

FLUVANNA COUNTY PLANNING COMMISSION REGULAR MEETING MINUTES

Circuit Court Room--Fluvanna County Courts

March 25th, 2015

7:00 p.m.

MEMBERS PRESENT: Barry Bibb, Chairman
Ed Zimmer, Vice-Chairman
Lewis Johnson
Patricia Eager
Donald Gaines (7:03 p.m.)
Tony O'Brien Board of Supervisors Rep

ALSO PRESENT: Jason Stewart, Planning and Zoning Administrator
Steven Tugwell, Senior Planner
Jay Lindsey, Planner
Deidre Creasy, Senior Program Support Assistant
Frederick Payne, Fluvanna County Attorney

CALL TO ORDER/PLEDGE OF ALLEGIANCE

Barry Bibb, Chairman called the meeting to order at 7:00p.m., after which the Pledge of Allegiance was recited.

PLANNING DIRECTOR'S REPORT (Mr. Stewart)

1. Board of Supervisors Actions:

- **March 4, 2015: Presentation regarding Subdivision Requirements**
- **March 18, 2015:**

ZMP 15:01 (Approved) – Memory Lane Property, LLC - An ordinance to amend the Fluvanna County Zoning Map with respect to 6.9 acres of Tax Map 4, Section A, Parcel 97A to rezone the same from I-1, Industrial, Limited, and I-2, Industrial, General, to I-2, Industrial, General. The affected property is located on the south side of Richmond Road (Route 250), approximately ¼ mile from Route 250 at the end of Memory Lane. The property is located in the Palmyra Election District and is within the Zion Crossroads Community Planning Area.

2. Board of Zoning Appeals Actions:

No March Meeting:

3. Technical Review Committee:

March 19, 2015:

SUP 15:01 – Stubben North America – A request to amend special use permit (SUP 04:25) to allow for “specialty retail sales” by appointment only with respect to 34.501 acres of Tax Map 10, Section A, Parcel 54A. The applicant is proposing to amend condition # 4 by deleting (“Regular (daily or weekly) influx of vendor or meeting traffic on the access road shall not be permitted. The warehouse shall not be used as a display center that is open to regular (daily or weekly) visitors.”) and replacing it with “specialty retail sales by appointment only.” The property is zoned A-1 and is located on west side of Wounded Knee Lane approximately ½ mile north west of Route 631 (Troy Road). The property is located in the Palmyra Election District and is within the Rural Residential 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 public comment section.

APPROVAL OF MINUTES

MOTION: Mr. Zimmer moved to accept the minutes of the February 25, 2015 meeting as submitted, Mrs. Eager seconded. The motion carried a vote of 4-0-0. **AYES:** Bibb, Eager, Johnson and Zimmer **NAYS:** None. **ABSTAIN:** None

SUBDIVISIONS: None

Mr. Donald Gaines entered the meeting at this point and participated in voting thereafter

Public Hearings:

ZMP 14:05 – Lake Monticello Volunteer Fire Dept. - An ordinance to amend the Fluvanna County Zoning Map with respect to 6.134 acres of Tax Map 18, Section A, Parcel 38F to rezone the same from A-1, Agricultural, General to R-4, Residential, Limited. The affected property is located on the west side of South Boston Road (Route 600), approximately 500 feet southwest of its intersection with Slice Road. The property is located in the Cunningham Election District and is within the Rivanna Community Planning Area.

Senior Planner, Steve Tugwell conducted a brief presentation and addressed Board questions from the previous meeting

Eager: Inquired would the fire dept. be able to complete their plans with the current setbacks?

Senior Planner: The setback issue is a byproduct. Anytime there is a zoning line between two adjacent parcels and the applicant is contemplating expansions, it is truly not a good practice to have different zoning on the two parcels. The Senior Planner believes the applicant wants to remove the line and, doing so would remove the setback issues. In addition continuity of zoning is always a good practice. He also expressed that he believes the basis for the R-4 zoning is because that is what the current firehouse is zoned.

Eager: Questioned if the zoning is not approved and the property remains zoned A-1 if the Fire Department will be able to complete the plans they are proposing with the current setbacks?

Senior Planner: Advised that the setbacks may be an issue and no post sketches have been received with buildings on it but anytime you have different zoning, there are different building setback requirements and it proposes more of an issue then if it was just one zoning with one setback requirement.

Applicant: Lake Monticello Fire Department purchased the 6 acres with the desire to have auxiliary parking because of the number of people at bingo, fire trainings and EMS trainings. Many people have to park on Slice Rd. and then walk in the dark across the road to the building. Secondly, the fire department wants to expand the fire house to add room for emergency vehicles that are currently kept outside in various weather conditions and sleeping quarters for members so response times are faster. He also advised that the main reason they want to rezone is because the “living quarters” building will be straddling the property line. The applicant then explained that they want to improve lighting and cosmetics of how the property looks. The only entrance will be from the fire house side and the property was purchased because they didn’t want to see other businesses put up there that would force the land to be land locked.

PUBLIC COMMENTS for the public hearing

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

- **Clifford A. Shifflett, 8 Slice rd.** – Asked if along the property line will the trees still be a barrier along the bank? What type of lighting is the fire Department putting up? Expressed that he supports the Fire and Rescue Departments and just wanted to know if there were going to be any improvements along the bank.

Bibb: Advised that staff can probably answer questions in regards to the improvement

Senior Planner: There are parking lot, landscaping, screening and outdoor lighting requirements.

Clifford Shifflett: Is there a layout of the property?

Senior Planner: Yes, the applicant has a copy and we can provide you with a copy

Payne: Advised that the layout has not yet been developed and that will be the next step.

Senior Planner: A photometric plan will be required if there is any lighting and it will have to be submitted with the development review.

Carolyn Shifflett: Will the lights be lit all night long, or automatic?

Senior Planner: The lights are required to be full cut off lighting and it extends only a certain number of feet from the lot.

- **Marvin Townsend 969 South Boston Rd.** advised that he had a few questions. 1. How can he be expected to comment on what is going to happen with the fire house until he has the plan information? Secondly, what is the residential limited for? Also advised that he has no issue with the fire department expanding or needing space because he understands that they run over half of the county's calls. He reiterated that he is unsure of how to comment on an issue that he has no information on.

Bibb: Explained that this is a rezoning and the applicant is proposing to expand the fire department for more space to park, vehicles and overnight accommodations for members running calls.

Marvin Townsend: Are the Fire Department building houses or just housing for the fire department members?

Bibb: Some uses are proffered out with the R-4 zoning and the proposed plan is just to use the housing for the Fire Department facilities.

Payne: Explained that the existing property around the parcel is already zoned R-4, However the application has "proffered conditions" that if approved, the applicant will not be able to use it for.

Marvin Townsend: Expressed that as long as the proffered conditions cannot be broken he is fine with zoning request.

Payne: Added that the proffered conditions are conditions that the applicant put in.

Chairman Bibb closed the public hearing comments section for the Planning Commission to have more discussion.

Mrs. Eager: If the fire dept. is unable to get the rezoning approved, they will have to sell the property. The issue that citizens need to be more concerned with is what would happen to the property if the fire department sold it? She advised that she believed that it was in everyone's best interest to rezone R-4

Bibb: Advised that it is a civic use which can be A-1 or R-4. Also explained that the zoning department does a lot for the location, and the setting is good for Lake Monticello and the high school. He also reiterated that there is a parking issue.

Gaines: Explained that he runs into traffic and parking issues in the area and improvements needs to be made.

Zimmer: Clarified that some of the concerns addressed have been met with the proffers and what has not been addressed will be dealt with in the site development plan where there will be an opportunity to address concerns.

Bibb: Advised that it meets the comprehensive plan and is in a growth area. Also explained that he would rather see it as a civic use then some of the other possibilities and that it is an oddly shaped property.

Eager: Asked what are the citizens' concerns about the Cypress trees?

Applicant: Described the location of the trees and advised that he will talk to the citizens and address the concerns, but advised that the hill where the trees are will not be developed. Nevertheless he will wait for the engineers final suggestions and ensure that the lighting in the parking lot will have timers.

MOTION:

Mr. Gaines moved to recommend approval of ZMP 14:05–Lake Monticello Volunteer Fire Department, in which **Mrs. Eager seconded**. The motion carried **with a vote of 5-0-0. AYES: Bibb, Eager, Johnson, Gaines and Zimmer NAYS: None. ABSTAIN: None**

SITE DEVELOPMENT PLANS:

SDP 15:02 – Rivanna Land Development - A site development plan request to construct a 8,900 +/- square foot medical office building with respect to 2.92 acres of Tax Map 18, Section 10, Parcel 7A. The property is zoned B-1, Business, General and is located approximately 220 feet southeast of South

Boston Road (Route 600) at the intersection of Abby and Rebecca Roads. The property is located in the Palmyra Election District and is within the Rivanna Community Planning Area.

Senior Planner Steve Tugwell presented and advised that the site is located behind CVS.

Zimmer: Established with Tugwell that they need approval for the 40% increase in required parking.

Bibb: Got clarification from Tugwell/Shimp that the number of parking spaces requested should be 48

Senior Planner Steve Tugwell continued to present.

Applicant Shimp: Advised that 48 is the correct number and discussed various discussions between VDOT and himself.

Bibb: Explained that he is concerned about the location of the handicap parking and the roadway

Applicant Shimp: Recommended a more in depth plan for the roadway to address Chairman Bibb's concerns

Eager: Asked if Augies Ally is a road?

Applicant Shimp: It is a private road and explained the easement.

Zimmer: Asked were there any efforts to address the questions surrounding the code section in relation to parking?

Payne: Advised relegated parking is not mandatory

Bibb: Asked if anyone had any questions for the applicant? Then opened discussion for the planning commission members

Payne: Clarified that before the Planning Commission approved the SDP, that the planning staff considered and planned to address the concerns stated by the members.

MOTION

Mrs. Eager moved to approve of SDP 15:02–Rivanna Land development, in which **Mr. Gaines seconded**. The motion carried **with a vote of 5-0-0**. **AYES: Bibb, Eager, Johnson, Gaines and Zimmer**
NAYS: None. ABSTAIN: None

PRESENTATIONS: NONE

UNFINISHED BUSINESS: Flood Plain Ordinance

Planner Jay Lindsey Spoke briefly

Stewart: Advised that the Planning Dept. planned to advertise the Flood Plain Ordinance for the April planning commission meeting

Bibb: Directed that he planned to have discussion of the Flood Plain Ordinance at the upcoming work session

Payne: Elucidated that this is a Federal Matter. In the course of developing the amendments to the resources they need to go over various definitions and the commission would need to make an amendment and then adopt as amended.

Planner Lindsey: Advised the board that the word variance is not used how it is normally used within the counties definitions

Bibb: Clarified that the Public Safety portion of the Comprehensive Plan review will be done at the work session

Planner Lindsey: Communicated to the board that he received the information from Cheryl Wilkins and errors are highlighted and they will be corrected.

NEW BUSINESS:

Planner Lindsey presented the 2014 Development activity report

MOTION: Mrs. Eager moved to accept the 2014 Development activity report as submitted in which **Mr. Johnson seconded**. The motion carried a vote of **5-0-0**. **AYES: Bibb, Eager, Johnson, Gaines and Zimmer** **NAYS: None. ABSTAIN: None**

ADJOURN

There being no further business, Mr. Bibb adjourned the Planning Commission meeting of March 25th, 2015 at 8:05 p.m.

Minutes recorded by Deidre Creasy, Senior Program Assistant.

Ed Zimmer, Vice Chairman
Fluvanna County Planning Commission