

**FLUVANNA COUNTY PLANNING COMMISSION
REGULAR MEETING MINUTES
Circuit Courtroom
Fluvanna County Courts
May 22, 2013
7:00 p.m.**

MEMBERS PRESENT: Barry Bibb, Chairman
Patricia Eager, Vice-Chairman
Samuel Babbitt
Donald Gaines
Ed Zimmer
Joe Chesser, Board of Supervisors Representative

ALSO PRESENT: Frederick Payne, Fluvanna County Attorney
Allyson Finchum, Planning Director
Steven Tugwell, Senior Planner
Heather Poole, Senior Program Assistant

CALL TO ORDER

Chairman Bibb called the Planning Commission meeting of May 22, 2013 to order at 7:00 p.m. in the Circuit Court room of the Fluvanna County Courts Building in Palmyra, Virginia.

PLANNING DIRECTOR'S REPORT

Mr. Steve Tugwell, Senior Planner, gave the monthly report to the Planning Commission.

- **Board of Supervisors**
 - **May 1, 2013**
 - *None*
 - **May 15, 2013**
 - *None*
- **Board of Zoning Appeals Actions – No May Meeting**
- **Technical Review Committee**
 - **May 9, 2013**
 - **SDP 13:05 – Virginia Electric Power Company**

A site development plan request for a natural gas metering and regulation station, and gas pressure reducing station with respect to 49.4 acres of Tax Map 59, Section 6, Parcels 2, 2A, 1, 1A, and Tax Map 62, Section A, Parcel 1. The property is zoned I-1, Industrial, Limited and is located on the southern side of Route 656 (Bremo Road) approximately .50 miles east of its intersection with Bremo Bluff Road. The property is located in the Fork Union Election District and is within the Rural Residential Community Planning Area
 - **SUP 13:03 – Jason Farren Automotive Repair Shop**

A request for a special use permit to allow for an automotive repair service establishment with respect to 4.567 acres of Tax Map 17, Section 16, Parcel 4. The property is currently zoned A-1 (Agricultural, General) and is located on the northern side of State Route 619 (Ruritan Lake Road), approximately 0.25 miles east of State Route 761 (Branch Road). The property is located within the Fork Union Election District. According to the 2009 Comprehensive Plan, the property is within the Rural Residential Planning Area.

PUBLIC COMMENTS #1

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

- Jerome W. Patchen, 13764 James Madison Hwy resident, spoke in opposition of the Walker's Ridge development stating it would generate noise, pollution, and interfere with his property's viewshed.

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

APPROVAL OF MINUTES

MOTION:

Mr. Zimmer moved to **approve** the April 24, 2013 Planning Commission meeting minutes as amended.

Mr. Gaines seconded. The motion carried with a vote of 3-0-2. AYES: Bibb, Gaines and Zimmer. NAYS: None. ABSTAINED: Babbitt and Eager.

PUBLIC HEARINGS:

ZMP 13:01 – JCM III, LLC – An ordinance to amend the Fluvanna County Zoning Map with respect to 4.81 acres of Tax Map 59, Section A, Parcel 8 to rezone the same from B-1, Business, General to I-1, Industrial, Limited. The affected properties are located on the west side of Route 15 (James Madison Highway), at its intersection with Route 695 (Creasy Town Road) approximately 0.23 miles south of Route 713 (Bowles Town Lane). The properties are located in the Fork Union Election District and are within the Fork Union Community Planning Area.

Mr. Steve Tugwell, Senior Planner, presented this application for a rezoning to the Planning Commission.

Mr. Gregg Beck, representing the owner of the leasing of the property, answered questions the Planning Commission had in regards to the application.

Chairman Bibb opened the public hearing.

With no one wishing to speak, Chairman Bibb closed the public hearing.

The Planning Commission discussed the proposed rezoning and the applicant's proffer to not include shooting indoor range as a permitted use. The Commission also discussed setbacks between buildings, parking, as well as whether or not the land is two separate parcels. Mr. Tugwell stated that while the property is not two separate parcels currently, that if it is successfully rezoned, the applicant, while not required, has volunteered to subdivide and clearly delineate the separation between the two zones. Mr. Tugwell clarified the applicant has not proffered to subdivide the property, but has clearly stated he will. Mr. Payne stated it was not unheard of for there to be two uses on one parcel. The Commission discussed the need for more business opportunity and how this parcel is an ideal location.

MOTION:

Dr. Babbitt moved to **recommend approval** of ZMP 13:01, an ordinance to amend the Fluvanna County Zoning Map with respect to 4.81 acres of Tax Map 59, Section A, Parcel 8 to conditionally rezone the same from B-1, Business, General to I-1, Industrial, Limited subject to the proffer as particularly set forth in Attachment E of the staff report.

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

SITE DEVELOPMENT PLANS:

SDP 13:05 – Virginia Electric Power Company

A site development plan request for a natural gas metering and regulation station, and gas pressure reducing station with respect to 49.4 acres of Tax Map 59, Section 6, Parcels 2, 2A, 1, 1A, and Tax Map 62, Section A, Parcel 1. The property is zoned I-1, Industrial, Limited and is located on the southern side of Route 656 (Bremo Road) approximately .50 miles east of its intersection with Bremo Bluff Road. The property is located in the Fork Union Election District and is within the Rural Residential Community Planning Area

Mr. Steve Tugwell, Senior Planner, presented the site development plan request for a natural gas metering and regulation station, and gas pressure reducing station with respect to 49.4 acres of Tax Map 59, Section 6, Parcels 2, 2A, 1, 1A, and Tax Map 62, section A, Parcel 1.

Mr. McCauley, applicant, addressed the Planning Commission in regards to the application stating that the ash ponds will no longer receive coal or ash once conversion to natural gas is complete. He also stated the ponds will be maintained in accordance with existing permits.

MOTION:

Dr. Babbitt moved to **recommend approval** of SDP 13:05, a sketch plan request for a natural gas metering and regulation station, and gas pressure reducing station with respect to 49.4 acres of Tax Map 59, Section 6, Parcels 2, 2A, 1, 1A, and Tax Map 62, Section A, Parcel 1, subject to conditions listed in the staff report. Further, Dr. Babbitt moved to recommend approval of the sidewalk variance in accordance with Section 22-23-6BB of the Zoning Ordinance.

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

PRESENTATIONS:

ZMP 12:02 – Hotel Street Capital, LLC

An ordinance to amend the Fluvanna County Zoning Map with respect to 222.03 acres of Tax Map 30, Section A, Parcel 110, and 10 acres of 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 1,180 residential units (a mixture of single-family detached units, townhouses, and multi-family units) and 180,000 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 information to the Planning Commission with regard to the Walker's Ridge Planned Unit Development application.

Planning Commission discussed development details including water, sewer, and open space.

SUBDIVISIONS:

None

UNFINISHED BUSINESS:

Mr. Payne discussed parking in regards to the rezoning application ZMP 13:01.

NEW BUSINESS:

None

PUBLIC COMMENTS #2

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

- Mr. Moss, Columbia District, spoke in opposition of the Walker's Ridge Planned Unit Development stating the applicant lacked clarity.
- James Gibson, Ridge Rd., Palmyra resident, was concerned about the impact the Walker's Ridge Planned Unit Development would have on the environment and the increased costs related to schools and police. He also discussed the potential risks of roundabouts.
- Overton Mc Gehee, 924 Courthouse Rd. resident, spoke in opposition of the Walker's Ridge development stating the plan was poorly planned.
- Elizabeth Franklin, Columbia District, spoke in opposition of the Walker's Ridge development. She was concerned about the huge impact it would have on the county, stating it would be fiscal folly to approve such a development.
- Al Talley, 14307 James Madison Hwy resident, spoke in opposition of the Walker's Ridge development stating the application does not meet the ordinance.
- Ms. Suling, 219 Main Street, stated this county has seen residential growth that has far bypassed business or commercial growth, leaving the county to play financial catch-up. Knowing how this pattern works, she states it is inconceivable to approve a development of this scope. She stated there is no proffer that could be offered that would offset the negative, permanent damage by this kind of plan. She also stated the plan puts water resources at risk.
- Dennis Holder, Columbia District, spoke in opposition of the Walker's Ridge development stating the developer had a lack of regard to the Commission and citizens in adhering to the ordinance.
- Kate Skovira, 153 Chapel Ct. resident, stated she agreed with previous citizens' comments in regards to the Walker's Ridge development. She also stated there is evidence the developer does not follow through with previous commitments. In her neighborhood, there is road maintenance that still needs to be completed.

ADJOURN

There being no further business, Chairman Bibb adjourned the Planning Commission meeting of May 22, 2013 at 8:34 p.m.

Minutes recorded by Heather Poole.

Barry A. Bibb, Chairman
Fluvanna County Planning Commission