provision for monitoring sound/noise, and designated timelines for compliance or limitations on future actions. Specifically:

**Conditions 1 and 2** - Apply to all special exceptions (these conditions were imposed on the special exceptions approved on July 15, 2020, with a clerical amendment to condition 1 since);

**Conditions 3 through 8** - Pertain to special exceptions 4, 6, and 7 related to the sorter/stacker.

The conditions run with the land.

**RECOMMENDATIONS:**

Staff recommends that the Board adopt the attached Resolution (Attachment B) to restate and reaffirm the 14 special exceptions approved on July 15, 2020, to approve the three special exceptions related to the sorter/stacker (items 4,6, and 7), all subject to conditions contained therein, and to take no action on the two special exception requests that were withdrawn by the applicant.

**ATTACHMENTS:**

A – Resolution adopted on July 15, 2020 to approve certain special exceptions for Yancey Lumber

B – Proposed updated Resolution for Yancey Lumber special exception requests

C - Yancey Lumber Survey (SE Exhibit A)