

**FLUVANNA COUNTY PLANNING COMMISSION
REGULAR MEETING MINUTES
Circuit Courtroom
Fluvanna County Courts
September 26, 2012
7:00 p.m.**

MEMBERS PRESENT: Barry Bibb, Chairman
Donald Gaines, Vice-Chairman
Samuel Babbitt
Patricia Eager
Carolyn Tinsley

MEMBERS ABSENT: Joe Chesser, Board of Supervisors Representative

ALSO PRESENT: Frederick Payne, Fluvanna County Attorney
Allyson Finchum, Planning Director
Steve Tugwell, Senior Planner
Lauren Ryalls, Senior Program Support Assistant

CALL TO ORDER

Chairman Bibb called the Planning Commission meeting of September 26, 2012 to order at 7:00 p.m. in the Circuit Court room of the Fluvanna County Courts Building in Palmyra, Virginia. After the meeting was called to order, the Pledge of Allegiance was recited.

PLANNING DIRECTOR'S REPORT

Ms. Allyson Finchum, Planning Director, gave the monthly report to the Planning Commission.

➤ **Board of Supervisors**

○ **August 1, 2012**

▪ **ZTA 12:01 – Fluvanna County – Zoning Text Amendment**

Approved (5-0) an amendment of the Fluvanna County Zoning Ordinance to update and strengthen regulations regarding tree protection, landscaping, and off-street parking (Chapter 22, Article 22: Definitions; Chapter 22, Article 24: Tree Protection; Chapter 22, Article 26: Off-Street Parking and Loading Spaces).

▪ **ZTA 12:02 – Fluvanna County – Subdivision Ordinance Amendment**

Approved (5-0) an amendment of the Fluvanna County Subdivision Ordinance to update and strengthen regulations regarding landscaping and similar improvements (Chapter 19, Article 7: Subdivision Design Standards; Chapter 19, Article 8: Required Improvements).

○ **September 5, 2012**

▪ *None*

○ **September 19, 2012**

▪ **SUP 12:05 – Robert S. Hale-MacKinnon – Educational Facility**

Approved (3-2 Chesser, Weaver) a special use permit request to allow for an educational facility with respect to 5.193 acres of Tax Map 23, Section A, Parcel 48.

▪ **Cell Tower Presentation given to the Board of Supervisors by CityScope**

➤ **Board of Zoning Appeals Actions – No August or September Meeting.**

➤ **Technical Review Committee**

○ **August 9, 2012**

▪ **SDP 12:05 – 33 Hunter’s Branch, LLC**

A Site Development Plan (SDP) request for a contractor’s storage yard with respect to 4.68 acres of a portion of Tax Map 5, Section 20, Parcel 1. The property is zoned I-1, Industrial, Limited and is located on the southern side of Route 250 (Richmond Road) approximately 300 feet east of Hunter’s Branch Road. The property is located in the Palmyra Election District and is within the Zion Crossroads Community Planning Area.

▪ **SUP 12:07 – National Communication Towers, LLC**

A request for a Special Use Permit (SUP) to allow for a 195-foot wireless communications tower with respect to 12.7 acres of Tax Map 39, Section A, Parcel 29. The property is zoned A-1 (Agricultural, General) and is located on the north side of West River (State Route 6) 1 mile west of its intersection with Rolling Road (Route 620). The property is located in the Fork Union Election District and is within the Rural Preservation Planning Area.

○ **September 13, 2012**

▪ **SUP 12:08 – Jennifer D. Miller – Commercial Kennel**

A request for a Special Use Permit (SUP) to allow for a Commercial Kennel with respect to 6.0+/- acres of Tax Map 19, Section A, Parcel 77A. The property is zoned A-1 (Agricultural, General) and is located on the west side of James Madison Highway (State Route 15) 0.65 miles north of its intersection with Salem Church Road (Route 644). The property is located in the Columbia Election District and is within the Rural Residential Planning Area.

▪ **ZMP 12:02 – Hotel Street Capital, LLC**

An ordinance to amend the Fluvanna County Zoning Map with respect to 232.0 acres of Tax Map 30, Section A, Parcel 110 and Tax Map 19, Section A, Parcel 39C (former Rivanna Resort) to rezone the subject properties from R-3 (Residential, Planned Community) with proffers to PUD (Planned Unit Development). The subject property is located within the Palmyra Election District on the western side of U.S. Route 15 (James Madison Highway) at its intersection with State Route 644 (Friendship Road), approximately 0.25 miles north of State Route 661 (Rescue Lane). The proposed amendment would allow a maximum of 1,514 residential units (a mixture of single-family detached units, townhouses, and multi-family units) and 110,000 square feet of commercial space. According to the 2009 Comprehensive Plan, the property is located within the Palmyra Community Planning Area.

➤ **Withdrawn Application**

○ **July 26, 2012**

▪ **SUP 12:06 – Michael A. White**

A request for a Special Use Permit (SUP) to operate an automobile repair service establishment with respect to 10.02 acres of Tax Map 54, Section A, Parcel 38. The property is currently zoned A-1 (Agricultural, General) and is located on the western side of State Route 659 (Stage Junction Road) approximately 0.7 miles south of State Route 674 (Timber Road) and approximately 1.1 miles north of the Town of Columbia boundary. The property is located within the Columbia Election District. According to the 2009 Comprehensive Plan, the property is within the Rural Preservation Planning Area.

PUBLIC COMMENTS #1

Chairman Bibb opened the floor for the first section of public comments.

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

APPROVAL OF MINUTES

MOTION:

Ms. Tinsley moved to **approve** the July 25, 2012 Planning Commission meeting minutes as presented.

Mr. Gaines seconded. The motion carried with a vote of 4-0-1. AYES: Bibb, Eager, Gaines and Tinsley. NAYS: None. ABSTAINED: Babbitt.

MOTION:

Dr. Babbitt moved to **approve** the August 22, 2012 Planning Commission meeting minutes as presented.

Mr. Gaines seconded. The motion carried with a vote of 5-0. AYES: Babbitt, Bibb, Eager, Gaines and Tinsley. NAYS: None.

PUBLIC HEARINGS:

SUP 12:07 - National Communication Towers, LLC - A request for a Special Use Permit (SUP) to allow for a 195-foot wireless communications tower with respect to 12.7 acres of Tax Map 39, Section A, Parcel 29. The property is zoned A-1 (Agricultural, General) and is located on the north side of West River Road (State Route 6) 1 mile west of its intersection with Rolling Road (Route 620). The property is located in the Fork Union Election District and is within the Rural Preservation Planning Area.

Ms. Finchum, Planning Director, addressed the Planning Commission, regarding this application, and requested deferral since the staff report by the consultant, CityScape, has not been received yet.

The Planning Commission discussed deferring the request for a special use permit to allow for a 195-foot wireless communications tower. Mr. Payne stated that it would be inefficient and not advisable to hear this application without the consultant report and recommended deferral to a certain date.

MOTION:

Mr. Gaines moved to **defer** SUP 12:07, a special use permit request to allow for a 195 foot monopole telecommunications tower, pursuant to Fluvanna County Code Section 22-27-1 with respect to 12.7 acres of Tax Map 29, Section A, Parcel 29 until the October 24, 2012 Planning Commission meeting.

Ms. Tinsley seconded. The motion carried with a vote of 3-2. AYES: Bibb, Gaines, and Tinsley. NAYS: Babbitt and Eager.

Mr. Elliot Harrigan, National Communication Towers, LLC representative, addressed the Planning Commission regarding the deferral of this special use permit until the October 24, 2012 meeting.

PRESENTATIONS:

ZMP 12:02 – Hotel Street Capital, LLC – An ordinance to amend the Fluvanna County Zoning Map with respect to 232.0 acres of Tax Map 30, Section A, Parcel 110 and Tax Map 19, Section A, Parcel 39C (former Rivanna Resort) to rezone the subject properties from R-3 (Residential, Planned Community) with proffers to PUD (Planned Unit Development). The subject property is located within the Palmyra Election District on the western side of U.S. Route 15 (James Madison Highway) at its intersection with State Route 644 (Friendship Road), approximately 0.25 miles north of State Route 661 (Rescue Lane). The proposed amendment would allow a maximum of 1,254 residential units (a mixture of single-family detached units, townhouses, and multi-family units) and 150,000 square feet of commercial space. According to the 2009 Comprehensive Plan, the property is located within the Palmyra Community Planning Area.

Mr. Justin Shimp, representative, presented this information to the Planning Commission.

SITE DEVELOPMENT PLANS:

SDP 12:12 – Hunter’s Branch, LLC - A Site Development Plan (SDP) request for a contractor’s storage yard with respect to 4.68 acres of a portion of Tax Map 5, Section 20, Parcel 1. The property is zoned I-1, Industrial, Limited and is located on the southern side of Route 250 (Richmond Road) approximately 300 feet east of Hunter’s Branch Road. The property is located in the Columbia Election District and is within the Zion Crossroads Community Planning Area.

Mr. Steve Tugwell, Senior Planner, presented this site development plan request for a contractor’s storage yard with respect to 4.68 acres of a portion of Tax Map 5, Section 20, Parcel 1 to the Planning Commission.

The Planning Commission discussed the reserve drain field for the site development plan request for a contractor’s storage yard.

MOTION:

Ms. Eager moved to **approve** SDP 12:12, a sketch site plan to facilitate a contractor’s storage yard with respect to 4.68 acres of Tax Map 5, Section 20, Parcels 1A and 1B, subject to the conditions listed in the staff report.

Dr. Babbitt seconded. The motion passed with a vote of 5-0. AYES: Babbitt, Bibb, Eager, Gaines and Tinsley. NAYS: None.

SUBDIVISIONS:

None

UNFINISHED BUSINESS:

None

NEW BUSINESS:

None

PUBLIC COMMENTS #2

Chairman Bibb opened the floor for the second section of public comments.

- Alex Vonderbecke, 2053 West River Road, spoke concerning the types of items that were going to be stored in the industrial storage yard. Mr. Vonderbecke also expressed concerns for safety and communication within the County.

With no one else wishing to speak, Chairman Bibb closed the second section of public comments.

ADJOURN

There being no further business, Chairman Bibb adjourned the Planning Commission meeting of September 26, 2012 at 7:49 p.m.

Minutes recorded by Lauren Ryalls.

Barry Bibb, Chairman
Fluvanna County Planning Commission