

**FLUVANNA COUNTY PLANNING COMMISSION
REGULAR MEETING MINUTES
Circuit Court Room--Fluvanna County Courts
July 27, 2016
7:00 p.m.**

MEMBERS PRESENT: Barry Bibb, Chairman
Ed Zimmer, Vice Chairman
Donald Gaines
Lewis Johnson
Tony O'Brien, Board of Supervisors Representative

ALSO PRESENT: Jason Stewart, Planning Zoning Administrator
Brad Robinson, Senior Planner
James Newman, Planner
Frederick Payne, Fluvanna County Attorney

Absent: Howard Lagomarsino

CALL TO ORDER/PLEDGE OF ALLEGIANCE

Chairman Bibb called the meeting to order at 7:00 p.m., followed by reciting the Pledge of Allegiance.

PLANNING DIRECTOR'S REPORT (Mr. Stewart)

Board of Supervisors Actions:

July 6, 2016:

Proposed Ordinance to Amend Section 5-2-2 of the Fluvanna County Code: amended Chapter 5, Article 2, Section 2, of the Fluvanna County Code to exempt County owned and operated properties from Building Fees; **and amend Chapter 6, Article 1, Section 5**, of the Fluvanna County Code to exempt County owned and operated properties from Fees for Grading and Land Disturbing permits, Plans, and related Reviews: **Approved 5-0-0**

ZTA 16:01– Amendment of the Fluvanna County Zoning Ordinance Subsections 22- 20-1: amended the Fluvanna County Zoning Ordinance entitled "AN ORDINANCE TO AMEND AND REENACT CHAPTER 22, ARTICLE 20 OF THE FLUVANNA COUNTY CODE BY CERTAIN AMENDMENTS TO SECTIONS AND SUBSECTIONS 22-20-1, THEREOF, AMENDING AND REENACTING THE FLUVANNA COUNTY ZONING ORDINANCE TO CONFORM TO THE CURRENT ENABLING LEGISLATION, AS AMENDED." **Approved 5-0-0**

SUP 16:05 - Dominion Virginia Power: approved a request for a special use permit to relocate a private microwave communications tower, with respect to 91.05 acres of Tax Map 59, Section 7, Parcel 1, subject to the eleven (11) conditions listed in the staff report. **Approved 5-0-0**

ZMP 16:03– Columbia Floodplain Ordinance Adoption: amended the Fluvanna County Zoning Map to include within the Special Flood Hazard Districts of the Flood Protection Overlay District the area within the limits of the former Town of Columbia, pursuant to County Code Section 22-17-8A et seq. **Approved 5-0-0**

Board of Zoning Appeals Actions:

None

Technical Review Committee for July 14, 2016:

1. ZMP 16:04 Foster Fuels Rezoning- A request to rezone, from I-1 Industrial Limited, to I-2 Industrial General, 14.77 acres of Tax Map 4, Section A, Parcel 99. The property is located on the north side of Richmond Road (US Route 250), approximately one half mile east of the intersection of Zion Road (State Route 627) and Richmond Road. The parcel is zoned I1. The parcel is within the Zion Community Planning Area and the Columbia Election District.

2. SUP 16:08 Foster Fuels-Propane Tank - A request for a special use permit to install a petroleum distribution facility, with respect to 14.77 acres of Tax Map 4, Section A, Parcel 99. The property is located on the north side of Richmond Road (US Route 250), approximately one half mile east of the intersection of Zion Road (State Route 627) and Richmond Road. The parcel is zoned I1. The parcel is within the Zion Community Planning Area and the Columbia Election District

3. SDP 16:07 – JaZan LLC – A site development plan request to construct, in three (3) phases, a series of industrial use buildings, with respect to 1.69 acres of Tax Map 5, Section 24, Parcel 2. The property is zoned I-1 Industrial, Limited and is located approximately 500 feet east of the intersection of Richmond Road (US Route 250) and Zion Station Road (State Route 631). The parcel is within the Zion Community Planning Area and the Columbia Election District.

4. SDP 16:08 – Self-Support Tower– A site development plan request to construct a 250’ self-supported lattice tower, with a 12’x16’ pre-fabricated concrete shelter, with respect to 100.288 acres of Tax Map 40, Section A, Parcel 16. The property is zoned A-1, Agricultural General, and is located approximately a half-mile from the intersection of West River Road (State Route 6) and Goldmine Road (State Route 671). The property is located in the Fork Union Election District and is within a Rural Preservation Planning Area.

Awaiting VDOT Comments on all TRC items as of July 22, 2016

PUBLIC COMMENTS:

Chairman Bibb opened the floor for the first section of public comments.
With no one wishing to speak, Chairman Bibb closed the first public comment section.

APPROVAL OF MINUTES:

MOTION: Mr. Gaines motions to accept the minutes of the June 22, 2016 meeting as submitted, **Mr. Johnson** seconded. **The motion carried a vote of Approved 4-0 with 1 absent**

PUBLIC HEARINGS:

ZTA 16:02: Presented by Planner James Newman: An ordinance to amend and reenact Chapter 19, Article 9 of the Fluvanna County Code by certain amendments to Sections and Subsections 19-9-6, thereof, amending the Fluvanna County Subdivision Ordinance to exempt County owned property used for county purposes from the applicable fee schedule of the subdivision ordinance.

James Newman explained that this will reduce unnecessary steps to develop County projects faster. This does not absolve Fluvanna county employees from the ability to review or resolve a county project.

Recommended Conditions

Staff has no conditions to recommend.

PUBLIC HEARING COMMENTS:

None

Motion to Approve: Mr. Johnson moved to recommend approval of ZTA 16:02 Mr. Zimmer seconded. The motion carried with a vote of 4-0-1. Ayes: Mr. Bibb, Mr. Gains, Mr. Johnson, and Mr. Zimmer. Nays: None Abstain: None

SUP 16:06 Silver Lining Flowers LLC— Presented by Planner James Newman; A request for a special use permit to operate a commercial greenhouse, with respect to 35.26 acres of Tax Map 40, Section 19, Parcel D. The property is located south of Haden Martin Road (State Route 640), approximately one mile north-east of the intersection of Haden Martin Road and Forest Glen Lane. The parcel is zoned A1. The parcel is within a Rural Preservation Planning Area and the Fork Union Election District. The applicant would like to sell retail and wholesale to customers and host a yearly festival.

Applicant Mr. Bucker, states he will be responsible for maintaining the private street by adding gravel as necessary, and will be responsible for maintenance though, not reconstruction caused by a natural disaster or by an Act of God. Other property owners would not be responsible for this maintenance. Mr. Bucker states there about seventy five million hydrangeas that come from South America each year and that he would like to participate in this market for the East Coast.

There will be an estimate of 10-15 green houses on the property and they will stay up year round. He also plans plant hydrangeas out into the field to make the property look attractive, along with other screening plants. In regards to the festival, they are looking to have an attendance of up to 199 people.

Recommended Conditions

If approved, Staff recommends the following conditions:

1. Prior to development of the site, a site development plan that meets the requirements of The Fluvanna County Zoning Ordinance must be submitted for review and approval.
2. The site must meet all Virginia Department of Transportation requirements.
3. Hours of operation shall be 7am-5pm Monday-Sunday, and deliveries and pickups will occur 7am-5pm Monday-Friday.
4. The property shall be maintained in a neat and orderly manner so that the visual appearance from the road and adjacent properties is acceptable to County officials.
5. All outdoor storage of materials shall be screened from the view of public roads, rights of-way, and adjacent properties as required by Sec. 22-24-7 3. iii of the Zoning Ordinance.
6. The Board of Supervisors, or its representative, reserves the right to inspect the business For compliance with these conditions at any time
7. Under Sec. 22-17-4 F (2) of the Fluvanna County Code, the Board of Supervisors has the authority to revoke a Special Use Permit if the property owner has substantially breached the conditions of the Special Use Permit.
8. For so long as the use permitted by this special use permit shall remain in effect, the owner of such use shall be solely responsible for maintenance of the private road serving the subject property.

PUBLIC HEARING COMMENTS:

Karen Soto of Fox Jefferson Dr.: If you plan to have a distribution up and down the road will this bring large trucks as well? What kind of traffic do you propose to have for these festivals?

Applicant Mr. Bucker: There would be a small van to come 2-3 times a week. In regards to the festival, they are looking to have an attendance of 199 people.

PC Discussion:

None

Motion to Approve:

Mr. Johnson moved to recommend approval of SUP 16:06 – Silver Lining Flowers, Mr. Zimmer seconded. The motion carried with a vote of 4-0-1. Ayes: Mr. Bibb, Mr. Gains, Mr. Johnson, and Mr. Zimmer. Nays: None Abstain: None

SUP 16:07 Sycamore Square – Presented by Planner James Newman; A request for a special use permit to operate an assisted living facility, with respect to 3.36 acres of Tax Map 9, Section A, Parcel 14. The property is located at the intersection Ashlawn Boulevard and Lake Monticello Road (State Route 618). The parcel is zoned R-3. The parcel is within the Rivanna Community Planning Area and the Palmyra Election District.

The previous SUP 04:20 is being modified by this SUP, which is applying to change or clarify the proposed use to fit the current County definition of an assisted living facility to be in compliance with Fluvanna County. Adult retirement community

referenced to codes 22-22-4 and 22-22-1 SUP is not to be constructed on the property; the purpose of this SUP is to clarify that only an assisted living facility will be constructed on site.

Applicant: SUP was approved in 2005 as adult retirement community/assisted living facility but they want to change to adult living facility in order to follow the ordinance. People would have their own units and services would be available on site. According to staff this will also clarify their abilities as to what they can provide for services.

Conditions

As this is updating the language of SUP 04:20, all conditions from SUP 04:20 still apply. Those conditions are:

1. Satisfying all requirements of the Virginia Department of Transportation
2. Satisfying all requirements of the Thomas Jefferson Soil and Water Conservation District
3. Satisfying all requirements of the Health Department
4. A site development plan shall be required per Article 23 of the County Zoning Ordinance
5. Violation of any of the conditions of this permit shall be grounds for revocation of this special use permit

Further conditions are:

6. Development must adhere to the definition of 'Assisted Living Facility' as defined in County Code 22-22-1

PUBLIC HEARING COMMENTS

Stephanie Paris of Lake Monticello was concerned about rescue squad services to and from this location. As well as the demand this will put on the rescue squad for funding.

Sue Cotellessa of 590 Jefferson Drive: What's the difference between assisted vs independent in respect to onsite availability. Are medical services optional?

William Houser 17 Horseback Lane: How many people per unit? How much money will this cost LMES? Anticipated traffic increase?

Kathleen Houser of 17 Horseback Ln: EMS personnel concerns.

Ed Zimmer: When is construction expected to begin?

Jason Rosalez 200 Manor Blvd: Why was this location selected?

Applicant Stated answers all the questions and concerns to the satisfaction of the Planning Commission.

Mr. Gains asked VDOT if all requirements, sites, and distance were being followed at this time.

VDOT: Yes.

Motion to Approve:

Mr. Gaines moved to recommend approval of SUP 16:06 Silver Lining Flowers Mr. Zimmer Seconded. The motion carried with a vote of 4-0-1. AYES: Mr. Bibb, and Mr. Johnson. NAYS: None. Abstain: None

ZMP 16:02 Rivanna Heights Rezoning –

Deferred until August 24, 2016

ZMP 16:01– Nahor Village Amendment- Presented by Planner James Newman; A request to amend the Nahor Village Master Plan in regards to the number and type of single family dwellings, with respect to the entirety of Nahor Village, centered around 2.84 acres of Tax Map 17, Section A, Parcel 1F. The property is zoned R-3 Residential and is located at the intersection of Village Boulevard and Thomas Jefferson Parkway (State Route 53). The property is located in the Cunningham Election District, and is within the Rivanna Community Planning Area.

In respect to the Master plan we would be changing attached family town homes to detached family single dwelling homes, with lots to show the setback requirements.

Applicant: We have already noticed significant changes in sales in regards to having a townhouse as opposed to a single family detached house. We have and would continue to pave the roads and clear necessary trees needed to complete.

Mr. Bibb. Made comments in favor of the reduction in impervious land use.

Public Comment:

None

Motion to Approve:

Mr. Zimmer moved to recommend approval of ZMP 16:01 Nahor Village Amendment Mr. Gaines Seconded. The motion carried with a vote of 4-0-1. AYES: Mr. Bibb, and Mr. Johnson. NAYS: None. Abstain: None

Site Development Plans

SDP 16:08- Presented by Planner James Newman; The proposed landfill property is zoned A-1, Agricultural General, and is located approximately a half-mile from the intersection of West River Road (State Route 6) and Goldmine Road (State Route 671). The property is located in the Fork Union Election District. Approval of a Site Development Application to construct a 250' self-support lattice tower and peripheral ground-equipment with respect to a portion of 100.288 acres.

Planner James Newman explained that the proposed tower will accommodate the growing need and demand for telecommunications services and emergency service facilities.

Recommended Conditions:

1. Meeting all final site plan requirements.
2. Meet all required Erosion and Sedimentation Control regulations.

Motion to Approve:

Mr. Gaines moved to recommend approval of SDP 16:08 Mr. Johnson Seconded. The motion carried with a vote of 4-0-1. AYES: Mr. Bibb, and Mr. Zimmer. NAYS: None. Abstain: None

SDP 16:09 - Presented by Planner James Newman; Site Development Application to construct a 300' Columbia site self-support lattice tower and peripheral ground-equipment with respect to a portion of 7.6 acres. Along with the tower, a 12'x16' pre-fabricated concrete shelter is proposed to hold the equipment required to operate the tower. There will also be a 1,000 gallon propane tank on site. A 15ft gravel access point road would be installed on the property, along with a proposed 20' wide x 50' long parking and turnaround.

Recommended Conditions:

1. Meeting all final site plan requirements which include, but are not limited to, providing parking and screening.
2. Meet all required Erosion and Sedimentation Control regulations.
3. Tower compound placement must avoid existing drain field

PC Discussion

Mr. Bibb - We need to get these items done to have better communication in the county.

Motion to Approve:

Mr. Gaines moved to recommend approval of SDP 16:09 Mr. Zimmer Seconded. The motion carried with a vote of 4-0-1. AYES: Mr. Bibb, and Mr. Johnson. NAYS: None. Abstain: None

Comments by Jason Stewart

Welcomed Brad Robinson as our new Senior Planner

Adjourned

There being no further business, Chairman Bibb adjourned the Planning Commission meeting of July 27, 2016 at 8:24 p.m. Minutes recorded by Stephanie Keuther, Senior Program Support Assistant.

Barry A. Bibb, Chairman
Fluvanna County Planning Commission