

**FLUVANNA COUNTY PLANNING COMMISSION REGULAR MEETING MINUTES**

**Circuit Court Room--Fluvanna County Courts**

**April 22th, 2015**

**7:00 p.m.**

**MEMBERS PRESENT:** Ed Zimmer, Vice-Chairman  
Lewis Johnson  
Patricia Eager  
Donald Gaines (7:01 PM)

**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

**ABSENT :** Barry Bibb, Chairman  
Tony O'Brien Board of Supervisors Rep

**CALL TO ORDER/PLEDGE OF ALLEGIANCE**

Ed Zimmer, Vice 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:**

April 1, 2015: (Approved) MOTION: I move to renew the Bowlesville Agricultural/Forrestal District, which consists of 11 parcels totaling 732.76 acres, for an additional 8 year period, expiring on August 1, 2023.

➤ **April 15, 2015:**

**ZMP 14:05 – (Approved) 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.

**2. Board of Zoning Appeals Actions:**

**No April Meeting:**

**3. Technical Review Committee:**

**April 16, 2015:**

- I. **SDP 15:05 – Wray Brothers Inc.** - A site development plan request to construct a 9,500 +/- square foot self-storage building addition with respect to 10.25 acres of Tax Map 5, Section 7, Parcel 9B. The property is zoned B-1, Business, General, and is located approximately 800 feet southwest of Richmond Road (Route 250) at the intersection of Better Living Drive and Richmond Road. The property is located in the Columbia Election District and is within the Zion Crossroads Community Planning Area.
- II. **SDP 15:06 – LMOA – New Golf Clubhouse** - A site development plan request to construct a at 9760 SF Clubhouse, a 5600 SF cart barn, and eleven (11) additional parking spaces, with respect to 10.25 acres of Tax Map 18A, Section 4, Parcel 224A. The property is zoned R-4, Residential, Limited, and is located on Bunker Boulevard approximately 900 feet south of its intersection with Oak Grove Road. The property is located in the Cunningham Election District and is within the Rivanna Community Planning Area.
- III. **SUP 15:02 – Flick Investments Group, LLC** – A request for a Special Use Permit (SUP) to operate an auction house with respect to 4.81 acres of a portion of Tax Map 59, Section A, Parcel 8. The property is zoned I-1 (Industrial, Limited), and is 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 property is located in the Fork Union Election District and is within the Fork Union Community Planning Area.

- IV. **ZMP 15:02 – Steven L. Peters** - An ordinance to amend the Fluvanna County Zoning Map with respect to 21.5 acres of Tax Map 8, Section A, Parcel A14A to rezone the same from A-1, Agricultural, General to B-1, Business, General. The affected property is located on the northwest corner of the intersection of Thomas Jefferson Parkway (Route 53), and Lake Monticello Road. The property is located in the Palmyra Election District and is within the Rivanna Community Planning Area.

#### **PUBLIC COMMENTS #1**

Vice Chairman Zimmer opened the floor for the first section of public comments.

With no one wishing to speak, Vice Chairman Zimmer closed the first public comment section.

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

#### **APPROVAL OF MINUTES**

**MOTION: Mrs. Eager moved to accept the minutes of the March 25, 2015 as presented with a couple typographical corrections as submitted, Mr. Gaines seconded. The motion carried a vote of 4-0-0. AYES: Zimmer, Eager, Johnson and Gaines NAYS: None. ABSTAIN: None**

**SUBDIVISIONS: None**

#### **Public Hearings:**

**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.

Senior Planner Steve Tugwell conducted a brief presentation and addressed Board

**Payne:** Made the observation that the existing condition deals with two subjects, first suppliers and vendors and secondly, customers. Suppliers arrive periodically, however UPS delivers to the company not “semi” type trucks. The second part is previously, the planning commission was concerned about traffic coming in and out for customers. Has the applicant considered both aspects of the condition?

**Applicant:** Stated that Stubben North America is a wholesale distributor and only sells Stubben products. She advised there are no 18 wheelers delivering because they won’t fit on the road and most products come from Pakistan or China once every other week. She then stated that their customers buy online and never in store if they visit the facility.

**Payne:** Pointed out that if the condition is deleted and the new proposed condition substituted, the suppliers will not be regulated.

**Zimmer:** Correct

**Eager:** Explained that Stubben is the only distributor of its kind in the U.S. and that is impressive to have it in Fluvanna.

**Applicant:** Added that their staff is composed of 6 people who live in Fluvanna

**Eager:** Asked the applicant if there would be any reason that big trucks would ever come to the site?

**Applicant:** Advised, No the trucks are unable to turn around

**Zimmer:** Clarified with the applicant that the supply portion of the business would not change?

**Applicant:** Agreed and advised that they are only authorized to sell Stubben products

**Zimmer:** Inquired if the company’s needs would be met if the first portion of the condition was kept and the second half that didn’t allow visitors was changed?

**Applicant:** Agreed

**Zimmer:** Asked if there were any more questions for the applicant?

#### **Public Hearing Comments**

Vice Chairman Zimmer opened the floor for the public hearing section of public comments.

**With no one wishing to speak, Vice Chairman Zimmer closed the public hearing comment section and opened Planning Commission discussion.**

**Gaines:** How would the Planning Commission reinstate the 1<sup>st</sup> part of the SUP?

**Payne:** Advised Gaines to leave the first sentence and substitute the requested language for the second sentence.

**Zimmer:** Confirmed with the applicant that she was comfortable making the decision since she was not the owner?

**Applicant:** Stated Yes

**Payne:** Advised the board to move approval to the amendment of condition #4 leaving the 1<sup>st</sup> sentences as is, deleting the 2<sup>nd</sup> sentence and substituting the requested language for the second sentence. *(Proceeded to read an example of the condition)*

**Zimmer:** Asked if there was any other discussion?

**Eager:** What is meeting traffic?

**Payne:** Explained he was unsure of specifics, but meetings are not permitted surrounding equestrian things. This deals particularly with the type of traffic but also the volume.

**Zimmer:** Asked if there was any other discussion?

**MOTION:**

**Mrs. Eager moved to recommend approval of SUP 15:01 – Stubben North America, Mr. Johnson seconded.** The motion carried **with a vote of 4-0-0. AYES: Zimmer, Eager, Johnson, Gaines NAYS: None. ABSTAIN: None**

**SITE DEVELOPMENT PLANS: NONE**

**PRESENTATIONS: NONE**

**UNFINISHED BUSINESS: COMPREHENSIVE PLAN REVIEW-** Planner Lindsey advised the Board that at this time nothing has been received from the Emergency Services Coordinator on the matter.

**NEW BUSINESS:**

Stewart: Explained that the planning staff is almost complete with the subdivision street database and it will be brought before the Board this spring, or summer. He then informed the Planning Commission that they will have a work session next month. Likewise he added that John Thompson, extension agent will be at the May 29<sup>th</sup> Planning Commission meeting to discuss Agri-Tourism and Planner Lindsey has been working with the finance department on cash proffers to bring information to the Board.

**ADJOURN**

There being no further business, Mr. Gaines made a motion to adjourn the Planning Commission meeting of April 22, 2015 at 7: 19 p.m., Mrs. Eager seconded, the motion carried **with a vote of 4-0-0. AYES: Zimmer, Eager, Johnson, Gaines NAYS: None. ABSTAIN: None**

Minutes recorded by Deidre Creasy, Senior Program Assistant.

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Barry A. Bibb, Chairman  
Fluvanna County Planning Commission